

Appendix A
Notice of Preparation and Scoping Comments

This page intentionally left blank

Notice of Preparation

This page intentionally left blank

NOTICE OF PREPARATION OF AN ENVIRONMENTAL IMPACT REPORT FOR THE AIRPORT TRAFFIC CONTROL TOWER RELOCATION AT THE FRESNO YOSEMITE INTERNATIONAL AIRPORT

Date: March 19, 2024

To: State Clearinghouse, Responsible Agencies, Interested Parties and Organizations

Subject: Notice of Preparation of an Environmental Impact Report for the Airport Traffic Control Tower Relocation at the Fresno Yosemite International Airport

Lead Agency: City of Fresno

Contact: Jonathan Bartel – Project Manager
City of Fresno – Airports Department
4995 East Clinton Way
Fresno, CA 93727
Jon.Bartel@Fresno.gov

Comment Period: March 22, 2024 to April 22, 2024

Si necesita información en Español, comuníquese con Valeria Ramirez al teléfono (559) 621-8046 o por correo electrónico a Valeria.Ramirez@fresno.gov.

Notice is Hereby Given: The City of Fresno (City) is the Lead Agency on the Airport Traffic Control Tower (ATCT) Relocation (Proposed Project) at the Fresno Yosemite International Airport (FAT or Airport) and has prepared a Notice of Preparation (NOP) of an Environmental Impact Report (EIR) pursuant to the California Environmental Quality Act (CEQA). The NOP is intended to solicit the views of agencies, interested parties and/or organizations, and the public on the scope and content of the EIR. Specifically, the City is requesting that commenters identify environmental topics (and/or special studies) that they believe need to be addressed in the forthcoming EIR.

Project Title: Airport Traffic Control Tower Relocation

Project Location: The Proposed Project is located on Airport property at 5055 East Andersen Avenue, Fresno, CA 93727. The existing ATCT is located on a 2.25-acre site northwest of the passenger terminal and adjacent to the Aircraft Rescue and Fire Fighting (ARFF) building. Site coordinates are 36° 46' 24.34" N and 119° 43' 19.00" W. The Assessor's Parcel Number (APN) is 494-071-78. **Figure 1** shows the regional location of the Proposed Project and **Figure 2** identifies the study area of the Proposed Project.

Project Description: The City, as owner and operator of FAT, proposes to replace the existing ATCT at the Airport. The existing ATCT includes the Terminal Radar Approach Control Facilities (TRACON), which would be relocated with the ATCT. The replacement ATCT would be

Figure 1: Regional Location

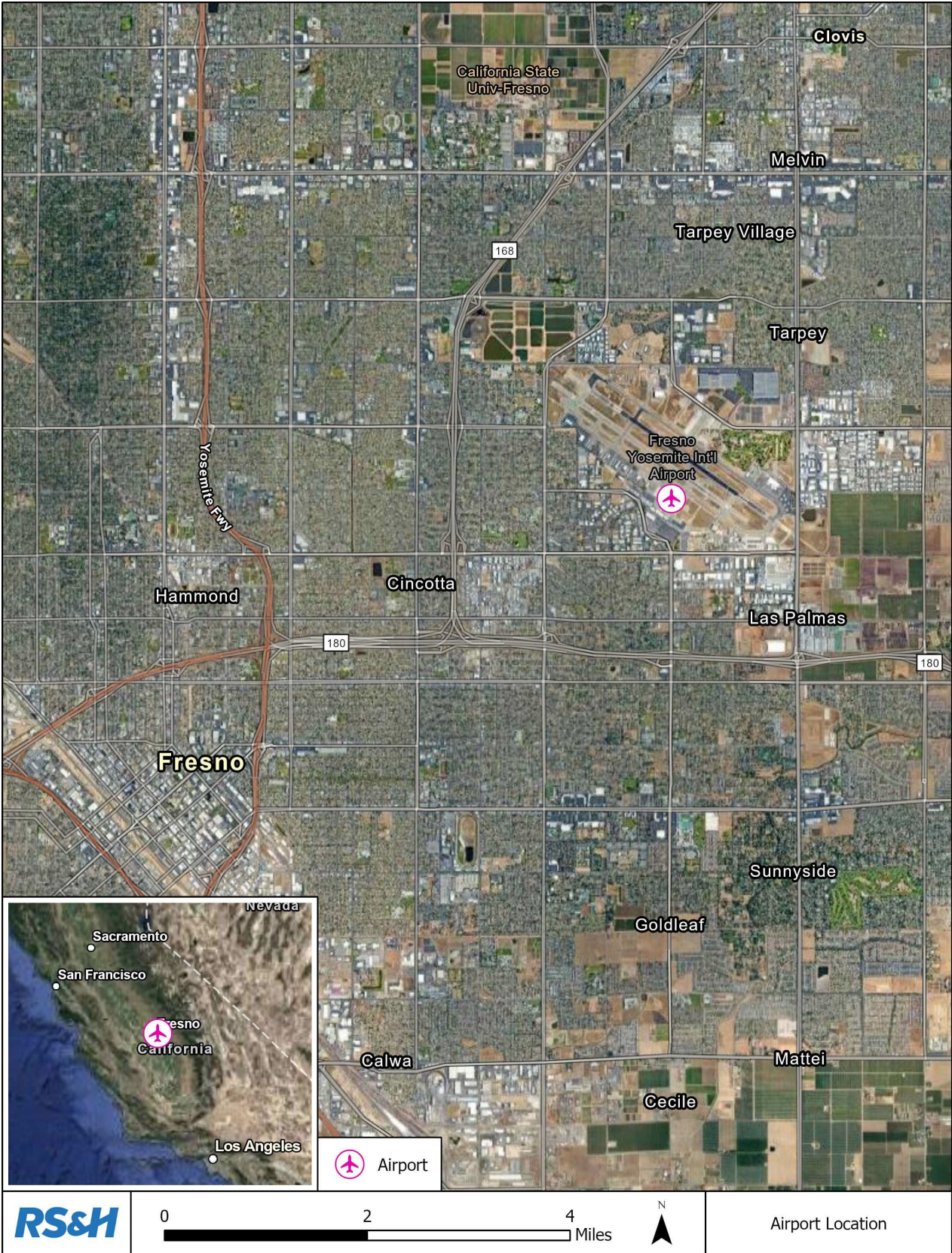


Figure 2: Project Study Area



constructed about 150-200 feet south of the existing ATCT. The existing ATCT would be demolished following construction of the replacement ATCT.

The Proposed Project includes the following components:

- Construction of a new ATCT facility, including TRACON, with an estimated building footprint of 13,000 square feet (sq ft) and tower height of up to 190 feet.
- Installation of new equipment in the replacement ATCT.
- Extension of utility services to the replacement ATCT.
- Reconstruction of the existing parking lot to provide adequate parking for the replacement ATCT.
- Demolition of the existing ATCT facility, including TRACON.

Environmental Review: CEQA requires that the City, as the Lead Agency with the principal responsibility for approving the project, conduct an environmental review of the Proposed Project.

The City has determined that an EIR will be the required CEQA document for the Proposed Project, per Sections 15162 and 15163 of the CEQA Guidelines. It is anticipated that the EIR will discuss potentially significant environmental impacts related to:

- Aesthetics, Air Quality, Cultural Resources, Energy, Geology and Soils, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Hydrology / Water Quality, Noise, Tribal Cultural Resources, and Utilities / Service Systems.

It is anticipated that the Proposed Project would not result in the need for review per CEQA Guidelines Section 15162 for Agriculture / Forest Resources, Biological Resources, Land Use / Planning, Mineral Resources, Population / Housing, Public Services, Recreation, Transportation, and Wildfire. See the CEQA Initial Study Checklist that follows this NOP for further detail.

In addition, in accordance with Section 15126.6 of the CEQA Guidelines, the EIR will assess a range of reasonable alternatives to the Proposed Project. The range of alternatives to be addressed will include alternatives that are specifically required by CEQA (e.g., the No Project Alternative), as well as other alternatives (intended to reduce or eliminate potentially significant impacts) as identified through the coordinated consultation and planning process.

Document Availability and Public Review Timeline: Due to the time limits mandated by State law, your response to the NOP must be sent no later than 30 days after publication of this notice. The review period for the NOP will be from March 22, 2024, to April 22, 2024. All documents related to this project are available for public review during normal business hours (Monday - Friday, 8:00 am – 5:00 pm) by appointment only, at the Planning and Development Department at 2600 Fresno Street, Room 3043, Fresno, CA 93721. Electronic copies may also be requested for review. Please contact Phillip Siegrist, Planning Manager via e-mail Phillip.Siegrist@Fresno.gov or by phone 559-621-8061 to request electronic copies or to

schedule an appointment to view documents. Documents related to this project can also be accessed on the City's website at: <https://www.fresno.gov/darm/planning-development/plans-projects-under-review/>.

Submitting Comments: Comments on the scope and content of the EIR are invited from all interested parties. Written comments or questions concerning the EIR for the Proposed Project should be directed to Jon Bartel via email or mailing address:

Jonathan Bartel – Project Manager
City of Fresno – Airports Department
4995 East Clinton Way
Fresno, CA 93727
Jon.Bartel@Fresno.gov

Comments on the scope and content of the EIR must be received at the above mailing or email address on or before April 22, 2024, at 5:00 pm Pacific Daylight Time (PDT).

Please reference the project title as shown above in all correspondence and include the commenter's full name and contact information.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

<input checked="" type="checkbox"/>	Aesthetics	<input type="checkbox"/>	Agriculture and Forestry Resources
<input checked="" type="checkbox"/>	Air Quality	<input type="checkbox"/>	Biological Resources
<input checked="" type="checkbox"/>	Cultural Resources	<input checked="" type="checkbox"/>	Energy
<input checked="" type="checkbox"/>	Geology/Soils	<input checked="" type="checkbox"/>	Greenhouse Gas Emissions
<input checked="" type="checkbox"/>	Hazards and Hazardous Materials	<input checked="" type="checkbox"/>	Hydrology/Water Quality
<input type="checkbox"/>	Land Use/Planning	<input type="checkbox"/>	Mineral Resources
<input checked="" type="checkbox"/>	Noise	<input type="checkbox"/>	Population/Housing
<input type="checkbox"/>	Public Services	<input type="checkbox"/>	Recreation
<input type="checkbox"/>	Transportation	<input checked="" type="checkbox"/>	Tribal Cultural Resources
<input checked="" type="checkbox"/>	Utilities/Service Systems	<input type="checkbox"/>	Wildfire
<input checked="" type="checkbox"/>	Mandatory Findings of Significance		

DETERMINATION:

On the basis of this initial evaluation:

<u> </u>	I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
<u> </u>	I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
<u> X </u>	I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT (EIR) is required.

—	I find that the proposed project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An EIR is required, but it must analyze only the effects that remain to be addressed.
—	I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.



3/19/24

Jonathan Bartel, Project Manager

Date

For purposes of this Initial Study, the following answers have the corresponding meanings:

- a. “No Impact” means the specific impact category does not apply to the project, or that the record sufficiently demonstrates that project specific factors or general standards applicable to the project will result in no impact for the threshold under consideration.
- b. “Less Than Significant Impact” means there is an impact related to the threshold under consideration, but that impact is less than significant.
- c. “Less Than Significant with Mitigation Incorporation” means there is a potentially significant impact related to the threshold under consideration, however, with the mitigation incorporated into the project, the impact is less than significant. For purposes of this Initial Study “mitigation incorporated into the project” means mitigation originally described in the General Plan Program EIR (GP PEIR) and applied to an individual project, as well as mitigation developed specifically for an individual project.
- d. “Potentially Significant Impact” means there is substantial evidence that an effect may be significant related to the threshold under consideration.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
I. AESTHETICS – Except as provided in PRC Section 21099, would the project:				
a) Have a substantial adverse effect on a scenic vista?				X
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				X
c) In non-urbanized areas, substantially degrade the existing visual character or quality public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?				X
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	X			

DISCUSSION

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

A scenic vista is a viewpoint that provides expansive views of a highly valued landscape for the public's benefit. The City's approved General Plan (City of Fresno, 2014) identifies six locations along the San Joaquin River bluffs as designated vista points from which views should be maintained. The Proposed Project is located on Airport property and adjacent to the existing Airport Traffic Control Tower (ATCT). The Proposed Project is not located within any of the scenic vista points identified in the General Plan. The nearest scenic vista is by Spano Park, approximately 7.2 miles northwest of the study area. Additionally, the

construction of the Proposed Project would not significantly affect or block a potentially scenic vista in the city. Therefore, the Proposed Project would not have a substantial adverse effect on a scenic vista. There would be no impact and no further analysis of this issue will be included in the EIR.

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

According to the Caltrans State Scenic Highway Mapping System (Caltrans, 2023), the nearest eligible State Scenic Highway is State Route (SR) 168 from postmile R4.0 to postmile 49.7. The nearest eligible portion of SR 168 is approximately 2.3 miles northwest of the study area. The nearest officially designated State Scenic Highway is SR 180 at South Frankwood Avenue, which is located approximately 16.3 miles southeast of the study area. Because of the distance to the nearest eligible or officially designated State Scenic Highways from the study area, the Proposed Project would not substantially damage scenic resources including, but not limited to, trees, rock outcroppings, and historic buildings within a designated state scenic highway. Therefore, there would be no impact and no further analysis of this issue will be included in the EIR.

c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

The Proposed Project is located on Airport property and would include the construction of a new ATCT and the demolition of the existing ATCT. Although the Proposed Project would change the visual characteristics of the study area through the relocation of the ATCT, the design of the Proposed Project would be consistent and compatible with the visual character of the Airport and the Proposed Project would not substantially degrade the visual character or quality of the site and its surroundings, nor would the Proposed Project conflict with applicable zoning and other regulations governing scenic quality. Therefore, the Proposed Project would have no impact and no further analysis of this issue will be included in the EIR.

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

The study area is located in an urbanized area subject to preexisting exterior lighting from surrounding Airport development and existing street lighting. The Proposed Project would relocate the ATCT about 150-200 feet and demolish the existing ATCT. It can be assumed that implementation of the Proposed Project would result in a new source of light from the relocated ATCT. Therefore, the Proposed Project could create a new source of substantial light or glare which would adversely affect day or nighttime views in the areas and the EIR will discuss any effects of the Proposed Project on light sources.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
II. AGRICULTURE AND FORESTRY RESOURCES – In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				X
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?				X

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Result in the loss of forest land or conversion of forest land to non-forest use?				X
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?				X

DISCUSSION

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

The Proposed Project is located within an urbanized area of the city of Fresno. There are no agricultural uses located within or adjacent to the study area. Additionally, the site is classified by the California Department of Conservation Farmland Mapping and Monitoring Program (FMMP) as “Urban and Built Up” (California Department of Conservation, 2022). Therefore, development of the Proposed Project would not convert agricultural land to a non-agricultural use. The Proposed Project would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the FMMP of the California Resources Agency, to a non-agricultural use and there would be no impact. No further analysis of this issue will be included in the EIR.

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

The study area is designated as “airport” land use in the General Plan and is located within Industrial and Public and Semi-Public zoning districts which allows for airport uses (City of Fresno, 2023). The study area is not subject to a Williamson Act contract. Therefore, development of the Proposed Project would not conflict with existing zoning for agricultural use or a Williamson Act contract, and the Proposed Project would have no impact. No further analysis of this issue will be included in the EIR.

c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?

The study area is located within an existing urban area and is located within Industrial and Public and Semi-Public zoning districts in the city of Fresno. The Proposed Project would not conflict with the existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g)). Therefore, the Proposed Project would have no impact and no further analysis of this issue will be included in the EIR.

d) Result in the loss of forest land or conversion of forest land to non-forest use?

Refer to the discussion for c) above. The Proposed Project would not result in the loss of forest land or conversion of forest land to non-forest use. Therefore, the Proposed Project would have no impact and no further analysis of this issue will be included in the EIR.

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

Refer to the discussion for a) and c) above. The study area is located within an existing urban environment and would not involve other changes in the existing environment, which, due to their location or nature, could result in conversion of farmland to non-agricultural uses or conversion of forest land to non-forest use. Therefore, the Proposed Project would have no impact and no further analysis of this issue will be included in the EIR.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
III. AIR QUALITY – Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan (e.g., by having potential emissions of regulated criterion pollutants which exceed the San Joaquin Valley Air Pollution Control Districts (SJVAPCD) adopted thresholds for these pollutants)?	X			
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	X			
c) Expose sensitive receptors to substantial pollutant concentrations?	X			
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?				X

DISCUSSION

a) Conflict with or obstruct implementation of the applicable air quality plan?

CEQA requires that certain proposed projects be analyzed for consistency with the applicable air quality plan. An air quality plan describes air pollution control strategies to be implemented by a city, county, or region classified as a non-attainment area. The main

purpose of the air quality plan is to bring the area into compliance with the requirements of the federal and State air quality standards. To bring the San Joaquin Valley Air Basin (SJVAB) into attainment, the SJVAPCD adopted the 2016 Plan for the 2008 8-Hour Ozone Standard in June 2016 to satisfy Clean Air Act requirements and ensure attainment of the 75 parts per billion (ppb) 8-hour ozone standard.

To assure the SJVAB's continued attainment of the U.S. Environmental Protection Agency (USEPA) respirable particulate matter (PM₁₀) standard, the SJVAPCD adopted the 2007 PM₁₀ Maintenance Plan in September 2007. SJVAPCD Regulation VIII (Fugitive PM₁₀ Prohibitions) is designed to reduce PM₁₀ emissions generated by human activity. The SJVAPCD adopted the 2018 plan for the 1997, 2006, and 2012 fine particulate matter (PM_{2.5}) standard to address the USEPA federal annual PM_{2.5} standard of 12 µg/m³, established in 2012.

The SJVAPCD has established project construction and operational emissions thresholds for criteria pollutants. For a project to be consistent with SJVAPCD attainment plans, the pollutants emitted from project operation should not exceed the SJVAPCD daily thresholds, cause a significant impact on air quality, or the project must already have been included in the attainment plans projection.

The Proposed Project may conflict with or obstruct implementation of the applicable air quality plan, so the impact is potentially significant. The EIR will analyze the air pollutant emissions that would occur during construction of the Proposed Project as well as the change in air pollutant emissions that would occur as a result of the implementation of the Proposed Project.

b) 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?

CEQA defines a cumulative impact as two or more individual effects, which when considered together, are considerable or which compound or increase other environmental impacts. Therefore, if annual emissions of construction- or operational-related criteria air pollutants exceed any applicable threshold established by the SJVAPCD, the Proposed Project would result in a cumulatively significant impact.

The Proposed Project may 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, so the impact is potentially significant. The EIR will analyze the air pollutant emissions that would occur during construction of the Proposed Project as well as the change in air pollutant emissions that would occur as a result of the implementation of the Proposed Project.

c) Expose sensitive receptors to substantial pollutant concentrations?

The Proposed Project may expose sensitive receptors to substantial pollutant

concentrations, so the impact is potentially significant. The EIR will analyze the air pollutant emissions that would occur during construction of the Proposed Project as well as the change in air pollutant emissions that would occur as a result of the implementation of the Proposed Project.

d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

During construction, the various diesel-powered vehicles and equipment in use onsite would create localized odors. These odors would be temporary and are not likely to be noticeable for extended periods of time beyond the study area. Potential diesel odor impacts would not adversely affect a substantial number of people as construction would occur solely on Airport property, approximately 0.5 mile east of the nearest residences off North Winery Avenue. In addition, as identified in the GP PEIR, major sources of odors include restaurants, manufacturing plants, and industrial facilities (City of Fresno, 2020). The proposed uses that would be developed with implementation of the Proposed Project are not expected to produce any offensive odors that would result in frequent odor complaints because the above identified substantial odor-generating sources are not proposed. The Proposed Project would not result in other emissions (such as those leading to odors) adversely affecting a substantial number of people, and there would be no impact. No further analysis of this issue will be included in the EIR.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
IV. BIOLOGICAL RESOURCES – Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?				X
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?				X
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				X
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?				X

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				X
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				X

DISCUSSION

- a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service?**

The study area is in the Clovis, California U.S. Geological Survey (USGS) 7.5-minute quadrangle (Clovis Quad). Candidate, sensitive, or special status species that have the potential to be present within the Clovis Quad, as reported by the California Department of Fish and Wildlife's (CDFW's) California Natural Diversity Database (CNDDB), are listed in **Table 1** (California Department of Fish and Wildlife, 2024). However, the study area is located in an urbanized area and within an operational airport facility and is currently developed with the existing ATCT, a parking lot, and landscaping.

Based on the vegetation communities map prepared for the GP PEIR, the land within the study area is urban (or developed) lands which "have been constructed upon or otherwise covered with a permanent unnatural surface (e.g., concrete, asphalt, buildings, homes, etc.) or large amount of debris or other materials. . . Urban land provides poor quality habitat for any special-status species. Special-status species are unlikely to occur within this vegetation community" (City of Fresno, 2020). Due to the urban location, the study area does not provide suitable habitat for special-status animal species. Common wildlife species that are adapted to urban environments are expected to continue to use the site and vicinity after redevelopment.

Table 1: Federal and State Candidate, Sensitive, or Special Status Species in the Clovis Quadrangle

Species	Federal Status	State Status
California tiger salamander - central California Distinct Population Segment	Threatened	Threatened / CDFW Watch List
western spadefoot	Proposed Threatened	None / CDFW Species of Special Concern
Swainsons hawk	None	Threatened
western yellow-billed cuckoo	Threatened	Endangered
tricolored blackbird	None	Threatened / CDFW Species of Special Concern
double-crested cormorant	None	None / CDFW Watch List
burrowing owl	None	None/ CDFW Species of Special Concern
least Bells vireo	Endangered	Endangered
vernal pool fairy shrimp	Threatened	None
California linderiella	None	None
Crotch bumble bee	None	Candidate Endangered
American bumble bee	None	None
Antioch efferian robberfly	None	None
Hurds metapogon robberfly	None	None
molestan blister beetle	None	None
American badger	None	None/ CDFW Species of Special Concern
Northern California legless lizard	None	None/ CDFW Species of Special Concern
California glossy snake	None	None/ CDFW Species of Special Concern
western pond turtle	Proposed Threatened	None/ CDFW Species of Special Concern
coast horned lizard	None	None/ CDFW Species of Special Concern
Sanfords arrowhead	None	None / California Rare Plant Rank 1B.2
California jewelflower	Endangered	Endangered/ California Rare Plant Rank 1B.1
California satintail	None	None/ California Rare Plant Rank 2B.1
Greenes tuctoria	Endangered	Rare/ California Rare Plant Rank 1B.1
Madera leptosiphon	None	None/ California Rare Plant Rank 1B.2

Notes:

CDFW = California Department of Fish and Wildlife

California Rare Plant Ranks:

1B.1 = Plants rare, threatened, or endangered in California and elsewhere; seriously threatened in California

1B.2 = Plants rare, threatened, or endangered in California and elsewhere; fairly threatened in California

2B.1 = Plants rare, threatened, or endangered in California, but more common elsewhere; seriously threatened in California

Therefore, the Proposed Project would not have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the CDFW or the U.S. Fish and Wildlife Service (USFWS). There would be no impact and no further analysis of this issue will be included in the EIR.

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

Riparian areas are transitional zones between terrestrial and aquatic systems that are typically vegetated with grasses, forbs, shrubs, and trees that are tolerant of periodic flooding and have sediments that are rich in nutrients and organic matter (California Wildlife

Conservation Board, 2024). No riparian habitat or other sensitive natural communities occur within the study area, or within the vicinity of the study area. As previously identified, the study area consists entirely of urban/developed areas. As a result, the Proposed Project would not have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the CDFW or the USFWS. There would be no impact and no further analysis of this issue will be included in the EIR.

c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

No aquatic resources occur within the study area, or within the vicinity of the study area. The study area consists entirely of urban/developed areas. As a result, the Proposed Project would not have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means. There would be no impact and no further analysis of this issue will be included in the EIR.

d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

The Federal Aviation Administration (FAA) Advisory Circulars (ACs) provide guidance on compliance with Title 14 of the Code of Federal Regulations (CFR). Title 14 CFR Part 139 Subpart D, Section 139.337 Wildlife Hazard Management defines basic requirements for hazardous wildlife management for airports that hold Airport Operating Certificates, and refers to AC 150/5200-33C *Hazardous Wildlife Attractants on or Near Airports* for “methods and procedures for wildlife hazard management at airports that are acceptable to the Administrator” (FAA, 2004). This AC is required to be followed by airports that receive funding from federal grant assistance programs (e.g., Airport Improvement Program) or the Passenger Facility Charge program, and by planners of projects or activities on or near airports.

During the past century, wildlife-aircraft strikes have resulted in the loss of hundreds of lives worldwide, as well as billions of dollars in aircraft damage. Many public-use airports have large open and undeveloped lands that can present potential hazard to aviation which may encourage wildlife (such as migratory birds) to enter an airport’s approach or departure airspace or airport operations area (AOA). The FAA recommends 5 statute miles between the farthest edge of the airport’s AOA and a hazardous wildlife attractant if the attractant could cause hazardous wildlife movement into or across the approach or departure airspace. Hazardous wildlife attractants can include trees, open bodies of water, and other habitat that could attract wildlife that can end up on an airport and collide with aircraft.

The study area and surrounding area is completely developed and does not include any

areas of undisturbed or minimally disturbed vegetation. As identified in the GP PEIR, while the San Joaquin River corridor functions as a wildlife movement corridor for a number of terrestrial and aquatic mammals and birds, the remaining portions within the City's planning area, which includes the study area, do not provide substantive linkages to be considered as part of a wildlife movement corridor. Due to the noise produced by a working airport, the regular human activity within the study area, and only landscaping that is regularly maintained occurring within the study area, it is unlikely that native or migratory wildlife species would regularly use the study area.

As a result, the Proposed Project would not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites. There would be no impact and no further analysis of this issue will be included in the EIR.

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

The Proposed Project is subject to provisions of the City's Municipal Code regarding trees on public property (Article 3 of Section 13 of the City of Fresno Municipal Code), which provides guidelines and requirements for the preservation and protection existing street trees, as well as guidelines establishing the installation of city-owned trees along streets. For City projects that include tree removal, the provision states that the Public Works Director shall be responsible for the preservation and, when required herein, the removal of all trees on public property. No other local policies protecting biological resources are relevant to the Proposed Project. Therefore, the Proposed Project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. There would be no impact and no further analysis of this issue will be included in the EIR.

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

The PG&E San Joaquin Valley Operation and Maintenance (O&M) Habitat Conservation Plan (HCP) was approved in 2007 and covers portions of nine counties, including Fresno County (PG&E, 2006). This HCP covers PG&E activities which occur as a result of ongoing O&M that would have an adverse impact on any of the 65 covered species and provides incidental take coverage from the US Fish and Wildlife Service and California Department of Fish and Wildlife. The study area is not located within the covered area of any HCP, Natural Community Conservation Plan (NCCP), or other adopted local, regional or state HCP. Therefore, the Proposed Project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. The Proposed Project and would have no impact and no further analysis of this issue will be included in the EIR.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
V. CULTURAL RESOURCES – Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?	X			
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	X			
c) Disturb any human remains, including those interred outside of formal cemeteries?	X			

DISCUSSION

a) Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?

A historical resource defined by CEQA includes one or more of the following criteria: 1) the resource is listed, or found eligible for listing in, the California Register of Historical Resources (CRHR); 2) listed in a local register of historical resources as defined by Public Resources Code (PRC) Section 5020.1(k); 3) identified as significant in a historical resources survey meeting the requirements of PRC Section 5024.1(g); or 4) determined to be a historical resource by the project's lead agency (PRC Section 21084.1; CEQA Guidelines Section 15064.(a)). Under CEQA, historical resources include built-environment resources and archaeological sites. A historical resources assessment has been conducted and determined that the existing ATCT is eligible for listing on the National Register of Historic Places (NRHP) and the CRHR, and is eligible for designation under the City of Fresno Historic Preservation Ordinance.

The Proposed Project may cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5. The impact is potentially significant and the EIR will discuss any effects of the Proposed Project on historic or archaeological resources.

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

According to the CEQA Guidelines, “When a project will impact an archaeological site, a lead agency shall first determine whether the site is an historical resource” (CEQA Guidelines Section 15064.5(c)(1)). Those archaeological sites that do not qualify as historical resources shall be assessed to determine if these qualify as “unique archaeological resources” (California PRC Section 21083.2).

The Proposed Project may cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5. The impact is potentially significant and the EIR will discuss any effects of the Proposed Project on archaeological resources.

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

Disturbance of human remains interred outside of formal cemeteries would result in a significant impact. If human remains are identified during project construction, Section 7050.5 of the California Health and Safety Code shall apply, as appropriate. Although there is no record of isolated human remains or unknown cemeteries in the study area, there is always a possibility that ground-disturbing activities associated with future development may uncover previously unknown buried human remains. Therefore, the Proposed Project may disturb any human remains, including those interred outside of formal cemeteries. The impact is potentially significant and the EIR will discuss any effects of the Proposed Project on human remains.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
VI. ENERGY – Would the project:				
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	X			
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?				X

DISCUSSION

a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

The Proposed Project would be constructed using energy efficient modern building materials and construction practices, and the Proposed Project would also use new modern appliances and equipment, in accordance with the Appliance Efficiency Regulations (Title 20, CCR Sections 1601 through 1608). It can be assumed that implementation of the Proposed Project would result in additional energy demand in the City. Therefore, the Proposed Project could result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation and the EIR will discuss any effects of the Proposed Project on energy resources.

b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

The Proposed Project would be required to comply with the California Green Building Standards (CALGreen) Code (CCR Title 24, Part 11) and the California Energy Code (CCR Title 24, Part 6), which includes provisions related to insulation and design aimed at minimizing energy consumption.

The Proposed Project would also be required to comply with the City's Greenhouse Gas Reduction Plan (GHG Plan). The GHG Plan provides a comprehensive assessment of the benefits of General Plan and Development Code policies along with existing plans, programs, and initiatives that reduce GHG emissions. In addition, the GHG Plan includes

an emission reduction target for demonstrating consistency with State GHG reduction targets. The analysis prepared to quantify GHG emissions and emission reductions provides the basis for the GHG Plan targets and for CEQA significance findings of implementing the approved General Plan and the GHG Plan.

The 2021 Greenhouse Gas Reduction Plan Update was prepared to re-evaluate the City's existing GHG reduction targets and strategies (City of Fresno, 2021). The GHG Plan Update provides new goals and supporting measures to reflect and ensure compliance with changes in the local and State policies while ensuring it encourages economic growth and keeps the city economically competitive while achieving GHG reductions and maintaining the "CEQA Qualified Plan" status.

The Proposed Project would be compliant with relevant energy-efficient policies and recommendations outlined in the GHG Plan Update. Therefore, the Proposed Project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. There would be no impact and no further analysis of this issue will be included in the EIR.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
VII. GEOLOGY AND SOILS – Would the project:				
a) Directly or Indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.				X
ii) Strong seismic ground shaking?				X
iii) Seismic-related ground failure, including liquefaction?	X			
iv) Landslides?				X
b) Result in substantial soil erosion or the loss of topsoil?	X			
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	X			
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	X			

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?				X
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	X			

DISCUSSION

a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:

i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

Fault ruptures are generally expected to occur along active fault traces that have exhibited signs of recent geological movement (i.e., in the last 11,000 years). Alquist-Priolo Earthquake Fault Zones delineate areas around active faults with potential surface fault rupture hazards that would require specific geological investigations prior to approval of certain kinds of development within the delineated area. The study area is not located within an Alquist-Priolo Earthquake Fault Zone. In addition, no known active or potentially active faults or fault traces are located in the Airport vicinity. The nearest active faults are the Nunez Fault, located approximately 60 miles southwest of the study area, and Independence Fault, located approximately 80 miles east of the study area (California Department of Conservation, 2023). The Proposed Project would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault. Therefore, there would be no impact and no further analysis of this issue will be included in the EIR.

ii. Strong seismic ground shaking?

The city of Fresno is located in an area with historically low to moderate level of seismicity. However, strong ground shaking could occur within the study area during seismic events and occurrences have the possibility to result in significant impacts. Major seismic activity along the Great Valley Fault Zone or the Nunez Fault, or other associated faults, could affect the study area through strong seismic ground shaking. Strong seismic ground shaking could potentially cause structural damage to the Proposed Project. However, due to the distance to the known faults, hazards due to ground shaking would be minimal. In addition, compliance with the California Building Code (Title 24, California Code of Regulations) would ensure that the geotechnical design of the Proposed Project would further reduce potential impacts related to seismic ground shaking. Therefore, the Proposed Project would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking and there would be no impact. No further analysis of this issue will be included in the EIR.

iii. Seismic-related ground failure, including liquefaction?

Liquefaction is a process whereby strong ground shaking causes loose, saturated, unconsolidated sediments to lose strength and to behave as a fluid. This process can cause significant ground deformations at or near the ground surface, including lateral spreading, differential compaction, or settlement and sand boils. The amounts of settlement and movement depend on ground shaking intensity and degree of soil compaction; looser soils subjected to higher ground shaking will settle or move more. Loss of bearing strength and ground movements associated with liquefaction may result in damage to structures.

The predominant soils within the city of Fresno consist of varying combinations of loose/very soft to very dense/hard silts, clays, sands, and gravels. Groundwater has been encountered near the ground surface in close proximity to water-filled features such as canals, ditches, ponds, and lakes. Based on these characteristics, the potential for soil liquefaction within the city ranges from very low to moderate due to the variable density of the subsurface soils and the presence of shallow groundwater. As such, the Proposed Project could directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving seismic-related ground failure, including liquefaction. The impact is potentially significant and the EIR will discuss any effects of the Proposed Project related to seismic-related ground failure, including liquefaction.

iv. Landslides?

A landslide generally occurs on relatively steep slopes and/or on slopes underlain by weak materials. Fresno is located within an area that consists of mostly flat topography within the Central Valley. Accordingly, there is no risk of large landslides in the majority

of the city. However, there is the potential for landslides and slumping along the steep banks of rivers, creeks, or drainage basins such as the San Joaquin River bluff and the many unlined basins and canals that trend throughout the city. The study area is in a flat area and it is not in the vicinity of the San Joaquin River bluff or along a steep bank of any unlined basins or canals. Therefore, the potential for the Proposed Project to expose people or structures to risk as a result of landslides would be minimal and there would be no impact. No further analysis of this issue will be included in the EIR.

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

Grading and earthmoving during project construction have the potential to result in erosion and loss of topsoil. Exposed soils could be entrained in stormwater runoff and transported off the study area. As such the Proposed Project could result in substantial soil erosion or the loss of topsoil. The impact is potentially significant and the EIR will discuss any effects of the Proposed Project related to soil erosion..

c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?

As described in discussion a),iv in this section, soils in the study area would not be subject to landslides. However, the Proposed Project could be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site lateral spreading, subsidence, liquefaction, or collapse. The impact is potentially significant and the EIR will discuss any effects of the Proposed Project related to unstable geologic units or soils.

d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994, as updated), creating substantial direct or indirect risks to life or property?

The surface and near-surface soils observed throughout Fresno consist of varying combinations of clays, silts, sands, gravels, and cobbles. Expansive soils are characterized by the potential for shrinking and swelling as the moisture content of the soil decreases and increases, respectively. The clayey soils, which consist of very fine particles, are considered to be slightly to moderately expansive. The study area contains Atwater sandy loam which has low expansion potential (US Department of Agriculture, 2023). As such the Proposed Project could be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994, as updated), creating substantial direct or indirect risks to life or property. The impact is potentially significant and the EIR will discuss any effects of the Proposed Project related to expansive soil.

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

The new ATCT would be served by a wastewater conveyance system maintained by the Wastewater Management Division (WMD) of the City of Fresno. Wastewater from the City's collection system is treated at the Fresno/Clovis Regional Wastewater Reclamation Facility. Development of the Proposed Project would not involve the use of septic tanks or alternative wastewater disposal systems. Therefore, the Proposed Project would not have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water. There would be no impact and no further analysis of this issue will be included in the EIR.

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

Development in the City of Fresno could potentially impact unknown paleontological resources or unique geological features. As such the Proposed Project could directly or indirectly destroy a unique paleontological resource or site or unique geologic feature. The impact is potentially significant and the EIR will discuss any effects of the Proposed Project related to paleontological resources or site or unique geologic features.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
VIII. GREENHOUSE GAS EMISSIONS – Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	X			
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	X			

DISCUSSION

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

The Proposed Project could generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment. The impact is potentially significant and the EIR will discuss changes in greenhouse gas emissions that would occur as a result of the construction and operation of the Proposed Project.

b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

The Proposed Project could conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases. The impact is potentially significant and the EIR will discuss changes in greenhouse gas emissions that would occur as a result of the construction and operation of the Proposed Project.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
IX. HAZARDS AND HAZARDOUS MATERIAL – Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	X			
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	X			
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	X			
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				X
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	X			

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	X			
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?				X

DISCUSSION

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

The Proposed Project could create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. The impact is potentially significant and the EIR will evaluate the effects of the Proposed Project on the use, disposal, or transport of hazardous materials or wastes.

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

The Proposed Project could create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. The impact is potentially significant and the EIR will evaluate the effects of the Proposed Project on the use, disposal, or transport of hazardous materials or wastes.

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

The Proposed Project could emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. The impact is potentially significant and the EIR will evaluate the effects of the Proposed Project on the use, disposal, or transport of hazardous materials or wastes.

- d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?**

According to the California Department of Toxic Substances Control EnviroStor database, the study area is not located on a federal superfund site, State response site, voluntary cleanup site, school cleanup site, evaluation site, school investigation site, military evaluation site, tiered permit site, or corrective action site (California Department of Toxic Substances Control, 2023). Additionally, the study area is not included on the list of hazardous waste sites compiled pursuant to Government Code Section 65962.5 (California Environmental Protection Agency, 2023). As a result, the Proposed Project would not be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment. No hazards to the public or environment are anticipated, and there would be no impact. No further analysis of this issue will be included in the EIR.

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

The Proposed Project is 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. Therefore, the Proposed Project could result in a safety hazard for people residing or working in the project area. The impact is potentially significant and the EIR will evaluate the safety hazards of the Proposed Project.

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

The Proposed Project could impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. The impact is potentially significant and the EIR will evaluate whether the Proposed Project would impair implementation of interfere with an adopted emergency response plan or emergency evaluation plan.

- g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?**

The study area is located in an area mapped as Local Responsibility Area (LRA) Unzoned, indicating that the area is urbanized, not susceptible to wildland conflagrations, and is not located within a very high fire hazard severity zone (VHFHSZ) (California Department of Forestry and Fire Protection, 2023). Therefore, the Proposed Project would not expose people or structures, either directly or indirectly, to a significant loss, injury or death involving wildland fires and there would be no impact. No further analysis of this issue will be included in the EIR.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
X. HYDROLOGY AND WATER QUALITY – Would the project:				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	X			
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	X			
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or through the addition of impervious surfaces, in a manner which would:				
i) Result in a substantial erosion or siltation on- or off-site;	X			
ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site:	X			
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	X			
iv) Impede or redirect flood flows?				X

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?				X
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?				X

DISCUSSION

a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?

The Proposed Project could violate water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality. The impact is potentially significant and the EIR will evaluate effects of the Proposed Project on water quality standards and waste discharge requirements.

b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

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 impact is potentially significant and the EIR will evaluate effects of the Proposed Project on groundwater supplies and groundwater recharge.

c) Substantially alter the existing drainage pattern of the site or 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?

Construction of the Proposed Project would result in grading on the site that would expose native soils that could be subject to the effects associated with wind and water erosion unless adequate measures are taken to limit the transport of soils in surface water from the site to downstream locations. As such, the Proposed Project could substantially alter the existing drainage pattern of the site or 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 result in substantial erosion or siltation on- or off-site. The impact is potentially significant and the EIR will discuss any effects of the Proposed Project related to erosion and siltation.

ii. Substantially increase the rate or amount of surface runoff in a manner, which would result in flooding on- or off-site?

The study area is mostly paved or developed with the exception of a landscaped area on the southeast portion. Ground-disturbing activities related to construction, such as grading, excavation, placing fill, and trenching, could change existing surface drainage patterns and increase the potential for flooding, particularly during storm events. As such the Proposed Project could substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or through the addition of impervious surfaces, in a manner which could substantially increase the rate or amount of surface runoff in a manner, which would result in flooding on- or off-site. The impact is potentially significant and the EIR will discuss any effects of the Proposed Project related to surface runoff.

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?

The Proposed Project would increase impervious surfaces in the study area. As such the Proposed Project could substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or through the addition of impervious surfaces, in a manner which could 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. The impact is potentially significant and the EIR will discuss any effects of the Proposed Project related to stormwater drainage.

iv. Impede or redirect flood flows?

Title 40 of the Code of Federal Regulations, Part 60 regulations (40 CFR 60), and the floodplain ordinance of the City of Fresno require that placement and flood provision structures within a floodplain not result in a cumulative change in the floodplain water surface that exceeds one foot. In addition, the regulations under 40 CFR 60 do not allow placement of structures within a regulatory floodway unless that placement would not result in any increase in the floodplain water surface elevation, meaning that there is no displacement or redirection of the floodway. The City's floodplain ordinance requires that a registered Civil Engineer in the State of California certify that no displacement of floodwater would result from the flood proofing of a structure within a floodplain or a regulatory floodway. The study area is not located within the 100-year flood hazard area as mapped by the Federal Emergency Management Agency (FEMA) (Federal Emergency Management Agency, 2023). As a result, the Proposed Project would not

substantially alter the existing drainage pattern of the site or 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 impede or redirect flood flows. There would be no impact and no further analysis of this issue will be included in the EIR.

d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?

The study area is not located within the 100-year flood hazard area as mapped by FEMA (Federal Emergency Management Agency, 2023). The study area is not within a tsunami hazard area as mapped by the California Geological Survey (CGS) (California Geological Survey, 2009).

As documented in the GP PEIR, the nearest body of water capable of producing a seiche is Big Creek Dry Dam and Reservoir, which is located approximately 7.8 miles northeast of the study area. However, this is a relatively small reservoir and would not be subject to strong oscillations during an earthquake event (City of Fresno, 2020). Therefore, the Proposed Project is not in flood hazard, tsunami, or seiche zones, and is not at risk to release of pollutants due to project inundation. There would be no impact and no further analysis of this issue will be included in the EIR.

e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

Fresno is located within the Kings Sub-basin, which is part of the larger San Joaquin Valley Groundwater Basin. The planning documents regarding water resources for the city include the North Kings Groundwater Sustainability Act (GSA) Groundwater Management Plan, the City of Fresno Urban Water Management Plan, and City of Fresno Metropolitan Water Resources Management Plan. The Proposed Project would be required to adhere to NPDES drainage control requirements during construction and operation as well as to FMFCD drainage control requirements. As a result, the Proposed Project would not conflict with or obstruct implementation of a water quality control plan or groundwater management plan. Therefore, would be no impact and no further analysis of this issue will be included in the EIR.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XI. LAND USE AND PLANNING – Would the project:				
a) Physically divide an established community?				X
b) 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?				X

DISCUSSION

a) Physically divide an established community?

The physical division of an established community typically refers to the construction of a physical feature (such as an interstate highway or railroad tracks) or removal of a means of access (such as a local road or bridge) that would impair mobility within an existing community, or between a community and outlying areas. For instance, the construction of an interstate highway through an existing community may constrain travel from one side of the community to another; similarly, such construction may also impair travel to areas outside of the community.

The study area is located on Airport property, adjacent to other Airport facilities. The Proposed Project would include the relocation of the existing ATCT by about 150-200 feet. These improvements would not affect connectivity and would not divide an established community. Therefore, the Proposed Project would not physically divide an established community. There would be no impact and no further analysis of this issue will be included in the EIR.

b) 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?

The study area is designated for airport uses in the General Plan (City of Fresno, 2014). The Proposed Project would not require a change to the General Plan land use designation or the current zoning and would be consistent with the City's General Plan and Zoning Ordinance. Additionally, the Proposed Project would not conflict with any land use plan,

policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. Therefore, 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 or mitigating an environmental effect. There would be no impact and no further analysis of this issue will be included in the EIR.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XII. MINERAL RESOURCES – Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				X

DISCUSSION

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

As reported in the GP PEIR, the principal area for mineral resources in the City of Fresno is located along the San Joaquin River Corridor. The California Department of Mines and Geology classifies lands along the San Joaquin River Corridor as Mineral Resource Zone (MRZ) 1, MRZ-2, and MRZ-3 (City of Fresno, 2020). The study area is not located in the vicinity of the San Joaquin River, and, as shown in the Mineral Resource Map provided in the PEIR for the City of Clovis General Plan, is not a MRZ and does not contain a MRZ (City of Clovis, 2014). Therefore, the Proposed Project would not result in the loss of availability of a known mineral resource that would be of value to the region or the residents of the state. There would be no impact and no further analysis of this issue will be included in the EIR.

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

Please refer to the discussion for a). The Proposed Project would not result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan. Therefore, the Proposed Project would have no impact and no further analysis of this issue will be included in the EIR.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XIII. NOISE – Would the project result in:				
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	X			
b) Generation of excessive groundborne vibration or groundborne noise levels?	X			
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	X			

DISCUSSION

a) **Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or in other applicable local, state, or federal standards?**

The Proposed Project may generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or in other applicable local, state, or federal standards. The impact is potentially significant and the EIR will discuss noise in relation to the Proposed Project.

b) **Generation of excessive groundborne vibration or groundborne noise levels?**

The Proposed Project may generate excessive groundborne vibration or groundborne noise levels. The impact is potentially significant and the EIR will discuss project-related

noise.

- c) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?**

The study area is within FAT, which is an existing airport. Therefore, the Proposed Project is located within an airport land use plan and could expose people residing or working in the project area to excessive noise levels. The impact is potentially significant and the EIR will discuss project-related noise.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XIV. POPULATION AND HOUSING – Would the project:				
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?				X
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?				X

DISCUSSION

a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

The Proposed Project would include the relocation of the existing ATCT by about 150-200 feet. The site is designated for airport use by the General Plan and belongs to the Industrial and Public and Semi-Public zoning districts, which allow for airport development.

The Proposed Project would not result in direct population growth as the use proposed is not residential and would not contribute to permanent residency onsite. Therefore, the Proposed Project would not induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure) and there would be no impact. No further analysis of this issue will be included in the EIR.

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

The Proposed Project is located on Airport property and would not necessitate the displacement or removal of existing housing. Therefore, the Proposed Project would not displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere and there would be no impact. No further analysis of this issue will be included in the EIR.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XV. PUBLIC SERVICES – Would the project:				
a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
Fire protection?				X
Police protection?				X
Schools?				X
Parks?				X
Other public facilities?				X

DISCUSSION

- a) **Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:**

i. **Fire protection?**

The Proposed Project includes relocating the ATCT by about 150-200 feet. There would be no change to fire protection services or need for additional fire protection services as a result of the Proposed Project. Therefore, the Proposed Project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance

objectives for fire protection. There would be no impact and no further analysis of this issue will be included in the EIR.

ii. Police protection?

The Proposed Project includes relocating the ATCT by about 150-200 feet. There would be no change to police protection services or need for additional police protection services as a result of the Proposed Project. Therefore, the Proposed Project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for police protection. There would be no impact and no further analysis of this issue will be included in the EIR.

iii. Schools?

The Proposed Project would occur at the Airport and would not generate student demand or otherwise affect school services given that there is no housing or a residential component. Therefore, the Proposed Project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for school. There would be no impact and no further analysis of this issue will be included in the EIR.

iv. Parks?

The Proposed Project includes relocating the ATCT by about 150-200 feet. The Proposed Project would not generate population growth that would result in an increase in the use of existing neighborhood and regional parks. Therefore, the Proposed Project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for parks. There would be no impact and no further analysis of this issue will be included in the EIR..

v. Other public facilities?

Development of the Proposed Project would occur at the Airport and would not increase demand for other public services, including libraries, community centers, and public health care facilities. Therefore, the Proposed Project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for other public facilities. There would be no impact and no further analysis of this issue will be included in the EIR..

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XVI. RECREATION – Would the project:				
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				X
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				X

DISCUSSION

a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

The Proposed Project includes relocating the ATCT by about 150-200 feet and would not generate population growth that would result in an increase in the use of existing neighborhood and regional parks or other recreational facilities. Therefore, the Proposed Project would not increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated. There would be no impact and no further analysis of this issue will be included in the EIR.

b) Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?

The Proposed Project includes relocating the ATCT by about 150-200 feet and would not require the construction or expansion of existing public recreational facilities. Therefore, the Proposed Project does not include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment. There would be no impact and no further analysis of this issue will be included in the EIR.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XVII. TRANSPORTATION – Would the project:				
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?				X
b) Conflict or be inconsistent with CEQA Guidelines § 15064.3, subdivision (b)?				X
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				X
d) Result in inadequate emergency access?				X

DISCUSSION

a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

The Proposed Project includes relocating the ATCT by about 150-200 feet. No changes to surface traffic, transit, bicycle, or pedestrian facilities would occur as result of the Proposed Project. Therefore, the Proposed Project does not conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities. There would be no impact and no further analysis of this issue will be included in the EIR.

b) Would the project conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?

Senate Bill (SB) 743 requires that relevant CEQA analysis of transportation impacts be conducted using a metric known as vehicle miles traveled (VMT) instead of Level of Service (LOS). VMT measures how much actual auto travel (additional miles driven) a proposed project would create on California roads. If the project adds excessive car travel onto our roads, the project may cause a significant transportation impact.

The State CEQA Guidelines were amended to implement SB 743, by adding Section 15064.3. Among its provisions, Section 15064.3 confirms that, except with respect to transportation projects, a project's effect on automobile delay shall not constitute a significant environmental impact. Therefore, LOS measures of impacts on traffic facilities is no longer a relevant CEQA threshold for transportation impacts.

CEQA Guidelines Section 15064.3(b)(4) states that "[a] lead agency has discretion to evaluate a project's vehicle miles traveled, including whether to express the change in absolute terms, per capita, per household or in any other measure. A lead agency may use models to estimate a project's vehicle miles traveled and may revise those estimates to reflect professional judgment based on substantial evidence. Any assumptions used to estimate used to estimate vehicle miles traveled and any revision to model outputs should be documented and explained in the environmental document prepared for the project. The standard of adequacy in Section 15151 shall apply to the analysis described in this section."

On June 25, 2020, the City of Fresno adopted CEQA Guidelines for Vehicle Miles Traveled Thresholds, dated June 25, 2020, pursuant to Senate Bill 743 to be effective of July 1, 2020. The thresholds described therein are referred to herein as the City of Fresno VMT Thresholds. The City of Fresno VMT Thresholds document was prepared and adopted consistent with the requirements of CEQA Guidelines Sections 15064.3 and 15064.7. The December 2018 Technical Advisory on Evaluating Transportation Impacts in CEQA (Technical Advisory) published by the Governor's Office of Planning and Research (OPR), was utilized as a reference and guidance document in the preparation of the Fresno VMT Thresholds.

The Proposed Project includes the relocation of the ATCT by about 150-200 feet. The City of Fresno VMT Thresholds Section 3.0 regarding Project Screening discusses a variety of projects that may be screened out of a VMT analysis including specific development and transportation projects. For development projects, conditions may exist that would presume that a development project has a less than significant impact. These may be size, location, proximity to transit, or trip-making potential. For transportation projects, the primary attribute to consider with transportation projects is the potential to increase vehicle travel, sometimes referred to as "induced travel."

The Proposed Project is eligible to screen out because it is an institutional/government and public service use that is already part of the community, so is accounted for in the existing regional average VMT. Therefore, the Proposed Project would not conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b). There would be no impact and no further analysis of this issue will be included in the EIR.

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

The Proposed Project would not alter pedestrian or vehicle access to the study area or

introduce incompatible design features or equipment that would substantially increase the risk of hazards. Therefore, the Proposed Project would not substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment), and there would be no impact. No further analysis of this issue will be included in the EIR.

d) Result in inadequate emergency access?

Emergency vehicles would have access to the study area via East Andersen Avenue and emergency access would not be modified as a result of the Proposed Project. Roads adjacent to the study area would not require closure during project construction as access to the existing ATCT would be maintained throughout construction of the new ATCT. Therefore, the Proposed Project would not result in inadequate emergency access. There would be no impact and no further analysis of this issue will be included in the EIR.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XVII. TRIBAL CULTURAL RESOURCES – Would the project:				
a) Cause a substantial adverse change in the significance of a tribal cultural resource, defined in PRC section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in PRC section 5020.1(k), or,	X			
ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of PRC section 5024.1. In applying the criteria set forth in subdivision (c) of PRC section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	X			

DISCUSSION

- a) **Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:**

i. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)

In compliance with Assembly Bill 52, consultation with tribes is required. This consultation will determine whether the Proposed Project site would be considered a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k). Therefore, the impact is potentially significant and the EIR will discuss any effects of the Proposed Project on historic or archaeological resources and will coordinate with tribal interests.

ii. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

In compliance with Assembly Bill 52, consultation with tribes is required. This consultation will determine whether the Proposed Project site would be considered a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe. Therefore, the impact is potentially significant and the EIR will discuss any effects of the Proposed Project on historic or archaeological resources and will coordinate with tribal interests.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XIX. UTILITIES AND SERVICE SYSTEMS – Would the project:				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effect?	X			
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?				X
c) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				X
d) Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	X			
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?				X

DISCUSSION

- a) **Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?**

The Proposed Project would require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects. Therefore, the impact is potentially significant and the EIR will discuss any effects of the Proposed Project on water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities.

- b) **Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?**

The Department of Public Utilities has determined that adequate sanitary sewer and water services would be available to serve the Proposed Project subject to the payment of any applicable connection charges and/or fees and extension of services in a manner which is compliant with the Department of Public Utilities standards, specifications, and policies.. Based on the 2020 Urban Water Management Plan, the water supplies for the City (357,330 Acre Feet (AF)/year) are adequate to accommodate the demand in the City by 2045 (241,447 AF/year) (City of Fresno, 2020). The Proposed Project would be consistent with the General and would therefore be covered by the City's water supply projections. As a result, there would be sufficient water supply available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years. Therefore, there would be no impact and no further analysis of this issue will be included in the EIR.

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

The Proposed Project is not expected to exceed wastewater treatment requirements of the applicable RWQCB. The City of Fresno owns and operates two wastewater treatment facilities, the Fresno/Clovis Regional Wastewater Reclamation Facility and the North Fresno Wastewater Reclamation Facility. The Regional Facility currently has a capacity of 91.5 million gallons per day (mgd). The North Facility has a capacity of 0.71 mgd. The Proposed Project would not result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments. Therefore, there would be no impact and no further analysis of this issue will be included in the EIR.

d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

Because the existing ATCT would be demolished following completion of the new ATCT, the Proposed Project would generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals. Therefore, the impact is potentially significant and the EIR will discuss any effects of the Proposed Project on water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities.

e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

The Proposed Project would comply with CALGreen, the City's Construction and Demolition (C&D) Waste Management Guide, and with waste management policies and recommendations from the General Plan and the Greenhouse Gas Reduction Plan Update. The Proposed Project would dispose of waste in accordance with applicable federal, state, and local recycling, reduction, and waste requirements and policies. Therefore, the Proposed Project would comply with federal, state, and local management and reduction statutes and regulations related to solid waste. There would be no impact and no further analysis of this issue will be included in the EIR.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XX. WILDFIRE – If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?				X
b) 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?				X
c) 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?				X
d) 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?				X

DISCUSSION

a) Substantially impair an adopted emergency response plan or emergency evacuation plan?

The Airport is not located in an area that has been designated as a Very High Fire Hazard Severity Zones (VHFHSZ) (CAL FIRE, 2007). Therefore, the Proposed Project would not

substantially impair an adopted emergency response plan or emergency evacuation plan. There would be no impact and no further analysis of this issue will be included in the EIR.

b) 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?

The Airport is not located in an area that has been designated as VHFHSZ. Therefore, due to slope, prevailing winds, and other factors, exacerbate wildfire risks, the Proposed Project would not expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire. There would be no impact and no further analysis of this issue will be included in the EIR.

c) 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?

The Airport is not located in an area that has been designated as VHFHSZ. Therefore, the Proposed Project would not 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. There would be no impact and no further analysis of this issue will be included in the EIR.

d) 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?

The Airport is not located in an area that has been designated as VHFHSZ. Therefore, the Proposed Project would not 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. There would be no impact and no further analysis of this issue will be included in the EIR.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XIX. MANDATORY FINDINGS OF SIGNIFICANCE				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	X			
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	X			
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	X			

DISCUSSION

- a) **Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of an endangered, rare, or threatened species, or eliminate important examples of the major periods of California history or prehistory?**

The Proposed Project could have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of an endangered, rare, or threatened species, or eliminate important examples of the major periods of California history or prehistory. Therefore, the impact is potentially significant and the EIR will discuss all impacts that would occur as a result of the implementation of the Proposed Project. In addition, the EIR will include an analysis of cumulative impacts to which the Proposed Project could contribute.

- b) **Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)**

The Proposed Project could have impacts that are individually limited, but cumulatively considerable. Therefore, the impact is potentially significant and the EIR will discuss all impacts that would occur as a result of the implementation of the Proposed Project. In addition, the EIR will include an analysis of cumulative impacts to which the Proposed Project could contribute.

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

The Proposed Project could have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly. Therefore, the impact is potentially significant and the EIR will discuss all impacts that would occur as a result of the implementation of the Proposed Project. In addition, the EIR will include an analysis of cumulative impacts to which the Proposed Project could contribute.

References

- CAL FIRE. (2007). *Fire Hazard Severity Zones Maps*. Retrieved February 2024, from <https://osfm.fire.ca.gov/what-we-do/community-wildfire-preparedness-and-mitigation/fire-hazard-severity-zones/fire-hazard-severity-zones-maps>
- California Department of Conservation. (2022). *California Important Farmland Finder*. Retrieved December 2023, from <https://maps.conservation.ca.gov/DLRP/CIFF/>
- California Department of Conservation. (2023). *Geologic Hazards*. Retrieved December 2023, from California Geological Survey: <https://maps.conservation.ca.gov/geologichazards/>
- California Department of Fish and Wildlife. (2024). *CNDDDB QuickView Tool*. Retrieved February 2024, from <https://wildlife.ca.gov/Data/CNDDDB/Maps-and-Data>
- California Department of Forestry and Fire Protection. (2023, December). *Fire Hazard Safety Zones*. Retrieved 2023, from <https://osfm.fire.ca.gov/what-we-do/community-wildfire-preparedness-and-mitigation/fire-hazard-severity-zones>
- California Department of Toxic Substances Control. (2023). *EnviroStor*. Retrieved December 2023, from <https://www.envirostor.dtsc.ca.gov/public/map/?myaddress=fresno>
- California Environmental Protection Agency. (2023). *Hazardous Waste and Substances Site List*. Retrieved December 2023, from <https://calepa.ca.gov/sitecleanup/corteselist/section-65962-5a/>
- California Geological Survey. (2009). *California Tsunami Maps*. Retrieved February 2024, from <https://www.conservation.ca.gov/cgs/tsunami/maps>
- California Wildlife Conservation Board. (2024). *California Riparian Habitat Conservation Program*. Retrieved February 2024, from <https://wcb.ca.gov/Programs/Riparian>
- Caltrans. (2023). *California State Scenic Highways*. Retrieved December 2023, from Caltrans: <https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways>
- City of Clovis. (2014, June). *General Plan Environmental Impact Report*. Retrieved February 2024, from <https://cityofclovis.com/planning-and-development/planning/master-plans/general-plan/environmental-impact-report/>
- City of Fresno. (2014). *Fresno General Plan*. Retrieved December 2023, from <https://www.fresno.gov/planning/general-plan-development-code/#general-plan>
- City of Fresno. (2014). *Metropolitan Water Resources Management Plan Update Addendum*. Retrieved December 2023, from <https://www.fresno.gov/wp-content/uploads/2023/03/010614ce1Jan2014Addendum.pdf>
- City of Fresno. (2020). *2020 Urban Water Management Plan*. Retrieved December 2023, from https://www.fresno.gov/wp-content/uploads/2023/03/Fresno-2020-UWMP_Final_2021-07-21-1.pdf

- City of Fresno. (2020). *Draft Program Environmental Impact Report*. Retrieved February 2024, from <https://www.fresno.gov/wp-content/uploads/2023/03/Fresno-GP-Public-Review-Draft-Program-EIR.pdf>
- City of Fresno. (2021). *Greenhouse Gas Reduction Plan Update*. Retrieved December 2023, from <https://www.fresno.gov/wp-content/uploads/2023/03/Link4AppendixGGHGRPUpdate.pdf>
- City of Fresno. (2023). *Citywide Development Code*. Retrieved December 2023, from https://library.municode.com/ca/fresno/codes/code_of_ordinances?nodeId=MUCOFR_CH15CIDECOINRE_PTIIBAOVDI_ART14PUSEBLDIPS
- FAA. (2004). *Part 139.337 Wildlife Hazard Management*. Retrieved February 2024, from Code of Federal Regulations: <https://www.govinfo.gov/content/pkg/CFR-2022-title14-vol3/pdf/CFR-2022-title14-vol3-sec139-337.pdf>
- Federal Emergency Management Agency. (2023). *FEMA Flood Map Service Center*. Retrieved December 2023, from <https://msc.fema.gov/portal/home>
- Fresno County Airport Land Use Commission. (2018). *Fresno County Airport Land Use Compatibility Plan*. Retrieved December 2023, from <https://fresnocog.wpenginepowered.com/wp-content/uploads/2022/09/Fresno-ALUCP-12-04-17-final-with-Amended-Table.pdf>
- PG&E. (2006). *PG&E San Joaquin Valley Operation & Maintenance Habitat Conservation Plan*. Retrieved December 2023, from https://ecos.fws.gov/docs/plan_documents/thcp/thcp_838.pdf
- US Department of Agriculture. (2023). *Web Soil Survey*. Retrieved December 2023, from <https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx>

Notice of Scoping Period

This page intentionally left blank

THANK YOU for your legal submission!

Your legal has been submitted for publication. Below is a confirmation of your legal placement. You will also receive an email confirmation.

ORDER DETAILS**Order Number:****IPL0165204****Order Status:**

Submitted

Classification:

Legals & Public Notices

Package:

FRS - Legal Ads

Final Cost:

\$756.58

Payment Type:

Account Billed

User ID:

IPL0024907

PREVIEW FOR AD NUMBER IPL01652040**ACCOUNT INFORMATION**

CITY OF FRESNO DARM IP

2600 FRESNO STREET, 3RD FLOOR, ROOM 3065

FRESNO, CA 93721

559-621-8011

Gabriela.Fernandez@fresno.gov

CITY OF FRESNO DARM

TRANSACTION REPORT**Date**

March 19, 2024 2:56:30 PM EDT

Amount:

\$756.58

SCHEDULE FOR AD NUMBER IPL01652040

March 22, 2024

The Fresno Bee Print

PUBLIC NOTICE

NOTICE OF PREPARATION OF AN ENVIRONMENTAL IMPACT REPORT for the Airport Traffic Control Tower Relocation at the Fresno Yosemite International Airport

This public notice is to inform the public of the availability of the Notice of Preparation.

Notice of Preparation: In compliance with Section 15082(a) of the California Environmental Quality Act (CEQA) Guidelines, the City of Fresno, as the Lead Agency, has prepared a Notice of Preparation (NOP) of an Environmental Impact Report (EIR) for the Airport Traffic Control Tower (ATCT) Relocation (Proposed Project) at the Fresno Yosemite International Airport (FAT or Airport), as described below. The complete project description, location, and other information on the project are described in the NOP that is available for review at the following website:

<https://www.fresno.gov/planning/plans-projects-under-review/>

Project Location: The Proposed Project is located on Airport property at 5055 East Andersen Avenue, Fresno, CA 93727. The existing ATCT is located on a 2.25-acre site northwest of the passenger terminal at FAT in Fresno, CA.

Project Description: The City, as owner and operator of FAT, proposes

to replace the existing ATCT at the Airport. The existing ATCT includes the Terminal Radar Approach Control Facilities (TRACON), which would be relocated with the ATCT. The replacement ATCT would be constructed about 150-200 feet south of the existing ATCT. The existing ATCT would be demolished following construction of the replacement ATCT.

Areas Of Potential Impacts: The topics to be addressed in the Draft EIR include: Aesthetics, Air Quality, Cultural Resources, Energy, Geology and Soils, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Hydrology / Water Quality, Noise, Tribal Cultural Resources, Utilities / Service Systems, and Cumulative Impacts.

REQUEST FOR COMMENTS

A 30-day public review period for the NOP will commence on March 22, 2024, and end on April 22, 2024.

Any written comments on the NOP should be mailed to Jon Bartel of the City of Fresno, 4995 East Clinton Way, Fresno, California 93727 within the 30-day public review period. Alternatively, you can email comments to: Jon.Bartel@Fresno.gov.

Si necesita información en Español, comuníquese con Valeria Ramirez al teléfono (559) 621-8046 o por correo electrónico a Valeria.Ramirez@fresno.gov.

W00000000
Mar 22 2024

Scoping Comments

This page intentionally left blank



NATIVE AMERICAN HERITAGE COMMISSION

City of Fresno
Airports Department

March 21, 2024

MAR 28 2024

RECEIVED

CHAIRPERSON
Reginald Pagaling
ChumashJon Bartel
City of Fresno
4995 East Clinton Way
Fresno CA 93727VICE-CHAIRPERSON
Buffy McQuillen
Yokayo Pomo, Yuki,
Nomlaki**Re: 2024030739, Airport Traffic Control Relocation at the Fresno Yosemite International Airport Project, Fresno County**

Dear Mr. Bartel:

SECRETARY
Sara Dutschke
Miwok

The Native American Heritage Commission (NAHC) has received the Notice of Preparation (NOP), Draft Environmental Impact Report (DEIR) or Early Consultation for the project referenced above. The California Environmental Quality Act (CEQA) (Pub. Resources Code §21000 et seq.), specifically Public Resources Code §21084.1, states that a project that may cause a substantial adverse change in the significance of a historical resource, is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.1; Cal. Code Regs., tit. 14, § 15064.5 (b) (CEQA Guidelines § 15064.5 (b)). If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an Environmental Impact Report (EIR) shall be prepared. (Pub. Resources Code §21080 (d); Cal. Code Regs., tit. 14, § 5064 subd.(a)(1) (CEQA Guidelines § 15064 (a)(1)). In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources within the area of potential effect (APE).

PARLIAMENTARIAN
Wayne Nelson
LuiseñoCOMMISSIONER
Isaac Bojorquez
Ohlone-CostanoanCOMMISSIONER
Stanley Rodriguez
KumeyaayCOMMISSIONER
Laurena Bolden
SerranoCOMMISSIONER
Reid Milanovich
CahuillaCOMMISSIONER
VacantEXECUTIVE SECRETARY
Raymond C. Hitchcock
Miwok, Nisenan

CEQA was amended significantly in 2014. Assembly Bill 52 (Gatto, Chapter 532, Statutes of 2014) (AB 52) amended CEQA to create a separate category of cultural resources, "tribal cultural resources" (Pub. Resources Code §21074) and provides that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment. (Pub. Resources Code §21084.2). Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource. (Pub. Resources Code §21084.3 (a)). **AB 52 applies to any project for which a notice of preparation, a notice of negative declaration, or a mitigated negative declaration is filed on or after July 1, 2015.** If your project involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space, on or after March 1, 2005, it may also be subject to Senate Bill 18 (Burton, Chapter 905, Statutes of 2004) (SB 18). **Both SB 18 and AB 52 have tribal consultation requirements.** If your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966 (154 U.S.C. 300101, 36 C.F.R. §800 et seq.) may also apply.

The NAHC recommends consultation with California Native American tribes that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources. Below is a brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments.

Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.**NAHC HEADQUARTERS**
1550 Harbor Boulevard
Suite 100
West Sacramento,
California 95691
(916) 373-3710
nahc@nahc.ca.gov
NAHC.ca.gov

AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:

1. Fourteen Day Period to Provide Notice of Completion of an Application/Decision to Undertake a Project:

Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a lead agency shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, to be accomplished by at least one written notice that includes:

- a. A brief description of the project.
- b. The lead agency contact information.
- c. Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code §21080.3.1 (d)).
- d. A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code §21073).

2. Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report:

A lead agency shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code §21080.3.1, subds. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or Environmental Impact Report. (Pub. Resources Code §21080.3.1(b)).

- a. For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code §65352.4 (SB 18). (Pub. Resources Code §21080.3.1 (b)).

3. Mandatory Topics of Consultation If Requested by a Tribe: The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:

- a. Alternatives to the project.
- b. Recommended mitigation measures.
- c. Significant effects. (Pub. Resources Code §21080.3.2 (a)).

4. Discretionary Topics of Consultation: The following topics are discretionary topics of consultation:

- a. Type of environmental review necessary.
- b. Significance of the tribal cultural resources.
- c. Significance of the project's impacts on tribal cultural resources.
- d. If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code §21080.3.2 (a)).

5. Confidentiality of Information Submitted by a Tribe During the Environmental Review Process: With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code §6254 (r) and §6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. (Pub. Resources Code §21082.3 (c)(1)).

6. Discussion of Impacts to Tribal Cultural Resources in the Environmental Document: If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:

- a. Whether the proposed project has a significant impact on an identified tribal cultural resource.
- b. Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code §21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code §21082.3 (b)).

- 7. Conclusion of Consultation:** Consultation with a tribe shall be considered concluded when either of the following occurs:
- The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or
 - A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code §21080.3.2 (b)).
- 8. Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document:** Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code §21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code §21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code §21082.3 (a)).
- 9. Required Consideration of Feasible Mitigation:** If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code §21084.3 (b). (Pub. Resources Code §21082.3 (e)).
- 10. Examples of Mitigation Measures That, If Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:**
- Avoidance and preservation of the resources in place, including, but not limited to:
 - Planning and construction to avoid the resources and protect the cultural and natural context.
 - Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
 - Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:
 - Protecting the cultural character and integrity of the resource.
 - Protecting the traditional use of the resource.
 - Protecting the confidentiality of the resource.
 - Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
 - Protecting the resource. (Pub. Resource Code §21084.3 (b)).
 - Please note that a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code §815.3 (c)).
 - Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Pub. Resources Code §5097.991).
- 11. Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource:** An Environmental Impact Report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:
- The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code §21080.3.1 and §21080.3.2 and concluded pursuant to Public Resources Code §21080.3.2.
 - The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.
 - The lead agency provided notice of the project to the tribe in compliance with Public Resources Code §21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code §21082.3 (d)).

The NAHC's PowerPoint presentation titled, "Tribal Consultation Under AB 52: Requirements and Best Practices" may be found online at: http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf

SB 18

SB 18 applies to local governments and requires local governments to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. (Gov. Code §65352.3). Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf.

Some of SB 18's provisions include:

1. **Tribal Consultation:** If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.** (Gov. Code §65352.3 (a)(2)).
2. **No Statutory Time Limit on SB 18 Tribal Consultation.** There is no statutory time limit on SB 18 tribal consultation.
3. **Confidentiality:** Consistent with the guidelines developed and adopted by the Office of Planning and Research pursuant to Gov. Code §65040.2, the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code §5097.9 and §5097.993 that are within the city's or county's jurisdiction. (Gov. Code §65352.3 (b)).
4. **Conclusion of SB 18 Tribal Consultation:** Consultation should be concluded at the point in which:
 - a. The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
 - b. Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation. (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

Agencies should be aware that neither AB 52 nor SB 18 precludes agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52 and SB 18. For that reason, we urge you to continue to request Native American Tribal Contact Lists and "Sacred Lands File" searches from the NAHC. The request forms can be found online at: <http://nahc.ca.gov/resources/forms/>.

NAHC Recommendations for Cultural Resources Assessments

To adequately assess the existence and significance of tribal cultural resources and plan for avoidance, preservation in place, or barring both, mitigation of project-related impacts to tribal cultural resources, the NAHC recommends the following actions:

1. Contact the appropriate regional California Historical Research Information System (CHRIS) Center (https://ohp.parks.ca.gov/?page_id=30331) for an archaeological records search. The records search will determine:
 - a. If part or all of the APE has been previously surveyed for cultural resources.
 - b. If any known cultural resources have already been recorded on or adjacent to the APE.
 - c. If the probability is low, moderate, or high that cultural resources are located in the APE.
 - d. If a survey is required to determine whether previously unrecorded cultural resources are present.
2. If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
 - a. The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.

- b. The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.
3. Contact the NAHC for:
- a. A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.
 - b. A Native American Tribal Consultation List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.
4. Remember that the lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.
- a. Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources per Cal. Code Regs., tit. 14, § 15064.5(f) (CEQA Guidelines § 15064.5(f)). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.
 - b. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.
 - c. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code § 7050.5, Public Resources Code § 5097.98, and Cal. Code Regs., tit. 14, § 15064.5, subdivisions (d) and (e) (CEQA Guidelines § 15064.5, subds. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

If you have any questions or need additional information, please contact me at my email address:
Cameron.Vela@NAHC.ca.gov.

Sincerely,

Cameron Vela

Cameron Vela
Cultural Resources Analyst

cc: State Clearinghouse

From: Lupe Jauregui <lupe.jauregui@valleyair.org>
Sent: Tuesday, March 26, 2024 11:01 AM
To: Jon Bartel <Jon.Bartel@fresno.gov>
Cc: Donny Hockett <Donny.Hockett@valleyair.org>; Preet Bath <Preet.Bath@valleyair.org>; Jason Lawler <Jason.Lawler@valleyair.org>; Ryan Hayashi <Ryan.Hayashi@valleyair.org>
Subject: Proposed Fresno Air Traffic Control Tower Relocation Project - SJVAPCD Asbestos NESHAP Compliance Assistance

External Email: Use caution with links and attachments

Mr. Jonathan Bartel,

I hope this message finds you well. I wanted to bring to your attention an important aspect of the Airport Traffic Control Tower Relocation project outlined in the environmental report given to me earlier today (https://appdev.fresno.gov/kiosk_clerk/admin/upload/1711141627_cityclerk.pdf). Based on the information provided, it is crucial to note that the project falls under the purview of the Asbestos National Emissions Standards for Hazardous Air Pollutants (NESAHP) regulation. This regulation mandates specific procedures and requirements regarding asbestos-containing materials to ensure the safety of workers and the surrounding environment during demolition, renovation, or relocation projects. According to our records, no asbestos NESHAP compliance documents were found for the proposed Air Traffic Control Tower Relocation project.

Below I describe the asbestos requirements that apply to your Airport Traffic Control Tower Relocation project.

When the scope of work will involve removing load-bearing walls or other structural members or relocating facility components, the project will be considered a "demolition" under the Federal asbestos NESHAP. The following will be required 10 days prior to abatement of asbestos (as applicable) upon submittal of all required compliance documentation and associated fees:

1. Asbestos survey of suspect building materials – list of Certified Asbestos Consultants can be found here: <https://ww2.valleyair.org/media/g5jhluos/caclist.pdf>
2. Asbestos Notification form <https://ww2.valleyair.org/media/tt5plhpb/asbestosnotificationform.pdf>
3. Payment of applicable fees – base fee is \$188; full fee schedule can be found in District Rule 3050: <https://ww2.valleyair.org/media/mwzegyxs/rule-3050.pdf>
4. Demolition permit release – you complete the top half, we complete the bottom half; once we have signed off, you will take this form to the building department in order to obtain a demolition permit: https://ww2.valleyair.org/media/1h3fgouh/demo_release_form-print.pdf

Additional information can be found on our demolition & renovation web-page along with the above-mentioned asbestos forms: <https://ww2.valleyair.org/compliance/demolition-renovation/demolition/>

I look forward discussing this further and addressing any questions or concerns you may have regarding the project's compliance with the Asbestos NESHAP regulation. You may also contact Donny Hockett or Preet Bath (cc'd on this e-mail) at (559) 230-6000 if needed.

Sincerely,

Lupe Jauregui
Supervising Air Quality Inspector
San Joaquin Valley Air Pollution Control District
Office: 559-230-5992
Cell: 559-906-2649

www.valleyair.org



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



April 22, 2024

Jonathan Bartel, Project Manager
City of Fresno, Airports Department
4995 East Clinton Way
Fresno, California 93727
(559) 621-4545
Jon.Bartel@Fresno.gov

**Subject: Airport Traffic Control Tower Relocation at Fresno Yosemite
International Airport (Project)
Notice of Preparation (NOP)
State Clearinghouse No. 2024030739**

Dear Jon Bartel:

The California Department of Fish and Wildlife (CDFW) received a NOP from the City of Fresno for the above-referenced Project pursuant to 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 Fish and Game Code.

After reviewing the provided NOP, CDFW has no specific comments or recommendations regarding biological resources for incorporation in the Draft Environmental Impact Report.

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 (CNDDDB). The CNDDDB field survey form can be found at the following link:

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.

Jon Bartel
City of Fresno, Airports Department
April 22, 2024

<https://www.wildlife.ca.gov/Data/CNDDDB/Submitting-Data>. The completed form can be mailed electronically to CNDDDB at the following email address:

CNDDDB@wildlife.ca.gov. The types of information reported to CNDDDB can be found at the following link: <https://www.wildlife.ca.gov/Data/CNDDDB/Plants-and-Animals>.

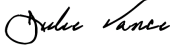
FILING FEES

If it is determined that the Project has the potential to impact biological resources, an assessment of filing fees will be 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).

CDFW appreciates the opportunity to comment on the Project to assist the City of Fresno in identifying and mitigating the Project's 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, please contact Kelley Nelson, Environmental Scientist, at the address provided on this letterhead, by telephone at (559) 580-3194, or by electronic mail at Kelley.Nelson@wildlife.ca.gov.

Sincerely,

DocuSigned by:

FA83F09FE08945A...

Julie A. Vance
Regional Manager

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



April 24, 2024

John Bartel
City of Fresno
Planning & Development Department
2600 Fresno Street
Fresno, CA 93721

Project: Fresno Yosemite International Airport – Traffic Control Tower Relocation Project

District CEQA Reference No: 20240479

Dear Mr. Bartel:

The San Joaquin Valley Air Pollution Control District (District) has reviewed the Notice of Preparation (NOP) of an Environmental Impact Report (EIR) from the City of Fresno (City) for the proposed traffic control tower relocation project. Per the NOP, the project consists of the construction of a new Airport Traffic Control Tower (ATCT) with an estimated building footprint of 13,000 square feet and tower height of up to 190 feet, the demolition of the existing ATCT facility, and the reconstruction of the existing parking lot (Project). The Project is located at 5055 East Andersen Avenue in Fresno, CA.

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

1) Project Related Emissions

At the federal level under the National Ambient Air Quality Standards (NAAQS), the District is designated as extreme nonattainment for the 8-hour ozone standards and serious nonattainment for the particulate matter less than 2.5 microns in size (PM_{2.5}) standards. At the state level under California Ambient Air Quality Standards (CAAQS), the District is designated as nonattainment for the 8-hour ozone, PM₁₀, and PM_{2.5} standards.

Based on information provided to the District, Project specific annual criteria pollutant emissions from construction and operation are not expected to exceed any of the significance thresholds as identified in the District's Guidance for Assessing and Mitigating Air Quality Impacts (GAMAQI):

<https://ww2.valleyair.org/media/g4nl3p0g/gamaqi.pdf>.

Samir Sheikh

Executive Director/Air Pollution Control Officer

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

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

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

1a) Construction Emissions

The District recommends, to reduce impacts from construction-related diesel exhaust emissions, the Project should utilize the cleanest available off-road construction equipment.

1b) 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.

2) Health Risk Screening/Assessment

The City should evaluate the risk associated with the Project for sensitive receptors (residences, businesses, hospitals, day-care facilities, health care facilities, etc.) in the area and mitigate any potentially significant risk to help limit exposure of sensitive receptors to emissions.

To determine potential health impacts on surrounding receptors (residences, businesses, hospitals, day-care facilities, health care facilities, etc.) a Prioritization and/or a Health Risk Assessment (HRA) should be performed for 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.

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.

Prioritization (Screening Health Risk Assessment):

A "Prioritization" is the recommended method for a conservative screening-level health risk assessment. The Prioritization should be performed using the California Air Pollution Control Officers Association's (CAPCOA) methodology. Please contact the District for assistance with performing a Prioritization analysis.

The District recommends that a more refined analysis, in the form of an HRA, be performed for any project resulting in a Prioritization score of 10 or greater.

This is because the prioritization results are a conservative health risk representation, while the detailed HRA provides a more accurate health risk evaluation.

Health Risk Assessment:

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

A development project would be considered to have a potentially significant health risk if the HRA demonstrates that the health impacts would exceed the District's established risk thresholds, which can be found here:

<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:

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

Recommended Measure: Development projects resulting in TAC emissions should be located an adequate distance from residential areas and other sensitive receptors to prevent the creation of a significant health risk in accordance to CARB's Air Quality and Land Use Handbook: A Community Health Perspective located at <https://ww2.arb.ca.gov/our-work/programs/resource-center/strategy-development/land-use-resources>.

3) Voluntary Emission Reduction Agreement

Criteria pollutant emissions may result in emissions exceeding the District's significance thresholds, potentially resulting in a significant impact on air quality.

When a project is expected to have a significant impact, the District recommends the DEIR also include a discussion on the feasibility of implementing a Voluntary Emission Reduction Agreement (VERA) for this Project.

4) Vegetative Barriers and Urban Greening

There are residential units located southeast of the Project. The District suggests the City consider the feasibility of incorporating vegetative barriers and urban greening as a measure to further reduce air pollution exposure on sensitive receptors (e.g., residential units).

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 uptake 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.

5) 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 the Project.

6) Electric Infrastructure

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.

Please visit <https://ww2.valleyair.org/grants/charge-up> for more information.

7) 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 (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.

7a) 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).

This Project may be subject to District Rule 2010 (Permits Required) and Rule 2201 (New and Modified Stationary Source Review) and may require District permits. Prior to construction, the Project proponent should submit to the District an application for an ATC. For further information or assistance, the project proponent may contact the District's SBA Office at (559) 230-5888.

7b) District Rule 9510 - Indirect Source Review (ISR)

The District has reviewed the information provided and determined that there is no construction of a new building, facility, or structure, or reconstruction of a building, facility, or structure for the purpose of increasing capacity or activity. Therefore, the project does not meet the definition of a "Development Project", as defined in District Rule 9510 section 3.13, and District Rule 9510 requirements and related fees do not apply to the Project.

7c) District Rule 4002 (National Emissions Standards for Hazardous Air Pollutants)

The Project will be subject to District Rule 4002 since the Project will include demolition and removal of existing structures. To protect the public from uncontrolled emissions of asbestos, this rule requires a thorough inspection for asbestos to be conducted before any regulated facility is demolished or renovated. Any asbestos present must be handled in accordance with established work practice standards and disposal requirements.

Information on how to comply with District Rule 4002 can be found online at: <https://ww2.valleyair.org/compliance/demolition-renovation/>.

7d) District Rule 4601 (Architectural Coatings)

The Project will be subject to District Rule 4601 since it is expected to 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>

7e) 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>

7f) Other District Rules and Regulations

The Project may also be subject to the following District rules: Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations).

8) District Comment Letter

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

If you have any questions or require further information, please contact Jacob Torrez by e-mail at Jacob.torrez@valleyair.org or by phone at (559) 230-6558.

Sincerely,

Tom Jordan
Director of Policy and Government Affairs

A handwritten signature in blue ink, appearing to read 'Tom Jordan', with a stylized flourish at the end.

For: Mark Montelongo
Program Manager

This page intentionally left blank