

PUBLIC REVIEW DRAFT

**TRACT MAP 6343
INITIAL STUDY**

CLOVIS, CALIFORNIA



LSA

December 2022

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INITIAL STUDY**

CLOVIS CALIFORNIA

Submitted to:

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Clovis, California 93612

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Project No. CIT2201



December 2022

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LIST OF ABBREVIATIONS AND ACRONYMS

$\mu\text{g}/\text{m}^3$	micrograms per cubic meter
AB 52	Assembly Bill 52
Active Transportation Plan	2021 Clovis Active Transportation Plan Update
AF	acre-feet
AFY	acre-feet per year
AFY/ac	acre-feet per year per acre
Air Basin	San Joaquin Valley Air Basin
ALUCP	Airport Land Use Compatibility Plan
APN	Assessor Parcel Numbers
BMPs	Best Management Practices
CAL FIRE	California Department of Forestry and Fire Protection
CalEPA	California Environmental Protection Agency
CALGreen Code	California Green Building Standards Code
California Register	California Register of Historical Resources
Caltrans	California Department of Transportation
CARB	California Air Resources Board
CCR	California Code of Regulations
CDFW	California Department of Fish and Wildlife
CEQA	California Environmental Quality Act
CESA	California Endangered Species Act
CFC	California Fire Code
CFD	Clovis Fire Department
CH ₄	methane
City	City of Clovis
CNDDB	California Natural Diversity Database
CNEL	Community Noise Equivalent Level
CO	carbon monoxide
CO ₂	carbon dioxide
CO ₂ e	carbon dioxide equivalent
CPD	Clovis Police Department
CRA	Cultural Resource Assessment
CUSD	Clovis Unified School District
db	decibels
dBA	A-weighted decibels
DTSC	California Department of Toxic Substances Control

EIR	Environmental Impact Report
EOP	Emergency Operations Plan
EPA	United States Environmental Protection Agency
FEMA	Federal Emergency Management Agency
FHWA	Federal Highway Administration
FID	Fresno Irrigation District
FMFCD	Fresno Metropolitan Flood Control District
FMMP	Farmland Mapping and Monitoring Program
Fresno LAFCo	Fresno County Local Agency Formation Commission
GAMAQI	Guidance for Assessing and Mitigating Air Quality Impacts
GHG	greenhouse gas
gpm	gallons per minute
GWP	Global Warming Potential
HCP	Habitat Conservation Plan
HFCs	hydrofluorocarbons
HP	helipad
HQTA	High-Quality Transit Area
IPaC	Information for Planning and Consultation
L _{dn}	day-night average level
L _{eq}	equivalent continuous sound level
LESA	Land Evaluation and Site Assessment
L _{max}	maximum instantaneous noise level
LOS	level of service
LRA	Local Responsibility Area
MRZ-3	Mineral Resource Zone 3
N ₂ O	nitrous oxide
NAHC	Native American Heritage Commission
NCCP	Natural Communities Conservation Plan
NO ₂	nitrogen dioxide
NPDES	National Pollutant Discharge Elimination System
O&M	Operation and Maintenance
O ₃	ozone
OSHA	Occupational Safety and Health Administration
Pb	lead
PFCs	perfluorocarbons
PM ₁₀	particulate matter less than 10 microns in size
PM _{2.5}	particulate matter less than 2.5 microns in size

ppb	parts per billion
PRC	Public Resources Code
RWQCB	Regional Water Quality Control Board
RWRF	Regional Wastewater Reclamation Facility
SB 2	Senate Bill 2
SB 743	Senate Bill 743
SB 1383	Senate Bill 1383
SF ₆	sulfur hexafluoride
SHTAC	Swainson's Hawk Technical Advisory Committee
SJVAPCD	San Joaquin Valley Air Pollution Control District
SO ₂	sulfur dioxide
SOI	Sphere of Influence
SR-168	State Route 168
SWPPP	Stormwater Pollution Prevention Plan
SWQMP	Storm Water Quality Management Program
SWRCB	State Water Resources Control Board
TCRs	Tribal Cultural Resources
USACE	United States Army Corps of Engineers
USFWS	United States Fish and Wildlife Service
USGS	United States Geological Survey
UWMP	Urban Water Management Plan
VHFHSZ	very high fire hazard severity zone
VMT	vehicle miles traveled

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1.0 PROJECT INFORMATION

1. Project Title:

Tract Map 6343

2. Lead Agency Name and Address:

City of Clovis
1033 Fifth Street
Clovis, CA 93612

3. Contact Person and Phone Number:

Lily Cha, Senior Planner
(559) 324-2335
lilyc@cityofclovis.com

4. Project Location:

Southwest of the intersection of East Behymer Avenue and North Sunnyside Avenue.
Assessor Parcel Numbers (APNs): 556-040-07S, 556-040-08S, 556-030-14S

5. Project Sponsor's Name and Address:

Wilson Premier Homes, Inc.
7550 North Palm Avenue, Suite 102
Fresno, CA 93711

6. General Plan Designation:

Medium Density Residential

7. Zoning:

Exclusive Agricultural District (AE-20) (Fresno County)

8. Description of Project:

The proposed project would consist of the annexation of 246 acres by the City of Clovis (City), and the development of 590 residential lots in a 71.54-acre project site. Average lot size would be approximately 3,329 square feet. No development is proposed within the remaining 174.46-acre annexation area surrounding the project site. The proposed project would include annexation of the 246-acre area from Fresno County jurisdiction to the City. Any future development occurring within the annexation area would require a separate project-specific analysis.

The project site is located on the southwest quadrant of the intersection between East Behymer Avenue and North Sunnyside Avenue, as shown on Figure 1-1. The project site is located within the City of Clovis' existing Sphere of Influence (SOI) and within the Northwest Urban Center area identified in the 2014 City of Clovis General Plan, now referred to as Heritage Grove. As such, this area is already planned and designated for urban growth and environmentally evaluated at

the programmatic level in the City's General Plan Environmental Impact Report (EIR).¹ The project site is currently being used for agriculture and contains one existing dwelling unit and associated structures. Parcel APN 556-030-14S of the project site is currently under a Williamson Act contract; however, a petition for a contract cancellation is currently in progress. The project site is bounded by East Behymer Avenue to the north, by the Enterprise Canal to the west and south, and by rural residential, a Fresno Metropolitan Flood Control District (FMFCD) ponding basin (Basin BY), and Tract Map 6200 to the east. Figure 1-2 shows the project site and surrounding land uses.

The proposed project would be developed over a period of approximately 33 months and over three Phases. There would also be 66 outlot spaces included in the proposed residential development. Although the site plan does not provide details on what would be constructed in these spaces, potential uses for the outlots would include private road, private parking, private pedestrian, private landscaping, public utility, and public park uses. The proposed project would include the removal of one existing 2,679-square-foot dwelling unit and garage, an existing propane tank, a 2,000-square-foot pole barn, two sheds of 1,785-square-foot and 2,250-square-foot dimensions, and an existing driveway on the project site. Figure 1-3 shows the site plan for the proposed project.

Phase 1 of the proposed project would include the development of 136 single-family residential units with an average size of approximately 1,514 square feet per unit. Phase 1 would be located on the southern portion of the project site and would be accessed through one ingress and egress driveway located on Perrin Avenue. Phase 1 would include the construction of approximately 44 parking spaces, an approximately 8,745-square-foot community pool and recreation area, a approximately 13,930-square-foot community park, approximately 0.51 acre of landscaped areas, and drainage and pedestrian infrastructure improvements along Perrin Avenue. The southern extension of North Baron Avenue from East Behymer Avenue and the extension of Perrin Avenue and Hammel Avenue within the project site would be constructed during Phase 1. Figure 1-4 shows a site plan of Phase 1 of the proposed project.

Phase 2 of the proposed project would include the development of 214 single-family residential units with an average size of approximately 2,168 square feet per unit. Phase 2 would be located on the central portion of the project site and would be accessed through one gated ingress and egress driveway located along the future southern extension of North Baron Avenue, and one driveway along Hammel Avenue. Phase 2 would include the construction of a 26-foot-wide drainage channel along Perrin Avenue, approximately 0.35 acre of landscaped areas, and storm drainage and pedestrian infrastructure improvements along Perrin Avenue and Hammel Avenue. Figure 1-5 shows a site plan of Phase 2 of the proposed project.

Phase 3 of the proposed project would include the development of 240 single-family residential units with an average size of approximately 1,514 square feet per unit. Phase 3 would be located on the northern portion of the project site and would be accessed through two gated ingress

¹ City of Clovis. 2014. General Plan and Development Code Update PEIR. Website: <https://cityofclovis.com/planning-and-development/planning/master-plans/general-plan/environmental-impact-report/> (accessed December 8, 2022).

and egress driveways located along the future southern extension of North Baron Avenue, and through one gated driveway located along the future northern extension of Hammel Avenue. Phase 3 would include the construction of approximately 91 parking spaces, an approximately 9,985-square-foot pool and recreation area, approximately 0.65 acre of landscaped areas, and drainage and pedestrian infrastructure improvements along North Baron Avenue. Figure 1-6 shows a site plan of Phase 3 of the proposed project.

Water supply for the proposed project would be provided by the City of Clovis. The project would require the construction of a 24-inch water main along Behymer Avenue from Clovis Avenue to Baron Avenue. Additionally, the project would construct a 24-inch main along Baron Avenue, from Behymer Avenue to Perrin Avenue. The proposed improvements would be consistent with the City's Water Master Plan and the City's specifications on materials, depth, and resurfacing.

Wastewater services for the proposed project would be provided by the City of Clovis. The proposed project would connect to an existing wastewater main within the right-of-way of North Baron Avenue.

The FMFCD would provide flood control and urban storm water services to the project site. Stormwater from the project site would be drained through surface and subsurface drainage infrastructure located along North Baron Avenue, Perrin Avenue, and Hammel Avenue as well as along internal roadways in the project site and redirected towards FMFCD Basin BY, which is located adjacent to the project site's eastern boundary.

In addition, an approximately 1,300-foot-long, 26-foot-wide drainage channel would be constructed along the north side of the Perrin Avenue extension to direct stormwater flows west from the project site towards drainage infrastructure along the Enterprise Canal.

Storm drainage pipelines would be constructed along North Baron Avenue and along interior roadways in the project site to drain stormwater from the project site towards Basin BY. These storm drainage facilities would be constructed pursuant to requirements of the FMFCD Master Plan.

Solid waste collection for the project site would be provided by the City of Clovis, and recycling and green waste collection would be provided by Republic Services.

Electricity and natural gas services for the proposed project would be supplied by PG&E through connections to existing service lines. Telecommunication services to the project site would be provided by Comcast and AT&T.

Access to the project site would be provided by East Behymer Avenue and by a southern extension of North Baron Avenue, to be constructed during Phase 1 of the proposed project along the eastern boundary of the project site. The proposed project would construct approximately 2,650 feet of North Baron Avenue south of East Behymer to connect with the existing stretch of North Baron Avenue located southeast of the project site. This portion of North Baron Avenue would be approximately 49 feet wide and have two lanes. An

approximately 20-foot-wide parkway containing an approximately 6-foot-wide pedestrian sidewalk and landscaped areas would be included along the western side of North Baron Avenue along the project site. An approximately 16-foot-wide parkway containing an approximately 6-foot-wide pedestrian sidewalk and landscaped area that is reduced from the Heritage Grove Neighborhood Boulevard Street section would be included along the eastern side of North Baron Avenue, along the FMFCD Basin BY frontage. The eastern side of North Baron Avenue that is north of Basin BY will ultimately be built out with an approximately 20-foot-wide parkway, matching the Heritage Grove Neighborhood Boulevard Street section. However, this section of the parkway will not be constructed with Tract 6343 in order to minimize the impact on the adjacent rural residential property. The pedestrian walk will continue north of Basin BY to East Behymer Avenue with Tract 6343, but will temporarily be constructed to share a combination pedestrian and widened bike lane as approved by the City Engineer with the project design plans.

To access the project site, three gated ingress and egress driveways would be constructed along the southern extension of North Baron Avenue. One gated ingress and egress driveway would also be constructed along Hammel Avenue. A temporary secondary access connecting Hammel Avenue to North Baron Avenue would be constructed along the northern end of Hammel Avenue during Phase 3. One gated ingress and egress driveway and one gated emergency access driveway would be constructed along Perrin Avenue.

Vehicle circulation within the project site would be provided by a network of two-way, 37.2-foot-wide private streets. Internal roadways within the project site would include Hammel Avenue, which is located along the project site's western boundary, and Perrin Avenue, which crosses the project site west to east.

9. Surrounding Land Uses and Setting:

The 71.54-acre project site is located in the City of Clovis' SOI, within the Northwest Urban Center area identified in the City's General Plan that is now referred to as Heritage Grove. The surrounding 246-acre annexation area encompasses the project site. The project site and annexation area include existing residential and agricultural uses. The project site and annexation area are surrounded by agricultural and single-family residential uses to the south, rural residential and agricultural uses to the east, agricultural and commercial uses to the west, and agricultural and rural residential uses to the north.

10. Other Public Agencies Whose Approval is Required (e.g., permits, financial approval, or participation agreements):

- County of Fresno/City of Clovis – Williamson Act Contract Cancellation
- Fresno Local Agency Formation Commission – Annexation
- State Water Resources Control Board – National Pollutant Discharge Elimination System (NPDES) General Permit (with requisite Storm Water Pollution Prevention Plan, Conceptual Storm Water Pollution Prevention Plan, and Permanent Control Measures)

11. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resource Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?

In compliance with Assembly Bill 52 (AB 52), on November 4, 2022, the City sent letters regarding the proposed project to Big Sandy Rancheria of Western Mono Indians, Cold Springs Rancheria of Mono Indians, Dumna Wo-Wah Tribal Government, Kings River Choinumni Farm Tribe, North Fork Rancheria of Mono Indians, North Valley Yokuts Tribe, Picayune Rancheria of Chuckchansi Indians, Table Mountain Rancheria, Traditional Choinumni Tribe, Tule River Indian Tribe, and Wuksache Indian Tribe/Eshom Valley Band tribes based on the list of tribes provided by the Native American Heritage Commission (NAHC). Table Mountain Rancheria sent a response to the City on November 15, 2022, requesting the Cultural Resources Assessment² prepared for the project, and did not request any further consultation. No further responses or requests for consultation were received by the City within the 30-day consultation period beginning November 4, 2022, and ending December 3, 2022. As such, AB 52 requirements for the proposed project have been fulfilled. AB 52 consultation request and response letters are included in Appendix A of this Initial Study.

² Peak & Associates, Inc. 2022. Cultural Resource Assessment for the Tentative Tract Map 6343 and City of Clovis Annexation Area, County of Fresno, California. September 21.

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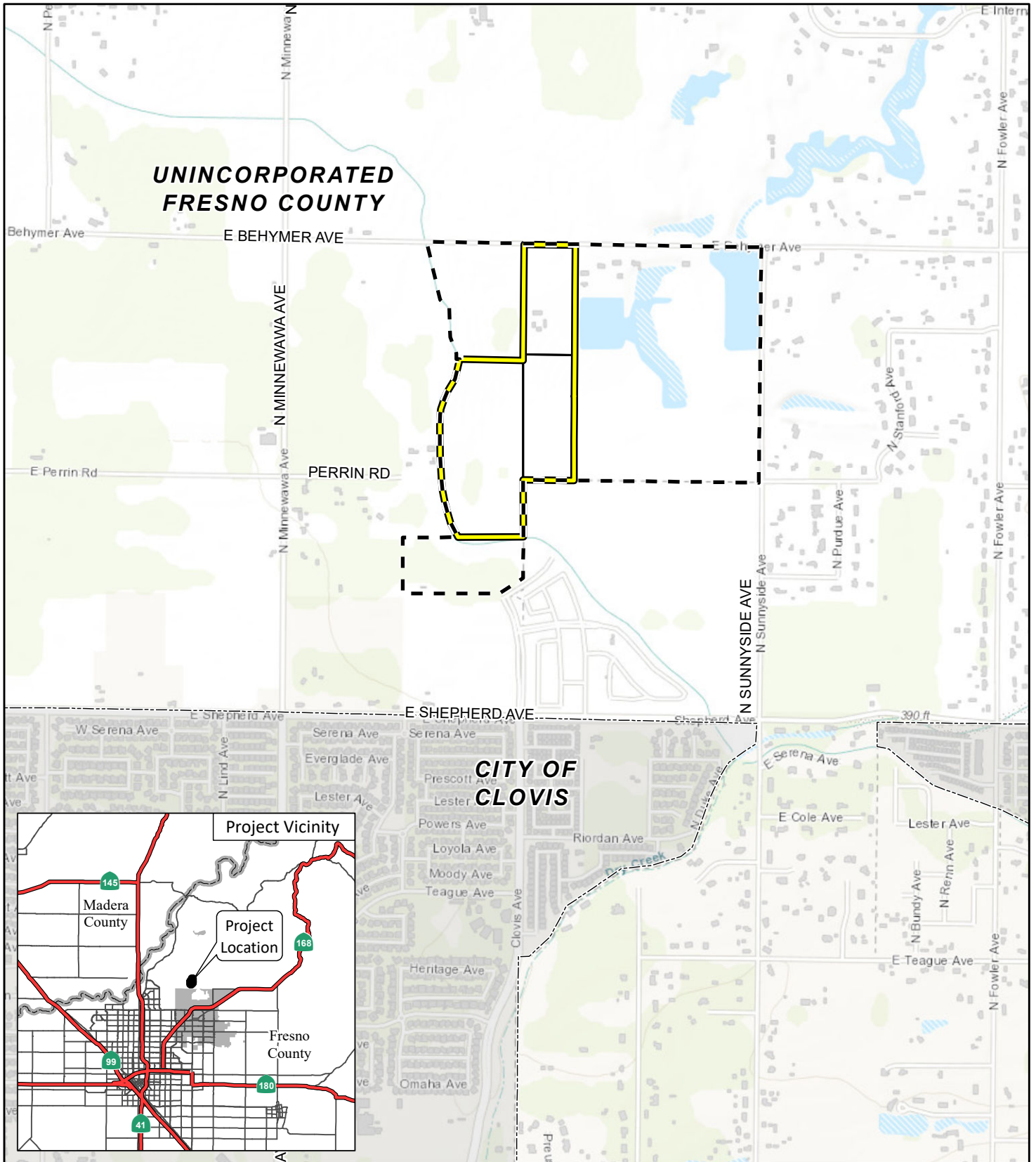






FIGURE 1-1

LSA

LEGEND

-  Project Location
-  Parcel Boundary
-  Annexation Boundary
-  Clovis City Limit



SOURCE: Esri Streetmap (2021)

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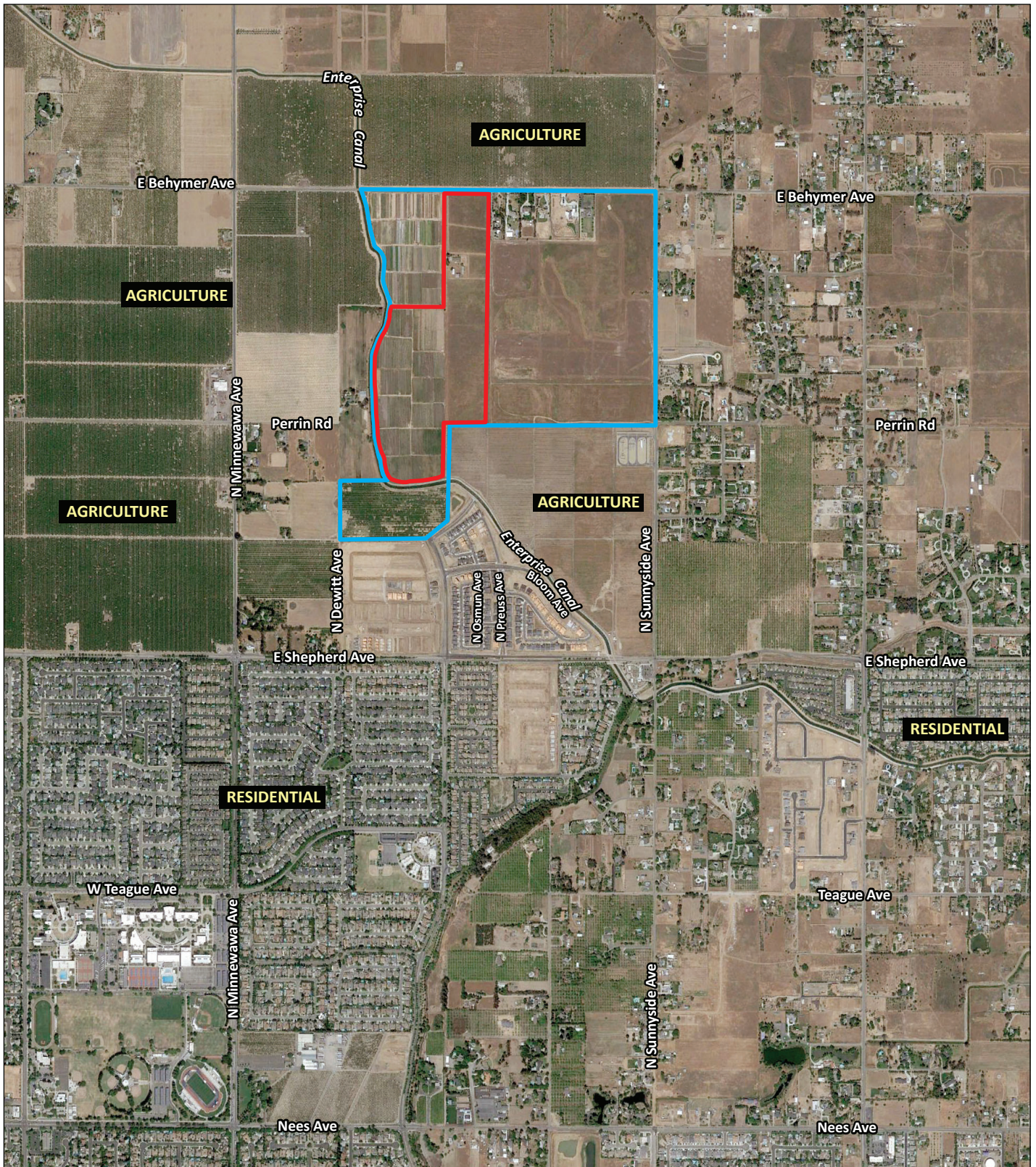
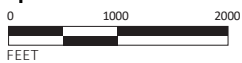


FIGURE 1-2

LSA

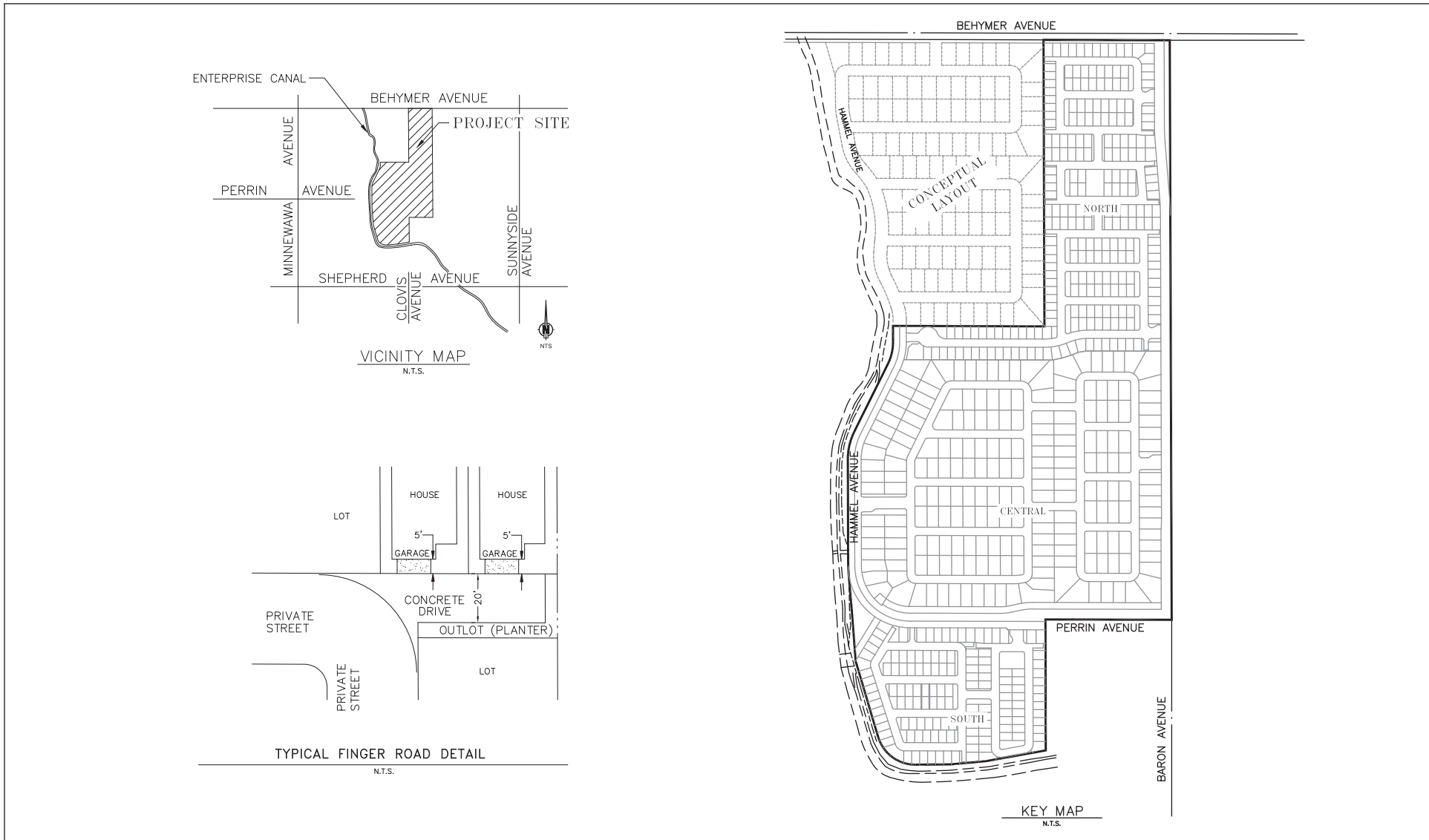
- Project Site TM-6343 Boundary
- Annexation Boundary




SOURCES: Google Earth 4/21/2021; LSA, 2022

I:\CIT2201\G\Aerial Photo of Site&Surrounding LU.ai (12/6/2022)

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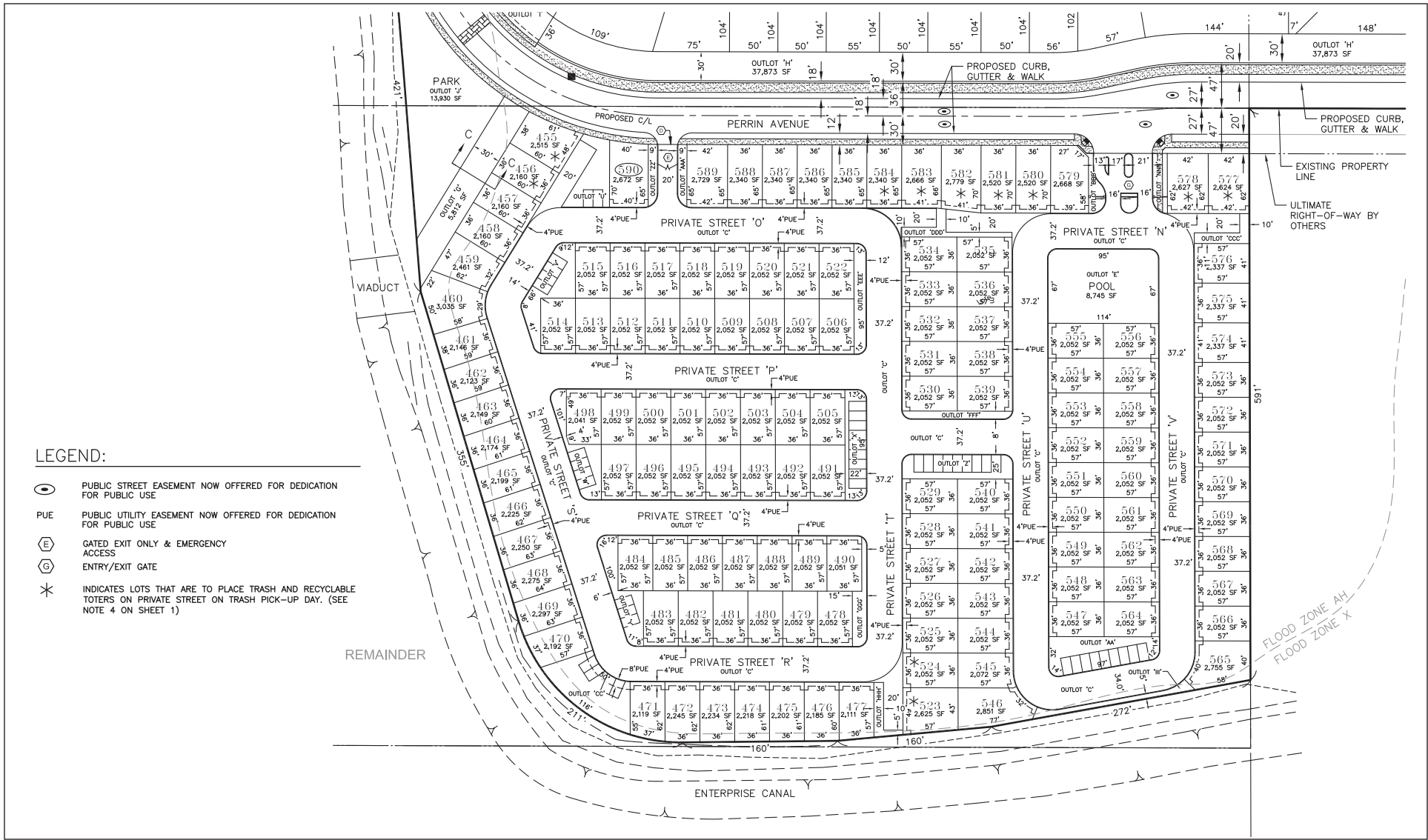


LSA FIGURE 1-3







 NOT TO SCALE

SOURCE: Harbor & Associates, January 2022
 :\\CIT2201\G\General Site Plan.ai (9/22/2022)

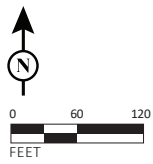
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LEGEND:

-  PUBLIC STREET EASEMENT NOW OFFERED FOR DEDICATION FOR PUBLIC USE
-  PUBLIC UTILITY EASEMENT NOW OFFERED FOR DEDICATION FOR PUBLIC USE
-  GATED EXIT ONLY & EMERGENCY ACCESS
-  ENTRY/EXIT GATE
-  INDICATES LOTS THAT ARE TO PLACE TRASH AND RECYCLABLE TOTES ON PRIVATE STREET ON TRASH PICK-UP DAY. (SEE NOTE 4 ON SHEET 1)

LSA



SOURCE: Harbor & Associates, January 2022

:\CIT2201\G\South-Phase 1.ai (9/22/2022)

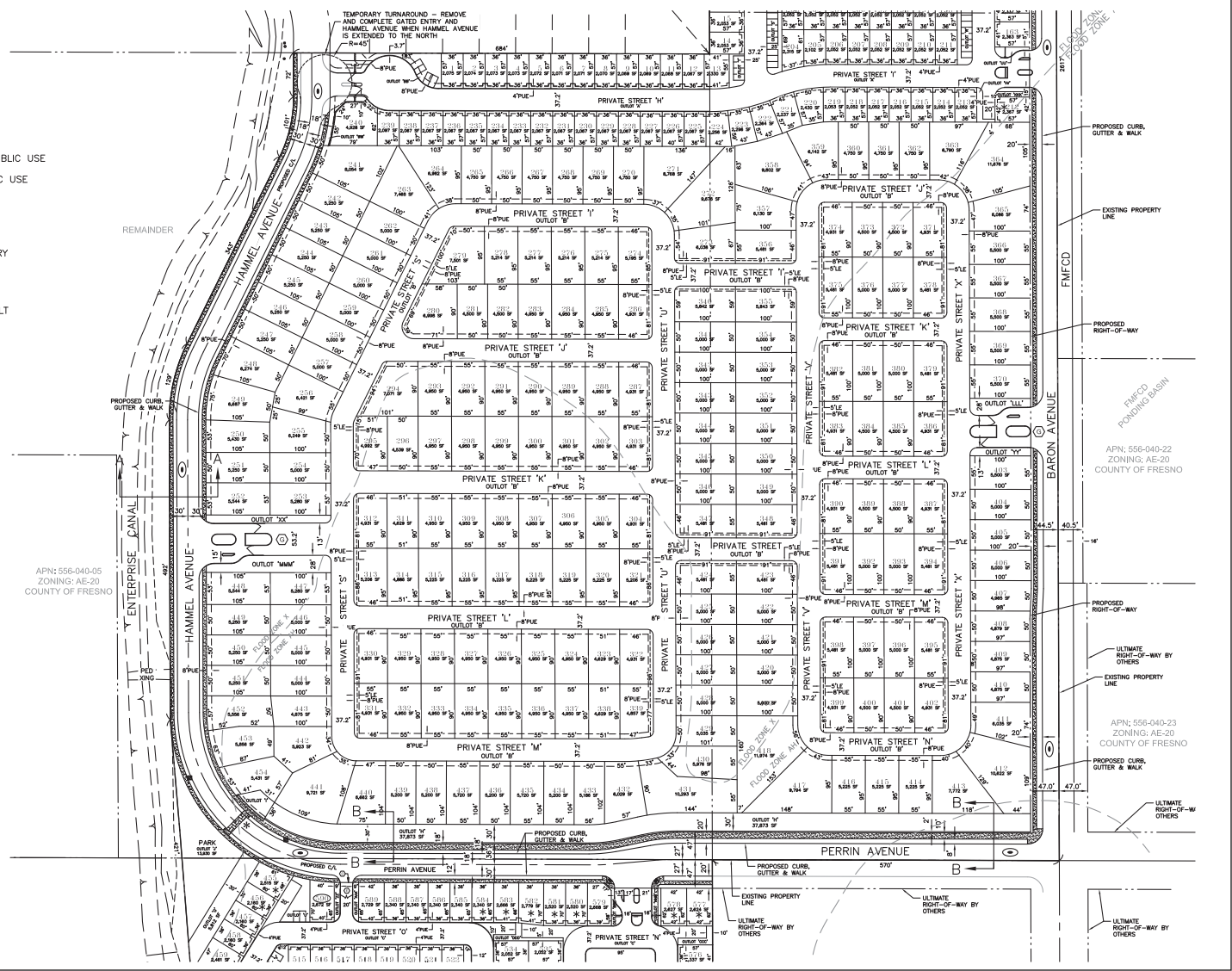
FIGURE 1-4

*Tract Map 6343
South: Phase 1*

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LEGEND:

- ⊖ PUBLIC STREET EASEMENT NOW OFFERED FOR DEDICATION FOR PUBLIC USE
- PUE PUBLIC UTILITY EASEMENT NOW OFFERED FOR DEDICATION FOR PUBLIC USE
- LE LANDSCAPE EASEMENT NOW OFFERED FOR DEDICATION FOR PUBLIC USE
- ⊕ EXIT ONLY & EMERGENCY ACCESS
- ⊖ ENTRY/EXIT GATE
- ⊖ DOUBLE GATE (10'X10') SWING IN AND SET BACK 20' FROM PERRY AVE. R/W
- "CAUTION PEDESTRIAN CROSSING" SIGNAGE
- * CONSTRUCT LIGHTED PEDESTRIAN CROSSING, SIMILAR TO THAT BUILT IN FRONT OF CLARK MIDDLE SCHOOL, OR APPROVED EQUAL



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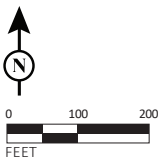


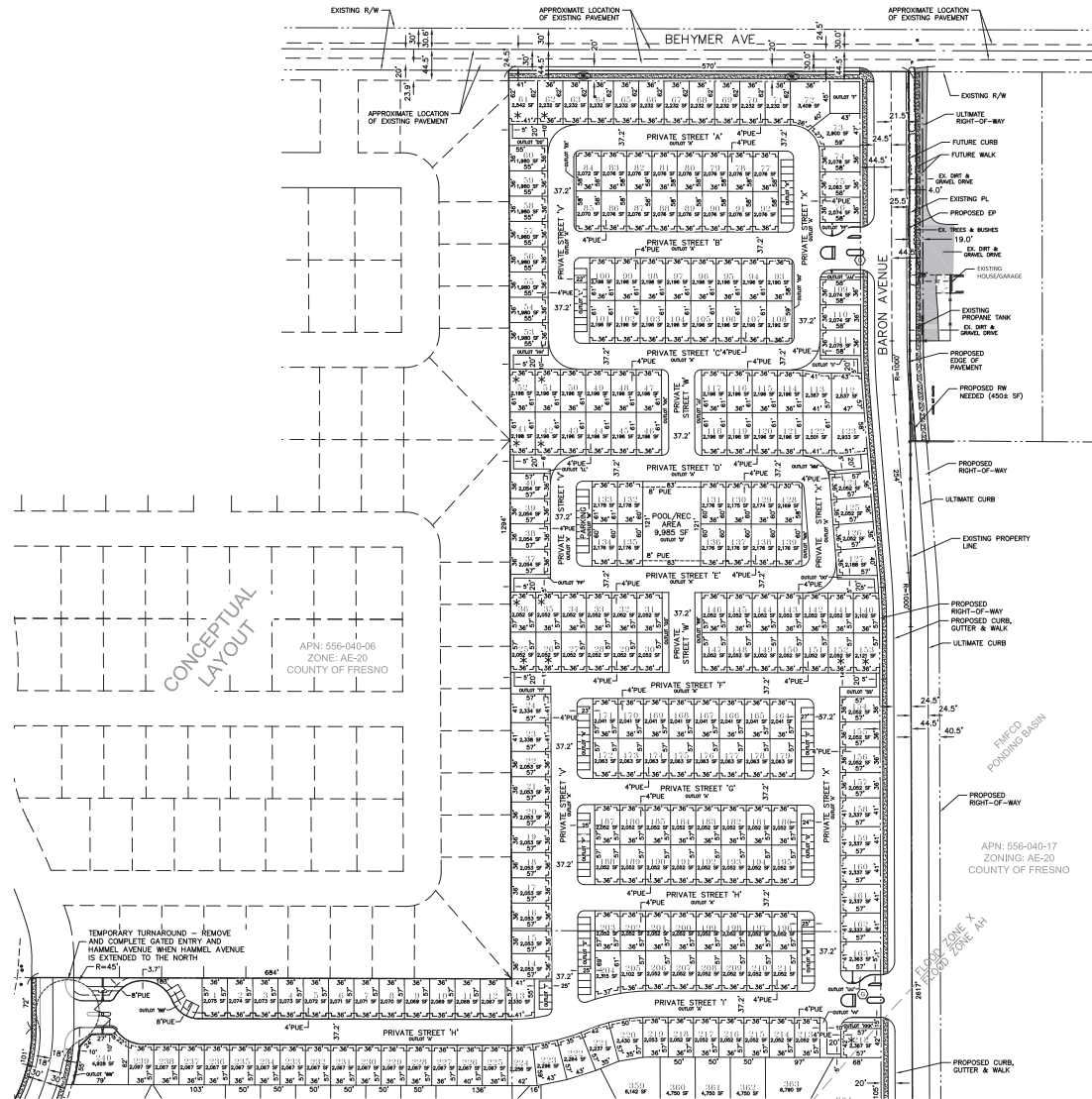
FIGURE 1-5

Tract Map 6343
 Central: Phase 2

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LEGEND:

- ▲ INDICATES STREETS PREVIOUSLY DEDICATED FOR PUBLIC USE
- ⊖ PUBLIC STREET EASEMENT NOW OFFERED FOR DEDICATION FOR PUBLIC USE
- PUE PUBLIC UTILITY EASEMENT NOW OFFERED FOR DEDICATION FOR PUBLIC USE
- ⓔ EXIT ONLY & EMERGENCY ACCESS
- ⓖ ENTRY/EXIT GATE
- * INDICATES LOTS THAT ARE TO PLACE TRASH AND RECYCLABLE TOTES ON PRIVATE STREET ON TRASH PICK-UP DAY. (SEE NOTE 4 ON SHEET 1)



LSA

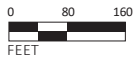


FIGURE 1-6

*Tract Map 6343
North: Phase 3*

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2.0 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 in Chapter 3.0.

- | | | |
|----------------------------------------------------|--------------------------------------------------------------|--------------------------------------------------------|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture and Forestry Resources | <input checked="" type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Energy |
| <input type="checkbox"/> Geology/Soils | <input checked="" type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards & Hazardous Materials |
| <input 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 checked="" type="checkbox"/> Transportation | <input type="checkbox"/> Tribal Cultural Resources |
| <input type="checkbox"/> Utilities/Service Systems | <input type="checkbox"/> Wildfire | |

2.1 DETERMINATION

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- 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.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT 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 ENVIRONMENTAL IMPACT REPORT 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 ENVIRONMENTAL IMPACT REPORT or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier ENVIRONMENTAL IMPACT REPORT or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature

Date

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3.0 CEQA ENVIRONMENTAL CHECKLIST

3.1 AESTHETICS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Except as provided in Public Resources Code Section 21099, would the project:				
a. Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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 a 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

3.1.1 Impact Analysis

a. *Would the project have a substantial effect on a scenic vista?*

Less Than Significant Impact. A scenic vista is generally defined as a public vantage point with an expansive view of a significant landscape feature. The Open Space and Conservation Element of the City of Clovis’ General Plan identifies Clovis Avenue, Shaw Avenue, and Herndon Avenue as gateways to the community and important visual links to Old Town Clovis from the greater Fresno area. Other arterial roadways that travel east-to-west through the Clovis, such as Shepherd Avenue, Bullard Avenue, and Ashlan Avenue, span the community’s suburban/rural interface and therefore can also be construed as scenic corridors. These roadways provide a scenic and character transition through the nearly built-out core of Central Clovis into its pastoral agrarian areas to the north, east, and south.

The project site is currently undeveloped and used for agriculture. The project site is located in the vicinity of West Shepherd Avenue, one of the scenic corridors identified in the General Plan. The project site is also located within the City’s Northwest Urban Center, now referred to as Heritage Grove, which offers some of the most direct and unobstructed views of the Sierra Nevada and foothills in the City.³ The Heritage Grove area is specifically planned for urban growth. The proposed project would develop the 71.54-acre project site into a 590-lot single-family residential development. Although implementation of the proposed project would change the existing

³ City of Clovis. 2014. General Plan and Development Code Update PEIR. Aesthetics. Website: <https://cityofclovis.com/wp-content/uploads/2018/10/Chapter-05-01-Aesthetics.pdf> (accessed April 14, 2022).

agricultural land uses in the project site to a single-family residential use, the proposed residential use of the project site would be similar to existing residential uses south of the site, and therefore, the addition of single-family residences at the site would not substantially change views from public vista points. Additionally, the proposed single-family residences to be constructed at the project site would be consistent in size and scale to existing residential units in the vicinity of the project site and would not introduce oversized elements that could obstruct distant views of the Sierra Nevada and foothills.

Therefore, the proposed project would not have a substantial effect on scenic vistas in the vicinity of the project site, and the impact would be less than significant. This topic will not be discussed in the EIR.

b. Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

No Impact. According to the California Department of Transportation (Caltrans) mapping of State Scenic Highways⁴, there are no state-designated scenic highways in or near the City of Clovis. However, State Route 168 (SR-168), an Eligible State Scenic Highway located approximately 2.5 miles south of the project site, bisects the City in a southwest to northeast direction.⁵ No Officially Designated or Eligible State Scenic Highways are located within or in the immediate vicinity of the project site. Therefore, the proposed project would not impact a designated or eligible State Scenic Highway or impact scenic resources located within the highway segments or its viewshed. Therefore, no impact on scenic resources within a State Scenic Highway would occur as a result of the proposed project. This topic will not be discussed in the EIR.

c. In non-urbanized areas, would the project 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 a 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?

Less Than Significant Impact. The proposed project would include the construction of a 590-lot single-family residential development. The project site is currently undeveloped and used for agriculture, and it is surrounded by agricultural and single-family residential uses to the south, rural residential and agricultural uses to the east, agricultural and commercial uses to the west, and agricultural and rural residential uses to the north. The proposed project would change the agricultural use of the site to a residential use. Furthermore, the proposed project would introduce Single-Family Planned Residential Development (R-1-PRD) uses into a site zoned within the Exclusive Agricultural Zoning District (AE-20) of Fresno County.

The proposed project is located within Heritage Grove, a growth area identified for development in the City's General Plan. The proposed project would require approval from Fresno County Local

⁴ California Department of Transportation (Caltrans). State Scenic Highways. Website: <https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways> (accessed May 12, 2022).

⁵ *Ibid.*

Agency Formation Commission (Fresno LAFCo) for annexation to the City of Clovis. After annexation to the City, site zoning would be compatible with the proposed residential use of the proposed project. Additionally, the single-family residences to be constructed on the project site would be consistent in size and scale to existing residential units to the south of the project site.

Therefore, the proposed project would not conflict with applicable zoning or other regulations governing scenic quality in the City and would not substantially degrade the existing visual character or quality of public views of the project site and its surroundings, and the impact would be less than significant. This topic will not be discussed in the EIR.

d. Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

Less Than Significant Impact. The proposed project would include the construction of 590 new single-family residential units within the project site, as well as landscaped, recreational, and utility areas. The construction of new buildings and infrastructure would introduce new sources of light into the project site and vicinity. Compliance with California Building Code (Title 24, California Code of Regulations) standards would reduce potential light and glare impacts. Furthermore, the City's Development Code Update outlines performance standards related to exterior lighting to reduce impacts from new light sources under Article 3 (Development and Operational Standards), Section 9.22.050 (Exterior Light and Glare). Section 9.22.050 states the following:

A. Exterior Lighting

1. Exterior Lighting shall be:

- a. Architecturally integrated with the character of on-site and adjacent structure(s);
- b. Directed downward and shielded so that all direct light and glare is confined within the boundaries of the subject parcel;
- c. Installed so that lights not blink, flash, or be of unusually high intensity or brightness. The blink and flash provision does not apply to allowed seasonal decorations in residential areas, 9.34.060(P). The unusually high intensity or brightness provision shall apply in all instances; and
- d. Appropriate in height, intensity, and scale to the uses they are serving.

2. Exterior lighting shall not:

- a. Exceed 150 watts (or equivalent) or directly illuminate or be visible from adjacent properties.
- b. Result in:

- 1) Indirect illumination of adjacent properties in excess of 0.5 foot-candles;
 - 2) A point of overlap between light patterns greater than seven feet for pedestrian lighting systems; or
 - 3) An intensity of lighting within the physical limits of an area required to be lighted that is greater than seven foot-candles.
- B. **Security Lighting.** Security lighting shall be provided at all entrances/exits to structures. The minimum illumination shall be two footcandles at ground level in front of the entrance/exit.
- C. **Shielded Lighting.** Light sources shall be shielded to direct light rays onto the subject parcel only. The light source, whether bulb or tube, shall not be directly visible from an adjacent property or public street rights-of-way. This Section does not apply to public street lighting, sign illumination, or traffic safety lighting.

Implementation of State and local policies and standards would reduce impacts associated with light and glare through the adoption and enforcement of development design standards. Additionally, the new sources of light and glare introduced by the proposed project would be comparable to the existing light and glare emitted by residential uses located south of the project site. Therefore, the adverse impacts related to light and glare resulting from the proposed project would be less than significant. This topic will not be discussed in the EIR.

3.2 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 Department 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 the forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

3.2.1 Impact Analysis

- a. *Would the project 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?*

Less Than Significant Impact. The project site is classified as “Unique Farmland” and “Farmland of Local Importance” by the California Department of Conservation Farmland Mapping and Monitoring Program (FMMP)⁶. The proposed project would develop the 71.54-acre project site into a 590-lot single-family residential development. Therefore, development of the proposed project would result in the conversion of Unique Farmland and Farmland of Local Importance to a non-agricultural use.

⁶ California Department of Conservation. 2016. California Important Farmland Finder. Website: <https://maps.conservation.ca.gov/DLRP/CIFF/> (accessed April 14, 2022).

The City of Clovis General Plan identifies that build out of the General Plan would result in a significant unavoidable impact related to the conversion of Important Farmland to non-agricultural uses.

Mitigation Measure 2-1 of the General Plan EIR addresses conversion of important farmland associated with build out of the General Plan, and requires project applicants for properties that include 20 acres or more of designated Prime Farmland, Farmland of Statewide Importance, or Unique Farmland to prepare or fund an agricultural resource evaluation, such as a Land Evaluation and Site Assessment (LESA) Model, prior to project approval. The Senate Bill 2 (SB 2) Farmland Impact Assessment⁷ prepared for the City of Clovis prepared a LESA Model for the Heritage Grove growth area, which includes the project site, and concluded that conversion of farmland in the Heritage Grove growth area would result in significant unavoidable impacts to important farmland, consistent with the determination of the General Plan EIR.

Additionally, Mitigation Measure 2-1 requires that if farmland conversion is deemed significant, the City would require mitigation at a 1:1 ratio of converted to preserved acreage, or payment of its valuation equivalent if a fee mitigation program is established, or mitigation through a regional agricultural preservation program, if applicable. However, the General Plan EIR does state that even with implementation of Mitigation Measure 2-1, conversion of farmland through build out of the General Plan would represent a significant unavoidable impact. As such, farmland conversion covered under the General Plan cannot be mitigated.

Figure 5.2-5 in the Agriculture and Forestry section of the General Plan EIR identifies the location of Important Farmland in the City's Planning Area to be converted by buildout of the General Plan.⁸ Sections of the proposed project currently used for agricultural activities are included among the Important Farmland to be converted by buildout of the General Plan. Additionally, the proposed project is located within Heritage Grove, a growth area identified for development in the General Plan. Development of the proposed project would be consistent with planned growth under the General Plan, and therefore, would not result in unplanned impacts to Important Farmland. Therefore, a less than significant impact would occur. This topic will not be discussed in the EIR.

b. Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?

Less Than Significant Impact. The project site is zoned within the Exclusive Agricultural Zoning District (AE-20) of Fresno County. In addition, the project site contains APN 556-030-14S, which is currently under a Williamson Act contract. Following approval of the proposed project and certification of the EIR, the City and Project Applicant will apply to have the project site and annexation area annexed into the City of Clovis and cancellation of the Williamson Act contract, respectively.

⁷ LSA Associates, Inc. 2022. Farmland Impact Assessment, Heritage Grove SB 2 Grant Technical Studies Project, City of Clovis, California. February 2022.

⁸ City of Clovis. 2014. General Plan and Development Code Update PEIR. Agriculture and Forestry Resources. Figure 5.2-5: Important Farmland Converted at General Plan Buildout. Website: <https://cityofclovis.com/wp-content/uploads/2018/10/Chapter-05-02-Agriculture-and-Forestry-Resources.pdf> (accessed July 7, 2022).

As noted in the SB 2 Farmland Impact Assessment prepared for the City for the Heritage Grove Growth Area, APN 556-030-014S (the project site) is currently under a Williamson Act contract. A petition for cancellation and statutory findings to support cancellation of the Williamson Act contract would need to be submitted by the Project Applicant as set forth under Government Code Section 51282(a). Additionally, payment of a cancellation fee equal to 12.5 percent of the unrestricted market value of the parcel is required as set forth under Government Code Section 51283(b). The cancellation process for APN 556-030-014S will be completed prior to development of the proposed project.

After annexation of APN 556-030-14S to the City of Clovis and cancellation of the Williamson Act contract, the parcel could develop uses that comply with the zoning designation of the parcel per the City's Zoning Code without the proposed development being inconsistent with a Williamson Act contract.

Furthermore, the City's General Plan identified a significant and unavoidable impact related to conversion of agricultural land uses in the Heritage Grove area to non-agricultural use. As a result, the potential impacts related to conflicts with existing zoning for agricultural use or a Williamson Act contract have been previously addressed in the General Plan EIR, and this project would not result in a new impact. As a result, a less-than-significant impact would occur. This topic will not be discussed in the EIR.

c. Would the project 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))?

No Impact. The project site is zoned within the Exclusive Agricultural Zoning District (AE-20) of Fresno County. The project site is not currently used for timberland production, nor is it zoned for forest land or timberland. No forest lands or timberland are located on the project site. The proposed project would not conflict with the existing zoning for, or cause rezoning of forest land or conversion of forest land to non-forest uses. Therefore, the proposed project would have no impact on forest land or timberland. This topic will not be discussed in the EIR.

d. Would the project result in the loss of forest land or conversion of forestland to non-forest use?

No Impact. Please 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 uses. Therefore, the proposed project would have no impact. This topic will not be discussed in the EIR.

e. Would the project 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?

Less Than Significant Impact. Please refer to discussions a) and c) of this section. The project site is not used for timberland production or zoned for forest land or timberland. The project site is classified as "Unique Farmland" and "Farmland of Local Importance" by the California Department

of Conservation FMMP. The proposed project would result in the conversion of farmland to non-agricultural uses. However, conversion of farmland resulting from the proposed project has already been identified in the General Plan EIR, and it would be consistent with planned growth in the City of Clovis under the General Plan. As a result, the proposed project would not result in the conversion of forestland or timberland, or the unplanned conversion of farmland beyond what has been identified by the General Plan. Therefore, the impact would be less than significant. This topic will not be discussed in the EIR.

3.3 AIR QUALITY

Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Conflict with or obstruct implementation of the applicable air quality plan?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Expose sensitive receptors to substantial pollutant concentrations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

3.3.1 Impact Analysis

The proposed project is in the City of Clovis’ existing Sphere of Influence and northwest planned growth area. The project falls within the jurisdiction of the San Joaquin Valley Air Pollution Control District (SJVAPCD). The SJVAPCD is responsible for air quality regulation within the eight-county San Joaquin Valley region.

Both the California Air Resources Board (CARB) and the United States Environmental Protection Agency (EPA) have established health-based Ambient Air Quality Standards for six criteria air pollutants: carbon monoxide (CO), ozone (O₃), nitrogen dioxide (NO₂), sulfur dioxide (SO₂), lead (Pb), particulate matter less than 10 microns in size (PM₁₀), and particulate matter less than 2.5 microns in size (PM_{2.5}). These standards are designed to protect the health and welfare of the populace with a reasonable margin of safety. Two criteria pollutants, O₃ and NO₂, are considered regional pollutants because they (or their precursors) affect air quality on a regional scale. Pollutants such as PM, CO, SO₂, and Pb are considered local pollutants because they tend to accumulate in the air locally. The San Joaquin Valley Air Basin (Air Basin) is under State non-attainment status for ozone and particulate matter (PM₁₀ and PM_{2.5}) standards. The Air Basin is also classified as non-attainment for both the federal ozone 8-hour standard and the federal PM_{2.5} 24-hour standard.

A threshold of significance is defined by the SJVAPCD in its Guidance for Assessing and Mitigating Air Quality Impacts (GAMAQI) as an identifiable quantitative, qualitative, or performance level of a particular environmental effect. Non-compliance with a threshold of significance means the effect will normally be determined to be significant. Compliance with a threshold of significance means the effect normally will be determined to be less than significant. The SJVAPCD has established

thresholds of significance for criteria pollutant emissions generated during construction and operation of projects as shown in Table 3.A below.⁹

Table 3.A: SJVAPCD Construction and Operation Thresholds of Significance (tons/yr)

	CO	NO _x	ROG	SO _x	PM ₁₀	PM _{2.5}
Construction Thresholds	100	10	10	27	15	15
Operation Thresholds	100	10	10	27	15	15

Source: Guidance for Assessing and Mitigating Air Quality Impacts (SJVAPCD 2015a.)

CO = carbon monoxide

NO_x = oxides of nitrogen

PM₁₀ = particulate matter less than 10 microns in size

PM_{2.5} = particulate matter less than 2.5 microns in size

ROG = reactive organic gas

SJVAPCD = San Joaquin Valley Air Pollution Control District

SO_x = oxides of sulfur

tons/yr = tons per year

The emissions thresholds in the SJVAPCD GAMAQI were established based on the attainment status of the air basin in regard to air quality standards for specific criteria pollutants. Because the concentration standards were set at a level that protects public health with an adequate margin of safety, these emission thresholds are regarded as conservative and would overstate an individual project’s contribution to health risks.

a. Would the project conflict with or obstruct implementation of the applicable air quality plan?

Potentially Significant Impact. The California Environmental Quality Act (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 Air Basin 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.¹⁰

To assure the Air Basin’s continued attainment of the EPA 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 2016 Moderate Area Plan for the 2012 PM_{2.5} standard to address the EPA federal annual PM_{2.5} standard of 12 micrograms per cubic meter (µg/m³), established in 2012. In addition, the SJVAPCD is in the process of developing an attainment strategy to address multiple PM_{2.5}

⁹ San Joaquin Valley Air Pollution Control District. 2015b. Air Quality Thresholds of Significance – Criteria Pollutants. Website: <http://www.valleyair.org/transportation/0714-GAMAQI-Criteria-Pollutant-Thresholds-of-Significance.pdf> (accessed on April 14, 2022).

¹⁰ San Joaquin Valley Air Pollution Control District. 2016. 2016 Plan for the 2008 8-Hour Ozone Standard. Website: www.valleyair.org/Air_Quality_Plans/Ozone-Plan-2016.htm (accessed April 14, 2022).

standards (1997, 2006, and 2012 PM_{2.5} standards) and a plan to demonstrate maintenance of the 1987 PM₁₀ standard as required under the federal Clean Air Act.

For a project to be consistent with SJVAPCD air quality plans, the pollutants emitted from a project should not exceed the SJVAPCD emission thresholds or cause a significant impact on air quality. Construction and operation of the proposed project may result in an increase in air pollutant emissions. As a result, the proposed project could have a potential adverse effect on the SJVAPCD's implementation of clean air plans. Therefore, the EIR will provide further analysis of the proposed project's consistency with the SJVAPCD's clean air plans.

b. Would the project 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?

Potentially Significant Impact. 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.

Short-term emissions would occur in association with construction activities, including grading, and vehicle/equipment use. Long-term operational emissions are associated with stationary sources and mobile sources. Stationary source emissions result from the consumption of natural gas and electricity. Mobile source emissions result from vehicle trips and result in air pollutant emissions affecting the entire air basin. As noted above, specific criteria for determining whether the potential air quality impacts of a project are significant are set forth by the SJVAPCD.

Construction and operation of the proposed project would result in the emission of air pollutants in the Air Basin, which is currently in non-attainment for federal and State air quality standards. Therefore, implementation of the proposed project could potentially contribute to air quality impacts, which could cause a cumulative impact in the Air Basin. Therefore, the EIR will provide further analysis of cumulative air pollutant emissions associated with the project.

c. Would the project expose sensitive receptors to substantial pollutant concentrations?

Potentially Significant Impact. Sensitive receptors are defined as residential uses, schools, daycare centers, nursing homes, and medical centers. Exposure from diesel exhaust associated with construction activity contributes to both cancer and chronic non-cancer health risks. The closest potentially sensitive receptors to the project site include residential uses located directly adjacent to the project site's eastern boundary and residential uses that are currently under construction south of the project site.

Construction of the proposed project may expose surrounding sensitive receptors to airborne particulates, as well as a small quantity of construction equipment pollutants (i.e., usually diesel-fueled vehicles and equipment). Therefore, the EIR will provide further analysis of air pollutant emissions associated with the proposed project.

d. Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

Less Than Significant Impact. During construction of the proposed project, the various diesel-powered vehicles and equipment in use on site and off site would create localized odors. These odors would be temporary and are not likely to be noticeable for extended periods of time beyond the project site. The potential for diesel odor impacts is therefore considered less than significant. In addition, the proposed uses that would be developed within the project site are not expected to produce any offensive odors that would result in frequent odor complaints. The proposed project would not create objectionable odors affecting a substantial number of people during project construction or operation, and this impact would be less than significant. This topic will not be discussed in the EIR.

3.4 BIOLOGICAL RESOURCES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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 Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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 Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Argonaut Ecological Consulting conducted a Biological Resource Assessment¹¹ (BRA) to assess potential impacts of the proposed project on biological resources. The following methodology was utilized to assess the biological study area of the proposed project:

- **Data and Literature Review:** Documents and sources of information used to prepare this evaluation include the following:
 - United States Department of Agriculture, Natural Resources Conservation Service, Soil Survey of Fresno Area (Soils Mapper)
 - Aerial photography (Google Earth®, Bing®, and historic aerials)
 - California Department of Fish and Wildlife (CDFW), California Natural Diversity Database (CNDDB/RareFind – Recent version with updates)

¹¹ Argonaut Ecological Consulting. 2022. Biological Resources Assessment – Tentative Tract 6343 and City of Clovis Annexation Area. September 26.

- CDFW Open Data Portal, ArcGIS GeoService
- United States Fish and Wildlife Service (USFWS), National Wetland Inventory Map
- USFWS Information for Planning and Consultation (IPaC).
- United States Geological Survey (USGS), Historical Topographic Map, Clovis and Friant Quadrangles, 1919, University of Texas, Austin, Perry-Castañeda Map Collection

Prior to review of the project site, the CNDDDB/RareFind and the USFWS IPaC were consulted to determine the species potentially present within the biological study area based on location.

- **Aerial Photography and Wetland Mapping:** Historical aerial photographs dating from the 1980s of the biological study area were reviewed to identify site features and determine land use changes over time. Wetland mapping and aerial photographs were also reviewed to determine if the biological study area recently supported wetlands.
- **Field Survey:** A field survey was conducted on the project site on August 6 and 7, 2022. The project site was walked, and habitat features mapped. Review of the annexation area of the proposed project included a combination of observation from public roads, and limited foot surveys of accessible areas. Soils, vegetation, and drainage patterns within the biological study area were inspected to determine the habitat present and suitability for species of concern.

3.4.1 Impact Analysis

- a. *Would the project 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 U.S. Fish and Wildlife Service?*

Less Than Significant with Mitigation Incorporated. The proposed project would result in the construction of a 590-lot residential development for single-family residences in the approximately 71.54-acre site located in the Heritage Grove area.

The project site is currently dominated by ruderal species and by nonnative grassland previously used for cattle grazing. No special-status plant species are expected to occur within the project site or to be adversely affected by the proposed project. While no special-status animal species (or signs of such species) were observed on site during the August 2022 survey, eight existing trees surrounding the existing residential unit within the project site could provide suitable nesting habitat for a variety of birds, including Swainson's hawk (*Buteo swainsoni*). Additionally, there is potential for the western burrowing owl (*Athene cunicularia*) to nest in old pipelines around the existing residential unit or along the Enterprise Canal. No suitable habitat for any other special-status species occurs in the project site. Potentially significant direct and indirect impacts, including mortality, harassment, or other forms of incidental take, could occur during proposed removal of existing trees and the exiting residential unit in the project site and due to site disturbance associated with construction activities. Mitigation Measures BIO-1 through BIO-4, outlined below,

would reduce the impact of the proposed project on special-status species to less than significant. As such, 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 USFWS. The impact would be less than significant with mitigation, and this topic will not be discussed in the EIR.

Mitigation Measure BIO-1

Nesting Bird Surveys and Active Nest Avoidance. Any initial ground disturbance or tree pruning, or removal should take place outside of the active nesting bird season (i.e., February 1–September 30), when feasible, to avoid impacts to nesting birds protected under the California Fish and Game Code and Migratory Bird Treaty Act. Should phased construction require tree removal or initial ground disturbance to ruderal areas, a qualified biologist shall conduct a nesting bird survey no more than 15 days prior to each phase of clearing activities. If nesting birds are discovered during preconstruction surveys, the biologist shall identify an appropriate buffer where no clearing, grading, or construction activities with potential to have direct or indirect impacts on the nesting bird(s) are allowed to take place until after the nest is no longer active (e.g., the young birds have fledged), or as otherwise determined by the qualified biologist.

Mitigation Measure BIO-2

Conduct Surveys for Swainson’s Hawk Nests and Implement Avoidance and Minimization Measures. The qualified biologist will conduct surveys for Swainson’s hawk (*Buteo swainsoni*) during the nesting season (February 1 to August 31) along the existing trees within the project site. No sooner than 30 days prior to any ground disturbing activity, the qualified biologist will conduct pre-construction surveys of nests identified during the earlier surveys to determine if any are occupied. The initial nesting season surveys and subsequent preconstruction nest surveys will follow the protocols set out in the Recommended Timing and Methodology for Swainson’s Hawk Nesting Surveys in California’s Central Valley (Swainson’s Hawk Technical Advisory Committee [SHTAC] 2000) or guidance current at the time of project implementation. Available database records will be used to support the survey.

Any active Swainson’s hawk nests (defined as a nest used one or more times in the last 5 years) found within the existing trees on site during the nesting season will be monitored daily by the qualified biologist to assess whether the nest is occupied. If the nest is occupied, the qualified biologist will establish no-work buffers following California Department of Fish and Game’s 1994 Staff Report Regarding Mitigation for Impacts to Swainson’s Hawks (*Buteo swainsoni*) in the Central Valley of California, and the status

of the nest will be monitored until the young fledge or for the length of construction activities, whichever occurs first. Adjustments to the buffer(s) may be made in consultation with the California Department of Fish and Wildlife (CDFW).

If an occupied Swainson's hawk nest site is to be removed, an incidental take permit under the California Endangered Species Act (CESA) will be obtained, and impacts will be minimized through permitting with the CDFW and fully mitigated.

Mitigation Measure BIO-3

Conduct Pre-construction Clearance Surveys for Burrowing Owl. A pre-construction clearance survey will be conducted in the vicinity of the existing residence on site, as well as within the disturbed annual grassland and embankments of the Enterprise No. 109 Canal by a qualified biologist for burrowing owl (*Athene cunicularia*) no more than 30 calendar days prior to initiation of ground disturbance activities. All surveys will follow the California Department of Fish and Game 2012 Staff Report on Burrowing Owl Mitigation methodology, or guidance current at the time of project implementation, and results shall be delivered to CDFW and the City of Clovis. If the survey results find an active burrow, the Project Applicant must coordinate with the CDFW to obtain applicable agency approval/permit prior to any ground disturbance activities on the site.

Mitigation Measure BIO-4

Passive Relocation Measures for Burrowing Owl. If burrowing owl (*Athene cunicularia*) are detected during the pre-construction surveys, occupied burrows will not be disturbed during the nesting season (February 1 through August 31 for owls and other raptors). The non-disturbance buffer will include a minimum 330-foot (100-meter) buffer zone around any occupied burrow unless a qualified biologist approved by the CDFW verifies through non-invasive methods that either (1) burrowing owls have not begun egg laying and incubation, or (2) juveniles from the occupied burrows are foraging independently and are capable of independent survival. The sizes of individual buffers may be modified through coordination with the CDFW based on site-specific conditions and existing disturbance levels. During the non-nesting season or if the qualified biologist determines either (1) or (2) above, the Project Applicant will coordinate with the CDFW to construct artificial burrows and passively relocate the owl(s). Passive relocation is defined as encouraging owls to move from occupied burrows to alternate natural or artificial burrows that are beyond approximately 160 feet (50 meters) from the impact zone and that are within or contiguous to a minimum of 6.5 acres of foraging

habitat for each pair of relocated owls (California Burrowing Owl Consortium 1993).

If passive relocation is required, a qualified biologist shall prepare a Burrowing Owl Exclusion and Mitigation Plan and Mitigation Land Management Plan in accordance with the CDFW 2012 Staff Report on Burrowing Owl Mitigation and for review by CDFW prior to passive relocation activities. Owls shall be excluded from burrows in the immediate impact zone and within an approximately 160-foot (50-meter) buffer zone by installing one-way doors in burrow entrances. One-way doors shall be left in place for 48 hours to ensure owls have left the burrow before excavation. One alternate natural or artificial burrow shall be provided for each burrow that will be excavated in the project impact zone. The project site shall be monitored daily for 1 week to confirm owl use of alternate burrows before excavating burrows in the immediate impact zone. Whenever possible, burrows shall be excavated using hand tools and refilled to prevent reoccupation. Sections of flexible plastic pipe or burlap bags shall be inserted into the tunnels.

- b. Would the project 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 Wildlife or U.S. Fish and Wildlife Service?*

Less Than Significant Impact. No riparian habitat or other sensitive natural communities have been identified within the project site. The project site is disturbed from past agricultural activities, and mainly contains ruderal vegetation and nonnative grassland. As such, the proposed project would not have substantial adverse effects on riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the CDFW or USFWS, and the impact would be less than significant. This topic will not be discussed in the EIR.

- c. Would the project 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?*

Less Than Significant with Mitigation Incorporated. The proposed project would result in the construction of a 590-lot residential development for single-family residences in an approximately 71.54-acre site in the Heritage Grove area.

The main aquatic feature in the vicinity of the project site is Enterprise No. 109 Canal (Enterprise Canal), an irrigation canal managed by the Fresno Irrigation District. Enterprise No. 109 Canal does not meet the current definition of a jurisdictional water of the United States and does not meet the wetland criteria outlined in the State Wetland Definition and Procedures for Discharges of Dredged or Fill Material to Waters of the State, which excludes agricultural ditches with ephemeral flow that are not a relocated water of the state or excavated in a water of the state.

Nevertheless, the Enterprise No. 109 Canal may fall within the jurisdiction of CDFW under Section 1602 of the California Fish and Game Code and the Regional Water Quality Control Board (RWQCB) under the California Water Code (e.g., the Porter-Cologne Water Quality Control Act). Furthermore, given the recent substantial changes in operable definitions that have occurred and may continue to occur, and considering the regulatory revisions and potential court actions, it is not possible to definitively predict the regulations that will be in place at the time of a particular jurisdictional determination or permit action by the United States Army Corps of Engineers (USACE). Under currently effective Clean Water Act regulations and guidance, the USACE reserves the right to regulate certain resources on a case-by-case basis. Therefore, Regulatory Compliance Measure BIO-1 is recommended. Implementation of this measure would reduce potential impacts to protected wetlands to less than significant.

As such, the proposed project would not have a substantial adverse effect on state or federally protected wetlands, and the impact would be less than significant with mitigation. This topic will not be discussed in the EIR.

Regulatory Compliance Measure BIO-1

Agency Coordination for Enterprise No. 109 Canal.

Prior to any modifications to Enterprise No. 109 Canal, it is recommended to consult with the United States Army Corps of Engineers (USACE), California Department of Fish and Wildlife (CDFW), and Regional Water Quality Control Board (RWQCB) to verify the feature's jurisdictional status and obtain applicable permit(s) and/or authorization(s). If direct modifications to the canal are proposed, a notification of streambed alteration shall be submitted to the CDFW in accordance with Section 1602 of the California Fish and Game Code. Unless categorically excluded under effective definitions or existing documentation confirms that no permit is needed, the Central Valley RWQCB and Sacramento District of the USACE shall be consulted regarding potential permitting needs under the California Water Code and federal Clean Water Act, respectively, associated with the proposed Enterprise No. 109 Canal modifications.

- d. Would the project 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?*

Less Than Significant Impact. The project site is disturbed from past agricultural activities, and mainly contains ruderal vegetation and nonnative grassland. Based on field observations and the location of the project site, there are no indications that the project site functions as a wildlife movement corridor, or an important stopover point for migratory species. The wildlife species that occur in the vicinity of the project site are adapted to the urban-wildland interface. The noise,

vibration, light, dust, or human disturbance within construction areas would only temporarily deter wildlife from using areas in the immediate vicinity of construction activities. The proposed project would not place any permanent barriers within any known wildlife movement corridors or interfere with habitat connectivity.

Existing trees on site could provide limited nesting habitat to native and migratory bird species, including Swainson's hawk. Furthermore, there is limited potential for Burrowing owls nesting in the vicinity of the existing residential unit onsite, as well as the vicinity of Enterprise No. 109 Canal. Breeding-season disturbance that causes nest abandonment and/or loss of reproductive effort is considered a form of take by the CDFW. Implementation of Mitigation Measures BIO-1 through BIO-4 would ensure that take of nesting migratory bird species, as well as of special-status species such as Swainson's hawk and burrowing owl, is avoided.

As such, 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. The impact would be less than significant. This topic will not be discussed in the EIR.

e. Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

Less Than Significant Impact. The Clovis Development Code includes tree protection standards for any trees that may need to be removed during construction. Compliance with the tree protection standards of the Clovis Municipal Code would require the replacement of trees and/or payment of in-lieu fees. The project would be required to comply with the tree protection ordinance; therefore, the impact would be less than significant.

f. Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

No Impact. 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. This HCP covers PG&E activities that 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 USFWS and CDFW. The project site is not located within the covered area of any approved or draft HCP, Natural Communities Conservation Plan (NCCP), or other adopted local, regional or State HCP. Therefore, the proposed project would not conflict with the provisions of the PG&E HCP, and the proposed project would have no impact. This topic will not be discussed in the EIR.

3.5 CULTURAL RESOURCES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Peak & Associates, Inc. prepared a Cultural Resource Assessment (CRA)¹² for the proposed project to assess potential impacts to cultural resources. The following discussion summarizes the methodology and results of the study:

- **Southern San Joaquin Valley Information Center:** A record search of the study area for the proposed project and a 0.25-mile search radius was conducted on through the Southern San Joaquin Valley Information Center (SSJVIC) of the California Historical Resources Information System (CHRIS) on September 6, 2022 (SSJVIC Records Search File No. 22-334).

The record search results indicated that no portion of the project site has ever been previously surveyed for cultural resources. Two resources were identified within the study area: a waste disposal site (P-10-006461) found during excavation for a utility pole in the northeast corner of the annexation area in 2015, and the Enterprise Canal, recorded as P-FRE-3564-H. Within the 0.25-mile radius search, six historic period resources have been recorded.

- **Field Survey:** On September 14, 2022, and September 15, 2022, Peak & Associates, Inc. staff conducted a field survey of the project site. The project site was walked on its entirety and surveyed.
- **Results:** No features or artifacts of historical or prehistoric nature were observed in the project site during the field survey. The existing residential unit onsite is less than 50 years old and would not be considered a historical resource.

3.5.1 Impact Analysis

- a. *Would the project cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?*

Less Than Significant with Mitigation Incorporated. 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 (California Register); (2) listed in a local register of

¹² Peak & Associates, Inc. 2022. Cultural Resource Assessment for the Tentative Tract Map 6343 and City of Clovis Annexation Area, County of Fresno, California. September 21.

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 15064.5(a)). Under CEQA, historical resources include built-environment resources and archaeological sites.

The proposed project would result in the construction of a 590-lot residential development for single-family residences. According to the CRA for the project, no historical resources were identified within the project site during the record search or field survey. However, development of previously undeveloped land in the City could result in the discovery of previously unknown historical resources.

To reduce potential impacts on potentially undiscovered historical resources in the project site, Mitigation Measure CUL-1 shall be implemented. This mitigation measure would reduce potential impacts to undiscovered resources to a less than significant level by consulting with a qualified historical resources specialist and implementing applicable mitigation measures to protect resources found during project construction. This topic will not be discussed in the EIR.

Mitigation Measure CUL-1

Consultation with Qualified Historical Specialist for Resources Found During Project Construction. If previously unknown resources are encountered before or during grading activities, construction shall stop within 50 feet of the find and a qualified historical resources specialist shall be consulted to determine whether the resource requires further study.

The qualified historical resources specialist shall make recommendations to the City of Clovis on the measures that shall be implemented to protect the discovered resources, including but not limited to excavation of the finds and evaluation of the finds in accordance with Section 15064.5 of the *CEQA Guidelines*.

If the resources are determined to be unique archeological resources as defined under Section 15064.5(c)(1) of the *CEQA Guidelines*, measures shall be identified by a qualified archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards for Archaeology and recommended to the Lead Agency. Appropriate measures for significant resources could include avoidance or capping, incorporation of green space, parks, or open space in undeveloped areas of the project site, or data recovery excavations of the finds.

No further grading shall occur in the area of the discovery until the Lead Agency approves the protection measures. Any historical artifacts recovered as a result of mitigation shall be provided to a City of Clovis-approved institution or person who is capable of providing long-term preservation to allow future scientific study.

A report of findings shall also be submitted to the Southern San Joaquin Valley Information Center .

b. Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?

Less Than Significant with Mitigation Incorporated. Pursuant to *CEQA Guidelines* Section 15064.5(c)(1), “When a project will impact an archaeological site, a lead agency shall first determine whether the site is an historical resource...” Those archaeological sites that do not qualify as historical resources shall be assessed to determine if they qualify as “unique archaeological resources” pursuant to California PRC Section 21083.2. Archaeological cultural resources identified during project construction shall be treated by the City in consultation with a qualified archaeologist meeting the Secretary of the Interior’s Professional Qualifications Standards for Archaeology, and in accordance with Mitigation Measure CUL-1 as identified above in Section 3.5.a. With implementation of these measures, impacts to archaeological resources would be less than significant. This topic will not be discussed in the EIR.

c. Would the project disturb any human remains, including those interred outside of formal cemeteries?

Less Than Significant with Mitigation Incorporated. 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 and PRC Section 5097.98 shall apply, as appropriate. Furthermore, implementation of Mitigation Measure CUL-2 would ensure compliance with applicable laws and regulations pertaining treatment and disposition human remains, reducing potential impacts on unknown human remains to a less than significant level. This topic will not be included in the EIR.

Mitigation Measure CUL-2

In the event that human remains are unearthed during excavation and grading activities of any future development project, all activity shall cease immediately. Pursuant to Health and Safety Code Section 7050.5, no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to Public Resources Code (PRC) Section 5097.98(a). If the remains are determined to be of Native American descent, the coroner shall within 24 hours notify the Native American Heritage Commission (NAHC). The NAHC shall then contact the most likely descendant of the deceased Native American, who shall then serve as the consultant on how to proceed with the remains.

Pursuant to PRC Section 5097.98(b), upon the discovery of Native American remains, the Project Applicant shall ensure that the immediate vicinity, according to generally accepted cultural or archaeological standards or practices, where the Native American human remains are located is not damaged or disturbed by further

development activity until the Project Applicant has discussed and conferred with the most likely descendants regarding their recommendations, if applicable, taking into account the possibility of multiple human remains. The Project Applicant shall discuss and confer with the descendants all reasonable options regarding the descendants' preferences for treatment.

3.6 ENERGY

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

3.6.1 Impact Analysis

- a. *Would the project result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources during project construction or operation?*

Less Than Significant Impact. The proposed project would be constructed using energy-efficient modern building materials and construction practices, and the proposed project also would use new modern appliances and equipment, in accordance with the Appliance Efficiency Regulations (Title 20, California Code of Regulations [CCR] Sections 1601 through 1608). The expected energy consumption during construction and operation of the proposed project would be consistent with typical usage rates for residential uses in the Clovis; however, energy consumption is largely a function of personal choice and the physical structure and layout of buildings. It can be assumed that implementation of the proposed project would result in additional energy demand in Clovis. The proposed project would be required to comply with the City’s energy efficiency policies, including Policies 3.5, 3.6, and 3.7 from the Open Space and Conservation Element of the General Plan as follows:

Policy 3.5: Energy and Water Conservation. Encourage new development and substantial rehabilitation projects to exceed energy and water conservation and reduction standards set in the California Building Code.

Policy 3.6: Renewable Energy. Promote the use of renewable and sustainable energy sources to serve public and private sector development.

Policy 3.7: Construction and design. Encourage new construction to incorporate energy efficient building and site design strategies.

Therefore, the proposed project would not result in wasteful, inefficient, or unnecessary consumption of energy resources during project construction or operation. As such, the proposed project would have a less than significant impact. This topic will not be discussed in the EIR.

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

Less Than Significant Impact. As discussed in a) above, the proposed project would be required to comply with the Appliance Efficiency Regulations (Title 20, CCR Sections 1601 through 1608) and with General Plan policies for energy efficiency and conservation. The proposed project would also be required to implement the California Green Building Standards Code (CALGreen Code) (CCR Title 24, Part 11) and the California Energy Code (CCR Title 24, Part 6), which include provisions related to insulation and design aimed at minimizing energy consumption. Therefore, the proposed project would comply with State and local policies plan for renewable energy or energy efficiency, and the impact would be less than significant. This topic will not be discussed in the EIR.

3.7 GEOLOGY AND SOILS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii. Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii. Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv. Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

3.7.1 Impact Analysis

- a. *Would the project 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.*

Less Than Significant Impact. Fault ruptures are generally expected to occur along active fault traces that have exhibited signs of recent geological movement (i.e., within the past 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 project site 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 vicinity of the project site. The closest active faults to the project site are the Nunez Fault, located approximately 60 miles southwest of the project site and the Ortigalita Fault, located approximately 66 miles southwest of the

project site. Due to the distance of these known faults, no people or structures would be exposed to potential substantial adverse effects, including the risk of loss, injury, or death from the rupture of a known earthquake fault as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map. Therefore, potential impacts related to fault rupture would be less than significant. This topic will not be discussed in the EIR.

ii. Strong seismic ground shaking?

Less Than Significant Impact. While Clovis is not located within an Alquist-Priolo Earthquake hazard zone, some ground shaking may occur within the City Planning Area depending on the amount of energy released from a nearby fault, or the magnitude of the earthquake. The proposed project would be required to conform to California Building Code (CCR Title 24) seismic safety standards, which take multiple factors into account, such as occupancy type, soil type, and ground motion with a specified probability at the project site. Compliance with the California Building Code would ensure that geotechnical design of the proposed project would reduce potential impacts related to seismic ground shaking to less than significant. This topic will not be discussed in the EIR.

iii. Seismic-related ground failure, including liquefaction?

Less Than Significant Impact. Soil liquefaction is a phenomenon primarily associated with saturated soil layers located close to the ground surface. During ground shaking, these soils lose strength and acquire “mobility” sufficient to permit both horizontal and vertical movements. Soils that are most susceptible to liquefaction are clean, loose, uniformly graded, saturated, fine-grained sands that lie relatively close to the ground surface. However, loose sands that contain a significant amount of fines (silt and clay) may also liquefy. Liquefaction and lateral spreading potential in Fresno County and Clovis is considered very low due to the nature of the underlying soils and history of low ground-shaking potential in the region. Furthermore, compliance with the California Building Code would ensure potential impacts associated with seismic-related ground failure would be less than significant. This topic will not be discussed in the EIR.

iv. Landslides?

Less Than Significant Impact. Landslides typically occur in areas that experience ground shaking, are typically wet and/or have steep slopes. The proposed project is located in Clovis, which is an area that consists of mostly flat topography within the Central Valley and has low ground-shaking potential. Additionally, the project site is not located next to any hills, rivers, creeks or unlined canals that could increase the risk of landslides. Therefore, the potential for the proposed project to expose people or structures to risk as a result of landslides would be less than significant. This topic will not be discussed in the EIR.

b. Would the project result in substantial soil erosion or the loss of topsoil?

Less Than Significant Impact. Grading and earthmoving during project construction has the potential to result in erosion and loss of topsoil. Exposed soils could be entrained in stormwater

runoff and transported off the project site. However, this impact would be reduced to a less-than-significant level through compliance with water quality control measures, which include preparation of a Stormwater Pollution Prevention Plan (SWPPP) (refer to Section 3.10, Hydrology and Water Quality). Although designed primarily to protect stormwater quality, the SWPPP would incorporate Best Management Practices (BMPs) to minimize erosion during construction. Additional details regarding the SWPPP are provided in Section 3.10, Hydrology and Water Quality, of this Initial Study. This impact would be less than significant. This topic will not be discussed in the EIR.

c. Would the project 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?

Less Than Significant Impact. As described in discussion a) in this section, soils on the project site would not be subject to liquefaction, lateral spreading, or landslides. Additionally, the proposed project would be required to conform with the California Building Code, which would reduce risks related to unstable soils. Therefore, the proposed project would have a less than significant impact related to unstable soils. This topic will not be discussed in the EIR.

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

Less Than Significant Impact. Expansive soils are characterized by the potential for shrinking and swelling as the moisture content of the soil decreases and increases, respectively. Shrink-swell potential is influenced by the amount and type of clay minerals present and can be measured by the percent change of the soil volume. The project site contains Exeter sandy loam, Tujunga loamy sand, Atwater sandy loam, and Ramona sandy loam, soils which have a medium to low shrink-swell potential.¹³ Compliance with California Building Code requirements would ensure the implementation of design features that would reduce potential impacts related to expansive soils to a less than significant level. As such, the risk of expansive soil affecting the proposed project is considered low and would represent a less than significant impact. This topic will not be discussed in the EIR.

e. Would the project have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

No Impact. The City's Public Utilities Department currently manages the City's sewer system and wastewater treatment facilities. Wastewater from the City's collection system is treated at the Clovis Water Reuse Facility and the Fresno-Clovis Regional Wastewater Reclamation Facility (RWRF). Development of the proposed project would not involve the use of septic tanks or alternative wastewater disposal systems. The proposed project would be required to pay development fees and fund the construction or expansion of wastewater infrastructure, as applicable, to ensure that the public sewer system would serve the project site. Therefore, the proposed project would have no

¹³ Natural Resources Conservation Service. n.d. Web Soil Survey. Website: <https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx> (accessed April 14, 2022).

impact related to septic tanks or alternative wastewater disposal systems. This topic will not be discussed in the EIR.

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

Less Than Significant with Mitigation Incorporated. Paleontological resources are afforded protection under *CEQA Guidelines*, Appendix G. The *CEQA Guidelines* indicate that a project would have a significant impact on paleontological resources if it would disturb or destroy a unique paleontological resource or site, or a unique geologic feature. PRC Section 5097.5 also specifies that the unauthorized removal or damage of paleontological remains is a misdemeanor. The California Penal Code Section 622.5 also sets penalties for removal or damage of paleontological resources.

The project site has been partially developed and used for agricultural production. In addition, there have been no known discovery of occurrences of paleontological resources in the immediately surrounding areas. Although the project site has been previously disturbed, it is possible that paleontological resources could be inadvertently or accidentally discovered within the project site during construction activities. Mitigation Measure GEO-1 would serve to protect the accidental discovery of paleontological resources. As such, a less than significant impact with mitigation would occur. This topic will not be discussed in the EIR.

Mitigation Measure GEO-1

If any potentially significant paleontological resources are discovered during grading activities, all construction activities shall stop within 50 feet of the find and a certified professional paleontologist shall provide recommendations and mitigation measures to protect the resource.

If a potentially significant resource is encountered, then the qualified professional paleontologist, the City of Clovis, and the Project Applicant shall arrange for either (1) total avoidance of the resource or (2) test excavations to evaluate eligibility and, if eligible, total data recovery. The determination shall be formally documented in writing and submitted to the City of Clovis as verification that the provisions for managing unanticipated discoveries have been met.

3.8 GREENHOUSE GAS EMISSIONS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

3.8.1 Impact Analysis

Greenhouse gases (GHGs) are present in the atmosphere naturally, are released by natural sources, or are formed from secondary reactions taking place in the atmosphere. The gases that are widely seen as the principal contributors to human-induced global climate change are:

- Carbon dioxide (CO₂)
- Methane (CH₄)
- Nitrous oxide (N₂O)
- Hydrofluorocarbons (HFCs)
- Perfluorocarbons (PFCs)
- Sulfur hexafluoride (SF₆)

Certain gases, such as water vapor, are short-lived in the atmosphere. Others remain in the atmosphere for significant periods of time, contributing to climate change in the long term. Water vapor is excluded from the list of GHGs above because it is short-lived in the atmosphere and its atmospheric concentrations are largely determined by natural processes, such as oceanic evaporation.

These gases vary considerably in terms of Global Warming Potential (GWP), which is a concept developed to compare the ability of each GHG to trap heat in the atmosphere relative to another gas. GWP is based on several factors, including the relative effectiveness of a gas to absorb infrared radiation and the length of time that the gas remains in the atmosphere (“atmospheric lifetime”). The GWP of each gas is measured relative to carbon dioxide (CO₂), which is the most abundant GHG; the definition of GWP for a particular GHG is the ratio of heat trapped by one unit mass of the GHG to the ratio of heat trapped by one unit mass of CO₂ over a specified time period. GHG emissions are typically measured in terms of pounds or tons of “CO₂ equivalents” (CO₂e).

- a. *Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?*

Potentially Significant Impact. Construction activities, such as site preparation, site grading, on-site heavy-duty construction vehicles, equipment hauling materials to and from the project site and

motor vehicles transporting the construction crew would produce GHGs. The combustion of fossil-based fuels creates GHGs such as CO₂, CH₄, and N₂O. Furthermore, CH₄ is emitted during the fueling of heavy equipment. Long-term operation of the proposed project would generate GHG emissions from mobile and stationary sources. Mobile-source emissions of GHG would include vehicle-related emissions associated with the private vehicles owned by residents and employees of the project site. Stationary emissions of GHG would include electricity and natural gas consumption from residences at the project site.

The EIR will provide further analysis of the proposed project's GHG emissions.

b. Would the project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

Potentially Significant Impact. As discussed above, the project has the potential to emit GHGs. As such, the EIR will include further evaluation of project-related emissions and associated emission reduction strategies to determine whether the proposed project conflicts with an applicable plan, policy, or regulation adopted for the purpose of reducing GHG emissions.

3.9 HAZARDS AND HAZARDOUS MATERIALS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

3.9.1 Impact Analysis

a. *Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?*

Less Than Significant Impact. Construction activities associated with the proposed project would involve the use of limited amounts of potentially hazardous materials, including but not limited to, solvents, paints, fuels, oils, and transmission fluids. However, all materials used during construction would be contained, stored, and handled in compliance with applicable standards and regulations established by the California Department of Toxic Substances Control (DTSC), the EPA, and the Occupational Safety and Health Administration (OSHA). No manufacturing, industrial, or other uses utilizing large amounts of hazardous materials or emitting significant amounts of hazardous substances would occur within the project site. All storage, handling, and disposal of hazardous materials during project construction and operation would comply with applicable standards and regulations, including Policies 1.4, 2.1, 2.3, and 2.4 from the Environmental Safety Element of the General Plan:

Policy 1.4: Facilities that use hazardous materials. Prohibit facilities using, storing, or otherwise involved with hazardous or toxic materials to be located in the 100-year flood zone unless all standards of elevation, flood proofing, and storage have been implemented.

Policy 2.1: Safe storage and maintenance. The use and storage of hazardous materials shall comply with applicable federal, state, and local laws to prevent and mitigate hazardous materials releases.

Policy 2.3: Truck routes for hazardous materials. Maintain designated truck routes for the transportation of hazardous materials through the City. Discourage routes that pass through residential neighborhoods to the maximum extent feasible.

Policy 2.4: Hazardous materials response team. Maintain a Type 1 hazardous materials response team serving the City of Clovis.

As a result, the proposed project would not create significant hazards to the public or environment through the transport, use or disposal of hazardous materials, and a less than significant impact would occur. This topic will not be included in the EIR.

b. Would the project 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?

Less Than Significant Impact. See discussion a) above. The proposed project would not use substantial amounts hazardous materials which release would result in a significant hazard to the public or the environment. Additionally, the proposed project would also comply, as applicable, with General Plan Policies 1.4, 2.1, 2.3 and 2.4 from the Environmental Safety Element, which require compliance with local, State and federal standards and procedures for the handling, use, transport and disposal of hazardous materials. This impact would be less than significant. This topic will not be included in the EIR.

c. Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

Less Than Significant Impact. The closest existing schools to the project site are Woods Elementary School, located approximately 0.75 mile south of the project site, and Buchanan High School, located approximately 1.08 miles southeast of the project site. As previously stated, the proposed project would not result in the use or emission of substantial quantities of hazardous materials that would pose a human or environmental health risk. In addition, all hazardous materials within the project site would be handled, stored, and disposed of in accordance with applicable standards and regulations. Therefore, because the proposed project would not result in the emission of hazardous materials or acutely hazardous substances in the vicinity of a school, a less than significant impact would occur. This topic will not be included in the EIR.

- d. Would the project 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?*

Less Than Significant Impact. According to the DTSC EnviroStor database,¹⁴ the project site 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. Additionally, the project site is not included on the list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.¹⁵ Therefore, the proposed project would not create a significant hazard to the public, and a less-than-significant impact would occur. This topic will not be included in the EIR.

- e. Would the project be located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?*

Less Than Significant Impact. The nearest airports to the project site include the Fresno Yosemite International Airport, located approximately 6.5 miles southwest of the project site, Fresno Chandler Executive Airport, located approximately 11.7 miles southwest of the project site, and the Sierra Sky Airport, located approximately 9.6 miles southwest of the project site. The nearest medical center helipads (HP) to the project site include the Clovis Community Hospital HP located approximately 3.34 miles southeast of the project site, the Saint Agnes Medical Center HP, located approximately 4.2 miles southwest of the project site, and the Valley Children's Hospital HP located approximately 5.33 miles west of the project site.¹⁶ Due to the distance between the project site and local airports and helipads, operations at these locations are not expected to pose a safety hazard for people residing in the project site. Therefore, the proposed project would not expose persons to airport-related hazards, and the potential impact would be less than significant. This topic will not be included in the EIR.

- f. Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?*

Less Than Significant Impact. The California Emergency Services Act requires cities to prepare and maintain an Emergency Plan for natural, manmade, or war-caused emergencies that result in conditions of disaster or in extreme peril to life. The Clovis Fire Department maintains the City's Emergency Operations Plan (EOP). The proposed project would include the construction of 590 new single-family residential units within the project site, as well as landscaped, recreational, and utility areas. The proposed project would also result in the construction of extensions of North Baron

¹⁴ California Department of Toxic Substances Control. 2007. EnviroStor. Website: <https://www.envirostor.dtsc.ca.gov/public/map/?myaddress=clovis> (accessed April 14, 2022).

¹⁵ California Environmental Protection Agency (CalEPA). 2018. Government Code Section 65962.5(a) Hazardous Waste and Substances Site List. Website: <https://calepa.ca.gov/sitecleanup/corteselist/section-65962-5a/> (accessed April 14, 2022).

¹⁶ California Department of Transportation (Caltrans). 2019. Caltrans HeliPlates. Website: <https://heliplates.dot.ca.gov/#> (accessed April 14, 2022).

Avenue, Perrin Avenue, and Hammel Avenue to facilitate access to, and circulation within, the project site.

The proposed improvements to North Baron Avenue, Perrin Avenue, and Hammel Avenue are not expected to block the circulation of emergency response services in the vicinity of the project site or introduce elements that would conflict with the operations of the City's EOP. After construction, the proposed extensions to North Baron Avenue, Perrin Avenue, and Hammel Avenue would improve access of emergency response vehicles to the project area and evacuation from the project area. Therefore, the proposed project would not interfere with emergency evacuation plans in Clovis, and this impact would be less than significant. This topic will not be included in the EIR.

g. Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

Less Than Significant Impact. The project site is located in an area mapped by the California Department of Forestry and Fire Protection (CAL FIRE) as Local Responsibility Area (LRA) Unzoned, indicating that the area is urbanized and not susceptible to wildland conflagrations, and is not located within a very high fire hazard severity zone (VHFHSZ).¹⁷ However, the project site is in the vicinity of a moderate fire hazard zone. As such, implementation of the proposed project could expose people and/or structures to fire hazard by development near a moderate fire hazard severity zone. In compliance with the General Plan EIR, projects built or developed within a fire hazard severity zone would be required to comply with Chapter 7A of the California Building Code. Any project developed or redeveloped surrounded by or next to forest, brush, grass, or other flammable vegetation would also be mandated to comply with requirements regarding hazardous vegetation, defensible space, and fuel management in California PRC Sections 4291 et seq. and in Sections 4906 and 4907 of the California Fire Code (CFC). Implementation of these regulations would reduce potential impacts associated with wildland fires to a less-than-significant level. This topic will not be included in the EIR.

¹⁷ California Department of Forestry and Fire Protection (CAL FIRE). 2007. Fresno County Fire Hazard Severity Zones in LRA. Website: https://osfm.fire.ca.gov/media/6673/fhszl06_1_map10.pdf (accessed April 14, 2022).

3.10 HYDROLOGY AND WATER QUALITY

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off site;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv. Impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

3.10.1 Impact Analysis

a. Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?

Less Than Significant Impact. The State Water Resources Control Board (SWRCB) and nine RWQCBs regulate the water quality of surface water and groundwater throughout California. The proposed project is within the jurisdiction of the Central Valley RWQCB.

Pollutants of concern during construction include sediments, trash, petroleum products, concrete waste (dry and wet), sanitary waste, and chemicals. During project construction, there would be an increased potential to expose soils to wind and water erosion, which could result in temporary minimal increases in sediment load in nearby water bodies.

In compliance with the General Plan, any development project disturbing one or more acres of soil must obtain coverage under the General Permit for Discharges of Storm Water Associated with Construction Activity (Construction General Permit Order 2009-0009-DWQ). Construction activities subject to the Construction General Permit includes clearing, grading, and other ground-disturbing

activities such as stockpiling or excavation. The Construction General Permit requires development and implementation of a SWPPP.

A SWPPP includes features designed to eliminate contact of rainfall and stormwater runoff with sources of pollution that occur on construction sites, the main source being soil erosion resulting from unstabilized soils coming in contact with water and wind. These features are known as BMPs. Common BMPs to limit pollution in stormwater runoff from construction sites include maintaining or creating drainages to convey and direct surface runoff away from bare areas and installing physical barriers such as berms, silt fencing, wattles, straw bales, and gabions. Consistency with the Construction General Permit, including the SWPPP and BMPs, would reduce project construction impacts on water quality to less than significant levels.

To address long-term impacts to groundwater quality, the proposed project would comply with the Fresno-Clovis Storm Water Quality Management Program (SWQMP)¹⁸, which requires the implementation of BMPs to manage urban stormwater runoff in the Fresno Metropolitan Area. These BMPs require the implementation of site drainage designs and post-construction measures that prevent stormwater pollution, as well as compliance with City of Clovis standards to improve stormwater quality. Compliance with this program would reduce potential impacts to groundwater quality from the proposed project. The Project Applicant would be required to pay Local Drainage Fees to fund drainage improvements pursuant to the FMFCD Master Plan and the SWQMP. Therefore, the proposed project would not violate any water quality standards, waste discharge requirements, or substantially degrade surface or groundwater quality, and the impact would be less than significant. This topic will not be included in the EIR.

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

Less Than Significant Impact. Water supply, and water and wastewater circulation services for the proposed project would be provided by the City of Clovis through the Department of Public Utilities. The City of Clovis relies upon groundwater, surface water, and recycled water for its water supply.

The City extracts groundwater from the Kings Subbasin, an unadjudicated basin with a status of critically overdrafted. The proposed project would construct a 590-lot residential development in a previously undeveloped site. The proposed project would result in an increase of impervious surfaces in the currently undeveloped project site. However, the project would not require groundwater pumping for project operations. As previously discussed, the City extracts groundwater from the Kings Subbasin through a well system containing 36 active wells and one standby well with a total capacity of approximately 37,690 gallons per minute (gpm) with another 4,750 gpm of additional capacity planned in the next few years. According to the City's 2020 Urban Water

¹⁸ Fresno Metropolitan Flood Control District (FMFCD). 2020. Fresno-Clovis Storm Water Quality Management Program: FY 2019-20 Annual Report. October 1. Website: <http://www.fresnofloodcontrol.org/wp-content/uploads/2020/09/2019-20-Annual-Report-FINAL.pdf> (accessed December 6, 2022).

Management Plan¹⁹, the City conducted 5,316 acre-feet (AF) of intentional recharge activities at various basins, creeks, and landscape areas throughout the City's service area. Stormwater throughout the City is collected in FMFCD basins, where collected stormwater is allowed to percolate into the soil as groundwater recharge. The FMFCD allows the City to utilize 17 stormwater basins throughout the City's service area for recharge purposes. The FMFCD urban stormwater drainage system would provide groundwater infiltration for runoff from developed land uses in detention basins in the City's drainage system service area. As Clovis continues to grow, the City intends to expand its surface water supply use, recycled water use, and to continue intentional groundwater recharge efforts to relieve pressure on the groundwater aquifer. The proposed project would aid groundwater recharge in the Kings Subbasin through compliance with the Urban Water Management Plan (UWMP) and construction of surface and subsurface drainage infrastructure, per design requirements of the City and FMFCD, along North Baron Avenue, Perrin Avenue, and Hammel Avenue as well as along internal roadways in the project site to direct stormwater towards FMFCD Basin BY, which is located adjacent to the project site's eastern boundary. In addition, a 1,300-foot-long, 26-foot-wide drainage channel would be constructed along the north side of the Perrin Avenue extension to direct stormwater flows west from the project site towards drainage infrastructure along the Enterprise Canal. As such, the proposed project would not interfere with groundwater recharge in the Kings Subbasin, and impacts would be less than significant.

In addition to the groundwater supplies, the City also has access to surface water through several different contracts, all of which are delivered to the City by the Fresno Irrigation District (FID). The various surface water supplies are from the Kings River and Central Valley Project (Class II supplies, which are less reliable than other surface water supplies). Lands located within the Kings River service area are generally entitled to an average annual allotment of approximately 2.24 acre-feet per year per acre (AFY/ac). According to a Water Infrastructure Investigation prepared for the proposed project, and included as Appendix B of this Initial Study, approximately 38.6 acres of the project site are located within the FID service area and 32.9 acres are located outside of the FID service area. The Water Infrastructure Investigation has determined that the proposed Medium Density Residential use of the project has a water demand of 3.3 AFY/ac, making annual water demand in the project site approximately 236 AFY. Because the water demand of the project is higher than the allocation of the FID, and the FID would only supply water for approximately 54 percent of the project site (approximately 86.5 AFY), the proposed project would require additional water supply from the City of Clovis. The proposed project would be required to pay applicable development fees to the City to fund acquisition of additional water supplies. After payment of applicable fees, the City would be able to provide sufficient water supply for the project.

As identified in the Water Supply Assessment, included as Appendix C of this Initial Study, the City will have sufficient water supplies to provide water to this project. As such, the proposed project would not substantially decrease water supplies or interfere substantially with groundwater recharge such that the proposed project may impede sustainable groundwater management of the basin. As a result, this project would result in a less-than-significant impact related to impeding the

¹⁹ City of Clovis. 2021. Urban Water Management Plan 2020 Update. July 12. Website: https://cityofclovis.com/wp-content/uploads/2021/08/2020-UWMP-Adopted-July-2021_reduced.pdf (accessed December 6, 2022).

sustainable groundwater management of the Kings Subbasin. This topic will not be included in the EIR.

c. Would the project 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;

Less Than Significant Impact. Ground-disturbing activities associated with construction of the proposed project would expose native soils that could be subject to the effects of wind and water erosion unless adequate measures are taken to limit the transport of soils in surface water from construction sites to downstream locations. As discussed under discussion a) in this section, the Project Applicant would be required to implement a SWPPP that would identify specific measures to address erosion and siltation resulting from grading and construction.

Stormwater collection and disposal, and flood control for the City of Fresno, City of Clovis, and the unincorporated areas within the City of Clovis SOI are provided by the FMFCD. Stormwater from the project site would be drained through surface and subsurface drainage infrastructure located along North Baron Avenue, Perrin Avenue, and Hammel Avenue, as well as along internal roadways in the project site, and redirected towards Basin BY, which is located adjacent to the project site's eastern boundary. Compliance with the FMFCD's SWQMP would require the implementation of BMPs that would manage the release of pollutants and sediments from the project site into stormwater, thus managing potential impacts resulting from erosion and saltation on the project site. Implementation of these measures would reduce potential impacts related to erosion and saltation to less than significant. This topic will not be included in the EIR.

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

Less Than Significant Impact. The proposed project would construct a 590-lot residential development in the project site. The project site is mainly undeveloped, and therefore, implementation of the proposed project would increase impervious surfaces at the project site that could increase surface runoff. Stormwater from the project site would be drained through surface and subsurface drainage infrastructure located along North Baron Avenue, Perrin Avenue, and Hammel Avenue as well as along internal roadways in the project site, and redirected towards Basin BY, located adjacent to the project site's eastern boundary. The Project Applicant would be required to pay drainage fees to the FMFCD to fund drainage facilities and address impacts related to increased amount of surface runoff resulting from development of the project site. The construction of stormwater facilities would handle surface runoff in a manner that would exceed the capacity of existing or planned drainage infrastructure in the vicinity. Therefore, the impact would be less than significant. This topic will not be included in the EIR.

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

Less Than Significant Impact. Please refer to discussions a) and c) i and ii in this section. The proposed project would result in an increase of impervious surfaces, which can contribute to surface runoff. However, implementation of a SWPPP and compliance with the City's SWQMP would ensure that the proposed project would not generate additional sources of polluted runoff. Additionally, the Project Applicant would be required to pay drainage fees to the FMFCD to address impacts related to increased amount of surface runoff resulting from the proposed project. The construction of proposed stormwater facilities would handle surface runoff in a manner that would exceed the capacity of existing or planned stormwater drainage systems in the vicinity. Therefore, the impact would be less than significant. This topic will not be included in the EIR.

iv. Impede or redirect flood flows?

Less Than Significant Impact. Sections of the project site are located within a 100-year flood hazard zone as mapped by the Federal Emergency Management Agency (FEMA).²⁰ The City of Clovis Municipal Code Section 8.12, Floodplain Management lists standards and design requirements for new construction and development within special flood zones. Policy 1.1 from the General Plan Environmental Safety Element also prohibits development within the 100-year flood zone unless adequate mitigation against flood hazards is provided. The proposed project would implement flood hazard mitigation required by the City's Municipal Code. Implementation of these requirements would ensure the proposed project does not impede or redirect flood flows, and the impact would be less than significant. This topic will not be included in the EIR.

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

Less Than Significant Impact. The project site is not located in tsunami or seiche zones. Parts of the proposed project are located within a 100-year flood zone but as discussed under discussion c) iv, the proposed project would implement standards and requirements of the City of Clovis Municipal Code to mitigate risks related to flood hazards. Refer to discussion a) in Section 3.9, Hazards and Hazardous Materials, regarding the use, transport and storage of hazardous materials for project construction and operation. As a result, the proposed project would not risk the release of pollutants due to project inundation, and a less than significant impact would occur. This topic will not be included in the EIR.

²⁰ Federal Emergency Management Agency (FEMA). 2020. FEMA Flood Map Service Center: Search By Address. Website: <https://msc.fema.gov/portal/search?AddressQuery#searchresultsanchor> (accessed April 14, 2022).

e. Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

Less Than Significant Impact. The proposed project would comply with the City of Clovis UWMP,²¹ which promotes programs and policies to manage water supplies, including groundwater, in Clovis. The proposed project would also comply with the SWQMP and a site-specific SWPPP that would ensure water quality control at the project site, as applicable. The proposed project would not conflict or obstruct implementation of a water quality control or sustainable groundwater management plan, and the impact would be less than significant. This topic will not be included in the EIR.

²¹ City of Clovis. 2021. Urban Water Management Plan 2020 Update. July 12. Website: https://cityofclovis.com/wp-content/uploads/2021/08/2020-UWMP-Adopted-July-2021_reduced.pdf (accessed December 6, 2022).

3.11 LAND USE AND PLANNING

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

3.11.1 Impact Analysis

a. *Would the project physically divide an established community?*

No Impact. 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.

The proposed project would include the construction of a 590-lot residential development for single-family residences. The development would include landscaped spaces, private recreation, private streets, private pedestrian, public park and public utility uses. The project site is surrounded by agricultural and single-family residential uses to the south, rural residential and agricultural uses to the east, agricultural and commercial uses to the west, and agricultural and rural residential uses to the north.

The proposed project would not construct features that would physically divide an established community or remove means of access that would impair mobility in a community. Therefore, the proposed project would have no impact. This topic will not be included in the EIR.

b. *Would the project 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?*

Less Than Significant Impact. The proposed land use for the project site, according to the City of Clovis General Plan, is Medium Density Residential.²² The project site is currently zoned within the Exclusive Agricultural Zoning District (AE-20) of Fresno County. The proposed zoning for the project site is within the Single-Family Planned Residential Development (R-1-PRD) District. The proposed project would require annexation to the City of Clovis and an annexation application would be required to be submitted to the Fresno LAFCo. The Project Applicant would also be required to pay required processing fees for the annexation process. After approval of annexation of the project site into the City of Clovis, the proposed project would be consistent with the City’s land use plans.

²² City of Clovis. 2014. General Plan and Development Code Update PEIR. Land Use Element. Figure LU-2: Land Use Diagram. Website: <https://cityofclovis.com/wp-content/uploads/2018/10/Figure-LU-2.pdf> (accessed April 14, 2022).

Therefore, 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, and the impact would be less than significant. This topic will not be included in the EIR.

3.12 MINERAL RESOURCES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

3.12.1 Impact Analysis

- a. *Would the project 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?*

Less Than Significant Impact. The Mineral Resources section of the Clovis General Plan EIR indicates that entire City of Clovis Planning Area is mapped as Mineral Resource Zone 3 (MRZ-3), meaning that the significance of potential mineral deposits cannot be determined from available data. The nearest area designated MRZ-2, where significant mineral resources are known or very likely to be found, is the San Joaquin River Resource Area, located approximately 4.5 miles west of the project site. Furthermore, the General Plan EIR does not identify any known mineral resources sectors or mineral resource extraction operations within or in the vicinity of the project site.²³ Therefore, the proposed project would not result in the loss of any known mineral resources, and the impact would be less than significant. This topic will not be included in the EIR.

- b. *Would the project 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?*

Less Than Significant Impact. Please refer to the discussion for a). The proposed project would not result in the loss of availability of any known locally important mineral resource recovery sites. Therefore, the proposed project would have a less than significant impact. This topic will not be included in the EIR.

²³ City of Clovis. 2014. General Plan and Development Code Update PEIR. Mineral Resources. Website: <https://cityofclovis.com/wp-content/uploads/2018/10/Chapter-05-11-Mineral-Resources.pdf> (accessed April 14, 2022).

3.13 NOISE

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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 2 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

3.13.1 Impact Analysis

- a. *Would the project result in 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?*

Potentially Significant Impact. Noise is usually defined as unwanted sound. Noise consists of any sound that may produce physiological or psychological damage and/or interfere with communication, work, rest, recreation, or sleep. Several noise measurement scales exist that are used to describe noise in a particular location. A decibel (dB) is a unit of measurement that indicates the relative intensity of a sound. Sound levels in dB are calculated on a logarithmic basis. An increase of 10 dB represents a 10-fold increase in acoustic energy, while 20 dB is 100 times more intense and 30 dB is 1,000 times more intense. Each 10 dB increase in sound level is perceived as approximately a doubling of loudness; and similarly, each 10 dB decrease in sound level is perceived as half as loud. Sound intensity is normally measured through the A-weighted sound level (dBA). This scale gives greater weight to the frequencies of sound to which the human ear is most sensitive. The A-weighted sound level is the basis for 24-hour sound measurements that better represent human sensitivity to sound at night.

As noise spreads from a source, it loses energy so that the farther away the noise receiver is from the noise source, the lower the perceived noise level would be. Geometric spreading causes the sound level to attenuate or be reduced, resulting in a 6 dB reduction in the noise level for each doubling of distance from a single point source of noise to the noise sensitive receptor of concern.

There are many ways to rate noise for various time periods, but an appropriate rating of ambient noise affecting humans also accounts for the annoying effects of sound. Equivalent continuous sound level (L_{eq}) is the total sound energy of time varying noise over a sample period. However, the predominant rating scales for human communities in the State of California are the L_{eq} , the Community Noise Equivalent Level (CNEL), and the day-night average level (L_{dn}) based on dBA.

CNEL is the time varying noise over a 24-hour period, with a 5 dBA weighting factor applied to the hourly L_{eq} for noises occurring from 7:00 p.m. to 10:00 p.m. (defined as relaxation hours) and 10 dBA weighting factor applied to noise occurring from 10:00 p.m. to 7:00 a.m. (defined as sleeping hours). L_{dn} is similar to the CNEL scale, but without the adjustment for events occurring during the evening relaxation hours. CNEL and L_{dn} are within one dBA of each other and are normally exchangeable. The noise adjustments are added to the noise events occurring during the more sensitive hours.

A project would have a significant noise effect if it would substantially increase the ambient noise levels for adjoining areas or conflict with adopted environmental plans and goals of applicable regulatory agencies, including, as appropriate, the City of Clovis.

The City of Clovis addresses noise in the Environmental Safety Element of the General Plan and in the Municipal Code. The Environmental Safety Element provides goals and policies that work to protect residential and other noise-sensitive uses from exposure to harmful or annoying noise levels; to identify maximum acceptable noise levels compatible with various land use designations; and to develop a policy framework necessary to achieve and maintain a healthful noise environment. Applicable Environmental Safety Element policies include the following²⁴:

Policy 3.1 Land use compatibility: Approve development and require mitigation measures to ensure existing and future land use compatibility as shown in the Noise Level Exposure and Land Use Compatibility Matrix and the city’s noise ordinance.

Policy 3.4 Acoustical study: Require an acoustical study for proposed projects that have the potential to exceed acceptable noise thresholds or are exposed to existing or future noise levels in excess of the thresholds in the city’s noise ordinance.

Policy 3.5 Site and building design: Minimize noise impacts by requiring appropriate site, circulation, equipment, and building design, and sound walls, landscaping, and other buffers.

Policy 3.14 Control sound at the source: Prioritize using noise mitigation measures to control sound at the source before buffers, soundwalls, and other perimeter measures.

In addition, the City of Clovis addresses construction noise in Section 9.22.080, Noise, of the Municipal Code. Section 9.22.080 (D) sets exterior noise standards as shown in Table 3.B and interior noise standards as shown in Table 3.C.

Section 5.27.604 states that construction noise is permitted by the City of Clovis provided that construction activities take place between 7:00 a.m. and 7:00 p.m. Monday through Friday and between 9:00 a.m. and 5:00 p.m. on Saturday and Sunday. However, between June 1 and September 15, construction may begin at 6:00 a.m. on weekdays.

²⁴ City of Clovis. 2014. General Plan and Development Code Update PEIR. Environmental Safety Element. Website: <https://cityofclovis.com/wp-content/uploads/2018/10/Clovis-General-Plan-2014.pdf> (accessed April 21, 2022).

Table 3.B: City of Clovis Maximum Exterior Noise Standards

Noise Zone	Type of Land Use	Allowable Exterior Noise Level (15-Minute L_{eq}), dBA	
		Daytime (7:00 AM to 10:00 PM)	Nighttime (10:00 PM to 7:00 AM)
I	Single-, two- or multiple-family residential	55	50
II	Commercial	65	60
III	Residential portions of mixed-use properties	60	50
IV	Industrial or manufacturing	70	70

Source: City of Clovis Municipal Code
dBA = A-weighted decibel
 L_{eq} = equivalent continuous sound level

Table 3.C: City of Clovis Maximum Interior Noise Standards

Noise Zone	Type of Land Use	Allowable Interior Noise Level (15-Minute L_{eq}), dBA	
		Daytime (7:00 AM to 10:00 PM)	Nighttime (10:00 PM to 7:00 AM)
I	Residential	45	40
II	Administrative/professional office	50	-
III	Residential portions of mixed-use properties	45	40

Source: City of Clovis Municipal Code
dBA = A-weighted decibel
 L_{eq} = equivalent continuous sound level

Certain land uses are considered more sensitive to noise than others. Examples of these sensitive land uses include residential areas, educational facilities, hospitals, childcare facilities, and senior housing. The nearest noise-sensitive land uses located within the vicinity of the project site includes residential uses located directly adjacent to the project site’s eastern boundary.

Short-Term (Construction) Noise Impacts. Project construction would result in short-term noise impacts on nearby sensitive receptors. Maximum construction noise would be short term, generally intermittent depending on the construction phase, and variable depending on receiver distance from the active construction zone. The duration of noise impacts generally would be from one day to several days depending on the phase (e.g., demolition, land clearing, grading, excavation, erection) of construction. The level and types of noise impacts that would occur during construction are described below.

Short-term noise impacts would occur during grading and site preparation activities. Table 3.D lists typical construction equipment noise levels (maximum instantaneous noise level [L_{max}]) recommended for noise impact assessments, based on a distance of 50 feet between the equipment and a noise receptor, obtained from the Federal High Administration (FHWA) Roadway Construction Noise Model. Construction-related short-term noise levels would be higher than existing ambient noise levels currently in the vicinity of the project site but would no longer occur once construction of the proposed project is completed.

Table 3.D: Typical Construction Equipment Noise Levels

Equipment Description	Acoustical Usage Factor (%)	Maximum Noise Level (L _{max}) at 50 Feet ¹
Backhoes	40	80
Compactor (ground)	20	80
Compressor	40	80
Cranes	16	85
Dozers	40	85
Dump Trucks	40	84
Excavators	40	85
Flat Bed Trucks	40	84
Forklift	20	85
Front-end Loaders	40	80
Graders	40	85
Impact Pile Drivers	20	95
Jackhammers	20	85
Pick-up Truck	40	55
Pneumatic Tools	50	85
Pumps	50	77
Rock Drills	20	85
Rollers	20	85
Scrapers	40	85
Tractors	40	84
Welder	40	73

Source: Roadway Construction Noise Model (FHWA 2006).

Note: Noise levels reported in this table are rounded to the nearest whole number.

¹ Maximum noise levels were developed based on Spec 721.560 from the Central Artery/Tunnel (CA/T) program to be consistent with the City of Boston’s Noise Code for the “Big Dig” project.

FHWA = Federal Highway Administration

L_{max} = maximum instantaneous sound level

Two types of short-term noise impacts could occur during construction of the proposed project. The first type involves construction crew commutes and the transport of construction equipment and materials to the site, which would incrementally increase noise levels on roads leading to the site. As shown in Table 3.D, there would be a relatively high single-event noise exposure potential at a maximum level of 84 dBA L_{max} with trucks passing at 50 feet.

The second type of short-term noise impact is related to noise generated during grading and construction on the project site. Construction is performed in discrete steps, or phases, each with its own mix of equipment and, consequently, its own noise characteristics. These various sequential phases would change the character of the noise generated on site. Therefore, the noise levels vary as construction progresses. Despite the variety in the type and size of construction equipment, similarities in the dominant noise sources and patterns of operation allow construction-related noise ranges to be categorized by work phase.

Table 3.D lists maximum noise levels recommended for noise impact assessments for typical construction equipment, based on a distance of 50 feet between the equipment and a noise receptor.

Typical maximum noise levels range up to 87 dBA L_{max} at 50 feet during the noisiest construction phases. The site preparation phase, including excavation and grading of the site, tends to generate the highest noise levels because earthmoving machinery is the noisiest construction equipment. Earthmoving equipment includes excavating machinery such as backfillers, bulldozers, draglines, and front loaders. Earthmoving and compacting equipment includes compactors, scrapers, and graders. Typical operating cycles for these types of construction equipment may involve 1 or 2 minutes of full-power operation followed by 3 or 4 minutes at lower power settings.

As discussed in Section 1.0, Project Description, the proposed project would be constructed in three Phases, over a period of 33 months, and each phase would include the construction and addition of buildings, working areas and equipment to increase the production capacity of the project site. The closest sensitive receptor to the proposed project includes residential uses located directly adjacent to the project site's eastern boundary.

As discussed above, construction noise is permitted by the City of Clovis provided that construction activities take place between 7:00 a.m. and 7:00 p.m. Monday through Friday and between 9:00 a.m. and 5:00 p.m. on Saturday and Sunday. In addition, Mitigation Measure NOI-1 would be required to limit construction activities to daytime hours and would reduce potential construction period noise impacts for the indicated sensitive receptors to less-than-significant levels.

Mitigation Measure NOI-1

The project contractor shall implement the following measures during construction of the proposed project:

- Equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers consistent with manufacturers' standards.
- Place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the active project site.
- Locate equipment staging in areas that would create the greatest possible distance between construction-related noise sources and noise-sensitive receptors nearest the active project site during all construction activities.
- Ensure that all general construction related activities take place between 7:00 a.m. and 7:00 p.m. Monday through Friday and between 9:00 a.m. and 5:00 p.m. on Saturday and Sunday. Construction may begin on weekdays at 6:00 a.m. between June 1st and September 15th.

Operational Noise Impacts. The proposed project would include the construction of 590 new single-family residential units in the project site. Motor vehicles with their distinctive noise characteristics are the dominant noise source in the vicinity of the project site. The amount of noise varies according to many factors, such as volume of traffic, vehicle mix (percentage of cars and trucks),

average traffic speed, and distance from the observer. Implementation of the proposed project would result in new daily trips on local roadways in the vicinity of the project site. The EIR will determine the significance of operational noise impacts of the proposed project.

b. Would the project result in generation of excessive groundborne vibration or groundborne noise levels?

Less Than Significant Impact. No permanent noise sources would be located within the project site that would expose persons to excessive groundborne vibration or noise levels.

As discussed in discussion a) above, implementation of Mitigation Measure NOI-1 would require project construction activities to maintain the greatest possible distance to existing sensitive receptors to reduce potential impacts. Implementation of a buffer between sensitive receptors and construction activities would protect sensitive receptors from excessive groundborne vibration or groundborne noise levels.

Furthermore, the City of Clovis addresses temporary vibrations in Section 9.22.100, Noise, (D) of the Clovis Municipal Code, stating that vibrations from temporary construction/demolition and vehicles that leave the subject parcel (e.g., trucks) are exempt from the provisions of this section.

Therefore, the proposed project would not permanently expose persons within or around the project site to excessive groundborne vibration or noise and the impact would be less than significant. This topic will not be included in the EIR.

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 2 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?

Less Than Significant Impact. The nearest medical center HPs to the project site include the Clovis Community Hospital HP located approximately 3.3 miles southeast of the project site, the Saint Agnes Medical Center HP, located approximately 4.2 miles southwest of the project site, and the Valley Children's Hospital HP located approximately 5.3 miles west of the project site.²⁵ The nearest airports to the project site include the Fresno Yosemite International Airport, located approximately 6.5 miles southwest of the project site, Fresno Chandler Executive Airport, located approximately 11.7 miles southwest of the project site, and the Sierra Sky Airport, located approximately 9.6 miles southwest of the project site. Each of the airports has an Airport Land Use Compatibility Plan (ALUCP) which guides local jurisdictions in determining appropriate compatible land uses with detailed findings and policies. The City of Clovis General Plan, other City land use plans, and all City land use decisions must be compatible with the adopted ALUCP for Fresno County. The project site is not within 2.0 miles of any public or private airstrip or helipad. Therefore, the proposed project would not result in the exposure of sensitive receptors to the excessive noise levels from aircraft noise sources. The impact would be less than significant. This topic will not be included in the EIR.

²⁵ California Department of Transportation (Caltrans). 2019. Caltrans HeliPlates. Website: <https://heliplates.dot.ca.gov> (accessed April 14, 2022).

3.14 POPULATION AND HOUSING

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

3.14.1 Impact Analysis

- a. *Would the project 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)?*

Less Than Significant Impact. The proposed project would consist in the construction of a 590-lot residential development for single-family residences. The proposed project would also include landscaped spaces, park areas, private streets, pedestrian, and utility infrastructure. The proposed project would also construct extensions to North Baron Avenue, Perrin Avenue, and Hammel Avenue to facilitate access to, and circulation around the project site. The project site is located within the Heritage Grove area, a growth area marked for development in the City’s General Plan. The proposed project would introduce a residential use that would result in direct population growth. The project site is currently designated Medium Density Residential and zoned within the Exclusive Agricultural Zoning District (AE-20) of Fresno County. The proposed project would require annexation to the City of Clovis and an annexation application would be required to be submitted to the Fresno LAFCo.

Based on the City’s current Housing Element,²⁶ the average number of persons residing in each household in Clovis is estimated to be 2.85 persons. As a result, following construction and occupation of the proposed project, it is estimated that approximately 1,682 residents would live within the proposed 590 residential units within the project site. The Clovis General Plan estimated that at full buildout of the General Plan, approximately 105,700 residents would be living in the areas located within the City’s Non-SOI Planning Area (which includes the project site). As a result, the proposed project would not result in unplanned population growth because the City’s General Plan identified and planned for the project site to be designated medium density residential. As such, the proposed project would be consistent with planned growth under the City’s General Plan. Therefore, the proposed project would not induce substantial unplanned population growth in the City, and the impact would be less than significant. This topic will not be included in the EIR.

²⁶ City of Clovis. 2016. Fresno Multi-Jurisdictional 2015–2023 Housing Element. April. Website: <https://cityofclovis.com/wp-content/uploads/2019/02/Clovis-Housing-Element-1.pdf> (accessed September 21, 2022).

b. Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

Less Than Significant Impact. The proposed project would include the removal of one existing 2,679-square-foot dwelling unit and garage, an existing propane tank, a 2,000-square-foot pole barn, two sheds, and an existing driveway on the project site. The removal of these structures would not displace a substantial number of people or residences from the site. Furthermore, the proposed project would introduce 590 new single-family residences into the project site. Therefore, the proposed project would not displace substantial number of existing people or housing, requiring the construction of replacement housing. The impact would be less than significant. This topic will not be included in the EIR.

3.15 PUBLIC SERVICES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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:				
i. Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii. Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii. Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv. Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
v. Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

3.15.1 Impact Analysis

a. *Would the project 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:*

i. *Fire protection?*

Less Than Significant Impact. The Clovis Fire Department (CFD) would provide fire protection and emergency medical services to the project site. The CFD currently has five operational fire stations in the City, with the closest station, Fire Station 3, located approximately 2.22 miles southwest of the project site. Planned growth under the General Plan would increase calls for fire protection service in Clovis. The proposed project would introduce 590 single-family residences into the project site. After approval of annexation of the project site into the City of Clovis, the proposed project would be consistent with planned growth under the City’s General Plan.

The proposed project could result in an incremental increase in the demand for fire protection services. However, the proposed project would be required to comply with all applicable codes for fire safety and emergency access. In addition, the Project Applicant would be required to submit plans to the CFD for review and approval prior to the issuance of building permits to ensure the proposed project would conform to applicable building codes. Furthermore, the Project Applicant would be required to pay a Fire Facility Development Impact Fee, pursuant to Section 4.10.04 of the Clovis Municipal Code, to account for the potential impacts to fire service facilities.

The CFD would continue providing services to the project site and would not require additional firefighters to serve the proposed project. The construction of a new or expanded fire station would not be required. The proposed project would not result in a significant impact on the physical environment due to the incremental increase in demand for fire protection and life safety services. The incremental increase in demand for services is not expected to adversely affect existing responses times to the site or within Clovis. Therefore, construction and operation of the proposed project would have a less than significant impact on fire protection. This topic will not be included in the EIR.

ii. Police protection?

Less Than Significant Impact. The Clovis Police Department (CPD) provides police protection services to the project site. The CPD headquarters are located approximately 3.3 miles southeast of the project site. Currently, CPD has 105 sworn officers, a ratio of 0.88 sworn officers per 1,000 residents. Planned growth under the General Plan would increase calls for police protection service in the City. However, the proposed project has been planned to be developed as medium density residential under the under the City's General Plan.

The proposed project could increase the demand of police protection services. The Project Applicant would be required to pay a Police Department Fee, pursuant to Section 4.11.04 of the Clovis Municipal Code, to account for the potential impacts to police protection services.

The CPD would continue to provide services to the project site and would not require additional officers to serve the project site. The construction of new or expanded police facilities would not be required. Therefore, the proposed project would not result in a substantial adverse impact associated with the provision of additional police facilities or services and impacts to police protection would represent a less than significant impact. This topic will not be included in the EIR.

iii. Schools?

Less Than Significant Impact. Clovis Unified School District (CUSD) would provide school services to the proposed project. The proposed project involves a residential use that might generate an increase in student demand in the CUSD. The CUSD currently serves approximately 43,000 students from students living in the city of Fresno, Fresno County, and the city of Clovis. Planned growth under the General Plan and the proposed project would increase demand for school services.

The proposed project would increase the demand for school services in the vicinity. After annexation of the project site to the City of Clovis, the Project Applicant would be required to pay appropriate school developer fees at time of building permits to address potential impacts to CUSD services, as set forth in Education Code Section 17620, pursuant to Government Code 65995. Payment of school developer fees will address potential impacts related to constructing school facilities. As a result, the proposed project would not result in a substantial adverse impact associated with the provision of additional school facilities or services and impacts

related to increased demand for school services would represent a less than significant. This topic will not be included in the EIR.

iv. Parks?

Less Than Significant Impact. The proposed project would consist of a 590-lot residential development for single-family residences. The proposed project would also include the construction of a 13,930-square-foot community park, two community pools, and a recreation area. Planned growth under the General Plan would increase the demand for park facilities in the City. However, the proposed project has been planned to be developed as medium-density residential under the under the City's General Plan.

The proposed project could increase the demand for nearby parks and recreational facilities. However, the proposed project would include the construction of a private park and recreation area that would offset the demand for public parks in the vicinity of the project site. Furthermore, the Project Applicant would be required to pay any required development fees, pursuant to Section 3.4.03 of the Clovis Municipal Code, at the time building permits are obtained.

Therefore, the proposed project would not result in a substantial adverse impact associated with the provision of additional park facilities, and impacts to parks would represent a less than significant impact. This topic will not be included in the EIR.

v. Other public facilities?

Less Than Significant Impact. Planned growth under the General Plan would increase the demand for public facilities in the Clovis. After approval of annexation of the project site into the City of Clovis, the proposed project would be consistent with planned growth under the City's General Plan.

Development of the proposed project could also increase demand for other public services, including libraries, community centers, and public health care facilities. However, the increased demand on public facilities resulting from the proposed project is not expected to require the construction of new, or expansion of existing public facilities in the City. The Project Applicant would be required to pay applicable impact fees (e.g., Library Facilities Development Fee, Chapter 7.8 of the Clovis Municipal Code) to fund public facilities in the City. Therefore, the impact would be less than significant. This topic will not be included in the EIR.

3.16 RECREATION

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Would the project 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

3.16.1 Impact Analysis

a. *Would the project 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?*

Less Than Significant Impact. The proposed project would consist of a 590-lot residential development for single-family residences. The proposed project would also include the construction of a 13,930-square-foot community park, two community pools, and a recreation area.

The development of the proposed project would result in population growth which could increase the demand for recreational facilities in the vicinity of the project site. However, the proposed project would include the construction of a private park and recreation area that would offset the use of public parks in the vicinity of the project site. Furthermore, after annexation of the project site to the City of Clovis, the Project Applicant would be required to pay applicable park impact fees, pursuant to Section 3.4.03 of the Clovis Municipal Code, at the time building permits are obtained to offset project impact on existing recreational facilities. Therefore, the impact would be less than significant. This topic will not be included in the EIR.

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?*

Less Than Significant Impact. The proposed project would consist of a 590-lot residential development for single-family residences. The proposed project would also include the construction of a 13,930-square-foot community park. The potential environment effects resulting from construction of the community park within the project site is included in the analysis included in this Initial Study. Potential adverse physical effects would result in less than significant impacts. This topic will not be included in the EIR.

3.17 TRANSPORTATION

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

3.17.1 Impact Analysis

- a. *Would the project conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?*

Potentially Significant Impact. The Circulation Element of the City of Clovis General Plan outlines the necessary transportation system standards and infrastructure needed to serve planned land use and development in the City of Clovis. The primary goal for the Circulation Element is to maintain and improve the road network of the City to safely and efficiently move people and goods, to reduce vehicle miles traveled through coordinated land use planning, to facilitate non-automotive travel (i.e., transit, bikes, and walking), and maintain the City’s extensive recreational trail system.

The 2016 Clovis Active Transportation Plan (Active Transportation Plan)²⁷ supports walking, bicycling, transit, and use of other emerging modes of personal transport as alternatives to driving within Clovis, to neighboring cities, and regional destinations. The Active Transportation Plan defines the City’s vision for an active transportation network and proposes a framework for implementing projects, programs, and policies to turn the vision into a reality. The Active Transportation Plan also identifies strategies to improve safety and accessibility for active forms of travel such as walking and bicycling.

Vehicular access to the project site would include East Behymer Avenue, and future extensions of North Baron Avenue, Perrin Avenue, and Hammel Avenue. The nearest transit facilities to the project site are located along West Teague Avenue and North Peach Avenue, approximately 0.5 mile south of the project site. The nearest walking and biking trail to the site includes the Dry Creek Trail (located approximately 0.65 mile southwest of the project site), and the Fresno-Clovis Rail Trail (located approximately 1.4 miles west of the project site). The nearest bike lanes to the site are located along East Shepherd Avenue and North Clovis Avenue, both of which are located approximately 0.4 mile south of the project site, respectively.

²⁷ City of Clovis. 2016. Active Transportation Plan. Website: <https://cityofclovis.com/wp-content/uploads/2018/12/Active-Transportation-Plan-Final.pdf> (accessed April 26, 2022)

Currently, information about project compliance with existing circulation plans is insufficient to make a determination about significance of potential impacts to circulation systems in the vicinity of the project site. This topic will be included in the EIR.

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

Potentially Significant Impact. Senate Bill 743 (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 proposed project adds excessive car travel onto our roads, the proposed project may cause a significant transportation impact.

The *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 are no longer a relevant CEQA criteria for transportation impacts.

CEQA Guidelines Section 15064.3(b)(4) states:

[A] lead agency has discretion to evaluate a project’s vehicle miles traveled (VMT), 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 VMT and 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 proposed project. The standard of adequacy in Section 15151 shall apply to the analysis described in this section.

On July 14, 2020, the City of Clovis adopted the Interim Transportation Impact Analysis Guidelines, dated July 14, 2020, pursuant to SB 743 to be effective on July 1, 2020.²⁸ Consistent with *CEQA Guidelines* Section 15064.3, the City of Clovis has adopted thresholds of significance to determine when a project will have a significant transportation impact based on VMT. The City has developed screening criteria to streamline the analysis for projects that meet certain criteria. A project will require a detailed VMT analysis unless it meets at least one of the City’s five screening criteria:

- Projects that generate less than 500 vehicle trips per day (i.e., Single-Family Residential developments with less than 53 dwelling units).
- Local-serving retail projects with areas of 100,000 square feet and below.

²⁸ City of Clovis. 2020. Interim Transportation Impact Analysis Guidelines. Website: <https://cityofclovis.com/wp-content/uploads/2020/10/PDS-SB-743-ATT-2-Interim-Transportation-Impact-Analysis-Guidelines.pdf> (accessed April 22, 2022).

- Projects located in a High-Quality Transit Area (HQTA) as defined on Attachment A of the City's Interim Transportation Impact Analysis Guidelines.²⁹
- Residential projects in QTAs with a high proportion of affordable housing.
- Projects located in low VMT areas, as defined on Attachment B of the City's Interim Transportation Impact Analysis Guidelines.³⁰

The proposed project does not qualify for a streamlined project VMT analysis under the screening criteria identified by the City. The EIR will provide a detailed analysis of project VMT to determine the significance of potential impacts and, if necessary, identify mitigation measures to reduce potential impacts.

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

Less Than Significant Impact. The proposed project would construct a 590-lot residential development for single-family residences. The development would potentially include landscaped spaces, private recreation, private streets, private pedestrian, public park and public utility uses. The proposed project would also result in the construction of extensions of North Baron Avenue, Hammel Avenue, and Perrin Avenue to facilitate access to, and circulation on, the project site. The proposed project would be required to construct all transportation facilities to meet the requirements of the City of Clovis to ensure that design features do not result in hazards to pedestrians, bicyclists, or drivers. In addition, the project site is located in an area surrounded by residential uses and rural residential uses, which are compatible with the proposed residential use. As a result, the proposed project would not increase hazards due to geometric design features or incompatible uses. Therefore, the impact would be less than significant, and this topic will not be included in the EIR.

d. Would the project result in inadequate emergency access?

Less Than Significant Impact. The proposed project would construct a 590-lot residential development for single-family residences. The development would include landscaped spaces, private recreation, private streets, private pedestrian, public park and public utility uses.

Emergency vehicles would have access to the project site via East Behymer Avenue, as well as through future extensions of North Baron Avenue, Perrin Avenue, and Hammel Avenue. Emergency access to the project site, and project vicinity would not be rendered inadequate as a result of the proposed project. The extensions of Perrin Avenue, Hammel Avenue, and North Baron Avenue

²⁹ City of Clovis. 2020. Interim Transportation Impact Analysis Guidelines. Attachment A: High Quality Transit Areas Map. Website: <https://cityofclovis.com/wp-content/uploads/2020/10/PDS-SB-743-ATT-2-Interim-Transportation-Impact-Analysis-Guidelines.pdf> (accessed April 22, 2022).

³⁰ City of Clovis. 2020. Interim Transportation Impact Analysis Guidelines. Attachment B: VMT Screening Maps. Website: <https://cityofclovis.com/wp-content/uploads/2020/10/PDS-SB-743-ATT-2-Interim-Transportation-Impact-Analysis-Guidelines.pdf> (accessed April 22, 2022).

resulting from the proposed project would increase access to emergency services in the vicinity of the project site. Therefore, the impact would be less than significant, and this topic will not be included in the EIR.

3.18 TRIBAL CULTURAL RESOURCES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. 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)? Or	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

3.18.1 Impact Analysis

- 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)? Or*
 - 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.*

Less Than Significant with Mitigation Incorporated. The State requires lead agencies to consider the potential effects of proposed projects and consult with California Native American tribes during the local planning process for the purpose of protecting Traditional Tribal Cultural Resources through the *CEQA Guidelines*. Pursuant to PRC Section 21080.3.1, the lead agency shall begin consultation with the California Native American tribe that is traditionally and culturally affiliated with the geographical area of the proposed project. Such significant cultural resources are either sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a tribe which

is either on or eligible for inclusion in the California Historic Register or local historic register, or, the lead agency, at its discretion, and support by substantial evidence, choose to treat the resources as a Tribal Cultural Resources (PRC Section 21074(a)(1-2)).

Additional information may also be available from the NAHC's Sacred Lands File per PRC Section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that PRC Section 21082.3(c) contains provisions specific to confidentiality.

AB 52, which became law January 1, 2015, requires that, as part of the CEQA review process, public agencies provide early notice of a project to California Native American Tribes to allow for consultation between the tribe and the public agency. The purpose of AB 52 is to provide the opportunity for public agencies and tribes to consult and consider potential impacts to Tribal Cultural Resources (TCRs), as defined by PRC Section 2107(a). Under AB 52, public agencies shall reach out to California Native American Tribes who have requested to be notified of projects in areas within or which may have been affiliated with their tribal geographic range. Pursuant to AB 52, Big Sandy Rancheria of Western Mono Indians, Cold Springs Rancheria of Mono Indians, Dumna Wo-Wah Tribal Government, Kings River Choinumni Farm Tribe, North Fork Rancheria of Mono Indians, North Valley Yokuts Tribe, Picayune Rancheria of Chuckchansi Indians, Table Mountain Rancheria, Traditional Choinumni Tribe, Tule River Indian Tribe, Wuksache Indian Tribe/Eshom Valley Band were invited to consult. Table Mountain Rancheria sent a response on November 15, 2022, requesting the CRA prepared for the project and did not request any further consultation. No further responses or requests for consultation were received by the City within the 30-day consultation period beginning November 4, 2022, and ending December 3, 2022. As such, AB 52 requirements for the proposed project have been fulfilled. AB 52 consultation request and response letters are included in Appendix A of this Initial Study.

No tribal cultural resources or historical resources were identified on the project site. If any artifacts are inadvertently discovered during ground-disturbing activities, existing federal, State, and local laws and regulations would require construction activities to cease until such artifacts are properly examined and determined not to be of significance by a qualified cultural resource professional. In addition, Mitigation Measures CUL-1 and CUL-2 included above in Section 3.5, Cultural Resources, would apply to the proposed project and would reduce potential impacts to unknown cultural and historical resources to less than significant. This topic will not be included in the EIR.

3.19 UTILITIES AND SERVICE SYSTEMS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

3.19.1 Impact Analysis

- a. *Would the project require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?*

Less Than Significant Impact. The proposed project would require the City's Public Utilities Department to provide water services to the project site. The project would require the construction of a 24-inch water main along Behymer Avenue from Clovis Avenue to Baron Avenue. Additionally, the project would construct a 24-inch main along Baron Avenue, from Behymer Avenue to Perrin Avenue. The proposed improvements would be consistent with the City's Water Master Plan and would be consistent with the City's specifications on materials, depth, and resurfacing.

Electric power and natural gas would be provided by PG&E. The proposed project may require construction of additional electric and gas infrastructure to serve the project site.

Stormwater from the project site would be drained through surface and subsurface drainage infrastructure located along North Baron Avenue, Perrin Avenue, and Hammel Avenue as well as along internal roadways in the project site and redirected towards FMFCD Basin BY, located adjacent to the project site's eastern boundary. A drainage channel would be constructed along the north side of the Perrin Avenue extension to direct stormwater flows from the project site towards Basin BY. Stormwater flows from upstream Basin BY would be directed to the west via the existing aqueduct located under the Enterprise Canal. The proposed project would comply with all FMFCD urban storm water system designs for construction of proposed infrastructure.

As discussed in this Initial Study, the impacts related to construction of the proposed project and associated utilities would not result in significant impacts or would be reduced to less than significant levels through the implementation of various mitigation measures. In the case of air quality and GHG emissions, additional information would be required to identify potential impacts related to construction and operation of required utilities. However, the impacts related to construction of utilities required for the proposed project would result in temporary construction impacts. As a result, impacts related to relocation or construction of new water, sewer and stormwater facilities would be less than significant. This topic will not be included in the EIR.

b. Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

Less Than Significant Impact. The City of Clovis Public Utilities Department would supply water to the project site. Based on the City's 2020 Urban Water Management Plan Update, the water supplies under normal conditions for the City from 2025 (50,739 AFY) to 2040 (74,650 AFY) would be sufficient to cover the City's yearly water demand for this period (i.e., demand of 39,737 AF by 2025 and 52,598 AF by 2040).³¹

During a single dry year, projected water supplies for the City from 2025 (37,838 AF/year) to 2040 (53,109 AF)/year) would be sufficient to cover the City's yearly water demand for this period (i.e., 34,272 AF by 2025 and 47,133 AF by 2040).

After a 5-year dry period, water supplies for the City from 2025 (49,743 AFY) to 2040 (73,716 AFY) would be sufficient to cover the City's yearly water demand for this period (i.e., 37,825 AF by 2025 and 50,043 AF by 2040).

After completing the requirements and paying fees for annexation of the project site into the City of Clovis and paying applicable development fees, the proposed project would be consistent with growth under the City's General Plan and would be accounted for in the City's UWMP water demand projections and allocation. Therefore, the proposed project would have sufficient water supplies available to meet future demand during normal, dry and multiple dry years, and the impact would be less than significant. This topic will not be included in the EIR.

c. Would the project 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?

Less Than Significant Impact. The City of Clovis Public Utilities Department provide wastewater services to the project site. Wastewater from the City of Clovis is treated on the Clovis Wastewater Treatment Plant and on the Fresno-Clovis Regional Wastewater Reclamation Facility. The proposed project would not result in a demand that would exceed the capacity of the wastewater treatment facility. Furthermore, in 2017 the City adopted an update to the Wastewater Collection System

³¹ City of Clovis. 2021. Urban Water Management Plan 2020 Update. July 12. Website: https://cityofclovis.com/wp-content/uploads/2021/08/2020-UWMP-Adopted-July-2021_reduced.pdf (accessed April 22, 2022).

Master Plan³² which determined that the existing and planned wastewater collection system facilities can accommodate the proposed land uses and anticipated growth under the approved General Plan, including the project site and annexation area. For that reason, the impact would be less than significant. As such, the proposed project would be impacts associated with treatment of wastewater would be less than significant. This topic will not be included in the EIR.

d. Would the project 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?

Less Than Significant Impact. Solid waste in the City of Clovis is collected by the Public Utilities Department. Solid waste generated within the City is delivered to three landfills: City of Clovis Landfill, American Avenue Disposal Site, and Avenal Regional Landfill.

The American Avenue Disposal Site (i.e., American Avenue Disposal Site 10-AA-0009) has a maximum permitted capacity of 32,700,000 cubic yards and a remaining capacity of 29,358,535 cubic yards, with an estimated closure date of August 31, 2031. The maximum permitted throughput is 2,200 tons per day.³³ The Clovis Landfill (i.e., City Of Clovis Landfill 10-AA-0004) has a remaining capacity of 7,740,000 cubic yards, a maximum permitted throughput of 2,000 tons per day, and an estimated closure date of April 30, 2047.³⁴ The Avenal Regional Landfill (i.e., Avenal Regional Landfill 16-AA-0004) has a remaining capacity of 28,900,000 cubic yards, a maximum permitted throughput of 6000 cubic yards, and an estimated closure date of March 31, 2056.³⁵

Operation of the proposed project would generate approximately 7,216 pounds of solid waste per day or about 1,317 tons of solid waste per year.³⁶ Given the available capacity at the landfills, the additional solid waste generated by the proposed project is not anticipated to cause the facility to exceed its daily permitted capacity. As such, the proposed project would be served by a landfill with sufficient capacity to accommodate the proposed project's waste disposal needs, and impacts

³² City of Clovis. 2017. Wastewater Collection System Master Plan. Website: <https://cityofclovis.com/wp-content/uploads/2018/10/2017-Draft-Wastewater-Master-Plan.pdf> (accessed September 21, 2022).

³³ California Department of Resources Recycling and Recovery (CalRecycle). n.d. SWIS Facility/Site Summary. American Avenue Disposal Site (10-AA-0009). Website: <https://www2.calrecycle.ca.gov/SolidWaste/Site/Summary/352> (accessed April 19, 2022).

³⁴ California Department of Resources Recycling and Recovery (CalRecycle). SWIS Facility/Site Summary. City of Clovis Landfill (10-AA-0004). Website: <https://www2.calrecycle.ca.gov/SolidWaste/SiteActivity/Details/4529?siteID=347> (accessed April 19, 2022).

³⁵ California Department of Resources Recycling and Recovery (CalRecycle). SWIS Facility/Site Summary. Avenal Regional Landfill (16-AA-0004). Website: <https://www2.calrecycle.ca.gov/SolidWaste/SiteActivity/Details/3755?siteID=898> (accessed April 19, 2022).

³⁶ California Department of Resources Recycling and Recovery (CalRecycle). n.d. Estimated Solid Waste Generation Rates. Website: <https://www2.calrecycle.ca.gov/wastecharacterization/general/rates> (accessed December 12, 2022). CalRecycle estimates that residential uses generate approximately 12.23 pounds of solid waste per day per household. Multiplied by 590 residential units, the total solid waste generated by the proposed project would be 7,215.7. To calculate solid waste generated per year, 7,215.7 was multiplied by 365 days to reach 2,633,730.5 pounds, or 1,316.87 tons per year.

associated with the disposition of solid waste would be less than significant. This topic will not be included in the EIR.

e. Would the project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

Less Than Significant Impact. The proposed project would comply, as applicable, with CALGreen, Senate Bill 1383 (SB 1383), and Policies 2.1 through 2.6 of the Public Facilities and Services Element of the City's General Plan, which provides waste management goals and recommendations for reduction and control of solid waste in the City as follows:

Policy 2.1: Minimize landfill disposal of solid waste. Promote solid waste source reduction, reuse, and recycling; composting; and the environmentally-safe transformation of wastes.

Policy 2.2: Waste diversion rate. Meet the state's current and future waste diversion goals through the city's recycling and diversion programs.

Policy 2.3: Expanded recycling. Increase recycling by commercial, industrial, and multifamily generators.

Policy 2.4: Green and household hazardous materials waste. Encourage citywide participation in green waste reduction and household hazardous waste disposal programs.

Policy 2.5: Clovis landfill. Maintain at least 15 years of ongoing landfill capacity.

Policy 2.6: Solid waste facility encroachment. Protect existing or planned solid waste facilities from encroachment by incompatible land uses that may be allowed through discretionary land use permits or changes in land use or zoning designations.

The proposed project would dispose of waste in accordance with applicable federal, State, and local recycling, reduction, and waste requirements and policies. As a result, the proposed project would not conflict with federal, State, and local management and reduction statutes and regulations related to solid waste, and the impact would be less than significant. This topic will not be included in the EIR.

3.20 WILDFIRE

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

3.20.1 Impact Analysis

a. Would the project substantially impair an adopted emergency response plan or emergency evacuation plan?

Less Than Significant Impact. The proposed project would include the construction of a 590-lot residential development for single-family residences. The development would include landscaped spaces, private recreation, private streets, private pedestrian, public park and public utility uses. The project site is surrounded by agricultural and single-family residential uses to the south, rural residential and agricultural uses to the east, agricultural and commercial uses to the west, and agricultural and rural residential uses to the north.

The proposed project would construct extensions of North Baron Avenue, Perrin Avenue and Hammel Avenue to facilitate access to, and circulation around the project site. Although construction of the roadway extensions would affect circulation of vehicles along Perrin Avenue, Hammel Avenue and North Baron Avenue, these impacts would be temporary and would not substantially or permanently impair emergency evacuation in Clovis.

Therefore, the proposed project would not substantially impair any nearby roadways that may serve as emergency evacuation routes or interfere with any emergency evacuation routes within the City of Clovis or an adopted emergency response plan. Therefore, the impact would be less than significant. This topic will not be included in the EIR.

- b. Would the project, 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?*

Less Than Significant Impact. The project site is located in an area mapped by CAL FIRE as LRA Unzoned, indicating that the area is urbanized and not susceptible to wildland conflagrations, and is not located within a VHFHSZ.³⁷ The proposed project would comply with City and County fire safety regulations for project construction and operation. Therefore, the proposed project would not exacerbate wildfire risks and potentially expose project occupants to wildfires. The impact would be less than significant. This topic will not be included in the EIR.

- c. Would the project 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?*

Less Than Significant Impact. The proposed project would require the extension of roads and installation of water and stormwater drainage infrastructure to serve the project site. The proposed project would construct extensions of North Baron Avenue, Hammel Avenue and Perrin Avenue to facilitate access to, and circulation around the project site. As discussed above, the proposed project is not located within a VHFHSZ. Additionally, the proposed project would comply with City and County fire safety regulations for project construction and operation, which would mitigate potential risks associated with construction of roads and installation of water and wastewater infrastructure. As a result, a less than significant impact would occur. This topic will not be included in the EIR.

- d. Would the project 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?*

Less Than Significant Impact. As discussed above, the project site is not located within a VHFHSZ. The project site is also a relatively flat area and is not adjacent to any hills. In general, the potential for land sliding or slope failure in the City is very low, and the project site would not be susceptible to landslides. Parts of the project site are located within special flood hazard zones; however, the proposed project would implement standards and design requirements from the City of Clovis Municipal Code Section 8.12, Floodplain Management. Therefore, the proposed project would not expose people or structures to significant post-fire risks, and the impact would be less than significant. This topic will not be included in the EIR.

³⁷ California Department of Forestry and Fire Protection (CAL FIRE). 2007. Fresno County Fire Hazard Severity Zones in LRA. Website: https://osfm.fire.ca.gov/media/6673/fhszl06_1_map10.pdf (accessed April 14, 2022).

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