APPENDIX G/INITIAL STUDY FOR A MITIGATED NEGATIVE DECLARATION

Environmental Checklist Form for:
Plan Amendment-Rezone Application No. P19-05889 and Development Permit Application No. P20-01559

1.	**Project title:** Environmental Assessment No. P19-05889/P20-01559 (Plan Amendment-Rezone Application No. P19-05889 and related Development Permit Application No. P20-01559)
2.	**Lead agency name and address:** City of Fresno (City) 2600 Fresno Street Fresno, CA 93721
3.	**Contact person and phone number:** Philip Siegrist, Supervising Planner City of Fresno (559) 621-8061
4.	**Project location:** 5061 East Tulare Avenue APN: 462-042-25 The approximately 4.83-acre Project site is identified by Fresno County Assessor Parcel Number (APN) 462-042-25 with an address of 5061 East Tulare Avenue, and is comprised of lots 15 and 18-21 of the Subdivision of Easterby Rancho. The Project site is located on the northwest corner of East Tulare Avenue and North Helm Avenue in the southeast portion of the City of Fresno, California.
5.	**Project sponsor's name and address:** SER Jobs for Progress, Inc., San Joaquin Valley 255 North Fulton Street, Unit 106 Fresno, California 93701
6.	**General & Community plan land use designation:** The Project site is currently designated by the City of Fresno 2035 General Plan and Roosevelt Community Plan as Residential – Medium Low Density. The plan amendment component of Plan Amendment/Rezone Application No. P19-05889

	requests to change the existing planned land use designation to Residential - Urban Neighborhood.
7.	**Zoning:** The project site is currently in the RS-4 (*Residential Single-Family, Medium Low Density*) zone district. The rezone component of Plan Amendment/Rezone Application No. P19-05889 requests to change the existing zoning designation to RM-2 (*Residential Multi-Family, Urban Neighborhood*). The proposed RM-2 zone district is consistent with the proposed Residential - Urban Neighborhood planned land use designation.
8.	**Description of project:** Plan Amendment/Rezone Application No. P19-05889 and related Development Permit Application No. P20-01559 were submitted by Justo Padron of SER-Jobs for Progress Inc. and pertain to approximately 4.83 acres of property located at the northwest corner of East Tulare Avenue and North Helm Avenue. **Current Land Uses, Setting, and Conditions** The southwestern portion of the Project site is currently comprised of a single-family residence of approximately 2,000 square feet and is set upon a slab-on-grade foundation with wood frame construction, stucco exterior, and asphalt shingle roof. The southeastern portion of the site consists of the remains of an olive orchard, and the northern portion of site is tilled soil with no buildings or other improvements. The Project site is bounded by East Tulare Avenue on the south and North Helm Avenue on the east. Adjacent to the south, west, and north of the Project site are single-family residences, and adjacent to the east of the Project site is Kings Canyon Middle School. **Proposed Project** Plan Amendment Application No. P19-05889 proposes to amend the Fresno General Plan and Roosevelt Community Plan to change the planned land use designations for the subject property from Residential – Medium Low Density (±4.83 acres) to Residential – Urban Neighborhood (±4.83 acres). The rezone application component proposes to amend the Official Zoning Map of the City of Fresno to rezone the subject property from the RS-4 (*Residential Single Family, Medium Low Density*) (±4.83 acres) zone district to the RM-2 (*Residential Multi-Family, Urban Neighborhood*) (±4.83 acres) zone district in accordance with the Plan Amendment Application. Related Development Permit Application No. P20-01559 requests authorization to construct a multi-family housing development comprised of 112 affordable housing units for seniors with one (1) one-site manager/caretaker's unit. The 112 units (113 including manager/caretaker's unit) will be distributed among nine (9) two-story and ten

(10) single-story residential buildings. Each unit will be comprised of one (1) bedroom and one (1) bathroom. The development will also include an office/club house with community hall/banquet room, exercise room, laundry facilities, and an outdoor swimming pool. The on-site manager/caretaker's unit will be located within the office/club house. Additional on and off-site improvements to be provided include: security fences and gates; tenant and guest parking; landscaping; and curbs, gutters, and sidewalks. The estimated timeline for construction and completion of the project is 18 months start to finish. Operational hours will be between 8 am to 5 pm Monday through Friday. A residential manager will be on-site 24 hours a day.

9. **Surrounding land uses and setting:**

	Planned Land Use	Existing Zoning	Existing Land Use
North	Residential – Medium Low Density	RS-4 (*Residential Single-Family, Medium Low Density*)	Single Family and Rural Residential
East	Public Facility – Middle School	PI (*Public and Institutional*)	Kings Canyon Middle School
South	Residential – Medium Density (County of Fresno)	County of Fresno R1 NB (*Single Family Residential*)	Single Family and Rural Residential
West	Residential – Medium Low Density	RS-4 (*Residential Single-Family, Medium Low Density*)	Rural Residential

10. **Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement):**
The Project will require various regulatory approvals, permits, entitlements, and/or coordination with agencies as follows:

- City of Fresno Planning and Development Department
- City of Fresno Building and Safety Services Division
- City of Fresno Department of Public Utilities – (Sewer, Water, and Solid Waste)
- Fresno Metropolitan Flood Control District
- City of Fresno Fire Department
- City of Fresno Department of Public Works
- Fresno Unified School District
- Fresno County Environmental Health
- San Joaquin Valley Air Pollution Control District

	• Compliance with other federal, state and local requirements such as the Regional Water Quality Control Board for a Stormwater Pollution Prevention Plan.
11.	**Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code (PRC) Section 21080.3.1? If so, has consultation begun?** 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 California Environmental Quality Act (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)). According to the most recent census data, California is home to 109 currently recognized Indian tribes. Tribes in California currently have nearly 100 separate reservations or Rancherias. Fresno County has a number of Rancherias such as Table Mountain Rancheria, Millerton Rancheria, Big Sandy Rancheria, Cold Springs Rancheria, and Squaw Valley Rancheria. These Rancherias are not located within the city limits. Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See PRC Section 21083.3.2.) Information may also be available from the California Native American Heritage Commission'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. Pursuant to Senate Bill 18 (SB 18), Native American tribes traditionally and culturally affiliated with the project area were invited to consult regarding the project based on a list of contacts provided by the Native American Heritage Commission (NAHC). Pursuant to AB 52, the City of Fresno mailed notices of the proposed Project to each of these tribes on December 11, 2020, which included the required 90-day time period for tribes to request consultation, which ended on March 11, 2021. To date, none of the tribal groups have responded to the City's notices for this Project.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

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

DETERMINATION: (To be completed by the Lead Agency)

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.
_X_	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 (EIR) is required.
___	I find that the proposed project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An EIR is required, but it must analyze only the effects that remain to be addressed.

___	I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

02/05/2024

Rob Holt, Supervising Planner Date

EVALUATION OF ADDITIONAL ENVIRONMENTAL IMPACTS NOT ASSESSED IN PROGRAM ENVIRONMENTAL IMPACT REPORT SCH NO. 2019050005 PREPARED FOR THE APPROVED FRESNO GENERAL PLAN (GP PEIR):

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

   a. “No Impact” means the specific impact category does not apply to the project, or that the record sufficiently demonstrates that project specific factors or general standards applicable to the project will result in no impact for the threshold under consideration.

   b. “Less Than Significant Impact” means there is an impact related to the threshold under consideration, but that impact is less than significant.

   c. “Less Than Significant with Mitigation Incorporation” means there is a potentially significant impact related to the threshold under consideration, however, with the mitigation incorporated into the project, the impact is less than significant. For purposes of this Initial Study “mitigation incorporated into the project” means mitigation originally described in the GP PEIR and applied to an individual project, as well as mitigation developed specifically for an individual project.

   d. “Potentially Significant Impact” means there is substantial evidence that an effect may be significant related to the threshold under consideration.

2. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

3. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

4. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

5. "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from, "Earlier Analyses," as described in (6) below, may be cross-referenced).

6. Earlier analyses may be used where, pursuant to the tiering, Program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:

    a. Earlier Analysis Used. Identify and state where they are available for review.

    b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in the PEIR or another earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.

    c. Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

7. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

8. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

9. The explanation of each issue should identify:

a. The significance criteria or threshold, if any, used to evaluate each question; and

b. The mitigation measure identified, if any, to reduce the impact to less than significance.

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

DISCUSSION

The Project site consists of a single rural residence, remains of an olive orchard, and disked land with unobstructed views of the surrounding rural residential, single-family residential, multi-family residential, and educational land uses. Neither the Project site nor any of the surrounding land uses contains features typically associated with scenic vistas (e.g. ridgelines, peaks, overlooks). Therefore, little opportunity exists for Project development to obscure views of scenic vistas that may be located within the immediate area of the Project site.

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

Less than Significant Impact. A scenic vista is defined as a viewpoint that provides expansive views of highly valued landscape for the benefit of the general public. The Sierra Nevada Mountains are the only natural and visual resources in the Project area. Due to poor air quality in the San Joaquin Valley, view of these distant mountains are afforded only during times of clear air conditions. Distant views of the Sierra Nevada Mountains would be largely unaffected by the development of the Project because of the nature of the Project, distance, and typical limited visibility of these features. The City of Fresno does not identify views of these features as required to be "protected."

The Project site is within a developed area of Fresno. There are no scenic vistas or other protected scenic resources on or near the site. The visual character is addressed further in response C below. In addition, there are no designated scenic highways near the proposed site. According to the California State Scenic Highway System Map[1], the closest designated scenic highway is State Route 180 starting at Post mile 78.6, approximately 16 miles east of the Project site.

Therefore, the Project has a ***less than significant impact*** on scenic vistas.

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

Less than Significant Impact. The Project site is within a developed area of Fresno. There are no scenic vistas or other protected scenic resources on or near the site. The visual character is addressed further in response C below. In addition, there are no designated scenic highways near the proposed site as previously discussed. According to the California State Scenic Highway System Map, the closest designated scenic highway is State Route 180 starting at Post mile 78.6, approximately 16 miles east of the Project site.

Therefore, the Project has a ***less than significant impact*** on designated scenic resources or highways.

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

Less than Significant Impact. Implementation of the proposed Project will alter the visual character of the Project site from a single-family residence, remnants of an olive

1 California State Scenic Highway System Map, https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways.

orchard, and vacant disked land to a multi-family residential development. Although this land use conversion could be perceived by some as a negative aesthetic impact in comparison with the Project site's current appearance, based on the subjective nature of aesthetics, the City does not anticipate that the development of the proposed Project with residences will create a visually degraded character or quality to the Project site or the properties near and around the Project site. The proposed Project will be relatively similar in size, scope, and visual appearance as the Willow Park Apartments 300 feet west of the Project site.

The Project design is subject to the City's Design Guidelines adopted for the City's General Plan which apply to site layout, building design, landscaping, lighting, parking, and signage. Detailed architectural plans, color palettes and building materials as well as landscaping plans will be submitted by the Project proponent to the City of Fresno Planning Department. The plans shall be required prior to issuance of any building permits.

The improvements such as those proposed by the Project are typical of large City urban areas and are generally expected from residents of the City. These improvements would not substantially degrade the visual character of the area and would not diminish the visual quality of the area, as they would be consistent with the existing visual setting and development patterns in the area. The Project itself is not visually imposing against the scale of existing development and nature of the surrounding area.

Therefore, the Project would have ***less than significant impacts*** on the visual character of the area.

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

Less Than Significant Impact With Mitigation. The Project site currently has minor residential sources of lighting. The Project will introduce new lighting that will be typical of multi-family residential developments, such as streetlights, residential lights, and vehicle lights. Additional night lighting sources on the Project site, especially any unshielded light, could results in spillover light that could impact surrounding adjacent residential uses. This would create new sources of light that could potentially have a significant impact on nighttime light levels in the area. During the entitlement process, staff will ensure that lights are located in areas that will minimize light sources to the neighboring properties. Further, Project Specific Mitigation Measures AES-4.1 require lighting systems to be shielded to direct light to ground surfaces and orient light away from adjacent properties. In addition, AES-4.5 requires use of non-reflective building materials to reduce glare impacts.

In addition, a condition of approval will require that lighting, where provided for public streets, shall be hooded and so arranged and controlled so as not to cause a nuisance

either to traffic or to the living environment. The amount of light shall be provided according to the standards of the Department of Public Works. As a result, the Project will implement the necessary mitigation measures and will have a ***less than significant impact with mitigation incorporated*** on aesthetics.

Mitigation Measures:

AES-4.1 Lighting for Street and Parking Areas. Lighting systems for street and parking areas shall include shields to direct light to the roadway surfaces and parking areas. Vertical shields on the light fixtures shall also be used to direct light away from adjacent light sensitive land uses such as residences.

AES-4.5 Use of Non-Reflective Materials. Materials used on building facades shall be non-reflective.

Mitigation Measures

1. The proposed project shall implement and incorporate the Aesthetics-related mitigation measures as identified in the attached Project Specific Mitigation Monitoring Checklist dated July 2022.

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

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

DISCUSSION

Fresno is located in Fresno County, which is a nationally-leading agricultural producer. The City's General Plan contains several policies intended to protect agricultural resources. The 4.83-acre Project site contains former farmland and an olive orchard that are no longer utilized.

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?

No Impact. The Project will result in the conversion of approximately 0.5 acres of former olive orchard and 2.8 acres of vacant land into multi-family residential housing. According to the historical aerial images, historical topographic maps, and oral interviews with the property owner and occupant in the February 10, 2021 Phase I Environmental Site Assessment (Appendix A), the Project site has not been utilized for agricultural purposes since at least 1998.

According to the California Department of Conservation, Division of Land Resource Protection's Farmland Mapping and Monitoring Program, no Prime Farmland, Unique Farmland, or Farmland of Statewide Importance occupies the proposed Project site. Therefore, the Project will have ***no impact*** on Prime Farmland, Unique Farmland, or Farmland of Statewide Importance.

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

No Impact. The Project has been zoned for residential use by the City of Fresno and the City's General Plan has designated the site for urban development. There are no Williamson Act parcels on the site. Therefore, the Project will have ***no impact*** on existing zoning for agricultural use or a Williamson Act contract.

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))?

No Impact. The proposed Project does not conflict with any forest land or Timberland Production or result in any loss of forest land. The proposed Project does not include any changes which will affect any forest lands. Therefore, the Project has ***no impact*** on forest resources.

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

No Impact. The proposed Project does not conflict with any forest land or Timberland Production or result in any loss of forest land. The proposed Project does not include any changes which will affect any forest lands. Therefore, the Project has ***no impact*** on forest resources.

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?

No Impact. The proposed Project does not include any changes to productive farmland or forest resources. Though the site was used as farmland historically, it has not been in production since at least 1998. Therefore, the Project will not result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use. Therefore, the Project has ***no impact*** on Farmland or forest resources.

Mitigation Measure

There are no mitigation measures for the Project, as proposed, relating to Agriculture and Forestry Resources.

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

The climate of the City of Fresno and the San Joaquin Valley is characterized by long, hot summers and stagnant, foggy winters. Precipitation is low and temperature inversions are common. These characteristics are conducive to the formation and retention of air pollutants and are in part influenced by the surrounding mountains which intercept precipitation and act as a barrier to the passage of cold air and air pollutants.

The proposed Project lies within the San Joaquin Valley Air Basin (Air Basin), which is managed by the San Joaquin Valley Air Pollution Control District (SJVACD or Air District). National Ambient Air Quality Standards (NAAWS) and California Ambient Air Quality Standards (CAAQS) have been established for the following criteria pollutants: carbon monoxide (CO), ozone (O_3), sulfur dioxide (SO_2), nitrogen dioxide (NO_2), particulate matter (PM_{10} and $PM_{2.5}$), and lead (Pb). The CAAQS also set standards for sulfates, hydrogen sulfide, and visibility.

Air quality plans or attainment plans are used to bring the applicable air basin into attainment with all state and federal ambient air quality standards designed to protect the health and safety of residents within that air basin. Areas are classified under the Federal Clean Air Act as either "attainment," "non-attainment," or "extreme non-attainment" areas for each criteria pollutant based on whether the NAAQS have been achieved or not. Attainment relative to the State standards is determined by the California Air Resources Board (CARB). The San Joaquin Valley is designated as a State and Federal extreme non-attainment area for O_3, a State and Federal non-attainment area for $PM_{2.5}$, a State non-attainment area for PM_{10}, and Federal and State attainment area for CO, SO_2, NO_2, and Pb.

Standards and attainment status for listed pollutants in the SJVAPCD are shown below in Table 1. Both state and federal standards are presented.

Table 1 - Standards and Attainment Status for Listed Pollutants in SJVAPCD

Pollutant	Federal Standard	California Standard
Ozone (O_3)	0.75 ppm* (8-hr avg)	0.07 ppm (8-hr avg) 0.09 ppm (1-hr avg)
Carbon Monoxide (CO_2)	9.0 ppm (8-hr avg) 35.0 ppm (1-hr avg)	9.0ppm (8-hr avg) 20.0 ppm (1-hr avg)
Nitrogen Dioxide (NO_2)	0.053 ppm (annual avg)	0.30 ppm (annual avg) 0.18 ppm (1-hr avg)
Sulfur Dioxide (SO_2)	0.03 ppm (annual avg) 0.14 ppm (24-hr avg) 0.5 ppm (3-hr avg)	0.04 ppm (24-hr avg) 0.25ppm (1-hr avg)
Particulate Matter (PM_{10})	150 µg/m3** (24-hr avg)	20 µg/m3 (annual avg) 50 µg/m3 (24-hr avg)
Particulate Matter ($PM_{2.5}$)	15 µg/m3 (annual avg)	12 µg/m3 (annual avg) 35 µg/m3 (24-hr avg)
Lead (Pb)	1.5 µg/m3 (calendar quarter) 0.15 µg/m3 (rolling 3-month avg)	1.5 µg/m3 (30-day avg)

** ppm = parts per million*
*** µg/m3 = micrograms per cubic meter*

Additional State Regulations Include:

CARB Portable Equipment Registration Program – This program was designed to allow owners and operators of portable engines and other common construction or farming equipment to register their equipment under a statewide program so they may operate it statewide without the need to obtain a permit from the local air district.

U.S. EPA/CARB Off-Road Mobile Sources Emission Reduction Program – The California Clean Air Act (CCAA) requires CARB to achieve a maximum degree of emissions reductions from off-road mobile sources to attain State Ambient Air Quality Standards (SAAQS); off- road mobile sources include most construction equipment. Tier 1 standards for large compression-ignition engines used in off-road mobile sources went into effect in California in 1996. These standards, along with ongoing rulemaking, address emissions of nitrogen oxides (NOX) and toxic particulate matter from diesel engines. CARB is currently developing a control measure to reduce diesel PM and NOX emissions from existing off-road diesel equipment throughout the state.

California Global Warming Solutions Act – Established in 2006, Assembly Bill 32 (AB 32) requires that California's GHG emissions be reduced to 1990 levels by the year 2020. This will be implemented through a statewide cap on GHG emissions, which will be phased in beginning in 2012. AB 32 requires CARB to develop regulations and a mandatory reporting system to monitor global warming emissions levels.

The Program Environmental Impact Report (PEIR) prepared for the Fresno General Plan and Policy RC-4-c of the Fresno General Plan require that computer models used by the SJVAPCD be used to analyze development projects and estimate future air pollutant emissions that can be expected to be generated from operational emissions (vehicular traffic associated with the Project), area-wide emissions (sources such as ongoing maintenance activities and use of appliances), and construction activities.

CalEEMod is a statewide land use emissions computer model designed to provide a uniform platform for government agencies, land use planners, and environmental professionals to quantify potential criteria pollutant and greenhouse gas emissions associated with both construction and operations from a variety of land use projects. The model quantifies direct emissions from construction and operations (including vehicle and off-road equipment use), as well as indirect emissions, such as GHG emissions from energy use, solid waste disposal, vegetation planting and/or removal, and water use. Further, the model identifies mitigation measures to reduce criteria pollutant and GHG emissions along with calculating the benefits achieved from measures chosen by the user. The GHG mitigation measures were developed and adopted by the California Air Pollution Control Officers Association (CAPCOA).

In addition to the above-mentioned factors, the CalEEMod computer model evaluates the following emissions: ozone precursors (Reactive Organic Gases (ROG)) and NOX, CO, SOX, both regulated categories of particulate matter, and the greenhouse gas carbon

dioxide (CO2). The model incorporates geographically customized data on local vehicles, weather, and SJVAPCD Rules.

DISCUSSION

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

Less Than Significant Impact. The SJVAPCD 2015 Guidance for Assessing and Mitigating Air Quality Impacts (GAMAQI) indicates that projects that do not exceed SJVAPCD regional criteria pollutant emissions quantitative thresholds would not conflict with or obstruct the applicable air quality plan (AQP).

A measure for determining if the Project is consistent with the AQPs is if the Project would not result in an increase in the frequency or severity of existing air quality violations, cause or contribute to new violations, or delay timey attainment of air quality standards or the interim emission reductions specified in the air quality plans. Regional air quality impacts and attainment of standards are the result of the cumulative impacts of all emission sources within the air basin. Individual projects are generally not large enough to contribute measurably to an existing violation of air quality standards. Therefore, the cumulative impact of the project is based on its cumulative contribution. Because of the region's nonattainment status for ozone, $PM_{2.5}$ and PM_{10} – if Project-generated emissions of either of the ozone precursor pollutants (ROG and NOX), PM_{10}, or $PM_{2.5}$ would exceed the District's significant thresholds – then the project would be considered to contribute to violations of the applicable standards and conflict with the attainment plans.

As discussed in subsection b) below, emissions of ROG, NOX, PM_{10}, and $PM_{2.5}$ associated with the construction and operation of the Project would not exceed the SJVAPCD's significance thresholds and the Project would not result in CO hotspots that would contribute to air quality violations.

The proposed Project would comply with the SJVAPCD's regulations below:

SJVAPCD Rule 9510 – Indirect Source Review (ISR) is a control measure in the 2006 PM_{10} Plan that requires NOX and PM_{10} emission reductions from development projects in the San Joaquin Valley. The NOX emission reductions help reduce the secondary formation of PM_{10} in the atmosphere (primarily ammonium nitrate and ammonium sulfate) and also reduce the formation of ozone.

Reductions in directly emitted PM 10 reduce particles such as dust, soot, and aerosols. Rule 9510 is also a control measure in the 2016 Plan for the 20088 8-House Ozone Standard. Developers of projects subject to Rule 9510 must reduce emissions occurring during construction and operational phases through on-site measures or pay off-site mitigation fees. The project is required to comply with Rule 9510.

The Project consulted with the SJVAPCD and received an Air Impact Assessment (AIA) application approval, ISR Project Number C-20200250, on June 18, 2020 (Appendix B). According to the SJVAPCD letter, the District "has determined that the mitigated baseline emissions for construction and operation will be less than two tons NOx per year and two tons PM10 per year. Pursuant to District Rule 9510 Section 4.3, this project is exempt from the requirements of Section 60 (General Mitigation Requirements) and Section 7.0 (Off-site Emission Reduction Fee Calculations and Fee Schedules) of the rule. As such, the District has determined that this project complies with the emission reduction requirements of District Rule 9510 and is not subject to payment of off-site fees."

Rule 4641 – Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operation that requires reductions in VOC emissions during paving and Rule 4601 – Architectural Coatings that limits the VOC content of all types of paints and coatings sold in the San Joaquin Valley. These measures apply at the point of sale of the asphalt and the coatings, so project compliance is ensured.

The Project would comply with all applicable SJVAPCD rules and regulations. Therefore, the Project complies with this criterion and would not conflict with or obstruct implementation of the applicable air quality attainment plan. The Project's emissions are less than significant for all criteria pollutants and would not results in inconsistency with the AQP for this criterion. The Project complies with applicable control measures of the AQP. Therefore, the Project is consistent with the AQP, and the impact would be ***less than significant*****.**

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?

Less Than Significant Impact.

<u>Regional Emissions</u>

Air pollutant emissions have both regional and localized effects. This analysis assesses the regional effects of the Project's criteria pollutant emissions in comparison to SJVAPCD thresholds of significance for short-term construction activities and long-term operation of the Project. Localized emissions from Project construction and operation are assessed under Impact c) below using concentration-based thresholds that determine if the Project would result in a localized exceedance of any ambient air quality standards or would make a cumulatively considerable contribution to an existing exceedance.

The primary pollutants of concern during Project construction and operation are ROG, NOX, PM_{10}, and $PM_{2.5}$. The SJVAPCD GAMAQI adopted in 2015 contains thresholds for CO, NOX, ROG, SOX, PM_{10}, and $PM_{2.5}$.

Ozone is a secondary pollutant that can be formed miles from the source of emissions, through reactions of ROG and NOX emissions in the presence of sunlight. Therefore, ROG and NOX are termed ozone precursors. The Air Basin often exceeds the state and national ozone standards. Therefore, if the Project emits a substantial quantity of ozone precursors, the Project may contribute to an exceedance of the ozone standard. The Air Basin also exceeds air quality standards for PM_{10}, and $PM_{2.5}$; therefore, substantial emissions from projects may contribute to an exceedance for these pollutants. The SJVAPCD's annual emission significance thresholds used for the Project define the substantial contribution for both operational and construction emissions as follows:

- 100 tons per year CO
- 10 tons per year NOX
- 10 tons per year ROG
- 27 tons per year SOX
- 15 tons per year PM_{10}

The SJVAPCD has published guidance on determining potential impacts and potential mitigation impacts in GAMAQI. The SJVAPCD has established thresholds of significance for criteria pollutant emissions, which are based on the SJVAPCD's New Source Review (NSR) offset requirements for stationary sources. Projects that fit the Small Project Analysis Levels (SPALs) based on the project sizes in the District Guidance and are below both the corresponding Heavy-Heavy Duty Trucks (HHDT) and non-HDDT levels.

According to the November 13, 2020 SJVAPCD GAMAQI SPAL[2], Table 1 (Residential), the screening level for Low-Rise Apartment is 224 dwelling units, 800 average daily one-way trips for all fleet types (except HHDT), and 15 average daily one-way for HHDT trips only (50-mile trip length). The proposed Project is a low-rise apartment project with a maximum of 112 dwelling units, less than 800 average daily one-way trips for all fleet types (except HHDT), and less than 15 average daily one-way for HHDT trips only (50-mile trip length). Therefore, the Project is below the screening criteria for criteria pollutant emissions, and will have a ***less than significant*** impact on criteria pollutants.

c) Expose sensitive receptors to substantial pollutant concentrations?

Less Than Significant Impact. According to a December 16, 2020 comment letter from the SJVAPCD to the City of Fresno (Appendix B), sensitive receptors are immediately adjacent to the Project site, with a middle school adjacent to the east, and residents located south, west, and north of the Project. The SJVAPCD

2 San Joaquin Valley Air Pollution Control District, Guidance for Assessing and Mitigating Air Quality Impacts – Small Project Analysis Levels, http://www.valleyair.org/transportation/CEQA%20Rules/GAMAQI-SPAL.PDF

recommended the project be evaluated for potential health impacts to surrounding on-site and off-site sensitive receptors using the SJVAPCD's prioritization calculator. According to SJVAPCD guidance, the threshold for significance should be considered a prioritization score of 10 or greater. The Project was evaluated using the SJVAPCD's guidance and prioritization calculator and resulted in a prioritization score of less than 10 (Appendix B). Therefore, the Project is below the screening level for substantial pollutant concentrations to sensitive receptors, and the Project will have a ***less than significant*** impact.

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

No Impact. Odor impacts on residential areas and other sensitive receptors, such as hospitals, day-care centers, schools, etc. warrant the closest scrutiny, but consideration should also be given to other land uses where people may congregate, such as recreational facilities, worksites, and commercial areas.

Two situations create a potential for odor impact. The first occurs when a new odor source is located near an existing sensitive receptor. The second occurs when a new sensitive receptor locates near an existing source of odor.

According to the California Building Industry Association v. Bay Area Air Quality Management District (CBIA v. BAAQMD) ruling, impacts of existing sources of odors on the Project are not subject to CEQA review.[3] Therefore, the analysis to determine if the Project would locate new sensitive receptors near an existing source of odor is provided for information only. The SJVAPCD has determined the common land use types that are known to produce odors in the Air Basin. These types are shown in Table 2 below.

Table 2 – Screening Levels for Potential Odor Sources[4]

Odor Generator	Screening Distance
Wastewater Treatment Facilities	2 miles
Sanitary Landfill	1 mile
Transfer Station	1 mile
Composting Facility	1 mile
Petroleum Refinery	2 miles
Asphalt Batch Plant	1 mile

3 *California Building Industry Assoc. v. Bay Area Air Quality Management Dist.* (2015) 62 Cal.4th 369.

4 SJVAPCD, Air Quality Thresholds of Significance – Odors, 2015. http://www.valleyair.org/transportation/GAMAQI-2015/GAMAQI-Criteria-Pollutant-Thresholds-of-Odors.pdf

Chemical Manufacturing	1 mile
Fiberglass Manufacturing	1 mile
Painting / Coating Operations	1 mile
Food Processing Facility	1 mile
Feed Lot / Dairy	1 mile
Rendering Plant	1 mile

There are no existing Odor Generators similar to those listed in the table above, within the noted screening distances, that would impact the Project. In addition, the Project as a multi-family housing development for seniors, is not an odor generator.

While the Project is considered a sensitive receptor (senior housing), it is located in an area that is primarily residential, some commercial, and is adjacent to an elementary school. Development of the Project would not locate a sensitive receptor near an existing source of odor.

During construction, the various diesel-powered vehicles and equipment in use on-site may create localized odors; however, these odors would be temporary and would not likely be noticeable for extended periods of time beyond the Project's site boundaries. The potential for diesel odor impacts or other emissions leading to odors that would affect a substantial number of people would be **less than significant**.

Mitigation Measures

There are no mitigation measures for the Project, as proposed, relating to Air Quality.

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

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

The Project site is located within the urban environment of the City of Fresno. The immediate vicinity consists of land developed for residences and educational facilities. The proposed Project site is located in a portion of the Central San Joaquin Valley that has, for decades, experienced intensive agricultural and urban disturbances. Like most of California, Fresno and the Central San Joaquin Valley experiences a Mediterranean climate. Warm dry summers are followed by cool moist winters. Summer temperatures usually exceed 90 degrees Fahrenheit, and the relative humidity is generally very low. Winter temperatures rarely rise much above 70 degrees Fahrenheit, with daytime highs often below 60 degrees Fahrenheit. Annual precipitation within the proposed Project site is about 10 inches, almost 85% of which falls between the months of October and March. Nearly all precipitation falls in the form of rain, and storm-water readily infiltrates the soils of the surrounding the sites.

The Project site is located on the southeastern portion of the City of Fresno. Historically, vegetation communities in the vicinity of the proposed Project site likely consisted of a mosaic of Oak Woodland or Oak Savannah, Great Valley Mixed Riparian, Freshwater Marsh or Alkali Sink, and Valley Grassland. Lands in the vicinity of the proposed Project site are currently dominated by residential, commercial and rural agriculture uses.

Native plant and animal species once abundant in the region have become locally extirpated or have experienced large reductions in their populations due to conversion of upland, riparian, and aquatic habitats to agricultural and urban uses. Remaining native habitats are particularly valuable to native wildlife species including special status species that still persist in the region.

Over the years, the Fresno area has been substantially disturbed by agricultural and residential activities, with lands within the City itself having primarily been converted to urban development.

U.S. Fish and Wildlife – Special-Status Species Database

The U.S. Fish and Wildlife Service (USFWS) operates an "Information for Planning and Consultation" (IPaC) database, which is a project planning tool for the environmental review process that provides general information on the location of special-status species that are "known" or "expected" to occur (**note:** the database does not provide occurrences; refer to the California Department of Fish and Wildlife – Natural Diversity Database below). Specifically, the database identifies 40 endangered species, 13 critical habitats, and 27 migratory birds that are potentially affected in Fresno County.[5] The database identified 16 endangered species, no critical habitats, and 16 migratory birds in the City of Fresno.

U.S. Fish and Wildlife – Critical Habitat Report

Once a species is listed under the federal Endangered Species Act, NOAA Fisheries is required to determine whether there are areas that meet the definition of Critical Habitat. Per NOAA Fisheries, Critical Habitat is defined as:

- *Specific areas within the geographical area occupied by the species at the time of listing that contain physical or biological features essential to conservation of the species and that may require special management considerations or protection; and*
- *Specific areas outside the geographical area occupied by the species if the agency determines that the area itself is essential for conservation.*[6]

The process of Critical Habitat designation is complex and involves the consideration of scientific data, public and peer review, economic, national security, and other relevant impacts. According to the Critical Habitat for Threatened & Endangered Species Report updated December 10, 2021, the Project site and its immediate vicinity (0.5-mile radius from the site) are not located within a federally designated Critical Habitat.[7] The closest federally designated Critical Habitat is located approximately 9.3 miles northeast of the Project site for Fleshy Owl's-Clover (*Castilleja campestris* ssp. *succulenta*).

U.S. Fish & Wildlife Service – National Wetlands Inventory

The USFWS provides a National Wetlands Inventory (NWI) with detailed information on the abundance, characteristics, and distribution of U.S. wetlands. A search of the NWI shows no federally protected wetlands (including but not limited to marsh, vernal pool,

5 U.S. fish and Wildlife Service. Information and Planning Consultation Online System. Accessed on November 21, 2023, https://ecos.fws.gov/ipac/

6 NOAA Fisheries. Critical Habitat. Accessed on November 21, 2023, https://www.fisheries.noaa.gov/national/endangered-species-conservation/critical-habitat#key-regulations

7 U.S. Fish & Wildlife. (2021). ECOS Environmental Conservation Online System - USFWS Threatened & Endangered Species Active Critical Habitat Report (updated December 10, 2021). Accessed on November 21, 2023, https://ecos.fws.gov/ecp/report/table/critical-habitat.html

coastal, etc.) on the Project site or within the immediate vicinity (0.5-mile radius) of the Project site.[8] The NWI does not identify any water features within the Project site. The closest water feature identified is a PUSCx palustrine habitat located at the southeast corner of East Huntington and South Adler Avenues, approximately 0.28 miles south of the Project site. PUSCx indicates Palustrine System (P) with an unconsolidated shore (US) that is seasonally flooded (C) and has been excavated by humans (x) (i.e., ponding basin). Additionally, the Project site is not within or adjacent to a riparian area nor does the site contain water features.

Environmental Protection Agency – WATERS Geoviewer

The U.S. Environmental Protection Agency (EPA) WATERS GeoViewer provides a GeoPlatform based web mapping application of water features by location. According to the WATERS GeoViewer, there are no surface water features (i.e., streams, canals, waterbodies, coastlines, catchments) within the Project site.[9]

California Department of Fish and Wildlife – Natural Diversity Database

The California Department of Fish and Wildlife (CDFW) operates the California Natural Diversity Database (CNDDB), which is an inventory of the status and locations of rare plants and animals in California in addition to the reported occurrences of such species.[10] According to the CDFW CNDDB, there are 15 special-status species with a total of 15 occurrences that have been observed and reported to the CDFW in or near the Malaga Quad as designated by the United States Geological Survey (USGS). Of the 15 species, there are five (5) federally or state-listed species: California tiger salamander (*Ambystoma californiense pop. 1*), Swainson's hawk (*Buteo swainsoni*), California jewelflower (*Caulanthus californicus*), western yellow-billed cuckoo (*Coccyzus americanus occidentalis*), and Crotch bumble bee (*Bombus crotchii*) (state candidate endangered).[11] **Appendix B** lists the CNDDB-identified animal and plant species within the Malaga Quad, including their habitat and occurrences.

The CNDDB also provides CNDDB-known occurrences within a set geographic radius. Error! Reference source not found. shows the CNDDB-identified occurrences of animal a nd plant species within the five (5)-mile radius of the Project site. **Table 3** lists all federally or state-listed special-status species CNDDB-known occurrences within the five (5)-mile radius of the Project site, organized by distance to the site. As shown, the two (2) occurrences that are not eradicated are the western yellow-billed cuckoo approximately

8 U.S. Fish & Wildlife Service. National Wetlands Inventory. Accessed November 21, 2023, https://www.fws.gov/wetlands/data/Mapper.html

9 U.S. Environmental Protection Agency. WATERS GeoViewer. Accessed November 21, 2023, https://epa.maps.arcgis.com/apps/webappviewer/index.html?id=074cfede236341b6a1e03779c2bd0692

10 California Department of Fish and Wildlife. California Natural Diversity Database. Accessed November 21, 2023, https://wildlife.ca.gov/Data/CNDDB

11 California Department of Fish and Wildlife. Biogeographic Information and Observation System. Accessed January 16, 2023, https://apps.wildlife.ca.gov/bios/?tool=cnddbQuick

3.5 miles north of the site, dated 1902, and the Crotch bumble bee approximately 2.7 miles east of the site, dated 1890. Other species that are not federally or state-listed that are near the Project site include yellow-headed blackbird (*Xanthocephalus xanthocephalus*), American bumble bee (*Bombus pensylvanicus*), Antioch efferian robberfly (*Efferia antiochi*), Hurds metapogon robberfly (*Metapogon hurdi*), molestan blister beetle (*Lytta molesta*), Northern California legless lizard (*Anniella pulchra*), California glossy snake (*Arizona elegans occidentalis*), coast horned lizard (*Phrynosoma blainvillii*), California satintail (*Imperata brevifolia*), and Madera leptosiphon (*Leptosiphon serrulatus*). Several occurrences are listed as extirpated or possibly extirpated, meaning that the habitat has been destructed or that the element has been searched but not seen for many years. **Table 4** provides an analysis of essential habitats and the potential for the existence of the special-status species to exist on the Project site.

Table 3 Special-Status Species Occurrences within 5-mile radius of Project site

Species	Date	Rank	Distance to site
western yellow-billed cuckoo	7/10/1902	None	3.5 miles north
Crotch bumble bee	4/29/1890	Unknown	2.7 miles east

Only federally or state-listed threatened/endangered species are listed in the table. Extirpated or possible extirpated occurrences are not shown in the table.

Table 4 Essential Habitats and Potential Existence of Special-Status Species on Site

Special-Status Species	General Habitat	Micro Habitat	Assessment
western yellow-billed cuckoo	Riparian forest nester, along the broad, lower floodbottoms of larger river systems.	Nests in riparian jungles of willow, often mixed with cottonwoods, with lower story of blackberry, nettles, or wild grape.	The Project site is nearly fully developed and surrounded by development and graded vacant land that is frequently disced. The site is not located along a broad, lower floodbottom of a larger river system and does not contain a riparian forest. As such, the site does not provide suitable habitat.
Crotch bumble bee	Coastal California east to the Sierra-Cascade crest and south into Mexico.	Food plant genera include antirrhinum, phacelia, clarkia, dendromecon, eschscholzia, and eriogonum.	The Project site is nearly fully developed and surrounded by development and graded vacant land that is frequently disced. Antirrhinum, phacelia, clarkia, dendromecon, eschscholzia, and eriogonum are primarily annual species and given the history of the site (frequent discing of open

			areas) the site does not provide suitable habitat.

California Fish and Game Code

Sections 3503, 3503.5, and 3513 of the California Fish and Game Code specifically protect native birds and raptors. Mitigation for avoidance of impacts to nesting birds is typically necessary to comply with these Sections of the Fish and Game Code in CEQA.[12]
Section 3503: *It is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by this code or any regulation made pursuant thereto.*
Section 3503.5: *It is unlawful to take, possess, or destroy any birds in the orders Falconiformes or Strigiformes (birds-of-prey) or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by this code or any regulation adopted pursuant thereto.*

Section 3513: *It is unlawful to take or possess any migratory nongame bird as designated in the Migratory Bird Treaty Act or any part of such migratory nongame bird except as provided by rules and regulations adopted by the Secretary of the Interior under provisions of the Migratory Treaty Act.*

Recovery Plan for Upland Species of the San Joaquin Valley

The U.S. Fish & Wildlife Service Recovery Plan for Upland Species of the San Joaquin Valley (Sept. 30, 1998) covers 34 species of plants and animals that occur in the San Joaquin Valley of California including but not limited to blunt-nosed leopard lizard (*Gambelia sila*), riparian brush rabbit (*Sylvilagus bachmani riparius*), Tipton kangaroo rat (*Dipodomys nitratoides nitratoides*), San Joaquin kit fox (*Vulpes macrotis mutica*), San Joaquin woolly threads (*Lemberia congdonii*), etc. . The majority of the species occur in arid grasslands and scrublands of the San Joaquin Valley and adjacent foothills and valleys. The Plan presents an ecosystem approach to recovery and a community-level strategy for recovery for the identified species.

PG&E San Joaquin Valley Operation and Maintenance Habitat Conservation Plan

The PG&E San Joaquin Valley Operation and Maintenance Habitat Conservation Plan (SJV O&M HCP) covers PG&E's routine operations and maintenance activities and minor new construction, on any PG&E gas and electrical transmission and distribution facilities, easements, private access routes, or lands owned by PG&E.[13] There are no PG&E transmissions, distribution facilities, easements, or private access routes on the Project

12 The California Biologist's Handbook. California Fish and Game Code. Accessed on November 21, 2023, https://biologistshandbook.com/regulations/state-regulations/state-fish-and-game-code/#:~:text=Section%203503,any%20regulation%20made%20pursuant%20thereto.%E2%80%9D

13 PG&E. "Habitat Conservation Plans." Accessed November 21, 2023, https://www.pge.com/en_US/about-pge/environment/what-we-are-doing/promoting-stewardship/habitat-conservation-plan.page

site, nor does PG&E own any portion of the site. Any development that impacts existing overhead utilities would be subject to review and approval by PG&E. The Project would not conflict with PG&E's obligations under the SJV O&M HCP.

Fresno General Plan

According to the Fresno General Plan, the Fresno General Plan Planning Area contains 11 vegetation communities, two special-status natural communities, and 29 special-status species (including 12 plant species and 17 wildlife species). The General Plan identifies objectives and policies regarding the preservation and conservation of wildlife species; however, the objectives and policies are applicable to the San Joaquin River Corridor. Since the Project is not located in the San Joaquin River Corridor, the Project would not be subject to the objectives and policies.

Fresno Municipal Code

FMC ***Article 3*** – *Street Trees and Parkways* contains specific policies and regulations for the beautification (FMC ***Section 13-304***), preservation, and maintenance (***Section 13-305***) of trees on public property. Any development that would result in the planting, preservation, or removal of street trees would be subject to the regulations contained in this Article.

DISCUSSION

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

Less Than Significant With Mitigation Incorporated. The Project site is located within an urban environment within the City of Fresno. According to the November 2020 City of Fresno General Plan Program Environmental Impact Report PEIR SCH No. 20190500005, urban land provides poor quality habitat for any special-status species and said species are unlikely to occur within urban vegetation communities.

The Project site is previously developed, has undergone significant disturbance, and is not suitable to support the habitat of special status species. As noted above, the site is highly disturbed and currently comprised of a single-family residence of approximately 2,000 square feet and is set upon a slab-on-grade foundation with wood frame construction, stucco exterior, and asphalt shingle roof. The northern portion of site is tilled soil with no buildings or other improvements. However, the site does contain numerous olive trees and other mature trees that may be suitable nesting trees for birds protected under Fish and Game Code 3500, and the Migratory Bird Treaty Act.

Further, as noted in the Environmental Setting above, there are no recorded occurrences of special-status or critical habitats on the Project site or within the immediate vicinity of the Project. In addition to this, based on the site visit, as noted above, the Project site does not contain suitable habitat for any species identified as a candidate, sensitive, or special status species because of the highly disturbed nature of the site. Therefore, the Project would not result in a substantial adverse effect on any candidate, sensitive, or special status species.

With implementation of Project Specific mitigation measures BIO-1.1, BIO-1.2, and BIO-1.4, the impact will be ***less than significant with mitigation incorporated.***

Mitigation Measure:

BIO-1.1 Construction of a proposed project shall avoid, where possible, vegetation communities that provide suitable habitat for a special-status species known to occur within the Planning Area. If construction within potentially suitable habitat must occur, the presence/absence of any special-status plant or wildlife species must be determined prior to construction, to determine if the habitat supports any special-status species. If a special-status species are determined to occupy any portion of a project site, avoidance and minimization measures shall be incorporated into the construction phase of a project to avoid direct or incidental take of a listed species to the greatest extent feasible. Specific mitigation measures for direct or incidental impacts to special-status species shall be determined on a case-by-case basis through agency consultation during the review process for discretionary projects, and shall be consistent with survey protocols and mitigations measures recommended by the agency at the time of consultation.

BIO-1.2 Direct or incidental take of any state or federally listed species shall be avoided to the greatest extent feasible. If construction of a proposed project will result in the direct or incidental take of a listed species, consultation with the resources agencies and/or additional permitting may be required. Agency consultation through the CDFW 2081 and USFWS Section 7 or Section 10 permitting processes shall take place prior to any action that may result in the direct or incidental take of a listed species. Specific mitigation measures for direct or incidental impacts to special-status species shall be determined on a case-by-case basis through agency consultation during the review process for discretionary projects, and shall be consistent with survey protocols and mitigations measures recommended by the agency at the time of consultation.

BIO-1.4 Proposed projects within the Planning Area should avoid, if possible, construction within the general nesting seasons of February through August for avian species protected under Fish and Game Code 3500 and the Migratory Bird Treaty Act (MBTA). If construction cannot avoid the nesting season, a pre-construction clearance survey shall be conducted by a qualified biologist to determine if any nesting birds or

nesting activity is observed on or within 500-feet of the project site. If an active nest is observed during the survey, a biological monitor shall be on site to ensure that no proposed project activities would impact the active nest. A suitable buffer shall be established around the active nest until the nestlings have fledged and the nest is no longer active. Project activities may continue in the vicinity of the nest only at the discretion of the biological monitor. Prior to commencement of grading activities and issuance of any building permits, the Director of the City of Fresno Planning and Development Department, or designee, shall verify that all proposed project grading and construction plans include specific documentation regarding the requirements of the Migratory Bird Treaty Act (MBTA) and California Fish and Game Code Section 3503, that preconstruction surveys have been completed and the results reviewed by staff, and that the appropriate buffers (if needed) are noted on the plans and established in the field. Specific mitigation measure for direct or incidental impacts to avian species protected under Fish and Game Code 3500 and the Migratory Bird Treaty Act (MTBA) shall be determined on a case-by-case basis through agency consultation during the review process for discretionary projects, and shall be consistent with survey protocols and mitigation measures recommended by the agency at the time of consultation.

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

No Impact. Natural communities of special concern are those that are of limited distribution, distinguished by significant biological diversity, home to special status plant and animal species, of importance in maintaining water quality or sustaining flows, etc. Examples of natural communities of special concern in the San Joaquin Valley could include open, ruderal/non-native grassland habitat, which is infrequently disturbed, vernal pools and various types of riparian forest. No riparian habitats or any other sensitive natural communities were identified based upon the PEIR Appendix D – Biological Resources, Exhibit 5.4 – Vegetation Communities Map Index, and based upon aerial photographs, historical United States Geological Survey (USGS) 7.5-minute topographic maps, and the November 2020 site reconnaissance. There will be ***no impacts***.

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

No Impact. No State or federally protected wetlands are located on the subject site. Therefore, the Project will result in ***no impacts*** to sensitive wetland communities.

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?

Less Than Significant Impact. Wildlife movement corridors are areas where wildlife species regularly and predictably move during foraging, or during dispersal or migration. Movement corridors in California are typically associated with valleys, rivers, and creeks supporting riparian vegetation, and ridgelines. Such geographic and topographic features are absent from the subject site. Additionally, due to the presence of developed lands and urban uses surrounding the project site, there is limited potential for project related activities to have an impact on the movement of wildlife species or established wildlife corridors.

The project is located within a dense urban environment located far from any identified wildlife movement corridors, and no features are on site that would lend themselves specifically to wildlife movement. The site is surrounded by residential and educational developments that are not conducive to wildlife movement. The Project impact would be ***less than significant***.

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

Less Than Significant Impact. The City of Fresno Municipal Code Section 15-2308 permits the removal of trees, including trees with 12-inch diameter trunks, in conjunction with a development application. Compliance with Fresno Municipal Code Section 13-305 ensures that developers work with City staff to plant appropriate tree species that will provide desirable growth and beauty characteristics and minimize damage to overhead or underground infrastructure or facilities. The Open Space Element of the General Plan directs the City to ensure landmark trees are preserved and the Scenic Highways Element requires City road improvement projects on scenic roads to preserve mature trees. In addition, the project will comply with the policies and goals of the General Plan pertaining to protecting biological resources. The project would not conflict with a local policy or ordinance, and therefore there would be a ***less than significant impact***.

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?

No Impact. The Project site is within the PG&E San Joaquin Valley Operation and Maintenance HCP Area. The HCP only applies to operation and maintenance activities related to PG&E infrastructure. Any PG&E infrastructure work required for the project will be completed by PG&E and will be consistent with all obligations under the HCP. Therefore, the Project would not conflict or interfere with the HCP. The Project is also located in the planning area of the U.S. Fish & Wildlife Service Recovery Plan for Upland Species of the San Joaquin Valley. The Project would not conflict with the Recovery Plan since the site does not provide suitable habitat for the upland

species identified in the Recovery Plan because the Project does not contain grasslands or scrublands and is not adjacent to foothills. There are no other applicable local, regional, or state habitat or natural community conservation plans. Therefore, the Project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. There will be ***no impact***.

Mitigation Measures

2. The proposed project shall implement and incorporate the Biological Resources related mitigation measures (BIO-1.1, BIO-1.2, and BIO-1.4) as identified in the attached Project Specific Mitigation Monitoring Checklist dated July 2022.

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

The following analysis is based primarily on the February 5, 2021 *Phase I Archaeological and Architectural Survey for the Proposed Azzaro Sr. Affordable Housing Project* by John Brady, M.A. of J&R Environmental Services. Mr. Brady, who served as the Principal Investigator for the project, meets the Secretary of Interior Guidelines for archaeology and architectural history. The full survey report is available as Appendix C to this Initial Study. The following information is excerpted directly from relevant sections of the survey.

Geology/Buried Site Potential

Most of the surface of the San Joaquin Valley is covered with Pleistocene and recent (Holocene) alluvium. This alluvium comprises sediments from the Sierra Nevada Mountains to the east and the Cost Range Mountains to the west, which were carried by water and deposited on the Valley floor. Siltsone, claystone, and sandstone are the primary types of sedimentary deposits (Edaw 2009). The 1958 geologic map shows most of the project area lies within recent basin deposits. The 1981 soil survey maps show the project area within a zone of “Recent and young alluvium, dominantly granitic” (Huntington 1981).

Meyer, Young, and Rosenthal (2010:147) developed an archaeological sensitivity model for the San Joaquin Valley based on geographic factors including landform, soil type, slope, and proximity to water. They identified the project area as having a low potential for the presence of buried archaeological deposits.

A review of the 1923 USGS Malaga, California 7.5 Minute Quadrangle suggests the nearest natural water source (the San Joaquin River) is over eight miles north of the project area. Furthermore, there have been no reported cultural resources (prehistoric/historic) within or adjacent to the project site. The only bodies of water within the project area are carried through man-made irrigation ditches and canals.

Based on the archaeological sensitivity model developed by Far Western Anthropological Research Group (Meyer et al. 2010) and a review of soil survey maps (Huntington 1981) as well as previous commercial and residential development, there have been no reported surface or buried cultural resources within the project site or adjacent to it.

Archaeological Context

Archaeological investigations in the Sierra Nevada and the San Joaquin Valley have been ongoing since the 1920s. Today, through the diligence and dedication of many researchers, we have a much clearer picture of the area's prehistory (Ambro, Peck and Crist 1980: IV.A).

For a full discussion of the archaeological investigations that have been conducted in the Central Valley, the reader should refer to Moratto (1984) and Rosenthal, White, and Sutton (2007). In general, the cultural history of the San Joaquin Valley and the Southern Sierra Nevada can be viewed in relation to the Central California Taxonomic System developed by Lillard, Heizer, and Fenenga (1939), refined by Beardsley (1954), further refined by Fredrickson (1973 and 1974), and supported by Rosenthal, White, and Sutton (2007). Fredrickson proposed the following sequences:

- Paleo-Indian period (ca. 11,550 to 8550 B.C.) is evidenced by fluted projectile points, stemmed points, and chipped stone crescentics;
- Lower Archaic Period (ca. 8550 to 5550 B.C.) is evidenced by the use of the atlatl dart points (Pinto and Elko) and the portable milling slab and handstone;
- Middle Archaic Period (ca. 5550 to 550 B.C.) is distinguished by the addition of the bowl mortar and pestle to the lower archaic assemblage;
- Upper Archaic Period (ca. 550 B.C. to A.D. 1100) where the atlatl dart points in different styles; the milling stone and handstone were completely replaced by the bowl mortar and pestle; and the bow and arrow are introduced with small projectile points; and
- Emergent Period (A.D. 1100 to 1850) when important technological shifts show the wide use of the mortar and pestle and the hopper mortar, as well as the abandonment of the atlatl and dart that is replaced with the bow and arrow.

Ethnographic Summary

Prior to the arrival of Euro-Americans in the Greater Central Valley, most of the valley along with the bordering foothills of the Sierra Nevada and Coastal Range were inhabited by speakers of the Yokutsan languages (Wallace 1978:448). During the prehistoric period, several aboriginal groups occupied the floodplains of the Big Dry Creek and Little

Dry Creek and the area south of the San Joaquin River. These groups included the Gahsowu, Wakichi, and Kechayi of the Yokuts. The Dumna, Tolteche, and Daliche Yokuts exploited the north side of the San Joaquin River (Latta 1977:163; Gayton 1948:153).

These groups as well as other Yokuts groups were politically organized into small tribes, each with its own distinctive name, dialect, settlements, and recognized territories which usually encompassed no more than two drainages (Spier 1978a:473 cited in INFOTEC 1988:25). Permanent wintering areas usually occurred around major watercourses like the San Joaquin River or the Kings River. From these areas they moved out to temporary seasonal camp sites to take advantage of the "seasonal resource-procurement cycle."

Yokuts groups utilizing the natural resources along Fancher Creek to the east of the project area may have been the Wechihit, Wechahet, or Wetehit (pluaral Wichehati). Krober (1976:483) notes this group occupied the area around Centerville, also known as the Kings River, at Sanger, and toward Reedley. However, Latta (1988:171) raises issues as to the actual existence of the Wechihit. He remarks that "Juila Davis, the full blood Choinumne and Ben Hancock, half-blood Choinumne, both insisted that they did." The estimated population of the tribe was 450 people.

Project Area Specific History

The subject property was formerly located within the Easterby Rancho Subdivision that included 128 lots of varying sizes (minimum of 20 acres). The subdivision was platted in 1879. The subdivision was surveyed in 1879 and filed with the Fresno County Assessor's Office by Nathan K. Masten (Fresno County Assessor's Records 1879).

Archival research identified L.D. Dalton as the owner of Lot 20 of the Easterby Rancho Subdivision in 1920. Sixteen years later, the 20-acre lot was still owned by Mr. Dalton. Most of the land within and adjacent to the project site was owned by small family farmers (Progressive Map Services 1920 and 1936).

A review of historic aerial photographs indicates that by 1959, the entire 4.83-acre parcel was planted in olives (Henry Madden Map and Aerial Collection 1959). This small parcel was owned by the Azzaro family in 1959. According to 1965 historic aerial photographs, the former Azzaro residence was constructed circa 1963 (historicaerials.com 1965). By 1970, the olive orchard had been reduced by two-thirds. At some point in the 1980s, the northern two-thirds of the property were now planted in almonds. Between 2002 and 2005 the almond orchard was torn out (historicaerials.com). Most of the surrounding area was both commercially and residentially developed (Henry Madden Map and Aerial Collection 1965 and 1970).

DISCUSSION

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

Less than Significant with Mitigation Incorporated. J&R Environmental Services requested that the Southern San Joaquin Valley Information Center (SSJVIC) located on the campus of California State University, Bakersfield in Bakersfield, California, conduct a priority record search on December 15, 2020 (Appendix B). The purpose of the record search was to determine the existence and characteristics of all previously recorded cultural resources within the general vicinity of the project area (Figure 2). Records, maps, and files at the SSJVIC were consulted. These files include known and recorded archaeological and historic sites; inventory and excavation reports filed with that office.

The SSJVIC as a part of the records search (RS File No. 20-459) determined that there were no recorded cultural resources within the project site; nor were there any resources within a one-eighth mile radius of the project area. There have been six cultural resource surveys within portions of the project site and two additional surveys conducted within a one-eighth mile radius of the project site. Those surveys completed within portions of the project site include: FR-00106 (William Self Associates 1995); FR-00357 (Christ and Varner 1981); FR-00641 (Peck 1977); FR-01156 (Committee on Sierra Foothills Public Archaeology 1968); FR-01162 (Stuart 1990); and FR-02701 (Greenwald 2011). Two surveys within one-eighth mile of the project site include: FR-2655 (Willers 2014) and FR-02965 (Leigh 2018).

Additional sources consulted by the SSJVIC included the National Register of Historic Places, the California Register of Historical Resources, California Historical Landmarks List, Points of Historical Interest, the Historic Property Data File, the California Inventory of Historic Resources, as well as site records and existing cultural resources reports.

There are no known cultural resources that are on the National Register, the California Register, California Historical Landmark List, or Points of Historical Interests within the project site or within the one-eighth mile radius of the project site.

One circa-1963 single-family residence and one ancillary building (pump house) were identified, photographed, and formally evaluated for the California Register of Historical Resources (Appendix B). The formal evaluation resulted in a determination that the historic-era buildings within the property identified as APN 462-042-25 do not meet any of the qualifying criteria (Criterion 1-4) for the California Register of Historical Resources. No historic-era extant buildings are eligible for the California Register of Historical Resources under any qualifying criteria. Therefore, no further architectural studies are required; however, if project plans change to include areas not considered in this report, additional studies may be required.

While there is no evidence that historical resources exist on the Project site, there is some possibility that hidden and buried resources may exist on the Project site with

no surface evidence which would be potentially significant. Thus, to further assure construction activities do not result in significant impacts to any potential cultural resources discovered below ground surface, the Project shall incorporate *Mitigation Measure CUL-1*. If such resources were discovered, then implementation of the required mitigation measure would reduce the impact to less than significant. As a result, the Project would have a less than significant impact with mitigation incorporated.

CUL-1: If previously unknown resources are encountered before or during grading activities, construction shall stop in the immediate vicinity 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 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 and the City's Historic Preservation Ordinance. If the resources are determined to be unique historical resources as defined under Section 15064.5 of the CEQA Guidelines, measures shall be identified by the monitor and recommended to the Lead Agency. Appropriate measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds.

No further grading shall occur in the area of the discovery until the Lead Agency approves the measures to protect these resources. Any historical artifacts recovered as a result of mitigation shall be provided to a City-approved institution or person who is capable of providing long-term preservation to allow future scientific study. (Project Specific Mitigation Measure CUL-1.1)

Therefore, the Project will have a ***less than significant impact with mitigation incorporated*** on historical resources.

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

Less Than Significant Impact with Mitigation Incorporation. J&R Environmental Services conducted an archaeological pedestrian survey of the Project site consisting of north / south transects spaced at 10-meter intervals. The survey identified no surface manifestations of archaeological artifacts, deposits, or features that qualify as cultural resources under CEQA. Based on the results of the archaeological survey for the Project, no further investigations are required.

Although no cultural or archaeological resources, or human remains have been identified in the Project area, the possibility exists that such resources or remains may be discovered during Project site preparation, excavation and/or grading activities.

CEQA requires the mitigation of potential impacts as much as reasonably feasible even if the impacts are less than significant. Implementation of Project Specific mitigation measures CUL – 1.1 pertaining to protection of cultural resources will help ensure that the Project will result in ***less than significant impact with mitigation incorporation***.

Mitigation Measure:

CUL-1.1: If previously unknown resources are encountered before or during grading activities, construction shall stop in the immediate vicinity 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 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 and the City's Historic Preservation Ordinance. If the resources are determined to be unique historical resources as defined under Section 15064.5 of the CEQA Guidelines, measures shall be identified by the monitor and recommended to the Lead Agency. Appropriate measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds. No further grading shall occur in the area of the discovery until the Lead Agency approves the measures to protect these resources. Any historical artifacts recovered as a result of mitigation shall be provided to a City-approved institution or person who is capable of providing long-term preservation to allow future scientific study.

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

Less Than Significant Impact with Mitigation Incorporation. In addition to the records search noted above with the SSJVIC, J&R Environmental Services additionally sent on December 2, 2020 a letter to the Native American Heritage Commission (NAHC), Sacramento, California (Appendix C) seeking any information regarding prehistoric, historic, or ethnographic land use. A Sacred Lands File search was also requested as well as a list of contacts that might have information concerning the project area. On January 7, 2021, the NAHC responded that the results of the Sacred Lands File search were negative. The NAHC also provided a list of Native American tribes that may have knowledge of cultural resources in the project area, and recommended contacting said tribes. A total of 17 individuals representing 14 local tribal groups were contacted via letter. No substantive comments were received by any tribal representatives. Full details of tribal responses can be found in the report in Appendix C to this Initial Study.

Although no cultural or archaeological resources, or human remains have been identified in the Project area, the possibility exists that such resources or remains may be discovered during Project site preparation, excavation and/or grading activities.

CEQA requires the mitigation of potential impacts as much as reasonably feasible even if the impacts are less than significant. Implementation of Project Specific mitigation measures CUL – 3 pertaining to protection of cultural resources will help ensure that the Project will result in ***less than significant impact with mitigation incorporation***.

Mitigation Measure:

CUL-3: 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 (HSC) Section 7050.5, no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to 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 descendent 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 landowner 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 landowner has discussed and conferred with the most likely descendants regarding their recommendations, if applicable, taking into account the possibility of multiple human remains. The landowner shall discuss and confer with the descendants all reasonable options regarding the descendants' preferences for treatment.

Mitigation Measures

3. The proposed project shall implement and incorporate the Cultural Resources related mitigation measures (CUL-1, CUL-1.1 & CUL-1.3) as identified in the attached Project Specific Mitigation Monitoring Checklist dated July 2022.

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

DISCUSSION

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

Less Than Significant Impact. Appendix G of the State CEQA Guidelines provides significance thresholds for the evaluation of a number of environmental impacts, but does not provide specific thresholds for the evaluation of impacts related to energy resources. Appendix F of the State CEQA Guidelines requires consideration of the potentially significant energy implications of a proposed Project. While Appendix F does not provide specific thresholds for energy use, it recommends consideration of the potential energy impact of proposed projects, with particular emphasis on avoiding or reducing inefficient, wasteful, and unnecessary consumption of energy (Public Resources Code Section 21100, subdivision [b][3]).

The proposed Project includes the development of a 112-unit senior affordable housing complex with on-site manger's/caretaker's unit in a developed urban area of Fresno. The Project includes a range of apartment types and unit sizes, communal facilities, pool, and property-management office uses. The Project would include open space areas as proposed as part of the multi-family buildings in accordance with City standards. The Project includes on-site parking, landscaping, and infrastructure improvements.

The amount of energy used at the Project site would directly correlate to the size of the proposed buildings, the energy consumption of associated appliances and

technology, and outdoor lighting. Other major sources of proposed Project energy consumption include fuel used by vehicle trips generated during Project construction and operation, and fuel used by off-road construction vehicles during construction.

Limitations on idling of vehicles and equipment and requirements that equipment be properly maintained would result in fuel savings. California Code of Regulations Title 13, Sections 2449(d) (3) and 2485, limit idling from both on-road and off-road diesel-powered equipment and are enforced by the CARB. In addition, given the cost of fuel, contractors and owners have a strong financial incentive to avoid wasteful, inefficient, and unnecessary consumption of energy during construction.

The proposed Project would use energy resources for the operation of Project buildings (electricity and natural gas), for on-road vehicle trips (e.g. gasoline and diesel fuel) generated by the proposed Project, and from off-road construction activities associated with the proposed Project (e.g. diesel fuel). Each of these activities would require the use of energy resources. The proposed Project would be responsible for conserving energy, to the extent feasible, and relies heavily on reducing per capita energy consumption to achieve this goal, including through Statewide and local measures, such as City of Fresno General Plan objectives, policies, and Municipal Code standards. Proposed reduction policies or standards include but are not limited to:

<u>Fresno General Plan:</u>

- RC-8-b: Reduce per capita residential electricity use to 1,800 kWh per year and non-residential electricity use to 2,700 kWh per year per capita by developing and implementing incentives, design and operation standards, promoting alternative energy sources, and cost-effective savings.

- RC-8-c: Consider providing an incentive program for new buildings that exceed California Energy Code requirements by 15 percent.

- RC-8-e: Promote compliance with State law mandating disclosure of a building's energy data and rating of the previous year to prospective buyers and lessees of the entire building or lenders financing the entire building.

<u>Fresno Municipal Code:</u>

- Section 11-731: All new HVAC and new lighting systems shall comply with the current energy conservation requirements contained in Part 6 of Title 24 of the California Code of Regulations (California Energy Code). An existing building with a dwelling unit or joint living and work quarter need not comply with the building envelope requirements of the California Energy Code, if the building envelope is not altered in anyway due to compliance with other code requirements.

- Section 11-108: The California Energy Code, 2019 Edition as promulgated by the California Building Standards Commission is hereby adopted by the City of Fresno and incorporated into the Code and shall be referred to as the Fresno Energy Code. One copy of the California Energy Code is on file and available for use by the public in the Planning and Development Department, Building and Safety Services Division.

- Section 11-101: The California Building Code (CBC) was last amended in 2019 and incorporates the adoption of the 2018 Edition of the of the International Building Code as amended with necessary California amendments and the 2018 International Building Code of the International Code Council, with the exception of Appendix B. to the CBC, along with the City's amendments to the CBC provided in Section 11-102, are referred to as the Fresno Building Code.

- In addition, energy-saving regulations, including the latest State Title 24 building energy efficiency standards ("part 6"), would be applicable to the proposed Project further reducing any energy-related impact that the Project may produce.

As a result, the proposed Project would not result in any significant adverse impacts related to Project energy requirements, energy use inefficiencies, and/or the energy intensiveness of materials by amount and fuel type for each stage of the Project including construction, operations, maintenance, and/or removal. PG&E, the electricity and natural gas provider to the site, maintains sufficient capacity to serve the proposed Project. The proposed Project would comply with all existing energy standards, and would not result in significant adverse impacts on energy resources. For these reasons, the proposed Project would not be expected to cause an inefficient, wasteful, or unnecessary use of energy resources nor cause a significant impact on any of the thresholds as described by Appendix F of the CEQA Guidelines. The impact will be ***less than significant.***

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

Less Than Significant Impact. As mentioned previously, the Project will utilize energy resources during the construction and operation of the Project. Energy consumption may include but is not limited to: electric and natural gas consumption during Project operation, pedestrian vehicle trips, construction vehicle trips, and various construction activities.

Applicable state and local plans for renewable energy and energy efficiency apply to the proposed Project, such as the Building Energy Efficiency Standards – Title 24, California Green Building Code, the City of Fresno General Plan, and the City of Fresno Development Code. The applicable energy related State codes have been

incorporated as the City's development standards and are implemented on a site-by-site basis. In addition, each project proposed within the City will be reviewed prior to construction in order to confirm compliance with these applicable energy policies. Therefore, upon the issuance of building permits, the Project will be considered compliant with the City General Plan policies in addition to Title 24 and California Green Building Code Standards which are consistent with applicable state plans for over-energy reduction.

Furthermore, according to the State of California Energy Action Plan II, the majority of annual energy savings is due to utility efficiency programs such as the Statewide Renewable Portfolio Standard (RPS), followed by building standards. PG&E is responsible for the mix of energy resources used to provide electricity for its customers, and it is in the process of implementing the State-wide Renewable Portfolio Standard (RPS) to increase the proportion of renewable energy (e.g. solar and wind) within its energy portfolio. PG&E is expected to achieve at least a 33% mix of renewable energy resources by 2020 and 50% by 2030.

Since the Project Site is primarily vacant and will not utilize any existing structures currently on site, the future development will consist of new structures and will be required to implement all applicable development standards pursuant to the City of Fresno, Building Energy Efficiency Standards - Title 24, and California Green Building Code. In conclusion, energy impacts would be considered ***less than significant***.

Mitigation Measures

There are no mitigation measures for the Project, as proposed, relating to Energy.

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

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?			X	
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?				X
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?		X		

The Project site is located within the San Joaquin Valley, a broad structural trough bounded by the Sierra Nevada and Coast Ranges of California. The San Joaquin Valley, which comprises the southern portion of the Great Valley of California, has been filled with several thousand feet of sedimentary deposits. Sediments in the eastern valley, derived from the erosion of the Sierra Nevada, have been deposited by major to minor west-flowing drainages and their tributaries. Near-surface sediments are dominated by sands and silty sands with lesser silts, minor clays, and gravel. The sedimentary deposits in the region form large coalescing alluvial fans with gentle slopes.

The Project site is depicted on the USGS 7.5-minute Malaga, California topographic quadrangle map, and is shown to be underlain by recent alluvial deposits of sandy loam probably of the Modesto Formation. These sediments are characterized by their concentrations of sand, silty, and clay. Sandy loam is relatively equal in proportion with respect to all three of these fractions. The Project site contains mostly Hanford sandy loam (Hc) (54 percent) with minor amounts of Atwater loamy sand and Greenfield sandy loam.

The nearest known active regional fault is the Great Valley Fault Zone, approximately 40 miles southwest of the project site. The San Andreas Fault is approximately 80 miles southwest of the project site. The Clovis Fault is the closest potentially active fault to the project site and is located 11 miles northeast of the site.

DISCUSSION

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

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

Less Than Significant Impact. This impact analysis evaluates the proposed Project's potential to expose persons or structures to seismic hazards (fault rupture, ground shaking, ground failure, and land sliding). Each of these hazards and their potential environmental impacts are discussed below.

Fault Rupture

The project site is not located within a currently designated Alquist-Priolo Earthquake Fault Zone. There are no known major or active faults crossing the site or in close proximity to the site. The nearest known active regional fault is the Great Valley Fault Zone, approximately 40 miles southwest of the project site. The San Andreas Fault is approximately 80 miles southwest of the project site. The Clovis Fault is the closest potentially active fault to the project site and is located 11 miles northeast of the site. Since no known surface expression of active faults is believed to cross the site, fault rupture through the site is not anticipated. ***Less than significant impacts*** would occur.

ii. Strong seismic ground shaking?

Less Than Significant Impact. This impact analysis evaluates the proposed Project's potential to expose persons or structures to seismic hazards (fault rupture, ground shaking, ground failure, and land sliding). Each of these hazards and their potential environmental impacts are discussed below.

Strong Ground Shaking

The California Geological Survey maintains a web-based computer model that estimates probabilistic seismic ground motions for any location within California. The computer model estimates the "Design Basis Earthquake" ground motion, which is defined as the peak horizontal ground acceleration with a 10-percent chance of exceedance in 50 years (475-year return period). The project site is located in the City of Fresno which utilizes Seismic Design Categories C and D. The proposed project would consist of occupancy groups in Category II - most buildings and structures of ordinary occupancy (e.g., residential, commercial, and industrial buildings), thus requiring design in accord with Category C.

Although the City of Fresno is located in an area of low seismic activity, the faults and fault systems that lie along the eastern and western boundaries of Fresno County, as well as other regional faults, have the potential to produce high-magnitude earthquakes throughout the County. The City of Fresno is located on alluvial deposits, which tend to experience greater ground shaking intensities than areas located on hard rock. However, the distance to the faults that are the expected sources of the shaking would be sufficiently great that the effects should be minimal. Additionally, the proposed project does not include any activities or components which could feasibly cause strong seismic ground shaking, either directly or indirectly. There will therefore be a ***less than significant impact***.

iii. Seismic-related ground failure, including liquefaction?

Less Than Significant Impact. This impact analysis evaluates the proposed Project's potential to expose persons or structures to seismic hazards (fault rupture, ground shaking, ground failure, and land sliding). Each of these hazards and their potential environmental impacts are discussed below.

Seismic Related Ground Failure (including Liquefaction)

The potential for seismic related ground failure (liquefaction, lateral spreading, and lurching) occurring on the project site is minimal because of the absence of high groundwater levels and saturated loose granular soil on the project site. In addition, the intensity of ground shaking from a large, distant earthquake is expected to be relatively low on the project site and, therefore, would not be severe enough to induce liquefaction on site. These characteristics indicate that the project site has a low susceptibility to liquefaction and liquefaction-related phenomena. Because the project site is within an area of low seismic activity, and the soils associated with the project site are not suitable for liquefaction, impacts will be ***less than significant***.

iv. Landslides?

Less Than Significant Impact. This impact analysis evaluates the proposed Project's potential to expose persons or structures to seismic hazards (fault rupture, ground shaking, ground failure, and land sliding). Each of these hazards and their potential environmental impacts are discussed below. There are no substantial slopes on or near the project site. Therefore, the opportunity for slope failure in response to the long-term geologic cycle of uplift, mass wasting, and difference of slopes is unlikely and impacts will be ***less than significant***.

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

Less Than Significant Impact. Minimal soil will be removed from the Project site during construction. Although these construction activities will result in a loss of topsoil, any soil erosion impacts would be temporary and subject to best management practices required by a site-specific Stormwater Pollution Prevention Plan (SWPPP). These best management practices are developed to prevent significant impacts related to erosion from construction. Because impacts related to erosion would be temporary and limited to construction and required best management practices would prevent significant impacts related to erosion, the impact will remain ***less than significant***.

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?

Less Than Significant Impact. There are no geologic hazards or unstable soil conditions known to exist on the site. The existing topography is relatively flat with no apparent unique or significant landforms such as vernal pools. Development of the property requires compliance with grading and drainage standards of the City of Fresno. A civil engineer or soils engineer registered in this state shall complete a Soils Investigation and Evaluation Report during the preparation of the improvement plans. The investigation will address the detail of the configuration, location, type of loading of the proposed structures, and drainage plan. The report shall provide detailed recommendation for foundations, drainage, and other items. The preparation of the Soils Investigation and Evaluation Report is an existing standard and will be completed as a part of the project. Impacts will be ***less than significant***.

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

Less Than Significant Impact. Expansive soils contain large amounts of clay, which absorb water and cause the soil to increase in volume. Conversely, the soils associated with the proposed project site are granular, well-draining and somewhat excessively drained, and therefore have a limited ability to absorb water or exhibit expansive behavior. The soils associated with the project are not suitable for expansion, therefore, implementation of the project will pose no direct or indirect risk to life or property caused by expansive soils and the impact will be ***less than significant***.

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

No Impact. The proposed project would not include the use of septic tanks or any other alternative wastewater disposal systems. The dwelling units will be required to tie into the existing sewer services. Therefore, there will be ***no impact***.

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

Less Than Significant with Mitigation Incorporation. According to the Fresno General Plan PEIR, there are no known paleontological resources that exist within the Project site. Nevertheless, previously unknown paleontological resources could be disturbed during Project construction. Therefore, due to the ground disturbing activities that will occur as a result of the Project, the Project Specific Mitigation Monitoring Checklist to address archaeological resources, paleontological resources, and human remains will be employed to guarantee that, should archaeological and/or animal fossil material be encountered during Project excavations, then work shall stop immediately; and, that qualified professionals in the respective field are contacted and consulted in order to ensure that the activities of the proposed Project will not involve physical demolition, destruction, relocation, or alteration of historic, archaeological, or paleontological resources. Mitigation Measure GEO-6.1 will reduce the impacts to paleontological resources to a ***less than significant impact with mitigation incorporation***.

Mitigation Measures:

GEO-6.1 Subsequent to a preliminary City review of the project grading plans, if there is evidence that a project will include excavation or construction activities within previously undisturbed soils, a field survey and literature search for unique paleontological/geological resources shall be conducted. The following procedures shall be followed:

- If unique paleontological/geological resources are not found during either the field survey or literature search, excavation and/or construction activities can commence. In the event that unique paleontological/geological resources are discovered during excavation and/or construction activities, construction shall stop in the immediate vicinity of the find and a qualified paleontologist shall be consulted to determine whether the resource requires further study. The qualified paleontologist shall make recommendations to the City 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. If the resources are determined to be significant, mitigation measures shall be identified by the monitor and recommended to the Lead Agency. Appropriate mitigation measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds. No further grading shall occur in the area of the discovery until the Lead Agency approves the measures to protect these resources. Any paleontological/geological

resources recovered as a result of mitigation shall be provided to a City-approved institution or person who is capable of providing long-term preservation to allow future scientific study.

- If unique paleontological/geological resources are found during the field survey or literature review, the resources shall be inventoried and evaluated for significance. If the resources are found to be significant, mitigation measures shall be identified by the qualified paleontologist. Similar to above, appropriate mitigation measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds. In addition, appropriate mitigation for excavation and construction activities in the vicinity of the resources found during the field survey or literature review shall include a paleontological monitor. The monitoring period shall be determined by the qualified paleontologist. If additional paleontological/geological resources are found during excavation and/or construction activities, the procedure identified above for the discovery of unknown resources shall be followed.

Mitigation Measures

4. The proposed project shall implement and incorporate the Geology and Soils related mitigation measures (GEO-6.1) as identified in the attached Project Specific Mitigation Monitoring Checklist dated July 2022.

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

Environmental Setting

In assessing the significance of impacts from GHG emissions, Section 15064.4(b) of the CEQA Guidelines states that a lead agency may consider the following:

- *The extent to which the project may increase or reduce GHG emissions as compared to the environmental setting;*
- *Whether the project emissions exceed a threshold of significance that the lead agency determines applies to the project;*
- *The extent to which the project complies with regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of greenhouse gas emissions.*

Guidance for Valley Land-use Agencies in Addressing GHG Emission Impacts for New Projects under CEQA

As part of the SJVAPCD *Climate Change Action Plan* (CCAP), SJVAPCD adopted its *Guidance for Valley Land-use Agencies in Addressing GHG Emission Impacts for New Projects* under CEQA and the policy *District Policy – Addressing GHG Emission Impacts for Stationary Source Projects Under CEQA When Serving as the Lead Agency* in 2009.[14,]

14 San Joaquin Valley Air Pollution Control District. (2009). Guidance for Valley Land-use Agencies in Addressing GHG Emission Impacts for New Projects under CEQA. Accessed November 21, 2023, http://www.valleyair.org/Programs/CCAP/12-17-09/3%20CCAP%20-%20FINAL%20LU%20Guidance%20-%20Dec%2017%202009.pdf.

[15] Through this guidance document, SJVAPCD recognized that project-specific emissions are cumulative and could be considered cumulatively considerable without mitigation.

SJVAPCD suggests that the requirement to reduce GHG emissions for all projects is the best method to address this cumulative impact. In addition, this guidance provides screening criteria for climate change analyses, as well as draft guidance for the determination of significance. As shown in **Figure** , these criteria are used to evaluate whether a project would result in a significant climate change impact. Projects that meet one of these criteria would have less than significant impact on the global climate.

1. *Exempt from CEQA;*
2. *Complies with an approved GHG emission reduction plan or GHG mitigation program;*
3. *Achieves 29 percent GHG reductions by using approved Best Performance Standards; or*
4. *Achieves AB 32 targeted 29 percent GHG reductions compared with "business as usual."*

The significance thresholds are based on the target established by CARB's Assembly Bill (AB) 32. AB 32 requires CARB to develop regulations to reduce the state's GHG emissions to their 1990 levels by 2020. AB 32 resulted in the AB 32 Scoping Plan, first approved in 2008. The 2017 Scoping Plan is the second update, reflecting targets established by Executive Order B-30-15 and codified in Senate Bill (SB) 32. SB 32 codifies reduction targets of at least 40 percent below 1990 levels by 2030 and 80 percent below 1990 levels by 2050. CARB adopted the 2022 Scoping Plan on December 16, 2022 that addresses long-term GHG goals set forth by AB 1279.[16] The 2022 Scoping Plan outlines the State's pathway to achieve carbon neutrality and an 85 percent reduction in 1990 emissions goal by 2045. In the 2022 Scoping Plan, CARB advocates for compliance with a local GHG reduction strategy consistent with CEQA Guidelines section 15183.5.

Further, the SJVAPCD requires quantification of GHG emissions for all projects which the lead agency has determined that an EIR is required. Although an EIR is not required for the Project, the GHG emissions are quantified below. Short-term construction and long-term operational GHG emissions for project buildout were estimated using CalEEModTM (v.2020.4.0). (Appendix A). CalEEMod is a statewide model designed to provide a uniform platform for government agencies, land use planners, and environmental professionals to quantify GHG emissions from land use projects. The model quantifies direct GHG emissions from construction and operation (including vehicle use), as well as indirect GHG emissions, such as GHG emissions from energy use, solid waste disposal, vegetation planting and/or removal, and water use. Emissions are expressed in annual

15 San Joaquin Valley Air Pollution Control District. (2000). Environmental Review Guidelines: Procedures for Implementing the California Environmental Quality Act. Accessed November 21, 2023, http://www.valleyair.org/transportation/CEQA%20Rules/ERG%20Adopted%20_August%202000_.pdf

16 The Final 2022 Scoping Plan was released on November 16, 2022 and adopted by ARB on December 16, 2022.

metric tons of CO2 equivalent units of mindividualMTCO2e), based on the global warming potential of the individual pollutants.

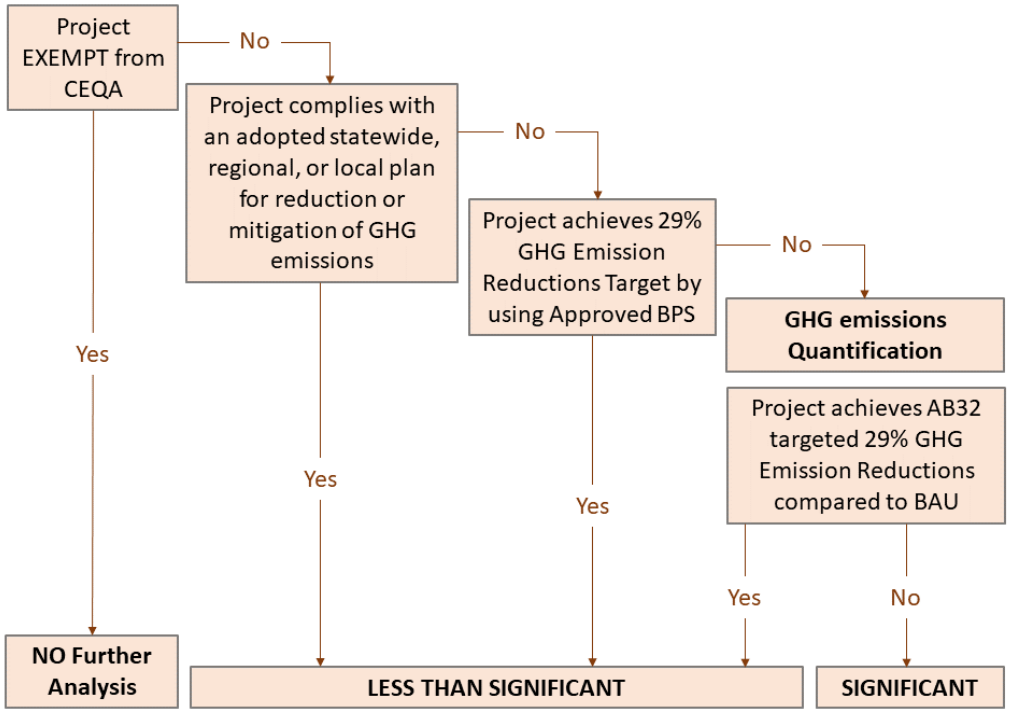

Figure 6 SJVAPCD's GHG Thresholds of Significance

Source: SJVAPCD Guidance for Valley Land-use Agencies in Addressing GHG Emission Impacts for New Projects under CEQA – Land Use Development Projects 2009

City of Fresno GHG Reduction Plan

As part of implementation of the General Plan, the City of Fresno adopted the Climate Action Plan, referred to as the Greenhouse Gas Reduction Plan (GHG Reduction Plan), first in 2014 and updated in 2021. The GHG Reduction Plan provides the City's primary strategy for reducing GHG emissions. The intent of the GHG Reduction Plan is to achieve compliance with State GHG reduction mandates by focusing on feasible actions the City can take to minimize the adverse impacts of growth and development on climate change.

The GHG Reduction Plan incorporates targets set by AB 32 and SB 32, in addition to the 2015 Newhall Ranch Specific Plan decision by the California Supreme Court invalidating an EIR for a variety of reasons, including the use of 29 percent BAU as a significance threshold for GHG emissions without supporting evidence.[17] The GHG Reduction Plan is considered a "Qualified Plan," according to California Environmental Quality Act (CEQA) Guidelines Section 15183.5. The proposed Project's consistency with the GHG Plan Update is assessed and is used to make a significance determination related to GHG impacts.

17 *Center for Biological Diversity v. Dept. of Fish & Wildlife* (2015) 62 Cal.4th 204.

New Discretionary Development Approval Process to determine Consistency with GHG Reduction Plan

Projects requiring discretionary approval from the City are required to comply with CEQA provisions related to GHG emissions. Projects that demonstrate consistency with the GHG Reduction Plan "CEQA Consistency Checklist" are consistent with the GHG Reduction Plan and are considered CEQA-complaint for GHG impacts.[18]

1. *Review the GHG Reduction Plan Project Update CEQA Consistency Checklist that lists the local GHG reduction strategies identified in the GHG Reduction Plan Update to determine applicability to the project.*
2. *Incorporate design features or mitigation measures into the project as needed to demonstrate consistency.*
3. *Implement project design features suitable for the development type and location.*

Review Process for New Discretionary Development Requiring a General Plan Amendment

For new discretionary development requiring a General Plan Amendment or Rezone, the following review process applies:

1. *Comply with all of the applicable measures listed above for ministerial and discretionary projects.*
2. *Ensure that change in land use designation would not result in a significant increase in GHG emissions compared to the existing designation (would require a GHG technical study to quantify GHG emissions and benefits of project design features).*
3. *Projects currently designated for residential or commercial development that increase development densities and intensities and comply with the relevant GHG reduction strategies in the General Plan, or provide quantified GHG emission reduction calculations which demonstrates that the project would mitigate the cumulative GHG emissions, are considered to have a less than significant GHG impact.*
4. *Emissions from stationary sources for new industrial projects are not considered in the significance determination; however, emissions from motor vehicles trips generated by the project and energy efficiency of the building are considered. (Note: this step is not applicable to the Project because the Project does not propose an industrial use)*
5. *Projects that propose decreases in development densities or intensities requiring a General Plan amendment will require analysis of GHG emissions to determine the impacts on the General Plan land use strategy and must identify mitigation*

18 City of Fresno. (2021). Greenhouse Gas Reduction Plan Update. Accessed on December 9, 2022, https://www.fresno.gov/darm/wp-content/uploads/sites/10/2021/03/Link4AppendixGGHGRPUpdate.pdf

measures to reduce greenhouse gas emissions beyond those required by regulation if needed. (Note: this step is not applicable to the Project because the Project proposes an increase in development density/intensity).

If the project requires a general plan amendment, then the project proponent is required to provide estimated GHG project emissions under both existing and proposed designation(s) for comparison, comparing the maximum buildout of the existing designation with the maximum buildout of the proposed designation. If the estimated project emissions at maximum buildout of the proposed designation is equivalent to or less than the estimated project emissions at maximum buildout of the existing designation, then in accordance with the City's significance thresholds, the project's GHG impact is less than significant. If there is a proposed development project associated with the general plan amendment or rezone, then the project proponent is required to complete the GHG Plan Update Consistency Checklist and incorporate applicable measures, otherwise there is no further step required.

If the estimated project emission at maximum buildout of the proposed designation(s) is greater than the estimated project emissions at maximum buildout of the existing designation(s), then in accordance with the City's Significance Determination Thresholds, the project's GHG impact is significant. The project must either show consistency with applicable GP objectives and policies (provide applicable GP objectives and policies here) or provide analysis and measures to incorporate into the project to bring the GHG emissions to a level that is less than or equal to the estimated project emission at maximum buildout of the existing designation(s) unless the decision-maker finds that a measure is infeasible in accordance with CEQA Guidelines Section 15091. If there is a proposed development project associated with this plan amendment and or rezone then complete the GHG Plan Update Consistency Checklist and incorporate applicable measures, otherwise there is no further step required.

Methodology

CalEEMod is a statewide model designed to provide a uniform platform for government agencies, land use planners, and environmental professionals to quantify potential criteria pollutant and greenhouse gas (GHG) emissions from land use projects. The model quantifies direct emissions from construction and operation (including vehicle use), as well as indirect emissions, such as emissions from energy use, solid waste disposal, vegetation planting and/or removal, and water use. The model also identifies mitigation measures to reduce criteria pollutant and GHG emissions. CalEEMod.2020.4.0 was used to estimate construction and operational impacts of the proposed project. Modeling assumptions and output files are provided in **Appendix A**.

DISCUSSION

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

Less Than Significant Impact. As stated in the Environmental Setting, the SJVAPCD Guidance document provides screening criteria for determining significance. Projects that meet one of these criteria would have a less than significant impact. The first criterion, compliance with an approved GHG emission reduction plan, is addressed in criterion b) finding that the Project would be consistent. Therefore, the following analysis quantifies Project-related GHG emissions from direct and indirect sources resulting from construction and operational activities. Under criterion #2, the impacts would be less than significant.

Construction Emissions

GHG emissions generated throughout the duration of construction activities are summarized and shown in **Table** . The SJVAPCD does not have a recommendation for assessing the significance of construction related emissions, however, other jurisdictions such as the Sacramento Metropolitan Air Quality Management District (SMAQMD) have concluded that construction emissions should be included since they may remain in the atmosphere for years after construction is complete. The SMAQMD has established quantitative significance thresholds of 1,100 MT CO_2e per year for the construction phases of land use projects. As such, annual construction emissions below the 1,100 MT CO_2e would have a less than significant cumulative impact on GHGs. As shown in **Table** , the Project would result in a maximum annual construction emissions of 278 MT CO_2e and construction impacts would be less than significant.

Table 5 Summary of Construction-Generated Greenhouse Gas Emissions

Emissions Source	MT CO_{2e} per Year
Annual Construction Emissions (2024)	278
Annual Construction Emissions (2025)	109
Maximum Construction Emissions	**278**
Significance Threshold	**1,100**
Threshold Exceeded?	**No**

Source: CalEEMod runs July 7, 2021

Operational Emissions

Operational emissions were estimated for the Project under two scenarios: earliest operational year/buildout (2025) and 2030. The earliest operational year/buildout scenario and 2030 scenario accounts for Project-specific design features, regulations, and reduction sources identified in CalEEMod, as further described below. These features, regulations, an, d reduction sources are identified in CalEEMod as "mitigation measures," but are considered to represent unmitigated project conditions. The CalEEMod output files with assumptions are provided in **Appendix A**.

- *2025 Project Operational Emissions: Modeling for the buildout of the proposed Project in the earliest operational year (2025) is used to represent the Project's*

*Operational emissions. The modeling assumes compliance with the applicable rules and regulations regarding energy efficiency, vehicle fuel efficiency, renewable energy usage, and other GHG reduction policies. Proposed Project design features are also included in the modeling. (See **Appendix A** for detailed assumptions)*

- *2030 Operational Emissions: Modeling assumptions to include existing applicable regulations and Project design features as well as requirements that will be carried out in 2030. The scenario assesses the Project's consistency with the SB 32, 2030 target which is 40 percent below 1990 emission levels by 2030. The City of Fresno nor the SJVAPCD have adopted quantitative thresholds for the SB 32, 2030 target. In the interim, the Project shall show continued progress toward the SB 32, 2030 target.*
    - *The utilities will be required to increase the use of renewable energy sources to 60 percent by 2030 per SB 100.*

Total operational emissions under the two scenarios are summarized and shown in **Table** . As shown, the Project would achieve a 7.43 percent reduction from the earliest operational year in the 2030 operational year scenario, which demonstrates that GHG emissions are likely to decrease overtime. Therefore, the project would not generate GHG emissions at a scale or scope with the potential to contribute substantially or cumulatively to the generation of GHGs which excess established thresholds. The projects demonstrated reduction in GHGs is in accordance with AB 32 targets and demonstrates progress toward achieving the SB 32 targets.

Table 6 Summary and Comparison of Operational Emissions

Emission Source	Total Operational Emissions (MT CO_2e Per Year)	
	2025 (Earliest Operational Year)	**2030**
Area	71.2	71.2
Energy	218	218
Mobile	511	449
Waste	26.1	26.1
Water	7.99	7.99
Total	**834.29**	**772.29**
Significant Impact?	**No**	**No**

Source: CalEEMod runs January 9, 2023

Overall, the Project shows significant reductions under the 2024 operational year scenario and year 2030 scenario. The estimated reductions indicate that the Project would not inhibit progress toward achieving statewide GHG emissions targets. Therefore, the impact would be less than significant.

Further, the Project would not exceed the thresholds of significance for construction or operation emissions as discussed in Section 3 (Air Quality). Cumulatively, these emissions would not generate a significant contribution to global climate change over

the lifetime of the proposed Project. As such, it can be determined that the Project would not occur at a scale or scope with potential to contribute substantially or cumulatively to the generation of GHG emissions and therefore the impact would be less than significant.

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

Less Than Significant Impact.

The following analysis assesses the Project's compliance with the applicable plans adopted for the purpose of reducing GHG emissions, including CARB's 2022 Scoping Plan and the City of Fresno GHG Reduction Plan. Overall, the project would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing GHG emissions and therefore, impacts would be less than significant.

Consistency with the CARB 2022 Scoping Plan

The first approach recommended by CARB for determining whether a proposed residential development would align with the State's climate goals is to examine whether the project includes key project attributes that reduce operational GHG emissions while simultaneously advancing fair housing. As stated in the 2022 Scoping Plan, residential projects that have all of the key attributes shown in **Table** are considered to be aligned with the State's priority GHG reduction strategies and with the State's climate and housing goals. As such, these projects would be considered to be consistent with the Scoping Plan and would result in a less significant impact under CEQA. However, lead agencies have the discretion under the Scoping Plan, with additional supporting evidence, that projects that incorporate some but not all of the key project attributes are consistent with the State's climate goals. As discussed in **Table** , the Project would be consistent with all applicable key project attributes.

Table 7 Consistency with Key Residential Project Attributes that Reduce GHGs

Priority Areas	Key Project Attributes	Project Consistency
Transportation Electrification	Provides EV charging infrastructure that, at minimum, meets the most ambitious voluntary standard in the California Green Building Standards Code at the time of project approval.	Consistent. The Project consists of a multi-family residential development and proposes 95 parking stalls. Of the 95 parking stalls, 5 stalls would be "EV capable" accounting for 5% of the parking spaces. The project will be required to provide at least 5 additional EV capable parking spaces in accordance with the 2022 California Green Building Standards Code, Title 24, Part 11. Therefore, the Project would provide EV capable parking spaces at 10% of the parking spaces in accordance with the 2022 California

		Green Building Standards Code, Title 24, Part 11 and would be consistent with this attribute.
VMT Reduction	Is located on infill sites that are surrounded by existing urban uses and reuses or redevelops previously undeveloped or underutilized land that is presently served by existing utilities and essential public services (e.g., transit, streets, water, sewer).	Consistent. Per Fresno General Plan Objective UF-12, infill development is defined as being within the City of December 31, 2012 – including the Downtown core area and surrounding neighborhoods, mixed-use centers, and transit-oriented development along major Bus Rapid Transit corridors, and other non-corridor infill areas, and vacant land. According to the City of Fresno GIS Data Viewing Application, the Project site was annexed into the city on September 27, 1982 and is currently underdeveloped. Therefore, the Project would be located on an infill site. Further, the Project site is surrounded by existing urban uses. The site is surrounded by existing residential uses (north, south, west) and an elementary school (east). The surrounding properties north, south, and west of the site are all planned and zoned for residential uses and the property to the east is planned and zoned for Public Facilities. Lastly, because the Project site is located within city limits, the site is presently served by existing utilities and essential public services. Therefore, the Project is consistent with this attribute.
	Does not result in the loss or conversion of natural and working lands.	Consistent. The Project site as it currently exists is partially developed, containing existing single-family residence and fallow orchard land. According to aerial images the last time the site was utilized for crop cultivation was approximately in 2002. In recent years, the open orchard portion of the site has remained follow and is disced annually. Therefore, the Project would not result in the loss or conversion of natural and working lands and is thereby consistent with this attribute.

	Consists of transit-supportive densities (minimum of 20 residential dwelling units per acre), or Is in proximity to existing transit stops (within a half mile),or Satisfies more detailed and stringent criteria specified in the region's SCS.	Consistent. The 2022 Fresno COG Regional Transportation Plan (RTP)/SCS was adopted by Fresno COG on July 28, 2022. The proposed Project is consistent with the adopted RTP/SCS for the following reasons. SB 375 increased the link between housing planning and the RTP. Although the SCS within the RTP indicates that the SCS preferred scenario supplies enough residential housing capacity by jurisdiction to accommodate the eight-year housing need, the proposed Project would further the goals of the SCS by: • *Increasing the housing supply and mix of housing types, tenure, and affordability.* • *Promoting infill development and socioeconomic equity, protecting environmental and agricultural resources, and encouraging efficient development patterns; and* • *Promoting an improved intraregional relationship between jobs and housing.* Therefore, the Project would be consistent with this attribute.
	Reduces parking requirements by: Eliminating parking requirements or including maximum allowable parking ratios (i.e., the ratio of parking spaces to residential units or square feet); or Providing residential parking supply at a ratio of less than one parking space per dwelling unit; or For multifamily residential development, requiring parking costs to be unbundled	Consistent. The Project consists of a multi-family residential development for seniors that would unbundle parking costs from costs to rent a residential unit. Therefore, the Project would be consistent with this attribute.

	from costs to rent or own a residential unit.	
	At least 20 percent of units included are affordable to lower-income residents	Consistent. The Project consists of an affordable housing development for seniors. Therefore, the Project would be consistent with this attribute.
	Results in no net loss of existing affordable units.	Consistent. The Project site as it currently exists is partially developed, containing existing single-family residence and fallow orchard land. According to aerial images the last time the site was utilized for crop cultivation was approximately in 2002. In recent years, the open orchard portion of the site has remained follow and is disced annually. The site does not contain existing affordable units. Therefore, the Project would not result in a no net loss of existing affordable units and would be consistent with this attribute.
Building Decarbonization	Uses all-electric appliances without any natural gas connections and does not use propane or other fossil fuels for space heating, water heating, or indoor cooking.	Consistent. The Project would meet all mandatory requirements for multi-family buildings as outlined in the 2022 Energy Code and verified through the building permit process. The Project would not follow any other GreenPoint ratings. Mandatory requirements apply to building ventilation and indoor air quality, space conditioning systems, water heating systems, electric power distribution, and electric ready buildings. Therefore, the Project would be consistent with this attribute.

Consistency with City of Fresno's GHG Reduction Plan

As stated in the **Environmental Setting**, projects that meet the requirements of the Consistency Checklist contained in the City of Fresno GHG Reduction Plan are presumed to be consistent with the Plan and would be found to have a less than significant impact related to the generation of GHG emission, either directly or indirectly. Therefore, if the proposed Project would be consistent with the GHG Reduction Plan then the Project's impacts related to GHG emissions would be less than significant.

Since the Project consists of discretionary development that requires a General Plan Amendment and Rezone, the GHG Reduction Plan requires modeling of the Project's

GHG emissions under the maximum buildout of the existing land use designation and proposed land use designation utilizing CalEEMod. The maximum buildout of the existing land use designation, Residential – Medium Low Density would be 28 units (4.83 net acres multiplied by 6 dwelling units per acre equals 28 units); the maximum buildout of the proposed land use designation, Residential – Urban Neighborhood would be 144 units (4.83 net acres multiplied by 30 dwelling units per acre equals 144 units). For CalEEMod modeling purposes, the “single-family dwelling” land use type and “low-rise apartments” land use type were used in addition to all default factors. Operational emissions are summarized in **Table .**

Table 8 Comparison of Project and Existing Designation GHG Emissions

Emissions Source	GHG Emissions (Metric Tons CO_2e per Year)	
	Existing Designation	**Proposed Designation**
Area	15.1	90.7
Energy	70.7	278
Mobile	136	637
Waste	6.67	33.3
Water	2.74	10.2
Total	**231.21**	**1,049.2**

***Source**: CalEEMod runs January 9, 2024*

As shown in **Table 8**, the maximum buildout of the existing land use designation generates an estimated 231 metric tons of CO2e per year as opposed to the 1,049 metric tons of CO2e per year that generated by the maximum buildout under the proposed land use designation. Since the maximum buildout under the proposed designation is estimated to generate emissions greater than maximum buildout under the existing designation, then in accordance with the City’s Significance Determination Thresholds, the Project’s GHG impact would be significant unless the Project either shows 1) consistency with all applicable General Plan objectives and policies or 2) provides analysis and measures to incorporate into the Project consistent with the GHG Reduction Plan Consistency Checklist. The GHG Reduction Plan Consistency Checklist is provided in **Table 9**.

As described in **Table 9**, the Project would be consistent with all applicable strategies and relevant General Plan objectives and policies, and no additional measures would be required. In addition, even though the proposed land use designation is anticipated to produce higher levels of GHG emissions as discussed above, Project-specific design features and measures would significantly reduce GHG emissions. Project-specific GHG emissions are shown in **Table 5** under criterion a). As shown, Project operations would generate an estimated 834 MTCO2e at build out/first operational year and approximately 772 MTCO2e at year 2030. Further, as discussed under criterion a), the Project would not occur at a scale or scope with potential to contribute substantially or cumulatively to the generation of GHG emissions and the impact

would be less than significant. Therefore, as evaluated, the Project would not conflict with the City's GHG Reduction Plan and impacts would be less than significant.

Mitigation Measures

There are no mitigation measures for the Project, as proposed, relating to Greenhouse Gas Emissions.

Table 9 City of Fresno GHG Reduction Plan Consistency Analysis

Checklist Item	Relevant General Plan Policy	Consistent with the General Plan?			Explanation
		Yes	No	N/A	
Strategy 1. Land Use and Transportation Demand Management					
a. Does the project include mixed-use, development? For GHG Reduction Plan consistency, mixed-use development is defined as pedestrian-friendly development that blends two or more residential, commercial, cultural, or institutional, uses, one of which must be residential	Policy UF-1-c, LU-3-b, Objective-UF 12, UF-12-a, UF-12-b, UF-12-d, Policy RC-2-a	--	--	N/A	N/A. The Project proposes a multi-family residential development. A mixed-use development is not proposed or permitted. Therefore, this strategy is not applicable.
b. Is the project high density? For GHG Reduction Plan consistency, is the project developed at 12 units per acre or higher?	LU-5-f	Yes	--	--	Consistent. The Project proposes the development of a 112-unit multi-family residential development to occupy one parcel that totals approximately 4.83 net acres. The residential density of the Project would be 23 dwelling units per acre. The Project can thereby be considered high density because it is developed at 12 units per acre or higher. Therefore, the Project is consistent with this strategy.
c. Is the project infill development, pursuant to the General Plan definition of location within the City limits as of December 31, 2012?	LU-2-a, Objective-12, UF-12-a, UF-12-b, UF-12-d	Yes	--	--	Consistent. Per General Plan Objective UF-12, infill development is defined as being within the City of December 31, 2012. According to the City of Fresno GIS Data Viewing Application, the Project site was annexed into the city on September 27, 1982. Therefore, the Project is infill development and is thereby consistent with this strategy.
d. Does the project implement pedestrian bicycle, and transit	Policy UF-1-c, UF-12-e, Policy RC-2-	Yes	--	--	Consistent. The Project site is a developed site with one

linkages with surrounding land uses and neighborhoods? For GHG Reduction Plan consistency, the project must include all sidewalks, paths, trails, and facilities required by the General Plan and Active Transportation Plan, as implemented through the Fresno Municipal Code and project conditions of approval.	a, Objective MT-4,5,6, Policy MT-4-c, Policy MT-6-a, Policy POSS7-h Objective MT 8, Policies MT-8-a, MT-8-b				(1) existing drive approach located on East Tulare Avenue which is proposed to be removed. Two (2) new drive approaches are proposed along North Helm Avenue. East Tulare Avenue, a four-lane, east-west collector forms the southerly site boundary. North Helm Avenue, a two - lane, north-south local collector forms the easterly boundary. Per the Fresno General Plan Circulation Diagram, the design of the East Tulare Avenue should include two to four lanes with a bike lane, sidewalks, on-street parking, and potentially a median. In addition, the design of North Helm Avenue should include two to four lanes potentially with a bike lane, sidewalks, on-street parking, and potentially a median. While there are existing pedestrian facilities adjacent to the site along East Tulare Avenue, there are no existing pedestrian facilities including sidewalks, trails, or paths adjacent to the Project site along North Helm Avenue. There is an existing Class II, striped and marked bike lane and sidewalk on the east and west sides of North Peach Avenue approximately 1,300 feet east of the site. In addition, there is an existing Class I Trail (McKenzie Trail) located approximately 660 feet north of the site. The Active Transportation Plan (ATP) identifies a planned Class II bike lane and sidewalk adjacent to the Project site on East Tulare Avenue. Fresno Area Express Route 22 runs east and west along East Tulare Avenue. In addition, an existing transit stop (420) is located

					at the project site. Stop 542 is located on the south side of East Tulare Avenue. The nearest transit route with service north and south is Route 26, which located 1,300 feet east of the site at the intersection of East Tulare and North Peace Avenues. The Project would result in public street improvements along East Tulare and North Helm Avenues including concrete curb, gutter, sidewalk, and paving per City of Fresno Public Works Standards. The Project would be required to submit Public Improvement Plans for the required off-site improvements through the Building Permit process, for review and approval by the City to ensure improvements would be consistent with adopted City of Fresno Public Works Standards, Specifications, and the approved street plans. Through compliance, the Project would result in improvements to the roadway network consistent with the goals, objectives, and policies of the General Plan and ATP as implemented through the FMC and conditions of approval. Therefore, the Project would implement pedestrian, bicycle, and transit linkages with surrounding land uses and neighborhoods and would include off-site improvements consistent with the General Plan and ATP, as implemented through the FMC and conditions of approval, and is thereby consistent with this strategy.
e. If the project includes mixed-use or high density development, is it	Policy UF-12-a, UF-12-b, LU-3-b,	Yes	--	--	The Project includes high-density development, but

located within ½ mile of a High Quality Transit Area as defined in the City's CEQA Guidelines for Vehicle Miles Traveled? Or, is the project located within 500 feet of an existing or planned transit stop?	Objective MT 8, Policies MT-8-a, MT-8-b				the Project site is not located within ½-mile of an existing or planned High Quality Transit Area as defined by the City's CEQA Guidelines for VMT. However, the Project is located within 500 feet of an existing or planned transit stop. Further, the relevant General Plan policies and objectives are applicable to the proposed Project as described below. General Plan Policy UF-12-a and UF-12-b are applicable to BRT corridors. The Project site is not in the vicinity of an existing or planned BRT corridor. Therefore, these policies are not applicable to the proposed Project. General Plan Policy LU-3-b is applicable to the Downtown Planning Area Plans. The Project site is not located within any Downtown Planning Area Plan. Therefore, this policy is not applicable to the proposed Project. General Plan Objective MT-8 pertains to provision of public transit options. The planning, design, and construction of transit facilities is overseen by FAX. Fresno Area Express Route 22 runs east and west along East Tulare Avenue. In addition, an existing transit stop (420) is located at the project site. Stop 542 is located on the south side of East Tulare Avenue. The nearest transit route with service north and south is Route 26, which located 1,300 feet east of the site at the intersection of East Tulare and North Peach Avenues. Therefore, the Project would implement public transit options that serve existing and future Concentrations

					of residences, employment, recreation and civic uses and are feasible, efficient, safe, and minimize environmental impacts and is thereby consistent with this strategy.
f. Will the project accommodate a large employer (over 100 employees) and will it implement trip reduction programs such as increasing transit use, carpooling, vanpooling, bicycling, or other measures to reduce vehicle miles traveled pursuant to San Joaquin Valley Air Pollution Control District Rule 9410?	Policy MT-8-b, Objective MT-9, Policy MT-10-c, San Joaquin Valley Air Pollution Control District Rule 9410	--	--	N/A	N/A. The Project proposes a multi-family residential development and would not accommodate a large employer. Therefore, this strategy is not applicable.
g. If the project includes modifications to the transportation network, do those improvements meet the requirements of the City of Fresno's Complete Streets Policy, adopted in October 2019? According to the policy, a complete street is a transportation facility that is planned, designed, operated, and maintained to provide safe mobility for all users - including bicyclists, pedestrians, transit vehicles, trucks, and motorists - appropriate to the function and context of the facility while connecting to a larger transportation network.	MT-1-g, MT-1-h	Yes	--	--	Consistent. According to the Complete Streets Policy, all development and new construction projects within the public right-of-way shall be planned, designed, constructed, operated, and maintained so that all modes of transportation allow all users to move safely, comfortably, conveniently, and independently. The Project would result in public street improvements along East Tulare and North Helm Avenues including concrete curb, gutter, sidewalk, and paving per City of Fresno Public Works Standards. The Project would be required to submit Public Improvement Plans for the required off-site improvements through the Building Permit process, for review and approval by the City to ensure improvements would be consistent with adopted City of Fresno Public Works Standards, Specifications, and the approved street plans. Through compliance, the Project would result in improvements to the roadway network consistent with the City's Complete Streets Policy. Therefore, the Project is

					consistent with this strategy.
h. Does the project have a less than significant VMT impact, either through satisfying screening criteria or mitigating VMT impacts, pursuant to the City's adopted VMT thresholds?	MT-2-b, MT-2-c	Yes	--	--	Consistent. The proposed project is eligible to screen out because it provides for a high level of affordable units, specifically all 112 units at the Project are deemed affordable housing units for seniors. No significant impacts to VMT are associated with the Project. Therefore, the Project is consistent with this strategy.
Strategy 2. Electric Vehicle Strategies					
a. For new multi-family dwelling units with parking, does the project provide EV charging spaces capable of supporting future EV supply equipment (EV capable) at 10% of the parking spaces per 2019 California Green Building Standards Code (CALGREEN, Title 24, Part 11), Section 4.106.4	Policy RC-8-j	Yes	--	--	Consistent. The Project consists of a multi-family residential development and proposes 95 parking stalls. Of the 95 parking stalls, 5 stalls would be "EV capable" accounting for 5% of the parking spaces. The project will be required to provide at least 5 additional EV capable parking spaces in accordance with the 2022 California Green Building Standards Code, Title 24, Part 11. Therefore, the Project would provide EV capable parking spaces at 10% of the parking spaces in accordance with the 2022 California Green Building Standards Code, Title 24, Part 11 and would be consistent with this attribute.
b. For new commercial buildings, does project provide EV charging spaces capable of supporting EV capable spaces at 4% to 10% of the parking spaces per 2019 California Green Building Standards Code (CALGREEN, Title 24, Part 11), Section 5.106.5.3	Policy RC-8-j	--	--	N/A	N/A. The Project proposes a multi-family residential development. Commercial buildings are not proposed. Therefore, this strategy is not applicable.
Strategy 3. Energy Conservation Strategies					
a. Does the project meet or exceed mandatory state building energy codes? If yes, does the project follow any other GreenPoint ratings such as LEED, Energy Star or others? If yes, indicate level of certification-Silver, gold, platinum if applicable?	Policy RC-5-c, Objective RC-8, Policy RC 8-a	Yes	--	--	Consistent. The Project would exceed all mandatory requirements for multi-family buildings as outlined in the 2022 Energy Code by two to seven percent and verified through the building permit process. The Project would not follow any other

					GreenPoint ratings. Mandatory requirements apply to building envelopes, ventilation and indoor air quality, space conditioning systems, water heating systems, outdoor and indoor lighting, electric power distribution, covered process for pools, solar ready buildings, and electric ready buildings. Therefore, the Project would meet and exceed mandatory state building energy codes and would be consistent with this strategy.
b. For commercial projects, does the project achieve net zero emissions electricity? Mark NA if project will be permitted before 2030. Mark Yes if voluntary. Add source and capacity in explanation.	Additional Recommended GHG Plan Measure, supports Objective RC-8	--	--	N/A	N/A. The Project proposes a multi-family residential development. A commercial project is not proposed. Therefore, this strategy is not applicable.
Strategy 4. Water Conservation Strategies					
a. Does the project meet or exceed the mandatory outdoor water use measures of the 2019 California Green Building Standards Code (CALGREEN, Title 24, Part 11), Section 4.304? If the project exceeds CalGreen Code mandatory measures provide methods in excess of requirements in the explanation. Examples include outdoor water conservation measures such as; drought tolerant landscaping plants, compliant irrigation systems, xeriscape, replacing turf etc. Provide the conservation measure that the project will include in the explanation.	Objective RC-7, Policy RC-7-a, RC-7-h	Yes	--	--	Consistent. The Project would be built in accordance with all mandatory outdoor water use requirements as outlined in the 2022 California Green Building Standards Code, Title 24, Part 11, Section 4.304 – Outdoor Water Use and verified through the building permit process. As a residential development that contains landscaping, the Project shall comply with the updated Model Water Efficient Landscape Ordinance (MWELO) (California Code of Regulations, Title 23, Chapter 2.7, Division 2), as implemented and enforced through the building permit process. As proposed, the Project exceeds the MWELO requirements by eight percent as achieved through the use of drought tolerant plant material and the installation of low water use irrigation (i.e., drop irrigation). Compliance with MWELO would ensure water efficiency. Therefore, the Project would meet

					mandatory outdoor water use measures of the 2022 California Green Building Standards Code and would be consistent with this strategy.
b. Does the project meet or exceed the mandatory indoor water use measures of the 2019 California Green Building Standards Code (CALGREEN, Title 24, Part 11), Section 4.303? If the project exceeds CalGreen Code, mandatory measures provide methods in excess of requirements in the explanation. Examples may include water conserving devices and systems such as water leak detection system, hot water pipe insulation, pressure reducing valves, energy efficient appliances such as Energy Star Certified dishwashers, washing machines, dual flush toilets, point of use and/or tankless water heaters.	Objective RC-7, Policy RC-7-a, RC-7-e	Yes	--	--	Consistent. The Project would be built in accordance with all mandatory indoor water use requirements as outlined in the 2022 California Green Building Standards Code, Title 24, Part 11, Section 4.303 – Indoor Water Use and verified through the building permit process. As a residential development that contains plumbing fixtures and fittings, the Project shall comply with water-conserving measures for water closets, urinals, showerheads, and faucets. The Project proposes the use of low-flow plumbing fixtures with flow rates that comply with requirements. In addition, as a multi-family residential development, the Project would be required to install submeters to measure water usage of individual units in accordance with the California Plumbing Code. Compliance with these requirements would ensure water efficiency. Therefore, the Project would meet mandatory indoor water use measures of the 2022 California Green Building Standards Code and would be consistent with this strategy.
Strategy 5. Waste Diversion and Recycling Strategies					
a. Does the project implement techniques of solid waste segregation, disposal and reduction, such as recycling, composting, waste to energy technology, and/or waste separation, to reduce the volume of solid wastes that must be sent to landfill facilities?	Policy PU-9-a, RC-11-a				Consistent. Assembly Bill (AB) 939 requires each jurisdiction in California to divert at least 50% of its waste stream away from landfills either through waste reduction, recycling, or other means. Further, recycling services for multi-family residential developments are mandatory in compliance

					with AB 341, the State's mandatory commercial and multi-family recycling law. Compliance would be ensured through the building permit process. In addition, the site has been designed to accommodate appropriate trash and recycling containers as required by the City. Therefore, the Project would be required to implement techniques of solid waste segregation, disposal, and reduction and would be consistent with this strategy.
b. During construction will the project recycle construction and demolition waste?	Policy RC-11-a	Yes	--	--	Consistent. CALGreen mandates locally permitted new residential building construction and demolition to recycle and/or salvage for reuse a minimum 65% of the nonhazardous construction and demolition debris generated during the Project. Further, the recycling of construction and demolition materials is required for any City-issued building or demolition permit that generates at least eight cubic yards of material by volume. Therefore, the Project would be required to implement techniques to reduce and recycle waste during construction activities in accordance with mandatory requirements under CALGreen as implemented through the building permit process. Compliance would be ensured through the building permit process. Therefore, the Project would recycle construction and demolition waste and would be consistent with this strategy.
c. Does the project provide recycling canisters in public areas where trashcans are also provided?	Policy RC-11-a	Yes	--	--	Consistent. Waste generated by multi-family developments of five or more units is considered "commercial solid waste" and is subject to compliance with AB 827 –

					Customer Access to Recycling. AB 827 requires recycling and organics recycling containers at the “front-of-house” to collect waste generated. These containers are required to be placed adjacent to trash containers and be visible, easily accessible, and clearly marked. Therefore, the Project would be required to provide recycling canisters in public areas where trashcans are also provided in accordance with mandatory requirements under AB 827. Compliance would be ensured through the building permit process. In addition, the site has been designed to accommodate appropriate trash and recycling containers as required by the City. Therefore, the Project would be consistent with this strategy.

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

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

DISCUSSION

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

Less Than Significant Impact. Project construction activities may involve the use and transport of hazardous materials. The use of such materials would be considered minimal and would not require these materials to be stored in bulk form. The Project does not involve the use or storage of hazardous substances other than the small amounts of pesticides, fertilizers, and cleaning agents required for normal maintenance of structures and landscaping. The Project must adhere to applicable zoning and fire regulations regarding the use and storage of any hazardous substances. Further, according to a February 10, 2021 Phase I Environmental Site Assessment for the Project site (Appendix A), there is no evidence that the site has been used for underground storage of hazardous materials. Therefore, the proposed project will have a ***less than significant impact*** from hazardous materials.

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?

Less Than Significant Impact. The proposed Project is a multi-family housing apartment complex. There is no reasonably foreseeable condition or incident involving the Project that could result in release of hazardous materials into the environment, other than any potential accidental releases of standard fuels, solvents, or chemicals encountered during typical construction of a multi-family development. Should an accidental hazardous release occur or should the Project encounter hazardous soils, existing regulations for handling hazardous materials require coordination with the California Department of Toxic Substances Control for an appropriate plan of action,

which can include studies or testing to determine the nature and extent of contamination, as well as handling and proper disposal. Therefore, potential impacts are considered to be ***less than significant***.

c) 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 Project is located immediately adjacent to the Kings Canyon Middle School. The Project does not involve the use or storage of hazardous substances other than amounts of pesticides, herbicides, or fertilizers required for normal maintenance of structures and landscaping. The Project would not emit hazardous emissions or involve the handling of acutely hazardous materials or waste. Therefore, impacts would be ***less than significant***.

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?

Less Than Significant Impact. According to the February 10, 2021 Phase I Environmental Site Assessment for the Project site (Appendix A), the Project site is not listed as a hazardous materials site pursuant to Government Code Section 65962.5 and is not included on a list compiled by the Department of Toxic Substances Control (DTSC). Therefore, the Project site will have a ***less than significant impact*** as a significant hazard to the public or environment.

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

Less Than Significant Impact. The Project Site is not located in an FAA-designated Runway Protection Zone, Inner Safety Zone, or Sideline Safety Zone, according to review of the Fresno Yosemite International (FYI) Airport Land Use Compatibility Plan (ALUCP). The Project is located within the Traffic Pattern Zone according to the FYI ALUCP, however, the Project is not located within a direct flight path designated by the FYI Airport, and therefore would not expose people residing or working on the Project site to a significant amount of ambient noise. According to Exhibit D2 (Future Noise Contours) of the FYI ALUCP, the Project site is located outside of the Forecasted (2022) NEM Contour for 60 dB CNEL, thereby estimating Project site noise from airport traffic at less than 60 decibels. Based upon the goals of the proposed Project, no potential interference with an adopted emergency response or evacuation plan has been identified. There will be a ***less than significant impact***.

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

Less Than Significant Impact. The City's design and environmental review procedures shall ensure compliance with emergency response and evacuation plans. In addition, the site plan will be reviewed by the Fire Department per standard City procedure to ensure consistency with emergency response and evacuation needs. Currently, the Project design (Figure No. 4) incorporates two access points along North Helm Avenue which will be utilized for emergency vehicle access. Therefore, the Project will have a ***less than significant impact*** on emergency evacuation.

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

No Impact. The land surrounding the Project Site is primarily developed with urban and suburban uses and is not considered to be wildlands. Additionally, Cal Fire finds that the Project Site has low frequency, limited extent, limited magnitude, and low significance, regarding wildfire threats. The proposed Project would not expose people or structures to significant risk of loss, injury or death involving wildland fires and there is **no impact**.

Mitigation Measures

There are no mitigation measures for the Project, as proposed, relating to Hazards and Hazardous Material.

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

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

The Project site is within city limits and thus, will be required to connect to water and stormwater services. The City and responsible agencies have reviewed the Project to determine adequate capacity in these systems and ensure compliance with applicable connection and discharge requirements. Overall, the review of the Project by the City and responsible agencies indicates that the Project would not require or result in the relocation or construction of new or expanded facilities that would otherwise cause significant impacts to existing systems.

Water

The City of Fresno Water Division manages and operates the City of Fresno's water system. The City's water system consists of about 1,880 miles of distribution and transmission mains, 271 municipal groundwater wells, three surface water treatment plants, five water storage facilities with pump stations, and three booster pump stations. The water system covers approximately 115 square miles and serves a population of about 550,200.

Fresno meets its demand for domestic water from a combination of groundwater, treated surface water, and reclaimed water sources. Groundwater is accessed from the Kings River Sub-basin of the San Joaquin Valley Groundwater Basin, while surface water from the Central Valley Project on the San Joaquin River and Fresno Irrigation District on the Kings River, which are treated at the Northeast Surface Water Treatment Facility, the Southeast Surface Water Treatment Facility, and T-3 Water Storage and Surface Water Treatment Facility. Surface water is also used to replenish the groundwater aquifer through Fresno's recharge program at the City-owned Leaky Acres, Nielsen Recharge Facility, and a cooperative agreement with the Fresno Metropolitan Flood Control District (FMFCD) to utilize over 70 ponding basins across the city.

Stormwater

The Fresno Metropolitan Flood Control District (FMFCD) manages stormwater runoff in Fresno. The major elements of the FMFCD's flood control system include dams, reservoirs, and detention basins. The FMFCD is responsible for reviewing development proposals to assess drainage and flood control impacts and needs, in addition to determining applicable requirements and modifications needed in order to implement the Storm Drainage and Flood Control Master Plan.

DISCUSSION

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

Less Than Significant with Mitigation. Implementation of the proposed Project would not violate any water quality or waste discharge requirements. Construction activities including grading could temporarily increase soil erosion rates during and shortly after Project construction. Construction related erosion could result in the loss of soil and could adversely affect water quality in nearby surface waters.

Because the project would disturb more than one acre of soil , the Applicant is required to prepare a SWPPP in compliance with the State Water Resources Control Board's National Pollutant Discharge Elimination System (NPDES) stormwater program. The SWPPP estimates the sediment risk associated with construction activities and includes BMPs to control erosion. BMPs specific to erosion control cover erosion, sediment, tracking, and waste management controls. Implementation of the SWPPP minimizes the potential for the Project to result in substantial soil erosion or loss of topsoil and impacts would be less than significant.

The City of Fresno is under the jurisdiction of the California Regional Water Quality Control Board (RWQCB) Central Valley NPDES Permit and Waste Discharge Requirements General Permit for Discharges from Municipal Separate Storm Sewer Systems (MS4), Order Number R5-2016-0040-014, NPDES Number CA S0085324 ("MS4 Permit"). The MS4 Permit requires compliance with stormwater quality controls as identified in the Fresno Clovis Storm Water Quality Management Construction and Post-Construction Guidelines. Compliance would reduce the potential for discharge of pollutants in violation of water quality standards or waste discharge requirements and impacts would be less than significant.

Stormwater infiltration has the potential to affect groundwater quality whereby rainfall and stormwater runoff flow into and through the subsurface soil. A majority of the Project site would be of impervious surface. Runoff from the site would be collected and diverted to the storm drainage system through existing drainage services. Further, runoff resulting from the Project would be managed by the FMFCD in compliance with the Storm Drainage and Flood Control Master Plan in addition to approved grading and drainage plans. Therefore, potential for stormwater infiltration reaching

subsurface soils and impacting groundwater quality is limited and impacts would be less than significant.

Overall, compliance with the SWPPP, MS4 Permit, FMFCD regulations, and approved grading and drainage plans would minimize the potential for the Project to violate any water or waste discharge requirements or otherwise substantially degrade surface or ground water quality and impacts would be less than significant. Pursuant to requirements provided in the Fresno Metropolitan Flood Control District memorandum dated December 29, 2020 for this project, the Developer is required to either improve existing pipeline infrastructure to provide additional capacity or use a permanent peak reducing facility in order to eliminate or reduce impacts on the system. These project-specific drainage improvements would reduce the potential for the proposed Project to violate water quality standards during construction or operations to a ***less than significant with mitigation***.

b) 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. Fresno is one of the largest cities in the United States that still maintains a significant reliance on groundwater as part of its public water supply portfolio. Surface water treatment and distribution has been implemented in the northeastern part of the City since 2004 and in the southeastern part of the City in 2018, but the City is still subject to an EPA Sole Source Aquifer designation. While the aquifer underlying Fresno typically exceeds a depth of 300-feet and is capacious enough to provide adequate quantities of safe drinking water to the metropolitan area well into the twenty-first century, groundwater degradation, increasingly stringent water quality regulations, and a historic trend of high consumptive use of water on a per capita basis (currently 205 gallons per day per capita), have resulted in a general decline in aquifer levels, increased cost to provide potable water, and localized water supply limitations.

The City of Fresno is actively addressing these issues through citywide metering and updating water use targets and the water shortage contingency plan in the City's Urban Water Management Plan (UWMP). The Fresno Metropolitan Water Resource Management Plan has been adopted and the accompanying Final PEIR (SCH #95022029) certified. The purpose of these management plans is to provide safe, adequate, and dependable water supplies in order to adequately meet existing and future needs of the metropolitan area in an economical manner; protect groundwater quality from further degradation and overdraft; and provide a plan of reasonably implementable measures and facilities. City water wells, pump stations, recharge facilities, and water treatment and distribution systems have been expanded incrementally to mitigate increased water demands and respond to groundwater quality challenges.

Due to the citywide improvements identified in the City's 2010 and 2015 UWMPs, the City's Metropolitan Water Resources Management Plan, and the City's comprehensive conservation programs, which depicts that the City will have adequate water supply until approximately 2025, the proposed Project would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted). Furthermore, the City's long-term water resource planning for existing and future demand is addressed in the City's 2020 Urban Water Management Plan (UWMP).[19] According to the UWMP, water demand in the city has decreased over the past two (2) decades and is expected to grow at a slower rate than the anticipated population growth. This trend is captured by the daily per capita water use, measured as gallons per capita per day (GPCD). For 2020, water use averaged 198 GPCD based on 121,993 acre-feet (AF) of water production. Of note, this GPCD is below the 2020 daily per capita water use target of 247 GPCD, which the UWMP attributes to conservation efforts implemented by the City.

According to the UWMP, the City's per capita water usage is projected to continue to decline through 2045 due to more water efficiency in future construction and passive conservation pursuant to requirements of the California Plumbing Code (e.g., use of higher efficiency appliances, water efficient landscaping, etc.). Projected water use for residential uses is included in **Table** . Residential water use accounts for approximately 14 percent of potable water use citywide.

Table 10 Projected Potable Water Demand by Sector, 2025 – 2045

	Water Use by Volume (AF)				
Use Type	**2025**	**2030**	**2035**	**2040**	**2045**
Single-Family	76,255	80,429	82,934	85,437	87,936
Multi-Family	19,000	20,654	21,737	22,831	23,935

Source: *City of Fresno, Urban Water Management Plan, 2020*

As mentioned above, the City of Fresno Water Division manages and operates the City of Fresno's water system. Fresno meets its demand for domestic water from a combination of groundwater, treated surface water, and reclaimed water sources. Groundwater is accessed from the Kings River Sub-basin of the San Joaquin Valley Groundwater Basin in addition to the three surface water treatment facilities, which provide half of all potable water demands in the City's service area. Surface water is used to replace lost groundwater through Fresno's recharge program at the City-owned Leaky Acres, Nielsen Recharge Facility, and smaller facilities in southeast Fresno.

19 City of Fresno (2021). 2020 Urban Water Management Plan. Accessed February 24, 2023, https://www.fresno.gov/wp-content/uploads/2023/03/Fresno-2020-UWMP_Final_2021-07-21-1.pdf

According to the UWMP, the Project site is located in the Highway 41 Pressure Zone with two active City wells located south of the Project site on South Adler Avenue and East Lane Avenue. There is also an existing 12-inch water main located in East Tulare Avenue and 8-inch main located in North Helm Avenue in addition to an existing 8-inch water service at the property. The Project has been reviewed by the City and is required to connect to the available water facilities and install water meter box(es) for service. A Water Capacity Fee charge for the installation of new water services and meters to serve the property would be assessed based on projected water demand.

Potable water demands for the Project were estimated using land-use-based unit water demand factors last updated for the City in 2018. The Project site has an existing General Plan land use designation of Residential – Medium Low Density and proposes a GPA to the Residential – Urban Neighborhood land use designation. According to the land-use-based unit water demand factors for the City, the two land use designations have an annual average (ac-ft/yr/acre) of 3.14 and 6.5 (High Density Residential), respectively. **Table** summarizes the total water demands to be expected. As shown, the existing land use would utilize approximately 15.16-acre feet per year (AFY) compared to an estimated 31.39 AFY under the proposed use. Development of the Project site would account for a less than one percent increase above the City's 2020 water demand of 121,993 AFY.[20] In addition, the minimal increase in demand would not exceed available groundwater supplies during a normal year water supply estimate of 136,504 AFY potable demand. Therefore, the Project would be accommodated by existing groundwater supplies and impacts would be less than significant.

Table 11 Summary of Total Water Demands by Land Use

Land Use	Area (ac)	Annual Average (Ac-Ft/Yr/Acre)	Annual Average (AFY)
Residential – Medium Low Density	4.83	3.14	15.16
Residential – Urban Neighborhood	4.83	6.5	31.39

Source: *City of Fresno, 2018 Water Demand Factors by Land Use Classification*

Furthermore, adherence to connection requirements and recommendations pursuant to the City's water conservation efforts (e.g., compliance with California Plumbing Code, efficient appliances, efficient landscaping, etc.) should not negatively impact water supply or impede water management. In particular, the Project would be built accordance with all mandatory outdoor water use requirements as outlined in the applicable California Green Building Standards Code, Title 24, Part 11, Section 4.304 – Outdoor Water Use and verified through the building permit process. As a multi-family residential development that would contain landscaping pursuant to FMC

20 City of Fresno (2021). 2020 Urban Water Management Plan. Accessed February 24, 2023, https://www.fresno.gov/publicutilities/wp-content/uploads/sites/16/2021/06/Fresno-2020-UWMP_Public-Draft_2021-06-29.pdf

regulations, the Project shall comply with the updated Model Water Efficient Landscape Ordinance (MWELO) (California Code of Regulations, Title 23, Chapter 2.7, Division 2), as implemented and enforced through the building permit process. Therefore, through compliance, the potential for the Project to substantially decrease groundwater supplies is limited and impacts would be less than significant.

In addition, development of the Project site would increase impervious surfaces which could increase stormwater runoff and reduce groundwater recharge. According to FMFCD, rainfall and stormwater runoff in the Fresno area is collected and conveyed through a network of pipelines to 155 stormwater basins where it slowly percolates through the soil to the groundwater aquifer. The developer will be required to provide improvements that will convey surface drainage to Master Plan inlets and provide a path for major storm conveyance. When development permits are issued, the subject site will be required to pay drainage fees pursuant to the Drainage Fee Ordinance. The entirety of the Project site should be able to be adequately served with permanent drainage service through existing Master Plan facilities or required Master Plan facilities to be developed in conjunction with the proposed Project. However, in areas where permanent drainage service may not be available, the District recommends temporary ponding facilities until permanent service is available through future Master Plan Facilities. The Master Plan system has been designed such that during a two-year event flow will not exceed the height of the 6-inch curb. Should wedge curb (4.5 inch height) be used the same criteria shall apply whereby flow remains below the top of curb.

If surface water runoff or event flows exceed volumes for which the Master Plan drainage system is designed to accommodate and the existing Master Plan storm drainage facilities do not have capacity to serve the proposed land use to avoid flooding, then the developer will be required to mitigate the impacts of the increased runoff from the proposed use to a rate that would be expected if developed in accordance with the Master Plan. The developer may either make improvements to the existing pipeline system to provide additional capacity or may use some type of permanent peak-reducing facility in order to eliminate adverse impacts on the existing system. Should the developer choose to construct a permanent peak-reducing facility, such a system would be required to reduce runoff accordingly. Implementation of the mitigation measures may be deferred until time of development. Therefore, potential for the Project to interfere substantially with groundwater recharge such that the Project would impede sustainable groundwater management of the basin is limited and impacts would be less than significant.

Overall, based on the information collected from the UWMP and the City of Fresno, the proposed Project would not generate significantly greater water demand than would otherwise occur with a higher intensity land use. As a result, it can be presumed that the existing and planned water distribution system and supplies should be adequate to serve the Project, and the Project would thereby not decrease groundwater supplies, interfere substantially with groundwater recharge, or impede

sustainable groundwater management of the basin. In addition, adherence to connection requirements and recommendations pursuant to the City's water supply planning efforts (i.e., compliance with California Plumbing Code, efficient appliances, efficient landscaping, etc.) should not negatively impact the City's water provision. For these reasons, the Project will result in a ***less than significant impact*** concerning the above described hydrology and water quality impact analysis criteria.

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?

Less Than Significant Impact. Erosion is a natural process in which soil is moved from place to place by wind or from flowing water. The effects of erosion within the Project Area can be accelerated by ground-disturbing activities associated with development. Siltation is the settling of sediment to the bed of a stream or lake which increases the turbidity of water. Turbid water can have harmful effects to aquatic life by clogging fish gills, reducing spawning habitat, and suppress aquatic vegetation growth. The Project Site is mostly flat and the Project would not substantially alter the existing drainage pattern of the site or area. The Project Site does not have a stream or river and is not near another body of water. The Project would not result in substantial erosion or siltation on- or off-site, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site.

Implementation of the proposed Project would result in the redevelopment of developed urban land that has undergone significant disturbance. Bare soils, common within agricultural land, are more susceptible to erosion than an already developed urban land, thus it is not expected that erosion could occur on-site. Further, during construction activities, and in compliance with the Project's SWPPP, construction-related erosion controls and BMPs would be implemented to reduce potential impacts related to erosion and siltation. These BMPs would include, but are not limited to, covering and/or binding soil surfaces to prevent soil from being detached and transported by water or wind, and the use of barriers such as straw bales and sandbags to control sediment. Together, the controls and BMPs are intended to limit soil transportation and erosion and construction impacts related to on- or off-site.

Soil erosion and loss of topsoil can be caused by natural factors, such as wind and flowing water, and human activity. The Project site is relatively flat and mostly paved, which limits the potential for substantial soil erosion. Implementation of the proposed Project would require typical site preparation activities such as grading and trenching which may result in the potential for short-term soil disturbance or erosion impacts. Soil disturbance during

construction is largely caused by the use of water. Excessive soil erosion could cause damage to existing structures and roadways. During construction activities, and in compliance with the Project's SWPPP, construction-related erosion controls and BMPs would be implemented to reduce potential impacts related to erosion and siltation. These BMPs would include, but are not limited to, covering and/or binding soil surfaces to prevent soil from being detached and transported by water or wind, and the use of barriers such as straw bales and sandbags to control sediment. Together, the controls and BMPs are intended to limit soil transportation and erosion.

Development of the site would also result in an increase in the amount of impervious surface, which could increase the volume of runoff. However, the impervious surface area would significantly reduce the amount of exposed soil which would minimize the potential for erosion and siltation. In addition, the Project would be required to maintain the overall site drainage pattern and direct runoff to the proposed onsite drainage system in compliance with the Storm Drainage and Flood Control Master Plan and approved grading and drainage plans. Therefore, compliance with requirements would reduce or eliminate the Project's potential to substantially alter the existing drainage pattern of the site as to cause substantial erosion or siltation and impacts would be less than significant. The impact is therefore ***less than significant***.

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. During construction, the site's vegetation and soil would be disturbed, thereby temporarily altering the natural hydrology of the site. In turn, this could increase the volume and velocity of stormwater runoff which could increase the potential for flooding on- or off-site. As previously discussed, development of the site would require compliance with the SWPPP, MS4, and implementation of BMPs that would control and direct runoff. Compliance would ensure that construction impacts related to the alteration of the site's natural hydrology and the potential increase in runoff that would result in flooding on- or off-site would be less than significant.

While the development of the site would permanently increase the impervious surface area, the Project would be required to maintain the overall site drainage pattern and direct runoff to the onsite drainage system. In FMFCD's review of the Project for compliance with the Storm Drainage and Flood Control Master Plan, temporary facilities are recommended until permanent drainage service is available. Prior to the issuance of building permits, the Applicant would be required to submit grading and drainage plans for review and approval by the City and FMFCD, in addition to payment of required drainage fees. Review and approval of these plans and payment of drainage fees would ensure that the site drainage pattern is maintained, facilities conform to City and FMFCD

requirements, and the stormwater system would be capable of receiving and conveying runoff from the site. Compliance with the Storm Drainage and Flood Control Master Plan would ensure that operational impacts related to the site's drainage pattern and the potential increase in runoff that would result in flooding on- of off-site would be less than significant. The Project will have a ***less than significant*** impact.

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?

Less Than Significant Impact. Private development participates in the City's ability to meet water supply goals and initiatives through payment of fees established by the city for construction of recharge facilities, the construction of recharge facilities directly by the Project, or participation in augmentation/enhancement/enlargement of the recharge capability of Fresno Metropolitan Flood Control District storm water ponding basins. While the proposed Project may be served by conventional groundwater pumping and distribution systems, full development of the Fresno General Plan boundaries may necessitate utilization of treated surface water due to inadequate groundwater aquifer recharge capabilities. The Department of Public Utilities works with Fresno Metropolitan Flood Control District (FMFCD) to utilize suitable FMFCD ponding (drainage) basins for the groundwater recharge program and works with Fresno Irrigation District to ensure that the City's allotment of surface water is beneficially used for intentional groundwater recharge.

The City of Fresno Department of Public Utilities, Water Division has reviewed the proposed Project and associated water demand analysis and has determined that water service will be available through City of Fresno. The Project will be required to show water infrastructure connections to the nearest water main and water mains would be extended within the proposed lot to provide service to each unit created, subject to payment of applicable water charges. These charges include payment of the adopted Water Capacity Fee charge, which is based upon the number and size of service connections and water meters required to serve the property as necessary in order to contribute a project's share towards funding installation of new water service capacity, recharge, and savings initiatives to achieve water balance. The Project will be required to comply with all requirements of the City of Fresno Department of Public Utilities that will reduce the Project's runoff impacts to less than significant.

The developer will be required to provide improvements that will convey surface drainage to Master Plan inlets and provide a path for major storm conveyance. When development permits are issued, the subject site will be required to pay drainage fees pursuant to the Drainage Fee Ordinance. The entirety of the

Project site should be able to be adequately served with permanent drainage service through existing Master Plan facilities or required Master Plan facilities to be developed in conjunction with the proposed Project. However, in areas where permanent drainage service may not be available, the District recommends temporary ponding facilities until permanent service is available through future Master Plan Facilities. The Master Plan system has been designed such that during a two-year event flow will not exceed the height of the 6-inch curb. Should wedge curb (4.5 inch height) be used the same criteria shall apply whereby flow remains below the top of curb.

If surface water runoff or event flows exceed volumes for which the Master Plan drainage system is designed to accommodate and the existing Master Plan storm drainage facilities do not have capacity to serve the proposed land use to avoid flooding, then the developer will be required to mitigate the impacts of the increased runoff from the proposed use to a rate that would be expected if developed in accordance with the Master Plan. The developer may either make improvements to the existing pipeline system to provide additional capacity or may use some type of permanent peak-reducing facility in order to eliminate adverse impacts on the existing system. Should the developer choose to construct a permanent peak-reducing facility, such a system would be required to reduce runoff accordingly. Implementation of the mitigation measures may be deferred until time of development.

The Project will result in less than significant impacts to water quality due to potentially polluted runoff generated during construction activities. Construction would include excavation, grading and other earthwork that may occur across most of the 4.83-acre Project site. During storm events, exposed construction areas across the Project site may cause runoff to carry pollutants, such as chemicals, oils, sediment, and debris. In addition, soil erosion may result; therefore, implementation of a SWPPP will be required for the Project. A SWPPP identifies all potential sources of pollution that could affect stormwater discharges from the Project site and identifies BMPs related to stormwater runoff. There may be chemicals or surfactants used during Project maintenance or operations, so discharge could impact water quality standards. However, the impact will be ***less than significant***.

iv. Impede or redirect flood flows?

Less Than Significant Impact. According to the FEMA FIRM, the entirety of the Project site is within an area of minimal flood hazard. The Project site is mostly flat and the Project would not substantially alter the existing drainage pattern of the site or area. The Project site does not have a stream or river. The storm drainage plan will be supported by engineering calculations to ensure that the Project does not create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems. The proposed

Project would not direct excess surface waters, impede or redistrict any potential flood flows. The impact will be ***less than significant***.

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

Less Than Significant Impact. Occupancy of this site will generate wastewater containing human waste, which is required to be conveyed and treated by the Fresno-Clovis Regional Wastewater Treatment and Reclamation Facility. There will not be any on-site wastewater treatment system. The proposed Project will be required to install sewer mains and branches and to pay connection and sewer facility fees to provide for reimbursement of preceding investments in sewer trunks to connect this site to a publicly owned treatment works.

According to the California Department of Water Resources Best Available Map, the subject site is not located in the 100-year, 200-year, or 500-year floodplain and does not necessitate appropriate floodplain management action.

The Project is located inland and not near an ocean or large body of water, therefore, would not be affected by a tsunami. Since the Project is located in an area that is not susceptible to inundation, the Project would not risk release of pollutants due to Project inundation. As such, the impact will be ***less than significant***.

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

Less Than Significant Impact. A groundwater sustainability plan was adopted for the Kings Groundwater Sub-basin on November 21, 2019, by the North Kings Groundwater Sustainability Agency, of which the City of Fresno is a member.[21] The proposed Project is required to comply with the adopted plan (North Kings Groundwater) to meet the 2040 sustainability deadline for the basin. As mentioned above, surface water will largely be the source of supply in wet hydrologic periods, groundwater will be used in a managed manner in normal hydrologic periods and relied upon more in very dry periods. Through 30 years of diligent water resource planning and construction of surface water treatment facilities, inclusive of the Southeast Surface Water Treatment Facility (which is a project within the sustainability plan), the City has largely attained the balanced use of groundwater supplies well ahead of the legislative requirement of 2040, thus making the City compliant with the North Kings Groundwater Sustainability Plan goals. The City of Fresno, Water Division has reviewed the Project for compliance with water quality and groundwater management. Further, the City's General Plan policies and initiatives ensure the City promotes water conservation. Therefore, the Project will not conflict with the

21 North Kings Groundwater Sustainability Agency (2020). Groundwater Sustainability Plan. Accessed December 9, 2022, https://northkingsgsa.org/groundwater-sustainability-plan/

implementation of a water quality control plan or sustainable groundwater management. Through compliance, the Project would not cause the degradation of water quality and would therefore not conflict with or obstruct the implementation of a water quality control plan or sustainable groundwater management plan. Therefore, a ***less than significant*** impact would occur because of the Project.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XI. LAND USE AND PLANNING – Would the project:				
a) Physically divide an established community?			X	
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?			X	

The Project is located within an area characterized by single-family residential, and educational uses in the southeast portion of the City of Fresno. The 4.83-acre site is within the City limits and occupies Assessor Parcel Number 462-042-25. The site is currently occupied by a single-family residence in the southwestern portion of the site, by vacant land in the northern portion of the site, and by the remains of a former olive orchard in the southwest portion of the Project site. The Project site is bounded by East Tulare Avenue on the south and North Helm Avenue on the east. Adjacent to the south, west, and north of the Project site are single-family residences, and adjacent to the east of the Project site is Kings Canyon Middle School.

The Project site is currently located within the boundaries of the Fresno General Plan, Roosevelt Community Plan, and Fresno County Airport Land Use Compatibility Plan. These plans designate the subject 4.83 acre site for Residential - Medium Low Density planned land uses. The existing underlying RS-4 (*Residential Single-Family, Medium Low Density*) zone district is consistent with the Residential - Medium Low Density planned land use designation.

Properties to the north and west are planned for Medium Low Density and Medium High Density residential land uses. The property to the east (across North Helm Avenue) is planned for Public Facility – Middle School and the property to the south (across East Tulare Street) is planned for Medium Density residential uses.

According to the Fresno General Plan, Medium Low Density residential is intended is intended to provide for single family detached housing with densities of 3.5 to 6 units per acre. Based upon the existing residentially planned land use density and acreage allocations currently designated by the Fresno General Plan, the subject property is currently expected to yield approximately 17 - 28 dwelling units.

Under the current planned land use designation Residential - Medium Low Density and respective RS-4 zone district, the proposed multi-family housing development comprised of 112 affordable housing units for seniors would not be permitted. Therefore, the Project proponent is proposing to amend the existing planned land use and zoning designation to a designation and zone district in which the proposed multi-unit development is permissible to facilitate the development.

Plan Amendment Application No. P19-05889 proposes to amend the Fresno General Plan and Roosevelt Community Plan to change the planned land use designation for the subject 4.83-acre property from Residential - Medium Low Density to Residential – Urban Neighborhood. The rezone application component proposes to amend the Official Zoning Map of the City of Fresno to rezone the subject 4.83-acre property from the RS-4 (*Residential Single-Family, Medium Low Density*) zone district to the RM-2 (*Residential Multi-Family, Urban Neighborhood*) zone district in accordance with the Plan Amendment Application. The proposed underlying RM-2 zone district is consistent with the proposed Residential – Urban Neighborhood planned land use designation.

According to the Fresno General Plan, Urban Neighborhood residential covers densities from 16 to 30 units per acre, which will require multi-family dwellings but still allows for a mix of housing types including single-family houses. This land use is intended to provide for a compact community that includes community facilities and walkable access to parkland and commercial services; it also supports efficient, frequent transit service. Urban Neighborhood is designated for targeted areas with complementary land uses adjacently located. Based upon the residentially planned land use density and acreage allocations currently designated for the proposed planned land use and zoning by the Fresno General Plan, the subject property, as proposed, is currently expected to yield approximately 77 - 144 dwelling units.

DISCUSSION

a) Physically divide an established community?

Less Than Significant Impact. As noted above, the Project proponent is proposing to amend the Fresno General Plan and Roosevelt Community Plan to change the planned land use designation for the subject 4.83-acre property from Residential - Medium Low Density to Residential – Urban Neighborhood. In addition, the project proposes to amend the current zoning from RS-4 (*Residential Single-Family, Medium Low Density*) to RM-2 (*Residential Multi-Family, Urban Neighborhood*). Approval of the General Plan Amendment and Rezone for the site would ensure that the zoning designation is consistent with the General Plan designations for the Project site. Upon approval of the requested entitlements, the proposed Project would not conflict with any land use plan, policy or regulation.

As proposed, the Project will be consistent with the following Fresno General Plan goals:

Fresno General Plan Goals, Objectives and Policies

- Promote and protect unique neighborhoods and mixed-use areas throughout Fresno that respect and support various ethnic, cultural, and historic enclaves; provide a range of housing options, including furthering affordable housing opportunities; and convey a unique character and lifestyle attractive to Fresnans. Support unique areas character and lifestyle attractive to Fresnans. Support unique areas through more specific planning processes that directly engage community members in creative and innovative design efforts.
- Facilitate the development of vertical and horizontal mixed-uses to blend residential, commercial, and public land uses on one or adjacent sites. Ensure land use compatibility between mixed-use districts in Activity Centers and the surrounding residential neighborhoods.
- Provide for a diversity of districts, neighborhoods, housing types (including affordable housing), residential densities, job opportunities, recreation, open space, and educational venues that appeal to a broad range of people throughout the city.
- Make full use of existing infrastructure, and investment in improvements to increase competitiveness and promote economic growth.
- Promote orderly land use development in pace with public facilities and services needed to serve development.
- Develop Complete Neighborhoods and districts with an efficient and diverse mix of residential densities, building types, and affordability which are designed to be healthy, attractive, and centered by schools, parks, and public and commercial services to provide a sense of place and that provide as many services as possible within walking distance.

These goals contribute to the establishment of a comprehensive city-wide land use planning strategy to meet economic development objectives, achieve efficient and equitable use of resources and infrastructure, and create an attractive living environment in accordance with Objective LU-1 of the Fresno General Plan.

Objective LU-2 and 5 are intended to establish a plan for infill development that provides a diverse housing stock that will support balanced urban growth, and make efficient use of resources and public facilities to meet the needs of current and future residents. The Project includes a range of apartment types and unit sizes. The General Plan includes Policy LU-5-a, which promotes low density residential uses only where there are established neighborhoods. Existing low-density residential uses surround the proposed Project Site to the north, west, and south. Likewise, Policy LU-5-g allows new development in or adjacent to established neighborhoods that is compatible in scale and character with the surrounding area by promoting a transition in scale and architectural character between new buildings and established neighborhoods, as well as integrating pedestrian circulation and vehicular routes. The proposed Project site is adjacent to existing residential developments and a middle

school. Another multi-family residential property is located 370 feet to the west of the Project site.

This Project supports the above-mentioned goals and policies in that the density of the proposed development conforms to the requested zoning designation. The Proposed project would not physically divide an established community.

In regard to the above-described land use and planning impact analysis criteria, no substantial changes have occurred with respect to the circumstances under which the PEIR was certified. Further, there is no new information that was not known and could not have been known at the time the PEIR was certified, relevant to such circumstances. In conclusion, the Project will result in a ***less than significant impact*** concerning the above-described zoning and planning impact analysis criteria.

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?

Less Than Significant Impact. The proposed Project is located in an area that is planned for residential development by the City. The Project proposes a 112-unit multi-family residential development that would be consistent with the proposed land use designation and zone district. **Table** provides a comparison of the Project's characteristics with all applicable policies included in the General Plan as they relate to land use issues. As discussed below, the proposed Project is generally consistent with the General Plan.

Table 12 Discussion on Land Use Policies in the General Plan

General Plan Policy	Project Consistency
Policy LU-2-e Neighborhood Preservation. *Incorporate standards in the Development Code to preserve the existing residential quality of established neighborhoods.*	**Consistent.** Through the entitlement review and approval process, the Project has been reviewed and conditioned by the City to comply with all applicable regulations and standards within the FMC specific to preserving existing residential quality of established neighborhoods. Since the Project proposes development of an RM district site abutting an RS district, the development would be subject to "RS Transition Standards" contained in FMC ***Section 15-1004*** regarding height, setbacks, landscape, and screening. The Project would also be subject to appropriate façade design development standards contained in FMC Section 15-1005 including the following goals: 1) present an attractive appearance to public streets, 2) be aesthetically and functionally compatible to the nearby development

	context, 3) demonstrate a high level of quality, and 4) support the growth in value of surrounding properties. Through compliance with applicable standards, the Project would be consistent with the policy.
Policy LU-5-e Urban Neighborhood Residential Uses. *Promote urban residential uses to support compact communities and Complete Neighborhoods that include community facilities, walkable access to parkland and commercial services, and transit stops*	**Consistent.** The Project proposes a General Plan Amendment and Rezone to develop a multi-family residential development consistent with the Urban Neighborhood land use and RM-2 zone district. The Project site is within a residentially planned and zone area in close proximity to public facilities including Easterby Elementary School, Kings Canyon Middle School, Trolley Park, and would provide housing opportunities with convenient access to employment, shopping services, and transportation. The nearest commercial, service, and employment area is approximately 0.27-miles east and 0.39-miles south of the Project site. The nearest transit route to the Project site is Route 22, which is directly in front of the project site along East Tulare Aven. Furthermore, FAX Bus Stop No. 420 is located at the southeast corner of the subject property. Therefore, the Project would be consistent with this policy.
Policy LU-5-g Scale and Character of New Development. *Allow new development in or adjacent to established neighborhoods that is compatible in scale and character with the surrounding area by promoting a transition in scale and architectural character between new buildings and established neighborhoods, as well as integrating pedestrian circulation and vehicular routes.*	**Consistent.** The Project proposes a 112-unit multi-family residential development that would be subject to applicable zoning and other regulations of the FMC, including FMC ***Section 15-1004***, ***Section 15-1005***, ***Section 15-2015***, ***Section 15-2508***, and ***Section 15-2614*** (See **Section 4.1**) that govern scenic quality, including the scale and character of the development, promoting a transition in scale between the proposed development and existing neighborhood. In addition, the Project proposes pedestrian and vehicular circulation. Internal circulation of the site would include a private drive aisle for automobiles and four-ft. wide concrete sidewalks for pedestrians. The Project proposes 95 parking stalls including 50 carports and 45 open parking stalls, in addition to bicycle racks. The Project would also install right-of-way improvements along the East Tulare and North Helm street frontages (i.e., concrete curb, gutter, sidewalk, and paving per City of Fresno

	Public Works Standards). Therefore, the Project would be consistent with this policy.
Policy LU-5-h Housing Offering Amenities. *Support housing that offers residents a range of amenities, including public and private open space, landscaping, and recreation facilities with direct access to commercial services, public transit, and community gathering spaces.*	**Consistent.** The Project proposes 112 multi-family residential units and a range of amenities, including approximately 43,190 sf. of common open space throughout the site including indoor and outdoor recreational space (e.g., swimming pool, turf, community hall, exercise room). Private open space is also proposed for each unit either as a patio or balcony. Further, as discussed above, the Project would have convenient access to employment, shopping services, and transportation. There are also four parks within a one-mile radius (**Section XVI, Recreation**). Therefore, the Project would be consistent with this policy.

Further, through the entitlement process, the Project is reviewed for compliance with applicable regulations inclusive of those adopted for the purpose of avoiding or mitigating environmental effects, including FMC ***Section 15-2506*** – Noise, ***Section 15-2507*** – Vibration, ***Section 15-2508*** – Lighting and Glare, ***Section 15-2510*** – Odors, and ***Section 15-2512*** – Air Contaminants. There are standard conditions and processes in place to ensure these code-mandated requirements are complied with during the entitlement review and approval process and prior to issuance of building permits. Overall, the entitlement process would ensure that the Project complies with the General Plan, FMC, and any other applicable policies. As such, the Project would have a less than significant impact. The proposed Project will have a ***less than significant impact***.

In conclusion, the Project will result in a less than significant impact concerning the above-described land use and planning impact analysis criteria.

Mitigation Measures

There are no mitigation measures for the Project, as proposed, relating to Land Use and Planning.

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

DISCUSSION

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

No Impact. There are no known mineral resources in the Project area and none are identified in the City's General Plan near the Project site. Therefore, the Project will result in ***no impact***.

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?

No Impact. There are no known mineral resources in the Project area and none are identified in the City's General Plan near the Project site. Therefore, the Project will result in ***no impact***.

Mitigation Measures

There are no mitigation measures for the Project, as proposed, relating to Mineral Resources.

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

Fresno General Plan

The Fresno General Plan Noise Element provides noise level criteria for land use compatibility for both transportation and non-transportation noise sources. The General Plan sets noise compatibility standards for transportation noise sources in terms of the Day-Night Average Level (L_{dn}). The L_{dn} represents the time-weighted energy average noise level for a 24-hour day, with a 10 dB penalty added to noise levels occurring during the nighttime hours (10:00 p.m.-7:00 a.m.). The L_{dn} represents cumulative exposure to noise over an extended period of time and is therefore calculated based upon annual average conditions.

Table provides the General Plan noise level standards for transportation noise sources. Exterior noise standards are to be applied to the outdoor activity areas of residential land uses. Outdoor activity areas are generally considered to be backyards of single-family

residential uses and common use outdoor areas (such as pool areas, BBQ and picnic areas, playground areas, etc.) as well as individual unit decks, patios and balconies of multi-family residential uses.

Table 13 City of Fresno General Plan Noise Level Standards: Transportation (Non-aircraft) Noise Sources

Noise-Sensitive Land Use	Outdoor Activity Areas	Interior Spaces	
	L_{dn}/CNEL, dB	L_{dn}/CNEL, dB	L_{eq}, dB[2]
Residential	65	45	-
Transient Lodging	65	45	-
Hospitals, Nursing Homes	65	45	-
Theaters, Auditoriums, Music Halls	-	-	35
Churches, Meeting Halls	65	-	45
Office Buildings	-	-	45
Schools, Libraries, Museums	-	-	45

Implementation Policy NS-1-a of the General Plan provides guidance in regard to the development of new noise sensitive land uses (including residential developments).

> ***Desirable and Generally Acceptable Exterior Noise Environment.*** *Establish 65 dBA L_{dn} or CNEL as the standard for the desirable maximum average exterior noise levels for defined usable exterior areas of residential and noise-sensitive uses for noise, but designate 60 dBA L_{dn} or CNEL (measured at the property line) for noise generated by stationary sources impinging upon residential and noise-sensitive uses. Maintain 65 dBA L_{dn} or CNEL as the maximum average exterior noise levels for non-sensitive commercial land uses, and maintain 70 dBA L_{dn} or CNEL as maximum average exterior noise level for industrial land uses, both to be measured at the property line of parcels where noise is generated which may impinge on neighboring properties.*

The General Plan also provides noise level standards for non-transportation (stationary) noise sources. The General Plan noise level standards for non-transportation noise sources are identical to those provided in the FMC, provided below in **Table** .

Implementation Policy NS-1-j of the General Plan Noise Element provides guidance with regard to the establishment of a significance threshold when determining an increase in noise levels over existing ambient noise levels.

> ***Significance Threshold.*** *Establish, as a threshold of significance for the City's environmental review process, that a significant increase in ambient noise levels is assumed if the project would increase noise levels in the immediate vicinity by 3 dB L_{dn} or CNEL or more above the ambient noise limits established in this*

General Plan Update.

Commentary: When an increase in noise would result in a "significant" impact (increase of three dBA or more) to residents or businesses, then noise mitigation would be required to reduce noise exposure. If the increase in noise is less than three dBA, then the noise impact is considered insignificant and no noise mitigation is needed. By setting a specific threshold of significance in the General Plan, this policy facilitates making a determination of environmental impact, as required by the California Environmental Quality Act. It helps the City determine whether (1) the potential impact of a development project on the noise environment warrants mitigation, or (2) a statement of overriding considerations will be required.

Municipal Code

Section 15-2506 of the FMC establishes hourly acoustical performance standards for non-transportation noise sources. The standards, provided in **Table** , are made more restrictive during the nighttime hours of 10:00 p.m. to 7:00 a.m. Additionally, the FMC states that when ambient noise levels exceed or equal the levels described in **Table** , mitigation shall only be required to limit noise to the existing ambient noise levels, plus five dB. ***Section 15-2506*** is consistent with ***Implementing Policy NS-1-I*** of the Noise Element.

Table 14 Non-Transportation Noise Level Standards, dBA

Daytime (7 a.m. – 10 p.m.)		Nighttime (10 p.m. – 7 a.m.)	
L_{eq}	L_{max}	L_{eq}	L_{max}
50	70	45	60

Source: City of Fresno Municipal Code, Section 15-2506

Additional guidance is provided in ***Section 10-102(b)*** of the FMC. *Section 10* provides existing ambient noise levels to be applied to various districts, further divided into various hours of the day. **Table** describes the assumed minimum ambient noise levels by district and time. ***Section 10-102(b)*** states *"For the purpose of this ordinance, ambient noise level is the level obtained when the noise level is averaged over a period of fifteen minutes, without inclusion of the offending noise, at the location and time of day at which a comparison with the offending noise is to be made. Where the ambient noise level is less than that designated in this section, however, the noise level specified herein shall be deemed to be the ambient noise level for that location."*

Table 15 Assumed Minimum Ambient Noise Level, dBA

District	Time	Sound Level, dB L_{eq}
Residential	10 PM TO 7 AM	50
Residential	7 PM TO 10 PM	55
Residential	7 AM TO 7 PM	60
Commercial	10 PM TO 7 AM	60
Commercial	7 AM TO 10 PM	65
Industrial	ANYTIME	70

Source: *City of Fresno Municipal Code, Section 10-102 (B)*

Section 10-106 *(Prima Facie Violation)* States *"Any noise or sound exceeding the ambient noise level at the property line of any person offended thereby, or, if a condominium or apartment house, within any adjoining living unit, by more than five decibels shall be deemed to prima facie evidence of a violation of Section 8-305."*

For noise sources that are not transportation related, which usually includes commercial or industrial activities and other stationary noise sources (such as amplified music), it is common to assume that a 3-5 dB increase in noise levels represents a substantial increase in ambient noise levels. This is based on laboratory tests that indicate that a 3 dB increase is the minimum change perceptible to most people, and a 5 dB increase is perceived as a *"definitely noticeable change."*

The City of Fresno Municipal Code does not explicitly provide guidance on construction noise or vibration. However, *Section 10.109 (Exceptions)* of the Municipal Code states that the noise provisions shall not apply to *"Construction, repair or remodeling work accomplished pursuant to a building, electrical, plumbing, mechanical, or other construction permit issued by the city or other governmental agency, or to site preparation and grading, provided such work takes place between the hours of 7:00 a.m. and 10:00 p.m. on any day except Sunday."* Although not specifically stated in the Noise Element or the Municipal Code, it is also a standard requirement of many jurisdictions that all construction equipment be properly maintained and muffled to minimize noise generation at the source.

The City of Fresno does not have regulations that define acceptable levels of vibration. One of the most recent references suggesting vibration guidelines is the California Department of Transportation (Caltrans) Transportation and Construction Vibration Guidance Manual. The Manual provides guidance for determining annoyance potential criteria and damage potential threshold criteria. These criteria are provided below in **Table** and

Table and are presented in terms of peak particle velocity (PPV) in inches per second (in/sec). The PPV levels reported in **Table** and

Table represent those measured at the potential receiver location.

Table 16 Guideline Vibration Annoyance Potential Criteria

Human Response	Maximum PPV (in/sec) at Receiver	
	Transient Sources	Continuous/Frequent Intermittent Sources
Barely Perceptible	0.04	0.01
Distinctly Perceptible	0.25	0.04

Strongly Perceptible	0.9	0.1
Severe	2.0	0.4

***Source**: Caltrans*

Table 17 Guideline Vibration Damage Potential Threshold Criteria

Structure and Condition	Maximum PPV (in/sec) at Receiver	
	Transient Sources	Continuous/Frequent Intermittent Sources
Extremely fragile, historic buildings, ancient monuments	0.12	0.08
Fragile buildings	0.2	0.1
Historic and some old buildings	0.5	0.25
Older residential structures	0.5	0.3
New residential structures	1.0	0.5
Modern industrial/commercial buildings	2.0	0.5

***Source**: Caltrans*

DISCUSSION

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

Less Than Significant Impact. Generally, the three primary sources of substantial noise that affect the City of Fresno and its residents are transportation-related and consist of major streets and regional highways; airport operations at the Fresno Yosemite International, the Fresno-Chandler Downtown, and the Sierra Sky Park Airports; and railroad operations along the BNSF Railway and the Union Pacific Railroad lines.

In developed areas of the community, noise conflicts often occur when a noise sensitive land use is located adjacent or in proximity to a noise generator. Noise in these situations frequently stems from on-site operations, use of outdoor equipment, uses where large numbers of persons assemble, and vehicular traffic. Some land uses, such as residential dwellings, hospitals, office buildings and schools, are considered noise sensitive receptors and involve land uses associated with indoor and/or outdoor activities that may be subject to stress and/or significant interference from noise.

Stationary noise sources can also influence the population, and unlike mobile, transportation-related noise sources, these sources generally have a more permanent and consistent impact on people. These stationary noise sources involve a wide spectrum of uses and activities, including various industrial uses, commercial operations, agricultural production, school playgrounds, high school football games, HVAC units, generators, lawn maintenance equipment, and swimming pool pumps.

The current Project site is surrounded by single-family residential uses and by an educational facility. The site is not located in close proximity to any major roadways (arterial or larger roadways as designated in the City of Fresno General Plan), freeways, or rail lines. Development of the Project would not place residents of the site near any major noise generator.

Existing sensitive receptors, including single-family homes and a school, are adjacent to the Project site. During the construction phase of the Project, noise generating activities will be present, however, it will be temporary in nature. The construction of the Project involves both short-term construction-related noise and long-term noise potentially generated by increases in area traffic, nearby stationary sources, or other transportation sources. The FMC allows for construction noise in excess of standards if it complies with the section below (Chapter 10, Article 1, Section 10-109 – Exemptions). It states that the provisions of Article 1 – Noise Regulations of the FMC shall not apply to:

> Construction, repair or remodeling work accomplished pursuant to a building, electrical, plumbing, mechanical, or other construction permit issued by the city or other governmental agency, or to site preparation and grading, provided such work takes place between the hours of 7:00 a.m. and 10:00 p.m. on any day except Sunday.

Thus, construction activity would be exempt from City of Fresno noise regulations, as long as such activity is conducted pursuant to an applicable construction permit and occurs between 7:00 a.m. and 10:00 p.m., excluding Sunday. Therefore, short-term construction impacts associated with the exposure of persons to or the generation of noise levels in excess of standards established in the general plan or noise ordinance or applicable standards of other agencies would be **less than significant**.

The City of Fresno Noise Element of the General Plan sets noise compatibility standards for transportation noise sources in terms of the Day-Night Average Level (Ldn). Implementing Policy NS-1-a of the Noise Element establishes a land use compatibility criterion as 65 dB Ldn for exterior noise exposure within outdoor activity areas of residential land uses. Outdoor activity areas generally include backyards of single-family residences, individual patios or decks of multi-family developments and common outdoor recreation areas of multi-family developments. The intent of the exterior noise level requirement is to provide an acceptable noise environment for outdoor activities and recreation.

Additionally, Implementing Policy NS-1-h of the Noise Element requires that interior noise levels attributable to exterior transportation noise sources not exceed 45 dB Ldn. The intent of the interior noise level standard is to provide an acceptable noise environment for indoor communication and sleep.

Short-term Noise and Vibration Impacts

The construction of a project involves both short-term, construction related noise, and long-term noise potentially generated by increases in area traffic, nearby stationary sources, or other transportation sources. The FMC allows for construction noise in excess of standards if it complies with the section below (Chapter 10, Article 1, Section 10-109 – Exemptions). It states that the provisions of Article 1 – Noise Regulations of the FMC shall not apply to:

> Construction, repair or remodeling work accomplished pursuant to a building, electrical, plumbing, mechanical, or other construction permit issued by the city or other governmental agency, or to site preparation and grading, provided such work takes place between the hours of 7:00 a.m. and 10:00 p.m. on any day except Sunday.

Thus, construction activity would be exempt from City of Fresno noise regulations, as long as such activity is conducted pursuant to an applicable construction permit and occurs between 7:00 a.m. and 10:00 p.m., excluding Sunday. Therefore, short-term construction impacts associated with the exposure of persons to or the generation of noise levels in excess of standards established in the general plan or noise ordinance or applicable standards of other agencies would be less than significant.

Long Term Noise Impacts

The proposed Project includes future multi-family residential uses. The immediate vicinity consists of existing and planned residential uses and a middle school, which produce noise levels which are likely similar to noise levels produced by the proposed Project as identified in FMC Table 15-2506-B. Additionally, the subject property is along a collector street to the south which increases the ambient noise of the Project site due to higher frequency of automotive vehicles compared to a local street. The proposed Project is not projected to be a long-term noise source due to the Project being a use consistent with neighboring land uses.

Exterior Noise Exposure and Mitigation

Traffic noise exposure levels associated with vehicular traffic along East Tulare Street and North Helm Avenue are not expected to exceed the City's exterior noise level standard at any of the closest proposed residential units to these roads. The distance to the closest residential building proposed as part of the Project is approximately 48 feet from North Helm Avenue's centerline (local street) and 70 feet from East Tulare Street's centerline (collector street), since

this is the point of measurement detailed in the Environmental Assessment and Screening Form.

According to the Fresno General Plan PEIR, Noise monitoring sites were selected to be representative of typical residential, commercial, and industrial sites within the Planning Area, as well as arterial roadways, elevated and below-grade freeways, and railroad crossings with and without train horn soundings.

First Street (between Belmont Avenue and State Route 180) is the most similar site that has been studied, when compared to the Project site surroundings. This portion of First Street is considered an Arterial with 4 travel lanes. Surrounding land uses are similar; consisting of some commercial uses with the majority in medium density residential. According to the measured noise data, traffic noise produced for this similar stretch of road is approximately 66.1 dB Ldn, when measured 25 feet from the noise source. Using the inverse square law as a basis for estimating the sound that will affect the Project, and using a previous study area with similar characteristics, you can determine estimated exterior noise levels. Given that the portion of First Street has an exterior noise level of 66.1 dB Ldn, when measured at 25 feet. Using the inverse square law, at 61 feet, the estimated noise level will be 58 dB Ldn. Furthermore, this assumes that there will be no barriers between the noise source and the point of measurement, so noise measured in the exterior of the property once developed will be even less due to proper screening methods per City standards.

Interior Noise Exposure and Mitigation
The City of Fresno interior noise level standard is 45 dB Ldn. During development of the Project, construction methods complying with current building code requirements will reduce exterior noise levels, to an acceptable level, if windows and doors are closed. This will be sufficient for compliance with the City's 45 dB Ldn interior standard at all proposed lots. A requirement that it be possible for windows and doors to remain closed for sound insulation means that air conditioning or mechanical ventilation will be required.

Conclusion

Although the Project will create additional activity in the area, the Project will be required to comply with all noise policies and development standards identified within the Fresno General Plan as well as the noise ordinance of the Fresno Municipal Code. Through compliance with the policies and development standards, the interior and exterior noise levels would comply with the City's noise standards and impacts will be *less than significant*. Furthermore, the Project may produce an elevated ambient noise level during construction, however, those impacts are temporary, and no operational noise will be generated that exceeds the adopted noise levels identified for neighboring land uses.

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

Less Than Significant with Mitigation.
Project operations would not include uses or activities that typically generate groundborne vibration or groundborne noise levels in excess. However, temporary

groundborne vibration may result from construction, depending on the use of equipment (e.g., pile drivers, bulldozers, jackhammers, etc.), distance to affected structures, and soil type. The dominant sources of man-made vibration are sonic booms, blasting, pile driving, pavement breaking, demolition, diesel locomotives, and rail-car coupling. Generalized vibration levels associated with typical residential construction activities at distances of 50 feet, 100 feet and 300 feet are summarized by **Table** . These levels would not be expected to exceed any significant threshold levels for annoyance or damage, as provided above in **Table** and

Table .

Table 18 Typical Vibration Levels During Construction

Equipment	PPV (in/sec)		
	At 50 ft.	**At 100 ft.**	**At 300 ft.**
Bulldozer (Large)	0.042	0.019	0.006
Bulldozer (Small)	0.001	0.0006	0.0002
Loaded Truck	0.027	0.017	0.005
Jackhammer	0.012	0.008	0.002
Vibratory Roller	0.097	0.046	0.013
Caisson Drilling	0.042	0.019	0.006

Source*: Caltrans*

After full Project build out, it is not expected that ongoing operational activities will result in any vibration impacts at nearby sensitive uses. Activities involved in trash bin collection could result in minor on-site vibrations as the bin is placed back onto the ground. Such vibrations would not be expected to be felt at off-site sensitive uses.

However, to further assure construction activities do not generate excessive groundborne vibration or groundborne noise levels, the Project shall incorporate Project Specific Mitigation Measure NOI-1 below. Incorporation of this mitigation measure would reduce construction-related vibration and restrict heavy construction equipment in close proximity to existing structures. As a result, the Project would have a less than significant impact with mitigation incorporated.

. Therefore, short-term construction impacts associated with the exposure of persons to or the generation of construction would be ***less than significant with mitigation incorporated***.

Mitigation Measure NOI-1: Construction Vibration. The use of heavy construction equipment within 25 feet of existing structures shall be prohibited.

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

excessive noise levels?

Less Than Significant Impact. The closest airport or airstrip is the Fresno Yosemite International Airport, located approximately 1.75 miles northeast of the Project site. However, the proposed Project is outside noise level contours identified in the Fresno Airport Land Use Compatibility Plan. In conclusion, the proposed Project would not expose people residing or working in the Project site to excessive noise levels associated with such airport facilities and impacts would be ***less than significant***.

Mitigation Measures

The proposed Project shall implement and incorporate, as applicable, the noise related mitigation measures as identified in the attached Project Specific Mitigation Monitoring and Reporting Program dated June 2023.

1. ***Mitigation Measure NOI-2:*** *Construction Vibration. The use of heavy construction equipment within 25 feet of existing structures shall be prohibited.*

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

DISCUSSION

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

Less Than Significant Impact. According to the 2023 State of California Department of Finance population estimates, the population in Fresno is 543,428 people, and the average persons per household is 2.96. The Project site is currently designated by the General Plan as Residential – Medium-Low Density which covers densities from 3.5 to 6 units per acre. If the Project site were to be fully built out in accordance with the current land use, then the maximum allowable dwelling units would be approximately 28 dwelling units. Therefore, the potential population derived from the Project site if the current conditions remained would be 82 people.

The proposed Project would result in the construction of residential housing that would generate an estimated 331 people. The difference between the two outcomes is approximately 249 people. This is less than an estimated 0.001 percent growth in Fresno. An estimated 0.001 percent growth in Fresno is not considered substantial growth in Fresno or the region, and is consistent with the assumed growth in the General Plan. The additional 249 people may come from Fresno or surrounding communities. The proposed Project would not include upsizing of off-site infrastructure or roadways. The Project will be reviewed by the Department of Public Works and installation of new infrastructure would be specific to the uses proposed as a part of

the Development Permit Application. Implementation of the proposed Project would not induce substantial population growth in an area, either directly or indirectly. Therefore, the Project would have a ***less than significant impact*** on population growth in the area.

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

Less Than Significant Impact. The surrounding parcels are mostly developed with single-family and multi-family residential dwellings. The existing single-family residence on the Project site will be moved off site before the start of Project ground-disturbing activities. The proposed Project will therefore only displace a single family of a single existing house. As such, the Project will not displace substantial numbers of existing people or housing. In conclusion, with implementation of the Project, the Project will not result in substantial impacts to housing and population impacts beyond those analyzed in the City General Plan PEIR. The Project will have a ***less than substantial impact***.

Mitigation Measures

There are no mitigation measures for the Project, as proposed, relating to Population and Housing.

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

DISCUSSION

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

i. Fire protection?

Less Than Significant Impact. The Project site is located approximately 2.2 road miles northwest from Fire Station 15. The Project's proximity to the existing station would support adequate service ratios, response times, and other performance objectives for fire protection services. The City of Fresno Fire Department operates its facilities under the guidance set by the National Fire Protection Association in NFPA 1710, the Standard for the Organization and

Deployment of Fire Suppression Operations, Emergency Medical Operations, and Special Operation to the Public by Career Fire Departments. NFPA 1710 sets standards for turnout time, travel time, and total response time for fire and emergency medical incidents, as well as other standards for operation and fire service. The Fire Department has established the objectives set forth in NFPA 1710 as department objectives to ensure the public health, safety, and welfare. Demand for fire service generated by the Project is within planned services levels of the Fire Department and the applicant will pay any required impact fees at the time building permits are obtained.

The FFD reviewed the Project for requirements related to water supply, fire hydrants, and fire apparatus access to the building on site. FFD indicated that the Project is within the service area of existing Fire Station 15. FFD's review also indicated that there are existing gridded public water mains serving the parcel. Further, the Project is subject to the Fire Facilities Fee for construction and acquisition costs for improvements to fire department facilities. For these reasons, it can be determined that the Project can be served by existing facilities and would not result in the need for new or altered facilities and as a result, a ***less than significant*** impact would occur.

ii. Police protection?

Less Than Significant Impact. The proposed Project is within the Southeast Police District with the Southeast Police Station located approximately 3 miles away. The Project is subject to the Police Facilities Fee for construction and acquisition costs for improvements to police protection services and facilities. In addition, the FPD reviewed the Project and recommended consideration of implementing the Crime Prevention through Environmental Design (CPTED) concept including sufficient lighting and surveillance cameras at entry/exit points and parking lots. The site layout incorporates lighting and surveillance cameras, which both support the FPD's recommendations. For these reasons, it can be determined that the Project can be served by existing facilities and would not result in the need for new or altered facilities and as a result, a ***less than significant*** impact would occur.

iii. Schools?

Less Than Significant Impact. The proposed residential uses could potentially result in generation of students, which would impact the District's student classroom capacity. The development is subject to development fee rates in effect at the time of payment, which are currently $0.66 per square foot for senior housing development. Fees will be calculated pursuant to rates effective at the time of payment and new development on the property will be subject to the development fee prior to issuance of a building permit. The surrounding schools include Easterby Elementary School 0.26 miles east of the Project, Kings

Canyon Middle School approximately 0.1 miles east of the Project, and Sunnyside High School approximately 0.61 miles southeast of the Project. The proposed Project will not result in the need for construction of new school facilities and the impact to schools will be ***less than significant***.

iv. Parks?

Less Than Significant Impact. Park and recreational facilities are typically impacted by an increase in use from residential development. The proposed Project does include uses that would increase the use of park and recreation facilities in the area. The nearest parks are Trolley Creek Park approximately 0.31 miles south, and Willow-Bach Park approximately 0.45 miles southwest. The City of Fresno maintains a park goal to provide five acres of city park space per 1,000 residents. To meet this park goal, the Project would require up to 1.79 acres of park uses for the 358 residents. Because the Project does not meet this goal, the applicant would be required to pay the required park impact fees.

As a multi-family residential development, the Project would be subject to providing on-site open space (private, common, or public plaza) pursuant to FMC ***Section 15-1004*** in addition to the Park Facilities Fee and in-lieu fee requirements as established under FMC ***Section 12-4.702*** to mitigate any potential impacts to municipally owned parks. Private open space is proposed for each residential unit either as a patio or balcony. In addition, the Project includes approximately 43,190 sf. of common open space throughout the site including indoor and outdoor recreational space (e.g., landscaping, swimming pool, arbors, and barbecue). Compliance with these requirements would reduce any impacts resulting from increased residential demand for park and recreational facilities so as to not cause substantial physical deterioration of the facilities. For these reasons, the Project would have a ***less than significant impact***.

v. Other public facilities?

Less Than Significant Impact. The Project introduces residences to the area, thus increasing the demand for other public services, such as courts, libraries, hospitals, etc., which could result in development or expansion of public facilities. However, the Project, which proposes 112 residential units, is not of a scale that would result in the construction of additional public facilities (i.e. libraries, hospitals, etc.). Typical environmental impacts associated with the development of these facilities include air quality, greenhouse gas emissions, noise, traffic, etc. The expansion of these facilities would be subject to CEQA as they are proposed. In addition, future development would be subject to the payment of the Development Impact Fee in order to mitigate any potential impacts to these public facilities. As a result, the Project would have a ***less than significant impact***..

In conclusion, the Project will not result in any public service impacts beyond those analyzed in City General Plan PEIR.

Mitigation Measures

There are no mitigation measures for the Project, as proposed, relating to Public Services.

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

The nearest parks to the Project site include Trolley Creek Park (3.07 acres, 0.25 miles south), Willow Balch Park (1.14 acres, 0.43 miles southwest), Martin Ray Reilly Park (3.32 acres, 0.92 miles northwest), and Pilibos Park (13.22 acres, 0.71 miles southwest). Park and Recreation Facilities are overseen by the Fresno Parks and Recreation Department, Parks, After School, Recreation, and Community Services (PARCS). The City's service standard for parks is at least three acres of public parkland per 1,000 residents.

Fresno General Plan

The Fresno General Plan Parks, Open Space, and Schools Element includes the following objectives and policies related to park and recreational facilities and services:

Objective POSS-1 *Provide an expanded, high quality and diversified park system, allowing for varied recreational opportunities for the entire Fresno community.*

> ***Policy POSS-1-a Parkland standard.*** *Implement a standard of at least three acres of public parkland per 1,000 residents for Pocket, Neighborhood, and Community parks throughout the city, while striving for five acres per 1,000 residents for all parks throughout the city, subject to identifying additional funding for Regional Parks, Open Space/Natural Areas, and Special Use Parks/Facilities.*

Policy POSS-1-e Criteria for Parks in Development Areas*. Continue to use park size and service area criteria for siting new parks and planning for parks in Development Areas:*

Park Type	*Size Range (Acreage)*	*Population Served*	*Service Area Radius*
Neighborhood	*2.01 to 10*	*10,000-15,000*	*Up to 1 mile*
Community	*10.01 to 40*	*50,000-80,000*	*Up to 4 miles*
Regional	*More than 40**	*100,000*	*100,000 residents*

**Or when amenities provide regional service.*

Objective POSS-2 *Ensure that adequate land, in appropriate locations, is designated and acquired for park and recreation uses in infill and growth areas.*

Policy POSS-2-a *Identify opportunities to site, develop and co-locate Fire and Police stations with needed parks and open space as joint-use facilities.*

Policy POSS-2-b Park and Recreation Priorities. *Use the following priorities and* guidelines in acquiring and developing parks and recreation facilities:

- *Acquire and develop neighborhood park space in existing developed neighborhoods that are deficient of such space and in areas along BRT corridors that are designated as priorities for encouraging new mixed-use transit-oriented development;*

- *Provide accessible recreation facilities in established neighborhoods with emphasis on those neighborhoods currently underserved by recreation facilities;*

- *Improve established neighborhood parks with emphasis on those neighborhoods with the greatest need;*

- *Acquire and develop neighborhood and community parks in new Development Areas;*

- *Recognize community parks as a special need in areas that lack these facilities or are planned for transit supportive urban densities, and explore all potential sources of revenue to secure and develop appropriate sites including joint use facilities;*

- *Develop new special purpose parks, such as outdoor gym equipment, natural resource based trail parks, equestrian centers, dog parks, and amphitheaters, as well as alternative recreation facilities, such as community recreation centers, passive wildlife observation park, cultural heritage and diversity park, military veterans memorial park, and universal access open space park; and*

- *Acquire and develop park and open space in established neighborhoods and Development Areas, prioritizing existing neighborhoods with the greatest deficiencies, so that all residents have access to park or open space within one-half mile of their residence. Develop these facilities to be fully accessible to individuals with disabilities as required by law.*

Policy POSS-2-c Review of Development Applications. *Coordinate review of all development applications (i.e., site plans, conditional use permits, and subdivision maps) in order to implement the parks and open space standards of this Plan.*

- *Assure the provision of adequate active and passive open spaces and facilities as appropriate within residential subdivisions through Development Code requirements for mandatory dedication and improvement of land and/or development fees.*

- *Require the provision of appropriate outdoor living areas or private open space in multi-family residential developments not subject to the Subdivision Map Act.*

- *Request open space easements where feasible and warranted to secure appropriate public use of sensitive areas with scenic or recreation values, and for buffering space for sensitive areas.*

- *Require provision of appropriate open space areas in private projects, in the form of trails, enhanced landscaped setbacks, parks, and water features.*

- *Evaluate the merits of establishing a development bonus entitlement program in which development incentives (i.e., bonus densities, bonus floor area square footage) are provided for contributions to public recreational facilities on-site or in the vicinity of the development project.*

Policy POSS-2-e Open Space Dedication for Residential Development. *Ensure new residential developments provide adequate land for parks, open space, landscaping, and trails through the dedication of land or otherwise providing for Pocket Parks, planned trails, and other recreational space, maintained by an HOA, CFD, or other such entity.*

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

Policy POSS-3-a Centralized Park Locations. *Site parks central and accessible to the population served, while preserving the integrity of the surrounding neighborhood.*

Policy POSS-3-b Park Location and Walking Distance. *Site Pocket and Neighborhood Parks within a half-mile walking distance of new residential development.*

Policy POSS-3-c Link Parks with Walkways. *Link public open space to adjacent, schools, and residential uses and Activity Centers through a series of landscaped linear walkways and bikeways that enhance and encourage pedestrian use.*

Policy POSS-3-d Sidewalks to Connect Neighborhoods. *Sidewalks should be designed for internal neighborhood circulation, and to connect neighborhoods to other residential areas, parks, community trails, shopping, and major streets.*

Policy POSS-3-e Minimum Park Size for Active Recreation. *Minimize City acquisition or acceptance of dedication of park sites less than two acres in size for active recreational uses, except where maintenance costs are secured through a CFD, HOA, or other such mechanism.*

Policy POSS-3-f Park Design Guidelines. *Create, maintain, and apply park design guidelines, with provisions for appropriate amenities for each park type, which may include:*

• Minimum and maximum shade. • Protections from shading by adjacent buildings. • Accessibility to persons with disabilities. • Street trees and landscaped median strips in adjacent arterial roads. • Art and points of attraction. • Landscape and hardscape features. • Street furniture, signage, and lighting. • Food sales and entertainment. • Restroom facilities, play structures, and picnic shelters. • Landscape design synthesis with input from civil engineers and hydrologists, educators and daycare providers, fitness trainers and coaches, police officers and experts in crime prevention through environmental design, as appropriate. • Solar panels, new LED lighting, and water efficiency improvements. Sports field areas designed to allow periodic changes in field locations to minimize wear areas and provide sufficient fields to host regional, state, or national tournaments. • Using topography to create interesting and visually appealing spaces and forms. • Use of waterways as a key design influence, a focus of restoration, and an opportunity to provide for public enjoyment of views. • Reflecting the agricultural and horticultural heritage of the site or area. • Connecting with surrounding areas in a way that encourages expanded pedestrian activity. • Creating individual places within a park that respond to the needs of a broad range of park users, from youth to the elderly. • Creating places of delight that engage the senses. • Creating places that engage the mind, by treating park features as opportunities for interpretation and questioning. • Using sustainable design practices, and highlighting these as opportunities for learning.

Policy POSS-3-g Park Security and Design. *Promote safety, attractiveness, and compatibility between parks and adjacent residential areas through design, maintenance, and enforcement of park regulations.*

- *Require the installation of security lighting for parking, points of access, and building areas at all public recreation and park sites.*

- *Keep neighborhood eyes on parks to increase security.*

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

Objective POSS-4 *Pursue sufficient and dedicated funding for parks acquisition, operations, and maintenance.*

Policy POSS-4-b Operation and Maintenance Financing. *Continue to require new residential development to form lighting and landscaping maintenance districts or community facility districts or ensure other means of financing to pay for park operations and maintenance.*

Policy POSS-4-c Improvements in Established Neighborhoods. *Seek agreements with formal neighborhood associations and institutions for improvements and ongoing maintenance of parks in established neighborhoods.*

Fresno Municipal Code

FMC ***Section 12-4.702*** establishes the Park Facilities Fee to pay for municipally owned park and recreation facilities. Residential development is responsible for a combination of land dedication and payment of in-lieu fees. Multi-family development in particular is subject to on-site open space and in-lieu fee requirements. On-site open space requirements for multi-family residential uses are outlined in FMC ***Section 15-1004***. The minimum amount of on-site open space required is based on the size of the lot and can be met through a combination of private open space, common open space, or public plazas.

DISCUSSION

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

Less Than Significant Impact. Park and recreational facilities are typically impacted by an increase in use from residential development. The Project proposes residential development that would introduce residents to the area and therefore increase the demand for and use of existing neighborhood and regional parks or other recreational facilities. The nearest parks to the Project site include Trolley Creek Park approximately 0.31 miles south, and Willow-Bach Park approximately 0.45 miles southwest. As a multi-family residential development, the Project would be subject to providing on-site open space (private, common, plaza, etc.) pursuant to FMC Section

15-1004 in addition to the Park Facilities Fee and in-lieu fee requirements as established under FMC Section 12-4.702 to mitigate any potential impacts to municipally owned parks. Private open space is proposed for each residential unit either as a patio or balcony. In addition, the Project includes approximately 4,918 sf. of common open space throughout the site including indoor and outdoor recreational space (e.g., landscaping, swimming pool, community hall, and exercise room). Compliance with these requirements would reduce any impacts resulting from increased residential demand for park and recreational facilities so as to not cause substantial physical deterioration of the facilities. For these reasons, the Project would have a ***less than significant impact***.

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

Less Than Significant Impact. The Project includes on-site recreational facilities as described under criterion a, above. Other than the on-site facilities, the Project would not require the construction or expansion of recreational facilities. The on-site recreational facilities would be developed in accordance with on-site open space requirements pursuant to FMC ***Section 15-1004***. Compliance would ensure that the facilities would not be in an area or be built to a scale that would cause an adverse physical effect on the environment. As a result, a ***less than significant impact*** would occur.

Mitigation Measures

There are no mitigation measures for the Project, as proposed, relating to Recreation.

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

The Project site is located at the northwest corner of East Tulare Avenue and North Helm Avenue. According to the City of Fresno Plan Major Street Circulation Diagram, aerial photographs, and the November 2020 site reconnaissance, East Tulare Avenue is a two-lane collector road while North Helm Avenue is a one-lane local road.

DISCUSSION

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

Less Than Significant Impact. Within proximity to the Project, there are several transportation facilities, including transit, roadway, bicycle, and pedestrian facilities.

Transit Services

Fresno Area Express (FAX) provides bus services to the Fresno area. FAX Route 22 has a stop at the Project site. As part of the development application process, the Project will coordinate with FAX on determining any potential improvements to the local bus stop near the Project site. The Project is not expected to disrupt or impede existing transit facilities.

Bicycle and Pedestrian Facilities

The 2016 City of Fresno Active Transportation Plan (ATP) refers to the Caltrans Highway Design Manual for classification of bicycle facilities as follows:

- Class I Bikeway (Bike Path): Off-street facilities that provide exclusive use for non-motorized travel, including bicyclists and pedestrians.
- Class II Bikeway (Bike Lane): On-street facilities that use striping, stencils, and signage to denote preferential or exclusive use by bicyclists.
- Class III Bikeway (Bike Route): On-street pavement markings or signage that connect the bicycle roadway network along corridors that do not provide enough space for dedicated lanes on low-speed and low-volume streets.
- Class IV Bikeway (Separated Bikeways): Physically separated bicycle facilities that are distinct from the sidewalk and designed for exclusive use by bicyclists. Commonly known as "cycle tracks," they are located within the street right-of-way, but provide similar comfort when compared to Class I Bikeways.

The ATP identifies an existing Class II Bike Lane on North Peach Avenue located approximately 0.25 miles east of the Project site. An existing bicycle and pedestrian trail is also located approximately 0.13 miles north of the Project site along North Helm Avenue. The Project is not expected to disrupt or impede existing or planned bicycle facilities.

Pedestrian

Pedestrian connectivity is generally well established in the general vicinity of the site, with the exception that sidewalks typically do not exist in front of the Project site frontage along North Helm Avenue. The Project would be required to construct sidewalks along its frontage, which will improve general pedestrian connectivity in the area. The Project is not expected to disrupt or impede existing or planned pedestrian facilities.

Roadway

The Project site is located on the northwest corner of North Helm Avenue and East Tulare Avenue. Site access will be via two new driveway entrances fronting onto North Helm Avenue, which will provide direct connectivity to East Tulare Avenue.

The proposed Project will not require any changes to existing transportation systems and will have no impact on any plans, ordinances, or policies related to the effectiveness or performance of the circulation system.

Impacts will ***be less than significant***.

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

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

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

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

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

The City of Fresno VMT Thresholds adopted a screening standard and criteria that can be used to screen out qualified projects that meet the adopted criteria from needing to prepare a detailed VMT analysis.

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

The proposed project is eligible to screen out because it provides for a high level of affordable units, specifically all 112 units at the Project are deemed affordable housing units for seniors. Under Article 22 – Affordable Housing Density Bonus, Section 15-2208 Regulatory Agreement, the City shall enter into a recorded agreement in the form of a covenant with property owner, and take other appropriate steps necessary to assure that the required moderate, low and/or very low income ownership units are provided and that the units remain affordable to moderate, low, or very low income households for the required period.

In addition, pursuant to the Plan Amendment and Rezone Application (P19-05889), the Project was reviewed by the City of Fresno Public Works Traffic Operations and Planning Department and it was determined that the Project will not generate enough trips (more than 500) to trigger a traffic study (Appendix D).

Therefore, the Project will result in a ***less than significant*** VMT impact and is consistent with CEQA Guidelines Section 15064.3(b).

c) 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 design of the proposed development has been evaluated and determined to be consistent with respect to compliance with City of Fresno standards, specification and policies. The site plan appears to provide adequate circulation throughout the site. The Project would not increase hazards due to a geometric design feature or incompatible use. This is a ***less than significant impact***.

d) Result in inadequate emergency access?

Less Than Significant Impact. The proposed Project driveways will not create hazards or conflict with emergency access. The Project includes two points of vehicular access along North Helm Avenue. These two accesses would be available in case of an emergency. Therefore, the Project would result in a ***less than significant impact*** associated with emergency access.

Mitigation Measures

There are no mitigation measures for the Project, as proposed, relating to Transportation.

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

DISCUSSION

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

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

Less Than Significant Impact. 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 any California Native American tribes that are 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 are either on or eligible for inclusion in the California Historic Register or local historic register, or the lead agency at its discretion, and supported 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 California Native American Heritage Commission's Sacred Lands File per PRC Section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation.

Pursuant to AB 52, the City invited all local tribal groups on the City's AB 52 consultation list. The City of Fresno mailed notices of the proposed Project to each of these tribes on December 11, 2020, which included the required 30-day time period for tribes to request consultation, which ended on January 10, 2021. To date, none of the tribal groups have responded to the City's notices for this Project.

As noted in Section V Cultural Resources, no other cultural surveys or resources have been recorded within a half mile of the Project. No cultural resources are known within the project site. No Native American sacred sites or cultural landscapes had been identified within or immediately adjacent to the study area. The Project will therefore result in a ***less than significant impact***.

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 Impact 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 any California Native American tribes that are 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 are either on or eligible for inclusion in the California Historic Register or local historic register, or the lead agency at its discretion, and supported 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 California Native American Heritage Commission's Sacred Lands File per PRC Section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation.

Pursuant to AB 52, the City invited all local tribal groups on the City's AB 52 consultation list. The City of Fresno mailed notices of the proposed Project to each of these tribes on December 11, 2020, which included the required 30-day time period for tribes to request consultation, which ended on January 10, 2021. To date, none of the tribal groups have responded to the City's notices for this Project.

As noted in Section V Cultural Resources, no other cultural surveys or resources have been recorded within a half mile of the Project. No cultural resources are known within the project site. No Native American sacred sites or cultural landscapes had been identified within or immediately adjacent to the study area. If any artifacts are inadvertently discovered during ground-disturbing activities, existing federal, State, and local laws and regulations as well as the mitigation measure CUL-1 will require construction activities to cease until such artifacts are properly examined and determined not to be of significance by a qualified cultural resource professional. The Project will therefore result in a ***less than significant impact with mitigation incorporated.***

Mitigation Measures:

CUL-1.1 If previously unknown resources are encountered before or during grading activities, construction shall stop in the immediate vicinity 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 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 and the City's Historic Preservation Ordinance. If the resources are determined to be unique historical resources as defined under Section 15064.5 of the CEQA

Guidelines, measures shall be identified by the monitor and recommended to the Lead Agency. Appropriate measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds. No further grading shall occur in the area of the discovery until the Lead Agency approves the measures to protect these resources. Any historical artifacts recovered as a result of mitigation shall be provided to a City-approved institution or person who is capable of providing long-term preservation to allow future scientific study.

Mitigation Measures

5. The proposed project shall implement and incorporate the Tribal Cultural Resources related mitigation measures (CUL-1.1) as identified in the attached Project Specific Mitigation Monitoring Checklist dated July 2022.

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

The Project site as it currently exists is developed, containing existing structures and on- and off-site improvements including drive approaches, curb, gutter, and overhead utilities along North Armstrong Avenue. There are approximately five existing structures including a 1,918-square foot single-family residence (built circa 1962), garage, and storage sheds. The site is connected to water, wastewater, and stormwater services. Natural gas, electricity, and telecommunications are provided by private companies. Each utility system is described below.

Water

Water supply, usage, and services are described in **Section X - Hydrology and Water Quality**.

Wastewater

The City of Fresno Wastewater Management Division (WMD) is responsible for the collection, conveyance, treatment, and reclamation of wastewater generated in the Fresno-Clovis metropolitan area. Wastewater treatment and disposal is handled through the City-operated Regional Sewer Agency for the Fresno-Clovis Regional Wastewater Reclamation Facility (RWRF) North Fresno Wastewater Reclamation Facility (North Facility) via a wastewater collection system that consists of gravity sewer pipes, manholes, lift stations, junction structures, and force mains. The nearest sanitary sewer main to serve the proposed Project is an eight-inch sewer main located in North Helm Avenue. New connections are subject to Sewer Connection Charges pursuant to Fresno Municipal Code Section 6-304 and 6-305.

Solid Waste

Solid waste in the city is collected by a Commercial Solid Waste Franchisee, Mid Valley Disposal.

Stormwater

Stormwater services are described in **Section X - Hydrology and Water Quality**.

Natural Gas and Electricity

PG&E, the natural gas and electric service provider for the area, incrementally expands and updates its service system as needed to serve its users. PG&E has existing overhead electric distribution facilities currently servicing the Project site.

Telecommunications

Accordingly, telecommunications providers in the area incrementally expand and update their service systems in response to usage and demand. Upon request, the site would be

connected to existing broadband infrastructure and subject to applicable connection and service fees.

DISCUSSION

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

Less Than Significant Impact. The Project site is within city limits and thus, would be required to connect to water, stormwater, solid waste, and wastewater services. Natural gas, electricity, and telecommunications would be provided by private companies including PG&E and Mid Valley Disposal. The City has reviewed the Project to determine adequate capacity in these systems and ensure compliance with applicable connection requirements. In addition to connections to water, stormwater, solid waste, and wastewater services, the Project would be served by PG&E for natural gas and electricity and by the appropriate telecommunications provider for the Project Area. Therefore, all wet and dry public utilities, facilities, and infrastructure are in place and available to serve the Project site without the need for relocated, new, or expanded facilities. While new utility and service connections would need to be extended to and from the Project site (e.g., sewer, stormwater runoff, electrical), these new connections would not result in a need to modify the larger off-site infrastructure. Therefore, the Project would not require or result in the relocation or construction of new or expanded facilities and as such, and impact would be ***less than significant***.

b) 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.
As discussed in detail in the Hydrology and Water Quality Section, the City's long-term water resource planning is addressed in the City's 2020 UWMP. As concluded in Hydrology and Water Quality Section, it can be presumed that existing groundwater supplies should be adequate to serve the Project's anticipated demand.

Regarding water supply availability, the City manages its surface water and groundwater supply by maximizing water for potable use and intentional recharge during wet and normal years and relies on groundwater during dry years. To optimize water supply reliability and resiliency, the City is currently undergoing an update of its Metro Plan which will identify projects and programs. Generally, the City's approach is to maximize local supplies and improve the storage of the groundwater basin through recharge, recycled water usage, and conservation.

The UWMP projects normal water year, single dry water year, and five-year consecutive drought period supplies based on historic water allocations, sustainable

yields, and utilization of recycled water. Based on these projections, the UWMP found that groundwater supplies remain reliable in all hydrologic conditions, attributing the stability to intentional recharge. The projections also show that the City will have greater than 100,000 AF available supply in normal years after meeting demands. In a single dry year, surface water supplies will be reduced but the City would still be able to meet all potable demands. Lastly, for five-year consecutive drought periods, the City is projected to meet all demands with its existing supplies with reduced groundwater recharge in year three and four to accommodate reduced surface water allocations. Based on these projections, it can be inferred that future development, such as the proposed Project, will not negatively impact the City's ability to provide water assuming adherence to requirements and recommendations from the City's water resources planning efforts.

Overall, based on the information collected from the UWMP, the Project would not generate significantly greater water demand as to substantially decrease groundwater supplies. As a result, it can be presumed that the existing and planned water distribution system should be adequate to serve the Project during normal, dry, and multiple dry years. In addition, adherence to connection requirements and recommendations pursuant to the City's water supply planning efforts (i.e., compliance with California Plumbing Code, efficient appliances, efficient landscaping, etc.) should not negatively impact the City's water provision. For these reasons, a ***less than significant impact*** would occur as a result of the Project.

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?

Less Than Significant Impact. The City's long-term wastewater planning is addressed in the City's Wastewater Collection System Master Plan Update (Master Plan).[22] Land use types are important to determine projected demand and adequate sizing and capacity for pipes and facilities to maintain effective sanitary sewer system facilities. The land use assumptions in the Master Plan were based on the General Plan and projected future development within the City's proposed growth boundary. The Master Plan estimates the future quantity of wastewater generated at build out of the collections system. Wastewater flows associated with build out are projected to be approximately 129.9 million gallons per day (mgd).

The Project proposes a GPA to change the planned land use designation from Residential – Medium Low Density to Residential – Urban Neighborhood. Therefore, as a higher density residential development, the Project is anticipated to generate additional wastewater beyond existing conditions. As shown in Table 5.5 of the Master

22City of Fresno (2015). Wastewater Collection System Master Plan Update. Accessed December 13, 2022, https://www.fresno.gov/publicutilities/wp-content/uploads/sites/16/2020/09/2015CollectionSystemMasterPlanUpdate2015FINAL.pdf

Plan, the Medium Low Density (3.5-6 dwelling units per acre) residential land use type is projected to generate a wastewater flow coefficient (gpd/ac) of 900 gpd/ac and the High Density (30-45 dwelling units per acre) residential land use type is projected to generate 4,000 gpd/ac. **Table** summarizes the total wastewater flows to be expected for the Project. However, payment of Sewer Connection Charges and ongoing user fees would ensure that the Project's impacts on existing wastewater facilities are adequately offset (i.e., ensuring that sufficient capacity is available).

Table 19 Summary of Total Wastewater Flows by Land Use

Land Use Type	Area (ac)	Wastewater Flow Coefficient (gpd/ac)	Daily Average (GPD)
Medium Low Density Residential	4.83	900	4,347
High Density Residential	4.83	4,000	19,320

Source: *City of Fresno, Wastewater Collection System Master Plan Update*

According to the Master Plan, the City manages and maintains more than 1,500 miles of gravity sewer lines up to 84-inches in diameter, 15 active lift stations, and associated force mains. Wastewater generated in the sewer service area is conveyed to the RWRF or the North Facility. As of 2020, the RWRF had a capacity of 91.5 mgd (millions of gallons per day) and the North Facility had a capacity of 0.17 mgd (daily average flow). Expansion of these facilities is planned for 2025 or later, based on capacity levels.

The Master Plan also identifies "areas of change" and "areas of stability," wherein "areas of change" are areas within the study area that will contribute to a net increase in wastewater flows into the collection system and "areas of sustainability" are the remaining land use areas within the current sewer service area that are assumed to remain unchanged at build out of the General Plan. The Project site is identified as an area of change by Figure 2.5 of the Master Plan and therefore, a net increase in wastewater flows into the collection system resulting from development in this area has been anticipated.

Aerial imagery from the City of Fresno GIS Data Viewing Application for 2015 and 2023 indicates that a majority of parcels within the "areas of change" surrounding the Project site are currently developed with single-family and multi-family residences and public institutions (schools) with little new development. Based on this development, it is presumed that the Project Area inclusive of the Project Site is within an existing sewer service area. This is further evidenced by the presence of an existing eight-inch sewer main located in East Tulare Avenue and a 12-inch sewer main located in North Helm Avenue. According to review of the Project by the City of Fresno Department of Public Utilities, sanitary sewer facilities are available to service the site subject to installation of new sewer house branch(es) and payment of Sewer Connection Charges. Collectively, these facilities would convey wastewater generated from the

Project. Therefore, the Project would not require the construction of new pipelines or facilities.

In addition, the Project site is not within an area with deficient pipelines. According to the Master Plan, *"in general, the City's collection system has sufficient capacity to convey current PWWFs [Peak Wet Weather Flow] without exceeding the established q/Q ratio [Peak Flow to Pipe Capacity Ratio]. However, there are a few areas where wet weather capacity restrictions are present and required mitigation. The location of these capacity deficient pipelines for current PWWF conditions are shown on Figure 6.1 in red."* As shown in Figure 6.1 of the Master Plan, there are no deficiencies identified in the Project Area and thus, no construction of new pipelines or facilities or improvements to existing pipelines or facilities would be required.

In summary, the Project is anticipated to generate additional wastewater beyond existing conditions. However, there are existing facilities available to convey wastewater generated from the Project subject to the installation of a new sewer house branch(es) and payment of Sewer Connection Charges and ongoing user fees. Payment of the required Sewer Connection Charge and ongoing user fees would ensure that sufficient capacity is available and that the Project's impacts on existing facilities are adequately offset. For these reasons, it can be determined that the wastewater treatment provider has adequate capacity to serve the Project's projected demand in addition to the provider's existing commitments. Therefore, the Project would have a ***less than significant impact***.

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?

Less Than Significant Impact. The City of Fresno Department of Public Utilities, Solid Waste Division has reviewed the Project for compliance with any federal, state, and local management and reduction statutes and regulations related to solid waste. According to the City's General Plan PEIR, garbage disposed in the City of Fresno is taken to Cedar Avenue Recycling and Transfer Station. Once trash has been off-loaded at the transfer station, it is sorted and non-recyclable solid waste is loaded onto large trucks and taken to the American Avenue Landfill located approximately six miles southwest of Kerman. The American Avenue Landfill is owned and operated by Fresno County and began operations in 1992 for both public and commercial solid waste haulers. The American Avenue Landfill is a sanitary landfill, meaning that it is a disposal site for non-hazardous solid waste spread in layers, compacted to the smallest practical volume, and covered by material applied at the end of each operating day.

The American Avenue Landfill (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.

Using the solid waste generation rates included in the City's General Plan PEIR (7 pounds per multi-family residential unit per day), the proposed Project's 112 dwelling units could generate an estimated 784 pounds of waste per day. Based on 784 pounds of waste estimated to be generated per day, this would equate to 0.392 tons per day or 1.78 percent of the throughput of 2,200 tons per day. The estimated total of 143 tons per year would not result in exceedance of the local capacity infrastructure. The Project site will be serviced by the solid waste division, and the solid waste generated by the Project would be sent to the American Avenue Landfill.

Therefore, the Project will comply with any statutes and regulations related to solid waste and the Project will result in a ***less than significant impact***.

e) 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 with Cal Green, the City's Construction and Demolition (C&D) Waste Management Guide, and with waste management policies and recommendations from the General Plan and the Greenhouse Gas Reduction Plan Update.[23] The proposed project would dispose of waste in accordance with applicable federal, state, and local recycling, reduction, and waste requirements and policies.

Therefore, the Project would not conflict with federal, state, and local management and reduction statutes and regulations related to solid waste, and the Project will result in a ***less than significant impact***.

23 City of Fresno, 2021. Greenhouse Gas Reduction Plan Update. Available online at: https://www.fresno.gov/darm/wp-content/uploads/sites/10/2021/03/Link4AppendixGGHGRPUpdate.pdf (accessed January 22, 2024)

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XX. WILDFIRE – If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?			X	
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?			X	
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?			X	
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?			X	

There are no State Responsibility Areas (SRAs) within the vicinity of the Project Site. The Project Site is not categorized as a “Very High” Fire Hazard Severity Zone (FHSZ) by CalFire. Although this CEQA topic only applies to areas within an SRA or Very High FHSZ, out of an abundance of caution regarding fire safety, these checklist questions are analyzed below.

DISCUSSION

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

Less Than Significant Impact. The Project site will connect to an existing network of City streets. The proposed circulation improvements include two vehicle access points on North Helm Avenue, all of which would be available during an emergency. The Project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. The Project will therefore have a ***less than significant impact***.

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?

Less Than Significant Impact. The risk of wildfire is related to a variety of parameters, including fuel loading (vegetation), fire weather (winds, temperatures, humidity levels and fuel moisture contents) and topography (degree of slope). Steep slopes contribute to fire hazard by intensifying the effects of wind and making fire suppression difficult. Fuels such as grass are highly flammable because they have a high surface area to mass ratio and require less heat to reach the ignition point. The Project Site is located in an area that is predominately urban, which is not considered at a significant risk of wildlife. The Project will therefore have a ***less than significant impact***.

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?

Less Than Significant Impact. The Project includes development of infrastructure (water, sewer, and storm drainage) required to support the proposed industrial, commercial, and industrial uses. The Project Site is surrounded by existing urban development. The Project would not require the installation or maintenance of infrastructure that may exacerbate fire risk and would therefore have a ***less than significant impact***.

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?

Less Than Significant Impact. The proposed Project would require the installation of storm drainage infrastructure to ensure that storm water properly drains from the

Project Site and does not result in downstream flooding or major drainage changes. A storm drainage plan would be designed and engineered to ensure proper construction of storm drainage infrastructure to control runoff and prevent flooding, erosion, and sedimentation. Runoff from the Project Site is vacant; therefore, no grading has occurred. As a part of the development review process, a grading plan will be reviewed in order to determine the best scenario for site drainage. Any further storm drain requirements will be processed by the Fresno Metropolitan Flood Control District and constructed per the District's standards. Additionally, the northern portion of the Project Site is located within FEMA Zone X (.02 percent annual chance flood hazard) and the remainder FEMA Zone X (area of minimal flood hazard), indicating that the site is located not within a 100-year flood hazard zone. Further, because the site is essentially flat and located in an existing urbanized area of the City, downstream landslides would not occur.

Landslides include rockfalls, deep slope failure, and shallow slope failure. Factors such as the geological conditions, drainage, slope, vegetation, and others directly affect the potential for landslides. One of the most common causes of landslides is construction activity that is associated with road building (i.e. cut and fill). The Project Site is relatively flat; therefore, the potential for a landslide in the Project Site is essentially non-existent. The Project will therefore have a ***less than significant impact*****.**

Mitigation Measures

There are no mitigation measures for the Project, as proposed, relating to Wildfire.

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

DISCUSSION

a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to

eliminate a plant or animal community, substantially reduce the number or restrict the range of an endangered, rare, or threatened species, or eliminate important examples of the major periods of California history or prehistory?

Less Than Significant Impact. The proposed Project is considered to be proposed at a size and scope which is neither a direct or indirect detriment to the quality of the environment through reductions in habitat, populations, or examples of local history (through either individual or cumulative impacts).

The proposed Project does not have the potential to degrade the quality of the environment or reduce the habitat of wildlife species and will not threaten plant communities or endanger any floral or faunal species. Furthermore, the Project has no potential to eliminate important examples of major periods in history.

In conclusion, the Project will result in a ***less than significant impact*** concerning the above described Mandatory Findings of Significance impact analysis criteria.

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

Less Than Significant Impact. CEQA Guidelines Section 15064(i) states that a Lead Agency shall consider whether the cumulative impact of a project is significant and whether the effects of the project are cumulatively considerable. The assessment of the significance of the cumulative effects of a project must, therefore, be conducted in connection with the effects of past projects, other current projects, and probable future projects. Due to the nature of the Project including its relatively small size and consistency with environmental policies, incremental contributions to impacts are considered less than cumulatively considerable. All Project-related impacts were determined to be less than significant. The Project would not contribute substantially to adverse cumulative conditions, or create any substantial indirect impacts (i.e., increase in population could lead to an increased need for housing, increase in traffic, air pollutants, etc.). As such, Project impacts are not considered to be cumulatively considerable given the insignificance of project-induced impacts. For the reasons stated here, it has been determined that this Project does not have cumulatively considerable impacts.

The proposed Project:

- Does not have environmental impacts which will cause substantial adverse effects on human beings, either directly or indirectly.
- Does not have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish/wildlife or native plant species (or

cause their population to drop below self-sustaining levels), does not threaten to eliminate a native plant or animal community, and does not threaten or restrict the range of a rare or endangered plant or animal.
- Does not eliminate important examples of elements of California history or prehistory.
- Does not have impacts which would be considered cumulatively considerable even though individually limited.

Therefore, the Project will result in a ***less than significant impact***.

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

Less Than Significant Impact. The Project is consistent with applicable environmental policies and mitigation measures are required in several impact areas to reduce any potential significant impacts to less than significant. The analyses of environmental issues contained in this Initial Study indicate that the project is not expected to have a substantial impact on human beings, either directly or indirectly. Standard requirements and conditions have been incorporated in the project to reduce all potentially significant impacts to less than significant. For the reasons stated here, this Project does not have cumulatively considerable impacts.

The proposed Project:

- Does not have environmental impacts which will cause substantial adverse effects on human beings, either directly nor indirectly.
- Does not have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish/wildlife or native plant species (or cause their population to drop below self-sustaining levels), does not threaten to eliminate a native plant or animal community, and does not threaten or restrict the range of a rare or endangered plant or animal.
- Does not eliminate important examples of elements of California history or prehistory.
- Does not have impacts which would be considered considerable even though individually limited.

Therefore, the Project will result in a ***less than significant impact***.

PROJECT SPECIFIC MITIGATION MEASURE MONITORING AND REPORTING PROGRAM (MMRP)

This Mitigation Monitoring and Reporting Program (MMRP) was formulated based on findings of the Initial Study Checklist (IS) prepared for the Azzaro Senior Housing Project in the City of Fresno (City). This MMRP is in compliance with Section 15097 of the *CEQA Guidelines*, which requires that the Lead Agency "adopt a program for monitoring or reporting on the revisions which it has required in the project and the measures it has imposed to mitigate or avoid significant environmental effects." The MMRP lists mitigation measures recommended in the IS and identifies mitigation monitoring requirements. Applicable project specific mitigation measures are incorporated into the checklist as well.

The first column of the MMRP table identifies the mitigation measure. The second column identifies the monitoring schedule or timeline, while the third column names the party responsible for monitoring the required action. The fourth column provides a space for the party responsible for monitoring the required action to record verification of the mitigation measure action.

Mitigation Measures	Mitigation Responsibility	Monitoring/ Reporting Agency	Monitoring Timing/Schedule
AESTHETICS			
AES-4.1: Lighting for Street and Parking Areas. Lighting systems for street and parking areas shall include shields to direct light to the roadway surfaces and parking areas. Vertical shields on the light fixtures shall also be used to direct light away from adjacent light sensitive land uses such as residences.	Project Applicant and project architect	Public Works Department (PW) and Planning and Development Department	Lighting systems to be confirmed during plan check, prior to issuance of building permits
AES-4.5: Use of Non-Reflective Materials. Materials used on building facades shall be non-reflective.	Project Applicant and project architect	PW and Planning and Development Department	Building materials to be used confirmed during plan check, prior to issuance of building permits.
BIOLOGICAL RESOURCES			
BIO-1.1: Construction of a proposed project shall avoid, where possible, vegetation communities that provide suitable habitat for a special-status species known to occur within the Planning Area. If construction within potentially suitable habitat must occur, the presence/absence of any special-status plant or wildlife species must be determined prior to construction, to determine if the habitat supports any special-status species. If a special-status species are determined to occupy any portion of a project site, avoidance and minimization measures shall be incorporated into the construction phase of a project to avoid direct or incidental take of a listed species to the greatest extent feasible. Specific mitigation measures for direct or incidental impacts to special-status species shall be determined on a case-by-case basis through agency consultation during the review process for discretionary projects, and shall be consistent with survey protocols and mitigations measures recommended by the agency at the time of consultation.	Project Applicant and project biologist	Planning and Development Department	Biological Resources Assessment to be completed during environmental review and prior to approval of discretionary project. The City shall ensure that project-specific mitigation is incorporated into project plans for approval prior to issuance of any grading or construction permits.
BIO-1.2: Direct or incidental take of any state or federally listed species shall be avoided to the greatest extent feasible. If construction of a proposed project will result in the direct or incidental take of a listed species, consultation with the resources agencies and/or additional permitting may be required. Agency consultation through the CDFW 2081 and USFWS Section 7 or Section 10 permitting processes shall take place prior to any action that may result in the direct or incidental take of a listed species. Specific mitigation measures for direct or incidental impacts to special-status species shall be determined on a case-by-case basis through agency consultation during the review process for discretionary projects, and shall be consistent with survey protocols and mitigations measures recommended by the agency at the time of consultation.	Project Applicant and qualified biologist	Planning and Development Department, California Department of Fish and Wildlife (CDFW), U.S. Fish and Wildlife Service (USFWS)	Biological Resources Assessment to be completed during environmental review of project and prior to approval of discretionary project. The City shall ensure that environmental review and agency consultation is completed prior to issuance of any grading or construction permits. Specifications regarding timing of surveys shall be determined by project-specific mitigation measures.

Mitigation Measures	Mitigation Responsibility	Monitoring/ Reporting Agency	Monitoring Timing/Schedule
BIO-1.4: Proposed projects within the Planning Area should avoid, if possible, construction within the general nesting season of February through August for avian species protected under Fish and Game Code 3500 and the Migratory Bird Treaty Act (MBTA), if it is determined that suitable nesting habitat occurs on a project site. If construction cannot avoid the nesting season, a pre-construction clearance survey shall be conducted by a qualified biologist to determine if any nesting birds or nesting activity is observed on or within 500-feet of a project site. If an active nest is observed during the survey, a biological monitor shall be on site to ensure that no proposed project activities would impact the active nest. A suitable buffer shall be established around the active nest until the nestlings have fledged and the nest is no longer active. Project activities may continue in the vicinity of the nest only at the discretion of the biological monitor. Prior to commencement of grading activities and issuance of any building permits, the Director of the City of Fresno Planning and Development Department, or designee, shall verify that all proposed project grading and construction plans include specific documentation regarding the requirements of the Migratory Bird Treaty Act (MBTA) and California Fish and Game Code Section 3503, that preconstruction surveys have been completed and the results reviewed by staff, and that the appropriate buffers (if needed) are noted on the plans and established in the field. Specific mitigation measures for direct or incidental impacts to avian species protected under Fish and Game Code 3500 and the Migratory Bird Treaty Act (MBTA) shall be determined on a case-by-case basis through agency consultation during the review process for discretionary projects, and shall be consistent with survey protocols and mitigations measures recommended by the agency at the time of consultation.	Project Applicant and qualified biologist	Planning and Development Department, CDFW	Biological Resources Assessment to be completed during environmental review of project and prior to approval of discretionary project. The City shall ensure that pre-construction surveys are conducted within 3 days prior to construction activities, or within a timeframe recommended by a qualified biologist and consistent with applicable regulatory requirements and/or recommendations.

CULTURAL RESOURCES			
CUL-1: If previously unknown resources are encountered before or during grading activities, construction shall stop in the immediate vicinity 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 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 and the City's Historic Preservation Ordinance. If the resources are determined to be unique historical resources as defined under Section 15064.5 of the CEQA Guidelines, measures shall be identified by the monitor and recommended to the Lead Agency. Appropriate measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds. No further grading shall occur in the area of the discovery until the Lead Agency approves the measures to protect these resources. Any historical artifacts recovered as a result of mitigation shall be provided to a City-approved institution or person who is capable of providing long-term preservation to allow future scientific study.	Project Applicant and qualified historical resources specialist	Planning an Development Department	Planning and Development Department to review contract specifications to ensure inclusion of provisions included in project-specific mitigation measure. Following discovery of previously unknown resource, a qualified historical resources specialist shall prepare recommendations and submit to the Planning and Development Department. Timing for recommendations shall be established by project-specific mitigation measure.
CUL-1.1: If previously unknown resources are encountered before or during grading activities, construction shall stop in the immediate vicinity 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 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 and the City's Historic Preservation Ordinance. If the resources are determined to be unique historical resources as defined under Section 15064.5 of the CEQA Guidelines, measures shall be identified by the monitor and recommended to the Lead Agency. Appropriate measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds. No further grading shall occur in the area of the discovery until the Lead Agency approves the measures to protect these resources. Any historical artifacts recovered as a result of mitigation shall be provided to a City-approved institution or person who is capable of providing long-term preservation to allow future scientific study.	Project Applicant and qualified historical resources specialist	Planning and Development Department	Planning and Development Department to review contract specifications to ensure inclusion of provisions included in project-specific mitigation measure. Following discovery of previously unknown resource, a qualified historical resources specialist shall prepare recommendations and submit to the Planning and Development Department. Timing for recommendations shall be established by project-specific mitigation measure.

CUL-3: 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 (HSC) Section 7050.5, no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to 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 descendent 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 landowner 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 landowner has discussed and conferred with the most likely descendants regarding their recommendations, if applicable, taking into account the possibility of multiple human remains. The landowner shall discuss and confer with the descendants all reasonable options regarding the descendants' preferences for treatment.	Project Applicant and qualified historical resources specialist	Planning and Development Department	Planning and Development Department to review construction specifications to ensure inclusion of provisions included in mitigation measure.

GEOLOGY AND SOILS			
GEO-6.1: Subsequent to a preliminary City review of the project grading plans, if there is evidence that a project will include excavation or construction activities within previously undisturbed soils, a field survey and literature search for unique paleontological/geological resources shall be conducted. The following procedures shall be followed: • If unique paleontological/geological resources are not found during either the field survey or literature search, excavation and/or construction activities can commence. In the event that unique paleontological/geological resources are discovered during excavation and/or construction activities, construction shall stop in the immediate vicinity of the find and a qualified paleontologist shall be consulted to determine whether the resource requires further study. The qualified paleontologist shall make recommendations to the City 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. If the resources are determined to be significant, mitigation measures shall be identified by the monitor and recommended to the Lead Agency. Appropriate mitigation measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds. No further grading shall occur in the area of the discovery until the Lead Agency approves the measures to protect these resources. Any paleontological/ geological resources recovered as a result of mitigation shall be provided to a City-approved institution or person who is capable of providing long-term preservation to allow future scientific study. • If unique paleontological/geological resources are found during the field survey or literature review, the resources shall be inventoried and evaluated for significance. If the resources are found to be significant, mitigation measures shall be identified by the qualified paleontologist. Similar to above, appropriate mitigation measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds. In addition, appropriate mitigation for excavation and construction activities in the vicinity of the resources found during the field survey or literature review shall include a paleontological monitor. The monitoring period shall be determined by the qualified paleontologist. If additional paleontological/geological resources are found during excavation and/or construction activities, the procedure identified above for the discovery of unknown resources shall be followed.	Planning and Development Department	Planning and Development Department	City shall review preliminary grading plans prior to issuance of grading permits. If needed, a field survey or literature review shall occur prior to start of grading activities. Additional monitoring of project site during construction period shall be determined by a qualified paleontol-ogist and consistent with project-specific mitigation measure.
NOISE			

NOI-1: Construction Vibration. The use of heavy construction equipment within 25 feet of existing structures shall be prohibited.	Project Applicant	Planning and Development Department	During inspections of the site the City of Fresno Planning and Development Department shall report any construction equipment less than 25 feet of existing structures and ensure they are immediately moved to at least 25 feet or more from the existing structure.

LIST OF PREPARERS AND CONSULTATIONS

List of Preparers

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- Jason R. Paul, Environmental Regional Manager

J&R Environmental Services (Cultural Resources Assessment)

- Jon Brady, M.A., Principal Archaeologist and Architectural Historian

Persons and Agencies Consulted

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Fresno Unified School District

- Alex Bellanger, Assistant Superintendent

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- Nancy Gonzalez-Lopez, Cultural Resources Analyst

San Joaquin Valley Air Pollution Control District

- Arnaud Marjollet, Director of Permit Services
- Harout Sagherian, Air Quality Specialist

Southern San Joaquin Valley Information Center

- Celeste Thomson, Coordinator

Private Parties

- Andy Azzaro (Former Project site owner and current occupant as of November 2020)
- Tommy Meza, SER Jobs for Progress (Project site owner and Project proponent)