

**CITY OF FRESNO
MITIGATED NEGATIVE DECLARATION
FOR
DEVELOPMENT PERMIT NO. P24-03149
COOK LAND COMPANY SHIELDS AND FOWLER BUSINESS PARK**

State Clearinghouse Number: XXXXXXXXXXXX

City of Fresno
Planning and Development Department
2600 Fresno Street, Room 3043
Fresno, California 93721-3604

Prepared by:

SWCA Environmental Consultants
4111 Broad Street, Suite 210
San Luis Obispo, CA 93401

Attachments:

Notice of Intent to Adopt a Mitigated Negative Declaration
Appendix G/Initial Study for a Mitigated Negative Declaration
Project Specific Mitigation Monitoring Checklist dated February 2025

**CITY OF FRESNO
MITIGATED NEGATIVE DECLARATION
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Notice of Intent to Adopt a Mitigated Negative Declaration

E202510000039



This notice shall not be removed from the Office of County Clerk prior to the 17th hour of the 24th day of March 2025.

2600 Fresno Street, Room 3043
Fresno, California 93721-3604
(559) 621-8277
www.fresno.gov

FILED
FEB 21 2025
TIME 11:30
By [Signature] FRESNO COUNTY CLERK
DEPUTY

CITY OF FRESNO

**PUBLIC NOTICE OF INTENT TO ADOPT
A MITIGATED NEGATIVE DECLARATION**

- Project Name:** Shields and Fowler Business Park (Development Permit No. P24-03149)
- Lead Agency:** City of Fresno
2600 Fresno Street, Room 3043
Fresno, California 93721-3604
- Contact Person:** Steven Martinez, Planner
City of Fresno Current Planning, Planning and Development Department
(559) 621-8047
Steven.Martinez@fresno.gov
- Project Location:** The Project site consists of an undeveloped 6.7-acre parcel (Assessor's Parcel Number [APN] 496-192-26S) located at the southwestern corner of East Shields Avenue and North Fowler Avenue in the City of Fresno, Fresno County, California.
- Project Sponsor:** Yohanes Makmur, P.E.
Cook Land Company
2780 North Miami Avenue
Fresno, California 93727

Project Description:

The Cook Land Company (Applicant) is proposing the construction of a light industrial business park on an undeveloped 6.7-acre parcel (APN 496-192-26S) located at the southwestern corner of East Shields Avenue and North Fowler Avenue in the City of Fresno, Fresno County, California (Project). The Project site has a corresponding Light Industrial (IL) zone district and land use designation.

The proposed light industrial business park would consist of eight premanufactured metal shell buildings, including three 5,000-square-foot buildings, five 10,000-square-foot buildings, 152 new vehicle parking spaces, and associated on- and off-site improvements. The premanufactured buildings would be constructed at an off-site location and transported to the Project site for installation.

The Project includes additional on- and off-site improvements, including construction of a new internal access roadway; installation of a 6-foot-tall chain link fence with slats along the western and southern property lines of the Project

site; installation of off-site street lighting along East Shields Avenue and North Fowler Avenue; construction of on- and off-site sidewalks, curbs, and gutters; construction of on- and off-site driveways and driveway approaches; and installation of on-site landscaping and signage.

All future operational uses of the Project site would be consistent with the "permitted" uses for the IL zone district and land use designation. Furthermore, conditionally permitted use tenants and major distribution and warehouse tenants are not proposed or expected to occupy space within the Project site. Operation of the business park would take place 7 days per week between 7:00 a.m. and 6:00 p.m. The Project is anticipated to result in approximately 66 new employees.

Initial Study:

In compliance with the California Environmental Quality Act (CEQA), the City of Fresno has undertaken environmental review for the proposed Shields and Fowler Business Park Project and intends to adopt an Initial Study/Mitigated Negative Declaration (IS/MND). The City of Fresno invites all interested persons and agencies to comment on the proposed project.

A 30-day public comment period for this IS/MND begins on Friday February 21, 2025, and ends on Monday March 24, 2025. During this comment period, written comments regarding this project, the findings of the proposed IS/MND, and/or accuracy or completeness of the Initial Study, may be submitted to the City of Fresno (at the above address).

Additional information on the proposed project, including the environmental finding of a Mitigated Negative Declaration and the Initial Study may be obtained from the City of Fresno, 2600 Fresno Street, Room 3043, Fresno, California 93721-3604. A copy of the IS/MND has also been made available at the following website: <https://www.fresno.gov/cityclerk/notices-and-publications/>. Please contact Steven Martinez, Planner at (559) 621-8047 or via email at steven.martinez@fresno.gov for more information.

ANY INTERESTED PERSON may comment on the proposed environmental finding. Comments must be in writing and must state (1) the commentor's name and address; (2) the commentor's interest in, or relationship to, the project; (3) the environmental determination being commented upon; and (4) the specific reason(s) why the proposed environmental determination should or should not be made. Any comments may be submitted at any time between the publication date of this notice and close of business on Monday March 24, 2025. Please direct comments to Steven Martinez, Planner at City of Fresno, 2600 Fresno Street, Room 3043, Fresno, California 93721-3604; or by email to steven.martinez@fresno.gov.

**CITY OF FRESNO
MITIGATED NEGATIVE DECLARATION
FOR
DEVELOPMENT PERMIT NO. P24-03149
COOK LAND COMPANY SHIELDS AND FOWLER BUSINESS PARK**

**Appendix G/Initial Study for a
Mitigated Negative Declaration**

APPENDIX G/INITIAL STUDY FOR A MITIGATED NEGATIVE DECLARATION

**Environmental Checklist Form for:
Shields and Fowler Business Park (Development Permit No. P24-03149)**

1. **Project Title:**
Shields and Fowler Business Park (Development Permit No. P24-03149)
2. **Lead Agency Name and Address:**
City of Fresno
2600 Fresno Street
Fresno, CA 93721
3. **Contact Person and Phone Number:**
Steven Martinez, Planner
City of Fresno
Current Planning, Planning and Development Department
(559) 621-8047
4. **Project Location:**
The Project site consists of an undeveloped 6.7-acre parcel (Assessor's Parcel Number [APN] 496-192-26S) located at the southwestern corner of East Shields Avenue and North Fowler Avenue in the City of Fresno, Fresno County, California (Figure 1).
5. **Project Sponsor's Name and Address:**
Yohanes Makmur, P.E.
Cook Land Company
2780 North Miami Avenue
Fresno, California 93727
6. **General and Community Plan Land Use Designation:**
General Plan: Light Industrial
7. **Zoning:**
Light Industrial (IL)
8. **Description of Project:**
The Cook Land Company (Applicant) is proposing the construction of a light industrial business park on an undeveloped 6.7-acre parcel (APN 496-192-26S) located at the southwestern corner of East Shields Avenue and North Fowler Avenue in the City of Fresno, Fresno County, California (Project) (Figure 1). The Project site has a corresponding Light Industrial (IL) zone district and land use designation.

The proposed light industrial business park would consist of eight premanufactured metal shell buildings, including three 5,000-square-foot buildings, five 10,000-square-foot buildings, 152 new vehicle parking spaces, and associated on- and off-site improvements. The premanufactured buildings would be constructed at an off-site location and transported to the Project site for installation (Figure 2). The proposed site layout would generally include the following:

- **Building 1:** A new 5,000-square-foot prefabricated metal shell building would be installed in the northwestern portion of the Project site. This building site would be improved with asphalt-concrete (AC) paving and would include 15 vehicle parking spaces, including 10 standard parking spaces, one Americans with Disabilities Act (ADA) parking space, and four electric vehicle (EV)-capable spaces. A new electrical transformer would be installed in the southern portion of this building site, and new landscaping and planters would be installed along the northern portion of this building site. A trash and recycling enclosure would be installed between Buildings 1 and 2.
- **Building 2:** A new 5,000-square-foot prefabricated metal shell building would be installed in the western portion of the Project site. This building site would be improved with new concrete flatwork and AC paving and would include 15 vehicle parking spaces, including 10 standard parking spaces, one ADA parking space, and four EV-capable spaces. A new pad-mounted junction box would be installed in the northern portion of this building site, and new landscaping would be installed in the southern portion of this building site. A trash and recycling enclosure would be installed between Buildings 1 and 2.
- **Building 3:** A new 10,000-square-foot prefabricated metal shell building would be installed in the southwestern portion of the Project site. This building site would be improved with new concrete flatwork and AC paving and would include 25 vehicle parking spaces, including 19 standard parking spaces, two ADA parking spaces, and four EV-capable spaces. New landscaping and a trash and recycling enclosure would be installed in the northeastern portion of this building site. A new parking lot pole light would be installed between Buildings 3 and 4.
- **Building 4:** A new 10,000-square-foot prefabricated metal shell building would be installed in the southern portion of the Project site. This building site would be improved with new concrete flatwork and AC paving and would include 20 vehicle parking spaces, including 14 standard parking spaces, two ADA parking spaces, and four EV-capable spaces. New electrical switchgear and new landscaping and planters would be installed in the northern portion of this building site, and a trash and recycling enclosure would be installed in the northwestern portion of this building site. A new parking lot pole light would be installed between Buildings 3 and 4.
- **Building 5:** A new 5,000-square-foot prefabricated metal shell building would be installed in the southeastern portion of the Project site. This building site would be improved with new concrete flatwork and AC paving and would include 10 vehicle parking spaces, including five standard parking spaces, one ADA parking space, and four EV-capable spaces. A new pad-mounted junction box and new parking lot pole light would be installed in the northern portion of this

building site, new landscaping and planters would be installed in the eastern portion of this building site, and a trash and recycling enclosure would be installed in the northwestern portion of the building site.

- **Building 6:** A new 10,000-square-foot prefabricated metal shell building would be installed in the central portion of the Project site. This building site would be improved with new concrete flatwork and AC paving and would include 15 vehicle parking spaces, including nine standard parking spaces, two ADA parking spaces, and four EV-capable spaces. New electrical switch gear would be installed in the southern portion of this building site, new landscaping and planters would be installed along the eastern and southern portion of this building site, and a trash and recycling enclosure would be installed in the northeastern portion of this building site.
- **Building 7:** A new 10,000-square-foot prefabricated metal shell building would be located in the northern portion of the Project site. This building site would be improved with new concrete flatwork and AC paving and would share 52 vehicle parking spaces with Building 8, including 33 standard parking spaces, three ADA parking spaces, and 16 EV-capable spaces. New planters would be installed along the southern portion of the building site, and a trash and recycling enclosure would be installed in the northeastern portion of the building site.
- **Building 8:** A new 10,000-square-foot prefabricated metal shell building would be located in the northeastern portion of the Project site. This building site would be improved with new concrete flatwork and AC paving and would share 52 vehicle parking spaces with Building 7, including 33 standard parking spaces, three ADA parking spaces, and 16 EV-capable spaces. New electrical switch gear would be installed in the southern portion of this building site, new landscaping and planters would be installed along the eastern and southern portion of this building site, and a new parking lot pole light and a trash and recycling enclosure would be installed in the western portion of this building site.

The Project includes additional on- and off-site improvements, including construction of a new internal access roadway; installation of a 6-foot-tall chain link fence with slats along the western and southern property lines of the Project site; installation of off-site street lighting along East Shields Avenue and North Fowler Avenue; construction of on- and off-site sidewalks, curbs, and gutters; construction of on- and off-site driveways and driveway approaches; and installation of on-site landscaping and signage. The proposed internal access roadway would provide access to the proposed buildings and associated parking areas from East Shields Avenue to the north and North Fowler Avenue to the east.

CONSTRUCTION

Construction activities would result in approximately 6.8 acres of ground disturbance, including approximately 1,100 cubic yards (CY) of cut and 6,000 CY of fill and a maximum depth of excavation of 9 feet. The Project would not require the removal of any existing trees. The Project site is currently undeveloped, and no demolition activities are required. Construction activities are expected to occur over a period of approximately 36 to 48 months beginning in August 2025. Construction activities would

be conducted during daytime hours (7:00 a.m.–10:00 p.m.), and no nighttime work is anticipated. Temporary traffic controls along East Shields Avenue and North Fowler Avenue would be necessary during approximately 4 weeks of the construction period to allow for the expansion of existing utility infrastructure to the Project site. The construction staging area would be located in the southwestern corner of the Project site where Building 3 would be constructed last. Project construction would be conducted by a maximum of 24 construction workers and would require a maximum of 36 vehicle trips to and from the Project site each day. Construction activities are anticipated to be conducted by members of the local workforce.

OPERATION

The proposed business park would support new light industrial land uses consistent with the IL zone district and land use designation. According to the *City of Fresno General Plan Urban Form Element*, the IL zone district and land use designation accommodates a diverse range of light industrial uses, including limited manufacturing and processing, research and development, fabrication, utility equipment and service yards, wholesaling, warehousing, and distribution activities. Small-scale retail and ancillary office uses are also permitted. Light industrial areas may serve as buffers between heavy industrial and other land uses and otherwise are generally located in areas with good transportation access, such as along railroads and State routes. All future operational uses of the Project site would be consistent with the “permitted” uses for the IL zone district and land use designation. Furthermore, conditionally permitted use tenants and major distribution and warehouse tenants are not proposed or expected to occupy space within the Project site. Should any prospective tenant fall within either category, the tenants and their respective operations would be subject to further California Environmental Quality Act (CEQA) analysis. The future tenant and operational uses are not currently known; therefore, for purposes of this analysis, this Initial Study covers all “permitted” light industrial uses for the IL zone district, including limited manufacturing and processing, research and development, fabrication, utility equipment and service yards, and wholesaling activities.

Operation of the business park would take place 7 days per week between 7:00 a.m. and 6:00 p.m. The Project is anticipated to result in approximately 66 new employees.

The Project would connect to the City’s water and wastewater system. In addition, the Project would be provided electricity by the Pacific Gas and Electric Company (PG&E). The Project site is located within Traffic Impact Zone (TIZ) III and would result in a total of approximately 65,000 square feet of new light industrial development; therefore, the Project is estimated to generate approximately 453 daily trips, including 64 PM peak hour trips.

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

	Planned Land Use	Existing Zoning	Existing Land Use
North	Commercial Community; Residential Multi-Family, Medium High Density; Park and Recreation	Commercial Community; Residential Multi-Family, Medium High Density; Park and Recreation	Commercial Community; Residential Multi-Family, Medium High Density; Park and Recreation
East	Commercial Community; Business Park	Commercial Community; Business Park	Commercial Community; Business Park
South	Light Industrial	Light Industrial	Light Industrial
West	Light Industrial	Light Industrial	Light Industrial

10. **Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement):**

- Pacific Gas & Electric (PG&E), electrical and natural gas connection
- Central Valley Regional Water Quality Control Board (RWQCB) Storm Water Pollution Prevention Plan
- San Joaquin Valley Air Pollution Control District (SJVAPCD) (e.g., Dust Control Plan Approval letter and compliance with Rule 9510 – Indirect Source Review)

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 of California 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 State CEQA Guidelines. Pursuant to California Public Resources Code (PRC) Section 21080.3.1, before public distribution of the document, the Lead Agency shall begin consultation with the California Native American tribe that is traditionally and culturally affiliated with the geographical area of the Project. Such significant cultural resources are either sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a tribe that is either included in or eligible for inclusion in the California Register of Historic Resources (CRHR) or local historic register, or the Lead Agency, at its discretion, and supported by substantial evidence, chooses to treat the resources as 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, including Table Mountain, Millerton, Big Sandy, Cold Springs, and Squaw Valley; 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 (NAHC) Sacred Lands File (SLF) per PRC Section 5097.96 and the California Historical Resources Information System (CHRIS) administered by the California Office of Historic Preservation (OHP). Please also note that PRC Section 21082.3(c) contains provisions specific to confidentiality.

Pursuant to Assembly Bill (AB) 52, 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 NAHC. The City mailed notices of the Project to each of these tribes on November 6, 2024, which included the required 30-day time period for tribes to request consultation, which ended on December 6, 2024. One letter response was received from Robert Pennell, Tribal Cultural Resources Director for the Table Mountain Rancheria, in a letter dated November 26, 2024, stating that they “. . . Decline participation at this time but would appreciate being notified in the unlikely event that cultural resources are identified.” All other tribes that were contacted declined consultation.



Figure 1. Project Location Map.

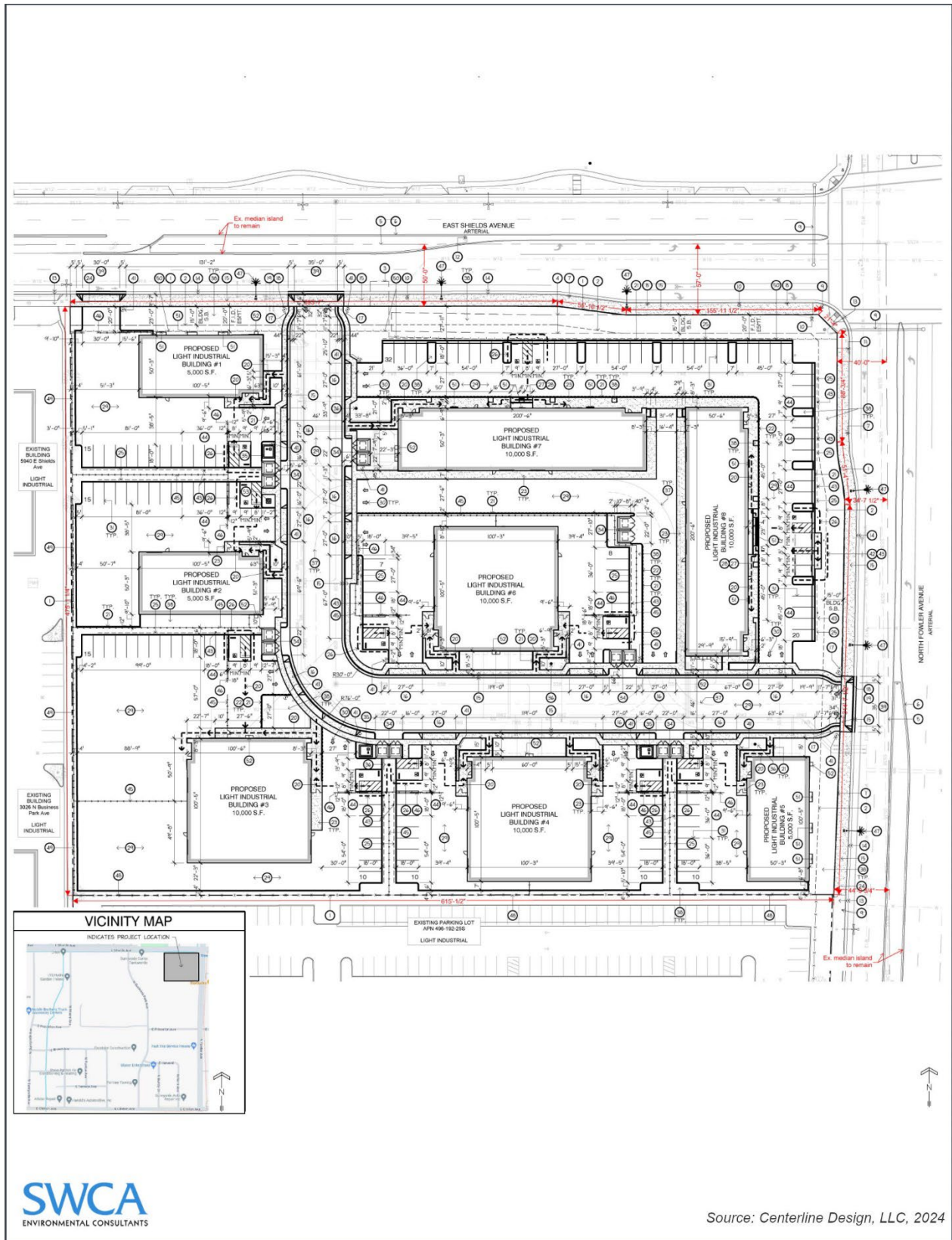


Figure 2. Overall Site Plan.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

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

DETERMINATION:

On the basis of this initial evaluation:

___	I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
<u>X</u>	I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
___	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.
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Steven Martinez, Planner

February 21, 2025

Date

EVALUATION OF ENVIRONMENTAL IMPACTS:

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 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 tiering or another 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 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 outcroppings, and historic buildings within a state scenic highway?				X
c) In non-urbanized areas, substantially degrade the existing visual character or quality public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?			X	
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			X	

DISCUSSION

a) Would the project have a substantial adverse effect on a scenic vista?

A scenic vista is a viewpoint that provides expansive views of a highly valued landscape for the public’s benefit. The City’s 2014 *Fresno General Plan*¹ identifies six locations along the San Joaquin River bluffs as designated vista points that provide distant views of features such as the San Joaquin River to the north and the foothills of the Sierra Nevada Mountains to the east. The Project site is not located within any of the scenic vista points identified in the City's General Plan. Furthermore, the Project

¹ City of Fresno. 2014a. *Fresno General Plan*. Adopted December 18. Available at: [https://www.fresno.gov/wp-content/uploads/2023/03/upload temp Consolidated-GP-10-13-2022_compressed.pdf](https://www.fresno.gov/wp-content/uploads/2023/03/upload_temp_Consolidated-GP-10-13-2022_compressed.pdf). Accessed February 2024.

would not significantly affect or block a potentially scenic vista in the city. Therefore, *no impact* would occur, and no mitigation is required.

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

According to the California Department of Transportation (Caltrans) State Scenic Highway Mapping System,² there are no eligible or officially designated State Scenic Highways within the City of Fresno; however, Fresno County has three eligible State Scenic Highways—the nearest eligible highways include a portion of State Route (SR-) 180, located approximately 7 miles east of the City, and a portion of SR-168, located approximately 5 miles east of City. The nearest officially designated State Scenic Highway is located more than 30 miles northeast of the City in Madera County. Since there are no eligible or officially designated State Scenic Highways in close proximity to the Project site, implementation of the Project would not damage scenic resources within a designated State Scenic Highway; therefore, *no impact* would occur, and mitigation is not required.

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

The Project site is located in an urbanized area and consists of an undeveloped 6.7-acre parcel in the IL zone district and is characterized by highly disturbed ruderal landcover and bare ground areas. Surrounding land uses include commercial and warehouse uses to the east, west, and south and multi-family residential units to the north. The Project site and surrounding area are characterized by relatively flat topography. There are scattered ornamental trees located along the existing roadway. There are no surface water features located within or adjacent to the Project site.

The Project would result in the construction of a 65,000-square-foot light industrial business park and associated on- and off-site improvements, including construction of paved parking areas and a new internal access roadway; installation of a 6-foot-tall chain-link fence with slats along the western and southern property lines of the Project site; installation of off-site street lighting along East Shields Avenue and North Fowler Avenue; construction of on- and off-site sidewalks, curbs, and gutters; construction of on- and off-site driveways and driveway approaches; and installation of on-site landscaping and signage. The Project would be consistent with light industrial uses as defined in the City's General Plan, and the Project would be consistent with the level and scale of existing surrounding development and would not introduce new architectural features or other components that could alter the existing visual character of the Project site and surrounding area. Further, proposed on- and off-site

² California Department of Transportation (Caltrans). 2024b. Scenic Highways: California State Scenic Highways. Available at: <https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways>. Accessed January 2024.

improvements would be required to comply with the City Public Works Department Standard Specifications³ to ensure consistency with City design standards and existing development in the City. As discussed in *Impact Discussion I.d*), proposed outdoor lighting would be required to comply with City Municipal Code Section 15-2015 (Outdoor Lighting and Illumination) to avoid introducing a new source of substantial light or glare. The Project would not substantially degrade the existing visual character or quality of public views of the Project site and its surroundings. Therefore, the Project's impacts would be *less than significant*, and mitigation is not required.

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

The Project site is located in an urbanized area subject to preexisting exterior lighting from surrounding residential and business park developments. The Project would result in a marginal increase in outdoor lighting within the Project area from the installation of new streetlights, new parking lot lights, and interior lighting visible from building windows. New sources of lighting associated with the Project would be consistent with the level and scale of surrounding development. Further, new outdoor lighting would be required to comply with City Municipal Code Section 15-2015 (Outdoor Lighting and Illumination), used for illumination purposes only, and pointed downward to avoid light spillover to surrounding land uses. Based on compliance with the City's Municipal Code, the Project would not create a new source of light or glare. Therefore, the Project's impacts would be *less than significant*, and mitigation is not required.

Mitigation Measures

Mitigation measures are not required.

³ City of Fresno. 2021b. Standard Specifications. City of Fresno Department of Public Works Available at: https://www.fresno.gov/wp-content/uploads/2023/03/City-of-Fresno-Standards-Vol-2-Std.-Specifications_Mar-2021-Accessible.pdf. Accessed October 2024.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>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:</p>				
<p>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?</p>				X
<p>b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?</p>				X
<p>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))?</p>				X
<p>d) Result in the loss of forest land or conversion of forest land to non-forest use?</p>				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

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

The entire Project site is entirely underlain by land designated by the California Department of Conservation Farmland Mapping and Monitoring Program (FMMP)⁴ as “Urban and Built-Up Land.” Implementation of the Project would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to a non-agricultural use; therefore, *no impact* would occur, and mitigation is not required.

- b) **Would the project conflict with existing zoning for agricultural use or a Williamson Act contract?**

The Project site is located in the IL zone district and the surrounding land is in the Commercial Community; Residential Multi-Family, Medium High Density; Park and Recreation; Business Park; and IL zone districts. The Project site is not within the Agriculture zone district and is not subject to a Williamson Act contract. The Project would not conflict with existing zoning for agricultural use or a Williamson Act contract; therefore, *no impact* would occur, and mitigation is not required.

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

The Project site is within the IL zone district and is not within forest land, timberland, or timberland production land use or zoning designations. The Project would not conflict with the zoning, or cause rezoning of, designated forest land, timberland, or timberland production; therefore, *no impact* would occur, and mitigation is not required.

⁴ California Department of Conservation. 2022. California Important Farmland Finder. Available at: <https://maps.conservation.ca.gov/DLRP/CIFF/>. Accessed February 2024.

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

Please refer to *Impact Discussion II.c)*. The Project would not result in the loss of forest land or conversion of forest land to non-forest uses because the Project site is not forested nor is it located near a forested area. Therefore, *no impact* would occur, and mitigation is not required.

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

Please refer to *Impact Discussions II.a)* and *II.c)*. The Project site is located in an existing urbanized area and would not result in the conversion of farmland to non-agricultural uses or forest land to non-forest uses. Therefore, *no impact* would occur, and mitigation is not required.

Mitigation Measures

Mitigation measures are not required.

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	

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Expose sensitive receptors to substantial pollutant concentrations?		X		
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?		X		

DISCUSSION

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

CEQA requires that certain proposed projects be analyzed for consistency with the applicable air quality plan. An air quality plan describes air pollution control strategies to be implemented by a region, County, or City classified as a non-attainment area. The main purpose of the air quality plan is to bring the area into compliance with the requirements of the federal and State air quality standards. The City of Fresno is located within the San Joaquin Valley Air Basin (SJVAB) and is under the jurisdiction of the San Joaquin Valley Air Pollution Control District (SJVAPCD). The SJVAB is designated as Nonattainment-Extreme for the 8-hour ozone standard, Maintenance-Serious for the particulate matter less than 10 microns in diameter (PM₁₀) standard, and Nonattainment-Moderate for the particulate matter less than 2.5 microns in diameter (PM_{2.5}) standard under the National Ambient Air Quality Standards (NAAQS) and as Nonattainment for the 1-hour and 8-hour ozone standards and the PM₁₀ and PM_{2.5} standards under the California Ambient Air Quality Standards (CAAQS).

To bring the SJVAB into attainment, the SJVAPCD adopted the *2022 Plan for the 2015 8-Hour Ozone Standard*⁵ in December 2022 to satisfy Clean Air Act requirements and ensure attainment of the 70 parts per billion (ppb) 8-hour ozone standard. To assure the SJVAB's continued attainment of the U.S. Environmental Protection Agency (USEPA) respirable particulate matter (PM₁₀) standard, the SJVAPCD adopted the *2023 Maintenance Plan and Redesignation Request for the Revoked 1-Hour Ozone Standard (2023 Maintenance Plan)*.⁶ SJVAPCD Regulation VIII (Fugitive PM₁₀ Prohibitions) is designed to reduce PM₁₀ emissions generated by human activity. The SJVAPCD adopted the *2024 Plan for the 2012 PM_{2.5} Standard*

⁵ San Joaquin Valley Air Pollution Control District (SJVAPCD). 2022. *2022 Plan for the 2015 8-Hour Ozone Standard*. Available at: <https://ww2.valleyair.org/media/q55posm0/0000-2022-plan-for-the-2015-8-hour-ozone-standard.pdf>. Accessed February 2024.

⁶ SJVAPCD. 2024. *2024 Plan for the 2012 PM_{2.5} Standards*. June 20. Available at: <https://ww2.valleyair.org/media/gw5bacvj/2024-pm25-plan.pdf>. Accessed September 2024.

(2024 *PM_{2.5} Plan*)⁷ to address the USEPA federal annual *PM_{2.5}* standard of 12 micrograms per cubic meter ($\mu\text{g}/\text{m}^3$), established in 2012.

The SJVAPCD has established project construction and operational emissions thresholds for criteria pollutants (Table 1).⁸ For a project to be consistent with SJVAPCD attainment plans, the pollutants emitted from project operation should not exceed the SJVAPCD daily thresholds, the project should not cause a significant impact on air quality, or the project must already have been included in the attainment plans projection.

Table 1: SJVAPCD Project Construction and Operational Emission Thresholds

	CO	NO_x	ROG	SO_x	PM₁₀	PM_{2.5}
Annual Construction Emissions*	100.0	10.0	10.0	27.0	15.0	15.0
Annual Operational Emissions*	100.0	10.0	10.0	27.0	15.0	15.0

Source: SJVAPCD (2015)

*Emission units = Tons per Year (tpy)

CO = carbon monoxide

NO_x = nitrogen oxides

ROG = reactive organic gas

SO_x = sulfur oxides

As discussed below in *Impact Discussion III.b*), emissions associated with the construction or operation of the Project would not result in the generation of criteria air pollutants that would exceed SJVAPCD thresholds of significance.

The future tenants and operational uses of the Project are not currently known; however, all future operational uses of the Project site would be consistent with the “permitted” uses for the IL zone district and land use designation, including limited manufacturing and processing, research and development, fabrication, utility equipment and service yards, and wholesaling activities. Conditionally permitted use tenants and major distribution and warehouse tenants are not proposed or expected to occupy space within the Project site; therefore, operation of the business park would not result in a new source of substantial air emissions. Should any prospective tenant fall within either category, the tenants and their respective operations would be subject to further CEQA analysis. The Project would generate approximately 66 new employment opportunities. Future employment opportunities are primarily expected to be filled by existing residents within the City; therefore, the Project would not result in

⁷ San Joaquin Valley Air Pollution Control District (SJVAPCD). 2024. *2024 Plan for the 2012 PM_{2.5} Standards*. June 20. Available at: <https://ww2.valleyair.org/media/gw5bacvj/2024-pm25-plan.pdf>. Accessed September 2024.

⁸ SJVAPCD. 2015. *Air Quality Thresholds of Significance – Criteria Pollutants*. March 19. Available at: <http://www.valleyair.org/transportation/0714-GAMAQI-Criteria-Pollutant-Thresholds-of-Significance.pdf>. Accessed February 2024.

substantial or unplanned population growth or associated vehicle trips in a manner that could conflict with the SJVAPCD air quality plans.

Conclusion. The Project's potential air quality impacts from construction and operation would not exceed any applicable threshold of significance and would not conflict with or obstruct the SJVAPCD air quality plans. Therefore, the Project's potential impacts on the applicable air quality plan would be *less than significant*, and mitigation is not required.

b) Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?

CEQA defines a cumulative impact as two or more individual effects that, when considered together, are considerable or that compound or increase other environmental impacts. The SJVAPCD's nonattainment status is attributed to the region's development history. Past, present, and future development projects contribute to the region's adverse air quality impacts on a cumulative basis. By its very nature, air pollution is largely a cumulative impact. No single project is sufficient in size to, by itself, result in nonattainment of ambient air quality standards. Instead, a project's individual emissions contribute to existing cumulatively significant adverse air quality impacts. If a project's contribution to the cumulative impact is considerable, then the project's impact on air quality would be considered significant.

In developing thresholds of significance for air pollutants, the SJVAPCD considered the emission levels for which a project's individual construction- or operational-related emissions would be cumulatively considerable. If a project exceeds the identified significance thresholds, its emissions would have a cumulatively significant impact, resulting in significant adverse air quality impacts to the region's existing air quality conditions.

To aid in evaluating potentially significant construction and operational impacts of a Project, the SJVAPCD has prepared an advisory document, the *Guide for Assessing and Mitigating Air Quality Impacts* (GAMAQI),⁹ which contains standard procedures for addressing air quality. The GAMAQI presents a three-tiered approach to air quality analysis. The Small Project Analysis Level (SPAL) is first used to screen the project for potentially significant impacts. A project that meets the screening criteria at this level requires no further analysis and the air quality impacts of the project may be deemed less than significant. If a project does not meet all the criteria at this screening level, additional screening is recommended at the Cursory Analysis Level and, if warranted, the Full Analysis Level. The SPAL thresholds are provided by project type and by number of vehicle trips. For industrial parks, the size threshold is

⁹ San Joaquin Valley Air Pollution Control District (SJVAPCD). 2002. *Guide for Assessing and Mitigating Air Quality Impacts*. Adopted August 20, 1998; January 10, 2022, Revision. Available at: <https://www.valleyair.org/transportation/CEQA%20Rules/GAMAQI%20Jan%202002%20Rev.pdf>. Accessed September 2024.

295,000 square feet, and the vehicle trip threshold is less than 550 trips per day.¹⁰ The Project would result in the construction of 65,000 square feet of light industrial uses and would generate approximately 453 vehicle trips per day. Therefore, the Project would be consistent with the SPAL screening thresholds for industrial park square footage and trip generation rates.

Conclusion. The Project would be consistent with the SPAL screening thresholds for industrial park square footage and trip generation rates and would not require further air quality analysis as construction-related and operational emissions would fall below the thresholds established by the SJVAPCD. Therefore, the Project's impacts would be *less than significant*, and mitigation is not required.

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

Sensitive receptors are people that have an increased sensitivity to air pollution or environmental contaminants, such as the elderly, children, people with asthma or other respiratory illnesses, and others who are at a heightened risk of negative health outcomes due to exposure to air pollution. Some land uses are considered more sensitive to changes in air quality than others due to the population that occupies the uses and the activities involved. Sensitive receptor locations include schools, parks and playgrounds, day care centers, nursing homes, hospitals, and residences. Surrounding land uses include commercial and warehouse uses to the east, west, and south and multi-family residential units to the north. The nearest sensitive receptors are multi-family residences and Melody Park located approximately 100 feet north of the Project site. Therefore, the Project has the potential to expose nearby sensitive receptors to Project-related air emissions. As discussed in *Impact Discussion III(b)*, the Project would be consistent with the SPAL screening thresholds for industrial park square footage and trip generation rates and would not require further air quality analysis as construction-related and operational emissions would fall below the thresholds established by the SJVAPCD.

Construction and operational emissions would not exceed SJVAPCD thresholds; however, due to the close proximity of sensitive receptors, compliance with the SJVAPCD Standard Regulation VIII Control Measures and Mitigation Measures AQ-1 through AQ-3 would be required to reduce the potential for a nuisance and exposure to diesel PM and fugitive dust through adherence to permitting requirements, implementation of dust control measures, and use of clean equipment. Given the temporary nature of short-term construction impacts and the absence of any exceeded threshold of significance related to construction impacts, the proposed Project's potential construction-related impacts to sensitive receptors would be less than significant with mitigation. Potential impacts related to the exposure of sensitive receptors to other emissions are included in *Impact Discussion III(d)*.

¹⁰ SJVAPCD. 2020. Small Project Analysis Levels (SPAL). November 13. Available at: <https://www.valleyair.org/transportation/CEQA%20Rules/GAMAQI-SPAL.PDF>. Accessed September 2024.

The future tenants and operational uses are not currently known; however, all future operational uses of the Project site would be consistent with the “permitted” uses for the IL zone district and land use designation and do not include activities that could generate substantial pollutant concentrations near sensitive receptors. Industrial land uses, such as chemical processing facilities, chrome-plating facilities, dry cleaners, and gasoline-dispensing facilities, have the potential to be substantial stationary sources that would require a permit from SJVAPCD for emissions of toxic air contaminants (TACs). Emissions of TACs would be controlled through permits issued by SJVAPCD and would be subject to further study and health risk assessment prior to the issuance of any necessary air quality permits. In addition to stationary sources of TACs, commercial and industrial operations could generate a substantial amount of diesel PM emissions from off-road equipment use and truck idling that could contribute to cancer and non-cancer health risk. Future tenants would be required to comply with AB 2588 and CARB standards for diesel engines, as applicable. The project does not include conditional or non-permitted uses or major distribution centers that could result in substantial emissions of TACs near sensitive receptors.

Conclusion. The proposed Project’s potential air quality impacts from construction and operation would not expose sensitive receptors to substantial pollutant concentrations. With implementation of Mitigation Measures AQ-1 through AQ-3 and required compliance with SJVAPCD and CARB regulations, the proposed Project’s potential air quality impacts on sensitive receptors would be *less than significant with mitigation*.

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

Construction activities generally have the potential to emit odors from diesel equipment, paints, solvents, fugitive dust, and adhesives. Any construction odors would be intermittent and temporary, generally would not extend beyond the construction area, and would be limited to the construction phase of the Project. Operation of the Project would not result in the establishment of new land uses or other activities that could produce any offensive odors, including land uses such as agricultural activities, feedlots, wastewater treatment facilities, landfills, or heavy manufacturing uses.

The Project site is not located in an area with known potential for naturally occurring asbestos (NOA).¹¹ Therefore, construction activities would not have the potential to expose workers or surrounding land uses to harmful levels of NOA. The Project does not include demolition activities that could result in the release of asbestos-containing material (ACM) or lead-based paint (LBP).

Coccidioidomycosis, often referred to as San Joaquin Valley Fever or Valley Fever, is one of the oldest known fungal infections that commonly affects people who live in hot dry areas with alkaline soil and varies with the season. Valley Fever is caused by

¹¹ California Geological Survey (CGS). 2011. *Reported Historic Asbestos Mines, Historic Asbestos Prospects, and Other Natural Occurrences of Asbestos in California*.

inhalation of arthroconidia (spores) of the fungus *Coccidioides immitis* (CI). CI spores are found in the top few inches of soil and the existence of the fungus in most soil areas is temporary. If present within soils at the Project site, proposed ground-disturbing activities associated with Project construction would have the potential to generate fugitive dust and suspend CI spores with the dust that could affect construction workers as well as nearby sensitive receptors. The Project would be required to comply with SJVAPCD Rule 8021 Section 6.3, which requires applicants to develop, prepare, submit, obtain approval of, and implement a Dust Control Plan, which would reduce fugitive dust impacts to less than significant for all construction phases of the Project, and would also control the release of the CI spores from construction activities. Although required compliance with SJVAPCD Rule 8021 Section 6.3 would reduce potential impacts related to Valley Fever to less-than-significant levels, implementation of Mitigation Measure AQ-2 would further reduce the potential to expose construction workers and nearby sensitive receptors to CI spores through implementation of dust control measures. Based on required compliance with SJVAPCD Rule 8021 Section 6.3, the Project would not expose construction workers or nearby sensitive receptors to CI spores associated with Valley Fever.

Conclusion. Based on required compliance with SJVAPCD Rule 8021 Section 6.3 and implementation of Mitigation Measure AQ-2, the Project would not result in odors or other emissions that could adversely affect a substantial number of people. Therefore, the Project's impacts would be *less than significant with mitigation*.

Mitigation Measures

AQ-1 Permit Requirements. Prior to ground disturbance and construction, the Construction Contractor shall obtain all required permits for dust control and the use of portable equipment, 50 horsepower or greater, from the San Joaquin Valley Air Pollution Control District. Upon application for construction permits, all required mitigation measures shall be shown on all applicable grading or construction plans and implemented during all applicable grading and construction activities.

AQ-2 Dust Control Measures. No person shall perform any construction, demolition, excavation, extraction, or other earthmoving activities unless measures are sufficiently implemented to limit visible dust emissions (VDE) to 20% opacity and comply with the conditions for a stabilized surface area when applicable. In addition to the requirements of this rule, a person shall comply with all other applicable requirements of San Joaquin Valley Air Pollution Control District Regulation VIII. A person shall control the fugitive dust emissions to meet the following requirements:

1. Pre-Activity:
 - a. Pre-water site sufficient to limit VDE to 20% opacity, and
 - b. Phase work to reduce the amount of disturbed surface area at any one time.

2. During Active Operations:
 - a. Apply water or chemical/organic stabilizers/suppressants sufficient to limit VDE to 20% opacity; or
 - b. Construct and maintain wind barriers sufficient to limit VDE to 20% opacity. If utilizing wind barriers, control measure 2.a above shall also be implemented.
 - c. Apply water or chemical/organic stabilizers/suppressants to unpaved haul/access roads and unpaved vehicle/equipment traffic areas sufficient to limit VDE to 20% opacity and meet the conditions of a stabilized unpaved road surface.
3. Temporary Stabilization During Periods of Inactivity:
 - a. Restrict vehicular access to the area; and
 - b. Apply water or chemical/organic stabilizers/suppressants, sufficient to comply with the conditions of a stabilized surface. If an area having 0.5 acre or more of disturbed surface area remains unused for 7 or more days, the area must comply with the conditions for a stabilized surface area as defined in section 3.58 of Rule 8011.

AQ-3 Construction Emissions. The Project shall utilize clean off-road construction equipment, including the latest tier equipment as specified by the California Air Resources Board in the most recent *Advanced Clean Off-Road Equipment List Fact Sheet*,¹² where feasible.

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		

¹² California Air Resources Board (CARB). 2023. *CARB Advanced Clean Off-Road Equipment List Fact Sheet*. California Air Resources Board Air Quality Planning and Science Division, Mobile Source Analysis Branch, Off-Road Diesel Analysis Section. August. Available at: <https://ww2.arb.ca.gov/sites/default/files/2023-08/2023%20ZEE%20List%2008142023.pdf>. Accessed December 2024.

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

DISCUSSION

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

The following information is based on a literature review and observations made during a reconnaissance-level survey of the Project site and immediately surrounding area, hereafter to be referred to as Project area. The literature review included a review of the U.S. Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC)¹³ planning tool and a nine-quadrant query of the California Department of Fish and Wildlife (CDFW) California Natural Diversity Database (CNDDDB)¹⁴ to identify special-status plant and animal species that have been previously documented in the Project area (Appendix A). In addition, an SWCA biologist conducted a biological reconnaissance survey of the Project site on October 10, 2024, to document existing conditions of the Project site.

Existing Conditions

The Project site consists of an undeveloped 6.7-acre parcel characterized by highly disturbed ruderal landcover, showing evidence of regular mowing and recent disking for general maintenance, and bare ground areas. Sparse plant cover includes nonnative annual grasses such as wild oats (*Avena fatua*) and ripgut brome (*Bromus diandrus*) and weeds, including black mustard (*Brassica nigra*) and prostrate knotweed (*Polygonum aviculare*). Decorative shrubs and trees, including cotoneaster (*Cotoneaster* spp.), lavender (*Lavandula* spp.), Chinese elm (*Ulmus parvifolia*), and narrow leaved ash (*Fraxinus angustifolia*), are planted just outside the southern and western perimeters of the Project site. The Project site is immediately surrounded by sidewalks and roadways to the north and east, and commercial and warehouse uses to the south and west. No aquatic resources are located within the Project area.

Special-Status Plants

Based on a review of the USFWS IPaC and a nine-quadrant query of the CDFW CNDDDB, the following seven special-status plant species have been previously documented in the Project vicinity (see Appendix A):

- succulent owl's-clover (*Castilleja campestris* var. *succulenta*) is a California Rare Plant Rank (CRPR) 1B.2 species that typically occurs in vernal pool and wetland areas at elevations between approximately 165 and 2,460 feet. The nearest recorded occurrence is approximately 6.1 miles northeast of the Project

¹³ U.S. Fish and Wildlife Service (USFWS). 2024a. Information for Planning and Consultation. Available at: <https://ipac.ecosphere.fws.gov/>. Accessed October 2024.

¹⁴ California Department of Fish and Wildlife (CDFW). 2024. California Natural Diversity Database. Available at: <https://wildlife.ca.gov/Data/CNDDDB/Maps-and-Data>. Accessed October 2024.

area (CNDDDB Occ. 43). Based on frequent site disturbance (e.g., mowing, disking), this species is not expected to occur on-site.

- California jewelflower (*Caulanthus californicus*) is a CRPR 1B.1 species that typically occurs in chenopod scrub, pinyon and juniper woodlands, and valley and foothill grasslands at elevations between approximately 200 and 3,280 feet. The nearest recorded occurrence is approximately 0.3 mile west of the Project area (CNDDDB Occ. 38). Based on frequent site disturbance, this species is not expected to occur on-site.
- San Joaquin Valley Orcutt grass (*Orcuttia inaequalis*) is a CRPR 1B.1 species that typically occurs in vernal pool and wetland habitats at elevations between approximately 35 and 2,475 feet. The nearest recorded occurrence is approximately 7.7 miles northwest of the Project area (CNDDDB Occ. 21). Based on frequent site disturbance, this species is not expected to occur on-site.
- hairy Orcutt grass (*Orcuttia pilosa*) is a CRPR 1B.1 species that typically occurs in vernal pool and wetland habitats at elevations between approximately 150 and 655 feet. The nearest recorded occurrence is approximately 13.1 miles northwest of the Project area (CNDDDB Occ. 28). Based on frequent site disturbance, this species is not expected to occur on-site.
- Hartweg's golden sunburst (*Pseudobahia bahiifolia*) is a CRPR 1B.1 species that typically occurs in cismontane woodland and valley and foothill grassland habitats between approximately 50 and 490 feet. The nearest recorded occurrence is approximately 13 miles north of the Project area (CNDDDB Occ. 23). Based on frequent site disturbance, this species is not expected to occur on-site.
- San Joaquin adobe sunburst (*Pseudobahia peirsonii*) is a CRPR 1B.1 species that typically occurs in cismontane woodland and valley and foothill grassland habitats between approximately 295 and 2,625 feet. The nearest recorded occurrence is approximately 5 miles northeast of the Project area (CNDDDB Occ. 31). Based on frequent site disturbance, this species is not expected to occur on-site.
- Greene's tuctoria (*Tuctoria greeneri*) is a CRPR 1B.1 species that typically occurs in vernal pool and wetland habitats at elevations between approximately 100 and 3,510 feet. The nearest recorded occurrence is approximately 6.7 miles southeast of the Project area (CNDDDB Occ. 16). Based on frequent site disturbance, this species is not expected to occur on-site.

Short-term construction activities would have the potential to result in direct impacts to special-status plant species if present within the Project area during Project construction. No special-status plant species were observed during the reconnaissance-level field survey of the Project area. Although the survey was conducted outside of the typical blooming period for most special-status plant species, no special-status plant species are expected to occur within the Project area due to the lack of suitable habitat and extent of disturbance within the Project area. Based on the lack of suitable habitat and frequent disturbance, special-status plant species are not expected to occur within the Project area, and the Project would not result in

adverse effects to special-status plant species. Therefore, the Project's impacts would be *less than significant*, and mitigation is not required.

Special-Status Animals

Based on a review of the USFWS IPaC and a nine-quadrant query of the CDFW CNDDDB, the following 17 special-status animal species have been previously documented in the Project vicinity (see Appendix A):

- San Joaquin kit fox (*Vulpes macrotis mutica*) is a federally endangered and State threatened species that typically occurs in chenopod scrub and valley and foothill grasslands. The nearest recorded occurrence is approximately 7.4 miles southeast of the Project area (CNDDDB Occ. 1,115). Based on the lack of suitable habitat, lack of connection to natural areas, and the distance to the nearest recorded occurrence, this species is not expected to occur on-site.
- Fresno kangaroo rat (*Dipodomys nitratoides exilis*) is a federally and State endangered species that typically occurs in chenopod scrub habitat. The nearest recorded occurrence is approximately 8.2 miles west of the Project area (CNDDDB Occ. 15). Based on the lack of suitable habitat, lack of connection to natural areas, and distance to the nearest recorded occurrence, this species is not expected to occur on-site.
- California tiger salamander – Central California Distinct Population Segment (DPS) (*Ambystoma californiense* pop. 1) is a federally and State threatened species that typically occurs in cismontane woodland, meadow and seep, riparian woodland, valley and foothill grassland, vernal pool, and wetland habitats. The nearest recorded occurrence is approximately 0.3 mile west of the Project area (CNDDDB Occ. 478). Based on the lack of suitable habitat, this species is not expected to occur on-site.
- western spadefoot (*Spea hammondi*) is a federally proposed threatened species that typically occurs in cismontane woodland, coastal scrub, grassland, vernal pool, and wetland habitats. The nearest recorded occurrence is approximately 6.3 miles northeast of the Project area (CNDDDB Occ. 790). Based on the lack of suitable habitat, this species is not expected to occur on-site.
- northwestern pond turtle (*Emys marmorata*) is a federally proposed threatened species that typically occurs in aquatic and wetland habitats. The nearest recorded occurrence is approximately 5.2 miles north of the Project area (CNDDDB Occ. 1,355). Based on the lack of suitable habitat, this species is not expected to occur on-site.
- valley elderberry longhorn beetle (*Desmocerus californicus dimorphus*) is a federally threatened species that typically occurs in chenopod scrub habitat. The nearest recorded occurrence is approximately 9 miles northwest of the Project area (CNDDDB Occ. 135). Based on the lack of suitable habitat and the distance to the nearest recorded occurrence, this species is not expected to occur on-site.

- Crotch's bumble bee (*Bombus crotchii*) is a State candidate endangered species that typically occurs in grassland habitats. The nearest recorded occurrence is approximately 0.3 mile west of the Project area (CNDDDB Occ. 53). Based on the lack of suitable habitat and frequent site disturbance (e.g., mowing, disking), this species is not expected to occur on-site.
- monarch butterfly (*Danaus plexippus*) is a federal candidate species that typically overwinters in coniferous forest habitat. The nearest recorded occurrence is approximately 97.3 miles east of the Project area (CNDDDB Occ. 198). Based on the lack of suitable habitat and the distance to the nearest recorded occurrence, this species is not expected to occur on-site.
- vernal pool fairy shrimp (*Branchinecta lynchi*) is a federally threatened species that typically occurs in valley and foothill grassland, vernal pool, and wetland habitats. The nearest recorded occurrence is approximately 2.9 miles northeast of the Project area (CNDDDB Occ. 148). Based on the lack of suitable habitat, this species is not expected to occur on-site.
- conservancy fairy shrimp (*Branchinecta conservatio*) is a federally endangered species that typically occurs in valley and foothill grassland, vernal pool, and wetland habitats. The nearest recorded occurrence is approximately 48.5 miles northwest of the Project area (CNDDDB Occ. 34). Based on the lack of suitable habitat and the distance to the nearest recorded occurrence, this species is not expected to occur on-site.
- western yellow-billed cuckoo (*Coccyzus americanus occidentalis*) is a federally threatened and State endangered species that typically occurs in riparian forest habitat. The nearest recorded occurrence is approximately 2 miles southeast of the Project area (CNDDDB Occ. 87). Based on the lack of suitable habitat, this species is not expected to occur on-site.
- California condor (*Gymnogyps californianus*) is a federally endangered species that typically nests in cliffs and large trees and forages in open grassland. The nearest recorded occurrence is approximately 46.1 miles southeast of the Project area (CNDDDB Occ. 5). Based on the lack of suitable nesting habitat and the distance to the nearest recorded occurrence, this species is not expected to occur on-site.
- Swainson's hawk (*Buteo swainsoni*) is a State threatened species that typically occurs in grassland, riparian forest, riparian woodland, and valley and foothill grassland habitats. The nearest recorded occurrence is approximately 0.3 mile west of the Project area (CNDDDB Occ. 2,583). The landscape trees surrounding the Project site may provide temporary nesting habitat for this species; therefore, there is potential for this species to occur on-site during nesting season.
- tricolored blackbird (*Agelaius tricolor*) is a State threatened species that typically occurs in freshwater marsh, marsh, swamp, and wetland habitats. The nearest recorded occurrence is approximately 3.7 miles northwest of the Project area (CNDDDB Occ. 664). Based on the lack of suitable habitat, this species is not expected to occur on-site.

- least Bell's vireo (*Vireo bellii pusillus*) is a federally and State endangered species that typically occurs in riparian forest, riparian scrub, and riparian woodland habitats. The nearest recorded occurrence is approximately 0.3 mile west of the Project area (CNDDDB Occ. 505). Based on the lack of suitable habitat, this species is not expected to occur on-site.
- blunt-nosed leopard lizard (*Gambelia sila*) is a federally endangered species that typically occurs in open areas that have patchy or sparse vegetation, that is characterized by low, drought-tolerant shrubs. The nearest recorded occurrence is approximately 26.8 miles southwest of the Project area (CNDDDB Occ. 207). Based on the distance to the nearest recorded occurrence, this species is not expected to occur on-site.
- burrowing owl (*Athene cunicularia*) is a federal candidate species that typically occurs in wide-open, sparsely vegetated areas like prairies, deserts, grasslands and agricultural fields. The nearest recorded occurrence is approximately 1.8 miles southeast of the Project area (CNDDDB Occ. 1,963). Although the Project site contains undeveloped grassland, the Project site is characterized by highly disturbed ruderal landcover, showing evidence of regular mowing and recent disking for general maintenance. Based on the lack of suitable habitat, this species is not expected to occur on-site.

Short-term construction activities would have the potential to result in direct (e.g., take) or indirect (e.g., light pollution, noise pollution, habitat loss, etc.) impacts to special-status animal species if present within the Project area during Project construction. No special-status animal species or evidence of special-status animal species were observed during the reconnaissance-level field survey of the Project area. Further, most special-status animal species known to occur in the region are not expected to occur within the Project area based on the lack of suitable habitat, lack of connectivity to natural areas, and frequent site disturbance; however, there is some potential for migratory bird species to nest in the landscape trees within the Project area. As identified above, there is some potential for landscape trees surrounding the Project site to provide temporary nesting habitat for Swainson's hawk. Proposed construction activities have the potential to result in direct and indirect disturbance to Swainson's hawk and migratory nesting bird species if present within the Project area during construction. Mitigation Measure BIO-1 has been included to require preconstruction nesting bird surveys and identifies the proper protocol to be implemented if birds are found nesting within the Project area. Implementation of Mitigation Measure BIO-1 would avoid and/or minimize potential impacts related to Swainson's hawk and nesting migratory birds; therefore, impacts related to special-status animal species would be *less than significant with mitigation*.

Conclusion. Based on the lack of suitable habitat and frequent disturbance, special-status plant species are not expected to occur within the Project area; therefore, the Project would not result in adverse effects to special-status plant species. Implementation of Mitigation Measure BIO-1 would avoid and/or minimize potential impacts related to Swainson's hawk and nesting migratory birds. Therefore, impacts related to special-status species would be *less than significant with mitigation*

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

The Project site consists of an undeveloped 6.7-acre parcel characterized by highly disturbed ruderal landcover showing evidence of regular mowing and recent disking for general maintenance and bare ground areas. According to the USFWS National Wetlands Inventory (NWI) Surface Waters and Wetlands Mapper,¹⁵ there are no mapped surface water or wetland areas within or adjacent to the Project area that could support any riparian habitat. In addition, the Project site experiences frequent disturbance and would not support suitable habitat for any sensitive natural communities. The Project site does not support riparian habitat or other sensitive natural communities; therefore, the Project would not result in a substantial adverse effect on any riparian habitat or other sensitive natural community, and *no impact* would occur. Mitigation is not required.

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

According to the USFWS NWI Surface Waters and Wetlands Mapper,¹⁶ there are no mapped wetland areas within or adjacent to the Project area. Based on the absence of wetlands within the Project area, the Project would not result in a substantial adverse effect on a federally or State-protected wetland; therefore, *no impact* would occur, and mitigation is not required.

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

Open space areas, undeveloped land, and agricultural land are mainly located along the boundaries of the City, particularly near the northern boundary along the San Joaquin River corridor. The San Joaquin River corridor functions as a wildlife movement corridor for a number of terrestrial and aquatic mammals and birds and facilitates movement of wildlife species from Fresno to the Sierra Nevada to the east and open agricultural land to the west.

The Project site is located in a developed area in the eastern portion of the City and is not located within a wildlife movement corridor. The Project site consists of an undeveloped and disturbed area that is surrounded by existing developed areas, including commercial buildings and warehouses to the east, west, and south and

¹⁵ U.S. Fish and Wildlife Service (USFWS). 2024b. National Wetlands Inventory (NWI) Surface Waters and Wetlands Mapper. Available at: <https://fwsprimary.wim.usgs.gov/wetlands/apps/wetlands-mapper/>. Accessed October 2024.

¹⁶ U.S. Fish and Wildlife Service (USFWS). 2024b. National Wetlands Inventory (NWI) Surface Waters and Wetlands Mapper. Available at: <https://fwsprimary.wim.usgs.gov/wetlands/apps/wetlands-mapper/>. Accessed September 2024.

multi-family residential units to the north. Further, East Shields Avenue and North Fowler Avenue run along the northern and eastern boundaries of the Project site, respectively. Based on the level of existing development, the Project area is not suitable for terrestrial habitat connectivity. There are no waterways within the Project area that could provide migratory fish or breeding habitat. Since the Project area does not provide terrestrial or aquatic habitat connectivity, the Project would not preclude use of the Project site as a terrestrial or aquatic wildlife corridor. As previously identified, there is low potential for migratory birds to utilize ornamental trees within the Project area for nesting habitat. The Project would not result in the removal of any trees from the Project site or surrounding area. Therefore, the Project would not interfere substantially with the movement of migratory species, and impacts would be *less than significant*. Mitigation is not required.

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

City Municipal Code Section 13-305 (Tree Preservation) requires the use of techniques, methods, and procedures to preserve, whenever feasible, all trees in the City, including, but not limited to, trees that are affecting surface improvements or underground facilities or are diseased or located where construction is being considered or will occur. The Project would not result in the removal of any trees from the Project site or surrounding area; therefore, the Project would not conflict with the City's Tree Preservation Ordinance; therefore, *no impact* would occur, and mitigation is not required.

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

The *PG&E San Joaquin Valley Operation & Maintenance Habitat Conservation Plan* (PG&E O&M HCP)¹⁷ was approved in 2007 and covers portions of nine counties, including Fresno County. The O&M HCP covers PG&E activities that occur as a result of ongoing operations and maintenance that would have an adverse impact on any of the 65 covered species and provides incidental take coverage from the USFWS and CDFW. The PG&E O&M HCP is not applicable to the Project. The Project site is not located within the covered area of any other Habitat Conservation Plan or Natural Community Conservation Plan; therefore, *no impact* would occur, and mitigation is not required.

¹⁷ Pacific Gas and Electric (PG&E). 2006. *PG&E San Joaquin Valley Operation & Maintenance Habitat Conservation Plan*. Available at: https://ecos.fws.gov/docs/plan_documents/thcp/thcp_838.pdf. Accessed September 2024.

Mitigation Measures

BIO-1 Preconstruction Nesting Bird Survey. Prior to initiation of any Project site preparation/construction activities, if work is planned to occur between February 1 and September 15, a qualified biologist shall survey the area for nesting birds within 1 week prior to initial Project activity beginning, including ground disturbance and/or vegetation removal/trimming. If nesting birds are located on or near the Project site, they shall be avoided until they have successfully fledged, or the nest is no longer deemed active, as detailed below:

1. A 50-foot exclusion zone shall be placed around non-listed, passerine species and a 250-foot exclusion zone will be implemented for raptor species. Each exclusion zone shall encircle the nest and have a radius of 50 feet (non-listed passerine species) or 250 feet (raptor species). All Project activities, including foot and vehicle traffic and storage of supplies and equipment, are prohibited inside exclusion zones. Exclusion zones shall be maintained until all exterior construction activities have been terminated for the current phase of work (e.g., if initial site improvements are completed, exclusion zones may be removed until initiation of site preparation for residence construction begins), or it has been determined by a qualified biologist that the young have fledged or that Project activities would not cause adverse impacts to the nest, adults, eggs, or young.
2. If special-status avian species are identified and nesting within the work area, no work will begin until an appropriate exclusion zone is determined in consultation with the City of Fresno and any relevant resource agencies.

The results of the survey shall be provided to the City of Fresno prior to initiation of site preparation/construction activities. The results shall detail appropriate fencing or flagging of exclusion zones and include recommendations for additional monitoring requirements. A map of the Project site and nest locations shall be included with the results. The qualified biologist conducting the nesting survey shall have the authority to reduce or increase the recommended exclusion zone depending on site conditions and species (if non-listed).

If 2 weeks lapse between different phases of Project activities (e.g., vegetation trimming, the start of grading), during which no or minimal work activity occurs, the nesting bird survey shall be repeated and a separate survey report shall be prepared and submitted to the City of Fresno.

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

DISCUSSION

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

A historical resource, as defined by CEQA, includes one or more of the following criteria: 1) the resource is listed, or found eligible for listing in, the CRHR; 2) the resource is listed in a local register of historical resources as defined by PRC Section 5020.1(k); 3) the resource is identified as significant in a historical resources survey meeting the requirements of PRC Section 5024.1(g); or 4) the resource is determined to be a historical resource by the project's Lead Agency (PRC Section 21084.1; State CEQA Guidelines Section 15064.(a)). Under CEQA, historical resources include built environment resources and archaeological sites.

The Project site is entirely undeveloped and does not consist of any buildings or structures that could qualify for listing as a historical resource. In addition, the Project site is not located in a historic district. Therefore, the Project would not cause a substantial adverse change in the significance of a historical resource, and *no impact* would occur. Mitigation is not required.

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

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

Construction activities would result in approximately 6.8 acres of ground disturbance, including approximately 1,100 CY of cut and 6,000 CY of fill and a maximum depth of excavation of 9 feet. Based on a records search conducted at the San Joaquin Valley Information Center (SSJVIC) located at California State University, Bakersfield and the NAHC SLF, there are no previously recorded archaeological resources within the Project area; therefore, proposed ground-disturbing activities are not anticipated to adversely affect any known or unknown cultural resource sites within the Project area. Further, Mitigation Measure CR-1 requires that in the unlikely event that previously unidentified cultural resources are uncovered during proposed ground-disturbing activities, all work shall cease within the vicinity of the find until a qualified archaeologist is retained to evaluate the significance of the find and determine the need for further study. Based on the low potential to uncover archaeological resources within the Project area and implementation of Mitigation Measure CR-1, the Project would not result in adverse impacts to known or unknown cultural resources, and the Project's impacts would be *less than significant with mitigation*.

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

There are no known human remains or cemeteries located within or in the immediate vicinity of the Project site, and the Project area is considered to have low sensitivity for the presence of unidentified human resources. Mitigation Measure CR-2 has been identified to require the Project to comply with California Health and Safety Code Section 7050.5, which outlines the protocol for unanticipated discovery of human remains. Section 7050.5 states that no further disturbance shall occur until the Fresno County Coroner has made a determination of origin and disposition pursuant to PRC Section 5097.98. The Fresno County Coroner must be notified of the find immediately. If the human remains are determined to be prehistoric, the coroner will notify the NAHC, which will determine and notify a Most Likely Descendant (MLD). The MLD shall complete the inspection of the site within 48 hours of notification and may recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials. Based on implementation of Mitigation Measure CR-2, the Project would not result in disturbance to human remains, and the Project's impacts would be *less than significant with mitigation*.

Mitigation Measures

- CR-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 cultural resources specialist shall be consulted to determine whether the resource requires further study. The qualified cultural resources specialist shall make recommendations to the City of Fresno 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 California Environmental Quality Act (CEQA) Guidelines and the City of Fresno's Historic Preservation Ordinance. If the resources are determined to be unique historical resources as defined under State CEQA Guidelines Section 15064.5, 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 Project 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 of Fresno-approved institution or person who is capable of providing long-term preservation to allow future scientific study.

CR-2 In the event that human remains are unearthed during excavation and grading activities, 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.

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

Construction-Related Energy Use

During construction, fossil fuels, electricity, and natural gas would be used by construction vehicles and equipment. The energy consumed during construction would be temporary in nature and typical of other similar construction activities in the City. Federal and State regulations in place require the use of fuel-efficient equipment and vehicles and require wasteful activities, such as diesel idling, to be limited. Further, construction contractors, in an effort to ensure cost efficiency, would not be expected to engage in wasteful or unnecessary energy and fuel practices, such as diesel idling. Energy consumption during construction would not be wasteful, unnecessary, or inefficient.

Operational Energy Use

Operational energy consumption would include electricity use for building operations and fossil fuel use for vehicle trips to and from the Project site. The Project would result in the operation of a light industrial business park, which would result in a marginal increase in energy use in the City. The future tenants and operational uses are currently unknown; however, all future operational uses of the Project site would be consistent with the “permitted” uses for the IL zone district and land use designation, including limited manufacturing and processing, research and development, fabrication, utility equipment and service yards, and wholesaling activities, and no conditionally permitted use tenants or major distribution and warehouse tenants are proposed or expected. Electricity would be provided by PG&E, which consists of 38% renewable energy sources and 57% greenhouse gas (GHG)-free energy sources.¹⁸ By using electricity from PG&E, the Project would reduce the long-term use of non-renewable energy resources. The proposed buildings would be required to comply with applicable California Green Building Standards Code (CALGreen; California Code of Regulations [CCR] Title 24, Part 11) and California Energy Code (24 CCR Part 6) requirements to encourage energy efficient design.

Proposed construction activities would be conducted by a maximum of 24 construction workers and would generate short-term vehicle trips to and from the Project site; however, Project construction is expected to use workers from the local employment force and would not require workers to commute from other areas. Further, construction vehicles and equipment would be stored on site as feasible to further reduce vehicle, truck, and equipment trips during construction. The Project would generate approximately 66 new employment opportunities and 453 daily vehicle trips. As discussed in Section XVII, *Transportation*, the City allows projects to be screened

¹⁸ Pacific Gas and Electric Company (PG&E). 2022. Exploring Clean Energy Solutions. Available at: https://www.pge.com/en_US/about-pge/environment/what-we-are-doing/clean-energy-solutions/clean-energy-solutions.page. Accessed September 2024.

out if the project would generate less than 500 average daily trips (ADT). The Project is eligible to screen out because the Project would generate 453 daily trips, which would fall below the Fresno vehicle miles traveled (VMT) threshold of 500 ADT. Therefore, the Project would not result in a substantial increase in fossil fuel consumption from VMT. New employment opportunities would primarily be filled by existing residents and would not require workers to commute into the City from other areas. Although specific future uses are currently unknown, the nature of future IL uses would be local-serving uses and would not result in a substantial increase in long-term vehicle trips by patrons from other areas. Further, the Project would not result in a new major distribution center that could increase the number of truck trips throughout the region. Therefore, the Project would not result in a substantial increase in short- or long-term construction vehicle trips, commuter trips, or truck trips in a manner that could result in wasteful, unnecessary, or inefficient fossil fuel consumption.

The Project also includes the installation of EV-ready and EV-capable parking spaces to align with the State's goal to reduce fossil fuel consumption and achieve net zero carbon pollution. Further, installation of proposed pedestrian facilities, including internal pedestrian walkways and adjacent public sidewalks would allow new employees to walk to nearby commercial uses and restaurants, ultimately allowing for the use of alternative modes of transportation and reducing fossil fuel consumption from vehicle trips.

Conclusion. Energy consumption during construction would not be wasteful, unnecessary, or inefficient. Further, the Project would not result in wasteful, inefficient, or unnecessary consumption of energy resources during operation of the Project. Therefore, construction and operational impacts would be *less than significant*, and mitigation is not required.

b) Would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

In 2002 the Legislature passed SB 1389, which required the California Energy Commission (CEC) to develop an integrated energy plan every 2 years for electricity, natural gas, and transportation fuels, for the California Energy Policy Report. The plan calls for the State to assist in the transformation of the transportation system to improve air quality, reduce congestion, and increase the efficient use of fuel supplies with the least environmental and energy costs. To further this policy, the plan identifies a number of strategies, including assistance to public agencies and fleet operators in implementing incentive programs for zero emission (ZE) vehicles and their infrastructure needs, and encouragement of urban designs that reduce VMT and accommodate pedestrian and bicycle access.

The CEC approved the *2023 Integrated Energy Policy Report* in February 2024.¹⁹ The *2023 Integrated Energy Policy Report* provides the results of the CEC’s assessments of a variety of energy issues facing California. Many of these issues will require action if the State is to meet its climate, energy, air quality, and other environmental goals while maintaining energy reliability and controlling costs. The *2023 Integrated Energy Policy Report* identifies methods towards achieving California’s goals for mitigating climate change and protecting the health of all Californians while simultaneously transitioning to renewable generation and electrifying the State’s economy. California needs to accelerate the pace of clean energy resource deployment, including flexible loads like EV chargers and heat pumps connected at the distribution level as well as grid-scale renewables and storage connected at the transmission level.

As indicated above, the proposed Project would not result in wasteful, inefficient, or unnecessary consumption of energy resources during Project construction or operation. Because California’s energy conservation planning actions are conducted at a regional level, and because the proposed Project’s total impact to regional energy supplies would be minor, the proposed Project would not conflict with California’s energy conservation plans as described in the CEC’s *2023 Integrated Energy Policy Report*.

The City’s 2014 *General Plan Resource Conservation and Resilience Element*²⁰ identifies goals and policies to reduce the consumption of non-renewable energy resources by requiring and encouraging conservation measures and the use of alternative energy sources. As previously evaluated, proposed construction activities would require the use of energy in the form of diesel fuel and gasoline for workers and construction vehicles and equipment. The energy consumed during construction would be temporary and would not represent a significant or wasteful demand on available resources. Although not required to reduce construction-related energy consumption, Mitigation Measure AQ-3, included in Section III, *Air Quality*, requires the use of clean off-road construction equipment, including the latest tier equipment, where feasible during Project construction, which would be consistent with the City’s General Plan goals related to the use of alternative energy sources.

As discussed in *Impact Discussion VI.(a)*, operation of the Project would not result in substantial energy consumption from electricity use for building operations or fossil fuel use for vehicle trips to and from the Project site. The proposed buildings would be required to comply with applicable CALGreen (24 CCR Part 11) and California Energy Code (24 CCR Part 6) requirements to encourage energy efficient design. Further, the Project includes the installation of EV-ready and EV-capable parking spaces to align with the State’s goal to reduce fossil fuel consumption and achieve net zero carbon pollution as well as the City’s General Plan goals related to the use of alternative

¹⁹ California Energy Commission (CEC). 2024. *2023 Integrated Energy Policy Report Highlights*. February. Available at: https://www.energy.ca.gov/sites/default/files/2024-05/2023_Integrated_Energy_Policy_Report_Highlights_ADA.pdf. Accessed December 2024.

²⁰ City of Fresno. 2014b. *Fresno General Plan, 7: Resource Conservation and Resilience Element*. Available at: <https://www.fresno.gov/wp-content/uploads/2023/03/General-Plan-7-Resources-Conservation-and-Resilience-7-19.pdf>. Accessed October 2024.

energy sources. Further, installation of proposed pedestrian facilities, including internal pedestrian walkways and adjacent public sidewalks would ultimately allow for the use of alternative modes of transportation, which would be consistent with the City's General Plan goals related to the reduction of the consumption of non-renewable energy resources.

Conclusion. The Project would be consistent with goals and policies of the City's *General Plan Resource Conservation and Resilience Element*; therefore, construction-related impacts would be *less than significant*, and mitigation is not required.

Mitigation Measures

Mitigation measures are not required.

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:			X	
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	

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

DISCUSSION

a) **Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:**

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

Fault ruptures are generally expected to occur along active fault traces that have exhibited signs of recent geological movement (i.e., in the last 11,000 years). Alquist-Priolo Earthquake Fault Zones are delineated areas around active faults with potential surface fault rupture hazards that require specific geological investigations prior to approval of certain kinds of development within the delineated area. The Project site is not located within an Alquist-Priolo Earthquake Fault Zone. In addition, no known active or potentially active faults or fault traces are located in the Project vicinity. The nearest active fault is the Nunez Fault, approximately 50 miles southwest of the City of Fresno. Therefore, the Project

would not expose people or structures to risk as a result of fault rupture, and *no impact* would occur. Mitigation is not required.

ii. Strong seismic ground shaking?

The City of Fresno is located in an area with a historically low-to-moderate level of seismicity. However, strong ground shaking could occur within the Project site during seismic events and occurrences have the possibility to result in significant impacts. Major seismic activity along the nearby Great Valley Fault Zone or the Nunez Fault, or other associated faults, could affect the Project site through strong seismic ground shaking. Strong seismic ground shaking could potentially cause structural damage to the Project. The Project would be required to be designed and constructed in accordance with the California Building Code (CBC) (Title 24 CCR) to reduce the risk associated with seismic ground shaking. Based on low potential for seismic ground shaking and required compliance with the CBC, the Project would not result in the risk of loss, injury, or death as a result of seismic ground shaking. Therefore, the Project's impacts would be *less than significant*, and mitigation is not required.

iii. Seismic-related ground failure, including liquefaction?

Liquefaction takes place when loosely packed, water-logged sediments at or near the ground surface lose their strength in response to strong ground shaking. The predominant soils within the City of Fresno consist of varying combinations of loose/very soft to very dense/hard silts, clays, sands, and gravels. Groundwater has been encountered near the ground surface in close proximity to water-filled features such as canals, ditches, ponds, and lakes. Based on these characteristics, the potential for soil liquefaction within the City ranges from very low to moderate due to the variable density of the subsurface soils and the presence of shallow groundwater. In addition to liquefaction, the City could be susceptible to induced settlement of loose unconsolidated soils or lateral spread during seismic shaking events. Based on the nature of the subsurface materials and the relatively low to moderate seismicity of the region, seismic settlement and/or lateral spread are not anticipated to represent a substantial hazard within the City during seismic events. Based on the nature of the subsurface materials and the relatively low-to-moderate seismicity of the region, potential for seismic related ground failure is low in Fresno.²¹ In addition, the Project would be required to be designed and constructed in accordance with the CBC to reduce the risk associated with liquefaction. Based on the low potential for liquefaction and required compliance with CBC requirements, the Project would not result in the risk of loss, injury, or death as a result of liquefaction. Therefore, the Project's impacts would be *less than significant*, and mitigation is not required.

²¹ City of Fresno. 2014e. *Fresno General Plan, 9: Noise and Safety Element*. Adopted December 18. Available at: <https://www.fresno.gov/wp-content/uploads/2023/03/9-Noise-and-Safety-02-03-21.pdf>. Accessed October 2024.

iv. Landslides?

A landslide generally occurs on relatively steep slopes and/or on slopes underlain by weak materials. The City of Fresno is located within an area that consists of mostly flat topography within the Central Valley. Accordingly, there is no risk of large landslides in the majority of the City; however, there is the potential for landslides and slumping along the steep banks of rivers, creeks, or drainage basins such as the San Joaquin River bluff and the many unlined basins and canals that trend throughout the City. The Project site is located in a relatively flat area and is not in the vicinity of the San Joaquin River bluff or other unlined basins or canals; therefore, the potential for landslides to occur within the Project site is low. In addition, the Project would be required to be designed and constructed in accordance with the CBC to reduce the risk associated with landslides. Based on the low potential for landslide and required compliance with CBC requirements, the Project would not result in the risk of loss, injury, or death as a result of landslide. Therefore, the Project's impacts would be *less than significant*, and mitigation is not required.

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

Construction activities would result in approximately 6.8 acres of ground disturbance, including approximately 1,100 CY of cut and 6,000 CY of fill. Ground-disturbing activities during Project construction have the potential to result in erosion and loss of topsoil. The Project would disturb more than 1 acre of soils and be required to comply with Regional Water Quality Control Board (RWQCB) General Construction Permit requirements, which require the preparation of a Stormwater Pollution Prevention Plan (SWPPP) with best management practices (BMPs) to address stormwater runoff during construction. In addition, the Project would be required to comply with City Municipal Code Chapter 6, Article 7 (Urban Storm Water Quality Management and Discharge Control), which requires the implementation of best management practices (BMPs) to reduce erosive runoff during construction. Following Project construction, the Project site would be covered with hardscapes, which would reduce the potential for long-term erosion to occur at the Project site. Based on required compliance with RWQCB and City requirements, impacts related to substantial erosion would be *less than significant*, and mitigation is not required.

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

As previously stated, soils at the Project site would not be subject to liquefaction, lateral spreading, or landslides. Further, the Project site is not located in an area with known subsidence.²² The Project would be constructed in accordance with CBC requirements to avoid risk associated with unstable soils. Based on the low potential for ground failure and required compliance with CBC requirements, the Project would

²² U.S. Geological Survey (USGS). 2024. Areas of Land Subsidence in California. Available at: https://ca.water.usgs.gov/land_subsidence/california-subsidence-areas.html. Accessed October 2024.

not result in the risk associated with ground-failure events. Therefore, the Project's impacts would be *less than significant*, and mitigation is not required.

d) Would the project 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?

Expansive soils are characterized by the potential for shrinking and swelling as the moisture content of the soil decreases and increases, respectively. Typically, soils that are comprised of clay and clay components consist of very fine particles and are slightly to moderately expansive. The Project site is underlain by two soil types, including Ramona sandy loam (Ra), which consists of sandy loam, sandy clay loam, and coarse sandy loam, and Ramona sandy loam, hard substratum (Rb), which consists of sandy loam and sandy clay loam.²³ Due to the limited extent of clay components, soils at the Project site would have low potential for expansion. In addition, the Project would be required to be constructed in accordance with the CBC to further reduce the risk associated with development on expansive soils. Based on the low potential for soil expansion and required compliance with the CBC, the Project would not result in the risk associated with expansive soils. Therefore, the Project's impacts would be *less than significant*, and mitigation is not required.

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

The Project would connect to the City's existing sewer system and would not require the construction of new septic tanks or alternative wastewater disposal systems. Therefore, *no impact* would occur, and mitigation is not required.

f) Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

The Project site is underlain by great valley fan deposits of the Holocene era (Qf), which has a low paleontological sensitivity due its relatively young age.²⁴ Proposed construction activities would have a maximum depth of excavation of 9 feet and would not be expected to reach the underlying bedrock; however, Mitigation Measure GEO-1 has been identified to address inadvertent discovery of paleontological resources if encountered during excavation activities. Based on the low paleontological sensitivity of the underlying geologic unit and implementation of Mitigation Measure GEO-1, the Project would not directly or indirectly disturb a unique paleontological resource. Therefore, the Project's impacts would be *less than significant with mitigation*.

²³ Natural Resources Conservation Service (NRCS). 2024. Web Soil Survey. U.S. Department of Agriculture Natural Resources Conservation Service. Available at: <https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx>. Accessed October 2024.

²⁴ U.S. Geological Survey (USGS). 1978. Fresno sheet. Available at: https://ngmdb.usgs.gov/Prodesc/prodesc_114520.htm. Accessed September 2024.

Mitigation Measures

GEO-1 In the event that unique paleontological/geological resources are discovered during excavation and/or construction activities, the Project contractor shall cease ground-disturbing activities within 50 feet 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 of Fresno 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. At each fossil locality, field data forms shall be used to record pertinent geologic data, stratigraphic sections shall be measured, and appropriate sediment samples shall be collected and submitted for analysis. Any fossils encountered and recovered shall be catalogued and presented for donation to a public, non-profit institution with a research interest in the materials. Accompanying notes, maps, and photographs shall also be filed at the repository.

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

DISCUSSION

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

GHG emissions are present in the atmosphere naturally, and are released by natural sources, or are formed from secondary reactions taking place in the atmosphere. However, over the last 200 years, human activities have caused substantial quantities of GHGs to be released into the atmosphere. These extra emissions are increasing

GHG concentrations in the atmosphere, and enhancing the natural greenhouse effect, which is believed to be causing global climate change. The gases that are widely seen as the principal contributors to human-induced global climate change are:

- Carbon dioxide (CO₂)
- Methane (CH₄)
- Nitrous oxide (N₂O)
- Hydrofluorocarbons
- Perfluorocarbons
- Sulfur Hexafluoride

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

These gases vary considerably in terms of Global Warming Potential (GWP), which is a concept developed to compare the ability of each GHG to trap heat in the atmosphere relative to another gas. GWP is based on several factors, including the relative effectiveness of a gas to absorb infrared radiation and the length of time that the gas remains in the atmosphere (“atmospheric lifetime”).

The GWP of each gas is measured relative to CO₂, the most abundant GHG; the definition of GWP for a particular GHG is the ratio of heat trapped by one unit mass of the GHG to the ratio of heat trapped by one unit mass of CO₂ over a specified time period. GHG emissions are typically measured in terms of pounds or tons of “CO₂ equivalents” (CO₂e).

Construction-Related GHG Emissions

During construction, fossil fuels, electricity, and natural gas would be used by construction vehicles and equipment. Federal and State regulations in place require fuel-efficient equipment and vehicles and prohibit wasteful activities, such as diesel idling. Construction contractors, in an effort to ensure cost efficiency, would be expected not to engage in wasteful or unnecessary energy and fuel practices. Therefore, construction activities are not anticipated to result in significant GHG emissions.

Operational GHG Emissions

Operational energy consumption would include electricity use for building operations and fossil fuel use for vehicle trips to and from the Project site. Electricity would be provided by PG&E, which consists of 38% renewable energy sources and 57% GHG-

free energy sources.²⁵ By using electricity from PG&E, the Project would reduce the long-term use of non-renewable energy resources, which would help reduce long-term GHG emissions associated with energy generation. The proposed buildings would be required to comply with applicable CALGreen (24 CCR Part 11) and California Energy Code (24 CCR Part 6) requirements to encourage energy efficient design, which would further reduce long-term GHG emissions associated with energy generation.

As discussed in Section XVII, *Transportation*, the City's *CEQA Guidelines for Vehicle Miles Traveled Thresholds* (Fresno VMT Thresholds) state that a project with 500 ADT would generally have total project emissions that could be less than 1,300 metric tons of carbon dioxide (CO₂) equivalent per year (MT CO₂e/year) (i.e., 50% or 643 MT CO₂e/year coming from vehicle emissions and the other 50% coming from other project activities).²⁶ As this level of GHG emissions would be less than 3,000 MT CO₂e/year, the emissions of GHG from a project up to 500 ADT would typically result in a less-than-significant impact. Therefore, the City allows projects to be screened if the project would generate less than 500 ADT. The Project is eligible to screen out because the Project would generate 453 daily trips, which would fall below the Fresno VMT Threshold of 500 ADT. Therefore, the Project would not result in substantial GHG emissions associated with VMT. The CARB Advanced Clean Cars Program²⁷ combines several regulations into one package including the Low-Emission Vehicle (LEV) criteria and GHG regulations and the zero-emission vehicle (ZEV) regulation. Advanced Clean Cars I was adopted in 2012 and Advanced Clean Cars II was adopted in 2022. These regulations rapidly scale down emissions of light-duty passenger cars, pickup trucks, and sport utility vehicles (SUVs) and require an increased number of zero-emission vehicles to meet air quality and climate change emissions goals. In October 2023, staff launched a new effort to consider potential amendments to the Advanced Clean Cars II regulations, including updates to the tailpipe GHG emission standard and limited revisions to the LEV and ZEV regulations. Based on Project design and existing State regulations, vehicle trips associated with the Project would not generate substantial GHG emissions.

The Project also includes the installation of EV-ready and EV-capable parking spaces to align with the State's goal to achieve net zero carbon pollution. Further, installation of proposed pedestrian facilities would allow new employees to walk to nearby commercial uses and restaurants, ultimately allowing for the use of alternative modes of transportation and reducing fossil fuel consumption from vehicle trips.

²⁵ Pacific Gas and Electric Company (PG&E). 2022. Exploring Clean Energy Solutions. Available at: https://www.pge.com/en_US/about-pge/environment/what-we-are-doing/clean-energy-solutions/clean-energy-solutions.page. Accessed September 2024.

²⁶ City of Fresno. 2020a. *CEQA Guidelines for Vehicle Miles Traveled Thresholds*. June 25. Available at: <https://www.fresno.gov/wp-content/uploads/2023/03/CEQA-Guidelines-for-Vehicle-Miles-Traveled-Final-Adopted-Version.pdf#:~:text=final%20rulemaking%20surrounding%20SB%20743%20and%20the%20implementation>. Accessed February 2024.

²⁷ California Air Resources Board (CARB). 2024. Advanced Clean Cars Program. Available at: <https://ww2.arb.ca.gov/our-work/programs/advanced-clean-cars-program>. Accessed December 2024.

Conclusion. Based on the analysis provided above, the Project is not anticipated to generate substantial GHG emissions during Project construction or operation. Therefore, the Project's impacts would be *less than significant*, and mitigation is not required.

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

The Project site would be subject to State and local plans and policies intended to reduce GHG emissions, as described in detail below.

California's Long Term Climate Goals

The California Supreme Court weighed in on climate impact analysis in *Center for Biological Diversity v. Department of Fish & Wildlife (2015)* (62 Cal.4th 204), which evaluates a project based on its effect on California's efforts to meet the State's long-term climate goals.²⁸ As the Supreme Court held in that case, a project that would be consistent with meeting those goals can be found to have a less-than-significant impact on climate change under CEQA. If a project would contribute its "fair share" of what will be required to achieve those long-term climate goals, then a reviewing agency can find that the impact will not be significant because the project will help to solve the problem of global climate change (62 Cal.4th 220–223).

The State's long-term climate goals are developed by the CARB. CARB's *Scoping Plan for Achieving Carbon Neutrality (2022 Scoping Plan Update)*,²⁹ dated November 16, 2022, identifies a plan to reach carbon neutrality by 2045 or earlier. The 2022 Scoping Plan is the first plan that adds carbon neutrality as a science-based guide beyond established emission reduction targets. It identifies a feasible path to achieve carbon neutrality by 2045, or earlier, while also assessing the progress the State is making toward reducing its GHG emissions by at least 40% below 1990 levels by 2030, as called for in Senate Bill (SB) 32 and laid out in *California's 2017 Climate Change Scoping Plan (2017 Scoping Plan)*.³⁰

Lead agencies across the State have since adopted various approaches to assessing a project's consistency with the above-described thresholds of significance for climate impacts. In 2022, the Bay Area Air Quality Management District (BAAQMD) published

²⁸ Bay Area Air Quality Management District (BAAQMD). 2022a. *Air Quality Guidelines Appendix B: CEQA Thresholds for Evaluating the Significance of Climate Impacts From Land Use Projects and Plans*. Available at: https://www.baaqmd.gov/~/_media/files/planning-and-research/ceqa/ceqa-guidelines-2022/appendix-b-thresholds-for-evaluating-significance-of-climate-impacts_final-pdf.pdf?rev=10305f45037b41dba2cd1b45b288d54b&sc_lang=en. Accessed September 2024.

²⁹ California Air Resources Board (CARB). 2022. 2022 Scoping Plan Documents. Available at: <https://ww2.arb.ca.gov/our-work/programs/ab-32-climate-change-scoping-plan/2022-scoping-plan-documents>. Accessed September 2024.

³⁰ California Air Resources Board (CARB). 2017. 2017 Scoping Plan Documents. Available at: <https://ww2.arb.ca.gov/our-work/programs/ab-32-climate-change-scoping-plan/2017-scoping-plan-documents>. Accessed September 2024.

its own guidelines for evaluating climate impacts from land use projects and plans.³¹ The BAAQMD approach adheres to the guidance provided in Center for *Biological Diversity v. Department of Fish and Wildlife, supra*.

Applying this approach, the BAAQMD has analyzed what will be required of new land use development projects to achieve California’s long-term climate goal of carbon neutrality by 2045. The BAAQMD has found, based on this analysis, that a new land use development project being built today needs to incorporate the following design elements (either A or B) to do its “fair share” of implementing the goal of carbon neutrality by 2045:

A. Projects must include, at a minimum, the following project design elements:

1. Buildings

- a. The project will not include natural gas appliances or natural gas plumbing (in both residential and nonresidential development).
- b. The project will not result in any wasteful, inefficient, or unnecessary energy usage as determined by the analysis required under CEQA Section 21100(b)(3) and Section 15126.2(b) of the State CEQA Guidelines.

2. Transportation

- a. Achieve a reduction in project-generated vehicle miles traveled (VMT) below the regional average consistent with the current version of the California Climate Change Scoping Plan (currently 15 percent) or meet a locally adopted Senate Bill 743 VMT target, reflecting the recommendations provided in the Governor’s Office of Planning and Research’s Technical Advisory on Evaluating Transportation Impacts in CEQA:
 - i. Residential projects: 15 percent below the existing VMT per capita
 - ii. Office projects: 15 percent below the existing VMT per employee
 - iii. Retail projects: no net increase in existing VMT
- b. Achieve compliance with off-street electric vehicle requirements in the most recently adopted version of CALGreen Tier 2.

B. Projects must be consistent with a local GHG reduction strategy that meets the criteria under State CEQA Guidelines Section 15183.5(b)

³¹ California Air Resources Board (CARB). 2022. *2022 CEQA Guidelines*. Available at: <https://www.baaqmd.gov/plans-and-climate/california-environmental-quality-act-ceqa/updated-ceqa-guidelines>. Accessed December 2024.

If a project is designed and built to incorporate these design elements, then it will contribute its portion of what is necessary to achieve California’s long-term climate goals—its “fair share”—and an agency reviewing the project under CEQA can conclude that the project will not make a cumulatively considerable contribution to global climate change. If the project does not incorporate these design elements, then it should be found to make a significant climate impact because it will hinder California’s efforts to address climate change.

Although the BAAQMD 2022 CEQA Guidelines were developed for application in the Bay Area, they are broadly applicable across the State since they rely on Statewide standards for GHG emission thresholds. Impacts from the proposed Project have been analyzed using the BAAQMD Guidelines. Fresno does not have a local GHG reduction strategy that meets the criteria under State CEQA Guidelines Section 15183.5(b), so the Project was reviewed for consistency with the design elements described in Section A. Results are shown in Table 2 below.

Table 2: Project Consistency with the BAAQMD Thresholds for Land Use Projects

BAAQMD Design Element	Evaluation of Project Consistency
Buildings	
The project will not include natural gas appliances or natural gas plumbing (in both residential and nonresidential development).	The proposed buildings would be required to comply with applicable CALGreen (24 CCR Part 11) and California Energy Code (24 CCR Part 6) requirements to encourage energy efficient design.
The project will not result in any wasteful, inefficient, or unnecessary energy usage as determined by the analysis required under CEQA Section 21100(b)(3) and Section 15126.2(b) of the State CEQA Guidelines.	Please refer to <i>Impact Discussion VI(a)</i> . The Project would not result in wasteful, inefficient, or unnecessary consumption of energy resources.

Table 2: Project Consistency with the BAAQMD Thresholds for Land Use Projects

BAAQMD Design Element	Evaluation of Project Consistency
Transportation	
<p>Achieve a reduction in project-generated vehicle miles traveled (VMT) below the regional average consistent with the current version of the California Climate Change Scoping Plan (currently 15 percent) or meet a locally adopted Senate Bill 743 VMT target, reflecting the recommendations provided in the Governor’s Office of Planning and Research’s Technical Advisory on Evaluating Transportation Impacts in CEQA:</p> <ul style="list-style-type: none"> i. Residential projects: 15 percent below the existing VMT per capita ii. Office projects: 15 percent below the existing VMT per employee iii. Retail projects: no net increase in existing VMT 	<p>As discussed in Section XVII, <i>Transportation</i>, the Fresno VMT Thresholds state that a project with 500 ADT would generally have total project emissions that could be less than 1,300 MT CO₂e/year (i.e., 50% or 643 MT CO₂e/year coming from vehicle emissions and the other 50% coming from other project activities). As this level of GHG emissions would be less than 3,000 MT CO₂e/year, the emissions of GHG from a project up to 500 ADT would typically result in a less-than-significant impact. Therefore, the City allows screening out projects if the project would generate less than 500 ADT. The Project is eligible to screen out because the Project would generate 453 daily trips, which would fall below the Fresno VMT threshold of 500 ADT. Therefore, the Project is not anticipated to generate VMT in a manner that would exceed the BAAQMD threshold of 15% below the existing VMT per employee.</p>
<p>Achieve compliance with off-street electric vehicle requirements in the most recently adopted version of CALGreen Tier 2.</p>	<p>The Project includes the installation of 40 EV-capable parking spaces throughout the Project site.</p>

Source: BAAQMD (2022)

As demonstrated, the Project would be consistent with the BAAQMD design criteria for land use projects and would contribute its “fair share” of implementing the Statewide goal of carbon neutrality by 2045. Therefore, the Project would be consistent with State goals related to the reduction of GHG emissions and would not create cumulatively considerable impacts.

San Joaquin Valley Climate Change Action Plan

The Project site is within the jurisdiction of the SJVAPCD, which released the San Joaquin Valley Climate Change Action Plan³² in December 2009. The Climate Change Action Plan identifies goals and policies to address reductions in GHGs and improvement to regional air quality. The plan also includes a methodology for determining project-specific Best Performance Standards (BPSs), which are described as mitigation measures intended to accomplish GHG reductions. BPSs may include building design elements that reduce energy consumption, project designs that promote pedestrian access, and land use planning decisions that reduce VMT. As discussed in *Impact Discussion VIII.a*), the Project would be required to comply with State and local requirements to reduce construction and operational GHG emissions, would utilize clean energy sources and building design, and would not generate a substantial increase in VMT and associated vehicle emissions; therefore, the Project would not generate significant GHG emissions during Project construction or operation and would be consistent with the goals of the Climate Change Action Plan. According to the process for evaluating GHG significance described in the Climate Change Action Plan, projects that comply with an approved GHG emission reduction plan or GHG mitigation program that avoids or substantially reduces GHG emissions within the geographic area in which the project is located would be determined to have a less-than-significant individual and cumulative impact for GHG emissions. Such plans or programs must be specified in law or approved by the lead agency with jurisdiction over the affected resource and supported by a CEQA-compliant environmental review document adopted by the lead agency. Projects complying with an approved GHG emission reduction plan or GHG mitigation program would not be required to formally implement BPSs. As described above, the Project would be consistent with State initiatives to reduce GHG emissions, including AB 32, SB 32, and the BAAQMD Thresholds of Significance for Land Use Initiatives; therefore, the Project would be consistent with an approved GHG emission reduction plan or GHG mitigation program intended to avoid or substantially reduce GHG emissions and would not be required to formally implement project-specific BPSs as identified in the Climate Change Action Plan.

Conclusion. Based on Project design, the Project would not conflict with plans, policies, or regulations adopted for the purpose of reducing GHG emissions, including AB 32, SB 32, BAAQMD Thresholds for Land Use Projects, or the Climate Change Action Plan. Therefore, the Project's impacts would be *less than significant*, and mitigation is not required.

Mitigation Measures

Mitigation is not required.

³² San Joaquin Valley Air Pollution Control District (SJVAPCD). 2009a. Climate Change Action Plan. Available at: <https://ww2.valleyair.org/permitting/climate-change-action-plan/>. Accessed October 2024.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
IX. HAZARDS AND HAZARDOUS MATERIALS – 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	
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			X	

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?			X	

DISCUSSION

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

The Project would require limited quantities of hazardous substances, including, but not limited to, gasoline, diesel fuel, hydraulic fluid, solvents, oils, and paints during construction, which has the potential to result in an accidental spill or release. However, all materials used during construction would be contained, stored, and handled in compliance with applicable standards and regulations established by the USEPA, U.S. Occupational Safety and Health Administration (OSHA), and California Department of Toxic Substances Control (DTSC). All storage, handling, and disposal of hazardous materials during Project construction would be required to comply with applicable safety standards and regulations.

The future tenant and operational uses are currently unknown; however, future uses would be limited to “permitted” light industrial uses for the IL zone district, including limited manufacturing and processing, research and development, fabrication, utility equipment and service yards, and wholesaling activities. As such, future uses may require limited quantities of hazardous substances but would not require the transport, use, or disposal of large amounts of hazardous materials. Further, all storage, handling, and disposal of hazardous materials during Project construction would be required to comply with applicable EPA, OSHA, and DTSC safety standards and regulations. Therefore, impacts associated with the routine transport, use, or disposal of hazardous materials would be *less than significant*, and mitigation is not required.

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

As previously discussed, temporary construction activities would include the use of construction equipment, vehicles, and commonly used hazardous substances, including, but not limited to, paint, solvents, oils, fuel, and gasoline. In addition, future uses may require limited quantities of hazardous substances. Commonly used hazardous substances within the Project site would be transported, stored, and used according to regulatory requirements and existing procedures for the handling of hazardous materials. Compliance with existing regulations would reduce the potential for accidental spills to occur during construction and operation of the Project.

Aerially deposited lead (ADL) from the historical use of leaded gasoline exists along heavily traveled roadways throughout California (i.e., Principal Arterial roadways, freeways, and expressways). The Project includes off-site improvements along East Shields Avenue and North Fowler Avenue, including sidewalks, curbs, and gutters; driveways; and driveway approaches. According to the Caltrans California Road System – Functional Classification,³³ East Shields Avenue and North Fowler Avenue are classified as minor arterial roadways; therefore, ADL is not expected to occur within the Project site. As discussed in Section III, *Air Quality*, the Project site is not located in an area with known potential for NOA.³⁴ Therefore, construction activities would not have the potential to expose workers or surrounding land uses to harmful levels of NOA. The Project does not include demolition activities that could result in the release of ACM or LBP. Further, required compliance with SJVAPCD Rule 8021 Section 6.3 would reduce impacts related to Valley Fever. Based on required compliance with USEPA, OSHA, and DTSC requirements, the Project would not create significant hazard to the public or the environment through reasonably foreseeable upset or accident conditions involving the release of hazardous materials into the environment. Therefore, the Project's impacts would be *less than significant*, and mitigation is not required.

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

The closest existing school is Roger S. Orazo Elementary School, located approximately 0.65 mile northeast of the Project site. The Project site is not located within 0.25 mile of an existing school; therefore, the Project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school, and *no impact* would occur. Mitigation is not required.

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

According to the DTSC EnviroStor³⁵ and State Water Resources Control Board (SWRCB) GeoTracker³⁶ databases, the Project site is not located on a federal superfund site, State response site, voluntary cleanup site, school cleanup site, evaluation site, school investigation site, military evaluation site, tiered permit site, or

³³ California Department of Transportation (Caltrans). 2024a. California Road System – Functional Classification. Available at: <https://caltrans.maps.arcgis.com/apps/webappviewer/index.html?id=026e830c914c495797c969a3e5668538>. Accessed November 2024.

³⁴ California Geological Survey (CGS). 2011. *Reported Historic Asbestos Mines, Historic Asbestos Prospects, and Other Natural Occurrences of Asbestos in California*.

³⁵ California Department of Toxic Substances Control (DTSC). 2024. EnviroStor. Available at: <https://www.envirostor.dtsc.ca.gov/public/map/?myaddress=fresno>. Accessed September 2024.

³⁶ State Water Resources Control Board (SWRCB). 2024. GeoTracker. Available at: <https://geotracker.waterboards.ca.gov/>. Accessed September 2024.

corrective action site. Additionally, the Project site is not included on the list of hazardous waste sites compiled pursuant to California Government Code Section 65962.5.³⁷ As a result, no hazards to the public or environment are anticipated, and *no impact* would occur. Mitigation is not required.

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

The nearest medical center helipad to the Project site is at the Community Regional Medical Center,³⁸ located approximately 6.1 miles southwest of the Project site. The nearest airports include the Fresno Yosemite International Airport, located approximately 1.2 miles southwest of the Project site; Fresno Chandler Executive Airport, located approximately 8 miles southwest of the Project site; and Sierra Sky Airport, located approximately 11.4 miles northwest of the Project site.

Each of these airports is considered under the *Fresno County Airport Land Use Compatibility Plan* (Fresno County ALUCP),³⁹ which guides local jurisdictions in determining appropriate compatible land uses with detailed findings and policies. The Fresno County ALUCP includes airport safety zone maps that are based on the likelihood of aircraft accidents adjacent to airports. The Project site is located within the Traffic Pattern Zone (TPZ) where aircraft accident risk level is low. For TPZs, the ALUCP proposes a maximum non-residential intensity of 300 persons per acre, with 10% required open land. Hazards to flight, outdoor stadiums, and similar high intensity uses are prohibited. Airport disclosures are required, as well as project review for objects taller than 100 feet. In addition, new structures cannot penetrate 14 Code of Federal Regulations (CFR) Part 77 surfaces. Although the Project site is within 2 miles of the Fresno Yosemite International Airport, operations are not expected to pose a safety hazard for people working at or visiting the Project site, nor does any aspect of the Project conflict with the requirements in the ALUCP for TPZs. The project contemplates densities below those required in the TPZs and the Project would include over 10% open land. In addition, the proposed Project would not include any structures higher than 21 feet, hazardous uses, hazards to flight, or other land uses prohibited in TPZs. In addition, the proposed Project would not include any structures that would penetrate 14 CFR Part 77 surfaces.

³⁷ California Environmental Protection Agency (CalEPA). 2018. Government Code Section 65962.5(a) Hazardous Waste and Substances Site List. Available at: <https://calepa.ca.gov/sitecleanup/corteselist/section-65962-5a/>. Accessed September 2024.

³⁸ California Department of Transportation (Caltrans). 2019. Caltrans HeliPlates. Available at: <https://heliplates.dot.ca.gov/#>. Accessed September 2024.

³⁹ Fresno Council of Governments (FCOG). 2021. *Fresno County Airport Land Use Compatibility Plan*. December 2018; Amended December 2021. Available at: <https://www.dropbox.com/scl/fi/clh8iltq4f3eb10qyp93i/Fresno-Updated-ALUCP-Amended-Oct-2023.pdf?rlkey=e4ao8oy6ifk2btgzci95szb0u&e=1&dl=0>. Accessed September 2024.

Therefore, the Project would not result in a safety hazard for people residing or working in the Project area, and the Project's impacts would be *less than significant*. Mitigation is not required.

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

The California Emergency Services Act requires cities to prepare and maintain an emergency plan for natural, human-made, or war-caused emergencies that result in conditions of disaster or in extreme peril to life. The City's full-time Emergency Preparedness Officer (EPO) is responsible for ensuring that Fresno's emergency response plans are up-to-date and implemented properly. The EPO also facilitates cooperation between City departments and other federal, State, and local agencies that would be involved in emergency response operations. The City of Fresno Emergency Operations Center (EOC) serves as the coordination and communication between the City of Fresno and Fresno County Operational Area EOCs.

The City does not have an adopted Emergency Response and Evacuation Plan; however, the *Fresno County Multi-Jurisdictional Hazard Mitigation Plan*⁴⁰ contains several goals and policies regarding emergency evacuation, including Objective 1.3: *Improve community transportation corridors to allow for better evacuation routes for the public and better access for emergency responders*. The Project includes the construction of a light industrial business park in the eastern portion of the City. Temporary traffic controls along East Shields Avenue and North Fowler Avenue would be necessary during approximately 4 weeks of the construction period to allow for the expansion of existing utility infrastructure to the Project site. Following the construction period, traffic controls would be removed; therefore, the Project would not result in the alteration of existing roadways that could interfere with emergency evacuation routes within the City or an adopted emergency response plan. Therefore, the Project would be consistent with the *Fresno County Multi-Jurisdictional Hazard Mitigation Plan*,⁴¹ and the Project's impacts would be *less than significant*. Mitigation is not required.

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

The Project site is located in an area mapped as a Local Responsibility Area (LRA) Unzoned, indicating that the area is urbanized and not susceptible to wildland conflagrations. Additionally, the Project site is not located within a very high fire hazard severity zone (VHFHSZ).⁴² The Project site is located in a highly developed area and

⁴⁰ Fresno County. 2018. *Fresno County Multi-Jurisdictional Hazard Mitigation Plan*. May. Available at: <https://www.fresno.gov/wp-content/uploads/2023/03/FresnoCountyHMPFinal.pdf>. Accessed October 2024.

⁴¹ Fresno County. 2018. *Fresno County Multi-Jurisdictional Hazard Mitigation Plan*. May. Available at: <https://www.fresno.gov/wp-content/uploads/2023/03/FresnoCountyHMPFinal.pdf>. Accessed October 2024.

⁴² California Department of Forestry and Fire Protection (CAL FIRE). 2023. Fire Hazard Severity Zones in State Responsibility Area. Available at: <https://calfire->

does not consist of physical characteristics that would exacerbate wildfire risks. The Project would be required to comply with the California Fire Code to reduce risk associated with wildfire ignition at the Project site. Based on required compliance with the California Fire Code, the Project would not expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires. Therefore, the Project's impacts would be *less than significant*, and mitigation is not required.

Mitigation Measures

Mitigation is not required.

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:			X	
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	

forestry.maps.arcgis.com/apps/webappviewer/index.html?id=988d431a42b242b29d89597ab693d008. Accessed January 2024.

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

DISCUSSION

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

The State Water Resources Control Board (SWRCB) and nine Regional Water Quality Control Boards (RWQCBs) (collectively referred to as the California Water Boards) regulate the water quality of surface water and groundwater bodies throughout California. The Project site is within the jurisdiction of the Central Valley RWQCB. There are no surface water features located within or adjacent to the Project site; therefore, the Project would not result in direct disturbance to any surface water features.

Construction

Pollutants of concern during construction include sediments, trash, petroleum products, concrete waste (dry and wet), sanitary waste, and chemicals. Ground disturbance and the use of construction equipment and vehicles during proposed construction activities have the potential to result in erosion and other pollutants that could run off to surrounding areas. Construction activities would result in approximately 6.8 acres of ground disturbance, including approximately 1,100 CY of cut and 6,000 CY of fill. The Project would disturb more than 1 acre of soils and be required to comply with RWQCB General Construction Permit requirements, which require the preparation of a SWPPP with construction BMPs to address stormwater runoff. Construction BMPs would include, but not be limited to, erosion and sediment control, designed to minimize erosion and retain sediment on site, and good

housekeeping practices to prevent spills, leaks, and discharge of construction debris and waste into receiving waters. In addition, the Project would be required to comply with City Municipal Code Chapter 6, Article 7 (Urban Storm Water Quality Management and Discharge Control), which requires the implementation of BMPs to reduce and/or eliminate pollutant discharge during construction. Therefore, adherence to the required SWPPP and the City's Municipal Code and implementation of construction BMPs, would reduce the potential for the discharge of pollutants during construction and impacts associated with the violation of water quality standards or waste discharge requirements would be *less than significant*, and mitigation is not required.

Operation

Operation of the proposed Project could result in surface water pollution associated with chemicals, liquid products, petroleum products (such as paints, solvents, and fuels), and waste that may be spilled or leaked and have the potential to be transported via runoff during periods of heavy precipitation.

The City of Fresno operates under the California Regional Water Quality Control Board Central Valley Regional National Pollutant Discharge Elimination System (NPDES) Permit and Waste Discharge Requirements General Permit for Discharges from Municipal Separate Storm Sewer Systems (MS4) (Order No. R5-2016-0040-014, NPDES No. CAS0085324). Consistent with the City's MS4 Permit, the Project would implement storm water quality controls recommended in the Fresno-Clovis Storm Water Quality Management Construction and Post-Construction Guidelines. If applicable, the Project would also be subject to the Statewide General Permit for Stormwater Discharges Associated with Industrial Activities (Order 2014-0057-DWQ as amended in 2015 and 2018) (Industrial General Permit) and would be required to develop and implement a SWPPP, eliminate non-stormwater discharges, conduct routine site inspections, train employees in permit compliance, sample stormwater runoff and test if for pollutant indicators, and submit an annual report to the SWRCB. Adherence to the City's MS4 Permit, including implementation of the Stormwater Management Post-Construction Guidelines, as specified in the Industrial General Permit, would reduce the potential for the discharge of pollutants during Project operations and impacts associated with the violation of water quality standards or waste discharge requirements would be less than significant.

Infiltration of stormwater could have the potential to affect groundwater quality. The majority of the Project site would be covered in hardscapes; therefore, it is not expected that stormwater would infiltrate during operation of the Project. Because stormwater would be collected and diverted to the storm drain system, there is not a direct path for pollutants to reach groundwater. Therefore, operation of the Project would not violate groundwater quality standards or waste discharge requirements and the Project's impacts would be *less than significant*.

Conclusion. The proposed Project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or

groundwater quality. Therefore, the Project's impacts would be *less than significant*, and mitigation is not required.

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

The Project site is located in the Kings Subbasin of the San Joaquin Valley Groundwater Basin.⁴³ The Kings Subbasin encompasses an area of approximately 976,000 acres (1,530 square miles) within Fresno, Kern, and Tulare Counties; therefore, a marginal increase in impervious surface area at the Project site would not substantially interfere with groundwater recharge in a manner that could impede sustainable groundwater management of the basin.

The City's water supply includes groundwater from the North Kings Subbasin, surface water from the Central Valley Project (CVP) through a contract with the U.S. Bureau of Reclamation, Kings River water through a contract with Fresno Irrigation District (FID), and recycled water. Water supply in the City was entirely made up of groundwater prior to the commissioning of the City's first surface water treatment facility (SWTF) in 2004. Since 2004, the City has invested in expanding its surface water treatment capabilities and now has three SWTFs that provide approximately half of all potable water demands in the service area. Based on the City's diverse portfolio of water supply sources, water use within the City would not result in a substantial increase in groundwater production.

The City's *2020 Urban Water Management Plan*⁴⁴ identifies objectives for the City's future water supply and to balance groundwater operations through a host of strategies. The City has designed a comprehensive plan to accomplish this objective by increasing surface water supplies and surface water treatment facilities, intentional recharge, and conservation, in order to reduce groundwater pumping. The City continually monitors impacts of land use changes and development project proposals on water supply facilities by assigning fixed demand allocations to each parcel by land use as currently zoned or proposed to be rezoned. The City has indicated that groundwater wells, pump stations, recharge facilities, water treatment, and distribution systems shall be expanded incrementally to mitigate increased water demands.

The City's General Plan requires the City to maintain a comprehensive conservation program to help reduce per capita water usage and includes conservation programs such as landscaping standards for drought tolerance, irrigation control devices, leak

⁴³ California Department of Water Resources (DWR). 2006. San Joaquin Valley Groundwater Basin Kings Subbasin. California's Groundwater Bulletin 118. Available at: https://water.ca.gov/-/media/DWR-Website/Web-Pages/Programs/Groundwater-Management/Bulletin-118/Files/2003-Basin-Descriptions/5_022_08_KingsSubbasin.pdf. Accessed February 2024.

⁴⁴ City of Fresno. 2021a. *Final 2020 Urban Water Management Plan*. City of Fresno Department of Public Utilities. Available at: https://www.fresno.gov/wp-content/uploads/2023/03/Fresno-2020-UWMP_Final_2021-07-21.pdf. Accessed September 2024.

detection and retrofits, water audits, public education, and implementing U.S. Bureau of Reclamation BMPs for water conservation to maintain surface water entitlements.

The Project site is located entirely within the Fresno City limits and City's Sphere of Influence (SOI), and the Project would be consistent with light industrial uses as defined in the City's General Plan; therefore, the Project would be consistent with the City's planned buildout scenario, and the Project would not result in unplanned population growth that could deplete the City's water supply.

Implementation of policies identified in the City's General Plan and Urban Water Management Plan would address the issues of providing an adequate, reliable, and sustainable water supply for the proposed Project to reduce the potential to deplete groundwater resources.

Conclusion. The Project would not substantially deplete groundwater supplies or interfere with groundwater recharge, and the Project's impacts would be *less than significant*. Mitigation is not required.

c) Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or through the addition of impervious surfaces, in a manner which would:

i. Result in substantial erosion or siltation on- or off-site?

The Project would not result in direct alteration of any drainage or surface water features. Construction activities would result in approximately 6.8 acres of ground disturbance, including approximately 1,100 CY of cut and 6,000 CY of fill, which has the potential to result in an increase in erosion that could run off from the Project site to surrounding areas. The Project would disturb more than 1 acre of soils and would be required to comply with RWQCB General Construction Permit requirements, which require the preparation of a SWPPP with BMPs to address stormwater runoff during construction. In addition, the Project would be required to comply with City Municipal Code Chapter 6, Article 7 (Urban Storm Water Quality Management and Discharge Control), which requires the implementation of BMPs to reduce erosive runoff during construction. Following Project construction, the Project site would be covered with hardscapes, which would reduce the potential for long-term erosion to occur at the Project site. Based on required compliance with RWQCB and City requirements, impacts related to substantial erosion would be *less than significant*, and mitigation is not required.

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

The Project would not result in direct alteration of any drainage or surface water features. The Project site is currently undeveloped; therefore, implementation of the Project would result in an increase in impervious surface area at the Project site that could increase the rate of surface water runoff. The Project would be subject to City Municipal Code Chapter 6, Article 7 (Urban Storm Water Quality Management and Discharge Control) and the FMFCD 2016 District Services Plan

for long-term drainage requirements. Based on required compliance with City stormwater requirements, the increase in impervious surface area associated with the Project would not increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site. Therefore, the Project's impacts would be *less than significant*, and mitigation is not required.

iii. Create or contribute runoff water, which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

The Project would not result in direct alteration of any drainage or surface water features. The Project site is currently undeveloped; therefore, implementation of the Project would result in an increase in impervious surface area at the Project site that could increase the rate of surface water runoff. The Project would be subject to RWQCB requirements for the preparation of a SWPPP with BMPs and City Municipal Code Chapter 6, Article 7 (Urban Storm Water Quality Management and Discharge Control) for the implementation of BMPs to reduce and/or eliminate pollutant discharge from entering the City's storm drain system during construction and operation. Further, the Project would be required to implement water quality and watershed protection measures in accordance with the FMFCD 2016 District Services Plan. Based on required compliance with RWQCB and City stormwater requirements, the increase in impervious surface area associated with the Project would not substantially increase the amount of impervious surface area on the Project site that could increase the rate or amount of surface water or pollutant runoff. The Project would not create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. Therefore, the Project's impacts would be *less than significant*, and mitigation is not required.

iv. Impede or redirect flood flows?

According to Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) 06019C1595H (effective date 2/18/2009), the Project site and surrounding area are located in Zone X, an area of minimal flood hazard. Therefore, the potential for flood flows to occur at the Project site is very low. Further, the Project would be subject to RWQCB requirements for the preparation of a SWPPP with BMPs and City Municipal Code Chapter 6, Article 7 (Urban Storm Water Quality Management and Discharge Control) for the implementation of BMPs to reduce and/or eliminate pollutant discharge from entering the City's storm drain system during construction and operation. The Project would also be required to implement water quality and watershed protection measures in accordance with the FMFCD 2016 District Services Plan. Based on required compliance with RWQCB and City stormwater requirements, the increase in impervious surface area associated with the Project would not impede or redirect flood flows. Therefore, the Project's impacts would be *less than significant*, and mitigation is not required.

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

The Project site is not located in a flood, tsunami, or seiche zone; therefore, the Project would not risk the release of pollutants due to Project inundation; therefore, *no impact* would occur, and mitigation is not required.

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

The Project site is located in the Kings Subbasin of the San Joaquin Valley Groundwater Basin (California Department of Water Resources [DWR] Groundwater Subbasin Number 5-22.08).⁴⁵ As evaluated in *Impact Discussion X.b*), the Project would not decrease groundwater supply or interfere with groundwater recharge in a manner that would impede sustainable management of the groundwater basin. The Project site is under the jurisdiction of the Central Valley RWQCB and would be subject to *The Water Quality Control Plan (Basin Plan) for the California Regional Water Quality Control Board Central Valley Region* (Basin Plan),⁴⁶ which establishes water quality objectives for beneficial uses of water resources within the Sacramento and San Joaquin River Basins. The Project would be required to comply with the Central Valley RWQCB General Construction Permit requirements. In addition, the Project would be required to comply with City Municipal Code Chapter 6, Article 7 (Urban Storm Water Quality Management and Discharge Control), which requires the implementation of BMPs to reduce and/or eliminate pollutant discharge during construction. Further, the Project would be required to implement water quality and watershed protection measures in accordance with the FMFCD 2016 District Services Plan to address long-term drainage conditions. Based on required compliance with RWQCB and City requirements, the Project would not violate any RWQCB water quality standards or waste discharge requirements. The Project would be consistent with sustainable management of the San Joaquin Valley groundwater basin and the Basin Plan. Therefore, the Project's impacts would be *less than significant*, and mitigation is not required.

Mitigation Measures

Mitigation measures are not required.

⁴⁵ California Department of Water Resources (DWR). 2006. San Joaquin Valley Groundwater Basin Kings Subbasin. California's Groundwater Bulletin 118. Available at: https://water.ca.gov/-/media/DWR-Website/Web-Pages/Programs/Groundwater-Management/Bulletin-118/Files/2003-Basin-Descriptions/5_022_08_KingsSubbasin.pdf. Accessed February 2024.

⁴⁶ Regional Water Quality Control Board (RWQCB). 2019. *The Water Quality Control Plan (Basin Plan) for the California Regional Water Quality Control Board Central Valley Region*. Fifth Edition. California Regional Water Quality Control Board Central Valley Region. Revised February 2019 (with Approved Amendments). Available at: https://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/sacsjr_201902.pdf. Accessed February 2024.

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

DISCUSSION

a) Would the project physically divide an established community?

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

The Project site is located in an urbanized area and consists of an undeveloped 6.7-acre parcel characterized by highly disturbed ruderal landcover and bare ground areas. Surrounding land uses include commercial and warehouse uses to the east, west, and south and multi-family residential units to the north. The Project would result in the construction of a 65,000-square-foot light industrial business park and associated on- and off-site improvements, including construction of paved parking areas and a new internal access roadway; installation of a 6-foot-tall chain-link fence with slats along the western and southern property lines of the Project site; installation of off-site street lighting along East Shields Avenue and North Fowler Avenue; construction of on- and off-site sidewalks, curbs, and gutters; construction of on- and off-site driveways and driveway approaches; and installation of on-site landscaping and signage. These improvements would not affect connectivity and would not divide an established community. Therefore, the proposed Project would have *no impact* related to physically dividing an established community, and mitigation is not required.

b) Would the project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

The Project site is located within the Fresno City limits and City's SOI. The Project site is located in the City's IL zone district and is designated IL in the City's General Plan. All future operational uses of the Project site would be consistent with the "permitted" uses for the IL zone district and land use designation. Furthermore, conditionally permitted use tenants and major distribution and warehouse tenants are not proposed or expected to occupy space within the Project site. Should any prospective tenant fall within either category, the tenants and their respective operations would be subject to further CEQA analysis.

As evaluated throughout this Initial Study, the Project would be consistent with standards and policies set forth in the City's General Plan, Municipal Code, and other applicable planning documents referenced throughout this document. The Project would be required to implement Mitigation Measures AQ-1 through AQ-3, included in Section III, *Air Quality*; Mitigation Measure BIO-1, included in Section IV, *Biological Resources*; Mitigation Measures CR-1 and CR-2, included in Section V, *Cultural Resources*; Mitigation Measure GEO-1, included in Section VII, *Geology and Soils*; and Mitigation Measure N-1, included in Section XIII, *Noise*, to mitigate potential impacts associated with Air Quality, Biological Resources, Cultural and Tribal Cultural Resources, Geology and Soils, and Noise, which is consistent with the identified plans and policies intended to avoid or mitigate adverse environmental effects. Upon implementation of the identified mitigation, the Project would not conflict with other local policies or regulations adopted for the purpose of avoiding or mitigating environmental effects, and the Project's impacts would be *less than significant with mitigation*.

Mitigation Measures

Implement Mitigation Measures AQ-1 through AQ-3, included in Section III, *Air Quality*; Mitigation Measure BIO-1, included in Section IV, *Biological Resources*; Mitigation Measures CR-1 and CR-2, included in Section V, *Cultural Resources*; Mitigation Measure GEO-1, included in Section VII, *Geology and Soils*; and Mitigation Measure N-1, included in Section XIII, *Noise*.

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

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	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?				X

DISCUSSION

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

The principal area for mineral resources in the City of Fresno is located along the San Joaquin River Corridor. The California Department of Mines and Geology classifies lands along the San Joaquin River Corridor as Mineral Resource Zone (MRZ)-1, MRZ-2, and MRZ-3. The Project site is not located in the vicinity of the San Joaquin River, is not an MRZ, and does not contain an MRZ. Therefore, the Project would not result in the loss of availability of a known mineral resource of value to the region or residents of the State, and *no impact* would occur. Mitigation is not required.

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

Refer to *Impact Discussion XII(a)*. The Project would not result in the loss of availability of any known locally important mineral resource recovery sites, and *no impact* would occur. Mitigation is not required.

Mitigation Measures

Mitigation measures are not required.

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

DISCUSSION

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

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

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

There are many ways to rate noise for various time periods, but an appropriate rating of ambient noise affecting humans also accounts for the annoying effects of sound. Equivalent continuous sound level (Leq) is the total sound energy of time-varying noise over a sample period. However, the predominant rating scales for human communities in the State of California are the Leq, the community noise equivalent level (CNEL), and the day-night average level (Ldn) based on dBA. CNEL is the time varying noise over a 24-hour period, with a 5 dBA weighting factor applied to the hourly Leq for noises occurring from 7:00 p.m. to 10:00 p.m. (defined as relaxation hours) and 10 dBA weighting factor applied to noise occurring from 10:00 p.m. to 7:00 a.m. (defined as sleeping hours). Ldn is similar to the CNEL scale, but without the adjustment for events occurring during the evening relaxation hours. CNEL and Ldn are within one dBA of each other and are normally exchangeable. The noise adjustments are added to the noise events occurring during the more sensitive hours.

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

Existing Ambient Noise Setting

Noise is addressed in the *Fresno General Plan Noise and Safety Element*⁴⁷ and City Municipal Code Chapter 10, Article 1 (Noise Regulations). The City’s Noise and Safety Element sets noise standards for stationary noise sources, as shown in Table 3.

Table 3: Stationary Noise Source

	Daytime (7:00 a.m.–10:00 p.m.)	Nighttime (10:00 p.m.–7:00 a.m.)
Hourly Equivalent Sound Level (Leq), dBA	50	40
Maximum Sound Level (Lmax), dBA	70	60

Source: City of Fresno (2014)

Note: Leq = equivalent sound level; dBA = A-weighted decibels; Lmax = maximum sound level

⁴⁷ City of Fresno. 2014e. *Fresno General Plan, 9: Noise and Safety Element*. Adopted December 18. Available at: <https://www.fresno.gov/wp-content/uploads/2023/03/9-Noise-and-Safety-02-03-21.pdf>. Accessed October 2024.

Further, according to Implementing Policy NS-1-J of the City's Noise and Safety Element, a significant increase in ambient noise levels is assumed if a project would increase noise levels in the immediate vicinity by 3 decibels (dB) day-night average sound level (Ldn) or community noise equivalent level (CNEL) or more above the ambient noise limits established in the City's General Plan.

Existing ambient noise levels in the Project area consist of vehicle noise along East Shields Avenue and North Fowler Avenue and other proximate roadways as well as noise from surrounding multi-family residential, commercial, and warehouse land uses. According to Figure NS-2 of the City's Noise and Safety Element, existing and projected noise levels along East Shields Avenue and North Fowler Avenue are between approximately 65 to 75 dB.

Construction-Related Impacts

During Project construction, noise from construction activities may intermittently dominate the noise environment in the immediate Project area. The Project would require the use of typical construction equipment (e.g., dozers, excavators, etc.) during proposed construction and demolition activities. According to the Federal Highway Administration (FHWA), noise from standard construction equipment generally ranges between 80 and 85 A-weighted decibels (dBA) in equivalent sound level (Leq) at 50 feet from the source.⁴⁸ The nearest noise-sensitive land uses are multi-family residences and Melody Park, located approximately 100 feet north of the Project site. According to City Municipal Code Section 10-109 (Noise Regulations Exceptions), construction-related noise is exempt from the City's noise standards between the hours of 7:00 a.m. and 10:00 p.m. on any day except Sunday. Construction-related noise associated with the Project would be temporary and conducted in accordance with the City's Municipal Code. Due to the proximity of nearby noise-sensitive land uses, Mitigation Measure N-1 has been included to reduce construction-related noise through implementation of noise-reducing construction BMPs. With implementation of Mitigation Measure N-1, the Project would not result in a substantial increase in construction-related noise or exceed City noise standards; therefore, the Project's impacts would be *less than significant with mitigation*.

Operational Impacts

The future tenant and operational uses of the Project are currently unknown; however, future uses would be limited to "permitted" light industrial uses for the IL zone district, including limited manufacturing and processing, research and development, fabrication, utility equipment and service yards, and wholesaling activities. As such, the Project would not result in major distribution or warehousing activities that could generate a substantial increase in noise within the Project area.

Potential sources of operational noise would include stationary noise from mechanical equipment associated with light industrial uses and heating, ventilation, and air conditioning (HVAC) equipment and mobile noise from vehicle trips generated by the

⁴⁸ Federal Highway Administration (FHWA). 2006. *Construction Noise Handbook*. August. Available at: https://www.fhwa.dot.gov/environment/noise/construction_noise/handbook/. Accessed October 2024.

Project. Any mechanical equipment associated with light industrial uses would be located within each metal shell building, which would ensure that noise generated by proposed light industrial uses would not be noticeable at surrounding land uses. Further, additional noise generated by HVAC systems or other equipment would not result in a noticeable increase in ambient noise levels based on the density of surrounding development. Operational building equipment associated with the Project would be required to comply with the City’s noise standards to ensure consistency between surrounding land uses.

Per Policy NS-1-J of the City’s Noise and Safety Element, a significant increase in ambient noise levels is assumed if a Project would increase noise levels in the immediate vicinity by 3 dB. Currently, there are between approximately 6,000 and 9,000 vehicle trips on East Shields Avenue and 12,000 to 13,000 vehicle trips on North Fowler Avenue.⁴⁹ The Project would result in 453 new vehicle trips. Because the exact distribution of vehicle trips along each proximate roadway is currently not known, the conservative estimate of 453 vehicle trips along East Shields Avenue and 453 vehicle trips along North Fowler Avenue was assumed. Based on the maximum number of existing vehicle trips along proximate roadways and assumed trip distribution, the proposed Project would result in a total of 9,453 daily trips along East Shields Avenue and 13,453 trips along North Fowler Avenue. Project trips would represent a small increase in noise level, up to approximately 0.2 dBA CNEL along East Shields Avenue and up to approximately 0.1 dBA CNEL along North Fowler Avenue based on the following equation:

$$Change\ in\ (dBA) = 10 * \log_{10} \left(\frac{Current\ Volume}{Future\ Volume} \right)$$

Therefore, vehicle noise generated by the Project would not exceed 3 dB, which is consistent with Policy NS-1-J of the City’s Noise and Safety Element.

Conclusion. The Project would be consistent with the level and scale of surrounding commercial and warehouse uses and would not result in incompatible land uses that could introduce new sources of adverse noise within the Project area. Based on the limited increase in operational noise, the Project would not increase ambient noise levels in a manner that would be noticeable to surrounding land uses or exceed City noise standards; therefore, impacts related to operational noise would be *less than significant*, and mitigation is not required.

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

Vibration refers to groundborne noise and perceptible motion. Groundborne vibration is almost exclusively a concern inside buildings and is rarely perceived as a problem outdoors. Vibration energy propagates from a source, through intervening soil and rock layers, to the foundations of nearby buildings. The vibration then propagates from

⁴⁹ ArcGIS. 2024. Fresno Traffic Counts. Available at: <https://www.arcgis.com/home/webmap/viewer.html?layers=40444f5a3d88427499f034acf8355fc0>. Accessed October 2024.

the foundation throughout the remainder of the structure. Building vibration may be perceived by the occupants as the motion of building surfaces, rattling of items on shelves or hanging on walls, or as a low-frequency rumbling noise. The rumbling noise is caused by the vibrating walls, floors, and ceilings radiating sound waves. Annoyance from vibration often occurs when the vibration exceeds the threshold of perception by 10 dB or less. This is an order of magnitude below the damage threshold for normal buildings.

The Project has the potential to generate limited groundborne vibration during construction and demolition activities that require the use of heavy equipment. Equipment used during Project construction and demolition activities would be most similar to a large bulldozer, which generates a vibration level of 0.089 inches per second. Therefore, vibration from short-term construction activities would be below the 0.3 inch per second building damage criterion established by Caltrans.⁵⁰ Further, City Municipal Code Section 15-2507 (Vibration) exempts temporary construction activities from the City's vibration standards. The Project would be limited to the operation of a light industrial business park and would not include new activities or features that could generate substantial groundborne noise. Therefore, impacts related to groundborne vibration would be *less than significant*, and mitigation is not required.

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

The nearest medical center helipad to the Project site is at the Community Regional Medical Center,⁵¹ located approximately 6.1 miles southwest of the Project site. The nearest airports include the Fresno Yosemite International Airport, located approximately 1.2 miles southwest of the Project site; Fresno Chandler Executive Airport, located approximately 8 miles southwest of the Project site; and Sierra Sky Airport, located approximately 11.4 miles northwest of the Project site.

Each of these airports is considered under the Fresno County ALUCP, which guides local jurisdictions in determining appropriate compatible land uses with detailed findings and policies. The Fresno County ALUCP includes CNEL noise contours based on projected airport and aircraft operations.⁵² The Project site is within 2 miles of the Fresno Chandler Executive Airport; however, the Project site is located outside of the CNEL noise contours identified in the Fresno County ALUCP. Therefore, the

⁵⁰ Federal Highway Administration (FHWA). 2006. *Construction Noise Handbook*. August. Available at: https://www.fhwa.dot.gov/environment/noise/construction_noise/handbook/. Accessed October 2024.

⁵¹ California Department of Transportation (Caltrans). 2019. Caltrans HeliPlates. Available at: <https://heliplates.dot.ca.gov/#>. Accessed October 2024.

⁵² Fresno Council of Governments (FCOG). 2021. *Fresno County Airport Land Use Compatibility Plan*. December 2018; Amended December 2021. Available at: <https://www.dropbox.com/scl/fi/clh8iltq4f3eb10qyp93i/Fresno-Updated-ALUCP-Amended-Oct-2023.pdf?rlkey=e4ao8oy6ifk2btgzci95szb0u&e=1&dl=0>. Accessed October 2024.

Project would not expose people residing or working in the Project area to excessive noise levels, and the Project's impacts would be *less than significant*. Mitigation is not required.

Mitigation Measures

N-1 For the entire duration of the construction phase of the Project, the following noise reduction measures shall be implemented to ensure that noise levels are maintained within levels allowed by the City of Fresno General Plan Noise and Safety Element:

1. Construction activities should be limited to the hours of 7:00 a.m. and 10:00 p.m., Monday through Saturday. No construction activities shall occur on Sundays or on federal holidays.
2. Stationary construction equipment that generates noise that exceeds 65 A-weighted decibels (dBA) at the Project boundaries shall be shielded with the most modern noise control devices (i.e., mufflers, lagging, and/or motor enclosures).
3. Impact tools (e.g., jackhammers, pavement breakers, rock drills, etc.) used for Project construction shall be hydraulically or electrically powered wherever possible to avoid noise associated with compressed air exhaust from pneumatically powered tools.
4. Where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used.
5. All construction equipment shall have the manufacturers' recommended noise abatement methods installed, such as mufflers, engine enclosures, and engine vibration insulators, intact and operational.
6. All construction equipment shall undergo inspection at periodic intervals to ensure proper maintenance and presence of noise control devices (e.g., mufflers, shrouding, etc.).
7. The Project contractor shall inform residents at properties within 300 feet of the Project of proposed construction timelines and noise compliant procedures to minimize potential annoyance related to construction noise.

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

DISCUSSION

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

The Project does not include the construction of residences that could directly induce population growth in the City. Proposed construction activities would be conducted by a maximum of 24 construction workers and would have the potential to generate short-term employment opportunities; however, Project construction is expected to use workers from the local employment force and would not require workers to relocate to the City. The Project would generate approximately 66 new employment opportunities. Based on unemployment estimates taken in November 2024 by the California Employment Development Department (EDD), there are approximately 15,500 unemployed members of the workforce in the City.⁵³ Although specific future tenants are currently not known, the uses would primarily consist of local serving light industrial uses and would not require employees with specialized or niche skillsets. As a result, the new employment opportunities would primarily be filled by existing residents and would not require workers to relocate into the City from other areas. In addition, the Project site is located entirely within the Fresno City limits and City’s SOI, and the Project would be consistent with light industrial uses as defined in the City’s General Plan; therefore, the Project would be consistent with the City’s planned buildout scenario. Therefore, the Project would not result in substantial or unplanned population growth, and the Project’s impacts would be *less than significant*. Mitigation is not required.

⁵³ California Employment Development Department (EDD). 2024. Monthly Labor Force Data for Cities and Census Designated Places (CDP). Available at: <https://labormarketinfo.edd.ca.gov/data/labor-force-and-unemployment-for-cities-and-census-areas.html>. Accessed December 2024.

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

The Project does not require the demolition or removal of existing housing and would not necessitate the displacement or removal of existing housing; therefore, *no impact* would occur, and mitigation is not required.

Mitigation Measures

Mitigation measures are not required.

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:			X	
Fire protection?			X	
Police protection?			X	
Schools?			X	
Parks?			X	
Other public facilities?			X	

DISCUSSION

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

i. Fire protection?

The Fresno Fire Department (FFD) would provide fire protection services to the Project. There are 20 FFD fire stations in Fresno, with the closest fire station, Fire Station 10, located approximately 1.15 miles southwest of the Project site. The Project includes the construction of a light industrial business park that would generate approximately 66 new employment opportunities to be filled by existing residents. Therefore, the Project would not require workers to relocate to the City in a manner that could result in substantial or unplanned population growth. In addition, the Project site is located entirely within the Fresno City limits and City's SOI, and the Project would be consistent with light industrial uses as defined in the City's General Plan; therefore, the Project would be consistent with the City's planned buildout scenario. Further, the Project would be subject to the payment of development impact fees to address the incremental increase in demand on public services provided by the City. The Project would not generate population growth in a manner that could substantially increase demand on existing fire protection services within the City or require new or physically altered governmental facilities for fire protection services. Therefore, the Project's impacts would be *less than significant*, and mitigation is not required.

ii. Police protection?

The Fresno Police Department provides police protection to the Project site. The Fresno Police Department Patrol Division is divided into five policing districts; the Project site is located within the Southeast District. The Project would generate approximately 66 new employment opportunities that would primarily be filled by existing residents; therefore, the Project would not require new workers to be relocated into the City in a manner that could result in substantial or unplanned population growth. Further, the Project site is located entirely within the Fresno City limits and City's SOI, and the Project would be consistent with light industrial uses as defined in the City's General Plan; therefore, the Project would be consistent with the City's planned buildout scenario. Further, the Project would be subject to the payment of development impact fees to address the incremental increase in demand on public services provided by the City. The Project would not generate population growth in a manner that could substantially increase demand on existing police protection services within the City or require new or physically altered governmental facilities for police protection services. Therefore, the Project's impacts would be *less than significant*, and mitigation is not required.

iii. Schools?

The Fresno Unified School District (FUSD) serves more than 74,000 students and operates 64 elementary schools, 15 middle schools, eight high schools, four alternative schools, and three special education schools. As discussed in Section XIV, *Population and Housing*, the Project would not result in a substantial increase in school-aged children; therefore, the Project would not create an increased demand on local schools in a manner that would require new or physically altered facilities, and the Project’s impacts would be *less than significant*. Mitigation is not required.

iv. Parks?

As discussed in Section XIV, *Population and Housing*, the Project would not induce substantial or unplanned population growth that could result in deterioration of existing recreation facilities or require the expansion of new facilities; therefore, the Project would not create an increased demand on public recreation facilities in a manner that would require new or physically altered facilities, and the Project’s impacts would be *less than significant*. Mitigation is not required.

v. Other public facilities?

As discussed in Section XIV, *Population and Housing*, the Project would not induce substantial or unplanned population growth. The Project does not propose features that would significantly increase the demand on public facilities, such as libraries or post offices, or result in the need for new or physically altered governmental facilities. Therefore, the Project’s impacts would be *less than significant*, and mitigation is not required.

Mitigation Measures

Mitigation measures are not required.

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

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				X

DISCUSSION

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

As discussed in Section XIV, *Population and Housing*, operation of the light industrial business park would generate approximately 66 new employment opportunities. The new employment opportunities are primarily expected to be filled by existing residents; therefore, the Project would not result in substantial or unplanned population growth as a result of new employment opportunities. In addition, the Project site is located entirely within the Fresno City limits and City's SOI, and the Project would be consistent with light industrial uses as defined in the City's General Plan; therefore, the Project would be consistent with the City's planned buildout scenario. The Project would not generate population growth in a manner that could increase the use of existing recreational facilities, such that substantial physical deterioration of the facility would occur or be accelerated, and *no impacts* would occur. Mitigation is not required.

- b) Would the project include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?**

The Project would not include or require the construction or expansion of existing public recreational facilities; therefore, *no impact* would occur, and mitigation is not required.

Mitigation Measures

Mitigation measures are not required.

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

DISCUSSION

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

The *Fresno General Plan Mobility and Transportation Element*⁵⁴ identifies goals and implementing policies related to promoting a city of healthy communities, improving the quality of life in established neighborhoods, planning for all modes of travel on local and major streets in Fresno, providing a well-maintained transportation system, and protecting and improving public health and safety. Additionally, the Fresno Council of Governments (FCOG) *2022 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS)*⁵⁵ reflects transportation planning for Fresno County through 2046 and is intended to create a region of diverse, safe, resilient, and accessible transportation options that improve the quality of life for all residents by fostering sustainability, equity, a vibrant economy, clean air, and healthy communities. The Project would be located in an existing urban area, would be consistent with the existing zoning of the Project site, and would not facilitate substantial or unplanned

⁵⁴ City of Fresno. 2014b. *Fresno General Plan, Chapter 4: Mobility and Transportation Element*. Adopted December 18. Available at: https://www.fresno.gov/wp-content/uploads/2023/03/upload_temp4-Mobility-and-Transportation-9-30-2021.pdf. Accessed February 2024.

⁵⁵ Fresno Council of Governments (FCOG). 2022. *2022 Regional Transportation Plan/Sustainable Communities Strategy*. Available at: <https://www.planfresno.com/sustainable-communities-strategies-fall-outreach/>. Accessed February 2024.

population growth in a manner that could generate a substantial number of new vehicle trips, which is consistent with the objectives of the City's General Plan and FCOG RTP/SCS. Further, the Project includes the construction of off-site improvements, including sidewalks, curbs, and gutters; driveways; and driveway approaches to provide safe and reliable vehicle and pedestrian facilities. Further, installation of proposed pedestrian facilities would allow new employees to walk to nearby commercial uses and restaurants, ultimately promoting clean air and healthy community initiatives identified in the FCOG RTP/SCS. Therefore, the Project would be consistent with the City's Mobility and Transportation Element and the FCOG RTP/SCS, and the Project's impacts would be *less than significant*. Mitigation is not required.

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

SB 743 requires that relevant CEQA analysis of transportation impacts be conducted using a metric known as 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 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 are no longer a relevant CEQA threshold for transportation impacts.

State CEQA Guidelines Section 15064.3(b)(4) states, "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 adopted the Fresno VMT Thresholds, pursuant to SB 743, to be effective July 1, 2020.⁵⁶ The Fresno VMT Thresholds document was prepared and adopted consistent with the requirements of State CEQA Guidelines Sections 15064.3 and 15064.7. The December 2018 *Technical Advisory on Evaluating Transportation Impacts in CEQA* (Technical Advisory) published by the California

⁵⁶ City of Fresno. 2020a. *CEQA Guidelines for Vehicle Miles Traveled Thresholds*. June 25. Available at: <https://www.fresno.gov/wp-content/uploads/2023/03/CEQA-Guidelines-for-Vehicle-Miles-Traveled-Final-Adopted-Version.pdf#:~:text=final%20rulemaking%20surrounding%20SB%20743%20and%20the%20implementation>. Accessed February 2024.

Governor's Office of Planning and Research (OPR),⁵⁷ was utilized as a reference and guidance document in the preparation of the Fresno VMT Thresholds.

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."

Fresno VMT Thresholds state that a project with 500 ADT would generally have total project emissions that could be less than 1,300 MT CO₂e/year (i.e., 50% or 643 MT CO₂e/year coming from vehicle emissions and the other 50% coming from other project activities). As this level of GHG emissions would be less than 3,000 MT CO₂e/year, the emissions of GHG from a project up to 500 ADT would typically result in a less-than-significant impact. Therefore, the City allows projects to be screened out if the project would generate less than 500 ADT. The Project is eligible to screen out because the Project would generate 453 daily trips, which would fall below the Fresno VMT Threshold of 500 ADT. New employment opportunities would primarily be filled by existing residents and would not require workers to commute into the City from other areas. Although specific future uses are currently unknown, the nature of future IL uses would be local-serving uses and would not result in a substantial increase in long-term vehicle trips by patrons from other areas. Further, the Project would not result in a new major distribution center that could increase the number of truck trips throughout the region. Therefore, the Project would not result in a substantial increase in short- or long-term construction vehicle trips, commuter trips, or truck trips in a manner that could generate substantial VMT.

Conclusion. The VMT generated by the Project and the associated environmental impacts would be *less than significant*, and mitigation is not required.

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

The Project includes the construction of off-site improvements, including sidewalks, curbs, and gutters; driveways; and driveway approaches. Proposed improvements would be planned and constructed in accordance with City Public Works Department Standard Specifications⁵⁸ to avoid hazardous design features. Installation of proposed pedestrian facilities would ultimately improve pedestrian safety within the Project area

⁵⁷ California Governor's Office of Planning and Research (OPR). 2018. *Technical Advisory on Evaluating Transportation Impacts in CEQA*. December. Available at: https://opr.ca.gov/docs/20180416-743_Technical_Advisory_4.16.18.pdf. Accessed September 2024.

⁵⁸ City of Fresno. 2021b. Standard Specifications. City of Fresno Department of Public Works Available at: https://www.fresno.gov/wp-content/uploads/2023/03/City-of-Fresno-Standards-Vol-2-Std.-Specifications_Mar-2021-Accessible.pdf. Accessed October 2024.

by creating protected pedestrian pathways in an area where there are currently no sidewalks. Further, the Project does not include the establishment of incompatible land uses that could otherwise introduce roadway hazards to existing proximate roadways. Therefore, the Project would not substantially increase the risk of roadway or pedestrian hazards, and the Project's impacts would be *less than significant*. Mitigation is not required.

d) Would the project result in inadequate emergency access?

Access to the Project site would be provided via two new driveways, one located off East Shields Avenue to the north and the other located off North Fowler Avenue to the east. The proposed driveways and driveway approaches would be constructed in accordance with City Public Works Department Standard Specifications⁵⁹ to ensure adequate emergency vehicle and other vehicle ingress and egress. Construction activities would require temporary traffic controls for approximately 4 weeks of the construction period for the installation of off-site improvements along East Shields Avenue and North Fowler Avenue; however, both roadways would remain open during construction activities to allow adequate emergency access within the Project area. Following construction activities, traffic controls would be removed and circulation along East Shields Avenue and North Fowler Avenue would be consistent with existing conditions. Therefore, the Project would not result in inadequate emergency access, and the Project's impacts would be *less than significant*. Mitigation is not required.

Mitigation Measures

Mitigation measures are not required.

⁵⁹ City of Fresno. 2021b. Standard Specifications. City of Fresno Department of Public Works Available at: https://www.fresno.gov/wp-content/uploads/2023/03/City-of-Fresno-Standards-Vol-2-Std.-Specifications_Mar-2021-Accessible.pdf. Accessed October 2024.

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:		X		
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**

As previously discussed in Section V, *Cultural Resources*, the Project site is entirely undeveloped and does not consist of any buildings or structures that could qualify for listing as a historical resource and is not located in a historic district; therefore, the Project would not cause a substantial adverse change in the significance of a historical resource, and *no impact* would occur. Mitigation is not required.

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.**

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 State 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 Project. Such significant cultural resources are either sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a tribe that is either included in or eligible for inclusion in the CRHR or local historic register, or the Lead Agency, at its discretion, and supported by substantial evidence, chooses to treat the resources as a Tribal Cultural Resources (PRC Section 21074(a)(1–2)).

Additional information may also be available from the NAHC SLF per PRC Section 5097.96 and the CHRIS administered by the OHP. Please also note that PRC Section 21082.3(c) contains provisions specific to confidentiality.

Pursuant to AB 52, 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 NAHC. The City mailed notices of the Project to each of these tribes on November 6, 2024, which included the required 30-day time period for tribes to request consultation, which ended on December 6, 2024. One letter response was received from Robert Pennell, Tribal Cultural Resources Director for

the Table Mountain Rancheria, in a letter dated November 26, 2024, stating that they “. . . Decline participation at this time but would appreciate being notified in the unlikely event that cultural resources are identified.” None of the other tribes contacted provided comment or requested consultation.

As previously discussed in Section V, *Cultural Resources*, based on searches of the SSJVIC records and NAHC SLF, there are no previously recorded archaeological resources within the Project area, and the Project area is considered to have low sensitivity for the presence of unidentified prehistoric or historic archaeological resources. Therefore, proposed ground-disturbing activities are not anticipated to adversely affect any known or unknown cultural resource sites within the Project area. Mitigation Measure CR-1 requires that in the unlikely event that previously unidentified cultural resources are uncovered during proposed ground-disturbing activities, all work shall cease within the vicinity of the find until a qualified archaeologist is retained to evaluate the significance of the find and determine the need for further study. Further, Mitigation Measure CR-2 would require the Project to comply with California Health and Safety Code Section 7050.5, which outlines the protocol for unanticipated discovery of human remains. California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the Fresno County Coroner has made a determination of origin and disposition pursuant to PRC Section 5097.98. The Fresno County Coroner must be notified of the find immediately. If the human remains are determined to be prehistoric, the coroner will notify the NAHC, which will determine and notify an MLD. The MLD shall complete the inspection of the site within 48 hours of notification and may recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials. With implementation of Mitigation Measures CR-1 and CR-2, the Project would not cause a substantial adverse change in the significance of a tribal cultural resource. Therefore, the Project’s impacts would be *less than significant with mitigation*.

Mitigation Measures

Implement Mitigation Measures CR-1 and CR-2, included in Section V, *Cultural Resources*.

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	

DISCUSSION

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

The Project would result in the construction of new or expanded utility infrastructure within the footprint of the Project. As evaluated throughout this Initial Study, the Project has the potential to result in adverse impacts related to Air Quality, Biological Resources, Cultural and Tribal Cultural Resources, Geology and Soils, Greenhouse Gas Emissions, and Noise. Mitigation Measures AQ-1 through AQ-3, included in Section III, *Air Quality*; Mitigation Measure BIO-1, included in Section IV, *Biological Resources*; Mitigation Measures CR-1 and CR-2, included in Section V, *Cultural Resources*; Mitigation Measure GEO-1, included in Section VII, *Geology and Soils*; and Mitigation Measure N-1, included in Section XIII, *Noise*, have been included to avoid and/or minimize adverse impacts to less-than-significant levels. Further, as discussed in *Impact Discussions XIX.b)* through *XIX.d)*, the Project would not increase demand on existing water, wastewater, or solid waste infrastructure in a manner that would require the construction of new or expansion of existing City utility infrastructure elsewhere. Upon implementation of the identified mitigation measures, the Project would not result in adverse environmental effects related to the relocation or installation of utility infrastructure. Therefore, the Project's impacts would be *less than significant with mitigation*.

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

The City's Department of Public Utilities would supply water to the Project site. Based on the City's *2020 Urban Water Management Plan*,⁶⁰ the City has a water supply of 329,030 acre-feet per year (AFY) for the year 2025 and a projected water supply of 357,330 AFY for the year 2045. The City relies on groundwater from the North Kings Subbasin, surface water from the CVP through a contract with the U.S. Bureau of Reclamation, Kings River water through a contract with FID, and recycled water. Water supply in the City was entirely made up of groundwater prior to the commissioning of the City's first SWTF in 2004. Since 2004, the City has invested in expanding its surface water treatment capabilities and now has three SWTFs that provide approximately half of all potable water demands in the service area. Based on the City's *2020 Urban Water Management Plan*, the projected potable water demand for 2025 is 136,504 AFY and the projected potable water demand for 2045 is 167,947 AFY. Further, the projected non-potable water demand for 2025 is 62,700 AFY and the projected non-potable water demand for 2045 is 73,500 AFY.

⁶⁰ City of Fresno. 2021a. *Final 2020 Urban Water Management Plan*. City of Fresno Department of Public Utilities. Available at: https://www.fresno.gov/wp-content/uploads/2023/03/Fresno-2020-UWMP_Final_2021-07-21.pdf. Accessed September 2024.

Therefore, the City has ample water supply to serve the existing and projected water consumption within the City's service area.

The Project would result in the construction of a light industrial business park that would result in a marginal increase in water use. The City's *2020 Urban Water Management Plan*⁶¹ identifies objectives for the City's future water supply and to balance groundwater operations through a host of strategies. The City has designed a comprehensive plan to accomplish this objective by increasing surface water supplies and surface water treatment facilities, intentional recharge, and conservation, in order to reduce groundwater pumping. The City continually monitors impacts of land use changes and development project proposals on water supply facilities by assigning fixed demand allocations to each parcel by land use as currently zoned or proposed to be rezoned. The City has indicated that groundwater wells, pump stations, recharge facilities, water treatment and distribution systems shall be expanded incrementally to mitigate increased water demands. The City's General Plan requires the City to maintain a comprehensive conservation program to help reduce per capita water usage, and includes conservation programs such as landscaping standards for drought tolerance, irrigation control devices, leak detection and retrofits, water audits, public education and implementing U.S. Bureau of Reclamation BMPs for water conservation to maintain surface water entitlements.

The Project site is located entirely within the Fresno City limits and City's SOI, and the Project would be consistent with light industrial uses as defined in the City's General Plan; therefore, the Project would be consistent with the City's planned buildout scenario. Implementation of policies identified in the City's General Plan and Urban Water Management Plan would address the issues of providing an adequate, reliable, and sustainable water supply for the proposed Project.

Conclusion. The Project would have sufficient water supplies available to serve the Project and reasonably foreseeable future development during normal, dry, and multiple dry years, and the Project's impacts would be *less than significant*. Mitigation is not required.

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

The City owns and operates two wastewater treatment facilities: the Fresno/Clovis Regional Wastewater Reclamation Facility (WRF) and the North Fresno WRF. The Fresno/Clovis Regional WRF currently has a capacity of 91.5 million gallons per day (MGD), and the North Fresno WRF has a capacity of 0.71 MGD. The Project would result in the construction of a light industrial business park that would result in a marginal increase in wastewater generation. The Project site is located entirely within

⁶¹ City of Fresno. 2021a. *Final 2020 Urban Water Management Plan*. City of Fresno Department of Public Utilities. Available at: https://www.fresno.gov/wp-content/uploads/2023/03/Fresno-2020-UWMP_Final_2021-07-21.pdf. Accessed September 2024.

the Fresno City limits and City's SOI, and the Project would be consistent with light industrial uses as defined in the City's General Plan; therefore, the Project would be consistent with the City's planned buildout scenario and would not result in unplanned growth that could result in a substantial increase in wastewater generation. Therefore, the Project would not generate wastewater in excess of existing wastewater treatment infrastructure, and the Project's impacts would be *less than significant*. Mitigation is not required.

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

Garbage disposed of in the City is taken to the 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 6 miles southwest of Kerman.

The American Avenue Landfill (American Avenue Disposal Site 10-AA-0009) has a maximum permitted capacity of 32,700,000 CY and a remaining capacity of 29,358,535 CY, with an estimated closure date of August 31, 2031. The maximum permitted throughput is 2,200 tons per day.⁶² Other landfills within Fresno County include the Clovis Landfill (City of Clovis Landfill 10-AA-0004) with a maximum remaining permitted capacity of 7,740,000 CY, a maximum permitted throughput of 2,000 tons per day, and an estimated closure date of 2047.⁶³

Construction of the Project may result in a temporary increase in solid waste, which would be disposed of in accordance with applicable State and local laws and regulations, such as CALGreen Sections 4.408 and 5.408, which require diversion of at least 75% of construction waste. The Project would also be required to comply with the City's Construction & Demolition Approved Disposal Facilities guide⁶⁴ for proper disposal methods. Based on required compliance with CALGreen and City regulations, construction of the Project would not generate solid waste in excess of local infrastructure capacity.

The Project would result in a marginal increase in solid waste. The Project site is located entirely within the Fresno City limits and City's SOI, and the Project would be consistent with light industrial uses as defined in the City's General Plan; therefore, the Project would be consistent with the City's planned buildout scenario and would not result in unplanned growth that could result in a substantial increase in solid waste

⁶² California Department of Resources Recycling and Recovery (CalRecycle). 2024a. SWIS Facility/Site Summary: American Avenue Disposal Site (10-AA-0009). Available at: <https://www2.calrecycle.ca.gov/SolidWaste/Site/Summary/352>. Accessed September 2024.

⁶³ California Department of Resources Recycling and Recovery (CalRecycle). 2024b. SWIS Facility/Site Summary: City of Clovis Landfill (10-AA-0004). Available at: <https://www2.calrecycle.ca.gov/SolidWaste/Site/Summary/347>. Accessed September 2024.

⁶⁴ City of Fresno. 2020b. Construction & Demolition Approved Disposal Facilities. Available at: <https://www.fresno.gov/wp-content/uploads/2023/05/DPUSW191004-Construction-Demolition-Approved-Disposal-Facilities-PDF.pdf>. Accessed September 2024.

generation. Solid waste generated by the Project would be disposed of at either the Fresno Sanitary Landfill or the American Avenue Landfill, which have adequate capacity to dispose of the marginal amount of solid waste generated by construction activities. Operation of the Project would result in a marginal increase in solid waste and would not generate waste in excess of State or local standards or in excess of the capacity of local infrastructure. Therefore, the Project’s impacts would be *less than significant*, and mitigation is not required.

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

The Project would result in a marginal increase in solid waste and would not result in a substantial increase in solid waste that could interfere with solid waste reduction statutes and regulations, including, but not limited to, policies identified in the *Fresno General Plan Public Utilities and Services Element*.⁶⁵ The Project would be required to comply with CALGreen and City requirements to ensure proper diversion and disposal of short- and long-term solid waste. Therefore, the Project would not conflict with federal, State, and local management and reduction statutes and regulations related to solid waste, and the Project’s impacts would be *less than significant*. Mitigation is not required.

Mitigation Measures

Implement Mitigation Measures AQ-1 through AQ-3, included in Section III, *Air Quality*; Mitigation Measure BIO-1, included in Section IV, *Biological Resources*; Mitigation Measures CR-1 and CR-2, included in Section V, *Cultural Resources*; Mitigation Measure GEO-1, included in Section VII, *Geology and Soils*; and Mitigation Measure N-1, included in Section XIII, *Noise*.

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	

⁶⁵ City of Fresno. 2014c. *Fresno General Plan, Chapter 6: Public Utilities and Services Element*. Adopted December 18. Available at: <https://www.fresno.gov/wp-content/uploads/2023/03/General-Plan-6-Public-Utilities-and-Services-7-19.pdf>. Accessed September 2024.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No 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?				X
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?				X
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?				X

DISCUSSION

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

The Project site is located in an urban area and not within a VHFHSZ.⁶⁶ The City does not have an adopted Emergency Response and Evacuation Plan; however, the *Fresno County Multi-Jurisdictional Hazard Mitigation Plan*⁶⁷ contains several goals and policies regarding emergency evacuation, including Objective 1.3: *Improve community transportation corridors to allow for better evacuation routes for the public and better access for emergency responders*. The Project includes the construction of a light industrial business park in the eastern portion of the City. Temporary traffic

⁶⁶ California Department of Forestry and Fire Protection (CAL FIRE). 2024. Fire Hazard Severity Zones in State Responsibility Area. Available at: <https://calfire-forestry.maps.arcgis.com/apps/webappviewer/index.html?id=988d431a42b242b29d89597ab693d008>. Accessed September 2024.

⁶⁷ Fresno County. 2018. *Fresno County Multi-Jurisdictional Hazard Mitigation Plan*. May. Available at: <https://www.fresno.gov/wp-content/uploads/2023/03/FresnoCountyHMPFinal.pdf>. Accessed October 2024.

controls along East Shields Avenue and North Fowler Avenue would be necessary during approximately 4 weeks of the construction period to allow for the expansion of existing utility infrastructure to the Project site. Following the construction period, traffic controls would be removed; therefore, the Project would not result in the alteration of existing roadways that could interfere with emergency evacuation routes within the City or an adopted emergency response plan. Therefore, the Project would be consistent with the *Fresno County Multi-Jurisdictional Hazard Mitigation Plan*,⁶⁸ and the Project's impacts would be *less than significant*. Mitigation is not required.

b) Due to slope, prevailing winds, and other factors, would the project exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?

The Project site is located in an urban area and not within a VHFHSZ. The Project site is located in a highly developed area and does not consist of physical characteristics that would exacerbate wildfire risks. Further, the Project would be required to comply with the California Fire Code to reduce risk associated with wildfire ignition at the Project site. Since the Project site is not located in or near and SRA or within lands classified as a VHFHSZ, the Project would not expose Project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire; therefore, *no impact* would occur, and no mitigation is required.

c) Would the project require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?

The Project site is located in an urban area and not within a VHFHSZ. The Project would require the expansion of utility infrastructure to serve the proposed business park. The Project would be required to comply with the California Fire Code to reduce risk associated with wildfire ignition at the Project site. Since the Project site is not located in or near and SRA or within lands classified as a VHFHSZ, the Project would not exacerbate wildfire risk at the Project site; therefore, *no impact* would occur, and no mitigation is required.

d) Would the project expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

The Project site is located in an urban area and not within a VHFHSZ. The Project site is not located in an area that would be susceptible to landslide. The Project site is located in a 500-year flood zone. The Project would be required to comply with applicable California Fire Code and CBC requirements to avoid risk associated with post-fire hazards. Since the Project site is not located in or near and SRA or within lands classified as a VHFHSZ, the Project would not expose people or structures to

⁶⁸ Fresno County. 2018. *Fresno County Multi-Jurisdictional Hazard Mitigation Plan*. May. Available at: <https://www.fresno.gov/wp-content/uploads/2023/03/FresnoCountyHMPFinal.pdf>. Accessed October 2024.

significant post-fire risks; therefore, *no impact* would occur, and no mitigation is required.

Mitigation Measures

Mitigation measures are not required.

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?**

As discussed in the preceding sections, the Project has the potential to significantly degrade the quality of the environment, including effects on biological resources and cultural resources. Proposed construction activities may affect Biological Resources, including special-status and migratory birds. Mitigation Measure BIO-1, included in Section IV, *Biological Resources*, requires preconstruction nesting bird surveys prior to the start of the construction period and identifies the proper protocol to be implemented if nesting birds are present within the Project area at the time of construction, which would reduce potential impacts associated with biological resources to a less-than-significant level. During construction, ground-disturbing activities may affect unknown Cultural Resources. Mitigation Measures CR-1 and CR-2, included in Section V, *Cultural Resources*, identifies the proper protocol to be implemented to address inadvertent discovery, which would reduce potential impacts associated with cultural resources to a less-than-significant level.

- 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.)**

When project impacts are considered alone or in combination with other impacts, project-related impacts may be significant. Construction and operation of the Project would contribute to cumulative impacts related to Air Quality, Biological Resources, Cultural and Tribal Cultural Resources, Geology and Soils, and Noise. Mitigation measures have been incorporated into the Project to reduce Project-related impacts to a less-than-significant level. With implementation of Mitigation Measures AQ-1 through AQ-3, included in Section III, *Air Quality*; Mitigation Measure BIO-1, included in Section IV, *Biological Resources*; Mitigation Measures CR-1 and CR-2, included in Section V, *Cultural Resources*; Mitigation Measure GEO-1, included in Section VII, *Geology and Soils*; and Mitigation Measure N-1, included in Section XIII, *Noise*, the cumulative effects of the Project would be less than significant.

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

The Project would result in air emissions, GHG emissions, and noise impacts during construction of the Project. Mitigation Measures AQ-1 through AQ-3, included in Section III, *Air Quality*; and Mitigation Measure N-1, included in Section XIII, *Noise*, have been identified that would reduce these Project-specific impacts to a less-than-significant level; therefore, the Project would not result in substantial, adverse environmental effects to human beings, either directly or indirectly.

SOURCES CITED

- ArcGIS. 2024. Fresno Traffic Counts. Available at: <https://www.arcgis.com/home/webmap/viewer.html?layers=40444f5a3d88427499f034acf8355fc0>. Accessed October 2024.
- Bay Area Air Quality Management District (BAAQMD). 2022a. *Air Quality Guidelines Appendix B: CEQA Thresholds for Evaluating the Significance of Climate Impacts From Land Use Projects and Plans*. Available at: https://www.baaqmd.gov/~media/files/planning-and-research/ceqa/ceqa-guidelines-2022/appendix-b-thresholds-for-evaluating-significance-of-climate-impacts_final-pdf.pdf?rev=10305f45037b41dba2cd1b45b288d54b&sc_lang=en. Accessed September 2024.
- Bay Area Air Quality Management District (BAAQMD). 2022b. *California Environmental Quality Act Appendix C Guidance for GHG Reduction Strategies*. Available at: https://www.baaqmd.gov/~media/files/planning-and-research/ceqa/ceqa-guidelines-2022/appendix-c-ghg-reduction-strategies_final_edits-for-ascent-pdf.pdf?rev=8e5bb7d8ad504dd6accd3c04e58bdf87&sc_lang=en. Accessed September 2024.
- California Air Resources Board (CARB). 2017. 2017 Scoping Plan Documents. Available at: <https://ww2.arb.ca.gov/our-work/programs/ab-32-climate-change-scoping-plan/2017-scoping-plan-documents>. Accessed September 2024.
- . 2022. 2022 Scoping Plan Documents. Available at: <https://ww2.arb.ca.gov/our-work/programs/ab-32-climate-change-scoping-plan/2022-scoping-plan-documents>. Accessed September 2024.
- . 2023. *CARB Advanced Clean Off-Road Equipment List Fact Sheet*. California Air Resources Board Air Quality Planning and Science Division, Mobile Source Analysis Branch, Off-Road Diesel Analysis Section. August. Available at: <https://ww2.arb.ca.gov/sites/default/files/2023-08/2023%20ZEE%20List%2008142023.pdf>. Accessed December 2024.
- California Air Resources Board (CARB). 2024. Advanced Clean Cars Program. Available at: <https://ww2.arb.ca.gov/our-work/programs/advanced-clean-cars-program>. Accessed December 2024.
- California Department of Conservation. 2022. California Important Farmland Finder. Available at: <https://maps.conservation.ca.gov/DLRP/CIFF/>. Accessed February 2024.
- California Department of Fish and Wildlife (CDFW). 2024. California Natural Diversity Database. Available at: <https://wildlife.ca.gov/Data/CNDDDB/Maps-and-Data>. Accessed October 2024.

California Department of Forestry and Fire Protection (CAL FIRE). 2024. Fire Hazard Severity Zones in State Responsibility Area. Available at: <https://calfire-forestry.maps.arcgis.com/apps/webappviewer/index.html?id=988d431a42b242b29d89597ab693d008>. Accessed September 2024.

California Department of Resources Recycling and Recovery (CalRecycle). 2024a. SWIS Facility/Site Summary: American Avenue Disposal Site (10-AA-0009). Available at: <https://www2.calrecycle.ca.gov/SolidWaste/Site/Summary/352>. Accessed September 2024.

———. 2024b. SWIS Facility/Site Summary: City of Clovis Landfill (10-AA-0004). Available at: <https://www2.calrecycle.ca.gov/SolidWaste/Site/Summary/347>. Accessed September 2024.

California Department of Toxic Substances Control (DTSC). 2024. EnviroStor. Available at: <https://www.envirostor.dtsc.ca.gov/public/map/?myaddress=fresno>. Accessed September 2024.

California Department of Transportation (Caltrans). 2019. Caltrans HeliPlates. Available at: <https://heliplates.dot.ca.gov/#>. Accessed September 2024.

———. 2024a. California Road System – Functional Classification. Available at: <https://caltrans.maps.arcgis.com/apps/webappviewer/index.html?id=026e830c914c495797c969a3e5668538>. Accessed November 2024.

———. 2024b. Scenic Highways: California State Scenic Highways. Available at: <https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways>. Accessed January 2024.

California Department of Water Resources (DWR). 2006. San Joaquin Valley Groundwater Basin Kings Subbasin. California's Groundwater Bulletin 118. Available at: https://water.ca.gov/-/media/DWR-Website/Web-Pages/Programs/Groundwater-Management/Bulletin-118/Files/2003-Basin-Descriptions/5_022_08_KingsSubbasin.pdf. Accessed February 2024.

California Employment Development Department (EDD). 2024. Monthly Labor Force Data for Cities and Census Designated Places (CDP). Available at: <https://labormarketinfo.edd.ca.gov/data/labor-force-and-unemployment-for-cities-and-census-areas.html>. Accessed December 2024.

California Environmental Protection Agency (CalEPA). 2018. Government Code Section 65962.5(a) Hazardous Waste and Substances Site List. Available at: <https://calepa.ca.gov/sitecleanup/corteselist/section-65962-5a/>. Accessed September 2024.

California Geological Survey (CGS). 2011. *Reported Historic Asbestos Mines, Historic Asbestos Prospects, and Other Natural Occurrences of Asbestos in California*.

- City of Fresno. 2014a. *Fresno General Plan*. Adopted December 18. Available at: [https://www.fresno.gov/wp-content/uploads/2023/03/upload temp Consolidated-GP-10-13-2022 compressed.pdf](https://www.fresno.gov/wp-content/uploads/2023/03/upload_temp_Consolidated-GP-10-13-2022_compressed.pdf). Accessed February 2024.
- . 2014b. *Fresno General Plan, Chapter 4: Mobility and Transportation Element*. Adopted December 18. Available at: [https://www.fresno.gov/wp-content/uploads/2023/03/upload temp4-Mobility-and-Transportation-9-30-2021.pdf](https://www.fresno.gov/wp-content/uploads/2023/03/upload_temp4-Mobility-and-Transportation-9-30-2021.pdf). Accessed February 2024.
- . 2014c. *Fresno General Plan, Chapter 6: Public Utilities and Services Element*. Adopted December 18. Available at: <https://www.fresno.gov/wp-content/uploads/2023/03/General-Plan-6-Public-Utilities-and-Services-7-19.pdf>. Accessed September 2024.
- . 2014d. *Fresno General Plan, 7: Resource Conservation and Resilience Element*. Available at: <https://www.fresno.gov/wp-content/uploads/2023/03/General-Plan-7-Resources-Conservation-and-Resilience-7-19.pdf>. Accessed October 2024.
- . 2014e. *Fresno General Plan, 9: Noise and Safety Element*. Adopted December 18. Available at: <https://www.fresno.gov/wp-content/uploads/2023/03/9-Noise-and-Safety-02-03-21.pdf>. Accessed October 2024.
- . 2020a. *CEQA Guidelines for Vehicle Miles Traveled Thresholds*. June 25. Available at: <https://www.fresno.gov/wp-content/uploads/2023/03/CEQA-Guidelines-for-Vehicle-Miles-Traveled-Final-Adopted-Version.pdf#:~:text=final%20rulemaking%20surrounding%20SB%20743%20and%20the%20implementation>. Accessed February 2024.
- . 2020b. *Construction & Demolition Approved Disposal Facilities*. Available at: <https://www.fresno.gov/wp-content/uploads/2023/05/DPUSW191004-Construction-Demolition-Approved-Disposal-Facilities-PDF.pdf>. Accessed September 2024.
- . 2021a. *Final 2020 Urban Water Management Plan*. City of Fresno Department of Public Utilities. Available at: https://www.fresno.gov/wp-content/uploads/2023/03/Fresno-2020-UWMP_Final_2021-07-21.pdf. Accessed September 2024.
- . 2021b. *Standard Specifications*. City of Fresno Department of Public Works. Available at: https://www.fresno.gov/wp-content/uploads/2023/03/City-of-Fresno-Standards-Vol-2-Std.-Specifications_Mar-2021-Accessible.pdf. Accessed October 2024.
- Federal Highway Administration (FHWA). 2006. *Construction Noise Handbook*. August. Available at: https://www.fhwa.dot.gov/environment/noise/construction_noise/handbook/. Accessed October 2024.

- Fresno Council of Governments (FCOG). 2021. *Fresno County Airport Land Use Compatibility Plan*. December 2018; Amended December 2021. Available at: <https://www.dropbox.com/scl/fi/clh8iltq4f3eb10gyp93i/Fresno-Updated-ALUCP-Amended-Oct-2023.pdf?rlkey=e4ao8oy6ifk2btgzci95szb0u&e=1&dl=0>. Accessed October 2024.
- Fresno County. 2018. *Fresno County Multi-Jurisdictional Hazard Mitigation Plan*. May. Available at: <https://www.fresno.gov/wp-content/uploads/2023/03/FresnoCountyHMPFinal.pdf>. Accessed October 2024.
- Natural Resources Conservation Service (NRCS). 2024. Web Soil Survey. U.S. Department of Agriculture Natural Resources Conservation Service. Available at: <https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx>. Accessed October 2024.
- Pacific Gas and Electric (PG&E). 2006. *PG&E San Joaquin Valley Operation & Maintenance Habitat Conservation Plan*. Available at: https://ecos.fws.gov/docs/plan_documents/thcp/thcp_838.pdf. Accessed September 2024.
- _____. 2022. Exploring Clean Energy Solutions. Available at: https://www.pge.com/en_US/about-pge/environment/what-we-are-doing/clean-energy-solutions/clean-energy-solutions.page. Accessed September 2024.
- Regional Water Quality Control Board (RWQCB). 2019. *The Water Quality Control Plan (Basin Plan) for the California Regional Water Quality Control Board Central Valley Region*. Fifth Edition. California Regional Water Quality Control Board Central Valley Region. Revised February 2019 (with Approved Amendments). Available at: https://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/sacsjr_201902.pdf. Accessed February 2024.
- San Joaquin Valley Air Pollution Control District (SJVAPCD). 2002. *Guide for Assessing and Mitigating Air Quality Impacts*. Adopted August 20, 1998; January 10, 2022, Revision. Available at: <https://www.valleyair.org/transportation/CEQA%20Rules/GAMAQI%20Jan%202002%20Rev.pdf>. Accessed September 2024.
- _____. 2009a. Climate Change Action Plan. Available at: <https://ww2.valleyair.org/permitting/climate-change-action-plan/>. Accessed October 2024.
- _____. 2009b. Guidance for Valley Land-use Agencies in Addressing GHG Emission Impacts for New Projects under CEQA. Available at: <https://www.valleyair.org/Programs/CCAP/12-17-09/3%20CCAP%20-%20FINAL%20LU%20Guidance%20-%20Dec%202017%202009.pdf>. Accessed October 2024.

- . 2015. *Air Quality Thresholds of Significance – Criteria Pollutants*. March 19. Available at: <http://www.valleyair.org/transportation/0714-GAMAQI-Criteria-Pollutant-Thresholds-of-Significance.pdf>. Accessed February 2024.
- . 2020. Small Project Analysis Levels (SPAL). November 13. Available at: <https://www.valleyair.org/transportation/CEQA%20Rules/GAMAQI-SPAL.PDF>. Accessed September 2024.
- . 2022. *2022 Plan for the 2015 8-Hour Ozone Standard*. Available at: <https://ww2.valleyair.org/media/q55posm0/0000-2022-plan-for-the-2015-8-hour-ozone-standard.pdf>. Accessed February 2024.
- . *2024 Plan for the 2012 PM_{2.5} Standards*. June 20. Available at: <https://ww2.valleyair.org/media/gw5bacvj/2024-pm25-plan.pdf>. Accessed September 2024.
- State Water Resources Control Board (SWRCB). 2024. GeoTracker. Available at: <https://geotracker.waterboards.ca.gov/>. Accessed September 2024.
- U.S. Fish and Wildlife Service (USFWS). 2024a. Information for Planning and Consultation. Available at: <https://ipac.ecosphere.fws.gov/>. Accessed October 2024.
- . 2024b. National Wetlands Inventory (NWI) Surface Waters and Wetlands Mapper. Available at: <https://fwsprimary.wim.usgs.gov/wetlands/apps/wetlands-mapper/>. Accessed October 2024.
- U.S. Geological Survey (USGS). 1978. Fresno sheet. Available at: https://ngmdb.usgs.gov/Prodesc/proddesc_114520.htm. Accessed September 2024.
- . 2024. Areas of Land Subsidence in California. Available at: https://ca.water.usgs.gov/land_subsidence/california-subsidence-areas.html. Accessed October 2024.

APPENDIX A

USFWS IPaC and CDFW CNDDDB Query Results

IPaC resource list

This report is an automatically generated list of species and other resources such as critical habitat (collectively referred to as *trust resources*) under the U.S. Fish and Wildlife Service's (USFWS) jurisdiction that are known or expected to be on or near the project area referenced below. The list may also include trust resources that occur outside of the project area, but that could potentially be directly or indirectly affected by activities in the project area. However, determining the likelihood and extent of effects a project may have on trust resources typically requires gathering additional site-specific (e.g., vegetation/species surveys) and project-specific (e.g., magnitude and timing of proposed activities) information.

Below is a summary of the project information you provided and contact information for the USFWS office(s) with jurisdiction in the defined project area. Please read the introduction to each section that follows (Endangered Species, Migratory Birds, USFWS Facilities, and NWI Wetlands) for additional information applicable to the trust resources addressed in that section.

Location

Fresno County, California



Local office

Sacramento Fish And Wildlife Office

☎ (916) 414-6600

📅 (916) 414-6713

Federal Building
2800 Cottage Way, Room W-2605
Sacramento, CA 95825-1846

NOT FOR CONSULTATION

Endangered species

This resource list is for informational purposes only and does not constitute an analysis of project level impacts.

The primary information used to generate this list is the known or expected range of each species. Additional areas of influence (AOI) for species are also considered. An AOI includes areas outside of the species range if the species could be indirectly affected by activities in that area (e.g., placing a dam upstream of a fish population even if that fish does not occur at the dam site, may indirectly impact the species by reducing or eliminating water flow downstream). Because species can move, and site conditions can change, the species on this list are not guaranteed to be found on or near the project area. To fully determine any potential effects to species, additional site-specific and project-specific information is often required.

Section 7 of the Endangered Species Act **requires** Federal agencies to "request of the Secretary information whether any species which is listed or proposed to be listed may be present in the area of such proposed action" for any project that is conducted, permitted, funded, or licensed by any Federal agency. A letter from the local office and a species list which fulfills this requirement can **only** be obtained by requesting an official species list from either the Regulatory Review section in IPaC (see directions below) or from the local field office directly.

For project evaluations that require USFWS concurrence/review, please return to the IPaC website and request an official species list by doing the following:

1. Draw the project location and click CONTINUE.
2. Click DEFINE PROJECT.
3. Log in (if directed to do so).
4. Provide a name and description for your project.
5. Click REQUEST SPECIES LIST.

Listed species¹ and their critical habitats are managed by the [Ecological Services Program](#) of the U.S. Fish and Wildlife Service (USFWS) and the fisheries division of the National Oceanic and Atmospheric Administration (NOAA Fisheries²).

Species and critical habitats under the sole responsibility of NOAA Fisheries are **not** shown on this list. Please contact [NOAA Fisheries](#) for [species under their jurisdiction](#).

-
1. Species listed under the [Endangered Species Act](#) are threatened or endangered; IPaC also shows species that are candidates, or proposed, for listing. See the [listing status page](#) for more information. IPaC only shows species that are regulated by USFWS (see FAQ).

2. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

The following species are potentially affected by activities in this location:

Mammals

NAME	STATUS
Fresno Kangaroo Rat <i>Dipodomys nitratoides exilis</i> Wherever found There is final critical habitat for this species. Your location does not overlap the critical habitat. https://ecos.fws.gov/ecp/species/5150	Endangered
San Joaquin Kit Fox <i>Vulpes macrotis mutica</i> Wherever found No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/2873	Endangered

Birds

NAME	STATUS
California Condor <i>Gymnogyps californianus</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. https://ecos.fws.gov/ecp/species/8193	Endangered
Yellow-billed Cuckoo <i>Coccyzus americanus</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. https://ecos.fws.gov/ecp/species/3911	Threatened

Reptiles

NAME	STATUS
Blunt-nosed Leopard Lizard <i>Gambelia silus</i> Wherever found No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/625	Endangered

Northwestern Pond Turtle *Actinemys marmorata*

Proposed Threatened

Wherever found

No critical habitat has been designated for this species.

<https://ecos.fws.gov/ecp/species/1111>

Amphibians

NAME

STATUS

California Tiger Salamander *Ambystoma californiense*

Threatened

There is **final** critical habitat for this species. Your location does not overlap the critical habitat.

<https://ecos.fws.gov/ecp/species/2076>

Western Spadefoot *Spea hammondi*

Proposed Threatened

Wherever found

No critical habitat has been designated for this species.

<https://ecos.fws.gov/ecp/species/5425>

Insects

NAME

STATUS

Monarch Butterfly *Danaus plexippus*

Candidate

Wherever found

No critical habitat has been designated for this species.

<https://ecos.fws.gov/ecp/species/9743>

Crustaceans

NAME

STATUS

Conservancy Fairy Shrimp *Branchinecta conservatio*

Endangered

Wherever found

There is **final** critical habitat for this species. Your location does not overlap the critical habitat.

<https://ecos.fws.gov/ecp/species/8246>

Vernal Pool Fairy Shrimp *Branchinecta lynchi*

Threatened

Wherever found

There is **final** critical habitat for this species. Your location does not overlap the critical habitat.

<https://ecos.fws.gov/ecp/species/498>

Flowering Plants

Greene's Tuctoria *Tuctoria greenei*

Endangered

Wherever found

There is **final** critical habitat for this species. Your location does not overlap the critical habitat.

<https://ecos.fws.gov/ecp/species/1573>

Critical habitats

Potential effects to critical habitat(s) in this location must be analyzed along with the endangered species themselves.

There are no critical habitats at this location.

You are still required to determine if your project(s) may have effects on all above listed species.

Bald & Golden Eagles

Bald and golden eagles are protected under the Bald and Golden Eagle Protection Act¹ and the Migratory Bird Treaty Act².

Any person or organization who plans or conducts activities that may result in impacts to bald or golden eagles, or their habitats³, should follow appropriate regulations and consider implementing appropriate conservation measures, as described in the links below. Specifically, please review the "[Supplemental Information on Migratory Birds and Eagles](#)".

Additional information can be found using the following links:

- Eagle Management <https://www.fws.gov/program/eagle-management>
- Measures for avoiding and minimizing impacts to birds
<https://www.fws.gov/library/collections/avoiding-and-minimizing-incident-take-migratory-birds>
- Nationwide conservation measures for birds
<https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>
- Supplemental Information for Migratory Birds and Eagles in IPaC
<https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action>

There are likely bald eagles present in your project area. For additional information on bald eagles, refer to [Bald Eagle Nesting and Sensitivity to Human Activity](#)

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, see the PROBABILITY OF PRESENCE SUMMARY below to see when these birds are most likely to be present and breeding in your project area.

NAME

BREEDING SEASON

Bald Eagle *Haliaeetus leucocephalus*

Breeds Jan 1 to Aug 31

This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities.

<https://ecos.fws.gov/ecp/species/1626>

Probability of Presence Summary

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read ["Supplemental Information on Migratory Birds and Eagles"](#), specifically the FAQ section titled "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (■)

Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year. (A year is represented as 12 4-week months.) A taller bar indicates a higher probability of species presence. The survey effort (see below) can be used to establish a level of confidence in the presence score. One can have higher confidence in the presence score if the corresponding survey effort is also high.

How is the probability of presence score calculated? The calculation is done in three steps:

1. The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.
2. To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence

at week 12 (0.25) is the maximum of any week of the year. The relative probability of presence on week 12 is $0.25/0.25 = 1$; at week 20 it is $0.05/0.25 = 0.2$.

- The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

To see a bar's probability of presence score, simply hover your mouse cursor over the bar.

Breeding Season (■)

Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

Survey Effort (|)

Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps. The number of surveys is expressed as a range, for example, 33 to 64 surveys.

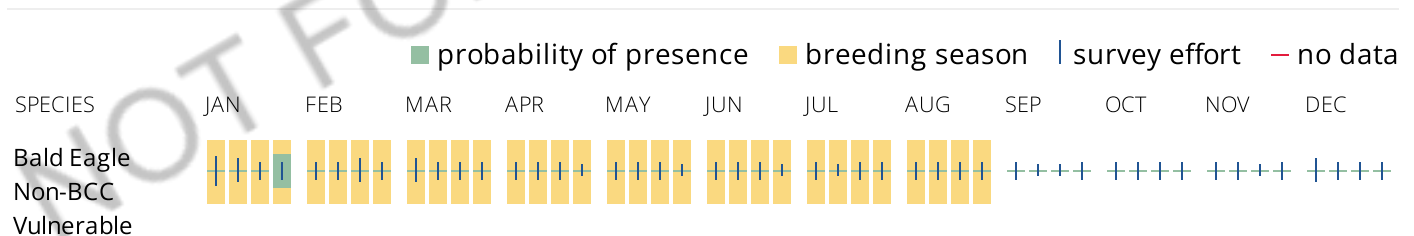
To see a bar's survey effort range, simply hover your mouse cursor over the bar.

No Data (-)

A week is marked as having no data if there were no survey events for that week.

Survey Timeframe

Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information. The exception to this is areas off the Atlantic coast, where bird returns are based on all years of available data, since data in these areas is currently much more sparse.



What does IPaC use to generate the potential presence of bald and golden eagles in my specified location?

The potential for eagle presence is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#) and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle ([Eagle Act](#) requirements may apply). To see a list of all birds potentially present in your project area, please visit the [Rapid Avian Information Locator \(RAIL\) Tool](#).

What does IPaC use to generate the probability of presence graphs of bald and golden eagles in my specified location?

The Migratory Bird Resource List is comprised of USFWS [Birds of Conservation Concern \(BCC\)](#) and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#) and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle ([Eagle Act](#) requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the [Rapid Avian Information Locator \(RAIL\) Tool](#).

What if I have eagles on my list?

If your project has the potential to disturb or kill eagles, you may need to obtain a permit to avoid violating the [Eagle Act](#) should such impacts occur. Please contact your local Fish and Wildlife Service Field Office if you have questions.

Migratory birds

Certain birds are protected under the Migratory Bird Treaty Act¹ and the Bald and Golden Eagle Protection Act².

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats³ should follow appropriate regulations and consider implementing appropriate conservation measures, as described in the links below. Specifically, please review the "[Supplemental Information on Migratory Birds and Eagles](#)".

1. The [Migratory Birds Treaty Act](#) of 1918.
2. The [Bald and Golden Eagle Protection Act](#) of 1940.

Additional information can be found using the following links:

- Eagle Management <https://www.fws.gov/program/eagle-management>
- Measures for avoiding and minimizing impacts to birds <https://www.fws.gov/library/collections/avoiding-and-minimizing-incident-take-migratory-birds>
- Nationwide conservation measures for birds <https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>
- Supplemental Information for Migratory Birds and Eagles in IPaC <https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action>

The birds listed below are birds of particular concern either because they occur on the [USFWS Birds of Conservation Concern \(BCC\)](#) list or warrant special attention in your project location. To learn more about the levels of concern for birds on your list and how this list is generated, see the FAQ [below](#). This is not a list of every bird you may find in this location, nor a guarantee that every bird on this list will be found in your project area. To see exact locations of where birders and the general public have sighted birds in and around your project area, visit the [E-bird data mapping tool](#) (Tip: enter your location, desired date range and a species on your list). For projects that occur off the Atlantic Coast, additional maps and models detailing the relative occurrence and abundance of bird species on your list are available. Links to additional information about Atlantic Coast birds, and other important information about your migratory bird list, including how to properly interpret and use your migratory bird report, can be found [below](#).

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, see the PROBABILITY OF PRESENCE SUMMARY below to see when these birds are most likely to be present and breeding in your project area.

NAME	BREEDING SEASON
<p>Bald Eagle <i>Haliaeetus leucocephalus</i></p> <p>This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities.</p> <p>https://ecos.fws.gov/ecp/species/1626</p>	Breeds Jan 1 to Aug 31
<p>Belding's Savannah Sparrow <i>Passerculus sandwichensis beldingi</i></p> <p>This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA</p> <p>https://ecos.fws.gov/ecp/species/8</p>	Breeds Apr 1 to Aug 15
<p>Bullock's Oriole <i>Icterus bullockii</i></p> <p>This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA</p>	Breeds Mar 21 to Jul 25
<p>California Gull <i>Larus californicus</i></p> <p>This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.</p>	Breeds Mar 1 to Jul 31

<p>Common Yellowthroat <i>Geothlypis trichas sinuosa</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA https://ecos.fws.gov/ecp/species/2084</p>	Breeds May 20 to Jul 31
<p>Northern Harrier <i>Circus hudsonius</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA https://ecos.fws.gov/ecp/species/8350</p>	Breeds Apr 1 to Sep 15
<p>Nuttall's Woodpecker <i>Dryobates nuttallii</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA https://ecos.fws.gov/ecp/species/9410</p>	Breeds Apr 1 to Jul 20
<p>Oak Titmouse <i>Baeolophus inornatus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9656</p>	Breeds Mar 15 to Jul 15
<p>Olive-sided Flycatcher <i>Contopus cooperi</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/3914</p>	Breeds May 20 to Aug 31
<p>Santa Barbara Song Sparrow <i>Melospiza melodia graminea</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA https://ecos.fws.gov/ecp/species/5513</p>	Breeds Mar 1 to Sep 5
<p>Short-billed Dowitcher <i>Limnodromus griseus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9480</p>	Breeds elsewhere
<p>Tricolored Blackbird <i>Agelaius tricolor</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/3910</p>	Breeds Mar 15 to Aug 10

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

<https://ecos.fws.gov/ecp/species/6743>

Probability of Presence Summary

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read ["Supplemental Information on Migratory Birds and Eagles"](#), specifically the FAQ section titled "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (■)

Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year. (A year is represented as 12 4-week months.) A taller bar indicates a higher probability of species presence. The survey effort (see below) can be used to establish a level of confidence in the presence score. One can have higher confidence in the presence score if the corresponding survey effort is also high.

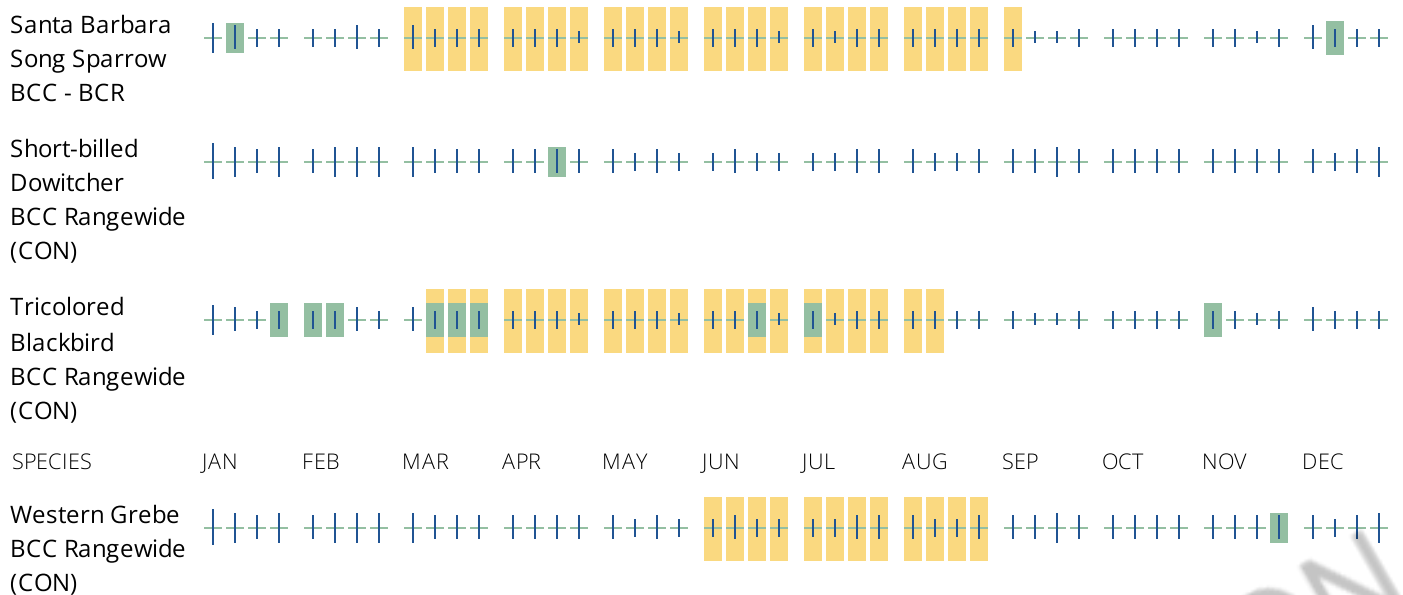
How is the probability of presence score calculated? The calculation is done in three steps:

1. The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.
2. To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12 (0.25) is the maximum of any week of the year. The relative probability of presence on week 12 is $0.25/0.25 = 1$; at week 20 it is $0.05/0.25 = 0.2$.
3. The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

To see a bar's probability of presence score, simply hover your mouse cursor over the bar.

Breeding Season (■)

Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.



Tell me more about conservation measures I can implement to avoid or minimize impacts to migratory birds.

[Nationwide Conservation Measures](#) describes measures that can help avoid and minimize impacts to all birds at any location year round. Implementation of these measures is particularly important when birds are most likely to occur in the project area. When birds may be breeding in the area, identifying the locations of any active nests and avoiding their destruction is a very helpful impact minimization measure. To see when birds are most likely to occur and be breeding in your project area, view the Probability of Presence Summary. [Additional measures](#) or [permits](#) may be advisable depending on the type of activity you are conducting and the type of infrastructure or bird species present on your project site.

What does IPaC use to generate the list of migratory birds that potentially occur in my specified location?

The Migratory Bird Resource List is comprised of USFWS [Birds of Conservation Concern \(BCC\)](#) and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#) and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle ([Eagle Act](#) requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the [Rapid Avian Information Locator \(RAIL\) Tool](#).

What does IPaC use to generate the probability of presence graphs for the migratory birds potentially occurring in my specified location?

The probability of presence graphs associated with your migratory bird list are based on data provided by the [Avian Knowledge Network \(AKN\)](#). This data is derived from a growing collection of [survey, banding, and citizen science datasets](#).

Probability of presence data is continuously being updated as new and better information becomes available. To learn more about how the probability of presence graphs are produced and how to interpret them, go to the Probability of Presence Summary and then click on the "Tell me about these graphs" link.

How do I know if a bird is breeding, wintering or migrating in my area?

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating or year-round), you may query your location using the [RAIL Tool](#) and look at the range maps provided for birds in your area at the bottom of the profiles provided for each bird in your results. If a bird on your migratory bird species list has a breeding season associated with it, if that bird does occur in your project area, there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

What are the levels of concern for migratory birds?

Migratory birds delivered through IPaC fall into the following distinct categories of concern:

1. "BCC Rangewide" birds are [Birds of Conservation Concern](#) (BCC) that are of concern throughout their range anywhere within the USA (including Hawaii, the Pacific Islands, Puerto Rico, and the Virgin Islands);
2. "BCC - BCR" birds are BCCs that are of concern only in particular Bird Conservation Regions (BCRs) in the continental USA; and
3. "Non-BCC - Vulnerable" birds are not BCC species in your project area, but appear on your list either because of the [Eagle Act](#) requirements (for eagles) or (for non-eagles) potential susceptibilities in offshore areas from certain types of development or activities (e.g. offshore energy development or longline fishing).

Although it is important to try to avoid and minimize impacts to all birds, efforts should be made, in particular, to avoid and minimize impacts to the birds on this list, especially eagles and BCC species of rangewide concern. For more information on conservation measures you can implement to help avoid and minimize migratory bird impacts and requirements for eagles, please see the FAQs for these topics.

Details about birds that are potentially affected by offshore projects

For additional details about the relative occurrence and abundance of both individual bird species and groups of bird species within your project area off the Atlantic Coast, please visit the [Northeast Ocean Data Portal](#). The Portal also offers data and information about other taxa besides birds that may be helpful to you in your project review. Alternately, you may download the bird model results files underlying the portal maps through the [NOAA NCCOS Integrative Statistical Modeling and Predictive Mapping of Marine Bird Distributions and Abundance on the Atlantic Outer Continental Shelf](#) project webpage.

Bird tracking data can also provide additional details about occurrence and habitat use throughout the year, including migration. Models relying on survey data may not include this information. For additional information on marine bird tracking data, see the [Diving Bird Study](#) and the [nanotag studies](#) or contact [Caleb Spiegel](#) or [Pam Loring](#).

What if I have eagles on my list?

If your project has the potential to disturb or kill eagles, you may need to [obtain a permit](#) to avoid violating the Eagle Act should such impacts occur.

Proper Interpretation and Use of Your Migratory Bird Report

The migratory bird list generated is not a list of all birds in your project area, only a subset of birds of priority concern. To learn more about how your list is generated, and see options for identifying what other birds may be in your project area, please see the FAQ "What does IPaC use to generate the migratory birds potentially occurring in my specified location". Please be aware this report provides the "probability of presence" of birds within the 10 km grid cell(s) that overlap your project; not your exact project footprint. On the graphs provided, please also look carefully at the survey effort (indicated by the black vertical bar) and for the existence of the "no data" indicator (a red horizontal bar). A high survey effort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort bar or no data bar means a lack of data and, therefore, a lack of certainty about presence of the species. This list is not perfect; it is simply a starting point for identifying what birds of concern have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list helps you know what to look for to confirm presence, and helps guide you in knowing when to implement conservation measures to avoid or minimize potential impacts from your project activities, should presence be confirmed. To learn more about conservation measures, visit the FAQ "Tell me about conservation measures I can implement to avoid or minimize impacts to migratory birds" at the bottom of your migratory bird trust resources page.

Facilities

National Wildlife Refuge lands

Any activity proposed on lands managed by the [National Wildlife Refuge](#) system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

There are no refuge lands at this location.

Fish hatcheries

There are no fish hatcheries at this location.

Wetlands in the National Wetlands Inventory (NWI)

Impacts to [NWI wetlands](#) and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local [U.S. Army Corps of Engineers District](#).

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

This location overlaps the following wetlands:

RIVERINE

[R5UBFx](#)

A full description for each wetland code can be found at the [National Wetlands Inventory website](#)

NOTE: This initial screening does **not** replace an on-site delineation to determine whether wetlands occur. Additional information on the NWI data is provided below.

Data limitations

The Service's objective of mapping wetlands and deepwater habitats is to produce reconnaissance level information on the location, type and size of these resources. The maps are prepared from the analysis of high altitude imagery. Wetlands are identified based on vegetation, visible hydrology and geography. A margin of error is inherent in the use of imagery; thus, detailed on-the-ground inspection of any particular site may result in revision of the wetland boundaries or classification established through image analysis.

The accuracy of image interpretation depends on the quality of the imagery, the experience of the image analysts, the amount and quality of the collateral data and the amount of ground truth verification work conducted. Metadata should be consulted to determine the date of the source imagery used and any mapping problems.

Wetlands or other mapped features may have changed since the date of the imagery or field work. There may be occasional differences in polygon boundaries or classifications between the information depicted on the map and the actual conditions on site.

Data exclusions

Certain wetland habitats are excluded from the National mapping program because of the limitations of aerial imagery as the primary data source used to detect wetlands. These habitats include

seagrasses or submerged aquatic vegetation that are found in the intertidal and subtidal zones of estuaries and nearshore coastal waters. Some deepwater reef communities (coral or tubercid worm reefs) have also been excluded from the inventory. These habitats, because of their depth, go undetected by aerial imagery.

Data precautions

Federal, state, and local regulatory agencies with jurisdiction over wetlands may define and describe wetlands in a different manner than that used in this inventory. There is no attempt, in either the design or products of this inventory, to define the limits of proprietary jurisdiction of any Federal, state, or local government or to establish the geographical scope of the regulatory programs of government agencies. Persons intending to engage in activities involving modifications within or adjacent to wetland areas should seek the advice of appropriate Federal, state, or local agencies concerning specified agency regulatory programs and proprietary jurisdictions that may affect such activities.

NOT FOR CONSULTATION

Query Summary:

Quad IS (Clovis (3611976) OR Lanes Bridge (3611987) OR Friant (3611986) OR Academy (3611985) OR Fresno North (3611977) OR Fresno South (3611967) OR Round Mountain (3611975) OR Malaga (3611966) OR Sanger (3611965))

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CNDDB Element Query Results

Scientific Name	Common Name	Taxonomic Group	Element Code	Total Occs	Returned Occs	Federal Status	State Status	Global Rank	State Rank	CA Rare Plant Rank	Other Status	Habitats
Actinemys marmorata	northwestern pond turtle	Reptiles	ARAAD02031	1102	4	Proposed Threatened	None	G2	SNR	null	BLM_S-Sensitive, CDFW_SSC-Species of Special Concern, IUCN_VU-Vulnerable, USFS_S-Sensitive	null
Agelaius tricolor	tricolored blackbird	Birds	ABPBXB0020	960	8	None	Threatened	G1G2	S2	null	BLM_S-Sensitive, CDFW_SSC-Species of Special Concern, IUCN_EN-Endangered, USFWS_BCC-Birds of Conservation Concern	Freshwater marsh, Marsh & swamp, Swamp, Wetland
Ambystoma californiense pop. 1	California tiger salamander - central California DPS	Amphibians	AAAAA01181	1328	55	Threatened	Threatened	G2G3T3	S3	null	CDFW_WL-Watch List, IUCN_VU-Vulnerable	Cismontane woodland, Meadow & seep, Riparian woodland, Valley & foothill grassland, Vernal pool, Wetland
Anniella pulchra	Northern California legless lizard	Reptiles	ARACC01020	386	1	None	None	G3	S2S3	null	CDFW_SSC-Species of Special Concern, USFS_S-Sensitive	Chaparral, Coastal dunes, Coastal scrub
Antrozous pallidus	pallid bat	Mammals	AMACC10010	424	1	None	None	G4	S3	null	BLM_S-Sensitive, CDFW_SSC-Species of Special Concern, IUCN_LC-Least Concern, USFS_S-Sensitive	Chaparral, Coastal scrub, Desert wash, Great Basin grassland, Great Basin scrub, Mojavean desert scrub, Riparian woodland, Sonoran desert scrub, Upper montane coniferous forest, Valley & foothill grassland
Ardea alba	great egret	Birds	ABNGA04040	43	1	None	None	G5	S4	null	CDF_S-Sensitive, IUCN_LC-Least Concern	Brackish marsh, Estuary, Freshwater marsh, Marsh & swamp, Riparian forest, Wetland
Arizona elegans occidentalis	California glossy snake	Reptiles	ARADB01017	260	1	None	None	G5T2	S2	null	CDFW_SSC-Species of Special Concern	null
Athene cunicularia	burrowing owl	Birds	ABNSB10010	2057	5	None	None	G4	S2	null	BLM_S-Sensitive, CDFW_SSC-Species of Special Concern, IUCN_LC-Least Concern, USFWS_BCC-Birds of Conservation Concern	Coastal prairie, Coastal scrub, Great Basin grassland, Great Basin scrub, Mojavean desert scrub, Sonoran desert scrub, Valley & foothill grassland
Bombus crotchii	Crotch's bumble bee	Insects	IIHYM24480	443	1	None	Candidate Endangered	G2	S2	null	IUCN_EN-Endangered	null

<i>Bombus pensylvanicus</i>	American bumble bee	Insects	IIHYM24260	680	1	None	None	G3G4	S2	null	IUCN_VU-Vulnerable	Coastal prairie, Great Basin grassland, Valley & foothill grassland
<i>Branchinecta lynchi</i>	vernal pool fairy shrimp	Crustaceans	ICBRA03030	804	55	Threatened	None	G3	S3	null	IUCN_VU-Vulnerable	Valley & foothill grassland, Vernal pool, Wetland
<i>Branchinecta mesovallensis</i>	midvalley fairy shrimp	Crustaceans	ICBRA03150	147	15	None	None	G2	S2S3	null	null	Vernal pool, Wetland
<i>Buteo swainsoni</i>	Swainson's hawk	Birds	ABNKC19070	2577	4	None	Threatened	G5	S4	null	BLM_S-Sensitive, IUCN_LC-Least Concern	Great Basin grassland, Riparian forest, Riparian woodland, Valley & foothill grassland
<i>Calycadenia hooveri</i>	Hoover's calycadenia	Dicots	PDAST1P040	37	1	None	None	G2	S2	1B,3	null	Cismontane woodland, Valley & foothill grassland
<i>Carex comosa</i>	bristly sedge	Monocots	PMCYP032Y0	31	1	None	None	G5	S2	2B,1	IUCN_LC-Least Concern	Coastal prairie, Freshwater marsh, Marsh & swamp, Valley & foothill grassland, Wetland
<i>Castilleja campestris</i> var. <i>succulenta</i>	succulent owl's-clover	Dicots	PDSCR0D3Z1	99	12	Threatened	Endangered	G4? T2T3	S2S3	1B,2	null	Vernal pool, Wetland
<i>Caulanthus californicus</i>	California jewelflower	Dicots	PDBRA31010	67	1	Endangered	Endangered	G1	S1	1B,1	SB_CalBG/RSABG-California/Rancho Santa Ana Botanic Garden, SB_SBBG-Santa Barbara Botanic Garden, SB_UCBG-UC Botanical Garden at Berkeley	Chenopod scrub, Pinon & juniper woodlands, Valley & foothill grassland
<i>Coccyzus americanus occidentalis</i>	western yellow-billed cuckoo	Birds	ABNRB02022	165	2	Threatened	Endangered	G5T2T3	S1	null	BLM_S-Sensitive, USFS_S-Sensitive	Riparian forest
<i>Desmocerus californicus dimorphus</i>	valley elderberry longhorn beetle	Insects	IICOL48011	271	9	Threatened	None	G3T3	S3	null	null	Riparian scrub
<i>Dipodomys nitratooides exilis</i>	Fresno kangaroo rat	Mammals	AMAFD03151	12	1	Endangered	Endangered	G2TH	SH	null	IUCN_VU-Vulnerable	Chenopod scrub
<i>Downingia pusilla</i>	dwarf downingia	Dicots	PDCAM060C0	132	1	None	None	GU	S2	2B,2	null	Valley & foothill grassland, Vernal pool, Wetland
<i>Efferia antiochi</i>	Antioch efferian robberfly	Insects	IIDIP07010	4	2	None	None	G1G2	S1S2	null	null	Interior dunes
<i>Egretta thula</i>	snowy egret	Birds	ABNGA06030	20	1	None	None	G5	S4	null	IUCN_LC-Least Concern	Marsh & swamp, Meadow & seep, Riparian forest, Riparian woodland, Wetland
<i>Eremophila alpestris actia</i>	California horned lark	Birds	ABPAT02011	94	1	None	None	G5T4Q	S4	null	CDFW_WL-Watch List, IUCN_LC-Least Concern	Marine intertidal & splash zone communities, Meadow & seep
<i>Eryngium spinosepalum</i>	spiny-sepaled button-celery	Dicots	PDAP10Z0Y0	108	4	None	None	G2	S2	1B,2	BLM_S-Sensitive, SB_SBBG-Santa Barbara Botanic Garden	Valley & foothill grassland, Vernal pool, Wetland
<i>Euderma maculatum</i>	spotted bat	Mammals	AMACC07010	68	1	None	None	G4	S3	null	BLM_S-Sensitive, CDFW_SSC-Species of Special Concern, IUCN_LC-Least Concern	null

Eumops perotis californicus	western mastiff bat	Mammals	AMACD02011	296	4	None	None	G4G5T4	S3S4	null	BLM_S-Sensitive, CDFW_SSC-Species of Special Concern	Chaparral, Cismontane woodland, Coastal scrub, Valley & foothill grassland
Gonidea angulata	western ridged mussel	Mollusks	IMBIV19010	158	1	None	None	G3	S2	null	IUCN_VU-Vulnerable	Aquatic
Great Valley Mixed Riparian Forest	Great Valley Mixed Riparian Forest	Riparian	CTT61420CA	68	1	None	None	G2	S2.2	null	null	Riparian forest
Imperata brevifolia	California satintail	Monocots	PMPOA3D020	32	1	None	None	G3	S3	2B.1	SB_CalBG/RSABG-California/Rancho Santa Ana Botanic Garden, SB_SBBG-Santa Barbara Botanic Garden, USFS_S-Sensitive	Chaparral, Coastal scrub, Meadow & seep, Mojavean desert scrub, Riparian scrub, Wetland
Lagophylla dichotoma	forked hare-leaf	Dicots	PDAST5J070	7	1	None	None	G2	S2	1B.1	null	Cismontane woodland, Valley & foothill grassland
Lasiurus cinereus	hoary bat	Mammals	AMACC05032	238	1	None	None	G3G4	S4	null	IUCN_LC-Least Concern	Broadleaved upland forest, Cismontane woodland, Lower montane coniferous forest, North coast coniferous forest
Leptosiphon serrulatus	Madera leptosiphon	Dicots	PDPLM09130	26	2	None	None	G3	S3	1B.2	BLM_S-Sensitive, SB_SBBG-Santa Barbara Botanic Garden, USFS_S-Sensitive	Cismontane woodland, Lower montane coniferous forest
Linderiella occidentalis	California linderiella	Crustaceans	ICBRA06010	508	29	None	None	G2G3	S2S3	null	IUCN_NT-Near Threatened	Vernal pool
Lytta moesta	moestan blister beetle	Insects	IICOL4C020	12	1	None	None	G2	S2	null	null	Valley & foothill grassland
Lytta molesta	molestan blister beetle	Insects	IICOL4C030	17	2	None	None	G2	S2	null	null	Vernal pool, Wetland
Metapogon hurdi	Hurd's metapogon robberfly	Insects	IIDIP08010	3	1	None	None	G1G2	S1S2	null	null	Interior dunes
Mylopharodon conocephalus	hardhead	Fish	AFCJB25010	33	1	None	None	G3	S3	null	CDFW_SSC-Species of Special Concern, IUCN_LC-Least Concern, USFS_S-Sensitive	Klamath/North coast flowing waters, Sacramento/San Joaquin flowing waters
Nannopterum auritum	double-crested cormorant	Birds	ABNFD01020	39	1	None	None	G5	S4	null	CDFW_WL-Watch List, IUCN_LC-Least Concern	Riparian forest, Riparian scrub, Riparian woodland
Navarretia myersii ssp. myersii	pincushion navarretia	Dicots	PDPLM0C0X1	16	1	None	None	G2T2	S2	1B.1	null	Vernal pool, Wetland
Northern Claypan Vernal Pool	Northern Claypan Vernal Pool	Herbaceous	CTT44120CA	21	1	None	None	G1	S1.1	null	null	Vernal pool, Wetland
Northern Hardpan Vernal Pool	Northern Hardpan Vernal Pool	Herbaceous	CTT44110CA	126	8	None	None	G3	S3.1	null	null	Vernal pool, Wetland
Nycticorax nycticorax	black-crowned night heron	Birds	ABNGA11010	37	1	None	None	G5	S4	null	IUCN_LC-Least Concern	Marsh & swamp, Riparian forest, Riparian woodland, Wetland
Orcuttia inaequalis	San Joaquin Valley Orcutt grass	Monocots	PMPOA4G060	47	10	Threatened	Endangered	G1	S1	1B.1	null	Vernal pool, Wetland
Orcuttia pilosa	hairy Orcutt grass	Monocots	PMPOA4G040	35	3	Endangered	Endangered	G1	S1	1B.1	SB_CalBG/RSABG-California/Rancho Santa Ana Botanic Garden	Vernal pool, Wetland
Perognathus inornatus	San Joaquin pocket	Mammals	AMAFD01060	140	2	None	None	G2G3	S2S3	null	BLM_S-Sensitive, IUCN_LC-Least	Cismontane woodland,

	mouse										Concern	Mojavean desert scrub, Valley & foothill grassland
Phrynosoma blainvillii	coast horned lizard	Reptiles	ARACF12100	841	1	None	None	G4	S4	null	BLM_S-Sensitive, CDFW_SSC-Species of Special Concern, IUCN_LC-Least Concern	Chaparral, Cismontane woodland, Coastal bluff scrub, Coastal scrub, Desert wash, Pinon & juniper woodlands, Riparian scrub, Riparian woodland, Valley & foothill grassland
Pseudobahia bahiifolia	Hartweg's golden sunburst	Dicots	PDAST7P010	27	5	Endangered	Endangered	G1	S1	1B.1	SB_CalBG/RSABG-California/Rancho Santa Ana Botanic Garden	Cismontane woodland, Valley & foothill grassland
Pseudobahia peirsonii	San Joaquin adobe sunburst	Dicots	PDAST7P030	51	5	Threatened	Endangered	G1	S1	1B.1	SB_CalBG/RSABG-California/Rancho Santa Ana Botanic Garden	Cismontane woodland, Valley & foothill grassland
Sagittaria sanfordii	Sanford's arrowhead	Monocots	PMALI040Q0	143	9	None	None	G3	S3	1B.2	BLM_S-Sensitive	Marsh & swamp, Wetland
Spea hammondii	western spadefoot	Amphibians	AAABF02020	1443	54	Proposed Threatened	None	G2G3	S3S4	null	BLM_S-Sensitive, CDFW_SSC-Species of Special Concern, IUCN_NT-Near Threatened	Cismontane woodland, Coastal scrub, Valley & foothill grassland, Vernal pool, Wetland
Sycamore Alluvial Woodland	Sycamore Alluvial Woodland	Riparian	CTT62100CA	17	1	None	None	G1	S1.1	null	null	Riparian woodland
Taxidea taxus	American badger	Mammals	AMAJF04010	647	2	None	None	G5	S3	null	CDFW_SSC-Species of Special Concern, IUCN_LC-Least Concern	Alkali marsh, Alkali playa, Alpine, Alpine dwarf scrub, Bog & fen, Brackish marsh, Broadleaved upland forest, Chaparral, Chenopod scrub, Cismontane woodland, Closed-cone coniferous forest, Coastal bluff scrub, Coastal dunes, Coastal prairie, Coastal scrub, Desert dunes, Desert wash, Freshwater marsh, Great Basin grassland, Great Basin scrub, Interior dunes, lone formation, Joshua tree woodland, Limestone, Lower montane coniferous forest, Marsh & swamp, Meadow & seep, Mojavean desert scrub, Montane dwarf scrub, North coast coniferous forest, Oldgrowth, Pavement plain, Redwood, Riparian forest, Riparian scrub, Riparian

													woodland, Salt marsh, Sonoran desert scrub, Sonoran thorn woodland, Ultramafic, Upper montane coniferous forest, Upper Sonoran scrub, Valley & foothill grassland
<i>Tuctoria greenei</i>	Greene's tuctoria	Monocots	PMPOA6N010	50	3	Endangered	Rare	G1	S1	1B.1	null		Vernal pool, Wetland
<i>Vireo bellii pusillus</i>	least Bell's vireo	Birds	ABPBW01114	505	2	Endangered	Endangered	G5T2	S3	null	null		Riparian forest, Riparian scrub, Riparian woodland
<i>Vulpes macrotis mutica</i>	San Joaquin kit fox	Mammals	AMAJA03041	1020	2	Endangered	Threatened	G4T2	S3	null	null		Chenopod scrub, Valley & foothill grassland

**CITY OF FRESNO
MITIGATED NEGATIVE DECLARATION
FOR
DEVELOPMENT PERMIT NO. P24-03149
COOK LAND COMPANY SHIELDS AND FOWLER BUSINESS PARK**

**Project Specific Mitigation Monitoring Checklist
dated February 2025**

**Mitigation Monitoring and Reporting Program for
Shields and Fowler Business Park (Development Permit No. P24-03149)**

Mitigation Measure	Requirements of Measure	Compliance Method	Verification Timing	Responsible Party
Air Quality				
AQ-1	Permit Requirements. Prior to ground disturbance and construction, the Construction Contractor shall obtain all required permits for dust control and the use of portable equipment, 50 horsepower or greater, from the San Joaquin Valley Air Pollution Control District. Upon application for construction permits, all required mitigation measures shall be shown on all applicable grading or construction plans and implemented during all applicable grading and construction activities.	Obtain all required permits	Prior to ground disturbance and construction	City/Contractor
AQ-2	Dust Control Measures. No person shall perform any construction, demolition, excavation, extraction, or other earthmoving activities unless measures are sufficiently implemented to limit visible dust emissions (VDE) to 20% opacity and comply with the conditions for a stabilized surface area when applicable. In addition to the requirements of this rule, a person shall comply with all other applicable requirements of San Joaquin Valley Air Pollution Control District Regulation VIII. A person shall control the fugitive dust emissions to meet the following requirements:	Implement identified dust control measures	During construction activities	City/Contractor

Mitigation Measure	Requirements of Measure	Compliance Method	Verification Timing	Responsible Party
	<ol style="list-style-type: none"> 1. Pre-Activity: <ol style="list-style-type: none"> a. Pre-water site sufficient to limit VDE to 20% opacity, and b. Phase work to reduce the amount of disturbed surface area at any one time. 2. During Active Operations: <ol style="list-style-type: none"> a. Apply water or chemical/organic stabilizers/suppressants sufficient to limit VDE to 20% opacity; or b. Construct and maintain wind barriers sufficient to limit VDE to 20% opacity. If utilizing wind barriers, control measure 2.a above shall also be implemented. c. Apply water or chemical/organic stabilizers/suppressants to unpaved haul/access roads and unpaved vehicle/equipment traffic areas sufficient to limit VDE to 20% opacity and meet the conditions of a stabilized unpaved road surface. 3. Temporary Stabilization During Periods of Inactivity: <ol style="list-style-type: none"> a. Restrict vehicular access to the area; and b. Apply water or chemical/organic stabilizers/suppressants, sufficient to comply with the conditions of a stabilized surface. If an area having 			

Mitigation Measure	Requirements of Measure	Compliance Method	Verification Timing	Responsible Party
	0.5 acre or more of disturbed surface area remains unused for 7 or more days, the area must comply with the conditions for a stabilized surface area as defined in section 3.58 of Rule 8011.			
AQ-3	Construction Emissions. The Project shall utilize clean off-road construction equipment, including the latest tier equipment as specified by the California Air Resources Board in the most recent <i>Advanced Clean Off-Road Equipment List Fact Sheet</i> , ¹ where feasible.	Utilize clean off-road equipment	During construction	City/Contractor
Biological Resources				
BIO-1	Preconstruction Nesting Bird Survey. Prior to initiation of any site preparation/construction activities, if work is planned to occur between February 1 and September 15, a qualified biologist shall survey the area for nesting birds within 1 week prior to initial project activity beginning, including ground disturbance and/or vegetation removal/trimming. If nesting birds are located on or near the proposed project site, they shall be avoided until they have successfully fledged, or the nest is no longer deemed active, as detailed below:	Retain a qualified biologist and conduct a preconstruction nesting bird survey	Prior to initiation of any site preparation/construction activities	City/Contractor

¹ California Air Resources Board (CARB). 2023. *CARB Advanced Clean Off-Road Equipment List Fact Sheet*. California Air Resources Board Air Quality Planning and Science Division, Mobile Source Analysis Branch, Off-Road Diesel Analysis Section. August. Available at: <https://ww2.arb.ca.gov/sites/default/files/2023-08/2023%20ZEE%20List%2008142023.pdf>. Accessed December 2024.

Mitigation Measure	Requirements of Measure	Compliance Method	Verification Timing	Responsible Party
	<p>1. A 50-foot exclusion zone shall be placed around non-listed, passerine species and a 250-foot exclusion zone will be implemented for raptor species. Each exclusion zone shall encircle the nest and have a radius of 50 feet (non-listed passerine species) or 250 feet (raptor species). All project activities, including foot and vehicle traffic and storage of supplies and equipment, are prohibited inside exclusion zones. Exclusion zones shall be maintained until all exterior construction activities have been terminated for the current phase of work (e.g., if initial site improvements are completed, exclusion zones may be removed until initiation of site preparation for residence construction begins), or it has been determined by a qualified biologist that the young have fledged or that proposed project activities would not cause adverse impacts to the nest, adults, eggs, or young.</p> <p>2. If special-status avian species are identified and nesting within the work area, no work will begin until an appropriate exclusion zone is determined in consultation with the City of Fresno and any relevant resource agencies.</p> <p>The results of the survey shall be provided to the City of Fresno prior to initiation of site preparation/construction activities. The results shall detail appropriate fencing or flagging of exclusion</p>			

Mitigation Measure	Requirements of Measure	Compliance Method	Verification Timing	Responsible Party
	<p>zones and include recommendations for additional monitoring requirements. A map of the project site and nest locations shall be included with the results. The qualified biologist conducting the nesting survey shall have the authority to reduce or increase the recommended exclusion zone depending on site conditions and species (if non-listed).</p> <p>If 2 weeks lapse between different phases of project activities (e.g., vegetation trimming, the start of grading), during which no or minimal work activity occurs, the nesting bird survey shall be repeated, and a separate survey report shall be prepared and submitted to the City of Fresno.</p>			
Cultural Resources				
CR-1	<p>If previously unknown resources are encountered before or during grading activities, construction shall stop in the immediate vicinity of the find and a qualified cultural resources specialist shall be consulted to determine whether the resource requires further study. The qualified cultural resources specialist shall make recommendations to the City of Fresno 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 California Environmental Quality Act (CEQA) Guidelines and the City of Fresno’s Historic Preservation Ordinance. If the</p>	<p>If cultural resources are encountered, ground-disturbing activities shall cease, and proper notification shall occur</p>	<p>During construction activities, in the event that cultural resources are encountered</p>	<p>City/Contractor</p>

Mitigation Measure	Requirements of Measure	Compliance Method	Verification Timing	Responsible Party
	<p>resources are determined to be unique historical resources as defined under State CEQA Guidelines Section 15064.5, 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 Project 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 of Fresno-approved institution or person who is capable of providing long-term preservation to allow future scientific study.</p>			
CR-2	<p>In the event that human remains are unearthed during excavation and grading activities, 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</p>	<p>In the event that human remains are unearthed, all activity shall cease immediately, and proper notification shall occur</p>	<p>During construction activities, in the event that human remains are unearthed</p>	<p>City/Contractor</p>

Mitigation Measure	Requirements of Measure	Compliance Method	Verification Timing	Responsible Party
	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.			
Geology and Soils				
GEO-1	In the event that unique paleontological/geological resources are discovered during excavation and/or construction activities, the Project contractor shall cease ground-disturbing activities within 50 feet 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	If paleontological/geological resources are encountered, ground-disturbing activities shall cease, and proper notification shall occur	During construction activities, in the event that paleontological/geological resources are encountered	City/Contractor

Mitigation Measure	Requirements of Measure	Compliance Method	Verification Timing	Responsible Party
	<p>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. At each fossil locality, field data forms shall be used to record pertinent geologic data, stratigraphic sections shall be measured, and appropriate sediment samples shall be collected and submitted for analysis. Any fossils encountered and recovered shall be catalogued and presented for donation to a public, non-profit institution with a research interest in the materials. Accompanying notes, maps, and photographs shall also be filed at the repository.</p>			
Noise				
N-1	<p>For the entire duration of the construction phase of the Project, the following noise reduction measures shall be implemented to ensure that noise levels are maintained within levels allowed by the City of Fresno General Plan Noise and Safety Element:</p> <ol style="list-style-type: none"> 1. Construction activities should be limited to the hours of 7:00 a.m. and 10:00 p.m., Monday through Saturday. No construction activities shall occur on Sundays or on federal holidays. 2. Stationary construction equipment that generates noise that exceeds 65 A-weighted decibels (dBA) at the Project boundaries shall 	Implement the identified noise reduction measures	During construction	City/Contractor

Mitigation Measure	Requirements of Measure	Compliance Method	Verification Timing	Responsible Party
	<p>be shielded with the most modern noise control devices (i.e., mufflers, lagging, and/or motor enclosures).</p> <ol style="list-style-type: none"> 3. Impact tools (e.g., jackhammers, pavement breakers, rock drills, etc.) used for Project construction shall be hydraulically or electrically powered wherever possible to avoid noise associated with compressed air exhaust from pneumatically powered tools. 4. Where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used. 5. All construction equipment shall have the manufacturers' recommended noise abatement methods installed, such as mufflers, engine enclosures, and engine vibration insulators, intact and operational. 6. All construction equipment shall undergo inspection at periodic intervals to ensure proper maintenance and presence of noise control devices (e.g., mufflers, shrouding, etc.). 7. The Project contractor shall inform residents at properties within 300 feet of the Project of proposed construction timelines and noise compliant procedures to minimize potential annoyance related to construction noise. 			