Terry Bradley Education Center Additional Infrastructure Project

Initial Study for Supplemental Environmental Impact Report (SCH #2005101054)

prepared by

Clovis Unified School District
1450 Herndon Avenue
Clovis, California 93611
Contact: Denver Stairs, Assistant Superintendent, Facility Services

prepared with the assistance of

Rincon Consultants, Inc.
7080 North Whitney Avenue Suite 101
Fresno, California 93720

January 2023

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Environmental Scientists | Planners | Engineers
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Acronyms and Abbreviations

AB	Assembly Bill
AQMP	Air Quality Management Plan
ATP	Active Transportation Plan
BMP	Best Management Practice
CAA	Clean Air Act
CARB	California Air Resources Board
CAL FIRE	California Department of Forestry and Fire Protection
CBC	California Building Code
CBSC	California Building Standards Commission
CCAP	Climate Change Action Plan
CCR	California Code of Regulations
CDFW	California Department of Fish and Wildlife
CEC	California Energy Commission
CESA	California Endangered Species Act
CEQA	California Environmental Quality Act
CFGC	California Fish and Game Code
CGP	Construction General Permit
CH_4	Methane
CNPS	California Native Plant Society
CRHR	California Register of Historic Resources
CUSD	Clovis Unified School District
CO	Carbon Monoxide
CO_2	Carbon Dioxide
CWA	Clean Water Act
DOC	California Department of Conservation
DOF	California Department of Finance
DWR	California Department of Water Resources
EIR	Environmental Impact Report
EO	Executive Order
FCOG	Fresno Council of Governments
FESA	Federal Endangered Species Act
FEMA	Federal Emergency Management Agency

GHG	Greenhouse Gas
GSA	Groundwater Sustainability Agency
GSP	Groundwater Sustainability Plan
LAFCo	Local Agency Formation Commission
MBTA	Migratory Bird Treaty Act
MRZ	Mineral Resource Zone
NO_X	Nitrogen Oxide
NPDES	National Pollutant Discharge Elimination System
PG&E	Pacific Gas & Electric
PRC	Public Resources Code
ROG	Reactive Organic Gas
RWQCB	Regional Water Quality Control Board
SB	Senate Bill
SEDA	Southeast Development Area
SEGA	Southeast Growth Area
SGMA	Sustainable Groundwater Management Act
SJVAB	San Joaquin Valley Air Basin
SJVAPCD	San Joaquin Valley Air Pollution Control District
SOI	Sphere of Influence
SRA	State Responsibility Area
SWPPP	Storm Water Pollution Prevention Plan
SWRCB	State Water Resources Control Board
SVP	Society for Vertebrate Paleontology
TBEC	Terry Bradley Education Center
VHFHSZ	Very High Fire Hazard Severity Zone
VMT	Vehicle Miles Traveled
WSA	Water Supply Assessment
USACE	United States Army Corps of Engineers
U.S. EPA	United States Environmental Protection Agency
USFWS	United States Fish and Wildlife Service

Initial Study

This document is an initial study prepared to scope the supplement to the Fourth Educational Center Final Environmental Impact Report (EIR) (State Clearinghouse #2005101054), which was certified by the Clovis Unified School District (CUSD) in August 2008 (2008 Final EIR). This initial study addresses the proposed project which would consist of construction and operation of sewer, water, and solar facilities, including a wastewater treatment package plant (a pre-manufactured facility), an on-site groundwater well and wellhead treatment system, an on-site storage tank for potable water, and potential solar panel installation, adjacent to the approved Fourth Educational Center, also known as the Terry Bradley Education Center (TBEC).

In accordance with Section 15163 of the California Environmental Quality Act (CEQA) Guidelines, codified in Sections 15000 et seq. of Title 14 of the California Code of Regulations, where an EIR has been certified for a project, a supplemental EIR shall be prepared for the project when the lead agency determines, on the basis of substantial evidence in light of the whole record, that there are substantial changes in the project or circumstances or substantially important new information that will cause the project to have significant new impacts or substantially increase previously identified significant impacts.

This initial study has been prepared in accordance with relevant provisions of CEQA (California Public Resources Code Section 21000, et seq.) and the CEQA Guidelines. It describes the proposed project and compares its impacts to those identified in the 2008 Final EIR. The analysis demonstrates that the proposed project would require the preparation of a supplemental EIR, and focuses out environmental resource areas that have not changed since the EIR was certified.

1. Project Title

Terry Bradley Education Center Additional Infrastructure Project

2. Lead Agency Name and Address

Clovis Unified School District
1450 Herndon Avenue
Clovis, California 93611

3. Contact Person and Phone Number

Denver Stairs, Assistant Superintendent, Facility Services
Clovis Unified School District
1450 Herndon Avenue
Clovis, California 93611
Via email: DenverStairs@clovisusd.k12.ca.us

4. Project Location

The project site encompasses approximately 15 acres situated east of North Highland Avenue and north of East Clinton Avenue in the County of Fresno, approximately 1.5 miles from the City limit of Fresno. The project site is immediately adjacent to the east of the 160-acre site where the approved TBEC will be located. The project site is flat and denoted by Assessor Parcel Number 309-200-47. Regional access to the project site would be provided by State Route 180 (SR-180) and local access would be provided by North Highland Avenue and East Clinton Avenue. Figure 1 shows the regional location of the project site and Figure 2 shows the location of the project site, TBEC site, and surrounding land.

5. Project Sponsor's Name and Address

Clovis Unified School District
1450 Herndon Avenue
Clovis, California 93611

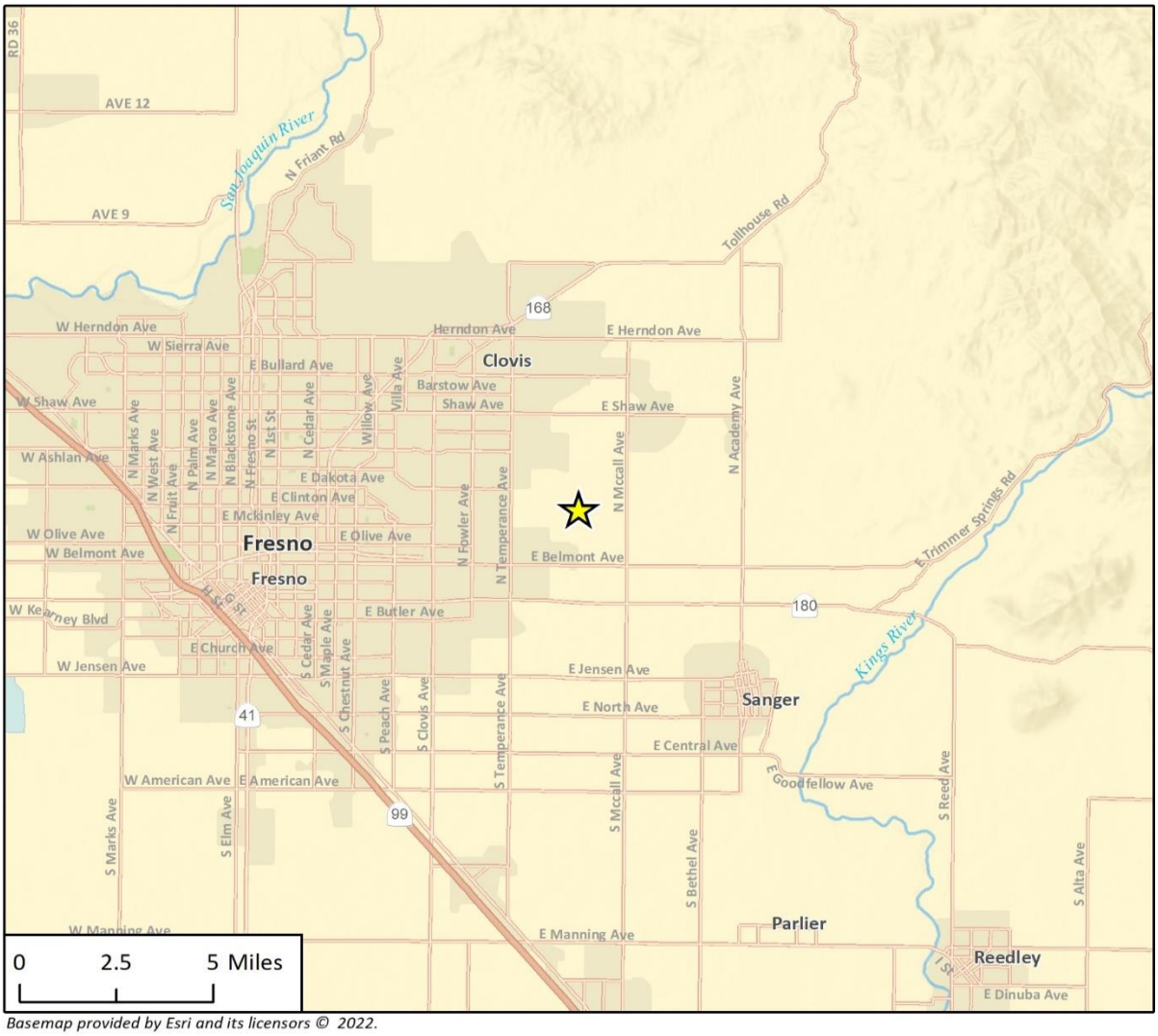
6. General Plan Designation

The project site is currently developed with agricultural uses and has a land use designation of Residential/Agriculture-Urban Preserve (City of Fresno 2022a).

7. Zoning

The project site is currently zoned as Exclusive Agricultural (County of Fresno 2022).

Figure 1 Regional Location

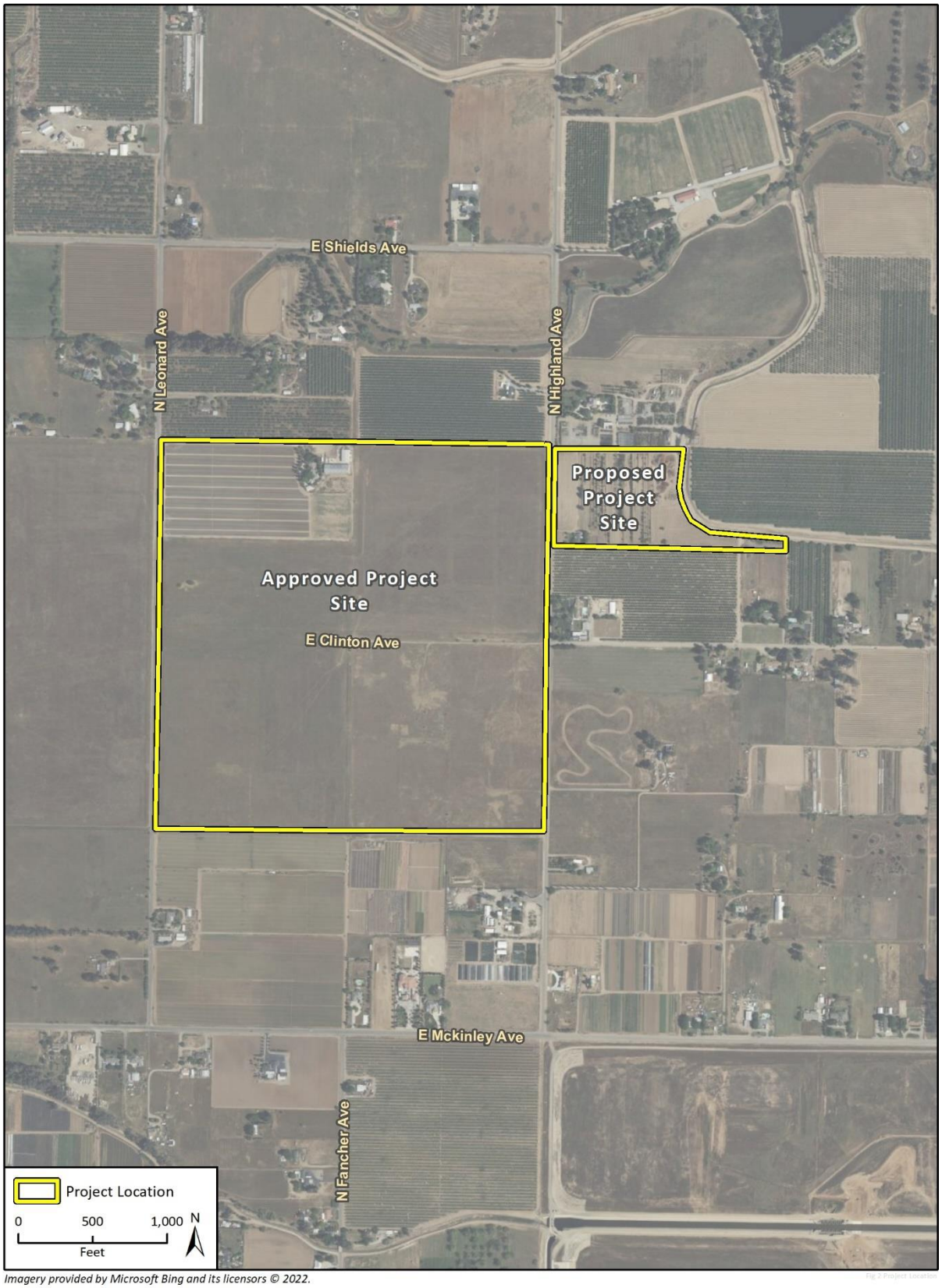


Basemap provided by Esri and its licensors © 2022.

Project Location

N

Figure 2 Project Site Location



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8. Description of Project

Project Background

The TBEC is a CUSD site that was designed to provide the student capacity necessary to accommodate population growth in the district, as projected in 2008. The TBEC includes a high school, intermediate school, and elementary school, along with recreational areas and supporting facilities consistent with other educational center sites. These schools are within the City of Fresno's Southeast Development Area (SEDA) as identified in the City of Fresno General Plan adopted on December 18, 2014, formerly identified as the Southeast Growth Area (SEGA) Specific Plan area.

In 2006, the Fresno County Local Agency Formation Commission (LAFCo) approved incorporation of SEGA into the City of Fresno, which would provide access to municipal facilities and services, including water and sewer. LAFCo's approval was contingent upon a Specific Plan being developed for SEGA, as well as all required environmental reviews and permit authorizations for the SEGA Specific Plan be complete before the LAFCo would approve annexation of the land to the City.[1] In response to LAFCo's requirement for a Specific Plan, in 2006, the City of Fresno initiated preparation of a Specific Plan for SEGA. The need to increase local school capacity had already been identified at that time, and CUSD was responding with design of the TBEC. As the TBEC is located within the SEGA Specific Plan area, and SEGA incorporation into the City had been approved by the LAFCo, CUSD reasonably anticipated that municipal water and sewer services would be provided to the site as reflected in the 2008 Final EIR (State Clearinghouse #2005101054) that was certified by CUSD's Board of Directors on August 28, 2008, along with project approval of the TBEC.

Later in 2008, the City of Fresno put the SEGA Specific Plan on hold due to uncertainties around growth and recession. Because the SEGA Specific Plan was put on hold, the municipal facilities for water and sewer were not developed within SEGA/SEDA, and consequently, not to the project site. CUSD has assessed and determined that extending City water and sewer facilities from their current end point to the project site would be cost prohibitive. The 2008 Final EIR did not identify an alternate water supply source or wastewater treatment provider, as the project design assumed municipal service connections would be provided.

CUSD intends to move forward with construction of the TBEC now, rather than waiting for City infrastructure to be developed in SEDA because there is an immediate need for increased school capacity and CUSD is authorized to construct the TBEC under the certified 2008 Final EIR. The project would provide the water and sewer facilities needed for the TBEC's operation and are necessary for the TBEC to become operational in 2025.

Description of the Proposed Project

The project would be located on an approximately 15-acre site immediately adjacent to the planned TBEC campus. The project would consist of construction and operation of sewer, water, and solar facilities, including a wastewater treatment package plant (a pre-manufactured facility), an on-site groundwater well and wellhead treatment system, an on-site storage tank for potable water, and potential solar panel installation.

[1] https://www.fresno.gov/darm/wp-content/uploads/sites/10/2022/03/Fresno-SEDA-SP-Program-EIR-NOP_4_languages.pdf

Project Design Details

In addition to the facilities described below, the proposed project would involve construction of an approximately 800-square-foot shared mobile office, conference lab, miniature kitchen, and restroom. The project would also construct a shared chlorine building and a shared shower and eye wash station.

POTABLE FACILITIES

The project would include a manifold, hydro-tank potable well, a potable water and fire booster pump station, a potable and fire water tank with a size of 1 million gallons, and a generator for the potable well and pump station.

NON-POTABLE FACILITIES

The project would include two manifold, hydro-tank, non-potable wells, a non-potable irrigation pump station, a non-potable irrigation tank with a size of 1 million gallons, and an irrigation non-potable booster pump.

WASTEWATER TREATMENT PLANT

The project's wastewater treatment plant would include the package treatment plant, a wash pad, sludge processor, sewer lift station and valve pad/valve, and a generator for the sewer lift station and package treatment plant. The project would also include four percolation basins, divided into equally sized areas, which may be interconnected with culverts and slide gates. The percolation basins would be used for tertiary treated sewer effluent, emergency sewer effluent, stormwater drainage, well development, water storage tank drain, and water storage tank emergency overflow.

SOLAR FACILITIES

Solar panels may be constructed on the eastern half of the project site, in between the wastewater treatment plant and groundwater well and wellhead treatment system. The size of potential solar facilities has not yet been determined for the project.

LANDSCAPING

Project landscaping would include a 6-foot, chain link fence around the perimeter of the project site, with gates constructed from 3-strand barred wire and dark brown polyvinyl chloride slats. The project would implement a 30-foot landscape buffer setback around the entire property, and would construct an approximately 4-foot landscape berm around the perimeter of the project site, which would include trees and shrubs.

GREEN BUILDING FEATURES

Project buildings would be constructed in accordance with the most recent CalGreen/Title 24 standards, and would include energy-efficient appliances and lighting, reclaimed water for outdoor use, water-efficient appliances and fixtures, and water-efficient irrigation. The project may also include solar facilities, the size of which is currently unknown at the time of preparation of this Initial Study.

Construction and Grading

Construction of the project is anticipated to begin in November 2023 and end in July 2025, and would occur on weekdays from 7:00 AM to 5:00 PM. Project construction may occur on non-holiday weekends, if needed. Table 1 indicates the anticipated beginning and end dates for each construction phase.

Table 1 Anticipated Start and End Dates for Phases of Project Construction

Construction Phase	Anticipated Start Date	Anticipated End Date
Demolition	November 2023	December 2023
Site Preparation	February 2024	February 2024
Grading	February 2024	March 2024
Building Construction	March 2024	July 2025
Paving	May 2025	July 2025

Project construction would require demolition of an approximately 1,500-square-foot manufactured home. Anticipated haul routes for construction vehicles would include Highland Avenue, Central Avenue, and McKinley Avenue. Construction equipment staging and worker parking would occur on the project site.

Utilities

CUSD would provide water and wastewater services to the project site. The City of Fresno would provide solid waste services to the project site. Pacific Gas and Electric (PG&E) would provide electricity and natural gas to the project site.

The project would involve construction of three PG&E meters: a meter for potable and fire water, a meter for irrigation, and a meter for the wastewater treatment plant. In addition to these meters, the project would construct a disconnect section for all off-site facilities, and a transformer for all off-site facilities.

9. Surrounding Land Uses and Setting

The project site is located in a predominantly agricultural area. The project site is adjacent to agricultural development to the east, south, and northwest, and vacant land to the north and southwest. The project site is adjacent to the planned TBEC campus to the west. North Highland Avenue serves as the project site's western boundary, and the Gould Canal serves as the project site's eastern boundary (City of Fresno 2022a). Following the adoption of the SEDA Specific Plan, the project site would be adjacent to institutional uses to the east, residential land uses to the north and east, and community center uses to the south (City of Fresno 2022b).

10. Other Public Agencies Whose Approval is Required

The proposed project would require the following approvals:

- Certification of the Supplemental EIR for the TBEC by the CUSD Board
- Approval of the construction package sewer treatment plant, water well, and potential solar panels by the CUSD Board
- Permits from applicable agencies as determined through the CEQA process.

11. Have California Native American Tribes Traditionally and Culturally Affiliated with the Project Area Requested Consultation Pursuant to Public Resources Code Section 21080.3.1?

At the time of preparation of this Initial Study, AB 52 consultation has not yet been completed. Native American tribes traditionally and culturally affiliated with the project area were contacted on November 29, 2022.

12. Prior Environmental Document

Clovis Unified School District, Fourth Educational Center Final Environmental Impact Report (2008 Final EIR). State Clearinghouse Number 2005101054, certified August 2008. This document can be viewed on CUSD's website at https://www.cusd.com/EnvironmentalReports.aspx.

13. Relationship of the Proposed Project to Previous EIR Analysis

CUSD certified the 2008 Final EIR on August 28, 2008. The 2008 Final EIR includes environmental analysis for the acquisition of the 160-acre TBEC project site, as well as construction and operation of the high school, intermediate school, elementary school, and related athletic and recreational facilities. Development of the TBEC would be required to abide by all applicable regulations and mitigation within the 2008 Final EIR. The proposed project would provide water, wastewater, and energy through utility construction and operation on a site directly east of the TBEC. Development of these utilities is necessary for the TBEC to be operational by 2025, as planned.

Environmental Factors Potentially Affected

This project would potentially affect the environmental factors checked below, involving at least one impact that is "Potentially Significant" or "Less than Significant with Mitigation Incorporated" as indicated by the checklist on the following pages.

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

Determination

Based on this initial evaluation:

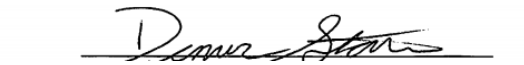
☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☐ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions to the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

■ I find that the proposed project MAY have a "potentially significant impact" or "less than significant with mitigation incorporated" 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. A SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, because all potential 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.



Signature	January 31, 2023 Date
Denver Stairs Printed Name	Assistant Superintendent Title

Environmental Checklist

1 Aesthetics

	Substantial Change in Project That May Require Major EIR Revisions	Substantial Change in Circumstances That May Require Major EIR Revisions	New Information Showing Potentially New or Greater Significant Effects than Previous EIR	Less than Significant Impact/No Changes or New Information Requiring Preparation of an EIR
Except as provided in Public Resources Code Section 21099, would the project:				
a. Have a substantial adverse effect on a scenic vista?	☐	☐	☐	■
b. Substantially damage scenic resources, including but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	■
c. In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from a publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	☐	☐	☐	■

	Substantial Change in Project That May Require Major EIR Revisions	Substantial Change in Circumstances That May Require Major EIR Revisions	New Information Showing Potentially New or Greater Significant Effects than Previous EIR	Less than Significant Impact/No Changes or New Information Requiring Preparation of an EIR
d. Create a new source of substantial light or glare that would adversely affect daytime or nighttime views in the area?	☐	☐	☐	■

Impacts Identified in the 2008 Final EIR

Impacts related to aesthetics were analyzed on pages 8-1 through 8-3 of the 2008 Final EIR. The 2008 Final EIR determined that the project would substantially alter the existing agricultural and rural visual character, which would be a significant and unavoidable impact; that the project would increase potential for litter and graffiti, which would be a less than significant impact with mitigation; that the project would increase light and glare in the vicinity, which would be a less than significant impact with mitigation; and that there would be no impact to scenic resources visible from a state scenic highway. Therefore, impacts regarding aesthetics were determined to be significant and unavoidable.

Impacts of the Proposed Project

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

A scenic vista is a view from a public place (roadway, designated scenic viewing spot, etc.) that is expansive and visually notable. It can be obtained from an elevated position (such as from the top of a hillside) or it can be seen from a roadway with a longer-range view of the landscape.

There are no designated scenic vistas in the County of Fresno or in this area of the City of Fresno. The nearest visual resource is located on the San Joaquin River bluffs, located approximately 11 miles northwest of the project site. The construction of the TBEC sewer, water, and potential solar facilities would not impact a scenic vista because the site is not located near a scenic vista; therefore, no scenic vistas would be impacted or obstructed by the proposed project. There would be no impact to scenic vistas. This topic will not be discussed in the Supplemental EIR.

LESS THAN SIGNIFICANT IMPACT/NO CHANGES OR NEW INFORMATION REQUIRING PREPARATION OF AN EIR

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

The nearest officially designated scenic highway is a portion of State Route 180 beginning approximately 16.4 miles southeast of the project site. State Route 168, approximately 6.4 miles northwest of the project site, is an eligible scenic highway but not an officially designated scenic highway (Caltrans 2022). There are no rock outcroppings, historical buildings, or other identified scenic resources on or adjacent to the project site (City of Fresno 2022a). Therefore, there would be

no impact to scenic resources visible from a state scenic highway. This topic will not be discussed in the Supplemental EIR.

LESS THAN SIGNIFICANT IMPACT/NO CHANGES OR NEW INFORMATION REQUIRING PREPARATION OF AN EIR

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

The project site is located in a currently non-urbanized area and is surrounded by agricultural uses. The project site is within the City of Fresno's Sphere of Influence (SOI), is designated for urban development as part of the City's SEDA, and will be adjacent to the school site to be constructed in 2023, which this project would support. The project site is currently utilized as agricultural lands with various trees and one existing building. Under the SEDA Specific Plan, the project site would be designated as Community Center and the surrounding area would be designated as Neighborhood Residential to the north, Mixed Residential to the east, Community Center to the south, and Institutional to the west (City of Fresno 2022b).

The proposed construction of the sewer, water, and potential solar facilities would be compatible with the designated urban uses. Development of the proposed project would remove agricultural land and would impact the visual character of the project site and its surroundings but is consistent with the planned development of the area. The proposed project would be visible from public areas in the project site's vicinity. However, the proposed project would not substantially impact public views as there are no publicly accessible vantage points in the project site's vicinity. Therefore, the project would not substantially degrade the existing visual character or quality of public views of the site and its surroundings and/or conflict with applicable zoning and other regulations governing scenic quality. This topic will not be discussed in the Supplemental EIR.

LESS THAN SIGNIFICANT IMPACT/NO CHANGES OR NEW INFORMATION REQUIRING PREPARATION OF AN EIR

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

Construction of the proposed sewer, water, and potential solar facilities would add surfaces that would create new sources of glare from various reflective materials such as windows and metal surfaces. In addition, lighting needed for the proposed project would add new light sources to the project site that could potentially adversely affect daytime or nighttime views in the area. This does not constitute a substantially more severe impact than shown in the 2008 Final EIR. This issue was assessed in the 2008 Final EIR and found to be a less than significant impact with implementation of Mitigation Measure AES-8.3.

The continued implementation of Mitigation Measure AES-8.3 from the 2008 Final EIR would address the potentially significant impacts induced by new sources of light and glare. This measure would apply to all phases of project construction and would ensure that any significant sources of light and glare are minimized. Implementation of Mitigation Measure AES-8.3 would reduce potential impacts involving light and glare to a less than significant level and would effectively mitigate the project's impacts to these resources through specific lighting requirements. This topic will not be discussed in the Supplemental EIR.

Mitigation Measure

AES-8.3: Lighting Specifications

All external signs and lighting shall be lit from the top and shine downward except where uplighting is required for safety or security purposes. The lighting shall be shielded to prevent direct glare and/or light trespass. The lighting shall also be, as much as physically possible, contained to the target area. Exterior building lighting for building or security or aesthetics shall be full cut-off, or a shielded type designed to minimize any upward distribution of light.

LESS THAN SIGNIFICANT IMPACT/NO CHANGES OR NEW INFORMATION REQUIRING PREPARATION OF AN EIR

2 Agriculture and Forestry Resources

	Substantial Change in Project That May Require Major EIR Revisions	Substantial Change in Circumstances That May Require Major EIR Revisions	New Information Showing Potentially New or Greater Significant Effects than Previous EIR	Less than Significant Impact/No Changes or New Information Requiring Preparation of an EIR
Would the project:				
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	■
b. Conflict with existing zoning for agricultural use or a Williamson Act contract?	☐	☐	☐	■
c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)); timberland (as defined by Public Resources Code				

		Substantial Change in Project That May Require Major EIR Revisions	Substantial Change in Circumstances That May Require Major EIR Revisions	New Information Showing Potentially New or Greater Significant Effects than Previous EIR	Less than Significant Impact/No Changes or New Information Requiring Preparation of an EIR
	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))?	☐	☐	☐	■
d.	Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	■
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?	☐	☐	☐	■

Impacts Identified in the 2008 Final EIR

Impacts related to agriculture and forestry resources were analyzed on pages 5-1 through 5-8 of the 2008 Final EIR. The 2008 Final EIR determined that the project would convert Prime Farmland and Farmland of Statewide Importance to non-agricultural use, which would be a significant and unavoidable impact; and that the project would conflict with existing agricultural operations, including Williamson Act contracts, which would be a significant and unavoidable impact. Therefore, impacts regarding agricultural and forestry resources were determined to be significant and unavoidable.

Impacts of the Proposed Project

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

The project site is designated as Prime Farmland by the Department of Conservation (DOC) (DOC 2022) and is currently being used for agricultural purposes. The project site has already been designated for future urban development within the City's SEDA Specific Plan Policy Draft. The 2008 Final EIR and SEDA Specific Plan EIR identified the loss of agricultural land resulting from implementation of the approved project and SEDA Specific Plan, including within the project site, as a significant and unavoidable impact. The proposed project would result in the additional loss of agricultural land beyond what was analyzed in the 2008 Final EIR. However, the proposed project's impact would remain consistent with the original significant and unavoidable conclusion as this does not constitute a substantially more severe impact then shown in the 2008 Final EIR, and therefore does not need to be studied further in the Supplemental EIR.

LESS THAN SIGNIFICANT IMPACT/NO CHANGES OR NEW INFORMATION REQUIRING PREPARATION OF AN EIR

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

The project site is not under a Williamson Act contract (Data Basin 2022). However, the construction of the sewer, water, and potential solar facilities would convert agricultural lands to non-agricultural uses. As discussed under *threshold a*, the project site has been designated for urban development as part of the City's SEDA. The project site's land use would be designated as Community Center under the SEDA Draft Specific Plan (City of Fresno 2022). Therefore, there would be no impact. This topic will not be discussed in the Supplemental EIR.

LESS THAN SIGNIFICANT IMPACT/NO CHANGES OR NEW INFORMATION REQUIRING PREPARATION OF AN EIR

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

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

The project site does not meet the definition of a forestry resource, defined by California Public Resources Code Section 12220(g) as: "land that can support ten percent native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits." The project site does not have a forest land designation. Therefore, the project would not conflict with existing zoning or cause rezoning of forest land, timberland, timberland zoned Timberland Production, or result in the loss or conversion of forest land. There would be no impact. This topic will not be discussed in the Supplemental EIR.

LESS THAN SIGNIFICANT IMPACT/NO CHANGES OR NEW INFORMATION REQUIRING PREPARATION OF AN EIR

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

The project site is used for agriculture and is zoned as Exclusive Agricultural (County of Fresno 2022). The project is surrounded by agricultural uses to the north, south, and east, which are all

zoned as Exclusive Agricultural. Development of the TBEC is occurring to the west of the project site. The project would not involve the conversion of forest land to non-forest use. However, the project would result in the direct development of existing agricultural lands to non-agricultural uses. However, as discussed under *threshold a,* the area is designated for urban development as part of the City's SEDA; under the SEDA Draft Specific Plan, the project site's land use would be designated as Community Center (City of Fresno 2022). Therefore, impacts would be less than significant. This topic will not be discussed in the Supplemental EIR.

LESS THAN SIGNIFICANT IMPACT/NO CHANGES OR NEW INFORMATION REQUIRING PREPARATION OF AN EIR

3 Air Quality

	Substantial Change in Project That May Require Major EIR Revisions	Substantial Change in Circumstances That May Require Major EIR Revisions	New Information Showing Potentially New or Greater Significant Effects than Previous EIR	Less than Significant Impact/No Changes or New Information Requiring Preparation of an EIR
Would the project:				
a. Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	■	☐
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☐	■	☐
c. 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?	☐	☐	■	☐
d. Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	■	☐
e. Create objectionable odors affecting a substantial	☐	☐	■	☐

	Substantial Change in Project That May Require Major EIR Revisions	Substantial Change in Circumstances That May Require Major EIR Revisions	New Information Showing Potentially New or Greater Significant Effects than Previous EIR	Less than Significant Impact/No Changes or New Information Requiring Preparation of an EIR
number of people?				

Impacts Identified in the 2008 Final EIR

Impacts related to air quality were analyzed on pages 10-1 through 10-27 of the 2008 Final EIR. The 2008 Final EIR determined that project construction would result short-term emissions of criteria air pollutants, which would be a less than significant impact through mitigation; that the project construction would result in short-term and long-term emissions of ozone precursor pollutants, which would be a significant and unavoidable impact; that the project would contribute to local carbon monoxide (CO) concentrations, which would be a less than significant impact through mitigation; and that the project would have a cumulative contribution to air quality impacts, which would be a significant and unavoidable impact. The 2008 Final EIR also determined that impacts related to objectionable odors and conflict with the applicable air quality management plan (AQMP) would be less than significant. Therefore, impacts regarding air quality would be significant and unavoidable.

Impacts of the Proposed Project

Setting

Air quality is defined by the concentration of pollutants in relation to their impact on human health. Concentrations of air pollutants are determined by the rate and location of pollutant emissions released by pollution sources, and the atmosphere's ability to transport and dilute such emissions. Natural factors that affect transport and dilution include terrain, wind, and sunlight. Therefore, ambient air quality conditions within the local air basin are influenced by natural factors, such as topography, meteorology, and climate, in addition to the amount of air pollutant emissions released by existing air pollutant sources.

The TBEC is located in the San Joaquin Valley Air Basin (SJVAB) under the jurisdiction of the San Joaquin Valley Air Pollution Control District (SJVAPCD). The SJVAPCD has developed and updated Guidance for Assessing and Mitigating Air Quality Impacts (2015) to evaluate project specific impacts and help determine if air quality mitigation measures are needed, or if potentially significant impacts could result.

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

According to SJVAPCD's Guidance for Assessing and Mitigating Air Quality Impacts (2015), projects with emissions below the thresholds of significance for criteria pollutants would be determined to not conflict or obstruct implementation of SJVAPCD's air quality plan. Project emissions are not able to be modelled and quantified at the time of preparation of this Initial Study. Therefore, the project may potentially generate emissions that exceed criteria pollutant thresholds of significance,

resulting in conflict with the applicable air quality plan. This impact would be potentially significant and will be analyzed further in the Supplemental EIR.

NEW INFORMATION SHOWING POTENTIALLY NEW OR GREATER SIGNIFICANT EFFECTS THAN PREVIOUS EIR

b. Would the project violate any air quality standard or contribute substantially to an existing or projected air quality violation?

c. 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?

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

The project would generate short-term emissions associated with project construction and operational emissions associated with worker trips to the proposed utility facilities. Sensitive receptors in the project area include single-family residences to the south and southeast. Emissions generated from the project would have the potential to result in significant impacts regarding violation of any air quality standard or contribution to an existing or projected air quality violation; a net increase of any criteria pollutant for which the region is in nonattainment; as well as exposure of nearby sensitive receptors to substantial pollutant concentrations. These impacts will be analyzed further in the Supplemental EIR.

NEW INFORMATION SHOWING POTENTIALLY NEW OR GREATER SIGNIFICANT EFFECTS THAN PREVIOUS EIR

e. Would the project create objectionable odors affecting a substantial number of people?

Project construction could generate odors associated with heavy-duty equipment operation and earth-moving activities. Such odors would be temporary in nature and limited to the duration of construction in the vicinity of a given receptor. With respect to operation, according to SJVAPCD's Guidance for Assessing and Mitigating Air Quality Impacts (2015), wastewater treatment facilities are listed as an odor-generating source. The project would include a wastewater treatment package plant, and odors generated from this plant would have the potential to affect sensitive receptors, including single-family residences to the south and southeast. Therefore, the project would have the potential to result in a significant impact regarding the creation of objectional odors that would affect a substantial number of people. This impact will be analyzed further in the Supplemental EIR.

NEW INFORMATION SHOWING POTENTIALLY NEW OR GREATER SIGNIFICANT EFFECTS THAN PREVIOUS EIR

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4 Biological Resources

	Substantial Change in Project That May Require Major EIR Revisions	Substantial Change in Circumstances That May Require Major EIR Revisions	New Information Showing Potentially New or Greater Significant Effects than Previous EIR	Less than Significant Impact/No Changes or New Information Requiring Preparation of an EIR
Would the project:				
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☐	■	☐
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☐	■	☐
c. Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct				

		Substantial Change in Project That May Require Major EIR Revisions	Substantial Change in Circumstances That May Require Major EIR Revisions	New Information Showing Potentially New or Greater Significant Effects than Previous EIR	Less than Significant Impact/No Changes or New Information Requiring Preparation of an EIR
	removal, filling, hydrological interruption, or other means?	☐	☐	■	☐
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?	☐	☐	☐	■
e.	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	■
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?	☐	☐	☐	■

Impacts Identified in the 2008 Final EIR

Impacts related to biological resources were analyzed on pages 6-1 through 6-18 of the 2008 Final EIR. The 2008 Final EIR determined that the project could result in mortality of special-status bird and bat species, which would be a less than significant impact through mitigation; and that the project would have a less than significant impact regarding loss of habitat and wildlife movement. The 2008 Final EIR also determined that the project would have no impact regarding riparian habitat, sensitive natural communities, wetlands, or conflict with biological resource policies. Therefore, impacts regarding biological resources would be less than significant with mitigation incorporated.

Impacts of the Proposed Project

Existing Setting

The project site is flat, currently developed with agricultural uses, and located in a predominately agricultural area within the City of Fresno's SEDA. Surrounding land uses include agricultural development to the east, south, and northwest, and vacant land to the north and southwest.

Regulatory Setting

FEDERAL AND STATE

Regulatory authority over biological resources is shared by federal, state, and local agencies under a variety of laws, ordinances, regulations, and statutes. Primary authority for biological resources lies within the land use control and planning authority of local jurisdictions (in this instance, the City of Fresno).

The California Department of Fish and Wildlife (CDFW) is a trustee agency for biological resources throughout the State under CEQA and has direct jurisdiction under the California Fish and Game Code (CFGC). Under the California Endangered Species Act (CESA) and the federal Endangered Species Act (FESA), the CDFW and the U.S. Fish and Wildlife Service (USFWS), respectively, have direct regulatory authority over species formally listed as threatened or endangered (and listed as rare for CDFW). Native and/or migratory bird species are protected under the Migratory Bird Treaty Act and CFGC Sections 3503, 3503.5, and 3511.

Laws and regulations found within the Clean Water Act (CWA), CFGC, California Water Code, and California Code of Regulations (CCR) protect wetlands and riparian habitat. The U.S. Army Corps of Engineers (USACE) has regulatory authority over wetlands and other waters of the United States under Section 404 of the CWA. The State Water Resources Control Board and the nine Regional Water Quality Control Boards (RWQCBs) ensure water quality protection in California pursuant to Section 401 of the CWA and Section 13263 of the Porter-Cologne Water Quality Control Act. The CDFW regulates certain waters features, such as streams and lakes, under the CFGC Section 1600 et seq.

Special status species are those plants and animals: 1) listed, proposed for listing, or candidates for listing as Threatened or Endangered by the USFWS and the National Marine Fisheries Service (NMFS) under the FESA; 2) listed or proposed for listing as Candidates, Rare, Threatened, or Endangered by the CDFW under the CESA; 3) recognized as California Species of Special Concern (CSSC) by the CDFW; 4) afforded protection under the Migratory Bird Treaty Act (MBTA) or CFGC; and 5) occurring on Lists 1 and 2 of the California Native Plant Society's California Rare Plant Ranking (CRPR) system.

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

A search of the USFWS Information Planning and Consultation system concluded that the project site does not contain critical habitats (USFWS 2022a). The project site is currently developed with agricultural uses and is predominately surrounded by agriculture, and thus is unlikely to contain special-status plant and wildlife taxa recognized on the California Native Plant Society (CNPS) Online

Inventory of Rare and Endangered Plants of California (CNPS 2022) and the CDFW State and Federally Listed Endangered, Threatened, And Rare Plants of California (CDFW 2022a). A field visit conducted by Rincon Consultants, Inc. in November 2022 concluded that the project site serves as an extension of a plant nursery to the south, and mostly consists of weeds and ornamental vegetation.

The project site contains trees that may provide habitat for nesting birds protected under the MBTA and CFGC. Further review is necessary to determine if the project could significantly impact special-status species, including nesting birds. Potential impacts to such biological resources will be analyzed further in the Supplemental EIR.

NEW INFORMATION SHOWING POTENTIALLY NEW OR GREATER SIGNIFICANT EFFECTS THAN PREVIOUS EIR

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 U.S. Fish and Wildlife Service?

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?

The project site does not contain riparian habitat, as there are no creeks or rivers located on-site. The project site is adjacent to the Gould Canal on its eastern boundary, which is an agricultural canal identified as riverine wetlands by USFWS (USFWS 2022b). The proposed project would consist of new utilities improvements on the project site, including wastewater discharge into the Gould Canal. The proposed discharge would have the potential to significantly impact riparian or wetland areas; this impact will be analyzed further in the Supplemental EIR.

NEW INFORMATION SHOWING POTENTIALLY NEW OR GREATER SIGNIFICANT EFFECTS THAN PREVIOUS EIR

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?

The project site and surrounding vicinity are not identified as Essential Connectivity Areas by CDFW (CDFW 2022b). Given the current agricultural development on the project site and in the surrounding area, it is unlikely that wildlife movement corridors or habitat linkages would be present in the project site. Due to the relatively small size of the project footprint, and its location in proximity with existing development and agricultural use, the project would not interfere substantially with the movement of wildlife species. Impacts to wildlife movement would be less than significant. This topic will not be discussed in the Supplemental EIR.

LESS THAN SIGNIFICANT IMPACT/NO CHANGES OR NEW INFORMATION REQUIRING PREPARATION OF AN EIR

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

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 project would not conflict with local policies or ordinances protecting biological resources. The City of Fresno's tree preservation ordinance applies to public trees, and trees within the project site are located on private property and thus are not subject to the ordinance. The project site is not within the boundaries of any approved or adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other adopted local, regional, or state Habitat Conservation Plan (CDFW 2022c). There would be no impact involving conflict with biological resource policies or adopted habitat conservation plans. This topic will not be discussed in the Supplemental EIR.

LESS THAN SIGNIFICANT IMPACT/NO CHANGES OR NEW INFORMATION REQUIRING PREPARATION OF AN EIR

5 Cultural Resources

	Substantial Change in Project That May Require Major EIR Revisions	Substantial Change in Circumstances That May Require Major EIR Revisions	New Information Showing Potentially New or Greater Significant Effects than Previous EIR	Less than Significant Impact/No Changes or New Information Requiring Preparation of an EIR
Would the project:				
a. Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	☐	☐	☐	■
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☐	■	☐
c. Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	■	☐

Impacts Identified in the 2008 Final EIR

Impacts related to cultural resources were analyzed on pages 7-1 through 7-5 of the 2008 Final EIR. The 2008 Final EIR determined that the project could impact subsurface cultural resources, which would be a less than significant impact through mitigation; and that the project would have no impact to historic resources. Therefore, impacts regarding cultural resources would be less than significant with mitigation.

Impacts of the Proposed Project

This section provides an analysis of the project's impacts on cultural resources, including historical and archaeological resources, as well as human remains. CEQA requires a lead agency determine whether a project may have a significant effect on historical resources (Public Resources Code [PRC], Section 21084.1). A historical resource is a resource listed in, or determined to be eligible for listing in, the California Register of Historical Resources (CRHR); a resource included in a local register of historical resources; or any object, building, structure, site, area, place, record, or manuscript a lead agency determines to be historically significant (CEQA Guidelines, Section 15064.5[a][1-3]).

A resource shall be considered historically significant if it:

1. Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
2. Is associated with the lives of persons important in our past;

3. Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or
4. Has yielded, or may be likely to yield, information important in prehistory or history.

In addition, if it can be demonstrated that a project would cause damage to a unique archaeological resource, the lead agency may require reasonable efforts be made to permit any or all of these resources to be preserved in place or left in an undisturbed state. To the extent that resources cannot be left undisturbed, mitigation measures are required (PRC, Section 21083.2[a], [b]).

PRC, Section 21083.2(g) defines a unique archaeological resource as an archaeological artifact, object, or site about which it can be clearly demonstrated that, without merely adding to the current body of knowledge, there is a high probability that it:

1. Contains information needed to answer important scientific research questions and that there is a demonstrable public interest in that information;
2. Has a special and particular quality such as being the oldest of its type or the best available example of its type; or
3. Is directly associated with a scientifically recognized important prehistoric or historic event or person.

At the time of this Initial Study, a Phase I Cultural Resources Study is currently being drafted for the proposed project. Preliminary background research and desktop research conducted for the Phase I Cultural Resources Study was used to inform this preliminary environmental analysis.

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

According to preliminary background research conducted for the Phase I Cultural Resources Study, there are no historic-period cultural resources or historical resources within the project site. As such, the project would not result in a substantial adverse change in the significance of any known or potential historical resource pursuant to Section 15064.5. No impact would occur. This topic will not be discussed in the Supplemental EIR.

LESS THAN SIGNIFICANT IMPACT/NO CHANGES OR NEW INFORMATION REQUIRING PREPARATION OF AN EIR

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

The project site has been previously disturbed by agricultural development. Despite previous development, construction activities associated with the proposed project could involve ground disturbance below the level of previous ground disturbance. Therefore, there is a potential for discovery of archeological resources. These impacts would be potentially significant and will be discussed further in the Supplemental EIR.

NEW INFORMATION SHOWING POTENTIALLY NEW OR GREATER SIGNIFICANT EFFECTS THAN PREVIOUS EIR

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

The discovery of human remains is always a possibility during ground disturbing activities, which would be required for the proposed project. Therefore, there is a potential for discovery of human remains during project construction activities. These impacts would be potentially significant and will be discussed further in the Supplemental EIR.

NEW INFORMATION SHOWING POTENTIALLY NEW OR GREATER SIGNIFICANT EFFECTS THAN PREVIOUS EIR

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6 Energy

	Substantial Change in Project That May Require Major EIR Revisions	Substantial Change in Circumstances That May Require Major EIR Revisions	New Information Showing Potentially New or Greater Significant Effects than Previous EIR	Less than Significant Impact/No Changes or New Information Requiring Preparation of an EIR
Would the project:				
a. Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	☐	☐	■	☐
b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	☐	■

Impacts Identified in the 2008 Final EIR

Impacts related to energy were analyzed on pages 19-1 through 19-3 of the 2008 Final EIR. The 2008 Final EIR determined that the project would consume electricity and natural gas, which would be a less than significant impact through mitigation; and that project-generated vehicle trips would have a less than significant impact on the consumption of non-renewable energy resources. Therefore, impacts regarding energy would be less than significant with mitigation incorporated.

Impacts of the Proposed Project

Electricity and Natural Gas

California has one of the lowest per capita energy use rates in the United States due to its energy efficiency programs and mild climate (United States Energy Information Administration 2022). Electricity and natural gas are primarily consumed by the built environment for lighting, appliances, heating, and cooling systems, fireplaces, and other uses such as industrial processes in addition to being consumed by alternative fuel vehicles. In 2018, Senate Bill 100 (SB 100) accelerated the state's Renewable Portfolio Standards Program, codified in the Public Utilities Act, by requiring electricity providers to increase procurement from eligible renewable energy and zero-carbon resources to 33 percent of total retail sales by 2020, 60 percent by 2030, and 100 percent by 2045. PG&E would provide electricity and natural gas to the project site. Table 2 summarizes the electricity and natural gas consumption for Fresno County, in which the project site would be located, and for PG&E, as compared to statewide consumption.

Table 2 2021 Electricity and Natural Gas Consumption

Energy Type	Fresno County	PG&E	California	Proportion of PG&E Consumption	Proportion of Statewide Consumption[5]
Electricity (GWh)	8,378[1]	78,588[3]	280,738[1]	10.7%	3.0%
Natural Gas (millions of therms)	319[2]	4467[4]	11,922[2]	6.3%	7.1%

GWh = gigawatt-hours

[1] California Energy Commission (CEC) 2022a

[2] CEC 2022b

[3] CEC 2022c

[4] CEC 2022d

[5] For reference, the population of Fresno County (1,011,273 persons) is approximately 2.6 percent of the population of California (39,185,605 persons) (California Department of Finance [DOF] 2022).

Petroleum

Gasoline, which is used by light-duty cars, pickup trucks, and sport utility vehicles, is the most used transportation fuel in California with 11.6 billion gallons sold in 2021 (California Energy Commission [CEC] 2022e). Diesel, which is used primarily by heavy duty-trucks, delivery vehicles, buses, trains, ships, boats and barges, farm equipment, and heavy duty construction and military vehicles, is the second most used fuel in California with 1.6 billion gallons sold in 2021 (CEC 2022e). Table 3 summarizes the petroleum fuel consumption for Fresno County, where the project site is located, as compared to statewide consumption.

Table 3 2021 Annual Gasoline and Diesel Consumption

Fuel Type	Fresno County (millions of gallons)	California (millions of gallons)	Proportion of Statewide Consumption[1]
Gasoline	387	11,618	3.3%
Diesel	91	1,611	5.6%

[1] For reference, the population of Fresno County (1,011,273 persons) is approximately 2.6 percent of the population of California (39,185,605 persons) (DOF 2022).

Source: CEC 2022e

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

Construction

During project construction, energy would be consumed in the form of petroleum-based fuels used to power off-road heavy-duty vehicles and equipment on the project site, worker travel to and from the project site, and vehicles used to deliver materials to the site. Energy use during construction would be temporary in nature and heavy-duty equipment used would be typical of similar-sized construction projects in the region. In addition, project contractors would be required to comply

with the provisions of CCR Title 13 Sections 2449 and 2485, which prohibit diesel-fueled commercial motor vehicles and off-road diesel vehicles from idling for more than five minutes and would minimize unnecessary fuel consumption. Heavy-duty equipment would be subject to the United States Environmental Protection Agency (U.S. EPA) Construction Equipment Fuel Efficiency Standard, which would also minimize inefficient, wasteful, or unnecessary fuel consumption. These practices would result in efficient use of energy necessary to perform construction of the project. In the interest of cost-efficiency, project contractors also would not utilize fuel in a manner that is wasteful or unnecessary. A quantitative analysis of energy consumption during project construction is not available until more detailed modelling of project emissions is available. Therefore, project construction would potentially result in substantial consumption of energy resources. This impact would be potentially significant and will be discussed further in the Supplemental EIR.

Operation

Project operation would require energy use in the form of electricity, natural gas, and gasoline consumption. Natural gas would be used for heating and cooling systems and electricity would be used for lighting and appliances. Gasoline consumption would be attributed to vehicular travel from staff traveling to and from the project site. The project would comply with standards set in California Building Code (CBC) Title 24, which would minimize the wasteful, inefficient, or unnecessary consumption of energy resources during operation. CalGreen (as codified in CCR Title 24, Part 11) requires implementation of energy-efficient light fixtures and building materials into the design of new construction projects. Furthermore, the 2020 Building Energy Efficiency Standards (CBC Title 24, Part 6) requires newly constructed buildings to meet energy performance standards set by the CEC. These standards are specifically crafted for new buildings to achieve energy efficient performance. The standards are updated every three years, and each iteration increases energy efficiency standards.

A quantitative analysis of energy consumption during project operation is not available until more detailed modelling of project emissions is available. Therefore, project operation would potentially result in substantial consumption of energy resources. This impact would be potentially significant and will be discussed further in the Supplemental EIR.

NEW INFORMATION SHOWING POTENTIALLY NEW OR GREATER SIGNIFICANT EFFECTS THAN PREVIOUS EIR

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

The project would result in increased energy consumption when compared to existing conditions, through electricity to power facilities, natural gas for heating, and petroleum use by motor vehicles traveling to and from the project site. As discussed under *threshold (a)*, new development would comply with Title 24 Building Energy Efficiency Standards.

The project site is located in the SEDA as identified in the City of Fresno General Plan. Following the adoption of the SEDA Specific Plan, the proposed project would be consistent with the following SEDA policies (City of Fresno 2022).

- **Policy OS-2.5, Renewable Energy Generation**: Support renewable energy technology systems in open spaces, where appropriate.
- **Policy PF-4.5, On-Site Renewable Energy Generation:** Pursue opportunities to develop renewable energy systems for civic facilities.

- **Policy EO-1.5, Local & Regional Economic Development**: Coordinate with other local and regional economic development efforts to build on opportunities presented by new development in the SEDA. This includes plans and programs of the City of Fresno Economic Development Department, as well as any related efforts.
  - Renewable Energy – Plans for two major utility-scale solar farms, and other key potential assets such as biomass generation, to position Fresno to lead in energy technology.

In addition, SB 100 mandates 100 percent clean electricity for California by 2045. Considering the project would be powered by the existing electricity grid and potentially supplemented from its own solar power system, the project would eventually be powered completely by renewable energy as mandated by SB 100 and would not conflict with this statewide plan. Therefore, no conflict with an applicable plan, policy or regulation adopted for the purpose of renewable energy or energy efficiency is anticipated. There would be no impact. This topic will not be discussed in the Supplemental EIR.

LESS THAN SIGNIFICANT IMPACT/NO CHANGES OR NEW INFORMATION REQUIRING PREPARATION OF AN EIR

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7 Geology and Soils

	Substantial Change in Project That May Require Major EIR Revisions	Substantial Change in Circumstances That May Require Major EIR Revisions	New Information Showing Potentially New or Greater Significant Effects than Previous EIR	Less than Significant Impact/No Changes or New Information Requiring Preparation of an EIR
Would the project:				
a. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
1. 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?	☐	☐	☐	■
2. Strong seismic ground shaking?	☐	☐	☐	■
3. Seismic-related ground failure, including liquefaction?	☐	☐	☐	■
4. Landslides?	☐	☐	☐	■
b. Result in substantial soil erosion or the loss of topsoil?	☐	☐	☐	■
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of				

		Substantial Change in Project That May Require Major EIR Revisions	Substantial Change in Circumstances That May Require Major EIR Revisions	New Information Showing Potentially New or Greater Significant Effects than Previous EIR	Less than Significant Impact/No Changes or New Information Requiring Preparation of an EIR
	the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	☐	☐	☐	■
d.	Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	☐	☐	☐	■
e.	Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	☐	■
f.	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☐	■

Impacts Identified in the 2008 Final EIR

Impacts related to geology and soils were analyzed on pages 4-1 through 4-5, impacts related to drainage and erosion were analyzed on pages 14-1 through 14-4, and impacts related to paleontological resources were analyzed on pages 7-1 through 7-5 of the 2008 Final EIR. The 2008 Final EIR determined that impacts related to geologic hazards, seismic hazards, and soil conditions would be less than significant with regulatory compliance; that the project would have a less than significant impact through mitigation for erosion and runoff; and that the project could impact subsurface paleontological resources, which would be a less than significant impact through

mitigation. Therefore, impacts regarding geology and soils, and paleontological resources, would be less than significant with mitigation incorporated.

Impacts of the Proposed Project

a.1. Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?

a.2. Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking?

The closest fault to the project site is the Kern Canyon Fault, located approximately 66 miles to the southeast (DOC 2015). The project site is not located within a designated Alquist-Priolo Earthquake Fault Zone (DOC 2022) and would not directly or indirectly cause risk of loss, injury, or death due to strong seismic ground shaking.

The proposed project would be required to comply with the California Building Standards Commission (CBSC), which provides minimum standards to ensure that proposed structures are designed using sound engineering practices and appropriate engineering standards for the seismic area in which a project site is located. Projects designed in accordance with the CBSC would be able to: 1) resist minor earthquakes without damage; 2) resist moderate earthquakes without structural damage, but with some non-structural damage; and 3) resist major earthquakes without collapse, but with some structural, as well as non-structural, damage. Although conformance with the CBSC does not guarantee that substantial structural damage would not occur in the event of a maximum magnitude earthquake, conformance with the CBSC can reasonably be assumed to ensure that the proposed structures would be survivable, allowing occupants to safely evacuate in the event of a major earthquake.

As the project site is not located within an Alquist-Priolo Earthquake Fault Zone and would be required to comply with the CBSC building codes, impacts involving risk of loss, injury, or death from rupture of a known earthquake fault or strong seismic ground shaking would be less than significant.

LESS THAN SIGNIFICANT IMPACT/NO CHANGES OR NEW INFORMATION REQUIRING PREPARATION OF AN EIR

a.3. Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving seismic-related ground failure, including liquefaction?

Liquefaction occurs when the strength and stiffness of a soil is reduced by intense ground shaking typically associated with an earthquake in areas with a high groundwater table, i.e., where groundwater is present at shallow depths below the ground surface. Liquefaction potential is considered fairly minor within the City of Fresno Planning Area, in which the project site is located, given the Planning Area's distance from active fault zones and that soil types in the area are not conducive to liquefaction (County of Fresno 2018). The County's Multi-Jurisdictional Hazard Mitigation Plan, adopted in 2018, notes that no soil liquefaction has been observed in the City of Fresno from any seismic event (County of Fresno 2018). Therefore, the project site is not located in a liquefaction hazard area, and there would be no impacts involving risk of loss, injury, or death from liquefaction. This topic will not be discussed in the Supplemental EIR.

LESS THAN SIGNIFICANT IMPACT/NO CHANGES OR NEW INFORMATION REQUIRING PREPARATION OF AN EIR

a.4. Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving landslides?

In general, a landslide event may be triggered by removing material down-slope of potentially unstable materials that would otherwise support such materials; placing fill or heavy structures upslope of potentially unstable materials; or applying substantial amounts of water to the surface or subsurface such that it decreases the strength of potentially unstable geologic areas. The County's Multi-Jurisdictional Hazard Mitigation Plan identifies landslide hazard areas to include foothill and mountain areas where fractured and steep slopes are present, areas where less consolidated or weathered soils overlie bedrock, and areas where inadequate ground cover accelerates erosion (County of Fresno 2018). The project site is located in central Fresno County within the valley area, where there is low risk for landslides due to the relatively flat topography (County of Fresno 2018). The project site and surrounding land uses are generally flat and are not located within an identified landslide zone. Thus, there would be no impact involving risk of loss, injury, or death from landslides. This topic will not be discussed in the Supplemental EIR.

LESS THAN SIGNIFICANT IMPACT/NO CHANGES OR NEW INFORMATION REQUIRING PREPARATION OF AN EIR

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

Soil erosion or the loss of topsoil may occur when soils are disturbed but not secured or restored, such that wind or rain events may mobilize disturbed soils, resulting in their transport off the project site. Development of the proposed project would involve construction activities such as stockpiling, grading, excavation, and other earth-disturbing activities that could result in erosion or the loss of topsoil.

Construction activities that disturb one or more acres of land surface are subject to the National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Order No. 2012-0006-DWQ) adopted by the State Water Resources Control Board (SWRCB). Compliance with the permit requires each qualifying development project to file a Notice of Intent with the SWRCB. Permit conditions require development of a storm water pollution prevention plan (SWPPP), which must describe the site, the facility, erosion and sediment controls, runoff water quality monitoring, means of waste disposal, implementation of approved local plans, control of construction sediment and erosion control measures, maintenance responsibilities, and non-storm water management controls. Inspection of construction sites before and after storms is also required to identify storm water discharge from the construction activity and to identify and implement erosion controls, where necessary. Adherence to the NPDES Construction General Permit (CGP) would ensure the project is designed to support erosion control. Thus, impacts would be less than significant. This topic will not be discussed in the Supplemental EIR.

LESS THAN SIGNIFICANT IMPACT/NO CHANGES OR NEW INFORMATION REQUIRING PREPARATION OF AN EIR

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

Unstable soils are those soils which are physically unsuitable to support buildings, roads, utilities, or other development-related improvements, or which have the potential for slope failure, erosion, or subsidence. As mentioned above in *thresholds a.3* and *a.4*, the project site is not located within a landslide zone or a liquefaction zone. Therefore, the potential for landslides, liquefaction, or lateral spreading to pose a risk to the proposed project would be relatively low. Land subsidence is the gradual, local settling or sinking of the earth's surface with little or no horizontal motion and is typically a result of groundwater depletion. The County's Multi-Jurisdictional Hazard Mitigation Plan identifies the project site is located in an area at low risk of subsidence (County of Fresno 2018).

CBSC building regulations require the preparation of geotechnical reports, which would determine the site's potential for subsidence and recommend necessary design features to ensure the stability of proposed structures. Compliance with CBSC building regulations would reduce impacts related to unstable soils. Impacts would be less than significant. This topic will not be discussed in the Supplemental EIR.

LESS THAN SIGNIFICANT IMPACT/NO CHANGES OR NEW INFORMATION REQUIRING PREPARATION OF AN EIR

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

Expansive soils are those soils which can undergo substantial changes in volume (i.e., shrink-or-swell potential), due to variations in moisture content. The project site is not located in an area identified to be susceptible to expansive soils (County of Fresno 2018). The project site consists of Atwater loamy sand (AoA) and Atwater sandy loam (ArA); both of these soils have low susceptibility to expansion, given their high drainage properties (United States Department of Agriculture Natural Resources Conservation Service 2022).

Additionally, the proposed project would comply with CBSC requirements to address soil-related hazards. In cases where soil remediation is not feasible, the CBC requires structural reinforcement of foundations to resist the forces of expansive soils. Impacts involving expansive soils would be less than significant. This topic will not be discussed in the Supplemental EIR.

LESS THAN SIGNIFICANT IMPACT/NO CHANGES OR NEW INFORMATION REQUIRING PREPARATION OF AN EIR

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

The proposed project would involve construction of a wastewater treatment plant and disposal system, which would discharge into Gould Canal. Discharge from the proposed wastewater treatment plant would comply with all federal and State wastewater requirements, including an NPDES permit for regulated discharge. Impacts would be less than significant. This topic will not be discussed in the Supplemental EIR.

LESS THAN SIGNIFICANT IMPACT/NO CHANGES OR NEW INFORMATION REQUIRING PREPARATION OF AN EIR

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

Paleontological resources, or fossils, are the evidence of once-living organisms preserved in the rock record. They include both the fossilized remains of ancient plants and animals and the traces thereof (e.g., trackways, imprints, burrows). Paleontological resources are not found in "soil" but are contained within the geologic deposits or bedrock that underlies the soil layer. Typically, fossils are greater than 5,000 years old (i.e., older than middle Holocene in age) and are typically preserved in sedimentary rocks. Although rare, fossils can also be preserved in volcanic rocks and low-grade metamorphic rocks under certain conditions (Society of Vertebrate Paleontology [SVP] 2010). Fossils occur in a non-continuous and often unpredictable distribution within some sedimentary units, and the potential for fossils to occur within sedimentary units depends on several factors. It is possible to evaluate the potential for geologic units to contain scientifically important paleontological resources, and therefore evaluate the potential for impacts to those resources and provide mitigation for paleontological resources if they are discovered during construction of a development project.

According to the SVP (2010) classification system, geologic units can be assigned a high, low, undetermined, or no potential for containing scientifically significant nonrenewable paleontological resources. This criterion is based on rock units within which vertebrate or significant invertebrate fossils have been determined by previous studies to be present or likely to be present. The potential for impacts to significant paleontological resources is based on the potential for ground disturbance to directly impact paleontologically sensitive geologic units. Based on published geologic maps, Rincon assessed whether high sensitivity geologic units potentially underlie the project site.

The project site contains one geologic unit mapped at ground surface: Quaternary (Holocene) alluvial fan deposits (Qf) (Matthews & Burnett 1965). Based on a literature review, and in accordance with SVP (2010) guidelines, Quaternary alluvial fan deposits underlying the project site were determined to have low paleontological sensitivity. Holocene units, such as Quaternary alluvial fan deposits, are likely too young (i.e., less than 5,000 years old) to preserve scientifically significant paleontological resources. The proposed ground-disturbing activities associated with this project are unlikely to reach depths at which younger sediments could transition into older, potentially higher-sensitivity sediments. Similar to the 2008 Final EIR, project activities, such as well drilling, have the potential to disturb resources at greater depths; a paleontological Worker Environmental Awareness Program would be required to reduce impacts to a less than significant level. This does not constitute a substantially more severe impact then shown in the 2008 Final EIR.

Implementation of Mitigation Measure CUL-7.1 from the 2008 Final EIR would address the potentially significant impacts if unanticipated paleontological resources were damaged or destroyed during project implementation and ground-disturbing activities. This measure would apply to all phases of project construction and would ensure that any significant fossils present on-site are preserved. Implementation of Mitigation Measure CUL-7.1 would reduce potential impacts to paleontological resources to a less than significant level and would effectively mitigate the project's impacts to these resources through the recovery, identification, and curation of previously unrecovered fossils as previously identified in the 2008 Final EIR.

Mitigation Measure

CUL-7.1: Unanticipated Fossil Discovery

Paleontological Worker Environmental Awareness Program. Prior to the start of construction, a Qualified Professional Paleontologist (as defined by SVP [2010]) or their designee shall conduct a paleontological Worker Environmental Awareness Program (WEAP) training for construction

personnel regarding the appearance of fossils and the procedures for notifying paleontological staff should fossils be discovered by construction staff.

Unanticipated Discovery of Paleontological Resources. In the event a fossil is discovered during construction of the project, excavations within 50 feet of the find shall be temporarily halted or delayed until the discovery is examined by a Qualified Professional Paleontologist. The project applicant shall include a standard inadvertent discovery clause in every construction contract to inform contractors of this requirement. If the find is determined to be significant, the applicant shall retain a Qualified Professional Paleontologist to direct all mitigation measures related to paleontological resources. The Qualified Professional Paleontologist shall design and carry out a data recovery plan consistent with the SVP (2010) standards.

NEW INFORMATION SHOWING POTENTIALLY NEW OR GREATER SIGNIFICANT EFFECTS THAN PREVIOUS EIR

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8 Greenhouse Gas Emissions

	Substantial Change in Project That May Require Major EIR Revisions	Substantial Change in Circumstances That May Require Major EIR Revisions	New Information Showing Potentially New or Greater Significant Effects than Previous EIR	Less than Significant Impact/No Changes or New Information Requiring Preparation of an EIR
Would the project:				
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	■	☐
b. Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	■	☐

Impacts Identified in the 2008 Final EIR

Impacts related to GHG emissions were analyzed on pages 10-1 through 10-27 of the 2008 Final EIR. The 2008 Final EIR determined that project construction would result in short-term GHG emissions, which would be a less than significant impact through mitigation; that project construction would result in short-term and long-term emissions of ozone precursor pollutants, which would be a significant and unavoidable impact; and that the project would have a cumulative contribution to GHG impacts, which would be a significant and unavoidable impact. Therefore, impacts regarding GHG emissions would be significant and unavoidable.

Impacts of the Proposed Project

Setting

GHGs are any gases that absorb infrared radiation in the atmosphere and are different than the criteria pollutants discussed in Section 3, Air Quality, above. The primary GHGs that are emitted into the atmosphere as a result of human activities are carbon dioxide (CO_2), methane (CH_4), nitrogen oxides (NOx), and fluorinated gases. These are most commonly emitted through the burning of fossil fuels (oil, natural gas, and coal), agricultural practices, decay of organic waste in landfills, and a variety of other chemical reactions and industrial processes (e.g., the manufacturing of cement).

In October 2008, the California Air Resources Board (CARB) published the Climate Change Proposed Scoping Plan, which is the state's plan to achieve GHG reductions in California required by Assembly Bill (AB) 32. The Scoping Plan included CARB-recommended GHG reductions for each emissions sector of the state's GHG inventory. SB 32 and Executive Order (EO) S-3-05 extended the state's GHG reduction goals and require CARB to regulate sources of GHGs to meet the following goals:

(a) Reduce GHG emissions to 1990 levels by 2020;

(b) Reduce GHG emissions to 40% below 1990 levels by 2030; and

(c) Reduce GHG emissions to 80% below 1990 levels by 2050.

The first update of the Scoping Plan was approved by the CARB on May 22, 2014, which looked past 2020 to set mid-term goals (2030–2035) toward reaching the 2050 goals. The most recent update released by CARB is the 2022 Climate Change Scoping Plan, which was released in November 2022. The 2022 Climate Change Scoping Plan incorporates strategies to achieve carbon neutrality by 2045 or earlier, outlining a technologically feasible, cost-effective, and equity-focused path to achieve the state's climate target.

When assessing the significance of potential impacts for CEQA compliance, an individual project's GHG emissions will generally not result in direct significant impacts because the climate change issue is global in nature. However, an individual project could be found to contribute to a potentially significant cumulative impact. The SJVAPCD Climate Change Action Plan (CCAP), adopted in 2009, assists lead agencies, project proponents, permit applicants, and interested parties in assessing and reducing the impacts of project specific GHG emissions on global climate change. The guidance and policy rely on the use of performance-based standards to assess significance of project-specific GHG emissions on global climate change during the CEQA review process. Demonstration of a 29-percent reduction in GHG emissions from business-as-usual is required to determine that a project would have a less-than- significant impact and would be consistent with the 2020 GHG emissions reduction targets under AB 32. Therefore, the CCAP is not considered a qualified GHG reduction strategy for assessing the significance of GHG emissions generated by projects with a horizon year beyond 2020.

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

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

Project construction would generate GHG emissions from the operation of heavy machinery, equipment and materials haul truck trips, and construction worker trips to and from the project site. Operation of the project would generate GHG emissions associated with area and mobile sources.

The project would have the potential to generate GHG emissions that may have a significant impact on the environment, which would also result in conflict with applicable GHG plans, policies, or regulations. These impacts would be potentially significant and will be analyzed further in the Supplemental EIR.

NEW INFORMATION SHOWING POTENTIALLY NEW OR GREATER SIGNIFICANT EFFECTS THAN PREVIOUS EIR

9 Hazards and Hazardous Materials

	Substantial Change in Project That May Require Major EIR Revisions	Substantial Change in Circumstances That May Require Major EIR Revisions	New Information Showing Potentially New or Greater Significant Effects than Previous EIR	Less than Significant Impact/No Changes or New Information Requiring Preparation of an EIR
Would the project:				
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☐	■
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☐	■
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school?	☐	☐	☐	■
d. Be located on a site that is included on a list of hazardous material 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?	☐	☐	☐	■
e. For a project located in an airport land use plan or, where such a	☐	☐	☐	■

		Substantial Change in Project That May Require Major EIR Revisions	Substantial Change in Circumstances That May Require Major EIR Revisions	New Information Showing Potentially New or Greater Significant Effects than Previous EIR	Less than Significant Impact/No Changes or New Information Requiring Preparation of an EIR
	plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?				
f.	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	■
g.	Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?	☐	☐	☐	■

Impacts Identified in the 2008 Final EIR

Impacts related to hazards and hazardous materials were analyzed on pages 20-1 through 20-4 of the 2008 Final EIR. The 2008 Final EIR determined that the project site could be impacted by prior pesticide application and product disposal, which would be a less than significant impact through mitigation; and that the project would have a less than significant impact involving exposure to agricultural chemicals and use of hazardous materials during project operation. The 2008 Final EIR also determined that the project would have no impact regarding the handling or emission of hazardous materials, formerly contaminated sites compiled pursuant to Government Code Section 65962.5, airport hazards, or wildland fire hazards. Therefore, impacts regarding hazards and hazardous materials would be less than significant with mitigation incorporated.

Impacts of the Proposed Project

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

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?

Project construction would temporarily increase the use and transport of hazardous materials in the project area through the operation of vehicles and equipment. Such substances include diesel fuel, oil, solvents, and other similar construction-related hazardous materials and could introduce the potential for an accidental spill or release to occur. Hazardous materials would be contained within receptacles specifically engineered for safe storage and would not be transported, stored, or used in quantities which would pose a significant hazard to the public or construction workers themselves. Hazardous materials used during project construction must be disposed of off-site in accordance with all applicable state and local laws and regulations, such as CCR Title 22 and the City's General Plan Noise & Safety Element.

Project construction would require the excavation and transport of paving materials (e.g., asphalt, concrete, roadbed fill materials) and soils which could possibly be contaminated by vehicle-related pollution (e.g., oil, gasoline, diesel, and other automotive chemicals). All such paving, roadbed materials, and soils removed during construction would be transported and disposed of in accordance with applicable codes and regulations, including CCR Title 22, to ensure no significant hazard to construction workers or the surrounding community would occur. With required adherence to regulations, impacts from project construction would be less than significant.

Project operation would involve groundwater pumping, conveyance of wastewater, and potential solar energy generation, and would not require the transport, use, storage, or disposal of hazardous materials. Therefore, the project would not create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials. Similarly, the project would not 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. Impacts from project operation would be less than significant. This topic will not be discussed in the Supplemental EIR.

LESS THAN SIGNIFICANT IMPACT/NO CHANGES OR NEW INFORMATION REQUIRING PREPARATION OF AN EIR

c. Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school?

Schools located within 0.25 mile of the project site include the proposed TBEC, which this project would serve. The TBEC would include the construction of a high school, intermediate school, and elementary school on a site approximately 250 feet west of the project site. Construction of the TBEC was authorized under the 2008 Final EIR, and facilities have not yet been completed.

As described under *threshold a* and *threshold b*, above, an accidental spill or release of hazardous or potentially hazardous materials such as vehicle and equipment fuels could occur during project construction. Hazardous materials used during project construction would be disposed of off-site in accordance with all applicable laws and regulations, including but not limited to the California Building and Fire Codes, as well regulations of the federal and State Occupational Safety and Health Administrations. Therefore, potential impacts associated with an accidental emission or release of hazardous materials in proximity to a school would be less than significant. This topic will not be discussed in the Supplemental EIR.

LESS THAN SIGNIFICANT IMPACT/NO CHANGES OR NEW INFORMATION REQUIRING PREPARATION OF AN EIR

d. Would the project be located on a site that is included on a list of hazardous material 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?

The proposed project would not occur on a site, or directly adjacent to a site, listed as currently containing hazardous materials pursuant to Government Code Section 65962.5 (Department of Toxic Substances Control [DTSC] 2022; SWRCB 2022). According to GeoTracker, there is one Leaking Underground Storage Tank cleanup site on a private residence located 0.7 mile south of the project site. However, cleanup of this site and the case have been closed since September 18, 1996 (SWRCB 2022). Therefore, no impact would occur. This topic will not be discussed in the Supplemental EIR.

LESS THAN SIGNIFICANT IMPACT/NO CHANGES OR NEW INFORMATION REQUIRING PREPARATION OF AN EIR

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

The closest airport is the Fresno Yosemite International Airport, which is approximately 5 miles west of the project site. The project site is not located within a Safety Compatibility Zone as designated by the Fresno County Airport Land Use Compatibility Plan (Fresno County Airport Land Use Commission 2018). Therefore, the proposed project would not subject people working along the site to safety hazards or excessive noise, and there would be no impact. This topic will not be discussed in the Supplemental EIR.

LESS THAN SIGNIFICANT IMPACT/NO CHANGES OR NEW INFORMATION REQUIRING PREPARATION OF AN EIR

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

The project would require temporary lane closures along North Highland Avenue to install pipeline connections between the TBEC site and utility facilities on the project site during construction, but traffic would be managed by an approved traffic control plan. Emergency routes would remain open with minimal delay resulting from project construction, and the project would not interfere with an adopted emergency response plan or emergency evacuation plan.

Project operation would not change or disrupt the existing roadway and traffic patterns, and no streets would be closed or reconfigured once construction is complete. As such, the project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan, including the Fresno County Multi-Hazard Mitigation Plan. Therefore, impacts would be less than significant. This topic will not be discussed in the Supplemental EIR.

LESS THAN SIGNIFICANT IMPACT/NO CHANGES OR NEW INFORMATION REQUIRING PREPARATION OF AN EIR

a. 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 adjacent to existing agricultural uses. There are no wildland conditions on or adjacent to the project site, and the project is not located in a designated Very High Fire Hazard Severity Zone (VHFHSZ) (California Department of Forestry and Fire Protection [CAL FIRE] 2022). The project would be constructed within the project site and identified impact areas. It would not expose people or structures to a significant loss, injury, or death involving wildland fires. There would be no impact. This topic will not be discussed in the Supplemental EIR.

LESS THAN SIGNIFICANT IMPACT/NO CHANGES OR NEW INFORMATION REQUIRING PREPARATION OF AN EIR

10 Hydrology and Water Quality

	Substantial Change in Project That May Require Major EIR Revisions	Substantial Change in Circumstances That May Require Major EIR Revisions	New Information Showing Potentially New or Greater Significant Effects than Previous EIR	Less than Significant Impact/No Changes or New Information Requiring Preparation of an EIR
Would the project:				
a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	☐	☐	☐	■
b. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	■	☐
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:	☐	☐	☐	■
(i) Result in substantial erosion or siltation on- or off-site;	☐	☐	☐	■
(ii) Substantially increase the rate or amount of	☐	☐	☐	■

		Substantial Change in Project That May Require Major EIR Revisions	Substantial Change in Circumstances That May Require Major EIR Revisions	New Information Showing Potentially New or Greater Significant Effects than Previous EIR	Less than Significant Impact/No Changes or New Information Requiring Preparation of an EIR
	surface runoff in a manner which would result in flooding on- or off-site;				
	(iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	☐	☐	☐	■
	(iv) Impede or redirect flood flows?	☐	☐	☐	■
d.	In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☐	■
e.	Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	■	☐

Impacts Identified in the 2008 Final EIR

Impacts related to water supply and quality were analyzed on pages 12-1 through 12-7, and impacts related to drainage and flooding were analyzed on pages 14-1 through 14-4 of the 2008 Final EIR. The 2008 Final EIR determined that the project would increase local water consumption, which would be a less than significant impact through mitigation; that project development would damage existing water facilities, which would be a less than significant impact through mitigation; and that the project could allow pollutants to enter the groundwater supply, which would be a less than

significant impact through mitigation. The 2008 Final EIR also determined that the project would result in increased stormwater runoff that could pollute natural waterbodies, which would be a less than significant impact through mitigation; and that the project site may be periodically subject to flooding, which also would be a less than significant impact through mitigation. Therefore, impacts regarding hydrology and water quality would be less than significant with mitigation incorporated.

Impacts of the Proposed Project

Existing Setting

The project site is located within the Tulare Lake Hydrologic Region (California Department of Water Resources [DWR] 2022a). The project is located on the San Joaquin Valley Groundwater Basin-Kings Subbasin (DWR 2019). Water supply would be provided by CUSD.

Regulatory Setting

FEDERAL CLEAN WATER ACT

In 1972, Congress passed the Federal Water Pollution Control Act, commonly known as the Clean Water Act. The CWA directs states to establish water quality standards for all "waters of the United States" and to review and update such standards on a triennial basis. The U.S. EPA has delegated responsibility for implementation of portions of the CWA, including water quality control planning and control programs, such as the NPDES Program, to the SWRCB and the RWQCBs.

SAFE DRINKING WATER ACT

The Safe Drinking Water Act was originally passed by Congress in 1974 to protect public health by regulating the nation's public drinking water supply. The Act authorizes the U.S. EPA to set national health-based standards for drinking water to protect against both naturally occurring and human-produced contaminants that may be found in drinking water. The Act applies to every public water system in the U.S.

PORTER-COLOGNE WATER QUALITY CONTROL ACT

The Porter-Cologne Water Quality Control Act of 1967 requires the SWRCB and the nine RWQCBs to adopt water quality criteria to protect State waters. These criteria include the identification of beneficial uses, narrative and numerical water quality standards, and implementation procedures. The Water Quality Control Plan, or Basin Plan, protects designated beneficial uses of State waters through the development of total maximum daily loads. Anyone proposing to discharge waste that could affect the quality of the waters of the State must make a report of the waste discharge to the RWQCB or SWRCB as appropriate, in compliance with the Porter-Cologne Act.

CALIFORNIA STORMWATER NPDES PERMITTING PROGRAM

California's Construction General Permit for Stormwater Discharges Associated with Construction and Land Activities Order No. 2009-0009-DWQ, as amended by Order No. 2010-0014-DWQ and 2012-0006-DWQ, issued by the SWRCB is required for construction or demolition activity resulting in land disturbance of equal to or greater than one acre. Construction activities, including grading, trenching, excavation, stockpiling, and disturbances to the ground, are covered under the CGP. Dischargers must file Permit Registration Documents to the SWRCB, including a Notice of Intent, risk assessment, site map, SWPPP, signed certification statement, and first annual fee. Under the CGP,

responsible parties must address pollutants and their sources, including sources of sediment associated with construction; install effective site best management practices (BMPs) that result in the reduction or elimination of pollutants in stormwater discharges; and either eliminate, control, or treat all non-stormwater discharges. BMPs are designed to reduce impacts to the Maximum Extent Practicable by focusing on pollution prevention and source control.

SUSTAINABLE GROUNDWATER MANAGEMENT ACT

The Sustainable Groundwater Management Act of 2014 (SGMA) provides a framework for sustainable management of groundwater supplies by local authorities, with a limited role for state intervention only if necessary to protect the resource. SGMA is intended to ensure a reliable groundwater water supply for California for years to come. SGMA requires the formation of local Groundwater Sustainability Agencies (GSA), which are required to adopt Groundwater Sustainability Plans (GSP) to manage the sustainability of groundwater basins. The San Joaquin Valley Groundwater Basin-Kings Subbasin is managed by multiple GSAs; the project would be located within the Plan Area under the jurisdiction of the North Kings Groundwater Sustainability Agency, which finalized a GSP for the subbasin in January 2020.

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

The proposed project would involve construction on an approximately 15-acre site, which would disturb more than 1.0 acre of land. Therefore, the project would be required to comply with the NPDES CGP (Order No. 2012-0006-DWQ) adopted by the SWRCB. Under the conditions of the CGP, the applicant would be required to develop and implement a SWPPP for construction activities. The SWPPP must include BMPs specific to project construction and is subject to inspections by a Qualified Stormwater Professional. BMPs aim to control degradation of surface water by preventing soil erosion or pollution discharge from the project site.

Compliance with this requirement would ensure that construction and operational stormwater runoff does not degrade surface water or groundwater quality in the vicinity of the site. Therefore, impacts would be less than significant. This topic will not be discussed in the Supplemental EIR

LESS THAN SIGNIFICANT IMPACT/NO CHANGES OR NEW INFORMATION REQUIRING PREPARATION OF AN EIR

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

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

The project would switch water providers from the City of Fresno to CUSD. CUSD would function as its own water supplier and would provide water to the project site and approved TBEC through the construction and operation of an on-site groundwater well and potable water storage tank. The proposed groundwater well would extract water from the Kings Subbasin. Although the project is not anticipated to change water demands for the approved TBEC, CUSD is currently preparing a Water Supply Assessment (WSA) to provide compliance of the project with the California Water Code, as amended by SB 610.

SGMA requires all high- and medium-priority basins designated by DWR to be sustainably managed. It is focused on limiting the adverse effects of groundwater overextraction: groundwater-level declines, land subsidence, and water quality degradation. The Kings Subbasin is designated as a high-priority basin (DWR 2022b). To comply with SGMA, the Kings Subbasin has been organized into several GSAs. The project site is located within the jurisdiction of the North Kings GSA, which adopted its current GSP in January 2020.

Given the project would extract water from the high-priority Kings Subbasin, and considering the 2008 EIR for the approved TBEC did not analyze groundwater impacts in accordance with the most recent GSP for the Kings Subbasin, the project may potentially have significant impacts involving groundwater supply, groundwater recharge, and consequent conflict with the adopted GSP. These impacts will be further analyzed in the Supplemental EIR.

NEW INFORMATION SHOWING POTENTIALLY NEW OR GREATER SIGNIFICANT EFFECTS THAN PREVIOUS EIR

c.(i) 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 result in substantial erosion or siltation on- or off-site?

c.(iii) 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 that would 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 site is currently developed with agriculture and project construction would involve grading and excavation that would disturb more than 1.0 acre of land. Therefore, the project would be required to comply with the NPDES CGP (Order No. 2012-0006-DWQ), and the project applicant would prepare a SWPPP with relevant BMPs designed to reduce storm water and polluted runoff.

The project site does not contain waterways and thus would not alter the course of a stream or river in a manner that would result in substantial erosion, siltation, or runoff water that would exceed stormwater drainage system capacity.

The project site is generally flat and developed with agriculture, thus, the project site is currently permeable. Construction of the project would add impervious surfaces in the form of paved internal access roads. However, the majority of the project site would be covered in exposed aggregate gravel, which would maintain project site permeability such that substantial runoff would not occur.

Compliance with the NPDES CGP would reduce impacts to less than significant. This topic will not be discussed in the Supplemental EIR.

LESS THAN SIGNIFICANT IMPACT/NO CHANGES OR NEW INFORMATION REQUIRING PREPARATION OF AN EIR

c.(ii) 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 substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?

c.(iv) 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 impede or redirect flood flows?

As stated above in *thresholds c.(i)* and *c.(iii)*, the project site does not contain waterways, thus the project would not alter the course of a stream or river. The project site is currently permeable; alterations to the existing drainage pattern of the project site would occur through the addition of impervious surfaces, such as paved internal access roads. The use of exposed aggregate gravel would maintain project site permeability; thus, the addition of impervious surfaces would not impede or redirect flood flows.

Additionally, the project site is not located in a flood zone identified by the Federal Emergency Management Agency (FEMA) (FEMA 2009). Construction and operation of the proposed project would comply with the NPDES CGP, which would require implementation of BMPs designed to reduce runoff. Therefore, the proposed project would not substantially increase the rate or amount of surface runoff in a manner that would result in flooding and would not impede or redirect flood flows. Impacts would be less than significant. This topic will not be discussed in the Supplemental EIR.

LESS THAN SIGNIFICANT IMPACT/NO CHANGES OR NEW INFORMATION REQUIRING PREPARATION OF AN EIR

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

The project site is located in Fresno County and is not located in a tsunami inundation area, nor is there a water body near the project site capable of seiche (DOC 2022). Furthermore, the project site is not located within a flood zone (FEMA 2009). Therefore, the proposed project would not risk release of pollutants due to inundation, and there would be no impacts. This topic will not be discussed in the Supplemental EIR.

LESS THAN SIGNIFICANT IMPACT/NO CHANGES OR NEW INFORMATION REQUIRING PREPARATION OF AN EIR

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11 Land Use and Planning

	Substantial Change in Project That May Require Major EIR Revisions	Substantial Change in Circumstances That May Require Major EIR Revisions	New Information Showing Potentially New or Greater Significant Effects than Previous EIR	Less than Significant Impact/No Changes or New Information Requiring Preparation of an EIR
Would the project:				
a. Physically divide an established community?	☐	☐	☐	■
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?	☐	☐	☐	■

Impacts Identified in the 2008 Final EIR

Impacts related to land use and planning were analyzed on pages 3-1 through 3-7 of the 2008 Final EIR. The 2008 Final EIR determined that the project would be inconsistent with the Fresno County General Plan agricultural land use designation for the project site, which would be a less than significant impact through mitigation; that the project would displace nine existing housing units, which would be a less than significant impact; and that the project would have no impact involving the division of an established community. Therefore, impacts regarding land use and planning would be less than significant with mitigation incorporated.

Impacts of the Proposed Project

c. Would the project physically divide an established community?

The project site has a land use designation of Residential/Agriculture-Urban Preserve (City of Fresno 2022a), is zoned Exclusive Agricultural (County of Fresno 2022), and is currently developed with agriculture. The project would not separate connected neighborhoods or land uses. No new roads, linear infrastructure, or other development features are proposed that would divide an established community or limit movement, travel, or social interaction between established land uses. No impact would occur. This topic will not be discussed in the Supplemental EIR.

LESS THAN SIGNIFICANT IMPACT/NO CHANGES OR NEW INFORMATION REQUIRING PREPARATION OF AN EIR

d. 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?

Pursuant to California Government Code Section 53091, building and zoning ordinances of a county or city do not apply to the location or construction of facilities for the production, storage, or transmission of water, wastewater, or electrical energy by a local agency. Under the project, CUSD would serve as a local agency and provide its own water supply to the project site and approved TBEC site, and is thus exempt from local building and zoning ordinances.

The project site is located within the City of Fresno's SEDA, and would be in furtherance of SEDA draft goals and policies that pertain to water, wastewater, and energy development (City of Fresno 2022b). Applicable goals and policies are mentioned below:

- **Policy OS-2.5 Renewable Energy Generation**: Support renewable energy technology systems in open spaces, where appropriate.
- **Policy PF-4.5 On-Site Renewable Energy Generation**: Pursue opportunities to develop renewable energy systems for civic facilities.
- **Policy PF-7.1 Provision of Electricity & Natural Gas Infrastructure**: The City of Fresno shall work with Pacific Gas and Electric Company (PG&E) to provide the necessary electricity and gas infrastructure to serve development in the SEDA.
- **Policy PF-8.1 Provision of Water, Stormwater, & Wastewater Infrastructure**: Provide water, stormwater, and wastewater infrastructure in accordance with the policies of the Water Resources Element.
- **Policy RC-2.1 Energy Planning:** Support cooperative, multi-agency water and energy resource planning involving the City of Fresno and other local jurisdictions, water and flood control agencies, the San Joaquin Valley Clean Energy Organization and Pacific Gas and Electric Company.
- **Policy RC-2.2 Shared Water Resources & Infrastructure:** Develop methods and systems to share water resources and infrastructure to capture the highest possible value for all planning, water delivery, and water-using agencies.
- **Policy RC-5.1 Stormwater Runoff:** Implement stormwater management practices that minimize stormwater runoff impacts on the Tulare Lake Watershed.
- **Policy RC-5.3 Construction Erosion:** Prevent erosion on construction sites during storm events

Although not required, the proposed project would be consistent with the goals and policies outlined in the SEDA Specific Plan Policy Draft (City of Fresno 2022b). The proposed project would not conflict with land use plans, policies, or regulations, and no impact would occur. This topic will not be discussed in the Supplemental EIR.

LESS THAN SIGNIFICANT IMPACT/NO CHANGES OR NEW INFORMATION REQUIRING PREPARATION OF AN EIR

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12 Mineral Resources

	Substantial Change in Project That May Require Major EIR Revisions	Substantial Change in Circumstances That May Require Major EIR Revisions	New Information Showing Potentially New or Greater Significant Effects than Previous EIR	Less than Significant Impact/No Changes or New Information Requiring Preparation of an EIR
Would the project:				
e. 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?	☐	☐	☐	■
f. 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?	☐	☐	☐	■

Impacts Identified in the 2008 Final EIR

Impacts related to mineral resources were analyzed on pages 4-1 through 4-5 of the 2008 Final EIR. The 2008 Final EIR determined that the project would have no impact involving the loss of availability of a known mineral resource or a locally important mineral resource recovery site. Therefore, the project would have no impact regarding mineral resources.

Impacts of the Proposed Project

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?

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?

The project site, along with the City of Fresno and a significant portion of Fresno County, is located within a Mineral Resource Zone (MRZ) classified as MRZ-3, which applies to areas with mineral deposits of unknown significance (DOC 1998). However, mineral resources within this MRZ-3 designation may not be of high quality (City of Fresno 2014). The project site is located in a predominately agricultural area where there are no active mining operations present.

The project would operate utilities, including water, wastewater, and potential solar facilities, on the project site. Utility operation under the project would not exclude the future possibility of site redevelopment and subsequent mining activities, should mineral resources be discovered within the

project site, as the wastewater treatment plant would be removed once a connection to City services is available (Stairs 2022). Therefore, the proposed project would not result in the loss of availability of known or locally important mineral resources, and impacts would be less than significant. This topic will not be discussed in the Supplemental EIR.

LESS THAN SIGNIFICANT IMPACT/NO CHANGES OR NEW INFORMATION REQUIRING PREPARATION OF AN EIR

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13 Noise

	Substantial Change in Project That May Require Major EIR Revisions	Substantial Change in Circumstances That May Require Major EIR Revisions	New Information Showing Potentially New or Greater Significant Effects than Previous EIR	Less than Significant Impact/No Changes or New Information Requiring Preparation of an EIR
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?	☐	☐	■	☐
b. Generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	■	☐
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?	☐	☐	☐	■

Impacts Identified in the 2008 Final EIR

Impacts related to noise were analyzed on pages 11-1 through 11-24 of the 2008 Final EIR. The 2008 Final EIR determined that project construction would result in short-term noise, which would be a less than significant impact through mitigation; that the project would expose sensitive receptors to

stationary, project-generated noise, which would be a significant and unavoidable impact; that sensitive receptors on the project site would be exposed to high noise levels, which would be a less than significant impact through mitigation; and that the project would have a less than significant impact regarding noise from aircraft, increases in traffic noise, increases in groundborne vibration, and cumulative traffic noise. Therefore, impacts regarding noise would be significant and unavoidable.

Impacts of the Proposed Project

Setting

Noise sources in the City of Fresno include transportation corridors, major rail corridors, airports. State highways, major streets, and industrial and public facilities. CUSD does not have a noise ordinance nor does not maintain significance criteria for noise impacts. Therefore, the City of Fresno noise standards were used since they are equivalent to or more stringent than the standards adopted by the County of Fresno. The City's Noise and Safety Element establishes policies, standards, and programs to mitigate potential impacts through design and performance measures. The purpose of the noise section is to guide the location of industrial land uses and transportation facilities, since they are common sources of excessive noise levels, as well as the location of noise sensitive uses.

Noise-sensitive uses identified by the City include the following:

(a) Residential;
(b) Transient Lodging;
(c) Hospitals, Nursing Homes;
(d) Theaters. Auditoriums, Music Halls;
(e) Churches, Meeting Halls;
(f) Office Buildings;
(g) Schools, Libraries, Museums;

The City's Noise Ordinance establishes excessive noise guidelines and exemptions. Standards are set for ambient noise based on district type (residential, commercial, and industrial) and time of day. Exterior noise level standards are applicable when a land use affected by noise is one of the sensitive uses listed in the Noise and Safety Element. Exterior noise levels are measured from the property line of the affected noise-sensitive land use. The maximum allowable exterior noise level standards will be outlined in the EIR.

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

The project would generate temporary noise increases during construction. Nearby noise-sensitive receptors include single-family residences to the south and southeast. Noise from ground disturbance, operation of vehicles, and operation of machinery during project construction could result in noise levels above applicable standards. Therefore, impacts associated with construction of the project may be potentially significant and will be analyzed further in the Supplemental EIR.

NEW INFORMATION SHOWING POTENTIALLY NEW OR GREATER SIGNIFICANT EFFECTS THAN PREVIOUS EIR

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

The project would involve standard construction activities that would generate vibration that may exceed applicable standards at single-family residences to the south and southeast of the project site. Impacts may be potentially significant and will be analyzed further in the Supplemental EIR.

NEW INFORMATION SHOWING POTENTIALLY NEW OR GREATER SIGNIFICANT EFFECTS THAN PREVIOUS EIR

c. For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within 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 closest airport is the Fresno Yosemite International Airport, which is approximately 5 miles west of the project site. As stated in Section 9, *Hazards and Hazardous Materials*, the project site is not located within a Safety Compatibility Zone as designated by the Fresno County Airport Land Use Compatibility Plan (Fresno County Airport Land Use Commission 2018). Therefore, the project would not expose people working or residing in the project area to excessive noise levels. There would be no impact. This impact will not be discussed further in the Supplemental EIR.

LESS THAN SIGNIFICANT IMPACT/NO CHANGES OR NEW INFORMATION REQUIRING PREPARATION OF AN EIR

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14 Population and Housing

	Substantial Change in Project That May Require Major EIR Revisions	Substantial Change in Circumstances That May Require Major EIR Revisions	New Information Showing Potentially New or Greater Significant Effects than Previous EIR	Less than Significant Impact/No Changes or New Information Requiring Preparation of an EIR
Would the project:				
a. Induce substantial unplanned population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure)?	☐	☐	☐	■
b. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	■

Impacts Identified in the 2008 Final EIR

Impacts related to population and housing were analyzed on pages 21-1 through 21-3 of the 2008 Final EIR. The 2008 Final EIR determined that the project has the potential to induce urban growth in the vicinity, which would be a less than significant impact. Therefore, impacts regarding population and housing would be less than significant.

Impacts of the Proposed Project

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 would include the construction of water, sewer, and potential solar facilities required to serve just the planned TBEC. The project would not involve residential or commercial development that would directly or indirectly result in population growth. Therefore, the project would not result in substantial unplanned population growth, and there would be no impacts. This topic will not be discussed in the Supplemental EIR.

LESS THAN SIGNIFICANT IMPACT/NO CHANGES OR NEW INFORMATION REQUIRING PREPARATION OF AN EIR

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

The project site currently contains one house and the project would result in the removal of this one house. Therefore, the project would not displace people or housing to a significant level necessitating the construction of replacement housing. This topic will not be discussed in the Supplemental EIR.

LESS THAN SIGNIFICANT IMPACT/NO CHANGES OR NEW INFORMATION REQUIRING PREPARATION OF AN EIR

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15 Public Services

	Substantial Change in Project That May Require Major EIR Revisions	Substantial Change in Circumstances That May Require Major EIR Revisions	New Information Showing Potentially New or Greater Significant Effects than Previous EIR	Less than Significant Impact/No Changes or New Information Requiring Preparation of an EIR
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:				
1. Fire protection?	☐	☐	☐	■
2. Police protection?	☐	☐	☐	■
3. Schools?	☐	☐	☐	■
4. Parks?	☐	☐	☐	■
5. Other public facilities?	☐	☐	☐	■

Impacts Identified in the 2008 Final EIR

Impacts related to fire protection and police services were analyzed on pages 16-1 through 16-3, impacts related to schools were analyzed on page 17-1, and impacts related to parks and recreation were analyzed on pages 18-1 through 18-2 of the 2008 Final EIR. The 2008 Final EIR determined that the project would have a less than significant impact involving the provision of public services, including fire protection, police, schools, parks, and other public facilities. Therefore, impacts regarding public services would be less than significant.

Impacts of the Proposed Project

a.1. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered fire protection facilities, or the need for new or physically altered fire protection facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives?

The Clovis Fire Department provides fire protection services to Clovis. The closest fire station to the project site, Station 6, is located approximately 5.3 miles northwest of the project site. As stated in Section 14, *Population and Housing*, the project would not increase the local population, and thus would not result in substantial adverse impacts or the need for additional fire protection facilities. As the project site lies in an area of minimal risk for fire (CAL FIRE 2022) and local fire protection resources are readily available, impacts would be less than significant. This topic will not be discussed in the Supplemental EIR.

LESS THAN SIGNIFICANT IMPACT/NO CHANGES OR NEW INFORMATION REQUIRING PREPARATION OF AN EIR

a.2. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered police protection facilities, or the need for new or physically altered police protection facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives?

Police protection services in Clovis are provided by the Clovis Police Department. The station nearest to the project is located at 1233 Fifth Street, approximately 5.3 miles northwest of the project site. As stated in Section 14, *Population and Housing*, the project would not lead to an increase in population and thus is not anticipated to result in an increase in demand for police services. Therefore, the project would not result in substantial adverse impacts to existing police facilities or impact the need for additional facilities or staff, and impacts to police services would be less than significant. This topic will not be discussed in the Supplemental EIR.

LESS THAN SIGNIFICANT IMPACT/NO CHANGES OR NEW INFORMATION REQUIRING PREPARATION OF AN EIR

a.3. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered schools, or the need for new or physically altered schools, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios or other performance objectives?

The project would provide water, wastewater, and potential solar facilities to support and allow for operation of the approved TBEC. Because the project supports operation of an approved school site for students in this area, it would not result in the need for additional schools as the TBEC would provide those services. Therefore, there would be no impacts associated with the provision of new or physically altered schools, or the need for new schools. This topic will not be discussed in the Supplemental EIR.

LESS THAN SIGNIFICANT IMPACT/NO CHANGES OR NEW INFORMATION REQUIRING PREPARATION OF AN EIR

a.4. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered parks, or the need for new or physically altered parks, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios or other performance objectives?

The park closest to the project site is Santerra Park, which is approximately 1.5 miles southwest from the project site. Demand for parks and open space is directly related to population. The proposed project would not result in population growth and therefore would not increase demand for public services, such as parks and open space. The project also allows for operation of the TBEC that includes recreational facilities available for public use under CUSD's joint-use policy. The project would not increase demand for park facilities or result in the need for new off-site parks, therefore there would be no impact. This topic will not be discussed in the Supplemental EIR.

LESS THAN SIGNIFICANT IMPACT/NO CHANGES OR NEW INFORMATION REQUIRING PREPARATION OF AN EIR

a.5. Would the project result in substantial adverse physical impacts associated with the provision of other new or physically altered public facilities, or the need for other new or physically altered public facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives?

As discussed in Section 14, *Population and Housing,* the proposed project would not result in population growth. Therefore, the project would not result in a commensurate increase in demand for public facilities. The project would not cause substantial adverse impacts to existing government facilities or impact the need for additional public facilities, such as libraries, roadways, and infrastructure. There would be no impact. This topic will not be discussed in the Supplemental EIR.

LESS THAN SIGNIFICANT IMPACT/NO CHANGES OR NEW INFORMATION REQUIRING PREPARATION OF AN EIR

16 Recreation

	Substantial Change in Project That May Require Major EIR Revisions	Substantial Change in Circumstances That May Require Major EIR Revisions	New Information Showing Potentially New or Greater Significant Effects than Previous EIR	Less than Significant Impact/No Changes or New Information Requiring Preparation of an EIR
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?	☐	☐	☐	■
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?	☐	☐	☐	■

Impacts Identified in the 2008 Final EIR

Impacts related to parks and recreation were analyzed on pages 18-1 through 18-2 of the 2008 Final EIR. The 2008 Final EIR determined that the project would have no direct physical impacts to parks or recreational facilities, would not result in the need for new or expanded park and recreational facilities, and would provide recreational facilities within the SEDA. Therefore, impacts regarding recreation would be beneficial.

Impacts of the Proposed Project

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?

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?

The park closest to the project site is Santerra Park, which is approximately 1.5 miles southwest from the project site. The project site is not zoned for recreational use. As mentioned in Section 14, *Population and Housing*, the project would not generate a substantial increase in population;

therefore, it would not significantly increase the use of existing neighborhood or regional parks and recreational facilities. Project construction and operation would not impact existing park use and would not require the construction or expansion of recreational facilities. This topic will not be discussed in the Supplemental EIR.

LESS THAN SIGNIFICANT IMPACT/NO CHANGES OR NEW INFORMATION REQUIRING PREPARATION OF AN EIR

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17 Transportation

	Substantial Change in Project That May Require Major EIR Revisions	Substantial Change in Circumstances That May Require Major EIR Revisions	New Information Showing Potentially New or Greater Significant Effects than Previous EIR	Less than Significant Impact/No Changes or New Information Requiring Preparation of an EIR
Would the project:				
a. Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?	☐	☐	☐	■
b. Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	☐	☐	☐	■
c. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible use (e.g., farm equipment)?	☐	☐	☐	■
d. Result in inadequate emergency access?	☐	☐	☐	■

Impacts Identified in the 2008 Final EIR

Impacts related to transportation were analyzed on pages 9-1 through 9-18 of the 2008 Final EIR. The 2008 Final EIR determined that the project would result in a substantial increase in traffic, which would be a less than significant impact through mitigation; and that the project would result in localized traffic, safety, and emergency access issues, which would be a less than significant impact with mitigation. Therefore, impacts regarding transportation would be less than significant with mitigation incorporated.

Impacts of the Proposed Project

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

Several regionally and locally adopted land use plans, policies, and regulations apply to the proposed project. These include the City of Fresno General Plan Mobility and Transportation Element, the City of Fresno Active Transportation Plan (ATP), and the Fresno Council of Governments (FCOG) 2022 Regional Transportation Plan and Sustainable Communities Strategy (RTP/SCS).

The proposed project would require the temporary closure of North Highland Avenue. However, the proposed project would not result in the permanent closure of existing roadways or construction of new roadways in the project vicinity. There are no transit facilities located within the project vicinity. Project implementation would not alter the roadways, transit stops, or sidewalk, increase commercial or residential development, generate growth, or cause a substantial increase in traffic in the project vicinity. The site would be accessible by pedestrians and bicyclists through the parking lot on North Highland Avenue. There is currently no marked bicycle infrastructure in the project vicinity on North Highland Avenue or East Clinton Avenue. The TBEC will be improving the local roads to accommodate its development in coordination with Fresno County and City. This project will not conflict with these improvements. Therefore, the project would not impact the overall use of the roadways, bicycle or pedestrian facilities, or transit facilities in the project vicinity. The project would not conflict with the goals, objectives, or policies addressing the circulation system in the City of Fresno General Plan Mobility and Transportation Element, the City of Fresno ATP, or the 2022 FCOG RTP/SCS.

Overall, the proposed project would not conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, or pedestrian facilities. This impact would be less than significant. This topic will not be discussed in the Supplemental EIR.

LESS THAN SIGNIFICANT IMPACT/NO CHANGES OR NEW INFORMATION REQUIRING PREPARATION OF AN EIR

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

CEQA Guidelines Section 15064.3(b) describes criteria for analyzing transportation impacts. The proposed project would not change the existing roadways, increase commercial or residential development in the area, generate growth, or create a substantial increase in traffic in the project vicinity. Project construction would generate a temporary increase in traffic through worker-related commuter trips, trucks used for delivering construction equipment, and trucks used for delivering and hauling construction materials and wastes. However, project construction traffic would not generate a substantial number of trips that could increase VMT to a significant level. Project operation would not generate vehicle trips, and there would be no change to existing roadways or increase in VMT. As such, the project would not conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b) and impacts would be less than significant. This topic will not be discussed in the Supplemental EIR.

LESS THAN SIGNIFICANT IMPACT/NO CHANGES OR NEW INFORMATION REQUIRING PREPARATION OF AN EIR

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

The project site is regionally accessible from State Routes 168 and 180. Direct access to the project site would be provided with ingress and egress from North Highland Avenue. The project site would

also be accessible by pedestrians and bicyclists through North Highland Avenue. Development of the project site would adhere to requirements outlined in the City of Fresno Standard Specifications (City of Fresno 2021). The proposed project would not alter or affect the existing street and intersection networks in its vicinity, nor increase hazards due to a new geometric design feature. Therefore, the proposed project would not substantially increase hazards due to a geometric design feature.

The project site is surrounded by existing agricultural development within the SEDA, which has been rezoned for urban uses. The proposed construction of utility facilities on-site would be compatible with planned urban uses. As such, the project would not introduce incompatible uses, such as unplanned vehicles or new farm equipment, to the project site or the surrounding area. Therefore, the project would not substantially increase hazards due to incompatible uses. Impacts would be less than significant. This topic will not be discussed in the Supplemental EIR.

LESS THAN SIGNIFICANT IMPACT/NO CHANGES OR NEW INFORMATION REQUIRING PREPARATION OF AN EIR

d. Would the project result in inadequate emergency access?

During construction, the project site would be accessed from North Highland Avenue. Project construction may require public roadways to be temporarily closed. Such lane closures would be short-term and temporary in nature, but could potentially interfere with emergency response and/or emergency evacuation procedures. An approved traffic control plan would be implemented to regulate worker parking, construction staging, roadway improvements and potential traffic detours during construction (City of Fresno 2019). Signage would be posted along the project site and on roadways leading up to the project site before and during construction to give advance warning of road closures and detours. As a result, the project would not result in inadequate emergency access and impacts would be less than significant. This topic will not be discussed in the Supplemental EIR.

LESS THAN SIGNIFICANT IMPACT/NO CHANGES OR NEW INFORMATION REQUIRING PREPARATION OF AN EIR

18 Tribal Cultural Resources

	Substantial Change in Project That May Require Major EIR Revisions	Substantial Change in Circumstances That May Require Major EIR Revisions	New Information Showing Potentially New or Greater Significant Effects than Previous EIR	Less than Significant Impact/No Changes or New Information Requiring Preparation of an EIR
Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in a Public Resources Code Section 21074 as either a site, feature, place, or cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
a. 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)?	☐	☐	■	☐
b. 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 Resources Code Section 5024.1,	☐	☐	■	☐

	Substantial Change in Project That May Require Major EIR Revisions	Substantial Change in Circumstances That May Require Major EIR Revisions	New Information Showing Potentially New or Greater Significant Effects than Previous EIR	Less than Significant Impact/No Changes or New Information Requiring Preparation of an EIR
the lead agency shall consider the significance of the resource to a California Native American tribe.				

Impacts Identified in the 2008 Final EIR

Impacts related to tribal cultural resources were not analyzed as a stand-alone issue area in the 2008 Final EIR. However, impacts related to cultural resources, including tribal cultural resources, were analyzed in pages 7-1 through 7-4 of the 2008 Final EIR. The 2008 Final EIR determined that the project could impact subsurface cultural resources, which would be a less than significant impact through mitigation. Therefore, impacts regarding tribal cultural resources would be less than significant with mitigation incorporated.

Impacts of the Proposed Project

As of July 1, 2015, California Assembly Bill 52 of 2014 (AB 52) was enacted and expands CEQA by defining a new resource category, "tribal cultural resources." AB 52 establishes that "A project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment" (PRC Section 21084.2). It further states that the lead agency shall establish measures to avoid impacts that would alter the significant characteristics of a tribal cultural resource, when feasible (PRC Section 21084.3).

PRC Section 21074 (a)(1)(A) and (B) defines tribal cultural resources as "sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe" and is:

1. 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
2. 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 these criteria, the lead agency shall consider the significance of the resource to a California Native American tribe.

AB 52 establishes a formal consultation process for California tribes regarding those resources. The consultation process must be completed before a CEQA document can be certified. Under AB 52, lead agencies are required to "begin consultation with a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project." Native American tribes to be included in the process are those that have requested notice of projects proposed within the jurisdiction of the lead agency.

a. Would the project cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code Section 21074 that is listed or eligible for listing in

the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k)?

b. Would the project cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code 21074 that is a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1?

CUSD sent AB 52 consultation letters to Native American tribes on November 29, 2022. Until AB 52 consultation is concluded, there is potential for significant impacts to tribal cultural resources under the proposed project. Such impacts will be analyzed further in the Supplemental EIR.

NEW INFORMATION SHOWING POTENTIALLY NEW OR GREATER SIGNIFICANT EFFECTS THAN PREVIOUS EIR

19 Utilities and Service Systems

	Substantial Change in Project That May Require Major EIR Revisions	Substantial Change in Circumstances That May Require Major EIR Revisions	New Information Showing Potentially New or Greater Significant Effects than Previous EIR	Less than Significant Impact/No Changes or New Information Requiring Preparation of an EIR
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 effects?	☐	☐	■	☐
b. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	☐	☐	■	☐
c. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	■	☐
d. Generate solid waste in excess of State or local standards, or in	☐	☐	☐	■

		Substantial Change in Project That May Require Major EIR Revisions	Substantial Change in Circumstances That May Require Major EIR Revisions	New Information Showing Potentially New or Greater Significant Effects than Previous EIR	Less than Significant Impact/No Changes or New Information Requiring Preparation of an EIR
	excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?				
e.	Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☐	■

Impacts Identified in the 2008 Final EIR

Impacts related to water supply were analyzed in pages 12-1 through 12-7, impacts related to wastewater were analyzed in pages 13-1 through 13-5, impacts related to stormwater and drainage systems were analyzed in pages 14-1 through 14-4, impacts to energy were analyzed in pages 19-1 through 19-3, and impacts to solid waste were analyzed in pages 15-1 through 15-2 of the 2008 Final EIR. The 2008 Final EIR determined that the project would increase local water consumption, which would be a less than significant impact through mitigation; that project development would damage existing water facilities, which would be a less than significant impact through mitigation; that the project would generate wastewater and result in a need for wastewater treatment facilities, which would be a less than significant impact through mitigation; and that the project would increase stormwater runoff, which would be a less than significant impact through mitigation. The 2008 Final EIR also determined that impacts involving solid waste and energy facilities would be less than significant. Therefore, impacts regarding utilities and service systems would be less than significant with mitigation incorporated.

Impacts of the Proposed Project

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?

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?

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?

Water

The proposed project would involve the construction of a new groundwater well to service the project site, which would supply water to the project site and planned TBEC. Thus, the project would result in the construction of new or expanded water facilities, which may cause significant environmental impacts. Additionally, the project would result in increased groundwater extraction both during construction and operation of the new water facility. Accordingly, environmental impacts related to new or expanded water facilities, as well as available water supply will be discussed in the Supplemental EIR.

Wastewater Treatment

The proposed project would involve the construction of a wastewater treatment plant to serve the TBEC. The project would extend potable water service to areas not currently served and would contribute to an increase in wastewater treatment requirements. Thus, the project would result in the construction of new or expanded wastewater facilities, which may cause significant environmental impacts. Accordingly, environmental impacts related to new or expanded wastewater facilities will be discussed in the Supplemental EIR.

Stormwater Drainage

The project site is developed with agriculture and would require connection to or development of stormwater drainage facilities. The project would include the construction of four percolation basins, which could be used for stormwater drainage and may be interconnected with culverts and side gates. Accordingly, environmental impacts related to new or expanded stormwater drainage facilities will be discussed in the Supplemental EIR.

Electric Power

The project area is currently served by PG&E. The proposed project would potentially involve the construction of solar facilities to serve the project. Thus, the project would result in the construction of new or expanded energy facilities, which may cause significant environmental impacts. Accordingly, environmental impacts related to new or expanded energy facilities will be discussed in the Supplemental EIR.

Natural Gas

The project area is served by PG&E. However, the project would not involve any components requiring natural gas service and is not anticipated to involve the relocation of existing natural gas facilities. Therefore, no impact related to natural gas facilities would occur. This topic will not be discussed in the Supplemental EIR.

Telecommunications

The project would not involve new or relocated telecommunications facilities. Therefore, no impact related to telecommunications facilities would occur. This topic will not be discussed in the Supplemental EIR.

NEW INFORMATION SHOWING POTENTIALLY NEW OR GREATER SIGNIFICANT EFFECTS THAN PREVIOUS EIR

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

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

Solid waste would be produced primarily during project construction. The construction contractor is responsible for contracting with a solid waste provider. In Fresno County, municipal solid waste is disposed of at the American Avenue Disposal Site (County of Fresno, n.d.). The American Avenue Disposal site has a maximum permitted throughput of 2,200 tons per day (CalRecycle 2022). Due to the temporary nature of construction and small amount of construction waste anticipated to require disposal, the project would not generate quantities of solid waste that would exceed the maximum permitted throughput of the American Avenue Disposal Site. Therefore, the project would be served by a landfill with sufficient capacity to accommodate its solid waste disposal needs and would not violate any statute or regulation regarding solid waste capacity. Impacts would be less than significant. This topic will not be discussed in the Supplemental EIR.

LESS THAN SIGNIFICANT IMPACT/NO CHANGES OR NEW INFORMATION REQUIRING PREPARATION OF AN EIR

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20 Wildfire

	Substantial Change in Project That May Require Major EIR Revisions	Substantial Change in Circumstances That May Require Major EIR Revisions	New Information Showing Potentially New or Greater Significant Effects than Previous EIR	Less than Significant Impact/No Changes or New Information Requiring Preparation of an EIR
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?	☐	☐	☐	■
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?	☐	☐	☐	■
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?	☐	☐	☐	■
d. Expose people or structures to significant risks, including downslopes or downstream flooding or landslides,				

	Substantial Change in Project That May Require Major EIR Revisions	Substantial Change in Circumstances That May Require Major EIR Revisions	New Information Showing Potentially New or Greater Significant Effects than Previous EIR	Less than Significant Impact/No Changes or New Information Requiring Preparation of an EIR
as a result of runoff, post-fire slope instability, or drainage changes?	☐	☐	☐	■

Impacts Identified in the 2008 Final EIR

Impacts related to wildfire were not analyzed as a stand-alone issue area in the 2008 Final EIR. However, impacts from wildfires were considered within the Hazardous Materials and Conditions analysis, located on pages 20-1 through 20-4 of the 2008 Final EIR. The 2008 Final EIR determined that the project would have no impact involving wildfire.

Impacts of the Proposed Project

a. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project substantially impair an adopted emergency response plan or emergency evacuation plan?

b. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project, due to slope, prevailing winds, and other factors, exacerbate wildfire risks and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?

c. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, 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?

d. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project expose people or structures to significant risks, including downslopes or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

The project site is not located in a State Responsibility Area (SRA) or land classified as a VHFHSZ. The nearest SRA is approximately 7 miles east of the project site and is classified as a moderate fire hazard severity zone (CAL FIRE 2007). The nearest VHFHSZ is approximately 20 miles east of the project site (CAL FIRE 2007). Therefore, the project would not substantially impair an adopted emergency response plan or emergency evacuation plan within an SRA or VHFHSZ. The project would not, due to slope, prevailing winds, and other factors, exacerbate wildfire risks and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire. The project would not require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment. There would be no impact. This topic will not be discussed in the Supplemental EIR.

LESS THAN SIGNIFICANT IMPACT/NO CHANGES OR NEW INFORMATION REQUIRING PREPARATION OF AN EIR

21 Mandatory Findings of Significance

	Substantial Change in Project That May Require Major EIR Revisions	Substantial Change in Circumstances That May Require Major EIR Revisions	New Information Showing Potentially New or Greater Significant Effects than Previous EIR	Less than Significant Impact/No Changes or New Information Requiring Preparation of an EIR
Does the project:				
a. 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 a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☐	■	☐
b. 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)?	☐	☐	■	☐

	Substantial Change in Project That May Require Major EIR Revisions	Substantial Change in Circumstances That May Require Major EIR Revisions	New Information Showing Potentially New or Greater Significant Effects than Previous EIR	Less than Significant Impact/No Changes or New Information Requiring Preparation of an EIR
c. Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	■	☐

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 a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

As discussed in Section 4, *Biological Resources*, Section 5, *Cultural Resources*, Section 10, *Hydrology and Water Quality*, and Section 18, *Tribal Cultural Resources*, impacts related to biological, cultural, tribal cultural, and water resources are potentially significant and will be analyzed further in the Supplemental EIR.

NEW INFORMATION SHOWING POTENTIALLY NEW OR GREATER SIGNIFICANT EFFECTS THAN PREVIOUS EIR

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)?

Cumulative impacts are defined as two or more individual (and potentially less than significant) project effects which, when considered together or in concert with other projects, combine to result in a significant impact within an identified geographic area. For a project to contribute to cumulative impacts, it must result in some level of impact on a project-specific level.

This discussion looks only at those effects for which some level of potential impact was identified, which includes topics for which a "Less than Significant Impact/No Changes or New Information Requiring Preparation of an EIR" was identified. Potential regional cumulative effects were considered for the following environmental topics, for which the project was found to result in less than significant impacts (without or with project mitigation):

- **Aesthetics:** The project would change the existing visual character of the area, as well as introduce new sources of light and glare that would be minimized through implementation of MM AES-8.3. The project site is located in the SEDA, which is planned for urban development, and the project would not result in new or more severe impacts to visual character than previously analyzed in the 2008 Final EIR. Similar to 2008 Final EIR, the project would not have a cumulatively considerable impact to aesthetics.
- **Agriculture and Forestry Resources:** The project would result in the loss of agricultural land; however, the project would not result in new or more severe impacts regarding agricultural land

conversion than previously analyzed in the 2008 Final EIR. Similar to the 2008 Final EIR, the project would not have a cumulatively considerable impact involving agricultural resources.

- **Geology and Soils:** The project site is located in an area at low risk of ground failure, seismic rupture, and other geologic hazards. The project would not increase frequency, intensity, or risk of geologic hazards. The project would not have a cumulatively considerable impact to geology and soils, including paleontological resources.
- **Hazards and Hazardous Materials:** Similar to the proposed project, cumulative projects would be required to comply with regulations applicable to the use, disposal, and transportation of hazardous materials during construction activities, and compliance with applicable regulations would reduce potential cumulative impacts to less-than-significant levels. With respect to the use and accidental release of hazardous materials in the environment during construction, effects are generally limited to site-specific conditions. Therefore, cumulative impacts related to accidental release of hazardous materials would not be significant.
- **Land Use and Planning:** The project site is located within the City of Fresno's SEDA, and a SEDA Specific Plan Policy Draft is currently being prepared by the City of Fresno. Under the SEDA, land uses in the regional area would change in accordance with the adopted Specific Plan; therefore, the project would not have a cumulatively considerable impact regarding land use and planning, and potential land use conflicts, following the adoption of the SEDA Specific Plan.
- **Mineral Resources:** The project would not result in the loss of availability of a known or economically important mineral resource. A significant portion of Fresno County is located within an MRZ-3 zone; given the widespread availability of mineral resources in the regional area, the project would not have a cumulatively considerable impact regarding the loss of mineral resources.
- **Population and Housing:** The project would have no impacts to population and housing. The project would not induce substantial unplanned population growth in the regional area, and thus would not have a cumulatively considerable impact to population and housing.
- **Public Services:** The project would not result in direct or indirect substantial unplanned population growth, and thus would not result in a commensurate increase in demand for public services. Therefore, the project would not result in a cumulatively considerable contribution to cumulative impacts, significant or otherwise related to public services.
- **Recreation:** The project would have no impacts to recreation, and thus would not have a cumulatively considerable impact to recreation.
- **Transportation:** The project would not conflict with transportation plans or policies, result in a significant increase in VMT, induce roadway hazards, or affect an evacuation route. Cumulative development in the regional vicinity of the project site would increase overall traffic and VMT in the SEDA, as land uses become increasingly urbanized. The project would not have a cumulative contribution to transportation impacts, considering operation of the project would require infrequent vehicle trips and adjacent roadways would be restored to pre-project conditions after construction.
- **Wildfire:** The project site is not located in an SRA or VHFHSZ and would not exacerbate fire conditions or increase risk of loss due to wildfire. The project would not have a cumulatively considerable impact to wildfire.

Finally, the cumulative effects of the project for the remaining environmental topics for which the project was found to result in a "New Information Showing Potentially New or Greater Significant Effects than Previous EIR" including air quality, biological resources, cultural resources, energy,

greenhouse gases, hydrology and water quality, noise, tribal cultural resources, and utilities and service systems, will be evaluated in the Supplemental EIR.

NEW INFORMATION SHOWING POTENTIALLY NEW OR GREATER SIGNIFICANT EFFECTS THAN PREVIOUS EIR

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

In general, impacts to human beings are associated with issues such as air quality, hazards and hazardous materials, and noise. As discussed in Section 9, *Hazards and Hazardous Materials,* the project would not result in significant impacts associated with hazards or hazardous materials. As detailed under Section 13, *Noise*, the project could potentially result in significant impacts associated with noise. Potential noise impacts will be evaluated in the Supplemental EIR.

NEW INFORMATION SHOWING POTENTIALLY NEW OR GREATER SIGNIFICANT EFFECTS THAN PREVIOUS EIR

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