BEFORE THE BOARD OF SUPERVISORS
OF THE COUNTY OF FRESNO
STATE OF CALIFORNIA

IN THE MATTER OF THE FRESNO COUNTY GENERAL PLAN. REVIEW AND ZONING ORDINANCE UPDATE	RESOLUTION CERTIFYING THE FINAL PROGRAM ENVIRONMENTAL IMPACT REPORT FOR THE GENERAL REVIEW AND ZONING ORDINANCE UPDATE CONSISTING OF GENERAL PLAN AMENDMENT NO. 529, AMENDMENT TO TEXT APPLICATION NO. 385, AMENDMENT APPLICATION NO. 3862 (SCH 2018031066); ADOPTION OF CEQA FINDINGS; ADOPTION OF THE MITIGATION MEASURES, MITIGATION MONITORING AND REPORTING PROGRAM AND THE STATEMENT OF OVERRIDING CONSIDERATIONS; AND APPROVAL OF THE GENERAL PLAN REVIEW AND ZONING ORDINANCE UPDATE, (FIRST AMENDMENT CYCLE IN 2024)

WHEREAS, Fresno County has prepared a Program Environmental Impact Report ("PEIR") (State Clearinghouse Number 2018031066) for General Plan Amendment No. 529, Amendment to Text Application No. 385, and Amendment Application No. 3862 (the “Project”) proposing to comprehensively modify the existing policies and programs in the 2000-2020 General Plan excluding the Housing Element, modify and update the General Plan Background Report, compressively update the Zoning Ordinance, and rezone a 481-acre area, approximately one-half mile north of the northern boundary of the City of Fresno, bounded by Friant Road/Willow Avenue to the west, Garonne Avenue to the south, those parcels immediately east and adjacent to Auberry Road to the east and generally the Birkhead Road alignment to the north and encompassing those parcels immediately to the west, northeast and east of the full length of Willow Bluff Avenue from the AE (Exclusive Agricultural) to the AL (Limited Agricultural) Zone District; and

WHEREAS, the Project proposes to extend the General Plan Planning Period to 2042, include updates to address Environmental Justice, revise the Safety Element to address climate hazards,

vulnerability, and emergency evacuation, incorporate analysis and policies related specifically to air quality, and include reference to a future study area for a Fresno County Business and Industrial Campus, while carrying forward those same themes identified in the 2000 General Plan, with the addition of an Environmental Justice Element which contains new policies and implementation programs. In addition, the Project includes the aforementioned Amendment to Text and Amendment (Rezone) applications to format, update and modernize the Zoning Ordinance document, and rezone an approximately 481-acre area one-half mile north of the city limits of Fresno from AE to AL to correspond with a General Plan Policy that may permit future area rezonings to a Rural Residential Five Acre minimum parcel size; and

WHEREAS, on March 20, 2018, Fresno County distributed the Notice of Preparation ("NOP") for the Project's PEIR for a 45-day review period, commencing on March 20, 2018 and ending on May 4, 2018; and

WHEREAS, an updated NOP was prepared for the Project and circulated to all trustee agencies, responsible agencies, and interested parties beginning on January 15, 2021, for a 45-day review period ending on March 1, 2021; and

WHEREAS, the Draft PEIR was duly circulated for a 60-day public review period, commencing on April 28, 2023 and ending on June 27, 2023; and

WHEREAS, on April 28, 2023, a Notice of Availability of the Draft PEIR was published in the Fresno Business Journal, a newspaper of general circulation in Fresno County; and

WHEREAS, on May 3, 2023, a Notice of Availability of the Draft PEIR was published in the Hanford Sentinel and on May 10, 2023, a Notice of Availability of the Draft PEIR was published in the Kerman News, both newspapers of regional circulation in Fresno County; and

WHEREAS, between May 23, 2023 and June 22, 2023 seven community workshops were held beginning at the Cantua Creek Elementary School in the unincorporated community of Cantua Creek, then the Malaga Community Center in the unincorporated community of Malaga, Biola Community Service District Hall in the unincorporated community of Biola, the Clovis Police Department in the City of Clovis, the Woodward Park Library in the City of Fresno, the Riverdale Memorial District in the

unincorporated community of Riverdale, and the Betty Rodriguez Library in the City of Fresno, to receive comments on the Project; and

WHEREAS, written comments were submitted during the public comment period by public agencies and members of the public, and after consideration thereof, written responses were prepared for said comments by the consultant and were reviewed by County staff; and

WHEREAS, on January 12, 2024, a notice was mailed and published announcing that the Final PEIR, which included written responses to the public comments, was available. Upon request, this document was duly sent to the commenting public agencies and the member(s) of the public in a manner such that public agencies and members of the public received it at least ten (10) days before the action was taken on this date with respect to the Final PEIR and the Project; and

WHEREAS, the Final PEIR for this Project consists of the Draft PEIR, the Technical Appendices thereto, the Comments to the Draft PEIR and the written responses to said comments, and certain errata to the Draft PEIR, of which all documents constitute and shall be collectively referred to herein as the "Final PEIR"; and

WHEREAS, the Draft PEIR identified potentially significant impacts that may result from implementation of the Project and Mitigation Measures proposed to mitigate those impacts to a level of insignificance; and

WHEREAS, the Draft PEIR identified potential environmental impacts relating to agriculture and forestry resources, air quality, cultural resources, geology and soils, greenhouse gas emissions, transportation and traffic quality, tribal cultural resources, utilities and service systems, and wildfire, that, even with implementation of the Mitigation Measures proposed in the Draft PEIR, cannot be reduced to a level of insignificant, or there are no known Mitigation Measures to reduce the impacts to a level of insignificant; and

WHEREAS, Mitigation Measures, a Mitigation Monitoring Program, and a Statement of Facts, Findings and Overriding Considerations is proposed for adoption; and

WHEREAS, on January 25, 2024, the Planning Commission ("Commission") held a public hearing noticed and published in accordance with State law and local ordinance to consider the Project and received verbal presentations and a written Staff Report and Exhibits related to the Final PEIR and

the Project from County staff and other interested parties, and said documents were independently reviewed and considered by the Commission; and

WHEREAS, the Commission reviewed and considered the information presented in the Final PEIR and other relevant evidence to determine compliance with the California Environmental Quality Act (CEQA), the State CEQA Guidelines and the County's procedures for implementing CEQA; and

WHEREAS, the Commission, prior to taking action on the Project, independently reviewed and considered the information contained in the Final PEIR and other relevant evidence. Accordingly, based on the Commission's exercise of its independent judgment when reviewing and considering the information in the Final PEIR and other relevant evidence presented thereto, (including the Staff Reports made a part hereof), the Commission found that the Final PEIR prepared for the Project is adequate, and said Final PEIR has been prepared and completed in compliance with CEQA, State CEQA Guidelines and the County's procedures for implementing CEQA; and

WHEREAS, the Commission, after considering all of the evidence presented and based on substantial evidence, found and declared that the foregoing recitals (made a part hereof) are true, and made further findings concerning the environmental impacts relating to the Project, as described in the Final PEIR.

WHEREAS, the Commission recommended that the Board of Supervisors ("Board") approve and adopt the Mitigation Measures, the Mitigation Monitoring Program incorporated into the Project in order to mitigate feasibly, substantially lessen the potential impacts of the proposed Project pursuant to the Mitigation Measures and the Mitigation Monitoring Plan as set forth in attached Exhibit "A," which is incorporated by reference herein; and

WHEREAS, the Commission further found that certain significant environmental impacts relating to agriculture and forestry resources, air quality, cultural resources, geology and soils, greenhouse gas emissions, transportation and traffic quality, tribal cultural resources, utilities and service systems, and wildfire cannot be mitigated fully, substantially lessened, or avoided; and that specific economic, legal, social, technological or other considerations make infeasible the Mitigation Measures or other project alternatives identified in the Final PEIR. The Commission further found that Mitigation Measures have been required which feasibly mitigate and substantially lessen, all of the significant effects on the

environment, except as noted in the Final PEIR. However, despite these Mitigation Measures, there are still significant and unavoidable environmental impacts from this Project; and

WHEREAS, the Commission, on the basis of the whole record before it recommended that the Board certify the Final PEIR prepared for the Project and approve General Plan Amendment No. 529, Amendment to Text Application No. 385, and Amendment Application No. 3862; and

WHEREAS, the Commission directed its Clerk to prepare Planning Commission Resolution No. 13026 documenting its action; and

WHEREAS, the Board duly fixed February 20, 2024, for a public hearing on the Project and the public hearing was held thereon in the manner prescribed by law; and

WHEREAS, in accordance with State law and local ordinance, County staff has given due notice of the Board of Supervisor's public hearing regarding the Project and the Final PEIR; and

WHEREAS, on February 20, 2024, the Board held its public hearings to consider the Project and received verbal presentation and a written Staff Report and Exhibits, including the Planning Commission Staff Report related to the Final PEIR and the Project from County staff and other interested parties, and said documents were independently reviewed and considered by the Board; and

WHEREAS, the Board reviewed and considered the information presented in the Final PEIR and other relevant evidence to determine compliance with CEQA, State CEQA Guidelines and the County's procedures for implementing CEQA, the Board, prior to taking action on the Project, independently reviewed and considered the information contained in the Final PEIR and other relevant evidence; and

WHEREAS, based on the Board's exercise of its independent judgment when reviewing and considering the information in the Final PEIR and other relevant evidence presented thereto (including the Planning Commission Staff Reports made a part thereof), the Board finds that the Final PEIR prepared for the Project is adequate, and said Final PEIR has been prepared and completed, in compliance with CEQA, the State CEQA Guidelines and the County's procedures for implementing CEQA; and

WHEREAS, the Board, after considering all of the evidence presented and based on substantial evidence, finds and declares that the foregoing recitals (made a part hereof) are true, and makes

further findings concerning the environmental impacts relating to the Project, as described in the Final PEIR. These findings are set forth more specifically in attached Exhibit "A", which is incorporated herein by reference. These findings, which are based on substantial evidence, were reviewed by the Board. The findings reflect that except for certain significant effects relating to agriculture and forestry resources, air quality, cultural resources, geology and soils, greenhouse gas emissions, transportation and traffic quality, tribal cultural resources, utilities and service systems, and wildfire, all potentially significant environmental effects will be substantially lessened, reduced to a level of insignificant through the adoption and implementation of feasible Mitigation Measures proposed in the Final PEIR; and

WHERAS, this will be the first amendment cycle to the Fresno County General Plan in this calendar year (2024).

NOW, THEREFORE, IT IS HEREBY RESOLVED that the Fresno County Board of Supervisors hereby finds as follows:

1. The Final PEIR has been completed and processed in compliance with CEQA.
2. The Board of Supervisors has been presented the Final PEIR and has reviewed and considered the information contained in the Final EIR prior to approving the Project.
3. The Board of Supervisors finds that the Mitigation Measures and the Mitigation Monitoring Plan included Exhibit "A" are adequate with respect to those Mitigation Measures imposed on the Project.
4. The Final PEIR reflects the independent judgment of the County.
5. The Board further finds that certain significant environmental effects relating to agriculture and forestry resources, air quality, cultural resources, geology and soils, greenhouse gas emissions, transportation and traffic quality, tribal cultural resources, utilities and service systems, and wildfire cannot be mitigated fully, substantially lessened, or avoided. The Board further finds that Mitigation Measures have been required which feasibly mitigate and substantially lessen all of the significant effects on the environment, except as noted in the Final PEIR. However, despite these Mitigation Measures, there are still significant and unavoidable environmental impacts from this

Project. Findings of Fact and Statement of Overriding Concern are included in Exhibit "A."

6. The Clerk of the Fresno County Board of Supervisors, located at 2281 Tulare Street, Third Floor, is custodian of the document and other materials which constitute the record of the proceedings upon which the Board's decision is based.

BE IT FURTHER RESOLVED that the Final PEIR is certified as follows:

1. The Board of Supervisors, after considering the entire record and exercising its independent judgment, has made all the findings of fact required by CEQA.
2. The Board of Supervisors approves the Mitigation Monitoring Plan included in Exhibit "A."
3. After considering the significant and unavoidable impacts of the Project and balancing specific economic, legal, social, technological and other factors, the Board adopts the Statement of Overriding Considerations, which is based on substantial evidence, as is set forth in Exhibit "A."
4. Staff with the Department of Public Works and Planning shall file a notice of this Board's determination in compliance with CEQA.

BE IT FURTHER RESOLVED that The Board accepts the proposed revised General Plan Background Report.

BE IT FURTHER RESOLVED that the Board approves General Plan Amendment No. 529, and concurrently approves, through separate Ordinances, Amendment to Text Application No. 385 and Amendment Application No. 3862, all of which were previously reviewed by the Planning Commission.

BE IT FURTHER RESOLVED that the Fresno County General Plan hereby is amended, as described above, thus constituting the first amendment, to the Fresno County General Plan for 2024; and

THE FOREGOING was passed and adopted by the following vote of the Board of Supervisors of the County of Fresno the 20th day of February, 2024, to wit:

AYES: Supervisors Brandau, Magsig, Mendes, Pacheco, Quintero

NOES: None

ABSENT: None

ABSTAINED: None

Nathan Magsig, Chairman of the
Board of Supervisors of the County of Fresno

ATTEST:
BERNICE E. SEIDEL
Clerk of the Board of Supervisors
County of Fresno, State of California

By _____
Deputy

EXHIBIT "A"

CEQA Findings and Statement of Overriding Considerations

for the

Fresno County General Plan Review and Zoning Ordinance Update

Pursuant to CEQA Guidelines Sections 15091 and 15093 and Public Resources Code Section 21081

The Final Environmental Impact Report (EIR) prepared for the Fresno County General Plan Review and Zoning Ordinance Update (SCH #2018031066) consists of errata to the Draft EIR and Response to Comments on the Draft EIR. The Final EIR identifies significant environmental impacts that will result from implementation of the Fresno County General Plan Review and Zoning Ordinance Update (GPR/ZOU). The County of Fresno (County) finds that the inclusion of certain mitigation measures as part of approval of the GPR/ZOU will reduce all but the following significant impacts to levels that are less than significant: agriculture (impacts related to the conversion of farmland or forestland to non-agricultural use), air quality (construction and operation-related emissions), cultural resources (built environmental historical resources and archaeological resources), geology and soils (paleontological resources), greenhouse gas emissions (project-specific efficiency thresholds), transportation (project-level and cumulative impacts related to vehicle miles traveled [VMT]), tribal cultural resources, utilities and service systems, and wildfire (impacts related to potential development in medium, high, or very high fire hazard severity zones). No feasible mitigation measures have been identified to reduce these impacts to a less-than-significant level or mitigation measures have been identified but would not reduce impacts to a level of less than significant; thus, these impacts will remain significant unavoidable impacts of the GPR/ZOU. These impacts will be overridden due to specific considerations that are described within this document.

As required by the California Environmental Quality Act (CEQA), the County, in adopting these CEQA Findings of Fact (Findings) and Statement of Overriding Considerations, also adopts a Mitigation Monitoring and Reporting Program (MMRP) for the GPR/ZOU. The County finds that the MMRP, which is incorporated herein by reference, meets the requirements of Public Resources Code Section 21081.6 by providing for the implementation and monitoring of measures intended to mitigate potentially significant effects of the GPR/ZOU. In accordance with CEQA and the *CEQA Guidelines*, the County adopts these findings as part of approval of the Fresno County GPR/ZOU. Pursuant to Public Resources Code Section 21082.1(c)(3), the County also finds that the Final EIR reflects the County's independent judgment as the lead agency for the Fresno County GPR/ZOU.

Consideration and Certification of the EIR

In accordance with CEQA, and on the formal recommendation of the Planning Commission following notice and public hearing, the Board of Supervisors certifies that the EIR has been completed in compliance with CEQA. The Board of Supervisors has independently reviewed the record and the EIR prior to certifying the EIR and approving the GPR/ZOU. By these findings, the Board of Supervisors confirms, ratifies, and adopts the findings and conclusions of the EIR as supplemented and modified by these findings. The EIR and these findings represent the independent judgment and analysis of the Board of Supervisors and the County. The Board of Supervisors recognizes the EIR

may contain clerical errors. The Board of Supervisors reviewed the entirety of the EIR and bases its determination on the substance of the information it contains. The Board of Supervisors certifies that the EIR is adequate to support the approval of the action that is the subject of the staff report to which these CEQA findings are attached. The Board of Supervisors certifies that the EIR is adequate to support approval of the GPR/ZOU described in the EIR, each component and phase of the GPR/ZOU described in the EIR, any variant of the GPR/ZOU described in the EIR, any minor modifications to the GPR/ZOU or variants of the GPR/ZOU described in the EIR and the components of the GPR/ZOU.

Absence of Significant New Information

The Board of Supervisors recognizes the Final EIR incorporates information obtained and produced after the Draft EIR was completed, and that the Final EIR contains additions, clarifications, and modifications. On the recommendation of the Planning Commission following notice and public hearing, the Board of Supervisors has reviewed and considered the Final EIR and all of this information. The Final EIR does not add significant new information to the Draft EIR that would require recirculation of the EIR under CEQA. The new information added to the EIR does not involve a new significant environmental impact, a substantial increase in the severity of an environmental impact, or a feasible mitigation measure or alternative considerably different from others previously analyzed that the Board of Supervisors declines to adopt and that would clearly lessen the significant environmental impacts of the GPR/ZOU. No information indicates that the Draft EIR was inadequate or conclusory or that the public was deprived of a meaningful opportunity to review and comment on the Draft EIR. Thus, recirculation of the EIR is not required. The Board of Supervisors finds that the changes and modifications made to the EIR after the Draft EIR was circulated for public review and comment do not individually or collectively constitute significant new information within the meaning of Public Resources Code section 21092.1 or the CEQA Guidelines section 15088.5.

Severability

If any term, provision, or portion of these Findings or the application of these Findings to a particular situation is held by a court of competent jurisdiction to be invalid, void or unenforceable, the remaining provisions of these Findings, or their application to other actions related to the GPR/ZOU, shall continue in full force and effect unless amended or modified by the County.

Table of Contents

This page intentionally left blank.

1 Introduction

1.1 Statutory Requirements for Findings

These Findings of Fact (Findings) and Statement of Overriding Considerations address the potentially significant environmental impacts identified by the Environmental Impact Report (EIR) for the update to the Fresno County General Plan Review and Zoning Ordinance Update (referred to herein as the GPR/ZOU). The Findings and Statement of Overriding considerations are made pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15091, which states that:

(a) No public agency shall approve or carry out a project for which an Environmental Impact Report (EIR) has been certified which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The possible findings are:

  (1) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.

  (2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.

  (3) Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.

(b) The findings required by subdivision (a) shall be supported by substantial evidence in the record.

Section 15092 of the CEQA Guidelines further stipulates that:

(a) After considering the final EIR and in conjunction with making findings under Section 15091, the Lead Agency may decide whether or how to approve or carry out the project.

(b) A public agency shall not decide to approve or carry out a project for which an EIR was prepared unless either:

  (1) The project as approved will not have a significant effect on the environment, or

  (2) The agency has:

    (A) Eliminated or substantially lessened all significant effects on the environment where feasible as shown in findings under Section 15091, and

    (B) Determined that any remaining significant effects on the environment found to be unavoidable under Section 15091 are acceptable due to overriding concerns as described in Section 15093.

In short, CEQA requires that the lead agency adopt mitigation measures or alternatives, where feasible, to avoid or mitigate significant environmental impacts that will otherwise occur with

implementation of the project. Project mitigation or alternatives are not required, however, where they are infeasible or where the responsibility for modifying the project lies with another agency.[1]

For those significant effects that cannot be mitigated to a less-than-significant level, the public agency is required to find that specific overriding economic, legal, social, technological, or other benefits of the project outweigh the significant effects on the environment.[2] The CEQA Guidelines state in Section 15093 that:

> "If the specific economic, legal, social, technological, or other benefits of a propos[ed] project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered 'acceptable."

1.2 Procedural Findings

The Board of Supervisors of the County of Fresno (County) finds as follows:

Based on the nature and scope of the GPR/ZOU, the Board of Supervisors determined, based on substantial evidence, that the GPR/ZOU may have a significant effect on the environment and prepared an EIR (State Clearinghouse No. 2018031066). The EIR was prepared, noticed, published, circulated, reviewed and completed in full compliance with the CEQA Public Resources Code Sections 21000 et seq. CEQA and the CEQA Guidelines (14 California Code of Regulations Sections 15000 et. Seq.), as follows:

- **Notice of Preparation (NOP)**. After deciding that an EIR is required, the lead agency (the County) must file an NOP with the State Clearinghouse and distribute the NOP to responsible and trustee agencies and parties previously requesting notice in writing (CEQA Guidelines Section 15082; Public Resources Code [PRC] Section 21092.2). The NOP must be posted in the County Clerk's office for 30 days. An NOP of a Draft EIR was circulated to the State Clearinghouse, responsible, and trustee agencies and persons requesting notice on March 20, 2018. The County temporarily paused the project for additional changes after circulating the NOP in 2018. As a result, the County prepared an updated NOP on January 15, 2021. The County of Fresno distributed the NOP for a 45-day agency and public review period commencing January 15, 2021, to March 1, 2021.
- **Scoping Hearing**. Pursuant to CEQA Guidelines Section 15082 the lead agency must conduct at least one EIR Scoping Meeting for projects of statewide, regional, or areawide significance. The County held two EIR scoping meetings on March 26, 2018 (one at Fresno County Board of Supervisors Chambers and the other at the Riverdale Memorial District), and a virtual EIR Scoping Meeting on January 27, 2021.
- **Draft EIR Prepared.** The Draft EIR must contain a) table of contents or index; b) summary; c) project description; d) environmental setting; e) discussion of significant impacts (direct, indirect, cumulative, growth-inducing, and unavoidable impacts); f) a discussion of alternatives; g) mitigation measures; h) discussion of irreversible changes, and i) any identified areas of controversy. The County prepared a Draft EIR, which was circulated for a 60-day public review period that began on April 28, 2023 and ended on June 27, 2023. A corresponding Notice of Availability (NOA) was published to provide notification when the Draft EIR became available for public review.

[1] CEQA Guidelines Section 15091 (a), (b).
[2] Public Ressources Code Section 21081(b).

- **Notice of Availability (NOA) and Notice of Completion (NOC).** Pursuant to CEQA Guidelines Section 15087, the lead agency must circulate an NOA and file an NOC with the State Clearinghouse when it completes a Draft EIR. The lead agency must place the NOA in the County Clerk's office for 30 days. Additionally, public notice of Draft EIR availability must be given through at least one of the following methods: a) publication in a newspaper of general circulation; b) physical signage posting on and off the project site; and c) direct mailing to owners and occupants of contiguous properties. The lead agency must solicit input from other agencies and the public and respond in writing to all comments received (PRC Sections 21104 and 21153). An NOA and NOC were prepared and submitted to the State Clearinghouse with the Draft EIR, which was published by the State Clearinghouse on April 28, 2023. The NOA was posted with the County of Fresno Department of Public Works and Planning, at 16 Fresno County library locations, one Coalinga library, and the County of Fresno General Plan website (www.fresnocountygeneralplan.com) on April 28, 2023. The NOA was distributed via mail or email to interested agencies, organizations, and individuals of that the release of revised draft documents associated with the GPR/ZOU.
- **Final EIR.** Pursuant to CEQA Guidelines Section 15132, a Final EIR must include a) the Draft EIR and subsequent revisions; b) copies of comments received during public review; c) list of persons, organizations, and public agencies commenting; and d) responses to significant environmental issues raised in the comments. The County prepared a Final EIR, which was submitted to the State Clearinghouse on January 5, 2024 and published on January 12, 2024.
- **Certification of Final EIR.** Prior to making a decision on a proposed project, the lead agency must certify that a) the Final EIR has been completed in compliance with CEQA; b) the Final EIR was presented to the decision-making body of the lead agency; c) the decision-making body reviewed and considered the information in the Final EIR prior to approving a project; and the Final EIR reflects the lead agency's independent judgement and analysis (CEQA Guidelines Section 15090).
- **Lead Agency Project Decision.** The lead agency may a) disapprove the project because of its significant environmental effects; b) require changes to the project to reduce or avoid significant environmental effects; or c) approve the project despite its significant environmental effects, if the proper findings and statement of overriding considerations are adopted (CEQA Guidelines sections 15042 and 15043).
- **Findings/Statement of Overriding Considerations**. For each significant impact of the project identified in the EIR, the lead agency must find, based on substantial evidence, that a) the project has been changed to avoid or substantially reduce the magnitude of the impact; b) changes to the project are within another agency's jurisdiction and such changes have or should be adopted by such other agency; or c) specific economic, social, or other considerations make the mitigation measures or project alternatives infeasible (CEQA Guidelines Section 15091). If an agency approves a project with unavoidable significant environmental effects, it must prepare a written Statement of Overriding Considerations that sets forth the specific social, economic, or other reasons supporting the agency's decision.
- **Mitigation Monitoring Reporting Program.** When the lead agency makes findings on significant effects identified in the EIR, it must adopt a reporting or monitoring program for mitigation measures adopted or made conditions of project approval to mitigate significant effects (CEQA Guidelines Section 15097).
- **Notice of Determination (NOD).** The lead agency must file a NOD within five working days after deciding to approve a project for which an EIR is prepared (CEQA Guidelines Section 15094). A

local agency must file the NOD with the county clerk, and with the State Clearinghouse if the project requires discretionary approval by any State agency. The NOD must be posted for 30 days and sent to anyone requesting notice previously. Posting of the NOD starts a 30-day statute of limitations on CEQA legal challenges (PRC Section 21167[c]). Chris Motta, MURP is authorized to file the Notice of Determination with the County clerk.

1.3 Findings Required Under CEQA

The Board of Supervisors (the final decision-making body) of the County of Fresno (the CEQA Lead Agency) will determine whether to certify the EIR for the project. Because the Draft EIR identified a potentially significant environmental impact, the Board of Supervisors must also make certain "findings" as part of its action to certify that the EIR has been completed in compliance with CEQA and to approve the GPR/ZOU. Pursuant to CEQA Guidelines Section 15091 and PRC Section 21081, no public agency shall approve or carry out a project for which an environmental impact report has been certified, which identifies one or more significant effects on the environment that would occur if the project is approved or carried out, unless the public agency makes one or more findings for each of those significant effects, accompanied by a brief explanation of the rationale of each finding. The possible findings, which must be supported by substantial evidence in the record, are:

- Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.
- Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
- Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR.

1.4 Record of Proceedings

For purposes of CEQA and these findings, the record before the Board of Supervisors includes the following:

- The Draft EIR and appendices to the Draft EIR
- The Final EIR including errata to the Draft EIR, comments on the Draft EIR, and responses to comments
- Public notices issued by the County in connection with the GPR/ZOU including the NOP, NOA, NOC, and NOD
- Studies conducted for the GPR/ZOU and contained in, or referenced by, the Draft EIR or the Final EIR
- All documents cited, incorporated by reference, or referred to in the Draft EIR and Final EIR
- Written and verbal comments submitted to the County by agencies, organization, and members of the public on the GPR/ZOU, Notice of Preparation, Draft EIR, and Final EIR (before, during, and after the close of the public comment periods)
- Minutes or video recordings of Planning Commission and/or Board of Supervisor joint workshops and Board of Supervisor hearings held by the County in connection with the GPR/ZOU.

- The Findings and Statement of Overriding Conditions, Mitigation Monitoring and Reporting Program, and Resolutions adopted by the County in connection with the GPR/ZOU.
- Any other materials required to be in the record of proceedings by Public Resources Code Section 21167.6, subdivision (e).

Pursuant to Public Resources Code section 21081.6(a)(2), the custodian of the documents and other materials that constitute the record of the proceedings upon which the County's decisions are based is the County Clerk, or designee. Such documents and other material are located at the Fresno County Plaza Building, 2220 Tulare St, Fresno, CA 93721.

1.5 Findings

The Draft EIR and Final EIR are incorporated into these findings in its entirety. Without limitation, this incorporation is intended to elaborate on the scope and nature of mitigation measures, the basis for determining the significance of impacts, the comparative analysis of alternatives, and the reasons for approving the GPR/ZOU in spite of the potential for associated significant and unavoidable adverse impacts.

For the purposes of these findings, the impact discussions include the relevant policies and implementing actions, as well as the separate mitigation measures imposed to reduce the impacts where the policies and implementing actions did not result in a less than significant impact. In the findings that follow in Sections 3-5, impact numbers are provided. The impact numbers correspond to the impact discussions in the Draft EIR that contain an expanded discussion of impacts. Please refer to the referenced impact sections of the Draft EIR for more detail.

2 General Plan Review and Zoning Ordinance Update

2.1 Plan Objectives

Pursuant to CEQA Guidelines Section 15124(b), the EIR project description must include "[a] statement of objectives sought by the proposed project. The statement of objectives should include the underlying purpose of the project."

The primary objective of the GPR/ZOU are to ensure that the County's guiding land use documents are consistent with State legislation that has been enacted subsequent to the adoption of the County 2000 General Plan Update. This includes, but is not limited to, the inclusion of an Environmental Justice Element. Additionally, the current effort proposes to revise and streamline some existing General Plan Policies and programs as well as Zoning Ordinance provision.

The General Plan Vision Statement is as follows:

> This General Plan sets out a vision reflected in goals, policies, programs, and diagrams for Fresno County through the plan horizon year of 2042 and beyond. This plan carries forward major policies that have been in place since the mid-1970s, but expands and strengthens them to meet the challenges of the 21st century.
>
> The County sees its primary role to be the protector of productive agricultural lands, open space, recreational opportunities, and environmental quality, and the coordinator of countywide efforts to promote economic development.

In consideration of the County's General Plan Vision, this General Plan Review and Zoning Ordinance Update does not designate/expand new growth areas or new development, with the exception of those sites within urbanized areas to be identified for additional housing as required to meet the State mandated Regional Housing Needs Assessment (RHNA) for the sixth (6th) Cycle Housing Element. The General Plan provides the following guiding themes:

- **Economic Development** The plan seeks to promote job growth and reduce unemployment through the enhancement and expansion of its agricultural economic basis plus facilitate business parks that include manufacturing, processing, and distribution.
- **Agricultural Land Protection** The plan seeks to protect its productive agricultural land as the County's most valuable natural resource and the historic basis of its economy through directing new urban growth to cities and existing unincorporated communities and by limiting the encroachment of incompatible development upon agricultural lands. Establish a basis for judging whether specific development proposals and public projects are in harmony with Plan policies and standards;
- **Growth Accommodation** The plan is designed to accommodate population growth through the year 2042 consistent with the forecasted projection of 234,591 people in the unincorporated County by 2042. This represents an additional population of approximately 33,607.
- **Urban-Centered Growth** The plan promotes compact growth by directing most new urban development to incorporated cities and existing unincorporated urban communities where public facilities and infrastructure are available or can be provided consistent with the adopted General Plan or Community Plan to accommodate such growth. Accordingly, this plan prohibits

designation of new areas as Planned Rural Community and restricts the designation of new areas for rural residential development while allowing for the orderly development of existing rural residential areas.

- **Efficient and Functional Land Use Patterns** The plan promotes compact, mixed-use, and pedestrian- and transit-oriented development within city spheres as well as in the County's unincorporated communities.
- **Service Efficiency** The plan provides for the orderly and efficient extension of infrastructure such as roadways, water, wastewater, drainage, and expansion services to support the county's economic development goals and to facilitate compact growth patterns. The plan supports development of a multi-modal transportation system that meets community economic and freight mobility needs, improves air quality, and shifts travel away from single-occupant automobiles to less polluting transportation modes.
- **Recreational Development** The plan supports the expansion of existing recreational opportunities and the development of new opportunities, particularly along the San Joaquin and Kings Rivers, in the foothills, and in the Sierras, for the employment of County residents and to increase tourism as part of the County's diversified economic base.
- **Resource Protection** The plan seeks to protect and promote careful management of the County's natural resources, such as its soils, water, air quality, minerals, and wildlife and its habitat, to support the County's economic goals and to maintain the County's environmental quality.
- **Health and Safety Protection** The plan seeks to protect County residents and visitors through mitigation of hazards and nuisances such as geological and seismic hazards, flooding, wildland fires, transportation hazards, hazardous materials, noise, and air pollution.
- **Health and Well-Being** The plan seeks to promote the health and well-being of its residents, recognizing that the built environment affects patterns of living that influence health. The plan seeks to ensure long-term conservation of agricultural lands and environmentally sensitive landscapes; encourage walking and biking and provide linked transit systems; promote greater access to healthy foods and produce, particularly fresh locally-grown produce; and create community centers that provide access to employment, education, business, and recreation.
- **Enhanced Quality of Life** The plan strives throughout all its elements to improve the attractiveness of the County to existing residents, new residents, and visitors through increased prosperity, attractive forms of new development, protection of open space and view corridors, promotion of cultural facilities and activities, efficient delivery of services, and expansion of recreational opportunities.
- **Affordable Housing** The plan seeks to assure the opportunity for adequate and affordable housing for all residents in Fresno County. While directing most new growth to cities, the plan also seeks to provide for the maintenance of existing housing and for new construction in designated areas within the unincorporated area of the County.
- **Environmental Justice** The plan is designed to create opportunities for every resident to live in healthy and safe communities regardless of race, color, national origin or income, and to create opportunities for meaningful community involvement in the development of laws and regulations that affect every community's natural surroundings, and the places people live, work, play and learn.

2.2 Project Description

The General Plan Review is intended to build on the major policies of the current 2000 General Plan but expand and strengthen them to meet the challenges and community needs through planning horizon year 2042. The General Plan Review would accommodate County population growth projected through 2042. The 2042 General Plan seeks to preserve agricultural land and natural resources; conserve public spaces and recreational resources; promote the wellbeing of County residents; maintain economic vitality and balance; and direct land use policies that enable sustainable and forecasted growth in the County. The major themes of the current 2000 General Plan have been retained in the General Plan Review and include directing urban growth to existing communities, limiting the intrusion of development and incompatible land uses onto productive agricultural land, and limiting rural residential development. The revisions include only minimal changes to the land use designations and land use maps in the existing 2000 General Plan. The majority of revisions are to goals, policies, and implementation programs of the General Plan. The revision also includes addressing laws affecting the General Plan, including the addition of an Environmental Justice Element to the General Plan Policy Document. Section 65860(c) of the Government Code requires that when a General Plan is amended in a way that makes the Zoning Ordinance inconsistent with the General Plan, "the Zoning Ordinance shall be amended within a reasonable time so that it is consistent with the general plan as amended." However, the Government Code does not define a specific time period that would constitute a reasonable time. In this instance, the proposed project includes updating the Fresno County Zoning Ordinance to be consistent with the proposed revisions to General Plan Policy Document included in the General Plan Review. Components of the Zoning Ordinance update that could result in physical changes to the environment include the revisions to the regulations for accessory dwelling units, density bonus and other State-mandated changes to California Zoning law which became effective since the adoption of the 2000 General Plan. Refer to Chapter 2, *Project Description*, of the Draft EIR for the complete project description.

3 Findings Regarding Impacts Determined to be Less than Significant

Certain impacts were found to be less than significant or to have no impact. The County, having received, reviewed, and considered the entire record, both written and oral, related to the GPR/ZOU and Draft and Final EIR, finds that the following impacts would not be significant adverse impacts or would create no impact and therefore no additional Findings are needed.

No Impact

City finds that, based upon substantial evidence in the record, as discussed below, the GPR/ZOU would result in no impacts associated with the following topics:

Energy

Impact E-2. Construction and operation of projects facilitated by the GPR/ZOU would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. No impact would occur.

Less than Significant Impacts

The County finds that, based upon substantial evidence in the record, as discussed below, the GPR/ZOU's impacts associated with the following topics would be less than significant:

Aesthetics

Impact AES-1. The GPR/ZOU would facilitate growth that may lead to intensified development in Fresno County. General Plan policies and development standards would regulate development in areas with scenic vistas or views of natural scenic resources, reducing potential impacts. The impact on scenic vistas would be less than significant.

Impact AES-2. The GPR/ZOU proposes no development in designated or eligible scenic highways. Development near scenic highways and scenic corridors is regulated by design standards that protect views. Impacts would be less than significant.

Impact AES-3. The proposed General Plan could create land use patterns that would substantially alter the existing visual character of the region, including the quality of public views. In developed areas, changes in zoning designations could result in increased density and more mixed-use-style development. Goals and policies in the General Plan protect visual resources and guide new development in a way that is visually compatible with existing uses, such that impacts would be reduced. New development would be subject to design review. Impacts would be Less than significant.

Impact AES-4. New development facilitated by the GPR/ZOU could increase light and glare effects on sensitive receptors, such as residential uses. However, new development would be subject to existing regulations in the County's Zoning Ordinance and 2042 General Plan policies to protect dark skies at night. Therefore, the GPR/ZOU would have a less than significant impact associated with light and glare.

Agriculture

Impact AG-3. The proposed project is designed to encourage the continued operation of existing timber production within the Planning Area. Impacts would be less than significant.

Air Quality

Impact AQ-4. The GPR/ZOU would not create objectionable odors that would affect a substantial number of people. Impacts would be less than significant.

Biological Resources

Impact BIO-2. While the GPR/ZOU would not facilitate development that would directly impact riparian and wetland habitats, there would be potential for adverse indirect impacts from such development on wetlands and areas under the jurisdiction of CDFW and USACE. however, compliance with existing regulations, and implementation of 2042 General Plan policies would reduce potential impacts to a less than significant level.

Impact BIO-3. The GPR/ZOU would largely avoid impacts on wildlife movement corridors by conserving natural areas through policies in the 2042 General Plan. 2042 General Plan policies would protect wildlife corridors and impacts would be less than significant.

Impact BIO-4. Implementation of the GPR/ZOU would conform with applicable local policies protecting biological resources, such as Fresno County Municipal Code and proposed 2042 General Plan policies. Impacts would be less than significant.

Impact BIO-5. There are three habitat conservation plans that conserve portions of the Planning Area. Impacts to areas identified in the habitat conservation plans would be protected by conservation strategies contained in goals and policies of the General Plan. Impacts would be less than significant.

Cultural and Tribal Cultural Resources

Impact CR-3. Ground-disturbing activities associated with the implementation of the GPR/ZOU could result in damage to or destruction of human burials. However, with compliance with existing regulations, impacts would be less than significant.

Energy

Impact E-1. Development and population growth facilitated by the GPR/ZOU would result in an increase of overall consumption of energy compared to existing conditions. However, the GPR/ZOU is based on a land-use strategy that would promote greater overall energy efficiency in community and municipal operations. 2042 General Plan policies and implementation programs would ensure that development would comply with existing energy efficiency regulations and would encourage new development to take advantage of voluntary energy-efficiency programs. As such, the consumption of energy resources by development facilitated under the GPR/ZOU would not be wasteful, inefficient, or unnecessary consumption, and impacts would be less than significant.

Geology and Soils

Impact GEO-1. New development envisioned in the General Plan Review and Zoning Ordinance Update (GPR/ZOU) could result in exposure of people or structures to a risk of loss, injury, or death from seismic events. Additionally, development under the general plan has the potential to be

located on an unstable geologic unit or unstable soil, or soil that could become unstable as a result of the project. However, adherence to the requirements of the California Building Code and implementation of the policies in the 2042 General Plan would minimize the potential for loss, injury, or death following a seismic event, as well as the potential for on or off-site landslide, lateral spreading, subsidence, liquefaction or collapse due to unstable soils or unstable geologic units. Impacts would be less than significant level.

Impact GEO-2. New development envisioned in the General Plan Review and Zoning Ordinance Update (GPR/ZOU) could result in exposure of people or structures to a risk of loss, injury, or death from seismic events. Additionally, development under the general plan has the potential to be located on an unstable geologic unit or unstable soil, or soil that could become unstable as a result of the project. However, adherence to the requirements of the California Building Code and implementation of the policies in the 2042 General Plan would minimize the potential for loss, injury, or death following a seismic event, as well as the potential for on or off-site landslide, lateral spreading, subsidence, liquefaction or collapse due to unstable soils or unstable geologic units. Impacts would be less than significant level.

Impact GEO-3. Development facilitated by the GPR/ZOU could result in the construction of structures on expansive soils, which could create a substantial risk to life or property. However, new development would be required to comply with the standards of the California Building Code pertaining to expansive soils. Compliance with the requirements of the California Building Code, the Fresno County Municipal Code, and polices in the 2042 General Plan would reduce impacts related to expansive soils to a less-than-significant level.

Impact GEO-4. Development envisioned in the GPR/ZOU would be required to connect to public sewer systems where they are available. In areas where public sewer systems are not available, development would have to comply with 2042 General Plan Policies. Implementation of the Fresno County Mandatory Sewer Connection Ordinance and the 2042 General Plan Policies would reduce impacts to less-than-significant.

Greenhouse Gas Emissions

Impact GHG-2. The GPR/ZOU would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing GHG emissions. Impacts would be Less than Significant.

Hazards and Hazardous Material

Impact HAZ-1. Implementation of the GPR/ZOU could result in an incremental increase in the overall routine transport, use, storage, and disposal of hazardous materials within the County and increase the risk of release of hazardous materials. However, compliance with applicable regulations related to the handling and storage of hazardous materials and compliance with 2042 General Plan policies would minimize the risk of spills and the public's potential exposure to these substances. Impacts would be less than significant.

Impact HAZ-2. Implementation of the GPR/ZOU could result in hazardous emissions or handling of hazardous or acutely hazardous materials, substances, or waste within ¼ mile of an existing or proposed school, but compliance with existing regulatory requirements would minimize risks to schools and students, resulting in a less than significant impact.

Impact HAZ-3. Implementation of the GPR/ZOU could result in development on sites contaminated with hazardous materials. However, compliance with applicable regulations relating to site cleanup

and 2042 General Plan policies would minimize impacts from development on contaminated sites, resulting in a less than significant impact.

Impact HAZ-4. Several public and private airports are located within Fresno County. Increased population, forecasted over the span of the proposed General Plan's horizon year of 2042, would result in additional airport and airstrip activity. Impacts would be avoided through implementation of goals and policies in the 2042 General Plan and hazardous impacts on people working and residing within the airport area of influence would be less than significant.

Impact HAZ-5. The 2042 General Plan policies address maintenance of a Local Hazard Mitigation Plan and emergency access implementation. Therefore, the GPR/ZOU would not result in interference with these types of adopted plans. Impacts would be less than significant.

Hydrology and Water Quality

Impact HWQ-1. Development envisioned by the GPR/ZOU could result in a discharge of pollutants to surface waters or contamination of shallow groundwater through increased soil disturbance and erosion, discharge of contaminated wastewater or stormwater, or accidental spills or leaks of hazardous materials. Compliance with applicable laws and regulations and implementation of the goals and policies of the 2042 General Plan would minimize the potential for water quality degradation and would reduce this impact to a Less-Than-Significant level.

Impact HWQ-2. The GPR/ZOU would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge due to the county's policies to recharge the basin. The GPR/ZOU would not conflict with or obstruct implementation of a sustainable groundwater management plan. Impacts would be less than significant.

Impact HWQ-3. Development facilitated by the GPR/ZOU could alter the existing drainage patterns on future development sites and potentially result in erosion and siltation. Compliance with applicable regulations, including the Clean Water Act, and implementation of the goals and policies of the 2042 General Plan would minimize the potential for erosion and siltation and would reduce this potential impact to a less than significant level.

Impact HWQ-4. Development facilitated by the GPR/ZOU could alter the existing drainage patterns and increase the amount of runoff in spheres of influence of incorporated cities and in existing unincorporated communities, which could result in flooding on- or off-site, exceeding the capacity of existing or planned stormwater drainage systems, or create substantial additional sources of polluted runoff. Compliance with applicable regulations and implementation of the goals and policies of the 2042 General Plan would minimize the potential for increased runoff and flooding. This impact would be less than significant.

Impact HWQ-5. Development facilitated by the GPR/ZOU could risk release of pollutants due to project inundation. Compliance with applicable regulations and implementation of the goals and policies of the 2042 General Plan would minimize the potential for adverse effects related to flood hazard and would reduce this potential impact to a less than significant level.

Land Use and Planning

Impact LU-1. Implementation of the GPR/ZOU would not physically divide an established community. Impacts would be less than significant.

Impact LU-2. Implementation of the GPR/ZOU would be generally consistent with applicable land use plans, policies, or regulations adopted to avoid or mitigate environmental effects, such as

FCOG's Regional Transportation Plan 2018-2042 and the SJVAPCD Air Quality Management Plans. Impacts would be less than significant.

Noise

Impact N-1. Construction of development envisioned in the GPR/ZOU would temporarily generate increased noise levels, potentially affecting nearby noise sensitive land uses. However, provisions in the Fresno County Ordinance Code and 2042 General Plan policies would limit construction-related noise disturbance, and impacts would be less than significant.

Impact N-2. Development envisioned in the GPR/ZOU would introduce new stationary noise sources associated with residential, commercial and industrial land uses and would contribute to an increase in traffic and railway noise. The continued regulation of stationary noise sources, consistent with the County's Noise Control Ordinance, and implementation of goals and policies in the 2042 General Plan would minimize disturbance to adjacent land uses. Impacts would be less than significant.

Impact N-4. Development envisioned by the GPR/ZOU would result in increased airport and airstrip activity. The continued regulation of airport noise consistent with state and federal regulations as well as the implementation of policies in the 2042 General Plan would minimize disturbance to people residing or working within proximity to airports, airstrips, and air bases. Impacts would be less than significant.

Population and Housing

Impact PH-1. Implementation of the GPR/ZOU would facilitate new housing in Fresno County, which would increase the County's population over time. However, the growth accommodated by the GPR/ZOU would not exceed FCOG population forecasts and impacts would be less than significant.

Impact PH-2. Implementation of the GPR/ZOU would not result in the displacement of substantial numbers of housing or people. The GPR/ZOU would facilitate the development of new housing in accordance with State and local housing requirements, while preserving existing residential neighborhoods. Impacts would be less than significant.

Public Services & Recreation

Impact PS-1. Implementation of the GPR/ZOU would add new population, generating additional need for fire protection services. The proposed 2042 General Plan policies would reduce impacts associated with the provision of fire protection services, and new facilities would be located in developed areas. Impacts would be less than significant.

Impact PS-2. Implementation of the GPR/ZOU would add new population, generating additional demand for police services. The proposed 2042 General Plan policies would reduce impacts, and new facilities would be located in developed areas. Impacts would be less than significant.

Impact PS-3. Development under the GPR/ZOU would facilitate development that would add school aged children to the county's population. However, facilities have adequate capacity and new development would be required to pay impact fees which would result in less than significant impacts with regard to the provision of school facilities. Impacts would be less than significant.

Impact PS-4. Development facilitated by the GPR/ZOU allow for an increase in the County's population and increased demand for library services, which would result in the provision of new or physically altered library facilities. Although compliance with the policies in the 2042 General Plan would None required. Less than Significant Executive Summary Environmental Impact Report ES-17

Impact Mitigation Measure (s) Residual Impact reduce impacts to library facilities, impacts would be significant and unavoidable.

Impact PS-5. Development facilitated by the GPR/ZOU would result in an increase in the County's population. This would increase demand for parks and recreation facilities and potentially create the need for new park and recreation facilities. Although compliance with the policies in the 2042 General Plan would reduce impacts to parks and recreation, impacts would be less than significant.

Transportation

Impact T-1. Implementation of the Fresno County GPR/ZOU would be consistent with the California Transportation Plan, the FCOG 2018-2042 RTP/SCS, the Fresno County 2018 Active Transportation Plan, and the Fresno County 2021 Regional Trails Plan. This impact would be less than significant.

Impact T-3. Implementation of the Fresno County GPR/ZOU would not substantially increase hazards due to geometric design features or incompatible uses. Rather, the proposed goals and policies would make roadways safer. This impact would be less than significant. None required. Less than Significant

Impact T-4: The proposed Fresno County GPR/ZOU would not result in inadequate emergency access. Rather, the proposed goals and policies would improve emergency response and facilitate more effective emergency evacuation. This impact would be less than significant.

Wildfire

Impact WFR-1. The proposed 2042 General Plan policies ensure adequate emergency access, response, and preparation. Furthermore, Fresno County works closely with Local Fire Districts to ensure emergency access and fire protection services meet standards. Therefore, the GPR/ZOU would not impair an emergency response plan or emergency evacuation plan. Impacts would be less than significant.

Impact WFR-3. The GPR/ZOU facilitates growth primarily as infill and redevelopment within urbanized areas of the County where infrastructure and roads currently exist. The proposed General Plan policies require new development to have adequate fire and emergency access, which would reduce the potential for fire risk. Impacts would be less than significant.

4 Findings Regarding Impacts Determined to be Less Than Significant Level After Implementation of Mitigation Measures

These topical areas contain impacts of the GPR/ZOU that are reduced to a less-than-significant level through the implementation of mitigation measures. Pursuant to California Public Resources Code Section 21081(a)(1) and CEQA Section 15091(a)(1), as to each impact, the County, based on the evidence in the record before it, finds that changes or alterations incorporated into GPR/ZOU mitigate, avoid, or substantially lessen to a level of insignificance these environmental impacts of the Project. The basis for the finding for each impact is set forth below.

Biological Resources

Impact BIO-1. The GPR/ZOU envisions development that could impact special status species. The 2042 General Plan policies would reduce the potential for impacts and the severity of impacts. However, impacts would be potentially significant and thus mitigation is required.

Mitigation Measure BIO-1 Protection of Nesting Birds

Policy OS-E.19: Nesting Birds. For development projects on sites where tree or vegetation/habitat removal is necessary and where the existence of sensitive species and/or bird species protected by California Fish and Wildlife Code Sections 3503 and 3503.5 and Migratory Bird Treaty Act has been determined by a qualified biologist, surveys for nesting birds shall be conducted within 14 days prior to project activities by a qualified biologist retained by the developer for all construction sites where activities occurring during nesting bird season (February 1 through September 15). The surveys shall include the entire disturbance area plus at least a 500-foot buffer around the project site.

If active nests are located, all construction work shall be conducted outside a buffer zone from the nest to be determined by the qualified biologist. The buffer shall be a minimum of 250 feet for non-raptor bird species and at least 500 feet for raptor species, unless determined otherwise by the qualified biologist. Buffer distances for bird nests shall be site-specific and an appropriate distance, as determined by a qualified biologist. The buffer distances shall be specified to protect the bird's normal behavior thereby preventing nesting failure or abandonment. The buffer distance recommendation shall be developed after field investigations that evaluate the bird(s) apparent distress in the presence of people or equipment at various distances. Abnormal nesting behaviors which may cause reproductive harm include, but are not limited to, defensive flights/vocalizations directed towards project personnel, standing up from a brooding position, and flying away from the nest. The qualified biologist shall have authority to order the cessation of all nearby project activities if the nesting birds exhibit abnormal behavior which may cause reproductive failure (nest abandonment and loss of eggs and/or young) until an appropriate buffer is established.

Larger buffers may be required depending upon the status of the nest and the construction activities occurring in the vicinity of the nest. The buffer area(s) shall be closed to all construction personnel and equipment until the adults and young are no longer reliant on the nest site. A qualified biologist shall confirm that breeding/nesting is completed, and young have fledged the

nest prior to removal of the buffer. The biologist shall submit a report of these preconstruction nesting bird surveys to the County to document compliance within 30 days of its completion.

Finding

The County finds that with incorporation of Mitigation Measures BIO-1 impacts to special status species would be reduced to a less than significant level (Draft EIR, p. 4.4-25 through p. 4.4-26). Pursuant to CEQA Guidelines Section 15091 (a)(1), changes or alterations have been required in, or incorporated into, the GPR/ZOU that avoid or substantially lessen the significant environmental effect.

Noise

Impact N-3. Construction of individual projects facilitated by the GPR/ZOU could temporarily generate groundborne vibration, potentially affecting nearby land uses. high-vibration levels during working construction hours could potentially disturb people or damage fragile buildings. This impact would be less than significant with mitigation to apply standard vibration control measures.

Mitigation Measure N-1 Construction Vibration Control Measures.

Policy HS-H.12: Construction Vibration Control Measures. The following measures to minimize exposure to construction vibration shall be included as standard conditions of approval for projects involving construction vibration within 50 feet of historic buildings or nearby sensitive receivers shall:

1. Avoid the use of vibratory rollers within 50 feet of historic buildings or residential buildings with plastered walls that are susceptible to damage from vibration and;
2. 2. Schedule construction activities with the highest potential to produce vibration to hours with the least potential to affect nearby institutional, educational, and office uses that are identified as sensitive to daytime vibration by the Federal Transit Administration in Noise and Vibration Impact Assessment (FTA 2018).

Finding

The County finds that with incorporation of Mitigation Measure N-1 noise impacts would be reduced to a less than significant level (Draft EIR, p. 4.12-36). Pursuant to CEQA Guidelines Section 15091 (a)(1), changes or alterations have been required in, or incorporated into, the GPR/ZOU that avoid or substantially lessen the significant environmental effect.

5 Findings Regarding Impacts Determined to be Significant and Unavoidable

This topical area contains impacts of the GPR/ZOU that would remain significant and unavoidable after implementation of mitigation measures. Pursuant to California Public Resources Code Section 21081(a)(1) and CEQA Section 15091(a)(1), as to each impact, the County, based on the evidence in the record before it, finds that changes or alterations incorporated into the GPR/ZOU mitigate, avoid, or substantially lessen to a level of insignificance these environmental impacts of the Project; however, a significant unavoidable impact would remain even after implementation of mitigation. Avoidance of the impact altogether is infeasible taking into account economic, legal, social, technological and/or other considerations, including considerations for the provision of employment for highly trained workers (California Public Resources Code Section 21081(a)(3) and CEQA Section 15091(a)(3).

Agriculture

Impact AG-1

The GPR/ZOU is designed to encourage the continued operation of existing agriculture lands and Forest lands in The Planning Area. However, buildout of the GPR/ZOU could result in the conversion of Farmland or forestland to nonagricultural use. Therefore, impacts would be significant and unavoidable.

Mitigation Measures

MITIGATION MEASURE AG-1 AGRICULTURE CONSERVATION

Policy LU-A.23: For discretionary land use projects that are not directly related to or supportive of agricultural uses and which propose the permanent conversion of twenty acres or more of Prime Farmland, Unique Farmland or Farmland of Statewide Importance (as designated by the Farmland Mapping and Monitoring Program) to nonagricultural uses, the County shall consider and adopt feasible measures including, but not limited to:

- Acquisition of conservation easements at a 1:1 ratio for lands lost to nonagricultural uses.
- Fee title of agricultural mitigation land that may be held by a third party or the County.
- In lieu fees paid to the County that may be used to acquire future mitigation property.
- Mitigation banks.

The County may exempt projects from agricultural mitigation requirements when it has been determined that conversion is occurring pursuant to a local groundwater sustainability plan, or the project is for housing which is predominately for persons of low or moderate income as defined in section 50093 of the Health and Safety Code. Further, the County may exempt discretionary land use projects from agricultural mitigation requirements if it finds that the loss of agricultural land caused by the proposed conversion is outweighed by specific overriding economic, legal, social, technological, or other benefits of the conversion, as contemplated by section 21081(b) of the Public Resources Code.

Policy LU-A.24 The County shall encourage the State of California Department of Conservation to update its Important Farmland Map in consideration of recent restrictions to groundwater pumping, reduced access to surface water and the potential loss of irrigable land.

Finding

The County finds that development facilitated by the GRP/ZOU could result in the conversion of Farmland or forestland to nonagricultural use. Mitigation Measure AG-1 has been adopted to reduce potential impacts related to conversion of Farmland or forestland to nonagricultural use; however, impacts would remain significant and unavoidable. As such, changes or alterations have been required in, or incorporated into, the project that substantially lessen the significant environmental effect related to conversion of farmland or forestland, but a significant unavoidable impact remains even after mitigation (Draft EIR, p. 4.2-12). No additional feasible mitigation has been identified that would reduce this potential impact. Future discretionary projects that may result in the conversation of twenty or more acre of Farmland or forestland to nonagricultural use would be looked at on a case-by-case basis to determine whether additional, project specific, measures can be incorporated. Avoidance of the impact altogether is infeasible taking into account economic, legal, social, technological and/or other considerations, including considerations for the provision of employment for highly trained workers.

Impact AG-2

Buildout of the GPR/ZOU could result in conflicts to existing zoning for agricultural uses and Williamson Act contracts. Therefore, impacts would be significant and unavoidable.

Mitigation Measures

No feasible mitigation measures have been identified that lessen this potential impact.

Finding

The County finds that development facilitated by the GPR/ZOU could result in conflicts to existing zoning for agricultural uses and Williamson Act contracts. Therefore, potential impacts would be significant and unavoidable, and there is no feasible mitigation to reduce this impact (Draft EIR, p. 4.2-13). Avoidance of the impact altogether is infeasible taking into account economic, legal, social, technological and/or other considerations, including considerations for the provision of employment for highly trained workers.

Air Quality

Impact AQ-1

Development facilitated by the GPR/ZOU would generate construction and operational-related emissions. Emissions generated by the GPR/ZOU would conflict with implementation of the 2016 Ozone Plan and 2018 $PM_{2.5}$ Plan. Implementation of policies in the GPR/ZOU, compliance with existing regulations, and mitigation measures would not be sufficient to demonstrate consistency with the 2016 Ozone Plan and 2018 $PM_{2.5}$ Plan. Impacts would be significant and unavoidable.

Mitigation Measures

MITIGATION MEASURE AQ-1: ARCHITECTURAL COATING ROG CONTENT LIMITS

The County shall incorporate the following policy into the 2042 General Plan.

Policy OS-G.12: Architectural Coating Reactive Organic Gases Content Limits. The County shall require future development projects under the GPR/ZOU, to the maximum extent feasible, to use architectural coating materials, as defined in the San Joaquin Valley Air Pollution Control District's (SJVAPCD) Rule 4601, that are zero-emission or have a low-ROG content (below 10 grams per liter). Where such ROG coatings are not available, or feasible, the coating with the lowest ROG rating available shall be used. These measures shall be noted on all construction plans, and the County shall perform periodic site inspections during construction to verify compliance.

MITIGATION MEASURE AQ-2: CONSTRUCTION EQUIPMENT EMISSIONS REDUCTION

The County shall require future development projects under the GPR/ZOU to incorporate the following construction equipment emission control measures to the maximum extent possible, provided they are technologically and economically feasible:

- Implement the use of diesel construction equipment meeting California Air Resources Board (CARB) Tier 4 or equivalent emission standards for off-road heavy-duty diesel engines. If use of Tier 4 equipment is not feasible, due to availability, diesel construction equipment meeting Tier 3 emission standards shall be used. Tier 3 equipment shall use a Level 3 Diesel Particulate Filter. These measures shall be noted on all construction plans, and the County shall perform periodic site inspections during construction to verify compliance.
- Use alternative fueled or catalyst equipped diesel construction equipment
- All construction vehicles shall be prohibited from idling in excess of 5 minutes, both on and off site. Individual pieces of diesel-powered off-road diesel equipment shall be prohibited from being in the "on" position for more than 10 hours per day. Limit the hours of operation of heavy-duty equipment and/or the amount of equipment in use
- Replace fossil-fueled equipment with electrically driven equivalents (provided they are not run via a portable generator set)
- Curtail construction during periods of high-ambient-pollutant concentrations; this may include limiting of construction activity during the peak-hour vehicular traffic on adjacent roadways
- Implement activity management (e.g., rescheduling activities to reduce short-term impacts)
- Electric hook-ups to the power gird shall be used rather than temporary diesel- or gasoline-powered generators for electric construction tools whenever feasible. Mobile off-road construction equipment of less than 50 horsepower shall be electric, including but not limited to: air compressors, concrete/industrial saws, welders and plate compactors. Mobile off-road construction equipment with a power rating of 19 kilowatts or less shall be battery powered. If generators need to be used to reach remote portions of the site, non-diesel generators shall be used.
- If temporary power (power from the grid supplied to the site during construction activities before permanent utilities are implemented and turned on) is available to the site, prohibit the use of non-emergency diesel-powered generators during construction.

- Contractors shall conduct routine inspections to verify compliance with construction mitigation and to identify other opportunities to further reduce construction impacts. Inspection reports shall be maintained on site throughout the construction period.
- Project contractors shall provide information on transit and ride sharing programs and services to construction employees. As feasible, provide for meal options on site, or shuttle buses between the site and nearby meal destinations for use by construction contractors.
- Implementation of a Voluntary Emissions Reduction Agreement (VERA) with the SJVAPCD for projects where emissions exceed SJVAPCD thresholds.

Finding

The County finds that development facilitated by the GRP/ZOU could result in construction and operational-related emissions that would conflict with implementation of the 2016 Ozone Plan and 2018 $PM_{2.5}$ Plan. Mitigation Measures AQ-1 and AQ-2 have been adopted to reduce potential impacts related to construction and operational air quality emissions; however, impacts would remain significant and unavoidable (Draft EIR, p. 4.3-18 through 4.3-19). As such, changes or alterations have been required in, or incorporated into, the project that substantially lessen the significant environmental effect related to construction and operational air quality emissions, but a significant unavoidable impact remains even after mitigation. No additional feasible mitigation has been identified which would further lessen this impact. Avoidance of the impact altogether is infeasible taking into account economic, legal, social, technological and/or other considerations, including considerations for the provision of employment for highly trained workers.

Impact AQ-2

Individual development projects carried out under the GPR/ZOU would generate construction and operational-related emissions. Implementation of Plan policies, compliance with existing regulations, and implementation of proposed mitigation would reduce construction and operational emissions, but emissions would remain above applicable thresholds. Impacts would be significant and unavoidable.

Mitigation Measures

MITIGATION MEASURE AQ-1: ARCHITECTURAL COATING ROG CONTENT LIMITS

The County shall incorporate the following policy into the 2042 General Plan.

Policy OS-G.12: Architectural Coating Reactive Organic Gases Content Limits. The County shall require future development projects under the GPR/ZOU, to the maximum extent feasible, to use architectural coating materials, as defined in the San Joaquin Valley Air Pollution Control District's (SJVAPCD) Rule 4601, that are zero-emission or have a low-ROG content (below 10 grams per liter). Where such ROG coatings are not available, or feasible, the coating with the lowest ROG rating available shall be used. These measures shall be noted on all construction plans, and the County shall perform periodic site inspections during construction to verify compliance.

MITIGATION MEASURE AQ-2: CONSTRUCTION EQUIPMENT EMISSIONS REDUCTION

The County shall require future development projects under the GPR/ZOU to incorporate the following construction equipment emission control measures to the maximum extent possible, provided they are technologically and economically feasible:

- Implement the use of diesel construction equipment meeting California Air Resources Board (CARB) Tier 4 or equivalent emission standards for off-road heavy-duty diesel engines. If use of Tier 4 equipment is not feasible, due to availability, diesel construction equipment meeting Tier 3 emission standards shall be used. Tier 3 equipment shall use a Level 3 Diesel Particulate Filter. These measures shall be noted on all construction plans, and the County shall perform periodic site inspections during construction to verify compliance.
- Use alternative fueled or catalyst equipped diesel construction equipment
- All construction vehicles shall be prohibited from idling in excess of 5 minutes, both on and off site. Individual pieces of diesel-powered off-road diesel equipment shall be prohibited from being in the "on" position for more than 10 hours per day. Limit the hours of operation of heavy-duty equipment and/or the amount of equipment in use
- Replace fossil-fueled equipment with electrically driven equivalents (provided they are not run via a portable generator set)
- Curtail construction during periods of high-ambient-pollutant concentrations; this may include limiting of construction activity during the peak-hour vehicular traffic on adjacent roadways
- Implement activity management (e.g., rescheduling activities to reduce short-term impacts)
- Electric hook-ups to the power grid shall be used rather than temporary diesel- or gasoline-powered generators for electric construction tools whenever feasible. Mobile off-road construction equipment of less than 50 horsepower shall be electric, including but not limited to: air compressors, concrete/industrial saws, welders and plate compactors. Mobile off-road construction equipment with a power rating of 19 kilowatts or less shall be battery powered. If generators need to be used to reach remote portions of the site, non-diesel generators shall be used.
- If temporary power (power from the grid supplied to the site during construction activities before permanent utilities are implemented and turned on) is available to the site, prohibit the use of non-emergency diesel-powered generators during construction.
- Contractors shall conduct routine inspections to verify compliance with construction mitigation and to identify other opportunities to further reduce construction impacts. Inspection reports shall be maintained on site throughout the construction period.
- Project contractors shall provide information on transit and ride sharing programs and services to construction employees. As feasible, provide for meal options on site, or shuttle buses between the site and nearby meal destinations for use by construction contractors.
- Implementation of a Voluntary Emissions Reduction Agreement (VERA) with the SJVAPCD for projects where emissions exceed SJVAPCD thresholds.

Finding

The County finds that individual development projects carried out under the GPR/ZOU would generate construction and operational-related emissions. Mitigation Measures AQ-1 and AQ-2 have been adopted to reduce potential impacts related to construction and operational air quality emissions; however, impacts would remain significant and unavoidable (Draft EIR, p. 4.3-21). As such, changes or alterations have been required in, or incorporated into, the project that substantially lessen the significant environmental effect related to construction and operational air quality emissions, but a significant unavoidable impact remains even after mitigation. No additional feasible mitigation has been identified which would further lessen this impact. Avoidance of the impact altogether is infeasible taking into account economic, legal, social, technological and/or

other considerations, including considerations for the provision of employment for highly trained workers.

Impact AQ-3

Individual development projects carried out under the GPR/ZOU would generate construction- and operational-related emissions that may expose sensitive receptors to substantial pollutant concentrations. Such emissions may result in adverse impacts to local air quality. Implementation of Plan policies and compliance with existing regulations would reduce emissions, but not below the level of significance. Impacts would be significant and unavoidable.

Mitigation Measures

MITIGATION MEASURE *AQ-3: SENSITIVE COMMUNITY PROTECTIONS*

Future development projects that require discretionary approval shall identify and characterize project construction and operational air emissions. Air emissions shall be compared to the SJVAPCD significance thresholds.[1] Future projects shall be mitigated to the extent feasible or to below SJVAPCD thresholds.

For non-discretionary projects where sensitive receptors are located closer than 1,000 feet of the project site; where construction would involve use of substantial (more than two pieces) heavy construction equipment use; and/or where the construction period lasts longer than two months of heavy equipment use; would require an air quality technical assessment and incorporate mitigation such that impacts are reduced to below regulatory thresholds or to the furthest extent possible.

As applicable to individual discretionary projects, mitigation measures that are economically and technically feasible may include, but are not limited to:

- Assess and potentially install, as technologically feasible, particulate matter emission control systems for new large restaurants operating under-fired charbroilers.
- Contracting with companies that use clean lawn and gardening equipment, or consider participation in the SJVAPCD's Clean Green Yard Machines (CGYM) program for individual development projects that would have their own lawn and gardening equipment.
    - Where criteria air pollutants exceed 100 lbs per day, an Ambient Air Quality Analysis shall be conducted to determine if emissions increases from a project will cause or contribute to a violation of State or National Ambient Air Quality Standards. The analysis should include emissions from both permitted and non-permitted equipment and activities.
- Implementation of a Voluntary Emissions Reduction Agreement (VERA) with the SJVAPCD for projects where emissions exceed SJVAPCD thresholds.
- Implementation of applicable measures in Tables 5 and 6 of the CARB's Concept Paper for The Freight Handbook[2] for new industrial/warehousing facilities to reduce impacts to existing and potential nearby sensitive receptors. Additional measures to reduce emissions include but are not limited to:
    - Ensure solid screen buffering trees, solid decorative walls, and/or other natural ground landscaping techniques are implemented along the property line of adjacent sensitive receptors
    - Ensure all landscaping be drought tolerant
    - Orient loading docks away from sensitive receptors unless physically impossible

- Locate loading docks a minimum of 300 feet away from the property line of sensitive receptor unless dock is exclusively used for electric trucks
- Incorporate signage and "pavement markings" to clearly identify on-site circulation patterns to minimize unnecessary on-site vehicle travel
- Locate truck entries on classified streets
- Building roofs are solar-ready
- A portion of roof tops that are not covered with solar panels are constructed to have light colored roofing material with a solar reflective index of greater than 78
- Rooftop solar panels are installed and operated to supply 100% of the power needed to operate all non-refrigerated portions of the development project
- Ensure power sources at loading docks for all refrigerated trucks have "plugin" capacity, which will eliminate prolonged idling while loading and unloading goods
- Incorporate bicycle racks and electric bike plug-ins
- Require the use of low volatile organic compounds (VOC) architectural and industrial maintenance coatings
- Inform the project proponent of the incentive programs (e.g., Carl Moyer Program and Voucher Incentive Program) offered to reduce air emissions from the Project
- Evaluate and incorporate truck routes that minimize impacts to sensitive receptors and sensitive communities.
- Incorporate the use of the cleanest available heavy-duty trucks into facility owned fleets.
- Incorporate the use of zero-emissions technologies for all on-site service equipment (cargo handling, yard holsters, forklifts, pallet jacks, etc.) as is applicable and feasible to the individual project.
- Reduce idling of heavy-duty trucks to a maximum of 3-minutes at any one location or at any given time unless required for operation of said vehicle, other than the use of a transportation refrigeration unit.

- Project applicants shall maintain buffer distances for siting new sensitive receptors as well as new TAC sources as identified in the County's Environmental Justice Policies or CARB's Air Quality and Land Use Handbook: A Community Health Perspective (CARB Handbook)[3], (whichever is more restrictive) unless a project specific health risk assessment determines that a project will not result in health risks to either onsite or offsite sensitive receptors.
- Project applicants shall retain a qualified air quality consultant to prepare a health risk assessment in accordance with the CARB and the Office of Environmental Health and Hazard Assessment requirements. The analysis will be conducted to determine the exposure of nearby sensitive receptors to emission sources resulting from construction and/or operation of the project. The health risk assessment shall be submitted to the County of Fresno for review and approval. Project applicants shall implement the approved health risk assessment recommendations to protect nearby sensitive receptors, if levels exceed SJVAPCD thresholds of 10 in a million for cancer risk or a hazard index of 1, if any are present.
  - Measures for reducing impacts to new sensitive receptors due to locating receptors near existing TAC sources may include, but are not limited to:
    - Install, operate, and maintain in good working order a central heating and ventilation system or other air take system in the building of a sensitive receptor that would be impacted by the project, or in each individual residential unit, that meets the efficiency

standard of the minimum efficiency reporting value of 13. The heating and ventilation system should include the following features: installation of a high-efficiency filter and/or carbon filter to minimize particulate and other airborne chemical matter from entering the building. Either high-efficiency particulate absorption filters or American Society of Heating, Refrigeration, and Air-Conditioning Engineers 85 percent supply filters should be used.

- Ensure that positive pressure occurs in the building.
- Achieve a performance standard of at least one air exchange per hour of fresh outside filtered air.
- Achieve a performance standard of at least four air exchanges per hour of recirculation.
- Achieve a performance standard of 0.25 air exchanges per hour of unfiltered infiltration if the building is not positively pressurized.
- Install vegetative barriers and/or urban greening

- Measures for reducing impacts to existing sensitive receptors due to location of existing sources near active construction sites may include, but are not limited to:
  - Implementation of Tier 4 and/or alternative fueled construction equipment.
  - Incorporation of DPM Level 3 CARB filters.
  - Where operations of new onsite permitted or unpermitted toxic air contaminants (TAC) sources result in significant impacts to nearby sensitive receptors, the applicant shall work with either a qualified air quality consultant or the SJVAPCD to implement measures applicable to reducing emissions from the new TAC sources to below regulatory thresholds.
- When adding sensitive receptors within proximity to TAC sources, where setbacks identified in the CARB Handbook are not implemented, the results of a Prioritization Analysis for new TAC sources exceeds a score of 10, and/or construction will occur within 1,000 feet, a health risk assessment as detailed above in this measure shall be conducted and the recommendations implemented in order to reduce risks to sensitive receptors to below the SJVAPCD thresholds noted above.
- Evaluate the potential for on-site operational activities to result in objectionable and/or nuisance odors affecting nearby sensitive receptors and implement the appropriate odor control Systems as applicable.

- The County shall require future discretionary development projects under the GPR/ZOU to implement measures to reduce energy consumption, water use, solid waste generation, and VMT. Measures include, but are not limited to:
  - Require new residential and commercial construction to install renewable energy systems (e.g. solar) on, or off-site that will offset 100% of the project's electrical consumption, or to the greatest extent feasible.
  - Require new development to surpass the applicable Title 24 energy-efficiency requirements.
  - Require new residential development to be fully electric, and non-residential development to eliminate natural gas consumption to the extent feasible, and at a minimum to eliminate natural gas usage for heating purposes.
  - Project shall incorporate outdoor electrical outlets such that 10 percent of outdoor landscaping equipment can be electrically powered.

  - All dock doors shall be equipped with electric plugs for electric TRUs.
  - All fixtures used for lighting of exterior common areas shall be regulated by automatic devices to turn off lights when they are not needed, but a minimum level of lighting should be provided for safety
- As discussed in Section 4.14, Transportation, Mitigation Measure T-1 would contribute to a 13 percent reduction in VMT, which would subsequently reduce transportation-related GHG emissions. In addition to Mitigation Measure T-1, the County shall require future development projects under the GPR/ZOU to evaluate the operational GHG emissions from the individual projects and incorporate the most recent GHG emission reduction measures and/or technologies for reducing VMT and associated transportation related GHG emissions. Current GHG-reducing measures include, but are not limited to, the following:
  - Installation of electric vehicle charging stations consistent with off-street electric vehicle requirements in the most recently adopted version of CALGreen Tier 2.
  - Require new development to implement circulation design elements in parking lots for no-residential uses to reduce vehicle queuing and improve the pedestrian environment
  - Utilization of electric vehicles and/or alternatively fueled vehicles in company fleet
  - Provision of dedicated parking for carpools, vanpool, and clean air vehicles
  - Provision of vanpool and/or shuttle service for employees
  - Implementation of reduced parking minimum requirements
  - Provision of bicycle parking facilities consistent with State standards
  - Provision of a bicycle-share program
  - Expansion of bicycle routes/lanes along the project site frontage
  - Provision of new or improved transit amenities (e.g., covered turnouts, bicycle racks, covered benches, signage, lighting) if project site is located along an existing transit route
  - Expansion of sidewalk infrastructure along the project site frontage
  - Provision of safe, pedestrian-friendly, and interconnected sidewalks and streetscapes
  - Provision of employee lockers and showers
  - Provision of on-site services that reduce the need for off-site travel (e.g., childcare facilities, automatic teller machines, postal machines, food services)
  - Provision of alternative work schedule options, such as telework or reduced schedule (e.g., 9/80 or 10/40 schedules), for employees whenever feasible
  - Implementation of transportation demand management programs to educate and incentivize residents and/or employees to use transit, smart commute, and alternative transportation options
  - As applicable all industrial uses shall be required to enroll in U.S. EPA's SmartWay program and shall use carriers that are SmartWay carriers.
- Implement applicable measures from the SJVAPCD's Emissions Reduction Clean Air Measures.

Finding

The County finds that individual development projects carried out under the GPR/ZOU would generate construction and operational-related emissions that may expose sensitive receptors to substantial pollutant concentrations. Since the location of the individual projects with respect to each other or nearby sensitive receptors is unknown, impacts with respect to localized construction

emissions would remain significant and unavoidable. Since it is unknown the extent to which localized operational emissions will impact local receptors, impacts with respect to localized operational emissions would remain significant and unavoidable (Draft EIR, p. 4.3-25 through 4.3-26). Mitigation Measures AQ-3, AQ-4, and AQ-5 have been adopted to reduce potential impacts related to sensitive receptors. As such, changes or alterations have been required in, or incorporated into, the project that substantially lessen the significant environmental effect related to sensitive receptors. No additional feasible mitigation measures have been identified which would lessen the potential impacts. Future development of individual projects may identify additional site/project specific measures on a case-by-case basis to avoid or lessen construction and operational-related emissions that may expose sensitive receptors to substantial pollutant concentrations. Avoidance of the impact altogether is infeasible taking into account economic, legal, social, technological and/or other considerations, including considerations for the provision of employment for highly trained workers.

Cultural Resources

Impact CR-1

Implementation of the GPR/ZOU has the potential to impact built environment historical resources. Impacts would be significant and unavoidable even with the incorporation of mitigation.

Mitigation Measures

MITIGATION MEASURE CR-1: ARCHITECTURAL HISTORY EVALUATION

Policy OS-J.2. Historic Resources Consideration. The County shall consider historic resources during preparation or evaluation of plans and discretionary development projects that may impact buildings or structures For a project projected on a property that includes buildings, structures, objects, sites, landscapes, or other features that are 45 years of age or older at the time of permit application, the project applicants shall be responsible for preparing and implementation the recommendations of a historical resources evaluation completed by qualified cultural resources practitioners.

Finding

The County finds that implementation of the GPR/ZOU has the potential to impact built environment historical resources. Mitigation Measure CR-1 has been adopted to reduce potential impacts related to built environment historical resources; however, impacts would remain significant and unavoidable (Draft EIR, p. 4.5-15). As such, changes or alterations have been required in, or incorporated into, the project that substantially lessen the significant environmental effect related to built environment historical resources, but a significant unavoidable impact remains even after mitigation. No additional feasible mitigation measures that would reduce the impact have been identified and avoidance of the impact altogether is infeasible taking into account economic, legal, social, technological and/or other considerations, including considerations for the provision of employment for highly trained workers.

Impact CR-2

Implementation of the GPR/ZOU has the potential to impact archaeological resources. Impacts would be Significant and unavoidable, even with the incorporation of mitigation.

Mitigation Measures

MITIGATION MEASURE CR-2: ARCHAEOLOGICAL RESOURCES STUDY PROGRAM

OS-J.4. Cultural Resources Protection and Mitigation. The County shall require that discretionary development projects, as part of any required CEQA review, identify and protect important historical, archeological, tribal, paleontological, and cultural sites and resources. For projects requiring ground disturbance and located within a high or moderate cultural sensitivity areas, a cultural resources technical report may be warranted, including accurate archival research and site surveys conducted by qualified cultural resources practitioners. The need to prepare such studies shall be determined based on the tribal consultation process and initial outreach to local or state information centers.

Finding

The County finds that implementation of the GPR/ZOU has the potential to impact archaeological resources. Mitigation Measure CR-2 has been adopted to reduce potential impacts related to archaeological resources; however, impacts would remain significant and unavoidable (Draft EIR, p. 4.5-16). As such, changes or alterations have been required in, or incorporated into, the project that substantially lessen the significant environmental effect related to archaeological resources, but a significant unavoidable impact remains even after mitigation. No additional feasible mitigation measures have been identified which would lessen the impact. Avoidance of the impact altogether is infeasible taking into account economic, legal, social, technological and/or other considerations, including considerations for the provision of employment for highly trained workers.

Geology and Soils

Impact GEO-5

Individual development projects facilitated by the GPR/ZOU may result in ground disturbance that has the potential to directly or indirectly destroy a paleontological resource or unique geologic feature. 2042 General Plan Policies would ensure that individual discretionary development projects are reviewed, designed, and mitigated to reduce potential impacts to paleontological resources; however, this policy would not apply to all development facilitated by the GPR/ZOU. This would be a potentially significant impact, and there would be no feasible mitigation. Therefore, impacts would be significant and unavoidable.

Mitigation Measures

No feasible mitigation measures have been identified that lessen this potential impact.

Finding

The County finds that development facilitated by the GPR/ZOU, specifically those projects that include ground-disturbing actions in areas with paleontological sensitivity, could damage or destroy fossils, resulting in a potentially significant impact. Since mitigation to the “maximum extent

feasible," as required under Policy OS-J.4, may not protect paleontological resources for all by-right development or ministerial approvals that would be facilitated by adoption of the GPR/ZOU, impacts would be significant and unavoidable (Draft EIR, p. 4.7-20). Avoidance of the impact altogether is infeasible taking into account economic, legal, social, technological and/or other considerations, including considerations for the provision of employment for highly trained workers.

Greenhouse Gas Emissions

Impact GHG-1

Development facilitated by the GPR/ZOU would generate both short-term and long-term GHG emissions. Implementation of the GPR/ZOU would result in GHG emissions exceeding the locally applicable, project-specific efficiency thresholds. Impacts would be significant and unavoidable.

Mitigation Measures

MITIGATION MEASURE GHG-1: FUNDING FOR A GREENHOUSE GAS INVENTORY AND PREPARATION OF A CLIMATE ACTION PLAN

Policy G.12[3] Funding for a Greenhouse Gas Inventory and Preparation of a Climate Action Plan. The County shall seek a variety of sources including, but not limited to, grants, state funding, and or impact fees to fund the preparation and implementation of a Fresno County specific Climate Action Plan. Once funding is available, the County shall proceed to prepare a Climate Action Plan.

MITIGATION MEASURE GHG-2: *PREPARATION AND IMPLEMENTATION OF A CLIMATE ACTION PLAN*

Plan Policy G.13[4] Preparation and Implementation of a Climate Action Plan. The County shall require future development projects under the GRP/ZOU to implement diesel construction equipment meeting California Air Resources Board (CARB) Tier 4 or equivalent emission standards for off-road heavy-duty diesel engines. If use of Tier 4 equipment is not feasible, due to availability, diesel construction equipment meeting Tier 3 emission standards shall be used. Tier 3 equipment shall use a Level 3 Diesel Particulate Filter. These measures shall be noted on all construction plans, and the County shall perform periodic site inspections during construction to verify compliance.

Finding

The County finds that development facilitated by the GPR/ZOU would generate both short-term and long-term GHG emissions. Mitigation Measures GHG-1, GHG-2, GHG-3, GHG-4, and GHG-5 have been adopted to reduce potential impacts related to short-term and long-term GHG emissions; however, impacts would remain significant and unavoidable (Draft EIR p. 4.18-18). If and when a County CAP is prepared and implemented in accordance with statewide emissions targets, this impact may be reduced to a less than significant level. However, until the County prepares a CAP in accordance with Mitigation Measure GHG-1 and GHG-2, impacts from GHG emissions would remain significant and unavoidable. As such, changes or alterations have been required in, or incorporated into, the project that substantially lessen the significant environmental effect related to short-term and long-term GHG emissions, but a significant unavoidable impact remains even after mitigation.

3 The Draft EIR refers to this as Policy HS-H.10 (Draft EIR, p. ES-12.). This document reflects the updated policy name and number in the most recent version of the GPR/ZOU.

4 The Draft EIR refers to this as Policy HS-H.11 (Draft EIR, p. ES-12.). This document reflects the updated policy name and number in the most recent version of the GPR/ZOU.

No additional feasible mitigation measures have been identified which would lessen the impact. Avoidance of the impact altogether is infeasible taking into account economic, legal, social, technological and/or other considerations, including considerations for the provision of employment for highly trained workers.

Transportation

Impact TR-2

The proposed Fresno County GPR/ZOU would result in an increase in VMT per capita and an increase in VMT per employee above 87 percent of the baseline 2019 countywide conditions. VMT per capita and VMT per employee impacts from implementation of the proposed GPR/ZOU would be significant and unavoidable.

Mitigation Measures

MITIGATION MEASURE T-1: VMT POLICY

On a regional level, the following Policy shall be added to the Fresno County General Plan to solidify the County's requirement for individual transportation and land use projects that would generate or attract more than 110 daily trips (pursuant to OPR's SB 743 technical advisory) under their jurisdiction to reduce project related VMT:

Policy TR-A.25 VMT Threshold. Projects that would generate or attract more than 110 daily vehicle trips shall be evaluated for a transportation VMT impact on an individual basis. The threshold of significance shall be 87 percent below the countywide average rate of VMT. Any individual project resulting in VMT that exceeds 87 percent below the countywide average shall be required to implement project-specific mitigation measures aimed at reducing VMT generated by the project. The policy detailed above would be consistent with the recommended threshold identified for unincorporated Fresno County in the 2021 Fresno County SB 743 Implementation Regional Guidelines. Project specific mitigation may include, but is not limited to, the following regional- and project-level Transportation Demand Management (TDM) strategies that could further reduce project-level VMT resulting from future development under implementation of the proposed GPR/ZOU.

- **Expand Transit Service:** Consider opportunities to expand FCRTA fixed-route and shuttle-based transit service to serve locations of future Significant and Unavoidable County of Fresno General Plan Review and Zoning Ordinance Update ES-18 Impact Mitigation Measure (s) Residual Impact growth, with consideration to anticipated increases in commute trips.
- **Public-Facing TDM Programs:** Promote existing TDM programs led by FCOG and other public agencies including ridesharing programs, carpool and vanpool programs, and demand-response services, such as:
  - Fresno COG "Valley Rides" Ridesharing
  - Carpool Incentive Program
  - Commuter Vanpool Program
  - Agricultural Worker Vanpool Program
  - Senior Taxi Scrip Program

- **Employer-Based TDM Programs**: Per San Joaquin Valley Air Pollution Control District, the employer-based trip reduction Rule 9410 (December 17, 2009) requires employers with at least 100 eligible employees at a worksite to implement programs to reduce VMT from private vehicles used by employees to commute to and from their worksites. Employers should promote the education, information, and promotion of the above mentioned TDM programs.
- **Mobility-As-A-Service:** Provide additional access and connectivity for underserved populations. Strategies to improve connectivity and access include on-demand shuttles to connect individuals to desired destinations.
- **Connectivity Enhancement:** The bicycle and pedestrian facilities presented in the Fresno County Regional ATP should connect to transit route stops where applicable, to accommodate "first mile" and "last mile" travel (travel between modes to a destination). In addition, existing and future bus stops should be improved to comply with ADA design standards to ensure ADA accessible bus stops and comfortable bus shelters.
- **Land Use:** Modify land use plans for future proposed development projects to increase residential development in areas with low VMT/capita characteristics and/or decrease development in areas with high VMT/capita characteristics and modify land use plans to increase commercial development in areas with low VMT/employee characteristics and/or decrease development in areas with high VMT/employee characteristics.
- **Education and Promotion/Encouragement:** Voluntary travel behavior change program including promotions and marketing.
- **Commute Trip Reductions (smaller employers):** Implement or provide access to: Executive Summary Environmental Impact Report ES-19 Impact Mitigation Measure (s) Residual Impact Voluntary commute trip reduction programs Alternative work schedules and Telework Program Employer-sponsored vanpools or shuttles Rideshare Program - Shift single occupancy vehicle trips to carpooling or vanpooling by providing ridematching services or shuttle services Provide car-sharing and bike-sharing programs Provide partially or fully subsidized transit passes Provide telework options Provide employee transportation coordinators at employment sites Provide a guaranteed ride home service to users of non-auto modes
- **Bicycle Infrastructure:** Implement on-street bicycle facilities, provide bicycle parking, and provide secure bicycle parking and showers.
- **Neighborhood Infrastructure**: Implement neighborhood improvements such as:
  - Traffic calming improvements
  - Pedestrian network improvements
  - Provide incentives or subsidies that increase the use of modes other than a single-occupancy vehicle
  - Improve or increase access to transit Increase access to common goods and services, such as groceries, schools, and daycare Incorporate a neighborhood electric vehicle network
  - Limit or eliminate parking supply

It should be noted that the above list of measures is not all inclusive; rather, this list includes potential recommendations to be considered if feasible for individual projects implemented under

the GPR/ZOU, and alternate measures can and should be evaluated based on a specific project in response to site specific conditions.

Finding

The County finds that proposed Fresno County GPR/ZOU would result in an increase in VMT per capita and an increase in VMT per employee above 87 percent of the baseline 2019 countywide conditions (Draft EIR p. 4.15-18). Mitigation Measure TR-1 has been adopted to reduce potential impacts related to VMT. However, the implementation of project-level VMT-reducing strategies may not be feasible for each project, and a reduction consistent with at least 13 percent below baseline conditions cannot be guaranteed on a project-by-project basis. Similarly, implementation of regional VMT-reducing strategies, such as extending transit services, may not be feasible as there are currently no procedures or policies in place to establish such actions (Draft EIR p. 4.15-20). Therefore, impacts would remain significant and unavoidable. As such, changes or alterations have been required in, or incorporated into, the project that substantially lessen the significant environmental effect related to VMT, but a significant unavoidable impact remains even after mitigation. No additional feasible mitigation measures have been identified which would lessen the impact. Avoidance of the impact altogether is infeasible taking into account economic, legal, social, technological and/or other considerations, including considerations for the provision of employment for highly trained workers.

Tribal Cultural Resources

Impact TRC-1

Implementation of the proposed project has the potential to impact tribal cultural resources. Impacts would be significant and unavoidable.

Mitigation Measures

Impacts to tribal cultural resources associated with the construction or operation of individual projects to be implemented under the GPR/ZOU may be significant, but the impacts to these resources or the location of the impacts cannot be determined at this time. Impacts associated with GPR/ZOU are therefore significant and unavoidable, and there is no feasible mitigation to reduce this impact.

Finding

The County finds that implementation of the proposed project has the potential to impact tribal cultural resources, but the impacts to these resources or the location of the impacts cannot be determined at this time. Impacts associated with GPR/ZOU are therefore significant and unavoidable, and there is no feasible mitigation to reduce this impact (Draft EIR p. 4.16-7). Avoidance of the impact altogether is infeasible taking into account economic, legal, social, technological and/or other considerations, including considerations for the provision of employment for highly trained workers.

Utilities

Impact UTIL-1

Development facilitated by the GPR/ZOU would require new connections to existing utilities, and may require new or expanded utility infrastructure to accommodate future growth, particularly for the provision of water supply and wastewater treatment. Improvements would also be required for stormwater drainage, electricity, natural gas, and telecommunications, which may require the construction of new facilities. Future development would be consistent with goals and policies in the 2042 General Plan which help to reduce impacts. However, it is not known where or how extensive new facilities would be required; therefore potential impacts would be significant and unavoidable.

Mitigation Measures

The substantial increase to the County's population would result the need for new or expanded water and wastewater infrastructure; however, the location of such infrastructure is unknown at this time, and it is not known where or how extensive such new facilities would be. Additionally, the only way to avoid or reduce this impact would be to cap population growth in the County or prohibit new uses that would require water or wastewater infrastructure; however, such restrictions would be unenforceable. Therefore no feasible mitigation exists.

Finding

The County finds that development facilitated by the GPR/ZOU would require new connections to existing utilities, and may require new or expanded utility infrastructure to accommodate future growth, particularly for the provision of water supply and wastewater treatment. Improvements would also be required for stormwater drainage, electricity, natural gas, and telecommunications, which may require the construction of new facilities. However, it is not known where or how extensive new facilities would be required; therefore, potential impacts would be significant and unavoidable, and there is no feasible mitigation to reduce this impact (Draft EIR p. 4.17-21). Avoidance of the impact altogether is infeasible taking into account economic, legal, social, technological and/or other considerations, including considerations for the provision of employment for highly trained workers.

Impact UTIL-2

Development facilitated by the GPR/ZOU would result in incrementally increased water demands tied to population growth. Although future development would be consistent with goals and policies in the 2042 General Plan, including for water supply availability and reliability, it cannot be determined whether sufficient water supplies are available to accommodate this growth. Impacts would be significant and unavoidable.

Mitigation Measures

While development within the Plan Area would adhere to the 2042 General Plan policies described above, the substantial increase to the County's population would result in water demand that exceeds projected supply. The only way to avoid or reduce this impact would be to cap population

growth in the County or prohibit new uses that would demand water; however, such restrictions would be unenforceable. Therefore, no feasible mitigation exists.

Finding

The County finds that development facilitated by the GPR/ZOU would result in incrementally increased water demands. However, it cannot be determined whether sufficient water supplies are available to accommodate this growth; therefore potential impacts would be significant and unavoidable, and there is no feasible mitigation to reduce this impact (Draft EIR p. 4.17-24). Avoidance of the impact altogether is infeasible taking into account economic, legal, social, technological and/or other considerations, including considerations for the provision of employment for highly trained workers.

Impact UTIL-3

Development facilitated by the GPR/ZOU would increase wastewater production, and sufficient treatment capacity is available at the existing Fresno-Clovis RWRF to accommodate this increase. However, because the location of future growth is not known, it cannot be determined whether all new wastewater would be diverted to the Fresno-Clovis RWRF, or if new wastewater treatment facilities would be required. Therefore, although future development would be consistent with goals and policies in the 2042 General Plan to minimize impacts, if new wastewater treatment facilities would be necessary to accommodate growth locations, impacts would be significant and unavoidable.

Mitigation Measures

The increase to County's population would result in wastewater generation that could exceed capacity of existing treatment facilities. The only way to avoid or reduce this impact would be to cap population growth in the County or prohibit new uses that would generate wastewater; however, such restrictions would be unenforceable. No feasible mitigation is available.

Finding

The County finds that development facilitated by the GPR/ZOU would increase wastewater production. However, because the location of future growth is not known, it cannot be determined whether all new wastewater would be diverted to the Fresno-Clovis RWRF, or if new wastewater treatment facilities would be required; therefore potential impacts would be significant and unavoidable, and there is no feasible mitigation to reduce this impact (Draft EIR p. 4.17-26). Avoidance of the impact altogether is infeasible taking into account economic, legal, social, technological and/or other considerations, including considerations for the provision of employment for highly trained workers.

Impact UTIL-4

Development facilitated by the GPR/ZOU would increase solid waste generation in the county. Future development would be required to comply with State and local regulations related to solid waste, as well as applicable goals and policies in the 2042 General Plan. However, the existing landfill which accommodates most solid waste disposal in the county will reach capacity in 2031, and alternate disposal location(s) have not yet been identified or developed. Therefore, sufficient solid waste disposal capacity is not currently available to accommodate anticipated growth. impacts would be significant and unavoidable.

Mitigation Measures

The increase to County's population would result in increased solid waste generation that could exceed capacity of existing landfill facilities. The only way to avoid or reduce this impact would be to cap population growth in the County or prohibit new uses that would generate solid waste; however, such restrictions would be unenforceable. As such, no feasible mitigation is available.

Finding

The County finds that development facilitated by the GPR/ZOU increase solid waste generation in the county, but the existing landfill which accommodates most solid waste disposal in the county will reach capacity in 2031, and alternate disposal location(s) have not yet been identified or developed. Impacts associated with GPR/ZOU are therefore significant and unavoidable, and there is no feasible mitigation to reduce this impact (Draft EIR p. 4.17-29). Avoidance of the impact altogether is infeasible taking into account economic, legal, social, technological and/or other considerations, including considerations for the provision of employment for highly trained workers.

Wildfire

Impact WFR-2

The GPR/ZOU would not facilitate urban development in areas most susceptible to wildfire. Prevailing wind and slopes would generally spread fire away from areas where urban development is envisioned. However, there remains a possibility that development under the GPR/ZOU would occur in areas in proximity to MFHSZ, HFHSZ, and VHFHSZ that could lead to a significant risk of loss, injury, or death involving wildland fires. Impacts would be significant and unavoidable.

Mitigation Measures

Because wildfire hazards and risk are determined based on site-specific conditions and proposed project design, there are no feasible mitigation measures that would further reduce impacts to wildfire beyond implementation of the proposed 2042 General Plan policies at this time. However, in accordance with Policy HS-B.1: Fire Hazards Review and Policy HS-B.2: Minimize Fire Hazard Risk Design, once specific project applications are proposed and reviewed by County staff, there may be new feasible mitigation that would reduce impacts on a project level basis. Those site-specific and project-specific actions may include some of, but are not limited to, the following measures, which are in accordance with the California Attorney General Best Practices for Analyzing and Mitigating Wildfire Impacts of Development Projects Under the California Environmental Quality Act:

- Increasing housing density and consolidated design, relying on higher density infill developments as much as possible
- Avoidance and minimization of low-density exurban development patterns or leapfrog-type developments (i.e., those with undeveloped wildland between developed areas)
- Decreasing the extent and amount of "edge," or interface area, where development is adjacent to undeveloped wildlands
- Creation of buffer zones and defensible space within and adjacent to the development, with particular attention to ensuring that vegetation will not touch structures or overhang roofs. It is also important that legal obligations are structured so that defensible space measures are retained over time

- Siting projects to maximize the role of low-flammability landscape features that may buffer the development from fire spread
- Undergrounding power lines
- Limiting development along steep slopes and amidst rugged terrain, so as to decrease exposure to rapid fire spread and increase accessibility for fire-fighting
- Placement of development close to existing or planned ingress/egress and designated evacuation routes to efficiently evacuate the project population and the existing community population, consistent with evacuation plans, while simultaneously allowing emergency access
- Placement of projects close to adequate emergency services
- Construction of additional points of ingress and egress and modification of evacuation routes to minimize or avoid increasing evacuation times or emergency access response times
- Fire hardening structures and homes—upgrading the building materials and installation techniques to increase the structure's resistance to heat, flames, and embers—beyond what is required in applicable building codes, both for new structures and existing structures in proximity to the new development
- Requiring fire-hardened communication to the project site including high-speed internet service
- Enhanced communication to the project population about emergency evacuation plans and evacuation zones
- Parking limitations to ensure access roads are not clogged with parked vehicles
- On-site water supply/storage to augment ordinary supplies that may be lost during a wildfire

Finding

The County finds that there remains a possibility that development under the GPR/ZOU would occur in areas in proximity to MFHSZ, HFHSZ, and VHFHSZ that could lead to a significant risk of loss, injury, or death involving wildland fires. Because wildfire hazards and risk are determined based on site-specific conditions and proposed project design, there are no feasible mitigation measures that would further reduce impacts to wildfire beyond implementation of the proposed 2042 General Plan policies at this time, therefore potential impacts would be significant and unavoidable (Draft EIR p. 4.18-20). Avoidance of the impact altogether is infeasible taking into account economic, legal, social, technological and/or other considerations, including considerations for the provision of employment for highly trained workers.

Cumulative Impacts

The following impacts to agriculture, air quality, cultural resources, greenhouse gas emissions, transportation, tribal cultural resources, utilities, and wildfire were determined to be cumulatively considerable or significant and unavoidable regarding cumulative impacts.

Agriculture

Cumulative impacts to agricultural resources were analyzed for the County, neighboring counties, and unincorporated cities. The cumulative impacts of projects facilitated by the GPR/ZOU could result in the conversion of agricultural land. Full buildout of the GPR/ZOU could cause the conversion of agricultural lands in the Planning Area. Agriculture is a large contributor to the economy in Fresno County thus loss of agricultural land as a result of the GPR/ZOU could impact Fresno County's economy. While General Plan policies attempt to reduce impacts to agricultural

resources, they would not ensure the preservation of all agricultural land in the Planning Area, therefore impacts cumulative impacts to agricultural lands would be significant and unavoidable.

Finding

The County finds that development facilitated by the GPR/ZOU would result in cumulative impacts to agricultural lands. Mitigation Measure AG-1 has been adopted to reduce potential impacts related to agriculture; however, impacts would remain significant and unavoidable (Draft EIR p. 4.2-14). Avoidance of the impact altogether is infeasible taking into account economic, legal, social, technological and/or other considerations, including considerations for the provision of employment for highly trained workers.

Air Quality

GPR/ZOU related air pollution may combine with other cumulative projects (past, present, and reasonably foreseeable future) to violate criteria pollutant standards if the existing background sources cause nonattainment conditions. Air districts manage attainment of the criteria pollutant standards by adopting rules, regulations, and attainment plans, which comprise a multifaceted programmatic approach to such attainment. Because the GPR/ZOU is composed of a General Plan update, cumulative impacts are treated somewhat differently than would be the case for a project-specific development. Section 15130 of the *CEQA Guidelines* provides the following direction relative to cumulative impact analysis:

> Impacts should be based on a summary of projections contained in an adopted general plan or related planning document, or in a prior environmental document which has been adopted or certified, which described or evaluated regional or areawide conditions contributing to the cumulative impact…

By its nature, a general plan considers cumulative impacts insofar as it considers cumulative development that could occur in a county's plan area. Therefore, the analysis of the GPR/ZOU impacts also constitutes the cumulative analysis. The GPR/ZOU may cumulatively increase the potential for impacts resulting from increased air pollutant emissions. Implementation of the GPR/ZOU policies and compliance with existing laws and regulations as well as mitigation measures described above would reduce cumulative impacts but not to a less-than-significant level. Cumulative impacts would be significant and unavoidable.

Finding

The County finds that development facilitated by the GPR/ZOU would result in cumulative impacts to air quality. Mitigation Measures AQ-1, AQ-2, AQ-3, AQ-4 and AQ-5 have been adopted to reduce potential impacts related to air quality; however, impacts would remain significant and unavoidable (Draft EIR p. 4.3-27). Avoidance of the impact altogether is infeasible taking into account economic, legal, social, technological and/or other considerations, including considerations for the provision of employment for highly trained workers.

Cultural Resources

Cumulative development in the County of Fresno, in combination with development proposed under the GPR/ZOU, may contribute to impacts on cultural resources as growth occurs in the region. The increase in growth from cumulative development may impact existing and previously undisturbed and undiscovered historical or archaeological resources. Implementation of Mitigation

CR-1 would reduce impacts to built-environment historical resources but would not in all cases prevent material impairment of the characteristics that convey their historical significance. Given the scope of development anticipated and allowed under the GPR/ZOU, cumulative impacts to built-environment historical resources would be significant and unavoidable. Proposed policies to reduce and avoid archaeological impacts, existing regulations, and implementation of Mitigation Measure CR-2 may reduce cumulative impacts to archaeological historical resources but may not reduce all impacts to archaeological resources and are assumed significant and unavoidable.

Finding

The County finds that development facilitated by the GPR/ZOU would result in cumulative impacts to cultural resources. Mitigation Measures CR-1 and CR-2 have been adopted to reduce potential impacts related to cultural resources; however, impacts would remain significant and unavoidable (Draft EIR p. 4.5-17). Avoidance of the impact altogether is infeasible taking into account economic, legal, social, technological and/or other considerations, including considerations for the provision of employment for highly trained workers.

Greenhouse Gas Emissions

The GPR/ZOU is cumulative in nature as it represents growth through the Planning Area over approximately the next 20 years. The GPR/ZOU is not one individual project, but a number of as yet undefined future projects that may occur under the GPR/ZOU. Therefore, cumulative impacts with respect to GHG emissions represents emissions associated with buildout of individual projects and thus cumulative emissions. Because emissions facilitated by the GPR/ZOU would exceed the locally applicable efficiency threshold as discussed above in Impact GHG-1, cumulative impacts with respect to GHG emissions would be significant and unavoidable.

Finding

The County finds that development facilitated by the GPR/ZOU would result in cumulative impacts that would exceed the locally applicable efficiency threshold. Mitigation Measure GHG-1, GHG-2, GHG-3, GHG-4, and GHG-5 have been adopted to reduce potential impacts related to greenhouse gas emissions; however, impacts would remain significant and unavoidable (Draft EIR p. 4.8-21 through 4.8-22). Avoidance of the impact altogether is infeasible taking into account economic, legal, social, technological and/or other considerations, including considerations for the provision of employment for highly trained workers.

Tribal Cultural Resources

Cumulative development in the County of Fresno, in combination with development proposed under the proposed GPR/ZOU, may contribute to impacts on TCRs as growth occurs in the region. The increase in growth from cumulative development may impact existing and previously undisturbed and undiscovered TCRs. Similar to the analysis above under Impact TCR-1, proposed policies to reduce and avoid tribal cultural impacts and existing regulations may reduce cumulative impacts but it is not known if all impacts can be reduced to TCRs, therefore cumulative impacts are significant and avoidable.

Finding

The County finds that development facilitated by the GPR/ZOU would result in cumulative impacts tribal cultural resources. Mitigation Measure TCR-1 has been adopted to reduce potential impacts related to tribal cultural resources; however, it is not known if all impacts can be reduced, therefore cumulative impacts are significant and avoidable (Draft EIR p. 4.16-7). Avoidance of the impact altogether is infeasible taking into account economic, legal, social, technological and/or other considerations, including considerations for the provision of employment for highly trained workers.

Transportation

Development in the cumulative impact analysis area would result in significant and unavoidable increase in VMT per capita as well as VMT per employee from baseline (2019) conditions, partially due to commuters travelling to and from employment in the adjoining counties. One example is the City of Fresno, which attracts workers from the surrounding counties choosing to live in more rural and affordable regions in the Valley. Likewise, people residing outside of but close to Fresno County may commute into the County for outdoor recreation. For example, Kings Canyon National Park and Sierra National Forest are very popular recreational weekend destinations for residents throughout California and beyond. These trips contribute to VMT in the cumulative impact analysis area.

As described in Section 4.14.3(a) of the DEIR, *Methodology and Thresholds of Significance*, and consistent with the recommended thresholds provided in the Fresno County SB 743 Implementation Regional Guidelines, impacts associated with the proposed GPR/ZOU would be considered significant if implementation of the project would generate VMT per capita that exceeds 87 percent of the countywide average, or if implementation would generate VMT per employee that exceeds 87 percent of the countywide average. As shown in Table 4.15-4, the proposed Fresno County GPR/ZOU would decrease VMT per capita by 1.7 compared to the baseline 2019 conditions, which would be approximately 89 percent of the countywide average. Similarly, the proposed Fresno County GPR/ZOU would decrease VMT per employee by 2 compared to the baseline 2019 conditions, which would be approximately 92 percent of the countywide average.

While the majority of the VMT would be expected to remain in Fresno County, some portion of the VMT would inevitably extend to areas in adjoining counties, such as Madera, Kings, Merced, and Tulare counties. The most reasonable assumption is that VMT to adjoining counties would be concentrated to the most heavily traveled roadways in the counties with the highest relative employment, such as I-5 into Merced and Kings Counties and SR-99 into Tulare and Madera Counties. The increased VMT in adjoining counties would be in addition to the VMT generated from the increased population growth of these counties into the future. Per capita and per employee VMT in the cumulative impact area would be unlikely to reach 87 percent of the countywide average by 2042 due to increased travel in the region even without implementation of the proposed Fresno County GPR/ZOU. The implementation of project-level VMT-reducing strategies, such as providing bicycle services or eliminating parking supply, may not be feasible and cannot be guaranteed on a project-by-project basis. Regional VMT-reduction programs, such as extending transit services, may also not be feasible as there are currently no procedures or policies in place to establish such actions. Mitigation Measures T-1 would implement a new specific policy in the County General Plan as mitigation to ensure individual transportation and land use projects implemented under the GPR/ZOU reduce project related VMT to a level that is below 87 percent of the countywide average rate of VMT. However, it is speculative to assume every project would meet such a requirement. Thus, cumulative impacts on VMT would be significant, the proposed GPR/ZOU County of Fresno General Plan Review and Zoning Ordinance Update 4.15-26 contribution to

cumulative VMT impacts would be cumulatively considerable, and this contribution would remain cumulatively considerable even with the incorporation of feasible mitigation.

Finding

The County finds that development facilitated by the GPR/ZOU would result in cumulative VMT that would exceed significance thresholds. Mitigation Measure T-1 has been adopted to reduce potential impacts related to cumulative VMT; however, impacts would remain significant and unavoidable (Draft EIR p. 4.15-25 through 4.15-26). As such, changes or alterations have been required in, or incorporated into, the project that substantially lessen the significant environmental effect related to cumulative VMT, but a significant unavoidable impact remains even after mitigation. Avoidance of the impact altogether is infeasible taking into account economic, legal, social, technological and/or other considerations, including considerations for the provision of employment for highly trained workers.

Utilities

By its nature, the 2042 General Plan considers cumulative impacts insofar as it considers cumulative development that could occur within the county's plan area. As such, the analysis of GPR/ZOU impacts also constitutes the cumulative analysis. As discussed in UTL-1, development facilitated by the GPR/ZOU would require new or expanded facilities for water, wastewater, stormwater, electricity, natural gas, or telecommunications, the construction of which could result in significant unavoidable impacts. As discussed under Impacts UTL-2 and UTL-3, development facilitated by the GPR/ZOU would result in increased demand for water supply and need for expanded wastewater treatment facilities, both of which could result in significant unavoidable impacts. As discussed under Impact UTL-4 there is already a lack of sufficient solid waste disposal area in Fresno County, and the anticipated population increase would exacerbate this existing needed, resulting in potentially significant impacts. Future development facilitated by the GPR/ZOU would be consistent with goals and policies related to utilities in the 2042 General Plan, and they would also be required to comply with existing regulations related to utilities, which would help minimize impacts. However, potential impacts would remain significant and unavoidable, and the GPR/ZOU would therefore cumulatively increase impacts to utilities. Cumulative impacts related to utilities would be significant and unavoidable.

Finding

The County finds that development facilitated by the GPR/ZOU would result in cumulative impacts to utilities. The only way to avoid or reduce cumulative impacts to utilities would be to cap population growth in the County or prohibit new uses that would demand utilities; however, such restrictions would be unenforceable; impacts would remain significant and unavoidable (Draft EIR p. 4.17-29). Avoidance of the impact altogether is infeasible taking into account economic, legal, social, technological and/or other considerations, including considerations for the provision of employment for highly trained workers.

Wildfire

The geographic scope considered in the analysis for cumulative wildfire impacts is all of Fresno County. All new development and infrastructure would be subject to statewide standards for fire safety in the California Fire Code, as described in Impact WFR-2, as well as policies in the 2042 General Plan. As discussed in the impact analyses above, compliance with the California Fire Code

and 2042 General Plan policies would reduce the risk of wildfire and would ensure adequate fire and emergency services in the mountainous areas of the County most at risk for fire. Even with mitigation, it is not possible to prevent a significant risk of wildfires or fully protect people and structures from the risks of wildfires. Therefore, cumulative development throughout Fresno County would result in a significant cumulative wildfire impact. The GPR/ZOU would have a considerable contribution to a cumulative impact.

Finding

The County finds that development facilitated by the GPR/ZOU would result in cumulative wildfire impacts. Because wildfire hazards and risk are determined based on-site specific conditions and proposed project design, there are no feasible mitigation measures that would further reduce impacts to wildfire beyond implementation of the proposed 2042 General Plan policies; impacts would remain significant and unavoidable (Draft EIR p. 4.18-22 through 4.18-23). Avoidance of the impact altogether is infeasible taking into account economic, legal, social, technological and/or other considerations, including considerations for the provision of employment for highly trained workers.

6 Feasibility of Project Alternatives

CEQA requires that an EIR include an analysis of a reasonable range of feasible alternatives to a project capable of avoiding or substantially lessening any significant adverse environmental impact associated with the Project. *Public Resources Code § 21002.* With the exception of the "no project" alternative, the specific alternatives or types of alternatives that must be assessed are not specified. CEQA "establishes no categorical legal imperative as to the scope of alternatives to be analyzed in an EIR. Each case must be evaluated on its own facts, which in turn must be reviewed in light of the statutory purpose." *Citizens of Goleta Valley v. Board of Supervisors*, 52 Cal.3d. 553, 556 (1990). The legislative purpose of CEQA is to protect public health, welfare and the environment from significant impacts associated with all types of development, by ensuring that agencies regulate activities so that major consideration is given to preventing environmental damage while providing a decent home and satisfying living environment for every Californian. *Public Res. Code § 21000*. In short, the objective of CEQA is to avoid or mitigate environmental damage associated with development.

The CEQA Guidelines state that the "range of potential alternatives to the proposed project shall include those that could feasibly accomplish most of the basic purposes of the project and could avoid or substantially lessen one of more of the significant effects." CEQA Guidelines § 15126(d)(2). Thus, an evaluation of the GPR/ZOU objectives is key to determining which alternatives should be assessed in the EIR.

The discussion of alternatives is required to include the "No Project" alternative. CEQA requires further that the County identify an environmentally superior alternative. If the "No Project" alternative is the environmentally superior alternative, an environmentally superior alternative must be identified from among the other alternatives (CEQA Guidelines, Section 15126.6). However, "CEQA did not require the County to choose the environmentally superior alternative. It simply required the County to consider environmentally superior alternatives, explain the considerations that led it to conclude that those alternatives were infeasible, weigh those considerations against the environmental harm that the Plan would cause, and make findings that the benefits of those considerations outweighed the harm." *(California Native Plant Society v. City of Santa Cruz* (2009) 177 Cal.App.4th 957, 1005–1006).

Whether to reject or approve any of the alternatives is a decision only for the decisionmakers. "They may reject alternatives that are undesirable from a policy standpoint as well as alternatives that fail to meet project objectives." (*Ocean Street Extension Neighborhood Assn. v. City of Santa Cruz* (2021) 73 Cal.App.5th 985, 1016 (citations omitted).) "While it is up to the EIR preparer to identify alternatives as potentially feasible, the decision-making body "may or may not reject those alternatives as being infeasible" when it comes to project approval. Rejection by the decision-makers does not undermine the validity of the EIR's alternatives analysis." (*California Native Plant Society v. City of Santa Cruz* (2009) 177 Cal.App.4th 957, 999 [99 Cal.Rptr.3d 572, 602 (citations omitted).)

6.1 Alternatives

The primary objective of the GPR/ZOU is to ensure that the County's guiding land use documents are consistent with State legislation that has been enacted subsequent to the adoption of the County 2000 General Plan Update. This includes, but is not limited to, the inclusion of an

Environmental Justice Element. Additionally, the current effort proposes to revise and streamline some existing General Plan Policies and programs as well as Zoning Ordinance provision.

Three specific project objectives are discussed on page 6-3 of the DEIR, and are incorporated herein by reference. The CEQA Guidelines state that the "range of potential alternatives to the proposed project shall include those that could feasibly accomplish most of the basic purposes of the project and could avoid or substantially lessen one or more of the significant effects." While the County considered alternatives with different patterns of land use and infrastructure to accommodate forecasted future growth and regional housing needs, these alternatives would require extensive governmental coordinate which would affect the ability for them to occur.

Based on the project objectives and anticipated environmental consequences, and pursuant to CEQA Guidelines Section 15126.6(f), the following alternatives were selected for analysis in the Draft EIR:

- **Alternative 1: Adopted General Plan Buildout ("No Project"):** The No Project Alternative would involve continued implementation of the 2000 General Plan. This alternative is comprised of a land use pattern that reflects the land use identified in the existing Fresno County General Plan. Under this alternative, the proposed GPR/ZOU would not be adopted and the existing General Plan, including the land use map and all the General Plan goals and policies, would remain in place through the horizon year of 2042. Thus, any new development in unincorporated Fresno County would occur consistent with the existing land use designations and the allowed uses in each designation. Similarly, any new infrastructure would occur as envisioned in the 2000 General Plan.

  Overall growth forecasted for the unincorporated county through the year 2042 would still occur consistent with FCOG population projections. However, one of the fundamental purposes of the proposed GPR/ZOU is to continue those 2000 General Plan policies that minimize pressure to develop on open space and agricultural land while modernizing policies and programs to bring the document into compliance with current state law and local organization changes. Under the No Project Alternative, those land use policies that would continue to ensure the conservation of agricultural land, wildlife habitat, and direction of development to the cities and established unincorporated communities would be jeopardized. The No Project Alternative would fail to meet requirements established by California General Plan law and other legislation passed since the adoption of the 2000 General Plan. Alternative 1 would less effectively fulfill project objectives.

  The proposed GPR/ZOU would involve revisions to the Health and Safety Element to incorporate a climate change and resiliency vulnerability assessment, as required by SB 379, and to identify residential developments in hazardous areas, as required by SB 99. Furthermore, to more clearly address requirements established by SB 1000, the proposed GPR/ZOU would involve revisions to the General Plan's Environmental Justice Element. Because the No Project Alternative would not involve revisions to the existing General Plan, continued implementation of the 2000 General Plan would not comply with state General Plan law, SB 379, SB 99, and SB 1000.

- **Alternative 2: Increased Development near City of Fresno:**

  Alternative 2, the Increased Development near City of Fresno Alternative, would consist of the same policies and land use designations as the proposed GPR/ZOU; however, in unincorporated areas within the sphere of influence (SOI) of the City of Fresno, it would align the proposed County land use designations and zoning with the City of Fresno's land use designations and zoning, where current City of Fresno land use designation and zoning allow for more development than the County's current designations and zoning. Under this alternative, the SOI area would

eventually be planned for annexation into the City of Fresno. Under this alternative, the density of development in the SOI area would be increased. The purpose of this change is to allow more of the growth projected through 2042 to occur near existing urban development within and adjacent to the City of Fresno rather than in other more rural areas of the county. This would be expected to reduce VMT per capita.

- **Alternative 3: Increased Development near Cities of Fresno and Clovis and in Community Plan Areas:**

  Alternative 3, the Increased Development near the Cities of Fresno and Clovis and in Community Plan Areas Alternative, would consist of the same policies and land use designations as the proposed GPR/ZOU; however, in unincorporated areas within the SOIs of the Cities of Fresno and Clovis, it would align the County's land use designations and zoning with the respective city's designations and zoning, where the city's designations and zoning currently allow for more development than the County's current designations and zoning. This alternative would also increase the allowable density at key underutilized or vacant parcels within existing Community Plan areas to provide additional housing opportunities that would help the County meet the Regional Housing Needs Allocation (RHNA) as required by the State in accordance with Housing Element requirements. Under this alternative, the SOI areas would eventually be planned for annexation into the respective city. And in both the SOI areas for Fresno and Clovis and in the Community Plan Areas, the density of development would be increased compared to the proposed GPR/ZOU. The purpose of this change is to allow more of the growth projected through 2042 to occur near existing urban development within and adjacent to the Cities of Fresno and Clovis and in the existing Community Plan areas rather than in other more rural areas of the county. This would be expected to reduce VMT per capita.

Refer to Chapter 6, *Alternatives*, of the Draft EIR for the complete alternatives analysis. The findings, and support for the findings, for the three alternatives, are detailed below.

6.1.1 Alternative 1: Adopted General Plan Buildout (i.e., "No Project")

Growth and development would occur in Fresno County regardless of implementation of the proposed GPR/ZOU. Therefore, the overall projected population growth and increased development in Fresno County would occur under this alternative as it would under the proposed GPR/ZOU. However, without implementation of new or revised policies and programs included in the proposed GPR/ZOU that increase compliance with state law and address local policy and organizational changes which have occurred since 2000, existing objectives to conserve natural resources and focus development to areas already designated in the cities and established unincorporated communities, environmental impacts of the No Project Alternative would generally be greater than those of the proposed GPR/ZOU. As an example, the No Project Alternative would lack revisions to existing policies and programs and the addition of new policies which could result in increased impacts to agricultural and forestry resources, biological resources, and transportation. Therefore, increased conversion of agricultural land could occur under Alternative 1. While impacts to agricultural land would be significant and unavoidable under the proposed GPR/ZOU, impacts could increase under this alternative and would remain significant and unavoidable. Furthermore, the No Project Alternative would not promote compact growth and would not direct new urban development to existing unincorporated urban communities in a manner consistent with revisions to state law since 2000 in comparison to the proposed GPR/ZOU; thus, this alternative could generate increased VMT compared to the proposed GPR/ZOU. Impacts would be greater and would

continue to be significant and unavoidable. Because growth and development would continue to occur regardless of implementation of the proposed GPR/ZOU, environmental impacts identified throughout this EIR would generally be greater under the No Project Alternative as this alternative would not introduce new policies and plans to avoid and minimize environmental impacts. As demonstrated with agricultural resources and transportation above, this alternative would not effectively guide growth in Fresno County and would result in increased environmental impacts. Furthermore, this alternative would not comply with General Plan law and legislation that requires revisions to the County's General Plan.

Finding

Because growth and development would continue to occur regardless of implementation of the proposed GPR/ZOU, environmental impacts identified throughout the EIR would generally be greater under Alternative 1 as this alternative would not introduce new policies and plans to avoid and minimize environmental impacts.

The County rejects Alternative 1 because it would fail to meet requirements established by California General Plan law and other legislation passed since the adoption of the 2000 General Plan and would less effectively fulfill project objectives. The County makes this determination after taking into account economic, legal, social, technological and/or other considerations, including the provision of employment opportunities for highly trained workers.

6.1.2 Alternative 2: Increased Development near City of Fresno

As stated above, Alternative 2 would allow more of the growth projected through 2042 to occur near existing urban development within and adjacent to the City of Fresno rather than in other more rural areas of the county which would be expected to reduce transportation impacts related to VMT.

Compared to the GPR/ZOU, transportation impacts would be lesser under Alternative 2. Impacts related to VMT would be less than significant. Alternative 2 would have a similar impact level with lesser significance related to aesthetics, agriculture, biological resources, cultural resources, energy, geology and soils, greenhouse gas emissions, public services and recreation, tribal cultural resources, and utilities and service systems. Air quality, hazards and hazardous materials, hydrology and water quality, land use and planning, noise, population and housing impacts under Alternative 2 would have a significance level similar to the GPR/ZOU. This alternative would advance the GPR/ZOU objectives to ensure County's guiding land use documents are consistent with State legislation that has been enacted subsequent to the adoption of the County 2000 General Plan Update and streamline some existing General Plan Policies and programs as well as Zoning Ordinance provision.

Finding

As detailed below in Section 6.5, *Environmentally Superior Alternative*, Alternative 2 is the environmentally superior alternative. Alternative 2 would generally result in overall similar environmental impacts compared to the GPR/ZOU; however, development would be more dense and residents would be located closer to existing transit and services which would result in lesser impacts related to transportation. Under Alternative 2, VMT impacts would be less than significant. Overall, this alternative would advance the plan objectives of urban-centered growth and establishing efficient and functional land use patterns by directing new urban development to incorporated cities.

The County finds that Alternative 2 would result in lesser environmental impacts related to transportation and traffic and would achieve the GPR/ZOU objectives. However, the County finds that Alternative 2 is infeasible because the County doesn't control the annexation process, and projects within these areas would likely be dependent on urban services from the city of Fresno. This would require extensive governmental coordination. The County rejects Alternative 2 as infeasible because it would require extensive governmental coordination that cannot be guaranteed to occur. The County makes this determination after taking into account economic, legal, social, technological and/or other considerations, including the provision of employment opportunities for highly trained workers.

6.1.3 Alternative 3: Increased Development near Cities of Fresno and Clovis and in Community Plan Areas

As stated above, Alternative 3 would allow more of the growth projected through 2042 to occur near existing urban development within and adjacent to the Cities of Fresno and Clovis and in the existing Community Plan areas rather than in other more rural areas of the county which would be expected to reduce transportation impacts related to VMT.

Compared to the GPR/ZOU, transportation impacts would be lesser under Alternative 3. Impacts related to VMT would be less than significant. Alternative 3 would have a similar impact level with lesser significance related to aesthetics, agriculture, biological resources, cultural resources, energy, geology and soils, greenhouse gas emissions, public services and recreation, tribal cultural resources, and utilities and service systems. Air quality, hazards and hazardous materials, hydrology and water quality, land use and planning, noise, population and housing impacts under Alternative 3 would have a significance level similar to the GPR/ZOU. This alternative would advance the GPR/ZOU objectives to ensure County's guiding land use documents are consistent with State legislation that has been enacted subsequent to the adoption of the County 2000 General Plan Update and streamline some existing General Plan Policies and programs as well as Zoning Ordinance provision.

Finding

The County finds that Alternative 3 would result in lesser environmental impacts related to transportation and traffic and would achieve the GPR/ZOU objectives. However, the County finds that Alternative 3 is infeasible because the County doesn't control the annexation process, and projects within these areas would likely be dependent on urban services from the cities of Fresno and Clovis. This would require extensive governmental coordination. The County rejects Alternative 3 as infeasible because it would require extensive governmental coordination that cannot be guaranteed to occur. The County makes this determination after taking into account economic, legal, social, technological and/or other considerations, including the provision of employment opportunities for highly trained workers.

6.2 Environmentally Superior Alternative

The CEQA Guidelines state an EIR shall identify an environmentally superior alternative. If the environmentally superior alternative is the No Project Alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives (CEQA Guidelines Section 15126.6(e)(2)).

Alternative 1 would increase environmental impacts, would fail to meet requirements established by California General Plan law and other legislation passed since the adoption of the 2000 General Plan, and would less effectively fulfill project objectives.

Based on the alternatives analysis provided above, Alternative 3 would be the environmentally superior alternative as it would result in reduced impacts compared to the proposed GPR/ZOU. Alternative 3 would meet project objectives and would accomplish the same goals as the proposed GPR/ZOU. While Alternative 2 would also reduce impacts, Alternative 3 would further reduce these impacts with a more compact residential growth pattern. However, the County doesn't control the annexation process, and projects within these areas would require extensive governmental coordination; therefore, Alternative 3 cannot be guaranteed to occur.

7 Significant Irreversible Effects and Growth Inducement

7.1 Significant Irreversible Effects

CEQA Guidelines Section 15126.2(d) requires a discussion of any significant irreversible environmental changes that would be caused by a project should it be implemented. Such significant irreversible environmental changes may include the following:

- Use of non-renewable resources during the initial and continued phases of the project that would be irreversible because a large commitment of such resources makes removal or non-use unlikely
- Primary impacts and, particularly secondary impacts (such as highway improvements that provide access to a previously inaccessible area) that generally commit future generations to similar uses
- Irreversible damage which may result from environmental accidents associated with the project

CEQA also requires decision-makers to balance the benefits of a project against its unavoidable environmental risks in determining whether to approve a project. This section addresses the use of non-renewable resources, the commitment of future generations to the proposed development and land use changes, and irreversible impacts associated with the development that would be facilitated by implementation of the GPR/ZOU.

Construction activity associated with planned development that would be accommodated under the GPR/ZOU would involve the use of building materials and energy, some of which are non-renewable resources. Consumption of these resources would occur with any development in the region and are not unique to Fresno County or the proposed GPR/ZOU. The addition of new residential and non-residential development in the county through 2042 would irreversibly increase local demand for non-renewable energy resources such as petroleum and natural gas. However, increasingly efficient building fixtures and automobile engines, as well as implementation of policies included in the 2042 General Plan, are expected to offset the demand to some degree.

It is not anticipated that growth accommodated under the GPR/ZOU would significantly affect local or regional energy supplies. Growth facilitated by the GPR/ZOU would also require an irreversible commitment of County services, water supply, and wastewater treatment. Development of utility infrastructure would be consistent with the goals and policies of the 2042 General Plan. However, because it is not known where new facilities would be required and it cannot be determined whether sufficient water supplies are available to accommodate growth, impacts would be significant and unavoidable.

Additional vehicle trips associated with growth from implementation of GPR/ZOU would increase local traffic, noise levels, and regional air pollutant and GHG emissions. Implementation of the 2042 General Plan policies, and regional air pollution programs, and mitigation measures would reduce the air pollutant and GHG emissions associated with individual future development projects. Implementation of the GPR/ZOU would conflict with or obstruct implementation of an AQMP, and contribute to a cumulatively considerable increase in criteria pollutants; therefore, impacts would

be significant and unavoidable. GHG emissions would not be reduced to below significance thresholds and would result in a significant, unavoidable impact. Implementation of proposed policies and mitigation measures would reduce the noise impacts associated with future growth to less than significant. The 2042 General Plan policies and mitigation measures would mitigate traffic and VMT to the extent feasible. However, population growth facilitated by the GPR/ZOU and the region would result in additional vehicle trips on area roadways, resulting in significant and unavoidable VMT impacts.

7.2 Growth Inducement

Section 15126(d) of the CEQA Guidelines requires a discussion of a proposed project's potential to foster economic or population growth, including ways in which a project could remove an obstacle to growth. Growth does not necessarily create significant physical changes to the environment. However, depending upon the type, magnitude, and location of growth, it can result in significant adverse environmental effects. A proposed project's growth inducing potential is therefore considered significant if project-induced growth could result in significant physical effects in one or more environmental issue areas.

Development associated with the GPR/ZOU could accommodate an estimated 24,607 new residents, 20,745 new jobs and 11,275 new households in the county. With the estimated growth as part of the proposed project, the county of Fresno would have a 2042 population of approximately 243,591, along with 120,019 total jobs and 83,106 households. This would not exceed FCOG growth projections for 2042. Employment in the county is projected to increase by approximately 6 percent per year by 2042. Therefore, the project would not directly or indirectly induce significant population growth in the county beyond that already anticipated.

The purpose of the project is to plan for the anticipated growth of Fresno County by adopting the Fresno County GPR/ZOU. The potential impacts associated with this growth would be mitigated through the goals and policies included in the 2042 General Plan that provide for orderly and planned growth in the county. This planned growth in existing urbanized areas would assist in reducing growth elsewhere in the more rural and agricultural sections of the county.

The GPR/ZOU's focus is on controlled development in the existing urbanized portions of the county. State and regional demographic trends are anticipated to limit countywide growth to within the forecast amounts. Because no exceedance of the population forecast is anticipated, the GPR/ZOU would not induce substantial population growth. One of the fundamental purposes of the GPR/ZOU is to direct future development in such a way as to minimize the impacts of growth by emphasizing the intensification and reuse of already developed areas, thus minimizing pressure to develop on the remaining open space and agricultural land. Specific goals and policies in the Land Use and Housing Elements of the 2042 General Plan direct the County to emphasize this pattern of development, to ensure that the GPR/ZOU does not result in substantial unplanned growth. Therefore, although development of vacant lands would require new infrastructure and expansion of services, new development would occur primarily where existing roads, water, and sewer are in place and in a manner that minimizes the impact of development on existing facilities and services. In addition, the goals, policies, and programs of the Land Use and Housing Elements would limit development in the county of Fresno, thereby controlling, rather than removing, obstacles to growth. These policies would support growth management in order to protect and/or enhance whenever feasible the environment, maintain the existing infrastructure in the county, discourage development that "leapfrogs" over vacant and unused land, and encourage development around

employment centers to provide local residents with opportunities to live and work in the same community.

8 Statement of Overriding Considerations

CEQA requires the decision-making agency to balance the benefits of a project against its significant unavoidable impacts when determining whether to approve a project. If the benefits of the project outweigh its unavoidable adverse environmental effects, those effects may be considered acceptable (CEQA Guidelines Section 15093(a)). CEQA requires the agency to state in writing the specific reasons for considering a project acceptable when significant impacts are not avoided or substantially lessened. Those reasons must be based on substantial evidence in the Draft EIR, Final EIR, or elsewhere in the administrative record (CEQA Guidelines Section 15093(b)). The GPR/ZOU, as proposed, could result in the following significant unavoidable impacts:

- Agricultural and Forestry Resources: conversion of Farmland to a non-agricultural use
- Air Quality: conflict with or obstruct implementation of a regional air quality management plan; result in a cumulatively considerable net increase of any criteria pollutant; expose sensitive receptors to substantial pollutant concentrations
- Cultural Resources: substantial adverse change in the significance of a historical resource
- Geology and Soils: potential to destroy paleontological resources or unique geologic features
- Greenhouse Gas Emissions: increase in GHG emissions beyond local thresholds
- Transportation and Traffic: increase in VMT impacts beyond County thresholds
- Utilities and Service Systems: relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities; insufficient water supply to serve the project and reasonably foreseeable future development; inadequate wastewater treatment capacity; generation of solid waste in excess of standards or capacity of local infrastructure; consistency with federal, state, and local solid waste management and reduction statutes and regulations
- Wildfire: development could occur in or near Fire Hazard Severity Zones leading to risk of loss, injury, or death involving wildland fires

These significant unavoidable impacts are identified and discussed in Section 5 of these Findings.

The County adopts and makes this Statement of Overriding Considerations regarding the significant unavoidable impacts and anticipated benefits of the GPR/ZOU. The County finds and determines that the majority of the GPR/ZOU impacts will be reduced to acceptable levels through implementation of the policies set forth in the self-mitigating GPR/ZOU. The County further finds that each of the benefits set forth below in this Statement of Overriding Considerations constitutes a separate and independent ground for finding that the benefits of the GPR/ZOU outweigh the risks of the potential significant adverse environmental impacts. The benefits of the GPR/ZOU, which constitute the specific economic, legal, social, technological and other considerations that justify the approval of the GPR/ZOU are as follows:

- The GPR/ZOU updates outdated policies in a manner that meets current State legal requirements for General Plans.
- The GPR/ZOU revises regulations for accessory dwelling units, density bonus and other State-mandated changes to California Zoning law which became effective since the adoption of the 2000 General Plan, and addresses zoning ambiguities while providing greater flexibility through additional processes such temporary use permits.

- The GPR/ZOU accommodates County population growth projected through 2042.
- The GPR/ZOU revises and streamlines some existing General Plan Policies and programs as well as Zoning Ordinance provisions.
- The GPR/ZOU directs land use policies that enable sustainable and forecasted growth in the County.
- The GPR/ZOU expands and strengthens major policies to meet the challenges of the 21st century.
- The GPR/ZOU includes an Environmental Justice element to provide policies to ensure all people, including those who live in disadvantaged unincorporated communities, have an equal ability to participate in the decision-making process.
- The GPR/ZOU provides for the orderly and efficient extension of infrastructure such as roadways, water, wastewater, drainage, and expansion services to support the county's economic development goals and to facilitate compact growth patterns.
- The GPR/ZOU plan supports development of a multi-modal transportation system that meets community economic and freight mobility needs, improves air quality, and shifts travel away from single-occupant automobiles to less-polluting transportation modes.
- The GPR/ZOU seeks to protect and promote careful management of the County's natural resources, such as its soils, water, air quality, minerals, and wildlife and its habitat, to support the County's economic goals and to maintain the County's environmental quality.
- The GPR/ZOU seeks to ensure long-term conservation of agricultural lands and environmentally sensitive landscapes; encourage walking and biking and provide linked transit systems; promote greater access to healthy foods and produce; and create community centers that provide access to employment, education, business, and recreation.
- The GPR/ZOU promotes compact growth by directing most new urban development to incorporated cities and existing unincorporated urban communities where public facilities and infrastructure are available or can be provided consistent with the adopted General Plan or adopted community plans to accommodate such growth, while also giving consideration to state-mandated directives such as the Regional Housing Needs Allocation, which may necessitate approval of urban development in areas within or outside adopted spheres of influence.
- The GPR/ZOU was shaped by a public outreach process that engaged the community, decision-makers and key public agencies. The County hosted a series of workshops and public meetings on the GPR/ZOU. The GPR/ZOU was developed with public input and consideration.

On balance, the County finds that there are specific considerations associated with the GPR/ZOU that serve to override and outweigh the GPR/ZOU's significant unavoidable effects. Therefore, pursuant to CEQA Guidelines Section 15093(b), these adverse effects are considered acceptable.

This page intentionally left blank.

Mitigation Monitoring and Reporting Program for the Fresno County General Plan Review and Zoning Ordinance Update

CEQA requires that a reporting or monitoring program be adopted for the conditions of plan or project approval that are necessary to mitigate or avoid significant effects on the environment (Public Resources Code 21081.6). This mitigation monitoring and reporting program is intended to track and ensure compliance with adopted mitigation measures during the Fresno County General Plan Review and Zoning Ordinance Update (GPR/ZOU) implementation phase. For each mitigation measure recommended in the Draft and Final Environmental Impact Report (EIR)[1] for GPR/ZOU, specifications are made herein that identify the action required, the monitoring that must occur, and the agency or department responsible for oversight.

[1] Mitigation Measures AG-1, AQ-1, AQ-2, AQ-3, GHG-1, GHG-2 were updated between the Draft EIR and Final EIR for the Fresno County General Plan Review and Zoning Ordinance Update. That revision is reflected in this Mitigation Monitoring and Reporting Program.

This page intentionally left blank.

Mitigation Measure	Action Required	Timing	Monitoring Frequency	Responsible Agency
Agricultural Resources				
AG-1 Agriculture Conservation				
Policy LU-A.23 For discretionary land use projects that are not directly related to or supportive of agricultural uses and which propose the permanent conversion of 20 acres or more of Prime Farmland, Unique Farmland or Farmland of Statewide Importance (as designated by the Farmland Mapping and Monitoring Program) to nonagricultural uses, the County shall consider and adopt feasible measures including, but not limited to: ▪ Acquisition of conservation easements at a 1:1 ratio for lands lost to nonagricultural uses. ▪ Fee title of agricultural mitigation land that may be held by a third party or the County. ▪ In lieu fees paid to the County that may be used to acquire future mitigation property. ▪ Mitigation banks. The County may exempt projects from agricultural mitigation requirements when it has been determined that conversion is occurring pursuant to a local groundwater sustainability plan, or the project is for housing which is predominately for persons of low or moderate income as defined in section 50093 of the Health and Safety Code. Further, the County may exempt discretionary land use projects from agricultural mitigation requirements if it finds that the loss of agricultural land caused by the proposed conversion is outweighed by specific overriding economic, legal, social, technological, or other benefits of the conversion, as contemplated by section 21081(b) of the Public Resources Code.	For applicable discretionary land use projects, the County shall consider and adopt feasible agriculture conservation measures.	Prior to project approval	Once	County of Fresno Department of Public Works and Planning
Policy LU-A.24 The County shall encourage the State of California Department of Conservation to update its Important Farmland Map in consideration of recent restrictions to groundwater pumping, reduced access to surface water and the potential loss of irrigable land.	The County shall encourage the State of California Department of Conservation to update its Important Farmland Map.	Ongoing	Once	County of Fresno
Air Quality				
AQ-1 Architectural Coating ROG Content Limits				
Policy OS-G.12: Architectural Coating Reactive Organic Gases Content Limits The County shall require future development projects under the GPR/ZOU, to the maximum extent feasible, to use architectural coating materials, as defined in the San Joaquin Valley Air Pollution Control District's (SJVAPCD_ Rule 4601), that are zero-emission or have a low-ROG content (below 10 grams per liter). Where such ROG coatings are not available, or feasible, the coating with the lowest ROG rating available shall be used. These measures shall be noted on all construction plans, and the County shall perform periodic site inspections during construction to verify compliance.	The County shall require the use of zero emission or low ROG architectural coatings and shall perform periodic site inspections during construction to verify compliance.	Prior to project approval	Once	County of Fresno Department of Public Works and Planning
AQ-2 Construction Equipment Emissions Reduction				
The County shall require future development projects under the GPR/ZOU to incorporate the following construction equipment emission control measures to the maximum extent possible, provided they are technologically and economically feasible: ▪ Implement the use of diesel construction equipment meeting California Air Resources Board (CARB) Tier 4 or equivalent emission standards for off-road heavy-duty diesel engines. If use of Tier 4 equipment is not feasible, due to availability, diesel construction equipment meeting Tier 3 emission standards shall be used. Tier 3 equipment shall use a Level 3 Diesel Particulate Filter. These measures shall be noted on all construction plans, and the County shall perform periodic site inspections during construction to verify compliance. ▪ Use alternative fueled or catalyst equipped diesel construction equipment. ▪ All construction vehicles shall be prohibited from idling in excess of 5 minutes, both on and off site. Individual pieces of diesel-powered off-road diesel equipment shall be prohibited from being in the "on" position for more than 10 hours per day. Limit the hours of operation of heavy-duty equipment and/or the amount of equipment in use. ▪ Replace fossil-fueled equipment with electrically driven equivalents (provided they are not run via a portable generator set) ▪ Curtail construction during periods of high-ambient-pollutant concentrations; this may include limiting of construction activity during the peak-hour vehicular traffic on adjacent roadways. ▪ Implement activity management (e.g., rescheduling activities to reduce short-term impacts) ▪ Electric hook-ups to the power grid shall be used rather than temporary diesel- or gasoline-powered generators for electric construction tools whenever feasible. Mobile off-road construction equipment of less than 50 horsepower shall be electric, including but not limited to: air compressors, concrete/industrial saws, welders and plate compactors. Mobile off-road construction equipment with a power rating of 19 kilowatts or less shall be battery powered. If generators need to be used to reach remote portions of the site, non-diesel generators shall be used. ▪ If temporary power (power from the grid supplied to the site during construction activities before permanent utilities are implemented and turned on) is available to the site, prohibit the use of non-emergency diesel-powered generators during construction. ▪ Contractors shall conduct routine inspections to verify compliance with construction mitigation and to identify other opportunities to further reduce construction impacts. Inspection reports shall be maintained on site throughout the construction period. ▪ Project contractors shall provide information on transit and ride sharing programs and services to construction employees. As feasible, provide for meal options on site, or shuttle buses between the site and nearby meal destinations for use by construction contractors. ▪ Implementation of a Voluntary Emissions Reduction Agreement (VERA) with the SJVAPCD for projects where emissions exceed SJVAPCD thresholds.	The County shall require the use of tier 4 or tier 3 (with particulate filter) diesel construction equipment and shall perform periodic site inspections during construction to verify compliance.	Prior to project approval	Once	County of Fresno Department of Public Works and Planning

Mitigation Measure	Action Required	Timing	Monitoring Frequency	Responsible Agency
AQ-3 Sensitive Community Protections				
Future development projects that require discretionary approval shall identify and characterize project construction and operational air emissions. Air emissions shall be compared to the SJVAPCD significance thresholds.[1] Future projects shall be mitigated to the extent feasible or to below SJVAPCD thresholds. For non-discretionary projects where sensitive receptors are located closer than 1,000 feet of the project site; where construction would involve use of substantial (more than two pieces) heavy construction equipment use; and/or where the construction period lasts longer than two months of heavy equipment use; would require an air quality technical assessment and incorporate mitigation such that impacts are reduced to below regulatory thresholds or to the furthest extent possible. As applicable to individual discretionary projects, mitigation measures that are economically and technically feasible may include, but are not limited to: ▪ Assess and potentially install, as technologically feasible, particulate matter emission control systems for new large restaurants operating under-fired charbroilers. ▪ Contracting with companies that use clean lawn and gardening equipment or consider participation in the SJVAPCD's Clean Green Yard Machines (CGYM) program for individual development projects that would have their own lawn and gardening equipment. □ Where criteria air pollutants exceed 100 lbs per day, an Ambient Air Quality Analysis shall be conducted to determine if emissions increases from a project will cause or contribute to a violation of State or National Ambient Air Quality Standards. The analysis should include emissions from both permitted and non-permitted equipment and activities. ▪ Implementation of a Voluntary Emissions Reduction Agreement (VERA) with the SJVAPCD for projects where emissions exceed SJVAPCD thresholds. ▪ Implementation of applicable measures in Tables 5 and 6 of the CARB's Concept Paper for The Freight Handbook[2] for new industrial/warehousing facilities to reduce impacts to existing and potential nearby sensitive receptors. Additional measures to reduce emissions include but are not limited to: □ Ensure solid screen buffering trees, solid decorative walls, and/or other natural ground landscaping techniques are implemented along the property line of adjacent sensitive receptors. □ Ensure all landscaping be drought tolerant. □ Orient loading docks away from sensitive receptors unless physically impossible. □ Locate loading docks a minimum of 300 feet away from the property line of sensitive receptor unless dock is exclusively used for electric trucks. □ Incorporate signage and "pavement markings" to clearly identify on-site circulation patterns to minimize unnecessary on-site vehicle travel. □ Locate truck entries on classified streets. □ Building roofs are solar-ready. □ A portion of roof tops that are not covered with solar panels are constructed to have light colored roofing material with a solar reflective index of greater than 78. □ Rooftop solar panels are installed and operated to supply 100% of the power needed to operate all non-refrigerated portions of the development project. □ Ensure power sources at loading docks for all refrigerated trucks have "plugin" capacity, which will eliminate prolonged idling while loading and unloading goods. □ Incorporate bicycle racks and electric bike plug-ins. □ Require the use of low volatile organic compounds (VOC) architectural and industrial maintenance coatings. □ Inform the project proponent of the incentive programs (e.g., Carl Moyer Program and Voucher Incentive Program) offered to reduce air emissions from the Project. □ Evaluate and incorporate truck routes that minimize impacts to sensitive receptors and sensitive communities. □ Incorporate the use of the cleanest available heavy-duty trucks into facility owned fleets. □ Incorporate the use of zero-emissions technologies for all on-site service equipment (cargo handling, yard holsters, forklifts, pallet jacks, etc.) as is applicable and feasible to the individual project. □ Reduce idling of heavy-duty trucks to a maximum of 3-minutes at any one location or at any given time unless required for operation of said vehicle, other than the use of a transportation refrigeration unit. ▪ Project applicants shall maintain buffer distances for siting new sensitive receptors as well as new TAC sources as identified in the County's Environmental Justice Policies or CARB's Air Quality and Land Use Handbook: A Community Health Perspective (CARB Handbook)[3], (whichever is more restrictive) unless a project specific health risk assessment determines that a project will not result in health risks to either onsite or offsite sensitive receptors. ▪ Project applicants shall retain a qualified air quality consultant to prepare a health risk assessment in accordance with the CARB and the Office of Environmental Health and Hazard Assessment requirements. The analysis will be conducted to determine the exposure of nearby sensitive receptors to emission sources resulting from construction and/or operation of the project. The health risk assessment shall be submitted to the County of Fresno for review and approval. Project applicants shall implement the approved health risk assessment recommendations to protect nearby sensitive receptors, if levels exceed SJVAPCD thresholds of 10 in a million for cancer risk or a hazard index of 1, if any are present. □ Measures for reducing impacts to new sensitive receptors due to locating receptors near existing TAC sources may include, but are not limited to: — Install, operate, and maintain in good working order a central heating and ventilation system or other air take system in the building of a sensitive receptor that would be impacted by the project, or in each individual residential unit, that meets the efficiency standard of the minimum efficiency reporting value of 13. The heating and ventilation system should include the following features: installation of a high-efficiency filter and/or carbon filter to minimize particulate and other airborne chemical matter from entering the building. Either high-efficiency particulate absorption filters or American Society of Heating, Refrigeration, and Air-Conditioning Engineers 85 percent supply filters should be used. — Ensure that positive pressure occurs in the building. — Achieve a performance standard of at least one air exchange per hour of fresh outside filtered air. — Achieve a performance standard of at least four air exchanges per hour of recirculation. — Achieve a performance standard of 0.25 air exchanges per hour of unfiltered infiltration if the building is not positively pressurized. — Install vegetative barriers and/or urban greening. □ Measures for reducing impacts to existing sensitive receptors due to location of existing sources near active construction sites may include, but are not limited to: — Implementation of Tier 4 and/or alternative fueled construction equipment. — Incorporation of DPM Level 3 CARB filters.	The County shall require the use of construction equipment emission control measures. County shall require future discretionary development projects under the GPR/ZOU to evaluate the construction GHG emissions from the individual projects and implement measures to reduce emissions from construction activities. The County shall require future development projects under the GPR/ZOU to implement measures to reduce energy consumption, water use, solid waste generation, and VMT. The County shall require future development projects under the GPR/ZOU to evaluate the operational GHG emissions from the individual projects and incorporate the most recent GHG emission reduction measures and/or technologies for reducing VMT and associated transportation related GHG emissions.	Prior to project approval	Once	County of Fresno Department of Public Works and Planning

Mitigation Measure	Action Required	Timing	Monitoring Frequency	Responsible Agency
— Where operations of new onsite permitted or unpermitted toxic air contaminants (TAC) sources result in significant impacts to nearby sensitive receptors, the applicant shall work with either a qualified air quality consultant or the SJVAPCD to implement measures applicable to reducing emissions from the new TAC sources to below regulatory thresholds. □ When adding sensitive receptors within proximity to TAC sources, where setbacks identified in the CARB Handbook are not implemented, the results of a Prioritization Analysis for new TAC sources exceeds a score of 10, and/or construction will occur within 1,000 feet, a health risk assessment as detailed above in this measure shall be conducted and the recommendations implemented in order to reduce risks to sensitive receptors to below the SJVAPCD thresholds noted above. □ Evaluate the potential for on-site operational activities to result in objectionable and/or nuisance odors affecting nearby sensitive receptors and implement the appropriate odor control Systems as applicable. ▪ The County shall require future discretionary development projects under the GPR/ZOU to implement measures to reduce energy consumption, water use, solid waste generation, and VMT. Measures include, but are not limited to: □ Require new residential and commercial construction to install renewable energy systems (e.g. solar) on, or off-site that will offset 100% of the project's electrical consumption, or to the greatest extent feasible. □ Require new development to surpass the applicable Title 24 energy-efficiency requirements. □ Require new residential development to be fully electric, and non-residential development to eliminate natural gas consumption to the extent feasible, and at a minimum to eliminate natural gas usage for heating purposes. □ Project shall incorporate outdoor electrical outlets such that 10 percent of outdoor landscaping equipment can be electrically powered. □ All dock doors shall be equipped with electric plugs for electric TRUs. □ All fixtures used for lighting of exterior common areas shall be regulated by automatic devices to turn off lights when they are not needed, but a minimum level of lighting should be provided for safety. □ Implement applicable measures from the SJVAPCD's Emissions Reduction Clean Air Measures ▪ As discussed in Section 4.14, Transportation, Mitigation Measure T-1 would contribute to a 13 percent reduction in VMT, which would subsequently reduce transportation-related GHG emissions. In addition to Mitigation Measure T-1, the County shall require future development projects under the GPR/ZOU to evaluate the operational GHG emissions from the individual projects and incorporate the most recent GHG emission reduction measures and/or technologies for reducing VMT and associated transportation related GHG emissions. Current GHG-reducing measures include, but are not limited to, the following: □ Installation of electric vehicle charging stations consistent with off-street electric vehicle requirements in the most recently adopted version of CALGreen Tier 2. □ Require new development to implement circulation design elements in parking lots for no-residential uses to reduce vehicle queuing and improve the pedestrian environment. □ Utilization of electric vehicles and/or alternatively fueled vehicles in company fleet. □ Provision of dedicated parking for carpools, vanpool, and clean air vehicles. □ Provision of vanpool and/or shuttle service for employees. □ Implementation of reduced parking minimum requirements. □ Provision of bicycle parking facilities consistent with State standards. □ Provision of a bicycle-share program. □ Expansion of bicycle routes/lanes along the project site frontage. □ Provision of new or improved transit amenities (e.g., covered turnouts, bicycle racks, covered benches, signage, lighting) if project site is located along an existing transit route. □ Expansion of sidewalk infrastructure along the project site frontage. □ Provision of safe, pedestrian-friendly, and interconnected sidewalks and streetscapes. □ Provision of employee lockers and showers. □ Provision of on-site services that reduce the need for off-site travel (e.g., childcare facilities, automatic teller machines, postal machines, food services.) □ Provision of alternative work schedule options, such as telework or reduced schedule (e.g., 9/80 or 10/40 schedules), for employees whenever feasible. □ Implementation of transportation demand management programs to educate and incentivize residents and/or employees to use transit, smart commute, and alternative transportation options. □ As applicable all industrial uses shall be required to enroll in U.S. EPA's SmartWay program and shall use carriers that are SmartWay carriers. ▪ Implement applicable measures from the SJVAPCD's Emissions Reduction Clean Air Measures.				
AQ-4: Valley Fever				
Prior to ground disturbance activities, the County shall require project applicants to develop and provide a "Valley Fever Training Handout" and schedule of sessions for education to be provided to all construction personnel. All evidence of the training session(s) and handout(s) shall be kept on site for review by the County or Air District as requested. Multiple training sessions may be conducted if different work crews come to the site for different stages of construction; however, all construction personnel shall be provided training prior to beginning work. Training Session(s) shall include the following: ▪ A sign-in sheet (to include the printed employee names, signature, and date) for all employees who attended the training session. ▪ Distribution of a written flier or brochure that includes educational information regarding: 1. The health effects of exposure to Valley Fever; 2. Recognition of symptoms and when to seek treatment; 3. Methods that may help prevent Valley Fever release; 4. Methods that may help prevent Valley Fever exposure.	County shall require project applicants to develop and provide a "Valley Fever Training Handout" training session(s) and handout(s). The County or Air District shall review materials as requested.	Prior to construction	Once	County of Fresno Department of Public Works and Planning San Joaquin Valley Air Pollution Control District

Mitigation Measure	Action Required	Timing	Monitoring Frequency	Responsible Agency
▪ A demonstration to employees on how to use personal protective equipment, such as masks, to reduce exposure to spores. Though use of masks is not mandatory during work, they shall be readily available and shall be provided to employees as requested.				
Biological Resources				
BIO-1 Protection of Nesting Birds				
Policy OS-E.19 Nesting Birds. For development projects on sites where tree or vegetation/habitat removal is necessary and where the existence of sensitive species and/or bird species protected by California Fish and Wildlife Code Sections 3503 and 3503.5 and Migratory Bird Treaty Act has been determined by a qualified biologist, surveys for nesting birds shall be conducted within 14 days prior to project activities by a qualified biologist retained by the developer for all construction sites where activities occurring during nesting bird season (February 1 through September 15). The surveys shall include the entire disturbance area plus at least a 500-foot buffer around the project site. If active nests are located, all construction work shall be conducted outside a buffer zone from the nest to be determined by the qualified biologist. The buffer shall be a minimum of 250 feet for non-raptor bird species and at least 500 feet for raptor species, unless determined otherwise by the qualified biologist. Buffer distances for bird nests shall be site-specific and an appropriate distance, as determined by a qualified biologist. The buffer distances shall be specified to protect the bird's normal behavior thereby preventing nesting failure or abandonment. The buffer distance recommendation shall be developed after field investigations that evaluate the bird(s) apparent distress in the presence of people or equipment at various distances. Abnormal nesting behaviors which may cause reproductive harm include, but are not limited to, defensive flights/vocalizations directed towards project personnel, standing up from a brooding position, and flying away from the nest. The qualified biologist shall have authority to order the cessation of all nearby project activities if the nesting birds exhibit abnormal behavior which may cause reproductive failure (nest abandonment and loss of eggs and/or young) until an appropriate buffer is established. Larger buffers may be required depending upon the status of the nest and the construction activities occurring in the vicinity of the nest. The buffer area(s) shall be closed to all construction personnel and equipment until the adults and young are no longer reliant on the nest site. A qualified biologist shall confirm that breeding/nesting is completed, and young have fledged the nest prior to removal of the buffer. The biologist shall submit a report of these preconstruction nesting bird surveys to the County to document compliance within 30 days of its completion.	The County shall verify that the pre-construction nesting bird survey requirement is included in the construction plans and specification and site plans for development projects. For development projects on sites where tree or vegetation/habitat removal is necessary and where the existence of sensitive species and/or bird species has been determined, the County shall verify that a qualified biologist conducts the pre-construction nesting bird survey, prepares a survey report, and implements the recommendations specified in the survey report.	Prior to initiation of ground disturbance and vegetation removal.	Once	County of Fresno Department of Public Works and Planning
Cultural Resources				
CR-1 Architectural History Evaluation				
Policy OS-J.2 Historic Resources Consideration. The County shall consider historic resources during preparation or evaluation of plans and discretionary development projects that may impact buildings or structures For a project projected on a property that includes buildings, structures, objects, sites, landscapes, or other features that are 45 years of age or older at the time of permit application, the project applicants shall be responsible for preparing and implementation the recommendations of a historical resources evaluation completed by qualified cultural resources practitioners.	The County shall review and approve the historical resources evaluation report, prepared by a qualified architectural historian or historian and including any site-specific mitigation measures required, for projects that would alter or demolish any historical age features (i.e., structures over 45 years of age)	Prior to issuance of any permits for development projects that would alter or demolish a historical resource	Once	County of Fresno Department of Public Works and Planning
CR-2 Archaeological Resources Study Program				
Policy OS-J.4 Cultural Resources Protection and Mitigation. The County shall require that discretionary development projects, as part of any required CEQA review, identify and protect important historical, archeological, tribal, paleontological, and cultural sites and resources. For projects requiring ground disturbance and located within a high or moderate cultural sensitivity areas, a cultural resources technical report may be warranted, including accurate archival research and site surveys conducted by qualified cultural resources practitioners. The need to prepare such studies shall be determined based on the tribal consultation process and initial outreach to local or state information centers.	The County shall review and approve the cultural resources technical report for projects involving ground disturbance that have been determined to require such a report.	Prior to project approval for projects involving ground disturbance	Once	County of Fresno Department of Public Works and Planning
Greenhouse Gas Emissions				
GHG-1 Funding for a Greenhouse Gas Inventory And Preparation of a Climate Action Plan				
Policy HS-G.12 Funding for a Greenhouse Gas Inventory and Preparation of a Climate Action Plan. The County shall seek a variety of sources including, but not limited to, grants, state funding, and or impact fees to fund the preparation and implementation of a Fresno County specific Climate Action Plan. Once funding is available, the County shall proceed to prepare a Climate Action Plan.	The County shall seek funding for the preparation and implementation of a Climate Action Plan.	2024	Until funding is secured	County of Fresno Department of Public Works and Planning
GHG-2 Preparation and Implementation of a Climate Action Plan				
Policy HS-G.13 Preparation and Implementation of a Climate Action Plan. The County shall undertake a countywide Climate Action Plan (CAP) within two years of the adoption of General Plan Amendment No. 529 (General Plan Review) with the objective of meeting a GHG emissions reduction trajectory consistent with State law (currently codified in Health and Safety Code Section 38566 et seq. [Senate Bill 32] and Executive Order B-55-18).	The County shall undertake and prepare a countywide Climate Action Plan.	2026	Once	County of Fresno Department of Public Works and Planning
Noise				
N-1 Construction Vibration Control Measures				
Policy HS-H.10 Construction Vibration Control Measures. Construction Vibration Control Measures. The following measures to minimize exposure to construction vibration shall be included as standard conditions of approval for projects involving construction vibration within 50 feet of historic buildings or nearby sensitive receivers: ▪ 1. Avoid the use of vibratory rollers within 50 feet of historic buildings or residential buildings with plastered walls that are susceptible to damage from vibration and; ▪ 2. Schedule construction activities with the highest potential to produce vibration to hours with the least potential to affect nearby institutional, educational, and office uses that are identified as sensitive to daytime vibration by the Federal Transit Administration in Noise and Vibration Impact Assessment (FTA 2018).	The County shall include standard conditions of approval for projects involving construction vibration within 50 feet of historic buildings or nearby sensitive receivers.	Prior to issuance of a building permit	Once	County of Fresno Department of Public Works and Planning

Mitigation Measure	Action Required	Timing	Monitoring Frequency	Responsible Agency
Transportation				
T-1 VMT Policy				
Policy TR-A.25 VMT Threshold. Projects that would generate or attract more than 110 daily vehicle trips shall be evaluated for a transportation VMT impact on an individual basis. The threshold of significance shall be 87 percent of the countywide average rate of VMT. Any individual project resulting in VMT that exceeds 87 percent of the countywide average shall be required to implement project-specific mitigation measures aimed at reducing VMT generated by the project. The policy detailed above would be consistent with the recommended threshold identified for unincorporated Fresno County in the 2021 Fresno County SB 743 Implementation Regional Guidelines. Project specific mitigation may include, but is not limited to, the following regional- and project-level Transportation Demand Management (TDM) strategies that could further reduce project-level VMT resulting from future development under implementation of the proposed GPR/ZOU. **Expand Transit Service:** Consider opportunities to expand FCRTA fixed-route and shuttle-based transit service to serve locations of future Significant and Unavoidable County of Fresno General Plan Review and Zoning Ordinance Update ES-18 Impact Mitigation Measure (s) Residual Impact growth, with consideration to anticipated increases in commute trips. **Public-Facing TDM Programs:** Promote existing TDM programs led by FCOG and other public agencies including ridesharing programs, carpool and vanpool programs, and demand-response services, such as: ▪ Fresno COG "Valley Rides" Ridesharing. ▪ Carpool Incentive Program. ▪ Commuter Vanpool Program. ▪ Agricultural Worker Vanpool Program. ▪ Senior Taxi Scrip Program. **Employer-Based TDM Programs:** Per San Joaquin Valley Air Pollution Control District, the employer-based trip reduction Rule 9410 (December 17, 2009) requires employers with at least 100 eligible employees at a worksite to implement programs to reduce VMT from private vehicles used by employees to commute to and from their worksites. Employers should promote the education, information, and promotion of the above mentioned TDM programs. **Mobility-As-A-Service:** Provide additional access and connectivity for underserved populations. Strategies to improve connectivity and access include on-demand shuttles to connect individuals to desired destinations. **Connectivity Enhancement:** The bicycle and pedestrian facilities presented in the Fresno County Regional ATP should connect to transit route stops where applicable, to accommodate "first mile" and "last mile" travel (travel between modes to a destination). In addition, existing and future bus stops should be improved to comply with ADA design standards to ensure ADA accessible bus stops and comfortable bus shelters. **Land Use:** Modify land use plans for future proposed development projects to increase residential development in areas with low VMT/capita characteristics and/or decrease development in areas with high VMT/capita characteristics and modify land use plans to increase commercial development in areas with low VMT/employee characteristics and/or decrease development in areas with high VMT/employee characteristics. **Education and Promotion/Encouragement:** Voluntary travel behavior change program including promotions and marketing. **Commute Trip Reductions (smaller employers):** Implement or provide access to: Executive Summary Environmental Impact Report ES-19 Impact Mitigation Measure (s) Residual Impact Voluntary commute trip reduction programs Alternative work schedules and Telework Program Employer-sponsored vanpools or shuttles Rideshare Program - Shift single occupancy vehicle trips to carpooling or vanpooling by providing ridematching services or shuttle services Provide car-sharing and bike-sharing programs Provide partially or fully subsidized transit passes Provide telework options Provide employee transportation coordinators at employment sites Provide a guaranteed ride home service to users of non-auto modes. **Bicycle Infrastructure:** Implement on-street bicycle facilities, provide bicycle parking, and provide secure bicycle parking and showers. **Neighborhood Infrastructure:** Implement neighborhood improvements such as: ▪ Traffic calming improvements. ▪ Pedestrian network improvements. ▪ Provide incentives or subsidies that increase the use of modes other than a single-occupancy vehicle. ▪ Improve or increase access to transit Increase access to common goods and services, such as groceries, schools, and daycare Incorporate a neighborhood electric vehicle network. ▪ Limit or eliminate parking supply. It should be noted that the above list of measures is not all inclusive; rather, this list includes potential recommendations to be considered if feasible for individual projects implemented under the GPR/ZOU, and alternate measures can and should be evaluated based on a specific project in response to site specific conditions.	The County shall add Policy TR-A.25 to the General Plan. The County shall verify that projects that exceed the County's recommended threshold have implemented project-level VMT reduction strategies.	Prior to adoption of the General Plan Prior to project approval	Once	County of Fresno Department of Public Works and Planning

This page intentionally left blank.