APPENDIX G/INITIAL STUDY FOR A NEGATIVE DECLARATION

Environmental Checklist Form for:
EA No. P18-02233

1.	**Project title:** Environmental Assessment Application No. P18-02233
2.	**Lead agency name and address:** City of Fresno Development and Resource Management Department 2600 Fresno Street Fresno, CA 93721
3.	**Contact person and phone number:** Jarred Olsen, Planner III City of Fresno Development and Resource Management Dept. (559) 621-8277
4.	**Project location:** 2999 South Orange Avenue ±3.92 acres of property located on the northeast corner of East North and South Orange Avenues Site Latitude: 36°41'34.39" N Site Longitude: -119°45'44.18" W Mount Diablo Base & Meridian, Township 14S, Range 20E Section 23 – California Assessor's Parcel Number: 487-140-32
5.	**Project sponsor's name and address:** Neil Angelillo Kettleman 99 LP 1155 W. Shaw Road, Suite #104 Fresno, CA,93711
6.	**General & Community plan land use designation:** Heavy Industrial
7.	**Zoning:** Heavy Industrial

8. **Description of project:**

Environmental Assessment No. P18-02233 was filed by Chris Ward, on behalf of Kettleman 99 LP. The applicant proposes to construct 13,325 gross square feet (sf) of commercial, retail, fast food, and fuel uses on the 3.92-acre project site. The development would include two phases: development of a 3,062 gross sf 7-Eleven building with 12 gas pumps and a 2,263 gross sf Panda Express restaurant building during Phase 1, and a 5,000 gross sf future retail building and a 3,000 gross sf future fast food building during Phase 2. The Panda Express restaurant, the future fast food building, and the future retail building would include drive-throughs. The project would also include development of the associated infrastructure, parking, and circulation improvements.

Entitlements

Environmental Assessment No. P18-02233 would require a Conditional Use Permit. Conditional Use Permits are required for Drive-Through Facilities and Alcohol Sales within the Heavy Industrial zoning designation.

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

	Planned Land Use	Existing Zoning	Existing Land Use
North	Heavy Industrial	**IH** *(Heavy Industrial)*	East Bay Tire Company industrial building
East	Heavy Industrial	**IH** *(Heavy Industrial)*	State Route (SR) 99 off-ramp
South	Heavy Industrial	**IH** *(Heavy Industrial)*	Vacant industrial lot
West	Heavy Industrial	**IH** *(Heavy Industrial)*	Coast Aluminum and Architecture, Inc. industrial building

10. **Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement):** Development and Resource Management Department, Building & Safety Services Division; Department of Public Works; Department of Public Utilities; County of Fresno, Department of Community Health; County of Fresno, Department of Public Works and Planning; City of Fresno Fire Department; Fresno Metropolitan Flood Control District; and San Joaquin Valley Air Pollution Control District.

11. **Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code (PRC) Section 21080.3.1? If so, has consultation begun?**

The State requires lead agencies to consider the potential effects of proposed projects and consult with California Native American tribes during the local planning process for the purpose of protecting Traditional Tribal Cultural Resources through the California Environmental Quality Act (CEQA) Guidelines. Pursuant to PRC Section 21080.3.1, the lead agency shall begin

	consultation with the California Native American tribe that is traditionally and culturally affiliated with the geographical area of the proposed project. Such significant cultural resources are either sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a tribe which is either on or eligible for inclusion in the California Historic Register or local historic register, or, the lead agency, at its discretion, and support by substantial evidence, choose to treat the resources as a Tribal Cultural Resources (PRC Section 21074(a)(1-2)). According to the most recent census data, California is home to 109 currently recognized Indian tribes. Tribes in California currently have nearly 100 separate reservations or Rancherias. Fresno County has a number of Rancherias such as Table Mountain Rancheria, Millerton Rancheria, Big Sandy Rancheria, Cold Springs Rancheria, and Squaw Valley Rancheria. These Rancherias are not located within the city limits. Note: Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See PRC Section 21083.3.2.) Information may also be available from the California Native American Heritage Commission's Sacred Lands File per PRC Section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that PRC Section 21082.3(c) contains provisions specific to confidentiality. Pursuant to Assembly Bill 52 (AB 52), the Table Mountain Rancheria Tribe and the Dumna Wo Wah were invited to consult under AB 52. The City of Fresno mailed notices of the proposed project to each of these tribes on October 26, 2018 which included the required 30-day time period for tribes to request consultation. Under invitations to consult AB 52, one of the two contacted tribes responded. The Table Mountain Rancheria of California declined consultation via mail on January 8, 2019.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

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

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

___	I find that the proposed project could not have a significant effect on the environment. A NEGATIVE DECLARATION will be prepared.
X	I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
___	I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
___	I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
___	I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

_____

Jarred Olsen, Planner III Date

EVALUATION OF ADDITIONAL ENVIRONMENTAL IMPACTS NOT ASSESSED IN THE MASTER ENVIRONMENTAL IMPACT REPORT (MEIR):

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

   a. "No Impact" means the subsequent project will not cause any additional significant effect related to the threshold under consideration which was not previously examined in the MEIR.

   b. "Less Than Significant Impact" means there is an impact related to the threshold under consideration that was not previously examined in the MEIR, but that impact is less than significant;

   c. "Less Than Significant with Mitigation Incorporation" means there is a potentially significant impact related to the threshold under consideration that was not previously examined in the MEIR, however, with the mitigation incorporated into the project, the impact is less than significant.

   d. "Potentially Significant Impact" means there is an additional potentially significant effect related to the threshold under consideration that was not previously examined in the MEIR.

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

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

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

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

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

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

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

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

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

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

9. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.

10. The explanation of each issue should identify:

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

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

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

The site is located within an area undergoing continued growth in development. Areas to the north, west, and south have been developed and continue to be developed with industrial uses, while the subject property is vacant. Property to the north has been developed with an East Bay Tire Company industrial building. To the east lies a SR 99 off-ramp. Property to the south is currently vacant. Property to the north has been developed with a Coast Aluminum Architecture, Inc. industrial building. The existing topography of the subject property is nearly flat, with elevations ranging from 285 to 288 feet above mean sea level.

A scenic vista is a viewpoint that provides a distant view of highly valued natural or man-made landscape features for the benefit of the general public. Typical scenic vistas are locations where views of rivers, hillsides, and open space areas can be obtained as well as locations where valued urban landscape features can be viewed in the distance.

The Fresno General Plan MEIR provides and recognizes that the City has not identified or designated scenic vistas within its General Plan. Although no scenic vista has been designated, it is

acknowledged that scenic vistas within the Planning Area could provide distant views of natural landscape features such as the San Joaquin River along the northern boundary of the Planning Area and the foothills of the Sierra Nevada Mountain Range. The River bluffs provide distant views of the San Joaquin River as well as areas north of the River. However, the majority of these views are from private property. There are limited views of the San Joaquin River from Weber Avenue, Milburn Avenue, McCampbell Drive, Valentine Avenue, Palm Avenue, State Route 41, Friant Road, and Woodward Park. There are various locations throughout the eastern portion of the Planning Area that provide views of the Sierra Nevada foothills that are located northeast and east of the Planning Area. These distant views of the Sierra Nevada foothills are impeded many days during the year by the poor air quality in the Fresno region. Distant views of man-made landscape features include the Downtown Fresno buildings that provide a unique skyline.

Scenic resources include landscapes and features that are visually or aesthetically pleasing. They contribute positively to a distinct community or region. These resources produce a visual benefit upon communities. The scenic resources within the Planning Area include landscaped open spaces such as parks and golf courses. Additional scenic resources within the Planning Area include areas along the San Joaquin River due to the topographic variation in the relatively flat San Joaquin Valley. The River bluffs provide a unique geological feature in the San Joaquin Valley. Historic structures in Downtown Fresno buildings also represent scenic resources because they provide a unique skyline.

Although superseded by the Fresno General Plan (§15-104-B-4.b of the FMC) the Bullard Community Plan previously depicted six vista points along the bluffs overlooking the San Joaquin River bottom and environs. Two of the vista points within Riverview Estates were recognized as having either been developed or committed to development through tentative map approval, prior to the establishment of the Bullard Community Plan standards. As a result, the two committed sites were considered minimal facilities with potential access and other problems. To avoid such future problems, standards were prepared within the Bullard Community Plan to guide development of the four remaining vista points.

The purpose of the vista points was to provide limited bluff access to non-area residents and to offer panoramic views of the river bluffs and river bottom. Such views were considered best be enjoyed as part of a passive recreational experience where one can stop, relax and absorb the natural beauty of the river environment. As such, the vista points were recommended to be designed to accommodate local residents who walk, non-area residents who bike, and the driving public.

None of the six vista point locations shown on the Bullard Community Plan Map are located in the nearby vicinity of the subject property. Each vista point is located over 10 miles to the north of the project site. As such, impacts related to these vista points would not occur.

Given the site's distance from the San Joaquin River (i.e., approximately 12 miles northwest of the site), the proposed project will not interfere with public views of the San Joaquin River environs. Furthermore, as there are no designated public or scenic vistas on or adjacent to the subject property, there is no potential for adverse effect on a scenic vista.

Furthermore, the Fresno General Plan MEIR recognizes and acknowledges that poor air quality reduces existing views within the City of Fresno sphere of influence as a whole, and therefore finds that a less than significant impact will result to views of highly valued features such as the Sierra Nevada foothills from future development on and in the vicinity of the subject property.

Finally, the project site is not within the vicinity of a State designated scenic highway.

The project will not damage nor will it degrade the visual character or quality of the subject site and its surroundings, given that the project site is in an area within close proximity to existing industrial development; and, in an area generally planned for and developed with industrial uses at comparable intensities.

Future development of the site will create a new source of substantial light or glare within the area. However, given that the project site is within an area which has been previously developed or is currently being developed with urban and industrial uses, which already affect day and night time views in the project area to a degree equal or greater than the proposed project, no significant impact will occur. The project would be subject to the applicable mitigation measures pertaining to light and glare included in in MEIR SCH No. 2012111015.

Furthermore, through the entitlement process, staff will ensure that lights are located in areas that will minimize light sources to the neighboring properties in accordance with the mitigation measures of the MEIR.

In conclusion, with MEIR mitigation measures incorporated, the project will not result in any aesthetic resource impacts beyond those analyzed in MEIR SCH No. 2012111015. Therefore, the project will have a less-than-significant impact on aesthetics.

Mitigation Measures

1. The proposed project shall implement and incorporate, as applicable, the aesthetics related mitigation measures as identified in the attached MEIR SCH No. 2012111015 Fresno General Plan Mitigation Monitoring Checklist dated March 2019.

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

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

Based upon the upon the 2016 Rural Land Mapping Edition: Fresno County Important Farmland Map of the State of California Department of Conservation, the project site is designated "Urban and Built-Up Land". The area to the south of the site, opposite North Avenue, is designated as "Farmland of Local Importance". The area to the north, east, and west of the site is also designated "Urban and Built-Up Land".

"Farmland of Local Importance" is defined as farmland within Fresno County that does not meet the definitions of Prime, Statewide, or Unique. This includes land that is or has been used for irrigated pasture, dryland farming, confined livestock and dairy, poultry facilities, aquaculture and grazing land.

The subject property is vacant and is currently not utilized for rural residential or agricultural purposes.

The Fresno General Plan MEIR analyzed "project specific" impacts associated with future development within the Planning Area (Sphere of Influence) as well as the cumulative impacts factored from future development in areas outside of the Planning Area. The MEIR identifies locations within the Planning Area that have been designated as Prime Farmland, Unique Farmland, and Farmland of Statewide Importance through the Farmland Mapping and Monitoring Program (FMMP) of the California Department of Conservation. The analysis of impacts contained within the MEIR acknowledges that Fresno General Plan implementation anticipates all of the FMMP-designated farmland within the Planning Area being converted to uses other than agriculture.

Furthermore, the MEIR acknowledges that the anticipated conversion is a significant impact on agricultural resources.

To reduce potential project-specific and cumulative impacts on agricultural uses, the General Plan incorporates objectives and policies, which include but are not limited to the following:

G-5 Objective: While recognizing that the County of Fresno retains the primary responsibility for agricultural land use policies and the protection and advancement of farming operations, the City of Fresno will support efforts to preserve agricultural land outside of the area planned for urbanization and outside of the City's public service delivery capacity by being responsible in its land use plans, public service delivery plans, and development policies.

G-5-b. Policy: Plan for the location and intensity of urban development in a manner that efficiently utilizes land area located within the planned urban boundary, including the North and Southeast Growth Areas, while promoting compatibility with agricultural uses located outside of the planned urban area.

G-5-f. Policy: Oppose lot splits and development proposals in unincorporated areas within and outside the City General Plan boundary when these proposals would do any of the following:

- Make it difficult or infeasible to implement the general plan; or,

- Contribute to the premature conversion of agricultural, open space, or grazing lands; or constitute a detriment to the management of resources and/or facilities important to the metropolitan area (such as air quality, water quantity and quality, traffic circulation, and riparian habitat).

However, the MEIR recognizes that despite implementation of the objectives and policies of the Fresno General Plan, project and cumulative impacts on agricultural resources will remain significant; and, that no feasible measures in addition to the objectives and policies of the Fresno General Plan are available.

In 2014, through passage of Council Resolution No. 2014-225, the City of Fresno adopted Findings of Fact related to Significant and Unavoidable Effects as well as Statements of Overriding Considerations in order to certify MEIR SCH No. 2012111015 for purposes of adoption of the Fresno General Plan. Section 15093 of the California Environmental Quality Act requires the lead agency to balance the benefits of a proposed project against its unavoidable environmental risks in determining whether to approve the project.

The adopted Statements of Overriding Considerations for the MEIR addressed Findings of Significant Unavoidable Impacts within the categories/areas of Agricultural Resources; citing specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers as project goals, each and all of which were deemed and considered by the Fresno City Council to be benefits, which outweighed the unavoidable adverse environmental effects attributed to development occurring within the City of Fresno Sphere of Influence (SOI), consistent with the land uses, densities, and intensities set forth in the Fresno General Plan.

The project site is and continues to be further encompassed with urban development. The project site is a logical expansion for purposes of orderly development within existing City limits. Agricultural uses are not permitted within the existing Heavy Industrial zone district. Additionally, the project site is not designated Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. Given

these circumstances, the proposed project is consistent with the goals, objective and policies of the Fresno General Plan as referenced herein above; and, will not result in the premature conversion of agricultural lands or constitute a detriment to the management of agricultural resources and/or facilities important to the metropolitan area.

The subject property is not subject to a Williamson Act agricultural land conservation contract. Therefore, the proposed project on the subject site will not affect existing agriculturally zoned or Williamson Act contract parcels.

The proposed project will not conflict with any forest land or Timberland Production or result in any loss of forest land.

As discussed in Impact AG-1 of the MEIR, future development in accordance with the Fresno General Plan would result in the conversion of farmland to a non-agricultural use. Except for direct conversion, the implementation of project development would not result in other changes in the existing environment that would impact agricultural land outside of the project boundary or Planning Area. In addition, development in accordance with the General Plan would not impact forest land as discussed in Section 7.2.1 of this Draft Master EIR. Therefore, the project would result in no impact on farmland or forest land involving other changes in the existing environment which fall outside of the scope of the analyses contained within the MEIR.

Therefore, the proposed project will not have an impact on converting farmland, Williamson Act contracts or forestland. In conclusion, the proposed project would not result in any agriculture and forestry resource environmental impacts beyond those analyzed in the MEIR SCH No. 2012111015.

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

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
III. AIR QUALITY – Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
c) Expose sensitive receptors to substantial pollutant concentrations?			X	
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?				X

Setting

The subject site is located in the City of Fresno and within the San Joaquin Valley Air Basin (SJVAB). This region has had chronic non-attainment of federal and state clean air standards for ozone/oxidants and particulate matter due to a combination of topography and climate. The San Joaquin Valley (Valley) is hemmed in on three sides by mountain ranges, with prevailing winds carrying pollutants and pollutant precursors from urbanized areas to the north (and in turn contributing pollutants and precursors to downwind air basins). The Mediterranean climate of this region, with a high number of sunny days and little or no measurable precipitation for several months of the year, fosters photochemical reactions in the atmosphere, creating ozone and particulate matter. Regional factors affect the accumulation and dispersion of air pollutants within the SJVAB.

Air pollutant emissions overall are fairly constant throughout the year, yet the concentrations of pollutants in the air vary from day to day and even hour to hour. This variability is due to complex interactions of weather, climate, and topography. These factors affect the ability of the atmosphere to disperse pollutants. Conditions that move and mix the atmosphere help disperse pollutants, while conditions that cause the atmosphere to stagnate allow pollutants to concentrate. Local climatological effects, including topography, wind speed and direction, temperature, inversion layers, precipitation, and fog can exacerbate the air quality problem in the SJVAB.

The SJVAB is approximately 250 miles long and averages 35 miles wide, and is the second largest air basin in the state. The SJVAB is defined by the Sierra Nevada in the east (8,000 to 14,000 feet in elevation), the Coast Ranges in the west (averaging 3,000 feet in elevation), and the Tehachapi mountains in the south (6,000 to 8,000 feet in elevation). The Valley is basically flat with a slight downward gradient to the northwest. The Valley opens to the sea at the Carquinez Straits where the San Joaquin-Sacramento Delta empties into San Francisco Bay. The Valley, thus, could be considered a “bowl” open only to the north.

During the summer, wind speed and direction data indicate that summer wind usually originates at the north end of the Valley and flows in a south-southeasterly direction through the Valley, through Tehachapi pass, into the Southeast Desert Air Basin. In addition, the Altamont Pass also serves as a funnel for pollutant transport from the San Francisco Bay Area Air Basin into the region.

During the winter, wind speed and direction data indicate that wind occasionally originates from the south end of the Valley and flows in a north-northwesterly direction. Also during the winter months, the Valley generally experiences light, variable winds (less than 10 mph). Low wind speeds, combined with low inversion layers in the winter, create a climate conducive to high carbon monoxide (CO) and particulate matter (PM10 and PM2.5) concentrations. The SJVAB has an "Inland Mediterranean" climate averaging over 260 sunny days per year. The Valley floor is characterized by warm, dry summers and cooler winters. For the entire Valley, high daily temperature readings in summer average 95ºF. Temperatures below freezing are unusual. Average high temperatures in the winter are in the 50s, but highs in the 30s and 40s can occur on days with persistent fog and low cloudiness. The average daily low temperature is 45ºF.

The vertical dispersion of air pollutants in the Valley is limited by the presence of persistent temperature inversions. Solar energy heats up the Earth's surface, which in turn radiates heat and warms the lower atmosphere. Therefore, as altitude increases, the air temperature usually decreases due to increasing distance from the source of heat. A reversal of this atmospheric state, where the air temperature increases with height, is termed an inversion. Inversions can exist at the surface or at any height above the ground, and tend to act as a lid on the Valley, holding in the pollutants that are generated here.

Regulations

The San Joaquin Valley Air Pollution Control District (SJVAPCD) is the local regional jurisdictional entity charged with attainment planning, rulemaking, rule enforcement, and monitoring under Federal and State Clean Air Acts and Clean Air Act Amendments.

To aid in evaluating potentially significant construction and/or operational impacts of a project, SJVAPCD has prepared an advisory document, the Guide for Assessing and Mitigating Air Quality Impacts (GAMAQI), which contains standard procedures for addressing air quality in CEQA documents. GAMAQI presents a three-tiered approach to air quality analysis. The Small Project Analysis Level (SPAL) is first used to screen the project for potentially significant impacts. A project that meets the screening criteria at this level requires no further analysis and air quality impacts of the project may be deemed less than significant. If a project does not meet all the criteria at this screening level, additional screening is recommended at the Cursory Analysis Level and, if warranted, the Full Analysis Level. For heavy industrial uses, the threshold is 920,000 sf units. Given that the project related applications have been filed to facilitate the creation and development of 13,325 sf of industrial uses, the proposed project is considered to have less than significant impacts pertaining to air emissions and is excluded from quantifying criteria pollutant emissions for CEQA purposes.

It is noted that an Air Quality Technical Memorandum was completed for the proposed project in order to analyze criteria air pollutants and toxic air contaminants (TACs) associated with construction and operation of the project. The Memorandum is included as Appendix A of this document.

SJVAPCD Regulation VIII mandates requirements for any type of ground moving activity and would be adhered to during construction; however, during construction, air quality impacts would be less than SJVAPCD thresholds for non-attainment pollutants and operation of the project would not result in impacts to air quality standards for criteria pollutants.

The SJVAPCD accounts for cumulative impacts to air quality in its GAMAQI. The SJVAPCD considered basin-wide cumulative impacts to air quality when developing its significance thresholds. The SJVAPCD's air quality significance thresholds represent the maximum emissions from a project

that are not expected to conflict with the SJVAPCD's air quality plans, and is not expected to cause or contribute to an exceedance of the most stringent applicable federal or state ambient air quality standard. These are developed based on the ambient concentrations of the pollutant for each source. Because the project would not exceed the air quality significance thresholds on the project-level, and would not otherwise conflict with the SJVAPCD's air quality plans, the cumulative emissions would not be a significant contribution to a cumulative impact.

The proposed project would comply with the SJVAPCD's Regulation VIII dust control requirements during any proposed construction (including Rules 8011, 8031, 8041, and 8071). Compliance with this regulation would reduce the potential for significant localized PM10 impacts to less than significant levels.

Project

An Air Quality Technical Memorandum was prepared for the proposed project (Stantec, 2018). See Appendix A. As discussed in the Memorandum, the project's construction emissions would not exceed the SJVAPCD's criteria pollutant thresholds. The operational emissions would also not exceed the SJVAPCD's criteria pollutant thresholds. Based on the results, construction and operation of the proposed project would not result in any significant impacts to air quality from a regional or localized perspective.

Further, the SJVAPCD recommends that a screening analysis be performed to determine if a refined Health Risk Assessment (HRA) should be performed. The District's recommended method for screening risks is by using its prioritization calculator based on the California Air Pollution Control Officers Facility Prioritization Guidelines (August 2016). The prioritization calculator will provide a score based on the emission potency method. The prioritization score is an indicator of a facility's potential risk. Scores of 10 or greater indicate that a refined HRA should be prepared because there is the potential for a significant health risk. Scores less than 10 indicate that the project's TAC emissions are not a high risk.

The various TACs that would be emitted from the project include: Benzene, Toluene, and Xylene from the gasoline dispensing facility and diesel engine exhaust from delivery vehicles to the project site. These TACs, in significant quantities, are known to the State of California to cause developmental and reproductive harm. According to the Air Quality Technical Memorandum, the maximum prioritization score total for the proposed project is 2.51 to the nearest worksite receptor. This is less than the SJVAPCD recommended screening threshold of 10 for conducting a refined HRA. The maximum prioritization score for the nearest residential receptor is 0.00251. Based on the score of 2.51, the proposed project would not result in a significant health risk and does not require a refined HRA.

District Rule 9510 was adopted to reduce the impact of NOx and provide emission reductions needed by the SJVAPCD to demonstrate attainment of the federal PM10 standard and contributed reductions that assist in attaining federal ozone standards. Rule 9510 also contributes toward attainment of state standards for these pollutants. The rule places application and emission reduction requirements on development projects meeting applicability criteria in order to reduce emissions through onsite mitigation, offsite SJVAPCD-administered projects, or a combination of the two. Compliance with SJVAPCD Rule 9510 reduces the emissions impacts through incorporation of onsite measures as well as payment of an offsite fee that funds emission reduction projects in the Air Basin. The

emissions analysis for Rule 9510 is detailed and is dependent on the exact project design that is expected to be constructed or installed. Compliance with Rule 9510 is separate from the CEQA process, though the control measures used to comply with Rule 9510 may be used to mitigate significant air quality impacts.

As noted above, the SJVAPCD reviewed and approved the AIA application for the proposed project. The SJVAPCD determined that the mitigated baseline emissions for construction and operation will be less than two tons NOx per year and two tons PM10 per year. Therefore, pursuant to district Rule 9510, Section 4.3, the project is exempt from the requirements of Section 6.0 (General Mitigation Requirements) and Section 7.0 (Off-site Emission Reduction Fee Calculations and Fee Schedules) of the rule. As such, the SJVAPCD determined that the project complies with emission reduction requirements of District Rule 9510 and is not subject to payment of off-site fees.

The proposed use, if approved, will be allowed on the subject site and will not expose sensitive receptors to substantial pollutant concentrations. The project is not proposing a use which will create objectionable odors more obnoxious than the current surrounding non-residential uses. Decomposition of biological materials, such as food waste and other trash, could create objectionable odors if not properly contained and handled. The proposed project would provide waste receptacles throughout the project site and would utilize outdoor trash dumpsters with lids, which would be picked up regularly during normal solid waste collection operating hours within the area. The dumpster lids are intended to contain odors emanating from the dumpsters. The dumpsters would be stored in screened areas for further protection from potential objectionable odors. The garbage collected on-site and stored in the outdoor dumpsters would not be on-site long enough to cause substantial odors. Thus, the outdoor, enclosed, and covered trash dumpsters that would be picked up regularly would provide proper containment and handling of the trash generated on-site. Therefore, there will be no impact related to odors.

The growth projections used for the Fresno General Plan assume that growth in population, vehicle use and other source categories will occur at historically robust rates that are consistent with the rates used to develop the SJVAPCD's attainment plans. In other words, the amount of growth predicted for the General Plan is accommodated by the SJVAPCD's attainment plan and would allow the air basin to attain the 8-hour ozone standard by the 2023 attainment date. Future development on the subject property is required to comply with these rules and regulations providing additional support for the conclusion that it will not interfere or obstruct with the application of the attainment plans.

Therefore, compliance with all of the above SJVAPCD Rules, Fresno General Plan policies and MEIR mitigation measures results in a less than significant impact on air quality with respect to air quality plans and standards and cumulative increases in criteria pollutants.

The proposed project will comply with the Resource Conservation Element of the Fresno General Plan and the Goals, Policies and Objectives of the Regional Transportation Plan adopted by the Fresno Council of Fresno County Governments; therefore, the project will not conflict with or obstruct an applicable air quality plan.

In conclusion, the proposed project would not result in any air quality environmental impacts beyond those analyzed in the MEIR SCH No. 2012111015.

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

The proposed project will not directly affect any sensitive, special status, or candidate species, nor would it modify any habitat that supports them.

Riparian habitat or any other sensitive natural community identified by the California Department of Fish and Game or the US Fish and Wildlife Service are not located on the subject property. In addition, no federally protected wetlands are located on the subject site. Therefore, there would be no impacts to riparian species or habitat or other sensitive wetland communities.

The project site is generally vacant only containing grasses or shrubs, which based on its location, do not provide suitable habitat for any special-status plant species and limited habitat for special-status wildlife species. A few landscape trees are also located at the corner of E. North Avenue and S. Orange Avenue.

Wildlife species that often occur within vacant fields include gophers, California ground squirrels, mourning dove, mockingbird, white-crowned sparrows, and ravens. Other wildlife that would be expected to occur within orchards would be similar to those occurring in adjacent ruderal habitats or agricultural fields.

Mammal species may also occur within intermittent fallow agricultural lands and on lands with broken topography similar to portions of the subject property. These mammals could include: deer mice, house mice, pocket gopher and California ground squirrels. These species would occur in fluctuating numbers depending on the available cover in the individual fields. California ground squirrels are sometimes known to burrow complexes at the margins or within areas of some fields where annual disking may not reach. Other small mammals likely to occur from time to time may include black-tailed hares and cottontail rabbits.

The presence of birds and small mammals is an attractant to both foraging raptors, such as hawks and owls, and mammalian predators. Mammalian predators occurring on the site could include raccoons, coyotes, and red foxes, as these species are tolerant of human and other disturbance. Various species of bat may also forage over portions of the subject site for flying insects.

A number of special status species, such as San Joaquin kit fox, American Badger Western burrowing owl, Swainson hawk, tricolored blackbird, California horned lark, pallid bat, hoary bat, and western mastiff bat have some potential as resident seasonal or transient inhabitant of habitats such as those which may be found on the site.

The federally endangered and California threatened San Joaquin kit fox once occurred throughout much of the San Joaquin Valley, but this species favored areas of alkali sink scrub and alkali grassland throughout the San Joaquin Valley and Tulare Basin, as well as areas further west. The low foothills of the Sierra Nevada at the eastern edge of the San Joaquin Valley is considered at the margin of their natural range.

The project site may provide marginal habitat for American badgers in the form of temporary ruderal grasslands. This species is known to occur within areas with friable soils which support California ground squirrels and it prefers open habitats (herbaceous growth, shrubs or forest). Typically, loss of linkages to large tracks of open grassland minimizes the potential presence of this species. Large tracks of open grassland are not located in the project vicinity. Additionally, there are only two documented occurrences of American badger within the City of Fresno, and the closest occurrence to the project site is located 7.6 miles to the northeast. It is highly unlikely that the project site is used by American badger.

The burrowing owl is a small, terrestrial owl of open prairie and grassland habitats. It inhabits relatively flat dry open grasslands where tree and shrub canopies provide minimal cover. This

species is found in close association with California ground squirrels, using the abandoned burrows of these squirrels for shelter, roosting, and nesting. Burrowing owls are colonially nesting raptors, and colony size is indicative of habitat quality. It is not uncommon to find burrowing owls in developed and cultivated areas. The project site provides marginal habitat for this species in the form of temporary ruderal grasslands that support California ground squirrels.

The Swainson hawk requires a supply of small mammals such as young ground squirrels as prey for nestlings and elevated perches for hunting. Therefore, it favors open and semi-open country over agricultural fields which may offer its prey too much cover. The Swainson hawk is considered to be generally tolerant of people and attracted to certain agricultural operations which disturb soils and displace prey which burrow or nest in those soils or from farm equipment which turn up insects. Such soil disturbances do regularly occur on the subject property. The project site is located near existing open and semi-open lands to the south of the site, which may provide suitable foraging habitat for Swainson hawk. The project site provides marginal foraging habitat for this species.

Tricolored blackbirds nest in cattails, bulrushes, Himalaya berry, and agricultural silage, in areas that are flooded or otherwise defended against easy access by predators. Tricolored blackbirds forage away from nesting sites, and large colonies require large foraging areas; the birds eat insects, small fruits, seeds, and small aquatic life. Suitable habitat for foraging includes irrigated pasture, dry rangeland, and dairy operations providing successive harvest and flooding conditions. Orchards, row crops, and vineyards may occasionally and briefly be used as foraging habitat; however, these areas are not known to sustain breeding colonies. Tricolored blackbirds could occasionally forage over the project site; however, habitat suitable for nesting tricolored blackbirds is generally not found on the project site.

Horned larks, which feed on seeds and insects, are ground nesters. The frequent soil disturbance on the project site precludes the presence of this species.

Pallid bat, hoary bat, and western mastiff bat are relatively reclusive and are not expected to breed on the project site, but they may forage on or near the site from time to time. Hoary bats and western mastiff bats eat insects, while pallid bats eat insects, other invertebrates, and small vertebrates that they find on the ground or on vegetation. The project site would not constitute uniquely important habitat for these species.

Use of ruderal/nonnative grassland habitat by native terrestrial vertebrates is generally considered common in agricultural fields. This includes birds and small mammals which serve as an attractant to both foraging raptors, such as hawks and owls, and mammalian predators; as well as, those terrestrial and/or ground-nesting special status species preferring open prairie and/or grassland habitats.

Mitigation Measure MM BIO-1 of MEIR SCH No. 2012111015 for the Fresno General Plan requires construction of a proposed project to avoid, where possible, vegetation communities that provide suitable habitat for a special-status species known to occur within the Planning Area. If construction within potentially suitable habitat must occur, the presence/absence of any special-status plant or wildlife species must be determined prior to construction, to determine if the habitat supports any special-status species. If special-status species are determined to occupy any portion of a project site, avoidance and minimization measures shall be incorporated into the construction phase of a project to avoid direct or incidental take of a listed species to the greatest extent feasible.

Furthermore, Mitigation Measure MM BIO-2 of MEIR SCH No. 2012111015 for the Fresno General Plan requires that any direct or incidental take of any state or federally listed species should be

avoided to the greatest extent feasible. If construction of a proposed project will result in the direct or incidental take of a listed species, consultation with the resources agencies and/or additional permitting may be required. Agency consultation through the California Department of Fish and Wildlife (CDFW) 2081 and U.S. Fish and Wildlife Service (USFWS) Section 7 or Section 10 permitting processes must take place prior to any action that may result in the direct or incidental take of a listed species. Specific mitigation measures for direct or incidental impacts to a listed species will be determined through agency consultation.

Mitigation Measure MM BIO – 4 of MEIR SCH No. 2012111015 for the Fresno General Plan requires projects within the Planning Area to avoid, if possible, construction within the general nesting season of February through August for avian species protected under Fish and Game Code 3500 and the Migratory Bird Treaty Act (MBTA), if it is determined that suitable nesting habitat occurs on a project site. If construction cannot avoid the nesting season, a pre-construction clearance survey must be conducted to determine if any nesting birds or nesting activity is observed on or within 500-feet of a project site. If an active nest is observed during the survey, a biological monitor must be on site to ensure that no proposed project activities would impact the active nest. A suitable buffer will be established around the active nest until the nestlings have fledged and the nest is no longer active. Project activities may continue in the vicinity of the nest only at the discretion of the biological monitor.

Natural communities of special concern are those that are of limited distribution, distinguished by significant biological diversity, home to special status plant and animal species, of importance in maintaining water quality or sustaining flows, etc. Examples of natural communities of special concern in the San Joaquin Valley could include: open, ruderal/nonnative grassland habitat, which is infrequently disturbed, vernal pools and various types of riparian forest. No natural communities of special concern were identified on the project site.

Wildlife movement corridors are areas where wildlife species regularly and predictably move during foraging, or during dispersal or migration. Movement corridors in California are typically associated with valleys, rivers and creeks supporting riparian vegetation, and ridgelines. Such geographic and topographic features are absent from the project site. Additionally, due to the presence of developed lands and urban uses surrounding the subject property, there is limited potential for project related activities to have an impact on the movement of wildlife species or established wildlife corridors. Compliance with the biological Mitigation Measures of MEIR SCH No. 2012111015 for the Fresno General Plan through preparation of a pre-construction biological survey prior to construction, to determine if the project site supports any special-status species. If a special-status species is determined to occupy any portion of a project site, avoidance and minimization measures shall be incorporated into the construction phase of a project to avoid direct or incidental take of a listed species to the greatest extent feasible.

No habitat conservation plans or natural community conservation plans in the region pertain to natural resources that exist on the subject site or in its immediate vicinity.

Implementation of all Biological Resource related mitigation measures of MEIR SCH No. 2012111015 for the Fresno General Plan have been applied to the proposed project. Therefore, no actions or activities resulting from the implementation of the proposed project would have the potential to affect floral, or faunal species; or, their habitat. Therefore, there will be no impacts to Biological Resources.

In conclusion, with the MEIR and Project Specific Mitigation Measures incorporated the proposed project will not result in any biological resource impacts beyond those analyzed in MEIR SCH No. 2012111015.

Mitigation Measures

1. The proposed project shall implement and incorporate, as applicable, the biological resources related mitigation measures as identified in the attached MEIR SCH No. 2012111015 Fresno General Plan Mitigation Monitoring Checklist dated March 2019.

2. The proposed project shall implement and incorporate the biological resources related mitigation measure as identified in the attached Project Specific Mitigation Monitoring Checklist dated March 2019.

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

There are no structures which exist within the project area that are listed in the National or Local Register of Historic Places, and the subject site is not within a designated historic district. There are no known archaeological or paleontological resources that exist within the project area.

There is no evidence that cultural resources of any type (including historical, archaeological, paleontological, or unique geologic features) exist on the subject property. Nevertheless, there is some possibility that a buried site may exist in the area and be obscured by vegetation, fill, or other historic activities, leaving no surface evidence. Furthermore, previously unknown paleontological resources or undiscovered human remains could be disturbed during project construction.

Therefore, due to the ground disturbing activities that will occur as a result of the project, the measures within the MEIR SCH No. 2012111015 for the Fresno General Plan, Mitigation Monitoring Checklist to address archaeological resources, paleontological resources, and human remains will be employed to guarantee that should archaeological and/or animal fossil material be encountered during project excavations, then work shall stop immediately; and, that qualified professionals in the respective field are contacted and consulted in order to ensure that the activities of the proposed project will not involve physical demolition, destruction, relocation, or alteration of historic, archaeological, or paleontological resources.

Furthermore, as indicated within Section XVII, Tribal Cultural Resources, of this initial study, tribal consultation has occurred for the proposed project in compliance with AB52 requirements. Under

invitations to consult under AB 52, one of the two contacted tribes responded. The Table Mountain Rancheria of California declined consultation via mail on January 8, 2019.

In conclusion, with implementation of the MEIR Cultural Resource Mitigation measures and project specific mitigation measures related to Tribal Cultural Resources incorporated herein below, the project will not result in any cultural resource impacts beyond those analyzed in MEIR SCH No. 2012111015.

Mitigation Measures

1. The proposed project shall implement and incorporate, as applicable, the cultural resource related mitigation measures as identified in the attached MEIR SCH No. 2012111015 Fresno General Plan Mitigation Monitoring Checklist dated March 2019.

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

Appendix F of the State CEQA Guidelines requires consideration of the potentially significant energy implications of a project. CEQA requires mitigation measures to reduce "wasteful, inefficient and unnecessary" energy usage (Public Resources Code Section 21100, subdivision [b][3]). According to Appendix F of the CEQA Guidelines, the means to achieve the goal of conserving energy include decreasing overall energy consumption, decreasing reliance on natural gas and oil, and increasing reliance on renewable energy sources. In particular, the proposed project would be considered "wasteful, inefficient, and unnecessary" if it were to violate state and federal energy standards and/or result in significant adverse impacts related to project energy requirements, energy inefficiencies, energy intensiveness of materials, cause significant impacts on local and regional energy supplies or generate requirements for additional capacity, fail to comply with existing energy standards, otherwise result in significant adverse impacts on energy resources, or conflict or create an inconsistency with applicable plan, policy, or regulation.

The proposed project includes the construction of 13,325 gross sf of commercial, retail, fast food, and fuel uses on the 3.92-acre project site. The development would include two phases: development of a 3,062 gross sf 7-Eleven building and a 2,263 gross sf Panda Express restaurant building during Phase 1, and a 5,000 gross sf future retail building and a 3,000 gross sf future fast food building during Phase 2. Both the Panda Express restaurant and the future fast food building would include drive-throughs. The amount of energy used at the project site would directly correlate to the size of the proposed buildings, the energy consumption of associated appliances and technology, and

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

The following discussion provides calculated levels of energy use expected for the proposed project, based on commonly used modelling software (i.e. CalEEMod v.2016.3.2 and the California Air Resource Board's EMFAC2014). It should be noted that many of the assumptions provided by CalEEMod are conservative relative to the proposed project. Therefore, this discussion provides a conservative estimate of proposed project emissions.

Electricity and Natural Gas

Electricity and natural gas used by the proposed project would be used primarily to power on-site buildings. Total annual electricity (kWh) and natural gas (kBTU) usage associated with the operation of the proposed project are shown in Table 1, below (as provided by CalEEMod).

Table 1: Project Operational Natural Gas and Electricity Usage

Emissions[(a)]	***Natural Gas (kBTU/year)***	***Electricity (kWh/year)***
Convenience Market w/ Gas Pumps (7-Eleven)	18,126.9	13,806.9
Parking Lot	0.0	6,580.0
Fast Food Restaurant w/ Drive Thru (Panda Express)	468,605.0	64,516.2
Fast Food Restaurant w/ Drive Thru (2,000 sf future fast food)	420,419.0	57,882.1
Parking Lot	0.0	5,040.0
Strip Mall (3,000 sf future retail)	32,121.4	24,466.3
Strip Mall (3,000 sf future retail)	32,100.0	24,450.0
Parking Lot	0.0	7,140.0
Total	**971,372.3**	**203,881.5**

NOTE: [(A)] NUMBERS PROVIDED HERE MAY NOT ADD UP EXACTLY TO TOTAL DUE TO ROUNDING.
SOURCE: CALEEMOD (V.2016.3.2).

According to Calico's *Appendix A: Calculation Details for CalEEMod*, CalEEMod uses the California Commercial End Use Survey (CEUS) database to develop energy intensity value for non-residential buildings. The energy use from residential land uses is calculated based on the Residential Appliance Saturation Survey (RASS). Similar to CEUS, this is a comprehensive energy use assessment that includes the end use for various climate zones in California.

As shown in Table 1, the project would us approximately 971,372.3 kBTU of natural gas per year and approximately 203,881.5 kWh of electricity per year.

On-Road Vehicles (Operation)

The proposed project would generate vehicle trips during its operational phase. According to the Traffic Impact Analysis Report prepared for the proposed project (JLB Traffic Engineering, Inc., 2018), the project would generate approximately 7,965 new daily vehicles trips. In order to calculate operational on-road vehicle energy usage and emissions, default trip lengths generated by CalEEMod were used, which are based on the project location and urbanization level parameters Stantec (the

Air Quality consultant) selected within CalEEMod (i.e. “Fresno County” project location and “Urban” setting, respectively). These values are provided by the individual districts or use a default average for the state, depending on the location of the proposed project (CAPCOA, 2017). Based on default factors provided by CalEEMod, the average distance per trip was conservatively calculated to be approximately 9.0 miles. Therefore, the proposed project would generate at total of approximately 33,076 average daily vehicle miles travelled (Average Daily VMT). Using fleet mix data provide by CalEEMod (v2016.3.2), and Year 2020 gasoline and diesel MPG (miles per gallon) factors for individual vehicle classes as provided by EMFAC2014, De Novo derived weighted MPG factors for operational on-road vehicles of approximately 26.0 MPG for gasoline and 15.5 MPG for diesel vehicles. With this information, De Novo calculated as a conservative estimate that the unmitigated proposed project would generate vehicle trips that would use a total of approximately 1,242 gallons of gasoline and 47 gallons of diesel fuel per day, on average, or 453,189 gallons of gasoline and 17,118 annual gallons of diesel fuel per year.

On-Road and Off-Road Vehicles (Construction)

The proposed project would also generate on-road vehicle trips during project construction (from construction workers and vendors). Estimates of vehicle fuel consumed were derived based on the assumed construction schedule, vehicle trip lengths and number of workers per construction phase as provided by CalEEMod, and Year 2020 gasoline MPG factors provided by EMFAC2014. For the purposes of simplicity, it was assumed that all vehicles used gasoline as a fuel source (as opposed to diesel fuel or alternative sources). Table 2, below, describes gasoline and diesel fuel used by on-road mobile sources during each phase of the construction schedule. As shown, the vast majority of on-road mobile vehicle fuel used during the construction of the proposed project would occur during the building construction phase. See Appendix B for a detailed calculation.

Off-road construction vehicles would use diesel fuel during the construction phase of the proposed project. A non-exhaustive list of off-road constructive vehicles expected to be used during the construction phase of the proposed project includes: cranes, forklifts, generator sets, tractors, excavators, and dozers. The proposed project would use diesel fuel for off-road construction vehicles (during the site preparation and grading phases of the proposed project).

Table 2: On-Road Mobile Fuel Generated by Project Construction Activities – By Phase

Construction Phase	***# of Days***	***Total Daily Worker Trips[(a)]***	***Total Daily Vendor Trips[(a)]***	***Gallons of Gasoline Fuel[(b)]***	***Gallons of Diesel Fuel[(b)]***
Site Preparation	6	48	-	123	-
Grading	12	48	-	246	-
Building Construction	600	145	63	37,182	40,820
Paving	30	75	-	962	-
Architectural Coating	30	28	-	359	-
Total	**N/A**	**N/A**	**N/A**	**38,872**	**40,820**

NOTE: [(A)] PROVIDED BY CALEEMOD. [(B)]SEE APPENDIX B FOR FURTHER DETAIL.
SOURCE: CALEEMOD (V.2016.3.2); EMFAC2014.

Other

Proposed project landscape maintenance activities would generally require the use of fossil fuel (i.e. gasoline) energy. For example, lawn mowers require the use of fuel for power. As an approximation, it is estimated that landscape care maintenance would require approximately two individuals one full day per week, or 839 hours per year (or 208.4 hours per year per landscaper). Assuming an average of approximately 0.5 gallons of gasoline used per person-hour, the proposed project would require

the use of approximately 420 gallons of gasoline per year to power landscape maintenance equipment. The energy used to power landscape maintenance equipment would not differ substantially from the energy required for landscape maintenance for similar project.

Conclusion

The proposed project would use energy resources for the operation of project buildings (electricity and natural gas), for on-road vehicle trips (e.g. gasoline and diesel fuel) generated by the proposed project, and from off-road construction activities associated with the proposed project (e.g. diesel fuel). Each of these activities would require the use of energy resources. The proposed project would be responsible for conserving energy, to the extent feasible, and relies heavily on reducing per capita energy consumption to achieve this goal, including through State-wide and local measures.

The proposed project would be in compliance with all applicable Federal, State, and local regulations regulating energy usage. For example, PG&E is responsible for the mix of energy resources used to provide electricity for its customers, and it is in the process of implementing the State-wide Renewable Portfolio Standard (RPS) to increase the proportion of renewable energy (e.g. solar and wind) within its energy portfolio. PG&E is expected to achieve at least a 33% mix of renewable energy resources by 2020, and 50% by 2030. Additionally, energy-saving regulations, including the latest State Title 24 building energy efficiency standards (“part 6”), would be applicable to the proposed project. Other State-wide measures, including those intended to improve the energy efficiency of the State-wide passenger and heavy-duty truck vehicle fleet (e.g. the Pavley Bill and the Low Carbon Fuel Standard), would improve vehicle fuel economies, thereby conserving gasoline and diesel fuel. These energy savings would continue to accrue over time.

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

In conclusion, energy impacts would be considered less than significant.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
VII. GEOLOGY AND SOILS – Would the project:				
a) Directly or Indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:			X	
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.			X	
ii) Strong seismic ground shaking?			X	
iii) Seismic-related ground failure, including liquefaction?			X	
iv) Landslides?			X	
b) Result in substantial soil erosion or the loss of topsoil?			X	
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			X	
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?			X	
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?			X	
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?			X	

There are no geologic hazards or unstable soil conditions known to exist on the site. The existing

topography is relatively flat with no apparent unique or significant land forms such as vernal pools. Development of the property requires compliance with grading and drainage standards of the City of Fresno. A civil engineer or soils engineer registered in this state shall complete a Soils Investigation and Evaluation Report. The investigation will address the detail of the configuration, location, type of loading of the proposed structures and drainage plan. The report shall provide detailed recommendation for foundations, drainage, and other items. The preparation of the Soils Investigation and Evaluation Report is an existing standard.

Fresno has no known active earthquake faults and is not in any Alquist-Priolo Special Studies Zones. The immediate Fresno area has extremely low seismic activity levels, although shaking may be felt from earthquakes whose epicenters lie to the east, west, and south. Known major faults are over 50 miles distant and include the San Andreas Fault, Coalinga area blind thrust fault(s), and the Long Valley, Owens Valley, and White Wolf/Tehachapi fault systems. The most serious threat to Fresno from a major earthquake in the Eastern Sierra would be flooding that could be caused by damage to dams on the upper reaches of the San Joaquin River.

Fresno is classified by the State as being in a moderate seismic risk zone, Category "C" or "D," depending on the soils underlying the specific location being categorized and that location's proximity to the nearest known fault lines. All new structures are required to conform to current seismic protection standards in the California Building Code. Seismic upgrade/retrofit requirements are imposed on older structures by the City's Development and Resource Management Department as may be applicable to building modification and rehabilitation projects.

No adverse environmental effects related to topography, soils or geology are expected as a result of this project.

In conclusion, the proposed project would not result in any geology or soil environmental impacts beyond those analyzed in MEIR SCH No. 2012111015.

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

The *State CEQA Guidelines* indicate that a project would normally have a significant adverse green-house gas emission impact if the project would:

- Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment; or
- Conflict with an applicable plan, policy, or regulation adopted for the purpose of reduction the emissions of greenhouse gases.

Section 15064.4 of the *State CEQA Guidelines* states that: “A lead agency should make a good-faith effort, based to the extent possible on scientific and factual data, to describe, calculate or estimate the amount of greenhouse gas emissions resulting from a project.” In performing that analysis, the lead agency has discretion to determine whether to use a model or methodology to quantify greenhouse gas emissions, or to rely on a qualitative analysis or performance-based standards. In making a determination as to the significance of potential impacts, the lead agency then considers the extent to which the project may increase or reduce greenhouse gas emissions as compared to the existing environmental setting, whether the project emissions exceed a threshold of significance that the lead agency determines applies to the project, and the extent to which the project complies with regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of greenhouse gas emissions.

Therefore, consistent with the *State CEQA Guidelines,* Section 15183.5, if a project is consistent with an adopted qualified Greenhouse Gas Reduction Strategy that meets the standards, it can be presumed that the project would not have significant greenhouse gas emission impacts.

The City of Fresno Greenhouse Gas Reduction Plan (GHG Reduction Plan), adopted in December 2014 meets the requirements for a Qualified Greenhouse Gas Reduction Strategy. Therefore, the proposed project’s GHG emissions would not be considered a significant impact if the proposed Project would be consistent with the City’s GHG Reduction Strategy.

The GHG Reduction Plan includes a strategy to reduce local community GHG emissions to 1990 levels by the year 2020, consistent with the state objectives set forth in the “Global Warming Solutions Act,” otherwise known as AB 32. The GHG Reduction Plan includes relevant General Plan objectives and policies. Table 3 evaluates the proposed project’s consistency with the applicable objectives and policies included in the GHG Reduction Plan.

Table 3: Consistency with Fresno Greenhouse Gas Reduction Plan

GHG Reduction Plan Strategy	Project Consistency with Strategy
Policy LU-2-a Infill Development and Redevelopment. Promote development of vacant, underdeveloped, and redevelopable land uses within the City Limits where urban services are available by establishing and implementing supportive regulations and programs.	**Consistent.** The project is located on vacant land within City limits where urban services are available.
Policy RC-11-a Waste Reduction Strategies. Maintain current targets for recycling and re-use of all types of waste material in the city and enhance waste and wastewater management practices to reduce natural resource consumption, including the following measure: Establish recycling collection and storage area standards for commercial and industrial facilities to size the recycling areas according to the anticipated types and amounts of recyclable material generated.	**Consistent.** The project complies with Solid Waste Division’s requirement to provide a sufficient amount of recycling collection areas.

As shown in Table 3, the proposed project would be consistent with the applicable strategies from the GHG Reduction Plan. Therefore, as demonstrated in Table 3 above, the proposed project would not conflict with plans, policies, or regulations adopted for the purpose of reducing GHG emissions. In addition, the proposed project would not result in a substantial increase in GHG emissions. Therefore, the proposed project would not generate greenhouse gas emissions that may have a significant effect on the environment.

The GHG Reduction Plan includes a strategy to reduce local community GHG emissions to 1990 levels by the year 2020, consistent with the state objectives set forth in the "Global Warming Solutions Act," otherwise known as AB 32. The GHG Reduction Plan includes relevant General Plan objectives and policies.

As shown in Table 3 above, the proposed project would be consistent with the applicable strategies from the GHG Reduction Plan. Therefore, as demonstrated in Table 3 above, the proposed project would not conflict with plans, policies, or regulations adopted for the purpose of reducing GHG emissions. Therefore, the proposed project would not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of GHGs and impacts would be less than significant.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
IX. HAZARDS AND HAZARDOUS MATERIAL – Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			X	
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			X	
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?			X	
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?			X	

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
IX. HAZARDS AND HAZARDOUS MATERIAL – Would the project:				
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?			X	
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			X	
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?			X	

There are no known existing hazardous material conditions on the property and the property is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. The project itself will not generate or use hazardous materials in a manner outside health department requirements.

The subject property is not located within any wildland fire hazard zones.

The proposed project incorporates four access points, which will be utilized for purposes of emergency vehicle access.

As shown in historical aerial photographs available on Google Earth, an industrial building was previously located on the project site in 1998. The building was demolished by June 2009. Between 2009 and 2019, the site appears to be similar to the existing condition.

According to GeoTracker, one site is located in the immediate project vicinity. The Smith Tank Lines Site (Site # T0601900627) is a Leaking Underground Storage Tank (LUST) Cleanup Site with a cleanup status of Completed – Case Closed as of December 15, 2005. A leak at this site was reportedly discovered in August 1997. The leak was stopped in September 1997, and the Closure/No Further Action letter was submitted in December 2005. No other hazardous sites are documented in the immediate project vicinity.

The project area is not located in an FAA-designated Runway Protection Zone, Inner Safety Zone and Sideline Safety Zone according to review of the Downtown Fresno Chandler Airport and Yosemite International Airport Existing Safety Zones Maps. Based upon the goals of the proposed project, no potential interference with an adopted emergency response or evacuation plan has been identified.

In conclusion, the project will not result in any hazards and hazardous material impacts beyond those analyzed in MEIR SCH No. 2012111015.

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

Fresno is one of the largest cities in the United States still relying primarily on groundwater for its public water supply. Surface water treatment and distribution has been implemented in the northeastern part of the City, but the city is still subject to an EPA Sole Source Aquifer designation. While the aquifer underlying Fresno typically exceeds a depth of 300 feet and is capacious enough to provide adequate quantities of safe drinking water to the metropolitan area well into the twenty-first century, groundwater degradation, increasingly stringent water quality regulations, and a historic trend of high consumptive use of water on a per capita basis (some 250 gallons per day per capita), have resulted in a general decline in aquifer levels, increased cost to provide potable water, and localized water supply limitations.

This mitigated negative declaration prepared for the proposed project is tiered from MEIR SCH No. 2012111015) prepared for the Fresno General Plan (collectively, the "MEIR"), which contains measures to mitigate projects' individual and cumulative impacts to groundwater resources and to reverse the groundwater basin's overdraft conditions.

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

The adverse groundwater conditions of limited supply and compromised quality have been well-documented by planning, environmental impact report and technical studies over the past 20 years including the MEIR No. 2012111015 for the Fresno General Plan, the MEIR 10130 for the 2025 Fresno General Plan, Final EIR No.10100, Final EIR No.10117 and Final EIR No. SCH 95022029 (Fresno Metropolitan Water Resource Management Plan), et al. These conditions include water quality degradation due to DBCP, arsenic, iron, and manganese concentrations; low water well yields; limited aquifer storage capacity and recharge capacity; and, intensive urban or semi-urban development occurring upgradient from the Fresno Metropolitan Area.

In response to the need for a comprehensive long-range water supply and distribution strategy, the Fresno General Plan recognizes the Kings Basin's Integrated Regional Water Management Plan, Fresno-Area Regional Groundwater Management Plan, and City of Fresno Metropolitan Water Resource Management Plan and cites the findings of the City of Fresno Urban Water Management Plan (UWMP). The purpose of these management plans is to provide safe, adequate, and dependable water supplies to meet the future needs of the Kings Basin regions and the Fresno-Clovis metropolitan area in an economical manner; protect groundwater quality from further degradation and overdraft; and, provide a plan of reasonably implementable measures and facilities.

The 2010 Urban Water Management Plan, Figure 4-3 (incorporated by reference) illustrates the City of Fresno's goals to achieve a 'water balance' between supply and demand while decreasing reliance upon and use of groundwater. To achieve these goals the City is implementing a host of strategies, including:

- Intentional groundwater recharge through reclamation at the City's groundwater recharge facility at Leaky Acres (located northwest of Fresno-Yosemite international Airport), refurbish

existing streams and canals to increase percolation, and recharge at Fresno Metropolitan Flood Control District's (FMFCD) storm water basins;

- Increase use of existing surface water entitlements from the Kings River, United States Bureau of Reclamation and Fresno Irrigation District for treatment at the Northeast Storm Water Treatment Facility (NESWTF) and construct a new Southeast Storm Water Treatment Facility (SESWTF); and

- Recycle wastewater at the Fresno-Clovis Regional Wastewater Reclamation Facility (RWRF) for treatment and re-use for irrigation, and to percolation ponds for groundwater recharge. Further actions include the General Plan, Policy RC-6-d to prepare, adopt and implement a City of Fresno Recycled Water Master Plan.

The City has indicated that groundwater wells, pump stations, recharge facilities, water treatment and distribution systems shall be expanded incrementally to mitigate increased water demands. One of the primary objectives of Fresno's future water supply plans detailed in Fresno's current UWMP is to balance groundwater operations through a host of strategies. Through careful planning, Fresno has designed a comprehensive plan to accomplish this objective by increasing surface water supplies and surface water treatment facilities, intentional recharge, and conservation, thereby reducing groundwater pumping. The City continually monitors impacts of land use changes and development project proposals on water supply facilities by assigning fixed demand allocations to each parcel by land use as currently zoned or proposed to be rezoned.

Until 2004, groundwater was the sole source of water for the City. In June 2004, a $32 million Surface Water Treatment Facility ("SWTF") began providing Fresno with water treated to drinking water standards. A second surface water treatment facility is operational in southeast Fresno to meet demands anticipated by the growth implicit in the 2025 Fresno General Plan. Surface water is used to replace lost groundwater through Fresno's artificial recharge program at the City-owned Leaky Acres and smaller facilities in Southeast Fresno. Fresno holds entitlements to surface water from Millerton Lake and Pine Flat Reservoir. In 2006, Fresno renewed its contract with the United States Bureau of Reclamation, through the year 2045, which entitles the City to 60,000 acre-feet per year of Class 1 water. This water supply has further increased the reliability of Fresno's water supply.

Also, in 2006, Fresno updated its Metropolitan Water Resources Management Plan designed to ensure the Fresno metro area has a reliable water supply through 2050. The plan implements a conjunctive use program, combining groundwater, treated surface water, artificial recharge and an enhanced water conservation program.

In the near future, groundwater will continue to be an important part of the City's supply but will not be relied upon as heavily as has historically been the case. The City is planning to rely on expanding their delivery and treatment of surface water supplies and groundwater recharge activities.

In addition, the General Plan policies require the City to maintain a comprehensive conservation program to help reduce per capita water usage, and includes conservation programs such as landscaping standards for drought tolerance, irrigation control devices, leak detection and retrofits, water audits, public education and implementing US Bureau of Reclamation Best Management Practices for water conservation to maintain surface water entitlements.

Implementation of the Fresno General Plan policies, the Kings Basin Integrated Regional Water Management Plan, City of Fresno UWMP, Fresno-Area Regional Groundwater Management Plan, and City of Fresno Metropolitan Water Resource Management Plan and the applicable mitigation

measures of approved environmental review documents will address the issues of providing an adequate, reliable, and sustainable water supply for the project's urban domestic and public safety consumptive purposes. The recently adopted 2015 UWMP analyzed the Fresno General Plans land use capacity.

The project site is mostly flat and the project would not substantially alter the existing drainage pattern of the site or area. The project site does not have a stream or river. The project would not result in substantial erosion or siltation on- or off-site, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site. The storm drainage plan will be supported by engineering calculations to ensure that the project does not create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. The project would not impede or redirect flood flows. :The project site is not in a location that is prone to flood hazard, tsunami, or seiche zones, and is not at risk of release of pollutants due to project inundation.

The applicant will be required to comply with all requirements of the City of Fresno Department of Public Utilities that will reduce the project's water impacts to less than significant. When development permits are issued, the subject site will be required to pay drainage fees pursuant to the Drainage Fee Ordinance.

In conclusion, with MEIR mitigation measures incorporated, the project will not result in any hydrology or water quality impacts beyond those analyzed in MEIR SCH No. 2012111015.

Mitigation Measures

1. The proposed project shall implement and incorporate, as applicable, the hydrology related mitigation measures as identified in the attached MEIR SCH No. 2012111015 Fresno General Plan Mitigation Monitoring Checklist dated March 2019.

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

The subject property includes a request for a Condition Use Permit. Conditional Use Permits are required for Drive-Through Facilities and Alcohol Sales within the Heavy Industrial zoning designation. The remaining proposed uses are permitted by-right. The proposed project site is designated and zoned for Heavy Industrial uses. Upon approval, the proposed project would not conflict with any land use plan, policy or regulation given that the Conditional Use Permit would facilitate consistency for the 13,325 sf of commercial, retail, fast food, and fuel uses. The project would not require a rezone or General Plan amendment. The Heavy Industrial land use designation

accommodates the broadest range of industrial uses including manufacturing, assembly, wholesaling, distribution, and storage activities that are essential to the development of a balanced economic base. Small-scale commercial services and ancillary office uses are also permitted. The maximum FAR is 1.5. The proposed small-scale commercial and ancillary uses are allowed within this land use designation, and the project does not exceed the maximum FAR.

Fresno General Plan Goals, Objectives and Policies

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

- Increase opportunity, economic development, business, and job creation.
- Make full use of existing infrastructure, and investment in improvements to increase competitiveness and promote economic growth.
- Promote orderly land use development in pace with public facilities and services needed to serve development.
- Provide for a diversity of districts, neighborhoods, housing types (including affordable housing), residential densities, job opportunities, recreation, open space, and educational venues that appeal to a broad range of people throughout the City.

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

Policy UF-1-a promotes new development within the existing City limits. The project site is within the existing City limits.

Likewise, Objective LU-6 of the General Plan aims to retain and enhance existing commercial areas to strengthen Fresno's economic base and site new office, retail, and lodging use districts to serve neighborhoods and regional visitors. Policy LU-6-6 aims to direct highway-oriented and auto-serving commercial uses to locations that are compatible with the Urban Form policies of the General Plan. This policy also ensures that adequate buffering measures are implemented for adjacent residential uses, noise, glare, odors, and dust. Because the site is adjacent to a SR 99 off-ramp, the proposed auto-centric uses are in an appropriate location. Additionally, the project site is not located near any residential uses.

This project supports the above-mentioned goals and policies in that the intensity of the proposed development conforms to the applicable land use designation of the Fresno General Plan.

The project will not conflict with any conservation plans since it is not located within any conservation plan areas. No habitat conservation plans or natural community conservation plans in the region pertain to the natural resources that exist on the subject site or in its immediate vicinity. Therefore, there would be no impacts.

In conclusion, the proposed project would not result in any land use and planning environmental impacts beyond those analyzed in MEIR SCH No. 2012111015.

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

The subject site is not located in an area designated for mineral resource preservation or recovery, therefore, the project will not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state. The subject site is not delineated on a local general plan, specific plan or other land use plan as a locally-important mineral resource recovery site; therefore, it will not result in the loss of availability of a locally-important mineral resource.

In conclusion, the proposed project would not result in any mineral resource environmental impacts beyond those analyzed in MEIR SCH No. 2012111015.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XIII. NOISE – Would the project result in:				
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			X	
b) Generation of excessive groundborne vibration or groundborne noise levels?			X	

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XIII. NOISE – Would the project result in:				
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?			X	

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

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

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

Potential noise sources at the project site would occur primarily from roadway noise on the project area roadways and the outdoor parking areas.

The City of Fresno Noise Element of the Fresno General Plan establishes a land use compatibility criterion of 60dB DNL for exterior noise levels in outdoor areas of noise-sensitive land uses. The intent of the exterior noise level requirement is to provide an acceptable noise environment for outdoor activities and recreation. However, the project site is not located in the vicinity of existing sensitive land uses, and the project doesn't propose sensitive land uses. Furthermore, the Noise Element also requires that interior noise levels attributable to exterior noise sources not exceed 45 dB DNL. The intent of the interior noise level standard is to provide an acceptable noise environment for indoor communication and sleep.

For stationary noise sources, the noise element establishes noise compatibility criteria in terms of the exterior hourly equivalent sound level (L_{eq}) and maximum sound level (L_{max}). The standards are more restrictive during the nighttime hours, defined as 10:00 p.m. to 7:00 a.m. The standards may be adjusted upward (less restrictive) if the existing ambient noise level without the source of interest

already exceeds these standards. The Noise Element standards for stationary noise sources are: (1) 50 dBA L_{eq} for the daytime and 45 dBA L_{eq} for the nighttime hourly equivalent sound levels; and, (2) 70 dBA L_{max} for the daytime and 65 dBA L_{max} for the nighttime maximum sound levels.

Noise created by new proposed stationary noise sources or existing stationary noise sources which undergo modification that may increase noise levels shall be mitigated so as not to exceed the noise level standards of Table 9 (Table 5.11-8 of the MEIR) at noise sensitive land uses. If the existing ambient noise levels equal or exceed these levels, mitigation is required to limit noise to the ambient noise level plus 5 dB.

The project site is currently vacant. Therefore, it is reasonable to assume that the proposed project will result in an increase in temporary and/or periodic ambient noise levels on the subject property above existing levels. However, these noise levels will not exceed those generated by adjacent existing or planned land uses.

Pursuant to Policy H-1-b of the Fresno General Plan, for purposes of City analyses of noise impacts, and for determining appropriate noise mitigation, a significant increase in ambient noise levels is assumed if the project causes ambient noise levels to exceed the following: (1) The ambient noise level is less than 60 db Ldn and the project increase noise levels by 5 dB or more; (2) The ambient noise level is 60-65 dB Ldn and the project increases noise levels by 3 dB or more; or, (3) The ambient noise level is greater than 65 dB Ldn and the project increases noise levels by 1.5 dB or more.

Short-term Noise Impacts

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

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

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

Long Term Noise Impacts

The proposed project includes future commercial, retail, fast food, and fuel uses. The immediate vicinity consists of light industrial and heavy industrial uses, which produce noise levels which are either exceed or be similar to noise levels produced by the proposed project. Although the project will create additional activity in the area, the project will be required to comply with all noise policies from the Fresno General Plan and noise ordinance from the FMC.

Conclusion

Although the project will create additional activity in the area, the project will be required to comply with all noise policies and mitigation measures identified within the Fresno General Plan and MEIR as well as the noise ordinance of the Fresno Municipal Code.

In conclusion, the proposed project would not result in any noise environmental impacts beyond those analyzed in MEIR SCH No. 2012111015.

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

The proposed project will not induce substantial population growth in this area. The surrounding area is mostly developed or will be developed with industrial uses. The intensity of the proposed project was included in the Fresno General Plan. The proposed project includes 13,325 sf of commercial, retail, fast food, and fuel uses; the impact would be less than significant since the surrounding uses are also industrial and given that development is occurring at a scale and scope designated by the Fresno General Plan.

The proposed project will not displace any existing housing. The project will not result in displacement of any persons as there is no development on the subject property.

In conclusion, the proposed project would not result in any population and housing environmental impacts beyond those analyzed in MEIR SCH No. 2012111015.

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

The subject property is located approximately 1.4 air miles (or 2.0 road miles) southeast from Fire Station 7.

The City of Fresno Fire Department operates its facilities under the guidance set by the National Fire Protection Association in NFPA 1710, the Standard for the Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations, and Special Operation to the Public by Career Fire Departments. NFPA 1710 sets standards for turnout time, travel time, and total response time for fire and emergency medical incidents, as well as other standards for operation and fire service. The Fire Department has established the objectives set forth in NFPA 1710 as department objectives to ensure the public health, safety, and welfare.

Demand for fire service generated by the project is within planned services levels of the Fire Department and the applicant will pay any required impact fees at the time building permits are obtained.

According to the Fresno General Plan MEIR, development impact fees are currently collected for the provision of capital facilities for fire facilities that will provide for future facilities as the City's population increases. Recognizing that there would be an increased demand for fire and emergency medical response, the General Plan Update includes several policies to support the activities of the Fresno Fire Department. The policies and objectives from the General Plan will ensure that the proposed project does not significantly affect fire protection.

Additional fire service requirements for development of the proposed project will include installation of public fire hydrants and the provision of adequate fire flows per Public Works Standards, with two sources water; installation of fire sprinklers within future commercial buildings; and the provision of two means of emergency access during all phases of construction. Review for compliance with fire and life safety requirements for the interior of proposed buildings and the intended use are reviewed by both the Fire Department and the Building and Safety Services Section of the Development and Resource Management Department when a submittal for building plan review is made as required by the California Building Code.

City police protection services are also available to serve the proposed project with no new facilities required for police protection. Development of the property requires compliance with grading and drainage standards of the City of Fresno.

The proposed project does not include uses that would significantly increase the use of park and recreation facilities in the area. Demand for parks generated by the project is within planned services levels of the City of Fresno Parks and Community Services Department and the applicant will pay any required impact fees at the time building permits are obtained.

Similarly, the proposed commercial, retail, fast food, and fuel uses would not impact the District's student classroom capacity. The developer will pay appropriate school fees at time of building permits.

The Department of Public Utilities (DPU) has determined that adequate sanitary sewer and water services are available to serve the project site subject to implementation of the Fresno General Plan policies and the mitigation measures of the related MEIR; and, the construction and installation of public facilities and infrastructure in accordance with Department of Public Works standards, specifications and policies.

For sanitary sewer service these infrastructure improvements and facilities include typical requirements for construction and extension of sanitary sewer mains and branches within the interior of the future proposed commercial, retail, fast food, and fuel development. The proposed project will also be required to provide payment of sewer connection charges.

Implementation of the Fresno General Plan policies and the mitigation measures of the associated MEIR, along with the implementation of the Water Resources Management Plan, would ensure drainage impacts are less than significant. Installation of these services with meters to the proposed buildings and payment of applicable Water Capacity Charges will provide an adequate, reliable, and sustainable water supply for the project's urban domestic and public safety consumptive purposes.

According to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM), the subject site is not located within a flood prone or hazard area, necessitating appropriate floodplain management action. The project site is mostly flat and the project would not substantially alter the existing drainage pattern of the site or area. The project site does not have a stream or river. The project would not result in substantial erosion or siltation on- or off-site, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site. The storm drainage plan will be supported by engineering calculations to ensure that the project does not create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff.

Portions of the subject property may be adequately served with permanent drainage service through existing Master Plan facilities or required Master Plan facilities to be developed in conjunction with the

proposed project. The developer will be required to provide improvements which will convey surface drainage to Master Plan inlets and which will provide a path for major storm conveyance as well as construct facilities for temporary ponding purposes.

In conclusion, with implementation of the MEIR Public Service Mitigation measures, the project will not result in any public service impacts beyond those analyzed in MEIR SCH No. 2012111015.

Mitigation Measures

1. The proposed project shall implement and incorporate, as applicable, the Public Service related mitigation measures as identified in the attached MEIR SCH No. 2012111015 Fresno General Plan Mitigation Monitoring Checklist dated February 8, 2019.

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

The proposed project will not result in the physical deterioration of existing parks or recreational facilities. Development of the project would not require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment.

Demand for parks generated by the project would be minimal and is within planned services levels of the City of Fresno Parks and Community Services Department. The applicant will pay any required impact fees at the time building permits are obtained or receive credits for construction as may be memorialized within a development agreement.

In conclusion, the proposed project would not result in any recreation environmental impacts beyond those analyzed in MEIR SCH No. 2012111015.

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

According to the Traffic Impact Analysis prepared for the project, the proposed project is located within Traffic Impact Zone IV. The Traffic Impact Analysis is included as Appendix C.

In accordance with Policy MT-2-i of the Fresno General Plan, when a project includes a General Plan amendment that changes the General Plan Land Use Designation, and/or when a development project is projected to generate 200 or more peak hour new vehicle trips, a Transportation Impact Study (TIS) is required in order to assess the impacts of new development projects on existing and planned streets.

The proposed project would generate 200 or more peak hour new vehicle trips. Therefore, a Traffic Impact Analysis was prepared for the proposed project. The City Traffic Engineer reviewed and approved the Traffic Impact Analysis (JLB Traffic Engineering, Inc.) provided by the applicant dated February 16, 2018. According to the Traffic Impact Analysis, the project would generate a maximum of 7,965 daily trips, 644 AM peak hour trips, and 536 PM peak hour trips.

At present, all study intersections operate at an acceptable level of service (LOS) during the AM and PM peak periods. Under the Existing Plus Project condition, the intersection of North Avenue and SR 99 Southbound Off-Ramp is projected to exceed its LOS threshold during the AM peak period. To improve the LOS at this intersection, it is recommended that the following improvements be implemented:

- Add a southbound left-turn lane
- Modify the southbound left-through lane to a through lane
- Lengthen the short southbound flared right-turn lane to create a standard length right turn lane
- Signalize the intersection with protected left-turn phasing in the northbound and southbound directions and split phasing in the eastbound and westbound directions

Under the Near Term Plus Project condition, the intersections of North Avenue and Orange Avenue, North Avenue and SR 99 Southbound Off-Ramp, and North Avenue and Cedar Avenue are projected to exceed their respective LOS threshold during one or both peak periods. To improve the LOS at each of the intersections projected to exceed its LOS threshold, it is recommended that the following improvements be implemented:

- North Avenue and Orange Avenue:
    - Implement the improvements per the approved City of Fresno Street improvement plans as prepared for the Amazon Project.
- North Avenue and SR 99 Southbound Off-Ramp:
    - Add a second eastbound through lane
    - Add a westbound left-turn lane
    - Modify the westbound left-through lane to a through lane
    - Add southbound dual left-turn lanes
    - Modify the southbound left-through lane to a through lane
    - Lengthen the southbound flared right-turn lane to create a standard length right-turn lane
    - Signalize the intersection with protected left-turn phasing in all directions
- North Avenue and SR 99 Northbound On-Ramp (improvements needed to improve queuing):
    - Add eastbound dual left-turn lanes
    - Modify the eastbound left-through lane to a through lane
    - Add a second eastbound through lane
    - Add a second westbound through lane
    - Signalize the intersection with protected left-turn phasing in all directions
- North Avenue and Cedar Avenue:
    - Convert the eastbound right-turn lane to a through-right lane
    - Add a second westbound through lane
    - Add a second northbound left-turn lane
    - Modify the traffic signal to accommodate the added lane geometrics

Under the Cumulative Year 2035 No Project condition, the intersection of North Avenue and Chestnut Avenue is projected to operate at an unacceptable LOS during the AM and PM peak periods. To improve the LOS at this intersection, it is recommended that the following improvements be implemented:

- North Avenue at Chestnut Avenue:
    - Add an eastbound left-turn lane
    - Change the eastbound left-through-right lane to a through lane
    - Add an eastbound right-turn lane
    - Add a westbound left-turn lane
    - Change the westbound left-through-right lane to a through lane
    - Add a westbound right-turn lane
    - Modify the traffic signal to accommodate the added lane geometrics

Under the Cumulative Year 2035 Plus Project condition, the intersection of North Avenue and Chestnut Avenue is projected to operate at an unacceptable LOS during the AM and PM peak periods. To improve the LOS at this intersection, it is recommended that the same improvements presented in the Cumulative Year 2035 No Project condition be implemented.

Payment of the pro-rata fair share would satisfy the project's mitigation measure requirements.

Additionally, a review of the existing project site property lines and the project driveways to be constructed indicate that the proposed access driveways are located at points that minimize traffic operational impacts to the existing roadway network.

The City Engineer has reviewed the proposed project, the Traffic Impact Analysis, and potential traffic related impacts for the proposed project and has determined that the streets adjacent to and near the subject site will be able to accommodate the quantity and kind of traffic which may be potentially generated subject to the requirements identified within the Traffic Impact Analysis dated January 12, 2018 and the Conditions of Approval dated November 7, 2018. These requirements generally include: (1) Dedication for sidewalks, public streets and right-of-way; (2) Street improvements, (including, but not limited to, construction of concrete curbs, gutters, pavement, underground street lighting systems); and, (3) Payment of applicable impact fees (including, but not limited to, the Traffic Signal Mitigation Impact [TSMI] Fee, Fresno Major Street Impact [FMSI] Fee, and the Regional Transportation Mitigation Fee [RTMF]).

The impacts to the facilities indicated in prior discussion are covered by the fee programs mentioned above, including the TSMI Fee[1], FMSI Fee[2], and the RTMF[3].

A review of the existing project site property lines and the project driveways to be constructed indicate that the proposed access driveways are located at points that minimize traffic operational impacts to the existing roadway network. The design of the proposed development has been evaluated and determined to be consistent with respect to compliance with City of Fresno standards, specification and policies.

The project is not located near an airport; therefore, it will not change air traffic levels. The proposed streets will not create hazards or conflict with emergency access. With the required mitigation measures, the project will not conflict with adopted policies or plans regarding public transit, bicycle or pedestrian facilities because said features are incorporated into the conditions of approval for the project.

In conclusion, with implementation of the project specific mitigation measures related to Transportation and Circulation incorporated herein below, the project will not result in any transportation and circulation impacts beyond those analyzed in MEIR SCH No. 2012111015.

Mitigation Measures

1. The proposed project shall implement and incorporate the transportation and circulation related mitigation measure as identified in the attached Project Specific Mitigation Monitoring Checklist dated March 2019.

[1] https://www.fresno.gov/publicworks/wp-content/uploads/sites/17/2016/09/TSMI2016FeeUpdate.pdf. Accessed April 17, 2019.

[2] https://fresno.legistar.com/View.ashx?M=F&ID=4817606&GUID=5ED59933-2A30-4835-AD65-AA72A2FE781D. Accessed April 17, 2019.

[3] https://www.fresnocog.org/wp-content/uploads/files/C%20Exp%20Plan_Final%20for%20Printing%20062206.pdf. Accessed April 17, 2019.

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

The State requires lead agencies to consider the potential effects of proposed projects and consult with California Native American tribes during the local planning process for the purpose of protecting Traditional Tribal Cultural Resources through the California Environmental Quality Act (CEQA) Guidelines. Pursuant to PRC Section 21080.3.1, the lead agency shall begin consultation with the California Native American tribe that is traditionally and culturally affiliated with the geographical area of the proposed project. Such significant cultural resources are either sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a tribe which is either on or eligible for inclusion in the California Historic Register or local historic register, or, the lead agency, at its discretion, and support by substantial evidence, choose to treat the resources as a Tribal Cultural Resources (PRC Section 21074(a)(1-2)).

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

Pursuant to Assembly Bill 52 (AB 52), the Table Mountain Rancheria Tribe and the Dumna Wo Wah were invited to consult under AB 52. The City of Fresno mailed notices of the proposed project to each of these tribes on October 26, 2018 which included the required 30-day time period for tribes to

request consultation.

Under invitations to consult under AB 52, one of the two contacted tribes responded. The Table Mountain Rancheria of California declined consultation via mail on January 8, 2019.

The site is currently vacant and has been previously disturbed and developed. If any artifacts are inadvertently discovered during ground-disturbing activities, existing federal, State, and local laws and regulations as well as the mitigation measures of the Fresno General Plan MEIR will require construction activities to cease until such artifacts are properly examined and determined not to be of significance by a qualified cultural resources professional.

In conclusion, with implementation of the MEIR Cultural Resource Mitigation measures, impacts related to tribal cultural resources would be less than significant.

Mitigation Measures

1. The proposed project shall implement and incorporate, as applicable, the cultural resources related mitigation measures as identified in the attached MEIR SCH No. 2012111015 Fresno General Plan Mitigation Monitoring Checklist dated March 2019.

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

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XIX. UTILITIES AND SERVICE SYSTEMS – Would the project:				
d) Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?			X	
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?			X	

The proposed project will require construction of new infrastructure to connect to the existing utility infrastructure. This will include water, wastewater, and storm water drainage connections. Additionally, the project will include connections for electric power, natural gas, and telecommunications facilities. The installation of this infrastructure will not require any major upsizing or other offsite construction activities that would cause a significant impact. The new infrastructure would be connected to existing infrastructure that is adjacent to the project site.

As discussed uny the Hydrology and Water Quality section of this Initial Study, the City has adequate water supply and the applicant will be required to comply with all requirements of the City of Fresno Department of Public Utilities to reduce the project's water impacts to less than significant.

The proposed project will not result in a determination by the waste water treatment provider that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments.

Impacts to storm drainage facilities have been previously discussed under the Hydrology and Water Quality section included within this analysis herein above. While the proposed project will result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction such facilities will not cause significant environmental effects.

The proposed project would be subject to the payment of any applicable connection charges and/or fees and extension of services in a manner which is compliant with the Department of Public Utilities standards, specifications, and policies.

Sanitary sewer and water service delivery is also subject to payment of applicable connection charges and/or fees; compliance with the Department of Public Utilities standards, specifications, and policies; the rules and regulations of the California Public Utilities Commission and California Health Services; and, implementation of the City-wide program for the completion of incremental expansions to facilities for planned water supply, treatment, and storage.

The project site will be serviced by solid waste division, which has adequate capacity to serve the project.

In conclusion, with MEIR mitigation measures incorporated, the proposed project would not result in any utility and service system environmental impacts beyond those analyzed in the MEIR SCH No. 2012111015.

Mitigation Measures

1. The proposed project shall implement and incorporate, as applicable, the utilities related mitigation measures as identified in the attached MEIR SCH No. 2012111015 Fresno General Plan Mitigation Monitoring Checklist dated March 2019.

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

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

The project site will connect to an existing network of City streets. The proposed circulation improvements include four access points, all of which would be available during an emergency. The

project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.

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

The project includes development of infrastructure (water, sewer, and storm drainage) required to support the proposed commercial, retail, fast food, and fuel uses. The project site is surrounded by existing and future urban development. The project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. The project would not require the installation or maintenance of infrastructure that may exacerbate fire risk.

The proposed project would require the installation of storm drainage infrastructure to ensure that storm waters properly drain from the project site and does not result in downstream flooding or major drainage changes. The proposed storm drainage plan includes an engineered network of storm drain lines and landscaped bioswales. The storm drainage plan was designed and engineered to ensure proper construction of storm drainage infrastructure to control runoff and prevent flooding, erosion, and sedimentation.

Runoff from the project site currently flows to the existing City storm drains located in E. North Avenue and S. Orange Avenue. Upon development of the site, stormwater would flow to the on-site landscaped bioswales and/or the existing storm drains in the adjacent roadways. Additionally, the project site is located within FEMA Zone X (un-shaded), indicating that the site is located outside of the 100-year flood hazard zone. Further, because the site is essentially flat and located in an existing urbanized area of the City, downstream landslides would not occur.

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

In conclusion, the proposed project would not result in any wildfire environmental impacts.

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

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

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

In summary, given the mitigation measures required of the proposed project and the analysis detailed in the preceding Initial Study, the proposed project:

- Does not have environmental impacts which will cause substantial adverse effects on human beings, either directly nor indirectly.
- Does not have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish/wildlife or native plant species (or cause their population to drop below self-

sustaining levels), does not threaten to eliminate a native plant or animal community, and does not threaten or restrict the range of a rare or endangered plant or animal.

- Does not eliminate important examples of elements of California history or prehistory.
- Does not have impacts which would be cumulatively considerable even though individually limited.

Therefore, there are no mandatory findings of significance and preparation of an Environmental Impact Report is not warranted for this project.