

DRAFT ENVIRONMENTAL IMPACT REPORT Selma Casitas

May 2025

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Draft Environmental Impact Report

Selma Casitas

Prepared for:

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Selma, CA 93662

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EXECUTIVE SUMMARY

Introduction

This Draft Focused Environmental Impact Report (Draft EIR or EIR) has been prepared consistent with the California Environmental Quality Act (CEQA) for the proposed Casitas Selma Project (Project). Its intent is to inform the public, regulatory agencies and the City of Selma (City) decision makers of the potential environmental impacts the proposed Project would have on environmental factors as specified in the CEQA Guidelines. This Draft EIR, in its entirety, addresses and discloses potential environmental effects associated with construction and operation of the proposed Project, including direct, indirect, and cumulative impacts to the environmental resources identified in the CEQA Guidelines environmental checklist. The City of Selma is the “Lead Agency” pursuant to CEQA and is responsible for the preparation and distribution of the Draft EIR.

CEQA Process

The City of Selma circulated a Notice of Preparation (NOP) of an EIR for the proposed project from July 3, 2024 to August 2, 2024 to trustee and responsible agencies, the State Clearinghouse (SCH #2024070105), and the public. A scoping meeting was held on July 18, 2024.

The next step in the process is circulation of this Draft EIR which will be distributed to the public for review and comment for at least 45 days. This Draft EIR is organized as follows:

Executive Summary: Summarizes the analysis contained in the Draft EIR.

Chapter 1 – Introduction: Provides a brief introduction to CEQA and the scope/contents of the Draft EIR.

Chapter 2 – Project Description: Describes the Project in detail. Includes Project location, objectives, environmental setting and regulatory context.

Chapter 3 – Environmental Analysis: Contains the CEQA checklist. Each topic discusses environmental/regulatory setting, Project impact analysis, mitigation measures and conclusions.

Chapter 4 – Alternatives: Describes and evaluates alternatives to the Project. The proposed Project is compared to each alternatives and potential environmental impacts are analyzed.

Chapter 5 – Other CEQA Sections: Describes other required sections such as environmental effects that cannot be avoided, social effects, growth inducement, etc.

Appendices: Following the text of the Draft EIR, several appendices and technical studies have been included as reference material.

Project Location

The proposed Project includes an annexation and development of a mixed-use residential and commercial subdivision and is located adjacent to the western City of Selma limits in Fresno County in the central San Joaquin Valley. The Project site is located west of Highland Avenue, north of Rose Avenue and south of E. Floral Avenue. The site consists of APNs 385-260-33, 385-230-16, -38 and -39. The site is approximately 75.3 acres and currently consists of active and fallowed agricultural land. The proposed development site will occur on APN 385-230-33 and is approximately 39.1 acres. No development is proposed for the remaining 36.2 acres to be annexed. The site is predominantly surrounded by agricultural land, rural residential homes and commercial developments. Refer to Figures 2-1 and 2-2 for Project location. Refer to Figure 2-3 for the Site Plan and Figure 2-4 for the Offsite Utilities Plan.

The proposed Project site is currently vacant with minimal vegetation.

Project Description Summary

The proposed Project consists of the annexation of 75.3 acres into the City of Selma. A horizontal mixed-use residential and commercial development project is proposed on the northern 39.1 acres of the annexation area (see Figure 2-2). No development is proposed for the remaining 36.2 acres, which is currently identified as Medium Density Residential within the City's General Plan. A total of 600 apartment units are planned for the Project and approximately 40,000 square feet of retail and food service uses, and a 100-key hotel are anticipated in the commercial area.

A Vesting Tentative Subdivision/Tract Map is also proposed that would create 17 individual lots and 3 outlots for building pads, parking lots, apartment sites, the public park and privately

maintained roads within the development. The proposed subdivision lots range in size from 0.10 acres to 4.85 acres.

Project Development Components

The Project Development consists of 5.64 acres of retail, fast-food, and hospitality development, 11.16 acres of residential development, 5.41 acres of affordable senior housing, 7.01 acres of affordable housing, 3.57 acres of central park, and approximately 6.28 acres of streets, circulation, and outlots. Specifically, the proposed development consists of (see also Figure 2-3 and Figure 2-4):

- Retail Development (5.64 acres):
 - Future Retail: 1.61 acres (Parcel 1)
 - Retail Pad: 4,148 sq.ft., 2,400 sq.ft. building (Parcel 2)
 - Retail Pad: 5,951 sq. ft., 3,900 sq. ft. building (Parcel 3)
 - Hotel: 19,200 sq.ft., 3 floors, 100-key (Parcel 4)
 - Retail Pad: 14,400 sq.ft., up to 14,000 sq. ft. building (Parcel 5)
- Parking to support retail development
 - Parcel 2A Parking: 37,659 s.f., 45 stalls are shared by Retail Pad 1
 - Parcel 3A Parking: 37,960 s.f. 38 stalls are shared by Retail Pad 2
 - Parcel 4A Parking: 56,394 s.f., 115 stalls are shared by Hotel
- Multi-Family Housing, market rate (11.16 acres):
 - Phase 1: 3.83 acres, 150 multi-family residential units, 6,000 sq.ft. clubhouse (Parcel 6)
 - Phase 1 parking: 72,273 sq.ft., approximately 190 stalls (Parcel 6A)
 - Phase 2: 3.91 acres, 150 multi-family residential units, 6,000 sq.ft. clubhouse (Parcel 7)
 - Phase 2 parking: 76,876 sq.ft., approximately 181 stalls (Parcel 7A)
- Multi-Family Housing, senior only affordable (5.41 acres):
 - Multi-family residences units: 3.78 acres, 120 units, 11,000 sq.ft. clubhouse (Parcel 8)

- Parking: 70,981 sq.ft., approximately 165 stalls (Parcel 8A_
- Multi-Family Housing, affordable (7.01 acres):
 - Multi-family residences: 4.85 acres, 180 units, 6,000 sq.ft. clubhouse (Parcel 9)
 - Parking: 93,930 sq.ft., approximately 236 stalls (Parcel 9A)
- Central Parcel: Park: 3.57 acres (Parcel 10)
- Streets/Circulation (6.28 acres):
 - Outlot A: 0.39 acres
 - Outlot B: 3.15 acres, approximately 38 parking stalls
 - Outlot C: 2.74 acres

Site construction will include private internal access roads, lighting and site landscaping. Stillman Street is planned to be widened and improved and Fancher Street will be improved and will connect to Floral Avenue. The arterial streets and collector streets will be dedicated to the City of Selma, and the City will be responsible for maintenance of these streets. Local private streets will be owned and maintained by the Development Association.

The retail and hotel developments will operate seven days per week with hours of operation ranging from 12-24 hours.

Utilities and Infrastructure

Water service is provided by the Selma District of California Water Service (CalWater). The proposed Project would connect to the existing 12" main on Floral and Highland Avenue. Additionally, Station 20 is south of the Project area which has a well, two boosters, and a one-million-gallon tank that is beneficial during high peak water usage times. As part of the Project, the existing water main in Stillman Avenue will be continued west along the Project's extent and loop into the existing Floral Avenue water main.

Wastewater sewage services for the proposed Project would be provided by the Selma-Kingsburg-Fowler County Sanitation District (SKF CSD) by connecting to the existing service infrastructure along Floral Avenue and through extensions of infrastructure off-site.

The City would provide stormwater management services to the Project site. Project construction includes curb and gutter along all internal roadways. Stormwater would be collected through

surface and subsurface drainage infrastructure on site towards proposed and existing stormwater collection and drainage infrastructure along Floral Avenue.

Solid waste collection for the Project would be managed by the City of Selma through their contracted solid waste services contractor, which at the time of this report is Waste Management.

Electricity and natural gas services for the Project would be supplied by Pacific Gas and Electric through connections to existing service lines.

Off-Site Improvements

As part of the Project and as described above, the proposed Project will tie-in to existing sewer, storm drain and water infrastructure. To accomplish this, approximately 11,089 linear feet (LF) of pipeline will be installed (see Figure 2-4).

Project Objectives

In accordance with CEQA Guidelines Section 15124(b), the following are the City of Selma's Project objectives:

- To provide a mixed-use development at pricing appropriate for the market, in a growing area of the City of Selma that satisfies the City of Selma's policies, regulations and expectations as defined in the City's General Plan, Zoning Ordinance, and other applicable plans, documents, and programs adopted by the City.
- To provide a variety of housing opportunities with a range of densities, styles, sizes and values that will be designed to satisfy existing and future demand for quality housing in the area.
- To provide a residential development that assists the City in meeting its General Plan and Housing Element requirements and objectives.
- To provide an economically feasible and conveniently-located commercial development to serve residents in the western portion of Selma.
- To provide a sense of community and walkability within the development through the use of street patterns, parks/open space areas, landscaping and other project amenities.

Summary of Environmental Impacts

As described in Chapter 3, it was determined that all impacts were either less than significant, or could be mitigated to a less than significant level with the exception of the following:

- **Transportation – Conflict with CEQA Guidelines section 15064.3 subdivision (b) (VMT impacts) (project and cumulative level)**

Even with the mitigation measures described in Chapter 3, Environmental Setting, Impacts, and Mitigation Measures, of this Draft EIR, impacts in these issue areas would be significant and unavoidable.

Summary of Project Alternatives

CEQA Guidelines Section 15126.6 requires the consideration of a range of reasonable alternatives to the proposed Project that could feasibly attain most of the objectives of the proposed Project. This Draft EIR analyzed the following alternatives:

- **No Project Alternative:** Under this Alternative, the Project would not be constructed and the site would remain in agricultural production.
- **Alternate Locations Alternative:** Under this Alternative, the Project would be developed on a different site of similar size and scale.
- **Reduced (50%) Project Alternative:** Under this Alternative, the Project would be reduced by 50% (overall site acreage, residential units and commercial acreage).

See Chapter 4 – Alternatives for a full description of potential environmental impacts associated with each alternative.

Mitigation Monitoring and Reporting Program

State law requires that a public agency adopt a monitoring program for mitigation measures that have been incorporated into the approved Project to reduce or avoid significant effects on the environment. The purpose of the monitoring program is to ensure compliance with environmental mitigation during Project implementation and operation. Since there are potentially significant impacts requiring mitigation associated with the Project, a Mitigation

Monitoring and Reporting Program will be included in the Project's Final EIR, a draft of which is included herein on the following pages.

Mitigation Measure	Party responsible for Implementing Mitigation	Timing	Party responsible for Monitoring	Verification (name/ date)
Aesthetics				
<p>AES-1</p> <p>The Project Applicant shall incorporate site-specific consideration of the orientation of the building, use of landscaping materials, lighting design, and choice of primary façade materials to minimize potential off-site spillover of lighting and glare from new development. As part of this measure and prior to project approval, the City shall require the incorporation of site- and project-specific design considerations (to be included in the lighting plans) to minimize light and glare, including, but not limited to, the following:</p> <ul style="list-style-type: none"> • New outdoor lighting adjacent to residential or other sensitive uses shall utilize directional lighting methods with full cutoff type light fixtures (and shielding as applicable) to minimize glare and light spillover. • All elevated light fixtures such as in parking lots and street lighting shall be shielded to reduce glare. • All lighting shall be consistent with the Illuminating Engineering Society of North America (IESNA) Lighting Handbook. 	Project Applicant	Prior to issuance of grading or building permits	City of Selma	

Mitigation Measure	Party responsible for Implementing Mitigation	Timing	Party responsible for Monitoring	Verification (name/ date)
<ul style="list-style-type: none"> City staff shall review all exterior lighting designs for conformance with applicable standards. <p>Verification of inclusion in project design shall be provided at the time of design review and lighting plans shall be reviewed and approved prior to project-specific design and construction document approval.</p>				
Air Quality				
AIR-1: <p>Prior to issuance of building permits, the Project applicant shall prepare and submit building plans to the City of Selma that demonstrate that all new structures have outdoor electrical outlets that are accessible to maintenance workers and landscapers to allow the use of electric-powered equipment.</p>	Project Applicant	Prior to issuance of building permits	City of Selma	
AIR-2: <p>The use of zero-VOC shall be encouraged in prior to the issuance of the certificate of occupancy for each building associated with the proposed Project, the Project applicant shall provide the City of Selma with documentation listing the consumer products to be used during operation of the proposed Project. The consumer products purchased by the building occupant(s) or by the cleaning business contracted by the building occupant(s) for on-site use and listed in the</p>	Project Applicant	During construction and operation	City of Selma	

Mitigation Measure	Party responsible for Implementing Mitigation	Timing	Party responsible for Monitoring	Verification (name/ date)
<p>documentation provided to the City shall consist of water-based or “zero-[volatile organic compound [VOC]]” consumer. “Consumer products,” as referred to in this mitigation measure, shall include detergents, cleaning compounds, polishes, and floor finishes. “Consumer products,” as referred to in this mitigation measure, shall not include parking lot degreasers, architectural coatings, pesticides, or fertilizers.</p> <p>To monitor and ensure that the use of zero-VOC consumer products are being encouraged to be used on-site, the building operator(s) shall maintain records for the duration of Project operation of all efforts to comply with this mitigation measure. These records shall be made available to the City of Selma upon request. Alternatively, the City may require periodic reporting and provision of written records by operators and conduct regular inspections of the records to the maximum extent feasible and practicable.</p>				
<p>AIR-3:</p> <p>Tenants and building owners for the non-residential components of the Project shall be encouraged to use low-volatile organic compound (VOC) Architectural Coatings with an average VOC content of 10 grams per liter (g/l) or less for repainting buildings during the operational period. The Project applicant shall provide information on paints with low VOC content to all tenants and building owners within the first year of Project occupancy.</p>	Project Applicant	During operation	City of Selma	

Mitigation Measure	Party responsible for Implementing Mitigation	Timing	Party responsible for Monitoring	Verification (name/ date)
<p>AIR-4:</p> <p>Prior to issuance of a building permit for the first non-residential building associated with the Project, the applicant shall retain a qualified transportation consultant to prepare and submit a Transportation Demand Management (TDM) program to the City of Selma for review and approval. The TDM program shall identify measures to reduce daily gasoline-powered and diesel-powered vehicle trips to the Project site, with a minimum 5 percent reduction in gasoline-fueled and diesel-fueled trips. The approved TDM program shall be implemented in conjunction with the start of operations of the Project. Examples of trip reduction measures may include, but are not limited to, the following:</p> <ul style="list-style-type: none"> ▪ Post transit information (maps, schedules, fares, etc.) in public areas of the Project that is accessible to employees, patrons, and other Project occupants; ▪ Provide employer-subsidized transit passes; ▪ Sponsor an employee ride sharing program; ▪ Provide employee lockers for personal items; ▪ In non-residential uses, provide employees with an employee only restroom with a shower; 	Project Applicant	During operation	City of Selma	

Mitigation Measure	Party responsible for Implementing Mitigation	Timing	Party responsible for Monitoring	Verification (name/ date)
<ul style="list-style-type: none"> ▪ Provide secure indoor bicycle parking (racks or lockers) for employees and/or residents; ▪ Provide customer or visitor bicycle parking (racks) in safe and convenient locations; ▪ For non-residential components of the Project, allow flex scheduling or compressed scheduling practices; ▪ Provide preferential parking spaces for clean air vehicles; ▪ Provide charging stations for electric vehicles; and ▪ If home delivery services are provided by any of the non-residential components of the Project, the home delivery services shall be performed using low-emission or alternative-fueled (electric, natural gas, hydrogen, etc.) vehicles. 				
Biological Resources				

Mitigation Measure	Party responsible for Implementing Mitigation	Timing	Party responsible for Monitoring	Verification (name/ date)
<p>BIO-1: Protect nesting birds</p> <p>To the extent practicable, construction shall be scheduled to avoid the nesting season, which extends from February through August.</p> <p>If it is not possible to schedule construction between September and January, prior to the issuance of grading or building permits, a preconstruction survey for nesting birds including western burrowing owl, shall be conducted by a qualified biologist to ensure that no active nests will be disturbed during Project implementation. A preconstruction survey shall be conducted no more than 14 days prior to the initiation of construction activities. If construction is phased, a survey of phase of the Project shall be surveyed. A survey shall be required prior to the start of construction of each phase of the Project.</p> <p>During this survey, the qualified biologist shall inspect all potential nest substrates in and immediately adjacent to the impact area for nests. If an active nest is found close enough to the construction area to be disturbed by these activities, the qualified biologist shall determine the extent of a construction-free buffer to be established around the nest. If work cannot proceed without disturbing the nesting birds, work may need to be halted or redirected to other areas until nesting and fledging are completed or the nest has otherwise failed for non-construction related reasons.</p>	Project Applicant	Prior to issuance of grading or building permits	City of Selma and CDFW	

Mitigation Measure	Party responsible for Implementing Mitigation	Timing	Party responsible for Monitoring	Verification (name/ date)
Cultural Resources				
<p>CUL – 1:</p> <p>Prior to issuance of any demolition or grading permits for activities within or adjacent to the project site, the City of Selma shall ensure that construction plans include a note requiring that all construction crews involved in demolition, grading, trenching, and/or excavation receive worker cultural resources awareness training prior to commencement of construction activities and the applicant or the contractor shall provide written confirmation or other proof of the completed awareness training. Further, the City shall verify that a qualified archaeologist has been retained by the construction contractor to conduct the worker cultural resources awareness training, and all training materials shall be submitted to and reviewed by the City prior to issuance of grading permits. The training may be presented in-person or by videoconference. Training materials shall include:</p> <ul style="list-style-type: none"> • A worker cultural resources awareness brochure prepared by the same qualified archaeologist; • Relevant information regarding sensitive tribal cultural resources, including applicable regulations, protocols for avoidance, and consequences of violating state laws and regulations; 	Project Applicant	Prior to and During construction	City of Selma	

Mitigation Measure	Party responsible for Implementing Mitigation	Timing	Party responsible for Monitoring	Verification (name/ date)
<ul style="list-style-type: none"> • Appropriate avoidance and minimization measures for resources that have the potential to be located on the project site; • The requirement for confidentiality and culturally appropriate treatment of any kind of significance related to Native Americans and behaviors, consistent with Native American tribal values; and • Instruction to construction workers for recognizing potential cultural resources, such as the presence of discolored or dark soil, fire-affected material, concentrations of lithic materials, or other characteristics observed to be atypical of the surrounding area; lithic or bone tools that appear to have been used for chopping, drilling, or grinding; projectile points; fired clay ceramics or non-functional items; non-local high-quality materials such as chert and obsidian; and historic artifacts such as glass bottles and shards, ceramic material, building or domestic refuse, ferrous metal, or old features such as concrete foundations or privies. 				

Mitigation Measure	Party responsible for Implementing Mitigation	Timing	Party responsible for Monitoring	Verification (name/ date)
<p>CUL – 2:</p> <p>Prior to issuance of any demolition or grading permits for activities within or adjacent to the Project site, the City of Selma shall ensure that construction contracts and/or plans include the following note: “If any cultural resources, such as structural features, unusual amounts of bone or shell artifacts, or architectural remains, are encountered during any construction activities, the contractor shall suspend all work within 100 feet of the find, immediately notify the City Manager and retain a qualified archaeologist to assess the finds, consult with agencies and descendant communities (as appropriate), and make recommendations for the treatment of the discovery.” The qualified archaeologist shall determine if the discovered resources can be preserved in place. If preservation in place is not feasible, the archaeologist shall evaluate the deposit for its eligibility for listing in the California Register of Historical Resources. If the deposit is not eligible, mitigation is not necessary and work can continue. If the deposit is eligible, mitigation shall include excavation of the archaeological deposit in accordance with a data recovery plan (see CEQA Guidelines Section 15126.4(b)(3)(C)). The City of Selma shall ensure that descendant communities are consulted for their input and concerns during the development and implementation of any mitigation plan. Upon completion of the evaluation and/or mitigation, the data recovery plan or report shall be submitted to the City of Selma, the applicant, the Central California Information Center, and, if appropriate, descendant</p>	Project Applicant	Prior to issuance of any grading permit and ongoing during construction	City of Selma	

Mitigation Measure	Party responsible for Implementing Mitigation	Timing	Party responsible for Monitoring	Verification (name/ date)
communities. The data recovery plan shall be fully implemented prior to resumption of construction activities proximate to the resource(s).				
Geology & Soils				
<p>GEO – 1</p> <p>If paleontological resources are discovered during ground-disturbing activities (e.g., during Project construction or decommissioning), all earthwork or other types of ground disturbance within 50 feet of the find shall stop immediately until a qualified professional paleontologist (meeting the standards of the Society of Vertebrate Paleontology [SVP]) can assess the nature and importance of the find. Based on the scientific value or uniqueness of the find, the paleontologist may record the find and allow work to continue or recommend salvage and recovery of the fossil. The paleontologist may also propose modifications to the stop-work radius based on the nature of the find, site geology, and the activities occurring on the site. If treatment and salvage are required, recommendations will be consistent with the Society of Vertebrate Paleontology standards that are current as of the discovery and with currently accepted scientific practice.</p>	Project Applicant	During construction	City of Selma	

Mitigation Measure	Party responsible for Implementing Mitigation	Timing	Party responsible for Monitoring	Verification (name/ date)
Hazards & Hazardous Materials				
<p>HAZ-1</p> <p>Soil sampling, per California Department of Toxic Substances Control (DTSC) Interim Guidance for Sampling Agricultural properties (August 7, 2008) ¹ shall be conducted to identify the amounts of OCPs in the soil. If present, OCPs requiring further analysis, per DTSC consultation, are dichloro-diphenyl-trichloroethane, toxaphene, and dieldrin. Should these OCPs be present, soil remediation shall be conducted until levels are reduced per DTSC guidelines prior to issuance of grading permits. Additionally, if any level of arsenic is present, further analysis and sampling shall meet Human Health Risk Assessment NOTE NUMBER 3, DTSC-SLs approved thresholds.² If arsenic levels do not meet the approved thresholds, remedial action shall take place to reduce levels below thresholds prior to issuance of grading permits.</p>	Project Applicant	Prior to issuance of grading or building permits	City of Selma	

¹ California Department of Toxic Substances Control. Interim Guidance for Sampling Agricultural Properties (Third Revision). August 7, 2008. chrome-extension://efaidnbmninnbpcjpcglclefindmkaj/https://dtsc.ca.gov/wp-content/uploads/sites/31/2018/09/Ag-Guidance-Rev-3-August-7-2008-2.pdf. Accessed August 2024.

² California Department of Toxic Substances Control. Human and Ecological Risk Office. June 2020, revised May 2022. chrome-extension://efaidnbmninnbpcjpcglclefindmkaj/https://dtsc.ca.gov/wp-content/uploads/sites/31/2022/02/HHRA-Note-3-June2020-Revised-May2022A.pdf. Accessed August 2024.

Mitigation Measure	Party responsible for Implementing Mitigation	Timing	Party responsible for Monitoring	Verification (name/ date)
Noise				
NOI - 1: A 10-foot sound wall shall be constructed along the Project site's eastern property line, adjacent to the existing truck access route and loading docks at the rear of the existing retail/commercial land uses, as detailed in Figure 5 of the Initial Study.	Project Applicant	Prior to issuance of residential permit of occupancy	City of Selma	
NOI - 2: Any truck movements occurring between 10:00 p.m. and 7:00 a.m. shall occur at setback distances of 200 feet or greater from any outdoor activity area of proposed residential land uses.	Project Applicant	During project operations	City of Selma	
Transportation				
TRA-1: The Project shall be responsible for paying its fair share cost percentages and/or constructing the recommended improvements identified in the mitigation measures discussion, subject to reimbursement for the costs that are in excess of the Project's equitable responsibility as determined by the City. This shall be itemized and enforced through conditions of approval or a development agreement, at the discretion of the City, prior to Project implementation.	Project Applicant	Prior to issuance of building permits	City of Selma	

Mitigation Measure	Party responsible for Implementing Mitigation	Timing	Party responsible for Monitoring	Verification (name/ date)
<p>TRA-2:</p> <p>The Project shall implement all VMT mitigation measures identified in Table 3.17-5 which have already been included in the Project design. These improvements shall be itemized and enforced through conditions of approval or a development agreement, at the discretion of the City, prior to Project implementation.</p>	Project Applicant	Prior to issuance of building permits	City of Selma	

Chapter 1

INTRODUCTION

1.0 INTRODUCTION

This Focused Environmental Impact Report (EIR) has been prepared on behalf of the City of Selma (City) in accordance with the California Environmental Quality Act (CEQA). This chapter outlines the purpose of and overall approach to the preparation of the EIR for the construction and operation of the Casitas Selma Project (Project).

It is the intent of this EIR to provide the City of Selma, decision makers, and the general public with the relevant environmental information to use in considering the required approval for the proposed Project. The City will use this EIR for the discretionary approvals of entitlements required to develop the proposed Project.

1.1 Purpose of EIR

This document is an Environmental Impact Report (EIR) prepared in accordance with the California Environmental Quality Act CEQA of 1970 and CEQA Guidelines, as amended. This EIR has been prepared by the City of Selma as the "Lead Agency," in consultation with the appropriate local, regional and state agencies.

The purpose of the EIR is to inform the public generally of the significant environmental effects of the project, identify possible ways to minimize the significant effects, and describe reasonable alternatives that support the objectives of the project. As defined by the CEQA Guidelines, Section 15382, a "significant effect on the environment" is as follows:

"... a substantial, or potentially substantial adverse change in any of the physical conditions within the area affected by the project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance."

An Initial Study was prepared by the City of Selma (City) for the Casitas Selma Project (Project). The Initial Study determined the Project could have potentially significant impacts in the areas of air quality, cultural resources, energy, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, traffic and transportation, and utilities. The City, therefore, determined that an EIR would be required for the project. This EIR is a "Focused EIR" that concentrates on the potentially significant impacts of the project on eight environmental issue areas: air quality, cultural resources, energy, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, traffic and transportation, and utilities. All other impact

areas were determined to either have no impact or have a less than significant impact (with or without mitigation). This Focused EIR references the Initial Study prepared for the project for all other areas of impact analysis not provided in this Focused EIR (see Appendix A).

1.2 Environmental Process

The review and certification process for the EIR has involved, or will involve, the following general procedural steps:

Notice of Preparation

The City of Selma circulated a Notice of Preparation of an EIR along with the Initial Study (IS/NOP) for the proposed project from July 3, 2024 to August 2, 2024 to trustee and responsible agencies, the State Clearinghouse (State Clearinghouse #2024070105), and the public.

Three agency comments on the IS/NOP related to the EIR analysis were presented or submitted during the public review period (July 3, 2024 – August 2). The IS/NOP and written comments provided to the City during the 30-day public review period for the IS/NOP are presented in Appendix A. IS/NOP comment letters are summarized as follows:

- **CA Department of Toxic Substances Control** (July 10, 2024): Provided recommendations and requests regarding imported soil, previously used pesticides and other contaminants of concern.
- **Native American Heritage Commission** (July 19, 2024): Identified the applicable tribal consultation guidelines and requirements associated with the Project. Refer to Section 3.18 – Tribal Cultural Resources for more information.
- **CA Department of Fish & Wildlife** (July 29, 2024): Identified potential species in the project area and provided recommendations on handling of such species. Refer to the Biological Resources section of the Initial Study for more information.

Draft EIR

This document constitutes the Draft Focused EIR. The Draft Focused EIR contains a description of the project, description of the environmental setting, identification of the project's direct and

indirect impacts on the environment, and mitigation measures for impacts found to be significant, as well as an analysis of project alternatives, identification of significant irreversible environmental changes, growth-inducing impacts, and cumulative impacts. This Draft Focused EIR identifies issues determined to have no impact or a less than significant impact, and provides detailed analysis of potentially significant and significant impacts. Comments received in response to the NOP were considered in preparing the analysis in this EIR. Upon completion of the Draft EIR, the City of Selma will file the Notice of Completion (NOC) with the State Clearinghouse of the Governor's Office of Planning and Research to begin the public review period.

Public Notice/Public Review

Concurrent with the NOC, the City of Selma will provide a public notice of availability for the Draft EIR, and invite comment from the general public, agencies, organizations, and other interested parties. Consistent with CEQA requirements, the review period for this Draft Focused EIR is forty-five (45) days. Public comment on the Draft Focused EIR will be accepted in written form. All comments or questions regarding the Draft Focused EIR should be addressed to:

Kamara Biawogi, City Planner
 City of Selma
 1710 Tucker Street
 Selma, CA 93662
kamarab@cityofselma.com

Responses to Comments/Final EIR

Following the public review period, a Final EIR will be prepared. The Final EIR will respond to written comments received during the public review period and to oral comments during such review period.

Entitlement Procedures / Certification of the EIR / Project Consideration

The City of Selma will be the Lead Agency for the proposed Project, pursuant to the California Environmental Quality Act (CEQA). The Project will require the following approvals from the City of Selma:

- Certification of the Project EIR
- Approval of a Prezone
- Approval of a General Plan Amendment
- Approval of Annexation
- Tentative Subdivision Map

Prior to taking action to approve the project, the City of Selma will review and consider the Final EIR. If the City finds that the Final EIR is "adequate and complete," the City Council may certify the Final EIR in accordance with CEQA. As set forth by CEQA Guidelines Section 15151, the standards of adequacy require an EIR to provide a sufficient degree of analysis to allow decisions to be made regarding the proposed project that intelligently take account of environmental consequences.

Upon review and consideration of the Final EIR, the City Council may take action to approve, revise, or reject the project. A decision to approve the proposed project, for which this EIR identifies significant environmental effects, must be accompanied by written findings in accordance with State CEQA Guidelines Sections 15091 and 15093. A Mitigation Monitoring and Reporting Program (MMRP) would also be adopted in accordance with Public Resources Code Section 21081.6(a) and CEQA Guidelines Section 15097 for mitigation measures that have been incorporated into or imposed upon the project to reduce or avoid significant effects on the environment. The Mitigation Monitoring and Reporting Program will be designed to ensure that these measures are carried out during project implementation, in a manner that is consistent with the EIR.

1.3 Known Responsible and Trustee Agencies

The term "Responsible Agency" includes all public agencies other than the Lead Agency that have discretionary approval power over the project or an aspect of the project (CEQA Guidelines Section 15381). For the purpose of CEQA, a "Trustee" agency has jurisdiction by law over natural resources that are held in trust for the people of the State of California (CEQA Guidelines Section 15386). The Project may require permits and approvals from Trustee and Responsible Agencies, which may include, but not be limited, to the following:

- Fresno County LAFCO – Approval of annexation
- San Joaquin Valley Air Pollution Control District – approval of construction and/or operational air quality permits

- Regional Water Quality Control Board – Storm Water Pollution Control Plan
- CalTrans – Encroachment Permits
- Selma-Kingsburg-Fowler County Sanitation District (SKF) – Sewer Connection Approval

1.4 Organization and Scope

Sections 15122 through 15132 of the State CEQA Guidelines identify the content requirements for Draft and Final EIRs. An EIR must include a description of the environmental setting, an environmental impact analysis, mitigation measures, alternatives, significant irreversible environmental changes, growth-inducing impacts, and cumulative impacts. Discussion of the environmental issues addressed in the Draft Focused EIR was established through review of environmental and planning documentation developed for the project, environmental and planning documentation prepared for recent projects located within the City of Selma, and responses to the NOP. This Draft Focused EIR is organized in the following manner:

Chapter 1.0 – Introduction

Chapter 1.0 briefly describes the proposed project, the purpose of the environmental evaluation, identifies the lead, trustee, and responsible agencies, summarizes the process associated with preparation and certification of an EIR, identifies the scope and organization of the Draft Focused EIR, and summarizes comments received on the NOP.

Chapter 2.0 – Project Description

Chapter 2.0 provides a detailed description of the proposed project, including the location, intended objectives, background information, the physical and technical characteristics, including the decisions subject to CEQA, subsequent projects and activities, and a list of related agency action requirements.

Chapter 3.0 – Environmental Setting, Impacts and Mitigation Measures

Chapter 3.0 contains an analysis of environmental topic areas as identified below. Each subchapter addressing a topical area is organized as follows:

Environmental Setting. A description of the existing environment as it pertains to the topical area.

Regulatory Setting. A description of the regulatory environment that may be applicable to the project.

Impacts and Mitigation Measures. Identification of the thresholds of significance by which impacts are determined, a description of project-related impacts associated with the environmental topic, identification of appropriate mitigation measures, and a conclusion as to the significance of each impact.

The following environmental topics are addressed in this Draft EIR:

- Air Quality
- Cultural Resources
- Energy
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Transportation and Traffic
- Utilities and Services

Chapter 4.0 – Project Alternatives

Chapter 4.0 provides a comparative analysis between the merits of the proposed project and the selected alternatives. State CEQA Guidelines Section 15126.6 requires that an EIR describe a range of reasonable alternatives to the project, which could feasibly attain the basic objectives of the project and avoid and/or lessen any significant environmental effects of the project.

Chapter 5.0 – Other CEQA-Required Topics

Chapter 5.0 evaluates and describes the following CEQA required topics: growth-inducing effects, significant and irreversible effects, significant and unavoidable impacts, substantial adverse effects on protected fish, wildlife, and plant species, substantial adverse effects on human beings, and effects not found to be significant.

Chapter 6.0 – Report Preparers

Chapter 6.0 lists all authors and agencies that assisted in the preparation of the Draft EIR, by name, title, and company or agency affiliation.

Appendices

This section includes the IS/NOP and responses to the NOP in addition to cultural, hydrology, air quality/GHG, and traffic technical studies.

Incorporation by Reference

In compliance with CEQA Guidelines Section 15150, this Draft Focused EIR has incorporated by reference the *General Plan Update 2035* adopted October 2010 and revised in February 2024. That document is available for review at the City of Selma, 1710 Tucker Street, Selma, CA 93662.

Chapter 2

PROJECT DESCRIPTION

Project Description

2.1 Project Location and Environmental Setting

The proposed Project includes an annexation and development of a mixed-use residential and commercial subdivision and is located adjacent to the western City of Selma limits in Fresno County in the central San Joaquin Valley. The Project site is located west of Highland Avenue, north of Rose Avenue and south of E. Floral Avenue. The site consists of APNs 385-260-33, 385-230-16, -38 and -39. The site is approximately 75.3 acres and currently consists of active and fallowed agricultural land. The proposed development site will occur on APN 385-230-33 and is approximately 39.1 acres. No development is proposed for the remaining 36.2 acres to be annexed. The site is predominantly surrounded by agricultural land, rural residential homes and commercial developments. Refer to Figures 2-1 and 2-2 for Project location. Refer to Figure 2-3 for the Site Plan and Figure 2-4 for the Offsite Utilities Plan.

The proposed Project site is currently vacant with minimal vegetation.

Lands directly surrounding the proposed Project are described as follows:

- North: Commercial development; Walmart, Starbucks, Chipotle, Burger King and others.
- South: Agricultural land; orchards.
- East: Commercial development; Jack-in-the-Box, Taco Bell, Wing Stop, and others.
- West: Agricultural land; orchards.

Figure 2-1
Regional Location Map

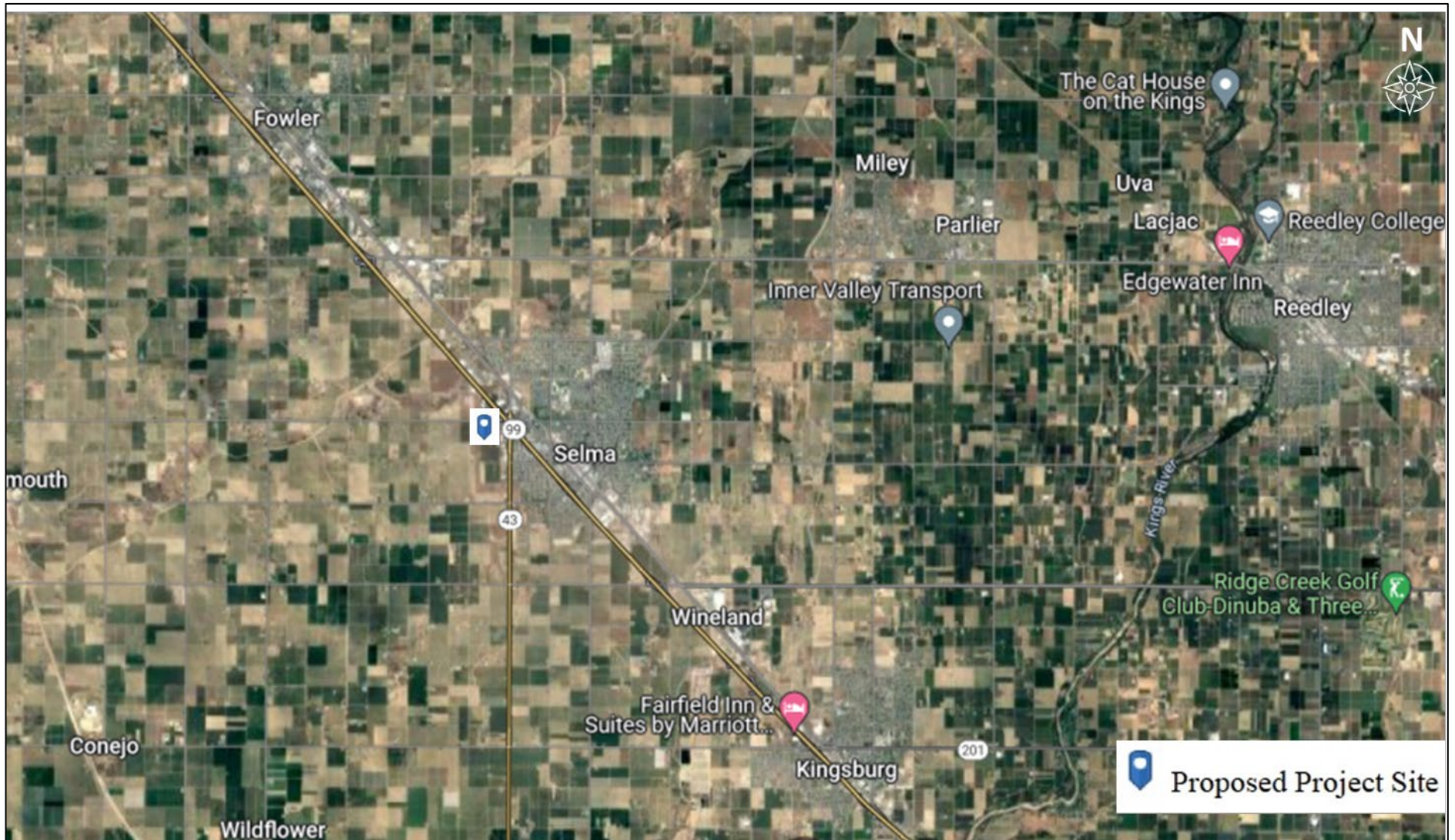


Figure 2-2
Site Aerial

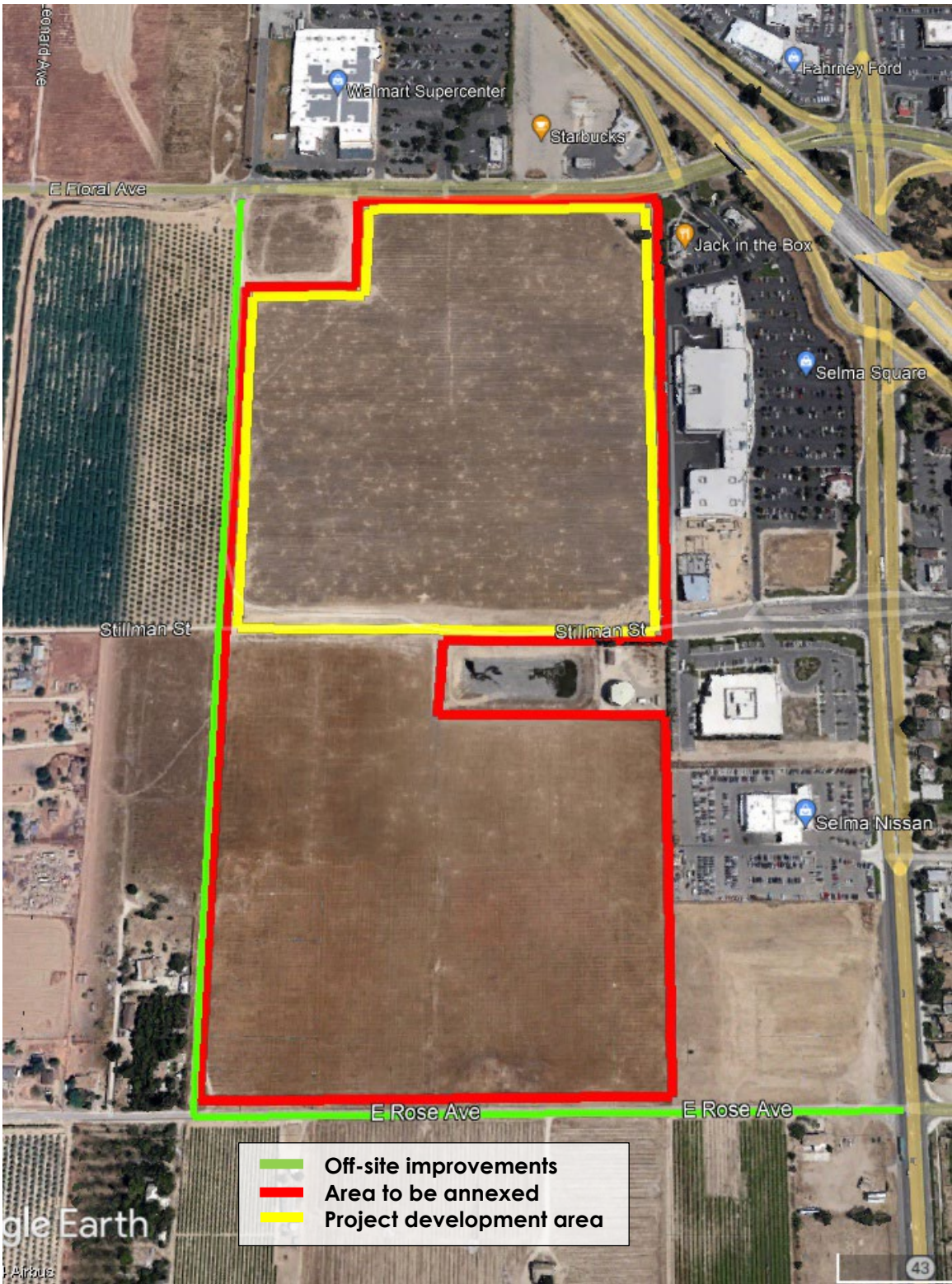


Figure 2-3
Project Development Overview

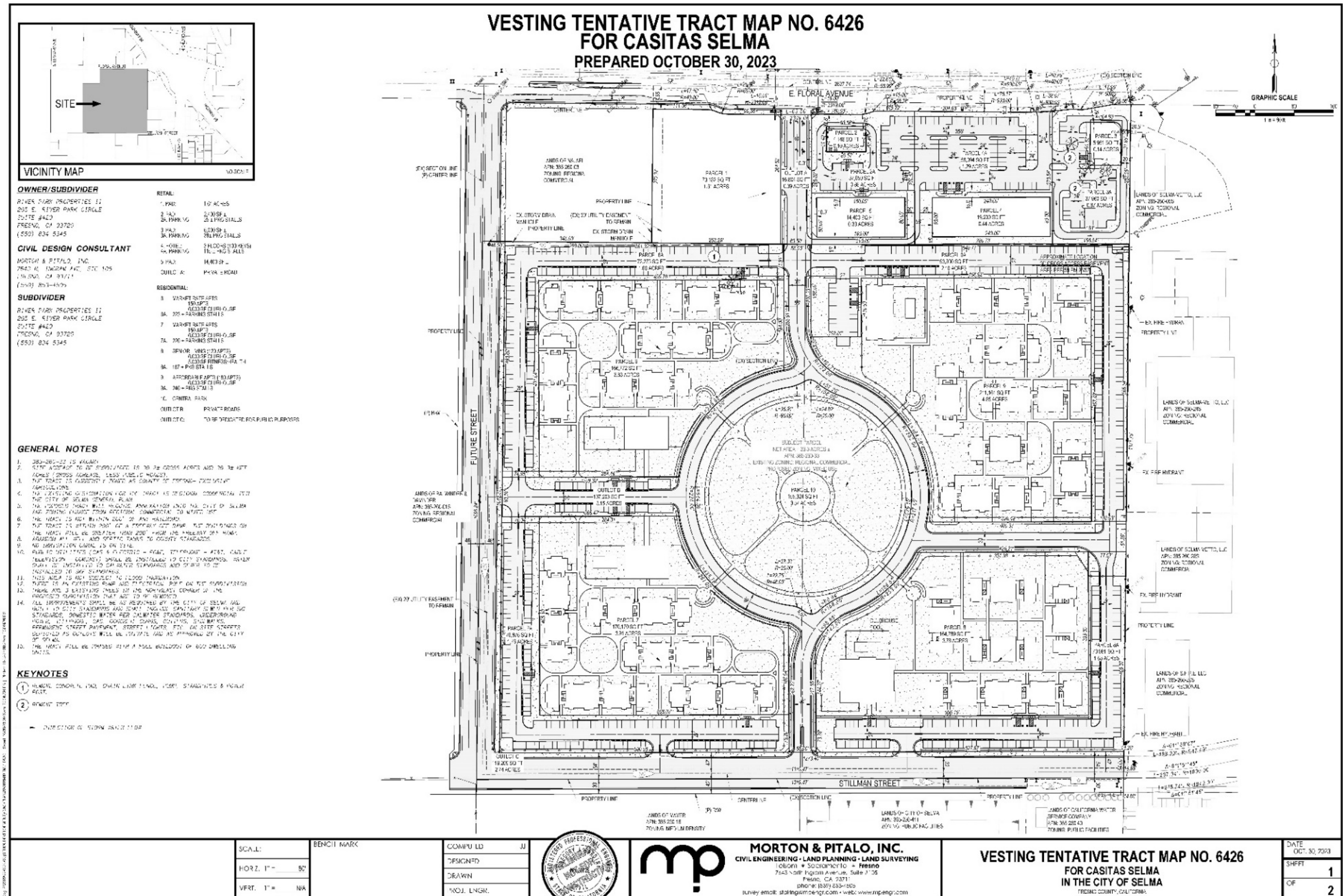
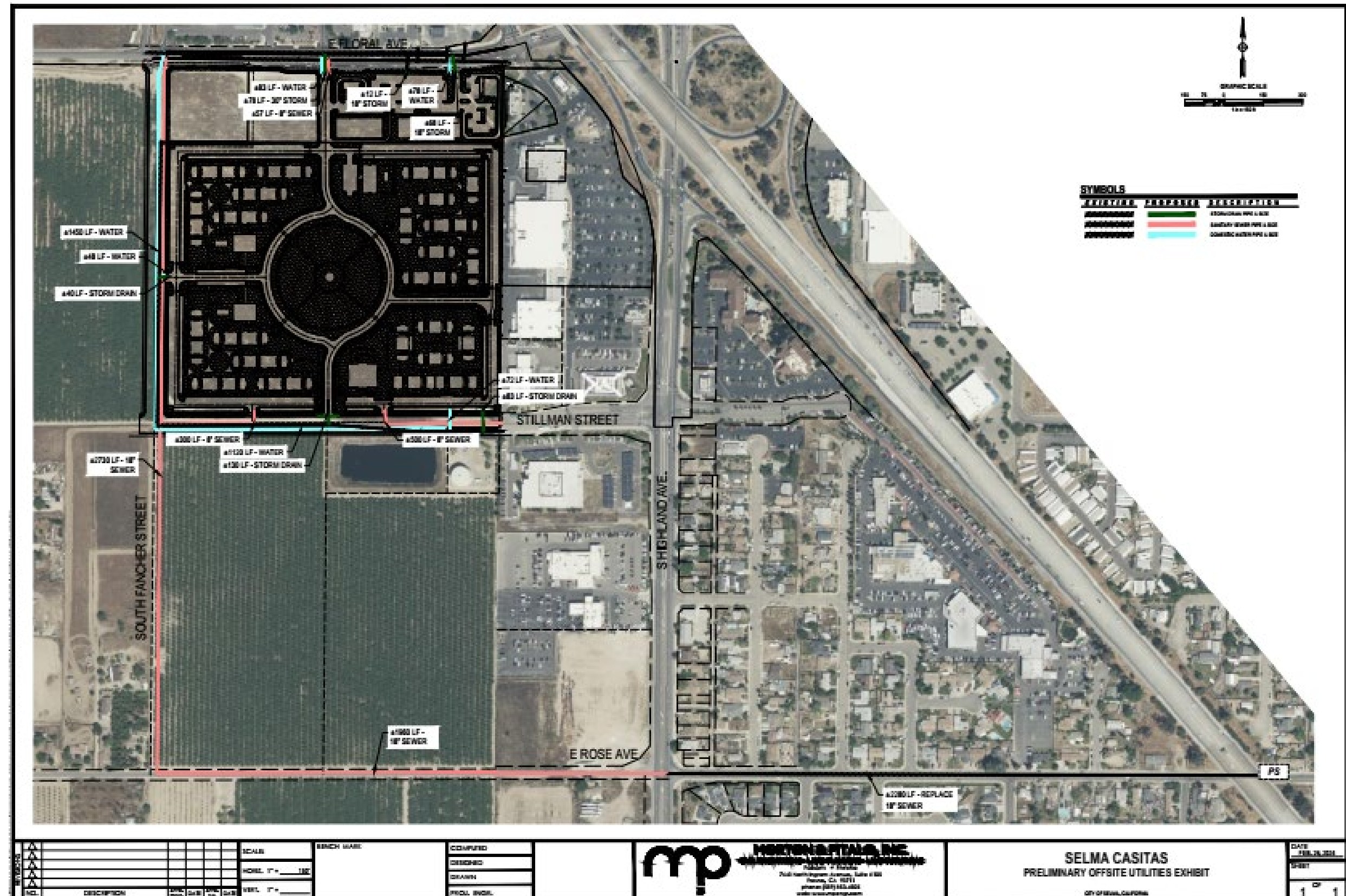


Figure 2-3
Offsite Utilities Plan Overview



2.2 Project Description

The proposed Project consists of the annexation of 75.3 acres into the City of Selma. A horizontal mixed-use residential and commercial development project is proposed on the northern 39.1 acres of the annexation area (see Figure 2-2). No development is proposed for the remaining 36.2 acres, which is currently identified as Medium Density Residential within the City's General Plan. A total of 600 apartment units are planned for the Project and approximately 40,000 square feet of retail and food service uses, and a 100-key hotel are anticipated in the commercial area.

A Vesting Tentative Subdivision/Tract Map is also proposed that would create 17 individual lots and 3 outlots for building pads, parking lots, apartment sites, the public park and privately maintained roads within the development. The proposed subdivision lots range in size from 0.10 acres to 4.85 acres.

Project Development Components

The Project Development consists of 5.64 acres of retail, fast-food, and hospitality development, 11.16 acres of residential development, 5.41 acres of affordable senior housing, 7.01 acres of affordable housing, 3.57 acres of central park, and approximately 6.28 acres of streets, circulation, and outlots. Specifically, the proposed development consists of (see also Figure 2-3 and Figure 2-4):

- Retail Development (5.64 acres):
 - Future Retail: 1.61 acres (Parcel 1)
 - Retail Pad: 4,148 sq.ft., 2,400 sq.ft. building (Parcel 2)
 - Retail Pad: 5,951 sq. ft., 3,900 sq. ft. building (Parcel 3)
 - Hotel: 19,200 sq.ft., 3 floors, 100-key (Parcel 4)
 - Retail Pad: 14,400 sq.ft., up to 14,000 sq. ft. building (Parcel 5)
- Parking to support retail development
 - Parcel 2A Parking: 37,659 s.f., 45 stalls are shared by Retail Pad 1
 - Parcel 3A Parking: 37,960 s.f. 38 stalls are shared by Retail Pad 2
 - Parcel 4A Parking: 56,394 s.f., 115 stalls are shared by Hotel

- Multi-Family Housing, market rate (11.16 acres):
 - Phase 1: 3.83 acres, 150 multi-family residential units, 6,000 sq.ft. clubhouse (Parcel 6)
 - Phase 1 parking: 72,273 sq.ft., approximately 190 stalls (Parcel 6A)
 - Phase 2: 3.91 acres, 150 multi-family residential units, 6,000 sq.ft. clubhouse (Parcel 7)
 - Phase 2 parking: 76,876 sq.ft., approximately 181 stalls (Parcel 7A)
- Multi-Family Housing, senior only affordable (5.41 acres):
 - Multi-family residences units: 3.78 acres, 120 units, 11,000 sq.ft. clubhouse (Parcel 8)
 - Parking: 70,981 sq.ft., approximately 165 stalls (Parcel 8A_
- Multi-Family Housing, affordable (7.01 acres):
 - Multi-family residences: 4.85 acres, 180 units, 6,000 sq.ft. clubhouse (Parcel 9)
 - Parking: 93,930 sq.ft., approximately 236 stalls(Parcel 9A)
- Central Parcel: Park: 3.57 acres (Parcel 10)
- Streets/Circulation (6.28 acres):
 - Outlot A: 0.39 acres
 - Outlot B: 3.15 acres, approximately 38 parking stalls
 - Outlot C: 2.74 acres

Site construction will include private internal access roads, lighting and site landscaping. Stillman Street is planned to be widened and improved and Fancher Street will be improved and will connect to Floral Avenue. The arterial streets and collector streets will be dedicated to the City of Selma, and the City will be responsible for maintenance of these streets. Local private streets will be owned and maintained by the Development Association.

The retail and hotel developments will operate seven days per week with hours of operation ranging from 12-24 hours.

Utilities and Infrastructure

Water service is provided by the Selma District of California Water Service (CalWater). The proposed Project would connect to the existing 12" main on Floral and Highland Avenue. Additionally, Station 20 is south of the Project area which has a well, two boosters, and a one-million-gallon tank that is beneficial during high peak water usage times. As part of the Project, the existing water main in Stillman Avenue will be continued west along the Project's extent and loop into the existing Floral Avenue water main.

Wastewater sewage services for the proposed Project would be provided by the Selma-Kingsburg-Fowler County Sanitation District (SKF CSD) by connecting to the existing service infrastructure along Floral Avenue and through extensions of infrastructure off-site.

The City would provide stormwater management services to the Project site. Project construction includes curb and gutter along all internal roadways. Stormwater would be collected through surface and subsurface drainage infrastructure on site towards proposed and existing stormwater collection and drainage infrastructure along Floral Avenue.

Solid waste collection for the Project would be managed by the City of Selma through their contracted solid waste services contractor, which at the time of this report is Waste Management.

Electricity and natural gas services for the Project would be supplied by Pacific Gas and Electric through connections to existing service lines.

Off-Site Improvements

As part of the Project and as described above, the proposed Project will tie-in to existing sewer, storm drain and water infrastructure. To accomplish this, approximately 11,089 linear feet (LF) of pipeline will be installed as described below and in Figure 2-4.

Sewer

- Replacement of approximately 2,280 LF of existing 18" sanitary sewer main in E. Rose Avenue from the existing pump station to S. Highland Avenue. Depths are anticipated to be around 20 feet.
- Installation of approximately 1,960 LF of new 18" sanitary sewer in E. Rose Avenue between S. Highland Avenue to the future S. Fancher Street alignment. Depths are anticipated to be around 18'.

- Installation of approximately 2,730 LF of new 18" sanitary sewer in the future S. Fancher Street alignment between E. Rose Avenue and E. Floral Avenue. Depths are anticipated to be around 16' to 18'.
- Installation of approximately 500 LF of new 8" sanitary sewer in the Stillman Street alignment connecting to the existing stub at the West end of Stillman Street. Depths are anticipated to be approximately 10' to 12'.
- Installation of approximately 300 LF of new 8" sanitary sewer in the Stillman Street alignment connecting to the 18" sanitary sewer in the future S. Fancher Street alignment. Depths are anticipated to be approximately 10' to 12'.
- Installation of approximately 57 LF of new 8" sanitary sewer in E. Floral Avenue, connecting to the existing sanitary sewer. Depths are anticipated to be approximately 10'.

Storm Drain

- Install approximately 83 LF of potentially 24" storm drain pipe connecting to the existing storm drain pipeline in Stillman Street alignment. Depth is anticipated to be approximately 10'.
- Install approximately 130 LF of potentially 36" storm drain pipe connecting to the existing storm drain pipeline in Stillman Street alignment. Depth is anticipated to be approximately 10'.
- Install approximately 40 LF of potentially 24" storm drain pipe connecting to the existing storm drain pipeline in future S. Fancher Street alignment. Depth is anticipated to be approximately 10'.
- Install approximately 78 LF of potentially 24" storm drain pipe connecting to the existing storm drain pipeline in E. Floral Avenue. Depth is anticipated to be approximately 10'.
- Install approximately 12 LF of potentially 18" storm drain pipe connecting to the existing storm drain pipeline in E. Floral Avenue. Depth is anticipated to be approximately 10'.

- Install approximately 68 LF of potentially 18" storm drain pipe connecting to the existing storm drain pipeline in E. Floral Avenue. Depth is anticipated to be approximately 10'.

Water

- Install approximately 1,120 LF of potentially 12" water connecting to the existing water main at the West end of Stillman Street to S. Fancher Street. Depth is anticipated to be approximately 5'.
- Install approximately 72 LF of potentially 8" water connecting to the water main in the future Stillman Street extension. Depth is anticipated to be approximately 5'.
- Install approximately 1,450 LF of potentially 12" water in the future S. Fancher Street alignment, connecting to the existing approximate 14" water main in E. Floral Avenue. Depth is anticipated to be approximately 5'.
- Install approximately 48 LF of potentially 8" water connecting to the water main in the future Stillman Street extension. Depth is anticipated to be approximately 5'.
- Install approximately 83 LF of potentially 12" water connecting to the existing approximate 14" water main in E. Floral Avenue. Depth is anticipated to be approximately 5'.
- Install approximately 78 LF of potentially 12" water connecting to the existing approximate 14" water main in E. Floral Avenue. Depth is anticipated to be approximately 5'.

Construction Schedule

Proposed Project construction is slated to start in spring of 2025 and is anticipated to last approximately three years.

2.3 Project Objectives

In accordance with CEQA Guidelines Section 15124(b), the following are the City of Selma's Project objectives:

- To provide a mixed-use development at pricing appropriate for the market, in a growing area of the City of Selma that satisfies the City of Selma's policies, regulations and expectations as defined in the City's General Plan, Zoning Ordinance, and other applicable plans, documents, and programs adopted by the City.
- To provide a variety of housing opportunities with a range of densities, styles, sizes and values that will be designed to satisfy existing and future demand for quality housing in the area.
- To provide a residential development that assists the City in meeting its General Plan and Housing Element requirements and objectives.
- To provide an economically feasible and conveniently-located commercial development to serve residents in the western portion of Selma.
- To provide a sense of community and walkability within the development through the use of street patterns, parks/open space areas, landscaping and other project amenities.

2.4 Required Approvals

- Initiation of annexation from Fresno County into the City of Selma
- Approval of a General Plan Amendment
- Approval of a Prezone
- Approval of a Tentative Subdivision Map
- Certification of the Project EIR
- Certification of the Final EIR
- Adoption of the Mitigation Monitoring and Reporting Program
- Adoption of 15091 and 15093 Findings and Statement of Overriding Considerations
- Issuance of Grading / Building Permits
- Approval of the Project Water Supply Assessment

Other Public Agencies Involved

The Project will require various permits and/or entitlements from regulatory agencies. These may include, but not be limited to the following:

- Fresno County LAFCO – Approval of annexation

- San Joaquin Valley Air Pollution Control District – Approval of Rule 9510 AIA Application
- Regional Water Quality Control Board – Storm Water Pollution Prevention Plan
- CalTrans – Encroachment Permits
- SKF – Sewer Connection Approval

Chapter 3

ENVIRONMENTAL SETTING, IMPACTS & MITIGATION

3.1 Air Quality

This section of the DEIR evaluates the potential air quality impacts associated with the implementation of the proposed Project. This assessment was conducted within the context of the California Environmental Quality Act (CEQA, California Public Resources Code Sections 21000, et seq.). The methodology follows the Guidance for Assessing and Mitigating Air Quality Impacts (GAMAQI) prepared by the San Joaquin Valley Air Pollution Control District (District or SJVAPCD) for quantification of emissions and evaluation of potential impacts to air resources. The information and analysis presented in this Section are based on the Air Quality, Health Risk Analysis, Greenhouse Gas and Energy Technical Memorandum (AQHRAGGE) prepared for this Project by Johnson, Johnson & Miller Air Quality Consulting, report date March 29, 2024. The full AQHRAGGE can be reviewed in Appendix B. No Air Quality related letters were received during the NOP comment period.

Environmental Setting

San Joaquin Valley Air Basin

Topography

The topography of a region is important for air quality because mountains can block airflow that would help disperse pollutants and can channel air from upwind areas that transports pollutants to downwind areas. The San Joaquin Valley Air Basin (Air Basin) is generally shaped like a bowl. It is open in the north and is surrounded by mountain ranges on all other sides. The Sierra Nevada mountains are along the eastern boundary (8,000 to 14,000 feet in elevation), the Coast Ranges are along the western boundary (3,000 feet in elevation), and the Tehachapi Mountains are along the southern boundary (6,000 to 8,000 feet in elevation).

Climate

The climate is important for air quality because of differences in the atmosphere's ability to trap pollutants close to the ground, which creates adverse air quality; inversely, the atmosphere's ability to rapidly disperse pollutants over a wide area prevents high concentrations from accumulating under different climatic conditions. The Air Basin has an "inland Mediterranean" climate and is characterized by long, hot, dry summers and short, foggy winters. Sunlight can be

a catalyst in the formation of some air pollutants (such as ozone); the Air Basin averages over 260 sunny days per year.¹

Inversion layers are significant in determining pollutant concentrations. Concentration levels can be related to the amount of mixing space below the inversion. Temperature inversions that occur on the summer days are usually encountered 2,000 to 2,500 feet above the valley floor. In winter months, overnight inversions occur 500 to 1,500 feet above the valley floor.

Dominant airflows provide the driving mechanism for transport and dispersion of air pollution. The mountains surrounding the Air Basin form natural horizontal barriers to the dispersion of air contaminants. The wind generally flows south-southeast through the valley, through the Tehachapi Pass and into the Mojave Desert Air Basin portion of Kern County. As the wind moves through the Air Basin, it mixes with the air pollution generated locally, generally transporting air pollutants from the north to the south in the summer and in a reverse flow in the winter.

The winds and unstable air conditions experienced during the passage of winter storms result in periods of low pollutant concentrations and excellent visibility. Between winter storms, high pressure and light winds allow cold moist air to pool on the San Joaquin Valley floor. This creates strong, low-level temperature inversions and very stable air conditions, which can lead to Tule fog. Wintertime conditions favorable to fog formation are also conditions favorable to high concentrations of PM_{2.5} and PM₁₀.

Attainment Status

The US Environmental Protection Agency (EPA) and the California Air Resources Board (ARB) designate air basins where ambient air quality standards are exceeded as “nonattainment” areas. If standards are met, the area is designated as an “attainment” area. If there is inadequate or inconclusive data to make a definitive attainment designation, they are considered “unclassified.” National nonattainment areas are further designated as marginal, moderate, serious, severe, or extreme as a function of deviation from standards.

Each standard has a different definition, or “form” of what constitutes attainment, based on specific air quality statistics. For example, the federal 8-hour CO standard is not to be exceeded more than once per year; therefore, an area is in attainment of the CO standard if no more than one 8-hour ambient air monitoring values exceeds the threshold per year. In contrast, the federal

¹ San Joaquin Valley Air Pollution Control District (SJVAPCD). 2015. Guidance for Assessing and Mitigating Air Quality Impacts. Revised March 19, 2015. <https://www.valleyair.org/transportation/GAMAQI.pdf>. Accessed August 2024.

annual PM_{2.5} standard is met if the three-year average of the annual average PM_{2.5} concentration is less than or equal to the standard.

The current attainment designations for the Air Basin are shown in Table 3.1-1. The Air Basin is designated as nonattainment for ozone, PM₁₀, and PM_{2.5}.

**Table 3.1-1
San Joaquin Valley Air Basin Attainment Status**

Pollutant	State Status	National Status
Ozone—One Hour	Nonattainment/Severe	No Standard
Ozone—Eight Hour	Nonattainment	Nonattainment/Extreme
Carbon monoxide	Attainment/Unclassified	Merced, Madera, and Kings Counties are unclassified; others are in Attainment
Nitrogen dioxide	Attainment	Attainment/Unclassified
Sulfur dioxide	Attainment	Attainment/Unclassified
PM ₁₀	Nonattainment	Attainment
PM _{2.5}	Nonattainment	Nonattainment
Lead	Attainment	No Designation/Classification
<p>Source of State status: California Air Resources Board (ARB). 2013c. Area Designation Maps/State and National. 2012 State Area Designations. Page last reviewed October 18, 2017. Website: https://ww2.arb.ca.gov/resources/documents/maps-state-and-federal-area-designations. Accessed August 2024.</p> <p>Source of National status: U.S. Environmental Protection Agency (EPA). 2021a. Green Book Nonattainment Areas for Criteria Pollutants as of September 30, 2021. Website: https://www.epa.gov/green-book. Accessed August 2024.</p> <p>Source of additional status information: San Joaquin Valley Air Pollution Control District (SJVAPCD). 2017a. Ambient Air Quality Standards & Valley Attainment Status. Website: https://www.valleyair.org/aqinfo/attainment.htm. Accessed August 2024.</p>		

Regulatory Setting

Federal Regulations

Clean Air Act

Congress established much of the basic structure of the Clean Air Act (CAA) in 1970, and made major revisions in 1977 and 1990. Six common air pollutants (also known as criteria pollutants) are addressed in the CAA: particulate matter, ground-level ozone, carbon monoxide (CO), sulfur oxides (SO_x), nitrogen oxides (NO_x), and lead. The U.S. Environmental Protection Agency (EPA)

labels these pollutants as criteria air pollutants because they are regulated by developing human health-based and/or environmentally based criteria (science-based guidelines), which sets permissible levels. The set of limits based on human health are called primary standards. Another set of limits intended to prevent environmental and property damage are called secondary standards.² The federal standards are called National Ambient Air Quality Standards (NAAQS). The air quality standards provide benchmarks for determining whether air quality is healthy at specific locations and whether development activities will cause or contribute to a violation of the standards. The criteria pollutants are:

- Ozone
- Nitrogen dioxide (NO₂)
- Lead
- Particulate matter (PM₁₀ and PM_{2.5})
- Carbon monoxide (CO)
- Sulfur dioxide

The federal standards were set to protect public health, including that of sensitive individuals; thus, the EPA is tasked with updating the standards as more medical research is available regarding the health effects of the criteria pollutants. Primary federal standards are the levels of air quality necessary, with an adequate margin of safety, to protect the public health.³

State of California Regulations

California Clean Air Act

The California Legislature enacted the California Clean Air Act (CCAA) in 1988 to address air quality issues of concern not adequately addressed by the federal CAA at the time. California's air quality problems were and continue to be some of the most severe in the nation, and required additional actions beyond the federal mandates. The California Air Resources Board (ARB) administers California Ambient Air Quality Standards (CAAQS) for the 10 air pollutants designated in the CCAA. The 10 state air pollutants are the six federal standards listed above as well visibility-reducing particulates, hydrogen sulfide, sulfates, and vinyl chloride. The EPA authorized California to adopt its own regulations for motor vehicles and other sources that are more stringent than similar federal regulations implementing the CAA. The federal and state ambient air quality standards are summarized in Table 4 of Appendix B.

Air Quality Plans and Regulations

² U.S. Environmental Protection Agency (EPA). 2014. Clean Air Act Requirements and History. <https://www.epa.gov/clean-air-act-overview/clean-air-act-requirements-and-history>. Accessed August 2024.

³ California Air Resources Board (ARB). 2016. pdf. May 4. <https://ww2.arb.ca.gov/sites/default/files/2020-07/aaqs2.pdf>. Accessed August 2024.

Air pollutants are regulated at the national, state, and air basin or county level, and each agency has a different level of regulatory responsibility: the EPA regulates at the national level, the ARB at the state level, and the District at the air basin level.

The EPA is responsible for national and interstate air pollution issues and policies. The EPA sets national vehicle and stationary source emission standards, oversees approval of all State Implementation Plans, provides research and guidance for air pollution programs, and sets National Ambient Air Quality Standards—also known as the federal standards described earlier.

A State Implementation Plan (SIP) is a document prepared by each state describing existing air quality conditions and measures that will be followed to attain and maintain federal standards. The SIP for the State of California is administered by the ARB, which has overall responsibility for statewide air quality maintenance and air pollution prevention. California's SIP incorporates individual federal attainment plans for regional air districts; specifically, an air district prepares their federal attainment plan, which is sent to ARB to be approved and incorporated into the California State Implementation Plan. Federal attainment plans include the technical foundation for understanding air quality (e.g., emission inventories and air quality monitoring), control measures and strategies, and enforcement mechanisms. The ARB then submits the SIP to the EPA for approval. After reviewing submitted SIPs, the EPA proposes to approve or disapprove all or part of each plan. The public has an opportunity to comment on the EPA's proposed action. The EPA considers public input before taking final action on a state's plan. If the EPA approves all or part of a SIP, those control measures are enforceable in federal court. If a state fails to submit an approvable plan or if the EPA disapproves a plan, the EPA is required to develop a federal implementation plan (FIP). The SIP approval process often takes several years.

The most recent federally approved attainment plans for the SJVAPCD are the 2007 8-hour Ozone Attainment Plan and the 2012 PM_{2.5} Plan for the 2006 PM_{2.5} standard. The Air Basin is designated as an extreme ozone nonattainment area for the EPA's 2008 8-hour ozone standard of 75 ppb. The plan to address this standard was adopted by the SJVAPCD on June 16, 2016. The ARB approved the attainment demonstration plan for the San Joaquin Valley on July 21, 2016 and transmitted the plan to EPA on August 24, 2016. The plan for areas designated extreme nonattainment must demonstrate attainment of the new ozone standard by December 31, 2031. The 2016 Ozone Plan predicts attainment of the 2008 standard by 2031. On June 30, 2020, US EPA approved portions of the 2018 Plan for the 1997, 2006, and 2012 PM_{2.5} Standards and the San Joaquin Valley Supplement to the 2016 State Strategy for the State Implementation Plan related to the 2006 24-hour PM_{2.5} National Ambient Air Quality Standard (NAAQS) of 35 µg/m³. Additionally, EPA granted an extension of the Serious area attainment date for the 2006 PM_{2.5} NAAQS from

December 31, 2019, to December 31, 2024. Federal review of portions of the plan that pertain to the other PM_{2.5} standards will continue in 2020. The EPA Administrator signed the Final Rule revising the 8-hour ozone standard to 70 ppm on October 1, 2015. EPA designated the San Joaquin Valley as Extreme nonattainment for this standard in August 2018, with an attainment deadline of 2037. The SJVAPCD is mandated under federal Clean Air Act requirements to develop a new attainment plan for the revised ozone standard by 2022, which was adopted on December 15, 2022. The attainment plan satisfies the Clean Air Act requirement and ensures expeditious attainment of the 70 parts per billion 8-hour ozone standard.⁴

Areas designated nonattainment must develop air quality plans and regulations to achieve standards by specified dates, depending on the severity of the exceedances. For much of the country, implementation of federal motor vehicle standards and compliance with federal permitting requirements for industrial sources are adequate to attain air quality standards on schedule. For many areas of California, however, additional state and local regulation is required to achieve the standards. Regulations adopted by California are described below.

Low-Emission Vehicle Program. The ARB first adopted Low-Emission Vehicle (LEV) program standards in 1990. These first LEV standards ran from 1994 through 2003. LEV II regulations, running from 2004 through 2010, represent continuing progress in emission reductions. As the State's passenger vehicle fleet continues to grow and more sport utility vehicles and pickup trucks are used as passenger cars rather than work vehicles, the more stringent LEV II standards were adopted to provide reductions necessary for California to meet federally mandated clean air goals outlined in the 1994 State Implementation Plan. In 2012, ARB adopted the LEV III amendments to California's LEV regulations. These amendments, also known as the Advanced Clean Car Program (adopted in 2012), include more stringent emission standards for model years 2017 through 2025 for both criteria pollutants and GHGs for new passenger vehicles. Advanced Clean Cars II was adopted in 2022, which introduced regulations to rapidly scale down emissions of light-duty passenger cars, pickup trucks and SUVs and require an increased number of zero-emission vehicles to meet air quality and climate change emissions goals. In October 2023, ARB staff launched a new effort to consider potential amendments to the Advance Clean Cars II regulations, including updates to the tailpipe greenhouse gas emission standard and limited revisions to the Low-emission Vehicle and Zero-emission Vehicle regulations.⁵

⁴ San Joaquin Valley Air Pollution Control District. 2022 Ozone Plan for the San Joaquin Valley. <https://ww2.valleyair.org/rules-and-planning/air-quality-plans/ozone-plans/2022-ozone-plan-for-the-san-joaquin-valley/>. Accessed August 2024.

⁵ California Air Resources Board. Advanced Clean Cars Program. <https://ww2.arb.ca.gov/our-work/programs/advanced-clean-cars-program>. Accessed August 2024.

On-Road Heavy-Duty Vehicle Program. The ARB has adopted standards for emissions from various types of new on-road heavy-duty vehicles. Section 1956.8, Title 13, California Code of Regulations contains California's emission standards for on-road heavy-duty engines and vehicles, as well as test procedures. ARB has also adopted programs to reduce emissions from in-use heavy-duty vehicles including the Heavy-Duty Diesel Vehicle Idling Reduction Program, the Heavy-Duty Diesel In-Use Compliance Program, the Public Bus Fleet Rule and Engine Standards, and the School Bus Program and others.⁶

ARB Truck and Bus Regulation. The Truck and Bus Regulation is necessary to meet federal attainment standards. This regulation requires heavy-duty diesel vehicles that operate in California to reduce toxic air contaminants (TACs) emissions from their exhaust. Diesel exhaust is responsible for 70% of the cancer risk from airborne toxics. Therefore, by January 1, 2023, nearly all trucks and buses will be required to have 2010 or newer model year engines to reduce particulate matter (PM) and oxides of nitrogen (NOx) emissions. To help ensure that the benefits of this regulation are achieved, starting in 2020, only vehicles compliant with this regulation will be registered by the California Department of Motor Vehicles (DMV).

As heavy-duty on-road vehicles are such a significant source of pollutants, the Truck and Bus Regulation is one of the most far-reaching and important tools to reduce smog-forming and toxic emissions and protect public health in disadvantaged communities. It is a key element in CARB's Diesel Risk reduction plan and the State Implementation Plan, both of which are designed to provide clean air for Californians by helping to meet state and federal health-protective standards. Starting January 1, 2020, Senate Bill 1 only allows vehicles compliant with this regulation to be registered by the DMV.⁷

Advanced Clean Truck Regulation. The Advanced Clean Trucks regulation was approved on June 25, 2020 and has two main components, a manufacturers ZEV sales requirement and a one-time reporting requirement for large entities and fleets. Promoting the development and use of advanced clean trucks will help CARB achieve its emission reduction strategies as outlined in the State Implementation Plan (SIP), Sustainable Freight Action Plan, Senate Bill (SB) 350, and Assembly Bill (AB) 32.

⁶ California Air Resources Board. On-Road Heavy-Duty Vehicle Programs. <https://ww2.arb.ca.gov/road-heavy-duty-vehicle-programs>. Accessed August 2024.

⁷ California Air Resources Board. Truck and Bus Regulation. <https://ww2.arb.ca.gov/our-work/programs/truck-and-bus-regulation/about>. Accessed August 2024.

The proposed regulation has two components including a manufacturer sales requirement, and a reporting requirement:

- **Zero-emission truck sales:** Manufacturers who certify Class 2b-8 chassis or complete vehicles with combustion engines would be required to sell zero-emission trucks as an increasing percentage of their annual California sales from 2024 to 2035. By 2035, zero-emission truck/chassis sales would need to be 55% of Class 2b – 3 truck sales, 75% of Class 4 – 8 straight truck sales, and 40% of truck tractor sales.
- **Company and fleet reporting:** Large employers including retailers, manufacturers, brokers and others would be required to report information about shipments and shuttle services. Fleet owners, with 50 or more trucks, would be required to report about their existing fleet operations. This information would help identify future strategies to ensure that fleets purchase available zero-emission trucks and place them in service where suitable to meet their needs.⁸

ARB Regulation for In-Use Off-Road Diesel Vehicles. On July 26, 2007, the ARB adopted a regulation to reduce DPM and nitrous oxide (NO_x) emissions from in-use (existing) off-road heavy-duty diesel vehicles in California. Such vehicles are used in construction, mining, and industrial operations. The regulation limits idling to no more than five consecutive minutes, requires reporting and labeling, and requires disclosure of the regulation upon vehicle sale. The ARB is enforcing that part of the rule with fines up to \$10,000 per day for each vehicle in violation. Performance requirements of the rule are based on a fleet's average NO_x emissions, which can be met by replacing older vehicles with newer, cleaner vehicles or by applying exhaust retrofits. The regulation was amended in 2010 to delay the original timeline of the performance requirements, making the first compliance deadline January 1, 2014 for large fleets (over 5,000 horsepower), 2017 for medium fleets (2,501–5,000 horsepower), and 2019 for small fleets (2,500 horsepower or less).

ARB Regulation for Consumer Products. The ARB Consumer Products Regulation was last amended in January 2015. The ARB regulates the VOC content of a wide variety of consumer products sold and manufactured in California. The purpose of the regulation is to reduce the emission of ozone precursors, TACs, and GHG emissions in products that are used by homes and businesses. The regulated products include but are not limited to solvents, adhesives, air

⁸ California Air Resources Board. Advanced Clean Trucks. <https://ww2.arb.ca.gov/our-work/programs/truck-and-bus-regulation/about>. Accessed August 2024.

fresheners, soaps, aromatic compounds, windshield cleaners, charcoal lighter, dry cleaning fluids, floor polishes, and general cleaners and degreasers.⁹

ARB Airborne Toxic Control Measure for Asbestos. In July 2001, the ARB approved an Air Toxic Control Measure for construction, grading, quarrying, and surface mining operations to minimize emissions of naturally occurring asbestos. The regulation requires application of best management practices to control fugitive dust in areas known to have naturally occurring asbestos and requires notification to the local air district prior to commencement of ground-disturbing activities. The measure establishes specific testing, notification and engineering controls prior to grading, quarrying, or surface mining in construction zones where naturally occurring asbestos is located on projects of any size. There are additional notification and engineering controls at work sites larger than 1 acre in size. These projects require the submittal of a Dust Mitigation Plan and approval by the air district prior to the start of a project.

Construction sometimes requires the demolition of existing buildings where construction occurs. Buildings often include materials containing asbestos. Asbestos is also found in a natural state, known as naturally occurring asbestos. Exposure and disturbance of rock and soil that naturally contain asbestos can result in the release of fibers into the air and consequent exposure to the public. Asbestos most commonly occurs in ultramafic rock that has undergone partial or complete alteration to serpentine rock (serpentine) and often contains chrysotile asbestos. In addition, another form of asbestos, tremolite, can be found associated with ultramafic rock, particularly near faults. Sources of asbestos emissions include unpaved roads or driveways surfaced with ultramafic rock, construction activities in ultramafic rock deposits, or rock quarrying activities where ultramafic rock is present.

The ARB has an Air Toxic Control Measure for construction, grading, quarrying, and surface mining operations, requiring the implementation of mitigation measures to minimize emissions of asbestos-laden dust. The measure applies to road construction and maintenance, construction and grading operations, and quarries and surface mines when the activity occurs in an area where naturally occurring asbestos is likely to be found. Areas are subject to the regulation if they are identified on maps published by the Department of Conservation as ultramafic rock units or if the Air Pollution Control Officer or owner/operator has knowledge of the presence of ultramafic rock, serpentine, or naturally occurring asbestos on the site. The measure also applies if ultramafic rock, serpentine, or asbestos is discovered during any operation or activity.

⁹ California Air Resources Board. Consumer Products Program. <https://ww2.arb.ca.gov/our-work/programs/consumer-products-program/about>. Accessed August 2024.

Diesel Risk Reduction Plan. The ARB's Diesel Risk Reduction Plan has led to the adoption of state regulatory standards for all new on-road, off-road, and stationary diesel-fueled engines and vehicles to reduce DPM emissions by about 90 percent overall from year 2000 levels. The projected emission benefits associated with the full implementation of this plan, including federal measures, are reductions in DPM emissions and associated cancer risks of 75 percent by 2010, and 85 percent by 2020.¹⁰

San Joaquin Valley Air Pollution Control District Regulations

The San Joaquin Valley Air Pollution Control District (District or SJVAPCD) is responsible for controlling emissions primarily from stationary sources. The District, in coordination with eight countywide transportation agencies, is also responsible for developing, updating, and implementing air quality plans for the Air District.

Ozone Plans

The Air Basin is designated nonattainment of state and federal health-based air quality standards for ozone. To meet Clean Air Act requirements for the one-hour ozone standard, the District adopted an Extreme Ozone Attainment Demonstration Plan in 2004, with an attainment date of 2010. Although the EPA revoked the federal 1-hour ozone standard effective June 15, 2005 and replaced it with an 8-hour standard, the requirement to submit a plan for that standard remained in effect for the San Joaquin Valley.

The planning requirements for the 1-hour plan remain in effect until replaced by a federal 8-hour ozone attainment plan. On March 8, 2010, the EPA approved the 2004 Extreme Ozone Attainment Demonstration Plan, including revisions to the plan, effective April 7, 2010. However, the Air Basin failed to attain the standard in 2010 and was subject to a \$29-million Clean Air Act penalty. The penalty is being collected through an additional \$12 motor vehicle registration surcharge for each passenger vehicle registered in the Air Basin that will be applied to pollution reduction programs in the region. The District also instituted a more robust ozone episodic program to reduce emissions on days with the potential to exceed the ozone standards. On July 18, 2016, the EPA published in the Federal Register a final action determining that the San Joaquin Valley has attained the 1-hour ozone national ambient air quality standard. This determination is based on

¹⁰ California Air Resources Board. Stationary Source Division Mobile Source Control Division. October 2000. chrome-extension://efaidnbmnnnibpcajpgclefindmkaj/https://ww2.arb.ca.gov/sites/default/files/classic/diesel/documents/rrpfinal.pdf. Accessed August 2024.

the most recent three-year period (2012-2014) of sufficient, quality-assured, and certified data. The penalty fees remain in place pending submittal of a demonstration that the San Joaquin Valley will maintain the 1-hour standard for 10 years.

The EPA originally classified the Air Basin as serious nonattainment for the 1997 federal 8-hour ozone standard with an attainment date of 2013. On April 30, 2007, the District's Governing Board adopted the 2007 Ozone Plan, which contained analysis showing a 2013 attainment target to be infeasible. The 2007 Ozone Plan details the plan for achieving attainment on schedule with an "extreme nonattainment" deadline of 2024. At its adoption of the 2007 Ozone Plan, the District also requested a reclassification to extreme nonattainment. ARB approved the plan in June 2007, and the EPA approved the request for reclassification to extreme nonattainment on April 15, 2010.

The 2007 Ozone Plan contains measures to reduce ozone and particulate matter precursor emissions to bring the Basin into attainment with the federal 8-hour ozone standard. The 2007 Ozone Plan calls for a 75 percent reduction of NO_x and a 25 percent reduction of reactive organic gases (ROG). Figure 1 of the Air Quality and Greenhouse Gas/Energy Analysis Report included in Appendix B displays the anticipated NO_x reductions attributed in the 2007 Ozone Plan (Source: 2007 Ozone Plan). The plan, with innovative measures and a "dual path" strategy, assures expeditious attainment of the federal 8-hour ozone standard for all Air Basin residents. The District Governing Board adopted the 2007 Ozone Plan on April 30, 2007. The ARB approved the plan on June 14, 2007. The 2007 Ozone Plan requires yet to be determined "Advanced Technology" to achieve additional reductions after 2021, in order to attain the standard at all monitoring stations in the Air Basin by 2024 as allowed for areas designated extreme nonattainment by the federal Clean Air Act.

The Air Basin is designated as an extreme ozone nonattainment area for the EPA's 2008 8-hour ozone standard of 75 ppb. The District's Governing Board approved the 2016 Plan for the 2008 8-Hour Ozone Standard on June 16, 2016. The ARB approved the attainment demonstration plan for the San Joaquin Valley on July 21, 2016 and transmitted the plan to EPA on August 24, 2016. The comprehensive strategy in this plan will reduce NO_x emissions by over 60 percent between 2012 and 2031 and will bring the San Joaquin Valley into attainment of the EPA's 2008 8-hour ozone standard as expeditiously as practicable, no later than December 31, 2031. The 2016 Ozone Plan predicts attainment of the 2008 standard by 2031.¹¹ To ensure that the plan is approvable

¹¹ California Air Resources Board. 2016 San Joaquin Valley 8-hour Ozone Plan. <https://ww2.arb.ca.gov/resources/documents/2016-san-joaquin-valley-8-hour-ozone-plan>. Accessed August 2024.

with the necessary contingencies, the plan includes a “Black Box” that will require implementation of new advanced technologies and controls prior to the 2031 deadline.

The EPA Administrator signed the Final Rule revising the 8-hour ozone standard to 70 ppm on October 1, 2015. The new standard will require the District to prepare a new attainment to achieve the more stringent emission level within 20 years from the effective date of designation.¹²

State ozone standards do not have an attainment deadline but require implementation of all feasible measures to achieve attainment at the earliest date possible. This is achieved through compliance with the federal deadlines and control measure requirements.

Particulate Matter Plans

The Air Basin was designated nonattainment of state and federal health-based air quality standards for PM₁₀. The Air Basin is also designated nonattainment of state and federal standards for PM_{2.5}.

To meet Clean Air Act requirements for the PM₁₀ standard, the District adopted a PM₁₀ Attainment Demonstration Plan (Amended 2003 PM₁₀ Plan and 2006 PM₁₀ Plan), which has an attainment date of 2010. The District adopted the 2007 PM₁₀ Maintenance Plan in September 2007 to assure the San Joaquin Valley’s continued attainment of the EPA’s PM₁₀ standard. The EPA designated the valley as an attainment/maintenance area for PM₁₀ on September 25, 2008. Although the San Joaquin Valley has exceeded the standard since then, those days were considered exceptional events that are not considered a violation of the standard for attainment purposes.

The EPA established the 2012 PM_{2.5} annual standard of 12 µg/m³ on January 13, 2013. The CAA mandates the District to develop and submit an attainment plan for the 2012 annual PM_{2.5} standard to EPA.

EPA initially designated the District as Moderate nonattainment for the 2012 PM_{2.5} standard in 2015. The District submitted the *2016 PM_{2.5} Plan* to address Moderate area requirements for the 2012 PM_{2.5} standard and to request to be reclassified to Serious nonattainment. EPA approved the Moderate Plan and reclassified the District to Serious nonattainment, effective December 2021.

The District adopted the *Initial State Implementation Plan (SIP) Requirements for the 2012 Annual PM_{2.5} Standard* on October 19, 2023, to fulfill the first portion of SIP elements required by the CAA

¹² Ibid.

for Serious PM_{2.5} nonattainment areas, including an updated emissions inventory, precursor demonstration, and the demonstration that BACM requirements continue to be satisfied in the Valley. Additionally, the District fulfilled Nonattainment New Source Review (NNSR) requirements through amendments to District Rule 2201 (New and Modified Stationary Source Review Rule) in April 2023.

The District adopted the *2024 Plan for the 2012 Annual PM_{2.5} Standard* on June 20, 2024, to fulfill the remaining CAA requirements, including the final modeling analysis, attainment strategy and emission reduction commitments, reasonable further progress/quantitative milestones, and contingency measures. This Plan demonstrates expeditious attainment of the 2012 PM_{2.5} standard by 2030.¹³

District Rules and Regulations

The District rules and regulations that may apply to the Project include, but are not limited to the following:

Rule 4102—Nuisance. The purpose of this rule is to protect the health and safety of the public, and applies to any source operation that emits or may emit air contaminants or other materials. This rule is enforced on a complaint basis.

Rule 4601—Architectural Coatings. The purpose of this rule is to limit Volatile Organic Compounds (VOC) emissions from architectural coatings. Emissions are reduced by limits on VOC content and providing requirements on coatings storage, cleanup, and labeling. Only compliant components are available for purchase in the San Joaquin Valley.

Rule 4641—Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations. The purpose of this rule is to limit VOC emissions from asphalt paving and maintenance operations. If asphalt paving will be used, then the paving operations will be subject to Rule 4641. This regulation is enforced on the asphalt provider.

Rule 4901—Wood-Burning Fireplaces and Wood-Burning Heaters. The purposes of this rule are to limit emissions of carbon monoxide and particulate matter from wood-burning fireplaces, wood-burning heaters, and outdoor wood-burning devices, and to establish a public education

¹³ San Joaquin Valley Air Pollution Control District. 2024 Plan for the 2012 PM_{2.5} Standard. <https://ww2.valleyair.org/rules-and-planning/air-quality-plans/particulate-matter-plans/2024-plan-for-the-2012-pm25-standard/>. Accessed August 2024.

program to reduce wood-burning emissions. All development that includes wood-burning devices are subject to this rule.

Rule 4902—Residential Water Heaters. In 2009, the District amended Rule 4902 to strengthen the rule by lowering the limit to 10 nanograms per joule (ng/J) for new or replacement water heaters, and to a limit of 14 ng/J for instantaneous water heaters. Retailer compliance dates ranged from 2010 to 2012, depending on the unit type.

Regulation VIII—Fugitive PM₁₀ Prohibitions. Rules 8011–8081 are designed to reduce PM₁₀ emissions (predominantly dust/dirt) generated by human activity, including construction and demolition activities, road construction, bulk materials storage, paved and unpaved roads, carryout and trackout, etc. All development projects that involve soil disturbance are subject to at least one provision of the Regulation VIII series of rules.

Rule 9510—Indirect Source Review. This rule reduces the impact of NO_x and PM₁₀ emissions from growth within the Air Basin. The rule places application and emission reduction requirements on development projects meeting applicability criteria in order to reduce emissions through on-site mitigation, off-site District-administered projects, or a combination of the two. The Project is subject to Rule 9510.

Local Regulations

2035 Selma General Plan Quality Objectives and Policies

The 2035 Selma General Plan was adopted in October of 2010 and revised in February 2024 by the Selma City Council. While the General Plan does not contain a specific Air Quality Chapter or Element, there are a number of policies from the Open Space, Conservation and Recreation Element that apply and are supportive of improved air quality. Policies that are directly related to the Project are listed below:

- 5.20 Require area and stationary source projects that generate significant amounts of air pollutants to incorporate air quality mitigation in their design, including:
 - The promotion of energy efficient designs, including provisions for solar access, building siting to maximize natural heating and cooling, and landscaping to aid passive cooling and to protect from winter winds.
- 5.21 Develop strategies to minimize the number and length of vehicle trips, which may include:

- Promoting commercial/industrial project proponent sponsorship of van pools or club buses;
- Providing expansion and improvement of public transportation services and facilities.

5.22 Encourage transportation alternatives to motor vehicles by developing infrastructure amenable to such alternatives by doing the following where feasible:

- Consider that new development be designed to promote pedestrian and bicycle access and circulation; and
- Require that new development be designed to promote pedestrian and bicycle access and circulation; and
- Provide safe and secure bicycle parking facilities at major activity centers, such as public facilities, employment sites, and shopping and office centers.

5.23 Encourage land use development to be located and designed to conserve air quality and minimize direct and indirect emissions of air contaminants by doing the following where feasible:

- Provide for mixed-use development through land use and zoning to reduce the length and frequency of vehicle trips;
- Encourage small neighborhood-serving commercial uses within or adjacent to residential neighborhoods when such areas are aesthetically compatible with adjacent areas; do not create conflicts with neighborhood schools; minimize traffic, noise, and lighting impacts; encourage and accommodate pedestrian and bicycle access; and, are occupied by commercial uses that have a neighborhood-scale market area rather than a community-wide market area; and
- Encourage a development pattern that is contiguous with existing developed areas of the City.

Thresholds of Significance

The CEQA Guidelines define a significant effect on the environment as “a substantial, or potentially substantial, adverse change in the environment.” To determine if a project would have a significant impact on air quality, the type, level, and impact of emissions generated by the project must be evaluated.

The following air quality significance thresholds are contained in Appendix G of the CEQA Guidelines. A significant impact would occur if the project would:

- a) Conflict with or obstruct implementation of the applicable air quality plan;
- b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable national or state ambient air quality standard;
- c) Expose sensitive receptors to substantial pollutant concentrations; or
- d) Result in other emissions (such as those leading to odors adversely affecting a substantial number of people).

While the final determination of whether a project is significant is within the purview of the lead agency pursuant to Section 15064(b) of the CEQA Guidelines, the District recommends that its quantitative air pollution thresholds be used to determine the significance of project emissions. If the lead agency finds that the project has the potential to exceed these air pollution thresholds, the project should be considered to have significant air quality impacts. The applicable District thresholds and methodologies are contained under each impact statement below.

Impacts and Mitigation Measures

Impact 3.1-1: *Would the project conflict with or obstruct implementation of the applicable air quality plan?*

Less Than Significant Impact with Mitigation Incorporation. Air Quality Plans (AQP) are plans for reaching attainment of air quality standards. The assumptions, inputs, and control measures are analyzed to determine if the Air Basin can reach attainment for the ambient air quality standards. The proposed project site is located within the jurisdictional boundaries of the SJVAPCD. To show attainment of the standards, the SJVAPCD analyzes the growth projections

in the Valley, contributing factors in air pollutant emissions and formations, and existing and adopted emissions controls. The SJVAPCD then formulates a control strategy to reach attainment that includes both State and SJVAPCD regulations and other local programs and measures. For projects that include stationary sources of emissions, the SJVAPCD relies on project compliance with Rule 2201 – New and Modified Stationary Source Review to ensure that growth in stationary source emissions would not interfere with the applicable AQP. Projects exceeding the offset thresholds included in the rule are required to purchase offsets in the form of Emission Reduction Credits (ERCs).

The CEQA Guidelines indicate that a significant impact would occur if the project conflicted with or obstruct implementation of the applicable air quality plan. The GAMAQI indicates that projects that do not exceed SJVAPCD regional criteria pollutant emissions quantitative thresholds would not conflict with or obstruct the applicable AQP. An additional criterion regarding the project's implementation of control measures was assessed to provide further evidence of the project's consistency with current AQPs. The AQHRAGGE Technical Memo proposes the following criteria for determining project consistency with the current AQPs:

1. Will the project result in an increase in the frequency or severity of existing air quality violations or cause or contribute to new violations, or delay timely attainment of air quality standards or the interim emission reductions specified in the AQPs? This measure is determined by comparison to the regional and localized thresholds identified by the District for Regional and Local Air Pollutants.
2. Will the project comply with applicable control measures in the AQPs?

The use of the criteria listed above is a standard approach for CEQA analysis of projects in the SJVAPCD's jurisdiction, as well as within other air districts, for the following reasons:

- Significant contribution to existing or new exceedances of the air quality standards would be inconsistent with the goal of attaining the air quality standards.
- AQP emissions inventories and attainment modeling are based on growth assumptions for the area within the air district's jurisdiction.
- AQPs rely on a set of air district-initiated control measures as well as implementation of federal and state measures to reduce emissions within their jurisdictions, with the goal of attaining the air quality standards.

Contribution to Air Quality Violations

As discussed in *Impact (b)* below, emissions of ROG, NOX, CO, SOX, PM10, and PM2.5 associated with the proposed Project would not exceed the SJVAPCD's significance thresholds during the

construction phase (see Table 2 below) or emissions of NOX, CO, SOX, PM2.5 or PM10 during operations (see Table 3 below). However, emissions of ROG associated with the operation of the Project would exceed the SJVAPCD's regional significance threshold prior to the incorporation of mitigation. After incorporation of mitigation measures AIR-1 to AIR-4, the Project would not exceed the SJVAPCD's regional thresholds of significance for any pollutant of concern (see Table 4 below) and would be considered consistent with the existing AQPs. Regarding this criterion, the Project would be considered less than significant with incorporation of mitigation.

Air Quality Plan Control Measures

The AQP contains a number of control measures that are enforceable requirements through the adoption of rules and regulations. The following rules and regulations are relevant to the Project:

Rule 2010—Permits Required. Rule 2010 requires operators of emission sources to obtain an authority to construct and permit to operate from the Valley Air District.

Rule 2201—New and Modified Stationary Source Review Rule. The review of new and modified Stationary Sources of air pollution and to provide mechanisms including emission trade-offs by which Authorities to Construct such sources may be granted, without interfering with the attainment or maintenance of Ambient Air Quality Standards.

Rule 4201—Particulate Matter Concentration. This rule shall apply to any source operation that emits or may emit dust, fumes, or total suspended particulate matter.

Rule 4309—Boilers, Steam Generators, and Process Heaters. The purpose of this rule is to limit emissions of oxides of nitrogen (NOX) and carbon monoxide (CO) from boilers, steam generators, and process heaters. This rule applies to any gaseous fuel or liquid fuel fired boiler, steam generator, or process heater with a total rated heat input greater than 5 million Btu per hour.

Rule 4601—Architectural Coatings. The purpose of this rule is to limit Volatile Organic Compounds (VOC) emissions from architectural coatings. Emissions are reduced by limits on VOC content and providing requirements on coatings storage, cleanup, and labeling. Only compliant components are available for purchase in the San Joaquin Valley.

Rule 4641—Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations. The purpose of this rule is to limit VOC emissions from asphalt paving and maintenance operations. If asphalt paving will be used, then the paving operations will be subject to Rule 4641. This regulation is enforced on the asphalt provider.

Rule 4702—Internal Combustion Engines. The purpose of this rule is to limit the emissions of NOX, carbon monoxide (CO), VOC, and sulfur oxides (SOX) from internal combustion engines. If the project includes emergency generators, the equipment is required to comply with Rule 4702.

Regulation VIII—Fugitive PM10 Prohibitions. This regulation is a control measure that is one main strategies from the 2006 PM10 for reducing the PM10 emissions that are part of fugitive dust. Projects over 10 acres are required to file a Dust Control Plan (DCP) containing dust control practices sufficient to comply with Regulation VIII. Rule 8021 regulates construction and demolition activities, road construction, bulk materials storage, paved and unpaved roads, carryout and track-out, etc. All development projects that involve soil disturbance are subject to at least one provision of the Regulation VIII series of rules.

Rule 9410—Employer Based Trip Reduction. The purpose of this rule is to reduce VMT from private vehicles used by employees to commute to and from their worksites to reduce emissions of NOX, VOC and PM. The rule would require larger employers (those with 100 or more eligible employees) to establish employee trip reduction programs to reduce VMT, reducing emissions associated with work commutes. The rule uses a menu-based Employer Trip Reduction Implementation Plan and periodic reporting requirements to evaluate performance on a phased-in compliance schedule.

Rule 9510—Indirect Source Review. This rule reduces the impact of NO_x and PM₁₀ emissions from growth within the SJVAB. The rule places application and emission reduction requirements on development projects meeting applicability criteria in order to reduce emissions through on-site mitigation, off-site District-administered projects, or a combination of the two.

Conclusion

The Project would comply with all applicable CARB and SJVAPCD rules and regulations. Therefore, the Project complies with this criterion and would not conflict with or obstruct implementation of the applicable air quality attainment plan with regards to this criterion.

The Project's regional operational emissions would not exceed any applicable SJVAPCD threshold after incorporation of mitigation measures (see Impact (b)). Therefore, the Project would be considered consistent with the existing AQPs with incorporation of mitigation.

Based on the findings above, the proposed Project would not conflict with or obstruct implementation of the applicable air quality plan after incorporation of mitigation. The impact

would be *less than significant* with the incorporation of mitigation measures MM AIR-1 through MM AIR-4.

Mitigation Measures:

AIR – 1 Prior to issuance of building permits, the Project applicant shall prepare and submit building plans to the City of Selma that demonstrate that all new structures have outdoor electrical outlets that are accessible to maintenance workers and landscapers to allow the use of electric-powered equipment.

AIR – 2 The use of zero-VOC shall be encouraged in prior to the issuance of the certificate of occupancy for each building associated with the proposed Project, the Project applicant shall provide the City of Selma with documentation listing the consumer products to be used during operation of the proposed Project. The consumer products purchased by the building occupant(s) or by the cleaning business contracted by the building occupant(s) for on-site use and listed in the documentation provided to the City shall consist of water-based or “zero-[volatile organic compound [VOC]]” consumer. “Consumer products,” as referred to in this mitigation measure, shall include detergents, cleaning compounds, polishes, and floor finishes. “Consumer products,” as referred to in this mitigation measure, shall not include parking lot degreasers, architectural coatings, pesticides, or fertilizers.

To monitor and ensure that the use of zero-VOC consumer products are being encouraged to be used on-site, the building operator(s) shall maintain records for the duration of Project operation of all efforts to comply with this mitigation measure. These records shall be made available to the City of Selma upon request. Alternatively, the City may require periodic reporting and provision of written records by operators and conduct regular inspections of the records to the maximum extent feasible and practicable.

AIR – 3 Tenants and building owners for the non-residential components of the Project shall be encouraged to use low-volatile organic compound (VOC) Architectural Coatings with an average VOC content of 10 grams per liter (g/l) or less for repainting buildings during the operational period. The Project applicant shall provide information on paints with low VOC content to all tenants and building owners within the first year of Project occupancy.

AIR – 4 Prior to issuance of a building permit for the first non-residential building associated with the Project, the applicant shall retain a qualified transportation consultant to prepare and submit a Transportation Demand Management (TDM) program to the City of Selma for review and approval. The TDM program shall identify measures to reduce daily gasoline-powered and diesel-powered vehicle trips to the Project site, with a minimum 5 percent reduction in gasoline-fueled and diesel-fueled trips. The approved TDM program shall be implemented in conjunction with the start of operations of the Project. Examples of trip reduction measures may include, but are not limited to, the following:

- Post transit information (maps, schedules, fares, etc.) in public areas of the Project that is accessible to employees, patrons, and other Project occupants;
- Provide employer-subsidized transit passes;
- Sponsor an employee ride sharing program;
- Provide employee lockers for personal items;
- In non-residential uses, provide employees with an employee only restroom with a shower;
- Provide secure indoor bicycle parking (racks or lockers) for employees and/or residents;
- Provide customer or visitor bicycle parking (racks) in safe and convenient locations;
- For non-residential components of the Project, allow flex scheduling or compressed scheduling practices;
- Provide preferential parking spaces for clean air vehicles;
- Provide charging stations for electric vehicles; and
- If home delivery services are provided by any of the non-residential components of the Project, the home delivery services shall be performed using low-emission or alternative-fueled (electric, natural gas, hydrogen, etc.) vehicles.

Impact 3.1-2: *Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?*

Less Than Significant Impact with Mitigation. To result in a less than significant impact, emissions of nonattainment pollutants must be below the SJVAPCD's regional significance thresholds. This is an approach recommended by the SJVAPCD's in its GAMAQI. The SJVAB is in nonattainment for ozone, PM10 (State only), and PM2.5. Ozone is a secondary pollutant that can be formed miles from the source of emissions, through reactions of ROG and NOX emissions in the presence of sunlight. Therefore, ROG and NOX are termed ozone precursors. As such, the primary pollutants of concern during project construction and operation are ROG, NOX, PM10, and PM2.5. The air quality standards were set to protect public health, including the health of sensitive individuals (such as children, the elderly, and the infirm). Therefore, when the concentration of those pollutants exceeds the standard, it is likely that some sensitive individuals in the population would experience adverse experience health effects. However, the health effects are a factor of the dose-response curve. Concentration of the pollutant in the air (dose), the length of time exposed, and the response of the individual are factors involved in the severity and nature of health impacts. If a significant health impact results from project emissions, it does not mean that 100 percent of the population would experience health effects.

Since the SJVAB is nonattainment for ozone, PM10, and PM2.5, it is considered to have an existing significant cumulative health impact without the project. When this occurs, the analysis considers whether the project's contribution to the existing violation of air quality standards is cumulatively considerable. The SJVAPCD regional thresholds for NOX, ROG/VOC, PM10, or PM2.5 are applied as cumulative contribution thresholds. Projects that exceed the regional thresholds would have a cumulatively considerable health impact.

The SJVAPCD GAMAQI adopted in 2015 contains thresholds for CO, NOX, ROG, SOX, PM10, and PM2.5. Air pollutant emissions have both regional and localized effects. The Project's regional emissions are compared to the applicable SJVAPCD below.

Criteria Pollutant Emission Estimates

Construction Emissions (Regional)

Construction emissions associated with the development envisioned for the proposed Project are shown in Table 3.1-2 prior to the incorporation of any mitigation.

Table 3.1-2
Summary of Construction-Generated Emissions of Criteria Air Pollutants – Unmitigated

Emissions Source	Emissions (Tons/Year)					
	ROG	NO _x	CO	SO _x	PM ₁₀	PM _{2.5}
Project Construction (2024)	0.42	3.13	4.08	0.01	0.69	0.29
Project Construction (2025)	0.42	2.01	4.53	0.01	0.70	0.21
Project Construction (2026)	0.40	1.9	4.3	0.01	0.69	0.20
Project Construction (2027)	2.63	0.76	1.78	0.00	0.30	0.08
Off-site Improvements (2024)	0.02	0.19	0.21	<0.01	0.02	0.01
Total Construction Duration						
Project Total	3.89	7.99	14.90	0.03	2.40	0.79
Significance Thresholds	10	10	100	27	15	15
Exceed Significance Thresholds?	No	No	No	No	No	No
Notes: PM ₁₀ and PM _{2.5} emissions are from the mitigated output to reflect compliance with Regulation VIII—Fugitive PM ₁₀ Prohibitions. Source of Emissions: Modeling Assumptions and CalEEMod Output Files (Attachment A of Appendix B). Source of Thresholds: San Joaquin Valley Air Pollution Control District (SJVAPCD). 2015. Guidance for Assessing and Mitigating Air Quality Impacts. February 19. Website: https://www.valleyair.org/transportation/GAMAQI-2015/FINAL-DRAFT-GAMAQI.PDF . Accessed January 2024.						

As shown in Table 3.1-2 above, construction activities associated with the proposed Project are estimated below the significance thresholds. Therefore, regional and cumulative impacts associated with construction of the proposed Project are *less than significant*.

Operational Emissions (Regional)

Operational emissions occur over the lifetime of the project. The SJVAPCD considers permitted and non-permitted emission sources separately when making significance determinations. In addition, the annual operational emissions are also considered separately from construction

emissions. Operational emissions associated with the proposed Project are shown in Table 3.1-3. Operational emissions were estimated using a full buildout scenario in the earliest year of operations (2024), which provides a conservative estimate of emissions and resulting potential impacts.

Table 3.1-3
Summary of Operational Emissions of Criteria Air Pollutants – Unmitigated

Source	Emissions (tons/year)					
	ROG	NO _x	CO	SO _x	PM ₁₀	PM _{2.5}
Area	3.87	0.24	3.86	0.00	0.02	0.02
Energy	0.07	1.16	0.66	0.01	0.09	0.09
Mobile (Automobiles)	6.91	5.08	42.02	0.08	7.11	1.84
Annual Total (2024)	10.85	6.48	46.54	0.09	7.22	1.95
Significance Thresholds	10	10	100	27	15	15
Exceed Significance Thresholds?	Yes	No	No	No	No	No
Notes: Emissions were quantified using CalEEMod based on project details and earliest operational year for the proposed project. Source: Modeling Assumptions and CalEEMod Output Files (Attachment A of Appendix B).						

As shown in Table 3.1-3, operational emissions would not exceed the applicable SJVAPCD thresholds of significance for NO_x, CO, SO_x, PM₁₀, or PM_{2.5}; however, the Project would exceed the applicable threshold of significance for ROG. Therefore, the impact is potentially significant and requires mitigation. Implementation of mitigation measures AIR-1 to AIR-4 would reduce the Project's generation of ROG emissions to a less than significant level.

As shown in Table 3.1-3, the majority of ROG emissions from Project operations are from mobile and area sources. Area sources include consumer products, architectural coatings, and landscaping. Mitigation measures AIR-1 to AIR-3 address these three emission sources, while mitigation measure AIR-4 requires the preparation of a Transportation Demand Management (TDM) program to reduce mobile-source emissions. In order to account for the TDM, a 15 percent reduction was applied to the mitigated operational mobile source emissions. A summary of the Project's operational emissions of criteria air pollutants after the incorporation of mitigation measures AIR-1 to AIR-4 is shown in Table 3.1-4.

Table 3.1-4
Summary of Operational Emissions of Criteria Air Pollutants – Mitigated

Source	Emissions (tons/year)					
	ROG	NO _x	CO	SO _x	PM ₁₀	PM _{2.5}
Area	3.84	0.24	3.86	0.0	0.02	0.02
Energy	0.07	1.16	0.66	0.01	0.09	0.09
Mobile (Automobiles) ¹	5.87	4.32	35.72	0.07	6.05	1.57
Annual Total (2024)	9.78	5.72	40.24	0.08	6.16	1.68
Significance Thresholds	10	10	100	27	15	15
Exceed Significance Thresholds?	No	No	No	No	No	No
Notes: Emissions were quantified using CalEEMod based on Project details and earliest operational year for the Project. ¹ In order to account for the TDM, a 15 percent reduction was applied to the mitigated operational mobile source emissions. Source: Modeling Assumptions and CalEEMod Output Files (Attachment A of Appendix B).						

As shown in Table 3.1-4, the Project's long-term operational emissions would not exceed any of the SJVAPCD's project-level regional thresholds of significance after incorporation of mitigation measures AIR-1 to AIR-4. Therefore, the impact from operations of the Project would be less than significant with incorporation of mitigation.

Conclusion

As shown in Table 3.1-2, the Project's regional emissions would not exceed the applicable regional criteria pollutant emissions quantitative thresholds during Project construction. During operations, the Project would not exceed the applicable regional criteria pollutant emissions quantitative thresholds after incorporation of mitigation measures AIR-1 to AIR-4 (see Table 3.1-4). Therefore, the impact would be *less than significant with incorporation of mitigation*.

Mitigation Measures:

Implement MM AIR-1 to AIR-4 (see Impact 3.1-1).

Impact 3.1-3: *Would the project expose sensitive receptors to substantial pollutant concentrations?*

Less Than Significant Impact. Emissions occurring at or near the Project have the potential to create a localized impact that could expose sensitive receptors to substantial pollutant concentrations. Sensitive receptors are considered land uses or other types of population groups that are more sensitive to air pollution than others due to their exposure. Sensitive population groups include children, the elderly, the acutely and chronically ill, and those with cardio-respiratory diseases. The SJVAPCD considers a sensitive receptor to be a location that houses or attracts children, the elderly, people with illnesses, or others who are especially sensitive to the effects of air pollutants. Examples of sensitive receptors include hospitals, residences, convalescent facilities, and schools.

The closest existing sensitive receptors to the Project site include residential receptors. There are existing rural residences to the southwest of the Project, the closest of which is approximately 500 feet southwest of the Project boundary. The next closest sensitive receptors include residences located to the southeast and east of the Project site, the closest of which is located approximately 700 feet southeast of the project boundary.

Localized Impacts

Emissions occurring at or near the Project have the potential to create a localized impact also referred to as an air pollutant hotspot. Localized emissions are considered significant if when combined with background emissions, they would result in exceedance of any health-based air quality standard. In locations that already exceed standards for these pollutants, significance is based on a significant impact level (SIL) that represents the amount that is considered a cumulatively considerable contribution to an existing violation of an air quality standard. The pollutants of concern for localized impact in the SJVAB are NO₂, SO_x, and CO.

The SJVAPCD has provided guidance for screening localized impacts in the GAMAQI that establishes a screening threshold of 100 pounds per day of any criteria pollutant. If a project exceeds 100 pounds per day of any criteria pollutant, then ambient air quality modeling would be necessary. If the project does not exceed 100 pounds per day of any criteria pollutant, then it can be assumed that it would not cause a violation of an ambient air quality standard.

Construction: Localized Concentrations of PM₁₀, PM_{2.5}, CO, and NO_x

Local construction impacts would be short-term in nature lasting only during the duration of construction. As shown in Table 3.1-5 below, on-site construction emissions would be less than

100 pounds per day for each of the criteria pollutants. To present a conservative estimate, on-site emissions for on-road construction vehicles were included in the localized analysis. Based on the SJVAPCD's guidance, the construction emissions would not cause an ambient air quality standard violation.

**Table 3.1-5
Localized Concentrations of PM₁₀, PM_{2.5}, CO, and NO_x for Construction - Unmitigated**

Emission Source	On-site Emissions (pounds per day)					
	ROG	NO _x	CO	SO _x	PM ₁₀	PM _{2.5}
Project Site Construction						
On-site Daily Project Construction (Highest in 2024)	4.69	36.03	33.23	0.06	9.46	5.43
On-site Daily Project Construction (Highest in 2025)	3.19	12.16	20.83	0.02	0.84	0.47
On-site Daily Project Construction (Highest in 2026)	2.98	11.53	20.22	0.02	0.79	0.42
On-site Daily Project Construction (Highest in 2027)	92.95	11.98	22.09	0.03	0.98	0.43
Off-site Pipeline Improvements						
On-site Daily Off-site Construction (Highest in 2024)	0.68	5.52	7.01	0.01	0.55	0.34
Total Construction Duration (2024-2027)						
Highest Daily Maximum	92.95	41.56	40.23	0.07	10.01	5.77
Significance Thresholds	—	100	100	100	100	100
Exceed Significance Thresholds?	—	No	No	No	No	No
<p>Note: Overlap of construction activities is based on the construction schedule shown in Table 3.1-2 and Attachment A of Appendix B.</p> <p>Source of Emissions: Modeling Assumptions and CalEEMod Output Files (Attachment A of Appendix B). Maximum daily emissions represent the maximum daily emissions between the Summer and Winter scenarios.</p> <p>Source of Thresholds: San Joaquin Valley Air Pollution Control District (SJVAPCD). 2015. Guidance for Assessing and Mitigating Air Quality Impacts. March 19. Website: https://ww2.valleyair.org/media/g4nl3p0g/gamaqi.pdf. Accessed January 2024.</p>						

Operation: Localized Concentrations of PM₁₀, PM_{2.5}, CO, SO_x, and NO_x

Localized impacts could occur in areas with a single large source of emissions such as a power plant or with multiple sources concentrated in a small area such as a distribution center. The maximum daily operational emissions would occur at Project buildout, which was assumed to occur in 2024 (the earliest year of operations). Operational emissions include those generated on-site by area sources such as consumer products and landscape maintenance, energy use from natural gas combustion, and motor vehicles operation at the project site. Motor vehicle emissions are estimated for on-site operations using trip lengths for on-site travel and ¼-mile of off-site emissions. Localized operational emissions are summarized in Table 3.1-6 below.

Table 3.1-6
Localized Concentrations of PM₁₀, PM_{2.5}, CO, and NO_x for Operations

Source	On-site Emissions (pounds per day)					
	ROG	NO _x	CO	SO _x	PM ₁₀	PM _{2.5}
Area	23.69	4.98	44.08	0.03	0.43	0.43
Energy	0.36	6.35	3.60	0.04	0.50	0.50
Mobile (Automobiles)	48.32	16.22	116.23	0.08	4.88	1.31
Total	72.37	27.55	163.91	0.15	5.81	2.24
Significance Thresholds	—	100	100	100	100	100
Exceed Significance Thresholds?	—	No	Yes	No	No	No
Source of Emissions: Modeling Assumptions and CalEEMod Output Files (Attachment A of Appendix B). Source of Thresholds: San Joaquin Valley Air Pollution Control District (SJVAPCD). 2015. Guidance for Assessing and Mitigating Air Quality Impacts. March 19. Website: https://ww2.valleyair.org/media/g4nl3p0g/gamaqi.pdf . Accessed January 2024.						

As shown in 3.1-6 above, the proposed project would exceed the SJVAPCD 100-pound-per-day screening threshold for CO but would not exceed other operational screening thresholds for each of the criteria pollutants. Therefore, based on the SJVAPCD's guidance, the operational emissions would not cause an ambient air quality standard violation for NO_x, PM₁₀, or PM_{2.5}. Further analysis is needed to determine whether would be significant for CO, which is provided below.

As shown in Table 3.1-6, the majority of CO emissions would be from mobile sources, such as passenger vehicles driven by future residents, employees, and other visitors to access the project site. Localized high levels of CO are associated with traffic congestion and idling or slow-moving vehicles. A CO hotspot represents a condition wherein high concentrations of CO may be

produced by motor vehicles accessing a congested traffic intersection under heavy traffic volume conditions. It has long been recognized that CO exceedances are caused by vehicular emissions, primarily when idling at intersections. Accordingly, vehicle emissions standards have become increasingly more stringent to help remedy this impact.

The analysis prepared for CO attainment in the South Coast Air Basin (SoCAB) by the South Coast Air Quality Management District (SCAQMD) has been used to assist in evaluating potential for CO exceedances in other air basins. Although the SoCAB and the SCAQMD would not be the applicable air basin or air district for the Project, applying this guidance is appropriate in this analysis because CO exceedances are caused by idling vehicles and regardless of air district. For example, any project-generated vehicles trips would result in idling passenger vehicles or trucks at the project site and on adjacent roadways that could lead to a CO exceedance. By using the 1992 CO Plan as a worst-case scenario, the proposed project can measure CO impacts against intersections that experienced significantly more vehicle traffic than adjacent to the proposed project. The 1992 CO Plan is used a worst-case scenario because it included a CO hot spot analysis for four busy intersections in Los Angeles at the peak morning and afternoon time periods. The intersections evaluated included Long Beach Boulevard and Imperial Highway (Lynwood); Wilshire Boulevard and Veteran Avenue (Westwood); Sunset Boulevard and Highland Avenue (Hollywood); and La Cienega Boulevard and Century Boulevard (Inglewood). The busiest intersection evaluated was that at Wilshire Boulevard and Veteran Avenue, which has a daily traffic volume of approximately 100,000 vehicles per day. Subsequently the CO Plan determined that no CO hotspot would occur even with 100,000 vehicles per day at this one intersection.

The traffic volumes near the Project site, with project trips, are provided in the Project-specific traffic impact analysis. The Project-specific traffic impact study reported the number of average daily trips for the proposed mixed-use Project: 10,786 average weekday trips.¹⁴ The traffic volumes at intersections in the study area around the Project are lower than what was analyzed in the 1992 CO Plan. Therefore, none of the intersections near the Project site would have peak-hour traffic volumes exceeding those at the intersections modeled in the 1992 CO Plan, nor would there be any reason unique to the local meteorology to conclude that this intersection would yield higher CO concentrations if modeled in detail because the Project site is not located in an area where air flow would be severely restricted, such as a tunnel or canyon. In conclusion, the

¹⁴ JLB Traffic Engineering, Inc. 2023. Traffic Impact Analysis Report: Casitas Selma Located on the Southwest Quadrant of Highland Avenue and Floral Avenue in the City of Selma, California. October 10, 2023.

addition of the proposed Project's daily trips would not generate a CO hotspot at local intersections and operational CO impact would be *less than significant*.

Toxic Air Contaminants

Construction

Project construction would involve the use of diesel-fueled vehicles and equipment that emit DPM, which is considered a TAC. The SJVAPCD's current threshold of significance for TAC emissions is an increase in cancer risk for the maximally exposed individual of 20 in a million (formerly 10 in a million). SJVAPCD's 2015 GAMAQI does not currently recommend analysis of TAC emissions from project construction activities, but instead focuses on projects with operational emissions that would expose sensitive receptors over a typical lifetime of 70 years. In addition, the most intense construction activities of the project's construction would occur during site preparation and grading phases over a short period. There are no conditions unique to the project site that would require more intense construction activity compared to typical development. Examples of situations that would warrant closer scrutiny may include sites that would require extensive excavation and hauling due to existing site conditions. Building construction typically requires limited amounts of diesel equipment relative to site clearing activities. Nonetheless, a construction HRA was prepared as part of this analysis. In addition, the analysis includes an evaluation of potential health impacts from construction and operations of the project considered together, over a 70-year exposure scenario.

The results of the HRA prepared for project construction for cancer risk and long-term chronic cancer risk are summarized below. Construction emissions were estimated assuming adherence to all applicable rules, regulations, and project design features. The construction emissions were assumed to be distributed over the project area with a working schedule of eight hours per day HARP2. Detailed parameters and complete calculations are included in Attachment B of Appendix B. and five days per week. Emissions were adjusted by a factor of 4.2 to convert for use

with a 24-hour-per-day, 365 day-per-year averaging period. Health risk calculations were completed using

The estimated health and hazard impacts at the Maximally Exposed Receptor (MER) from the project's construction emissions are provided in Table 3.1-7.

Table 3.1-7: Summary of the Health Impacts from Unmitigated Project Construction

Exposure Scenario	Maximum Cancer Risk (Risk per Million)	Chronic Non-Cancer Hazard Index	Acute Non-Cancer Hazard Index
Risks and Hazards at the MER			
Risks and Hazards at the MER ¹ from Project Construction	2.88	0.0015	0.0000
Risks and Hazards at the MER ² from Off-site Improvements	1.31	0.0042	0.0000
Total Health Risk Metrics from Construction	4.19	0.0057	0.0000
Significance Threshold	20	1	1
Threshold Exceeded in Any Scenario?	No	No	No
Notes: MER = Maximally Exposed Receptor DPM = Diesel Particulate Matter Selma Mixed-use Project Unmitigated Construction MER UTM: (264814.83, 4050642.58) Off-site Improvements MER UTM: (265384.24, 4050226.48) Source: Attachment B of Appendix B.			

As shown in 3.1-7, the estimated health risk metrics resulting from the proposed Project's construction DPM emissions would not exceed the cancer risk significance threshold or non-cancer hazard index significance threshold at the MER. Therefore, the proposed Project would not result in a significant impact on nearby sensitive receptors from TACs during construction.

Operations

Unlike warehouses or distribution centers, the daily vehicle trips generated by the proposed mixed-use Project consisting of commercial and residential uses would be primarily generated by passenger vehicles. Passenger vehicles typically use gasoline engines rather than the diesel engines that are found in heavy-duty trucks. Gasoline-powered vehicles do emit TACs in the form of toxic organic gases, some of which are carcinogenic. Compared to the combustion of

diesel, the combustion of gasoline had relatively low emissions of TACs. Thus, residential and produce limited amounts of TAC emissions during operation. Nonetheless, it is anticipated that there would be some heavy-duty trucks visiting the Project site during operations. Consistent with SJVAPCD guidance, an operational prioritization screening analysis was completed for the proposed Project.

Operational DPM emissions from diesel trucks were estimated using emission factors from CARB's EMFAC and estimated truck travel and idling at the project site based on average daily trips and the SJVAPCD-approved residential fleet mix. The emissions were entered into the SJVAPCD Prioritization Screening Tool to determine the risk scores, with complete calculations and assumptions included as part of Attachment B of Appendix B. The results of the screening analysis are provided in Table 3.1-8.

Table 3.1-8: Prioritization Tool Health Risk Screening Results

Impact Source	Cancer Risk Score	Chronic Risk Score	Acute Risk Score
Diesel Trucks	25.12	0.006	0.000
Total Risk from Project Operations	25.12	0.006	0.000
Screening Risk Score Threshold	10	1	1
Screening Thresholds Exceeded?	Yes	No	No
Source: Attachment B of Appendix B – Health Risk Assessments.			

As shown in Table 3.1-8, the Project would exceed the SJVAPCD's applicable cancer risk screening level. Therefore, further analysis is required to determine the Project's potential to expose sensitive receptors to elevated levels of TACs during operations.

An analysis of TACs (including DPM) was performed using the EPA-approved AERMOD model, which is an air dispersion model accepted by the SJVAPCD for preparing HRAs. AERMOD versions 22112 and 23132 were used for this analysis. Consistent with SJVAPCD guidance, the health risk computation was performed to determine the risk of developing an excess cancer risk calculated on a 70-year exposure scenario. Results of the HRA are summarized in Table 3.1-9. The complete HRA prepared for the proposed Project, including calculations, AERMOD output data, and HARP2 files, are included in Attachment B of Appendix B.

Table 3.1-9: Summary of the Health Impacts from Operations of the Proposed Project and Combined Construction and Operations (70-year Scenarios)

Exposure Scenario	Maximum Cancer Risk (Risk per Million)	Chronic Non-Cancer Hazard Index	Acute Non-Cancer Hazard Index
70-Year Exposure at the MER starting in the Third Trimester (from DPM Emissions)	5.09	0.0010	0.0000
Combined 70-Year Exposure Scenario for Construction plus Operations ^{1,2} at the Construction MER	5.98	0.0026	0.0000
Combined 70-Year Exposure Scenario for Construction plus Operations ^{1,3} at the Operational MER	6.12	0.0027	0.0000
Applicable Threshold of Significance	20	1	1
Threshold Exceeded in Any Scenario?	No	No	No
Notes: MER = Maximally Exposed Receptor DPM = Diesel Particulate Matter Operational MER: Receptor #186 (see Attachment B of Appendix B) Construction MER: Receptor #1 (see Attachment B of Appendix B) ¹ For the combined scenarios, operations were assumed to begin immediately following construction and start at age 3 (see Attachment B of Appendix B). ² The combined cancer risk at the construction MER is 5.98 in a million (2.88/million from project construction + 0.07/million from off-site improvements + 3.03/million from operations). ³ The combined cancer risk at the operational MER is 6.12 in a million (2.78/million from construction + 0.08/million from off-site improvements + 3.26/million from operations). Source: Attachment B of Appendix B.			

As shown in Table 3.1-9, the Project would not exceed the cancer risk, chronic risk, or acute risk threshold levels in any scenario analyzed. The primary source of the emissions responsible for chronic risk are from diesel trucks during operations and off-road diesel equipment during construction. DPM does not have an acute risk factor, resulting in an acute non-cancer hazard index of zero (0) for all receptors. Since the Project does not exceed the applicable SJVAPCD thresholds for cancer risk, acute risk, or chronic risk, the impact related to the Project's potential to expose sensitive receptors to substantial pollutant concentrations would be *less than significant*.

Valley Fever

Valley fever, or coccidioidomycosis, is an infection caused by inhalation of the spores of the fungus, *Coccidioides immitis* (*C. immitis*). The spores live in soil and can live for an extended time

in harsh environmental conditions. Activities or conditions that increase the amount of fugitive dust contribute to greater exposure, and they include dust storms, grading, and recreational off-road activities.

The San Joaquin Valley is considered an endemic area for Valley fever. The San Joaquin Valley is considered an endemic area for Valley fever. During 2000–2018, a total of 65,438 coccidioidomycosis cases were reported in California; median statewide annual incidence was 7.9 per 100,000 population and varied by region from 1.1 in Northern and Eastern California to 90.6 in the Southern San Joaquin Valley, with the largest increase (15-fold) occurring in the Northern San Joaquin Valley. Incidence has been consistently high in six counties in the Southern San Joaquin Valley (Fresno, Kern, Kings, Madera, Tulare, and Merced counties) and Central Coast (San Luis Obispo County) regions.¹⁵ California experienced 7,962 new probable or confirmed cases of Valley fever in 2021. A total of 408 suspect, probable, and confirmed Valley fever cases were reported in Fresno County in 2021.¹⁶

The distribution of *C. immitis* within endemic areas is not uniform and growth sites are commonly small (a few tens of meters) and widely scattered. Known sites appear to have some ecological factors in common suggesting that certain physical, chemical, and biological conditions are more favorable for *C. immitis* growth. Avoidance, when possible, of sites favorable for the occurrence of *C. immitis* is a prudent risk management strategy. Listed below are ecologic factors and sites favorable for the occurrence of *C. immitis*:

- 1) Rodent burrows (often a favorable site for *C. immitis*, perhaps because temperatures are more moderate and humidity higher than on the ground surface)
- 2) Old (prehistoric) Indian campsites near fire pits
- 3) Areas with sparse vegetation and alkaline soils
- 4) Areas with high salinity soils
- 5) Areas adjacent to arroyos (where residual moisture may be available)
- 6) Packrat middens
- 7) Upper 30 centimeters of the soil horizon, especially in virgin undisturbed soils

¹⁵ Centers for Disease Control and Prevention (CDC). 2020. Regional Analysis of Coccidioidomycosis Incidence—California, 2000–2018. Website: https://www.cdc.gov/mmwr/volumes/69/wr/mm6948a4.htm?s_cid=mm6948a4_e. Accessed April 10, 2023.

¹⁶ California Department of Public Health (CDPH). 2021. Coccidioidomycosis in California Provisional Monthly Report January 2021. Website: <https://www.cdph.ca.gov/Programs/CID/DCDC/CDPH%20Document%20Library/CocciinCAProvisionalMonthlyReport.pdf>. Accessed April 10, 2023.

- 8) Sandy, well-aerated soil with relatively high water-holding capacities

Sites within endemic areas less favorable for the occurrence of *C. immitis* include:

- 1) Cultivated fields
- 2) Heavily vegetated areas (e.g., grassy lawns)
- 3) Higher elevations (above 7,000 feet)
- 4) Areas where commercial fertilizers (e.g., ammonium sulfate) have been applied
- 5) Areas that are continually wet
- 6) Paved (asphalt or concrete) or oiled areas
- 7) Soils containing abundant microorganisms
- 8) Heavily urbanized areas where there is little undisturbed virgin soil.

The Project is situated on a site previously disturbed that does not provide a suitable habitat for spores. Specifically, the Project site has been previously disturbed and is cultivated for agricultural use. Therefore, development of the proposed Project would have a lower probability of the site having *C. immitis* growth sites and exposure to the spores from disturbed soil.

Although conditions are not favorable, construction activities could generate fugitive dust that contain *C. immitis* spores. The Project will minimize the generation of fugitive dust during construction activities by complying with SJVAPCD's Regulation VIII. Therefore, this regulation, combined with the relatively low probability of the presence of *C. immitis* spores would reduce Valley fever impacts to *less than significant*.

During operations, dust emissions are anticipated to be relatively small because most of the Project area where operational activities would occur would be occupied by the proposed Project and related buildings and pavement. This condition would lessen the possibility of the Project from providing habitat suitable for *C. immitis* spores and for generating fugitive dust that may contribute to Valley fever exposure. Impacts would be *less than significant*.

Naturally Occurring Asbestos

Review of the map of areas where naturally occurring asbestos in California are likely to occur found no such areas in the immediate Project area. Therefore, development of the Project is not

anticipated to expose receptors to naturally occurring asbestos.¹⁷ Impacts would be *less than significant*.

Impact Analysis Summary

In summary, the proposed Project would not exceed SJVAPCD localized emission daily screening levels for any criteria pollutant. The Project is not a significant source of TAC emissions during construction or operation. The Project is not in an area with suitable habitat for Valley fever spores and is not in an area known to have naturally occurring asbestos. Therefore, the Project would result in *less than significant impacts* to sensitive receptors.

Mitigation Measures:

None Required.

Impact 3.1-4: *Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?*

Less Than Significant. Two situations create a potential for odor impact. The first occurs when a new odor source is located near an existing sensitive receptor. The second occurs when a new sensitive receptor locates near an existing source of odor. The proposed Project has the potential to create either or both situations because it involves a potential new odor source and would be considered a sensitive receptor land use once operational.

Odor impacts on residential areas and other sensitive receptors, such as hospitals, day-care centers, schools, etc. warrant the closest scrutiny, but consideration should also be given to other land uses where people may congregate, such as recreational facilities, worksites, and commercial areas.

Although the Project is less than one mile from the nearest sensitive receptor, the Project is not expected to be a significant source of odors. The screening levels for these land use types are shown in Table 3.1-10.

¹⁷ U.S. Geological Survey. 2011. Van Gosen, B.S., and Clinkenbeard, J.P. California Geological Survey Map Sheet 59. Reported Historic Asbestos Mines, Historic Asbestos Prospects, and Other Natural Occurrences of Asbestos in California. Open-File Report 2011-1188 Website: <https://pubs.usgs.gov/of/2011/1188/>. Accessed October 2024.

Table 3.1-10: Screening Levels for Potential Odor Sources

Odor Generator	Screening Distance
Wastewater Treatment Facilities	2 miles
Sanitary Landfill	1 mile
Transfer Station	1 mile
Composting Facility	1 mile
Petroleum Refinery	2 miles
Asphalt Batch Plant	1 mile
Chemical Manufacturing	1 mile
Fiberglass Manufacturing	1 mile
Painting/Coating Operations (e.g., auto body shop)	1 mile
Food Processing Facility	1 mile
Feed Lot/Dairy	1 mile
Rendering Plant	1 mile
Wastewater Treatment Facilities	2 miles
Source of Thresholds: San Joaquin Valley Air Pollution Control District (SJVAPCD). 2015. Guidance for Assessing and Mitigating Air Quality Impacts. March 19. Website: https://ww2.valleyair.org/media/g4nl3p0g/gamaqi.pdf . Accessed October 2024.	

Construction

During construction, various diesel-powered vehicles and equipment in use on-site would create localized odors. These odors would be temporary and intermittent, which would decrease the likelihood of the odors concentrating in a single area or lingering for any notable period of time. As such, these odors would likely not be noticeable for extended periods of time beyond the project's site boundaries. The potential for odor impacts from construction of the proposed project would, therefore, be *less than significant*.

Operation

Project as a Potential Odor Generator

The development of the proposed Project would not substantially increase objectionable odors in the area and would not introduce any new sensitive receptors to the area that could be affected by any existing objectionable odor sources in the area. Land uses that are typically identified as sources of objectionable odors include landfills, transfer stations, sewage treatment plants, wastewater pump stations, composting facilities, asphalt batch plants, rendering plants, and other land uses outlined in Table 3.1-10. The proposed Project would not engage in any of these activities. Minor sources of odors that would be associated

with uses typical of commercial and residential mixed-use projects, such as exhaust from mobile sources (including diesel-fueled heavy trucks), are known to have temporary and less concentrated odors. Considering the low intensity of potential odor emissions, the proposed project's operational activities would not expose receptors to objectionable odor emissions. Therefore, the proposed Project would not be considered to be a generator of objectionable odors during operations. As such, impacts would be *less than significant*.

Mitigation Measures:

None Required.

Cumulative Impacts

In analyzing cumulative impacts from the proposed Project, the analysis must specifically evaluate a project's contribution to the cumulative increase in pollutants of concern for the San Joaquin Valley Air Basin (Air Basin). A project would be considered to have a significant cumulative impact if its contribution accounts for a significant proportion of the cumulative total emissions (i.e., it represents a "cumulatively considerable contribution" to the cumulative air quality impact). The geographic context for the analysis of cumulative impacts related to air quality is the Air Basin. The SJVAPCD's attainment statuses are a result of cumulative emissions from all sources of these air pollutants and their precursors within the Air Basin. For pollutants that the Air Basin is designated as non-attainment for the California Ambient Air Quality Standards and National Ambient Air Quality Standards, a cumulative impact exists regardless of the project's incremental contribution. Significance thresholds established by the SJVAPCD are used to manage total regional and local emissions within the Air Basin based on the Air Basin's attainment status for criteria pollutants.

Cumulative impacts from the proposed Project are as follows:

- As identified in Impact 3.1-1, the Project would not conflict with the applicable air quality plans with the incorporation of Mitigation Measures AIR – 1 through AIR – 4. Because the Project-level impacts were determined to be less than significant after mitigation incorporation, the cumulative contribution is determined to be less than cumulatively considerable.
- Cumulative criteria pollutant impacts are discussed in Impact 3.1-2 and, within that analysis, the Project's contribution to cumulative impacts were demonstrated to be less

than significant with the incorporation of Mitigation Measures AIR – 1 through AIR – 4. As such, after mitigation incorporation, impacts are considered *less than cumulatively considerable*.

- As identified in Impact 3.1-3, Project implementation will not expose sensitive receptors to substantial concentrations of TACs from construction and/or operations of the Project and will not expose sensitive receptors to substantial levels of CO during Project operations. As such, cumulative impacts are considered *less than cumulatively considerable*.
- As identified in Impact 3.1-4, the Project would not result in other emissions such as odors. Therefore, evaluation of the information supports a finding that the Project's contribution would be *less than cumulatively considerable* under this impact because the proposed Project's local impact would be less than significant.

3.2 Cultural Resources

This section of the DEIR identifies potential impacts of the proposed Project on cultural, archaeological and historical resources.

Cultural resources include prehistoric-era archaeological sites, historic-era archaeological sites, Native American traditional cultural properties, sites of religious and cultural significance, and historical buildings, structures, objects, and sites. The importance of any single cultural resource is defined by the context in which it was first created, current public opinion and modern yet evolving analysis. From the analytical perspective temporal and geographic considerations help to define the historical context of the Project area.

In May of 2023, a Class III Inventory/Phase I Survey was prepared for the proposed Project by ASM Affiliates and in June of 2024, a Phase I Survey was prepared for the off-site improvement's alignment by Hudlow Cultural Resource Associates. These two reports are the basis for analysis for the discussion herein and are provided in Appendix C. One NOP comment letter was received from the Native American Heritage Commission regarding cultural resources. The letter provided an overview of the regulatory environment of both cultural resources management and tribal consultation processes.

Environmental Setting

Natural Environment

The proposed Project area is in Fresno County, California. The site is located in the NE ¼ of Section 1, in T.16S., R.21E., Mount Diablo Baseline and Meridian, as displayed on the United States Geological Survey (USGS) Conejo 7.5-minute quadrangle map. The proposed mixed-use commercial and residential development is located west of Highland Avenue, north of Rose Avenue and south of E. Floral Avenue, in Fresno County, outside the Selma City limits but within the City's planned growth area. The site has historically been used for agricultural purposes.

The 75.3-acre Project area to be annexed is located at elevations between 300 and 305 feet above mean sea level in the Great Central Valley, which is composed of two valleys-the Sacramento Valley and the San Joaquin Valley. The parcel is located within the Kings River delta, southeast of Rockwood Pond with the Sierra Nevada foothills in the distance to the west. The Project site and immediate surroundings have been urbanized and/or farmed and grazed for many years and no native vegetation is present. Perennial bunchgrasses such as purple needlegrass and nodding

needlegrass most likely would have been the dominant plant cover in the area prior to cultivation. Currently, the area consists of commercial and residential properties surrounded by vineyards. (Figures 3.2-1 and 3.2-2).

Figure 3.2-1
Project Area – South-Southeast view



Figure 3.2-2
Project Area – West-Northwest view



Prehistoric Archaeological Context

The southern San Joaquin Valley region has received much less archaeological attention than other areas of the state. In part, this is because the majority of California archaeological work has concentrated in the Sacramento Delta, Santa Barbara Channel, and central Mojave Desert areas. Although knowledge of the region's prehistory is limited, enough is known to determine that the archaeological record is broadly similar to south-central California as a whole. Gifford and Schenk (1926) were the first to identify the similarity between southern San Joaquin Valley prehistory and the archaeological record along the Santa Barbara Channel, a specific observation that was analytically verified more recently by Siefkin (1999). This circumstance, overlooked by some subsequent researchers, has resulted in confusion in the literature due to the application of the Sacramento Delta chronology on the local archaeological record, where it has never really fit. Based on these sources and this observation, the general prehistory of the region can be outlined in south-central California terms, as follows.

Initial occupation of the region occurred at least as early as the Paleoindian Period, or prior to about 10,000 years before present (YBP). Evidence of early use of the region is indicated by characteristic fluted and stemmed points found around the margin of Tulare Lake, in the foothills of the Sierra, and in the Mojave Desert proper. Both fluted and stemmed points are particularly common around lake margins, suggesting a terminal Pleistocene/early Holocene lakeshore adaptation similar to that found throughout the far west at the same time. Little else is known about these earliest peoples at this point, however, in part because the locations of their recorded sites occur in lakeshore contexts that have experienced repetitive transgressive and regressive shorelines, resulting in mixed archaeological deposits.

Substantial evidence for human occupation of California first occurs during the Early Holocene, roughly 7500 to 4000 YBP. This period is known as the Early Horizon, or alternatively as the Early Millingstone along the Santa Barbara Channel. In the south, populations concentrated along the coast with minimal visible use of inland areas. Adaptation emphasized hard seeds and nuts with tool-kits dominated by mullers and grindstones (manos and metates). Little evidence for Early Horizon occupation exists in most inland portions of the state with (again) the exceptions being along lakeshores, partly due to a severe cold and dry paleoclimatic period occurring at this time. Regardless of specifics, Early Horizon population density was low with a subsistence adaptation more likely tied to plant food gathering than hunting.

Environmental conditions improved dramatically after about 4000 YBP during the Middle Horizon (or Intermediate Period). This period known climatically as the Holocene Maximum (circa 3800 YBP) and was characterized by significantly warmer and wetter conditions than

previously experienced. Archaeologically, it was marked by large population increase and radiation into new environments along coastal and interior south-central California and the Mojave Desert. In the Delta region to the north, this same period of favorable environmental conditions was characterized by the appearance of the Windmiller culture, which exhibited a high degree of ritual elaboration (especially in burial practices) and perhaps even a rudimentary mound-building tradition. Along with ritual elaboration, Middle Horizon times experienced increasing subsistence specialization, perhaps correlating with the appearance of acorn processing technology. Penutian speaking peoples (including the Yokuts) are also hypothesized to have entered the state roughly at the beginning of this period and, perhaps to have brought this technology with them. Likewise it appears the so-called “Shoshonean Wedge” in southern California or the Takic speaking groups that include the Gabrielino/Fernandeño, Tataviam, and Kitanemuk, may have moved into the region at this time, rather than at about 1500 YBP as first suggested by Kroeber (1925).

Evidence for Middle Horizon occupation of interior south-central California is substantial. For example, in northern Los Angeles County along the upper Santa Clara River, to the south of the San Joaquin Valley, the Agua Dulce village complex indicates occupation extending back to the Intermediate Period, when the population of the village may have been 50 or more people. Similarly, inhabitation of the Hathaway Ranch region near Lake Piru, and the Newhall Ranch near Valencia, appears to date to the Intermediate Period. To the west, little or no evidence exists for pre-Middle Horizon occupation in the upper Sisquoc and Cuyama River drainages; populations first appear there at roughly 3500 YBP. The Carrizo Plain, the valley immediately west of the San Joaquin, experienced a major population expansion during the Middle Horizon, and recently collected data indicates the Tehachapi Mountains region was first significantly occupied during the Middle Horizon. A parallel can be drawn to the inland Ventura County region where a similar pattern has been identified, as well as the western Mojave Desert, the southern Sierra Nevada, and the Coso Range region. In all of these areas a major expansion in settlement, the establishment of large site complexes, and an increase in the range of environments exploited appear to have occurred sometime roughly around 4,000 years ago. Although most efforts to explain this expansion have focused on local circumstances and events, it is increasingly apparent this was a major southern California-wide occurrence, and any explanation must be sought at a larger level of analysis. Additionally, evidence from the Carrizo Plain suggests the origins of the tribelet level of political organization developed during this period. Whether this same demographic process holds for the southern San Joaquin Valley, including the study area, is yet to be determined.

The beginning of the Late Horizon is set variously at 1500 and 800 YBP, with a consensus for the shorter chronology. Increasing evidence suggests the importance of the Middle-Late Horizon transition (A.D. 800 to 1200) in the understanding of south-central California. This corresponds to the so-called Medieval Climatic Anomaly, a period of climatic instability that included major droughts and resulted in demographic disturbances across much of the west. It is also believed to have resulted in major population decline and abandonments across south central California, involving as much as 90 percent of the interior populations in some regions including the Carrizo Plain. It is not clear whether site abandonment was accompanied by a true reduction in population or an agglomeration of the same numbers of people into fewer but larger villages. What is clear is that Middle Period villages and settlements were widely dispersed across the landscape; many at locations that lack contemporary evidence of fresh water sources. Late Horizon sites, in contrast, are typically located where fresh water was available during the historical period, if not currently.

The Late Horizon then can be best understood as a period of recovery from a major demographic collapse. One result is the development of regional archaeological cultures as the precursors to ethnographic Native California; suggesting that ethnographic life-ways recorded by anthropologists extend at least 800 years into the past.

The position of southern San Joaquin Valley prehistory relative to patterns seen in surrounding areas is still somewhat unknown. The presence of large lake systems in the valley bottoms can be expected to have mediated some of the desiccation seen elsewhere. But, as the reconstruction of Soda Lake in the Carrizo Plain demonstrates environmental perturbations had serious impacts on lake systems too. Identifying certain of the prehistoric demographic trends for the southern San Joaquin Valley, and determining how these trends (if present) correlate with those seen elsewhere, is a current important research objective.

Ethnographic Background

Penutian-speaking Yokuts tribal groups occupied the southern San Joaquin Valley region and much of the nearby Sierra Nevada. Ethnographic information about the Yokuts was collected primarily by Powers (1971, 1976 [originally 1877]), Kroeber (1925), Gayton (1930, 1948), Driver (1937), Latta (1977), and Harrington (n.d.). For a variety of historical reasons, existing research information emphasizes the central Yokuts tribes who occupied both the valley and particularly the foothills of the Sierra. The northernmost tribes suffered from the influx of Euro-Americans during the Gold Rush and their populations were in substantial decline by the time ethnographic studies began in the early twentieth century. In contrast, the southernmost tribes were partially removed by the Spanish to missions and eventually absorbed into multi-tribal communities on

the Sebastian Indian Reservation (on Tejon Ranch), and later the Tule River Reservation and Santa Rosa Rancheria to the north, as well as other reservations in the foothills and Sierras. The result is an unfortunate scarcity of ethnographic detail on valley tribes, especially in relation to the rich information collected from the central foothills tribes where native speakers of the Yokuts dialects are still found. Regardless, the general details of indigenous life-ways were similar across the broad expanse of Yokuts territory, particularly in terms of environmentally influenced subsistence and adaptation and with regard to religion and belief, which were similar everywhere.

Following Kroeber, the study area most likely lies in Apiachi (Apiche in Latta [1977:163]) territory. The principal village for this group was Wohui (Wohue in Latta [1977:163]) on the north bank of Murphy Slough, approximately 20-mi southwest of the APE.

Most Yokuts groups, regardless of specific tribal affiliation, were organized as a recognized and distinct tribelet; a circumstance that almost certainly pertained to the tribal groups noted above. Tribelets were land-owning groups organized around a central village and linked by shared territory and descent from a common ancestor. The population of most tribelets ranged from about 150 to 500 peoples.

Each tribelet was headed by a chief who was assisted by a variety of assistants, the most important of whom was the winatum, a herald or messenger and assistant chief. A shaman also served as a religious officer. While shamans did not have any direct political authority, as Gayton (1930) has illustrated, they maintained substantial influence within their tribelet.

Shamanism is a religious system common to most Native American tribes. It involves a direct and personal relationship between the individual and the supernatural world enacted by entering a trance or hallucinatory state (usually based on the ingestion of psychotropic plants, such as jimsonweed or more typically native tobacco). Shamans were considered individuals with an unusual degree of supernatural power, serving as healers or curers, diviners, and controllers of natural phenomena (such as rain or thunder). Shamans also produced the rock art of this region, depicting the visions they experienced in vision quests believed to represent their spirit helpers and events in the supernatural realm.

The centrality of shamanism to the religious and spiritual life of the Yokuts was demonstrated by the role of shamans in the yearly ceremonial round. The ritual round, performed the same each year, started in the spring with the jimsonweed ceremony, followed by rattlesnake dance and (where appropriate) first salmon ceremony. After returning from seed camps, fall rituals began in the late summer with the mourning ceremony, followed by first seed and acorn rites and then

bear dance. In each case, shamans served as ceremonial officials responsible for specific dances involving a display of their supernatural powers.

Subsistence practices varied from tribelet to tribelet based on the environment of residence. Throughout Native California, and Yokuts territory in general, the acorn was a primary dietary component, along with a variety of gathered seeds. Valley tribes augmented this resource with lacustrine and riverine foods, especially fish and wildfowl. As with many Native California tribes, the settlement and subsistence rounds included the winter aggregation into a few large villages, where stored resources (like acorns) served as staples, followed by dispersal into smaller camps, often occupied by extended families, where seasonally available resources would be gathered and consumed.

Although population estimates vary and population size was greatly affected by the introduction of Euro-American diseases and social disruption, the Yokuts were one of the largest, most successful groups in Native California. Cook (1978) estimates that the Yokuts region contained 27 percent of the aboriginal population in the state at the time of contact; other estimates are even higher. Many Yokut descendants continue to live in Fresno County, either on tribal reservations, or in local towns and communities.

Historical Overview

Spanish explorers first visited the San Joaquin Valley in 1772, but its lengthy distance from the missions and presidios along the Pacific Coast delayed permanent settlement for many years, including during the Mexican period of control over the Californian region. In the 1840s, Mexican rancho owners along the Pacific Coast allowed their cattle to wander and graze in the San Joaquin Valley. The Mexican government granted the first ranchos in the southern part of the San Joaquin Valley in the early 1840s, but these did not result in permanent settlement. It was not until the annexation of California in 1848 that the exploitation of the southern San Joaquin Valley began.

The discovery of gold in northern California in 1848 resulted in a dramatic increase of population, consisting in good part of fortune seekers and gold miners, who began to scour other parts of the state. After 1851, when gold was discovered in the Sierra Nevada Mountains in eastern Kern County, the population of the area grew rapidly. Some new immigrants began ranching in the San Joaquin Valley to supply the miners and mining towns. Ranchers grazed cattle and sheep, and farmers dry-farmed or used limited irrigation to grow grain crops, leading to the creation of small agricultural communities throughout the valley.

After the American annexation of California, the southern San Joaquin Valley became significant as a center of food production for this new influx of people in California. The expansive unfenced

and principally public foothill spaces were well suited for grazing both sheep and cattle. As the Sierra Nevada gold rush presented extensive financial opportunities, ranchers introduced new breeds of livestock, consisting of cattle, sheep and pig.

With the increase of ranching in the southern San Joaquin came the dramatic change in the landscape, as non-native grasses more beneficial for grazing and pasture replaced native flora. After the passing of the Arkansas Act in 1850, efforts were made to reclaim small tracts of land in order to create more usable spaces for ranching. Eventually, as farming supplanted ranching as a more profitable enterprise, large tracts of land began to be reclaimed for agricultural use, aided in part by the extension of the railroad in the 1870s.

Following the passage of state-wide 'No-Fence' laws in 1874, ranching practices began to decline, while farming expanded in the San Joaquin Valley in both large land holdings and smaller, subdivided properties. As the farming population grew, so did the demand for irrigation. Settlers began reclamation of swampland in 1866 and built small dams across the Kern River to divert water into the fields. By 1880, 86 different groups were taking water from the Kern River. Ten years later, 15 major canals provided water to thousands of acres in Kern County.

During the period of reclaiming unproductive land in the southern San Joaquin Valley, grants were given to individuals who had both the resources and the finances to undertake the operation alone. One small agricultural settlement, founded by Colonel Thomas Baker in 1861 after procuring one such grant, took advantage of reclaimed swampland along the Kern River. This settlement became the City of Bakersfield in 1869, and quickly became the center of activity in the southern San Joaquin Valley, and in the newly formed Kern County. Located on the main stage road through the San Joaquin Valley, the town became a primary market and transportation hub for stock and crops, as well as a popular stopping point for travelers on the Los Angeles and Stockton Road. The Southern Pacific Railroad reached the Bakersfield area in 1873, connecting it with important market towns elsewhere in the state, dramatically impacting both agriculture and oil production.

Three competing partnerships developed during this period which had a great impact on control of water, land reclamation and ultimately agricultural development in the San Joaquin Valley: Livermore and Chester, Haggin and Carr, and Miller and Lux, perhaps the most famous of the enterprises. Livermore and Chester were responsible, among other things, for developing the large Hollister plow (three feet wide by two feet deep), pulled by a 40-mule team, which was used for ditch digging. Haggin and Carr were largely responsible for reclaiming the beds of the Buena Vista and Kern lakes, and for creating the Calloway Canal, which drained through the Rosedale area in Bakersfield to Goose Lake. Miller and Lux ultimately became one of the biggest private

property holders in the country, controlling the rights to over 22,000 square miles. Miller and Lux's impact extended beyond Kern County, however. They recognized early-on that control of water would have important economic implications, and they played a major role in the water development of the area. They were also embroiled for many years in litigation against Haggin and Carr over control of the water rights to the Kern River. Descendants of Henry Miller continue to play a major role in California water rights, with his great grandson, George Nickel, Jr., the first to develop the concept of water banking, thus creating a system to buy and sell water.

The San Joaquin Valley was dominated by agricultural pursuits until the oil boom of the early 1900s, which saw a shift in the region, as some reclaimed lands previously used for farming were leased to oil companies. Nonetheless, the shift of the San Joaquin Valley towards oil production did not halt the continued growth of agriculture. The Great Depression of the 1930s brought with it the arrival of great numbers of migrants from the drought-affected Dust Bowl region, looking for agricultural labor. These migrants established temporary camps in the valley, staying on long past the end of the drought and the Great Depression, eventually settling in towns such as Bakersfield where their descendants live today.

The city of Fresno (originally "Fresno Station"), located approximately 16-mi northwest of the study area and the county seat for Fresno County, was founded in 1872 and incorporated in 1885. It was initially developed as a railway station along the Central Pacific Railroad, but quickly expanded with the development of irrigation in the region. Farmers saw success with the cultivation of wheat, grapes, and cattle. Eventually, Fresno County became one of the most agriculturally-rich counties in the United States.

According to the 2010 U.S. Census the City of Selma, like many outlying communities of Fresno, is largely focused on agriculture. Jobs in farming employ over one-fifth of residents and the community is mostly surrounded by vineyards, miscellaneous orchards, and other commercial crops.

Regulatory Setting

Federal Regulations

National Historic Preservation Act (1966)

The National Historic Preservation Act (NHPA) is the most prominent federal law dealing with historic preservation. The NHPA established guidelines to "preserve important historic, cultural,

and natural aspects of our national heritage, and to maintain, wherever possible, an environment that supports diversity and a variety of individual choice.” The NHPA includes regulations specifically for federal land-holding agencies, but also includes regulations (Section 106) which pertain to all projects that are funded, permitted, or approved by any federal agency and which have the potential to affect cultural resources. All projects that are subject to NEPA are also subject to compliance with Section 106 of the NHPA and the NEPA requirements concerning cultural resources can be addressed through compliance with Section 106 of the NHPA process.

Provisions of NHPA establish a National Register of Historic Places (The National Register) maintained by the National Park Service, the Advisory Council on Historic Preservation, State Offices of Historic Preservation, and grants-in-aid programs. At the federal level, the Office of Historic Preservation (OHP) carries out reviews under Section 106 of the National Historic Preservation of 1966, as amended.

State of California Regulations

In the State of California, the process of reviewing projects and decisions that may impact cultural resources including historic, archaeological, and paleontological resources is conducted under several different federal, state, and local laws. CEQA requires that public agencies consider the effects of their actions on historical resources eligible for listing on the California Register of Historical Resources.

Additionally, California Public Resources Code 5024 requires consultation with OHP when a project may impact historical resources located on State-owned land. California State law (SB 18) requires cities and counties to notify and consult with California Native American Tribes about proposed local land use planning decisions for the purpose of protecting Traditional Tribal Cultural Places (“cultural places”).

California Register of Historic Resources (CRHR)

California State law also provides for the protection of cultural resources by requiring evaluations of the significance of prehistoric and historic resources identified in CEQA documents. Under CEQA, a cultural resource is considered an important historical resource if it meets any of the criteria found in Section 15064.5(a) of the CEQA Guidelines. Criteria identified in the CEQA Guidelines are similar to those described under the NHPA. The State Historic Preservation Office (SHPO) maintains the CRHR. Historic properties listed, or formally designated for eligibility to be listed, on The National Register are automatically listed on the CRHR. State Landmarks and Points of Interest are also automatically listed.

The CRHR can also include properties designated under local preservation ordinances or identified through local historical resource surveys.

Health and Safety Code, Section 7050.5

Section 7050.5 of the California Health and Safety Code requires that construction or excavation be stopped in the vicinity of discovered human remains until the county coroner can determine whether the remains are those of a Native American. If the remains are determined to be Native American, the coroner must contact the California Native American Heritage Commission (NAHC). CEQA Guidelines (Public Resources Code Section 5097) specify the procedures to be followed in case of the discovery of human remains on non-federal land. The disposition of Native American burials falls within the jurisdiction of the NAHC.

California Government Code 65352.3-5, Local Government – Tribal Consultation California Government Code Sections 65092, 65351, 65352, 65352.3 and 65352.4, formally known as Senate Bill (SB) 18.

These regulations regulate the consultation with California Native American tribes having traditional lands located within the jurisdiction of applicable cities and counties. The intent of the underlying legislation was to provide all California Native American tribes that are on the contact list maintained by the Native American Heritage Commission, an opportunity to consult with specific local governments for the purpose of preserving and protecting their sacred places. Such consultations apply to the preparation, adoption and amendment of general plans.

An investigation conducted by the Native American Heritage Commission (NAHC) on 20 January 2023 indicated that no tribal cultural resources were known to exist within the Selma Development Project APE. Outreach letters were also sent to tribal organizations on the NAHC contact list. A response from the Dunlap and the Mono Indians on 23 February 2023 who did not request consultation and who recommended that the Tachi Yokuts, Table Mountain Rancheria, Tule River Indian Reservation, or the Traditional Choinumni Tribe be contacted. An additional response, from the Santa Rosa Rancheria Tachi Yokut Tribe deferred to the more local tribes in the area. No additional tribal responses were received from the NAHC contact list.

California Historical Resources Information System (CHRIS)

The California Historical Resources Information System (CHRIS) is a statewide system for managing information on the full range of historical resources identified in California. CHRIS is a cooperative partnership between the citizens of California, historic preservation professionals, twelve Information Centers, and various agencies. This system bears the following responsibilities: integrate newly recorded sites and information on known resources into the

California Historical Resources Inventory; furnish information on known resources and surveys to governments, institutions, and individuals who have a justifiable need to know; and supply a list of consultants who are qualified to do work within their area.

Typically, the initial step in addressing cultural resources in the project review process involves contacting the appropriate Information Center to conduct a record search. A record search should identify any previously recorded historical resources and previous archaeological studies within the project area, as well as provide recommendations for further work, if necessary. Depending on the nature and location of the project, the project proponent or lead agency may be required to contact appropriate Native American representatives to aid in the identification of traditional cultural properties.

If known cultural resources are present within the Project area, or if the Project area has not been previously investigated for the presence of such resources, the Information Center may recommend a survey for historical, archaeological, and paleontological sites. Cultural resources that may be adversely affected by an undertaking should be evaluated for significance. For archaeological sites, a significance evaluation typically involves conducting test excavations. For historical sites or standing structures, historical research should be conducted and an architectural evaluation may be warranted. If significant, the resource should be protected from adverse impacts. Data recovery excavations may be warranted in the case of unavoidable damage to archaeological sites. If human burials are present, the appropriate coroner's office should be contacted. A professional archaeologist and appropriate Native American representatives should also be consulted.

When an initial study identifies the existence, or the probable likelihood, of Native American human remains within the project, a lead agency shall work with the appropriate Native Americans as identified by the Native American Heritage Commission as provided in Public Resources Code 5097.98. The applicant may develop an agreement for treating or disposing of, with appropriate dignity, the human remains and any items associated with Native American burials with the appropriate Native Americans as identified by the Native American Heritage Commission.

California Environmental Quality Act (CEQA)

CEQA is applicable to discretionary actions by state or local lead agencies. Under CEQA, lead agencies must analyze impacts to cultural resources. Significant impacts under CEQA occur when "historically significant" or "unique" cultural resources are adversely affected, which occurs when such resources could be altered or destroyed through project implementation. Historically

significant cultural resources are defined by eligibility for or by listing in the California Register of Historical Resources (CRHR). In practice, the federal NRHP criteria for significance applied under Section 106 are generally (although not entirely) consistent with CRHR criteria (see PRC § 5024.1, Title 14 CCR, § 4852 and § 15064.5(a)(3)). In addition, pursuant to CEQA and Public Resources Code § 21084.1, historical resources included on a local register or otherwise determined locally to be historically significant shall also be considered.

Local Regulations

2025 Selma General Plan

While the City's General Plan doesn't include policies that specifically address historic or archaeological resources, the Open Space, Conservation and Recreation Element lists Goal 7, under section 5.4 as, "Identify and protect unique cultural and historical features of the community."

Selma Municipal Code

Chapter 12, Historical Building Code, states that the City of Selma has adopted the provisions, rules and regulations specified and set forth in the California historical building code, 2022 Edition, included in the California buildings standards code, part 8 of title 24 of the California code of regulations. The California Historical Building Code (CHBC) is intended to save California's architectural heritage by recognizing the unique construction issues inherent in maintaining and adaptively reusing historic buildings. The CHBC provides alternative building regulations for permitting repairs, alterations and additions necessary for the preservation, rehabilitation, relocation, related construction, change of use, or continued use of a "qualified historical building or structure."¹

Thresholds of Significance

In accordance with Appendix G to the State CEQA Guidelines, the project would have a significant impact on cultural resources if it would cause any of the following conditions to occur:

- Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5; or

¹ California State Parks, State Historical Building Code (SHBC). https://ohp.parks.ca.gov/?page_id=21410. Accessed November 2024.

- Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5; or
- Disturb any human remains, including those interred outside of dedicated cemeteries.

Under CEQA, significant cultural resources are those archaeological resources and historical properties that:

- Are associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
- Are associated with the lives of persons important in our past;
- Embody the distinctive characteristics of a type, period, region, or method of construction, or represent the work of an important creative individual, or possess high artistic values; or
- Have yielded, or may be likely to yield, information important in prehistory or history.

Unique resources under CEQA, in slight contrast, are those that represent:

An archaeological artifact, object, or site about which it can be clearly demonstrated that, without merely adding to the current body of knowledge, there is a high probability that it meets any of the following criteria:

1. Contains information needed to answer important scientific research questions and that there is a demonstrable public interest in that information.
2. Has a special and particular quality such as being the oldest of its type or the best available example of its type.
3. Is directly associated with a scientifically recognized important prehistoric or historic event or person (PRC § 21083.2(g)).

Preservation in place is the preferred approach under CEQA to mitigating adverse impacts to significant or unique cultural resources.

Impacts and Mitigation Measures

Impact 3.2-1: *Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5? OR*

Impact 3.2-2: *Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?*

Less Than Significant With Mitigation. A Class III Inventory/ Phase I Survey was prepared for the Project and is the basis for analysis for the discussion and is summarized herein (see Appendix C). Additionally, a Phase I Cultural Resource Survey was prepared for the Project's offsite utilities improvements (pipeline alignments) (see Appendix C).

Archival Records Search

An archival records search was conducted by the staff of the Southern San Joaquin Valley Information Center (IC) on January 17, 2023. The records search was completed to determine: (i) if prehistoric or historical archaeological sites had previously been recorded within the study areas; (ii) if the Project area had been systematically surveyed by archaeologists prior to the initiation of this field study; and/or (iii) whether the general area within which the Project lies was known to contain archaeological sites and to thereby be archaeologically sensitive. Records examined included archaeological site files and maps, the NRHP, Historic Property Data File, California Inventory of Historic Resources, and the California Points of Historic Interest. The Native American Heritage Commission (NAHC) Sacred Lands files were also searched to determine whether tribal cultural resources are present.

The record search revealed that one previous study had been completed within the Project area. No cultural resources were identified as a result of that study. An additional ten surveys had been completed within 0.5-mi of the Project site, resulting in fourteen cultural resources being recorded within the 0.5-mi radius of the Project. Based on the records search results, the study area appears to have low archaeological sensitivity.

An investigation conducted by the Native American Heritage Commission (NAHC) on January 20, 2023 indicated that no tribal cultural resources were known to exist within the Selma Development Project area. Outreach letters were also sent to tribal organizations on the NAHC contact list. A response from the Dunlap and the Mono Indians on February 23, 2023 who did not request consultation and who recommended that the Tachi Yokuts, Table Mountain Rancheria, Tule River Indian Reservation, or the Traditional Choinumni Tribe be contacted. An additional response, from the Santa Rosa Rancheria Tachi Yokut Tribe deferred to the more local tribes in the area. No additional tribal responses were received from the NAHC contact list.

A records search was also performed for the off-site improvements area, which includes three sections of right-of-way. The first section of right-of-way is along S. Fancher Street, at the south intersection of S. Fancher Street and E. Floral Avenue. The second section is along S. Fancher Street between Stillman Street and E. Rose Avenue. The third section is along E. Rose Avenue between Stillman Street and S. Highland Avenue (Highway 43) in the City of Selma, California.

The record search for the right-of-way sections and the environs within one half-mile was conducted at the Southern San Joaquin Valley Information Center. Scott M. Hudlow conducted the record search, RS# 24-256, on May 31, 2024. The record search revealed that eight cultural resource surveys have been conducted within one half-mile of the area. No previous surveys have addressed the sections in question. Ten cultural resources are located within one half-mile of the area; each is a historic structure. One house is located adjacent to the right-of-way sections. No cultural resources have previously identified within the area.

Field Survey

An intensive Class III inventory/ Phase I survey for the Project study area was conducted by ASM Assistant Archaeologist Maria Silva, B.A., on February 3, 2023. The field methods employed included intensive pedestrian examination of the ground surface for evidence of archaeological sites in the form of artifacts, surface features (e.g., bedrock mortars, historical mining equipment), and archaeological indicators (e.g., organically enriched midden soil, burnt animal bone); the identification and location of any discovered sites, should they be present; tabulation and recording of surface diagnostic artifacts; site sketch mapping; preliminary evaluation of site integrity; and site recording, following the California Office of Historic Preservation Instructions for Recording Historic Resources and the BLM 8100 Manual, using DPR 523 forms. Parallel survey transects, spaced at 15-m apart, were employed for the inventory.

No historical or archaeological resources of any kind were identified within the Selma Development Project area. Light modern refuse (e.g., plastics, tarping, Styrofoam) and industrial debris (e.g., tires, concrete fragments, PVC piping) was noted throughout the Selma Development Project at the time of the survey.

A pedestrian survey was also performed on behalf of the off-site improvements on June 2, 2024 by Scott M. Hudlow. Hudlow surveyed in both east/west and north/south transects along the entire right-of-way. No cultural resources were identified in the off-site improvements area.

Determination

As previously described, according to the records search, no cultural resources were identified within the boundaries of the Project area or the off-site improvements area, and no cultural resources were detected during the separate site surveys. Project construction and operation would occur on existing disturbed lands (most recently in agricultural use); however, further disturbance associated with the Project could potentially discover buried sensitive historical, archaeological or cultural resources. This would be a potentially significant impact. In addition, in the event of a discovery resources are subject to the rules and regulations in State law. These

actions would ensure that any potential impacts to previously unidentified subsurface archaeological resources are avoided or minimized, and/or that appropriate data recovery efforts are conducted. Specific protocols and standards that would ensure compliance with the General Plan policy and State law in the event of an inadvertent discovery of a resource during project construction are identified in Mitigation Measures CUL-1 and CUL-2. These include requiring that construction crews are trained to recognize site and soil conditions that may indicate presence of an archeological resource and requiring work to stop in the event a resource is discovered, consultation be initiated with an archaeologist to determine the appropriate course of action, and Native American representatives be consulted for their input and concerns. Compliance with these measures would ensure that potential impacts to previously unidentified subsurface resources are mitigated to a *less than significant level*.

Mitigation Measures:

CUL – 1: Prior to issuance of any demolition or grading permits for activities within or adjacent to the project site, the City of Selma shall ensure that construction plans include a note requiring that all construction crews involved in demolition, grading, trenching, and/or excavation receive worker cultural resources awareness training prior to commencement of construction activities and the applicant or the contractor shall provide written confirmation or other proof of the completed awareness training.

Further, the City shall verify that a qualified archaeologist has been retained by the construction contractor to conduct the worker cultural resources awareness training, and all training materials shall be submitted to and reviewed by the City prior to issuance of grading permits. The training may be presented in-person or by videoconference. Training materials shall include:

- A worker cultural resources awareness brochure prepared by the same qualified archaeologist;
- Relevant information regarding sensitive tribal cultural resources, including applicable regulations, protocols for avoidance, and consequences of violating state laws and regulations;
- Appropriate avoidance and minimization measures for resources that have the potential to be located on the project site;

- The requirement for confidentiality and culturally appropriate treatment of any kind of significance related to Native Americans and behaviors, consistent with Native American tribal values; and
- Instruction to construction workers for recognizing potential cultural resources, such as the presence of discolored or dark soil, fire-affected material, concentrations of lithic materials, or other characteristics observed to be atypical of the surrounding area; lithic or bone tools that appear to have been used for chopping, drilling, or grinding; projectile points; fired clay ceramics or non-functional items; non-local high-quality materials such as chert and obsidian; and historic artifacts such as glass bottles and shards, ceramic material, building or domestic refuse, ferrous metal, or old features such as concrete foundations or privies.

CUL-2: Prior to issuance of any demolition or grading permits for activities within or adjacent to the Project site, the City of Selma shall ensure that construction contracts and/or plans include the following note: “If any cultural resources, such as structural features, unusual amounts of bone or shell artifacts, or architectural remains, are encountered during any construction activities, the contractor shall suspend all work within 100 feet of the find, immediately notify the City Manager and retain a qualified archaeologist to assess the finds, consult with agencies and descendant communities (as appropriate), and make recommendations for the treatment of the discovery.” The qualified archaeologist shall determine if the discovered resources can be preserved in place. If preservation in place is not feasible, the archaeologist shall evaluate the deposit for its eligibility for listing in the California Register of Historical Resources. If the deposit is not eligible, mitigation is not necessary and work can continue. If the deposit is eligible, mitigation shall include excavation of the archaeological deposit in accordance with a data recovery plan (see CEQA Guidelines Section 15126.4(b)(3)(C)). The City of Selma shall ensure that descendant communities are consulted for their input and concerns during the development and implementation of any mitigation plan. Upon completion of the evaluation and/or mitigation, the data recovery plan or report shall be submitted to the City of Selma, the applicant, the Central California Information Center, and, if appropriate, descendant communities. The data recovery plan shall be fully implemented prior to resumption of construction activities proximate to the resource(s).

Impact 3.2-3: *Disturb any human remains, including those interred outside of formal cemeteries?*

Less Than Significant. California Health and Safety Code Section 7050.5, CEQA Section 15064.5, and Public Resources Code Section 5097.98 mandate the process to be followed in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery. Specifically, California Health and Safety Code Section 7050.5 requires that in the event that human remains are discovered within a project site, disturbance of the site shall remain halted until the coroner has conducted an investigation into the circumstances, manner and cause of any death, and the recommendations concerning the treatment and disposition of the human remains have been made to the person responsible for the excavation, or to his or her authorized representative, in the manner provided in Section 5097.98 of the Public Resources Code. If the coroner determines that the remains are not subject to his or her authority and if the coroner recognizes or has reason to believe the human remains to be those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission. Although soil-disturbing activities associated with development in accordance with the proposed project could result in the discovery of human remains, compliance with existing law would ensure that impacts to human remains would not be significant.

Project development, including the off-site improvements for the pipeline alignment, would occur on existing disturbed lands; however, further disturbance could potentially uncover human remains. Such a discovery would be regulated by the process outlined in California Health and Safety Code Section 7050.5, which would reduce potential impacts to a *less than significant level*.

Mitigation Measures:

None Required.

Cumulative Impacts

Would the Project make a cumulatively considerable contribution to a significant cumulative impact related to cultural resources?

Less Than Cumulatively Considerable. The scope for considering cumulative impacts to cultural resources is all of Fresno County. Development in Fresno County and the San Joaquin Valley has likely resulted in the loss or degradation of historic and/or archaeological resources. As discussed

above, implementation of mitigation measures CUL-1 and CUL-2 will ensure that Project implementation avoids and/or minimizes a cumulative loss of these resources if they are found during Project activities. Implementation of the proposed Project, with mitigation, would not make a cumulatively considerable contribution to any significant impact on cultural resources.

3.3 Energy

This section of the DEIR analyzes the Project's potential impacts on energy resources. The information and analysis presented in this section are based on the Air Quality and Greenhouse Gas Analysis Reports (AQGGA) prepared for this Project by Johnson Johnson & Miller Air Quality Consulting. The full AQGGA can be reviewed in Appendix B. No NOP comment letters were received pertaining to this topic.

Environmental Setting

Electricity

Electricity, a consumptive utility, is a man-made resource. The production of electricity requires the consumption or conversion of energy resources, including water, wind, oil, gas, coal, solar, geothermal, and nuclear resources, into energy. The delivery of electricity involves a number of system components, including substations and transformers that lower transmission line power (voltage) to a level appropriate for on-site distribution and use. The electricity generated is distributed through a network of transmission and distribution lines commonly called a power grid. Conveyance of electricity through transmission lines is typically responsive to market demands.

Energy Usage

Energy usage is typically quantified using the British Thermal Unit (BTU). Total energy consumption in California was 6,882 trillion BTU in 2022 (the most recent year for which this specific data is available), which equates to an average of 176 million BTU per capita.¹ Of California's total energy usage, the breakdown by sector is 42.4 percent transportation, 22.4 percent industrial, 17.3 percent commercial, and 17.5 percent residential.² Electricity and natural gas in California are generally consumed by stationary users such as residences and commercial and industrial facilities, whereas petroleum consumption is generally accounted for by transportation-related energy use.

While BTUs measure total energy usage, electricity is generally measured in kilowatt-hours (kWh) which is the standard billing unit for energy delivered to consumers by electrical utilities.

¹ U.S. Energy Information Administration, California State Energy Profile. <https://www.eia.gov/state/print.php?sid=CA>. Accessed November 2024.

² Ibid.

The electricity consumption attributable to Fresno County from 2012 to 2022 is shown in Table 3.3-1. As indicated, energy consumption in Fresno County varied approximately 14.3 percent over the last 10 years.

Table 3.3-1
Electricity Consumption in Fresno County 2012 – 2022³

Year	Electricity Consumption (in millions of kilowatt hours)
2012	7,338
2013	7,459
2014	7,626
2015	7,619
2016	7,555
2017	7,361
2018	7,575
2019	7,371
2020	7,936
2021	8,272
2022	8,384

Natural Gas

Natural gas is a combustible mixture of simple hydrocarbon compounds (primarily methane) that is used as a fuel source. Natural gas consumed in California is obtained from naturally occurring reservoirs, mainly located outside the State, and delivered through high-pressure transmission pipelines. The natural gas transportation system is a nationwide network, and, therefore, resource availability is typically not an issue. Natural gas provides almost one-third of the state's total energy requirements and is used in electricity generation, space heating, cooking, water heating, industrial processes, and as a transportation fuel.

³ California Energy Commission. Energy Reports. Electricity Consumption by County.
<https://ecdms.energy.ca.gov/elecbycounty.aspx>. Accessed November 2024.

Natural gas is provided to the Project area by Pacific Gas and Electric. The natural gas consumption attributable to Fresno County from 2012 to 2022 is provided in Table 3.3-2. Natural gas consumption in Fresno County varied approximately 4.2 percent over the 10-year span.

Table 3.3-2
Natural Gas Consumption in Fresno County 2012 – 2022⁴

Year	Natural Gas Consumption (in millions of Therms)
2012	306
2013	300
2014	295
2015	300
2016	285
2017	341
2018	347
2019	352
2020	326
2021	319
2022	319

Transportation Energy

According to the U.S. Energy Administration, transportation accounts for the largest share of the state's energy consumption. Californians have more registered motor vehicles and travel more vehicle miles than residents in any other state. California accounts for one-tenth of U.S. motor gasoline consumption and about one-seventh of the nation's jet fuel consumption. Overall, the state's transportation sector accounts for nearly two-fifths of California's total energy consumption.⁵

California has led the states in the most electric vehicles (EVs) and EV charging locations every year since 2016. California is part of the West Coast Green Highway, an extensive network of electric vehicle DC fast charging locations located along Interstate 5. The state has about 15,300

⁴ California Energy Commission. Energy Reports. Gas Consumption by County.
<http://www.ecdms.energy.ca.gov/gasbycounty.aspx> Accessed November 2024.

⁵ U.S. Energy Information Administration. California Profile Analysis. Updated May 2024.
<https://www.eia.gov/state/analysis.php?sid=CA>. Accessed November 2024

public charging locations. In 2022, California had about 783,000 registered battery electric vehicles, the most of any state. California also requires all public transit agencies to gradually transition to 100% zero-emission bus (ZEB) fleets. Beginning in 2029, all transit agency new bus purchases must be ZEBs.⁶

According to the Board of Equalization (BOE), statewide taxable sales figures estimate a total of 372 million gallons of gasoline and 81 million gallons of diesel fuel were sold in Fresno County in 2023.⁷

Regulatory Setting

Federal Regulations

In 1975, Congress enacted the Energy Policy and Conservation Act, which established the first fuel economy standards for on-road motor vehicles in the United States. Pursuant to the act, the National Highway Traffic Safety Administration (NHTSA) is responsible for establishing additional vehicle standards.

Energy Independence and Security Act (EISA) of 2007

This Act set increased Corporate Average Fuel Economy (CAFE) standards for motor vehicles and includes the following provisions related to energy efficiency:

- Renewable fuel standards (RFS)
- Appliance and lighting efficiency standards
- Building energy efficiency

This Act requires increasing levels of renewable fuels to replace petroleum. The U.S. EPA is responsible for developing and implementing regulations to ensure transportation fuel sold into the US contains a minimum volume of renewable fuel.

The RFS programs regulations were developed in collaboration with refiners, renewable fuel products, and other stakeholders and were created under the Energy Policy Act of 2005. The RFS program established the first renewable fuel volume mandate in the US. As required under the

⁶ U.S. Energy Information Administration. California State Energy Profile. <https://www.eia.gov/state/print.php?sid=CA>. Accessed November 2024.

⁷ California Energy Commission. California Retail Fuel Outlet Annual Reporting (CEC-A15) Results, 2010-2023. <https://www.energy.ca.gov/media/3874> Accessed November 2024.

act, the original RFS program required 7.5 billion gallons of renewable fuel to be blended into gasoline by 2012. Under the Act, the RFS program was expanded in several key ways that laid the foundation for achieving significant reductions of GHG emissions through the use of renewable fuels, for reducing imported petroleum, and for encouraging the development and expansion of the nation's renewable fuels sector. The updated program is referred to as RFS2 and includes the following:

- EISA expanded the RFS program to include diesel, in addition to gasoline;
- EISA increase the volume of renewable fuel required to be blended into transportation fuel from 9 billion gallons in 2008 to 36 billion gallons by 2022;
- EISA established new categories of renewable fuel and set separate volume requirements for each one; and
- EISA required by the U.S. EPA to apply lifecycle GHG performance threshold standards to ensure that each category of renewable fuel emits fewer GHGs than the petroleum fuel it replaces.⁸

Additional provisions of the EISA address energy savings in government and public institutions, promoting research for alternate energy, additional research in carbon capture, international energy programs, and the creation of “green jobs.”

Federal Vehicle Standards

The CAFE law, first introduced in 1975, has become more stringent over time. In 2009, the NHTSA issued a final rule regulating fuel efficiency and GHG emissions from cars and light-duty trucks for model year 2011; and, in 2010, the EPA and NHTSA issued a final rule regulating cars and light-duty trucks for model years 2012–2016.

In 2010, President Obama issued a memorandum directing the Department of Transportation, Department of Energy, EPA, and NHTSA to establish additional standards regarding fuel efficiency and GHG reduction, clean fuels, and advanced vehicle infrastructure. In response to this directive, EPA and NHTSA proposed stringent, coordinated federal GHG and fuel economy standards for model years 2017–2025 light-duty vehicles. The proposed standards projected to achieve 163 grams per mile of carbon dioxide (CO₂) in model year 2025, on an average industry fleetwide basis, which is equivalent to 54.5 miles per gallon if this level were achieved solely

⁸ U.S. EPA. Renewable Fuel Standard Program. Overview for Renewable Fuel Standard Program. <https://www.epa.gov/renewable-fuel-standard-program/overview-renewable-fuel-standard>. Accessed November 2024.

through fuel efficiency. The final rule was adopted in 2012 for model years 2017–2021, and NHTSA intends to set standards for model years 2022–2025 in a future rulemaking.

In addition to the regulations applicable to cars and light-duty trucks described above, in 2011, the EPA and NHTSA announced fuel economy and GHG standards for medium- and heavy-duty trucks for model years 2014 – 2018. The standards for CO₂ emissions and fuel consumption are tailored to three main vehicle categories: combination tractors, heavy-duty pickup trucks and vans, and vocational vehicles. According to the EPA, this regulatory program will reduce GHG emissions and fuel consumption for the affected vehicles by 6 to 23 percent over the 2010 baselines.

In August 2016, the EPA and NHTSA announced the adoption of the phase two program related to the fuel economy and GHG standards for medium- and heavy-duty trucks. The phase two program will apply to vehicles with model year 2018-2027 for certain trailers, and model years 2021-2027 for semi-trucks, large pickup trucks, vans, and all types and sizes of buses and work trucks. The final standards are expected to lower CO₂ emissions by approximately 1.1 billion MT and reduce oil consumption by up to 2 billion barrels over the lifetime of the vehicles sold under the program.⁹

In August 2018, the USEPA and NHTSA released a notice of proposed rulemaking called Safer Affordable Fuel-Efficient (SAFE) Vehicles Rule for Model Years 2021-2026 Passenger Cars and Light Trucks (SAFE Vehicles Rule). This rule would modify the existing CAFE standards and tailpipe carbon dioxide emissions standards for passenger cars and light trucks, and establish new standards covering model years 2021-2026. SAFE standards are expected to uphold model year 2020 standards through 2026.¹⁰

State of California Regulations

Integrated Energy Policy Report

Senate Bill 138 (Bowen Chapter 568, Statutes of 2002) requires the California Energy Commission (CEC) to prepare a biennial integrated energy policy report that assesses major energy trends and issues facing the state's electricity, natural gas, and transportation fuel sectors and provides policy recommendations to conserve resources; protect the environment; ensure reliable, secure, and

⁹ U.S. Department of Transportation. Briefing Room. EPA and DOT Finalize Greenhouse Gas and Fuel Efficiency Standards for Heavy-Duty Trucks. <https://www.transportation.gov/briefing-room/epa-and-dot-finalize-greenhouse-gas-and-fuel-efficiency-standards-heavy-duty-trucks>. Accessed November 2024.

¹⁰ U.S. Department of Transportation. SAFE. The Safer Affordable Fuel-Efficient 'SAFE' Vehicles Rule. <https://www.nhtsa.gov/corporate-average-fuel-economy/safe>. Accessed November 2024.

diverse energy supplies; enhance the state’s economy; and protect public and safety (Public Resources Code §25301(a)).

The 2021 Integrated Energy Policy Report (IEPR) was adopted in March 2022, and continues to work towards improving electricity, natural gas, and transportation fuel energy use in California.¹¹ The IEPR provides the results of the CEC’s assessments of energy issues facing the state. The IEPR discusses building decarbonization, energy reliability, decarbonizing California’s gas system, and the state’s energy demand forecast.

State of California Energy Plan

The CEC is responsible for preparing the State Energy Plan, which identifies emerging trends related to energy supply, demand, conservation, public health and safety, and the maintenance of a healthy economy. The Plan calls for the state to assist in the transformation of the transportation system to improve air quality, reduce congestion, and increase the efficient use of fuel supplies with the least environmental end energy costs. To further this policy, the plan identifies a number of strategies, including assistance to public agencies and fleet operators and encouragement of urban designs that reduce vehicle miles traveled and accommodate pedestrian and bicycle access.

California’s Energy Efficiency Standards for Residential and Nonresidential Buildings (Title 24)

Part 6 of the Title 24 refers to California’s Energy Efficiency Standards for Residential and Nonresidential Buildings which was first adopted in 1978 in response to a legislative mandate to reduce energy consumption in California. Although not originally intended to reduce GHG emissions, increased energy efficiency and reduced consumption of electricity, natural gas, and other fuels would result in fewer GHG emissions from residential and nonresidential buildings subject to the standard. The standards are updated periodically to allow for the consideration and inclusion of new energy efficiency technologies and methods. The 2019 Building Energy Efficiency Standards went into effect on January 1, 2020. The 2022 Standards went into effect January 1, 2023, replacing the 2019 standards.

Part 11 of the Title 24 Building Standards Code is referred to as the California Green Building Standards Code (CALGreen Code). The purpose of the CALGreen Code is to “improve public health, safety and general welfare by enhancing the design and construction of buildings through

¹¹ California Energy Commission. 2021 Integrated Energy Policy Report Update. <https://www.energy.ca.gov/data-reports/reports/integrated-energy-policy-report/2021-integrated-energy-policy-report>. Accessed November 2024.

the use of building concepts having a positive environmental impact and encouraging sustainable construction practices in the following categories: (1) planning and design; (2) energy efficiency; (3) water efficiency and conservation; (4) material conservation and resource efficiency; and (5) environmental air quality.” The CALGreen Code is not intended to substitute or be identified as meeting the certification requirements of any green building program that is not established and adopted by the California Building Standards Commission (CBSC).

CALGreen contains both mandatory and voluntary measures. For nonresidential land uses, there are 39 mandatory measures including, but not limited to, exterior light pollution reduction, wastewater reduction by 20 percent, and commissioning of projects over 10,000 square feet. Two tiers of voluntary measures apply to nonresidential land uses, for a total of 36 additional elective measures.

Executive Order B-30-15

Executive Order B-30-15, 2030 Carbon Target and Adaptation, issued by Governor Brown in April 2015, set a target of reducing GHG emissions by 40 percent below 1990 levels in 2030. To achieve this ambitious target, Governor Brown identified five key goals for reducing GHG emissions in California through 2030:

- Increase the amount of renewable electricity provided state-wide to 50 percent;
- Double energy efficiency savings achieved in existing buildings and make heating fuels cleaner;
- Reduce petroleum use in cars and trucks by up to 50 percent;
- Reduce emissions of short-lived climate pollutants; and
- Manage farms, rangelands, forests, and wetlands to increasingly store carbon.

Executive Order B-55-18

In 2018, Governor Brown signed EO B-55-18 to achieve carbon neutrality by moving California to 100 percent clean energy by 2045. This Executive Order also includes specific measures to reduce GHG emissions via clean transportation, energy efficient buildings, directing cap-and-trade funds to disadvantaged communities, and better management of the state’s forest land.

Senate Bill (SB) 375 (Sustainable Communities and Climate Protection Act)

In January 2009, California SB 375, known as the Sustainable Communities and Climate Protection Act, went into effect. The objective of SB 375 is to better integrate regional planning of transportation, land use, and housing to reduce sprawl and ultimately reduce GHG emissions and other air pollutants. SB 375 tasks CARB to set GHG reduction targets for each of California’s

18 regional Metropolitan Planning Organizations (MPOs). Each MPO is required to prepare a Sustainable Communities Strategy (SCS) as part of their Regional Transportation Plan (RTP). The SCS is a growth strategy in combination with transportation policies that will show how the MPO will meet its GHG reduction target. If the SCS cannot meet the reduction goal, an Alternative Planning Strategy may be adopted that meets the goal through alternative development, infrastructure, and transportation measures or policies.

In 2010, CARB released the proposed GHG reduction targets for the MPOs and is tasked to update the regional targets every eight years. The proposed reduction targets for the Merced CAG region were 6 percent by year 2020 and 13 percent by year 2035 beginning in October of 2018.¹²

Renewables Portfolio Standard Program

In 2002, California established its Renewables Portfolio Standard (RPS) Program, with the goal of increasing the percentage of renewable energy in the state's electricity mix to 20 percent of retail sales by 2017. The 2003 Integrated Energy Policy Report recommended accelerating that goal to 20 percent by 2010, and the 2004 Energy Report Update further recommended increasing the target to 33 percent by 2020. The state's Energy Action Plan also supported this goal. In 2006 under Senate Bill 107, California's 20 percent by 2010 RPS goal was codified. The legislation required retail sellers of electricity to increase renewable energy purchases by at least one percent each year with a target of 20 percent renewables by 2010. Publicly owned utilities set their own RPS goals, recognizing the intent of the legislature to attain the 20 percent by 2010 target.

In 2008, Governor Schwarzenegger signed Executive Order S-14-08 requiring that "all retail sellers of electricity shall serve 33 percent of their load with renewable energy by 2020." The following year, Executive Order S-21-09 directed CARB to enact regulations to achieve the goal of 33 percent renewables by 2020.

In 2015, Governor Brown signed Senate Bill 350 to codify ambitious climate and clean energy goals. One key provision of SB 350 is for retail sellers and publicly owned utilities to procure "half of the state's electricity from renewable sources by 2030."

The State's RPS program was further strengthened by SB 100 in 2018. SB 100 revised the State's RPS Program to require retail sellers of electricity to serve 50 percent and 60 percent of the total kilowatt-hours sold to retail end-use customers be served by renewable energy sources by 2026

¹² California Air Resources Board. SB 375 Regional Targets. <https://ww2.arb.ca.gov/our-work/programs/sustainable-communities-program/regional-plan-targets>. Accessed November 2024.

and 2030, respectively, and to require that 100 percent of all electricity supplied come from renewable sources by 2045.

Executive Order S-01-07 Low Carbon Fuel Standard Regulation

CARB initially adopted the Low Carbon Fuel Standard (LCFS) regulation in 2009, identifying it as one of the nine discrete early action measures in the 2008 Scoping Plan to reduce California's GHG emissions. The LCFS regulation defines a Carbon Intensity, or "CI," reduction target (or standard) for each year, which the rule refers to as the "compliance schedule." The LCFS regulation requires a reduction of at least 10 percent in the CI of California's transportation fuels by 2020 and maintains that target for all subsequent years.

CARB has begun the rulemaking process for strengthening the compliance target of the LCFS through the year 2030. For a new LCFS target, the preferred scenario in the 2017 Scoping Plan Update identifies an 18 percent reduction in average transportation fuel carbon intensity, compared to a 2010 baseline, by 2030 as one of the primary measures for achieving the state's GHG 2030 target. Achieving the SB 32 reduction goals will require the use of a low carbon transportation fuels portfolio beyond the amount expected to result from the current compliance schedule.¹³

Advanced Clean Cars Program

In 2012, CARB approved the Advanced Clean Cars (ACC) Program (formerly known as Pavley II) for model years 2017-2025. The components of the ACC program are the Low-Emission Vehicle (LEV) regulations and the Zero-Emission Vehicle (ZEV) regulation. The program combines the control of smog, soot, and global warming gases with requirements for greater numbers of zero-emission vehicles into a single package of standards. By 2025, new automobiles under California's Advanced Clean Car program will emit 34 percent less global warming gases and 75 percent less smog-forming emissions.

EO B-48-18, issued by Governor Brown in 2018, establishes a target to have five million ZEVs on the road in California by 2030. This Executive Order is supported by the State's 2018 ZEV Action Plan Priorities Update, which expands upon the State's 2016 ZEV Action Plan. While the 2016

¹³ California Air Resources Board. CARB amends Low Carbon Fuel Standard for wider impact.

<https://ww2.arb.ca.gov/index.php/news/carb-amends-low-carbon-fuel-standard-wider-impact>. Accessed November 2024.

plan remains in effect, the 2018 update functions as an addendum, highlighting the most important actions State agencies took in 2018 to implement the directives of EO B-48-18.

Thresholds of Significance

Consistent with Appendix G of the CEQA Guidelines, the proposed Project will have a significant impact related to energy if it will:

- Result in a wasteful, inefficient or unnecessary consumption of energy resources, during project construction or operation; or
- Conflict with or obstruct state or local plans for renewable energy or energy efficiency.

Methodology

The energy requirements for the proposed Project were determined using the construction and operational estimates generated from the Air Quality Analysis (refer to Attachment A of Appendix B for related CalEEMod output files). The calculation worksheets for diesel fuel consumption rates for off-road construction equipment and on-road vehicles during construction and operations are provided in Attachment C of Appendix B.

Impacts and Mitigation Measures

Impact 3.3-1: *Would the project result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?*

Less Than Significant. This impact addresses the energy consumption from both the short-term construction and long-term operations are discussed separately below.

Short-Term Construction

Off-Road Equipment

Table 3.3-3 provides estimates of the Project's construction fuel consumption from off-road construction equipment for the entire project, categorized by construction activity.

Table 3.3-3
Construction Off-Road Fuel Consumption¹⁴

Project Component	Construction Activity	Fuel Consumption (gallons)
Selma Mixed-Use Project (On-site, Off-road Equipment Use)	Site Preparation	2,728
	Grading	9,663
	Building Construction	29,249
	Paving	1,395
	Architectural Coating	162
Project Construction Subtotal		43,197
Off-site Pipeline (Construction Off-road Equipment Use)	Linear, Grubbing & Land Clearing	55
	Linear, Grading & Excavation	533
	Linear, Drainage, Utilities & Sub-Grade	279
	Linear, Paving	191
	Off-site Improvements Subtotal	1,058
Construction Grand Total		44,255
Source: Energy Consumption Calculations (Attachment C of Appendix B).		

As shown in Table 3.3-3, use of off-road equipment associated with construction of the proposed Project is estimated to consume approximately 44,255 gallons of diesel fuel over the entire construction duration. There are no unusual project characteristics that would necessitate the use of construction equipment that would be less energy efficient than at comparable construction sites in the City of Selma, the larger Fresno County region, or other parts of California. Therefore, it is expected that construction fuel consumption associated with the proposed Project would not be any more inefficient, wasteful, or unnecessary than at other construction sites in the region.

On-Road Vehicles

On-road vehicles for construction workers, vendors, and haulers would require fuel for travel to and from the site during construction. Table 3.3-4 provides an estimate of the total on-road vehicle fuel usage during construction. There are no unusual project characteristics

¹⁴ Air Quality, Health Risk, Greenhouse Gas, and Energy Technical Memorandum for the Selma Mixed-Use Project. Johnson & Miller Air Quality Consulting Services. January 17, 2024. Page 47.

that would necessitate the use of construction equipment that would be less energy efficient than at comparable construction sites in other parts of the state. Therefore, it is expected that construction fuel consumption associated with the proposed Project would not be any more inefficient, wasteful, or unnecessary than at other construction sites in the region.

Table 3.3-4
Construction On-Road Fuel Consumption¹⁵

Project Component	Construction Activity	Total Annual Fuel Consumption (gallons)
Selma Mixed-Use Development Project Construction	Site Preparation	299
	Grading	11,362
	Building Construction	243,173
	Paving	486
	Architectural Coating	2,629
	Off-site Pipeline Improvements	1,254
Total from Project Construction		259,203
Source: Energy Consumption Calculations (Attachment C of Appendix B).		

Other Energy Consumption Anticipated During Project Construction

Other equipment could include construction lighting, field services (office trailers), and electrically driven equipment such as pumps and other tools. The project site is located in the City of Selma. As construction activities would occur primarily during daylight hours; it is anticipated that the use of construction lighting would be minimal. Singlewide mobile office trailers, which are commonly used in construction staging areas, generally range in size from 160 square feet to 720 square feet. A typical 720-square-foot office trailer would

¹⁵ Air Quality, Health Risk, Greenhouse Gas, and Energy Technical Memorandum for the Selma Mixed-Use Project. Johnson & Miller Air Quality Consulting Services. January 17, 2024. Page 48.

consume approximately 54,667 kWh during the approximate 3.24-year construction phase (Attachment C of Appendix B).

Long-Term Operations

Transportation Energy Demand

Table 3.3-5 provides an estimate of the daily and annual fuel consumed by vehicles traveling to and from the proposed Project. These estimates were derived using the same assumptions used in the operational air quality analysis for the proposed Project.

Table 3.3-5
Long-Term Operational Vehicle Fuel Consumption¹⁶

Vehicle Type	Percent of Vehicle Trips	Annual VMT	Average Fuel Economy (miles/gallon)¹	Total Daily Fuel Consumption (gallons)	Total Annual Fuel Consumption (gallons)
Passenger Cars (LDA)	49.23	10,021,819	29.59	927.8	338,654
Light Trucks (Pickups) and Medium Vehicles	43.52	8,858,189	22.06	1100.2	401,572
Light-Heavy to Medium-Heavy Diesel Trucks	4.00	813,242	11.10	200.7	73,241
Heavy-Heavy Trucks	1.05	213,656	6.01	97.4	35,554
Motorcycles	1.60	326,364	41.16	21.7	7,929
Other	0.60	123,118	7.52	44.8	16,370
Total	100	20,356,388	—	2,392.6	873,320
Notes: VMT = vehicle miles traveled Percent of Vehicle Trips and VMT provided by CalEEMod. "Other" consists of buses and motor homes. Source: Energy Consumption Calculations (Attachment C of Appendix B).					

¹⁶ Air Quality, Health Risk, Greenhouse Gas, and Energy Technical Memorandum for the Selma Mixed-Use Project. Johnson & Miller Air Quality Consulting Services. January 17, 2024. Page 49.

As shown above, annual vehicular fuel consumption is estimated to be 873,320 gallons of gasoline and diesel fuel combined. Using rates calculated for the 2024 operational year, daily consumption is estimated at 2,393 gallons of fuel (see Attachment C of Appendix B).

Building Energy Demand

As shown in Table 3.3-6 and Table 3.3-7, the proposed Project is estimated to demand 4,956,469 kilowatthours (KWhr) of electricity and 24,646,500 1,000-British Thermal Units (kBtu) of natural gas, respectively, on an annual basis.

**Table 3.3-6
Long-Term Electricity Usage¹⁷**

Land Use	Total Electricity Demand (kWh/year)
Strip Mall	76,033
Fast Food Restaurant w/ Drive Thru	451,255
Fast Food Restaurant w/out Drive Thru (Fast Casual Restaurant)	321,718
Automobile Care Center (Vehicle Stop + Car Wash)	183,906
Hotel	924,632
Apartments Low Rise (Multifamily Housing)	1,474,469
Retirement Community	589,787
Apartments Low Rise (Affordable Housing)	884,681
City Park	0
Other Asphalt Surfaces	0

¹⁷ Ibid. Page 49.

Land Use	Total Electricity Demand (kWh/year)
Parking Lot	49,988
Total	4,956,469
<p>Notes:</p> <p>kWh = kilowatt hour</p> <p>The estimates above represent total estimated electricity consumption on an annual basis from operations of the proposed project.</p> <p>Source: Energy Consumption Calculations (Attachment C of Appendix B).</p>	

Table 3.3-7
Long-Term Natural Gas Usage¹⁸

Land Use	Total Natural Gas Demand (kBTU/year)
Strip Mall	70,505
Fast Food Restaurant w/ Drive Thru	1,262,715
Fast Food Restaurant w/out Drive Thru (Fast Casual Restaurant)	900,243
Automobile Care Center (Vehicle Stop + Car Wash)	635,112
Hotel	5,188,239
Apartments Low Rise (Multifamily Housing)	8,294,843
Retirement Community	3,317,937

¹⁸ Ibid. Page 50.

Land Use	Total Natural Gas Demand (kBTU/year)
Apartments Low Rise (Affordable Housing)	4,976,906
City Park	0
Other Asphalt Surfaces	0
Parking Lot	0
Total	24,646,500
Source: Energy Consumption Calculations (Attachment C of Appendix B).	

Construction Energy Demand

As summarized in Table 3.3-3 and 3.3-4, the proposed Project would require 44,255 gallons of diesel fuel for construction off-road equipment and 259,203 gallons of gasoline and diesel for on-road vehicles during construction. There are no unusual project characteristics that would necessitate the use of construction equipment that would be less energy efficient than at comparable construction sites in the region or other parts of the state. In addition, the overall construction schedule and process is already designed to be efficient in order to avoid excess monetary costs. For example, equipment and fuel are not typically used wastefully due to the added expense associated with renting the equipment, maintaining it, and fueling it. Therefore, it is expected that construction fuel consumption associated with the proposed Project would not be any more inefficient, wasteful, or unnecessary than at other construction sites in the region, and as such, impacts would be *less than significant*.

Long-Term Energy Demand

Building Energy Demand

Buildings and infrastructure constructed pursuant to the proposed Project would comply with the versions of CCR Titles 20 and 24, including California Green Building Standards (CALGreen), that are applicable at the time that building permits are issued. The proposed Project is estimated to demand 4,956,469 KWhr of electricity per year and 24,646,500 kBTU of natural gas per year. As

the Project site is currently undeveloped, this would represent an increase in demand for electricity and natural gas.

It would be expected that building energy consumption associated with the proposed Project would not be any more inefficient, wasteful, or unnecessary than for any other similar buildings in the City of Selma or the larger region. Current state regulatory requirements for new building construction contained in the 2022 CALGreen and Title 24 standards would increase energy efficiency and reduce energy demand in comparison to existing commercial structures, and therefore would reduce actual environmental effects associated with energy use from the proposed Project. Additionally, the CALGreen and Title 24 standards have increased efficiency standards through each update. The most recent 2022 standards became effective January 1, 2023 and will be updated in the next cycle that will become effective at the start of 2026. Therefore, while the proposed Project would result in increased electricity and natural gas demand, electricity and natural gas would be consumed more efficiently than most existing development.

Based on the above information, the proposed Project would not result in the inefficient or wasteful consumption of electricity or natural gas, and impacts would be *less than significant*.

Transportation Energy Demands

The daily vehicular fuel consumption is estimated to be 2,393 gallons of both gasoline and diesel fuel. Annual consumption is estimated at 873,320 gallons. In addition, the proposed Project would constitute development within an established community and would not be opening a new geographical area for development. Specifically, the Project site is located in the western portion of the City of Selma, just west of built-up areas of the city and within ¼-mile of State Route 99. As such, the proposed residential and commercial mixed-use Project would not result in unusually long trip lengths for future employees, vendors, patrons, residents, or visitors. The proposed Project would be well-positioned to accommodate an existing community. In addition, the mixed-use development is specifically designed for ease of travel using alternative transportation methods such as biking or walking, facilitated by the connectivity throughout the Project site and the proximity of jobs and amenities to future Project residents. Vehicles accessing the Project site would be typical of vehicles accessing similar commercial and residential uses in the City of Selma region and surrounding areas. For these reasons, it would be expected that vehicular fuel consumption associated with the proposed Project would not be any more inefficient, wasteful, or unnecessary than for any other similar land use activities in the region, and impacts would be *less than significant*.

Mitigation Measures

None Required.

Impact 3.3-2: *Would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?*

Less Than Significant. The Project proposes the construction of new commercial and residential development that would be built in accordance with all applicable rules and regulations. Compliance with established and applicable regulations would ensure that the Project would not conflict with or obstruct any state or local plan for renewable energy or energy efficiency. Moreover, compliance with Title 24 standards would ensure that the proposed Project would not conflict with any energy conservation policies related to the proposed Project's building envelope, mechanical systems, and indoor and outdoor lighting. Notably, the applicable Title 24 standards require the Project to include on-site renewable energy to serve the future Project occupants and residents. In addition, the proposed Project would constitute development within an established community. Specifically, the Project site is adjacent to built-up areas of the City of Selma and is within ¼-mile of State Route 99. As such, the Project would not be opening a new geographical area for development such that it would not result in unusually long trip lengths for future Project employees, vendors, patrons, residents, or visitors. In addition, the proposed mixed-use development is specifically designed for ease of travel using alternative transportation methods such as biking or walking, facilitated by the connectivity throughout the Project site and the proximity of jobs and amenities to future project residents. For the above reasons, the proposed Project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency, and impacts would be less than significant.

Mitigation Measures

None Required.

Cumulative Impacts

Less Than Cumulatively Considerable. Potential cumulative impacts on energy would result if the proposed Project, in combination with past, present, and future projects, would result in the wasteful or inefficient use of energy. This could result from development that would not incorporate sufficient building energy efficiency features, would not achieve building energy

efficiency standards, or would result in the unnecessary use of energy during construction and/or operation. The cumulative projects within the areas serviced by the energy service providers would be applicable to this analysis; this includes existing aging structures that are energy inefficient. Projects that include development that would have the potential to consume energy in an inefficient manner would have the potential to contribute to a cumulative impact.

As previously described, the proposed Project would not result in significant environmental impacts due to wasteful, inefficient, or unnecessary use of energy due to various design features, including installation of solar, EV charging equipment, bicycle parking, as well as following standards that promote energy efficiency, water efficiency and conservation, and material conservation and resource efficiency. Similar to the proposed Project, newly constructed cumulative projects would be subject to CALGreen, which provides energy efficiency standards for commercial and residential buildings. Over time, CALGreen would implement increasingly stringent energy efficiency standards that would require the proposed Project and newly constructed cumulative projects to minimize the wasteful and inefficient use of energy. Furthermore, various federal and state regulations - including the Low Carbon Fuel Standard, Pavley Clean Car Standards, and Low Emission Vehicle Program - would serve to reduce the transportation fuel demand of cumulative projects.

Development associated with build-out of the proposed Project would be required to accommodate growth. As discussed above, new development and land use turnover would be required to comply with statewide mandatory energy requirements outlined in Title 24, Part 6, of the California Code of Regulations (the CALGreen Code), which could decrease estimated electricity and natural gas consumption compared to existing structures. Furthermore, energy consumed by development in the Project area would continue to be subject to the regulations described in the Regulatory Setting of this Section. For these reasons, energy that would be consumed by the Project is not considered unnecessary, inefficient, or wasteful. Considering the information provided above, the proposed Project, in conjunction with other cumulative development, would not result in a significant cumulative impact to energy resources. Impacts are *not cumulatively considerable*.

3.4 Greenhouse Gas Emissions

This section discusses regional greenhouse gas (GHG) emissions and climate change impacts that could result from implementation of the proposed Project. The information and analysis presented in this section are based on the Air Quality and Greenhouse Gas Analysis Reports (AQGGA) prepared for this Project by Johnson Johnson & Miller Air Quality Consulting. The full AQGGA can be reviewed in Appendix B. No NOP comment letters were received pertaining to this topic.

Environmental Setting

Climate Change

Climate change is a change in the average weather of the earth that is measured by alterations in wind patterns, storms, precipitation, and temperature. These changes are assessed using historical records of temperature changes occurring in the past, such as during previous ice ages. Many of the concerns regarding climate change use this data to extrapolate a level of statistical significance, specifically focusing on temperature records from the last 150 years (the Industrial Age) that differ from previous climate changes in rate and magnitude.

The United Nations Intergovernmental Panel on Climate Change (IPCC) constructed several emission trajectories of GHGs needed to stabilize global temperatures and climate change impacts. In its Fourth Assessment Report, the IPCC predicted that the global mean temperature change from 1990 to 2100, given by the full set of SRES scenarios, could range from 1.4 degrees Celsius (°C) to 5.8°C.¹ The report states, "Changes in the atmosphere, cryosphere and ocean show unequivocally that the world is warming,"² and that "It is very likely that anthropogenic greenhouse gas increases caused most of the observed increase in global average temperatures since the mid-20th century."³

¹ Intergovernmental Panel on Climate Change (IPCC), Fourth Assessment Report (AR4). Global Climate Projections. Chapter 10, 10.5.3 – Global Mean Responses from Different Scenarios. Page 802. <https://www.ipcc.ch/site/assets/uploads/2018/02/ar4-wg1-chapter10-1.pdf>. Accessed November 2024.

² Ibid. Technical Summary, page 51.

³ Ibid. Page 60.

Climate Change Impacts in California

California is already experiencing the impacts of a changing climate, including observable shifts in the frequency and severity of extreme weather events, such as more frequent and severe heat waves and wildfires, more variable precipitation, and a succession of droughts that have increased as temperatures warm. Statewide trends are elaborated below⁴:

- **Temperature.** Annual temperature increases experienced over most of California have already exceeded 1°F, with some areas exceeding 2°F. The daily maximum average temperature, an indicator of extreme temperature shifts, is expected to rise 4.4°F–5.8°F by mid-century and 5.6°F–8.8°F by late century. Heat-Health Events (HHEs), which better predict risk to populations vulnerable to heat, will worsen drastically throughout the state. By midcentury, the Central Valley is projected to experience average HHEs that are two weeks longer, and HHEs could occur four to ten times more often in the Northern Sierra region.
- **Precipitation.** California is known for its highly variable precipitation and has the highest variability of year-to-year precipitation in the contiguous United States. California's variable precipitation is also characterized by multi-year wet or dry periods. As a result, future average precipitation is difficult to predict, but may likely not change substantially when measured by annual precipitation. However, there is high confidence in projections that even if precipitation remains stable or increases, drought severity and the number of dry years will increase, even as more extreme precipitation events may occur. Warming air temperatures will increase moisture loss from soils, which will lead to drier seasonal conditions even if precipitation increases. The snowpack in California's mountains is a key source of surface and groundwater in the state, and rising temperatures will cause a decline in snowpack by more than a third by 2050 and more than half by 2100, even if precipitation levels remain stable.
- **Wildfire.** Wildfires are driven by multiple, complex, and interacting factors such as the environment, land use, and human activity, all of which make future wildfires difficult to predict. In recent years, the area burned by wildfire in California has dramatically increased and unprecedented fires are occurring in sensitive ecosystems like higher elevations and along the coast. In addition, many of California's wildfires are burning

⁴ Summary of Projected Climate Change Impacts on California. California Climate Adaption Strategy. <https://climateresilience.ca.gov/overview/impacts.html>. Accessed November 2024.

hotter and more intensely than observed in recent history. Fires are concentrating in upper watersheds, further compounding crises like drought. The 2020 wildfires resulted in the largest wildfire season recorded in California's modern history, with nearly 10,000 fires that burned over four million acres in total. However, fewer than 40 fires accounted for the vast majority of the area burned, pointing to the accelerating severity and frequency of extreme fires. In 2021, California experienced 4 of the 20 largest wildfires in our history, with 8,000 wildfires burning over 2.5 million acres across the state. The 2021 fire season also marks the first time that fire crossed the granite crest of the Sierra, California's largest natural fuel break. A model developed for California's Fourth Climate Change Assessment projected up to a 77 percent increase in average area burned and a 50 percent increase in the frequency of fires exceeding 25,000 acres by 2100.

- Sea-level rise, coastal flooding, and erosion.** Sea-level rise is already accelerating along the California coast and will continue to rise substantially over the 21st century, threatening coastal communities, natural resources, cultural sites, and infrastructure. The current best available science predicts that the state's coastline could experience between 1.1–1.9 feet of sea-level rise by 2050 (with a low-probability, but high impact extreme of 2.7 feet) and between 2.4–6.9 feet by 2100 (with a low-probability, but high impact extreme of 10.2 feet). Though we may be uncertain the exact amount of sea-level rise for a certain location at a certain year, we know that water levels are rising and communities need to be prepared. Coastal wave events and king tides, in combination with current and rising sea levels, will increase flood impacts on land, which will exacerbate the impact on coastal assets. Rising sea levels may also salinate coastal groundwater aquifers and raise groundwater tables, causing increased flooding leading to impacts that will further damage buried and low-lying infrastructure. Finally, rising water levels and increased storm activity will increase coastal erosion, impacting beaches and cliffs throughout the state. For example, a projected 31–67 percent of Southern California beaches are projected to be lost by the end of the century if adaptation actions are not implemented.
- Ocean warming, hypoxia, and acidification.** The world's oceans absorb excess heat (~90%) and CO₂ (~30%) from greenhouse gas emissions, the former contributing to ocean warming and the latter to ocean acidification. Both warming and acidification can be catastrophic to marine ecosystems (e.g. disease, degradation, bleaching) and the coastal communities and industries that rely on them. Relatedly, deoxygenation or hypoxia of surface waters can lead to dead zones that further challenge marine habitats and species and cause cascading impacts for our coastal economies and communities.

- **Human health.** Climate change is considered the greatest global public health threat of the 21st century and affects virtually all aspects of health and well-being, including access to clean air, food, water, shelter, and physical safety. Communities across California are experiencing health impacts associated with the climate crisis today. Examples include injury, illness, and death from wildfires and wildfire smoke, extreme heat, drought, landslides, extreme weather events, vector-borne diseases, and associated mental health impacts. Climate-driven disasters directly result in injuries, deaths, and displacement, but also loss of livelihoods, businesses, crops, and homes - contributing to unemployment, poverty, and the housing crisis. Direct impacts and subsequent cascading effects increase chronic diseases, infectious diseases, mental health challenges, and heat- and smoke-related illnesses. Climate change affects every Californian, but the most climate vulnerable communities and populations experience worse health impacts from the crisis than others.

Greenhouse Gases

Gases that trap heat in the atmosphere are called greenhouse gases. This section provides information on specific types of emissions.⁵

- **Carbon dioxide (CO₂):** Carbon dioxide enters the atmosphere through burning fossil fuels (coal, natural gas, and oil), solid waste, trees and other biological materials, and also as a result of certain chemical reactions (e.g., cement production). Carbon dioxide is removed from the atmosphere (or "sequestered") when it is absorbed by plants as part of the biological carbon cycle.
- **Methane (CH₄):** Methane is emitted during the production and transport of coal, natural gas, and oil. Methane emissions also result from livestock and other agricultural practices, land use, and by the decay of organic waste in municipal solid waste landfills.
- **Nitrous oxide (N₂O):** Nitrous oxide is emitted during agricultural, land use, and industrial activities; combustion of fossil fuels and solid waste; as well as during treatment of wastewater.
- **Fluorinated gases:** Hydrofluorocarbons, perfluorocarbons, sulfur hexafluoride, and nitrogen trifluoride are synthetic, powerful greenhouse gases that are emitted from a variety of

⁵ Environmental Protection Agency. Greenhouse Gas Emissions, Overview of Greenhouse Gases. <https://www.epa.gov/ghgemissions/overview-greenhouse-gases>. Accessed November 2024.

household, commercial, and industrial applications and processes. Fluorinated gases (especially hydrofluorocarbons) are sometimes used as substitutes for stratospheric ozone-depleting substances (e.g., chlorofluorocarbons, hydrochlorofluorocarbons, and halons). Fluorinated gases are typically emitted in smaller quantities than other greenhouse gases, but they are potent greenhouse gases. With global warming potentials that typically range from thousands to tens of thousands, they are sometimes referred to as high-GWP gases because, for a given amount of mass, they trap substantially more heat than CO₂.

Each gas's effect on climate change depends on concentration, how long the greenhouse gases stay in the atmosphere and how strongly each greenhouse gas impacts the atmosphere. For each greenhouse gas, a Global Warming Potential (GWP) was developed to allow comparisons of the global warming impacts of different gases. Specifically, it is a measure of how much energy the emissions of 1 ton of a gas will absorb over a given period of time, typically a 100-year time horizon, relative to the emissions of 1 ton of carbon dioxide (CO₂). Gases with a higher GWP absorb more energy, per ton emitted, than gases with a lower GWP, and thus contribute more to warming Earth.⁶

Emissions Inventories and Trends

According to the CARB's recent GHG inventory for the State, released 2021, California produced 418.2 million metric tons of carbon dioxide equivalent (MMTCO₂e) in 2019. The major source of GHGs in California is transportation, contributing approximately 39.7 percent of the state's total GHG emissions in 2019.⁷ This puts total emissions at 12.8 MMTCO₂e below the 2020 target of 431 million metric tons. California statewide GHG emissions dropped below the 2020 GHG limit in 2016 and have remained below the 2020 GHG limit since then.

Regulatory Setting

International Regulations

Intergovernmental Panel on Climate Change

Created in 1988 by the World Meteorological Organization (WMO) and the United Nations Environment Programme (UNEP), the objective of the IPCC is to provide governments at all levels

⁶ Ibid.

⁷ California Air Resources Board (CARB). 2021. California Greenhouse Gas Emissions for 2000 to 2019. https://ww3.arb.ca.gov/cc/inventory/pubs/reports/2000_2019/ghg_inventory_trends_00-19.pdf. Accessed November 2024.

with scientific information that they can use to develop climate policies. IPCC reports are also a key input into international climate change negotiations. For the assessment reports, experts volunteer their time as IPCC authors to assess the thousands of scientific papers published each year to provide a comprehensive summary of what is known about the drivers of climate change, its impacts and future risks, and how adaptation and mitigation can reduce those risks.⁸

United Nations Framework Convention on Climate Change (Convention)

On March 21, 1994, the United States joined 197 other countries around the world in signing the Convention. The ultimate objective of the Convention is to stabilize greenhouse gas concentrations "at a level that would prevent dangerous anthropogenic (human induced) interference with the climate system." It states that "such a level should be achieved within a time-frame sufficient to allow ecosystems to adapt naturally to climate change, to ensure that food production is not threatened, and to enable economic development to proceed in a sustainable manner." The Conventions bounds its member states to act in the interest of human safety even in the face of scientific uncertainty.⁹

Kyoto Protocol

The Kyoto Protocol was adopted on 11 December 1997. Owing to a complex ratification process, it entered into force on 16 February 2005. The Kyoto Protocol operationalizes the United Nations Framework Convention on Climate Change by committing industrialized countries and economies in transition to limit and reduce greenhouse gas emissions in accordance with agreed individual targets. The Convention itself only asks those countries to adopt policies and measures on mitigation and to report periodically. Currently, there are 192 Parties to the Kyoto Protocol.¹⁰

Paris Agreement

Parties to the United Nations Framework Convention on Climate Change (UNFCCC) reached a landmark agreement on December 12, 2015 in Paris, which was a binding agreement bringing all nations together to combat climate change and adapt to its effects. Its overarching goal is to hold "the increase in the global average temperature to well below 2°C above pre-industrial levels" and pursue efforts "to limit the temperature increase to 1.5°C above pre-industrial levels." However, in recent

⁸ Intergovernmental Panel on Climate Change (IPCC), About the IPCC. <https://www.ipcc.ch/about/>. Accessed November 2024.

⁹ United Nations Climate Change. What is the United Nations Framework Convention on Climate Change? <https://unfccc.int/process-and-meetings/what-is-the-united-nations-framework-convention-on-climate-change>. Accessed November 2024.

¹⁰ United Nations Climate Change. What is the Kyoto Protocol? https://unfccc.int/kyoto_protocol. Accessed November 2024.

years, world leaders have stressed the need to limit global warming to 1.5°C by the end of this century.¹¹

Implementation of the Paris Agreement requires economic and social transformation, based on the best available science. The Paris Agreement works on a five-year cycle of increasingly ambitious climate action carried out by countries. Since 2020, countries have been submitting their national climate action plans, known as nationally determined contributions (NDCs). Each successive NDC is meant to reflect an increasingly higher degree of ambition compared to the previous version.¹²

Federal Regulations

Prior to the last decade, there were no concrete federal regulations of GHGs or major planning for climate change adaptation. Since then, federal activity has increased. The following are actions regarding the federal government, GHGs, and fuel efficiency.

Greenhouse Gas Endangerment

Massachusetts v. EPA (Supreme Court Case 05-1120) was argued before the United States Supreme Court on November 29, 2006, in which it was petitioned that the U.S. Environmental Protection Agency (EPA) regulate four GHGs, including CO₂, under Section 202(a)(1) of the Clean Air Act. A decision was made on April 2, 2007, in which the Supreme Court found that GHGs are air pollutants covered by the Clean Air Act.¹³ The Court held that the Administrator must determine whether emissions of GHGs from new motor vehicles cause or contribute to air pollution, which may reasonably be anticipated to endanger public health or welfare, or whether the science is too uncertain to make a reasoned decision. On December 7, 2009, the EPA Administrator signed two distinct findings regarding GHGs under section 202(a) of the Clean Air Act.¹⁴

- **Endangerment Finding:** The Administrator finds that the current and projected concentrations of the six key well-mixed greenhouse gases — carbon dioxide, methane, nitrous

¹¹ United Nations Climate Change. What is the Paris Agreement? <https://unfccc.int/process-and-meetings/the-paris-agreement>. Accessed November 2024.

¹² Ibid.

¹³ Environmental Protection Agency, Endangerment and Cause or Contribution Findings for Greenhouse Gases Under Section 202(a) of the Clean Air Act. Background. <https://www.epa.gov/climate-change/endangerment-and-cause-or-contribute-findings-greenhouse-gases-under-section-202a#background>. Accessed November 2024.

¹⁴ Environmental Protection Agency, Endangerment and Cause or Contribution Findings for Greenhouse Gases Under Section 202(a) of the Clean Air Act. Action. <https://www.epa.gov/climate-change/endangerment-and-cause-or-contribute-findings-greenhouse-gases-under-section-202a>. Accessed November 2024.

oxide, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride—in the atmosphere threaten the public health and welfare of current and future generations.

- **Cause or Contribute Finding:** The Administrator finds that the combined emissions of these well-mixed greenhouse gases from new motor vehicles and new motor vehicle engines contribute to the greenhouse gas pollution, which threatens public health and welfare.

These findings do not impose requirements on industry or other entities. However, this was a prerequisite for implementing GHG emissions standards for vehicles, as discussed in the section “Clean Vehicles” below. After a lengthy legal challenge, the United States Supreme Court declined to review an Appeals Court ruling upholding the EPA Administrator findings.

Clean Vehicles

First enacted by Congress in 1975, the purpose of CAFE is to reduce energy consumption by increasing the fuel economy of cars and light trucks. The CAFE standards are fleet-wide averages that must be achieved by each automaker for its car and truck fleet, each year, since 1978. When these standards are raised, automakers respond by creating a more fuel-efficient fleet, which improves the nation’s energy security and saves consumers money at the pump, while also reducing greenhouse gas (GHG) emissions.

CAFE standards are regulated by DOT’s National Highway Traffic and Safety Administration (NHTSA). NHTSA sets and enforces the CAFE standards, while the Environmental Protection Agency (EPA) calculates average fuel economy levels for manufacturers, and also sets related GHG standards. NHTSA establishes CAFE standards under the Energy Policy and Conservation Act (EPCA) of 1975, as amended by the Energy Independence and Security Act (EISA) of 2007, while EPA establishes GHG emissions standards under the Clean Air Act. Following the direction set by President Obama on May 21, 2010, NHTSA and EPA have issued joint Final Rules for Corporate Average Fuel Economy and Greenhouse Gas emissions regulations for passenger cars and light trucks built in model years 2017 and beyond, and have also developed fuel efficiency and GHG emissions regulations for medium- and heavy-duty vehicles built in model years 2014 through 2018.

In 2012, NHTSA established final passenger car and light truck CAFE standards for model years 2017-2021, which the agency projects will require in model year 2021, on average, a combined fleet-wide fuel economy of 40.3-41.0 mpg. As part of the same rulemaking action, EPA issued GHG standards, which are harmonized with NHTSA’s fuel economy standards that are projected to require 163 grams/mile of carbon dioxide (CO₂) in model year 2025. EPA will reexamine the GHG standards for model years 2022-2025 and NHTSA will set new CAFE standards for those model years in the next couple of years, based on the best available information at that time.

President Obama directed NHTSA and EPA to develop and issue the next phase ("Phase 2") of medium- and heavy-duty vehicle fuel efficiency standards and greenhouse gas (GHG) standards by March 2016. Under this timeline, the agencies currently expect to issue a Notice of Proposed Rulemaking (NPRM) by March 2015. This second round of fuel efficiency standards will build on the first-ever standards for medium- and heavy-duty vehicles (model years 2014 through 2018).

NHTSA has also proposed to require badges, labels and owner's manual information for new passenger cars, low-speed vehicles (LSVs) and light-duty trucks rated at not more than 8,500 pounds gross vehicle weight, in order to increase consumer awareness regarding the use and benefits of alternative fuels.

This proposed rule would implement specific statutory mandates that manufacturers be required to: identify each vehicle capable of running on an alternative fuel by means of a permanent and prominent display affixed to the exterior of the vehicle; add proposed text describing the capabilities and benefits of using alternative fuels to the owners' manuals provided for alternative fuel vehicles; and identify each vehicle that is capable of running on an alternative fuel by means of a label in the fuel filler compartment.¹⁵

Mandatory Reporting of Greenhouse Gases

The Consolidated Appropriations Act of 2008, passed in December 2007, requires the establishment of mandatory GHG reporting requirements. On September 22, 2009, the EPA issued the Final Mandatory Reporting of Greenhouse Gases Rule, which became effective January 1, 2010. The rule requires reporting of GHG emissions from large sources and suppliers in the United States, and is intended to collect accurate and timely emissions data to inform future policy decisions¹⁶. Under the rule, suppliers of fossil fuels or industrial GHGs, manufacturers of vehicles and engines, and facilities that emit 25,000 metric tons or more per year of GHG emissions are required to submit annual reports to the EPA.

New Source Review

The EPA issued a final rule on May 13, 2010 that establishes thresholds for GHGs, which will define when permits under the New Source Review Prevention of Significant Deterioration and Title V

¹⁵ United State Department of Transportation. Corporate Average Fuel Economy (CAFÉ) Standards.

<https://www.transportation.gov/mission/sustainability/corporate-average-fuel-economy-cafe-standards>. Accessed November 2024.

¹⁶ Environmental Protection Agency. What is the Greenhouse Gas Reporting Program (GHGRP)?

<https://www.epa.gov/ghgreporting/what-ghgrp>. Accessed November 2024.

Operating Permit programs are required for new and existing industrial facilities.¹⁷ This final rule “tailors” the requirements of these Clean Air Act permitting programs to limit which facilities will be required to obtain Prevention of Significant Deterioration and Title V permits. In the preamble to the revisions to the federal code of regulations, the EPA states:

This rulemaking is necessary because without it the Prevention of Significant Deterioration and Title V requirements would apply, as of January 2, 2011, at the 100 or 250 tons per year levels provided under the Clean Air Act, greatly increasing the number of required permits, imposing undue costs on small sources, overwhelming the resources of permitting authorities, and severely impairing the functioning of the programs. EPA is relieving these resource burdens by phasing in the applicability of these programs to greenhouse gas sources, starting with the largest greenhouse gas emitters. This rule establishes two initial steps of the phase-in. The rule also commits the agency to take certain actions on future steps addressing smaller sources, but excludes certain smaller sources from Prevention of Significant Deterioration and Title V permitting for greenhouse gas emissions until at least April 30, 2016.¹⁸

The EPA estimates that facilities responsible for nearly 70 percent of the national GHG emissions from stationary sources will be subject to permitting requirements under this rule. This includes the nation’s largest GHG emitters—power plants, refineries, and cement production facilities.

Standards of Performance for Greenhouse Gas Emissions for New Stationary Sources: Electric Utility Generating Units.

As required by a settlement agreement, the EPA proposed new performance standards for emissions of carbon dioxide for new, affected, fossil fuel-fired electric utility generating units on March 27, 2012. These carbon pollution standards set power plants and set carbon dioxide (CO₂) limits for new gas-fired combustion turbines and CO₂ emission guidelines for existing coal, oil and gas-fired steam generating units, securing important climate benefits and protecting public health.¹⁹ President Trump signed the Executive Order on Energy Independence (E.O. 13783), which calls for a review of the

¹⁷ Environmental Protection Agency, Final Rule: Prevention of Significant Deterioration and Title V Greenhouse Gas Tailoring Rule. <https://www.epa.gov/sites/default/files/2015-12/documents/20100413fs.pdf>. Accessed November 2024.

¹⁸ Ibid.

¹⁹ Environmental Protection Agency, Greenhouse Gas Standards and Guidelines for Fossil Fuel-Fired Power Plants. <https://www.epa.gov/stationary-sources-air-pollution/greenhouse-gas-standards-and-guidelines-fossil-fuel-fired-power>. Accessed November 2024.

Clean Power Plan.²⁰ On October 16, 2017, the EPA issued the proposed rule Repeal of Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units and Energy Independence.

Cap-and-Trade

Emissions trading, sometimes referred to as “cap and trade” or “allowance trading,” is an approach to reducing pollution that has been used successfully to protect human health and the environment. Emissions trading programs have two key components: a limit (or cap) on pollution, and tradable allowances equal to the limit that authorize allowance holders to emit a specific quantity (e.g., one ton) of the pollutant. This limit ensures that the environmental goal is met and the tradable allowances provide flexibility for individual emissions sources to set their own compliance path. Because allowances can be bought and sold in an allowance market, these programs are often referred to as “market-based.”²¹

The Regional Greenhouse Gas Initiative is an effort to reduce GHGs among the states of Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New York, Rhode Island, and Vermont.²² Each state caps carbon dioxide emissions from power plants, auctions carbon dioxide emission allowances, and invests the proceeds in strategic energy programs that further reduce emissions, save consumers money, create jobs, and build a clean energy economy. The Initiative began in 2008.

The Western Climate Initiative partner jurisdictions have developed a comprehensive initiative to reduce regional GHG emissions to 15 percent below 2005 levels by 2020. The partners are California, British Columbia, Manitoba, Ontario, and Quebec. Currently, only California and Quebec are participating in the Cap-and-Trade program.²³

State of California Regulations

²⁰ Environmental Protection Agency, Complying with President Trump’s Executive Order on Energy Independence. https://19january2021snapshot.epa.gov/energy-independence_.html. Accessed November 2024.

²¹ Environmental Protection Agency, What is Emission Trading? <https://www.epa.gov/emissions-trading-resources/what-emissions-trading>. Accessed November 2024.

²² The Regional Greenhouse Gas Initiative. <https://www.rggi.org/>. Accessed November 2024.

²³ Design for the WCI Regional Program, Design Summary. Page 1. <https://ww2.arb.ca.gov/sites/default/files/barcu/regact/2010/capandtrade10/capv3appi.pdf>. Accessed November 2024.

The State of California legislature has enacted a series of bills that constitute the most aggressive program to reduce GHGs of any state in the nation. Some legislation such as the landmark Assembly Bill (AB) 32 California Global Warming Solutions Act of 2006 was specifically enacted to address GHG emissions. Other legislation such as Title 24 and Title 20 energy standards were originally adopted for other purposes such as energy and water conservation, but also provide GHG reductions. This section describes the major provisions of the legislation.

AB 32. The California State Legislature enacted AB 32, the California Global Warming Solutions Act of 2006. AB 32 requires that GHGs emitted in California be reduced to 1990 levels by the year 2020.²⁴ “Greenhouse gases” as defined under AB 32 include carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, sulfur hexafluoride, and nitrogen trifluoride. The ARB is the state agency charged with monitoring and regulating sources of GHGs. AB 32 states the following:

Global warming poses a serious threat to the economic well-being, public health, natural resources, and the environment of California. The potential adverse impacts of global warming include the exacerbation of air quality problems, a reduction in the quality and supply of water to the state from the Sierra snowpack, a rise in sea levels resulting in the displacement of thousands of coastal businesses and residences, damage to marine ecosystems and the natural environment, and an increase in the incidences of infectious diseases, asthma, and other human health-related problems.²⁵

The ARB approved the 1990 GHG emissions level of 427 MMTCO₂e on December 6, 2007. Therefore, to meet the State’s target, emissions generated in California in 2020 are required to be equal to or less than 427 MMTCO₂e. Emissions in 2020 in a BAU scenario were estimated to be 596 MMTCO₂e, which do not account for reductions from AB 32 regulations (ARB 2008a). At that rate, a 28 percent reduction was required to achieve the 427 MMTCO₂e 1990 inventory. In October 2010, ARB prepared an updated 2020 forecast to account for the effects of the 2008 recession and slower forecasted growth. The 2020 inventory without the benefits of adopted regulation is now estimated at 545 MMTCO₂e. Therefore, under the updated forecast, a 21.7 percent reduction from BAU is required to achieve 1990 levels.

²⁴ California Air Resources Board, AB 32 Global Warming Solutions Act of 2006. <https://ww2.arb.ca.gov/resources/fact-sheets/ab-32-global-warming-solutions-act-2006>. Accessed November 2024.

²⁵ California Legislative Information. AB-32 Air Pollution: Greenhouse Gases: California Global Warming Solutions Act of 2006. https://leginfo.ca.gov/faces/billTextClient.xhtml?bill_id=200520060AB32. Accessed November 2024.

Calculation of the original 1990 limit approved in 2007 was revised in 2014 using the scientifically updated IPCC AR4 global warming potential values, to 431 MMTCO₂e. ARB approved 431 MMTCO₂e as the 2020 emission limit with the approval of the First Update to the Scoping Plan on May 22, 2014.²⁶

ARB 2008 Scoping Plan. The ARB's Climate Change Scoping Plan (Scoping Plan) contains measures designed to reduce the State's emissions to 1990 levels by the year 2020 to comply with AB 32.²⁷ The Scoping Plan identifies recommended measures for multiple GHG emission sectors and the associated emission reductions needed to achieve the year 2020 emissions target—each sector has a different emission reduction target. Most of the measures target the transportation and electricity sectors. As stated in the Scoping Plan, the key elements of the strategy for achieving the 2020 GHG target include:

- Expanding and strengthening existing energy efficiency programs as well as building and appliance standards;
- Achieving a statewide renewables energy mix of 33 percent;
- Developing a California cap-and-trade program that links with other Western Climate Initiative partner programs to create a regional market system;
- Establishing targets for transportation-related GHG emissions for regions throughout California and pursuing policies and incentives to achieve those targets;
- Adopting and implementing measures pursuant to existing State laws and policies, including California's clean car standards, goods movement measures, and the Low Carbon Fuel Standard; and
- Creating targeted fees, including a public goods charge on water use, fees on high global warming potential gases, and a fee to fund the administrative costs of the State's long-term commitment to AB 32 implementation.

The 2013 update measured progress and fine-tuned programs toward the 2020 goal and highlighted the need to focus on short-lived climate pollutants. The 2017 update shifted focus to the SB 32 goal of a 40 percent reduction below 1990 levels by 2030 by laying out a detailed cost-effective and technologically feasible path to this target and assessed progress towards achieving the AB 32 goal of returning to 1990 GHG levels by 2020. The 2020 goal was ultimately reached in 2016—four years ahead

²⁶ California Air Resources Board. GHG 1990 Emissions Level & 2020 Limit. <https://ww2.arb.ca.gov/ghg-2020-limit>. Accessed November 2024.

²⁷ California Air Resources Board. AB 32 Climate Change Scoping Plan. <https://ww2.arb.ca.gov/our-work/programs/ab-32-climate-change-scoping-plan/about>. Accessed November 2024.

of the schedule called for under AB 32. The 2022 update both assesses progress towards achieving the State's 2030 emissions reduction goal and draws on a decade and a half of proven regulations, incentives, and carbon pricing policies alongside new approaches to outline a balanced and aggressive course of effective actions to achieve carbon neutrality by 2045 or sooner. This includes an unprecedented pace of actions to develop the clean energy foundation on which to build the low-carbon economy.²⁸

Cap-and-Trade Program. The Cap-and-Trade Program is a key element of the Scoping Plan. It sets a statewide limit on sources responsible for 85 percent of California's greenhouse gas emissions, and establishes a price signal needed to drive long-term investment in cleaner fuels and more efficient use of energy. The program is designed to provide covered entities the flexibility to seek out and implement the lowest cost options to reduce emissions. The program conducted its first auction in November 2012. Compliance obligations began for power plants and large industrial sources in January 2013.²⁹

AB 398. The Governor signed AB 398 on July 25, 2017 to extend the Cap-and-Trade Program to 2030. Cap and trade is a key part of California's plan to reduce greenhouse gas emissions 40 percent below 1990 levels by 2030. The enacted bill makes design changes to the post-2020 carbon market, such as including a price ceiling, price containment points, additional limits to the number and location of offset credits, limits on who can set greenhouse gas emission requirements, and specifics on industry assistance factors. AB 398 also prevents Air Districts from adopting or implementing emission reduction rules from stationary sources that are also subject to the Cap-and-Trade Program.³⁰

SB 32 and 2017 Scoping Plan. The Governor signed SB 32 on September 8, 2016. SB 32 gives ARB the statutory responsibility to include the 2030 target previously contained in Executive Order B-30-15 in the next Scoping Plan update. SB 32 states that "In adopting rules and regulations to achieve the maximum technologically feasible and cost-effective greenhouse gas emissions reductions authorized by this division, the state [air resources] board shall ensure that statewide greenhouse gas emissions are reduced to at least 40 percent below the statewide greenhouse gas emissions limit no

²⁸ California Air Resources Board. California's 2022 Climate Change Scoping Plan Fact Sheet. <https://ww2.arb.ca.gov/resources/fact-sheets/californias-2022-climate-change-scoping-plan-fact-sheet>. Accessed November 2024.

²⁹ California Environmental Protection Agency, Air Resources Board. Overview of ARB Emissions Trading Program. https://ww2.arb.ca.gov/sites/default/files/cap-and-trade/guidance/cap_trade_overview.pdf. Accessed November 2024.

³⁰ Center for Climate and Energy Solutions. Summary of California's Extension of its Cap-and-Trade Program. August 2017. <https://www.c2es.org/wp-content/uploads/2017/09/summary-californias-extension-its-cap-trade-program.pdf>. Accessed November 2024.

later than December 31, 2030.”³¹The 2017 Climate Change Scoping Plan Update addressing the SB 32 targets was adopted on December 14, 2017. The major elements of the framework proposed to achieve the 2030 target are as follows:

1. SB 350
 - Achieve 50 percent Renewables Portfolio Standard (RPS) by 2030.
 - Doubling of energy efficiency savings by 2030.
2. Low Carbon Fuel Standard (LCFS)
 - Increased stringency (reducing carbon intensity 18 percent by 2030, up from 10 percent in 2020).
3. Mobile Source Strategy (Cleaner Technology and Fuels Scenario)
 - Maintaining existing GHG standards for light- and heavy-duty vehicles.
 - Put 4.2 million zero-emission vehicles (ZEVs) on the roads.
 - Increase ZEV buses, delivery and other trucks.
4. Sustainable Freight Action Plan
 - Improve freight system efficiency.
 - Maximize use of near-zero emission vehicles and equipment powered by renewable energy.
 - Deploy over 100,000 zero-emission trucks and equipment by 2030.
5. Short-Lived Climate Pollutant (SLCP) Reduction Strategy
 - Reduce emissions of methane and hydrofluorocarbons 40 percent below 2013 levels by 2030.
 - Reduce emissions of black carbon 50 percent below 2013 levels by 2030.
6. SB 375 Sustainable Communities Strategies
 - Increased stringency of 2035 targets.

³¹ California Legislative Information. SB-32 California Global Warming Solution Act of 2006: emissions limit. 2015-2016. https://leginfo.ca.gov/faces/billTextClient.xhtml?bill_id=201520160SB32. Accessed November 2024.

7. Post-2020 Cap-and-Trade Program

- Declining caps, continued linkage with Québec, and linkage to Ontario, Canada.
- ARB will look for opportunities to strengthen the program to support more air quality co-benefits, including specific program design elements. In Fall 2016, ARB staff described potential future amendments including reducing the offset usage limit, redesigning the allocation strategy to reduce free allocation to support increased technology and energy investment at covered entities and reducing allocation if the covered entity increases criteria or toxics emissions over some baseline.

8. 20 percent reduction in greenhouse gas emissions from the refinery sector.

9. By 2018, develop Integrated Natural and Working Lands Action Plan to secure California's land base as a net carbon sink.

2022 Scoping Plan and AB 1279. ARB adopted the 2022 Scoping Plan on December 16, 2022 that addresses long-term GHG goals set forth by AB 1279.³² The 2022 Scoping Plan outlines the State's pathway to achieve carbon neutrality and an 85 percent reduction in 1990 emissions goal by 2045. Unlike the 2017 Scoping Plan Update, ARB no longer includes a numeric per capita threshold and instead advocates for compliance with a local GHG reduction strategy consistent with CEQA Guidelines section 15183.5.

The key elements of ARB's 2022 Scoping Plan focus on the transportation sector, where reductions are primarily influenced by regulations at the state level. Under the 2022 Scoping Plan, the State will lead efforts to meet the 2045 carbon neutrality goal through implementation of the following objectives:³³

- Reimagine roadway projects that increase VMT in a way that meets community needs and reduces the need to drive.
- Double local transit capacity and service frequencies by 2030.
- Complete the High-Speed Rail (HSR) System and other elements of the intercity rail network by 2040.

³² California Air Resources Board. Final 2022 Scoping Plan Update – Achieving Carbon Neutrality by 2045.

<https://ww2.arb.ca.gov/our-work/programs/ab-32-climate-change-scoping-plan#:~:text=The%202022%20Scoping%20Plan%20for%20Achieving%20Carbon%20Neutrality,than%202045%2C%20as%20directed%20by%20Assembly%20Bill%201279>. Accessed November 2024.

³³ California Air Resources Board, 2022 Scoping Plan for Achieving Carbon Neutrality (2022 Scoping Plan). <https://ww2.arb.ca.gov/resources/documents/2022-scoping-plan-documents>. Accessed November 2024.

- Double local transit capacity and service frequencies by 2030.
- Complete the High-Speed Rail (HSR) System and other elements of the intercity rail network by 2040.
- Expand and complete planned networks of high-quality active transportation infrastructure.
- Increase availability and affordability of bikes, e-bikes, scooters, and other alternatives to light-duty vehicles, prioritizing needs of underserved communities.
- Shift revenue generation for transportation projects away from the gas tax into more durable sources by 2030.
- Authorize and implement roadway pricing strategies and reallocate revenues to equitably improve transit, bicycling, and other sustainable transportation choices.
- Prioritize addressing key transit bottlenecks and other infrastructure investments to improve transit operational efficiency over investments that increase VMT.
- Develop and implement a statewide transportation demand management (TDM) framework with VMT mitigation requirements for large employers and large developments.
- Prevent uncontrolled growth of autonomous vehicle (AV) VMT, particularly zero-passenger miles.
- Channel new mobility services towards pooled use models, transit complementarity, and lower VMT outcomes.
- Establish an integrated statewide system for trip planning, booking, payment, and user accounts that enables efficient and equitable multimodal systems.
- Provide financial support for low-income and disadvantaged Californians' use of transit and new mobility services.
- Expand universal design features for new mobility services.
- Accelerate infill development in existing transportation-efficient places and deploy strategic resources to create more transportation-efficient locations.

- Encourage alignment in land use, housing, transportation, and conservation planning in adopted regional plans (RTP/SCS and RHNA) and local plans (e.g., general plans, zoning, and local transportation plans).
- Accelerate production of affordable housing in forms and locations that reduce VMT and affirmatively further fair housing policy objectives.
- Reduce or eliminate parking requirements (and/or enact parking maximums, as appropriate) and promote redevelopment of excess parking, especially in infill locations.
- Preserve and protect existing affordable housing stock and protect existing residents and businesses from displacement and climate risk.

Included in the 2022 Scoping Plan is a set of Local Actions (Appendix D to the 2022 Scoping Plan) aimed at providing local jurisdictions with tools to reduce GHGs and assist the state in meeting the ambitious targets set forth in the 2022 Scoping Plan. Appendix D to the 2022 Scoping Plan includes a section on evaluating plan-level and project-level alignment with the State's Climate Goals in CEQA GHG analyses. In this section, ARB identifies several recommendations and strategies that should be considered for new development to determine consistency with the 2022 Scoping Plan. Notably, this section is focused on residential and mixed-use projects. Specifically, ARB states:

"The recommendations outlined in this section apply only to residential and mixed-use development project types. California currently faces both a housing crisis and a climate crisis, which necessitates prioritizing recommendations for residential projects to address the housing crisis in a manner that simultaneously supports the State's GHG and regional air quality goals. CARB plans to continue to explore new approaches for other land use types in the future." (Page 21 of Appendix D to the 2022 Scoping Plan).

Considering the information summarized above, it would be inappropriate to apply the requirements contained in Appendix D of the 2022 Scoping Plan to any land use types other than residential or mixed-use residential development.

SB 375—The Sustainable Communities and Climate Protection Act of 2008. SB 375 was signed into law on September 30, 2008. It supports the State's climate goals by helping reduce greenhouse gas emissions through coordinated transportation, housing, and land use planning.³⁴ Under the

³⁴ California Air Resources Board. Sustainable Communities & Climate Protection Program. <https://ww2.arb.ca.gov/our-work/programs/sustainable-communities-climate-protection-program/about>. Accessed November 2024.

Sustainable Communities Act, the California Air Resources Board (CARB) sets regional targets for greenhouse gas emissions reductions from passenger vehicle use. CARB set targets for 2020 and 2035 for each of the 18 metropolitan planning organization regions in 2010, and updated them in 2018.

SB 375 states, “Without improved land use and transportation policy, California will not be able to achieve the goals of AB 32.” SB 375 does the following: (1) requires metropolitan planning organizations to include sustainable community strategies in their regional transportation plans for reducing GHG emissions, (2) aligns planning for transportation and housing, and (3) creates specified incentives for the implementation of the strategies.

AB 1493 Pavley Regulations and Fuel Efficiency Standards. California AB 1493, enacted on July 22, 2002, required the ARB to develop and adopt regulations that reduce GHGs emitted by passenger vehicles and light-duty trucks. The bill directed the Air Resources Board (CARB) to adopt regulations that achieve the maximum feasible and cost-effective reduction of greenhouse gas emissions from passenger vehicles, beginning with the 2009 model year.³⁵ Many federal and court proceedings were significantly delayed due to challenges from motor vehicle manufacturers, automobiles dealer and their trade associations. The EPA subsequently granted the requested waiver in July of 2009, which was upheld by the by the U.S. District Court for the District of Columbia in 2011.

These initial standards were adopted for passenger vehicles and were intended to be used as continuing standards for future automobile models in the years to come. The standards are to be phased in during the 2009 through 2016 model years.³⁶

The second phase of the implementation for the Pavley bill was incorporated into Amendments to the Low-Emission Vehicle Program referred to as LEV III or the Advanced Clean Cars program. The Advanced Clean Car program combines the control of smog-causing pollutants and GHG emissions into a single coordinated package of requirements for model years 2017 through 2025.³⁷ The regulation will reduce GHGs from new cars by 34 percent from 2016 levels by 2025. A midterm review of the Advanced Clean Cars Program was performed by CARB in 2017, where it was concluded that:³⁸

- Adopted greenhouse gas standards remain appropriate for 2022 through 2025 model years,

³⁵ California Air Resources Board. California’s Greenhouse Gas Vehicle Emission Standards under Assembly Bill 1493 of 2002 (Pavley). <https://ww2.arb.ca.gov/californias-greenhouse-gas-vehicle-emission-standards-under-assembly-bill-1493-2002-pavley>. Accessed November 2024.

³⁶ Ibid.

³⁷ California Air Resources Board. Advanced Clean Cars Program. <https://ww2.arb.ca.gov/our-work/programs/advanced-clean-cars-program>. Accessed November 2024.

³⁸ Ibid.

- Continue with existing zero-emission vehicle requirements to develop the market,
- Direct staff to immediately begin rule development for 2026 and subsequent model years,
- Continue and expand complementary policies to help support an expanding zero-emission vehicle market, and
- The particulate matter standard is feasible but further action is needed to ensure robust control.

SB 1368—Emission Performance Standards. In 2006, the State Legislature adopted SB 1368, which was subsequently signed into law by the governor. SB 1368 limits long-term investments in baseload generation by the state’s utilities for power plants based on greenhouse gas emissions.³⁹ SB 1368 seeks to limit carbon emissions associated with electrical energy consumed in California by forbidding procurement arrangements for energy longer than 5 years from resources that exceed the emissions of a relatively clean, combined cycle natural gas power plant⁴⁰. Because of the carbon content of its fuel source, a coal-fired plant cannot meet this standard because such plants emit roughly twice as much carbon as natural gas, combined cycle plants. Accordingly, the new law effectively prevents California’s utilities from investing in, otherwise financially supporting, or purchasing power from new coal plants located in or out of the State. The California Public Utilities Commission adopted the regulations required by SB 1368 on August 29, 2007.

SB 1078, SB 350 and SB 100 —Renewable Electricity Standards. On September 12, 2002, Governor Gray Davis signed SB 1078, requiring California to generate 20 percent of its electricity from renewable energy by 2017. SB 107 changed the due date to 2010 instead of 2017⁴¹. SB 2 (1X) increased the mandate to 33 percent RPS by 200, in April of 2011. In 2015, SB 350 mandated a 50 percent RPS by December 31, 2030. SB 350 also includes interim annual RPS targets with multi-year compliance periods and requires that 65 percent of RPS procurement must be derived from long-term contracts

³⁹ California Energy Commission. Emission Performance Standard- SB 1368. <https://www.energy.ca.gov/rules-and-regulations/energy-suppliers-reporting/emission-performance-standard-sb-1368>. Accessed November 2024.

⁴⁰ Natural Resources Defense Council, Climate Facts. California Takes on Power Plant Emissions. <https://www.nrdc.org/sites/default/files/sb1368.pdf#:~:text=Senate%20Bill%20%28SB%29%201368%20%28Perata%29%2C%20sponso red%20by%20NRDC,California%20customers%20must%20be%20in%20clean%20energy%20sources>. Accessed November 2024.

⁴¹ California Public Utilities Commission, 60% RPS Procurement Rules. <https://www.cpuc.ca.gov/industries-and-topics/electrical-energy/electric-power-procurement/rps/rps-compliance-rules-and-process/60-percent-rps-procurement-rules>. Accessed November 2024.

of 10 or more years. In 2018, SB 100 increased the RPS to 60 percent by 2030 and established a goal for 100 percent of the State's electricity to come from renewable and carbon-free resources by 2045.

Executive Orders Related to GHG Emissions

California's Executive Branch has taken several actions to reduce GHGs through the use of executive orders. Although not regulatory, they set the tone for the State and guide the actions of state agencies.

Executive Order S-3-05. On June 1, 2005, former California Governor Arnold Schwarzenegger announced through Executive Order S-3-05, the following reduction targets for GHG emissions:⁴²

- By 2010, reduce greenhouse gas emissions to 2000 levels.
- By 2020, reduce greenhouse gas emissions to 1990 levels.
- By 2050, reduce greenhouse gas emissions to 80 percent below 1990 levels.

The 2050 reduction goal represents what some scientists believe is necessary to reach levels that will stabilize the climate. The 2020 goal was established to be a mid-term target. Because this is an executive order, the goals are not legally enforceable for local governments or the private sector.

Executive Order B-30-15. On April 29, 2015, Governor Edmund G. Brown Jr. issued an executive order to establish a California GHG reduction target of 40 percent below 1990 levels by 2030.⁴³ The Governor's executive order aligns California's GHG reduction targets with those of leading international governments ahead of the United Nations Climate Change Conference in Paris late 2015. The executive order sets a new interim statewide GHG emission reduction target to reduce GHG emissions to 40 percent below 1990 levels by 2030 in order to ensure California meets its target of reducing GHG emissions to 80 percent below 1990 levels by 2050 and directs the ARB to update the Climate Change Scoping Plan to express the 2030 target in terms of MMCO₂e. The executive order also requires the State's climate adaptation plan to be updated every three years and for the State to continue its climate change research program, among other provisions. As with Executive Order S-3-05, this executive order is not legally enforceable against local governments and the private sector. Legislation that would update AB 32 to make post 2020 targets and requirements a mandate is in process in the State Legislature.

⁴² Executive Order S-3-05. California Gov. Arnold Schwarzenegger (text). <https://www.californiaenvironmentallawblog.com/wp-content/uploads/sites/449/2013/01/Exec-Order-S-3-05-Jun.-2005.pdf>. Accessed November 2024.

⁴³ Executive Order B-30-15. California Gov. Edmund G. Brown Jr. (text). <https://www.library.ca.gov/wp-content/uploads/GovernmentPublications/executive-order-proclamation/39-B-30-15.pdf>. Accessed November 2024.

Executive Order S-01-07—Low Carbon Fuel Standard. The governor signed Executive Order S 01-07 on January 18, 2007. The order mandates that a statewide goal shall be established to reduce the carbon intensity of California’s transportation fuel pool and provide an increasing range of low-carbon and renewable alternatives, which reduce petroleum dependency and achieve air quality benefits.⁴⁴ In particular, the executive order established a Low Carbon Fuel Standard (LCFS) and directed the Secretary for Environmental Protection to coordinate the actions of the California Energy Commission, the ARB, the University of California, and other agencies to develop and propose protocols for measuring the “life-cycle carbon intensity” of transportation fuels. This analysis supporting development of the protocols was included in the State Implementation Plan for alternative fuels (State Alternative Fuels Plan adopted by California Energy Commission on December 24, 2007) and was submitted to ARB for consideration as an “early action” item under AB 32. The ARB adopted the Low Carbon Fuel Standard on April 23, 2009.

Executive Order S-13-08. Executive Order S-13-08 states that “climate change in California during the next century is expected to shift precipitation patterns, accelerate sea level rise and increase temperatures, thereby posing a serious threat to California’s economy, to the health and welfare of its population and to its natural resources.”⁴⁵ Pursuant to the requirements in the order, the 2009 California Climate Adaptation Strategy (California Natural Resources Agency 2009) was adopted, which is the “. . . first statewide, multi-sector, region-specific, and information-based climate change adaptation strategy in the United States.” Objectives include analyzing risks of climate change in California, identifying and exploring strategies to adapt to climate change, and specifying a direction for future research.

Executive Orders B-55-18 Carbon Neutrality by 2045 (2018). To further ensure California is combatting global warming beyond the electric sector, which represents 16 percent of the state’s greenhouse gas emissions, the Governor issued an executive order directing the state to achieve carbon neutrality by 2045 and net negative greenhouse gas emissions after that. This will ensure California removes as much carbon dioxide from the atmosphere as it emits – the first step to reversing the potentially disastrous impacts of climate change. The executive order directs ARB to work with relevant state agencies to develop a framework for implementation and

⁴⁴ California Air Resources Board. Low Carbon Fuel Standard. <https://ww2.arb.ca.gov/our-work/programs/low-carbon-fuel-standard>. Accessed November 2024.

⁴⁵ Office of the Governor, Arnold Schwarzenegger. Executive Order S-13-08. November 11, 2008. <https://www.library.ca.gov/wp-content/uploads/GovernmentPublications/executive-order-proclamation/38-S-13-08.pdf>. Accessed November 2024.

accounting that tracks progress toward this goal. This goal is in addition to the statewide targets of reducing greenhouse gas emissions.⁴⁶

California Building Codes

California has a long history of adopting regulations to improve energy efficiency in new and remodeled buildings. These regulations have kept California's energy consumption relatively flat even with rapid population growth.

Title 20 Appliance Efficiency Regulations. California Code of Regulations, Title 20: Division 2, Chapter 4, Article 4, Sections 1601–1608: Appliance Efficiency Regulations regulates the sale of appliances in California. The Appliance Efficiency Regulations include standards for both federally regulated appliances and non-federally regulated appliances. Twenty-three categories of appliances are included in the scope of these regulations. The standards within these regulations apply to appliances that are sold or offered for sale in California, except those sold wholesale in California for final retail sale outside the State and those designed and sold exclusively for use in recreational vehicles or other mobile equipment.

Title 24 Energy Efficiency Standards. California Code of Regulations Title 24 Part 6: California's Energy Efficiency Standards for Residential and Nonresidential Buildings, was first adopted in 1978 in response to a legislative mandate to reduce California's energy consumption. The standards are updated periodically to allow consideration and possible incorporation of new energy efficient technologies and methods. Energy efficient buildings require less electricity; therefore, increased energy efficiency reduces fossil fuel consumption and decreases GHG emissions. The CEC adopted the 2022 Energy Code, effective January 1, 2023.

Title 24 California Green Building Standards Code (California Code of Regulations Title 24, Part 11 code) is a comprehensive and uniform regulatory code for all residential, commercial, and school buildings that went in effect January 1, 2011. The code is updated on a regular basis, with the most recent update consisting of the 2016 California Green Building Code Standards that became effective January 1, 2017. Local jurisdictions are permitted to adopt more stringent requirements, as state law provides methods for local enhancements. The Code recognizes that many jurisdictions have developed existing construction and demolition ordinances and defers to them as the ruling guidance provided the ordinances include a minimum 50-percent diversion requirement. The code also

⁴⁶ Office of Governor, Edmund G. Brown Jr. Governor Brown Signs 100 Percent Clean Electricity Bill, Issues Order Setting New Carbon Neutrality Goal. September 10, 2018. <https://archive.gov.ca.gov/archive/gov39/2018/09/10/governor-brown-signs-100-percent-clean-electricity-bill-issues-order-setting-new-carbon-neutrality-goal/index.html>. Accessed November 2024.

provides exemptions for areas not served by construction and demolition recycling infrastructure. State building code provides the minimum standard that buildings need to meet in order to be certified for occupancy, which is generally enforced by the local building official.

The California Green Building Standards Code (California Code of Regulations Title 24, Part 11 code) requires:

- **Short-term bicycle parking.** If a commercial project is anticipated to generate visitor traffic, provide permanently anchored bicycle racks within 200 feet of the visitors' entrance, readily visible to passers-by, for five percent of visitor motorized vehicle parking capacity, with a minimum of one two-bike capacity rack (5.106.4.1.1).
- **Long-term bicycle parking.** For buildings with over 10 tenant-occupants, provide secure bicycle parking for five percent of tenant-occupied motorized vehicle parking capacity, with a minimum of one space (5.106.4.1.2).
- **Designated parking.** Provide designated parking in commercial projects for any combination of low-emitting, fuel-efficient and carpool/van pool vehicles as shown in Table 5.106.5.2 (5.106.5.2).
- **Recycling by Occupants.** Provide readily accessible areas that serve the entire building and are identified for the depositing, storage, and collection of nonhazardous materials for recycling. (5.410.1).
- **Construction waste.** A minimum 50-percent diversion of construction and demolition waste from landfills, increasing voluntarily to 65 and 80 percent for new homes and 80-percent for commercial projects. (5.408.1, A5.408.3.1 [nonresidential], A5.408.3.1 [residential]). All (100 percent) of trees, stumps, rocks and associated vegetation and soils resulting from land clearing shall be reused or recycled (5.408.3).
- **Wastewater reduction.** Each building shall reduce the generation of wastewater by one of the following methods:
 - The installation of water-conserving fixtures or
 - Using nonpotable water systems (5.303.4).
- **Water use savings.** Twenty percent mandatory reduction in indoor water use with voluntary goal standards for 30, 35, and 40 percent reductions (5.303.2, A5303.2.3 [nonresidential]).
- **Water meters.** Separate water meters for buildings in excess of 50,000 square feet or buildings projected to consume more than 1,000 gallons per day (5.303.1).
- **Irrigation efficiency.** Moisture-sensing irrigation systems for larger landscaped areas (5.304.3).
- **Materials pollution control.** Low-pollutant emitting interior finish materials such as paints, carpet, vinyl flooring, and particleboard (5.404).

- **Building commissioning.** Mandatory inspections of energy systems (i.e., heat furnace, air conditioner, mechanical equipment) for nonresidential buildings over 10,000 square feet to ensure that all are working at their maximum capacity according to their design efficiencies (5.410.2).

Model Water Efficient Landscape Ordinance. The Model Water Efficient Landscape Ordinance (Ordinance) was required by AB 1881 Water Conservation Act. The bill required local agencies to adopt a local landscape ordinance at least as effective in conserving water as the Model Ordinance by January 1, 2010. Reductions in water use of 20 percent consistent with (SBX-7-7) 2020 mandate are expected for the ordinance. Governor Brown's Drought Executive Order of April 1, 2015 (EO B-29-15) directed DWR to update the ordinance through expedited regulation. The California Water Commission approved the revised ordinance on July 15, 2015, which became effective on December 15, 2015. New development projects that include landscaped areas of 500 square feet or more are subject to the ordinance. The update requires:

- More efficient irrigation systems
- Incentives for graywater usage
- Improvements in on-site stormwater capture
- Limiting the portion of landscapes that can be planted with high water use plants
- Reporting requirements for local agencies.

CEQA Guidelines.

Section 15064.4(b) of the CEQA Guidelines provides direction for lead agencies for assessing the significance of impacts of GHG emissions:

- 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; or
- 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. Such regulations or requirements must be adopted by the relevant public agency through a public review process and must include specific requirements that reduce or mitigate the project's incremental contribution of greenhouse gas emissions. If there is substantial evidence that the possible effects of a particular project are still cumulatively considerable notwithstanding compliance with the adopted regulations or requirements, an EIR must be prepared for the project. In determining the significance of impacts, the lead

agency may consider a project's consistency with the State's long-term climate goals or strategies, provided that substantial evidence supports the agency's analysis of how those goals or strategies address the project's incremental contribution to climate change and its conclusion that the project's incremental contribution is not cumulatively considerable.

Section 15064.4(c) states that a lead agency may use a model or methodology to estimate greenhouse gas emissions resulting from a project. The lead agency has discretion to select the model or methodology it considers most appropriate to enable decision makers to intelligently take into account the project's incremental contribution to climate change. The lead agency must support its selection of a model or methodology with substantial evidence. The lead agency should explain the limitations of the particular model or methodology selected for use.

Section 156437 of the CEQA Guidelines includes the following discussion regarding thresholds of significance.

(d) Using environmental standards as thresholds of significance promotes consistency in significance determinations and integrates environmental review with other environmental program planning and regulation. Any public agency may adopt or use an environmental standard as a threshold of significance. In adopting or using an environmental standard as a threshold of significance, a public agency shall explain how the particular requirements of that environmental standard reduce project impacts, including cumulative impacts, to a level that is less than significant, and why the environmental standard is relevant to the analysis of the project under consideration. For the purposes of this subdivision, an "environmental standard" is a rule of general application that is adopted by a public agency through a public review process and that is all of the following:

- (1) a quantitative, qualitative or performance requirement found in an ordinance, resolution, rule, regulation, order, plan or other environmental requirement;
- (2) adopted for the purpose of environmental protection;
- (3) addresses the environmental effect caused by the project; and,
- (4) applies to the project under review.

CEQA emphasizes that the effects of GHG emissions are cumulative and should be analyzed in the context of CEQA's requirements for cumulative impacts analysis (see CEQA Guidelines Section 15130(f)).

California Supreme Court GHG Ruling

In a November 30, 2015 ruling, the *California Supreme Court in Center for Biological Diversity (CBD) v. California Department of Fish and Wildlife (CDFW)* on the Newhall Ranch project, concluded that whether the project was consistent with meeting statewide emission reduction goals is a legally permissible criterion of significance, but the significance finding for the project was not supported by a reasoned explanation based on substantial evidence. The Court offered potential solutions to address this issue summarized below.

Specifically, the Court advised that:

- **Substantiation of Project Reductions from BAU.** A lead agency may use a BAU comparison based on the Scoping Plan’s methodology if it also substantiates the reduction a particular project must achieve to comply with statewide goals. The Court suggested a lead agency could examine the “data behind the Scoping Plan’s business-as-usual model” to determine the necessary project-level reductions from new land use development at the proposed location.
- **Compliance with Regulatory Programs or Performance Based Standards.** “A lead agency might assess consistency with A.B. 32’s goal in whole or part by looking to compliance with regulatory programs designed to reduce greenhouse gas emissions from particular activities. (See Final Statement of Reasons, *supra*, at p. 64 [greenhouse gas emissions ‘may be best analyzed and mitigated at a programmatic level.’]) To the extent a project’s design features comply with or exceed the regulations outlined in the Scoping Plan and adopted by the Air Resources Board or other state agencies, a lead agency could appropriately rely on their use as showing compliance with ‘performance based standards’ adopted to fulfill ‘a statewide . . . plan for the reduction or mitigation of greenhouse gas emissions.’ (CEQA Guidelines § 15064.4(a)(2), (b)(3); see also *id.*, § 15064(h)(3) [determination that impact is not cumulatively considerable may rest on compliance with previously adopted plans or regulations, including ‘plans or regulations for the reduction of greenhouse gas emissions’].)”
- **Compliance with GHG Reduction Plans or Climate Action Plans (CAPs).** A lead agency may utilize “geographically specific GHG emission reduction plans” such as climate action plans or greenhouse gas emission reduction plans to provide a basis for the tiering or streamlining of project-level CEQA analysis.
- **Compliance with Local Air District Thresholds.** A lead agency may rely on “existing numerical thresholds of significance for greenhouse gas emissions” adopted by, for example, local air districts.

San Joaquin Valley Air Pollution Control District Regulations

Climate Change Action Plan

On August 21, 2008, the SJVAPCD Governing Board approved a proposal called the Climate Change Action Plan (CCAP). The CCAP began with a public process bringing together stakeholders, land use agencies, environmental groups, and business groups to conduct public workshops to develop comprehensive policies for CEQA guidelines, a carbon exchange bank, and voluntary GHG emissions mitigation agreements for the Board’s consideration. The CCAP contains the following goals and actions:

- Develop GHG significance thresholds to address CEQA projects with GHG emission increases.
- Develop the San Joaquin Valley Carbon Exchange for banking and trading GHG reductions.
- Authorize use of the SJVAPCD’s existing inventory reporting system to allow use for GHG reporting required by AB 32 regulations.
- Develop and administer GHG reduction agreements to mitigate proposed emission increases from new projects.
- Support climate protection measures that reduce greenhouse gas emissions as well as toxic and criteria pollutants. Oppose measures that result in a significant increase in toxic or criteria pollutant emissions in already impacted areas.

On December 17, 2009, the SJVAPCD Governing Board adopted “Guidance for Valley Land-use Agencies in Addressing GHG Emission Impacts for New Projects under CEQA,” and the policy “District Policy—Addressing GHG Emission Impacts for Stationary Source Projects Under CEQA When Serving as the Lead Agency.” The SJVAPCD concluded that the existing science is inadequate to support quantification of the impacts that project-specific GHG emissions have on global climatic change. The SJVAPCD found the effects of project-specific emissions to be cumulative, and without mitigation, their incremental contribution to global climatic change could be considered cumulatively considerable. The SJVAPCD found that this cumulative impact is best addressed by requiring all projects to reduce their GHG emissions, whether through project design elements or mitigation.⁴⁷

The SJVAPCD’s approach is intended to streamline the process of determining if project-specific GHG emissions would have a significant effect. Projects exempt from the requirements of CEQA, and projects complying with an approved plan or mitigation program, would be determined to have a less than significant cumulative impact. Such plans or programs must be specified in law or adopted

⁴⁷ San Joaquin Valley Air Pollution Control District. Guidance for Valley Land-Use Agencies in Addressing GHG Emission Impacts for New Projects under CEQA. December 17, 2009. <https://files.ceqanet.opr.ca.gov/266135-4/attachment/5EbiYUzPctSBvAz2o1Fo2-nBol4qzhrIz68B0H3TrwkfjSmB33khgXXhWT1x4CBG5jpV9DQIDxYrGZGc0>. Accessed November 2024.

by the public agency with jurisdiction over the affected resources, and must have a certified final CEQA document.

For non-exempt projects, those projects for which there is no applicable approved plan or program, or those projects not complying with an approved plan or program, the lead agency must evaluate the project against performance-based standards and would require the adoption of design elements, known as Best Performance Standards (BPS), to reduce GHG emissions. The BPS have not yet fully been established, though they must be designed to achieve a 29 percent reduction when compared with the BAU projections identified in ARB's AB 32 2008 Scoping Plan.

The SJVAPCD has not yet adopted BPS for development projects, so quantification of Project emissions is required. The SJVAPCD has not updated its guidance to address SB 32 2030 targets.

San Joaquin Valley Carbon Exchange

The SJVAPCD initiated work on the San Joaquin Valley Carbon Exchange in November 2008. The program would be a voluntary GHG emission reduction registry which would allow the SJVAPCD to quantify, verify, and track emissions and reductions generated within the San Joaquin Valley.⁴⁸ The program would promote early local GHG and criteria pollutant emission reductions.

Local Regulations

Regional Transportation Plan

Fresno County Association of Governments (TCAG) is the Metropolitan Planning Organization (MPO) for Fresno County and has responsibilities as Fresno County's Council of Governments (COG), transportation authority, and the Regional Transportation Planning Agency (RTPA).

The Regional Transportation Plan (RTP) is a long-range plan that every MPO is required to complete. The plan is meant to provide a long-range, fiscally constrained guide for the future of Fresno County's transportation system. The 2022 RTP plan extends to the year 2046 in its scope. As required by the Sustainable Communities and Climate Protection Act of 2008 (Senate Bill 375), the 2022 Regional Transportation Plan and Sustainable Communities Strategy (RTP/SCS) contains a Sustainable Communities Strategy that considers both land use and transportation together in a single, integrated planning process that accommodates regional housing needs and projected growth. The 2022

⁴⁸ San Joaquin Valley Air Pollution Control District. San Joaquin Valley Carbon Exchange Program, March 4, 2009.

<https://valleyair.org/programs/ccap/03-04-09/SJVCE%20-End%20Workgroup%20Phase%20-%202009%20March%2004.pdf>. Accessed November 2024.

RTP/SCS meets the requirements of SB 375 and demonstrates how the integrated land use and transportation plan achieves the region's mandated GHG emission targets for passenger vehicles.⁴⁹

City of Selma 2035 General Plan

The City of Selma General Plan includes numerous policies aimed at reducing and controlling GHG emissions, as well as improving air quality. General Plan policies included in the Open Space, Conservation and Recreation chapter support the City's objective to reduce emissions of GHGs that contribute to climate change in accordance with federal and state law (AQ-O-3) and are listed below.

- **Policy 5.19.** Coordinate with other local and regional jurisdictions, including the San Joaquin Valley Air Pollution Control District (SJVAPCD) and the California Air Resources Board (ARB), in the development of regional and county clean air plans and incorporate the relevant provisions of those plans into City planning and project review procedures. Also coordinate with the SJVAPCD and ARB in:
 - Enforcing the provisions of the California and Federal Clean Air Acts, State and regional policies, and established standards for air quality;
 - Utilizing clean fuel for city vehicle fleets, when feasible; and
 - Developing consistent procedures for evaluating project-specific and cumulative air quality impacts of projects.
- **Policy 5.20.** Require area and stationary source projects that generate significant amounts of air pollutants to incorporate air quality mitigation in their design, including:
 - The use of best available and economically feasible control technology for stationary industrial sources;
 - Discourage the use of wood burning heaters or pellet stoves in new residential units;
 - The use of new and replacement fuel storage tanks at refueling stations that are clean fuel compatible, if technically and economically feasible; and
 - The promotion of energy efficient designs, including provisions for solar access, building siting to maximize natural heating and cooling, and landscaping to aid passive cooling and to protect from winter winds.
- **Policy 5.21.** Develop strategies to minimize the number and length of vehicle trips, which may include:

⁴⁹ Plan Fresno, Fresno Council of Governments. 2022 Regional Transportation Plan. <https://www.planfresno.com/sustainable-communities-strategies-fall-outreach/>. Accessed November 2024.

- Promoting commercial/industrial project proponent sponsorship of van pools or club buses;
- Encouraging commercial/industrial project day care and employee services at the employment site;
- Encouraging the provision of transit, especially for employment-intensive uses of 200 or more employees; and
- Providing expansion and improvement of public transportation services and facilities.
- **Policy 5.22.** Encourage transportation alternatives to motor vehicles by developing infrastructure amenable to such alternatives by doing the following where feasible:
 - Consider right-of-way requirements for bike usage in the planning of new arterial and collector streets and in street improvement projects;
 - Require that new development be designed to promote pedestrian and bicycle access and circulation; and
 - Provide safe and secure bicycle parking facilities at major activity centers, such as public facilities, employment sites, and shopping and office centers.
- **Policy 5.23.** Encourage land use development to be located and designed to conserve air quality and minimize direct and indirect emissions of air contaminants by doing the following where feasible:
 - Locate air pollution point sources, such as manufacturing and extracting facilities in areas designated for industrial development and separated from residential areas and sensitive receptors (e.g., homes, schools, and hospitals); establish buffer zones (e.g., setbacks, landscaping) within residential and other sensitive receptor uses to separate those uses from highways, arterials, hazardous material locations and other sources of air pollution or odor;
 - Consider the jobs/housing/balance relationship (i.e., the proximity of industrial and commercial uses to major residential areas) when making land use decisions;
 - Provide for mixed-use development through land use and zoning to reduce the length and frequency of vehicle trips;
 - Accommodate a portion of the projected population and economic growth of the City in areas having the potential for revitalization;
 - Locate public facilities (libraries, parks, schools, community centers, etc.) with consideration of transit and other transportation opportunities;
 - Encourage small neighborhood-serving commercial uses within or adjacent to residential neighborhoods when such areas are aesthetically compatible with adjacent areas; do not create conflicts with neighborhoods schools; minimize traffic, noise, and lighting impacts; encourage and accommodate pedestrian and bicycle access; and, are occupied by commercial uses that have a neighborhood-scale market area rather than a community-wide market area; and
 - Encourage a development pattern that is contiguous with existing developed areas of the City.

City of Selma General Plan Environmental Impact Report (EIR)

The General Plan EIR relies on General Plan goals and policies to mitigate GHG emissions to the extent feasible. Many of the policies are applicable at a city level and are only applicable to municipal operations, while those applicable to community development projects would apply to individual development projects through compliance with regulations. Additional measures supporting air quality are provided below.

- **Policy 2.44.** The City will develop, through various funding mechanisms and sources, a city wide bicycle path/lane/route system in conformance with the City's 2003 Bicycle Transportation Plan. The bicycle path/lane/route system will utilize existing or future railroad right-of-way and water courses. The paths (class I), may also include landscaping, lighting, mileage markers, directional signage and benches. The on-road lanes (class II) would include striping and the on-road routes (class III) would not include striping. Reference Figure 2-3 (included as Figures 2-3a and 2-3b in this Draft EIR) for the proposed city-wide bike plan. The class I bike paths can also be utilized by pedestrians if the proposed paths are wide enough to allow both bicyclists and pedestrians.
- **Policy 2.45.** Sidewalks, paths, and appropriate crosswalks should be located to facilitate access to all schools and other areas with significant pedestrian traffic. Whenever feasible, pedestrian paths should be developed to allow for unobstructed pedestrian flow from within a neighborhood.
- **Policy 2.46.** The City shall require curb, gutter, and sidewalks in all areas of the community to accommodate pedestrian traffic, especially along routes with high pedestrian traffic such as schools, parks, and the Downtown area. Installation of these improvements shall be encouraged to the extent feasible in existing neighborhoods where they do not currently exist.
- **Policy 2.47.** The City shall promote safe, convenient and accessible pedestrian ways within the community.
- **Policy 2.48.** Where security walls or fences are proposed for residential developments along major arterials, arterials, or collector streets, pedestrian access should be considered between the major arterial, arterial, or collector, and the development to allow access to transit vehicles, commercial facilities, educational facilities and recreation areas operating on the street.
- **Policy 2.49.** Street lighting shall be provided for all public streets and pedestrian signals shall be provided at all traffic signal locations.
- **Policy 2.53.** Parking standards shall be evaluated to assess the potential for offering reduced parking requirements to developments that incorporate measures proven to reduce vehicular trips. Shared parking should be encouraged whenever possible.

- **Policy 2.54.** The City of Selma shall work with Caltrans and transit service providers to establish a park and ride lot or lots within the community to serve the needs of regional and local commuters.
- **Policy 2.60.** The City shall encourage the use of energy efficient and non-polluting fuels and modes of transportation.

Thresholds of Significance

The CEQA Guidelines define a significant effect on the environment as “a substantial, or potentially substantial, adverse change in the environment.”

The following GHG significance thresholds are contained in Appendix G of the CEQA Guidelines, which were amendments adopted into the Guidelines on March 18, 2010, pursuant to SB 97 and most recently amended December 28, 2019. A significant impact would occur if the project would:

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

Approach to Analysis

Section 15064.4(b) of the CEQA Guidelines states that a lead agency may take into account the following three considerations in assessing the significance of impacts from GHG emissions.

- Consideration #1: The extent to which the project may increase or reduce greenhouse gas emissions as compared to the existing environmental setting.
- Consideration #2: Whether the project emissions exceed a threshold of significance that the lead agency determines applies to the project.
- Consideration #3: 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. Such regulations or requirements must be adopted by the relevant public agency through a public review process and must include specific requirements that reduce or mitigate the project’s incremental contribution of

greenhouse gas emissions. If there is substantial evidence that the possible effects of a particular project are still cumulatively considerable notwithstanding compliance with the adopted regulations or requirements, an EIR must be prepared for the project. In determining the significance of impacts, the lead agency may consider a project's consistency with the State's long-term climate goals or strategies, provided that substantial evidence supports the agency's analysis of how those goals or strategies address the project's incremental contribution to climate change and its conclusion that the project's incremental contribution is not cumulatively considerable.

The SJVAPCD's *Guidance for Valley Land-use Agencies in Addressing GHG Emission Impacts for New Projects under CEQA* provides guidance for preparing a BAU analysis. Under the SJVAPCD guidance, projects meeting one of the following would have a less than significant impact on climate change:

- Exempt from CEQA;
- Complies with an approved GHG emission reduction plan or GHG mitigation program;
- Project achieves 29 percent GHG reductions by using approved Best Performance Standards; and
- Project achieves AB 32 targeted 29 percent GHG reductions compared with "business as usual."

The SJVAPCD has not yet adopted BPS for development projects that could be used to streamline the GHG analysis. For development projects, BPS means, "[a]ny combination of identified GHG emission reduction measures, including project design elements and land use decisions that reduce project-specific GHG emission reductions by at least 29 percent compared with business as usual."

The 29 percent GHG reduction level is based on the target established by CARB's AB 32 Scoping Plan, approved in 2008. The GHG reduction level for the State to reach 1990 emission levels by 2020 was reduced to 21.7 percent from BAU in 2020 in the 2014 First Update to the Scoping Plan to account for slower than projected growth after the 2008 recession. First occupancy at the Project site is expected to occur in 2024, which is after the AB 32 target year. The SJVAPCD has not updated its guidance to address SB 32 2030 targets or AB 1279 2045 targets. Therefore, whether the Project's GHG emissions would result in a significant impact on the environment is determined by assessing consistency with relevant GHG reduction plans.

Quantification of Greenhouse Gas Emissions for Informational Purposes

Construction

GHG emissions generated during all construction activities were combined and are shown in Table 3.4-1.

Table 3.4-1
Summary of Construction-Generated Greenhouse Gas Emissions⁵⁰

Emissions Source	MT CO2e per Year
Project Construction (2024)	941
Project Construction (2025)	1,096
Project Construction (2026)	1,080
Project Construction (2027)	453
Project Construction Total	3,570
Amortized over 30 Years	119
Notes: MT CO2e = metric tons of carbon dioxide equivalent Source: Modeling Assumptions and CalEEMod Output Files (Attachment A of Appendix B).	

Operations

Operational or long-term emissions occur over the life of the project. Sources of emissions may include motor vehicles and trucks, energy usage, water usage, waste generation, and area sources, such as landscaping activities. Operational GHG emissions associated with the proposed Project were estimated using CalEEMod 2022.1. Please see the “Assumptions” sections of Appendix B for details regarding assumptions and methodology used to estimate emissions. Operational GHG emissions in the buildout year are shown in Table 3.4-2. Complete CalEEMod output files and additional supporting information are also included in Attachment A of Appendix B.

⁵⁰ Air Quality, Health Risk, Greenhouse Gas, and Energy Technical Memorandum for the Selma Mixed-Use Project. Johnson & Miller Air Quality Consulting Services. January 17, 2024. Page 40.

Table 3.4-2
Project Operational GHG Emissions (Buildout Year Scenario)⁵¹

Emissions Source	Unmitigated Buildout Year Total Emissions (MT CO₂e per year)	Mitigated Buildout Year Total Emissions¹ (MT CO₂e per year)
Area	245	245
Energy	1,775	1,775
Mobile (Automobiles)	7,785	6,617
Refrigerants	575	575
Water	60	60
Waste	321	321
Total (MT CO₂e per year)	10,761	9,593
Notes: ¹ The mitigated scenario represents emissions after the incorporation mitigation measures (MM AIR-2a through MM AIR-2d, which would have co-benefits to reduce GHG emissions. To account for the TDM, a 15 percent reduction was applied to the mitigated operational mobile source emissions. Source of Buildout Year Emissions: Modeling Assumptions and CalEEMod Output Files (Attachment A of Appendix B).		

Impacts and Mitigation Measures

Impact 3.4-1: *Would the project generate direct or indirect greenhouse emissions that would result in a significant impact on the environment?*

Less Than Significant. The following analysis assesses the Project's compliance with Consideration #3 regarding consistency with adopted plans to reduce GHG emissions. The Project is in the City of Selma, which is within Fresno County. Neither the City of Selma nor the County of Fresno have adopted a GHG reduction plan that would be applicable to the proposed Project. In addition, neither the City of Selma nor the County of Fresno have completed the GHG inventory, benchmarking, or goal-setting process required to identify a reduction target and take advantage of the streamlining provisions contained in the CEQA Guidelines. The SJVAPCD has adopted a Climate Action Plan, but it does not contain measures that are applicable to the Project.

⁵¹ Ibid.

Therefore, the SJVAPCD Climate Action Plan cannot be applied to the Project. Since no other local or regional Climate Action Plan is in place, the Project is assessed for its consistency with CARB's adopted Scoping Plans.

Consistency with CARB's Adopted Scoping Plans

The State's regulatory program implementing the 2008 Scoping Plan is now fully mature. All regulations envisioned in the Scoping Plan have been adopted, and the effectiveness of those regulations has been estimated by the agencies during the adoption process and then tracked to verify their effectiveness after implementation. The combined effect of this successful effort is that the State now projects that it will meet the 2020 target and achieve continued progress toward meeting post-2020 targets. Former Governor Brown, in the introduction to Executive Order B-30-15, stated "California is on track to meet or exceed the current target of reducing greenhouse gas emissions to 1990 levels by 2020, as established in the California Global Warming Solutions Act of 2006 (AB 32)."

Consistency with SB 32 and the 2017 Scoping Plan

The 2017 Climate Change Scoping Plan Update (2017 Scoping Plan) includes the strategy that the State intends to pursue to achieve the 2030 targets of Executive Order S-3-05 and SB 32. Table 22 provides an analysis of the Project's consistency with the 2017 Scoping Plan Update measures.

Table 3.4-3
Consistency with SB 32 2017 Scoping Plan Update⁵²

Scoping Plan Measure	Project Consistency
SB 350 50% Renewable Mandate. Utilities subject to the legislation will be required to increase their renewable energy mix from 33% in 2020 to 50% in 2030 (now 60% under SB 100).	Consistent. The project will purchase electricity from a utility subject to the SB 350 Renewable Mandate. The specific provider for this project is Pacific Gas and Electric Company (PG&E). In February 2018, PG&E announced that it had reached California's 2020 renewable energy goal 3 years ahead of schedule and delivers nearly 80 percent of its electricity from GHG-free resources. ¹
SB 350 Double Building Energy Efficiency by 2030. This is equivalent to a 20 percent reduction from 2014 building energy usage compared to current projected 2030 levels.	Not Applicable. This measure applies to existing buildings. New structures are required to comply with Title 24 Energy Efficiency Standards that are expected to increase in stringency over time. New buildings constructed as part of the proposed project would comply with the applicable Title 24 Energy Efficiency Standards in effect at the time building permits are received. The current Title 24 regulations are the 2022 Title 24 standards, which become effective January 1, 2023.
Low Carbon Fuel Standard. This measure requires fuel providers to meet an 18 percent reduction in carbon content by 2030.	Consistent. This is a Statewide measure that cannot be implemented by a project applicant or lead agency. However, vehicles accessing the project site would be subject to the standards. Vehicles accessing the project site will use fuel containing lower carbon content as the fuel standard is implemented.
Mobile Source Strategy (Cleaner Technology and Fuels Scenario). Vehicle manufacturers will be required to meet existing regulations mandated by the LEV III and Heavy-Duty Vehicle programs. The strategy includes a goal of having 4.2 million ZEVs on the road by 2030 and increasing numbers of ZEV trucks and buses.	Consistent. Future employees, patrons, residents, and visitors can be expected to purchase increasing numbers of more fuel-efficient and zero emission cars and trucks each year.
Sustainable Freight Action Plan. The plan's target is to improve freight system efficiency 25 percent by increasing the value of goods and services produced from the freight sector, relative to the amount of carbon that it produces by 2030. This would be achieved by deploying over 100,000 freight vehicles and equipment capable of zero emission operation and maximize near-zero emission freight vehicles and equipment powered by renewable energy by 2030.	Not Applicable. The measure applies to owners and operators of trucks and freight operations. The project is a mixed-use project consisting of commercial and residential development and would not be considered an industrial use or a large freight operator. However, commercial and home deliveries are expected to be made by increasing numbers of ZEV delivery trucks as technology continues to improve accessibility to ZEV vehicles and as regulations are phased in over time.
Short-Lived Climate Pollutant (SLCP) Reduction Strategy. The strategy requires the reduction of SLCPs by 40 percent from 2013 levels by 2030 and the reduction of black carbon by 50 percent from 2013 levels by 2030.	Consistent. The project does not include sources that produce significant quantities of methane or black carbon. The project residences will include only natural gas hearths that produce very little black carbon compared to woodburning fireplaces and heaters. Commercial components of proposed project are not expected to be sources of black carbon; however, diesel trucks accessing the site will achieve significant reductions in PM _{2.5} with adopted regulations that will reduce this source of black carbon.
SB 375 Sustainable Communities Strategies. Requires Regional Transportation Plans to include a sustainable communities strategy for reduction of per capita vehicle miles traveled.	Consistent. The project will provide mixed-use residential and commercial development in the region that is consistent with the Regional Transportation Plan/Sustainable Communities Strategy (SCS)

⁵² Air Quality, Health Risk, Greenhouse Gas, and Energy Technical Memorandum for the Selma Mixed-Use Project. Johnson & Miller Air Quality Consulting Services. January 17, 2024. Page 42 and 43.

Table 3.4-3 (continued)**Consistency with SB 32 2017 Scoping Plan Update⁵³**

Scoping Plan Measure	Project Consistency
	strategies to increase development densities to reduce VMT. The project includes mixed-use development including commercial and a mix of residential uses within the same area, which will contribute to reductions in VMT.
Post-2020 Cap-and-Trade Program. The Post 2020 Cap-and-Trade Program continues the existing program for another 10 years. The Cap-and-Trade Program applies to large industrial sources such as power plants, refineries, and cement manufacturers.	Consistent. The post-2020 Cap-and-Trade Program indirectly affects people who use the products and services produced by the regulated industrial sources when increased cost of products or services (such as electricity and fuel) are transferred to the consumers. The Cap-and-Trade Program covers the GHG emissions associated with electricity consumed in California, whether generated in-state or imported. Accordingly, GHG emissions associated with CEQA projects' electricity usage are indirectly covered by the Cap-and-Trade Program. The Cap-and-Trade Program also covers fuel suppliers (natural gas and propane fuel providers and transportation fuel providers) to address emissions from such fuels and from combustion of other fossil fuels not directly covered at large sources in the program's first compliance period.
Natural and Working Lands Action Plan. CARB is working in coordination with several other agencies at the federal, state, and local levels, stakeholders, and with the public, to develop measures as outlined in the Scoping Plan Update and the governor's Executive Order B-30-15 to reduce GHG emissions and to cultivate net carbon sequestration potential for California's natural and working land.	Not Applicable. The project site is approximately 37.4 acres in size and would change the land use from Fallowed Agricultural Land (County of Fresno - AE20) to commercial and residential mixed-use. The 37.4-acre project site is located directly adjacent to built-up areas of the City of Selma and is within ¼-mile of State Route 99. The project site is currently covered in grass and native weeds and would not be considered a significant source of carbon sequestration. Once operational, the project would not be considered working lands.
Source: California Air Resources Board (CARB). 2017. The 2017 Climate Change Scoping Plan Update. January 20. Website: https://www.arb.ca.gov/cc/scopingplan/2030sp_pp_final.pdf . Accessed May 24, 2023. ¹ Pacific Gas and Electric (PG&E). 2018. PG&E Clean Energy Deliveries Already Meet Future Goals. Website: www.pge.com/en/about/newsroom/newsdetails/index.page?title=20180220_pge_clean_energy_deliveries_already_meet_future_goals . Accessed May 24, 2023.	

As described in Table 3.4-3, the proposed Project would be consistent with applicable 2017 Scoping Plan Update measures and would not obstruct the implementation of others that are not applicable. The State's regulatory program is able to target both new and existing development because the two most important strategies, motor vehicle fuel efficiency and emissions from electricity generation, obtain reductions equally from existing sources and new sources. This is because all vehicle operators use cleaner low carbon fuels and buy vehicles subject to the fuel efficiency regulations and all building owners or operators purchase cleaner energy from the grid that is produced by increasing percentages of renewable fuels. This includes regulations on mobile sources such as the Pavley standards that apply to all vehicles purchased in California, the LCFS (Low Carbon Fuel Standard) that applies to all fuel sold in California, and the

⁵³ Air Quality, Health Risk, Greenhouse Gas, and Energy Technical Memorandum for the Selma Mixed-Use Project. Johnson & Miller Air Quality Consulting Services. January 17, 2024. Page 42 and 43.

Renewable Portfolio Standard and Renewable Energy Standard under SB 100 that apply to utilities providing electricity to all California end users.

Moreover, the Scoping Plan strategy will achieve more than average reductions from energy and mobile source sectors that are the primary sources related to development projects and lower than average reductions from other sources such as agriculture. The proposed Project's operational GHG emissions would principally be generated from electricity consumption and vehicle use, which are directly under the purview of the Scoping Plan strategy and have experienced reductions above the State average reduction.

Considering the information summarized above, the proposed project would be consistent with the State's AB 32 and SB 32 GHG reduction goals.

Consistency Regarding GHG Reduction Goals for 2050 under Executive Order S-3-05 and GHG Reduction Goals for 2045 under the 2022 Scoping Plan

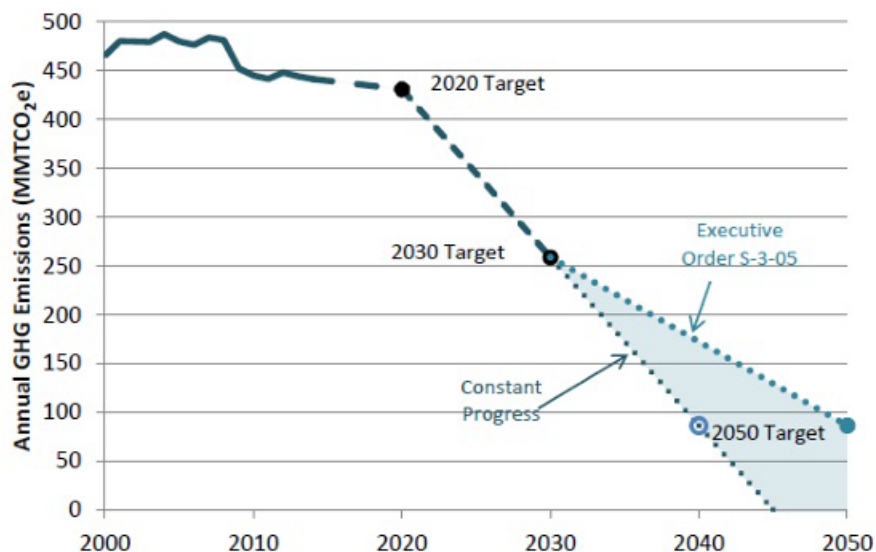
Regarding goals for 2050 under Executive Order S-3-05, at this time it is not possible to quantify the emissions savings from future regulatory measures, as they have not yet been developed; nevertheless, it can be anticipated that operation of the proposed Project would comply with whatever measures are enacted that State lawmakers decide would lead to an 80 percent reduction below 1990 levels by 2050. In its 2008 Scoping Plan, CARB acknowledged that the "measures needed to meet the 2050 are too far in the future to define in detail." In the First Scoping Plan Update; however, CARB generally described the type of activities required to achieve the 2050 target: "energy demand reduction through efficiency and activity changes; large scale electrification of on-road vehicles, buildings, and industrial machinery; decarbonizing electricity and fuel supplies; and rapid market penetration of efficiency and clean energy technologies that requires significant efforts to deploy and scale markets for the cleanest technologies immediately."

CARB recognized that AB 32 established an emissions reduction trajectory that will allow California to achieve the more stringent 2050 target: "These [greenhouse gas emission reduction] measures also put the State on a path to meet the long-term 2050 goal of reducing California's GHG emissions to 80 percent below 1990 levels. This trajectory is consistent with the reductions that are needed globally to stabilize the climate." In addition, CARB's First Update "lays the foundation for establishing a broad framework for continued emission reductions beyond 2020, on the path to 80 percent below 1990 levels by 2050," and many of the emission reduction strategies recommended by CARB would serve to reduce the proposed Project's post-2020 emissions level to the extent applicable by law:

- **Energy Sector:** Continued improvements in California's appliance and building energy efficiency programs and initiatives, such as the State's zero net energy building goals, would serve to reduce the proposed Project's emissions level. Additionally, further additions to California's renewable resource portfolio would favorably influence the Project's emissions level.
- **Transportation Sector:** Anticipated deployment of improved vehicle efficiency, zero emission technologies, lower carbon fuels, and improvement of existing transportation systems all will serve to reduce the Project's emissions level.
- **Water Sector:** The Project's emissions level will be reduced as a result of further desired enhancements to water conservation technologies.
- **Waste Management Sector:** Plans to further improve recycling, reuse and reduction of solid waste will beneficially reduce the Project's emissions level.

For the reasons described above, the Project's post-2020 emissions trajectory is expected to follow a declining trend, consistent with the 2030 and 2050 targets. The trajectory required to achieve the post-2020 targets is shown in Figure 3.4-1.

Figure 3.4-1
California's Path to Achieving the 2050 Target⁵⁴



⁵⁴ Air Quality, Health Risk, Greenhouse Gas, and Energy Technical Memorandum for the Selma Mixed-Use Project. Johnson & Miller Air Quality Consulting Services. January 17, 2024. Page 45.

Source: CARB 2017 Scoping Plan Update

In his January 2015 inaugural address, former Governor Brown expressed a commitment to achieve “three ambitious goals” that he would like to see accomplished by 2030 to reduce the State’s GHG emissions:

- Increasing the State’s Renewable Portfolio Standard from 33 percent in 2020 to 50 percent in 2030;
- Cutting the petroleum use in cars and trucks in half; and
- Doubling the efficiency of existing buildings and making heating fuels cleaner.

These expressions of executive branch policy may be manifested in adopted legislative or regulatory action through the state agencies and departments responsible for achieving the State’s environmental policy objectives, particularly those relating to global climate change. Studies show that the State’s existing and proposed regulatory framework will allow the State to reduce its GHG emissions level to 40 percent below 1990 levels by 2030, and to 80 percent below 1990 levels by 2050. Even though these studies did not provide an exact regulatory and technological roadmap to achieve the 2030 and 2050 goals, they demonstrated that various combinations of policies could allow the statewide emissions level to remain very low through 2050, suggesting that the combination of new technologies and other regulations not analyzed in the studies could allow the State to meet the 2050 target.

Given the proportional contribution of mobile source-related GHG emissions to the State’s inventory, recent studies also show that relatively new trends—such as the increasing importance of web-based shopping, the emergence of different driving patterns, and the increasing effect of web-based applications on transportation choices—are beginning to substantially influence transportation choices and the energy used by transportation modes. These factors have changed the direction of transportation trends in recent years and will require the creation of new models to effectively analyze future transportation patterns and the corresponding effect on GHG emissions. For the reasons described above, the proposed Project future emissions trajectory is expected to follow a declining trend, consistent with the 2030, 2045, and 2050 targets.

The 2017 Scoping Plan provides an intermediate target that is intended to achieve reasonable progress toward the 2050 target. In addition, the 2022 Scoping Plan outlines objectives, regulations, planning efforts, and investments in clean technologies and infrastructure that outlines how the State can achieve carbon-neutrality by 2045. Accordingly, taking into account the proposed Project’s design features and the progress being made by the State towards reducing

emissions in key sectors such as transportation, industry, and electricity, the proposed Project would be consistent with State GHG Plans and would further the State's goals of reducing GHG emissions 40 percent below 1990 levels by 2030, carbon neutral by 2045, and 80 percent below 1990 levels by 2050, and does not obstruct their attainment.

As described above, the proposed Project would be consistent with State GHG Plans and would not obstruct the State's ability to meet its goals of reducing GHG emissions 40 percent below 1990 levels by 2030, carbon neutral by 2045, and 80 percent below 1990 levels by 2050. Therefore, the Project's generation of GHG emissions would result in a *less than significant impact* on the environment.

Mitigation Measures:

None Required.

Impact 3.4-2: *Would the project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?*

Less Than Significant. The following analysis assesses the Project's compliance with Consideration #3 regarding consistency with adopted plans to reduce GHG emissions. Neither the City of Selma nor the County of Fresno have adopted a GHG reduction plan that would be applicable to the proposed Project. In addition, neither the City of Selma nor the County of Fresno have completed the GHG inventory, benchmarking, or goalsetting process required to identify a reduction target and take advantage of the streamlining provisions contained in the CEQA Guidelines. The SJVAPCD has adopted a Climate Action Plan, but it does not contain measures that are applicable to the project. Therefore, the SJVAPCD Climate Action Plan cannot be applied to the Project. Since no other local or regional Climate Action Plan is in place, the Project is assessed for its consistency with CARB's adopted Scoping Plans. This assessment is included under Impact GHG-A above. As demonstrated in the analysis contained under Impact GHG-A, the Project would not conflict with any applicable plan, policy, or regulation of an agency adopted to reduce the emissions of greenhouse gases. This impact would be *less than significant*.

Mitigation Measures:

None Required.

Cumulative Impacts

Less Than Cumulatively Considerable. The State of California, through AB 32, has acknowledged that GHG emissions are a statewide impact. Emissions generated by the proposed Project combined with past, present, and reasonably probable future projects could contribute to this impact. The CEQA Guidelines emphasize that effects of GHG emissions are cumulative in nature and should be analyzed in the context of CEQA's existing cumulative impacts analysis. The California Governor's Office of Planning and Research acknowledges that although climate change is cumulative in nature, not every individual project that emits GHGs must necessarily be found to contribute to a significant cumulative impact on the environment.

As discussed above, the proposed Project would not generate significant GHG emissions and would be consistent with GHG reduction plans. Therefore, the proposed Project's incremental contribution would be *less than cumulatively considerable*.

3.9 Hazards and Hazardous Materials

This section of the DEIR identifies potential impacts of the proposed Project pertaining to hazards and hazardous materials, proximity to airports/schools, and assessment of wildfire risk. To assist in this analysis, a Phase I Environmental Site Assessment (Phase I) was prepared by Technicon Engineering Services, Inc. in July 2022 for the proposed Project site (See Appendix D). The California Department of Toxic Substances Control provided a NOP comment letter. The letter provided three analysis requests which are discussed within this section.

Hazards include man-made or natural materials or man-made or natural conditions that may pose a threat to human health, life, property, or the environment. Hazardous materials and waste present health hazards for humans and the environment. These health hazards can result during the manufacture, transportation, use, or disposal of such materials if not handled properly. Hazards to humans can also existing from natural or human induce wildfire and air traffic accidents.

Environmental Setting

Project Site

The Project site is located west of Highland Avenue, north of Rose Avenue and south of E. Floral Avenue. The site consists of APNs 385-260-33, 385-230-16, -38 and -39. The development site is approximately 39 acres and currently consists of active and fallowed agricultural land. The site is predominantly surrounded by agricultural land, rural residential homes and commercial developments.

Hazardous Materials

A hazardous material is a substance or combination of substances which, because of its quantity, concentration, or physical, chemical, or infectious characteristics, may either (1) cause or significantly contribute to an increase in mortality or an increase in serious, irreversible, or incapacitating irreversible illness; or (2) pose a substantial present or potential hazard to human health and safety, or the environment when improperly treated, stored, transported, or disposed of.

Hazardous materials include a variety of substances such as lubricants, herbicides and pesticides, solvents, gasoline, household cleaning products, refrigerants and radioactive substances. Some are common to industrial and commercial process, while others are commonly used in

households. A hazardous waste is simply the spent or used hazardous material that requires disposal. Improper transport, storage, handling, use and disposal of hazardous wastes can have significant impacts on the environment and human health.

Hazardous Sites

The Cortese List is a planning document used by the State, local agencies, and land owners to comply with the California Environmental Quality Act requirements in providing information about the location of hazardous materials release sites. Government Code Section 65962.5 requires the California Environmental Protection Agency to develop at least annually an updated Cortese List. The California Department of Toxic Substances Control (DTSC) and the State Water Resources Control Board (SWRCB) are responsible for a portion of the information contained in the Cortese List. Other State and local government agencies are required to provide additional hazardous material release information for the Cortese List.

DTSC maintains the *Envirostor Data Management System*, which provides information on hazardous waste facilities (both permitted and corrective action) as well as any available site cleanup information. This site cleanup information includes: Federal Superfund Sites (NPL), State Response Sites, Voluntary Cleanup Sites, School Cleanup Sites, Corrective Action Sites, Tiered Permit Sites, and Evaluation / Investigation Sites. The hazardous waste facilities include: Permitted–Operating, Post-Closure Permitted, and Historical Non-Operating. According to the environmental records search conducted in the Phase I, there are two sites identified within a half-mile radius of the site:

- Selma Electro Plating is located east to the site. It maintains a status of certified.
- PG&E Manufactured Gas Plan SQ-FK-SEL is located southeast to the site and maintains a status of certified.

GeoTracker is the SWRCB's data management system for managing sites that impact groundwater, especially those that require groundwater cleanup (Underground Storage Tanks, Department of Defense, Site Cleanup Program) as well as permitted facilities such as operating USTs and land disposal sites. The Subject Property was not identified within the GeoTracker Database, according to the Phase I.

Wildfire Hazards

In California, responsibility for wildfire prevention and suppression is shared by federal, state and local agencies. Federal agencies are responsible for federal lands in Federal Responsibility Areas. The State of California has determined that some non-federal lands in unincorporated

areas with watershed value are of statewide interest and have classified those lands as State Responsibility Areas (SRA), which are managed by CAL FIRE. All incorporated areas and other unincorporated lands are classified as Local Responsibility Areas (LRA). While nearly all of California is subject to some degree of wildfire hazard, there are specific features that make certain areas more hazardous. CAL FIRE is required by law to map areas of significant fire hazards based on fuels, terrain, weather and other relevant factors (Public Resources Code [PRC] 4201-4204 and California Government Code 51175-89). As described above, the primary factors that increase an area's susceptibility to fire hazards include slope, vegetation type and condition, and atmospheric conditions. CAL FIRE maps fire hazards based on zones, referred to as Fire Hazard Severity Zones. CAL FIRE maps three SRA zones: 1) Moderate Fire Hazard Severity Zones; 2) High Fire Hazard Severity Zones; and 3) Very High Fire Hazard Severity Zones. Only the Very High Fire Hazard Severity Zones are mapped for the LRA. Each of the zones influence how people construct buildings and protect property to reduce risk associated with wildland fires. Under state regulations, areas within very high fire hazard risk zones must comply with specific building and vegetation management requirements intended to reduce property damage and loss of life within these areas. According to LRA mapping, no land within or adjacent to the City of Selma or the Project site is designated as a Very High Fire Hazard Severity Zone.¹

Airports

The proposed Project site is approximately 1.2 miles southeast of Selma Airport, while the next nearest airport is the Reedley Municipal Airport, approximately 12 miles northeast.

Schools

Eric White Elementary School is approximately 0.58 miles to the southeast. Andrew Jackson Elementary School and Selma High School are each approximately 1.0 miles northeast of the proposed site.

Regulatory Setting

Federal Regulations

Hazardous Materials Transportation Act

¹ California State Geoportal. California Fire Hazard Severity Zone Viewer. <https://osfm.fire.ca.gov/what-we-do/community-wildfire-preparedness-and-mitigation/fire-hazard-severity-zones> Accessed October 2024.

The Hazardous Materials Transportation Act of 1975 (HMTA) as amended, is the major federal transportation-related statute affecting the transportation of hazardous material in commerce. The objective of the HMTA according to the policy stated by Congress is "... to improve the regulatory and enforcement authority of the Secretary of Transportation to protect the Nation adequately against risks to life and property which are inherent in the transportation of hazardous materials in commerce." The HMTA empowers the Secretary of Transportation to designate as hazardous material any "particular quantity or form" of a material that "may pose an unreasonable risk to health and safety or property."

Regulations apply to "... any person who transports, or causes to be transported or shipped, a hazardous material; or who manufactures, fabricates, marks, maintains, reconditions, repairs, or tests a package or container which is represented, marked, certified, or sold by such person for use in the transportation in commerce of certain hazardous materials."²

Superfund

The Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), commonly referred to as "Superfund", was enacted on December 11, 1980. The purpose of CERCLA was to provide authorities with the ability to respond to uncontrolled releases of hazardous substances from inactive hazardous waste sites that endanger public health and the environment. CERCLA established prohibitions and requirements concerning closed and abandoned hazardous waste sites, provided for liability of persons responsible for releases of hazardous waste at such sites, and established a trust fund to provide for cleanup when no responsible party could be identified. Additionally, CERCLA provided for the revision and republishing of the National Contingency Plan (NCP) that provides the guidelines and procedures needed to respond to releases and threatened releases of hazardous substances, pollutants, or contaminants. The NCP also provides for the National Priorities List, a list of national priorities among releases or threatened releases throughout the United States for the purpose of taking remedial action.

Superfund Amendments and Reauthorization Act SARA amended CERCLA on October 17, 1986. This amendment increased the size of the Hazardous Response Trust Fund to \$8.5 billion, expanded EPA's response authority, strengthened enforcement activities at Superfund sites; and broadened the application of the law to include federal facilities. In addition, new provisions were added to the law that dealt with emergency planning and community right to know. SARA also required EPA to revise the Hazard Ranking System to ensure that the system accurately assesses

² United States Department of Labor. Occupational Safety and Health Administration. Transporting Hazardous Materials. <https://www.osha.gov/trucking-industry/transporting-hazardous-materials>. Accessed October 2024.

the relative degree of risk to human health and the environment posed by sites and facilities subject to review for listing on the National Priorities List.

Federal Insecticide, Fungicide and Rodenticide Act

The Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) provides for federal regulation of pesticide distribution, sale, and use. All pesticides distributed or sold in the United States must be registered (licensed) by the federal Environmental Protection Agency (EPA). Before EPA may register a pesticide under FIFRA, the applicant must show, among other things, that using the pesticide according to specifications "will not generally cause unreasonable adverse effects on the environment." 7 U.S.C. Section 136 et seq.

Federal Emergency Management Act (FEMA)

The National Flood Insurance Act (1968) makes available federally subsidized flood insurance to owners of flood-prone properties. To facilitate identifying areas with flood potential, Federal Emergency Management Agency (FEMA) has developed Flood Insurance Rate Maps (FIRM) that can be used for planning purposes.

Resource Conservation and Recovery Act (RCRA)

The Resource Conservation and Recovery Act (RCRA) provides the EPA with the authority to control hazardous waste from the "cradle-to-grave." This includes the generation, transportation, treatment, storage, and disposal of hazardous waste. RCRA also set forth a framework for the management of non-hazardous solid wastes. The 1986 amendments to RCRA enabled EPA to address environmental problems that could result from underground tanks storing petroleum and other hazardous substances. The Federal Hazardous and Solid Waste Amendments (HSWA) are the 1984 amendments to RCRA that focus on waste minimization and phasing out land disposal of hazardous waste as well as corrective action for releases. Some of the other mandates of this law include increased enforcement authority for EPA, more stringent hazardous waste management standards, and a comprehensive underground storage tank program.

State of California Regulations

California Environmental Protection Agency (Cal/EPA) Department of Toxic Substance Control (DTSC)

Cal/EPA has regulatory responsibility under Title 22 of the California Code of Regulations (CCR) for administration of the state and federal Superfund programs for the management and cleanup

of hazardous materials. The DTSC is responsible for regulating hazardous waste facilities and overseeing the cleanup of hazardous waste sites in California. The Hazardous Waste Management Program (HWMP) regulates hazardous waste through its permitting, enforcement and Unified Program activities. HWMP maintains the EPA authorization to implement the RCRA program in California, and develops regulations, policies, guidance and technical assistance/training to assure the safe storage, treatment, transportation and disposal of hazardous wastes. The State Regulatory Programs Division of DTSC oversees the technical implementation of the state's Unified Program, which is a consolidation of six environmental programs at the local level, and conducts triennial reviews of Unified Program agencies to ensure that their programs are consistent statewide and conform to standards.

Hazardous Substance Account Act (1984), California Health and Safety Code Section 25300 ET SEQ (HSAA)

This act, known as the California Superfund, has three purposes: 1) to respond to releases of hazardous substances; 2) to compensate for damages caused by such releases; and 3) to pay the state's 10 percent share in CERCLA cleanups. Contaminated sites that fail to score above a certain threshold level in the EPA's ranking system may be placed on the California Superfund list of hazardous wastes requiring cleanup.

California Code of Regulations

Title 3 of the CCR pertains to the application of pesticides and related chemicals. Parties applying regulated substances must continuously evaluate application equipment, the weather, the treated lands and all surrounding properties. Title 3 prohibits any application that would:

- Contaminate persons not involved in the application
- Damage non---target crops or animals or any other public or private property
- Contaminate public or private property or create health hazards on said property

Title 8 of the CCR establishes California Occupational Safety and Health Administration (Cal OSHA) requirements related to public and worker protection. Topics addressed in Title 8 include materials exposure limits, equipment requirements, protective clothing, hazardous materials, and accident prevention. Construction safety and exposure standards for lead and asbestos are set forth in Title 8.

Title 14 of the CCR establishes minimum standards for solid waste handling and disposal.

Title 17 of the CCR establishes regulations relating to the use and disturbance of materials containing naturally occurring asbestos.

Title 19 of the CCR establishes a variety of emergency fire response, fire prevention, and construction and construction materials standards.

Title 22 of the CCR sets forth definitions of hazardous waste and special waste. The section also identifies hazardous waste criteria and establishes regulations pertaining to the storage, transport, and disposal of hazardous waste.

Title 26 of the CCR is a medley of State regulations pertaining to hazardous materials and waste that are presented in other regulatory sections. Title 26 mandates specific management criteria related to hazardous materials identification, packaging, and disposal. In addition, Title 26 establishes requirements for hazardous materials transport, containment, treatment, and disposal. Finally, staff training standards are set forth in Title 26.

Title 27 of the CCR sets forth a variety of regulations relating to the construction, operation and maintenance of the State's landfills. The title establishes a landfill classification system and categories of waste. Each class of landfill is constructed to contain specific types of waste (household, inert, special, and hazardous).

California Fire Code

The California Fire Code (CFC) is Part 9 of Title 24, California Code of Regulations, also referred to as the California Building Standards Code. The CFC incorporates the 2009 International Fire Code of the International Code Council with necessary California amendments. The purpose of the CFC is to establish the minimum requirements consistent with nationally recognized good practices to safeguard the public health, safety and general welfare from the hazards of fire, explosion or dangerous conditions in new and existing buildings, structures and premises, and to provide safety and assistance to fire fighters and emergency responders during emergency operations.

California Health and Safety Code

Division 11 of the Health and Safety Code establishes regulations related to a variety of explosive substances and devices, including high explosives and fireworks. Section 12000 et seq. establishes regulations related to explosives and explosive devices, including permitting, handling, storage, and transport (in quantities greater than 1,000 pounds).

Division 12 establishes requirements for buildings used by the public, including essential services buildings, earthquake hazard mitigation technologies, school buildings, and postsecondary

buildings.

Division 20 of the Health and Safety Code establishes DTSC authority and sets forth hazardous waste and underground storage tank regulations. In addition, the division creates a State superfund framework that mirrors the Federal program.

Division 26 of the Health and Safety Code establishes California Air Resources Board (CARB) authority. The division designates CARB as the air pollution control agency per Federal regulations and charges the Board with meeting Clean Air Act requirements.

California Health and Safety Code and UBC Section 13000 et seq.

State fire regulations are set forth in §13000 *et seq.* of the California Health and Safety Code, which is divided into “Fires and Fire Protection” and “Buildings Used by the Public.” The regulations provide for the enforcement of the UBC and mandate the abatement of fire hazards. The code establishes broadly applicable regulations, such as standards for buildings and fire protection devices, in addition to regulations for specific land uses, such as childcare facilities and high-rise structures.

California Vehicle Code §31600 (Transportation of Explosives)

Establishes requirements related to the transportation of explosives in quantities greater than 1,000 pounds, including licensing and route identification.

Cal/EPA Cortese List

The provisions in Government Code Section 65962.5 are commonly referred to as the "Cortese List" (after the Legislator who authored the legislation that enacted it). The list, or a site's presence on the list, has bearing on the local permitting process as well as on compliance with the California Environmental Quality Act (CEQA). The Cortese List identifies the following:

- Hazardous Waste and Substance Sites
- Cease and desist order Sites
- Waste Constituents above Hazardous Waste Levels outside the Waste Management Unit Sites
- Leaking Underground Tank (LUST) Cleanup Sites
- Other Cleanup Sites
- Land Disposal Sites
- Military Sites
- WDR Sites

- Permitted Underground Storage Tank (UST) Facilities Sites
- Monitoring Wells Sites
- DTSC Cleanup Sites

Local Regulations

City of Selma General Plan Update 2035

The purpose of the Safety Element of City of Selma's General Plan is to identify the natural and man-made public health and safety hazards that exist within the City, and to establish preventative and responsive policies and programs to mitigate their potential impacts. This Element addresses geologic hazards, flood hazards, hazardous materials, wildfire hazards, and safety services. The following list of goals and policies from the Safety Element are applicable to the proposed project.

- | | |
|-------------|--|
| 4.40 | To aid in the identification and mapping of abandoned waste disposal sites, as necessary, and in the survey of the kinds, amounts, locations, etc. of hazardous wastes. |
| 4.41 | To ensure that disaster planning for the City of Selma includes policies appropriate to problems associated with hazardous wastes. |
| 4.42 | To identify the potential hazards from landfills and/or toxic waste sites as a component of environmental review of projects. |
| 4.53 | To prohibit the discharge of toxic and hazardous wastes into the municipal sewer system. |
| 4.44 | The City shall continue to staff, train, and equip an emergency response team to respond and coordinate public safety activities. The Selma Fire Department is designated as the City's emergency response team for hazardous materials incidents. |

Standardized Emergency Management System (SEMS)

The standardized emergency management system (SEMS) is a structure for coordination between the government and local emergency response organizations. It provides and facilitates the flow of emergency information and resources within and between the organizational levels of field response, local government, operational areas, regions and state management. SEMS facilitates

priority setting, integrated coordination, effective flow of resources and information between all stakeholders. SEMS incorporates the use of the Incidental Command System (ICS), Master Mutual Aid Agreement (MMAA), Operational Area (OA) concept and multi-agency and interagency coordination. State agencies and local government units are to use SEMS in order to become eligible for reimbursement costs led by the state's disaster assistance program.

San Joaquin Valley Air Pollution Control District

The San Joaquin Valley Air District (SJVAPCD) is a public health agency whose mission is to improve the health and quality of life for all Valley residents through efficient, effective and entrepreneurial air quality-management strategies. SJVAPCD's ten core values include: protection of public health; active and effective air pollution control efforts with minimal disruption to the Valley's economic prosperity; outstanding customer service; ingenuity and innovation; accountability to the public; open and transparent public process; recognition of the uniqueness of the Valley; continuous improvement; effective and efficient use of public funds; and respect for the opinions and interests of all Valley residents.³ To achieve these core values the SJVAPCD has adopted air quality plans pursuant to the California CAA and a comprehensive list of rules to limit air quality impacts. The air plans currently in effect in the SJVAB and specific rules that apply to the proposed Project are listed and described further below.

The SJVAPCD is responsible for controlling emissions primarily from stationary sources. The SJVAPCD, in coordination with the eight countywide transportation agencies, is also responsible for developing, updating, and implementing air quality attainment plans for the SJVAB. The SJVAPCD also regulates asbestos demolition and other hazardous materials handling.

Certified Unified Program Agency (CUPA)

The California Environmental Protection Agency designates specific local agencies as Certified Unified Program Agencies (CUPA), typically at the county level. The Fresno County Environmental Health Department (EHD) is the agency that has been designated the Certified Unified Program Agency (CUPA) for the County. Each designated CUPA is responsible for the implementation of six statewide programs within its jurisdiction. These programs include:

- Underground storage of hazardous substances (USTs)
- Hazardous Materials Business Plan (HMP) requirements

³ San Joaquin Valley Air Pollution Control District. About the District.
https://www.valleyair.org/General_info/aboutdist.htm#Mission. Accessed October 2024.

- Hazardous Waste Generator requirements
- California Accidental Release Prevention (Cal-ARP) program
- Uniform Fire Code hazardous materials management plan
- Above Ground Storage Tanks (Spill Prevention Control and Countermeasures Plan only)

Implementation of these programs involves:

- Permitting and inspection of regulated facilities
- Providing educational guidance and notice of changing requirements stipulated in State or Federal laws and regulations
- Investigations of complaints regarding spills or unauthorized releases
- Administrative enforcement actions levied against facilities that have violated applicable laws and regulations

Thresholds of Significance

The thresholds of significance for this section are established by the CEQA Checklist Item:

- Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.
- 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.
- Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.
- 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.
- For a project located within an airport land use plan or where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area.
- Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.
- Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires.

Impacts and Mitigation Measures

Impact 3.9-1: *Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials into the environment?*

Less Than Significant Impact With Mitigation. This impact is associated with hazards caused by the routine transport, use, or disposal of hazardous materials or through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.

Construction

The proposed Project consists of construction and operation of a mixed-use development that will feature multi-family residential and senior housing, commercial/retail, and park facilities on approximately 39 acres. Soils will be balanced on-site which means that importing or exporting soil is not anticipated. Project construction activities may involve the use and transport of hazardous materials. These materials may include fuels, oils, mechanical fluids, and other chemicals used during construction. Transportation, storage, use, and disposal of hazardous materials during construction activities would be required to comply with applicable federal, State, and local statutes and regulations. Compliance would ensure that human health and the environment are not exposed to hazardous materials. In addition, the Project would be required to comply with the National Pollutant Discharge Elimination System (NPDES) permit program through the submission and implementation of a Stormwater Pollution Prevention Plan during construction activities to prevent contaminated runoff from leaving the Project site. Therefore, after mitigation, no significant impacts would occur during construction activities.

Operation

The operational phase of the proposed Project would occur after construction is completed and residents and employees move in to occupy the structures on a day-to-day basis. The proposed Project includes land uses that are considered compatible with the surrounding uses, including multi-family residential and senior housing uses, commercial uses, open space and parks / recreation areas. None of these land uses routinely transport, use, or dispose of hazardous materials, or present a reasonably foreseeable release of hazardous materials, with the exception of common residential and commercial hazardous materials such as cleaners, paint, petroleum products, etc. The proposed Project would not create a significant hazard through the routine transport, use, or disposal of hazardous materials, nor would a significant hazard to the public or

to the environment through the reasonably foreseeable upset and accidental conditions involving the likely release of hazardous materials into the environment occur.

Handling and use of hazardous materials and the disposal of the resulting hazardous wastes would be required to follow the applicable laws and regulations, as described in the Regulatory Setting section herein.

Hazardous materials would typically be stored in their original containers prior to use. As required, the hazardous materials would be stored in each building, in locations according to compatibility and in storage enclosures (i.e., flammable material storage cabinets and biological safety cabinets) or in areas or rooms specially designed, protected, and contained for such storage, in accordance with applicable regulations. Hazardous materials would be handled and used in accordance with applicable regulations by personnel that have been trained in the handling and use of the material and that have received proper hazard-communication training. Hazardous materials reporting (i.e., California Hazardous Materials Business Planning, California Proposition 65 notification, and Emergency Planning and Community-Right-to-Know Act reporting) would be completed as required.

Compliance with all federal, State and local regulations, and the City of Selma General Plan Update 2035 Implementing Policies would ensure that the Project would not cause an adverse effect on the environment with respect to the use, storage, or disposal of general household and commercial hazardous substances generated from future development or uses.

Therefore, the proposed Project will not create a significant hazard to the public or the environment and any impacts would be *less than significant* after mitigation.

Mitigation Measures:

None Required.

Impact 3.9-2: *Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?*

Less Than Significant Impact With Mitigation. As previously noted, a Phase I Environmental Site Assessment (ESA) was prepared for the Project (See Appendix D). According to the ESA, from sometime prior to 1937 until sometime in the 2000s, the subject site consisted of agricultural land. The ESA report revealed no evidence of Recognized Environmental Concerns on or associated with the proposed Project site; however, as the site was previously active with

agricultural production, the potential for agricultural chemicals (pesticides, herbicides, etc.) to have been applied is possible. Residual concentrations of agricultural chemicals tend to be relatively uniform, low in concentration, and confined to the upper two feet of soil (typical depth of agricultural disturbance) over areas of routine application. Soil sampling, as detailed in Mitigation Measure HAZ-1, would allow the City to identify the amounts of Pesticides and Organochlorine Pesticides (OCPs) historically used on the property. Therefore, with the implementation of HAZ-1, the proposed Project would not create a significant hazard to the public or the environment and any impacts would be *less than significant*.

Mitigation Measures:

HAZ-1 Soil sampling, per California Department of Toxic Substances Control (DTSC) *Interim Guidance for Sampling Agricultural properties (August 7, 2008)*⁴ shall be conducted to identify the amounts of OCPs in the soil. If present, OCPs requiring further analysis, per DTSC consultation, are dichloro-diphenyl-trichloroethane, toxaphene, and dieldrin. Should these OCPs be present, soil remediation shall be conducted until levels are reduced per DTSC guidelines prior to issuance of grading permits. Additionally, if any level of arsenic is present, further analysis and sampling shall meet Human Health Risk Assessment NOTE NUMBER 3, DTSC-SLs approved thresholds.⁵ If arsenic levels do not meet the approved thresholds, remedial action shall take place to reduce levels below thresholds prior to issuance of grading permits.

Impact 3.9-3: *Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?*

No Impact. No schools are located within 0.25 mile of the Project site, as the nearest school is Eric White Elementary School, approximately 0.58 miles to the southeast. Andrew Jackson Elementary School and Selma High School are each approximately 1.0 miles northeast of the proposed site. *No impact* would occur.

⁴ California Department of Toxic Substances Control. Interim Guidance for Sampling Agricultural Properties (Third Revision). August 7, 2008. [chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://dtsc.ca.gov/wp-content/uploads/sites/31/2018/09/Ag-Guidance-Rev-3-August-7-2008-2.pdf](https://dtsc.ca.gov/wp-content/uploads/sites/31/2018/09/Ag-Guidance-Rev-3-August-7-2008-2.pdf). Accessed August 2024.

⁵ California Department of Toxic Substances Control. Human and Ecological Risk Office. June 2020, revised May 2022. [chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://dtsc.ca.gov/wp-content/uploads/sites/31/2022/02/HHRA-Note-3-June2020-Revised-May2022A.pdf](https://dtsc.ca.gov/wp-content/uploads/sites/31/2022/02/HHRA-Note-3-June2020-Revised-May2022A.pdf). Accessed August 2024.

Mitigation Measures: None are required.

Impact 3.9-4: *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?*

No Impact. A database search was conducted to identify recorded hazardous materials incidents in the Project area. The search included cleanup sites under Federal Superfund (National Priorities List), State Response, and other federal, state, and local agency lists. The proposed Project site is not located on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 (Geotracker⁶ and DTSC Envirostor⁷ databases). Accordingly, the proposed Project would not create a significant hazard to the public or the environment. There is *no impact*.

Mitigation Measures: None are required.

Impact 3.9-5: *For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?*

Less Than Significant Impact. The nearest airport to the Project site is Selma Airport, a public use airport, approximately 1.2 miles northwest. The proposed Project is within the Airport Influence Area (AIA), but outside any safety zone or noise contour designated by the Fresno County Airport Land Use Compatibility Plan (ALUCP).⁸ Therefore, the Project would not expose persons to airport-related hazards, and the potential would be *less than significant*.

Mitigation Measures: None are required.

⁶ California State Water Resources Control Board, Geotracker Database.

<https://geotracker.waterboards.ca.gov/map/?CMD=runreport&myaddress=selma>. Accessed October 2024.

⁷ California Department of Toxic Control Substances. EnviroStor Database.

<https://www.envirostor.dtsc.ca.gov/public/map/?myaddress=Search>. Accessed October 2024.

⁸ Fresno Council of Governments. Airport Land Use Compatibility Plan. Appendix G – Selma Airport.

https://fresnocog.wpenginepowered.com/wp-content/uploads/2019/01/fresno-final-alucp-113018-r_part2.pdf. Accessed October 2024.

Impact 3.9-6: *Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?*

Less Than Significant Impact. The California Emergency Services Act requires cities to prepare and maintain an Emergency Plan for natural, manmade, or war-caused emergencies that result in conditions of disaster or in extreme peril to life. The Selma General Plan includes goals and policies to establish and maintain a plan for responding to seismic disasters and for the provision of emergency services and policies to develop and adopt an Emergency Operations Plan. The proposed Project would not result in any alterations of existing roadways that would permanently block the circulation of emergency response services or introduce elements that would conflict with the operations of a future Emergency Operations Plan. Additionally, emergency access to the Project site would comply with City and Selma Fire Department (SFD) requirements. Therefore, the proposed Project would not interfere with an emergency response plan or emergency evacuation plan in Selma, and this impact would be *less than significant*.

Mitigation Measures: None are required.

Impact 3.9-7: *Expose people or structures either directly or indirectly to a significant risk of loss, injury or death involving wildland fires?*

No Impact. According to the California Department of Forestry and Fire Protection (CAL FIRE) Fire Hazard Severity Zones Map, Selma is not in or near state responsibility areas or lands classified as Very High Fire hazard severity zones.⁹ There are no wildlands on or near the Project site. There is *no impact*.

Mitigation Measures: None are required.

Cumulative Impacts

Less Than Cumulatively Considerable with Mitigation. The scope for considering cumulative impacts to hazards and hazardous materials is generally site-specific rather than cumulative in nature because each project site has different hazardous considerations that would be subject to review. Project construction may involve the transportation, use, and/or disposal of hazardous

⁹ California Office of the State Fire Marshall. Fire Hazard Severity Zones Map. <https://egis.fire.ca.gov/FHSZ/>. Accessed October 2024.

materials, which may involve the use of equipment that contains hazardous materials (e.g., solvents and fuels, diesel-fueled equipment), or the transportation of excavated soil and/or groundwater containing contaminants from areas that are identified as being contaminated.

With respect to impacts related to the creation of a hazard through upset or accident conditions involving the release of a hazardous material, the following could occur during Project construction and operation: site grading that would generate dust and potential for contaminated soils due to agricultural chemicals. However, conformance with existing State and City regulations, including a SWPPP and Dust Control Plan, as well as project safety design features and implementation of HAZ-1, this impact would be rendered less than significant. This impact does not have the potential to contribute to cumulative hazards associated with other projects. The impacts would be localized, occurring only in the immediate vicinity of the project sites, and the implementation of appropriate safety measures during construction of the proposed Project would reduce the impact to a level that would not contribute to cumulative effects.

Because the project is not located within ¼ mile of an existing school, it will not contribute to cumulative effects resulting from hazardous emissions or the handling of hazardous materials, substances, or waste. The project is not located on a listed hazardous materials site and accordingly would not contribute to cumulative impacts resulting from the creation of a significant hazard to the public due to its location.

Because of the Project's location in an area with adequate emergency response times and the absence of project features that would physically impair emergency response or evacuation, the Project would not contribute to cumulative impacts on an adopted emergency response plan or evacuation plan. Similarly, the Project would not contribute to cumulative wildland fire-related impacts due to its location in an area with low wildland fire risk. Considering the protection granted by local, State and federal agencies and their requirements for the use of hazardous materials in the region, as discussed above, with implementation HAZ-1, the overall cumulative impact would be less than significant. As such, the proposed Project's incremental contribution to cumulative hazards and human health impacts would be *less than cumulatively considerable with mitigation*.

3.6 Hydrology and Water Quality

This section of the DEIR identifies potential impacts of the proposed Project pertaining to hydrology, water supply and water quality. To assist in evaluation of this environmental impact, an SB 610 Water Supply Assessment (Appendix E) was prepared and is the basis for analysis. No NOP comment letters were received regarding hydrology or water quality.

Environmental Setting

Project Site

As described in Chapter 2.1, the Project site is located on approximately 75.31-acres and is located adjacent to the western City of Selma limits in Fresno County in the central San Joaquin Valley. The proposed development site will occur on APN 385-230-33 and is approximately 36.21 acres. No development is proposed for the remaining 36.21 acres to be annexed. The site is located west of Highland Avenue, north of Rose Avenue and south of E. Floral Avenue. The site is predominantly surrounded by agricultural land, rural residential homes and commercial developments. The Project site is underlain with approximately 52.9% Delhi loamy sand, (0-3 percent slopes, MLRA 17), with the remaining soils on the parcel consisting of 28.0 % Hanford sandy loam and Delhi sand (0-3 percent slopes, MLRA 17).¹ The site is nearly flat and averages approximately 310 feet above mean sea level, with a slight low spot in the very center of the parcel.² The City of Selma is located approximately 12 miles southeast of Fresno, in a topographic and structural basin that is bounded on the east by the Sierra Nevada mountains and on the west by the Coats Ranges. The City is in the center of the southern portion of the Great Valley Geomorphic Province, more commonly referred to as the San Joaquin Valley.

The entire site is outside the Selma City limits but within the City's planned growth area, the Specific Urban Development Plan (SUDP) and Sphere of Influence (SOI). The site has historically been a vacant commercial property; therefore, there is no historical water use at the site.³ The

¹ USDA, NCRS. Custom Soil Resource Report, Eastern Fresno Area California.

https://websoilsurvey.sc.egov.usda.gov/WssProduct/i2fo0iqcege3oeiybfuijbh3/GN_00000/20241121_15495303751_59_Soil_Report.pdf

² Google Earth Pro, November 2024.

³ Water Supply Assessment and Water Supply Verification for the Casitas Selma Mixed-Use Development Project. EKI Environment & Water, Inc. November 2024.

Project is designated outside of any Special Flood Hazard Areas or Other Areas of Flood Hazard (FEMA Flood Insurance Rate Map #06019C2650H, effective 2/18/09⁴).

Groundwater Basin

The City of Selma is located within the geomorphic province known as the Central Valley, which is divided into the Sacramento Valley and the San Joaquin Valley. The groundwater underlying the City is part of the larger San Joaquin Valley Groundwater Basin within the San Joaquin River Hydrologic Region. The San Joaquin Valley Groundwater Basin is further subdivided into nine subbasins, including the Kings Subbasin (Subbasin 5-022.08). The City lies entirely within the Kings Subbasin, which covers approximately 981,325 acres (1,533 square miles).⁵

Groundwater Supply

Water service is provided by the Selma District of California Water Service (CalWater). The Project involves annexation of the Project site into the City of Selma. Upon annexation, the site will be added to the City of Selma's service area. Additional off-site improvements will ensure the City has adequate pipeline to service the Project area (See Chapter 2.2 – Project Description, for detailed off-site improvements).

Groundwater pumped from the Subbasin is the only source of the City's potable water supply. The groundwater basin underlying the City is the Kings Subbasin within the San Joaquin Valley Basin. Although the Kings Subbasin is not adjudicated, the Department of Water Resources (DWR) has determined that the Kings Subbasin as a critically over-drafted basin and is classified as high priority, based on 2019 Sustainable Groundwater Management Act Basin Prioritization (SGMA-BP).⁶

There are seven Groundwater Sustainability Agencies (GSA's) that govern the Kings Subbasin. These GSAs include: the CKGSA, North Fork Kings GSA, South Kings GSA, McMullin Area GSA, Kings River East GSA, North Kings GSA, and James GSA. The Selma District falls within the jurisdiction of the CKGSA (Central Kings GSA), which covers an area of 141,452 acres in the east-central portion of the Subbasin, including the entirety of the CID, the City, the community of

⁴ FEMA Flood Map Service Center. Search Results – Fresno County Unincorporated Areas. Flood Insurance Rate Map #06019C2650H, effective 2/18/09. <https://msc.fema.gov/portal/search?AddressQuery=salma%2C%20ca>. Accessed November 2024.

⁵ Water Supply Assessment and Water Supply Verification for the Casitas Selma Mixed-Use Development Project. EKI Environment & Water, Inc. November 2024. Page 30. See Appendix E.

⁶ Ibid.

Caruthers, the Selma Kingsburg-Fowler sanitation district, and a number of smaller communities and properties.⁷

In 2020, the GSAs coordinated to prepare seven GSPs within the Subbasin (i.e., CKGSA GSP, James GSA GSP, Kings River GSA GSP, McMullin Area GSA GSP, North Fork Kings GSA GSP, and South Fork Kings GSA GSP), but certain technical efforts (e.g., development of the Kings Basin Water Budget) were cooperatively developed through a Coordination Agreement. The District falls within the jurisdiction of the CKGSA GSP.⁸

Projects and management actions to support achievement of the Subbasin's sustainability goal under SGMA are proposed by the GSAs and documented in their respective GSPs. The main program proposed by the CKGSA GSP to address overdraft conditions in the Subbasin is to increase surface water infiltration through conversion of farmland to dedicated intentional recharge projects with the intention of stabilizing the water table at current levels by 2040. Other projects include a surface water-groundwater interconnection data analysis to fill existing data gaps, and a domestic well mitigation program for mitigating domestic wells that go dry or are in imminent threat of going dry.⁹

While there are no allocations or pumping restrictions currently proposed by the CKGSA, the CKGSA has listed "Groundwater Allocation" and "Groundwater Pumping Restrictions" as management actions that "are envisioned to be employed if project development is not proceeding sufficiently to achieve interim milestones". The GSAs in the Subbasin have agreed upon initial quantities of storage change for each GSA to correct in order to achieve sustainability. The CKGSA and South Kings GSA's proposed initial responsibility is 7,100 AFY, collectively. The assigned responsibility for reducing Subbasin overdraft is subject to revision at least every five years. Therefore, while groundwater allocations and pumping restrictions are not currently implemented, allocations may be implemented in the future to achieve sustainability, which could affect the District.¹⁰

According to the 2020 Urban Water Management Plan (UWMP), the City is expecting the district's water supply (normal year) to increase from 4,457 afy to 4,962 afy over the next twenty years.¹¹ Historically, the groundwater supplies available to the District from the underlying

⁷ Ibid, page 32.

⁸ Ibid.

⁹ Ibid, page 34.

¹⁰ Ibid.

¹¹ Ibid, page 41.

Subbasin have always been sufficient to meet District demands and the Cal Water supply wells have not dewatered, even during historical drought periods.¹² The projected available groundwater supply volume is shown on Table 3.6-1, and it should be noted that the water supply in 2045 is assumed to be the same as the water demand estimation of 2045, inclusive of the proposed Project.

Table 3.6-1
Projected Normal Year Water Supply and Demand for Selma District (acre feet/year)¹³

Water Demand and Supply	Projected Normal Year Water Supply and Demand (AFY)				
	2025	2030	2035	2040	2045
Normal Year Supply (a)	4,457	4,559	4,702	4,821	4,962
District Demand Inclusive of Proposed Project	4,457	4,559	4,702	4,821	4,962
District 2020 UWMP Water Demand	4,434	4,397	4,540	4,659	4,800
Proposed Project Demand (b)	23	162	162	162	162
Supply Shortfall (% demand)	None	None	None	None	None

Regulatory Setting

Federal Agencies and Regulations

Clean Water Act (CWA) and Associated Programs

The Clean Water Act (CWA) is intended to restore and maintain the chemical, physical, and biological integrity of the nation's waters (33 CFR 1251). The regulations implementing the CWA protect waters of the U.S. including streams and wetlands (33 CFR 328.3). The CWA requires states to set standards to protect, maintain, and restore water quality by regulating point source and some non-point source discharges. Under Section 402 of the CWA, the National Pollutant Discharge Elimination System (NPDES) permit process was established to regulate these discharges.

Construction activities that are subject to this general permit include clearing, grading, stockpiling, and excavation that result in soil disturbances to at least one acre of the total land area. Construction activities that disturb less than one acre are still subject to this general permit if the activities are part of a large common plan of development or if significant water quality

¹² Ibid, page 35.

¹³ Water Supply Assessment and Water Supply Verification for the Casitas Selma Mixed-Use Development Project. EKI Environment & Water, Inc. November 2024. Page 41, Table 8. See Appendix E.

impairment would result. In California, the Construction General Permit, revised in September 2009, is implemented by the SWRCB.

Section 401

CWA Section 401 requires an evaluation of water quality when a proposed activity requiring a federal license or permit could result in a discharge to waters of the United States. In California, USEPA has delegated to SWRCB and the RWQCBs the authority to issue water quality certifications. Each RWQCB is responsible for implementing Section 401 in compliance with the CWA and that region's water quality control plan (also known as a Basin Plan). Applicants for a federal license or permit to conduct activities that might result in the discharge to waters of the United States must also obtain a Section 401 water quality certification to ensure that any such discharge would comply with the applicable provisions of the CWA.

Section 404

CWA Section 404 regulates the discharge of dredged and fill materials into waters of the U.S., which include all navigable waters, their tributaries, and some isolated waters, as well as some wetlands adjacent to the afore-mentioned waters (33 CFR Section 328.3). Areas typically not considered to be jurisdictional waters include non-tidal drainage and irrigation ditches excavated on dry land, artificially irrigated areas, artificial lakes or ponds used for irrigation or stock watering, small artificial waterbodies such as swimming pools, and water-filled depressions (33 CFR Part 328). Areas meeting the regulatory definition of waters of the U.S. are subject to the jurisdiction of USACE under the provisions of CWA Section 404. Construction activities involving placement of fill into jurisdictional waters of the U.S. are regulated by USACE through permit requirements. No USACE permit is effective in the absence of state water quality certification pursuant to Section 401 of the CWA.

Federal Emergency Management Agency (FEMA)

The National Flood Insurance Act (1968) makes available federally subsidized flood insurance to owners of flood-prone properties. To facilitate identifying areas with flood potential, Federal Emergency Management Agency (FEMA) has developed Flood Insurance Rate Maps (FIRM) that can be used for planning purposes.

State of California Regulations

Department of Water Resources (DWR)

DWR's major responsibilities include preparing and updating the California Water Plan to guide development and management of the State's water resources; planning, designing, constructing, operating, and maintaining the State Water Resources Development System; regulating dams; providing flood protection; assisting in emergency management to safeguard life and property; educating the public; and serving local water needs by providing technical assistance. In addition, DWR cooperates with local agencies on water resources investigations; supports watershed and river restoration programs; encourages water conservation; explores conjunctive use of ground and surface water facilities voluntary water transfers; and, when needed, operates a State drought water bank.

State Water Resources Control Board

The State Water Resources Control Board (SWRCB), located in Sacramento, is the agency with jurisdiction over water quality issues in the State of California. The SWRCB is governed by the Porter-Cologne Water Quality Act (Division 7 of the California Water Code), which establishes the legal framework for water quality control activities by the SWRCB. The intent of the Porter-Cologne Act is to regulate activities which may adversely affect the quality of waters of the State to attain the highest water quality which is reasonable, considering a full range of demands and values. The act authorizes the SWRCB to establish water quality principles and guidelines for long-range resource planning including groundwater and surface water management programs and control and use of recycled water. Much of the implementation of the SWRCB's responsibilities is delegated to nine Regional Water Quality Control Boards (RWQCBs). The proposed Project site is located within the jurisdiction of the Central Valley RWQCB.

California Water Code

The Federal CWA establishes certain guidelines for the states to follow in developing programs for the control of surface water pollution and for planning the development and use of water resources. Under certain circumstances, the CWA allows the federal Environmental Protection Agency (EPA) to withdraw the primary responsibility for these programs from states with inadequate implementation mechanisms.

California's primary statute governing water quality and water pollution issues with respect to both surface waters and groundwater is the Porter-Cologne Water Quality Control Act of 1970 (Division 7 of the California Water Code) (Porter-Cologne Act). The Porter-Cologne Act grants the SWRCB and each of the RWQCBs power to protect water quality, and is the primary vehicle for implementation of California's responsibilities under the Federal CWA. The Porter-Cologne Act grants the SWRCB and the RWQCBs authority and responsibility to adopt plans and policies,

to regulate discharges to surface and groundwater, to regulate waste disposal sites and to require cleanup of discharges of hazardous materials and other pollutants. The Porter-Cologne Act also establishes reporting requirements for unintended discharges of any hazardous substance, sewage, or oil or petroleum product.

Each RWQCB must formulate and adopt a water quality control plan (Basin Plan) for its region. The regional plans must conform with the policies set forth in the Porter-Cologne Act and established by the State water policy adopted by the SWRCB. The Porter-Cologne Act also provides that a RWQCB may include within its regional plan water discharge prohibitions applicable to particular conditions, areas, or types of waste.

Water Code Section 13260 requires all dischargers of waste that may affect water quality in waters of the state to prepare and provide a water quality discharge report to the RWQCB. Section 13260a-c is as follows:

- (a) Each of the following persons shall file with the appropriate regional board a report of the discharge, containing the information that may be required by the regional board:
 - (1) A person discharging waste, or proposing to discharge waste, within any region that could affect the quality of the waters of the state, other than into a community sewer system.
 - (2) A person who is a citizen, domiciliary, or political agency or entity of this state discharging waste, or proposing to discharge waste, outside the boundaries of the state in a manner that could affect the quality of the waters of the state within any region.
 - (3) A person operating, or proposing to construct, an injection well.
- (b) No report of waste discharge need be filed pursuant to subdivision (a) if the requirement is waived pursuant to Section 13269.
- (c) Each person subject to subdivision (a) shall file with the appropriate regional board a report of waste discharge relative to any material change or proposed change in the character, location, or volume of the discharge.

Water Code section 10910 (SB 610)

Water Code section 10910 (SB 610) requires that a lead agency obtain a water supply assessment from an applicable public water system for certain projects subject to the California Environmental Quality Act, which are defined as (a) a residential development of more than 500 dwelling units; (b) a shopping center or business employing more than 1,000 persons or having more than 500,000 square feet of floor space; (c) a commercial office building employing more than 1,000 persons or having more than 250,000 square feet; (d) a hotel or motel with more than 500 rooms; (e) an industrial or manufacturing establishment housing more than 1,000 persons or having more than 650,000 square feet or 40 acres; (f) a mixed use project containing any of the foregoing; or (g) any other project that would have a water demand at least equal to a 500 dwelling unit project. Refer to Impact Section 3.6-2 herein for the discussion pertaining to the Water Supply Assessment that was prepared for the Project.

Regional Water Quality Board

The Central Valley RWQCB administers the NPDES storm water-permitting program in the Central Valley region, including Selma. Construction activities on one acre or more are subject to the permitting requirements of the NPDES General Permit for Discharges of Storm Water Runoff Associated with Construction Activity (General Construction Permit). The General Construction Permit requires the preparation and implementation of a Storm Water Pollution Prevention Plan (SWPPP). The plan must include specifications for Best Management Practices (BMPs) that will be implemented during proposed construction to control degradation of surface water by preventing the potential erosion of sediments or discharge of pollutants from the construction area. The General Construction Permit program was established by the SWRCB and the Central Valley RWQCB for the specific purpose of reducing impacts to surface waters that may occur due to construction activities. BMPs have been established in the California Storm Water Best Management Practice Handbook (2003), and are recognized as effectively reducing degradation of surface waters to an acceptable level. Additionally, the SWPPP describes measures to prevent or control runoff degradation after construction is complete, and identifies a plan to inspect and maintain these facilities or project elements.

Porter-Cologne Water Quality Control Act

Under the Porter-Cologne Water Quality Control Act, waters of the state fall under the jurisdiction of the appropriate Regional Water Quality and Control Board (RWQCB). Under this act, the RWQCB must prepare and periodically update water quality control basin plans. Each basin plan sets forth water quality standards for surface water and groundwater, as well as actions to control nonpoint and point sources of pollution to achieve and maintain these standards. Projects that affect wetlands or waters must meet waste discharge requirements of the

RWQCB, which may be issued in addition to a water quality certification or waiver under CWA Section 401.

Sustainable Groundwater Management Act

In 2014, California enacted the Sustainable Groundwater Management Act (SGMA) (Water Code §10720 et seq.). SGMA requires that groundwater basins designated by the state Department of Water Resources (DWR) as high priority and/or critically overdrafted must be managed under a Groundwater Sustainability Plan (GSP) that avoids “undesirable results” as defined in the Act within 20 years from January 31, 2020. The GSP must be developed by a Groundwater Sustainability Agency (GSA) approved by the DWR. The City of Selma is part of the Central Kings Groundwater Sustainability Agency.

Local Regulations

City of Selma 2035 General Plan

The following lists policies and implementing actions from the Selma 2035 General Plan pertaining to hydrology and water quality that are applicable to the proposed Project.

Land Use

- Policy 1.92** Residential development at urban densities shall be located only where services and facilities can be provided.
- Policy 1.94** Development shall be allowed only in areas that already have urban services or are within a master plan to provide those services. Development of lands outside of current service or master Plan Areas (such as the SKF Sewer District, City of Selma Master Plan for Storm Drainage Area, etc.) may be considered if the following findings can be made:
- a. The development will not cause a shortfall, either short- or long-term in the financing of any public facility.
 - b. The development will not significantly delay the provision of a public improvement.
 - c. The development will not accelerate the need for a public improvement beyond the ability of the improvement fund to adjust for the improvement.

d. Expansion of the master Plan Area and/or public facility will not result in the City being unable to maintain existing facilities at their current service levels.

e. Notwithstanding the improvements proposed by any development, all developments will be required to contribute their pro rata share towards the completion of established Master Plan improvements.

Open Space, Conservation and Recreation:

Policy 5.18 The City shall endeavor to mitigate, to the extent feasible, activities which will exacerbate groundwater overdraft.

Public Service and Facilities:

Policy 4.17 In areas identified as being potentially subject to flooding, where the exact area and depth of flooding is uncertain, the applicant or developer of an annexation or development proposal shall be responsible for the preparation of a civil engineering report evaluating the flooding potential.

Policy 4.18 The City shall continue to implement and administer the Master Plan for Storm Drainage as a means of offsetting increased storm water runoff from urbanization.

Policy 5.13 Require correction of local storm water ponding conditions prior to development in such areas, either through off-site improvements provided by land developers, or through community storm drain facility capital improvement projects.

Policy 5.16 Areas with high erosion potential or soil instability which cannot be mitigated shall be designated for open space land uses.

Policy 6.1 Coordinate City-wide sewer, water, and storm drainage master plans which implement adopted land use goals, objectives and policies and Federal and State regulations. These master plans shall be updated as needed and implemented through various funding mechanisms including assessment district, property owner's association's user fees, development impact fees, mitigation payments, reimbursement agreements and/or other mechanisms which provide for equitable distribution of development and maintenance costs.

Thresholds of Significance

The thresholds of significance for this section are established by the CEQA Checklist Item.

- Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?
- Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?
- Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:
 - i. result in substantial erosion or siltation on- or offsite;
 - ii. substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;
 - iii. create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or
 - iv. impede or redirect flood flows?
- In flood hazard, tsunami or seiche zones, risk release of pollutants due to project inundation?
- Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

Impacts and Mitigation Measures

Impact 3.6-1: *Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?*

Less Than Significant Impact. The proposed Project has the potential to impact water quality standards and/or waste discharge requirements during construction (temporary impacts) and operation (polluted stormwater runoff due to an increase in impervious surfaces and urban runoff).

Construction

Grading, excavation, removal of vegetation cover, and loading activities associated with construction activities could temporarily increase runoff, erosion, and sedimentation. Construction activities also could result in soil compaction and wind erosion effects that could adversely affect soils and reduce the revegetation potential at construction sites and staging areas.

Three general sources of potential short-term construction-related stormwater pollution associated with the proposed Project are: 1) the handling, storage, and disposal of construction materials containing pollutants; 2) the maintenance and operation of construction equipment; and 3) earth moving activities which, when not controlled, may generate soil erosion and transportation, via storm runoff or mechanical equipment. Generally, routine safety precautions for handling and storing construction materials may effectively mitigate the potential pollution of stormwater by these materials. These same types of common sense, “good housekeeping” procedures can be extended to non-hazardous stormwater pollutants such as sawdust and other solid wastes.

Poorly maintained vehicles and heavy equipment leaking fuel, oil, antifreeze, or other fluids on the construction site are also common sources of stormwater pollution and soil contamination. In addition, grading activities can greatly increase erosion processes. Two general strategies are recommended to prevent construction silt from entering local storm drains. First, erosion control procedures should be implemented for those areas that must be exposed. Secondly, the area should be secured to control offsite migration of pollutants.

The Project site is located within the Central Valley RWQCB and is subject to the applicable requirements of the Basin Plan administered by the RWQCB in accordance with the Porter-Cologne Water Quality Control Act.

The NPDES Stormwater Program ensures the Project will comply with existing regulatory requirements to prepare a SWPPP designed to control erosion and the loss of topsoil to the extent practicable using BMPs that the RWQCB has deemed effective in controlling erosion, sedimentation, runoff during construction activities. The specific controls are subject to review and approval by the RWQCB and are an existing regulatory requirement. As the proposed Project would have a less than significant impact.

Operation

The long-term operations of the proposed Project could result in long-term impacts to surface water quality from urban stormwater runoff. The proposed Project would result in new

impervious areas associated with site improvements, including new asphalt, concrete and the proposed structures on site. Urban runoff typically contains oils, grease, fuel, antifreeze, byproducts of combustion (such as lead, cadmium, nickel, and other metals) and other household pollutants. Precipitation early in the rainy season displaces these pollutants into storm water resulting in high pollutant concentrations in initial wet weather runoff. This initial runoff with peak pollutant levels can be referred to as the "first flush" of storm events.

The Project plans to install 11,089 linear feet (LF) of pipeline off-site, which would tie into existing storm drain and water infrastructure and would be in compliance with the City of Selma Development Standards. In accordance with the City's storm water management regulations and NPDES Stormwater Program (General Stormwater Permit), BMPs would be implemented to reduce the amount of pollution in stormwater discharged from the Project site. The management of water quality through the requirement to obtain a General Stormwater Permit and implement appropriate BMPs would ensure that water quality does not degrade to levels that would violate water quality standards. These are existing regulatory requirements.

In addition, the proposed Project will generate typical wastewater (sewer) associated with the proposed residential and commercial developments and will connect to the City's sewer system. The proposed Project site would be located within the service area of Selma-Kingsburg-Fowler County Sanitation District (SKF CSD or District). Since the District is considered publicly owned, operational discharge flows treated at the SKF CSD would be required to comply with applicable water discharge requirements issued by the Regional Water Quality Control Board (RWQCB). Compliance with conditions or permit requirements established by the City as well as water discharge requirements outlined by the RWQCB would ensure that wastewater discharges coming from the proposed Project site and treated by the SKF CSD would not exceed applicable Central RWQCB wastewater treatment requirements. See also Section 3.8 – Utilities and Service Systems for further discussion regarding the Project's wastewater (sewer) impacts.

The Project will not result in a violation of any water quality standards or waste discharge requirements. Therefore, impacts will result in a *less than significant impact*.

Mitigation Measures:

None required.

Impact 3.6-2: *Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?*

Less Than Significant. The proposed Project would add demand for potable water to the City of Selma water system, which is reliant on groundwater to serve its residents. The information herein is based primarily on the Water Supply Assessment that was prepared for the Project (Appendix E). The results are summarized herein.

Project Water Demand

The combined Project size is approximately 1,708,423 square feet (sq ft), or 39 ac divided into 10 parcels or lots. The specific retail land use associated with Lot 1 is not specified, but for the purposes of this WSA/WSV, it is assumed conservatively to be conference space. Lots 2, 3, 4, and 5 are planned for retail use, including fast food restaurants, shops, and small restaurants, and Lot 4 will include a hotel with 100 rooms. Lots 6, 7, 8, and 9 are planned for residential use and include a total of 600 dwelling units. Specifically, Lots 6 and 7 each include 150 dwelling units of market rate housing. Lot 8 includes 120 dwelling units of affordable senior housing, and Lot 9 includes 180 dwelling units of affordable family housing. The residential lots each include a clubhouse of 6,000 sq ft including a gym/fitness center, lobby, office space, and conference space, except for Lot 8, where the clubhouse will be 11,000 sq ft. Lastly, Lot 10 is a central lot which includes a landscaped central park of 3.6 acres. The Proposed Project also includes an estimated 7,000 sq ft of water features. Full buildout for the Proposed Project is assumed to be 2028.

Based on the methodologies and assumptions described by the WSA (See Appendix E), the total annual water demand for the Proposed Project by 2045 is conservatively estimated to be 162 AFY, as shown in Table 3.6-2. Additionally, while not quantified herein, after consideration of return flows to groundwater, the actual demand on the supply system will be less than 162 AFY.

Table 3.6-2
Summary of Estimated Annual Proposed Project Water Demand¹⁴

Proposed Land Use	Land Use at Full Buildout (a)	Land Use Units	Demand Factor (b)	Demand Factor Units	Total Water Demand (AFY) (c)				
					2025	2030	2035	2040	2045
Residential									
MFR	600	du	187	gpd/du	0	126	126	126	126
Clubhouse (d)	29,000	sq ft	0.070	gpd/sq ft	0	2.3	2.3	2.3	2.3
Commercial									
Hotel	100	room	134	gpd/room	15	15	15	15	15
Fast Food/Small Restaurant	17,099	sq ft	0.068	gpd/sq ft	1.3	1.3	1.3	1.3	1.3
Shops	7,000	sq ft	0.032	gpd/sq ft	0.25	0.25	0.25	0.25	0.25
Unspecified Retail (e)	70,182	sq ft	0.070	gpd/sq ft	5.5	5.5	5.5	5.5	5.5
Community Landscaping									
Community Pools & Spas	7,000	sq ft	(c)	--	0	0.69	0.69	0.69	0.69
Irrigated Landscape Area	155,324	sq ft	(c)	--	0	6.9	6.9	6.9	6.9
Distribution System Losses (f)	--	--	2.6%	--	0	4.2	4.2	4.2	4.2
Existing Site Demand (g)	--	--	--	--	0	0	0	0	0
Net Annual Water Demand (h)					23	162	162	162	162

Abbreviations:

"AFY" = acre-feet per year

"gpd" = gallons per day

"du" = dwelling unit

"MFR" = multi-family residential

"Proposed Project" = Casitas Selma Mixed-Use Development Project

"sq ft" = square feet

Notes:

- (a) Estimated total land use square footages and dwelling unit numbers per References 1 and 2.
- (b) Water demand factors for MFR per Reference 3, hotel per Reference 4, and fast food/small restaurant and shops per Reference 5.
- (c) Buildout schedule and completion date of 2028 per References 1 and 2.
- (d) Clubhouse land use is inclusive of gym/fitness center, lobby, office space, and conference space. For the purposes of this WSA, it is conservatively assumed that all clubhouse land use is associated conference space, which has a demand factor of 0.070 gpd/sq ft per Reference 5.
- (e) At the time of preparing the WSA, the specific retail use is unknown. It is conservatively assumed that this space will be conference space.
- (f) Estimated distribution system water loss associated with delivery of water to the Proposed Project is based on a rate of 2.6% per Reference 6 and includes both real and apparent losses.

References:

1. Lance Kashian, 2024b. Response to Request for Information, provided by Lance Kashian on 11 June 2024.
2. Lance Kashian, 2024c. Information provided by Lance Kashian on 28 June 2024.
3. Cal Water, 2019. Cal Water WSA Water Factor Tool, developed by M.Cubed, dated 22 October 2019.
4. City of Ventura, 2020. Final Water Demand Factor Study, City of Ventura, prepared by Wood Rodgers, dated 8 April 2020.
5. US Energy Information Administration, 2012. Commercial Buildings Energy Consumption Survey: Water Consumption in Large Buildings Summary.
6. DWR, 2023b. California Water Service Water Audit Data Report for the Selma District, submitted 19 December 2023, accessed 2 July 2024 (https://wuedata.water.ca.gov/awwa_plans).
7. Cal Water, 2024b. Information provided by Cal Water on 17 July 2024.

The proposed Project's demands are not considered to be within the projected growth anticipated by the 2020 UWMP. Total water demands for the proposed Project are therefore considered additive to the District's projected demands.

¹⁴ Water Supply Assessment and Water Supply Verification for the Casitas Selma Mixed-Use Development Project. EKI Environment & Water, Inc. November 2024. Page 17 & 18, Table 2. See Appendix E.

Projected Supply and Demand

The City's water is currently only supplied by groundwater. While supply shortfalls are not projected, shortfalls resulting from any cause (e.g., droughts, impacted distribution system infrastructure, regulatory-imposed shortage restrictions, etc.) that could occur in the future would be managed through the implementation of the District's WSCP. The overall reduction goals in the WSCP are established for six drought stages ranging from 10% to greater than 50% shortfalls. Beyond the WSCP, the District does not have any resolutions or ordinances reducing water supply allocated to a specific water use.

Water Demand

The 2020 UWMP water demand projections account for growth within the District service area through 2045. The 2020 UWMP projects population and associated water demands are based on historical rates of service area growth, plus known future development to be served by the District. It is estimated that the total annual water demand for the District will be approximately 4,800 AFY in 2045 (See Table 3.6-3).

In addition to the Proposed Project, Cal Water has identified a number of additional development projects within the District:

- TT 6019 – A 301-unit single family residential (SFR) subdivision, located on the north side of East Dinuba Avenue between south Shaft Avenue and Thompson Avenue.
- Singh Apartments and Commercial (NEQ Nebraska and Highland Development) – A 144 unit MFR development and two commercial developments on approximately 16 acres located at the northeast corner of Highland Avenue and Nebraska Avenue.
- Josan Development (SWQ Nebraska and Highland Development) – A mixed-use development including approximately 200 dwelling units, a hotel, and various commercial retail, eating, and auto sales establishment located at the southeastern corner of the Nebraska and Highland Avenue intersection.
- Caliber Collision Selma – The construction of a Regional Commercial Center at the northwest corner of the SR 43 and Rose Avenue, which would include approximately 42,149 sq ft of retail commercial uses consisting of a sit-down restaurant, and combined retail and drive-thru dining services and a mini mart/gas station.

- Amberwood (Tract 6244) – A 55 acres development of 270 SFR parcels with 2 outlots in the southern portion of the Amberwood Specific Plan on the northeast corner of E. Floral Avenue and Dockery Avenue.
- Canales – A 153-unit SFR development on 55 acres and three commercial lots.
- Selma Crossings – The development of approximately 3.5 million sq ft of commercial retail, office and residential uses on approximately 288 acres located on the northwest, southwest, and northeast quadrants of the intersection of Mountain View and Highway 99.
- Selma Grove – A regional shopping center consisting of about 94 acres and approximately 973,100 sq ft of retail uses located north of Floral Avenue and west of Highway 99.
- Dinuba & McCall Gas station – A 5,000 sq ft mini-mart with a 1,000 sq ft quick service restaurant, and eight gas pump facility (16 fueling stations).

The projects listed above are not explicitly mentioned in the District's 2020 UWMP. Additionally, the individual project statuses and estimated water demands are unknown at this time. Therefore, for the purposes of this WSA/WSV, these projects are not considered in the projected demand growth analysis for the District.

In addition to the projects listed above, Cal Water has identified two development projects that are moving forward and have estimated water demands: (1) the Nagra Estates project, including ten SFR dwelling units and a park, and (2) the Valley View project, including 37 SFR dwelling units. Nagra Estates has not yet been built out, while Valley View came online in 2022 and has completed 34 of the 37 planned SFR dwelling units.

Per the District's 2020 UWMP, the number of SFR service connections in the District's service area are projected to increase by approximately 26% between 2020 and 2045. This corresponds to an estimated net increase of 1,500 service connections and a net increase of 706 AFY of demand in the SFR sector within the District. When considering the average water demand of Valley View (17 AFY) and the estimated demand for Nagra Estates (5 AFY), the combined demand of the two known developments would account for 3% of the projected net SFR growth for the District. Therefore, while the two developments are not explicitly included in the 2020 UWMP water demand growth projections, their demands are considered to be within the projected growth anticipated by the 2020 UWMP. Total water demands for the District are therefore inclusive of the demands associated with the Nagra Estates and Valley View projects.

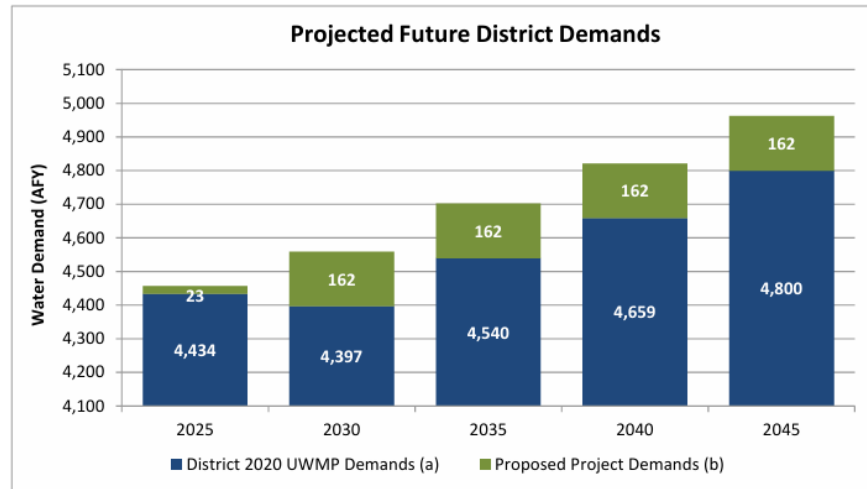
As shown in Table 3.6-3, the proposed Project will increase the District's demand by 23 AFY in 2025 and by 162 AFY in 2045.

Groundwater Supply

The District operates 16 wells within the District boundaries, all of which overlie the Subbasin. Pursuant to CWC §10910(f)(3) and CGC §66473.7(2)(A), the amount of groundwater pumped by Cal Water within the District for the past 20 years and prior years is provided in Table 3.6-4 (See Appendix E for an enlarged table). The groundwater pumping data shown in Table 3.6-4 extends beyond the required period and includes data from 2000 through 2023. The available groundwater supplies have been sufficient to meet all of the District's demands in all prior years. As can be seen from the data shown in Table 3.6-4, the groundwater pumping volumes within the District in recent years (an average of 4,406 AFY from 2019 through 2023) are approximately 30% lower than they were in previous years (an average of 5,926 AFY from 2000 through 2018), reflecting Cal Water's successful implementation of water conservation measures in response to the drought and continued long-term efficiency due to active and passive conservation.

Table 3.6-3
Projected Future Water Demand for the Selma District¹⁵

Water Demand	Projected Annual Water Demand (AFY)				
	2025	2030	2035	2040	2045
District 2020 UWMP Demands (a)	4,434	4,397	4,540	4,659	4,800
Proposed Project Demands (b)	23	162	162	162	162
Total District Demands (Inclusive of Additive Proposed Project Demands)	4,457	4,559	4,702	4,821	4,962



Abbreviations:

"AFY" = acre-feet per year

"District" = California Water Service, Selma District

"DWR" = California Department of Water Resources

"Proposed Project" = Casitas Selma Mixed-Use Development Project

"UWMP" = Urban Water Management Plan

"WSA" = Water Supply Assessment

"WSV" = Water Supply Verification

Notes:

(a) Water demand projections for the District were updated in 2021 and are presented from DWR Table 4-2, per Reference 1.

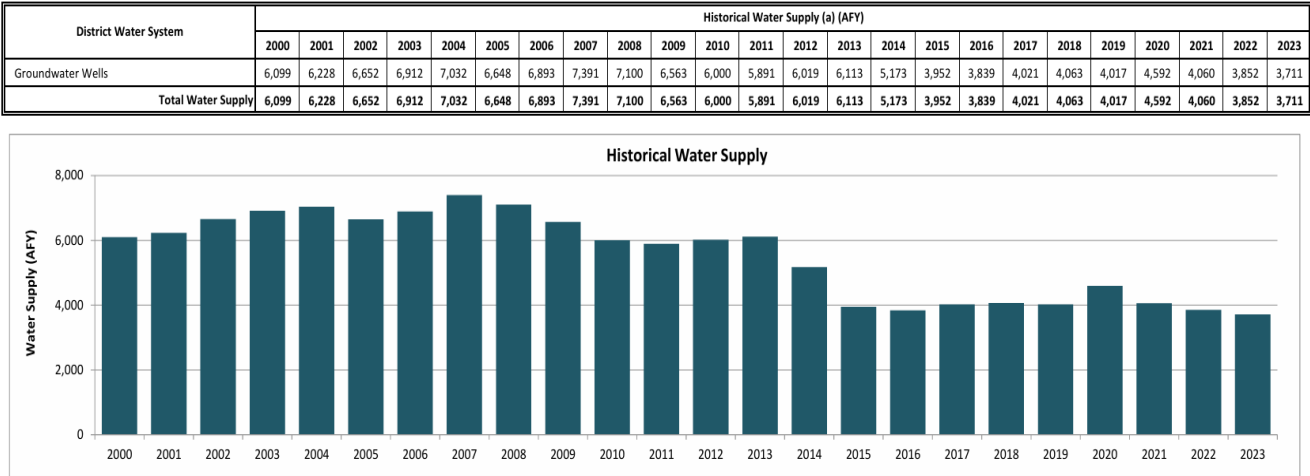
(b) As discussed in Section 5 of the WSA/WSV, the Proposed Project demands are not included within the 2020 UWMP and are therefore considered additive to District demands.

References:

1. Cal Water, 2021b. 2020 Urban Water Management Plan, Selma District, prepared by California Water Service, dated June 2021.

¹⁵ Water Supply Assessment and Water Supply Verification for the Casitas Selma Mixed-Use Development Project. EKI Environment & Water, Inc. November 2024. Page 26, Table 5. See Appendix E.

Table 3.6-4
Historical Water Supply for the Selma District¹⁶



Abbreviations:
"AFY" = acre-feet per year
"District" = California Water Service, Selma District

Notes:
(a) Historical water supply values per Reference 1.

References:
1. Cal Water, 2024a. Historical Demand and Production Data provided by Cal Water on 9 May 2024.

Sustainable Yield Analysis

Historically, the groundwater supplies available to the District from the underlying Subbasin have always been sufficient to meet District demands and the Cal Water supply wells have not dewatered, even during historical drought periods. The District’s 2020 UWMP provided an analysis of the availability of groundwater supply for the District based on historical groundwater use and review of available information regarding groundwater supply availability to the District, including the impacts of SGMA. The analysis found that groundwater supplies are expected to be sufficient to meet the projected future demands of the District through 2045. While this analysis did not include the additive demands associated with the Proposed Project, it is estimated that the District’s demands inclusive of the Proposed Project will still be well below historical groundwater demands. By 2045, groundwater demands for the District, inclusive of water demands associated with the Proposed Project, are projected to be approximately 4,962

¹⁶ Water Supply Assessment and Water Supply Verification for the Casitas Selma Mixed-Use Development Project. EKI Environment & Water, Inc. November 2024. Page 39, Table 6. See Appendix E.

AFY, or 965 AFY less than the average historical groundwater demands from 2000 through 2018 (see Table 3.6-4).

Additionally, the City and Cal Water have a settlement agreement with CID to collect money as part of water rates to construct recharge facilities within the groundwater basin. Although there are no specific projects currently proposed, the City and District anticipate and are planning for more recharge in the future, and thus the impacts to the groundwater basin would still be negligible to serve the Proposed Project.

It is also important to note that from a regional and Subbasin-wide standpoint, the District pumping is only a small fraction of total groundwater pumping. Based on the Kings Subbasin Groundwater Sustainability Annual Report for WY 2023, groundwater pumping within the Subbasin was approximately 864,000 AFY in WY 2023. Irrigated agriculture accounted for approximately 83% of total pumping within the Subbasin, while total urban pumping only accounted for approximately 17% of total pumping within the Subbasin, of which the District is only a portion. Therefore, it is likely that management of agricultural groundwater use, rather than urban use, will be a much larger determining factor in maintaining groundwater sustainability in the Subbasin in the future.

Because of the demonstrated ability of the District to meet historical demands from the Subbasin that are even greater than the projected demands inclusive of the Proposed Project, and given that the CKGSA has not indicated any plans to limit urban pumping as part of GSP implementation, it is reasonable to conclude the groundwater supply from the Subbasin is sufficient to meet the District's groundwater demand inclusive of the Proposed Project.

Pursuant to CGC §66473.7(g), it is important to note that there may be other industrial or agricultural users within the District's service area who rely on groundwater from the Subbasin and are not currently receiving water from the District. However, the Proposed Project will not have any foreseeable impacts on these users, as the District's projected groundwater pumping (inclusive of the Proposed Project) is expected to be less than the District's historical groundwater pumping.

Cal Water holds certain water rights to groundwater it has pumped and used as an overlying owner and appropriator. Cal Water's water rights have been dedicated to public use, and Cal Water is required by the CPUC to provide water to all customers within its designated service area under reasonable rules and regulations. Further, under California law municipal water rights and uses have a higher priority and are entitled to more protection than other uses of water, including in connection with SGMA. Use of water for domestic purposes is recognized as the "highest use" of water in the State of California pursuant to CWC §106, and the rights of urban

water purveyors should be protected to the fullest extent necessary for existing and future uses, pursuant to CWC §106.5.

SGMA is intended to preserve the security of water rights in the state to the greatest extent possible, and was not intended to determine, modify or alter any surface water or groundwater rights or priorities (CWC §10720.1(b), 10720.5(a) and (b)). While SGMA, and consequently implementation of the GSPs, are not anticipated to change the availability of groundwater to meet the District's projected demands, the long-term impacts of SGMA implementation in the Subbasin are still uncertain. The GSAs are continuing the implementation of the GSPs to stabilize water levels and provide for sustainable management of the groundwater resource.

As demonstrated above and in the 2020 UWMP, there is sufficient groundwater supply available to meet the projected future District demands based on the demonstrated ability of the District to meet historical demands from the Subbasin that are even greater than the District's projected demands. In addition, the CKGSA has not indicated any plans to limit urban pumping as part of CKGSA GSP implementation. Therefore, consistent with the District's 2020 UWMP, the available supplies to the District are considered to be equal to demands under all conditions (i.e., current and projected, and for normal, single dry, and multiple dry years including a 5-year drought period). The total projected potable supplies for the District for normal, single dry, and multiple dry years are presented in Table 8, Table 9, and Table 10 in the WSA (See Appendix E).

In conclusion, given (1) that the District's 2020 UWMP does not identify supply shortfalls for the District under any hydrologic conditions evaluated, (2) the projected reliability of groundwater available to the District, (3) the demonstrated effectiveness of the District's WSCP in the case of supply shortages, and (4) the increasing efficiency and drought planning requirements from the State, sufficient water supply is estimated to be available to Cal Water to meet all future demands within the District service area and those associated with the Proposed Project.

Cal Water is committed to supporting the development needs of the Proposed Project and will be able to provide water service, with infrastructure tailored to the Proposed Project's plans. This infrastructure includes, but is not limited to, transmission lines, distribution systems, meters, and water system monitoring. Cal Water anticipates collaborating with the Project Proponent, the City/County, and the SWRCB Division of Drinking Water throughout the design, construction, and operation phases. Cal Water will need to ensure that all current and future state standards are met regarding pipe sizes, fire flows, equipment, and materials and will be responsible for ongoing operations, maintenance, and design of any proposed constructed water facilities. Cal Water may require additional facilities to provide water service to the Proposed Project depending on the pressure zone's specific needs for pressures and flows. To accomplish this, Cal

Water may request dedication of parcels of land for the future needs of pumped storage and/or additional well supply. Additional evaluation may be needed to determine the optimized location and required minimum area. Cal Water's commitment to the development needs of the proposed Project may need to be reassessed in the case of changing water supply conditions within the District and will expire five years after the date of this WSA/WSV if the proposed Project has not begun construction and made on-going progress towards completion. As such, any impacts are considered *less than significant*.

Mitigation Measures: None are required.

Impact 3.6-3: *Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:*

- i. result in substantial erosion or siltation on- or offsite;*
- ii. substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;*
- iii. create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or*
- iv. impede or redirect flood flows?*

Less Than Significant. Construction and long-term operations of the proposed Project could result in potential impacts to surface water quality from urban stormwater runoff. The proposed Project would result in new impervious areas associated with site improvements, including new asphalt, concrete and the proposed structures on site. Additionally, the proposed Project will tie-in to existing sewer, storm drain and water infrastructure. To accomplish this, approximately 11,089 linear feet (LF) of pipeline will be installed off-site. Urban runoff typically contains oils, grease, fuel, antifreeze, byproducts of combustion (such as lead, cadmium, nickel, and other metals) and other household pollutants. Precipitation early in the rain season displaces these pollutants into storm water resulting in high pollutant concentrations in initial wet weather runoff. This initial runoff with peak pollutant levels can be referred to as the "first flush" of storm events.

The proposed Project would install storm water drainage facilities (e.g. storm drainage mechanisms and storm water pipes) that would be in compliance with the City of Selma Development Standards. The proposed Project would connect to the existing 12" main on Floral and Highland Avenue. Additionally, Station 20 is south of the Project area which has a well, two boosters, and a one-million-gallon tank that is beneficial during high peak water usage times. As part of the Project, the existing water main in Stillman Avenue will be continued west along the Project's extent and loop into the existing Floral Avenue water main. An additional 11,089 linear feet (LF) of pipeline will be installed off-site (See Project Description – Chapter 2 for further details).

Substantial erosion, siltation or flooding are not expected to occur as the site is developed. In accordance with the NPDES Stormwater Program, and as described in the Section 3.6 - Geology and Soils, the proposed Project will be required to comply with existing regulatory requirements to prepare a SWPPP designed to control erosion and the loss of topsoil to the extent practicable using BMPs that the RWQCB has deemed effective in controlling erosion, sedimentation, runoff during construction activities. The specific controls are subject to review and approval by the RWQCB and are an existing regulatory requirement. Construction of the storm drain basin and compliance with BMPs outlined in the SWPPP would ensure that the proposed Project would have a *less than significant impact* relative to this topic.

Mitigation Measures:

None required.

Impact 3.6-4: *In flood hazard, tsunami or seiche zones, risk release of pollutants due to project inundation?*

Less Than Significant. The Project is designated outside of any Special Flood Hazard Areas or Other Areas of Flood Hazard (FEMA Flood Insurance Rate Map #06019C2650H, effective 2/18/09¹⁷) and is considered an area of minimal flood hazard. The site has been designed with adequate storm drain capacity, and compliance with the requirements for SWPPP and BMPs (see Section 3.6-3) will ensure that the risk of release of pollutants due to Project inundation is less than significant. The site is also located more than 100 miles from the nearest ocean that could

¹⁷ FEMA Flood Map Service Center. Search Results – Fresno County Unincorporated Areas. Flood Insurance Rate Map #06019C2650H, effective 2/18/09. <https://msc.fema.gov/portal/search?AddressQuery=salma%2C%20ca>. Accessed November 2024.

cause a tsunami and there are no bodies of water near the Project site that would represent any impacts related to seiche zones. Therefore, there is a *less than significant impact* related to flooding and related hazards.

Mitigation Measures: None are required.

Impact 3.6-5: *Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?*

Less Than Significant. See the response to Impacts 3.9-1 and 3.9-4 pertaining to water quality. The proposed Project would install storm water drainage facilities (e.g. storm drainage mechanisms and storm water pipes) that would be in compliance with the City of Selma Development Standards. In addition, water quality protection measures are included as mitigation and the Project would be in compliance with the City's Storm Drain Master Plan. This will ensure Project water quality impacts are less than significant.

The City of Selma is part of the Central Kings Groundwater Sustainability Agency (CKGSA). The proposed Project, if approved, would come under the jurisdiction and purview of the City of Selma which is subject to CKGSA's Groundwater Sustainability Plan (GSP). The CKGSA's GSP, along with the other six GSPs within the Subbasin, underwent initial revision and were resubmitted to DWR in July 2022. DWR officially approved the collective GSPs and coordination agreement in August 2023.

Projects and management actions to support achievement of the Subbasin's sustainability goal under SGMA are proposed by the GSAs and documented in their respective GSPs. The main program proposed by the CKGSA GSP to address overdraft conditions in the Subbasin is to increase surface water infiltration through conversion of farmland to dedicated intentional recharge projects with the intention of stabilizing the water table at current levels by 2040. Other projects include a surface water-groundwater interconnection data analysis to fill existing data gaps, and a domestic well mitigation program for mitigating domestic wells that go dry or are in imminent threat of going dry.

Upon approval, the Project will be subject to the rules and requirements of CKGSA's GSP. Therefore, the Project will not conflict with or obstruct a sustainable groundwater management plan.

Mitigation Measures:

None are required.

Cumulative Impacts

Less Than Cumulatively Considerable. The geographic area for cumulative hydrology analysis is the land area included in the San Joaquin Groundwater Basin. Buildout of the City's General Plan and other pending projects in the Basin area will contribute to changes to stormwater collection systems and groundwater quality as well as an increase in groundwater demand.

Proposed Project development in combination with future projects associated with buildout of the General Plan would increase the amount of impervious surfaces in the area. Stormwater runoff is typically directed into adjacent streets where it flows to the nearest drainage system. As with the proposed Project, each new development would be required to design and develop a stormwater collection system that ensures appropriate water quality protection measures and sufficient capacity. All projects, including the proposed Project would be required to implement Best Management Practices and to conform to the existing NPDES water quality regulations. Similarly, all projects that would not retain all runoff onsite would be required to prepare a SWPPP, which would include BMPs designed to prevent the mixture of sediment and other pollutants with stormwater and degrading water quality. Cumulative impacts of the Project to water quality would be less than significant. Therefore, cumulative impacts associated with stormwater collection and water quality is less than cumulatively considerable.

With respect to erosion, drainage, and flooding, compliance with State regulations would minimize direct impacts on erosion, drainage, and flooding. It is anticipated that other cumulative scenario projects would be required to implement similar measures, in order to minimize erosion, drainage, and flooding related impacts. Additionally, drainage related impacts from cumulative scenario projects would be primarily localized. Therefore, cumulative scenario impacts on erosion, drainage, and flooding are not anticipated to be cumulatively considerable, and the Project would not contribute to a cumulative impact on flooding, erosion, or drainage.

With respect to water supplies, the City of Selma is part of the CKGSA. The proposed Project, if approved, would become under the jurisdiction and purview of the City of Selma which is subject to CKGSA's Groundwater Sustainability Plan. The City of Selma utilizes groundwater as its sole source of potable water. As identified herein and in the SB 610 Water Supply Assessment, the City anticipates being able to provide adequate potable water to the City through the year 2045.

The proposed Project's demands are not considered to be within the projected growth anticipated by the 2020 UWMP. Total water demands for the Proposed Project are therefore considered additive to the District's projected demands. However, the WSA found that given (1) that the District's 2020 UWMP does not identify supply shortfalls for the District under any hydrologic conditions evaluated, (2) the projected reliability of groundwater available to the District, (3) the demonstrated effectiveness of the District's WSCP in the case of supply shortages, and (4) the increasing efficiency and drought planning requirements from the State, sufficient water supply is estimated to be available to Cal Water to meet all future demands within the District service area and those associated with the Proposed Project. Therefore, Project implementation would result in less than cumulatively considerable impacts to groundwater supplies in the San Joaquin Groundwater Basin.

3.7 Transportation/Traffic

This section of the DEIR identifies potential impacts of the proposed Project pertaining to transportation and traffic in and around the Project vicinity. The analysis presented in this EIR section is based, in part, on the Traffic Impact Analysis (TIA) Report and VMT Report prepared for the Project by JLB Traffic Engineering, Inc. which are included as Appendix F and G, respectively.

Environmental Setting

The proposed Project is located on approximately 75.3-acres and is adjacent to the western City of Selma limits in Fresno County in the central San Joaquin Valley. The Project site is located west of Highland Avenue, north of Rose Avenue and south of E. Floral Avenue and consists of APNs 385-260-33, 385-230-16, -38 and -39. The proposed development site will occur on APN 385-230-33 and is approximately 39.1 acres. No development is proposed for the remaining 36.2 acres to be annexed. The site is predominantly surrounded by agricultural land, rural residential homes and commercial developments. The entire site is outside the Selma City limits but within the City's planned growth area, the Specific Urban Development Plan (SUDP) and Sphere of Influence (SOI).

The proposed Project site is currently vacant with minimal vegetation. Surrounding land uses include agricultural land, rural residential homes and commercial developments.

Area Roadways

Golden State Boulevard is an existing northwest-southeast (diagonal) four-lane divided arterial in the vicinity of the proposed Project. In this area, Golden State Boulevard extends northwest of Highland Avenue and southeast of Park Street. Golden State Boulevard turns into Whitson Street southeast of Highland Avenue and northwest of Park Street. The City of Selma General Plan Update 2035 designates Golden State Boulevard in its entirety as an arterial.

Whitson Street is an existing northwest-southeast (diagonal) four-lane divided arterial in the vicinity of the proposed Project. In this area, Whitson Street extends southeast of Highland Avenue and northwest of Park Street. Whitson Street turns into Golden State Boulevard northwest of Highland Avenue and southeast of Park Street. The City of Selma General Plan Update 2035 designates Whitson Street in its entirety as an arterial.

State Route (SR) 99 is an existing six-lane freeway in the vicinity of the proposed Project. SR 99 traverses the County of Fresno and through the City of Selma in a northwest-southeast direction and serves as the principal connection to various metropolitan areas within the Central San Joaquin Valley.

Highland Avenue is an existing north-south two-lane collector in the vicinity of the proposed Project. Highland Avenue extends between Dinuba Avenue and Floral Avenue. South of Floral Avenue, State Route 43 is also known as Highland Avenue. The City of Selma General Plan Update 2035 designates Highland Avenue as an arterial between Manning Avenue and Mountain View. The Caltrans Transportation Concept Report for SR 43 classifies SR 43 between Floral Avenue and Nebraska Avenue as a principal arterial.

Future North-South Road is a future north-south two-lane collector planned to be constructed adjacent to the proposed Project. Future North-South Road is planned to be constructed as a two-lane collector with a two-way left turn lane on center between Floral Avenue and Stillman Street.

DeWolf Avenue is an existing north-south roadway in the vicinity of the proposed Project. DeWolf Avenue is a two-lane undivided roadway throughout the City of Selma SOI. The City of Selma General Plan Update 2035 does not have any stated plans for DeWolf Avenue.

Floral Avenue is an existing east-west roadway adjacent to the proposed Project. Floral Avenue is a two-lane undivided roadway west of Leonard Avenue, a four-lane divided roadway between Leonard Avenue and Whitson Street, a four-lane undivided collector between Whitson Street and Wright Street and a two-lane undivided collector east of Wright Street. The City of Selma General Plan Update 2035 states Floral Avenue shall be widened to four lanes and designates Floral Avenue as an arterial between Whitson Street and DeWolf Avenue.

Stillman Street is an existing east-west roadway in the vicinity of the proposed Project and will be constructed further west along the southern boundary of the Project. Stillman Street is a two-lane undivided roadway throughout the City of Selma SOI. The City of Selma General Plan Update 2035 does not have any stated plans for Stillman Street.

Rose Avenue is an existing east-west roadway in the vicinity of the proposed Project. Rose Avenue is a two-lane undivided roadway west of Thompson Avenue, a four-lane undivided roadway between McCall Avenue and Country Club Lane and a two-lane undivided roadway east of County Rose Lane. The City of Selma General Plan Update 2035 does not have any stated plans for Rose Avenue.

Airports

The proposed Project site is approximately 1.2 miles southeast of Selma Airport, while the next nearest airport is the Reedley Municipal Airport, approximately 12 miles northeast.

Regulatory Setting

Federal Regulations

Several federal regulations govern transportation issues. They include:

- Title 49, CFR, Sections 171-177 (49 CFR 171-177), governs the transportation of hazardous materials, the types of materials defined as hazardous, and the marking of the transportation vehicles.
- 49 CFR 350-399, and Appendices A-G, Federal Motor Carrier Safety Regulations, address safety considerations for the transport of goods, materials, and substances over public highways.
- 49 CFR 397.9, the Hazardous Materials Transportation Act of 1974, directs the U.S. Department of Transportation to establish criteria and regulations for the safe transportation of hazardous materials.

State of California Regulations

California Department of Transportation

The California State Department of Transportation (Caltrans) has jurisdiction over state highways and sets maximum load limits for trucks and safety requirements for oversized vehicles that operate on California highways. The City of Merced and Merced County are under the jurisdiction of Caltrans District 6. The following Caltrans regulations apply to the potential transportation impacts of the Project:

- California Vehicle Code, Division 15, Chapters 1 through 5 (Size, Weight, and Load). Includes regulations pertaining to licensing, size, weight, and load of vehicles operated on highways.
- California Street and Highway Code, Sections 660-711, 670-695. Requires permits from Caltrans for any roadway encroachment during truck transportation and delivery, includes regulations for the care and protection of state and county highways and provisions for the issuance of written permits, and requires permits for any load that exceeds Caltrans weight, length, or width standards for public roadways.

Senate Bill 743

Senate Bill (SB) 743 was approved by the then Governor Brown on September 27, 2013. SB 743 created a path to revise the definition of transportation impacts according to California Environmental Quality Act (CEQA). The revised CEQA Guidelines requiring a vehicle miles traveled (VMT) analysis became effective December 28, 2018; however, agencies had until July 1, 2020 to finalize their local guidelines on VMT analysis. The intent of SB 743 is to align CEQA transportation study methodology with and promote the statewide goals and policies of reducing VMT and greenhouse gases (GHG). Three objectives of SB 743 related to development are to reduce GHG, diversify land uses, and focus on creating a multimodal environment.

Local Regulations*City of Selma General Plan*

The City of Selma 2035 General Plan is intended to provide guidance and specific actions to ensure the continued safe and efficient operation of Selma's circulation system. The following policies are applicable to the Project.

Circulation Policies

- 2.8 All street and roadway improvements shall be designed and constructed in accordance with the Circulation Element and Circulation Plan.
- 2.9 The Circulation Plan shall act as a guide in determining the function of major streets. The City's functional street classification system shall include highways, expressways, major arterials, arterials, collectors, minor collectors, and local streets.
- 2.13 Arterials shall be improved to four lanes, with appropriate variations in intersection design to alleviate special traffic problems where necessary. Major arterials shall be improved to six lanes, with appropriate variations in intersection design to alleviate special traffic problems where necessary.
- 2.14 Meandering sidewalks shall be encouraged along collectors and arterials.
- 2.15 Floral Avenue from SR 99 to Amber shall be widened to four lanes, either by street widening or by elimination of parking as traffic generation warrants.
- 2.16 City circulation system street alignments shall be coordinated with Fresno County circulation system street alignments.

- 2.17 Local collectors shall serve residential neighborhoods, but shall not be used to carry through traffic or high traffic volumes. Actual design and improvement to ultimate standards shall be achieved through inclusion of facilities as part of the City-wide Capital Improvements Program, or by new developers as areas adjoining the designated circulation system are developed, with allowance for bicycle lanes, where planned.
- 2.19 The City of Selma will request that Selma's Circulation Element and Circulation Plan be incorporated into the Fresno County General Plan and Selma Community Plan.
- 2.20 A one-mile arterial frequency grid system plan shall be used to allow efficient access throughout the community and to support the major commercial areas of the City, including McCall Avenue at Dinuba, the downtown area and commercial uses along SR 99.
- 2.21 The overall circulation plan for future neighborhoods shall be in conformance with Figure 2-1 and include offset minor collectors, traffic calming features as needed, a neighborhood park within ¼ mile walking distance per neighborhood, and a commercial/office/transit node.
- 2.23 Collector streets shall be at approximately one-mile intervals centered between arterial streets and shall be planned to intersect with other streets so as to maximize traffic safety and discourage fast flowing traffic through residential areas. Where possible, major arterials, arterials, and collectors shall form 4-leg, right-angle intersections; jog, offset and skewed intersections of streets in near proximity shall be avoided where possible.
- 2.24 Residences shall not be permitted to have direct access onto arterials, particularly where traffic volumes are likely to create excessive noise levels or safety hazards.
- 2.25 The primary purpose of arterials is for cross-town traffic flow and through-traffic. Parking along arterials should be discouraged and eliminated where it now exists, as deemed appropriate by the Traffic and Streets Commission and as traffic safety conditions warrant.
- 2.27 It shall be the policy of the City to develop major streets in the community as follows:

Arterials

- Nebraska Avenue from De Wolf to Second and Front to Bethel
 - Amber Avenue from Nebraska to future connection with Del Rey
 - McCall Avenue from Manning Avenue to Dinuba Avenue
 - Floral Avenue from Whitson to De Wolf
 - Whitson Avenue in its entirety
 - Golden State Boulevard in its entirety
 - Highland Avenue from Manning Avenue to Mountain View
 - Mountain View Avenue from De Wolf to Bethel
 - Dinuba Avenue throughout the Sphere of Influence
- 2.28 The street network should provide a quick and efficient route for emergency vehicles, including police, fire and other vehicles, when responding to calls for service. The length of single-entry access routes shall be restricted.
- 2.29 Major arterials shall be built in areas where traffic demand warrants the development of this facility to meet the adopted level of service standard.
- 2.30 Major arterial, arterial, collector, minor collector, and local street standards shall be developed to provide an increased quality of life for residential neighborhoods, a more attractive bike and pedestrian environment, conservation of natural resources and adequate capacity for their appropriate function. These new standards shall be incorporated into the City's Standard Specifications for Public Works.
- 2.31 Median breaks and driveway standards for major arterial, arterial and collector streets directly affect the performance of these roadways, and the following minimum standards have been developed to facilitate the proper operation of these roadways:

Major Arterial Street Standards

- a. Driveway access to major activity centers (locations that generate more than 5,000 daily trips) should be located no closer than 200 feet to the adjacent intersection of a collector or arterial street (measurement shall be from the curb return to the nearest edge of the driveway). If driveways must be provided near intersections for facilities (such as service stations) these driveways shall not be serviced by median breaks and shall be located no less than 100 feet from the intersection (measurement shall be from the curb return to the nearest edge of the driveway). If more than one is required to

serve a property, the driveways shall be separated by 150 feet (the 150 feet are to be measured edge to edge, not centerline to centerline).

- b. The distance between driveways along commercially developed major arterials should not be less than 600 feet (measurement shall be from centerline to centerline). Where this spacing is not practical, the development shall provide acceptable traffic mitigation measures in addition to those already required.
- c. Where practical and desirable, driveways should be located on adjacent arterial or collector streets rather than on major arterial streets.
- d. Full median breaks, where there is no adopted design, should provide access to collector streets and to major activity centers and should parallel the standards for driveways: not less than 200 feet from an adjacent intersection of an arterial or collector street, and not less than 1,000 feet between full median breaks.
- e. Driveway consolidation shall be encouraged through joint access agreements along arterials where standards a. through d. are exceeded.
- f. Major arterials shall be developed in conformance with Figure 2-1 and shall be sized in accordance with the projected traffic volumes on road segments and intersections. The preferred minimum distance between intersections along major arterials is $\frac{1}{4}$ mile.

Arterial Street Standards

- a. Driveway access to major activity centers (locations that generate more than 5,000 daily trips) should be located no closer than 200 feet to the adjacent intersection of a collector or arterial street (measurement shall be from the curb return to the nearest edge of the driveway). If driveways must be provided near intersections for facilities (such as service stations) these driveways shall not be serviced by median breaks and shall be located no less than 100 feet from the intersection (measurement shall be from the curb return to the nearest edge of the driveway). If more than one is required to serve a property, the driveways shall be separated by 150 feet (the 150 feet are to be measured edge to edge, not centerline to centerline).
- b. The distance between driveways along commercially developed arterials should not be less than 400 feet (measurement shall be from centerline to centerline). Where this spacing is not practical, the development shall provide acceptable traffic mitigation measures in addition to those already required.

- c. Where practical and desirable, driveways should be located on adjacent collector streets rather than on arterial streets.
- d. Full median breaks, where there is no adopted design, should provide access to collector streets and to major activity centers and should parallel the standards for driveways: not less than 200 feet from an adjacent intersection of an arterial or collector street, and not less than 1,000 feet between full median breaks.
- e. Driveway consolidation shall be encouraged through joint access agreements along arterials where standards a. through d. are exceeded.
- f. Major arterial and arterials shall be developed in conformance with Figure 2-1 and shall be sized in accordance with the projected traffic volumes on road segments and intersections.

Collector Street Standards

- a. Driveway access to major activity centers should be located no closer than 150 feet to the adjacent intersection of a collector or arterial street (measurement shall be from the curb return to the nearest edge of the driveway). If driveways must be provided near intersections for facilities (such as service stations) these driveways shall not be serviced by median breaks and shall be located no less than 100 feet from the intersection (measurement shall be from the curb return to the edge of the driveway). If more than one is requested to serve a property, the driveways shall be separated by 150 feet (the 150 feet are to be measured edge to edge, not centerline to centerline).
- b. The distance between driveways and intersecting local streets should not be less than 300 feet (measurement shall be from the curb return to the nearest edge of the driveway). Where this spacing is not practical, the development shall provide acceptable traffic mitigation measures in addition to those already required.
- c. Driveways to residential property along collectors should be consolidated whenever possible.
- d. Medians on collectors shall be provided by concrete where left turn control is needed and by painted medians on two-way left turn pockets where appropriate. Where concrete medians are provided, median breaks should be spaced not less than 300 feet apart.
- e. Collectors shall be developed in conformance with Figure 2-1 and shall be sized in accordance with the projected traffic volumes on road segments and intersections.

Local Streets and Minor Collectors

- a. Local streets shall not carry an unreasonable level of through traffic. Should it be determined that a local street is carrying an unacceptable level of through traffic, the City may use appropriate means to reduce traffic through creation of one-way traffic flow, installation of traffic calming devices, and/or any other means deemed to be acceptable under the Vehicle Code of the State of California. Traffic calming features in conformance with Table 2-1 are encouraged when warranted.
- b. Local residential streets shall be kept at a curb-to-curb width of 40 feet, may include a planter strip to provide shade to prevent excessive heat build-up, and include a sidewalk of sufficient width to allow two people walking side-by-side to pass.
- c. In new residential subdivisions, local streets should be aligned in an orientation that allows for homes to be located in a manner that provides the best solar orientation.
- d. Design the street network with multiple connections and relatively direct routes for pedestrians and bicyclists as well as motorists. Provide pedestrians and bicyclists with shortcuts and alternatives to travel along high volume streets by designing pedestrian and bicycle pass-through pathways at cul-de sac bulbs adjacent to Arterial roadways.
- e. Short streets, trees, on-street parking, tee intersections, use of terminating vistas and traffic calming devices should be used to limit vehicle speed.
- f. Streets shall be designed in accordance with projected traffic volumes and City- adopted level of service standards. Oversized streets shall be discouraged.

Deviations to the arterial, collector, and local street standards identified above may be adopted subject to review and approval by the City Council.

- 2.32 To continue to provide a high level of service to the community, the City designates Service Level "D" as defined in the Highway Capacity Manual as the minimum desirable service level at which freeways, expressways, major arterials, arterials and collector streets should operate. All new facilities in these categories shall be designed to operate at this level or better for a period of at least 20 years following their construction.
- 2.33 The circulation system shall be designed and developed to minimize excessive noise impacts on sensitive land uses and traffic congestion which would

increase the rate of vehicle emissions. New development shall mitigate noise and emission impacts [e.g. by constructing sound walls (where warranted), designing to minimize emissions (such as roundabout or traffic circle), etc.].

- 2.34 Right-of-way essential to the circulation system should be dedicated and/or developed to the appropriate extent and width when a division of property or development occurs. The City shall coordinate street improvements with the County of Fresno so that the same requirements apply outside the City limits.

- 2.35 The right-of-way widths and construction widths of all classes of streets from local to major arterial shall be updated as necessary to reflect the street classifications in this Element.

- 2.36 Developers shall mitigate traffic impacts associated with their projects to minimize the impacts to highways, major arterials, arterials, and collector streets.

- 2.37 The City will continue to collect development impact fees for the circulation system (streets, signals and bridges) and shall revise and update the development impact fees as needed.

- 2.38 The City will implement a transportation impact fee program to help facilitate state highway facility circulation improvements in the Selma Planning Area, in coordination with Caltrans. This program is intended to help mitigate the impacts and additional vehicle trips that will be added to the regional transportation network from new development.

- 2.39 The City shall promote an active policy of consolidating driveways, access points and curb cuts along existing developed major arterials, or arterials when development or change in intensity of development or land use occurs or when traffic operation or safety warrants.

- 2.40 Residential subdivisions shall be designed to encourage access from collector streets and to discourage use of local streets as a bypass to congested arterials.

- 2.41 Where major arterials, arterials, and collector streets are required, residential development shall be oriented away (side-on or rear-on) from such streets, and shall be properly buffered so that the traffic carrying capacity on the street will

be preserved and the residential environment protected from the adverse characteristics of the street.

- 2.42 Due to the traffic congestion which results from numerous points of ingress and egress along commercial streets, future commercial developments or modifications to existing developments shall be master planned with limited points of ingress and egress onto a major street. Ingress and egress to shopping centers should be carefully designed in order to promote traffic safety. Left-hand movements into and out of commercial areas should be minimized and existing points of ingress and egress shall be consolidated whenever possible.
- 2.43 In order to promote safe and efficient traffic flow throughout the City, traffic signals shall be spaced no closer than 1/4 mile on arterials except in unusual circumstances. The intersections of arterial and collector streets and the access driveways to major traffic generators shall be located so as to maintain this minimum spacing.
- 2.44 The City will develop, through various funding mechanisms and sources, a city wide bicycle path/lane/route system in conformance with the City's 2003 Bicycle Transportation Plan. The bicycle path/lane/route system will utilize existing or future railroad right-of-way and water courses. The paths (class I), may also include landscaping, lighting, mileage markers, directional signage and benches. The on-road lanes (class II) would include striping and the on-road routes (class III) would not include striping. Reference Figure 2-3 for the proposed city-wide bike plan. The class I bike paths can also be utilized by pedestrians if the proposed paths are wide enough to allow both bicyclists and pedestrians.
- 2.45 Sidewalks, paths, and appropriate crosswalks should be located to facilitate access to all schools and other areas with significant pedestrian traffic. Whenever feasible, pedestrian paths should be developed to allow for unobstructed pedestrian flow from within a neighborhood.
- 2.46 The City shall require curb, gutter, and sidewalks in all areas of the community to accommodate pedestrian traffic, especially along routes with high pedestrian traffic such as schools, parks, and the Downtown area. Installation of these improvements shall be encouraged to the extent feasible in existing neighborhoods where they do not currently exist.

- 2.47 The City shall promote safe, convenient and accessible pedestrian ways within the community.
- 2.48 Where security walls or fences are proposed for residential developments along major arterials, arterials, or collector streets, pedestrian access should be considered between the major arterial, arterial, or collector, and the development to allow access to transit vehicles, commercial facilities, educational facilities and recreation areas operating on the street.
- 2.49 Street lighting shall be provided for all public streets and pedestrian signals shall be provided at all traffic signal locations.
- 2.50 New development shall be required to plant and maintain appropriate trees or other devices in order to achieve shading of at least 50% of all hardscaped parking and pedestrian surfaces.
- 2.51 Adequate off-street parking shall be required of all commercial and industrial land uses to accommodate parking demand. Off-street parking shall also be required of residential land uses to accommodate tenants.
- 2.52 Parking standards shall be evaluated for new developments to ensure that parking requirements are satisfied within walking distance of development, and to ensure that arterial streets do not separate parking from the parking demand generator.
- 2.53 Parking standards shall be evaluated to assess the potential for offering reduced parking requirements to development that incorporate measures proven to reduce vehicular trips. Shared parking should be encouraged whenever possible.
- 2.54 The City shall work with Caltrans and transit service providers to establish a park and ride lot or lots within the community to serve the needs of regional and local commuters.

- 2.60 The City shall encourage the use of energy efficient and non-polluting fuels and modes of transportation.
- 2.61 Transportation System Management and Transportation Demand Management are the applicable strategies for the mitigation of traffic and parking congestion. Public transit, traffic management, ridesharing and parking management are to be used to the greatest extent practical to implement transportation management strategies.
- 2.62 Promote the long-term shifting of peak hour commute trips from the single occupant automobile to ridesharing, buses, pedestrians, and bicycles.
- 2.63 Large development shall be encouraged to incorporate transit passenger facilities, bicycle racks or lockers, shower facilities, as well as on site services (eating, mail, banking, etc.) as ways to encourage alternative modes for commute trips.
- 2.64 Provide for the development and maintenance of the community's transportation infrastructure, including streets, sewer, water, storm drain, pipeline, electrical, and communication facilities.
- 2.65 The maintenance of the investment in the existing and future infrastructure is a high priority for the community.
- 2.66 The City shall maintain a high level of inter-governmental coordination and citizen participation in the circulation and transportation planning process and work with other agencies to assure that regional transportation plans are consistent with the City's General Plan.

Thresholds of Significance

In accordance with the CEQA Guidelines, a project impact would be considered significant if the project would:

- Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities
- Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)

- Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)
- Result in inadequate emergency access

Impacts and Mitigation Measures

Impact 3.7-1: *Would the project conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?*

Less Than Significant with Mitigation Incorporation. JLB Traffic Engineering, Inc. prepared a Traffic Impact Analysis (TIA)(see Appendix F) and Vehicle Miles Travelled (VMT) Report (see Appendix F) analyzing potential impacts the proposed Project would have on the existing roadway and transportation system. The purpose of the TIA is to evaluate the potential on-site and off-site traffic impacts, identify short-term and long-term roadway and circulation needs, determine potential roadway improvement measures and identify any critical traffic issues that should be addressed in the on-going planning process. The TIA primarily focused on evaluating traffic conditions at study intersections that may potentially be impacted by the proposed Project and a separate Vehicle Miles Traveled (VMT) Analysis. The Scope of Work was prepared via consultation with City of Selma, Fresno County and Caltrans staff. Study results are summarized in the text below. For the full text, graphics, and traffic counts, please refer to Appendix F.

Level of Service Analysis Methodology

Level of service (LOS) is a qualitative index of the performance of an element of the transportation system. LOS is a rating scale running from “A” to “F”, with “A” indicating no congestion of any kind and “F” indicating unacceptable congestion and delays. LOS in this study describes the operating conditions for signalized and unsignalized intersections. The Highway Capacity Manual (HCM) 6th Edition is the standard reference published by the Transportation Research Board and contains the specific criteria and methods to be used in assessing LOS. U-turn movements were analyzed using HCM 2000 methodologies and would yield more accurate results for the reason that HCM 6th Edition methodologies do not allow the analysis of U-turns. Lane configurations not reflective of existing conditions are a result of software limitations and thus represent a worst-case scenario. Synchro software was used to define LOS in this study. Details regarding these calculations are included in Appendix D within the TIA (See Appendix F).

While LOS is no longer the criteria of significance for traffic impacts in the state of California, the City of Selma continues to apply congestion-related conditions or requirements for land

development projects through planning approval processes outside of CEQA guidelines in order to continue the implementation of Selma General Plan policies.

Significance Thresholds

The City of Selma General Plan Update 2035 has established LOS D as the acceptable level of traffic congestion on intersections and road segments for minor collectors, major collectors, minor arterials, major arterials and highways within the City of Selma. Where other jurisdictions control and manage roadways, their respective level of service standards shall prevail on applicable segments. In order to avoid using local streets for excessive through traffic, the LOS B threshold was established for local streets. Therefore, the City of Selma LOS D threshold is used to evaluate the potential significance of LOS impacts to study facilities within the City of Selma SOI.

The Fresno County General Plan has established LOS C as the acceptable level of traffic congestion on all county roads and streets that fall entirely outside the Sphere of Influence (SOI) of Selma. For those areas that fall within the SOI of a City, the LOS threshold of the city is used in this Report. LOS C is used to evaluate the potential LOS impacts to Fresno County intersections and segments that fall outside the City of Selma SOI. In this case, all study facilities fall within the City of Selma SOI, therefore, the City of Selma LOS is utilized.

Caltrans no longer considers delay as a significant impact to the environment, for land use projects and plans. According to the Caltrans document VMT Focused Transportation Impact Study Guidelines dated May 2020, Caltrans review of land use projects and plans is focused on a VMT metric consistent with CEQA. In the TIA prepared for the proposed Project, however, study intersections that fall within Caltrans SOI utilize the LOS threshold described in their respective Transportation Concept Reports.

Study Intersections:

1. Golden State Boulevard / Highland Avenue
2. DeWolf Avenue / Floral Avenue
3. Future North-South Road / Floral Avenue (Future)
4. Walmart Main Driveway / Floral Avenue
5. Eastern Driveway / Floral Avenue
6. State Route 99 Southbound Off Ramp / Floral Avenue

7. Highland Avenue (State Route 43) / Floral Avenue
8. State Route 99 Northbound Off Ramp / Floral Avenue
9. Whitson Street / Floral Avenue
10. Highland Avenue (State Route 43) / State Route 99 Southbound Ramps
11. Southern Main Access / Stillman Street (Future)
12. Highland Avenue (State Route 43) / Stillman Street
13. Highland Avenue (State Route 43) / Rose Avenue

Project-Only Trips to State Facilities

1. State Route 99 / Floral Avenue-Highland Avenue Interchange

Study Scenarios

Existing Traffic Conditions: This scenario evaluates the Existing Traffic Conditions based on existing traffic volumes and roadway conditions from traffic counts and field surveys conducted in September and November 2022.

Existing plus Project Traffic Conditions: This scenario evaluates total traffic volumes and roadway conditions based on the Existing plus Project Traffic Conditions. The Existing plus Project traffic volumes were obtained by adjusting the Existing Traffic Conditions traffic volumes to account for the additional roads constructed with the Project and adding the Project Only Trips. The Project will construct a north-south road on its western boundary between Floral Avenue and Stillman Street as well as an internal north-south road between Floral Avenue and Stillman Street. The modifications to Existing Traffic Conditions traffic volumes were developed based on the Fresno Council of Governments (Fresno COG), engineering judgment, existing residential densities and the City of Selma General Plan Update 2035 Circulation Element in the vicinity of the Project site. The Project Only Trips to the study facilities were developed based on existing travel patterns, the Fresno Council of Governments (Fresno COG) Project Select Zones, the existing roadway network, data provided by the developer, knowledge of the study area, engineering judgment, existing residential densities and the City of Selma General Plan Update 2035 Circulation Element in the vicinity of the Project site.

Near Term plus Project Traffic Conditions: This scenario evaluates total traffic volumes and roadway conditions based on the Near Term plus Project Traffic Conditions. The Near Term plus

Project traffic volumes were obtained by adding the Near Term related trips to the Existing plus Project Traffic Conditions scenario.

Cumulative Year 2046 No Project Traffic Conditions: This scenario evaluates total traffic volumes and roadway conditions based on the Cumulative Year 2046 No Project Traffic Conditions. The Cumulative Year 2046 No Project traffic volumes were obtained by subtracting the Project Only Trips from the Cumulative Year 2046 plus Project Traffic Conditions scenario.

Cumulative Year 2046 plus Project Traffic Conditions: This scenario evaluates total traffic volumes and roadway conditions based on the Cumulative Year 2046 Plus Project Traffic Conditions. The Cumulative Year 2046 Plus Project traffic volumes were obtained by using a combination of the Fresno COG activity-based model (ABM) (Base Year 2019 and Cumulative Year 2046) and existing traffic counts. Under this scenario, the increment method, as recommended by the Model Steering Committee was utilized to determine the Cumulative Year 2046 traffic volumes. The Fresno COG ABM results were provided by Kittelson & Associates and plots are contained in Appendix C of the TIA (See Appendix F).

Trip Generation

The trip generation rates for the proposed Project were obtained from the 11th Edition of the Trip Generation Manual published by the Institute of Transportation Engineers (ITE). Table 3.7-1 presents the trip generation for the proposed Project with trip generation rates for Automated Car Wash, Quick Lubrication Vehicle Shop, Fast Casual Restaurant, Strip Retail Plaza, Fast-Food Restaurant with Drive-Through Window, Hotel, Multifamily Housing, Senior Adult Housing, Affordable Housing and Public Park. At buildout and before taking into account internal capture trip reductions, the Project is estimated to generate 10,786 daily, 784 AM peak hour and 889 PM peak hour trips.

**Table 3.7-1
Proposed Project Trip Generation**

Land Use (ITE Code)	Size	Unit	Daily		AM (7-9) Peak Hour						PM (4-6) Peak Hour					
			Rate	Total	Trip Rate	In	Out	In	Out	Total	Trip Rate	In	Out	In	Out	Total
						%	%									
Automated Car Wash (948)	1	Tunnel	775.00	775	42.89	50	50	22	21	43	77.50	50	50	39	39	78
Quick Lubrication Vehicle Shop (941)	3	Service Position	40.00	120	3.00	67	33	6	3	9	4.85	56	44	8	7	15
Fast Casual Restaurant (930)	7.200	k.s.f.	97.14	699	1.43	50	50	5	5	10	12.55	55	45	50	40	90
Strip Retail Plaza (<40k) (822)	7.200	k.s.f.	54.45	392	2.36	60	40	10	7	17	6.59	50	50	24	23	47
Fast-Food Restaurant with Drive-Thru Window (934)	10.099	k.s.f.	467.48	4,721	44.60	51	49	230	220	450	33.03	52	48	174	160	334
Hotel (310)	100	Rooms	7.99	799	0.46	56	44	26	20	46	0.59	51	49	30	29	59
Multifamily Housing (low Rise) (220)	300	d.u.	6.74	2,022	0.40	24	76	29	91	120	0.51	63	37	96	57	153
Senior Adult Housing – Multifamily (252)	120	d.u.	3.24	389	0.20	34	66	8	16	24	0.25	56	44	17	13	30
Affordable Housing – Income Limits (223)	180	d.u.	4.81	866	0.36	29	71	19	46	65	0.46	59	41	49	34	83
Public Park (411)	3.600	Acres	0.78	3	0.02	59	41	0	0	0	0.11	55	45	0	0	0
Total Project Trips				10,786				355	429	784				487	402	889

It is projected that this Project will benefit from internally captured trips. Due to the amount of dense residential units and the proximity of retail land uses, it is safe to assume that these internal capture trips will stay within the confines of the Project. Internal capture rates were obtained from the 3rd Edition of the Trip Generation Handbook by ITE. These rates were implemented into the NCHRP 684 Internal Trip Capture Estimation Tool Developed by the Texas A&M Transportation Institute. As can be seen in Table 3.7-2, there are 1,555 Daily, 98 AM peak hour and 322 PM peak hour trips that would be internally captured.

Table 3.7-2, Internal Capture Trip Generation

<i>Land Use (ITE Code)</i>	<i>Daily</i>	<i>AM (7-9) Peak Hour</i>			<i>PM (4-6) Peak Hour</i>		
	<i>Total</i>	<i>In</i>	<i>Out</i>	<i>Total</i>	<i>In</i>	<i>Out</i>	<i>Total</i>
Retail	-329	-8	-5	-12	-44	-41	-85
Restaurant	-544	-37	-7	-44	-53	-76	-129
Residential	-584	-4	-33	-37	-44	-32	-76
Hotel	-98	-1	-4	-5	-20	-12	-32
Total Internally Captured Project Trips	-1,555	-49	-49	-98	-161	-161	-322

The Project Trip Generation was subtracted by the Internal Capture Trip Generation to produce the External Project Trip Generation. The internal capture worksheet can be found in Appendix F. As can be seen in Table 3.7-2, the Proposed Project is estimated to generate 9,231 daily, 686 AM peak hour and 567 PM peak hour external trips.

Table 3.7-3
External Project Trip Generation

<i>Land Use (ITE Code)</i>	<i>Daily</i>	<i>AM (7-9) Peak Hour</i>			<i>PM (4-6) Peak Hour</i>		
	<i>Total</i>	<i>In</i>	<i>Out</i>	<i>Total</i>	<i>In</i>	<i>Out</i>	<i>Total</i>
Project Trip Generation	10,786	355	429	784	487	402	889
Internal Capture	-1,555	-49	-49	-98	-161	-161	-322
Total External Project Trips	9,231	306	380	686	326	241	567

The trip generation that was analyzed within this TIA was derived from the original site plan provided to JLB. As time has gone by, the site plan has been slightly modified. JLB compared the analyzed trip generation to that of the latest Project site plan. Table 3.7-4 presents the analyzed trip generation with trip generation rates for Strip Retail Plaza, Fast-Food Restaurant with Drive-Through Window, Hotel, Multifamily Housing, Senior Adult Housing, Affordable Housing and Public Park. At buildout and before taking into account internal capture trip reductions, the analyzed Project Site plan was estimated to generate 10,829 daily, 841 AM peak hour and 852 PM peak hour trips.

Table 3.7-4
Analyzed Project Trip Generation

Land Use (ITE Code)	Size	Unit	Daily		AM (7-9) Peak Hour						PM (4-6) Peak Hour					
			Rate	Total	Trip Rate	In	Out	In	Out	Total	Trip Rate	In	Out	In	Out	Total
						%	%									
Strip Retail Plaza (<40k) (822)	18.000	k.s.f.	54.45	980	2.36	60	40	25	17	42	6.59	50	50	60	59	119
Fast-Food Restaurant with Drive-Thru Window (934)	12.000	k.s.f.	467.48	5,610	44.60	51	49	273	262	535	33.03	52	48	206	190	396
Hotel (310)	120	Rooms	7.99	959	0.46	56	44	31	24	55	0.59	51	49	36	35	71
Multifamily Housing (low Rise) (220)	300	d.u.	6.74	2,022	0.40	24	76	29	91	120	0.51	63	37	96	57	153
Senior Adult Housing – Multifamily (252)	120	d.u.	3.24	389	0.20	34	66	8	16	24	0.25	56	44	17	13	30
Affordable Housing – Income Limits (223)	180	d.u.	4.81	866	0.36	29	71	19	46	65	0.46	59	41	49	34	83
Public Park (411)	3.600	Acres	0.78	3	0.02	59	41	0	0	0	0.11	55	45	0	0	0
Total Project Trips				10,829				385	456	841				464	388	852

It is projected that the analyzed Project site plan would benefit from internally captured trips. Due to the amount of dense residential units and the proximity of retail land uses, it is safe to assume that these internal capture trips will stay within the confines of the analyzed Project. These rates were implemented into the NCHRP 684 Internal Trip Capture Estimation Tool Developed by the Texas A&M Transportation Institute. As can be seen in Table 3.7-5, there are 1,521 Daily, 90 AM peak hour and 292 PM peak hour trips that would be internally captured.

Table 3.7-5
Analyzed Project Internal Capture Trip Generation

Land Use (ITE Code)	Daily	AM (7-9) Peak Hour			PM (4-6) Peak Hour		
	Total	In	Out	Total	In	Out	Total
Retail	-251	-5	-3	-8	-37	-35	-72
Restaurant	-564	-35	-6	-41	-49	-69	-118
Residential	-588	-4	-33	-37	-41	-31	-72
Hotel	-118	-1	-3	-4	-19	-11	-30
Total Internally Captured Project Trips	-1,521	-45	-45	-90	-146	-146	-292

The Analyzed Trip Generation was subtracted by the Analyzed Internal Capture Trip Generation to produce the Analyzed External Project Trip Generation. As can be seen in Table 3.7-6, the proposed Project is estimated to generate 9,308 daily, 751 AM peak hour and 560 PM peak hour external trips.

Table 3.7-6
Analyzed Project External Trip Generation

<i>Land Use (ITE Code)</i>	<i>Daily</i>	<i>AM (7-9) Peak Hour</i>			<i>PM (4-6) Peak Hour</i>		
	<i>Total</i>	<i>In</i>	<i>Out</i>	<i>Total</i>	<i>In</i>	<i>Out</i>	<i>Total</i>
Analyzed Trip Generation	10,829	385	456	841	464	388	852
Internal Capture	-1,521	-45	-45	-90	-146	-146	-292
Total External Project Trips	9,308	340	411	751	318	242	560

The comparison between the Project Trip Generation and the Analyzed Project Trip Generation results in the latest Project site plan decreasing the daily trips and the AM peak hour trips while increasing the PM peak hour trips. As can be seen on Table 3.7-7, the Latest Project Site Plan results in a decrease of 77 daily trips, a decrease of 65 AM peak hour trips and an increase of 7 PM peak hour trips. Due to the increase being miniscule, it is in the opinion of JLB that the findings of this analysis would not be affected by an increase of 7 trips in the PM peak period. Given that the PM peak is the only peak that is estimated to generate more traffic and that it only generates 7 more peak hour trips than originally analyzed. This miniscule increase in traffic during the PM peak is not projected to result in changes to the LOS, queuing or recommendations presented within this report. As such, it is JLB's opinion that this analysis effectively analyzes the latest Project site plan.

Table 3.7-7
Difference in Project Trip Generation

<i>Land Use (ITE Code)</i>	<i>Daily</i>	<i>AM (7-9) Peak Hour</i>			<i>PM (4-6) Peak Hour</i>		
	<i>Total</i>	<i>In</i>	<i>Out</i>	<i>Total</i>	<i>In</i>	<i>Out</i>	<i>Total</i>
Project Trip Generation	9,231	306	380	686	326	241	567
Analyzed Trip Generation	9,308	340	411	751	318	242	560
Difference in Trip Generation	-77	-34	-31	-65	8	-1	7

Project Trip Distribution

The trip distribution assumptions were developed based on existing travel patterns, the Fresno COG Project Select Zone, the existing roadway network, engineering judgment, data provided by the developer, knowledge of the study area, existing residential and commercial densities and the City of Selma General Plan Update 2035 Circulation Element in the vicinity of the Project site.

The Project's trip generation data was provided to Fresno COG in order to conduct a Project-specific Traffic Analysis Zone (TAZ) analysis using the Fresno COG ABM (Cumulative Year 2046). The Fresno COG Project Select Zone results provided by Kittelson & Associates are contained in Appendix C. Figure 4 of the TIA (See Appendix F) illustrates the Project Only Trips at the study intersections.

Study Scenario Evaluations

The roadway networks, traffic signal warrants and level of service analysis were individually evaluated for each study scenario mentioned previously. See Appendix F for all additional figures and tables.

Existing Plus Project Scenario:

Roadway Network - The Existing plus Project Traffic Conditions scenario assumes that the existing roadways geometrics and traffic controls will remain in place with the following exceptions: the addition of the Project with its access points, modifications to the intersection of Walmart Main Driveway at Floral Avenue to a four-legged intersection with protected left-turn phasing, the extension of Stillman Street west and the construction of the Future North-South Road along the western boundary of the Project between Floral Avenue and Stillman Street.

Traffic Signal Warrants - Warrant 3 was prepared for the unsignalized intersections under the Existing plus Project Traffic Conditions scenario. These warrants are found in Appendix J. Under this scenario, only the intersection of Highland Avenue at Rose Avenue satisfies Warrant 3. Based on the traffic signal warrants, operational analysis and engineering judgement, it is recommended that the intersection of Highland Avenue at Rose Avenue be signalized.

Results of Existing plus Project Level of Service Analysis - Under this scenario, the intersection of Highland Avenue at Rose Avenue is projected to exceed its LOS threshold during the PM peak period. All other study intersections are projected to continue operating at an acceptable LOS during both peak periods. The following improvements are recommended to improve the LOS at this intersection.

- Highland Avenue / Rose Avenue
 - o Add an eastbound left-turn lane;
 - o Modify the eastbound left-through lane to a through-right lane;
 - o Remove the eastbound right-turn lane;
 - o Add a westbound left-turn lane;
 - o Modify the westbound left-through-right lane to a through-right lane; and

- o Signalize the intersection with protective left-turn phasing in all directions.

Near Term plus Project Scenario

Description of Near Term Projects:

Near Term Projects are approved and/or known Projects that are either under construction, built but not fully occupied, are not built but have final site development review (SDR) approval or for which the lead agency or responsible agencies have knowledge of. The City of Selma staff were consulted throughout the preparation of this Report regarding approved and/or known projects that could potentially impact the study intersections and study segment. JLB staff conducted a reconnaissance of the surrounding area to confirm the Near Term Projects. Therefore, the Near Term Projects listed in Table 3.7-8 were approved, near approval, or in the pipeline within the proximity of the proposed Project. The trip generation listed in Table 3.7-8 is that which is anticipated to be added to the roadway network by the Near Term Projects between the time of the preparation of this Report and five years after buildout of the proposed Project. As shown in Table 3.7-8, the total trip generation for the Near Term Projects is 52,746 daily trips, 2,022 AM peak hour trips and 3,985 PM peak hour trips.

Table 3.7-8
Near Term Projects' Trip Generation

<i>Near Term Project ID</i>	<i>Near Term Project Name</i>	<i>Daily Trips</i>	<i>AM Peak Hour</i>	<i>PM Peak Hour</i>
A	Amberwood (portion of) ³	5,270	389	484
B	Canales (portion of) ³	4,318	118	407
C	Selma Crossings (Portion of) ³	9,595	362	879
D	Selma Grove (portion of) ²	11,519	316	1,066
E	TT 6109 ²	2,974	233	312
F	V5 Commercial ³	2,552	68	221
G	NEQ Nebraska and Highland Development ¹	7,589	228	271
H	SWQ Nebraska and Highland Development ¹	8,431	272	295
I	Selma Auto Body	498	36	50
Total Near Term Project Trips		52,746	2,022	3,985

Note: 1 = Trip Generation prepared by JLB Traffic Engineering, Inc. based on readily available information
 2 = Trip Generation based on a JLB Traffic Engineering, Inc. Traffic Impact Analysis Report
 5 = Trip Generation based on a Traffic Impact Analysis Report by another Traffic Engineering Firm

Roadway Network - The Near Term plus Project Traffic Conditions scenario assumes that the Existing plus Project Traffic Conditions roadway geometrics and traffic controls will remain in place.

Traffic Signal Warrants - Warrant 3 was prepared for the unsignalized intersections under the Near Term plus Project Traffic Conditions scenario. These warrants are found in Appendix J of the TIA (See Appendix F). Under this scenario, only the intersection of Highland Avenue at Rose Avenue satisfies Warrant 3. Based on the traffic signal warrants, operational analysis and engineering judgement, it is recommended that the intersection of Highland Avenue at Rose Avenue be signalized.

Level of Service Analysis - Under this scenario, the intersections of Future North-South Road at Floral Avenue, Highland Avenue at Floral Avenue and Highland Avenue at Rose Avenue are projected to exceed their LOS threshold during the PM peak period. All other study intersections are projected to continue operating at an acceptable LOS during both peak periods. The following improvements are recommended to improve the LOS at this intersection.

- Future North-South Road / Floral Avenue
 - o Modify the eastbound left-through-right lane to a left-through lane;
 - o Add an eastbound through lane with a receiving lane east of Future North-South Road;
 - o Add an eastbound right-turn lane;
 - o Modify the westbound left-through-right lane to a left-through lane; and
 - o Add a westbound through-right lane with a receiving lane west of Future North-South Road.
- Highland Avenue / Floral Avenue
 - o Add a second eastbound left-turn lane; and
 - o Modify the traffic signal to accommodate the added lane.
- Highland Avenue / Rose Avenue
 - o Add an eastbound left-turn lane;
 - o Modify the eastbound left-through lane to a through-right lane;
 - o Remove the eastbound right-turn lane;
 - o Add a westbound left-turn lane;
 - o Modify the westbound left-through-right lane to a through-right lane; and
 - o Signalize the intersection with protective left-turn phasing in all directions.

Cumulative Year 2046 No Project Scenario:

Roadway Network – The Cumulative Year 2046 No Project Traffic Conditions scenario assumes that the Existing Traffic Conditions roadway geometrics and traffic controls will remain in place.

Traffic Signal Warrants - Warrant 3 was prepared for the unsignalized intersections under the Cumulative Year 2046 No Project Traffic Conditions scenario. These warrants are contained in

Appendix J. Under this scenario, the intersections of DeWolf Avenue at Floral Avenue and Highland Avenue at Rose Avenue are projected to satisfy Warrant 3 during one or both peak periods. Based on the traffic signal warrants, operational analysis and engineering judgement, it is recommended that the City only consider implementing traffic signal controls at the intersection of Highland Avenue at Rose Avenue.

Level of Service Analysis - Under this scenario, the intersections of Highland Avenue at Golden State Boulevard, DeWolf Avenue at Floral Avenue, SR 99 Southbound Off-Ramp at Floral Avenue, Highland Avenue at Floral Avenue and Highland Avenue at Rose Avenue are projected to exceed their LOS threshold during one or both peak periods. All other study intersections are projected to continue operating at an acceptable LOS during both peak periods. The following improvements are recommended to improve the LOS at this intersection. Additional improvements are recommended to the intersections of Walmart Main Driveway at Floral Avenue and SR 99 Northbound Off-Ramp at Floral Avenue in order to address queuing issues at these intersections.

- Highland Avenue / Golden State Boulevard
 - o Add a southbound left-turn lane;
 - o Modify southbound left-through lane to a through-right lane;
 - o Remove the southbound right-turn lane; and
 - o Modify the phasing scheme to protective left-turn phasing in all directions.
- DeWolf Avenue / Floral Avenue
 - o Add a westbound left-turn lane;
 - o Modify the westbound left-through-right lane to a through-right lane; and
 - o Modify the intersection control to an all-way stop.
- Walmart Main Driveway / Floral Avenue
 - o Restripe the southbound right-turn lane to a left-right lane.
- SR 99 Southbound Off-Ramp / Floral Avenue
 - o Restripe the southbound through lane to a through-right lane.
- Highland Avenue / Floral Avenue
 - o Add a second eastbound left-turn lane;
 - o Add a westbound right-turn lane; and
 - o Modify the phasing scheme to include overlap phases for the southbound right-turn with the eastbound left turn and the eastbound right-turn with the northbound left turn.
- SR 99 Northbound Off-Ramp / Floral Avenue
 - o Remove the northbound right-turn lane; and

- o Add a northbound left-right lane.
- Highland Avenue / Rose Avenue
 - o Add an eastbound left-turn lane;
 - o Modify the eastbound left-through lane to a through-right lane;
 - o Remove the eastbound right-turn lane;
 - o Add a westbound left-turn lane;
 - o Modify the westbound left-through-right lane to a through-right lane; and
 - o Signalize the intersection with protective left-turn phasing in all directions.

Cumulative Year 2046 plus Project Traffic Conditions

Roadway Network - The Cumulative Year 2046 plus Project Traffic Conditions scenario assumes that the Near Term plus Project Traffic Conditions roadway geometrics and traffic controls will remain in place with one exception. It is anticipated that the existing driveway for Toyota of Selma will be shifted to the west as the Selma Grove development continues to be developed.

Traffic Signal Warrants - Warrant 3 was prepared for the unsignalized intersections under the Cumulative Year 2046 plus Project Traffic Conditions scenario. These warrants are contained in Appendix J of the TIA (See Appendix F). Under this scenario, the intersections of DeWolf Avenue at Floral Avenue, Future North-South Road at Floral Avenue and Highland Avenue at Rose Avenue are projected to satisfy Warrant 3 during one or both peak periods. Based on the traffic signal warrants, operational analysis and engineering judgement, it is recommended that the City consider implementing traffic signal controls at the intersections of Future North-South Road at Floral Avenue and Highland Avenue at Rose Avenue.

Level of Service Analysis - Under this scenario, the intersections of Highland Avenue at Golden State Boulevard, DeWolf Avenue at Floral Avenue, Future North-South Road at Floral Avenue, Walmart Main Driveway at Floral Avenue, SR 99 Southbound Off-Ramp at Floral Avenue, Highland Avenue at Floral Avenue and Highland Avenue at Rose Avenue are projected to exceed their LOS threshold during one or both peak periods. All other study intersections are projected to continue operating at an acceptable LOS during both peak periods. The following improvements are recommended to improve the LOS at these intersections. Additional improvements are recommended to the intersection of SR 99 Northbound Off-Ramp at Floral Avenue in order to address queuing issues at this intersection. Three different alternatives were provided for the improvement at the intersection of Future North-South Road at Floral Avenue for the City's consideration.

- Highland Avenue / Golden State Boulevard
 - o Add a southbound left-turn lane;
 - o Modify southbound left-through lane to a through-right lane;
 - o Remove the southbound right-turn lane; and
 - o Modify the phasing scheme to protective left-turn phasing in all directions.
- DeWolf Avenue / Floral Avenue
 - o Add a westbound left-turn lane;
 - o Modify the westbound left-through-right lane to a through-right lane; and
 - o Modify the intersection control to an all-way stop.
- Future North-South Road / Floral Avenue
 - o Alternative 1 – Traffic Signal
 - Modify the eastbound through-right lane to a through lane;
 - Add an eastbound through lane with a receiving lane east of Future North-South Road;
 - Add an eastbound right-turn lane;
 - Add a westbound through with a receiving lane west of Future North-South Road; and
 - Signalize the intersection with permissive phasing in the east-west direction and protected left-turn phasing in the north-south direction.
 - o Alternative 2 – Roundabout
 - Install a roundabout with two lanes on the east and west legs and a single lane on the south leg.
 - o Alternative 3 – One-Way Stop
 - Add an eastbound through lane with a receiving lane east of Future North-South Road;
 - Add an eastbound right-turn lane; and
 - Add a westbound through lane with a receiving lane west of Future North-South Road.
 - As Alternative 3 did not perform within the LOS threshold during the PM peak period, this alternative was omitted from the LOS table and conclusion.
- Walmart Main Driveway / Floral Avenue
 - o Restripe the southbound through-right lane to a left-through-right lane; and
 - o Modify the phasing scheme to split phasing in the north and south directions and protective left turn phasing in the east and west directions.
- SR 99 Southbound Off-Ramp / Floral Avenue

- Restripe the southbound through lane to a through-right lane.
- Highland Avenue / Floral Avenue
 - Add a second eastbound left-turn lane;
 - Add a westbound right-turn lane; and
 - Modify the phasing scheme to include overlap phases for the southbound right-turn with the eastbound left turn and the eastbound right-turn with the northbound left turn.
- SR 99 Northbound Off-Ramp / Floral Avenue
 - Remove the northbound right-turn lane; and
 - Add a northbound left-right lane.
- Highland Avenue / Rose Avenue
 - Add an eastbound left-turn lane;
 - Modify the eastbound left-through lane to a through-right lane;
 - Remove the eastbound right-turn lane;
 - Add a westbound left-turn lane;
 - Modify the westbound left-through-right lane to a through-right lane; and
 - Signalize the intersection with protective left-turn phasing in all directions.

Queuing Analysis

Queuing analyses were completed using SimTraffic output information. SimTraffic output information can change each time the simulation is performed. Synchro provides both 50th and 95th percentile maximum queue lengths (in feet). According to the Synchro manual, “the 50th percentile maximum queue is the maximum back of queue on a typical cycle and the 95th percentile queue is the maximum back of queue with 95th percentile volumes” (Synchro Studio 11 User Guide 2020). See Appendix F for additional tables, figures and methodologies.

The California Highway Design Manual (CA HDM) provides guidance for determining deceleration lengths for the left-turn and right-turn lanes based on design speeds. According to the CA HDM, tapers for right turn lanes are “usually unnecessary since main line traffic need not be shifted laterally to provide space for the right-turn lane. If, in rare instances, a lateral shift were needed, the approach taper would use the same formula as for a left-turn lane” (Caltrans 2019). Therefore, a bay taper length pursuant to the CA HDM would need to be added, as necessary, to the recommended storage lengths.

The storage capacity for the Cumulative Year 2046 plus Project Traffic Conditions shall be based on the SimTraffic output files and engineering judgement. The values in bold presented in Table XIV of the TIA are the projected queue lengths that will likely need to be accommodated by the

Cumulative Year 2046 plus Project Traffic Conditions scenario. At the remaining approaches of the study intersections, the existing storage capacity will be sufficient to accommodate the maximum queue.

Project's Equitable Fair Share

The Project's fair share percentage impact to study intersections projected to fall below their LOS threshold and which are not covered by an existing impact fee program is provided in Table 3.7-9. The Project's fair share percentage impacts were calculated pursuant to the Caltrans Guide for the preparation of Traffic Impact Studies. The Project's pro-rata fair shares were calculated utilizing the Existing volumes, Project Only Trips and Cumulative Year 2046 plus Project volumes. Since the critical peak period for the study facilities was determined to be during the PM peak, the PM peak volumes are utilized to determine the Project's pro-rata fair share. It is recommended that the Project contribute its equitable fair share as listed in Table 3.7-9 for the future improvements necessary to maintain an acceptable LOS. However, fair share contributions should only be made for those facilities or portion thereof currently not funded by the responsible agencies roadway impact fee program(s) or grant funding, as appropriate. For those improvements not presently covered by local and regional roadway impact fee programs or grant funding, it is recommended that the Project contribute its equitable fair share. Payment of the Project's equitable fair share in addition to the local and regional impact fee programs would satisfy the Project's traffic improvement measures. This study does not provide construction costs for the recommended improvement measures; therefore, if the recommended improvement measures are implemented, it is recommended that the developer work with the City of Selma to develop the construction cost estimate(s).

Table 3.7-9
Project's Equitable Fair Share

<i>ID</i>	<i>Intersection</i>	<i>Existing Traffic Volumes (PM Peak)</i>	<i>Cumulative Year 2046 plus Project Traffic Volumes (PM Peak)</i>	<i>Project Only Trips Traffic Volumes (PM Peak)</i>	<i>Project's Fair Share (%)</i>
1	Highland Avenue / Golden State Boulevard	1,402	2,980	53	3.36%
2	DeWolf Avenue / Floral Avenue	382	1,267	54	6.10%
3	Future North-South Road / Floral Avenue	416	2,611	54	2.46%
4	Walmart Main Driveway / Floral Avenue	1,340	3,636	304	13.24%
6	SR 99 Southbound Off-Ramp / Floral Avenue	2,060	4,399	299	12.78%
7	Highland Avenue / Floral Avenue	2,824	5,320	299	11.98%
8	SR 99 Northbound Off-Ramp / Floral Avenue	1,471	2,684	192	15.83%
13	Highland Avenue / Rose Avenue	1,610	2,372	34	4.46%

Note: Project Fair Share = ((Project Only Trips) / (Year 2046 plus Project Traffic Volumes – Existing Traffic Volumes)) * 100

Conclusion

Intersection improvements needed by the year 2046 to maintain or improve the operational level of service of the street system in the vicinity of the project include changes to the intersections of Highland Avenue at Golden State Boulevard, DeWolf Avenue at Floral Avenue, Future North-South Road at Floral Avenue, Walmart Main Driveway at Floral Avenue and Highland Avenue at Rose Avenue. By 2046, these study intersections are projected to exceed their LOS threshold during one or both peak periods. All other study intersections are projected to continue operating at an acceptable LOS during both peak periods. The following improvements will improve the LOS at these intersections. Additional improvements are recommended to the intersection of SR 99 Southbound Off-Ramp at Floral Avenue in order to address queuing issues at this intersection.

- Highland Avenue / Golden State Boulevard
 - Add a southbound left-turn lane;
 - Modify southbound left-through lane to a through-right lane;
 - Remove the southbound right-turn lane; and
 - Modify the phasing scheme to protective left-turn phasing in all directions.
- DeWolf Avenue / Floral Avenue
 - Add a westbound left-turn lane;
 - Modify the westbound left-through-right lane to a through-right lane; and
 - Modify the intersection control to an all-way stop.
- Future North-South Road / Floral Avenue
 - Alternative 1 – Traffic Signal
 - Modify the eastbound through-right lane to a through lane;
 - Add an eastbound through lane with a receiving lane east of Future North-South Road;
 - Add an eastbound right-turn lane; and
 - Add a westbound through with a receiving lane west of Future North-South Road.
 - Signalize the intersection with permissive phasing in the east-west direction and protected left-turn phasing in the north-south direction.
 - Alternative 2 – Roundabout
 - Install a roundabout with two lanes on the east and west legs and a single lane on the south.
- Walmart main Driveway / Floral Avenue

- Restripe the southbound through-right lane to a left-through-right lane; and
 - Modify the phasing scheme to split phasing in the north and south directions and protective left-turn phasing in the east and west directions.
- SR 99 Southbound Off-Ramp / Floral Avenue
 - Restripe the southbound through lane to a through-right lane.
- Highland Avenue / Floral Avenue
 - Add a second eastbound left-turn lane;
 - Add a westbound right-turn lane; and
 - Modify the phasing scheme to include overlap phases for the southbound right-turn with the eastbound left turn and the eastbound right-turn with the northbound left turn.
- SR 99 Northbound Off-Ramp / Floral Avenue
 - Remove the northbound right-turn lane; and
 - Add a northbound left-right lane.
- Highland Avenue / Rose Avenue
 - Add an eastbound left-turn lane;
 - Modify the eastbound left-through lane to a through-right lane;
 - Remove the eastbound right-turn lane;
 - Add a westbound left-turn lane;
 - Modify the westbound left-through-right lane to a through-right lane; and
 - Signalize the intersection with protective left-turn phasing in all directions.

Additionally, it is recommended that the City consider left-turn and right-turn lane storage lengths as indicated in the Queuing Analysis. Lastly, the Project will contribute its equitable fair share as listed in Table 3.7-9 for the future improvements necessary to maintain an acceptable LOS. Based on the list and recommendations listed above, mitigation measure TRA-1 shall be implemented to reduce potential impacts to a *less than significant level*.

Mitigation Measure:

TRA-1 The Project shall be responsible for paying its fair share cost percentages and/or constructing the recommended improvements identified in the mitigation measures discussion, subject to reimbursement for the costs that are in excess of the Project's

equitable responsibility as determined by the City. This shall be itemized and enforced through conditions of approval or a development agreement, at the discretion of the City, prior to Project implementation.

Impact 3.7-2: *Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?*

Significant and Unavoidable Impact. An analysis of project VMT (vehicle miles traveled) was conducted by JLB Traffic Engineering, Inc. in addition to the previously mentioned TIA, which is the basis of analysis for the discussion below. The VMT report is provided in Appendix G. For the purposes of calculating VMT, this project was divided into three components: Retail, Hotel and Residential. Based on information provided to JLB, the proposed Project is consistent with the City of Selma General Plan Update 2035.

Regulatory Setting and Criteria of Significance

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

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

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

On November 15, 2021, the City of Selma adopted the Fresno County Council of Governments' (COG) VMT Implementation Regional Guidelines and Technical Report (as it is applicable to the City of Selma), Fresno County SB 743 Implementation Regional Guidelines, referred to in this document as the Fresno COG VMT Guidelines. The Fresno COG VMT Guidelines were published in January 2021 and are consistent with the requirements of CEQA Guidelines Sections 15064.3 and 15064.7. The December 2018 Technical Advisory on Evaluating Transportation Impacts in CEQA (Technical Advisory) published by the Governor's Office of Planning and Research (OPR), was utilized as a reference and guidance document in the preparation of the Fresno COG VMT Guidelines.

The Fresno COG VMT Guidelines adopted a screening standard and criteria that can be used to screen out qualified projects that meet the adopted criteria from needing to prepare a detailed VMT analysis. These criteria may be size, location, proximity to transit or trip making potential. In general, development projects that are consistent with the City's General Plan and Zoning and that meet one or more of the following criteria can be screened out from a quantitative VMT analysis.

1. Project Located in a Transit Priority Area/High Quality Transit Corridor (within 0.5 miles of a transit stop)
2. Project is local-serving retail of less than 50,000 square feet
3. Project has a high level of affordable-housing units
4. Project is a low trip generator (Less than 500 average daily trips)
5. Project is located in a low VMT zone
6. Project is an institutional/government and public service uses

This screening tool is consistent with the OPR December 2018 Guidance referenced above. The screening tool includes an analysis of those portions of the city that satisfy the standard of reducing VMT by 13% from existing per capita and per employee VMT averages within the relevant region. The relevant region adopted by the County of Fresno VMT Guidelines is Fresno County.

However, the Fresno COG VMT Guidelines Section 3.1 regarding Development Projects states that "If a project constitutes a General Plan Amendment (GPA) or a Zone Change (ZC), none of the screening criteria may apply." This particular Project does not include a General Plan

Amendment; however, none of the screening criteria were met by the Project. As such, a quantitative VMT Analysis will be conducted.

For projects that are not screened out, a quantitative analysis of VMT impacts must be prepared and compared against the adopted VMT thresholds of significance. The Fresno COG VMT Guidelines document includes thresholds of significance for development projects, transportation projects and land use plans. These thresholds of significance were developed using the County of Fresno as the applicable region, and the required reduction of VMT (as adopted in the Fresno COG VMT Guidelines) corresponds to Fresno County's contribution to the statewide GHG emission reduction target. In order to reach the statewide GHG reduction target of 15%, Fresno County must reduce its GHG emissions by 13%. The method of reducing GHG by 13% is to reduce VMT by 13% as well.

VMT is simply the product of a number of trips and those trips' lengths. The first step in a VMT analysis is to establish the baseline average VMT, which requires the definition of a region. The Fresno County SB 743 Implementation Regional Guidelines for the City of Selma provide that the Fresno County average VMT per Capita (appropriate for residential land uses) and Employee (appropriate for office/commercial non-retail land uses) are 16.1 and 25.6, respectively. The City's threshold targets a 13% reduction in VMT for residential and office/commercial non-retail land uses.

The City's adopted thresholds for development projects correspond to the regional averages modeled by Fresno COG's ABM. For residential and non-residential (except retail) development projects, the adopted threshold of significance is a 13% reduction. This means that projects that generate VMT in excess of a 13% reduction from the existing regional VMT per capita or per employee would have a significant environmental impact. Projects that reduce VMT by 13% or more are less than significant. The adopted threshold for retail projects is no net increase in Regional VMT when compared to the existing Regional VMT. The adopted threshold for "Other" land use projects is no net increase to the regional VMT per employee.

The threshold for the Residential component is a maximum of $(16.10 \times (1.00 - 0.13) = 14.01)$ 14.01 VMT per capita. The threshold for the Hotel component is a maximum of 25.60 VMT per employee as the Hotel falls under the "Other" land use. The threshold for Retail component is a net zero (0) increase in regional VMT for retail land uses.

VMT Analysis Results

Table 3.7-10 displays the Project VMT per Capita of 23.14 for the Residential component, Table 3.7-11 displays the Project VMT per Employee of 33.64 for the Hotel component and Table 3.7-12

displays the total Regional VMT including the Project of 21,873,921 for the Retail component. These table also display the respective threshold for each Project component. As can be seen in the tables below, the Residential and Hotel components have a significant VMT impact before mitigation; however, the Retail component has a less than significant VMT impact.

Table 3.7-10: Residential VMT Results

VMT Measurement	Fresno COG plus Project VMT Results¹	City of Selma VMT Threshold²	Significant VMT Impact Before Mitigations?
VMT / Capita	23.14	14.01	Yes

Note: 1 = VMT Results from Kittelson & Associates per Fresno COG ABM

2 = VMT Thresholds and Mitigations per Fresno County SB 743 Implementation Regional Guidelines

Table 3.7-11: Hotel VMT Results

VMT Measurement	Fresno COG plus Project VMT Results¹	City of Selma VMT Threshold²	Significant VMT Impact Before Mitigations?
VMT / Employee	33.64	25.60	Yes

Note: 1 = VMT Results from Kittelson & Associates per Fresno COG ABM

2 = VMT Thresholds and Mitigations per Fresno County SB 743 Implementation Regional Guidelines

Table 3.7-12: Retail VMT Results

VMT Measurement	Fresno COG plus Project VMT Results¹	City of Selma VMT Threshold²	Significant VMT Impact Before Mitigations?
Total Regional VMT	21,873,921	21,907,453	No

Note: 1 = VMT Results from Kittelson & Associates per Fresno COG ABM

2 = VMT Thresholds and Mitigations per Fresno County SB 743 Implementation Regional Guidelines

The VMT mitigation measures considered for this Project include those appropriate for the respective land use as noted in the Fresno COG Guidelines. Note that these mitigation measures have been included in the Project design. Appendix A presents a summary of the VMT reduction associated with each mitigation measure utilized. The selected VMT reduction rates appropriate for the Project were based on the *Quantifying Greenhouse Gas Mitigation Measures: A Resource for Local Government to Assess Emission Reductions from Greenhouse Gas Mitigation Measures* published by the California Air Pollution Control Officers Association (CAPCOA). The mitigation measures accounted for include increased density, increased diversity of urban and suburban developments, integrated affordable housing, improved design of development, pedestrian network improvements and traffic calming measures. Again, these mitigation measures were determined based off of current design parameters and location. Measures that are considered combined strategies were not included a part of the reductions per CAPCOA guidance.

It is anticipated that the Project will benefit from the effects of internal capture as a result of having a mixture of residential, retail and hotel within the project. The daily percentage of internal capture was calculated for both the Residential and Hotel components. The daily internal capture percentage is estimated to be 17.94% ($588 / 3,277 * 100 = 17.94\%$) for the Residential component and 12.30% ($118 / 959 * 100 = 12.30\%$) for the Hotel component. The percent reduction to VMT

from internal capture considers that a portion of estimated internal capture reduction has already been accounted for in the model. The number of trips that were internally captured in the model were subtracted from this percentage. Therefore, the percent reduction to VMT from internally captures trips is estimated to be 13.24% $((588 - 154) / 3,277 * 100 = 12.44\%)$ for the residential component and 5.53% $((118-65) / 959 = 5.53\%)$ for the Hotel component.

As can be seen in Table 3.7-13, the mitigation measures result in a reduction of 1.43 VMT per Capita and the internal capture results in a reduction of 3.06 VMT per Capita to the Residential component. As can be seen in Table 3.7-14, the mitigation measures result in a reduction of 2.27 VMT per Employee and the internal capture results in a reduction of 1.86 VMT per Employee to the Hotel component. After the application of the VMT mitigation measures and internal capture, the Project has a VMT per Capita of 18.65 for the Residential component and a VMT per Employee of 29.51 for the Hotel component. In conclusion, despite reductions from VMT mitigations and internal capture, there are significant VMT impacts associated with the Residential and Hotel components of this Project.

Table 3.7-13: Residential VMT Mitigations

VMT Measurement	Fresno COG plus Project VMT Results¹	City of Selma VMT Threshold²	Reduction in VMT from Mitigations²	Reduction in VMT from Internal Capture	VMT After Mitigations²	Significant VMT Impact After VMT Mitigations?
VMT / Capita	23.14	14.01	1.43	3.06	18.65	Yes

Note: 1 = VMT Results from Kittelson & Associates per Fresno COG ABM

2 = VMT Thresholds and Mitigations per Fresno County SB 743 Implementation Regional Guidelines

Table 3.7-14: Hotel VMT Mitigations

VMT Measurement	Fresno COG plus Project VMT Results¹	City of Selma VMT Threshold²	Reduction in VMT from Mitigations²	Reduction in VMT from Internal Capture	VMT After Mitigations²	Significant VMT Impact After VMT Mitigations?
VMT / Employee	33.64	25.60	2.27	1.86	29.51	Yes

Note: 1 = VMT Results from Kittelson & Associates per Fresno COG ABM

2 = VMT Thresholds and Mitigations per Fresno County SB 743 Implementation Regional Guidelines

VMT Analysis Summary

In conclusion, per the Fresno COG ABM, before internal capture and mitigations, the VMT of the residential component is projected to be 23.14 per Capita. After incorporating mitigation of 1.43 VMT per Capita and internal capture reduction of 3.06 VMT per Capita, the VMT of the residential component is projected to be 18.65 VMT per Capita, resulting in significant VMT impacts associated with the market rate residential component of the proposed Project.

Also per the Fresno COG ABM and before internal capture and mitigation, the VMT of the Hotel component is project to be 33.64 VMT per employee; however, after mitigation of 2.27 VMT per employee and internal capture reduction of 1.86, the hotel VMT component is projected to be

29.51 VMT per employee, which greater than the City's 25.60 VMT per Capita significance threshold for 'other' land uses, such as the hotel.

Lastly, per the Fresno COG ABM, the total regional VMT including the Retail component is projected to be 21,873,921 while the total regional VMT excluding the Retail component is projected to be 21,907,453. As such, there is no net VMT gain associated with the Retail component and impacts are less than the City's significance threshold.

Therefore, because these Project components exceed the corresponding thresholds of significance regarding residential land uses and 'other' land uses, there are ***significant and unavoidable VMT impacts*** associated with the proposed Project. See Mitigation Measures utilized for VMT reduction below.

Mitigation Measures:

Discussion

For land development projects, VMT mitigation focuses on measures that reduce the number and/or length of single-occupant vehicle trips generated by a project. One source of potentially feasible VMT reduction measures, as referenced in the VMT Guidelines, is the *Handbook for Analyzing Greenhouse Gas Emission Reductions, Assessing Climate Vulnerabilities, and Advancing Health and Equity: Designed for Local Governments, Communities, and Project Developers*, California Air Pollution Control Officers Association, December 2021 (CAPCOA Handbook).

A summary of the VMT reduction associated with each mitigation measure utilized in the VMT Analysis is presented in Table 3.7-15.

Table 3.7-15:
Mitigation Measure Summary

Selma Casitas Perea VMT Analysis				
TAZ:			2856	2858
Land Use:			Residential	Hotel
Fresno COG VMT Output:			23.14	33.64
City of Selma VMT Threshold:			14.01	25.60
% deviation from target threshold:			65.17%	31.41%
Measure	VMT Mitigation	Grouped	VMT Reduction Rate (%)	
Land Use/Location				
LUT-1	Increase Density	N/A	11.13%	3.21%
LUT-2	Increase Location Efficiency	N/A	N/A	N/A
LUT-3	Increase Diversity of Urban and Suburban Developments	N/A	22.24%	22.24%
LUT-4	Increase Destination Accessibility	N/A	19.17%	19.17%
LUT-5	Increase Transit Accessibility	N/A	N/A	N/A
LUT-6	Integrate Affordable and Below Market Rate Housing	N/A	1.20%	N/A
LUT-7	Orient Project Toward Non-Auto Corridor	LUT-3	N/A	N/A
LUT-8	Locate Project near Bike Path/Bike Lane	LUT-4	N/A	N/A
LUT-9	Improve Design of Development	N/A	21.30%	21.30%
Land Use/Location Category VMT Reduction (%)			30.90%	23.83%
Max. Land Use/Location Category VMT Reduction (%)			5.00%	5.00%
Neighborhood/Site Enhancements				
SDT-1	Provide Pedestrian Network Improvements	N/A	2.00%	2.00%
SDT-2	Provide Traffic Calming Measures	N/A	0.25%	0.25%
SDT-3	Implement a Neighborhood Electric Vehicle (NEV) Network	N/A	N/A	N/A
SDT-4	Create Urban Non-Motorized Zones	SDT-1	N/A	N/A
SDT-5	Incorporate Bike Lane Street Design (on-site)	LUT-9	N/A	N/A
SDT-6	Provide Bike Parking in Non-Residential Projects	LUT-9	N/A	N/A
SDT-7	Provide Bike Parking with Multi-Unit Residential Projects	LUT-9	N/A	N/A
SDT-8	Provide Electric Vehicle Parking	SDT-3	N/A	N/A
SDT-9	Dedicate Land for Bike Trails	LUT-9	N/A	N/A
Neighborhood/Site Enhancements Category VMT Reduction (%)			2.25%	2.25%
Max. Neighborhood/Site Enhancements Category VMT Reduction (%)			5.00%	5.00%
Transportation Cross-Category VMT Reduction (%)			7.14%	7.14%
Max. Transportation Cross-Category VMT Reduction (%)			10.00%	10.00%
VMT Mitigation Calculations				
TAZ:			2856	2858
Land Use:			Residential	Hotel
Fresno COG VMT Output:			23.14	33.64
Internal Capture VMT Reduction:			-3.06	-1.86
Mitigation VMT Reduction:			-1.43	-2.27
Project VMT after Mitigations:			18.65	29.51
City of Selma VMT Threshold:			14.01	25.60
Target VMT Satisfied?			FALSE	FALSE

Mitigation Measure TRA-2 will be implemented.

TRA-2: The Project shall implement all VMT mitigation measures identified in Table 3.17-5 which have already been included in the Project design. These

improvements shall be itemized and enforced through conditions of approval or a development agreement, at the discretion of the City, prior to Project implementation.

Despite implementation of mitigation measures, Project VMT analysis showed a residential and hotel VMT which was in exceedance of the corresponding significance thresholds, which constitutes a *significant and unavoidable impact*.

Cumulative Impacts

The potential for cumulative transportation impacts exists where there are multiple projects proposed in an area that have overlapping operational phases that could affect similar resources. Projects with overlapping schedules for operations could result in a substantial contribution to increased traffic levels throughout the surrounding roadway network. The proposed Project, when considered with nearby, reasonably foreseeable planned projects, would result in a cumulatively considerable and unavoidable impact as described below in Impact 3.7-2.

Impact 3.7-1: Less Than Cumulatively Considerable. As discussed above, the cumulative year 2046 plus project traffic conditions would result in significant impacts prior to mitigation measures. However, implementation of mitigation measure TRA – 1, which includes improvements to a number of intersections and roadway segments, considerations of left- and right-turn storage lengths as per the Queuing Analysis, and the Project’s contribution of its equitable fair share of improvements necessary to maintain acceptable LOS, will reduce the Project’s impact. As such, implementation of the proposed Project would not make a cumulatively considerable contribution to any significant impact to the City’s circulation system.

Impact 3.7-2: Cumulatively Considerable and Unavoidable. VMT is generally evaluated on a project-by-project basis (rather than in a cumulative manner) because each individual project is evaluated relative to its proximity to other land uses when calculating VMT. As discussed previously, the total regional VMT including the residential and hotel VMT components of the project exceed the City of Selma VMT significance thresholds. Mitigation measures will result in a reduction of VMT for both components. However, these mitigation measures fail to reduce the residential and hotel VMT to below the significance threshold. At full build out, the residential and hotel components of the Project cannot be mitigated to a less than significant level. Therefore, the proposed Project will conflict with the City’s adopted General Plan and Circulation Element. After implementation of all feasible mitigation (TRA – 2), which have already been included in the Project design, the impact remains *cumulatively considerable and unavoidable*.

3.8 Utilities and Service Systems

This section of the DEIR identifies potential impacts of the proposed Project pertaining to water supply and infrastructure, wastewater service, solid waste and other utility services. To assist in evaluation of this environmental impact, an SB 610 Water Supply Analysis (Appendix E) was prepared. No NOP comments were received regarding utilities or service systems.

Environmental Setting

Project Site

As described in Chapter 2.1, the Project site is located on approximately 75.31-acres and is located adjacent to the western City of Selma limits in Fresno County in the central San Joaquin Valley. The proposed development site will occur on APN 385-230-33 and is approximately 36.21 acres. No development is proposed for the remaining 36.21 acres to be annexed. The site is located west of Highland Avenue, north of Rose Avenue and south of E. Floral Avenue. The site is predominantly surrounded by agricultural land, rural residential homes and commercial developments. The Project site is underlain with approximately 52.9% Delhi loamy sand, (0-3 percent slopes, MLRA 17), with the remaining soils on the parcel consisting of 28.0 % Hanford sandy loam and Delhi sand (0-3 percent slopes, MLRA 17).¹ The site is nearly flat and averages approximately 310 feet above mean sea level, with a slight low spot in the very center of the parcel.² The City of Selma is located approximately 12 miles southeast of Fresno, in a topographic and structural basin that is bounded on the east by the Sierra Nevada mountains and on the west by the Coats Ranges. The City is in the center of the southern portion of the Great Valley Geomorphic Province, more commonly referred to as the San Joaquin Valley.

The entire site is outside the Selma City limits but within the City's planned growth area, the Specific Urban Development Plan (SUDP) and Sphere of Influence (SOI). The site has historically been a vacant commercial property; therefore, there is no historical water use at the site.³ The proposed Project's demands are not considered to be within the projected growth anticipated by

¹ USDA, NCRS. Custom Soil Resource Report, Eastern Fresno Area California.

https://websoilsurvey.sc.egov.usda.gov/WssProduct/i2fo0iqcege3oeiybfuijbh3/GN_00000/20241121_15495303751_59_Soil_Report.pdf

² Google Earth Pro, November 2024.

³ Water Supply Assessment and Water Supply Verification for the Casitas Selma Mixed-Use Development Project. EKI Environment & Water, Inc. November 2024. See Appendix E.

the 2020 UWMP. Total water demands for the Proposed Project are therefore considered additive to the District's projected demands.

The Selma District of California Water (Cal Water) is responsible for the maintenance and operation of the City's drinking water production and distribution system.⁴ The production system is composed of storage tanks, booster pumps, water wells, and more than 80 miles of pipeline. Cal Water delivers 5.9 million gallons of water per day from deep beneath the ground to 6,500 customers.

Upon annexation, the site will be added to the Selma District's service area. Additional off-site improvements will ensure the City has adequate pipeline to service the Project area (See Chapter 2.2 – Project Description, for detailed off-site improvements). The Project will require connection to the City's wastewater treatment (sewer) system and will require other utilities such as electrical and solid waste. Each utility is discussed individually herein.

Local Groundwater Basin

The City of Selma is located within the geomorphic province known as the Central Valley, which is divided into the Sacramento Valley and the San Joaquin Valley. The groundwater underlying the City is part of the larger San Joaquin Valley Groundwater Basin within the San Joaquin River Hydrologic Region. The San Joaquin Valley Groundwater Basin is further subdivided into nine subbasins, including the Kings Subbasin (Subbasin 5-022.08). The City lies entirely within the Kings Subbasin, which covers approximately 981,325 acres (1,533 square miles).⁵

Groundwater pumped from the Subbasin is the only source of the City's potable water supply. The groundwater basin underlying the City is the Kings Subbasin within the San Joaquin Valley Basin. Although the Kings Subbasin is not adjudicated, the Department of Water Resources (DWR) has determined that the Kings Subbasin as a critically over-drafted basin and is classified as high priority, based on 2019 Sustainable Groundwater Management Act Basin Prioritization (SGMA-BP).⁶

There are seven Groundwater Sustainability Agencies (GSA's) that govern the Kings Subbasin. These GSAs include: the CKGSA, North Fork Kings GSA, South Kings GSA, McMullin Area GSA,

⁴ City of Selma, Cal Water. District Information. <https://www.calwater.com/district-information/?dist=sel>. Accessed November 2024.

⁵ Water Supply Assessment and Water Supply Verification for the Casitas Selma Mixed-Use Development Project. EKI Environment & Water, Inc. November 2024. Page 30.

⁶ Ibid.

Kings River East GSA, North Kings GSA, and James GSA. The Selma District falls within the jurisdiction of the CKGSA (Central Kings GSA), which covers an area of 141,452 acres in the east-central portion of the Subbasin, including the entirety of the CID, the City, the community of Caruthers, the Selma Kingsburg-Fowler sanitation district, and a number of smaller communities and properties.⁷

In 2020, the GSAs coordinated to prepare seven GSPs within the Subbasin (i.e., CKGSA GSP, James GSA GSP, Kings River GSA GSP, McMullin Area GSA GSP, North Fork Kings GSA GSP, and South Fork Kings GSA GSP), but certain technical efforts (e.g., development of the Kings Basin Water Budget) were cooperatively developed through a Coordination Agreement.⁸

Projects and management actions to support achievement of the Subbasin's sustainability goal under SGMA are proposed by the GSAs and documented in their respective GSPs. The main program proposed by the CKGSA GSP to address overdraft conditions in the Subbasin is to increase surface water infiltration through conversion of farmland to dedicated intentional recharge projects with the intention of stabilizing the water table at current levels by 2040. Other projects include a surface water-groundwater interconnection data analysis to fill existing data gaps, and a domestic well mitigation program for mitigating domestic wells that go dry or are in imminent threat of going dry.⁹

Existing Water Infrastructure

The Selma District operates the Public Water System (PWS) listed in Table 3.8-1. Public Water Systems are the systems that provide drinking water for human consumption and are regulated by the State Water Resources Control Board (SWRCB), Division of Drinking Water. The SWRCB requires that water agencies report water usage and other relevant PWS information via the electronic Annual Reports to the Drinking Water Program (eARDWP). These data are used by the state to determine, among other things, whether an urban retail water supplier has reached the threshold (3,000 or more connections or 3,000 acre-feet of water supplied) for submitting an UWMP.¹⁰

⁷ Ibid, page 32.

⁸ Ibid.

⁹ Ibid, page 34.

¹⁰ 2020 City of Selma Urban Water Management Plan (UWMP). Selma District, June 2021. Page 18.
https://www.calwater.com/docs/uwmp2020/SEL_2020_UWMP_FINAL.pdf. Accessed November 2024.

Table 3.8-1
Public Water Systems¹¹

Public Water System Number	Public Water System Name	Number of Municipal Connections 2020	Volume of Water Supplied 2020
CA1010024	Selma	6,384	4,592
TOTAL		6,384	4,592
NOTES: (a) Volumes are in units of AF.			

Existing Wastewater Infrastructure

The Selma District relies on and coordinates with the Selma-Kingsbury-Fowler County (SKF) Sanitation District for wastewater treatment. The SKF Sanitation District operates and maintains the sewer system and provides wastewater treatment service for the Selma District.¹²

The City's sewer system consists of gravity sewers and pumping stations to collect wastewater from residential, commercial, and industrial customers. The collected wastewater is conveyed to the SKF Wastewater Treatment and Disposal Facilities which have a capacity to treat 8.0 million gallons per day (MGD) but currently receive 4.3 MGD from residential and commercial customers. Currently, no wastewater is recycled for direct reuse within the Selma District service area. The cost of implementation of a recycled water system in the District is not planned at this time and will likely only be considered if conditions related to District supply change significantly in the future.¹³

The proposed Project will require connection to the City's sewer/wastewater system and will be responsible for construction of connection points to the City's existing sewer/wastewater infrastructure.

Solid Waste

The City of Selma, through a private contractor, Mid-Valley Disposal, provides weekly curbside solid waste collection services to all households and businesses within the City limits. Solid waste is taken to the American Avenue Landfill, which is operated by the County and is located on American Avenue, about 6.5 miles southwest of the City of Kerman. The County has plans to

¹¹ Ibid, Page 18.

¹² Ibid, Page 56.

¹³ Ibid, Page 56 & 57.

expand this landfill in three phases when demand warrants. The County currently has permits to use all three phases of the 440-acre site, but only expand when necessary. The estimated total capacity after all three phases of expansion is 32,700,000 cubic yards. According to the Fresno County Public Works Department, the County's Solid Waste Division has indicated that "...it is estimated that the landfill will be able to continue operations until 2031 when it will be full and will have to be closed."¹⁴

Electrical and Natural Gas

Electricity

Electricity, a consumptive utility, is a man-made resource. The production of electricity requires the consumption or conversion of energy resources, including water, wind, oil, gas, coal, solar, geothermal, and nuclear resources, into energy. The delivery of electricity involves a number of system components, including substations and transformers that lower transmission line power (voltage) to a level appropriate for on-site distribution and use. The electricity generated is distributed through a network of transmission and distribution lines commonly called a power grid. Conveyance of electricity through transmission lines is typically responsive to market demands. The Pacific Gas and Electric Company (PG&E) is the provider of electricity for the City of Selma. Existing trunk and transmission facilities are adequate to meet present and projected demand in the community. Selma recently joined a joint powers authority called the San Joaquin Power Authority.¹⁵

Energy Usage

Energy usage is typically quantified using the British Thermal Unit (BTU). Total energy consumption in California was 6,882 trillion BTU in 2022 (the most recent year for which this specific data is available), which equates to approximately 176 million BTU per capita.¹⁶ Of California's total energy usage, the breakdown by sector is approximately 29 percent transportation, 33 percent industrial, 18 percent commercial, and 21 percent residential.¹⁷ Electricity and natural gas in California are generally consumed by stationary users such as

¹⁴ City of Selma General Plan Update Background Report. June 2008. Page 7-22.

<https://cms9files.revize.com/selma/General%20Plan%20Background%20Report.pdf>. Accessed November 2024.

¹⁵ Ibid. Page 7-20.

¹⁶ U.S. Energy Information Administration, California State Profile and Energy Estimates.

<https://www.eia.gov/state/print.php?sid=CA>. Accessed November 2024.

¹⁷ U.S. Energy Information Agency, Consumption and Efficiency. Recent Data. <https://www.eia.gov/consumption/>. Accessed November 2024.

residences and commercial and industrial facilities, whereas petroleum consumption is generally accounted for by transportation-related energy use.

While BTUs measure total energy usage, electricity is generally measured in kilowatt-hours (kWh) which is the standard billing unit for energy delivered to consumers by electrical utilities. The total electricity consumption, including Residential and Non-Residential, attributable to Fresno County from 2013 to 2022 is shown in Table 3.8-2. As indicated, energy consumption in Fresno County increased approximately 11.7% increase over the 10 years.

Table 3.8-2
Total Electricity Consumption in Fresno County 2013 – 2022¹⁸

Year	Electricity Consumption (in millions of Kilowatt Hours)
2013	7,459
2014	7,626
2015	7,619
2016	7,555
2017	7,361
2018	7,575
2019	7,371
2020	7,936
2021	8,272
2022	8,384

Natural Gas

Natural gas is a combustible mixture of simple hydrocarbon compounds (primarily methane) that is used as a fuel source. Natural gas consumed in California is obtained from naturally occurring reservoirs, mainly located outside the State, and delivered through high-pressure transmission pipelines. The natural gas transportation system is a nationwide network, and, therefore, resource availability is typically not an issue. Natural gas provides almost one-third of

¹⁸ California Energy Commission. Energy Reports. Electricity Consumption by County. <https://ecdms.energy.ca.gov/elecbycounty.aspx>. Accessed November 2024

the state's total energy requirements and is used in electricity generation, space heating, cooking, water heating, industrial processes, and as a transportation fuel.

Natural gas service in Selma is provided by Pacific Gas & Electric and Southern California Gas Company. The total natural gas consumption, including Residential and Non-Residential, attributable to Fresno County from 2013 to 2022 is provided in Table 3.8-3. Natural gas consumption in Fresno County increased approximately 6.1% over the 10-year span.

Table 3.8-3
Natural Gas Consumption in Fresno County 2013 – 2022¹⁹

Year	Natural Gas Consumption (in millions of Therms)
2013	300
2014	295
2015	300
2016	285
2017	341
2018	347
2019	352
2020	326
2021	319
2022	319

Telecommunications

Cellular telephone service is offered to residents of the City of Selma by a number of companies including Verizon, Cingular, Sprint, etc. Calls are placed from cellular phones, which are simply wireless mobile or portable phones that have radio-frequency (RF) transmitters and receivers. The RF signals are received by “cell” sites (hence the name “cellular”), which are RF receiver/transmitter stations situated on towers that are strategically placed to be able to transmit

¹⁹ California Energy Commission. Energy Reports. Gas Consumption by County.
<http://www.ecdms.energy.ca.gov/gasbycounty.aspx> Accessed November 2024.

over or around topographic barriers. Signals from cellular phones are transmitted from cell to cell until they reach a mobile telephone switching office (MTSO) in the local calling area that the caller wishes to reach. Here, the call is linked by MTSO from the cellular network to the local telephone office. The City must approve all cell sites and towers within the region.²⁰

Regulatory Setting

Federal Agencies and Regulations

Clean Water Act (CWA)

The Clean Water Act (CWA) is intended to restore and maintain the chemical, physical, and biological integrity of the nation's waters (33 CFR 1251). The regulations implementing the CWA protect waters of the U.S. including streams and wetlands (33 CFR 328.3). The CWA requires states to set standards to protect, maintain, and restore water quality by regulating point source and some non-point source discharges. Under Section 402 of the CWA, the National Pollutant Discharge Elimination System (NPDES) permit process was established to regulate these discharges.

Safe Drinking Water Act

The Safe Drinking Water Act (SDWA) was established to protect the quality of drinking water in the United States. This SDWA focuses on all waters either designed or potentially designed for drinking water use, whether from surface water or groundwater sources. The SDWA and subsequent amendments authorized the EPA to establish health-based standards, or maximum contaminant levels (MCLs), for drinking water to protect public health against both natural and anthropogenic contaminants. All owners or operators of public water systems are required to comply with these primary (health-related) standards. State governments, which can be approved to implement these primary standards for the EPA, also encourage attainment of secondary (nuisance-related) standards. At the federal level, the EPA administers the SDWA and establishes MCLs for bacteriological, organic, inorganic, and radiological constituents (United States Code Title 42, and Code of Federal Regulations Title 40). At the State level, California has adopted its own SDWA, which incorporates the federal SDWA standards with some other requirements specific only to California (California Health and Safety Code, Section 116350 et seq.).

²⁰ City of Selma, General Plan Update Background Report. June 2008.

<https://cms9files.revize.com/selma/General%20Plan%20Background%20Report.pdf>. Accessed November 2024.

The 1996 Federal SDWA amendments established source water assessment programs pertaining to untreated water from rivers, lakes, streams, and groundwater aquifers used for drinking water supply. According to these amendments, the EPA must consider a detailed risk and cost assessment, as well as best available peer-reviewed science, when developing standards for drinking water. These programs are the foundation of protecting drinking water resources from contamination and avoiding costly treatment to remove pollutants. In California, the Drinking Water Source Assessment and Protection (DWSAP) Program fulfills these federal mandates. The California State Water Resources Control Board: Division of Drinking Water (SWRCB-DDW) is the primary agency for developing and implementing the DWSAP Program and is responsible for performing the assessments of existing groundwater sources.

Federal Emergency Management Agency (FEMA)

The National Flood Insurance Act (1968) makes available federally subsidized flood insurance to owners of flood-prone properties. To facilitate identifying areas with flood potential, Federal Emergency Management Agency (FEMA) has developed Flood Insurance Rate Maps (FIRM) that can be used for planning purposes.

Central Valley Project Improvement Act

The Reclamation Projects Authorization and Adjustment Act of 1992 (Public Law 102-575) includes Title 34, the Central Valley Project Improvement Act (CVPIA). The CVPIA amended the previous authorizations of the California CVP to include fish and wildlife protection, restoration, and mitigation as project purposes having equal priority with irrigation and domestic uses and fish and wildlife enhancement as a project purpose equal to power generation. The CVPIA identifies specific measures to meet the CVPIA's multiple purposes.

State of California Regulations

California Green Building Standards Code

Construction- and demolition-generated (C&D) waste is heavy, inert material. This material creates significant problems when disposed of in landfills. Since C&D debris is heavier than paper and plastic, it is more difficult for counties and cities to reduce the tonnage of disposed waste. For this reason, C&D waste debris has been specifically targeted by the State of California for diversion from the waste stream.

The California Green Building Standards Code (Standards Code) will apply to the construction-related activities of this Project. The purpose of the Standards Code is to improve public health, safety, and general welfare by enhancing the design and construction of buildings using building concepts

that have a positive environmental impact and encouraging sustainable construction practices. The Provisions of the Standards Code shall apply to the design and construction of building structures subject to State regulation.

California Department of Resources Recycling and Recovery (CalRecycle)

CalRecycle is the State agency designated to oversee, manage, and track California's 76 million tons of waste generated each year. It is one of the six agencies under the umbrella of the California Environmental Protection Agency. CalRecycle develops regulations to control and manage waste, for which enforcement authority is typically delegated to the local government. The Board works jointly with local government to implement regulations and fund programs.

Assembly Bill 939 and Senate Bill 1016

The California Integrated Waste Management Act of 1989, or Assembly Bill (AB) 939, established the Integrated Waste Management Board, required the implementation of integrated waste management plans, and mandated that local jurisdictions divert at least 50 percent of all solid waste generated (from 1990 levels), beginning January 1, 2000, and divert at least 75 percent by 2010. Projects that would have an adverse effect on waste diversion goals are required to include waste diversion mitigation measures to assist in reducing these impacts to less-than-significant levels. With the passage of Senate Bill (SB) 1016 (the Per Capita Disposal Measurement System) in 2006, only per capita disposal rates are measured to determine if a jurisdiction's efforts are meeting the intent of AB 939.

State Water Resources Control Board

The State Water Resources Control Board (SWRCB), located in Sacramento, is the agency with jurisdiction over water quality issues in the State of California. The SWRCB is governed by the Porter-Cologne Water Quality Act (Division 7 of the California Water Code), which establishes the legal framework for water quality control activities by the SWRCB. The intent of the Porter-Cologne Act is to regulate activities which may adversely affect the quality of waters of the State to attain the highest water quality which is reasonable, considering a full range of demands and values. The act authorizes the SWRCB to establish water quality principles and guidelines for long-range resource planning including groundwater and surface water management programs and control and use of recycled water. Much of the implementation of the SWRCB's responsibilities is delegated to nine Regional Water Quality Control Boards (RWQCBs). The proposed Project site is located within the jurisdiction of the Central Valley RWQCB.

California Water Code (CWA)

The Federal CWA establishes certain guidelines for the states to follow in developing the programs for the control of surface water pollution and for planning the development and use of water resources. Under certain circumstances, the CWA allows the federal Environmental Protection Agency (EPA) to withdraw the primary responsibility for these programs from states with inadequate implementation mechanisms.

California's primary statute governing water quality and water pollution issues with respect to both surface waters and groundwater is the Porter-Cologne Water Quality Control Act of 1970 (Division 7 of the California Water Code) (Porter-Cologne Act). The Porter-Cologne Act grants the SWRCB and each of the RWQCBs power to protect water quality, and is the primary vehicle for implementation of California's responsibilities under the Federal CWA. The Porter-Cologne Act grants the SWRCB and the RWQCBs authority and responsibility to adopt plans and policies, to regulate discharges to surface and groundwater, to regulate waste disposal sites and to require cleanup of discharges of hazardous materials and other pollutants. The Porter-Cologne Act also establishes reporting requirements for unintended discharges of any hazardous substance, sewage, or oil or petroleum product.

Each RWQCB must formulate and adopt a water quality control plan (Basin Plan) for its region. The regional plans must conform with the policies set forth in the Porter-Cologne Act and established by the State water policy adopted by the SWRCB. The Porter-Cologne Act also provides that a RWQCB may include within its regional plan water discharge prohibitions applicable to particular conditions, areas, or types of waste.

Water Code Section 13260 requires all dischargers of waste that may affect water quality in waters of the state to prepare and provide a water quality discharge report to the RWQCB. Section 13260a-c is as follows:

- (a) Each of the following persons shall file with the appropriate regional board a report of the discharge, containing the information that may be required by the regional board:
 - (1) A person discharging waste, or proposing to discharge waste, within any region that could affect the quality of the waters of the state, other than into a community sewer system.
 - (2) A person who is a citizen, domiciliary, or political agency or entity of this state discharging waste, or proposing to discharge waste, outside the boundaries of the state in a manner that could affect the quality of the waters of the state within any region.

- (3) A person operating, or proposing to construct, an injection well.
- (b) No report of waste discharge need be filed pursuant to subdivision (a) if the requirement is waived pursuant to Section 13269.
- (c) Each person subject to subdivision (a) shall file with the appropriate regional board a report of waste discharge relative to any material change or proposed change in the character, location, or volume of the discharge.

Water Code section 10910 (SB 610)

Water Code section 10910 (SB 610) requires that a lead agency obtain a water supply assessment from an applicable public water system for certain projects subject to the California Environmental Quality Act, which are defined as (a) a residential development of more than 500 dwelling units; (b) a shopping center or business employing more than 1,000 persons or having more than 500,000 square feet of floor space; (c) a commercial office building employing more than 1,000 persons or having more than 250,000 square feet; (d) a hotel or motel with more than 500 rooms; (e) an industrial or manufacturing establishment housing more than 1,000 persons or having more than 650,000 square feet or 40 acres; (f) a mixed use project containing any of the foregoing; or (g) any other project that would have a water demand at least equal to a 500 dwelling unit project. Refer to Impact Section 3.9-2 herein for the discussion pertaining to the Water Supply Assessment that was prepared for the Project.

Regional Water Quality Board

The Central Valley RWQCB administers the NPDES storm water-permitting program in the Central Valley region, including the City of Selma. Construction activities on one acre or more are subject to the permitting requirements of the NPDES General Permit for Discharges of Storm Water Runoff Associated with Construction Activity (General Construction Permit). The General Construction Permit requires the preparation and implementation of a Storm Water Pollution Prevention Plan (SWPPP). The plan must include specifications for Best Management Practices (BMPs) that will be implemented during proposed construction to control degradation of surface water by preventing the potential erosion of sediments or discharge of pollutants from the construction area. The General Construction Permit program was established by the SWRCB and the Central Valley RWQCB for the specific purpose of reducing impacts to surface waters that may occur due to construction activities. BMPs have been established in the California Storm Water Best Management Practice Handbook (2003), and are recognized as effectively reducing degradation of surface waters to an acceptable level. Additionally, the SWPPP describes measures

to prevent or control runoff degradation after construction is complete, and identifies a plan to inspect and maintain these facilities or project elements.

Waste Discharge Requirements

The Central Valley RWQCB typically requires a Waste Discharge Requirements (WDR) permit for any facility or person discharging or proposing to discharge waste that could affect the quality of the waters of the state, other than into a community sewer system. Those discharging pollutants (or proposing to discharge pollutants) into surface waters must obtain an NPDES permit from the Central Valley RWQCB.

The NPDES serves as the WDR. For other types of discharges, such as those affecting groundwater or in a diffused manner (e.g., erosion from soil disturbance or waste discharges to land), a Report of Waste Discharge must be filed with the Central Valley RWQCB in order to obtain a WDR. For specific situations, the Central Valley RWQCB may waive the requirement to obtain a WDR for discharges to land or may determine that a proposed discharge can be permitted more effectively through enrollment in a general NPDES permit or general WDR.

Porter-Cologne Water Quality Control Act

Under the Porter-Cologne Water Quality Control Act, waters of the state fall under the jurisdiction of the appropriate Regional Water Quality and Control Board (RWQCB). Under this act, the RWQCB must prepare and periodically update water quality control basin plans. Each basin plan sets forth water quality standards for surface water and groundwater, as well as actions to control nonpoint and point sources of pollution to achieve and maintain these standards. Projects that affect wetlands or waters must meet waste discharge requirements of the RWQCB, which may be issued in addition to a water quality certification or waiver under CWA Section 401.

Assembly Bill 1881

AB 1881 expanded previous legislation related to landscape water use efficiency. AB 1881, the Water Conservation in Landscaping Act of 2006, enacted landscape efficiency recommendations of the California Urban Water Conservation Council (CUWCC) for improving the efficiency of water use in new and existing urban irrigated landscapes in California. AB 1881 required the DWR to update the existing Model Local Water Efficient Landscape Ordinance and local agencies to adopt the updated model ordinance or an equivalent. The law also requires the California Energy Commission to adopt performance standards and labeling requirements for landscape irrigation equipment, including

irrigation controllers, moisture sensors, emission devices, and valves to reduce the wasteful, uneconomic, inefficient, or unnecessary consumption of energy or water.

Assembly Bill 2882

AB was passed in 2008 and encourages public water agencies throughout California to adopt conservation rate structures that reward consumers who conserve water. AB 2882 clarifies the allocation-based rate structures and establishes standards that protect consumers by ensuring a lower base rate for those who conserve water.

Sustainable Groundwater Management Act

In 2014, California enacted the Sustainable Groundwater Management Act (SGMA) (Water Code §10720 et seq.). SGMA requires that groundwater basins designated by the state Department of Water Resources (DWR) as high priority and/or critically overdrafted must be managed under a Groundwater Sustainability Plan (GSP) that avoids “undesirable results” as defined in the Act within 20 years from January 31, 2020. The GSP must be developed by a Groundwater Sustainability Agency (GSA) approved by the DWR. The WWD service area boundary largely overlaps with DWR-designated San Joaquin Valley groundwater subbasin 5.22-9, which is commonly called the “Westside Subbasin.” The DWR has designated the Westside Subbasin as high priority and critically overdrafted, and SGMA requires that a GSP be adopted by an approved GSA for the subbasin by January 31, 2020.

Senate Bills 610 (Chapter 643, Statutes of 2001) and 221 (Chapter 642, Statutes of 2001)

SB 610 and SB 221 are companion measures that seek to promote more collaborative planning among local water suppliers and cities and counties. They require that water supply assessments occur early in the land use planning process for all large-scale development projects. If groundwater is the supply source, the required assessments must include detailed analyses of historic, current, and projected groundwater pumping and an evaluation of the sufficiency of the groundwater basin to sustain a new project’s demands. They also require an identification of existing water entitlements, rights, and contracts and a quantification of the prior year’s water deliveries. In addition, the supply and demand analysis must address water supplies during single and multiple dry years presented in five-year increments for a 20-year projection. Under SB 221, approval by a city or county’s legislative body of a subdivision of more than 500 homes requires an affirmative written verification of a sufficient water supply.

California Drought Regulations

Beginning in January 2014, Governor Jerry Brown issued three Executive Orders (EOs), B-26-14, B-28-14, and B-29-15, regarding water supply, water demand, and water use within the State during severe drought conditions. EO B-29-15, issued April 1, 2015, sets limitations not only for existing land uses and water supply systems, but also for new construction. Some of these restrictions include:

- The Water Board shall prohibit irrigation with potable water of ornamental turf on public street medians.
- The Water Board shall prohibit irrigation with potable water outside of newly constructed homes and buildings that is not delivered by drip or microspray systems.
- The California Energy Commission shall adopt emergency regulations establishing standards that improve the efficiency of water appliances, including toilets, urinals, and faucets available for sale and installation in new and existing buildings.

In addition, EO B-29-15 requires that DWR update the State Model Water Efficient Landscape Ordinance through expedited regulation by the end of 2015. This ordinance will increase water efficiency standards for new and existing landscapes through more efficient irrigation systems, greywater usage, onsite storm water capture, and by limiting the portion of landscapes that can be covered in turf (EO B-29-15, Increase Enforcement Against Water Waste, Action #11, 2015).

On November 13, 2015, Governor Brown issued EO B-36-15, which upheld the previous EOs, and directs the SWRCB to extend urban water use restrictions through October 31, 2016 based on drought conditions known through January 2016. The SWRCB issued emergency regulations on February 2, 2016, in compliance with EO B-36-15. These emergency regulations maintain the current tiers of required water reductions; however, additional adjustments in response to stakeholders; equity concerns were included in the emergency regulations.

Resource Conservation and Recovery Act

The Resource Conservation and Recovery Act (RCRA) was enacted in 1976 to address the huge volumes of municipal and industrial solid waste generated nationwide. After several amendments, the Act as it stands today governs the management of solid and hazardous waste and underground storage tanks (USTs). RCRA is an amendment to the Solid Waste Disposal Act of 1965. RCRA has been amended several times, most significantly by the Hazardous and Solid Waste Amendments (HSWA) of 1984. RCRA is a combination of the first solid waste statutes and all subsequent amendments. RCRA authorizes the EPA to regulate waste management activities. RCRA authorizes states to develop and enforce their own waste management programs, in lieu

of the federal program, if a state's waste management program is substantially equivalent to, consistent with, and no less stringent than the federal program.

California Integrated Waste Management Act

To minimize the amount of solid waste that must be disposed of by transformation and land disposal, the State Legislature passed the California Integrated Waste Management Act of 1989 (AB 939), effective January 1990. According to AB 939, all cities and counties are required to divert 25 percent of all solid waste from landfill facilities by January 1, 1995, and 50 percent by January 1, 2000, and beyond. Solid waste plans are required to explain how each city's AB 939 plan will be integrated with the respective county plan. They must promote (in order of priority) source reduction, recycling and composting, and environmentally safe transformation and land disposal.

Local Regulations

Selma 2035 General Plan

The following lists policies and implementing actions from the Selma 2035 General Plan pertaining to utilities that are applicable to the proposed Project.

Land Use

- | | |
|--------------------|---|
| Policy 1.8 | New development in the community should be sequential and contiguous to existing development, to ensure the orderly extension of municipal services and preservation of an adequate circulation system. |
| Policy 1.43 | The City shall monitor and update plans for public streets and utilities, particularly as they pertain to new commercial areas. |
| Policy 1.44 | The City shall assist in the planning of privately owned public utilities. |
| Policy 1.74 | The City shall monitor and update plans for public streets and utilities, particularly as they pertain to new industrial areas. The City shall also assist in the planning of privately owned public utilities. Provision of planning services and infrastructure is essential to providing adequate land for industrial development. |
| Policy 1.92 | Residential development at urban densities shall be located only where services and facilities can be provided. |

Policy 1.94 Development shall be allowed only in areas that already have urban services or are within a master plan to provide those services. Development of lands outside of current service or master plan areas (such as the SKF Sewer District, City of Selma Master Plan for Storm Drainage Area, etc.) may be considered if the following findings can be made:

- a. The development will not cause a shortfall, either short- or long-term in the financing of any public facility.
- b. The development will not significantly delay the provision of a public improvement.
- c. The development will not accelerate the need for a public improvement beyond the ability of the improvement fund to adjust for the improvement.
- d. Expansion of the master plan area and/or public facility will not result in the City being unable to maintain existing facilities at their current service levels.
- e. Notwithstanding the improvements proposed by any development, all developments will be required to contribute their pro rata share towards the completion of established Master Plan improvements.

Policy 1.96 Establish Urban Development Boundaries as urbanizable areas within which a full-range of urban services will need to be extended to accommodate urban development. These boundaries shall be established based on the following factors:

- a. Adequate residential, commercial and industrial capacity for the planning period.
- b. Inclusion of at least a 50 percent vacancy factor (“flexibility factor”) for residential and commercial development.
- c. Provision of adequate industrial land.
- d. Adequacy of infrastructure including existing and planned capacity of water and sewer facilities, school, roadways, and other urban services and facilities.
- e. Community growth priorities.

Safety

Policy 4.18 The City shall continue to implement and administer the Master Plan for Storm Drainage as a means of offsetting increased storm water runoff from urbanization.

- Policy 4.34** The City shall continue to monitor and coordinate the water supply system with California Water for fire protection purposes to include the water supply for both peak load and emergency use. Areas of substandard water supply should be identified, and system improvements completed prior to and in conjunction with new development in the area.

Open Space, Conservation and Recreation

- Policy 5.2** Encourage all construction wastes generated from new construction and demolition to be recycled.
- Policy 5.3** Encourage reduction of the City's peak electrical load by 10% through energy efficiency, shifting the timing of energy demands, and conservation measures.
- Policy 5.6** Continue to implement "user-friendly" recycling and composting programs, with the goal of 75% reduction of solid waste disposal to the landfill in compliance with State mandates.
- Policy 5.13** Require correction of local storm water ponding conditions prior to development in such areas, either through off-site improvements provided by land developers, or through community storm drain facility capital improvement projects.
- Policy 5.18** The City shall endeavor to mitigate, to the fullest extent feasible, activities which will exacerbate groundwater overdraft.

Public Services and Facilities

- Policy 6.1** Coordinate City-wide sewer, water, and storm drainage master plans which implement adopted land use goals, objectives and policies and Federal and State regulations. These master plans shall be updated as needed and implemented through various funding mechanisms including assessment district, property owner's association's user fees, development impact fees, mitigation payments, reimbursement agreements and/or other mechanisms which provide for equitable distribution of development and maintenance costs.
- Policy 6.2** Require the development and extension of infrastructure to proposed developments according to adopted elements and master plans. Projects that are not contiguous to existing urban development shall be required to assess the cumulative impact of all non-contiguous development.
- Policy 6.3** Temporary drainage facilities may be constructed by the developer if the major facilities are not available, subject to City determination and approval. The developer

will also be required to pay all applicable drainage fees in addition to constructing temporary facilities at his/her own cost.

- Policy 6.4** In order to address sewer constraints, new developments shall demonstrate that adequate sewer capacity exists prior to development or that mitigation measures will ensure that sewer capacity will be created as part of the project. Mitigation measures may include installation of necessary facilities or other methods acceptable to the City.
- Policy 6.11** All new developments shall be required to have community sewer, water and storm water systems.

Thresholds of Significance

The thresholds of significance for this section are established by the CEQA Checklist Item.

- Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?
- Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?
- Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?
- 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?
- Comply with federal, state and local management and reduction statutes and regulations related to solid waste?

Impacts and Mitigation Measures

Impact 3.8-1: *Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?*

Less Than Significant Impact. The Project Development consists of 5.64 acres of retail, fast-food, and hospitality development, 11.16 acres of residential development, 5.41 acres of affordable senior housing, 7.01 acres of affordable housing, 3.57 acres of central park, and approximately 6.28 acres of streets, circulation, and outlots. The Project will require that utilities be extended to serve the proposed development, including water, wastewater, stormwater, electric power, natural gas and telecommunications facilities.

Wastewater / Sewer

As discussed herein, once annexed into the City, the proposed Project site would be located within the service area of the City of Selma-Kingsburg-Fowler County Sanitation District (SKF CSD or District). Since the District is considered a publicly owned treatment facility, operational discharge flows treated at the SKF CSD would be required to comply with applicable water discharge requirements issued by the Regional Water Quality Control Board (RWQCB). Compliance with conditions or permit requirements established by the City as well as water discharge requirements outlined by the RWQCB would ensure that wastewater discharges coming from the proposed Project site and treated by the District system would not exceed applicable Central RWQCB wastewater treatment requirements. Compliance with conditions or permit requirements established by the City as well as water discharge requirements outlined by the RWQCB would ensure that wastewater discharges coming from the proposed Project site and treated by the SKF CSD would not exceed applicable Central RWQCB wastewater treatment requirements. The Project is subject to payment of impact fees as prescribed by the City. The Project will connect to existing service infrastructure along Floral Avenue and through extensions of infrastructure off-site, as detailed in Figure 2-3, Offsite Utilities Plan Overview.

New sewer infrastructure to be installed off-site includes:

- Replacement of approximately 2,280 LF of existing 18" sanitary sewer main in E. Rose Avenue from the existing pump station to S. Highland Avenue. Depths are anticipated to be around 20 feet.
- Installation of approximately 1,960 LF of new 18" sanitary sewer in E. Rose Avenue between S. Highland Avenue to the future S. Fancher Street alignment. Depths are anticipated to be around 18'.
- Installation of approximately 2,730 LF of new 18" sanitary sewer in the future S. Fancher Street alignment between E. Rose Avenue and E. Floral Avenue. Depths are anticipated to be around 16' to 18'.

- Installation of approximately 500 LF of new 8" sanitary sewer in the Stillman Street alignment connecting to the existing stub at the West end of Stillman Street. Depths are anticipated to be approximately 10' to 12'.
- Installation of approximately 300 LF of new 8" sanitary sewer in the Stillman Street alignment connecting to the 18" sanitary sewer in the future S. Fancher Street alignment. Depths are anticipated to be approximately 10' to 12'.
- Installation of approximately 57 LF of new 8" sanitary sewer in E. Floral Avenue, connecting to the existing sanitary sewer. Depths are anticipated to be approximately 10'.

The impact is determined to be less than significant. See also Response 3.8-3, below, which describes the Project's wastewater demands/characteristics and the City's capacity to handle those demands/characteristics.

Stormwater

As discussed in Section 3.10 - Hydrology and Water Quality, the proposed Project would result in new impervious areas associated with site improvements and would therefore require new storm water drainage facilities. Stormwater would be collected through surface and subsurface drainage infrastructure on site towards proposed and existing stormwater collection and drainage infrastructure along Floral Avenue. The proposed Project would also install off-site storm water drainage improvements as follows:

- Install approximately 83 LF of potentially 24" storm drain pipe connecting to the existing storm drain pipeline in Stillman Street alignment. Depth is anticipated to be approximately 10'.
- Install approximately 130 LF of potentially 36" storm drain pipe connecting to the existing storm drain pipeline in Stillman Street alignment. Depth is anticipated to be approximately 10'.
- Install approximately 40 LF of potentially 24" storm drain pipe connecting to the existing storm drain pipeline in future S. Fancher Street alignment. Depth is anticipated to be approximately 10'.
- Install approximately 78 LF of potentially 24" storm drain pipe connecting to the existing storm drain pipeline in E. Floral Avenue. Depth is anticipated to be approximately 10'.

- Install approximately 12 LF of potentially 18" storm drain pipe connecting to the existing storm drain pipeline in E. Floral Avenue. Depth is anticipated to be approximately 10'.
- Install approximately 68 LF of potentially 18" storm drain pipe connecting to the existing storm drain pipeline in E. Floral Avenue. Depth is anticipated to be approximately 10'.

All off-site stormwater improvements will be in compliance with the City of Selma Development Standards. See Section 3.10-3 for further discussion regarding storm water facilities.

Water Supply

As discussed in Section 3.10 - Hydrology and Water Quality, the proposed Project will add demand for water to the City of Selma water system. The proposed Project is subject to water use reduction methods and will be subject to water service impact fees. New off-site water supply infrastructure construction will include:

- Install approximately 1,120 LF of potentially 12" water connecting to the existing water main at the West end of Stillman Street to S. Fancher Street. Depth is anticipated to be approximately 5'.
- Install approximately 72 LF of potentially 8" water connecting to the water main in the future Stillman Street extension. Depth is anticipated to be approximately 5'.
- Install approximately 1,450 LF of potentially 12" water in the future S. Fancher Street alignment, connecting to the existing approximate 14" water main in E. Floral Avenue. Depth is anticipated to be approximately 5'.
- Install approximately 48 LF of potentially 8" water connecting to the water main in the future Stillman Street extension. Depth is anticipated to be approximately 5'.
- Install approximately 83 LF of potentially 12" water connecting to the existing approximate 14" water main in E. Floral Avenue. Depth is anticipated to be approximately 5'.

- Install approximately 78 LF of potentially 12" water connecting to the existing approximate 14" water main in E. Floral Avenue. Depth is anticipated to be approximately 5'.

As the appropriate off-site improvements will be made to accommodate the Project's water demands, the Project is not expected to have a significant impact on water supply. See Section 3.8-2 for further discussion regarding water supply.

Electricity and Natural Gas

The Project will be required to access public utilities for electric power and natural gas. The Project will require connection to these existing Pacific Gas & Electric electrical utilities and to PG&E natural gas facilities. No new or additional off-site electrical or natural gas infrastructure construction is anticipated to be required.

Solid Waste

The Project will require solid waste disposal services. The City of Selma, through a private contractor, Mid-Valley Disposal provides weekly curbside solid waste collection services to all households and businesses within the City limits. Solid waste is taken to the American Avenue Landfill, which is operated by the County and is located on American Avenue, about 6.5 miles southwest of Kerman. The County has plans to expand this landfill in three phases when demand warrants. The County currently has permits to use all three phases of the 440-acre site, but only expand when necessary. The estimated total capacity after all three phases of expansion is 32,700,000 cubic yards. According to the Fresno County Public Works Department, the County's Solid Waste Division has indicated that "...it is estimated that the landfill will be able to continue operations until 2031 when it will be full and will have to be closed."²¹

The proposed Project would be required to comply with applicable State and local regulations, including regulations pertaining to the disposal of recyclable materials. With adequate landfill capacity at existing landfills and compliance with regulations, a less than significant impact would occur. No new off-site solid waste infrastructure construction is required. Refer to Response 3.8-4 for more information pertaining to solid waste.

Telecommunications

²¹ City of Selma General Plan Update Background Report. June 2008. Page 7-22.
<https://cms9files.revize.com/selma/General%20Plan%20Background%20Report.pdf>. Accessed November 2024.

Cellular telephone service is offered to residents of the City of Selma by a number of companies including Verizon, Cingular, Sprint, etc. Calls are placed from cellular phones, which are simply wireless mobile or portable phones that have radio-frequency (RF) transmitters and receivers. The RF signals are received by “cell” sites (hence the name “cellular”), which are RF receiver/transmitter stations situated on towers that are strategically placed to be able to transmit over or around topographic barriers. Signals from cellular phones are transmitted from cell to cell until they reach a mobile telephone switching office (MTSO) in the local calling area that the caller wishes to reach. Here, the call is linked by MTSO from the cellular network to the local telephone office. The City must approve all cell sites and towers within the region.²² The proposed Project is within the service area of these providers and it is expected that they can serve the proposed Project. No new off-site telecommunications infrastructure construction is required.

Thus, as described above, the proposed Project’s impacts associated with acquisition of, and/or expansion of utilities would be *less than significant*.

Impact 3.8-2: *Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?*

Less Than Significant. The proposed Project would add demand for potable water to the City of Selma water system, which is reliant on groundwater to serve its customers. The information herein is based primarily on the Water Supply Assessment that was prepared for the Project (Appendix E). The results are summarized herein.

As discussed in Section 3.10-2 - Hydrology and Water Quality (and summarized in this section), the Proposed Project’s demands are not considered to be within the projected growth anticipated by the 2020 UWMP. Total water demands for the Proposed Project are therefore considered additive to the District’s projected demands. However, given (1) that the District’s 2020 UWMP does not identify supply shortfalls for the District under any hydrologic conditions evaluated, (2) the projected reliability of groundwater available to the District, (3) the demonstrated effectiveness of the District’s WSCP in the case of supply shortages, and (4) the increasing efficiency and drought planning requirements from the State, sufficient water supply is estimated

²² City of Selma, General Plan Update Background Report. June 2008.

<https://cms9files.revize.com/selma/General%20Plan%20Background%20Report.pdf>. Accessed November 2024.

to be available to Cal Water to meet all future demands within the District service area and those associated with the Proposed Project. The impact is determined to be *less than significant*.

Mitigation Measures:

None are required.

Impact 3.8-3: *Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?*

Less Than Significant. Wastewater services in the City are provided by the Selma-Kingsburg-Fowler County Sanitation District (SKFCSD). SKFCSD is a public agency formed in 1971 by the Fresno County Board of Supervisors. The purpose of the District is to provide for the collection, treatment, and disposal of wastewater emanating from the residential, commercial, institutional, and industrial discharges within the service area. SKFCSD's wastewater treatment and disposal facilities are located on a 550-acre site, 1.5 miles west of Kingsburg. The Site includes 30 acres of treatment units, 20 acres of biosolids dewatering and processing areas, 120 acres of effluent evaporation and percolation pond area and 20 acres of storm water collection for ground water recharge, 140 acres of former sludge disposal area, as well as 220 acres of buffer zones surrounding the facilities. The District collects, treats, and disposes of over a billion gallons annually of wastewater emanating from within the service boundaries of the District. There are currently no plans to expand or develop new wastewater collection and treatment facilities within the City.²³

Existing City of Selma Wastewater (Sewer) Demands

The City's sewer system consists of gravity sewers and pumping stations to collect wastewater from residential, commercial, and industrial customers. The collected wastewater is conveyed to the SKF Wastewater Treatment and Disposal Facilities, which have a capacity to treat 8.0 million gallons per day (MGD) but currently receive 4.3 MGD from residential and commercial customers.²⁴ According to the City's UWMP, SKFCSD received approximately 2,766 AF of

²³ City of Selma Housing Element 2015-2023. Initial Study Mitigated Negative Declaration. December 2015. SCH 2015121060 https://cms9files.revize.com/selma/Document_Center/Department/Community%20development/Planning/Projects%20and%20Studies/Rockwell%20Pond%20Commercial%20Project%20DEIR/2023%20housing%20element.pdf. Accessed November 2024.

²⁴ Ibid, page 56.

wastewater that was collected from the City of Selma service area in Year 2020.²⁵ This equates to approximately 2.5 million gallons per day of wastewater generation.

Project Wastewater (Sewer) Demands

As identified herein and in the Water Supply Assessment, the Project would require approximately 162 AFY of water. To determine the Project’s wastewater generation, it is assumed that 90 percent of the water used by the Project would be treated at the by SKFCSD. This would equate to approximately 145.8 AFY or 130,075.6 gallons per day (0.13 MGD) of wastewater.

Wastewater Characteristics

The SKFCSD treats municipal wastewater generated throughout the City to meet treatment standards and discharge requirements established by the RWQCB. These requirements are outlined in the City’s Waste Discharge Requirements (WDR). The wastewater treated by SKFCSD includes all residential, commercial and industrial wastewater generated within the City service area, in addition to the two other member cities.

The Project would generate wastewater with similar characteristics to discharge produced by other uses in the City, including similar in content to the residential and commercial land uses in the immediate area (typical residential wastewater from toilets, sinks, showers, etc.). Wastewater generated by the Project would be collected and treated by SKFCSD. Because of the nature of the Project’s wastewater, and the fact that SKFCSD is currently in compliance with their Waste Discharge Requirements, the Project will not cause the City to exceed any wastewater treatment requirements from the RWQCB.

Project Comparison to City-wide Future Estimated Wastewater Production

The SKFCSD has a permitted capacity to process up to 8.0 MGD of wastewater. According to the City’s UWMP, SKFCSD processed approximately 2.5 MGD in Year 2020, leaving approximately 5.5 MGD of additional capacity. The proposed Project would conservatively add approximately 130 thousand GD, or 0.13 MGD of wastewater, or approximately 2.4% of the existing available capacity. Refer to Table 3.8-4 for the breakdown of WCP capacity compared to estimated Project wastewater generation.

Table 3.8-4: SKFCSD Wastewater Capacity and Project Wastewater Generation

²⁵ Selma 2020 Urban Water Management Plan, Page 58. https://www.calwater.com/docs/uwmp2020/SEL_2020_UWMP_FINAL.pdf. Accessed November 2024.

SKFCSD Capacity (MGD)	Year 2020 Wastewater Generation per day (MGD)	Additional SKFCSD Wastewater Capacity Without Casitas (MGD)	Project Wastewater Generation (MGD)	Additional SKFCSD Wastewater Capacity With Casitas Project (MGD)
8.0	2.5	5.5	0.13	5.37

Based on SKFCSD's existing capacity of 8.0 MGD, SKFCSD can adequately serve the proposed Project in addition to other growth/development in the City.

In addition, and as identified in Section XIV – Population and Housing of the Initial Study (see Appendix A), the proposed Project's anticipated number of additional residents (2,016) is within the expected range of growth that was planned for and can be accommodated by the City. The City's infrastructure planning documents (such as the Sewer Master Plan) rely, in part, on the growth projections contained in the City's General Plan.

According to the most recent California Department of Finance Report²⁶, the City currently has approximately 24,300 residents. According to the General Plan EIR, Selma has an average growth rate of 4 percent with a projected population of about 78,597 persons by the Year 2040.²⁷ According to the U.S. Census Bureau, the City averages 3.36 persons per household²⁸, which could result in an increase of approximately 2,016 people at full Project buildout. The City's current population of 24,300 residents would be increased by approximately 8.3% to 26,316 from the Project. Table 3.8-5 shows the City's existing population, the increase in population from the proposed Project, and the City's General Plan projected population in Year 2040, assuming full buildout of the General Plan. The last column shows the additional population that could be accommodated under the City's General Plan even with full buildout of the proposed Project.

²⁶ State of California Department of Finance. Estimates – E1, Population and Housing Estimates for Cities, Counties, and the State – January 1, 2022 and 2023. <https://dof.ca.gov/forecasting/demographics/estimates-e1/>. Accessed June 2023.

²⁷ City of Selma General Plan Update Draft Environmental Impact Report. <https://cms9files.revize.com/selma/Draft%20General%20Plan%20Environmental%20Impact%20Report.pdf>. Accessed December 2023. Page 3-179.

²⁸ U.S. Census Bureau. QuickFacts for Selma City, California. <https://www.census.gov/quickfacts/fact/table/selmacitycalifornia/PST045223>. Accessed December 2024.

Table 3.8-5: Population Estimates

Existing Population (2022)	Proposed Project Population	Existing Plus Project Population	General Plan 2035 Projected Population	Additional Population That Could Be Accommodated Under the 2035 General Plan
24,300	2,016	26,316	70,000	40,684

As identified in Table 3.8-5, the Project would not induce population growth beyond what could be accommodated under the City's General Plan. Based on this information, it is reasonable to assume that the Project is within the population growth projections (and associated wastewater capacity availability) identified in the City's infrastructure planning documents.

Although SKFCSD has adequate capacity to serve the Project, the Project would be required to pay wastewater (sewer) impact fees prior to the issuance of a building permit, thereby offsetting the costs associated with acceptance of the Project wastewater. The impact fee amount will be the amount established in the City's adopted impact fee program in place at the time of submittal of building permit applications. Thus, the impact is *less than significant*.

Mitigation Measures:

None are required.

Impact 3.8-4: *Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?*

Less Than Significant. The City of Selma, through a private contractor, Mid-Valley Disposal, provides weekly curbside solid waste collection services to all households and businesses within the City limits. Solid waste is taken to the American Avenue Landfill, which is operated by the County and is located on American Avenue, about 6.5 miles southwest of Kerman.

The County has plans to expand this landfill in three phases when demand warrants. The County currently has permits to use all three phases of the 440-acre site, but only expand when necessary. The estimated total capacity after all three phases of expansion is 32,700,000 cubic yards. According to the Fresno County Public Works Department, the County's Solid Waste Division

has indicated that “...it is estimated that the landfill will be able to continue operations until 2031 when it will be full and will have to be closed.”²⁹

Project Construction

Construction of the proposed Project would generate solid waste in the form of construction debris that would need to be disposed of at local landfills. Construction debris includes concrete, asphalt, wood, drywall, metals, and other miscellaneous and composite materials. Much of this material would be recycled and salvaged to the maximum extent feasible. Materials not recycled would be disposed of at local landfills. The Project site is currently undeveloped and would not require any demolition.

Site preparation (vegetation removal and grading activities) and construction activities would generate construction debris, including wood, paper, glass, plastic, metals, cardboard, and green wastes. Most of the solid waste generated by the construction phase of the proposed Project would be recycled in accordance with AB 939. Construction activities could also generate hazardous waste products. The waste generated would result in an incremental and intermittent increase in solid waste disposal at local landfills. However, with compliance with federal, State, and local statutes or regulations, a less than significant impact would occur.

Project Operation

Solid waste collection service is provided by the City through a private contractor. Solid waste is taken to the American Avenue Landfill, which is operated by the County and is located on American Avenue, about 6.5 miles southwest of Kerman. The County has plans to expand this landfill in three phases when demand warrants. The County currently has permits to use all three phases of the 440 acre site, but only expand when necessary. The estimated total capacity after all three phases of expansion is 32,700,000 cubic yards.

The proposed General Plan will result in the construction of additional residential and commercial uses. Since the proposed Project would be within the growth projections assumed by the City’s General Plan and other infrastructure planning documents, and because the American Avenue Landfill has indicated it has existing and future capacity, the Project would not result in a significant impact. The City’s General Plan includes policies to establish programs to recover recyclable materials and energy from solid wastes generated within the City and to minimize the potential impacts of waste collection, transportation and disposal facilities upon the residents of

²⁹ City of Selma General Plan Update Background Report. June 2008. Page 7-22.
<https://cms9files.revize.com/selma/General%20Plan%20Background%20Report.pdf>. Accessed November 2024.

Selma. California Assembly Bill 939 required all cities to reduce landfill tonnage by 25% by the end of 1995 and 50% by the end of 2000. Selma took this challenge seriously and reached the 50% waste reduction requirement partially through the introduction of the separate container collection system. Since then, additional partnerships have been established to reduce the amount of waste throughout the community. In 2006, Selma Disposal and Recycling Inc. and the Selma Unified School District created a recycling program in the school system with paper only bins. With this system in place, the Selma Unified School District was able to divert over 50 tons of paper out of the landfills.³⁰ In addition, the proposed Project would be required to comply with applicable State and other local regulations, including regulations pertaining to disposal of recyclable materials. With adequate landfill capacity at existing landfills and compliance with regulations, a *less than significant impact* would occur.

Mitigation Measures: None are required.

Impact 3.16-5: *Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?*

Less Than Significant. See Response to Impact 3.8-4. The proposed Project would be required to comply with all federal, State, and local statutes and regulations related to the handling and disposal of solid waste and impacts would be *less than significant*.

Mitigation Measures: None are required.

Cumulative Impacts

Electrical and Natural Gas

Less Than Cumulatively Considerable. The Project will be required to access public utilities for electric power and natural gas. The Project will require connection to existing PG&E electrical utilities and to PG&E natural gas facilities. No new off-site electrical or natural gas infrastructure construction is anticipated to be required and there are less than significant impacts at the Project

³⁰ Ibid.

level. Therefore, cumulative impacts related to electrical and natural gas facilities would be less than significant.

Water Supply

Less Than Cumulatively Considerable. As noted in Section 3.9 Hydrology and Water Quality, the Selma District falls within the jurisdiction of the Central Kings GSA (CKGSA). CKGSA is one of seven GSA's that govern the Kings Subbasin. The proposed Project, if approved, would be under the jurisdiction and purview of the CKGSA's Groundwater Sustainability Plan (GSP). The City of Selma utilizes groundwater as its sole source of potable water. As identified herein and in the Water Supply Assessment, the Proposed Project's demands are not considered to be within the projected growth anticipated by the 2020 UWMP. Total water demands for the Proposed Project are therefore considered additive to the District's projected demands. However, given (1) that the District's 2020 UWMP does not identify supply shortfalls for the District under any hydrologic conditions evaluated, (2) the projected reliability of groundwater available to the District, (3) the demonstrated effectiveness of the District's WSCP in the case of supply shortages, and (4) the increasing efficiency and drought planning requirements from the State, sufficient water supply is estimated to be available to Cal Water to meet all future demands within the District service area and those associated with the Proposed Project. Compliance with the GSP and implementation of City-required water-reduction measures would ensure impacts to groundwater supplies in the Basin remain less than significant.

Wastewater

Less Than Cumulatively Considerable. The geographical area for considering cumulative impacts associated with wastewater (sewer) is the geographic area covered by the Selma-Kingsbury-Fowler County Sanitation District (SKFCSD). As with the proposed Project, for future projects, the City collects development impact fees to help cover the cost of wastewater (sewer), water, and solid waste infrastructure and facilities. In addition, revenue from sales tax from future projects assists in maintaining these services. The City evaluates impact fees from new development on a project-by-project basis. The Project would be required to pay sewer impact fees prior to the issuance of a building permit. Other projects in the vicinity would be required to offset substantial increases in wastewater per City impact fees. Therefore, cumulative impacts related to wastewater would be less than significant.

Solid Waste

Less Than Cumulatively Considerable. The geographical area for considering cumulative impacts associated with solid waste is the geographic area covered by Fresno County's Public Works Department and Solid Waste Division. The proposed Project would generate a minimal amount of waste during construction and is not expected to significantly impact Fresno County landfills. However, generation of waste from cumulative projects, including other residential, commercial and industrial developments could result in a cumulative impact. As described herein, there is adequate existing and future (planned) capacity at existing Fresno County landfills. As such, the cumulative impacts are less than significant for solid waste.

Chapter 4

ALTERNATIVES

PROJECT ALTERNATIVES

4.1 Introduction

CEQA Guidelines Section 15126.6 requires the consideration of a range of reasonable alternatives to the proposed project that could feasibly attain most of the objectives of the proposed project. The Guidelines further require that the discussion focus on alternatives capable of eliminating significant adverse impacts of the project or reducing them to a less-than significant level, even if the alternative would not fully attain the project objectives or would be more costly. According to CEQA Guidelines, the range of alternatives required in an EIR is governed by the “rule of reason” that requires an EIR to evaluate only those alternatives necessary to permit a reasoned choice. An EIR need not consider alternatives that have effects that cannot be reasonably ascertained and/or are remote and speculative.

The EIR shall include sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed project. A matrix displaying the major characteristics and significant environmental effects of each alternative may be used to summarize the comparison. If an alternative would cause one or more significant effects in addition to those that would be caused by the project as proposed, the significant effects of the alternative shall be discussed, but in less detail than the significant effects of the project as proposed.

CEQA Guidelines §15126.6(e) identifies the requirements for the “No Project” alternative. The specific alternative of “no project” shall also be evaluated along with its impact. The purpose of describing and analyzing a no project alternative is to allow decision makers to compare the impacts of approving the proposed project with the impacts of not approving the proposed project. The no project alternative analysis is not the baseline for determining whether the proposed project's environmental impacts may be significant, unless it is identical to the existing environmental setting analysis which does establish that baseline (see Section 15125).

Alternative locations can also be evaluated if there are feasible locations available. Each alternative is evaluated against the Project objectives and criteria established by the Lead Agency.

The proposed Project has the potential to have significant adverse effects on:

- Transportation – Conflict with CEQA Guidelines section 15064.3 subdivision (b) (VMT impacts) (project and cumulative level)

Even with the mitigation measures described in Chapter 3, Environmental Setting, Impacts, and Mitigation Measures, of this EIR, impacts in this issue area would be significant and unavoidable. Therefore, per the State CEQA Guidelines, this section discusses alternatives that are capable of avoiding or substantially lessening effects on this resource. The significant and unavoidable impacts of the proposed Project are discussed below.

4.2 Project Objectives

In accordance with CEQA Guidelines Section 15124(b), the following are the City of Selma's Project objectives:

- To provide a mixed-use development at pricing appropriate for the market, in a growing area of the City of Selma that satisfies the City of Selma's policies, regulations and expectations as defined in the City's General Plan, Zoning Ordinance, and other applicable plans, documents, and programs adopted by the City.
- To provide a variety of housing opportunities with a range of densities, styles, sizes and values that will be designed to satisfy existing and future demand for quality housing in the area.
- To provide a residential development that assists the City in meeting its General Plan and Housing Element requirements and objectives.
- To provide an economically feasible and conveniently-located commercial development to serve residents in the western portion of Selma.
- To provide a sense of community and walkability within the development through the use of street patterns, parks/open space areas, landscaping and other project amenities.

4.3 Alternatives Considered in this EIR

- No Project
- Alternate Locations
- Reduced Project (50% reduction)

4.4 Analysis Format

In accordance with CEQA Guidelines Section 15126.6(d), each alternative is evaluated in sufficient detail to determine whether the overall environmental impacts would be less, similar, or greater than the corresponding impacts of the project. Furthermore, each alternative is

evaluated to determine whether the project objectives identified in Chapter 2 - Project Description, of this Draft EIR would be mostly attained by the alternative. The proposed Project's impacts that form the basis of comparison in the alternatives analysis are those impacts which represent a conservative assessment of project impacts. The evaluation of each of the alternatives follows the process described below:

- a) The net environmental impacts of the alternative after implementation of reasonable mitigation measures are determined for each environmental issue area analyzed in this EIR.
- b) Post-mitigation significant and less than significant environmental impacts of the alternative and the project are compared for each environmental issue area as follows:
 - Less: Where the impact of the alternative after feasible mitigation would be clearly less adverse than the impact of the project, the comparative impact is said to be "less."
 - Greater: Where the impact of the alternative after feasible mitigation would be clearly more adverse than the impact of the project, the comparative impact is said to be "greater."
 - Similar: Where the impacts of the alternative after feasible mitigation and the project would be roughly equivalent, the comparative impact is said to be "similar."
- c) The comparative analysis of the impacts is followed by a general discussion of whether the underlying purpose for the project, as well as the project's basic objectives would be substantially attained by the alternative.

4.5 Project Alternatives Impact Analysis

No Project Alternative

CEQA Section 15126.6(e) requires the discussion of the No Project Alternative "to allow decision makers to compare the impacts of approving the proposed project with the impacts of not approving the proposed project." The No Project scenario in this case consists of retaining the property in its original configuration, with no construction or operation of the proposed Selma Casitas Project. Under this alternative, the site remains in agricultural production and no new urban development would occur on the site.

Description

This alternative would avoid both the adverse and beneficial effects of the Project. This alternative would avoid ground disturbance and construction-related impacts associated with construction of the proposed Project. No new development would occur on the site. The No Project Alternative would avoid the generation of any environmental impacts beyond existing conditions.

Environmental Considerations

Continuation of the site in agricultural production would result in all environmental impacts being less than the proposed Project. There would be no changes to any of the existing conditions and there would be no impact to each of the 20 CEQA Checklist evaluation topics. Impacts from the No Project Alternative, as compared to the Project, are summarized as follows:

- **Aesthetics** – With no development, the site would remain primarily as active and fallow farmland and no new impacts would occur. Therefore, impacts are less than the proposed Project.
- **Agriculture and Forestry Resources** - With no development, the site would remain as active and fallow farmland and no new impacts would occur. Therefore, impacts are less than the proposed Project.
- **Air Quality** - With no development, the site would remain as active and fallow farmland and no new impacts would occur. Therefore, impacts are less than the proposed Project.
- **Biological Resources** - With no development, the site would remain as active and fallow farmland and no new impacts would occur. Therefore, impacts are less than the proposed Project.
- **Cultural Resources** - With no development, the site would remain as active and fallow farmland and no new impacts would occur. Therefore, impacts are less than the proposed Project.
- **Energy** - With no development, the site would remain as active and fallow farmland and no new impacts would occur. Therefore, impacts are less than the proposed Project.
- **Geology/Soils** - With no development, the site would remain as active and fallow farmland and no new impacts would occur. Therefore, impacts are less than the proposed Project.
- **Greenhouse Gas Emissions** - With no development, the site would remain as active and fallow farmland and no new impacts would occur. Therefore, impacts are less than the proposed Project.

- **Hazards & Hazardous Materials** - With no development, the site would remain as active and fallow farmland and no new impacts would occur. Therefore, impacts are less than the proposed Project.
- **Hydrology & Water Quality** - With no development, the site would remain as active and fallow farmland and no new impacts would occur. Therefore, impacts are less than the proposed Project.
- **Land Use / Planning** - With no development, the site would remain as active and fallow farmland and no new impacts would occur. Therefore, impacts are less than the proposed Project.
- **Mineral Resources** - With no development, the site would remain as active and fallow farmland and no new impacts would occur. Therefore, impacts are less than the proposed Project.
- **Noise** - With no development, the site would remain as active and fallow farmland and no new impacts would occur. Therefore, impacts are less than the proposed Project.
- **Population & Housing** - With no development, the site would remain as active and fallow farmland and no new impacts would occur. Therefore, impacts are less than the proposed Project.
- **Public Services** - With no development, the site would remain as active and fallow farmland and no new impacts would occur. Therefore, impacts are less than the proposed Project.
- **Recreation** - With no development, the site would remain as active and fallow farmland and no new impacts would occur. Therefore, impacts are less than the proposed Project.
- **Transportation** - With no development, the site would remain as active and fallow farmland and no new impacts would occur. Therefore, impacts are less than the proposed Project. This Alternative would also eliminate the significant and unavoidable impacts (project level and cumulative level) associated with this topic from the proposed Project.
- **Tribal Cultural Resources** - With no development, the site would remain as active and fallow farmland and no new impacts would occur. Therefore, impacts are less than the proposed Project.
- **Utilities & Service Systems** - With no development, the site would remain as active and fallow farmland and no new impacts would occur. Therefore, impacts are less than the proposed Project.
- **Wildfire** - With no development, the site would remain as active and fallow farmland and no new impacts would occur. Therefore, impacts are less than the proposed Project.

Refer to Table 4-1 for a comparison of each environmental topic for the No Project Alternative versus the proposed Project.

Project Objectives

The No-Project Alternative by definition would not meet any of the objectives of the proposed Project that were outlined in Section 4.2, herein.

Alternate Locations Alternative

The environmental considerations associated with an alternative site would be highly dependent on several variables, including physical site conditions, surrounding land use, site access, and suitability of the local roadway network. Physical site conditions include land, air, water, minerals, flora, fauna, noise, or objectives of historic or aesthetic significance, and would affect the nature and degree of direct impacts, needed environmental control systems, mitigation, and permitting requirements. Surrounding land use and the presence of sensitive receptors would influence neighborhood compatibility issues such as air pollutant emissions and health risk, odor, noise, and traffic. Site access and ability of the local roadway network to accommodate increased traffic without excessive and costly off-site mitigation would be an important project feasibility issue.

The constraint on alternative site selection is the lessening or elimination of significant project impacts. The economic viability of the proposed project is dependent on ability to effectively develop a mixed use project in the Selma area. To maintain most of the project objectives, any potentially feasible alternative site needs to be of adequate size and in a location that is accessible and serviceable (utilities) by the City of Selma.

Description

The criteria for selection included whether or not the alternate site would substantially reduce environmental impacts, availability of land, adequately sized parcels, efficiency of access, and acceptable land use designations/zoning. There are areas of agricultural land of similar size of the development portion of the Project located southeast of the proposed Project. These areas could conceivably support the proposed Project and are depicted in the Figure A-1 (Location of Alternative Sites in Relation to Proposed Project Site), A-2 (Alternative Site #1: Approximately 37 Acres) and A-3 (Alternative Site #2: Approximately 36 Acres). Alternative Site #1 is zoned CR and is within the City of Selma while Alternative Site #2 is immediately outside the City limits but within the Selma Planning Area, similar to the proposed Project. Development of these two

alternative sites would allow for contiguous growth adjacent to existing urbanization in the City. Alternative Site #1 (Approximately 36 acres) is located southeast of the proposed Project and is north of E. Mountain View Ave between S. McCall Ave and SR 99. Alternative Site #2 would be northeast of the N. Gardner Ave/E. Cardella RE. Nebraska Ave/Dockery Ave intersection.

Figure A-1
Location of Alternative Sites in Relation to Proposed Project Site

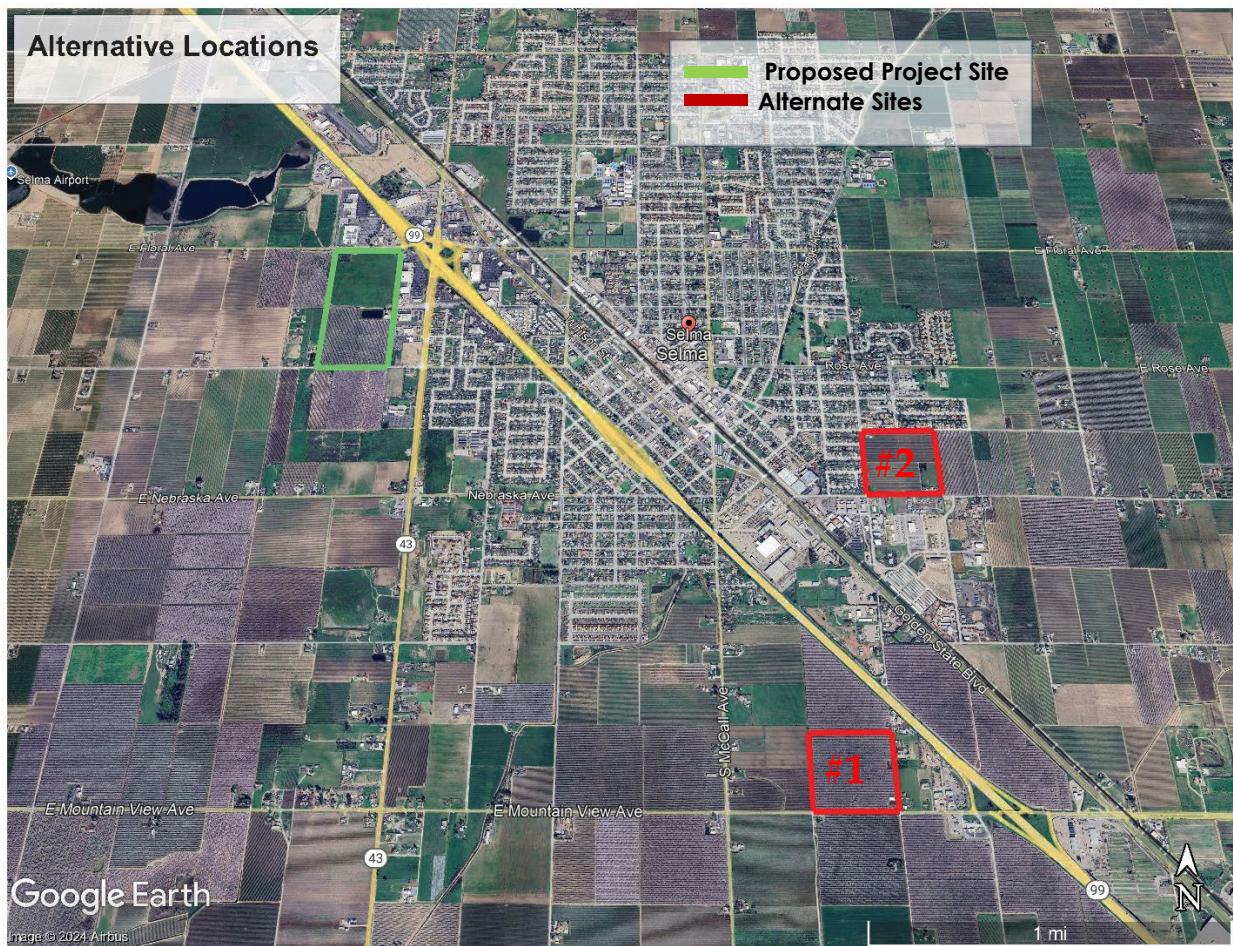


Figure A-2
Alternative Location #1: Approximately 36 Acres

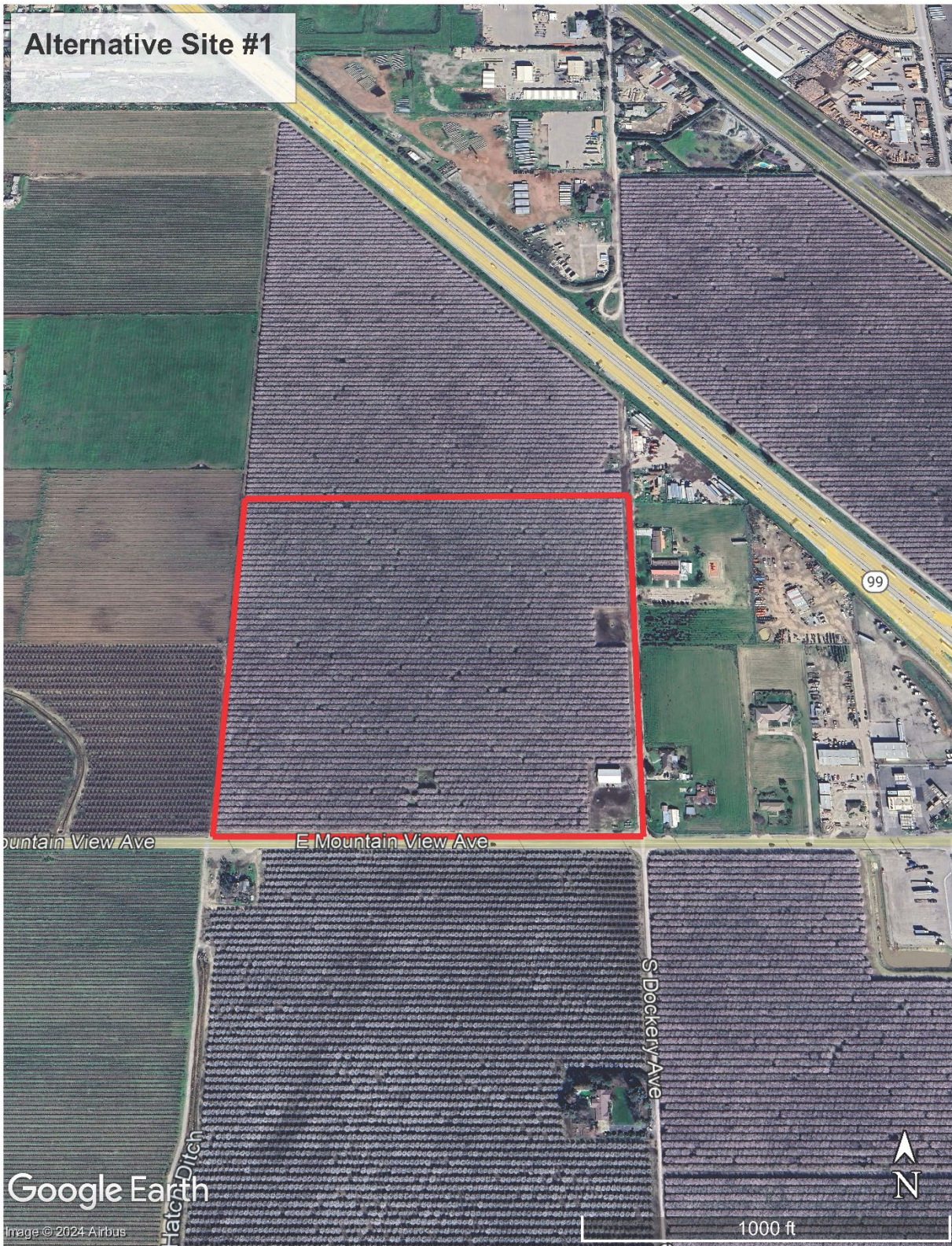


Figure A-3
Alternative Location #2: Approximately 37 Acres



Perhaps the greatest obstacle in selecting an alternative site for the proposed Project is that the Project Applicant does not already own land at these locations and/or does not have control of land at these locations. However, for purposes of environmental evaluation, a description of potential environmental impacts is provided below.

Environmental Considerations

Development of an alternate site could theoretically meet most of the Project objectives presented earlier in this chapter. However, construction and operation of an alternate site would likely not be as economically efficient (since the Applicant does not own or control the lands) and thus is not fully consistent with the Project objectives. In addition, construction and operation at an alternate site would result in environmental impacts that are likely equal to or in some cases could be greater than the proposed Project. The majority, if not all, of Project impacts are likely to occur at an alternate site.

Either of the alternative sites would require environmental review once the Applicant has prepared sufficient project description information. The time requirements for these activities would reduce the ability of the Applicant to accommodate projected residential demand in a timely manner compared to the proposed Project. This alternative would be the most complex, costly, and time-consuming alternative to implement. Various engineering and technical studies would then be completed to define the project and its components. Environmental review and obtaining entitlements would follow prior to construction activities. The sites identified herein appear to have conditions that are not as favorable as the proposed Project site, such as containing active agriculture, and as mentioned earlier, lack of control over the land.

Impacts from the Alternate Locations Alternative, as compared to the Project, are summarized as follows:

- **Aesthetics** – With development of a similar project on an alternate site, aesthetic impacts would occur through the conversion of farmland to urban uses, introduction of light/glare, and construction of residential units and commercial establishments on agriculturally active land. Since this Alternative would be of similar size and scale to the Project, impacts are determined to be similar to the proposed Project.
- **Agriculture and Forestry Resources** - With development of a similar project on an alternate site, agricultural impacts would be more than the proposed Project, as both sites are located on Prime Farmland.¹

¹ California Department of Conservation. California Important Farmland Finder. <https://maps.conservation.ca.gov/DLRP/CIFF/>. Accessed November 2024.

- **Air Quality** - With development of a similar project on an alternate site, air quality impacts would occur from construction activities (construction vehicles and equipment, dust and other emissions) and from operational activities (vehicle trip emissions and other emissions from the development). Since this Alternative would be of similar size and scale to the Project, impacts are determined to be similar to the proposed Project (less than significant).
- **Biological Resources** - With development of a similar project on an alternate site, biological impacts could occur from development of a previously agricultural site to urban uses. Therefore, impacts are similar to the proposed Project.
- **Cultural Resources** - With development of a similar project on an alternate site, cultural resource impacts could occur from development of a previously agricultural site to urban uses. Since this Alternative would be of similar size and scale to the Project, impacts are determined to be similar to the proposed Project.
- **Energy** - With development of a similar project on an alternate site, energy impacts would occur from construction activities (electricity, fuel) and operational activities (electricity, natural gas, fuel). Since this Alternative would be of similar size and scale to the Project, impacts are determined to be similar to the proposed Project.
- **Geology/Soils** - With development of a similar project on an alternate site, impacts to geology and soils would occur from construction activities (grading and land disturbing activities) and operational. Since this Alternative would be of similar size and scale to the Project, impacts are determined to be similar to the proposed Project.
- **Greenhouse Gas Emissions** - With development of a similar project on an alternate site, greenhouse gas emission impacts would occur from construction activities (construction equipment emissions and vehicle emissions) and operational activities (vehicle emissions). Since this Alternative would be of similar size and scale to the Project, impacts are determined to be similar to the proposed Project.
- **Hazards & Hazardous Materials** - With development of a similar project on an alternate site, hazardous impacts would occur from construction activities (use and storage of hazardous substances) and operational activities (use and storage of hazardous substances). A database search of the DTSC Envirostor² and the State Water Resources Control Board's Geotracker³ was conducted for the Alternate sites. The searches indicated that no known hazardous waste sites existing on the Alternative sites. Since this

² California Department of Toxic Substances Control. Envirostor Database. <https://www.envirostor.dtsc.ca.gov/public/map/>. Accessed August 2024.

³ California Water Resource Control Board. GeoTracker Database. <https://geotracker.waterboards.ca.gov/map/>. Accessed November 2024.

Alternative would be of similar size and scale to the Project, impacts are determined to be similar to the proposed Project.

- **Hydrology & Water Quality** - With development of a similar project on an alternate site, hydrology and water quality impacts would occur from construction activities (water for dust control, requirement for preparation of a SWPPP, drainage control) and operational activities (water demand associated with the development, drainage control). Since this Alternative would be of similar size and scale to the Project, impacts are determined to be similar to the proposed Project.
- **Land Use / Planning** - With development of a similar project on an alternate site, land use and planning impacts would occur from development of existing agricultural lands to urban uses. The Alternative would not divide an established community. Since this Alternative would be of similar size and scale to the Project (and contains similar pre-zoning and land use designations), impacts are determined to be similar to the proposed Project.
- **Mineral Resources** - With development of a similar project on an alternate site, mineral resource impacts could occur from construction activities (grading and ground-disturbing activities) and operational activities (conversion of land to urban uses). Since this Alternative would be of similar size and scale to the Project, impacts are determined to be similar to the proposed Project.
- **Noise** - With development of a similar project on an alternate site, noise impacts would occur from construction activities (construction equipment and vehicles) and operational activities (vehicles, air conditioners, televisions, radios, lawn mowers, etc.). The Alternative locations are similarly proximate to existing urban uses (as compared to the proposed Project). Since this Alternative would be of similar size and scale to the Project, impacts are determined to be similar to the proposed Project.
- **Population & Housing** - With development of a similar project on an alternate site, population and housing impacts would occur from development of these sites. Since this Alternative would be of similar size and scale to the Project, impacts are determined to be similar to the proposed Project.
- **Public Services** - With development of a similar project on an alternate site, public service impacts would occur from development of these sites (need for police, fire, schools and other public facilities). Since this Alternative would be of similar size and scale to the Project, impacts are determined to be similar to the proposed Project.
- **Recreation** - With development of a similar project on an alternate site, recreation impacts would occur from development of these sites. Since this Alternative would be of similar size and scale to the Project, impacts are determined to be similar to the proposed Project.

- **Transportation** - With development of a similar project on an alternate site, transportation impacts would occur from construction (vehicles and equipment) and operation (vehicles associated with the residential and commercial development). Since this Alternative would be of similar size and scale to the Project, impacts are determined to be similar to the proposed Project. This Alternative would not eliminate the significant and unavoidable impacts (VMT impacts at the project and cumulative level) associated with this topic from the proposed Project.
- **Tribal Cultural Resources** - With development of a similar project on an alternate site, tribal cultural resource impacts could occur from development of these sites (conversion of agricultural lands to urban uses). Since this Alternative would be of similar size and scale to the Project, impacts are determined to be similar to the proposed Project.
- **Utilities & Service Systems** - With development of a similar project on an alternate site, utility and service system impacts would occur from construction activities (water for dust control, solid waste disposal) and operational activities (water demand associated with the development, wastewater disposal, solid waste disposal). Since this Alternative would be of similar size and scale to the Project, impacts are determined to be similar to the proposed Project.
- **Wildfire** - With development of a similar project on an alternate site, wildfire impacts could occur from development of these sites (conversion of agricultural lands to urban uses). Since this Alternative would be of similar size and scale to the Project, impacts are determined to be similar to the proposed Project.

Refer to Table 4-1 for a comparison of each environmental topic for the Alternate Locations Alternative versus the proposed Project.

Project Objectives

The Alternative Sites Alternative would meet most of the Project Objectives outlines in Section 4.2 herein. However, this Alternative would not be as economically feasible as compared to the proposed Project and thus would not be consistent with the Project objective of providing an economically feasible and conveniently-located commercial development to serve residents in the western portion of Selma.

Reduced (50%) Project Alternative

A reduction of 50% in the Project's size and scope is a reasonable amount to illustrate what impact such an alternative would have on the significant effects of the proposed Project.

Description

This alternative would reduce the Project components by 50% as follows:

- Reduction in acreage from 39.1 to 20
- Reduction in residential units from 600 to 300
- Reduction in hotel from 100-key to 50-key
- Reduction in buildable commercial square footage from 40,000 square feet to 20,000 square feet
- Corresponding reductions in infrastructure, etc.

The Project would remain a mixed-use development with a variety of housing types, with the 50% reduction.

Environmental Considerations

Most of the environmental issues associated with this alternative would be less or similar to those of the proposed Project. Impacts from the Reduced (50%) Alternative, as compared to the Project, are summarized as follows:

- **Aesthetics** – With development of the 50% of the site, aesthetic impacts would occur through the conversion of farmland to urban uses, introduction of light/glare, and construction of residential units on non-urbanized land. Since this Alternative would occur on less acreage as compared to the Project, impacts are determined to be less than the proposed Project.
- **Agriculture and Forestry Resources** - With development of 50% of the site, agricultural impacts would not occur as the site is not located on important farmland or forest resources. Impacts are determined to be similar as the proposed Project.
- **Air Quality** - With development of 50% of the site, air quality impacts would occur from construction activities (construction vehicles and equipment, dust and other emissions) and from operational activities (vehicle trip emissions and other emissions from the development). Due to the reduction in residential units and commercial facilities (and corresponding reduction in vehicle trips), this alternative would have lower annual emission rates than the proposed project for the following criteria pollutants: CO, NO_x, VOC, SO_x, PM₁₀ and PM_{2.5}. Air pollutant emission rates associated with this alternative are thus lower than the proposed project due to the reduced number of residential units and commercial acreage (and associated reduction in vehicle trips).
- **Biological Resources** - With development of the Project site with 50% of the site, biological impacts could occur from development of a previously agricultural site to urban uses.

Since this Alternative would occur on less acreage as compared to the Project, impacts are determined to be less than the proposed Project.

- **Cultural Resources** - With development of 50% of the site, cultural resource impacts could occur from development of a previously agricultural site to urban uses. Since this Alternative would occur on less acreage as compared to the Project, impacts are determined to be less than the proposed Project.
- **Energy** - With development of 50% of the site, energy impacts would occur from construction activities (electricity, fuel) and operational activities (electricity, natural gas, fuel). However, since this Alternative would have 50% less residential and commercial components as compared to the proposed Project, energy impacts would be less than the proposed Project.
- **Geology/Soils** - With development of 50% of the site, impacts to geology and soils would occur from construction activities (grading and land disturbing activities) and operational activities. Since this Alternative would occur on less acreage as compared to the Project, impacts are determined to be less than the proposed Project.
- **Greenhouse Gas Emissions** - With development of 50% of the site, greenhouse gas emission impacts would occur from construction activities (construction equipment emissions and vehicle emissions) and operational activities (vehicle emissions). However, since this Alternative would have 50% less residential and commercial components as compared to the proposed Project, greenhouse gas emissions would be less than the proposed Project.
- **Hazards & Hazardous Materials** - With development of 50% of the site, hazardous impacts would occur from construction activities (use and storage of hazardous substances) and operational activities (use and storage of hazardous substances). Since this Alternative would have less residential and commercial facilities as compared to the Project, impacts are determined to be less than the proposed Project.
- **Hydrology & Water Quality** - With development of 50% of the site, hydrology and water quality impacts would occur from construction activities (water for dust control, requirement for preparation of a SWPPP, drainage control) and operational activities (water demand associated with the development, drainage control). However, since this Alternative would have 50% less residential units and commercial acreage as compared to the proposed Project, hydrology and water quality impacts would be less than the proposed Project.
- **Land Use / Planning** - With development of 50% of the site, land use and planning impacts would occur from development of existing agricultural lands to urban uses. The Alternative would not divide an established community. Since this Alternative would

occur on less acreage as compared to the Project, impacts are determined to be less than the proposed Project.

- **Mineral Resources** - With development of 50% of the site, mineral resource impacts could occur from construction activities (grading and ground-disturbing activities) and operational activities (conversion of land to urban uses). Since this Alternative would occur on less acreage as compared to the Project, impacts are determined to be less than the proposed Project.
- **Noise** - With development of 50% of the site, noise impacts would occur from construction activities (construction equipment and vehicles) and operational activities (commercial activities, vehicles, air conditioners, televisions, radios, lawn mowers, etc.). However, since this Alternative would have 50% less residential and commercial components as compared to the proposed Project, noise impacts would be less than the proposed Project.
- **Population & Housing** - With development of 50% of the site, population and housing impacts would occur from development of these sites. However, since this Alternative would have 50% less residential units as compared to the proposed Project, population and housing impacts would be less than the proposed Project.
- **Public Services** - With development of 50% of the site, public service impacts would occur from development of these sites (need for police, fire, schools and other public facilities). However, since this Alternative would have 50% less residential units as compared to the proposed Project, public service impacts would be less than the proposed Project.
- **Recreation** - With development of 50% of the site, recreation impacts would occur from development of the site. However, since this Alternative would have 50% less residential units as compared to the proposed Project, recreation impacts would be less than the proposed Project.
- **Transportation** - With development of 50% of the site, transportation impacts would occur from construction (vehicles and equipment) and operation (vehicles associated with the residential and commercial developments). However, since this Alternative would have 50% less residential and commercial components as compared to the proposed Project, transportation impacts would be less than the proposed Project. It is likely that this Alternative would not eliminate the significant and unavoidable impacts associated with VMT impacts from the proposed Project (at the project and cumulative level).
- **Tribal Cultural Resources** - With development of 50% of the site, tribal cultural resource impacts could occur from development of these sites (conversion of agricultural lands to

urban uses). Since this Alternative would occur on less acreage as compared to the Project, impacts are determined to be less than the proposed Project.

- **Utilities & Service Systems** - With development of 50% of the site, utility and service system impacts would occur from construction activities (water for dust control, solid waste disposal) and operational activities (water demand associated with the development, wastewater disposal, solid waste disposal). However, since this Alternative would have 50% less residential and commercial components as compared to the proposed Project, utility and service system impacts would be less than the proposed Project.
- **Wildfire** - With development of 50% of the site, wildfire impacts could occur from development of these sites (conversion of agricultural lands to urban uses). Since this Alternative would occur on less acreage as compared to the Project, impacts are determined to be less than the proposed Project.

Refer to Table 4-1 for a comparison of each environmental topic for the Reduced (50%) Project Alternative versus the proposed Project.

Project Objectives

The Reduced (50%) Alternative would meet some of the Project Objectives outlines in Section 4.2 herein. However, this Alternative would not be fully consistent with the objective to provide residential development that assists the City in meeting its Housing Element requirements (the City currently has a deficit in meeting its Regional Housing Needs Allocation goals). In addition, this Alternative would not be as economically feasible as compared to the proposed Project due to economies of scale, and thus would not be consistent with the Project objective of providing an economically feasible commercial and residential development in a growing area of the City of Selma.

4.6 Summary of Potential Impacts of Alternatives

Table 4-1 provides a summary and side-by-side comparison of the proposed project with the impacts of each of the alternatives analyzed. Please note that under “No Project”, “Alternate Sites” and “Reduced (50%) Project” columns in Table 4-1, the references to “less, similar, or greater,” refer to the impact of the alternative compared to the proposed project, and the impacts “no impact, less than significant, or significant and unavoidable,” in the parentheses refer to the significant impact of the specific alternative.

Table 4-1
Alternatives Potential Impact Analysis

Environmental Issues	Proposed Project	No Project	Alternate Locations	Reduced (50%) Project
Aesthetics	Less than Significant	Less	Similar	Less
Agriculture / Forest Resources	Less than Significant	Less	More	Similar
Air Quality	Less than Significant	Less	Similar	Similar
Biological Resources	Less than Significant	Less	Similar	Less
Cultural Resources	Less than Significant	Less	Similar	Less
Geology and Soils	Less than Significant	Less	Similar	Less
Greenhouse Gas Emissions	Less than Significant	Less	Similar	Less
Hazards and Hazardous Materials	Less than Significant	Less	Similar	Less
Hydrology and Water Quality	Less than Significant	Less	Similar	Less
Land Use / Planning	Less than Significant	Less	Similar	Less
Noise	Less than Significant	Less	Similar	Less
Population / Housing	Less than Significant	Less	Similar	Less
Public Services	Less than Significant	Less	Similar	Less
Recreation	Less than Significant	Less	Similar	Less
Transportation and Traffic	Significant and unavoidable – VMT (project and cumulative)	Less	Similar	Less / Still Significant and Unavoidable
Tribal Cultural Resources	Less than Significant	Less	Similar	Less

Environmental Issues	Proposed Project	No Project	Alternate Locations	Reduced (50%) Project
Utilities and Service Systems	Less than Significant	Less	Similar	Less
Cumulative Impacts	Significant and unavoidable for Transportation	Less	Similar	Less / Still Cumulatively Considerable
Impact Reduction		Yes	No	Yes

Environmentally Superior Alternative

As presented in the comparative analysis above, and as shown in Table 4-1, there are a number of factors in selecting the environmentally superior alternative. An EIR must identify the environmentally superior alternative to the project. The No Project Alternative would be environmentally superior to the Project on the basis of its minimization or avoidance of physical environmental impacts. However, CEQA Guidelines Section 15126.6(e)(2) states:

The “no project” analysis shall discuss the existing conditions at the time the notice of preparation is published, or if no notice of preparation is published, at the time environmental analysis is commenced, as well as what would be reasonably expected to occur in the foreseeable future if the project were not approved, based on current plans and consistent with available infrastructure and community services. If the environmentally superior alternative is the “no project” alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives.

Because the No Project Alternative cannot be the Environmentally Superior Alternative under CEQA, the Reduced (50%) Project Alternative would be the Environmentally Superior alternative because it would result in less adverse physical impacts to the environment concerning air, water, noise, public services, population/housing, utilities, and traffic. However, the Reduced (50%) Project Alternative does not eliminate the proposed Project’s significant and unavoidable impacts associated with Transportation (VMT impacts) (project and cumulative). Furthermore, the Reduced (50%) Project Alternative does not meet all of the Project objectives, particularly with regard to diversity of housing and being economically feasible.

Summary and Determination

Only the No Project and Reduced (50%) Project Alternatives could potentially result in fewer impacts than the proposed Project's impacts. These Alternatives, however, would not fully meet the objectives of the proposed Project. After this full, substantial, and deliberate analysis, the proposed Project remains the preferred alternative.

Chapter 5

OTHER CEQA CONSIDERATIONS

CEQA CONSIDERATIONS

5.1 Growth-Inducing Impacts

CEQA Sections 15126 (d) and 15126.2(e) require that any growth-inducing aspect of a project be addressed in an EIR. This discussion includes consideration of ways in which the proposed Project could directly (e.g. construction of residential or commercial facilities) or indirectly (e.g. construction of oversized public utilities) result in physical impacts on the environment if the Project's construction or operation induces economic or population growth in the surrounding area, including an analysis of the infrastructure and planning changes necessary to accommodate any induced growth.

The proposed Project involves the establishment of a mixed-use development that is being proposed in response to the demand for housing and commercial facilities in the area. The Project is consistent with the Selma General Plan Update and Zoning Ordinance and will connect to all existing City utility services. The anticipated population and housing unit increase associated with the proposed Project are within the growth projections of the City's General Plan. The proposed Project would create a relatively minor amount of new employment opportunities during construction and for the proposed commercial facilities associated with the Project. As of October 2024, the City of Selma had an unemployment rate of 7.6 percent¹ and it is anticipated that those new employment opportunities associated with the Project would likely be filled by the existing employment base. There are no other indirect aspects of the Project (such as creation of oversized public utility lines, etc.) that would induce further growth in the area. The proposed Project would not result in significant growth-inducing impacts.

Conclusion: The project would have *less than significant* growth-inducing impacts.

5.2 Irreversible Environmental Changes

Section 15126(c) of the CEQA Guidelines requires that an EIR include a discussion of significant irreversible environmental changes that would result from project implementation. CEQA Section 15126.2(d) identifies irreversible environmental changes as those involving a large commitment of nonrenewable resources or irreversible damage resulting from environmental accidents.

¹ State of California. Employment Development Department. Labor Market Information Division. <https://labormarketinfo.edd.ca.gov/cgi/databrowsing/localAreaProfileQSMOREResult.asp?viewAll=&viewAllUS=¤tPage=163¤tPageUS=&sortUp=&sortDown=L.PERIODYEAR&criteria=unemployment+rate&categoryType=employment&geogArea=0621040900×eries=&more=More+Areas&menuChoice=localAreaPro&printerFriendly=&BackHistory=-265&goTOPageText=> . Accessed December 2024.

Irreversible changes associated with the Project include the use of nonrenewable resources during construction, including concrete, plastic, and petroleum products and renewable resources such as timber. To the extent nonrenewable uses are used during construction, the Project is being created to meet existing demand for housing and services in the City, which would lead to the consumption of these resources elsewhere if the Project were not built. Therefore, the proposed Project would not result in a new impact to nonrenewable resources. During the operational phase of the proposed Project, energy would be used for lighting, heating, cooling, and other requirements and petroleum products would be used by vehicles associated with the residents of the proposed development and the commercial facilities. The use of these resources would not be substantial, would not be inefficiently used, and would not constitute a significant effect. Refer to Section 3.6 – Energy for more information pertaining to the proposed Project’s energy use.

In the future, the site could be rezoned or redeveloped for a different use also allowed in the existing General Plan or Zoning Ordinance designations, in which case, at the end of the useful life of the Project, the use could change. Therefore, the Project would not commit future generations to a significant change in land use. This is in contrast to a large industrial use, where reuse for non-industrial uses likely would require extensive remediation, making such reuse difficult, or large infrastructure projects that are rarely moved or dismantled once constructed.

The proposed Project would not result in irreversible damage resulting from environmental accidents. The Project consists of a mixed-use residential and commercial development. None of these land uses routinely transport, use, or dispose of hazardous materials, or present a reasonably foreseeable release of hazardous materials, with the exception of common residential and commercial hazardous materials such as cleaners, paint, petroleum products, etc. Handling and use of hazardous materials and the disposal of the resulting hazardous wastes would be required to follow the applicable laws and regulations, as described in Section 3.9-1 – Hazards & Hazardous Materials herein. As such, irreversible environmental accidents are unlikely.

Conclusion: The project would have *less than significant* irreversible environmental changes.