

## Notice of Preparation of a Draft Environmental Impact Report

---

**Date:** July 3<sup>rd</sup>, 2024

**To:** Responsible Agencies, Interested Parties and Organizations

**Subject:** Notice of Preparation of an Environmental Impact Report for the proposed Selma Casitas Project

**Lead Agency:** City of Selma

**Project Applicant:** River Park Properties II  
265 E. River Park Circle #420  
Fresno, CA 93720

**Contacts:** Kamara Biawogi, City Planner  
1710 Tucker Street  
Selma, CA 93662  
(559) 891-2200  
kamarab@cityofselma.com

**Project Title:** Selma Casitas Project

**Notice is Hereby Given:** The City of Selma (City) is the Lead Agency on the below-described Selma Casitas Project (Project) and has prepared a Notice of Preparation (NOP) of an Environmental Impact Report (EIR), pursuant to the California Environmental Quality Act (CEQA) and the CEQA Guidelines. The NOP is intended to disclose environmental information and to solicit the views of the public, interested parties, and/or agencies as to the scope and content of the environmental information. Specifically, the City is requesting that commenters provide comments on the NOP, identify additional environmental topics (and/or special studies) that they believe need to be explored in the forthcoming EIR, and to identify other relevant environmental issues related to the scope and content of the forthcoming EIR.

**Project Location:** The proposed Project 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 75.31 acres and currently consists of active and fallowed agricultural land. 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 predominantly surrounded by agricultural land, rural residential homes and commercial developments.

**Project Description:** The proposed Project consists of the annexation of 75.31 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. No development is proposed for the remaining 36.21 acres. 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.

**Scope of the Environmental Impact Report:** The forthcoming EIR will address the following CEQA Guidelines Appendix G topics: Air Quality, Cultural Resources, Energy, Greenhouse Gas Emissions, Hydrology and Water

Quality, Transportation, and Utilities and Service Systems. The EIR will also review Project alternatives as well as cumulative impacts. The remaining CEQA Guidelines Appendix G topics have been analyzed in the Initial Study with less than significant impacts. To support the analysis in the EIR, the following technical studies will be prepared: Air Quality / Greenhouse Gases / Energy Study, Cultural Resources Report, Water Supply Assessment, Traffic Impact Study, and a Water Supply Assessment.

**Potential Environmental Effects:** Potentially significant effects may result to various environmental categories including, but not limited to Air Quality, Cultural Resources, Energy, Greenhouse Gas Emissions, Hydrology/Water Quality, Transportation, and/or Utilities/Service Systems.

**Document Availability and Public Review Timeline:** Due to the time limits mandated by State law, your response to the NOP and Initial Study must be sent *no later than 30 days* after receipt of this notice. The review period for the NOP and Initial Study will be from July 3<sup>rd</sup>, 2024 to August 2, 2024. Copies of the NOP and Initial Study can be obtained by request to Kamara Biawogi, whose contact information is given below. Electronic copies can also be accessed on the City's website at [https://www.cityofselma.com/departments/community\\_development/projects\\_and\\_studies.php#outer-45](https://www.cityofselma.com/departments/community_development/projects_and_studies.php#outer-45)

**Public Scoping Meeting:** In addition to the opportunity to submit written comments, one public scoping meeting will be held by the City to inform interested parties about the proposed Project, and to provide agencies and the public with an opportunity to provide comments on the scope and content of the forthcoming EIR. This meeting will be held at 4:00 p.m. on July 18<sup>th</sup>, 2024, at the Council Chambers, Selma City Hall, 1710 Tucker St, Selma, CA 93662.

**Submitting Comments:** Comments and suggestions as to the appropriate scope of analysis of the EIR are invited from all interested parties. Written comments or questions concerning the EIR for the proposed Project should be directed to the City of Selma at the following address by 5:00 p.m. on August 2<sup>nd</sup>, 2024. Please include the commenter's full name and address. Please submit comments to:

Kamara Biawogi, City Planner  
1710 Tucker Street  
Selma, CA 93662  
(559) 891-2200  
kamarab@cityofselma.com

# Initial Study / Notice of Preparation

## Casitas Selma Project

Prepared for:



City of Selma  
1710 Tucker Street  
Selma, CA 93662  
(559) 891-2200

Contact: Kamara Biawogi, City Planner

Prepared by:



Crawford & Bowen Planning, Inc.  
113 N. Church Street, Suite 310  
Visalia, CA 93291  
(559) 840-4414

Contact: Emily Bowen, LEED AP

July 2024

# TABLE OF CONTENTS

**PROJECT INFORMATION ..... 4**

    Project Title ..... 4

    Lead agency name and address ..... 4

    Contact person and phone number ..... 4

    Project location ..... 4

    Project sponsor’s name/address ..... 10

    General plan designation..... 10

    Zoning..... 10

    Project Description ..... 10

    Construction Schedule..... 15

    Surrounding Land Uses/Existing Conditions ..... 10

    The Project would include approvals of the following actions ..... 15

    Other Public Agencies Involved ..... 16

    Tribal Consultation ..... 16

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED..... 17**

**DETERMINATION..... 18**

**ENVIRONMENTAL CHECKLIST..... 19**

    I. AESTHETICS..... 19

    II. AGRICULTURE AND FOREST RESOURCES ..... 24

    III. AIR QUALITY ..... 27

    IV. BIOLOGICAL RESOURCES..... 31

    V. CULTURAL RESOURCES ..... 36

VI. ENERGY..... 37

VII. GEOLOGY AND SOILS ..... 42

VIII. GREENHOUSE GAS EMISSIONS ..... 47

IX. HAZARDS AND HAZARDOUS MATERIALS..... 51

XII. MINERAL RESOURCES..... 62

XIII. NOISE ..... 64

XIV. POPULATION AND HOUSING..... 76

XV. PUBLIC SERVICES ..... 80

XVI. RECREATION..... 85

XVII. TRANSPORTATION/TRAFFIC ..... 87

XVIII. TRIBAL CULTURAL RESOURCES..... 90

XIX. UTILITIES AND SERVICE SYSTEMS..... 93

XX. WILDFIRE..... 97

XXI. MANDATORY FINDINGS OF SIGNIFICANCE ..... 99

**LIST OF PREPARERS..... 101**

## PROJECT INFORMATION

This document is the Initial Study for the potential environmental effects of the City of Selma's (City) Casitas Selma Project (Project). An Initial Study is a preliminary analysis that is prepared to determine the relative environmental impacts associated with a proposed project. It is designed as a measuring mechanism to determine if a project will have a significant adverse effect on the environment, thereby triggering the need to prepare an Environmental Impact Report (EIR). This Initial Study has been prepared consistent with CEQA Guidelines Section 15063, to determine if the proposed Selma Casitas Project may have a significant effect upon the environment. A Notice of Preparation (NOP) of an EIR has been prepared along with this IS.

The City of Selma will act as the Lead Agency for this Project pursuant to the California Environmental Quality Act (CEQA) and the CEQA Guidelines. Copies of all materials referenced in this report are available for review in the Project file during regular business hours at 1710 Tucker Street, Selma, CA 93662.

### Project Title

Casitas Selma Project

### Lead agency name and address

City of Selma

1710 Tucker Street

Selma, CA 93662

### Contact person and phone number

Kamara Biawogi, City Planner: 559.891.2200

### 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 75.31 acres and currently consists of active and fallowed agricultural land. 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 predominantly surrounded by agricultural land, rural residential homes and commercial developments. Refer to Figures 1 and 2 for Project location. Refer to Figure 3 for the Site Plan and Figure 4 for the Offsite Utilities Plan.

Figure 1 – Regional Location Map

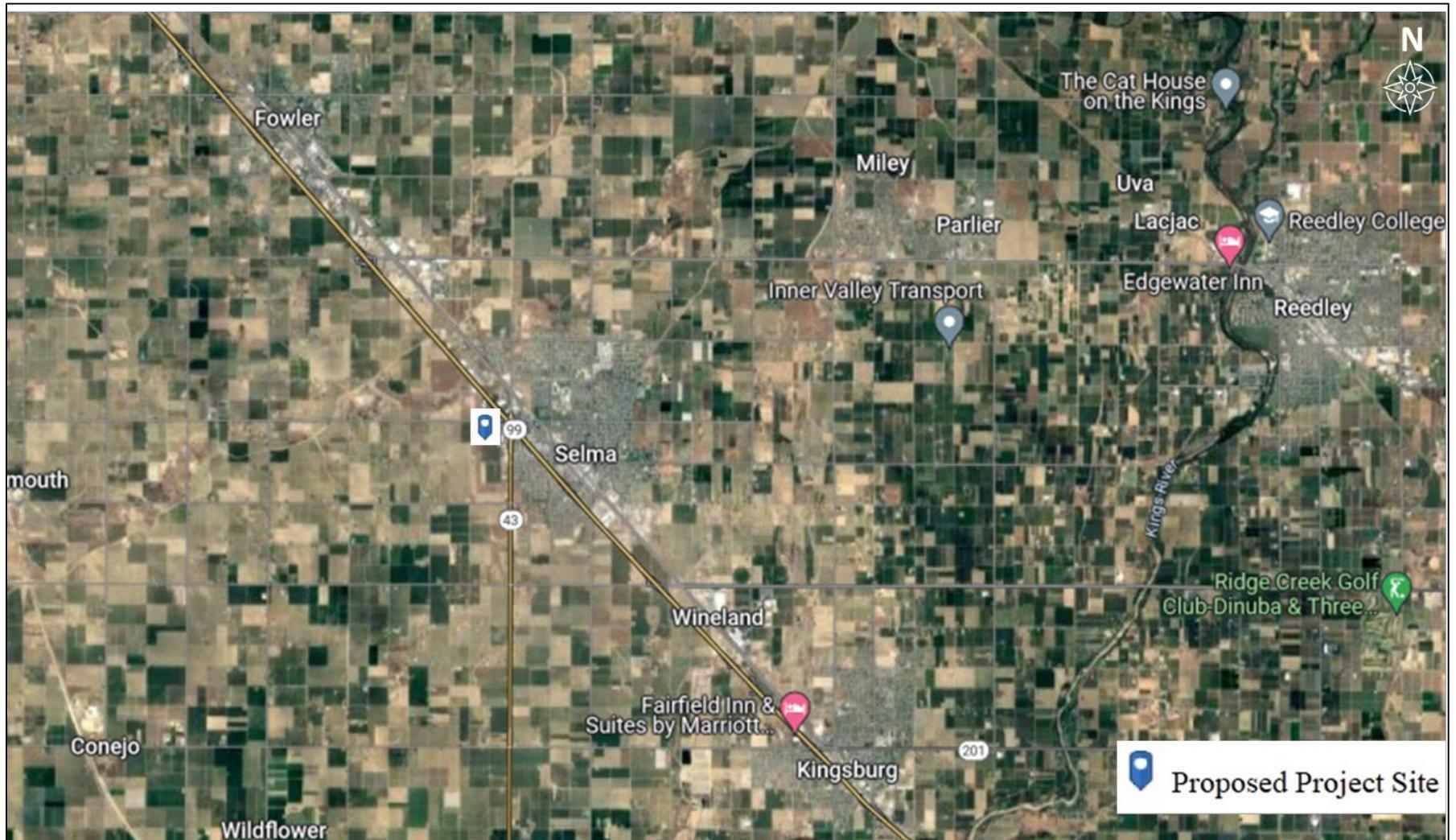
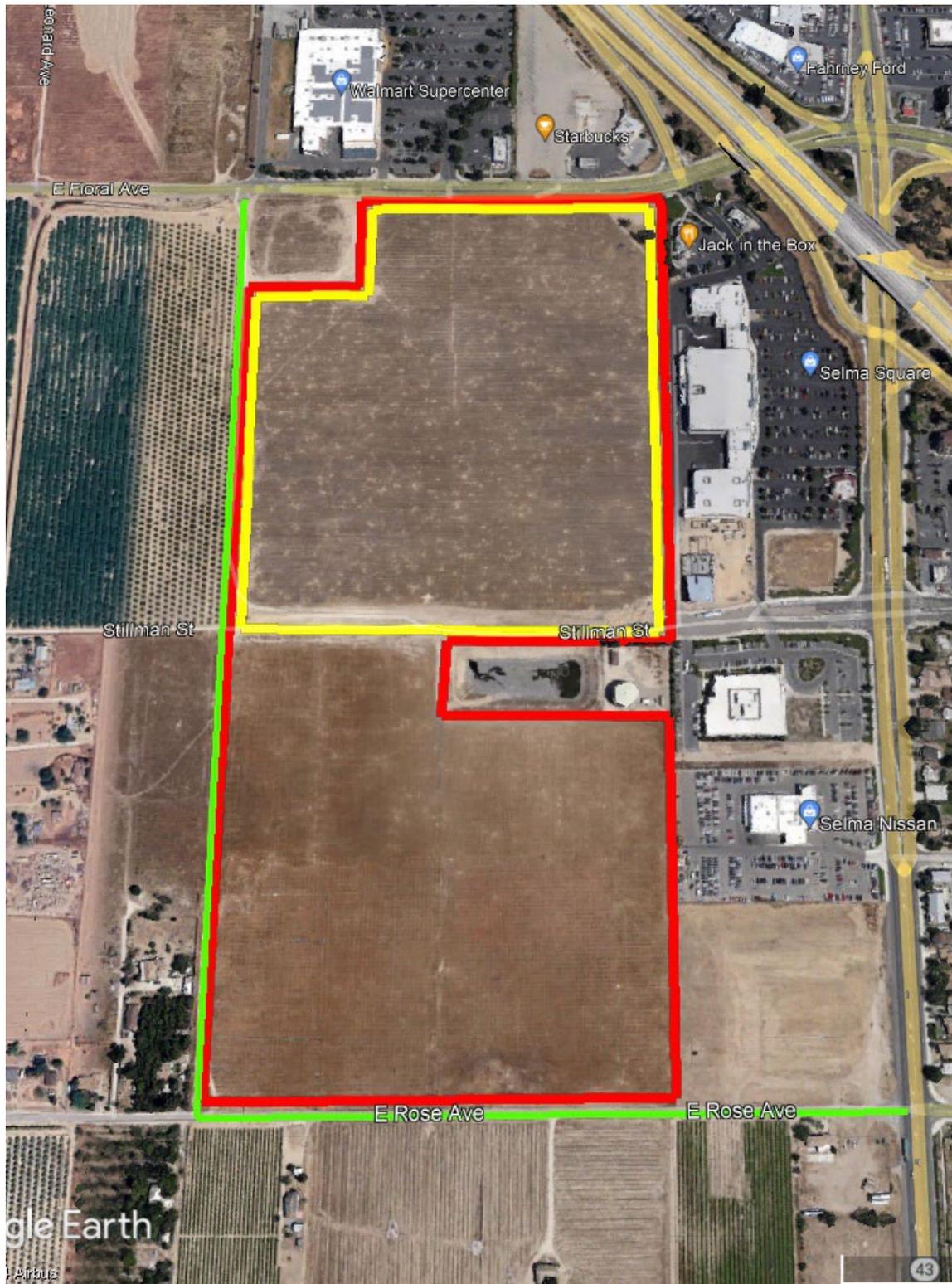


Figure 2 – Project Site Aerial







## Project sponsor's name/address

River Park Properties II  
265 E. River Park Circle #420  
Fresno, CA 93720

## General Plan Designations

Existing: Regional Commercial

Proposed: Regional Commercial and High Density Residential, Open Space

## Pre-Zoning

Existing: AE-20 (Exclusive Agriculture - Fresno County)

Existing: AL-20 (Limited Agriculture – Fresno County)

Proposed: Regional Commercial, R-4, and Open Space (City of Selma)

## Surrounding Land Uses/Existing Conditions

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.

## Project Description

The proposed Project consists of the annexation of 75.31 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). No development is proposed for the remaining 36.21 acres. 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 3 and Figure 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
- 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)

- Affordable Senior Housing (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\_
- Affordable Multi-family Housing (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 internal access roads, lighting and site landscaping. Stillman Street is planned to be widened and improved, which will divert traffic from E. Floral Avenue, as this will be the main entrance for the residential units. 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 Pproject would connect to the existing 12" main on Floral and Highland Avenue. Additionally, Station 20 is south of the Pproject 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 Pproject'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 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

An approximate construction schedule for the proposed Project consists of:

<b>Construction Activity</b>	<b>Start Date</b>	<b>End Date</b>
Site Preparation	12/1/2024	1/11/2025
Grading	4/12/2025	7/25/2025
Building Construction	7/26/2025	5/27/2028
Paving	7/26/2025	10/10/2025
Architectural Coating	3/12/2028	5/27/2028

## City of Selma Project 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

### Tribal Consultation

In compliance with Assembly Bill (AB) 52 and Senate Bill (SB) 18, the City sent letters regarding the proposed project to Native American tribes traditionally and culturally affiliated with the project area based on a list of contacts provided by the Native American Heritage Commission (NAHC) on June 6, 2023. None of the contacted tribes requested consultation within the 90-day consultation period. As such, AB 52 and SB 18 requirements for the proposed project have been fulfilled. See Section XVIII – Tribal Cultural Resources.

## ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

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

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

## DETERMINATION

On the basis of this initial evaluation:

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

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

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

I find that the proposed project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

*Kamara B*

Kamara Biawogi, City Planner

6/26/2024

Date

# ENVIRONMENTAL CHECKLIST

I. AESTHETICS				
<b>Would the project:</b>	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a. Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

## ENVIRONMENTAL SETTING

The proposed Project site is located in the Central San Joaquin Valley region, in the southern portion of Fresno County, in the northwestern portion of the City of Selma, California. The proposed Project consists of construction of a mixed-use residential and commercial development project on an approximately 39.1-acre site in northwestern Selma, west of Highland Avenue, south of Floral Avenue and north of Stillman Street. The Project consists of 5.64 acres of retail, fast-food and hospitality development, 11.16 acres of multi-family 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 proposed development also consists of offsite improvements including installation of sewer and water pipelines, connections with existing sewer, storm drain and water infrastructure, and connecting Fancher Street with Floral Avenue.

The Project site is generally flat, and the existing visual character of the site consists of mostly vacant land, minimal vegetation, and three existing trees. There is an existing pump, standpipes, a concrete pad and power pole to be removed. Views of the proposed Project site area are possible from E. Floral Avenue, Stillman Street and the two unnamed streets to the east and west. The site resides in an area comprised of predominantly commercial developments, rural residential developments, and agricultural land.

## RESPONSES

a. Have a substantial adverse effect on a scenic vista?

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

**Less Than Significant Impact.** A scenic vista is defined as a viewpoint that provides expansive views of highly valued landscape for the benefit of the general public. The Sierra Nevada Mountains are the only natural and visual resource in the proposed Project area. Views of these distant mountains are afforded only during clear conditions due to poor air quality in the valley. Distant views of the Sierra Nevada Mountains would largely be unaffected by the development of the Project because of the nature of the Project, distance and limited visibility of these features. The County of Fresno does not identify views of these features as required to be “protected.”

The nearest officially designated scenic highway is a section of SR 180 which is located approximately 14 miles northeast of the site. However, the Project is not visible to or from this designated scenic highway due to intervening land uses. Therefore, the Project has *less than significant* impact on scenic vistas or designated scenic resources or highways.

**Mitigation Measures:** None are required.

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

**Less Than Significant Impact.** Proposed Project development involves construction of a mixed-use residential and commercial development, including offsite utilities improvements, on an approximately 39.1-acre parcel. The development consists of four commercial pads for retail, fast-food and a three-storied 100-key hotel, 300 multi-family housing units, 180 affordable multi-family housing units, 120 affordable senior housing units, four clubhouses, a 3.57-acre park in the central parcel, three outlots, all associated parking spaces, and associated streets, access roads, landscaping, and related site improvements.

The Project site is just outside the City of Selma, and upon annexation and approval, the mixed-use development will conform to design standards set forth by the City's General Plan and Zoning Ordinance. Site construction will include residences, commercial buildings, recreational areas, parking areas, internal access roads, lighting and site landscaping. The proposed Project site is located in an area that is substantially surrounded by commercial and agricultural land uses. The Project will change the visual character of the site, but its appearance will be similar in character to the existing developments in the vicinity, and as such, will not result in a use that is visually incompatible with the surrounding area. The proposed Project will not substantially degrade the existing visual character or quality of the area or its surroundings. Impacts are *less than significant*.

**Mitigation Measures:** None are required.

d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

**Less Than Significant Impact with Mitigation Incorporation.** Nighttime lighting is necessary to provide and maintain safe, secure, and attractive environments; however, these lights have the potential to produce spillover light and glare and waste energy, and if designed incorrectly, could be considered unattractive. Light that falls beyond the intended area is referred to as "light trespass." Types of light trespass include spillover light and glare. Minimizing all these forms of obtrusive light is an important environmental consideration. A less obtrusive and well-designed energy efficient fixture would face downward, emit the correct intensity of light for the use, and incorporate energy timers.

Spillover light is light emitted by a lighting installation that falls outside the boundaries of the property on which the installation is sited. Spillover light can adversely affect light-sensitive uses, such as residential neighborhoods at nighttime. Because light dissipates as it travels from the source, the intensity of a light fixture is often increased at the source to compensate for the dissipated light. This can further increase the amount of light that illuminates adjacent uses. Spillover light can be minimized by

using only the level of light necessary, and by using cutoff type fixtures or shielded light fixtures, or a combination of fixture types.

Glare results when a light source directly in the field of vision is brighter than the eye can comfortably accept. Squinting or turning away from a light source is an indication of glare. The presence of a bright light in an otherwise dark setting may be distracting or annoying, referred to as discomfort glare, or it may diminish the ability to see other objects in the darkened environment, referred to as disability glare. Glare can be reduced by design features that block direct line of sight to the light source and that direct light downward, with little or no light emitted at high (near horizontal) angles, since this light would travel long distances. Cutoff-type light fixtures minimize glare because they emit relatively low-intensity light at these angles.

Current sources of light in the Project area include streetlights, vehicles traveling along adjacent streets, and commercial lighting at the businesses to the east and north. The Project would necessitate street lighting. Such lighting would be constructed to meet applicable City development standards, which would substantially reduce potential nuisances from light or glare. Additionally, incorporation of mitigation measure AES-1 will further reduce potential impacts resulting from new lighting. Accordingly, potential impacts would be considered *less than significant with mitigation incorporation*.

### **Mitigation Measures:**

- AES – 1**            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:
- 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.

- City staff shall review all exterior lighting designs for conformance with applicable standards.

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.

## II. AGRICULTURE AND FOREST RESOURCES

### Would the project:

	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## ENVIRONMENTAL SETTING

The City of Selma is located in Fresno County in the San Joaquin Valley, California. The proposed Project site is currently vacant with minimal vegetation. The site is surrounded by agricultural uses to the west and south, and commercial uses to the north and east. The northern portion of the Project site is considered Farmland of Local Importance by the Department of Conservation Farmland Mapping and Monitoring Program while the southern portion is designated as Unique Farmland and Prime Farmland.<sup>1</sup>

## RESPONSES

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

**No Impact.** The proposed Project involves construction of a mixed-use residential and commercial development, including offsite utilities improvements, on an approximately 39.1-acre parcel. No development is proposed for the southern approximately 36.2 acres of the Project site. The entire 75.31-acre project site is designated Regional Commercial by the City of Selma 2035 General Plan and as such, impacts resulting from the conversion of agricultural land has been analyzed in the General Plan Environmental Impact Report (SCH#2008081082). Agricultural conversion impacts were determined to be a significant and unavoidable impact and a Statement of Overriding Considerations was adopted by the City. No new agricultural conversion impacts will occur due to Project implementation.

**Mitigation Measures:** None are required.

b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?

The Project parcels are not subject to a Williamson Act Land Use Contract (WAC)<sup>2</sup> and although the parcels are currently zoned for agricultural use, as part of the Project, they will be pre-zoned Regional Commercial, R-4, and Open Space, which are appropriate zone designations for the proposed Project. As such, no impacts will result from conflicting with WAC or existing zoning.

---

<sup>1</sup> California Important Farmland Finder, Department of Conservation. <https://maps.conservation.ca.gov/DLRP/CIFF/>. Accessed May 2024.

<sup>2</sup> Fresno County Assessor, California Land Conservation Act. <https://www.fresnocountyca.gov/Departments/Assessor/Williamson-Act>. Accessed June 2023.

**Mitigation Measures:** None are required.

- c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?
- d. Result in the loss of forest land or conversion of forest land to non-forest use?

The Project site is not zoned for forest land and does not propose any zone changes related to forest or timberland. The proposed Project does not conflict with any forest land or Timberland Production or result in any loss of forest land. No conversion of forestland, as defined under Public Resource Code or General Code, as referenced above, would occur as a result of the Project. Therefore, the Project has *no impact* on agricultural and forest resources.

**Mitigation Measures:** None are required.

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

**No Impact.** As discussed previously, there is no forest-land on-site or in the City of Selma. The proposed Project will require an Annexation, General Plan Amendment and Pre-zone, all of which are site specific. Additionally, the proposed Project site is located in an area of the City that has been planned for and is designated for urban development. No new agricultural conversion impacts will occur due to Project implementation. There is *no impact*.

**Mitigation Measures:** None are required.

### III. AIR QUALITY

**Would the project:**

	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a. Conflict with or obstruct implementation of the applicable air quality plan?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Expose sensitive receptors to substantial pollutant concentrations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

### ENVIRONMENTAL SETTING

The climate of the City of Selma and the San Joaquin Valley is characterized by long, hot summers and stagnant, foggy winters. Precipitation is low and temperature inversions are common. These characteristics are conducive to the formation and retention of air pollutants and are in part influenced by the surrounding mountains which intercept precipitation and act as a barrier to the passage of cold air and air pollutants.

The proposed Project lies within the San Joaquin Valley Air Basin, which is managed by the San Joaquin Valley Air Pollution Control District (SJVAPCD or Air District). National Ambient Air Quality Standards (NAAQS) and California Ambient Air Quality Standards (CAAQS) have been established for the following criteria pollutants: carbon monoxide (CO), ozone (O<sub>3</sub>), sulfur dioxide (SO<sub>2</sub>), nitrogen dioxide (NO<sub>2</sub>), particulate matter (PM<sub>10</sub> and PM<sub>2.5</sub>), and lead (Pb). The CAAQS also set standards for sulfates, hydrogen sulfide, and visibility.

Air quality plans or attainment plans are used to bring the applicable air basin into attainment with all state and federal ambient air quality standards designed to protect the health and safety of residents within that air basin. Areas are classified under the Federal Clean Air Act as either “attainment”, “non-

attainment”, or “extreme non-attainment” areas for each criteria pollutant based on whether the NAAQS have been achieved or not. Attainment relative to the State standards is determined by the California Air Resources Board (CARB). The San Joaquin Valley is designated as a State and Federal extreme non-attainment area for O<sub>3</sub>, a State and Federal non-attainment area for PM<sub>2.5</sub>, a State non-attainment area for PM<sub>10</sub>, and Federal and State attainment area for CO, SO<sub>2</sub>, NO<sub>2</sub>, and Pb.

Standards and attainment status for listed pollutants in the Air District can be found in Table 1. Note that both state and federal standards are presented.

**Table 1**  
**Standards and Attainment Status for Listed Pollutants in the Air District**

	<b>Federal Standard</b>	<b>California Standard</b>
Ozone	0.075 ppm (8-hr avg)	0.07 ppm (8-hr avg) 0.09 ppm (1-hr avg)
Carbon Monoxide	9.0 ppm (8-hr avg) 35.0 ppm (1-hr avg)	9.0 ppm (8-hr avg) 20.0 ppm (1-hr avg)
Nitrogen Dioxide	0.053 ppm (annual avg)	0.30 ppm (annual avg) 0.18 ppm (1-hr avg)
Sulfur Dioxide	0.03 ppm (annual avg) 0.14 ppm (24-hr avg) 0.5 ppm (3-hr avg)	0.04 ppm (24-hr avg) 0.25 ppm (1hr avg)
Lead	1.5 µg/m <sup>3</sup> (calendar quarter) 0.15 µg/m <sup>3</sup> (rolling 3-month avg)	1.5 µg/m <sup>3</sup> (30-day avg)
Particulate Matter (PM <sub>10</sub> )	150 µg/m <sup>3</sup> (24-hr avg)	20 µg/m <sup>3</sup> (annual avg) 50 µg/m <sup>3</sup> (24-hr avg)
Particulate Matter (PM <sub>2.5</sub> )	15 µg/m <sup>3</sup> (annual avg)	35 µg/m <sup>3</sup> (24-hr avg) 12 µg/m <sup>3</sup> (annual avg)

*µg/m<sup>3</sup> = micrograms per cubic meter*

Additional State regulations include:

CARB Portable Equipment Registration Program – This program was designed to allow owners and operators of portable engines and other common construction or farming equipment to register their equipment under a statewide program so they may operate it statewide without the need to obtain a permit from the local air district.

U.S. EPA/CARB Off-Road Mobile Sources Emission Reduction Program – The California Clean Air Act (CCAA) requires CARB to achieve a maximum degree of emissions reductions from off-road mobile sources to attain State Ambient Air Quality Standards (SAAQS); off-road mobile sources include most construction equipment. Tier 1 standards for large compression-ignition engines used in off-road mobile sources went into effect in California in 1996. These standards, along with ongoing rulemaking, address emissions of nitrogen oxides (NOX) and toxic particulate matter from diesel engines. CARB is currently developing a control measure to reduce diesel PM and NOX emissions from existing off-road diesel equipment throughout the state.

California Global Warming Solutions Act – Established in 2006, Assembly Bill 32 (AB 32) requires that California’s GHG emissions be reduced to 1990 levels by the year 2020. This will be implemented through a statewide cap on GHG emissions, which was phased in beginning in 2012. AB 32 requires CARB to develop regulations and a mandatory reporting system to monitor global warming emissions levels.

## RESPONSES

- 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 non-attainment under an applicable federal or state ambient air quality standard?
- c. Expose sensitive receptors to substantial pollutant concentrations?
- d. Result in other emissions (such as those leading to odors adversely affecting a substantial number of people?

**Potentially Significant Impact.** The San Joaquin Valley Air Basin (SJVAB) is designated nonattainment of State and federal health-based air quality standards for ozone and PM<sub>2.5</sub>. The SJVAB is designated nonattainment of state PM<sub>10</sub>. To meet Federal Clean Air Act (CAA) requirements, the SJVAPCD has multiple air quality attainment plan (AQAP) documents, including:

- Extreme Ozone Attainment Demonstration Plan (EOADP) for attainment of the 1-hour ozone standard (2004);
- 2007 Ozone Plan for attainment of the 8-hour ozone standard;
- 2007 PM<sub>10</sub> Maintenance Plan and Request for Redesignation; and
- 2008 PM<sub>2.5</sub> Plan.

Because of the region’s non-attainment status for ozone, PM<sub>2.5</sub>, and PM<sub>10</sub>, if the project-generated emissions of either of the ozone precursor pollutants (ROG or NO<sub>x</sub>), PM<sub>10</sub>, or PM<sub>2.5</sub> were to exceed the

SJVAPCD's significance thresholds, then the Project uses would be considered to conflict with the attainment plans. In addition, if the Project uses were to result in a change in land use and corresponding increases in vehicle miles traveled, they may result in an increase in vehicle miles traveled that is unaccounted for in regional emissions inventories contained in regional air quality control plans.

Predicted construction and operational emissions may exceed the SJVAPCD's significance thresholds for ROG, NO<sub>x</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub>, could potentially create a cumulatively considerable net increase of these pollutants, could potentially expose sensitive receptors to substantial pollutant concentrations and could result in other emissions. Therefore, this impact is *potentially significant*.

This topic will be addressed in the Project's forthcoming EIR.

#### IV. BIOLOGICAL RESOURCES

##### Would the project:

	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Have a substantial adverse effect on federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

- e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?
  
- f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

### ENVIRONMENTAL SETTING

The proposed Project site is located in a portion of the central San Joaquin Valley that has, for decades, experienced intensive agricultural and urban disturbances. Current agricultural endeavors in the region include dairies, groves, and row crops.

Like most of California, the San Joaquin Valley experiences a Mediterranean climate. Warm dry summers are followed by cool moist winters. Summer temperatures usually exceed 90 degrees Fahrenheit, and the relative humidity is generally very low. Winter temperatures rarely raise much above 70 degrees Fahrenheit, with daytime highs often below 60 degrees Fahrenheit. Annual precipitation within the proposed Project site is about 10 inches, almost 85% of which falls between the months of October and March. Nearly all precipitation falls in the form of rain and storm-water readily infiltrates the soils of the surrounding the sites.

Native plant and animal species once abundant in the region have become locally extirpated or have experienced large reductions in their populations due to conversion of upland, riparian, and aquatic habitats to agricultural and urban uses. Remaining native habitats are particularly valuable to native wildlife species including special status species that still persist in the region.

The site is currently vacant fallowed agricultural land, which has been routinely disced for weeds. Vegetation is minimal on the parcel; there are three existing trees at the northeast corner of the property. The site is nearly flat, with less than ten feet elevation difference. The Project site’s surrounding lands consist of agricultural land uses to the west and south, and commercial businesses established to the north and east.

## RESPONSES

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

**Less than Significant Impact.** The Project area and immediate vicinity consist of land developed with commercial businesses and agriculture. Existing development has altered the natural landscape by introducing non-native plant species and removing potentially suitable natural habitat for sensitive plant or animal species within the Project area. The vegetation found within and along the Project area consists of nonnative species that provide little or no biological importance and value.

The City of Selma General Plan, Open Space, Conservation and Recreation Element was examined to determine if any species were listed or identified as a candidate, sensitive, or special status species located in or near the Proposed Project Area. One of the Open Space, Conservation and Recreation Element's goals is to protect any rare or endangered plant or animal species found in the Selma area. No species are listed. Due to the highly disturbed nature of the Project site, no sensitive or special status species are expected to be found in the Project vicinity and the impact would be *less than significant*.

**Mitigation Measures:** None are required.

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

**No Impact.** The Proposed Project site is located in an urban area that is primarily surrounded by commercial land uses and agriculture. No riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulation by the CDFW or USFWS is present on site. As such, project implementation would have *no impact* related to a substantial adverse effect on any riparian habitat or other sensitive natural community.

**Mitigation Measures:** None are required.

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

**No Impact.** The United States Army Corps of Engineers (USACE) regulates the dredge and fill of “Waters of the U.S.” through Section 404 of the Clean Water Act (CWA). This proposed Project site and area are urbanized and does not contain federally protected waters or wetlands.<sup>3</sup> Therefore, no impacts would occur on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means as a result of this Proposed Project. As such, there would be *no impacts* associated with the project implementation.

**Mitigation Measures:** None are required.

- d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

**Less than Significant Impact with Mitigation Incorporated.** Both raptors and migratory birds and their nests are protected under the Migratory Bird Treaty Act 16 U.S.C. §§ 703–712 (MBTA). The proposed Project will require removal of three trees to accommodate the Project. Tree removal could remove an active nest at the time of Project commencement or construction near an active nest could result in nest abandonment. Additionally, construction activities such as excavating, trenching, and grading that disturb a nesting bird on the Project site or immediately adjacent to the construction zone could constitute a significant impact. However, implementation of Mitigation Measure BIO-1 would reduce this impact to a *less than significant* level. This mitigation measure consists of preconstruction surveys and timing of construction in relation to potential nesting birds in the Project area.

**Mitigation Measures:**

- BIO – 1** To the extent practicable, construction shall be scheduled to avoid the nesting season, which extends from February through August.

---

<sup>3</sup> California Department of Fish and Wildlife. National Wetlands Inventory. Surface waters and wetlands. <https://fwsprimary.wim.usgs.gov/wetlands/apps/wetlands-mapper/>. Accessed December 2023.

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. A nesting bird survey may be conducted during the preconstruction survey for San Joaquin kit fox as outlined in BIO-1.

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.

- e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?
- f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

**No Impact.** The City of Selma and Fresno County currently do not have a regional Natural Communities Conservation Plan (NCCP) or Habitat Conservation Plan (HCP). The proposed Project would be required to comply with the local policies from the City of Selma General Plan, as well as Section 9-4-5 of the Selma Municipal Code, which outlines procedures for tree removal. Therefore, the Project would not conflict with the provisions of any adopted local, regional, or State conservation plan. There is *no impact*.

**Mitigation Measures:** None are required.

## V. CULTURAL RESOURCES

### Would the project:

	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a. Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Disturb any human remains, including those interred outside of formal cemeteries?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

## ENVIRONMENTAL SETTING

A record search of site files and maps was conducted at the Southern San Joaquin Valley Information Center (SSJVIC), California State University, Bakersfield . This investigation by ASM Affiliates (report date May 2023) determined that a very small portion of the study area had previously been surveyed and that no sites were known to exist within it. Ten studies had been conducted within a 0.5-mile radius of the Project and twelve resources had been previously recorded within the 0.5-mile radius.

## RESPONSES

- a. Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?
- b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?
- c. Disturb any human remains, including those interred outside of formal cemeteries?

**Potentially Significant Impact.** A record search was conducted at the Southern San Joaquin Valley Information Center. Additional surveys are required to assess the impacts of the proposed development, including pipeline alignment and other offsite utilities. Impacts to cultural resources are potentially significant and as such, will be analyzed in the forthcoming EIR.

VI. ENERGY

**Would the project:**

	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
--	--------------------------------------	---	------------------------------------	--------------

- a. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?
- b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

ENVIRONMENTAL SETTING

California’s total energy consumption was the second-highest in the nation in 2020, but its per capita energy consumption was less than in all but three other states. In 2022, California was the fourth-largest electricity producer in the nation. The state was also the nation’s third-largest electricity consumer. In 2022, renewable resources, including hydroelectric power and small-scale, customer-sited solar power, accounted for 49% of California's in-state electricity generation. Natural gas fueled another 42%. Nuclear power supplied almost all the rest.<sup>4</sup>

Energy usage is typically quantified using the British Thermal Unit (BTU). As a point of reference, the approximately amounts of energy contained in common energy sources are as follows<sup>5</sup>:

Energy Source/Fuel	BTUs
<b>Motor Gasoline</b>	120,214 per gallon
<b>Natural Gas</b>	1,036 per cubic foot
<b>Electricity</b>	3,412 per kilowatt-hour

<sup>4</sup> California Profile Overview, U.S. Energy Information Administration. <https://www.eia.gov/state/?sid=CA>. Accessed November 2023.

<sup>5</sup> U.S. Energy Information Administration. Energy Units and Calculators Explained. <https://www.eia.gov/energyexplained/units-and-calculators/british-thermal-units.php>. Accessed November 2023.

California energy consumption in 2021 was approximately 6,765.2 trillion BTU, as provided in Table 11.<sup>6</sup> This represents an approximately 2.4% decrease from energy consumption in 2020.

**Table 11**  
**2021 California Energy Consumption**

End User	BTU of energy consumed (in trillions)	Percentage of total consumption
Residential	1,228.7	18.2
Commercial	1,157	17.1
Industrial	1,595.6	23.6
Transportation	2,783.9	41.2
Total	6,765.2	--

Total electrical consumption by Fresno County in 2022 was 8384.41 GWh<sup>7</sup>, while total Gas consumption was 319.44 million Therms<sup>8</sup>.

The California Department of Transportation (Caltrans) reported that approximately 35.66 million vehicles were registered in the state in 2022, while in 2021 a total estimated 310.9 billion annual vehicle miles were traveled (VMT).<sup>9</sup>

Pacific Gas and Electric Company provides electricity and natural gas service to the City of Selma. Upon buildout of the Project site, electricity to the project site would be provided by PG&E. All electricity infrastructure would be located underground and would tie-in to existing infrastructure.

Based on PG&E's 2019 power content label, approximately 28.5 percent of PG&E's electricity for its base plan came from eligible renewable resources including solar, wind, geothermal, biomass, and small hydroelectric sources. Additionally, a larger percent of PG&E's total electric power mix was from GHG-free sources including nuclear, large hydroelectric, and eligible renewable sources of energy.<sup>10</sup> In

<sup>6</sup> California Profile Overview, U.S. Energy Information Administration. <https://www.eia.gov/state/?sid=CA#tabs-2>. Accessed November 2023.

<sup>7</sup> California Energy Commission. Electricity Consumption by County. <http://www.ecdms.energy.ca.gov/elecbycounty.aspx>. Accessed January 2024.

<sup>8</sup> California Energy Commission. Gas Consumption by County. <https://ecdms.energy.ca.gov/gasbycounty.aspx>. Accessed January 2024.

<sup>9</sup> Caltrans Fact Booklet. June 2023. California Department of Transportation. <https://dot.ca.gov/-/media/dot-media/programs/research-innovation-system-information/documents/caltrans-fact-booklets/caltransfacts2023a11y.pdf>. Accessed November 2023.

<sup>10</sup> Pacific Gas & Electric (PG&E). 2020. 2019 Power Content Label. Website: <https://www.energy.ca.gov/filebrowser/download/3245>. Accessed May 24, 2023

2020, approximately 85 percent of the electricity PG&E supplied was GHG free. PG&E reports that more than 35 percent of delivered electricity came from RPS-eligible sources in 2020, while PGE's 2020 power content label reports 30.6 percent of PG&E's retail sales were from eligible renewable sources.<sup>11</sup>

## REGULATORY SETTING

### *California Energy Code (Title 24, Part 6, Building Energy Efficiency Standards)*

California Code of Regulations Title 24, Part 6 comprises the California Energy Code, which was adopted to ensure that building construction, system design and installation achieve energy efficiency. The California Energy Code was first established in 1978 by the CEC in response to a legislative mandate to reduce California's energy consumption, and apply to energy consumed for heating, cooling, ventilation, water heating, and lighting in new residential and non-residential buildings. The standards are updated periodically to increase the baseline energy efficiency requirements. The 2013 Building Energy Efficiency Standards focus on several key areas to improve the energy efficiency of newly constructed buildings and additions and alterations to existing buildings and include requirements to enable both demand reductions during critical peak periods and future solar electric and thermal system installations. Although it was not originally intended to reduce greenhouse gas (GHG) emissions, electricity production by fossil fuels results in GHG emissions and energy efficient buildings require less electricity. Therefore, increased energy efficiency results in decreased GHG emissions.

### *California Green Building Standards Code (Title 24, Part II, CALGreen)*

The California Building Standards Commission adopted the California Green Buildings Standards Code (CALGreen in Part 11 of the Title 24 Building Standards Code) for all new construction statewide on July 17, 2008. Originally a volunteer measure, the code became mandatory in 2010 and the most recent update (2019) will go into effect on January 1, 2020. CALGreen sets targets for energy efficiency, water consumption, dual plumbing systems for potable and recyclable water, diversion of construction waste from landfills, and use of environmentally sensitive materials in construction and design, including eco-friendly flooring, carpeting, paint, coatings, thermal insulation, and acoustical wall and ceiling panels. The 2019 CALGreen Code includes mandatory measures for non-residential development related to site development; water use; weather resistance and moisture management; construction waste reduction, disposal, and recycling; building maintenance and operation; pollutant

---

<sup>11</sup> Pacific Gas & Electric (PG&E). 2021. Corporate Sustainability Report 2021. Website:

[https://www.pgecorp.com/corp\\_responsibility/reports/2021/pf04\\_renewable\\_energy.html](https://www.pgecorp.com/corp_responsibility/reports/2021/pf04_renewable_energy.html). Accessed May 24, 2023.

control; indoor air quality; environmental comfort; and outdoor air quality. Mandatory measures for residential development pertain to green building; planning and design; energy efficiency; water efficiency and conservation; material conservation and resource efficiency; environmental quality; and installer and special inspector qualifications.

*Clean Energy and Pollution Reduction Act (SB 350)*

The Clean Energy and Pollution Reduction Act (SB 350) was passed by California Governor Brown on October 7, 2015, and establishes new clean energy, clean air, and greenhouse gas reduction goals for the year 2030 and beyond. SB 350 establishes a greenhouse gas reduction target of 40 percent below 1990 levels for the State of California, further enhancing the ability for the state to meet the goal of reducing greenhouse gas emissions by 80 percent below 1990 levels by the year 2050.

*Renewable Portfolio Standard (SB 1078 and SB 107)*

Established in 2002 under SB 1078, the state's Renewables Portfolio Standard (RPS) was amended under SB 107 to require accelerated energy reduction goals by requiring that by the year 2010, 20 percent of electricity sales in the state be served by renewable energy resources. In years following its adoption, Executive Order S-14-08 was signed, requiring electricity retail sellers to provide 33 percent of their service loads with renewable energy by the year 2020. In 2011, SB X1-2 was signed, aligning the RPS target with the 33 percent requirement by the year 2020. This new RPS applied to all state electricity retailers, including publicly owned utilities, investor-owned utilities, electrical service providers, and community choice aggregators. All entities included under the RPS were required to adopt the RPS 20 percent by year 2020 reduction goal by the end of 2013, adopt a reduction goal of 25 percent by the end of 2016, and meet the 33 percent reduction goal by the end of 2020. In addition, the Air Resources Board, under Executive Order S-21-09, was required to adopt regulations consistent with these 33 percent renewable energy targets.

## RESPONSES

- a. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?
- b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

**Potentially Significant Impact.** The Project consists of mixed-use developments including retail, fast-food and hospitality development, multi-family residential development, affordable senior housing, affordable housing, central park, and associated streets, circulation, and outlots. The proposed

development also consists of offsite improvements including installation of sewer and water pipelines, connections with existing sewer, storm drain and water infrastructure, and connecting Fancher Street with Floral Avenue. The Project would introduce energy usage on a site that is currently demanding minimal energy, due to its vacant nature. By comparison, at buildout, the Project would consume amounts of energy in both the short-term during Project construction and in the long-term during Project operation. Therefore, this impact is potentially significant.

This topic will be addressed in the Project's forthcoming EIR.

## VII. GEOLOGY AND SOILS

### Would the project:

	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii. Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii. Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv. Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Be located on expansive soil, as defined in Table 18-1-B of the most recently adopted Uniform Building Code	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

creating substantial direct or indirect risks to life or property?

- e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?
- f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

### ENVIRONMENTAL SETTING

The City of Selma is located in the Fresno County in the Central San Joaquin Valley region. The San Joaquin Valley, which includes the Selma area, is 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 site is currently vacant agricultural land and relatively flat with no major change in grade. Alluvial fans formed by the Kings River are the largest geomorphic features in the Selma area, resulting in a generally flat regional topography.

The Project site is located west of Highland Avenue, north of Stillman Street and south of E. Floral Avenue. It is surrounded primarily by commercial development and agricultural land.

### RESPONSES

- a-i. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.
- a-ii. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking?
- a-iii. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving seismic-related ground failure, including liquefaction?

a-iv. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving landslides?

**Less Than Significant Impact.** A Seismic Hazard Zone is a regulatory zone that encompasses areas prone to liquefaction (failure of water-saturated soil) and earthquake-induced landslides. The proposed Project site is not located in an earthquake fault zone as delineated by the 1972 Alquist-Priolo Earthquake Fault Zoning Map Act.<sup>12</sup> The nearest known potentially active faults are Independence Fault, located approximately 75 miles northeast, and the San Andreas Fault Zone, located approximately 64 miles southwest of the project site. According to the Fresno County General Plan EIR, most of the already urbanized locations in the East and West Valleys and Sierra Nevada Foothills areas (including the City of Selma) are subject to less intense seismic effects than locations in the Coast Range Foothills and Sierra Nevada Mountain areas.<sup>13</sup> It is anticipated that the proposed Project site could be subject to some ground acceleration and ground shaking associated with seismic activity during its design life. The Project would be engineered and constructed in strict accordance with the earthquake resistant design requirements contained in the latest edition of the California Building Code (CBC) for Seismic Zone II, as well as Title 24 of the California Administrative Code, and therefore would avoid potential seismically induced hazards on planned structures. The Project site has a generally flat topography and is not at risk of landslide. The impact of seismic hazards on the Project would be *less than significant*.

**Mitigation Measures:** None are required.

b. Result in substantial soil erosion or the loss of topsoil?

**Less Than Significant Impact.** The soil in the proposed Project area is characterized as Delhi sand, Delhi loamy sand, and Hanford sandy loam, which are described as somewhat excessively drained to well drained, negligible to low runoff, and rapid permeability.<sup>14</sup> The Project site has a generally flat topography and is in an established urban area. During construction, nuisance flow caused by minor rain could flow off-site. The City and/or contractor would be required to employ appropriate sediment and erosion control BMPs as part of a Stormwater Pollution Prevention Plan (SWPPP) that would be

---

<sup>12</sup> California Earthquake Hazards Zone Application. <https://maps.conservation.ca.gov/cgs/EQZApp/app/>. Accessed June 2023.

<sup>13</sup> Section 4.13 Seismic and Geologic Hazards, Fresno County General Plan EIR, February 2000. Accessed April 2024.

<sup>14</sup> United States Department of Agriculture, Natural Resources Conservation Resource. Custom Soil Resource Report for Eastern Fresno Area, California. June 19, 2023.

required by the California National Pollution Discharge Elimination System (NPDES). In addition, soil erosion and loss of topsoil would be minimized through implementation of the SVJAPCD fugitive dust control measures (See Section III- Air Quality). Once construction is complete, the Project would not result in soil erosion or loss of topsoil. Compliance with state regulations will ensure that impacts remain *less than significant*.

**Mitigation Measures:** None required.

- c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?
- d. Be located on expansive soil, as defined in Table 18-1-B of the most recently adopted Uniform Building Code creating substantial risks to life or property?

**Less Than Significant Impact.** Secondary hazards from earthquakes include rupture, seiche, landslides, liquefaction, and subsidence. Since there are no known faults within the immediate proposed Project area, ground rupture from surface faulting should not be a potential problem. Seiche and landslides are also not hazards in the area. Liquefaction potential, sudden loss of shear strength in a saturated cohesionless soil, should be low since groundwater occurs below 60 feet.<sup>15</sup> Deep subsidence problems may be low to moderate according to the conclusions of the Five County Seismic Safety Element. However, there are no known occurrences of structural or architectural damage due to deep subsidence in the Selma area. Impacts are considered *less than significant*.

**Mitigation Measures:** None required.

- e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?

**No Impact.** The Project will tie into the City's existing wastewater system and will not require installation of a septic tank or alternate wastewater disposal system. Therefore, there is *no impact*.

---

<sup>15</sup> Phase I Environmental Site Assessment, Selma 39 Acre Development Floral Avenue, Selma, California. Page 5. Technicon Engineering Services, Inc. July 6, 2022.

**Mitigation Measures:** None are required.

f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

**Less Than Significant Impact with Mitigation Incorporated.** Paleontological resources are the mineralized (fossilized) remains of prehistoric plant and animal life exclusive of human remains or artifacts. Fossil remains such as bones, teeth, shells, and leaves are found in geologic deposits (rock formations) where they were originally buried. Fossil remains are considered to be important as they provide indicators of the earth's chronology and history. These resources are afforded protection under CEQA and are considered to be limited and nonrenewable, and they provide invaluable scientific and educational data.

According to the General Plan EIR, there are no known geological resources and/or unique geological features located within the Project site. The potential for uncovering significant paleontological resources as the Project site during construction activities is unknown given that no such resources have been previously discovered and/or recorded. In the unlikely event that paleontological resources are uncovered, the incorporation of mitigation measure GEO-1 will ensure that uncovered paleontological resources are evaluated, salvaged, and curated as recommended by a qualified professional paleontologist who meets the qualifications set forth by the Society of Vertebrate Paleontology. Impacts to buried paleontological resources will be *less than significant* with mitigation incorporated.

**Mitigation Measures:**

**GEO-1** 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.

## VIII. GREENHOUSE GAS EMISSIONS

### Would the project:

a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
--------------------------------	---	------------------------------	-----------

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

## ENVIRONMENTAL SETTING

Various gases in the earth’s atmosphere play an important role in moderating the earth’s surface temperature. Solar radiation enters earth’s atmosphere from space and a portion of the radiation is absorbed by the earth’s surface. The earth emits this radiation back toward space, but the properties of the radiation change from high-frequency solar radiation to lower-frequency infrared radiation. GHGs are transparent to solar radiation but are effective in absorbing infrared radiation. Consequently, radiation that would otherwise escape back into space is retained, resulting in a warming of the earth’s atmosphere. This phenomenon is known as the greenhouse effect. Scientific research to date indicates that some of the observed climate change is a result of increased GHG emissions associated with human activity. Among the GHGs contributing to the greenhouse effect are water vapor, carbon dioxide (CO<sub>2</sub>), methane (CH<sub>4</sub>), ozone, Nitrous Oxide (NO<sub>x</sub>), and chlorofluorocarbons. Human-caused emissions of these GHGs in excess of natural ambient concentrations are considered responsible for enhancing the greenhouse effect. GHG emissions contributing to global climate change are attributable, in large part, to human activities associated with the industrial/manufacturing, utility, transportation, residential, and agricultural sectors.

In California, the transportation sector is the largest emitter of GHGs, followed by electricity generation. Global climate change is, indeed, a global issue. GHGs are global pollutants, unlike criteria pollutants and TACs (which are pollutants of regional and/or local concern). Global climate change, if it occurs, could potentially affect water resources in California. Rising temperatures could be anticipated to result in sea-level rise (as polar ice caps melt) and possibly change the timing and amount of precipitation, which could alter water quality. According to some, climate change could result in more

extreme weather patterns; both heavier precipitation that could lead to flooding, as well as more extended drought periods.

There is uncertainty regarding the timing, magnitude, and nature of the potential changes to water resources as a result of climate change; however, several trends are evident. Snowpack and snowmelt may also be affected by climate change. Much of California's precipitation falls as snow in the Sierra Nevada and southern Cascades, and snowpack represents approximately 35 percent of the state's useable annual water supply. The snowmelt typically occurs from April through July; it provides natural water flow to streams and reservoirs after the annual rainy season has ended. As air temperatures increase due to climate change, the water stored in California's snowpack could be affected by increasing temperatures resulting in: (1) decreased snowfall, and (2) earlier snowmelt.

### **Project-level Thresholds**

Section 15064.4(b) of the CEQA Guidelines' amendments for GHG emissions 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 GHG 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.<sup>16</sup> 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.<sup>17</sup> 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.

## RESPONSES

- a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

---

<sup>16</sup> San Joaquin Valley Air Pollution Control District (SJVAPCD). 2009. “Final Staff Report, Addressing Greenhouse Gas Emissions Impacts under the California Environmental Quality Act.” Website: [http://www.valleyair.org/programs/CCAP/11-05-09/1\\_CCAP\\_FINAL\\_CEQA\\_GHG\\_Draft\\_Staff\\_Report\\_Nov\\_05\\_2009.pdf](http://www.valleyair.org/programs/CCAP/11-05-09/1_CCAP_FINAL_CEQA_GHG_Draft_Staff_Report_Nov_05_2009.pdf). December 2009. Accessed May 24, 2023.

<sup>17</sup> California Air Resources Board (CARB). 2014. First Update to the Climate Change Scoping Plan. Website: <http://www.arb.ca.gov/cc/scopingplan/document/updatedscopingplan2013.htm>. Accessed May 24, 2023.

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

**Potentially Significant Impact.** Greenhouse gas emissions would generate from long-term area and mobile sources as well as indirectly from energy consumption. Mobile sources would include customer and employee vehicle trips and area source emissions would result from consumption of natural gas and electricity. Potential impacts to greenhouse gas emissions are *potentially significant* and as such, will be analyzed in the forthcoming EIR.

IX. HAZARDS AND HAZARDOUS MATERIALS

**Would the project:**

	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Impair implementation of or physically interfere with an adopted emergency	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

IX. HAZARDS AND HAZARDOUS MATERIALS

**Would the project:**

	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
Potentially Significant Impact			

response plan or emergency evacuation plan?

- g. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

ENVIRONMENTAL SETTING

The proposed Project site is located in the northwestern portion of the City of Selma. Agricultural land uses lie to the south and west, while commercial development lies to the north and east of the site. The proposed Project site is approximately 1.2 miles southeast of the Selma Airport, while the next nearest airport is the Reedley Municipal Airport, approximately 12 miles northeast.

RESPONSES

- a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?
- b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

**Less than Significant Impact.** The proposed development involves construction of a mixed-use residential and commercial development, including offsite utilities improvements, on an approximately 39.1-acre parcel. Proposed 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. Any hazardous waste or debris that is generated during the construction of the

proposed Project would be collected and transported away from the site and disposed of at an approved offsite landfill or other such facilities. In addition, sanitary waste generated during construction would be managed through portable toilets located at reasonably accessible onsite locations.

In addition, as noted in Section VII (b), the Project would be required to comply with the National Pollutant Discharge Elimination System (NPDES) permit program through the submission and implementation of a SWPPP during construction activities to prevent contaminated runoff from leaving the Project site. Therefore, no significant impacts would occur during construction activities.

Once constructed, the use of such materials as paint, bleach, etc., is considered common for residential developments. It would be unlikely for such materials to be stored or used in such quantities that would be considered a significant hazard. The Project will not generate or use hazardous materials outside health department requirements and applicable safety measures.

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. Any accumulated hazardous construction or operational wastes will be collected and transported away from the site in compliance with all federal, state and local regulations.

Therefore, the proposed Project will not create a significant hazard to the public or the environment and any impacts would be *less than significant*.

**Mitigation Measures:** None are required.

- c. 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.

**Mitigation Measures:** None are required.

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

**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 (Geotracker<sup>18</sup> and DTSC Envirostor<sup>19</sup> 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.

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

**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).<sup>20</sup> Therefore, the Project would not expose persons to airport-related hazards, and the potential would be *less than significant*.

**Mitigation Measures:** None are required.

- f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

---

<sup>18</sup> California State Water Resources Control Board, Geotracker Database.  
<https://geotracker.waterboards.ca.gov/map/?CMD=runreport&myaddress=selma>. Accessed January 2024.

<sup>19</sup> California Department of Toxic Control Substances, EnviroStor Database.  
<https://www.envirostor.dtsc.ca.gov/public/map/?myaddress=Search>. Accessed January 2024.

<sup>20</sup> 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](https://fresnocog.wpenginepowered.com/wp-content/uploads/2019/01/fresno-final-alucp-113018-r_part2.pdf). Accessed January 2024.

**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.

g. 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.<sup>21</sup> There are no wildlands on or near the Project site. There is *no impact*.

**Mitigation Measures:** None are required.

---

<sup>21</sup> California Office of the State Fire Marshall. Fire Hazard Severity Zones Map. <https://egis.fire.ca.gov/FHSZ/>. Accessed January 2024.

## X. HYDROLOGY AND WATER QUALITY

### Would the project:

- a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?
- b. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?
- c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:
  - i. Result in substantial erosion or siltation on- or off- site;
  - ii. substantially increase the rate or amount of 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?

	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
i.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ii.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iii.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iv.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

## X. HYDROLOGY AND WATER QUALITY

### Would the project:

	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
d. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

## ENVIRONMENTAL SETTING

The proposed Project consists of construction of a mixed-use residential and commercial development project, including offsite utilities improvements, on an approximately 39.1-acre site in northwestern Selma, west of Highland Avenue, south of Floral Avenue and north of Stillman Street. 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 Kings and others.
- South: Agricultural land; orchards.
- East: Commercial development; Jack-in-the-Box, Taco Bell, Wing Stop, and others.
- West: Agricultural land; orchards.

## RESPONSES

- 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?

- c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:
  - i. result in substantial erosion or siltation on- or 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?
- d. In flood hazard, tsunami or seiche zones, risk release of pollutants due to project inundation?
- e. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

**Potentially Significant Impact.** The City of Selma is situated in the Tulare Lake Hydrologic Region, part of the Kings River fan within the King-Kaweah-Tule Rivers sub-area. The Kings River lies approximately six miles to the southeast of the City. The California Water Service Company (Cal Water) Selma District (also referred to as “District”) serves drinking water to the City and its surrounding area. The sole source of water supply for the District is groundwater pumped from the Kings Subbasin (DWR Basin No. 5-022.08) of the San Joaquin Valley Basin. The Selma District falls within the jurisdiction of the Central Kings Groundwater Sustainability Agency.

The proposed Project could result in an increased demand for water and wastewater from a site that is currently vacant. The proposed 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.

Project demands for groundwater resources in connection with the proposed developments may potentially deplete groundwater supplies and/or otherwise interfere with groundwater recharge efforts being implemented by the Selma District.

At full buildout, the stormwater will tie into the City’s existing storm drain system, which has adequate capacity. The storm water collection system design will be subject to review and approval by the City

Public Works Department. Implementation of the proposed Project may require expansion of the City's existing stormwater system (other than onsite collection system), or may result in additional sources of polluted runoff. Potential impacts to hydrological and water quality resources are *potentially significant* and as such, will be analyzed in the forthcoming EIR.

## XI. LAND USE AND PLANNING

### Would the project:

	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a. Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

## ENVIRONMENTAL SETTING

The Project site is located in the northwestern part of the City of Selma, west of Highland Avenue, south of Floral Avenue and north of Stillman Street. The site consists of approximately 39.1 acres, on APN 385-260-33, which is currently vacant.

The topography is flat with minimal vegetation. The site is predominantly surrounded by commercial developments and agricultural land uses.

## RESPONSES

### a. Physically divide an established community?

**No Impact.** The physical division of an established community typically refers to the construction of a physical feature (e.g., an interstate highway or railroad tracks) or removal of a means of access (e.g., a local road or bridge) that would impair mobility within an existing community. The proposed Project site is just outside the City limits to the west of an established commercial area. The proposed Project includes the construction of mixed uses including commercial and residential development, which would not physically divide an established community or remove means of access that would impair mobility in a community. There is *no impact*.

- b. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the General Plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

**Less Than Significant Impact.** The proposed Project site is currently in Fresno County and as part of the Project, will be annexed to the City of Selma. The proposed Project site is currently designated as Regional Commercial in the City of Selma General Plan, which is designed to provide development opportunities for those uses that attract customers from well outside the City of Selma. As part of the Project, the site would be designated High Density Residential and Regional commercial, which will accommodate a wide variety of uses including: restaurants, commercial, medical offices/clinics, government, inns/hotels, and high density residential (10-24 units per acre). It may also include parks, recreational, and public facilities.

The Project would also require rezoning the Project site from AE-20 and AL-20 to R-4 and C-R (Regional Commercial). The Project Applicant would need to submit a General Plan Amendment and Rezone application and comply with all of the City's associated requirements and fees. The impact of this land use change would be *less than significant* with implementation of the City's applicable requirements.

**Mitigation Measures:** None are required.

## XII. MINERAL RESOURCES

### Would the project:

	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## ENVIRONMENTAL SETTING

The City of Selma is located in the Fresno County in the Central San Joaquin Valley region. The San Joaquin Valley, which includes the Selma area, is 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 site is currently vacant and relatively flat with no major change in grade. Alluvial fans formed by the Kings River are the largest geomorphic features in the Selma area, resulting in a generally flat regional topography.

The proposed Project site is located west of Highland Avenue, south of Floral Avenue and north of Stillman Street, and is surrounded primarily by commercial development and agricultural land uses.

A review of the California Department of Conservation’s Mines and Mineral Resources database indicates there are no known mineral resources in, around or under the Project site.

## RESPONSES

- a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?
- b. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

**No Impact.** There are no known mineral resources extraction or exploration activities in the proposed Project area. The California Department of Conservation, Geological Survey classifies lands into Aggregate and Mineral Resource Zones (MRZs) based on guidelines adopted by the California State Mining and Geology Board, as mandated by the Surface Mining and Reclamation Act of 1974. These MRZs identify whether known or inferred significant mineral resources are present in areas. Lead agencies are required to incorporate identified MRZs resource areas delineated by the State into their General Plans. The City of Selma and the surrounding area have no mapped mineral resources, and no regulated mine facilities identified in the City's General Plan or Fresno County's General Plan near the proposed Project site. Additionally, per the California Department of Conservation - Geologic Energy Management Division (CalGEM), there are no active, inactive, or capped oil wells located within the Project site, and it is not within a CalGEM-recognized oilfield. The Project would not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State and would therefore, there is *no impact*.

**Mitigation Measures:** None are required.

### XIII. NOISE

#### Would the project:

	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### ENVIRONMENTAL SETTING

Noise is most often described as unwanted sound. Although sound can be easily measured, the perception of noise and the physical response to sound complicate the analysis of its impact on people. The City of Selma is impacted by a multitude of noise sources. Principal noise sources include traffic on roadways, agricultural noise and industrial noise. Mobile sources of noise, especially cars and trucks, are the most common and significant sources of noise in most communities, and they are predominant sources of noise in the City. The Project is located in an area with a mix of uses. The predominant noise sources in the Project area include traffic on local roadways and noise associated with commercial businesses and active agriculture.

The City’s Land Use Element outlines following policies related to noise:

1.28 - To provide additional security, privacy and noise reduction, all new residential development shall require minimum setbacks of 20 feet for structures abutting arterial streets and 10 feet for structures abutting collector Streets.

## RESPONSES

- a. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?
- b. Generation of excessive groundborne vibration or groundborne noise levels?

**Less than Significant Impact with Mitigation Incorporated.** The following analysis is taken from the Acoustical Analysis that was performed on behalf of the proposed Project by WJV Acoustics, Inc., report date June 16, 2023. The report can be read in its entirety in Appendix A of this Initial Study.

### **Project Traffic Noise Impacts on Existing Noise-Sensitive Land Uses Outside Project Site**

WJVA utilized the FHWA Traffic Noise Model to quantify expected Project-related increases in traffic noise exposure along roadways in the Project vicinity. The FHWA Model is a standard analytical method used by state and local agencies for roadway traffic noise prediction. The model is based upon reference energy emission levels for automobiles, medium trucks (2 axles) and heavy trucks (3 or more axles), with consideration given to vehicle volume, speed, roadway configuration, distance to the receiver, and the acoustical characteristics of the site. The FHWA Model was developed to predict hourly  $L_{eq}$  values for free-flowing traffic conditions and is generally considered to be accurate within  $\pm 1.5$  dB. To predict  $L_{dn}$  values, it is necessary to determine the hourly distribution of traffic for a typical day and adjust the traffic volume input data to yield an equivalent hourly traffic volume.

Average Daily Traffic (ADT) volumes for the analyzed receptor locations were provided by the Project traffic engineer, JLB Traffic Engineering, Inc. Truck percentages and the day/night distribution of traffic were estimated by WJVA, based upon previous studies conducted in the Project vicinity since Project-specific data were not available from government sources. The Noise modeling assumptions used to calculate Project traffic noise are provided in the full acoustical report.

Traffic noise exposure levels for Existing, Existing Plus Project, 2046 Cumulative No Project and 2046 Cumulative Plus Project traffic scenarios were calculated based upon the FHWA Model and the above-described model inputs and assumptions. Project-related significant impacts would occur if an increase in traffic noise associated with the Project would result in noise levels exceeding the City's

applicable noise level standards at the location(s) of sensitive receptors. For the purpose of this analysis a significant impact was also assumed to occur if traffic noise levels were to increase by 3 dB at sensitive receptor locations where noise levels already exceed the City’s applicable noise level standards (without the Project), as 3 dB generally represents the threshold of perception in change for the human ear.

The City’s exterior noise level standard for residential land uses is 65 dB L<sub>dn</sub>. Traffic noise was modeled at five (5) receptor locations. The five modeled receptors are located at roadway setback distances representative of the sensitive receptors (residences) along each analyzed roadway segment with adjacent sensitive receptors. The receptor locations are described below:

- R-1: Residential land use approximately 55 feet from the centerline of Highland Ave.
- R-2: Residential land use approximately 80 feet from the centerline of Floral Ave.
- R-3: Residential land use approximately 150 feet from the centerline of Highland Ave.
- R-4: Residential land use approximately 70 feet from the centerline of Rose Ave.
- R-5: Residential land use approximately 100 feet from the centerline of Highland Ave.

**Existing Conditions:** Table 15 provides existing traffic noise exposure levels at the five analyzed representative receptor locations and provides what the Project contribution would be to existing plus Project conditions.

**Table 15**  
**Project Contribution to Traffic Noise, dB, L<sub>dn</sub>, Selma Casitas Development Project, Existing Conditions**

Modeled Receptor	Existing Conditions Without Project Contribution	Existing Conditions Plus Project	Project Contribution	Significant Impact?
R-1	64	64	0	No
R-2	59	59	0	No
R-3	61	61	0	No
R-4	59	60	+1	No
R-5	63	63	0	No

Source: WJV Acoustics, Inc. , JLB Traffic Engineering, Inc.

Reference to Table 15 indicates that the Project’s contribution to existing traffic conditions noise exposure levels at the modeled representative receptor locations would not result in noise levels to exceed the City’s noise level standard, nor result in an increase of 3 dB in any sensitive receptor locations where noise levels already exceed the City’s noise level standard without the implementation of the Project.

**2046 Cumulative Conditions:** Table 16 provides 2046 Cumulative traffic noise exposure levels at the seven analyzed representative receptor locations and provides what the Project contribution would be to 2044 Cumulative plus Project conditions.

**Table 16**  
**Project Contribution to Traffic Noise, dB, L<sub>dn</sub>, Selma Casitas Development Project, 2046**  
**Cumulative Conditions**

Modeled Receptor	2046 Conditions Without Project Contribution	2046 Conditions Plus Project	Project Contribution	Significant Impact?
R-1	67	67	0	No
R-2	64	64	0	No
R-3	63	63	0	No
R-4	61	61	0	No
R-5	65	65	0	No

Source: WJV Acoustics, Inc. , JLB Traffic Engineering, Inc.

Reference to Table 16 indicates that the Project’s contribution to Cumulative 2046 traffic conditions noise exposure levels at the modeled representative receptor locations would not result in noise levels to exceed the City’s noise level standard, nor result in an increase of 3 dB in any sensitive receptor locations where noise levels already exceed the City’s noise level standard without the implementation of the Project.

**Short-term (Construction) Noise Impacts**

Construction noise would occur at various locations within and near the Project site through the buildout period. The closest existing sensitive receptors (residential land uses) to proposed construction activities are located at a distance of at least 750 feet from the Project site. At such distances, construction noise is not considered to be of concern. As a point of reference, Table 16 provides typical construction-related noise levels at distances of 50, 100, 200 and 300 feet.

Construction noise is not typically considered to be a significant impact if construction is limited to the allowed hours and construction equipment is adequately maintained and muffled. Extraordinary noise-producing activities (e.g., pile driving) are not anticipated. The City of Selma limits hours of construction to between the hours of 6:00 a.m. and 7:00 p.m., Monday through Friday and between 9:00 a.m. and 7:00 p.m. on the weekends.

**Table 17**  
**Typical Construction Equipment Maximum Noise Levels, dBA**

Type of Equipment	50 Ft.	100 Ft.	200 Ft.	300 Ft.
Concrete Saw	90	84	78	74
Crane	81	75	69	65
Excavator	81	75	69	65
Front End Loader	79	73	67	63
Jackhammer	89	83	77	73
Paver	77	71	65	61
Pneumatic Tools	85	79	73	69
Dozer	81	76	70	66
Rollers	80	74	68	64
Trucks	86	80	72	70
Pumps	80	74	68	64
Scrapers	87	81	75	71
Portable Generators	81	74	68	64
Backhoe	86	80	74	70
Grader	86	80	74	70

Source: FHWA, Noise Control for Buildings and Manufacturing Plants, Bolt, Beranek & Newman, 1987

**Vibration Impacts**

The dominant sources of man-made vibration are sonic booms, blasting, pile driving, pavement breaking, demolition, diesel locomotives, and rail-car coupling. None of these activities are anticipated to occur with construction or operation of the proposed Project. Typical vibration levels at distances of 25, 100 feet and 300 feet are summarized by Table 18. These levels would not be expected to exceed any significant threshold levels for annoyance or damage.

**Table 18**  
**Typical Vibration Levels During Construction**

Equipment	PPV (in/sec)		
	@25'	@100'	@300'
Bulldozer (Large)	0.089	0.019	0.006
Bulldozer (small)	0.003	0.0006	0.0002

Equipment	PPV (in/sec)		
	@25'	@100'	@300'
Loaded Truck	0.076	0.017	0.005
Jackhammer	0.035	0.008	0.002
Vibratory Roller	0.210	0.046	0.013
Caisson Drilling	0.089	0.019	0.006
Source: Caltrans			

### Impacts from Adjacent Existing Stationary Noise Sources

#### **Loading Docks and Slowly Moving Trucks**

The Project site is bordered to the east by an existing commercial/retail development, with retail stores backing up to proposed residential land uses at Lot C and Lot D. These existing retail buildings include three individual loading docks and a truck access route. Based upon the proposed Project site plan, residential land uses within Lot C and Lot D would be located approximately 100 feet from truck access routes and 120 feet from existing loading docks.

Noise sources typically associated with loading dock activities include truck engines, the operation of truck-mounted refrigeration units, fork lifts, the banging of hand carts and roll-up doors, noise from P.A. systems, and the voices of truck drivers and store employees. Truck engines and/or refrigeration units are typically turned off while trucks are in loading dock areas to reduce noise and save energy.

Based upon noise level measurements conducted by WJVA for other studies, loading dock noise levels would be expected to be as high as 75 dBA at a distance of 120 feet (Lot C and Lot D residential). Such levels exceed the applicable City of Selma daytime and nighttime maximum noise level standards and mitigation measures must be incorporated if outdoor activity areas (individual unit patios, decks or balconies) or common use outdoor areas are located along the east sides of the easternmost residential buildings at Lot C and Lot D.

Additionally, WJVA has conducted measurements of the noise levels produced by slowly moving trucks for a number of studies. Such truck movements would be expected to produce noise levels in the range of 65 to 71 dBA at a distance of 100 feet. The range in measured truck noise levels is due to differences in the size of trucks, their speed of movement and whether they have refrigeration units in operation during the pass-by. Such levels exceed (or equal) the applicable City of Selma daytime (7:00 a.m. to 10:00 p.m.) and nighttime (10:00 p.m. to 7:00 a.m.) maximum noise level standards and

mitigation measures must be incorporated if outdoor activity areas (individual unit patios, decks or balconies) or common use outdoor areas are located along the east sides of the easternmost residential buildings.

If outdoor activity areas (individual unit balconies, decks or patios and common use outdoor spaces) are to be located along the east side of the easternmost residential buildings located within Lot C and/or Lot D, exterior noise levels associated with loading dock activities and truck movements (at existing retail/commercial land uses) would exceed applicable City of Selma daytime (70 dB) and nighttime (65 dB) maximum noise level standards.

### **Traffic Noise Impacts to Proposed On-site Receptors**

The City of Selma General Plan Noise Element establishes an exterior noise level standard of 65 dB  $L_{dn}$  for outdoor activity areas of residential uses. Outdoor activity areas generally include backyards of single-family residences and individual patios or decks and common outdoor activity areas of multi-family developments. The noise element also requires that interior noise levels attributable to exterior noise sources not exceed 45 dB  $L_{dn}$ .

The proposed Project includes sensitive receptors (residential land uses) that could be impacted by traffic noise exposure adjacent to Floral Avenue. Based upon the above-described FHWA traffic noise model and traffic noise modeling assumptions, WJVA calculated the setback distance from the center of Floral Avenue to the 65 dB  $L_{dn}$  traffic noise exposure contour (2046 Cumulative Plus Project traffic conditions) to be 70 feet. This means that traffic noise impacts would not be expected to occur at setback distances of greater than 70 feet from the centerline of Floral Avenue. According to the Project site plan, the closest proposed residential land uses to Floral Avenue are located at a setback of approximately 520 feet from the centerline of the roadway. At this setback distance, worst-case traffic noise exposure levels would be approximately 52 dB  $L_{dn}$ . Such levels do not exceed the City's 65 dB  $L_{dn}$  exterior noise level standard for residential land uses.

The City of Selma interior noise level standard is 45 dB  $L_{dn}$ . The worst-case noise exposure within the proposed residential development would be approximately 52 dB  $L_{dn}$ . This means that the proposed residential construction must be capable of providing a minimum outdoor-to-indoor noise level reduction (NLR) of approximately 7 dB ( $52-45=7$ ).

A specific analysis of interior noise levels was not performed. However, it may be anticipated that residential construction methods complying with current building code requirements will reduce exterior noise levels by approximately 25 dB if windows and doors are closed. This will be sufficient for compliance with the City's 45 dB  $L_{dn}$  interior standard at all proposed lots. Requiring that it be possible

for windows and doors to remain closed for sound insulation means that air conditioning or mechanical ventilation will be required.

### **Proposed Impacts from Operational On-Site Sources**

The proposed Project includes approximately commercial/retail land uses, to be located along the northern portion of the overall Project site, adjacent to Floral Avenue. Anticipated tenants were not known at the time this analysis was prepared. Retail and fast-food (including drive-thru) tenants are anticipated. Sensitive receptors (multi-family residential) are proposed (Lot B1 and Lot D) south of the commercial land uses.

The noise level standards applicable to these proposed land uses are provided above in Table II in the acoustical report. The applicable noise standards become 5 dB more restrictive during nighttime hours. The City of Selma General Plan considers nighttime hours to occur between 10:00 p.m. and 7:00 a.m.

As described above, there were no known proposed tenants at the time this analysis was prepared. A wide variety of noise sources can be associated with such retail land uses. The noise levels produced by such sources can also be highly variable and could potentially impact the proposed on-site sensitive receptors. Typical examples of stationary noise sources associated with retail land uses include:

- HVAC/Mechanical equipment
- Truck deliveries
- Parking lot activities (closing of car doors and trunks, stereos, alarms etc.)
- Drive-Thru operations

### **HVAC Mechanical Equipment**

It is assumed that the Project would include roof-mounted HVAC units on the proposed retail buildings. For the purpose of noise and aesthetics, roof-mounted HVAC units are typically shielded by means of a roof parapet. WJVA has conducted reference noise level measurements at numerous commercial and retail buildings with roof-mounted HVAC units. Noise levels typically range between approximately 45-50 dB at a distance of 50 feet from a building façade. The approximate distance from the closest proposed residential land uses to any potential roof-mounted HVAC units would be 150 feet or greater. At this distance noise levels associated with HVAC units would be approximately 35-40 dB. Such noise levels would not exceed City of Selma noise level standards or exceed existing ambient noise levels.

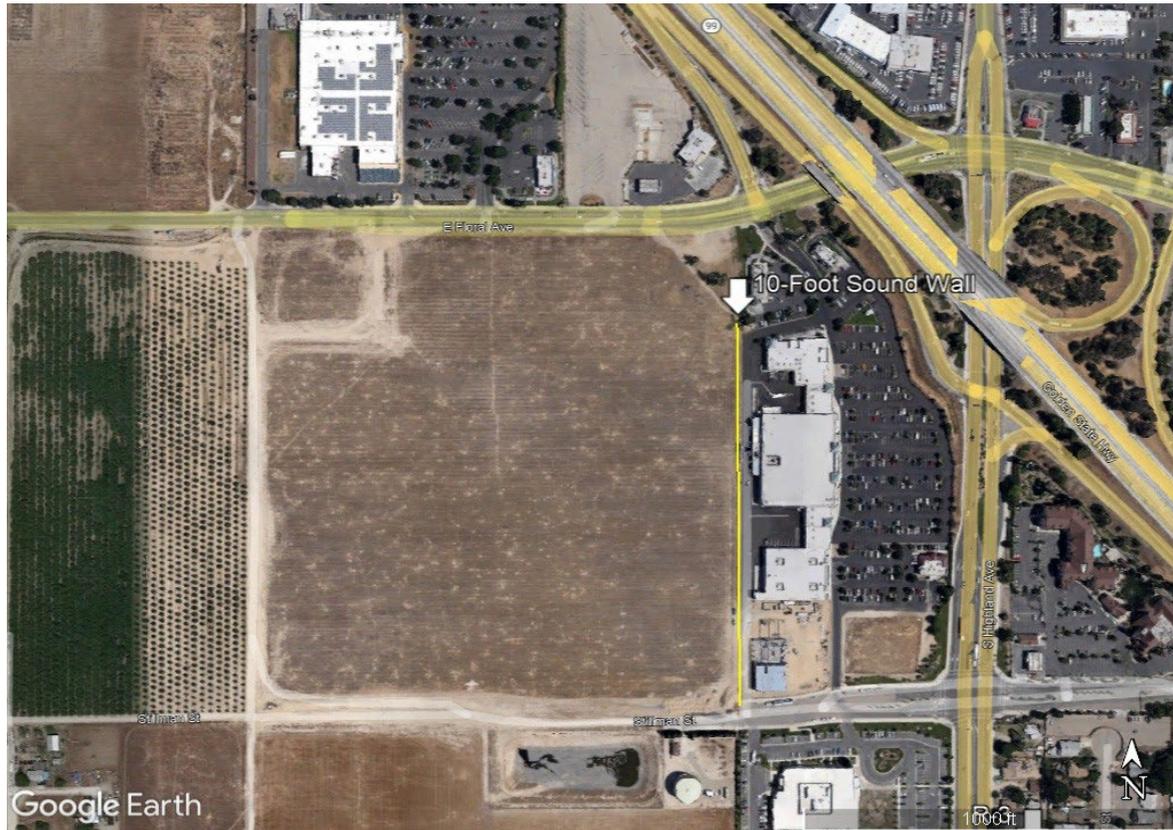
## Truck Movements

At the time of this analysis, truck delivery times and frequency as well as truck access route (or routes) had not been designated for all potential uses. It is anticipated that truck deliveries and on-site truck movements could occur at any time during the day and night, within the retail lots. Based upon the Project site plan, truck movements could occur as close as 100 feet from proposed residential land uses.

WJVA has conducted measurements of the noise levels produced by slowly moving trucks for a number of studies. Such truck movements would be expected to produce noise levels in the range of 65 to 71 dBA at a distance of 100 feet. The range in measured truck noise levels is due to differences in the size of trucks, their speed of movement and whether they have refrigeration units in operation during the pass-by. Based upon these noise levels, truck movements could exceed the nighttime noise level standard of 65 dB  $L_{max}$ . Due to higher existing daytime ambient noise levels, truck movements would not be expected to exceed existing ambient noise levels during the daytime hours at proposed residential land uses.

Nighttime (10:00 p.m. to 7:00 a.m.) truck movements within 100 feet of an outdoor activity area of a sensitive receptor could exceed the City's noise level standard of 65 dB  $L_{max}$ . A computer model was used to determine the required height of a sound wall along the eastern Project site property line, with residential adjacency. The model calculates sound wall insertion loss (noise reduction) based upon the distance from the source to the wall, the distance from wall to the receptor, and the relative heights of the sources and receptors. A semi-truck is assumed to have an effective source height of 8 feet above the pavement and the assumed height of a residential receiver is 5 feet above the ground.

Based upon the above-described assumptions and method of analysis, WJVA determined that a sound wall constructed to a minimum height of ten (10) feet above ground level would reduce noise levels associated with truck pass-bys and loading dock activities by approximately ten (10) dB at the adjacent proposed residential land uses to the west, as demonstrated in Figure 5. This would be sufficient for compliance the City's daytime (7:00 a.m.-10:00 p.m.) 70 dBA  $L_{max}$  and nighttime (10:00 p.m. to 7:00 a.m.) 65 dB  $L_{max}$  exterior noise level standards.

**Figure 5 – Sound Wall Location**

### **Parking Lot Activities**

Noise due to traffic in parking lots is typically limited by low speeds and is not usually considered to be significant. Human activity in parking lots that can produce noise includes voices, stereo systems and the opening and closing of car doors and trunk lids. Such activities can occur at any time. The noise levels associated with these activities cannot be precisely defined due to variables such as the number of parking movements, time of day and other factors. It is typical for a passing car in a parking lot to produce a maximum noise level of 60-65 dBA at a distance of 50 feet, which is comparable to the level of a raised voice.

For this Project, retail area parking would be located at distances of 100 feet or greater from proposed residential land uses. At this distance, maximum ( $L_{max}$ ) parking lot vehicle movements would be expected to be approximately 54-59 dB. Such levels would not exceed any of the City's applicable noise level standards at the closest proposed residential land uses.

### **Drive-Thru Retail**

The proposed Project could include retail areas that would likely include drive-thru operations. While the exact tenants and type of retail stores were not known at this time, it is assumed that amplified speech would be incorporated into drive-thru restaurant operations. Based upon the Project site plan, fast-food drive-thru retail operations could occur at distances as close as 300 feet from proposed residential land uses.

In order to assess potential Project noise levels associated with drive-thru operations, WJVA utilized reference noise levels measured at a Wendy's drive-thru restaurant located on South Mooney Boulevard in Visalia. Measurements were conducted during the early afternoon of July 11, 2011 between 12:45 p.m. and 1:45 p.m. using the previously-described noise monitoring equipment.

The microphone used by customers to order food and the loudspeaker used by employees to confirm orders are both integrated into a menu board that is located a few feet from the drive-thru lane at the approximate height of a typical car window. Vehicles would enter the drive-thru lane from the west and then turn to the north along the east side of the restaurant.

Reference noise measurements were obtained at a distance of approximately 40 feet from the menu board containing the microphone/loudspeaker system at an angle of about 45° toward the rear of the vehicle being served. This provided a worst-case exposure to sound from the loudspeaker system since the vehicle was not located directly between the loudspeaker and measurement location. Cars were lined up in the access lane during the noise measurement period indicating that the drive-thru lane was operating at or near a peak level of activity.

Each ordering cycle was observed to take approximately 60 seconds including vehicle movements. A typical ordering cycle included 5-10 seconds of loudspeaker use with typical maximum noise levels in the range of 60-62 dBA at the 40 foot-reference location. Vehicles moving through the drive-thru lane produced noise levels in the range of 55-60 dBA at the same distance. Vehicles parked at the ordering position (between the menu board and measurement site) were observed to provide significant acoustic shielding during the ordering sequence. The effects of such shielding are reflected by the noise measurement data. Noise levels were measured to approximately 60 dB  $L_{eq}$  at the measurement site, and included noise from all sources, including the loudspeaker, vehicle idling and movements and HVAC equipment.

The closest proposed noise-sensitive receptors (residential land uses) to the proposed retail drive-thru operations would be located at distance of approximately 300 feet or greater. Taking into account the above-described reference noise level measurements and the standard rate of the attenuation of noise with increased distance from a point source (-6dB/doubling of distance), noise levels associated with

drive-thru operations would be approximately 44-46 dB. Such levels do not exceed any City of Selma noise level standards.

As such, the proposed Project will not likely introduce a new significant source of noise that isn't already in the area. Thus, any impacts would be *less than significant with mitigation incorporated*.

**Mitigation Measures:**

**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.

**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.

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

**No Impact.** As noted in Section IX (e), the Project is located approximately 1.2 miles from Selma Airport. However, the site is not within the Fresno County ALUCP Future Noise Contours. Therefore, there is *no impact*.

**Mitigation Measures:** None are required.

#### XIV. POPULATION AND HOUSING

##### Would the project:

	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

#### ENVIRONMENTAL SETTING

According to the most recent California Department of Finance Report<sup>22</sup>, the City currently has approximately 24,300 residents, an approximately 4.3% increase from the population of 23,301 at the time of the General Plan Update. The General Plan Update would accommodate up to 94,237 persons, based on all residential land uses within the Proposed General Plan's Plan Area Boundary, and prescribes policies for the sequential development of the community from its current population level to that allowed by the Plan Update.<sup>23</sup>

#### RESPONSES

- a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

<sup>22</sup> 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.

<sup>23</sup> City of Selma General Plan Update 2035. Land Use Element General Plan Policies Statement. October 4, 2010. Page 1. [https://cms9files.revize.com/selma/Document\\_Center/Department/Community%20development/Planning/General%20Plan%20And%20Planning%20Documents/General%20Plan/land%20use%202035%20complete%20manuel.pdf](https://cms9files.revize.com/selma/Document_Center/Department/Community%20development/Planning/General%20Plan%20And%20Planning%20Documents/General%20Plan/land%20use%202035%20complete%20manuel.pdf). Accessed November 2023.

**Less Than Significant Impact.** Project implementation will have a direct, growth-inducing impact on the area's population and housing stock by facilitating the development of up to 600 new households within the City of Selma. Development is expected to occur over 10 years as determined by market demands and it is anticipated that the Project would begin development in 2024.

For purposes of evaluating the environmental impact of population growth in Selma under CEQA, the question becomes whether or not the Project will induce population beyond what the City has or will plan for and/or can accommodate at full buildout of the Project. The assessment takes into account Project-related impacts to topics like traffic, water supply, public services (police, fire, etc.), sewer / storm drain capacity, and other related topics, as the City has prepared infrastructure Master Plans based on buildout of the City's General Plan.

According to the most recent California Department of Finance Report<sup>24</sup>, the City currently is at 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.<sup>25</sup> According to the U.S. Census Bureau, the City averages 3.36 persons per household<sup>26</sup>, 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 3.19 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.

---

<sup>24</sup> 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.

<sup>25</sup> 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.

<sup>26</sup> U.S. Census Bureau. QuickFacts for Selma City, California. <https://www.census.gov/quickfacts/fact/table/selmacitycalifornia/PST045223>. Accessed December 2024.

**Table 19  
Population Estimates**

Existing Population (2022)	Proposed Project Population	Existing Plus Project Population	General Plan 2040 Projected Population	Additional Population That Could Be Accommodated Under the 2035 General Plan
24,300	2,016	26,316	70,000	40,684

The Department of Finance estimates that as of January 1, 2023, the City has a total of 7,282 housing units<sup>27</sup> The number of housing units required to house the 2040 projected population at 3.36 people per household would be 23,392 units. The proposed Project would develop up to 600 residential units at full buildout. Table 20 shows the existing number of units in the City, the number of units proposed by the Project, and the City’s General Plan projected number of housing units at buildout, assuming full buildout of the General Plan. The last column shows the additional number of housing units that could be accommodated under the City’s General Plan even with full buildout of the proposed Project.

**Table 20  
Residential Units**

Existing Units (2023)	Proposed Project # of Units	Existing Plus Project # of Units	General Plan 2040 Projected Buildout # of Total Units	Additional Housing Units That Could Be Accommodated Under the General Plan
7,282	600	7,882	23,392	15,510

The City of Selma Housing Element 2015-2023 (Housing Element) contains data pertaining to anticipated housing needs in the City. According to the Housing Element, the City has an existing need

---

<sup>27</sup> California Department of Finance. E-1 Population Estimates for Cities, Counties, and the State, January 1, 2022 and 2023. <https://dof.ca.gov/forecasting/demographics/estimates-e1/>. Accessed December 2023.

for 1,094 housing units.<sup>28</sup> The Project contains a mixture of low-income, senior and market-rate housing units and will assist the City in meeting some of its Housing Element goals and requirements.

As shown in the tables above, the anticipated population and housing unit increase associated with the proposed Project is within the growth projections of the City's 2035 General Plan.

While other future residential developments are also likely to occur in the City, it is anticipated that the City can accommodate the Project and other residential developments in the City. The General Plan anticipated a population of up to 70,000 people with up to 23,392 residential units by 2035. Given the City's current population (24,300 persons) and housing stock (7,282 units), the City could accommodate the proposed Project plus an additional 40,684 persons and 15,510 housing units according to the City's General Plan.

Based on the City's General Plan, infrastructure master planning documents, and the City's Housing Element, it is determined that the proposed Project will not induce unplanned population growth beyond that which can be accommodated by the City. It has been determined that the City has adequate capacity to serve the Project and therefore, the Project will have a *less than significant* impact occurring from inducement of unplanned population.

**Mitigation Measures:** None are required.

b. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

**No Impact.** The land is undeveloped and there are no residential structures currently on-site. No houses will be displaced and as such, there will be *no impact*.

**Mitigation Measures:** None are required.

---

<sup>28</sup>City of Selma Housing Element 2015-2023. Page 11.

[https://cms9files.revize.com/selma/Document\\_Center/Department/Community%20development/Planning/Projects%20and%20Studies/Rockwell%20Pond%20Commercial%20Project%20DEIR/2023%20housing%20element.pdf](https://cms9files.revize.com/selma/Document_Center/Department/Community%20development/Planning/Projects%20and%20Studies/Rockwell%20Pond%20Commercial%20Project%20DEIR/2023%20housing%20element.pdf). Accessed December 2023.

## XV. PUBLIC SERVICES

### Would the project:

Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
--------------------------------	---	------------------------------	-----------

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

Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

## ENVIRONMENTAL SETTING

The City of Selma Police Department protects the City, which is headquartered at 1935 E Front St, Selma, CA 93662, approximately 1.2 miles southeast of the site.

The City of Selma Fire Department (SFD) provides primary fire protection within City Limits. The Selma Fire Department is located at 1711 Tucker Street Selma, CA 93662, approximately 1.4 miles southeast of the site.

The nearest schools are Andrew Jackson Elementary School and Selma High School, each approximately 1.2 and 1.0 miles respectively, southeast of the proposed site. Applicable policies from the Land Use Element of the General Plan include:

**1.19** The City will work closely with the school district to ensure that school facilities will keep pace with new development. The City may assist the school district in securing funding for new school facilities and, where legally feasible, the City may provide a mechanism which, along with state and local sources, requires development projects to satisfy the school district's financing program based upon evidence of their impact.

a. The school district will impose fees as legally allowed by the state on residential development projects for the construction and/ or reconstruction of school facilities. The fees on residential development projects may be adjusted every two years for inflation.

**1.26** The City shall plan new residential areas to be within the recommended distance of ½ mile of school playgrounds and/or recreational open space. Park facilities shall be provided in each quadrant of the City within a recommended ¼ mile walking distance of most residents.

The City parks include W. H. Shafer Park, Pioneer Village Park, Peter Ringo Park, Salazar Park, Berry Park, Lincoln Park, Brentlinger Park, Dog Park, and Pocket Park.

## RESPONSES

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

Fire protection?

**Less than Significant Impact.** The proposed Project site will be served by City of Selma Fire Department, which is approximately 1.2 miles southeast of the proposed Project site. Planned growth under the General Plan would increase calls for fire protection services in Selma and the proposed Project would introduce an additional 600 housing units, 40,000 square feet of commercial/retail space, and related offsite utilities improvements. The Project applicant will submit a General Plan Amendment a rezone application and comply with all associated requirements and fees. The Project will be consistent with the General Plan after implementation of the General Plan Amendment and rezoning requirements.

As discussed previously, the proposed Project would result in an incremental increase in the population of Selma; therefore, the Project could incrementally increase the demand for fire protection services. The proposed Project would be required to comply with all applicable codes for fire safety

and emergency access. Additionally, the Project Applicant will be required to submit plans to the Selma Fire Department (SFD) for review and approval prior to the issuance of building permits to ensure the Project would conform to applicable building codes. Furthermore, the Project Applicant would be required to pay a Development Impact Fee, pursuant to Title XII, Chapter 2 of the Selma Municipal Code, meant to mitigate unfavorable impacts to public facilities attributed to new development.

The SFD would continue providing services to the Project site and would not require additional firefighters to serve the proposed Project. The construction of a new or expanded fire station would not be required. The proposed Project would not result in a significant impact on the physical environment due to the incremental increase in demand for fire protection and life safety services. The incremental increase in demand for services is not expected to adversely affect existing responses times to the site or within the City. Therefore, construction and operation of the proposed Project would have a *less than significant* impact on fire protection.

#### Police Protection?

**Less than Significant Impact.** The Selma Police Department (SPD) would provide police protection services to the proposed Project. The SPD serves a population of approximately 25,000 people and is staffed with 39 sworn officers and 13 non-sworn personnel. The SPD station is located at 2055 3rd Street, approximately 1.2 miles southeast of the Project site. Planned growth under the General Plan would increase calls for police protection service in Selma. The Project Applicant would need to submit a General Plan Amendment and rezone application and comply with all associated requirements and fees. The Project would be consistent with the General Plan after implementation of the General Plan Amendment and rezoning requirements.

The Project could result in an incremental increase in the demand for police protection services. The Project Applicant would be required to pay a Development Impact Fee, pursuant to Title XII, Chapter 2 of the Selma Municipal Code, to account for the potential impacts to police protection services.

The SPD would continue to provide services to the Project site and would not require additional officers to serve the Project site. The construction of new or expanded police facilities would not be required. Therefore, the proposed Project would not result in a substantial adverse impact associated with the provision of additional police facilities or services and impacts to police protection would represent a *less than significant* impact.

Schools?

**Less than Significant Impact.** The Project site is within the Selma Unified School District which covers grades K-12. The proposed Project would increase the demand for school services in the vicinity. Pursuant to California Education Code Section 17620(a)(1), the governing board of any school district is authorized to levy a fee, charge, dedication, or other requirement against any construction within the boundaries of the district for the purpose of funding the construction or reconstruction of school facilities. The Project applicant would be required to pay such fees to reduce any impacts of new residential development of school services. Payment of the developer fees will offset the addition of school-age children within the district. As such, any impacts would be *less than significant*.

Parks?

**Less than Significant Impact.** The nearest City Park to the proposed Project site is Shafer Park, which is approximately 0.7 miles east. Additionally, the site plan for the Project includes a central park, which is approximately 3.57 acres and designated for use by the future residents.

The City of Selma imposes parkland dedication or in-lieu fees on new development equivalent to five acres or parkland per 1,000 new residents. As the proposed Project only includes approximately 3.57 acres of parkland, the City will collect in-lieu fees to compensate for the lack of parkland. Construction and operation of new or expanded parks and recreation facilities will be subject to preliminary environmental review pursuant to CEQA and if found not to be exempt, subject to full environmental analysis at which time all environmental issues will be vetted and appropriate mitigation incorporated, if needed. Potential impacts resulting from the effects of constructing and operating future parks and recreation facilities will be *less than significant* with implementation of existing regulations.

Other public facilities?

**Less than Significant Impact.** Planned growth under the General Plan would increase the demand for public facilities in Selma. The Project Applicant would need to submit a General Plan Amendment and rezone application and comply with all associated requirements and fees. The Project would be consistent with growth under the General Plan after implementation of the General Plan Amendment and rezoning requirements. The General Plan was designed to accommodate anticipated growth under the typical development scenario by providing adequate services, access, and infrastructure. The population increase generated by the proposed Project would incrementally increase demand for other public services, including libraries, community centers, and public health care facilities. However, as discussed in Section XIV, Population and Housing, the proposed Project would represent a population

increase that can be absorbed by City infrastructure and planning documents. The proposed Project would not result in a significant impact on the physical environment due to the incremental increase in demand for public facilities and the incremental increase in demand is not expected to require the construction of new or expanded school facilities. Additionally, the Project Applicant would be required to pay applicable development impact fees. As such, the impact would be *less than significant*.

**Mitigation Measures:** None are required.

## XVI. RECREATION

### Would the project:

- a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?
- b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
--------------------------------------	---	------------------------------------	--------------

	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
--	--------------------------	--------------------------	-------------------------------------	--------------------------

	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
--	--------------------------	--------------------------	-------------------------------------	--------------------------

## ENVIRONMENTAL SETTING

The City of Selma parks include W. H. Shafer Park, Pioneer Village Park, Peter Ringo Park, Salazar Park, Berry Park, Lincoln Park, Brentlinger Park, Dog Park, and Pocket Park. In addition, the City also has a cultural arts center, water park, and a sports division. These parks and facilities are managed by the City of Selma’s Recreation and Community Services Department. The mission of the Recreation Department is to strengthen community image and sense of place, support economic development, strengthen safety and security, promote health and wellness, foster human development, increase cultural unity, protect environmental resources, facilitate community problem solving and provide recreational experiences. The Recreation and Community Services Department provides year-round comprehensive programs for youth, adults and seniors.

## RESPONSES

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

**Less than Significant Impact.** As described in Impact XV(a), the site plan includes a 3.57-acre central park as part of the mixed-use development. Since the proposed Project does not include 5 acres of parkland per 1000 persons, the Project Applicant will be required to pay in-lieu fees for additional

parkland, in accordance with Section 9-6-9.02 of the Selma Municipal Code at the time building permits are obtained. Construction and operation of new or expanded parks and recreation facilities will be subject to preliminary environmental review pursuant to CEQA and if found not to be exempt, subject to full environmental analysis at which time all environmental issues will be vetted and appropriate mitigation incorporated, if needed. Potential impacts resulting from the effects of constructing and operating future parks and recreation facilities will be *less than significant* with implementation of existing regulations.

**Mitigation Measures:** None are required.

b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

**Less than Significant Impact.** The Project would include the construction of a 3.57-acre park on the Project site. Development of the proposed Project and associated recreational opportunities for use by users of the Project site would not result in additional environmental effects beyond those described in this document. The potential environmental effects resulting from construction of a park within the Project site are included in the analysis included in this Initial Study. As described herein, the physical effects of the Project would be *less than significant*.

**Mitigation Measures:** None are required.

XVII. TRANSPORTATION/  
TRAFFIC

**Would the project:**

	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a. Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

ENVIRONMENTAL SETTING

Vehicular circulation in Selma consists of a network of city streets and roads. Streets and roads are classified by functional classification including freeways, arterials, collectors, and local roads. The proposed Project site would be accessed from Floral Avenue and Stillman Street, and is approximately 100 feet west of the southbound State Route (SR) Floral Avenue offramp.

Arterials in Selma serve as the principal network for traffic flow. They typically have no less than a 100-foot right-of-way and connect areas of major traffic generation within the urban areas and also with important county roads and state highways. Arterials also provide for the distribution and collection of through traffic to and from collector and local streets serving residential, commercial, and industrial land uses. Floral Avenue is the primary east-west arterial through Selma. It also serves as one of the main access points to SR 99. Floral is a 4 lane undivided facility with left turn lanes at signalized intersections.

Collector streets provide for traffic movement between arterial and local streets; traffic movement within and between neighborhoods and major activity centers; and limited direct access to abutting

properties. Collector streets in Selma typically have a right-of-way that ranges between 60 and 84 feet. They are intended to connect arterials with local streets and activity centers.

Local streets provide for direct access to abutting properties and for localized traffic movements within residential, commercial, and industrial areas. In general, local collectors are local streets designed to connect neighborhoods and discourage through traffic. Stillman is classified as a local street, designed with two through lanes and parking on both sides.

## RESPONSES

- a. Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?
- b. Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?

**Potentially Significant Impact.** Project-related traffic generation could potentially have significant impacts to local and regional transportation systems. Additionally, VMT generation could potentially conflict with CEQA Guidelines section 15064.3 and as such, these impact areas will be analyzed in the forthcoming EIR.

- c. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?
- d. Result in inadequate emergency access?

**Less Than Significant Impact.** As noted earlier, proposed Project development consists of construction of a mixed-use residential and commercial development, including offsite utilities improvements, on an approximately 39.1-acre site in northwestern Selma, west of Highland Avenue, south of Floral Avenue and north of Stillman Street. As part of the Project, Stillman Street will be widened and improved to City Standards, and will serve as the main entrance for the residential areas. Additionally, along the western site boundary, Fancher Street will be constructed from E. Floral Ave and Stillman Street to provide additional site access.

There are no components of the proposed Project that would increase hazards due to a geometric design feature. Construction activities will be temporary in nature and will not cause any road closures

that could interfere with any adopted emergency response or evacuation plan. The construction contractor will be required to work with the City and County (public works, police/fire, etc.) if and when roadway diversions are required to ensure that adequate access is maintained for residents and emergency vehicles. No roadway design features associated with this proposed Project would result in an increase in hazards due to a design feature or be an incompatible use. Any points of ingress/egress to the proposed Project site will be sized appropriately for emergency vehicles. As such, the proposed Project has been appropriately designed for emergency access. The Project would not conflict with a circulation program plan, ordinance, or policy addressing the circulation system and as such, impacts would be *less than significant*.

**Mitigation Measures:** None are required.

XVIII. TRIBAL CULTURAL RESOURCES

**Would the project:**

	Less than Significant		
Potentially Significant Impact	With Mitigation Incorporation	Less than Significant Impact	No Impact

a. Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

i. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or

ii. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1. In applying the criteria set forth in subdivision (c) of the Public Resources Code section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

## RESPONSES

- a). Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:
- i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or
  - ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

**Less than Significant Impact.** A Tribal Cultural Resource (TCR) is defined under Public Resources Code section 21074 as a site, feature, place, cultural landscape that is geographically defined in terms of size and scope, sacred place, and object with cultural value to a California Native American tribe that are either included and that is listed or eligible for inclusion in the California Register of Historic Resources or in a local register of historical resources, or if the City of Selma, acting as the Lead Agency, supported by substantial evidence, chooses at its discretion to treat the resource as a TCR. As discussed herein, under Section V, Cultural Resources, criteria (b) and (d), no known archeological resources, ethnographic sites or Native American remains are located on the proposed Project site. As discussed under criterion (b) implementation of Mitigation Measure CUL-1 would reduce impacts to unknown archaeological deposits, including TCRs, to a less than significant level. As discussed under criterion (d), compliance with California Health and Safety Code Section 7050.5 would reduce the likelihood of disturbing or discovering human remains, including those of Native Americans.

The Native American Heritage Commission (NAHC) has performed a Sacred Lands File search for sites located on or near the Project site, with negative results. 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. Due to the nature of the Project and the results of the records search and outreach letters, the City has determined

that the proposed Project does not meet the City's criteria to conduct additional Tribal consultation. Any impacts to TCR would be considered *less than significant*.

**Mitigation Measures:** Implementation of CUL-1 and CUL-2.

## XIX. UTILITIES AND SERVICE SYSTEMS

### Would the project:

	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a. Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

## ENVIRONMENTAL SETTING

As described previously, the Project site is located immediately west of the City of Selma in Fresno County, in an area dominated by rural agricultural land and homesteads to the west. The site is designated by the City of Selma General Plan for future commercial uses and is currently zoned as AE/20 by Fresno County. The entire site is within the City's Sphere of Influence (SOI) and is proposed for annexation into the City limits of Selma.

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 in the Project Description and in Figure 4. The Project will require other utilities such as electrical and solid waste. Each utility is discussed individually herein.

**Water.** The City of Selma contracts with California Water Service (Cal Water) for its water supply needs. Cal Water's Selma District water system - composed of storage tanks, booster pumps, water wells, and more than 80 miles of pipeline - delivers 5.9 million gallons of water per day to its 6,500 customers. Cal Water's Selma District growth rate has diminished in recent years but has remained fairly consistent over a long period of time. Demand for water services in the Selma District fluctuates between 320,000 and 450,000 gallons per service per year. Between 2010 and 2015, the combined demand per service for all customer categories has averaged 379,300 gallons per service per year. In 2010, Cal Water delivered 5,520 acre-feet (AF) of water to the District. In 2015, water deliveries were projected to be 7,088 AF of water. Demand is projected to increase to 7,773 AF by 2025, 8,624 AF by 2030, and 9,569 AF by 2035.7 Cal Water does not anticipate expanding or developing new water services systems within the City.<sup>29</sup>

**Wastewater.** 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

---

<sup>29</sup> 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](https://cms9files.revize.com/selma/Document_Center/Department/Community%20development/Planning/Projects%20and%20Studies/Rockwell%20Pond%20Commercial%20Project%20DEIR/2023%20housing%20element.pdf). Accessed December 2023.

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.<sup>30</sup>

**Stormwater.** The Selma Public Works Streets Division maintains 75 miles of City streets and right-of-ways. The Division is responsible for the maintenance and installation of sidewalks, curbs and gutters, maintenance and repair of 40 miles of storm drain, including approximately 700 drain inlets/catch basins and 15 storm drain lift stations and 8 retention ponds.

**Solid Waste.** The City of Selma, through a private contractor, Waste Management, 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."<sup>31</sup>

**Electricity.** 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.<sup>32</sup>

**Natural Gas.** Selma is supplied with natural gas by PG&E and Southern California Gas Company. Existing service is good, and company officials indicate no current unforeseeable peak load or pressure deficiencies.<sup>33</sup>

## RESPONSES

---

<sup>30</sup> Ibid.

<sup>31</sup> 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 2023.

<sup>32</sup> Ibid. Page 7-20.

<sup>33</sup> Ibid. Page 7-21.

- a. Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?
- b. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?
- c. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?
- d. Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?
- e. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

**Potentially Significant Impact.** Project implementation could potentially have significant impacts to utility systems that serve Selma. As such, these impact areas will be analyzed in the forthcoming EIR.

XX. WILDFIRE

**If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:**

	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a. Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

ENVIRONMENTAL SETTING

The City of Selma’s planning area is composed of urbanized portions of land and the surrounding agricultural fields. The Project site has ensured fire protection by the Selma Fire Department, located at 1711 Tucker Street Selma, CA 93662, approximately 1.2 miles southeast of the site. Given the location of the nearest fire station, response time is expected to be extremely quick in the rare event of a fire event.

RESPONSES

- a. Substantially impair an adopted emergency response plan or emergency evacuation plan?
- b. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?
- c. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?
- d. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

**Less Than Significant 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.<sup>34</sup> Selma is a primarily urbanized area and surrounded by agriculture, and there are no wildland areas near the City. Therefore, the Project would have no impact related to exposing people or structures to a significant risk of loss, injury or death involving wildland fires. Impacts with regard to hazards and hazardous materials would be *less than significant*.

**Mitigation Measures:** None are required.

---

<sup>34</sup> California Office of the State Fire Marshall. Fire Hazard Severity Zones Map. <https://egis.fire.ca.gov/FHSZ/>. Accessed June 2023.

**XXI. MANDATORY FINDINGS OF SIGNIFICANCE**

**Would the project:**

	Less than Significant			
Potentially Significant Impact	With Mitigation Incorporation	Less than Significant Impact	No Impact	

a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
-------------------------------------	--------------------------	--------------------------	--------------------------

b. Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
-------------------------------------	--------------------------	--------------------------	--------------------------

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

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
-------------------------------------	--------------------------	--------------------------	--------------------------

**RESPONSES**

a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the

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

**Potentially Significant Impact.** The analyses of environmental issues contained in this Initial Study indicate that the proposed Project may have substantial impact on the environment or on any resources identified in the Initial Study. Mitigation measures have been incorporated in the Project design, however some impacts remain *potentially significant*. Therefore, an EIR will be prepared to further analyze potentially significant impact areas.

b. Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

**Potentially Significant Impact.** CEQA Guidelines Section 15064(i) states that a Lead Agency shall consider whether the cumulative impact of a project is significant and whether the effects of the project are cumulatively considerable. The assessment of the significance of the cumulative effects of a project must, therefore, be conducted in connection with the effects of past projects, other current projects, and probable future projects. The proposed Project may contribute substantially to adverse cumulative conditions, or create any substantial indirect impacts (i.e., increase in population could lead to an increase need for housing, increase in traffic, air pollutants, etc). Mitigation measures have been incorporated in the Project design, however some impacts remain **potentially significant**. Therefore, an EIR will be prepared to further analyze potentially significant impact areas.

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

**Potentially Significant Impact.** The analyses of environmental issues contained in this Initial Study indicate that the Project may have substantial impact on human beings, either directly or indirectly. Mitigation measures have been incorporated in the Project design, however some impacts remain *potentially significant*. Therefore, an EIR will be prepared for those impact areas.

## LIST OF PREPARERS

### **Crawford & Bowen Planning, Inc.** – Initial Study/Notice of Preparation

- Emily Bowen, LEED AP, Principal Environmental Planner
- Travis Crawford, AICP, Principal Environmental Planner
- Deepesh Tourani, Associate Environmental Planner

### **WJV Acoustics** – Acoustical Analysis

## **Appendix A**

### Acoustical Analysis

**ACOUSTICAL ANALYSIS**

**SELMA CASITAS DEVELOPMENT PROJECT**  
**SELMA, CALIFORNIA**

**WJVA Report No. 22-63**

**PREPARED FOR**

**CRAWFORD & BOWEN PLANNING, INC.**  
113 NORTH CHURCH STREET, SUITE 310  
VISALIA, CALIFORNIA 93291

**PREPARED BY**

**WJV ACOUSTICS, INC.**  
VISALIA, CALIFORNIA



wjv acoustics

**JUNE 18, 2024**

# 1. INTRODUCTION

## Project Description:

The Selma Casitas Development Project (project) is a mixed-use residential and commercial development project planned for a site with a net area of 37.4 acres. It will be located in the northwestern area of Selma, west of Highland Avenue, between Stillman Street to the south and Floral Avenue to the north.

The Selma Development project is intended to be constructed in several phases. The full buildout duration will be subject to market conditions. The project will contain the following land uses:

- 3.35 acres for public park areas
- 5.95 acres for 150 Senior Living residential units
- 5.95 acres for 150 affordable multi-family residential units
- 11.5 acres for 300 market-rate multi-family residential units
- 8.30 acres for commercial uses; including retail, fast food (with drive-thrus) & hospitality.
- 2.35 acres for public and private streets.

A total of 600 apartment units (1,2 & 3 bedrooms) are planned for the project. Approximately 37,500 square feet of retail & food service uses, and up to a 100-key hotel are anticipated in the commercial area.

Stillman Street is planned to be widened and improved, which will divert traffic from E. Floral Avenue, as this will be the main entrance for the residential areas. 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 which will be owned and maintained by the Development Association. Residential areas within the project will be gated for security purposes at the discretion of the developer.

The retail and hospitality businesses will operate 7 days per week with hours of operation ranging from 12 to 24 hours. Parking is currently planned at 6-7 stalls per 1000 square-feet. Approximately 80-100 employees could be on site during peak hours. The project Site Plan is provided as Figure 1.

## Environmental Noise Assessment:

This environmental noise assessment has been prepared to determine if significant noise impacts will be produced by the project and to describe mitigation measures for noise if significant impacts are determined. The environmental noise assessment, prepared by WJV Acoustics, Inc. (WJVA), is based upon the project site plan prepared by Morton & Pitalo, Inc. (dated 09/02/22), traffic data provided by JLB Traffic Engineering, Inc., and a project site visit on May 17, 2023. Revisions to the project site plan, project traffic information or other project-related information available to WJVA at the time the analysis was prepared may require a reevaluation of the findings and/or recommendations of the report.

Appendix A provides definitions of the acoustical terminology used in this report. Unless otherwise stated, all sound levels reported in this analysis are A-weighted sound pressure levels in decibels (dB). A-weighting de-emphasizes the very low and very high frequencies of sound in a manner similar to the human ear. Most community noise standards utilize A-weighted sound levels, as they correlate well with public reaction to noise. Appendix B provides examples of sound levels for reference.

In terms of human perception, a 5 dB increase or decrease is considered to be a noticeable change in noise levels. Additionally, a 10 dB increase or decrease is perceived by the human ear as half as loud or twice as loud. In terms of perception, generally speaking the human ear cannot perceive an increase (or decrease) in noise levels less than 3 dB.

## 2. THRESHOLDS OF SIGNIFICANCE

The CEQA Guidelines apply the following questions for the assessment of significant noise impacts for a project:

- a. Would the project result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?
- b. Would the project result in generation of excessive groundborne vibration or groundborne noise levels?
- c. For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

### a. Noise Level Standards

#### CITY OF SELMA

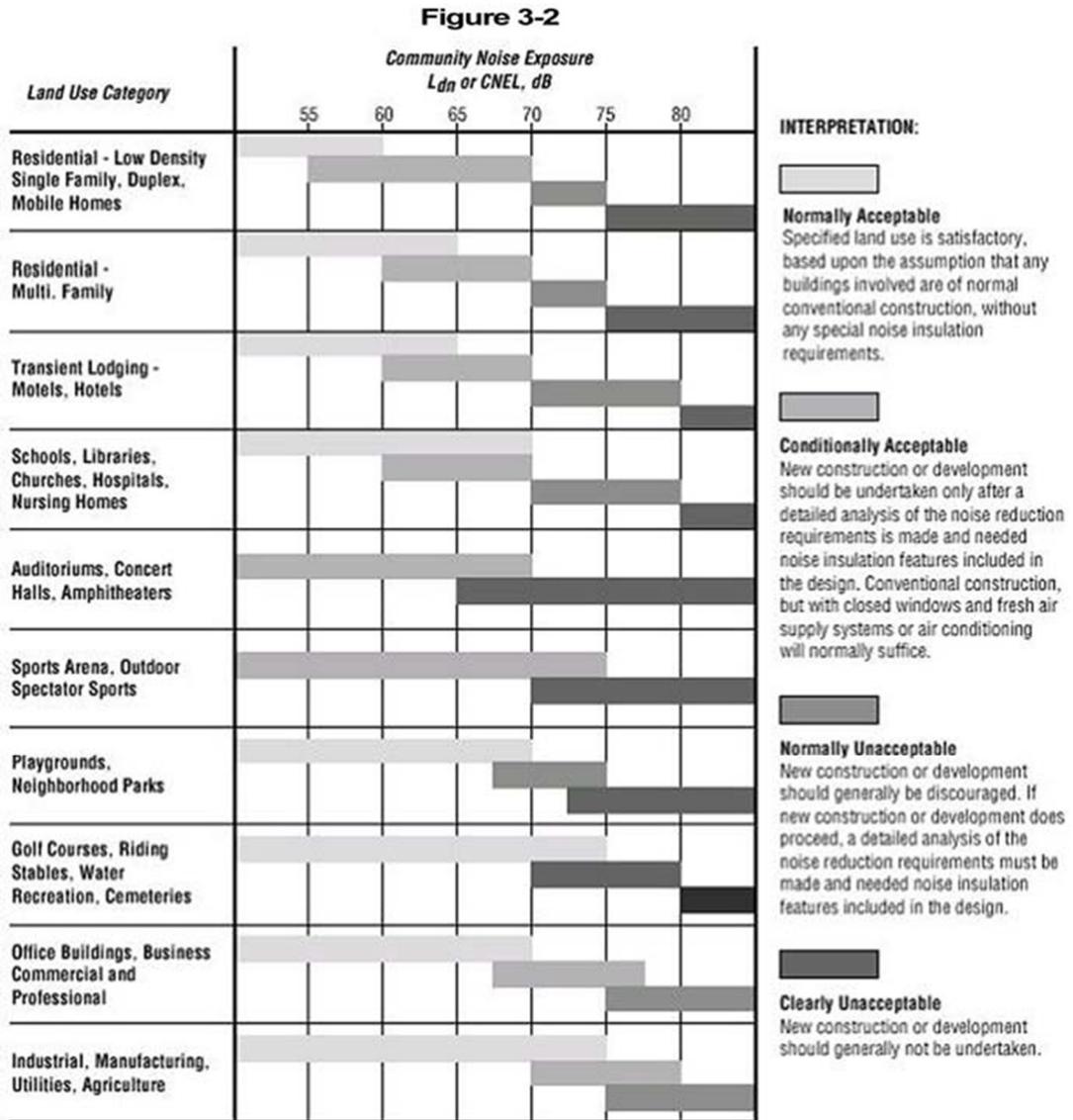
##### **General Plan:**

The Noise Element of the 2035 Selma General Plan<sup>1</sup> establishes noise level standards for noise compatibility planning within the city. The noise level descriptors utilized within the noise element for transportation and non-transportation noise sources are the Day Night Average Level (DNL or  $L_{dn}$ ) and Community Noise Equivalent Level (CNEL). The DNL represents the time-weighted energy average noise level for a 24-hour day, with a 10 dB penalty added to noise levels occurring during the nighttime hours (10:00 p.m.-7:00 a.m.). The CNEL descriptor is identical the DNL except that an additional penalty of 5 dB is added to noise levels occurring during the evening hours between 7:00 p.m. and 10:00 p.m. Both descriptors represent cumulative exposure to noise over an extended period of time and are therefore calculated based upon *annual average* conditions. The CNEL is applicable only to aircraft noise exposure, as required by the State of California.

Policy 3.3 of the noise element refers to a land use compatibility table (provided below as Table I) that is difficult to interpret because there are overlapping ranges of allowable exterior noise exposure. However, it is clear from Policies 3.4, 3.5, 3.7 and 3.10 that exterior noise exposure is considered unacceptable if it exceeds 65 dB DNL/CNEL within outdoor activity areas of noise-sensitive uses. Outdoor activity areas include backyards of single-family residences, individual patios or decks of multi-family developments and common outdoor recreation areas for multi-family developments.

Policy 3.5 specifies an interior noise level standard 45 dB DNL/CNEL within noise-sensitive rooms of noise-sensitive buildings. The intent of the interior noise level standard is to provide an acceptable noise environment for indoor communication and sleep.

Table 1: Land Use Noise Compatibility Table



Source: State of California, General Plan Guidelines, 2003

The General Plan provides noise level standards for stationary (non-transportation) noise sources. Table II provides the City of Selma noise level standards applicable to stationary noise sources.

TABLE II EXTERIOR NOISE LEVEL STANDARDS, STATIONARY SOURCES, DBA CITY OF SELMA			
Category	Cumulative # Min/Hr. ( $L_n$ ) <sup>1</sup>	Daytime (7 am-10 pm)	Nighttime (10 pm-7 am)
1	30 ( $L_{50}$ )	50	45
2	15 ( $L_{25}$ )	55	50
3	5 ( $L_{8.3}$ )	60	55
4	1 ( $L_{1.7}$ )	65	60
5	0 ( $L_{max}$ )	70	65

<sup>1</sup>In layman's terms, the noise level standards shown may not be exceeded for more than the specified number of minutes within any one-hour time period. The  $L_n$  value shown in parenthesis indicates the percent of the time during an hour that a particular noise level may not be exceeded. For example, the  $L_{50}$  represents 50% of the hour, or 30 minutes.

Source: City of Selma

### State of California

There are no state noise standards that are applicable to the project.

### Federal Noise Standards

There are no federal noise standards that are applicable to the project.

#### **b. Construction Noise and Vibration**

Noise due to construction activities is generally considered to be less than significant if the construction activity is temporary, use of heavy equipment and noisy activities is limited to daytime hours, pile driving or surface blasting would not occur, and all industry-standard noise abatement measures are implemented for noise-producing equipment. These general parameters acknowledge that people are not as likely to be annoyed by activities that are perceived as being necessary for normal commerce, so long as the inconveniences due to noise are of relatively short duration and all practical measures are being implemented to reduce the impacts of noise-producing activities.

Policy 3.1 of the noise element restricts the hours of operation for noise-producing devices, appliances, equipment or vehicles on public or private property abutting noise sensitive land uses. Such operations are not permitted between 7:00 p.m. and 6:00 a.m. during weekdays or between 7:00 p.m. and 9:00 a.m. during weekends.

The City of Selma does not have regulations that define acceptable levels of vibration. There are no state or federal standards that specifically address construction vibration. Some guidance is provided by the Caltrans Transportation and Construction Vibration Guidance Manual<sup>2</sup>. The Manual provides guidance for determining annoyance potential criteria and damage potential threshold criteria. These criteria are provided below in Table III and Table IV, and are presented in terms of peak particle velocity (PPV) in inches per second (in/sec).

TABLE III		
GUIDELINE VIBRATION ANNOYANCE POTENTIAL CRITERIA		
Human Response	Maximum PPV (in/sec)	
	Transient Sources	Continuous/Frequent Intermittent Sources
Barely Perceptible	0.04	0.01
Distinctly Perceptible	0.25	0.04
Strongly Perceptible	0.9	0.1
Severe	2.0	0.4

Source: Caltrans

TABLE IV		
GUIDELINE VIBRATION DAMAGE POTENTIAL THRESHOLD CRITERIA		
Structure and Condition	Maximum PPV (in/sec)	
	Transient Sources	Continuous/Frequent Intermittent Sources
Extremely fragile, historic buildings, ancient monuments	0.12	0.08
Fragile buildings	0.2	0.1
Historic and some old buildings	0.5	0.25
Older residential structures	0.5	0.3
New residential structures	1.0	0.5
Modern industrial/commercial buildings	2.0	0.5

Source: Caltrans

### **3. SETTING**

The proposed Project is located northwestern area of Selma, west of Highland Avenue, between Stillman Street to the south and Floral Avenue to the north. The project site consists of approximately 37.4 acres of currently undeveloped land. The project site is generally bound by retail/commercial land uses to the north and east, and undeveloped/agricultural land uses to the south and west.

Existing sources of noise in the general project vicinity include noise associated with vehicle traffic on Floral Avenue and State Route 99 (SR 99), noise associated with retail/commercial land uses, agricultural activities and occasional aircraft overflights.

#### **a. Background Noise Level Measurements**

Existing noise levels in the project vicinity are dominated by traffic noise along Floral Avenue and SR 99 along the northern portion of the project site and by noise associated with retail/commercial and agricultural activities along the southern portion of the project site. Measurements of existing ambient noise levels in the project vicinity were conducted on May 17, 2023. Long-term (24-hour) ambient noise level measurements were conducted at two (2) locations (sites LT-1 and LT-2). Ambient noise levels were measured for a period of 24 continuous hours at the long-term ambient noise measurement sites. Site LT-1 was located within the northern portion of the project site, along Floral Avenue. The LT-2 was located near the southeast corner of the project site, near existing commercial/retail land uses and agricultural land uses. The location of long-term ambient noise monitoring sites LT-1 and LT-2 are provided as Figure 2.

Measured hourly energy average noise levels ( $L_{eq}$ ) at site LT-1 ranged from a low of 52.7 dB between 11:00 p.m. and midnight to a high of 62.4 dBA between 5:00 p.m. and 6:00 p.m. Hourly maximum ( $L_{max}$ ) noise levels at site LT-1 ranged from 72.1 to 82.6 dBA. Residual noise levels at the monitoring site, as defined by the  $L_{90}$ , ranged from 50.3 to 58.1 dBA. The  $L_{90}$  is a statistical descriptor that defines the noise level exceeded 90% of the time during each hour of the sample period. The  $L_{90}$  is generally considered to represent the residual (or background) noise level in the absence of identifiable single noise events from traffic, aircraft, and other local noise sources. The measured  $L_{dn}$  value at site LT-1 was 64.3 dB  $L_{dn}$ . Figure 3 graphically depicts hourly variations in ambient noise levels at site LT-1. Figure 4 provides a photograph of measurement site LT-1.

Measured hourly energy average noise levels ( $L_{eq}$ ) at site LT-2 ranged from a low of 44.4 dB between 11:00 p.m. and midnight to a high of 57.4 dBA between 4:00 p.m. and 5:00 p.m. Hourly maximum ( $L_{max}$ ) noise levels at site LT-2 ranged from 60.1 to 81.4 dBA. Residual noise levels at the monitoring site, as defined by the  $L_{90}$ , ranged from 37.0 to 53.0 dBA. The measured  $L_{dn}$  value at site LT-2 was 57.2 dB  $L_{dn}$ . Figure 5 graphically depicts hourly variations in ambient noise levels at site LT-2. Figure 6 provides a photograph of measurement site LT-2.

Additionally, short-term (15-minute) ambient noise level measurements were conducted at four (4) locations (Sites ST-1 through ST-4). Two (2) individual measurements were taken at each of the

four short-term sites to quantify ambient noise levels in the morning and afternoon hours. The locations of the long-term and short-term noise monitoring sites are shown in Figure 2.

Table V summarizes short-term noise measurement results. The noise measurement data included energy average ( $L_{eq}$ ) maximum ( $L_{max}$ ) as well as five individual statistical parameters. Observations were made of the dominant noise sources affecting the measurements. The statistical parameters describe the percent of time a noise level was exceeded during the measurement period. For instance, the  $L_{90}$  describes the noise level exceeded 90 percent of the time during the measurement period, and is generally considered to represent the residual (or background) noise level in the absence of identifiable single noise events from traffic, aircraft, and other local noise sources. Two individual ambient noise level measurements were conducted at each short-term site to quantify morning and afternoon noise levels in the project vicinity.

Short-term noise measurements were conducted for 15-minute periods at each of the four sites. Site ST-1 was located along Floral Avenue, in the northwest portion of the project site. Site ST-2 was located along the western portion of the project site, near the rear of the Food4Less grocery store. Site ST-3 was located near the southwestern portion of the project site and site ST-4 was located near the western portion of the project site.

TABLE V									
SUMMARY OF SHORT-TERM NOISE MEASUREMENT DATA									
SELMA CASITAS DEVELOPMENT PROJECT									
MAY 17, 2023									
Site	Time	A-Weighted Decibels, dBA							Sources
		$L_{eq}$	$L_{max}$	$L_2$	$L_8$	$L_{25}$	$L_{50}$	$L_{90}$	
ST-1	9:35 a.m.	65.2	81.5	76.4	70.2	66.0	65.1	58.8	TR, AC
ST-1	4:00 p.m.	64.8	80.6	74.1	69.8	64.7	63.8	56.7	TR
ST-2	9:55 a.m.	56.2	68.4	61.8	59.1	56.1	55.2	46.7	TR, C
ST-2	4:20 p.m.	58.1	74.1	62.3	60.8	56.6	54.1	45.9	TR, C, AC
ST-3	10:20 a.m.	52.1	63.1	61.9	60.4	52.8	50.7	43.8	TR, C
ST-3	4:45 p.m.	53.4	64.4	62.5	60.7	56.4	51.2	44.4	TR, AG, B
ST-4	10:40 a.m.	54.6	65.2	59.4	56.3	53.8	52.9	46.1	TR, AC
ST-4	5:05 p.m.	53.4	65.4	59.7	56.0	52.1	51.3	45.5	TR

TR: Traffic AC: Aircraft AG: Agricultural Activities C: Commercial Activities B: Birds D: Barking Dogs  
 Source: WJV Acoustics, Inc.

#### **4. NOISE IMPACTS TO SITE SENSITIVE RECEPTORS**

##### **a. Project Traffic Noise Impacts on Existing Noise-Sensitive Land Uses Outside Project Site (Less Than Significant Impact)**

WJVA utilized the FHWA Traffic Noise Model<sup>3</sup> to quantify expected project-related increases in traffic noise exposure along roadways in the project vicinity. The FHWA Model is a standard analytical method used by state and local agencies for roadway traffic noise prediction. The model is based upon reference energy emission levels for automobiles, medium trucks (2 axles) and heavy trucks (3 or more axles), with consideration given to vehicle volume, speed, roadway configuration, distance to the receiver, and the acoustical characteristics of the site. The FHWA Model was developed to predict hourly  $L_{eq}$  values for free-flowing traffic conditions, and is generally considered to be accurate within  $\pm 1.5$  dB. To predict  $L_{dn}$  values, it is necessary to determine the hourly distribution of traffic for a typical day and adjust the traffic volume input data to yield an equivalent hourly traffic volume.

Average Daily Traffic (ADT) volumes for the analyzed receptor locations were provided by the project traffic engineer, JLB Traffic Engineering, Inc. Truck percentages and the day/night distribution of traffic were estimated by WJVA, based upon previous studies conducted in the project vicinity since project-specific data were not available from government sources. The Noise modeling assumptions used to calculate project traffic noise are provided as Appendix C.

Traffic noise exposure levels for Existing, Existing Plus Project, 2046 Cumulative No Project and 2046 Cumulative Plus Project traffic scenarios were calculated based upon the FHWA Model and the above-described model inputs and assumptions. Project-related significant impacts would occur if an increase in traffic noise associated with the project would result in noise levels exceeding the City's applicable noise level standards at the location(s) of sensitive receptors. For the purpose of this analysis a significant impact was also assumed to occur if traffic noise levels were to increase by 3 dB at sensitive receptor locations where noise levels already exceed the City's applicable noise level standards (without the project), as 3 dB generally represents the threshold of perception in change for the human ear.

The City's exterior noise level standard for residential land uses is 65 dB  $L_{dn}$ . Traffic noise was modeled at five (5) receptor locations. The five modeled receptors are located at roadway setback distances representative of the sensitive receptors (residences) along each analyzed roadway segment with adjacent sensitive receptors. The receptor locations are described below and provided graphically on Figure 7.

- R-1: Residential land use approximately 55 feet from the centerline of Highland Ave.
- R-2: Residential land use approximately 80 feet from the centerline of Floral Ave.
- R-3: Residential land use approximately 150 feet from the centerline of Highland Ave.
- R-4: Residential land use approximately 70 feet from the centerline of Rose Ave.
- R-5: Residential land use approximately 100 feet from the centerline of Highland Ave.

**Existing Conditions:**

Table VI provides existing traffic noise exposure levels at the five analyzed representative receptor locations, and provides what the project contribution would be to existing plus project conditions.

TABLE VI PROJECT CONTRIBUTION TO TRAFFIC NOISE, dB, L <sub>dn</sub> SELMA CASITAS DEVELOPMENT PROJECT EXISTING CONDITIONS				
Modeled Receptor	Existing Conditions Without Project Contribution	Existing Conditions Plus Project	Project Contribution	Significant Impact?
R-1	64	64	0	No
R-2	59	59	0	No
R-3	61	61	0	No
R-4	59	60	+1	No
R-5	63	63	0	No

Source: WJV Acoustics, Inc.  
JLB Traffic Engineering, Inc.

Reference to Table VI indicates that the project’s contribution to existing traffic conditions noise exposure levels at the modeled representative receptor locations would not result in noise levels to exceed the City’s noise level standard, nor result in an increase of 3 dB in any sensitive receptor locations where noise levels already exceed the City’s noise level standard without the implementation of the project.

**2046 Cumulative Conditions:**

Table VII provides 2046 Cumulative traffic noise exposure levels at the seven analyzed representative receptor locations, and provides what the project contribution would be to 2044 Cumulative plus project conditions.

TABLE VII PROJECT CONTRIBUTION TO TRAFFIC NOISE, dB, L <sub>dn</sub> SELMA CASITAS DEVELOPMENT PROJECT 2046 CUMULATIVE CONDITIONS				
Modeled Receptor	2046 Conditions Without Project Contribution	2046 Conditions Plus Project	Project Contribution	Significant Impact?
R-1	67	67	0	No
R-2	64	64	0	No
R-3	63	63	0	No
R-4	61	61	0	No
R-5	65	65	0	No

Source: WJV Acoustics, Inc.  
VRPA Technologies, Inc.

Reference to Table VII indicates that the project’s contribution to Cumulative 2046 traffic conditions noise exposure levels at the modeled representative receptor locations would not result in noise levels to exceed the City’s noise level standard, nor result in an increase of 3 dB in any sensitive receptor locations where noise levels already exceed the City’s noise level standard without the implementation of the project.

**b. Noise from Construction (No Impact)**

Construction noise would occur at various locations within and near the project site through the buildout period. The closest existing sensitive receptors (residential land uses) to proposed construction activities are located at a distance of at least 750 feet from the project site. At such distances, construction noise is not considered to be of concern. As a point of reference, Table VIII provides typical construction-related noise levels at distances of 50, 100 feet, 200 feet, and 300 feet.

Construction noise is not typically considered to be a significant impact if construction is limited to the allowed hours and construction equipment is adequately maintained and muffled. Extraordinary noise-producing activities (e.g., pile driving) are not anticipated. The City of Selma limits hours of construction to between the hours of 6:00 a.m. to 7:00 p.m., Monday through Friday and between 9:00 a.m. to 7:00 p.m. on the weekends.

**TABLE VIII**  
**TYPICAL CONSTRUCTION EQUIPMENT**  
**MAXIMUM NOISE LEVELS, dBA**

Type of Equipment	50 Ft.	100 Ft.	200 Ft.	300 Ft.
Concrete Saw	90	84	78	74
Crane	81	75	69	65
Excavator	81	75	69	65
Front End Loader	79	73	67	63
Jackhammer	89	83	77	73
Paver	77	71	65	61
Pneumatic Tools	85	79	73	69
Dozer	81	76	70	66
Rollers	80	74	68	64
Trucks	86	80	72	70
Pumps	80	74	68	64
Scrapers	87	81	75	71
Portable Generators	81	74	68	64
Backhoe	86	80	74	70
Grader	86	80	74	70

Source: FHWA

*Noise Control for Buildings and Manufacturing Plants, Bolt, Beranek & Newman, 1987*

### c. Vibration Impacts (No Impact)

The dominant sources of man-made vibration are sonic booms, blasting, pile driving, pavement breaking, demolition, diesel locomotives, and rail-car coupling. None of these activities are anticipated to occur with construction or operation of the proposed project. Typical vibration levels at distances of 25, 100 feet and 300 feet are summarized by Table IX. These levels would not be expected to exceed any significant threshold levels for annoyance or damage, as provided above in Table III and Table IV.

**TABLE IX**  
**TYPICAL VIBRATION LEVELS DURING CONSTRUCTION**

Equipment	PPV (in/sec)		
	@ 25'	@ 100'	@ 300'
Bulldozer (Large)	0.089	0.019	0.006
Bulldozer (Small)	0.003	0.0006	0.0002
Loaded Truck	0.076	0.017	0.005
Jackhammer	0.035	0.008	0.002
Vibratory Roller	0.210	0.046	0.013
Caisson Drilling	0.089	0.019	0.006

Source: *Caltrans*

## 5. NOISE IMPACTS TO PROPOSED ON-SITE SENSITIVE RECEPTORS

### a. Impacts From Adjacent Existing Stationary Noise Sources (Less Than Significant With Mitigation)

#### **Loading Docks and Slowly Moving Trucks:**

The project site is bordered to the east by an existing commercial/retail development, with retail stores backing up to proposed residential land uses at Lot C and Lot D. These existing retail buildings include three individual loading docks and a truck access route. Based upon the proposed project site plan, residential land uses within Lot C and Lot D would be located approximately 100 feet from truck access routes and 120 feet from existing loading docks.

Noise sources typically associated with loading dock activities include truck engines, the operation of truck-mounted refrigeration units, fork lifts, the banging of hand carts and roll-up doors, noise from P.A. systems, and the voices of truck drivers and store employees. Truck engines and/or refrigeration units are typically turned off while trucks are in loading dock areas to reduce noise and save energy.

Based upon noise level measurements conducted by WJVA for other studies, loading dock noise levels would be expected to be as high as 75 dBA at a distance of 120 feet (Lot C and Lot D residential). Such levels exceed the applicable City of Selma daytime and nighttime maximum noise level standards and mitigation measures must be incorporated if outdoor activity areas (individual unit patios, decks or balconies) or common use outdoor areas are located along the east sides of the easternmost residential buildings at Lot C and Lot D.

Additionally, WJVA has conducted measurements of the noise levels produced by slowly moving trucks for a number of studies. Such truck movements would be expected to produce noise levels in the range of 65 to 71 dBA at a distance of 100 feet. The range in measured truck noise levels is due to differences in the size of trucks, their speed of movement and whether they have refrigeration units in operation during the pass-by. Such levels exceed (or equal) the applicable City of Selma daytime and nighttime maximum noise level standards and mitigation measures must be incorporated if outdoor activity areas (individual unit patios, decks or balconies) or common use outdoor areas are located along the east sides of the easternmost residential buildings.

- **Potential Impact:** If outdoor activity areas (individual unit balconies, decks or patios and common use outdoor spaces) are to be located along the east side of the easternmost residential buildings located within Lot C and/or Lot D, exterior noise levels associated with loading dock activities and truck movements (at existing retail/commercial land uses) would exceed applicable City of Selma daytime (70 dB) and nighttime (65 dB) maximum noise level standards.
- **Mitigation Measure:** Noise levels associated with truck movements and loading dock activities could exceed applicable City of Selma noise level standards by up to 10 dB. In order to mitigate these noise levels, a sound wall must be constructed along the project

site eastern property line, adjacent to the existing truck access route and loading docks at the rear of the existing retail/commercial land uses.

A computer model was used to determine the required height of a sound wall along the eastern project site property line, with residential adjacency. The model calculates sound wall insertion loss (noise reduction) based upon the distance from the source to the wall, the distance from wall to the receptor, and the relative heights of the sources and receptors. A semi-truck is assumed to have an effective source height of 8 feet above the pavement and the assumed height of a residential receiver is 5 feet above the ground.

Based upon the above-described assumptions and method of analysis, WJVA determined that a sound wall constructed to a minimum height of ten (10) feet above ground level would reduce noise levels associated with truck pass-bys and loading dock activities by approximately ten (10) dB at the adjacent proposed residential land uses to the west. This would be sufficient for compliance the City's daytime (7:00 a.m.-10:00 p.m.) 70 dBA  $L_{max}$  and nighttime (10:00 p.m. to 7:00 a.m.) 65 dB  $L_{max}$  exterior noise level standards. The location of the 10-foot sound wall is provided as Figure 8.

It should be noted, the above-described sound wall would be effective at first-floor receiver locations only. Exterior noise levels at any potential east-facing second-floor balconies of the easternmost residential buildings (Lot C and Lot D) would exceed the exterior noise level standards.

## **b. Traffic Noise Impacts to Proposed On-Site Receptors (No Impact)**

The City of Selma General Plan Noise Element establishes an exterior noise level standard of 65 dB  $L_{dn}$  for outdoor activity areas of residential uses. Outdoor activity areas generally include backyards of single-family residences and individual patios or decks and common outdoor activity areas of multi-family developments. The noise element also requires that interior noise levels attributable to exterior noise sources not exceed 45 dB  $L_{dn}$ .

The proposed project includes sensitive receptors (residential land uses) that could be impacted by traffic noise exposure adjacent to Floral Avenue. Based upon the above-described FHWA traffic noise model and traffic noise modeling assumptions, WJVA calculated the setback distance from the center of Floral Avenue to the 65 dB  $L_{dn}$  traffic noise exposure contour (2046 Cumulative Plus Project traffic conditions) to be 70 feet. This means that traffic noise impacts would not be expected to occur at setback distances of greater than 70 feet from the centerline of Floral Avenue. According to the project site plan, the closest proposed residential land uses to Floral Avenue are located at a setback of approximately 520 feet from the centerline of the roadway. At this setback distance, worst-case traffic noise exposure levels would be approximately 52 dB  $L_{dn}$ . Such levels do not exceed the City's 65 dB  $L_{dn}$  exterior noise level standard for residential land uses.

The City of Selma interior noise level standard is 45 dB  $L_{dn}$ . The worst-case noise exposure within the proposed residential development would be approximately 52 dB  $L_{dn}$ . This means that the

proposed residential construction must be capable of providing a minimum outdoor-to-indoor noise level reduction (NLR) of approximately 7 dB (52-45=7).

A specific analysis of interior noise levels was not performed. However, it may be assumed that residential construction methods complying with current building code requirements will reduce exterior noise levels by approximately 25 dB if windows and doors are closed. This will be sufficient for compliance with the City's 45 dB  $L_{dn}$  interior standard at all proposed lots. Requiring that it be possible for windows and doors to remain closed for sound insulation means that air conditioning or mechanical ventilation will be required.

### **c. Proposed Impacts From Operational On-Site Sources (Less Than Significant With Mitigation)**

The proposed Project includes approximately commercial/retail land uses, to be located along the northern portion of the overall project site, adjacent to Floral Avenue. Anticipated tenants were not known at the time this analysis was prepared. Retail and fast-food (including drive-thru) tenants are anticipated. Sensitive receptors (multi-family residential) are proposed (Lot B1 and Lot D) south of the commercial land uses.

The noise level standards applicable to these proposed land uses are provided above in Table II. The applicable noise standards become 5 dB more restrictive during nighttime hours. As described in Table II, the City of Selma General Plan considers nighttime hours to occur between 10:00 p.m. and 7:00 a.m.

As described above, there were no known proposed tenants at the time this analysis was prepared. A wide variety of noise sources can be associated with such retail land uses. The noise levels produced by such sources can also be highly variable and could potentially impact proposed on-site sensitive receptors. Typical examples of stationary noise sources associated with retail land uses include:

- HVAC/Mechanical equipment
- Truck deliveries
- Parking lot activities (closing of car doors and trunks, stereos, alarms etc.)
- Drive-Thru operations

#### **HVAC Mechanical Equipment:**

It is assumed that the project would include roof-mounted HVAC units on the proposed retail buildings. For the purpose of noise and aesthetics, roof-mounted HVAC units are typically shielded by means of a roof parapet. WJVA has conducted reference noise level measurements at numerous commercial and retail buildings with roof-mounted HVAC units. Noise levels typically range between approximately 45-50 dB at a distance of 50 feet from a building façade. The approximate distance from the closest proposed residential land uses to any potential roof-mounted HVAC units would be 150 feet or greater. At this distance noise levels associated with HVAC units would be approximately 35-40 dB. Such noise levels would not exceed City of Selma noise level standards or exceed existing ambient noise levels.

**Truck Movements:**

At the time of this analysis, truck delivery times and frequency as well as truck access route (or routes) had not been designated for all potential uses. It is anticipated that truck deliveries and on-site truck movements could occur at any time during the day and night, within the retail lots. Based upon the project site plan, truck movements could occur as close as 100 feet from proposed residential land uses.

WJVA has conducted measurements of the noise levels produced by slowly moving trucks for a number of studies. Such truck movements would be expected to produce noise levels in the range of 65 to 71 dBA at a distance of 100 feet. The range in measured truck noise levels is due to differences in the size of trucks, their speed of movement and whether they have refrigeration units in operation during the pass-by. Based upon these noise levels, truck movements could exceed the nighttime noise level standard of 65 dB  $L_{max}$ . Due to higher existing daytime ambient noise levels, truck movements would not be expected to exceed existing ambient noise levels during the daytime hours at proposed residential land uses.

- **Potential Impact:** Nighttime (10:00 p.m. to 7:00 a.m.) truck movements within 100 feet of an outdoor activity area of a sensitive receptor could exceed the City's noise level standard of 65 dB  $L_{max}$ .
- **Mitigation Measure:** Any nighttime truck movements should occur at setback distances of 200 feet or greater from any outdoor activity area of proposed residential land uses.

**Parking Lot Activities:**

Noise due to traffic in parking lots is typically limited by low speeds and is not usually considered to be significant. Human activity in parking lots that can produce noise includes voices, stereo systems and the opening and closing of car doors and trunk lids. Such activities can occur at any time. The noise levels associated with these activities cannot be precisely defined due to variables such as the number of parking movements, time of day and other factors. It is typical for a passing car in a parking lot to produce a maximum noise level of 60-65 dBA at a distance of 50 feet, which is comparable to the level of a raised voice.

For this project, retail area parking would be located at distances of 100 feet or greater from proposed residential land uses. At this distance, maximum ( $L_{max}$ ) parking lot vehicle movements would be expected to be approximately 54-59 dB. Such levels would not exceed any of the City's applicable noise level standards at the closest proposed residential land uses.

**Drive-Thru Retail:**

The proposed project could include retail areas that would likely include drive-thru operations. While the exact tenants and type of retail stores were not known at this time, it is assumed that amplified speech would be incorporated into drive-thru restaurant operations. Based upon the project site plan, fast-food drive-thru retail operations could occur at distances as close as 300 feet from proposed residential land uses.

In order to assess potential project noise levels associated with drive-thru operations, WJVA utilized reference noise levels measured at a Wendy's drive-thru restaurant located on South Mooney Boulevard in Visalia. Measurements were conducted during the early afternoon of July 11, 2011 between 12:45 p.m. and 1:45 p.m. using the previously-described noise monitoring equipment.

The microphone used by customers to order food and the loudspeaker used by employees to confirm orders are both integrated into a menu board that is located a few feet from the drive-thru lane at the approximate height of a typical car window. Vehicles would enter the drive-thru lane from the west and then turn to the north along the east side of the restaurant.

Reference noise measurements were obtained at a distance of approximately 40 feet from the menu board containing the microphone/loudspeaker system at an angle of about 45° toward the rear of the vehicle being served. This provided a worst-case exposure to sound from the loudspeaker system since the vehicle was not located directly between the loudspeaker and measurement location. Cars were lined up in the access lane during the noise measurement period indicating that the drive-thru lane was operating at or near a peak level of activity.

Each ordering cycle was observed to take approximately 60 seconds including vehicle movements. A typical ordering cycle included 5-10 seconds of loudspeaker use with typical maximum noise levels in the range of 60-62 dBA at the 40 foot-reference location. Vehicles moving through the drive-thru lane produced noise levels in the range of 55-60 dBA at the same distance. Vehicles parked at the ordering position (between the menu board and measurement site) were observed to provide significant acoustic shielding during the ordering sequence. The effects of such shielding are reflected by the noise measurement data. Noise levels were measured to approximately 60 dB  $L_{eq}$  at the measurement site, and included noise from all sources, including the loudspeaker, vehicle idling and movements and HVAC equipment.

The closest proposed noise-sensitive receptors (residential land uses) to the proposed retail drive-thru operations would be located at distance of approximately 300 feet or greater. Taking into account the above-described reference noise level measurements and the standard rate of the attenuation of noise with increased distance from a point source (-6dB/doubling of distance), noise levels associated with drive-thru operations would be approximately 44-46 dB. Such levels do not exceed any City of Selma noise level standards.

## 6. IMPACT SUMMARY

### Residential Component:

- **Potential Impact:** If outdoor activity areas (individual unit balconies, decks or patios and common use outdoor spaces) are to be located along the east side of the easternmost residential buildings located within Lot C and/or Lot D, exterior noise levels associated with loading dock activities and truck movements (at existing retail/commercial land uses) would exceed applicable City of Selma daytime (70 dB) and nighttime (65 dB) maximum noise level standards.
- **Mitigation Measure:** Noise levels associated with truck movements and loading dock activities could exceed applicable City of Selma noise level standards by up to 10 dB. In order to mitigate these noise levels, a sound wall must be constructed along the project site eastern property line, adjacent to the existing truck access route and loading docks at the rear of existing retail/commercial land uses.

WJVA determined that a sound wall constructed to a minimum height of ten (10) feet above ground level would reduce noise levels associated with truck pass-bys and loading dock activities by approximately ten (10) dB at the adjacent proposed residential land uses to the west. This would be sufficient for compliance the County's daytime (7:00 a.m.-10:00 p.m.) 70 dBA  $L_{max}$  and nighttime (10:00 p.m. to 7:00 a.m.) 65 dB  $L_{max}$  exterior noise level standards. The location of the 10-foot sound wall is provided as Figure 8.

It should be noted, the above-described sound wall would be effective at first-floor receiver locations only. Exterior noise levels at any potential east-facing second-floor balconies of the easternmost residential buildings (Lot C and Lot D) would exceed the exterior noise level standards.

### Commercial Component:

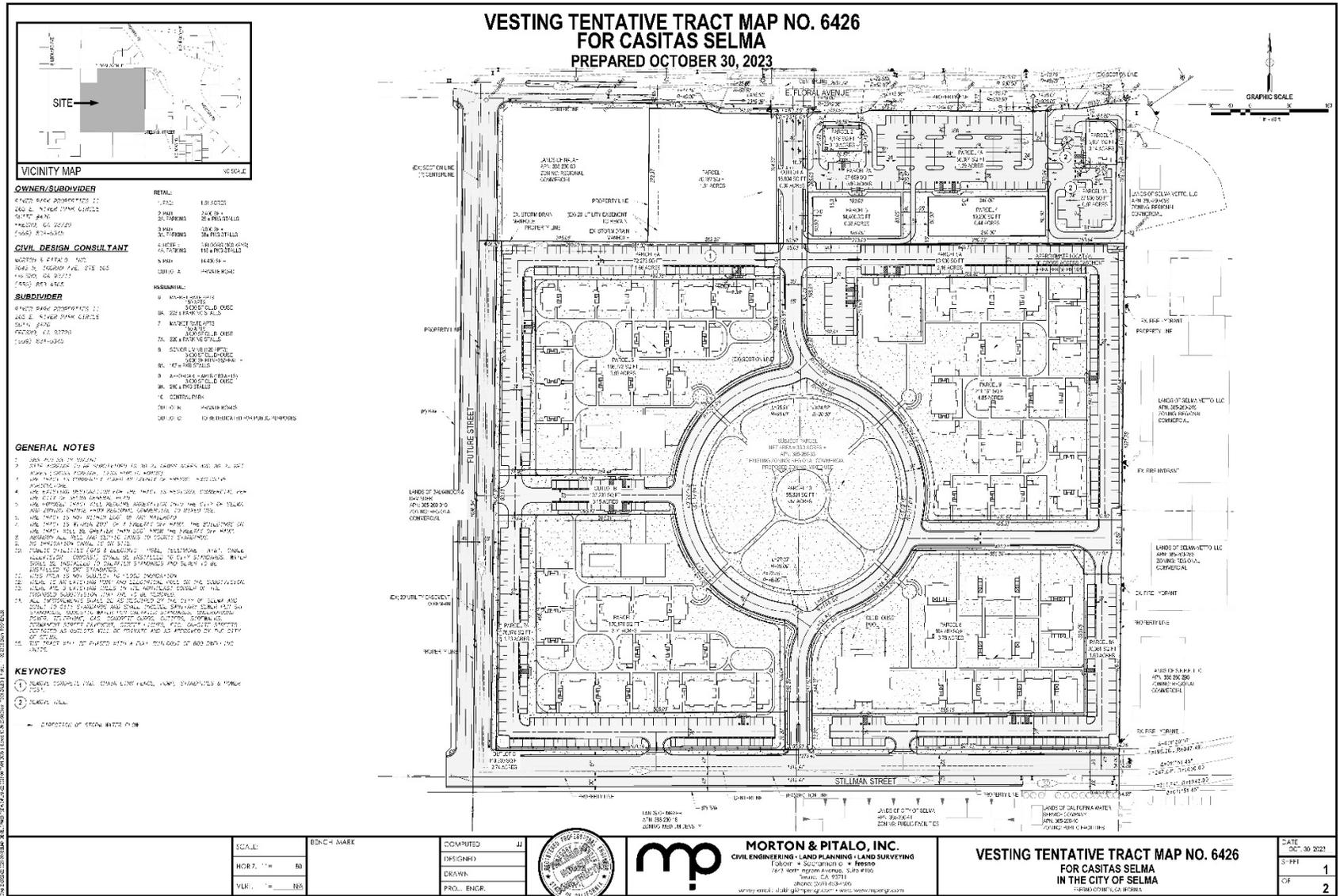
Noise levels associated with the proposed commercial component could potentially exceed City of Selma nighttime noise levels at proposed residential land uses. These potential exceedances are summarized below:

- **Potential Impact:** Nighttime (10:00 p.m. to 7:00 a.m.) truck movements within 100 feet of an outdoor activity area of a sensitive receptor could exceed the City's noise level standard of 65 dB  $L_{max}$ .
- **Mitigation Measure:** Any nighttime truck movements should occur at setback distances of 200 feet or greater from any outdoor activity area of proposed residential land uses.

## 7. **SOURCES CONSULTED**

1. City of Selma, Noise Element of the 2035 General Plan, September 2009.
2. California Department of Transportation, *Transportation and Construction Vibration Guidance Manual*, April 2020
3. Federal Highway Administration, *Traffic Noise Model, Version 2.5*, April 14, 2004.

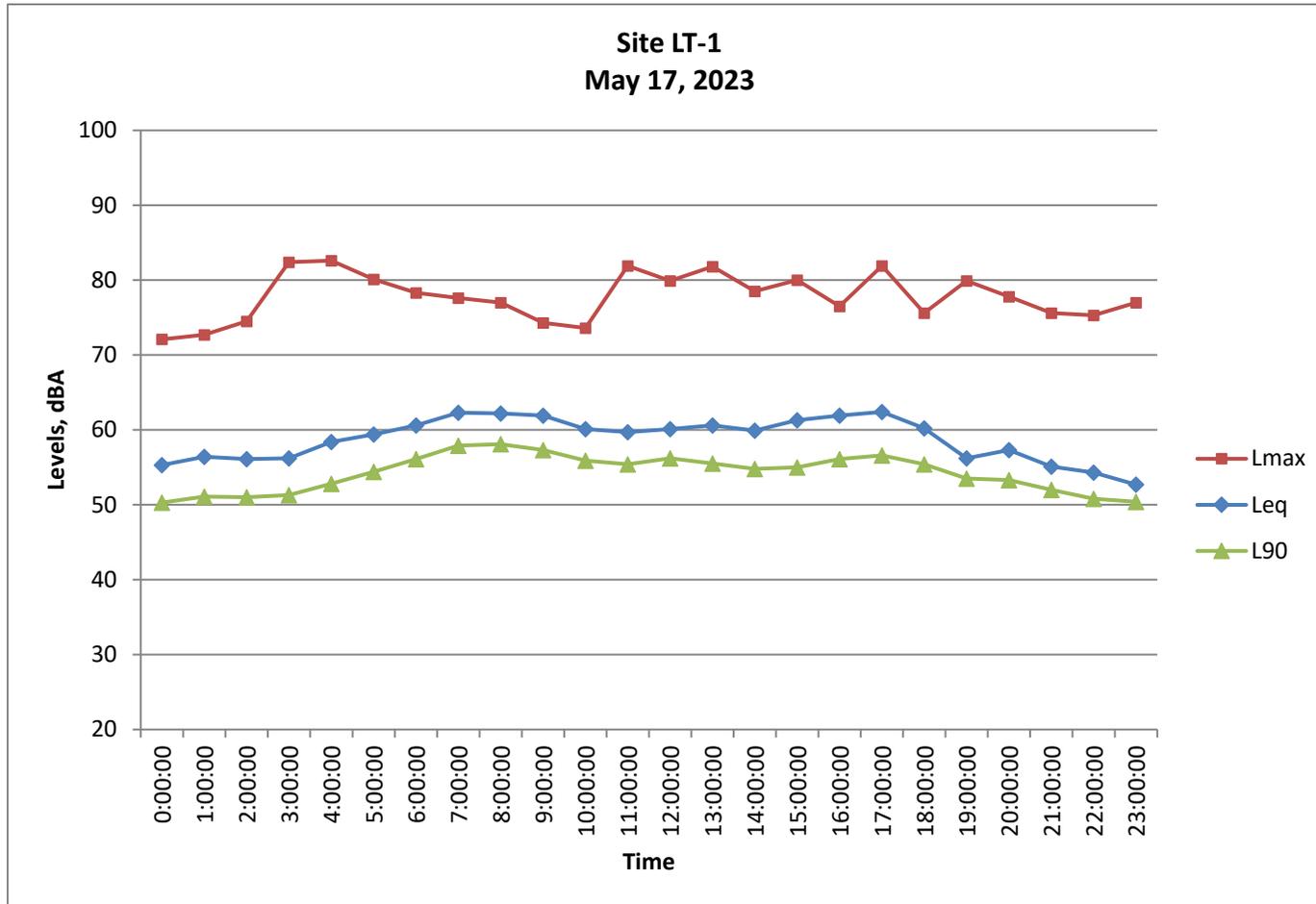
**FIGURE 1: PROJECT SITE PLAN**



**FIGURE 2: PROJECT VICINITY AND AMBIENT NOISE MONITORING SITES**



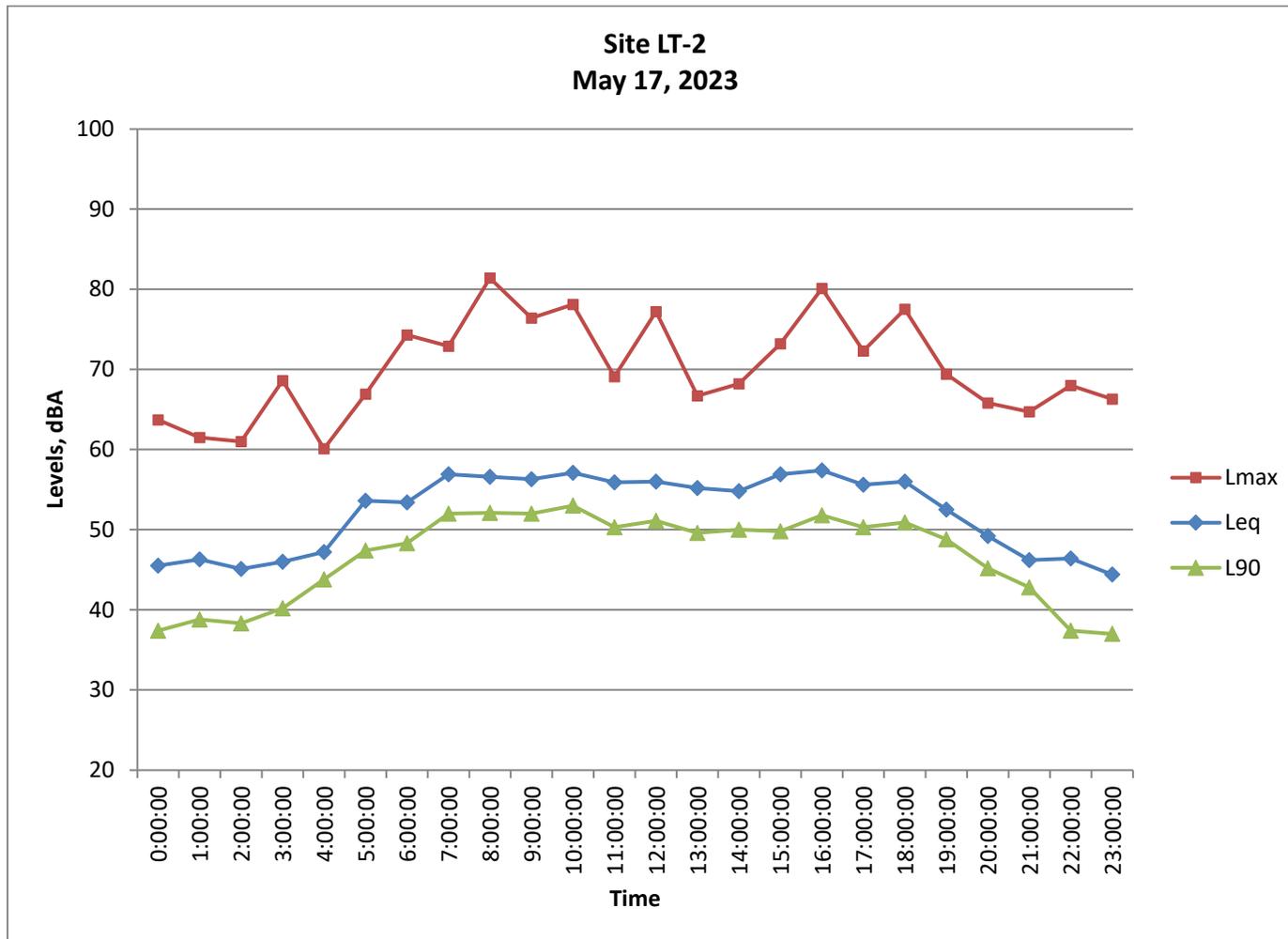
**FIGURE 3: HOURLY NOISE LEVELS AT SITE LT-1**



**FIGURE 4: NOISE MEASUREMENT SITE LT-1**



**FIGURE 5: HOURLY NOISE LEVELS AT SITE LT-2**



**FIGURE 6: NOISE MEASUREMENT SITE LT-2**



**FIGURE 7: MODELED TRAFFIC NOISE RECEPTOR LOCATIONS**

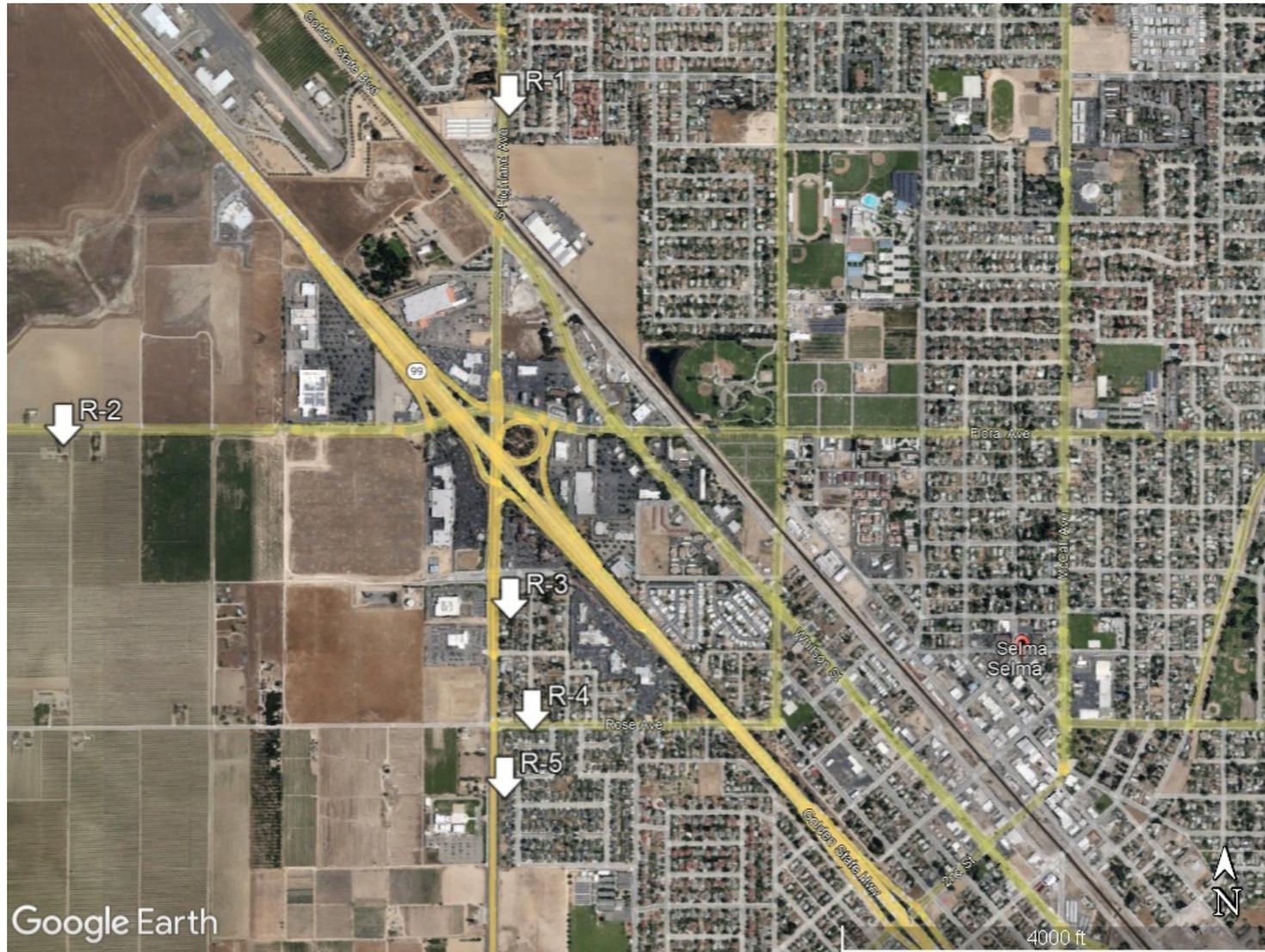
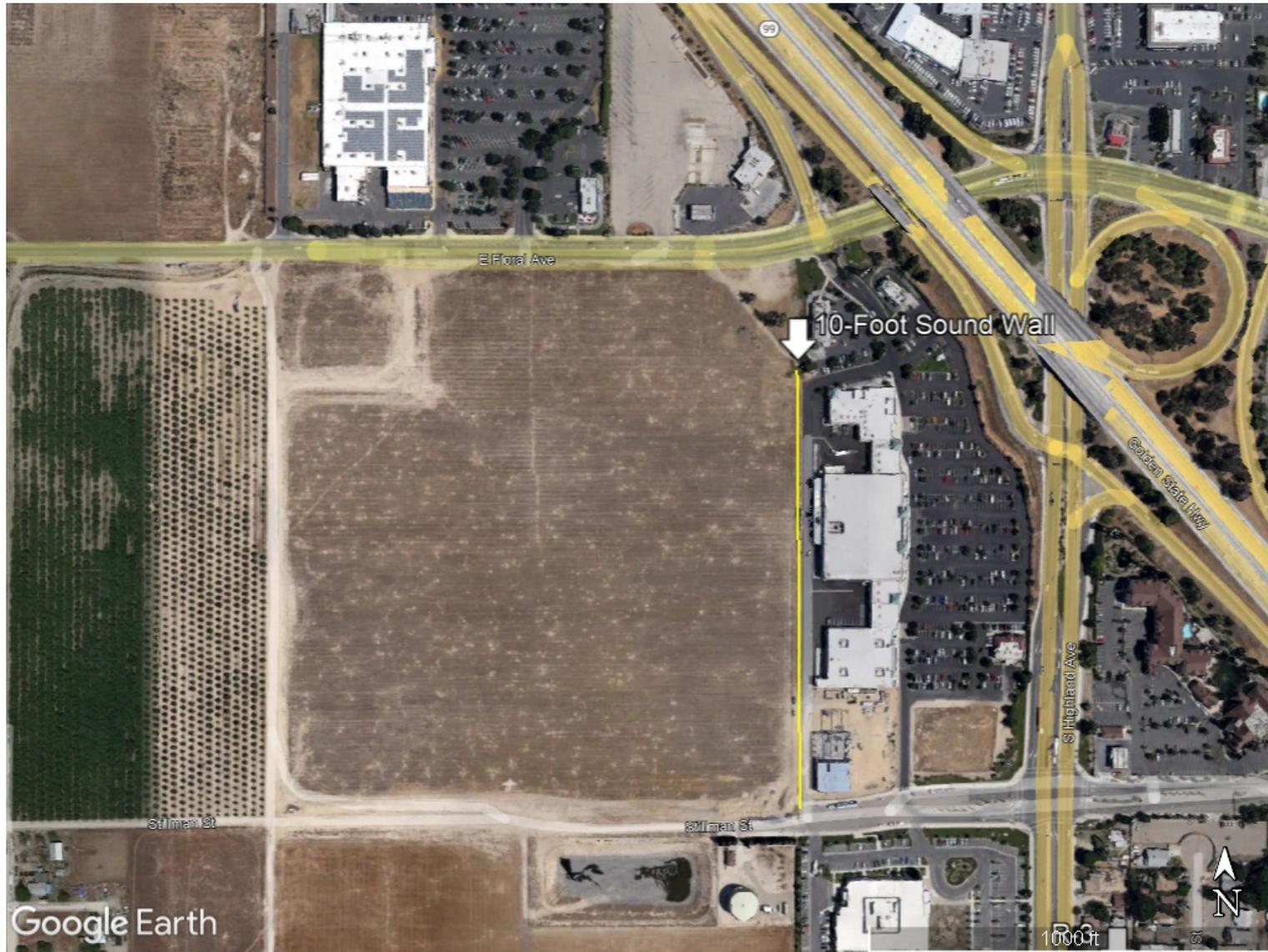


FIGURE 8: SOUND WALL LOCATION



## APPENDIX A-1

### ACOUSTICAL TERMINOLOGY

<b>AMBIENT NOISE LEVEL:</b>	The composite of noise from all sources near and far. In this context, the ambient noise level constitutes the normal or existing level of environmental noise at a given location.
<b>CNEL:</b>	Community Noise Equivalent Level. The average equivalent sound level during a 24-hour day, obtained after addition of approximately five decibels to sound levels in the evening from 7:00 p.m. to 10:00 p.m. and ten decibels to sound levels in the night before 7:00 a.m. and after 10:00 p.m.
<b>DECIBEL, dB:</b>	A unit for describing the amplitude of sound, equal to 20 times the logarithm to the base 10 of the ratio of the pressure of the sound measured to the reference pressure, which is 20 micropascals (20 micronewtons per square meter).
<b>DNL/L<sub>dn</sub>:</b>	Day/Night Average Sound Level. The average equivalent sound level during a 24-hour day, obtained after addition of ten decibels to sound levels in the night after 10:00 p.m. and before 7:00 a.m.
<b>L<sub>eq</sub>:</b>	Equivalent Sound Level. The sound level containing the same total energy as a time varying signal over a given sample period. L <sub>eq</sub> is typically computed over 1, 8 and 24-hour sample periods.
<b>NOTE:</b>	The CNEL and DNL represent daily levels of noise exposure averaged on an annual basis, while L <sub>eq</sub> represents the average noise exposure for a shorter time period, typically one hour.
<b>L<sub>max</sub>:</b>	The maximum noise level recorded during a noise event.
<b>L<sub>n</sub>:</b>	The sound level exceeded "n" percent of the time during a sample interval (L <sub>90</sub> , L <sub>50</sub> , L <sub>10</sub> , etc.). For example, L <sub>10</sub> equals the level exceeded 10 percent of the time.

**ACOUSTICAL TERMINOLOGY**

**NOISE EXPOSURE  
CONTOURS:**

Lines drawn about a noise source indicating constant levels of noise exposure. CNEL and DNL contours are frequently utilized to describe community exposure to noise.

**NOISE LEVEL  
REDUCTION (NLR):**

The noise reduction between indoor and outdoor environments or between two rooms that is the numerical difference, in decibels, of the average sound pressure levels in those areas or rooms. A measurement of “noise level reduction” combines the effect of the transmission loss performance of the structure plus the effect of acoustic absorption present in the receiving room.

**SEL or SENEL:**

Sound Exposure Level or Single Event Noise Exposure Level. The level of noise accumulated during a single noise event, such as an aircraft overflight, with reference to a duration of one second. More specifically, it is the time-integrated A-weighted squared sound pressure for a stated time interval or event, based on a reference pressure of 20 micropascals and a reference duration of one second.

**SOUND LEVEL:**

The sound pressure level in decibels as measured on a sound level meter using the A-weighting filter network. The A-weighting filter de-emphasizes the very low and very high frequency components of the sound in a manner similar to the response of the human ear and gives good correlation with subjective reactions to noise.

**SOUND TRANSMISSION  
CLASS (STC):**

The single-number rating of sound transmission loss for a construction element (window, door, etc.) over a frequency range where speech intelligibility largely occurs.

APPENDIX B  
EXAMPLES OF SOUND LEVELS

NOISE SOURCE	SOUND LEVEL	SUBJECTIVE DESCRIPTION
AMPLIFIED ROCK 'N ROLL ▶	120 dB	DEAFENING
JET TAKEOFF @ 200 FT ▶		
	100 dB	VERY LOUD
BUSY URBAN STREET ▶		
	80 dB	LOUD
FREEWAY TRAFFIC @ 50 FT ▶		
	60 dB	MODERATE
CONVERSATION @ 6 FT ▶		
TYPICAL OFFICE INTERIOR ▶		FAINT
SOFT RADIO MUSIC ▶	40 dB	
RESIDENTIAL INTERIOR ▶		VERY FAINT
WHISPER @ 6 FT ▶	20 dB	
HUMAN BREATHING ▶	0 dB	

## **APPENDIX C**

### **TRAFFIC NOISE MODELING CALCULATIONS**











State of California – Natural Resources Agency  
DEPARTMENT OF FISH AND WILDLIFE  
Central Region  
1234 East Shaw Avenue  
Fresno, California 93710  
(559) 243-4005  
[www.wildlife.ca.gov](http://www.wildlife.ca.gov)

**GAVIN NEWSOM, Governor**  
**CHARLTON H. BONHAM, Director**



July 29, 2024

Kamara Biawogi, City Planner  
City of Selma  
1710 Tucker Street  
Selma, California 93662  
(559) 891-2200  
[kamarab@cityofselma.com](mailto:kamarab@cityofselma.com)

**Subject: Selma Casitas Project (Project)  
Notice of Preparation (NOP)  
State Clearinghouse No. 2024070105**

Dear Kamara Biawogi:

The California Department of Fish and Wildlife (CDFW) received a NOP from the City of Selma for the above-referenced Project pursuant to the California Environmental Quality Act (CEQA) and CEQA Guidelines.<sup>1</sup>

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, CDFW appreciates the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under Fish and Game Code.

### **CDFW ROLE**

CDFW is California's **Trustee Agency** for fish and wildlife resources and holds those resources in trust by statute for all the people of the State (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a)). CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species (*Id.*, § 1802). Similarly, for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.

---

<sup>1</sup> CEQA is codified in the California Public Resources Code in section 21000 et seq. The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.

Kamara Biawogi, City Planner  
City of Selma  
July 29, 2024

CDFW is also submitting comments as a **Responsible Agency** under CEQA (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381). CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. As proposed, for example, the Project may be subject to CDFW's lake and streambed alteration regulatory authority (Fish & G. Code, § 1600 et seq.). Likewise, to the extent implementation of the Project as proposed may result in "take" as defined by State law of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.), related authorization as provided by the Fish and Game Code may be required.

### **Nesting Birds**

CDFW has jurisdiction over actions with potential to result in the disturbance or destruction of active nest sites or the unauthorized take of birds. Fish and Game Code sections that protect birds, their eggs and nests include, sections 3503 (regarding unlawful take, possession or needless destruction of the nest or eggs of any bird), 3503.5 (regarding the take, possession or destruction of any birds-of-prey or their nests or eggs), and 3513 (regarding unlawful take of any migratory nongame bird).

### **Unlisted Species**

Species of plants and animals need not be officially listed as Endangered, Rare, or Threatened (E, R, or T) on any State or Federal list to be considered E, R, or T under CEQA. If a species can be shown to meet the criteria for E, R, or T, as specified in the CEQA Guidelines section 15380, CDFW recommends it be fully considered in the environmental analysis for the Project.

## **PROJECT DESCRIPTION SUMMARY**

**Proponent(s):** City of Selma

**Objective:** The proposed Project consists of the annexation of 75.31 acres into the City of Selma. A horizontal mixed-use residential and commercial development is proposed on the northern 39.10 acres of the annexation area. No development is proposed for the remaining 36.21 acres. 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 three outlots for building pads, parking lots, apartment sites, a public park, and privately maintained roads within the development. The proposed subdivision lots range in size from 0.10 acres to 4.85 acres.

**Location:** The proposed Project is located adjacent to the western City of Selma limits in Fresno County. The Project site is located west of Highland Avenue, north of Rose Avenue, and south of East Floral Avenue. The site consists of Assessor Parcel Numbers (APNs) 385-260-33, 385-230-16, -38 and -39. The proposed development site

Kamara Biawogi, City Planner  
City of Selma  
July 29, 2024

will occur on APN 385-230-33. No development is proposed for the remaining 36.21 acres to be annexed. The site is predominantly surrounded by agricultural land, rural residential homes and commercial developments.

**Timeframe:** N/A

## **COMMENTS AND RECOMMENDATIONS**

CDFW offers the following comments and recommendations to assist the City of Selma in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources. Editorial comments or other suggestions may also be included to improve the CEQA document prepared for this Project.

Aerial imagery of the Project boundary and its surroundings show the area contains agricultural lands comprised mainly of fallow fields and orchards. Based on a review of the Project description, California Natural Diversity Database (CNDDB) records, and the surrounding habitat, the Project is within the geographic range of several special-status animal species including, but not limited to, the State threatened Swainson's hawk (*Buteo swainsoni*) and the State candidate endangered Crotch's bumblebee (*Bombus crotchii*).

### **Swainson's Hawk**

Swainson's hawk (SWHA) are known to breed within the Central Valley of California and prefer to nest and forage in alfalfa, fallow fields, field crops, and grassland habitats with a sufficient source of small mammals (CDFG 1994). Based on aerial imagery, the Project site contains suitable habitat for SWHA foraging. In addition, there are trees located adjacent to the Project area that may provide suitable nesting habitat, and there is a SWHA CNDDB record approximately 1.4-miles northeast of the Project site from 2020. Therefore, CDFW recommends that a qualified biologist conduct surveys for nesting SWHA following the entire survey methodology developed by the SWHA Technical Advisory Committee (SWHA TAC 2000) as part of the biological technical studies conducted in support of the DEIR. If surveys indicate the presence or potential presence of SWHA, consultation with the CDFW is recommended for guidance on the development of mitigation measures such as take avoidance, minimization, and mitigation. If take cannot be avoided, take authorization through the acquisition of an ITP, pursuant to Fish and Game Code section 2081 subdivision (b) is necessary to comply with CESA.

### **Crotch's Bumble Bee**

The Project site is within the range of Crotch's bumble bee (CBB). CBB are known to inhabit areas of grasslands and scrub that contain requisite habitat elements for nesting, such as small mammal burrows and bunch/thatched grasses, and these habitat elements may be present within the Project site. As such, CDFW recommends a

Kamara Biawogi, City Planner  
City of Selma  
July 29, 2024

qualified biologist conduct a habitat assessment to determine if the Project area and the immediate surrounding vicinity contain habitat suitable to support CBB. Potential nesting sites, which include all small mammal burrows, perennial bunch grasses, thatched annual grasses, brush piles, old bird nests, dead trees, and hollow logs would need to be documented as part of the assessment. If potentially suitable habitat is identified, CDFW recommends that a qualified biologist conduct focused surveys for CBB, and their requisite habitat features following the methodology outlined in the Survey Considerations for California Endangered Species Act Candidate Bumble Bee Species (CDFW 2023). If surveys indicate the presence or potential presence of CBB, consultation with the CDFW is recommended for guidance on the development of mitigation measures such as take avoidance, minimization, and mitigation. If take cannot be avoided, take authorization through the acquisition of an ITP, pursuant to Fish and Game Code section 2081 subdivision (b) is necessary to comply with CESA.

### **Editorial Comments and/or Suggestions**

**Nesting birds:** CDFW encourages that Project ground-disturbing activities occur during the bird non-nesting season; however, if ground-disturbing or vegetation-disturbing activities must occur during the nesting season (February 1st through September 15th), the Project applicant is responsible for ensuring that implementation of the Project does not result in violation of the Migratory Bird Treaty Act or relevant Fish and Game Code sections as referenced above.

To evaluate Project-related impacts on nesting birds, CDFW recommends that a general habitat assessment for nesting birds be conducted as part of the biological technical studies conducted in support of the CEQA document. Depending on the results of that assessment, CDFW further recommends that the CEQA document for this Project include that a qualified biologist conduct a pre-construction survey for active nests no more than 10 days prior to the start of ground or vegetation disturbance to maximize the probability that nests that could potentially be impacted are detected. CDFW also recommends that surveys cover a sufficient area around the Project site to identify nests and determine their status. A sufficient area means any area potentially affected, either directly or indirectly, by the Project. In addition to direct impacts (i.e., nest destruction), noise, vibration, and movement of workers or equipment could also affect nests. CDFW recommends that a qualified biologist establish a behavioral baseline of all identified nests. Once Project activities begin, CDFW recommends having a qualified biologist continuously monitor nests to detect behavioral changes resulting from the Project. If behavioral changes occur, CDFW recommends halting the work causing that change and consulting with CDFW for additional avoidance and minimization measures.

If continuous monitoring of identified nests by a qualified biologist is not feasible, CDFW recommends a minimum no-disturbance buffer of 250 feet around active nests of non-listed bird species and a 500-foot no-disturbance buffer around active nests of non-listed raptors. These buffers are advised to remain in place until the breeding season has ended or until a qualified biologist has determined the birds have fledged and are

Kamara Biawogi, City Planner  
City of Selma  
July 29, 2024

no longer reliant upon the nest or on-site parental care for survival. Variance from these no-disturbance buffers is possible when there is a compelling biological or ecological reason to do so, such as when the Project site would be concealed from a nest site by topography. CDFW recommends that a qualified wildlife biologist advise and support any variance from these buffers and notify CDFW in advance of implementing a variance.

## ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations (Pub. Resources Code, § 21003, subd. (e)). Accordingly, please report any special-status species and natural communities detected during Project surveys to the CNDDDB. The CNDDDB field survey form can be found at the following link: <https://www.wildlife.ca.gov/Data/CNDDDB/Submitting-Data>. The completed form can be mailed electronically to CNDDDB at the following email address: [CNDDDB@wildlife.ca.gov](mailto:CNDDDB@wildlife.ca.gov). The types of information reported to CNDDDB can be found at the following link: <https://www.wildlife.ca.gov/Data/CNDDDB/Plants-and-Animals>.

## FILING FEES

If it is determined that the Project has the potential to impact biological resources, an assessment of filing fees will be necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the fee is required in order for the underlying project approval to be operative, vested, and final (Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089).

CDFW appreciates the opportunity to comment on the Project to assist the City of Selma in identifying and mitigating the Project's impacts on biological resources.

More information on survey and monitoring protocols for sensitive species can be found at CDFW's website (<https://www.wildlife.ca.gov/Conservation/Survey-Protocols>). If you have any questions, please contact Kelley Nelson, Environmental Scientist, at the address provided on this letterhead, by telephone at (559) 580-3194, or by electronic mail at [Kelley.Nelson@wildlife.ca.gov](mailto:Kelley.Nelson@wildlife.ca.gov).

Sincerely,

DocuSigned by:  
  
E9964E60293D40A...

For Julie A. Vance  
Regional Manager

Kamara Biawogi, City Planner  
City of Selma  
July 29, 2024

ec: State Clearinghouse  
Governor's Office of Planning and Research  
[State.Clearinghouse@opr.ca.gov](mailto:State.Clearinghouse@opr.ca.gov)

Kamara Biawogi, City Planner  
City of Selma  
July 29, 2024

References:

California Department of Fish and Game. 1994. Staff report regarding mitigation for impacts to Swainson's hawks (*Buteo Swainsoni*) in the Central Valley of California. Sacramento, California, USA.

California Department of Fish and Wildlife. 2023. Survey considerations for California Endangered Species Act candidate bumble bee species. California Department of Fish and Wildlife, Sacramento, California, USA.

Swainson's Hawk Technical Advisory Committee. 2000. Recommended timing and methodology for Swainson's hawk nesting surveys in California's Central Valley. Swainson's Hawk Technical Advisory Committee.



**Yana Garcia**  
Secretary for  
Environmental Protection



## Department of Toxic Substances Control

---

Meredith Williams, Ph.D.  
Director  
8800 Cal Center Drive  
Sacramento, California 95826-3200



**Gavin Newsom**  
Governor

### **SENT VIA ELECTRONIC MAIL**

July 10, 2024

Kamara Biawogi

City Planner

City of Selma

1710 Tucker Street

Selma, CA 93662

[kamarab@cityofselma.com](mailto:kamarab@cityofselma.com)

RE: NOTICE OF PREPARATION OF A DRAFT ENVIRONMENTAL IMPACT REPORT  
FOR THE SELMA CASITAS PROJECT, DATED JULY 2, 2024 STATE  
CLEARINGHOUSE NUMBER [2024070105](#)

Dear Kamara Biawogi,

The Department of Toxic Substances Control (DTSC) received a Notice of Preparation (NOP) of Draft Environmental Impact Report (DEIR) for the Selma Casitas Project (Project). The proposed Project consists of the annexation of 75.31 acres into the City of Selma. A horizontal mixed-use residential and commercial development site is proposed on the northern 39.1 acres of the annexation area. There is no development proposed for the remaining 36.21 acres. The Project plans for a total of 600 apartment units, approximately 40,000 square feet of retail and food service uses, and a 100-key hotel in the commercial area. A Vesting Tentative Subdivision/Tract Map is also proposed that would create 17 individual lots and 3 out lots 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. Site construction will include internal access roads, lighting and site landscaping. Stillman Street is planned to be widened and improved, which will divert traffic from E. Floral Avenue, as this will be the main entrance for the residential units. Fancher Street will be improved and will connect to Floral Avenue.

DTSC recommends and requests consideration of the following comments:

1. All imported soil and fill material should be tested to ensure any contaminants of concern are within DTSC's and U.S. Environmental Protection Agency Regional Screen Levels for the intended land use. To minimize the possibility of introducing contaminated soil and fill material there should be documentation of the origins of the soil or fill material and, if applicable, sampling be conducted to ensure that the imported soil and fill material meets screening levels outlined in [DTSC's Preliminary Endangerment Assessment \(PEA\) Guidance Manual](#). for the intended land use. The soil sampling should include analysis based on the source of the fill and knowledge of the prior land use. Additional information can be found by visiting [DTSC's Human and Ecological Risk Office \(HERO\) webpage](#).
2. When agricultural crops and/or land uses are proposed or rezoned for residential use, a number of contaminants of concern can be present. The Lead Agency shall identify the amounts of Pesticides and Organochlorine Pesticides (OCPs) historically used on the property. If present, OCPs requiring further analysis are Dichlorodiphenyltrichloroethane, toxaphene, and dieldrin. Additionally, any level of arsenic present would require further analysis and sampling and must meet [Human Health Risk Assessment Note Number 3](#) approved thresholds outlined in the [PEA Guidance Manual](#). If they do not, remedial action must take place to mitigate them below those thresholds.
3. Additional contaminants of concern may be found in mixing/loading/storage area, drainage ditches, farmhouses, or any other outbuildings and should be sampled and analyzed. If smudge pots had been routinely utilized, additional

Kamara Biawogi

July 10, 2024

Page 3

sampling for Polycyclic Aromatic Hydrocarbons and/or Total Petroleum Hydrocarbons may be required.

DTSC appreciates the opportunity to comment on the NOP of a DEIR for the Selma Casitas Project. Thank you for your assistance in protecting California's people and environment from the harmful effects of toxic substances. If you have any questions or would like any clarification on DTSC's comments, please respond to this letter or via [email](#) for additional guidance.

Sincerely,

A handwritten signature in cursive script that reads "Dave Kereazis".

Dave Kereazis

Associate Environmental Planner

HWMP-Permitting Division – CEQA Unit

Department of Toxic Substances Control

[Dave.Kereazis@dtsc.ca.gov](mailto:Dave.Kereazis@dtsc.ca.gov)

Kamara Biawogi

July 10, 2024

Page 4

cc: (via email)

Governor's Office of Planning and

Research State Clearinghouse

[State.Clearinghouse@opr.ca.gov](mailto:State.Clearinghouse@opr.ca.gov)

Tamara Purvis

Associate Environmental Planner

HWMP - Permitting Division – CEQA Unit

Department of Toxic Substances Control

[Tamara.Purvis@dtsc.ca.gov](mailto:Tamara.Purvis@dtsc.ca.gov)

Scott Wiley

Associate Governmental Program Analyst

HWMP - Permitting Division – CEQA Unit

Department of Toxic Substances Control

[Scott.Wiley@dtsc.ca.gov](mailto:Scott.Wiley@dtsc.ca.gov)

## NATIVE AMERICAN HERITAGE COMMISSION

July 19, 2024

Kamara Biawogi  
City of Selma  
1710 Tucker Street  
Selma CA 93662

**Re: 2024070105, Selma Casitas Project, Fresno County**

Dear Mr. Biawogi:

The Native American Heritage Commission (NAHC) has received the Notice of Preparation (NOP), Draft Environmental Impact Report (DEIR) or Early Consultation for the project referenced above. The California Environmental Quality Act (CEQA) (Pub. Resources Code §21000 et seq.), specifically Public Resources Code §21084.1, states that a project that may cause a substantial adverse change in the significance of a historical resource, is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.1; Cal. Code Regs., tit.14, §15064.5 (b) (CEQA Guidelines §15064.5 (b)). If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an Environmental Impact Report (EIR) shall be prepared. (Pub. Resources Code §21080 (d); Cal. Code Regs., tit. 14, § 5064 subd.(a)(1) (CEQA Guidelines §15064 (a)(1)). In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources within the area of potential effect (APE).

CEQA was amended significantly in 2014. Assembly Bill 52 (Gatto, Chapter 532, Statutes of 2014) (AB 52) amended CEQA to create a separate category of cultural resources, "tribal cultural resources" (Pub. Resources Code §21074) and provides that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment. (Pub. Resources Code §21084.2). Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource. (Pub. Resources Code §21084.3 (a)). **AB 52 applies to any project for which a notice of preparation, a notice of negative declaration, or a mitigated negative declaration is filed on or after July 1, 2015.** If your project involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space, on or after March 1, 2005, it may also be subject to Senate Bill 18 (Burton, Chapter 905, Statutes of 2004) (SB 18). **Both SB 18 and AB 52 have tribal consultation requirements.** If your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966 (154 U.S.C. 300101, 36 C.F.R. §800 et seq.) may also apply.

The NAHC recommends consultation with California Native American tribes that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources. Below is a brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments.

**Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.**



CHAIRPERSON  
**Reginald Pagaling**  
Chumash

VICE-CHAIRPERSON  
**Buffy McQuillen**  
Yokayo Pomo, Yuki,  
Nomlaki

SECRETARY  
**Sara Dutschke**  
Miwok

PARLIAMENTARIAN  
**Wayne Nelson**  
Luiseño

COMMISSIONER  
**Isaac Bojorquez**  
Ohlone-Costanoan

COMMISSIONER  
**Stanley Rodriguez**  
Kumeyaay

COMMISSIONER  
**Laurena Bolden**  
Serrano

COMMISSIONER  
**Reid Milanovich**  
Cahuilla

COMMISSIONER  
**Bennae Calac**  
Pauma-Yuima Band of  
Luiseño Indians

EXECUTIVE SECRETARY  
**Raymond C. Hiltchcock**  
Miwok, Nisenan

NAHC HEADQUARTERS  
1550 Harbor Boulevard  
Suite 100  
West Sacramento,  
California 95691  
(916) 373-3710  
[nahc@nahc.ca.gov](mailto:nahc@nahc.ca.gov)

AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:

- 1. Fourteen Day Period to Provide Notice of Completion of an Application/Decision to Undertake a Project:** Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a lead agency shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, to be accomplished by at least one written notice that includes:
  - a. A brief description of the project.
  - b. The lead agency contact information.
  - c. Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code §21080.3.1 (d)).
  - d. A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code §21073).
  
- 2. Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report:** A lead agency shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code §21080.3.1, subs. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or Environmental Impact Report. (Pub. Resources Code §21080.3.1(b)).
  - a. For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code §65352.4 (SB 18). (Pub. Resources Code §21080.3.1 (b)).
  
- 3. Mandatory Topics of Consultation If Requested by a Tribe:** The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:
  - a. Alternatives to the project.
  - b. Recommended mitigation measures.
  - c. Significant effects. (Pub. Resources Code §21080.3.2 (a)).
  
- 4. Discretionary Topics of Consultation:** The following topics are discretionary topics of consultation:
  - a. Type of environmental review necessary.
  - b. Significance of the tribal cultural resources.
  - c. Significance of the project's impacts on tribal cultural resources.
  - d. If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code §21080.3.2 (a)).
  
- 5. Confidentiality of Information Submitted by a Tribe During the Environmental Review Process:** With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code §6254 (r) and §6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. (Pub. Resources Code §21082.3 (c)(1)).
  
- 6. Discussion of Impacts to Tribal Cultural Resources in the Environmental Document:** If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:
  - a. Whether the proposed project has a significant impact on an identified tribal cultural resource.
  - b. Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code §21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code §21082.3 (b)).

- 7. Conclusion of Consultation:** Consultation with a tribe shall be considered concluded when either of the following occurs:
- a.** The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or
  - b.** A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code §21080.3.2 (b)).

**8. Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document:** Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code §21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code §21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code §21082.3 (a)).

**9. Required Consideration of Feasible Mitigation:** If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code §21084.3 (b). (Pub. Resources Code §21082.3 (e)).

**10. Examples of Mitigation Measures That, If Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:**

- a.** Avoidance and preservation of the resources in place, including, but not limited to:
  - i.** Planning and construction to avoid the resources and protect the cultural and natural context.
  - ii.** Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
- b.** Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:
  - i.** Protecting the cultural character and integrity of the resource.
  - ii.** Protecting the traditional use of the resource.
  - iii.** Protecting the confidentiality of the resource.
- c.** Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
- d.** Protecting the resource. (Pub. Resource Code §21084.3 (b)).
- e.** Please note that a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code §815.3 (c)).
- f.** Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Pub. Resources Code §5097.991).

**11. Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource:** An Environmental Impact Report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:

- a.** The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code §21080.3.1 and §21080.3.2 and concluded pursuant to Public Resources Code §21080.3.2.
- b.** The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.
- c.** The lead agency provided notice of the project to the tribe in compliance with Public Resources Code §21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code §21082.3 (d)).

The NAHC's PowerPoint presentation titled, "Tribal Consultation Under AB 52: Requirements and Best Practices" may be found online at: [http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation\\_CalEPAPDF.pdf](http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf)

SB 18 applies to local governments and requires local governments to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. (Gov. Code §65352.3). Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: [https://www.opr.ca.gov/docs/09\\_14\\_05\\_Updated\\_Guidelines\\_922.pdf](https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf).

Some of SB 18's provisions include:

1. **Tribal Consultation:** If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.** (Gov. Code §65352.3 (a)(2)).
2. **No Statutory Time Limit on SB 18 Tribal Consultation.** There is no statutory time limit on SB 18 tribal consultation.
3. **Confidentiality:** Consistent with the guidelines developed and adopted by the Office of Planning and Research pursuant to Gov. Code §65040.2, the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code §5097.9 and §5097.993 that are within the city's or county's jurisdiction. (Gov. Code §65352.3 (b)).
4. **Conclusion of SB 18 Tribal Consultation:** Consultation should be concluded at the point in which:
  - a. The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
  - b. Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation. (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

Agencies should be aware that neither AB 52 nor SB 18 precludes agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52 and SB 18. For that reason, we urge you to continue to request Native American Tribal Contact Lists and "Sacred Lands File" searches from the NAHC. The request forms can be found online at: <http://nahc.ca.gov/resources/forms/>.

#### NAHC Recommendations for Cultural Resources Assessments

To adequately assess the existence and significance of tribal cultural resources and plan for avoidance, preservation in place, or barring both, mitigation of project-related impacts to tribal cultural resources, the NAHC recommends the following actions:

1. Contact the appropriate regional California Historical Research Information System (CHRIS) Center ([https://ohp.parks.ca.gov/?page\\_id=30331](https://ohp.parks.ca.gov/?page_id=30331)) for an archaeological records search. The records search will determine:
  - a. If part or all of the APE has been previously surveyed for cultural resources.
  - b. If any known cultural resources have already been recorded on or adjacent to the APE.
  - c. If the probability is low, moderate, or high that cultural resources are located in the APE.
  - d. If a survey is required to determine whether previously unrecorded cultural resources are present.
2. If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
  - a. The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.
  - b. The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.

3. Contact the NAHC for:
  - a. A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.
  - b. A Native American Tribal Consultation List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.
  
4. Remember that the lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.
  - a. Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources per Cal. Code Regs., tit. 14, § 15064.5(f) (CEQA Guidelines § 15064.5(f)). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.
  - b. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.
  - c. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code § 7050.5, Public Resources Code § 5097.98, and Cal. Code Regs., tit. 14, § 15064.5, subdivisions (d) and (e) (CEQA Guidelines § 15064.5, subds. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

If you have any questions or need additional information, please contact me at my email address:  
[Cameron.Vela@NAHC.ca.gov](mailto:Cameron.Vela@NAHC.ca.gov).

Sincerely,

*Cameron Vela*

Cameron Vela  
Cultural Resources Analyst

cc: State Clearinghouse