APPENDIX G/INITIAL STUDY FOR A NEGATIVE DECLARATION

Environmental Checklist Form for:
Dakota Apartment Project

1.	**Project Title:** Dakota Apartment Project Conditional Use Permit No. P24-01360 Plan Amendment and Rezone Application No. P24-01364
2.	**Lead Agency Name and Address:** City of Fresno Planning and Development Department 2600 Fresno Street Fresno, CA 93721
3.	**Contact Person and Phone Number:** Brittany Martin, Planner II City of Fresno Planning and Development Department (559) 621-8059
4.	**Project Location:** The Project site consists of a 1-acre parcel (Assessor Parcel Number [APN] 433-220-06) located at 2317 West Dakota Avenue (Figure 1).
5.	**Project Sponsor's Name and Address:** Crawford Architecture and Planning 7122 East Garland Avenue Fresno, CA 93737
6.	**General and Community Plan Land Use Designation:** Medium Density Residential
7.	**Zoning:** Current Zone District:RS-5/cz (Residential Single-Unit, Medium Density/Conditions of Zoning) Proposed Zone District: RS-5 (Residential Single-Family, Medium Density)

8.	**Description of Project:** The Dakota Apartment Project (Project), which involves rezoning an existing parcel from RS-5/cz (Residential Single-Unit, Medium Density/Conditions of Zoning) to RS-5 (Residential Single-Unit, Medium Density) to remove current zoning conditions that limit development to 10 units and restrict structures to a single story, has been filed by Crawford Architecture and Planning. The proposed rezoning would allow for the construction of a 12-unit multi-family residential development in the City of Fresno. The Project site consists of a 1-acre parcel (APN 433-220-06) zoned Residential Single-Family, Medium Density (RS-5) located at 2317 West Dakota Avenue (see Figure 1). In addition to the 12 units, the proposed development would include private garages, two carports, and uncovered parking, providing 23 total parking spaces, as well as the construction of electric vehicle (EV) charging stations, as required by CAL Green EV-Requirements (Figure 2). In accordance with CAL Green EV-Requirements, 40% of the total number of proposed parking spaces must be EV-Ready w/Low Power Level 2 receptables; therefore, nine of the proposed parking spaces would be EV-Ready. The proposed Project would also include approximately 0.3 acre of open space in the southern portion of the Project site (see Figure 2). The proposed Project would include off-site improvements along West Dakota Avenue, including sidewalks, curbs, and a driveway approach. The development would be a maximum height of 29.5 feet, and the proposed buildings would be all electric. Development of the proposed Project would result in approximately 32 occupants and, based on the Institute of Transportation Engineers (ITE) *10th Trip Generation Manual*,[1] would generate approximately 88 vehicle trips per day. **Construction** Construction activities would occur over the course of approximately 8 to 10 months, beginning in June 2026 and ending in February 2027. Construction activities would result in approximately 1 acre of ground disturbance, including approximately 500 cubic yards (CY) of cut and 500 CY of fill. The maximum depth of excavation would be approximately 1.5 feet. The Project would result in approximately 0.23 acre of new paved area and would not require the removal or trimming of any trees, as the Project site is currently vacant. Construction activities would be conducted Monday through Friday during daytime hours (7:00 a.m.–10:00 p.m.), 5 days per week. The construction staging area would be located within the southern portion of Project site where the future open space is planned. Project construction would require approximately nine workers and up to 9 construction vehicle trips per day. Construction workers are expected to be sourced from the local workforce. Construction equipment is anticipated to include one excavator, one loader, and one compactor; however, additional construction equipment may be required. Construction materials to be used include concrete foundation, wood framing, stucco finish, asphalt shingle roofing, and steel carport.

[1] Institute of Transportation Engineers (ITE). 2020. *10th Trip Generation Manual*. Volume 2: Data, Residential (Land Uses 200–299). Available online at:

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

	Planned Land Use	Existing Zoning	Existing Land Use
North	Commercial Community	Commercial Community	Residential – Medium High Density
East	Residential - Medium Density	Residential Single-Family, Medium Density	Residential - Medium High Density
South	Residential - Medium Density	Residential Single-Family, Medium Density	Residential - Medium High Density
West	Residential - Medium Density	Residential Single-Family, Medium Density	Residential - Low Density

10. **Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement):**

- San Joaquin Valley Air Pollution Control District Permit(s)
- Fresno County Environmental Health
- Fresno Irrigation District
- Fresno Metropolitan Flood Control District
- Fresno Unified School District

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

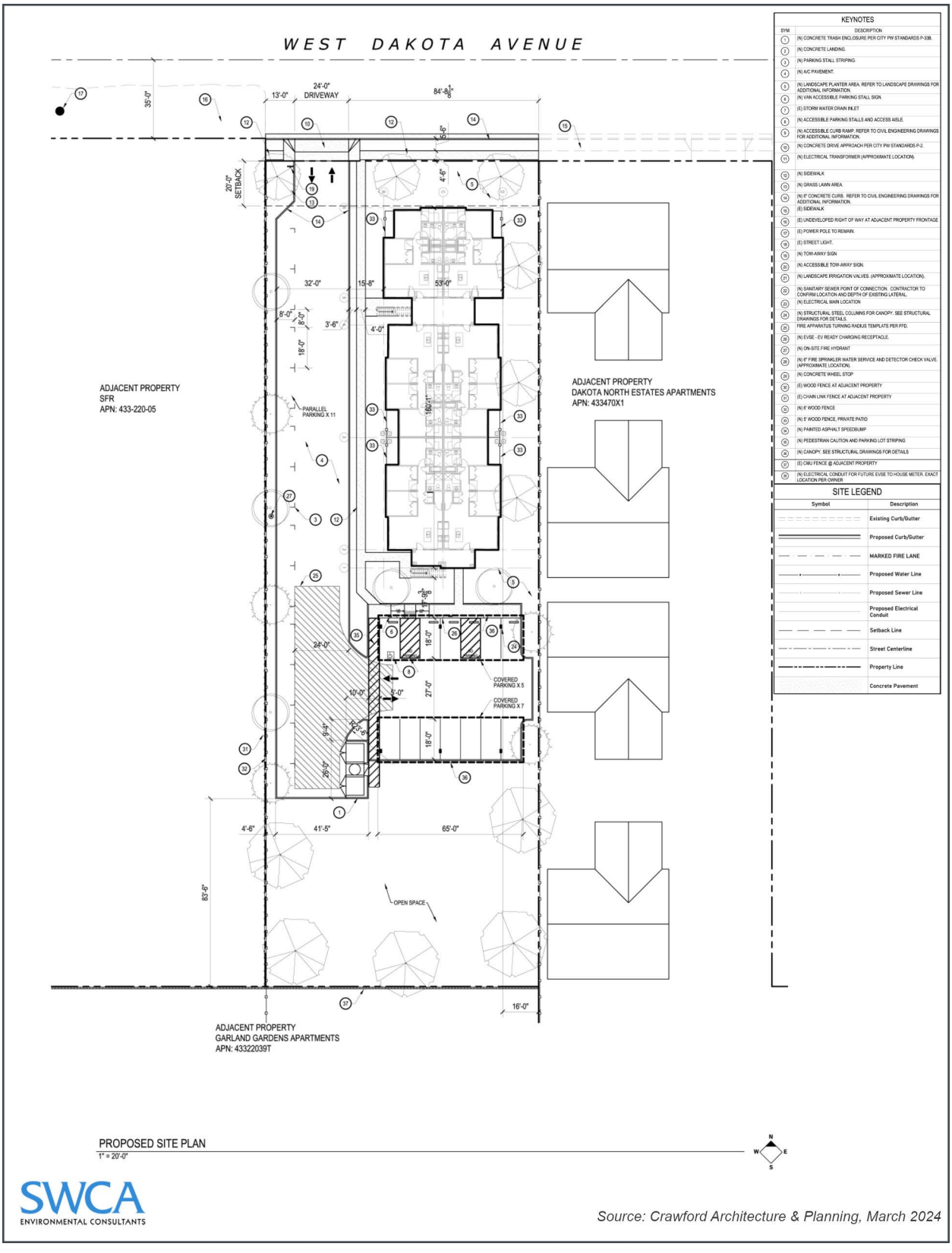
The State requires lead agencies to consider the potential effects of proposed projects and consult with California Native American tribes during the local planning process for the purpose of protecting Traditional Tribal Cultural Resources through the California Environmental Quality Act (CEQA) Guidelines. Pursuant to PRC Section 21080.3.1, before public distribution of the document, the lead agency shall begin consultation with the California Native American Tribe that is traditionally and culturally affiliated with the geographical area of the proposed project. Such significant cultural resources are either sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a Tribe that is either in or eligible for inclusion in the California Register of Historical Resources (CRHR) or a local historic register, or, the lead agency, at its discretion, and support by substantial evidence, choose to treat the resources as a Tribal Cultural Resources (PRC Section 21074(a)(1–2)). According to the most recent census data, California is home to 109 currently recognized Tribes. Tribes in California

https://ia902309.us.archive.org/22/items/Arlington_MA_ShowDocument_Id_58390/ITETripGen10th_LUC220.pdf. Accessed May 2025.

	currently have nearly 100 separate reservations or Rancherias. Fresno County has a number of Rancherias such as Table Mountain Rancheria, Millerton Rancheria, Big Sandy Rancheria, Cold Springs Rancheria, and Squaw Valley Rancheria. These Rancherias are not located within the City limits. Conducting consultation early in the CEQA process allows Tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to Tribal Cultural Resources, and reduce the potential for delay and conflict in the environmental review process. (See PRC Section 21083.3.2.) Information may also be available from the California Native American Heritage Commission's (NAHC) Sacred Lands File (SLF) per PRC Section 5097.96 and the California Historical Resources Information System (CHRIS) administered by the California Office of Historic Preservation. Please also note that PRC Section 21082.3(c) contains provisions specific to confidentiality. Currently, the Table Mountain Rancheria Tribe and the Dumna Wo Wah Tribe have requested to be notified pursuant to Assembly Bill 52 (AB 52). A certified letter was mailed to the above mentioned tribes on April 1, 2025. The 30-day comment period ended on May 1, 2025. Neither tribe requested consultation.



Figure 1. Project Location Map.



SWCA ENVIRONMENTAL CONSULTANTS

Source: Crawford Architecture & Planning, March 2024

Figure 2. Project Site Plan.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

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

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

___	I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
_X_	I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
___	I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT (EIR) 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 EIR 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.

Brittany Martin

Brittany Martin, Planner II

7/2/2026

Date

EVALUATION OF ENVIRONMENTAL IMPACTS:

1. For purposes of this Initial Study, the following answers have the corresponding meanings:
    a. “No Impact” means the specific impact category does not apply to the project, or that the record sufficiently demonstrates that project specific factors or general standards applicable to the project would result in no impact for the threshold under consideration.
    b. “Less Than Significant Impact” means there is an impact related to the threshold under consideration, but that the potential impact would be less than significant.
    c. “Less Than Significant with Mitigation Incorporation” means there is a potentially significant impact related to the threshold under consideration, however, with the mitigation incorporated into the project, the impact would be less than significant.
    d. “Potentially Significant Impact” means there is substantial evidence that an effect resulting from the proposed project may be significant related to the threshold under consideration.
2. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
3. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

4. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
5. "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from, "Earlier Analyses," as described in (6) below, may be cross-referenced).
6. Earlier analyses may be used where, pursuant to the tiering, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
    a. Earlier Analysis Used. Identify and state where they are available for review.
    b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
    c. Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
7. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
8. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
9. The explanation of each issue should identify:
    a. The significance criteria or threshold, if any, used to evaluate each question; and
    b. The mitigation measure identified, if any, to reduce the impact to less than significance.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
I. AESTHETICS – Except as provided in PRC Section 21099, would the project:				
a) Have a substantial adverse effect on a scenic vista?				X
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				X
c) In non-urbanized areas, substantially degrade the existing visual character or quality 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 other regulations governing scenic quality?			X	
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			X	

DISCUSSION

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

A scenic vista is a viewpoint that provides expansive views of a highly valued landscape for the public's benefit. The City's 2014 *Fresno General Plan*[2] identifies six locations along the San Joaquin River bluffs as designated vista points that provide distant views of features such as the San Joaquin River to the north and the foothills of the Sierra Nevada mountains to the east.

[2] City of Fresno. 2014a. *Fresno General Plan*. Adopted December 18. Available online at: https://www.fresno.gov/wp-content/uploads/2023/03/upload_temp_Consolidated-GP-10-13-2022_compressed.pdf. Accessed April 2025.

The Project site consists of an undeveloped and vacant lot that is covered in nonnative vegetation. The proposed Project includes the construction of a 12-unit multi-family residential development with private garages, two carports, and uncovered parking. The development would be a maximum height of 29.5 feet, which is generally consistent with the height of surrounding development. In addition, the proposed Project would include approximately 0.3 acre of open space in the southern portion of the Project site. The Project site is located approximately 4.4 miles south of the San Joaquin River bluffs and is not located within any of the scenic vista points identified in the City's General Plan; therefore, the construction of the proposed Project would not significantly affect or block a potentially scenic vista in the City. Since the Project site is not located within the viewshed of a scenic vista, *no impact* would occur, and mitigation is not required.

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

According to the California Department of Transportation (Caltrans) State Scenic Highway Mapping System,[3] there are no eligible or officially designated State Scenic Highways within the City of Fresno. Fresno County has three eligible State Scenic Highways, and the nearest eligible highways include a portion of State Route (SR) 180, located approximately 7 miles east of the City, and a portion of SR 168, located approximately 5 miles east of the City. The nearest officially designated State Scenic Highway is located more than 30 miles northeast of the City within Madera County. Since there are no eligible or officially designated State Scenic Highways within or in close proximity to the Project site, implementation of the proposed Project would not damage scenic resources within a designated State Scenic Highway. Therefore, *no impact* would occur, and mitigation is not 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 other regulations governing scenic quality?

The Project site is located in an urbanized area and consists of an undeveloped and vacant parcel in the RS-5 zoning district and Medium Density Residential land use district and is characterized by highly disturbed ruderal landcover. Surrounding land uses include single- and multi-family residential units to the north, south, east, and west. The proposed Project would include the construction of a 12-unit multi-family residential development with private garages, two carports, and uncovered parking. The development would be a maximum height of 29.5 feet, which is generally consistent with the height of surrounding development. The proposed Project would also include approximately 0.3 acre of open space in the southern portion of the Project site. Although the proposed Project would alter the visual characteristics of the

[3] California Department of Transportation (Caltrans). 2025. Scenic Highways. Available online at: https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways. Accessed April 2025.

Project site by constructing a 12-unit multi-family residential development on a vacant parcel, the design of the proposed Project would be consistent and compatible with the visual character of existing residential development surrounding the Project site. The proposed Project would not introduce new architectural features or other components that could alter the existing visual character of the Project site and surrounding area. As discussed below in *Impact Discussion I.d),* the proposed Project would not create a new source of substantial light or glare. The proposed Project would not substantially degrade the existing visual character or quality of public views of the Project site and its surroundings, and would comply with the existing RS-5 zoning district and Medium Density Residential land use district development standards governing scenic quality. Therefore, impacts would be *less than significant*, and mitigation is not required.

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

The Project site is located in an urbanized area subject to preexisting exterior lighting from surrounding developments, existing street lighting, and intermittent vehicle headlights. The proposed Project would include the development of a 12-unit multi-family residential development and associated on-site improvements, which would result in new sources of outdoor lighting. New sources of light and glare associated with the proposed Project would not be substantial in the context of existing lighting sources in the Project vicinity. New outdoor lighting associated with the proposed Project would be required to comply with Section 15-2015 (Outdoor Lighting and Illumination) of the City's Municipal Code, as well as applicable standards under the California Building Code (CBC; Title 24 of the California Code of Regulations [CCR]), to minimize potential light and glare impacts on daytime and nighttime views resulting from Project construction. All lighting would be used for illumination purposes only and directed downward to minimize light spillover onto surrounding properties. Proposed construction activities would be limited to daytime hours (7:00 a.m.–10:00 p.m.) and would not require the installation of temporary nighttime lighting. Based on compliance with the City's Municipal Code and CBC standards, the proposed Project would not create a new source of light and glare. Therefore, impacts would be *less than significant*, and mitigation is not required.

Mitigation Measures

Mitigation measures are not required.

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

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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?				X

DISCUSSION

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?

The Project site is located within an urbanized area of the City of Fresno and there are no agricultural uses located within or adjacent to the Project site. Additionally, the Project site is classified as "Urban and Built-Up Land" by the California Department of Conservation Farmland Mapping and Monitoring Program (FMMP)[4]. Development of the proposed Project would not convert agricultural land to a non-agricultural use, and the proposed Project would not result in the conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to a non-agricultural use. Therefore, *no impact* would occur, and mitigation is not required.

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

The Project site is located in an RS-5 zoning district and Medium Density Residential land use district and is not within the Agriculture land use designation in the City's General Plan. The Project site is not subject to a Williamson Act contract. Development of the proposed Project would not conflict with existing zoning for agricultural use or a Williamson Act contract. Therefore, *no impact* would occur, and mitigation is not 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))?

The Project site is located within an existing urban area and in an RS-5 zoning district and Medium Density Residential land use district in the City of Fresno. The Project site is not within forest land, timberland, or timberland production land use or zoning

[4] California Department of Conservation. 2022. California Important Farmland Finder. Available online at: https://maps.conservation.ca.gov/DLRP/CIFF/. Accessed April 2025.

designations. The proposed Project would not conflict with the existing zoning for, or cause rezoning of, forest land or conversion of forest land to non-forest uses. Therefore, *no impact* would occur, and mitigation is not required.

d) Result in the loss of forest land or conversion of forest land to non-forest use?

Please refer to *Impact Discussions II.c)* above. The Project site is currently vacant and covered in non-native vegetation. Thus, the proposed Project would not result in the loss of forest land or conversion of forest land to non-forest uses. Therefore, *no impact* would occur, and mitigation is not 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?

Please refer to *Impact Discussions II.a)* and *II.c)*. The Project site is located within an existing urban environment and would not result in the conversion of farmland to non-agricultural uses or forest land to non-forest uses. Therefore, *no impact* would occur, and mitigation is not required.

Mitigation Measures

Mitigation measures are not required.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
III. AIR QUALITY – Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan (*e.g.*, by having potential emissions of regulated criterion pollutants which exceed the San Joaquin Valley Air Pollution Control Districts (SJVAPCD) adopted thresholds for these pollutants)?			X	

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?			X	
c) Expose sensitive receptors to substantial pollutant concentrations?		X		
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?			X	

DISCUSSION

a) Conflict with or obstruct implementation of the applicable air quality plan?

CEQA requires that certain proposed projects be analyzed for consistency with the applicable air quality plan. An air quality plan describes air pollution control strategies to be implemented by a city, county, or region classified as a non-attainment area. The main purpose of the air quality plan is to bring the area into compliance with the requirements of the federal and State air quality standards. The City of Fresno is located within the San Joaquin Valley Air Basin (SJVAB) and is under the jurisdiction of the San Joaquin Valley Air Pollution Control District (SJVAPCD). The SJVAB is designated as Nonattainment-Extreme for the 8-hour ozone standard, Maintenance-Serious for the particulate matter less than 10 microns in diameter (PM_{10}) standard, and Nonattainment-Moderate for the particulate matter less than 2.5 microns in diameter ($PM_{2.5}$) standard under the National Ambient Air Quality Standards (NAAQS) and as Nonattainment for the 1-hour and 8-hour ozone standards and the PM_{10} and $PM_{2.5}$ standards under the California Ambient Air Quality Standards (CAAQS).

To bring the SJVAB into attainment, the SJVAPCD adopted the *2022 Plan for the 2015 8-Hour Ozone Standard* (2022 Ozone Plan)[5] in December 2022 to satisfy Clean Air Act requirements and ensure attainment of the 75 parts per billion (ppb) 8-hour

[5] San Joaquin Valley Air Pollution Control District (SJVAPCD). 2022. *2022 Plan for the 2015 8-Hour Ozone Standard*. Available online at: https://ww2.valleyair.org/media/q55posm0/0000-2022-plan-for-the-2015-8-hour-ozone-standard.pdf. Accessed April 2025.

ozone standard. To assure the SJVAB's continued attainment of the U.S. Environmental Protection Agency (USEPA) respirable particulate matter (PM_{10}) standard, the SJVAPCD adopted the *2023 Maintenance Plan and Redesignation Request for the Revoked 1-Hour Ozone Standard* (2023 Maintenance Plan).[6] SJVAPCD Regulation VIII (Fugitive PM_{10} Prohibitions) is designed to reduce PM_{10} emissions generated by human activity. The SJVAPCD adopted the *2024 Plan for the 2012 $PM_{2.5}$ Standard* (2024 $PM_{2.5}$ Plan)[7] to address the USEPA federal annual $PM_{2.5}$ standard of 12 micrograms per cubic meter ($\mu g/m^3$), established in 2012.

The SJVAPCD has established project construction and operational emissions thresholds for criteria pollutants, as shown in Table 1.[8] For a project to be consistent with SJVAPCD attainment plans, the pollutants emitted from project operation should not exceed the SJVAPCD daily thresholds in a manner that could cause a significant impact on air quality or the project must already have been included in the attainment plans projection.

Table 1: SJVAPCD Project Construction and Operational Emission Thresholds

	CO	NO_x	ROG	SO_x	PM_{10}	$PM_{2.5}$
Annual Construction Emissions*	100.0	10.0	10.0	27.0	15.0	15.0
Annual Operational Emissions*	100.0	10.0	10.0	27.0	15.0	15.0

Source: SJVAPCD (2015)

* Emission units = Tons per Year (tpy)

Notes: CO = carbon monoxide; NO_X = nitrogen oxides; ROG = reactive organic gas; SOX = sulfur oxides

As discussed in *Impact Discussion III.b)*, emissions associated with the construction or operation of the proposed Project would not result in the generation of criteria air pollutants that would exceed SJVAPCD thresholds of significance. As discussed in Section XVII, *Transportation*, the proposed Project would not result in substantial or unplanned population growth or associated vehicle trips in a manner that could conflict with the 2022 Ozone Plan and the 2024 $PM_{2.5}$ Plan. The proposed Project would not conflict with or obstruct implementation of SJVAPCD air quality plans. Therefore, impacts would be *less than significant*, and mitigation is not required.

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[6] San Joaquin Valley Air Pollution Control District (SJVAPCD). 2023. *2023 Maintenance Plan and Redesignation Request for the Revoked 1-Hour Ozone Standard.* June 15. Available at: 03-adopted-2023-maintenance-plan-and-redesignation-request-for-the-revoked-1-hour-ozone-standard.pdf. Accessed April 2025.

[7] San Joaquin Valley Air Pollution Control District (SJVAPCD). 2024. *2024 Plan for the 2012 $PM_{2.5}$ Standards*. June 20. Available at: https://ww2.valleyair.org/media/gw5bacvj/2024-pm25-plan.pdf. Accessed April 2025.

[8] San Joaquin Valley Air Pollution Control District (SJVAPCD). 2015a. *Air Quality Thresholds of Significance – Criteria Pollutants*. Available online at: https://www.valleyair.org/media/g4nl3p0g/gamaqi.pdf. Accessed April 2025.

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?

The SJVPACD is in nonattainment with the federal standards set for 8-hour ozone and $PM_{2.5}$ and with the State standards set for 8-hour ozone, PM_{10}, and $PM_{2.5}$.[9] CEQA defines a cumulative impact as two or more individual effects, which, when considered together, are considerable or which compound or increase other environmental impacts. Therefore, if annual emissions of construction- or operational-related criteria air pollutants exceed any applicable threshold established by the SJVAPCD, the proposed Project would result in a cumulatively significant impact.

To aid in evaluating potentially significant construction and operational impacts of a project, the SJVAPCD has prepared an advisory document, the *Guidance for Assessing and Mitigating Air Quality Impacts* (GAMAQI),[10] which contains standard procedures for addressing air quality. To streamline the process of assessing significance of criteria pollutant emissions from commonly encountered projects, the SJVAPCD has developed the screening tool, Small Project Analysis Level (SPAL). The SPAL is used to screen projects for potentially significant impacts related to air emissions. A project that meets the screening criteria at this level requires no further analysis and air quality impacts of the project may be deemed less than significant. If a project does not meet all the criteria at this screening level, additional impact analysis is required. The SPAL thresholds are identified by project type and by number of vehicle trips. for Average Daily One-way Trips for all fleet types (except Heavy-Heavy Duty Trucks [HHDT]) and Average Daily One-way for HHDT Trips only (50-mile trip length). For low-rise apartments, the size threshold is 224 dwelling units and the vehicle trip threshold for Average Daily One-way Trips for all fleet types (except HHDT) is less than 800 trips per day and for Average Daily One-way for HHDT Trips only is less than 15 trips per day.[11] The proposed Project would result in the construction of 12 new residential units, which falls below the established size threshold of 224 dwelling units. According to the ITE *10th Trip Generation Manual*,[12] the proposed Project would generate approximately 88 vehicle trips per day for Average Daily One-way trips for all fleet types (except HHTD), which is less than the vehicle trip threshold of 800 vehicle trips per day, and would generate up to nine

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[9] San Joaquin Valley Air Pollution Control District (SJVAPCD). 2025. Ambient Air Quality Standards & Attainment Status. Available online at: https://www.valleyair.org/air-quality-information/ambient-air-quality-standards-valley-attainmnet-status/. Accessed May 2025.

[11] San Joaquin Valley Air Pollution Control District (SJVAPCD). 2020. Small Project Analysis Levels (SPAL). November 13. Available online at: https://www.valleyair.org/transportation/CEQA%20Rules/GAMAQI-SPAL.PDF. Accessed April 2025.

[11] San Joaquin Valley Air Pollution Control District (SJVAPCD). 2020. Small Project Analysis Levels (SPAL). November 13. Available online at: https://www.valleyair.org/transportation/CEQA%20Rules/GAMAQI-SPAL.PDF. Accessed April 2025.

[12] Institute of Transportation Engineers (ITE). 2020. *10th Trip Generation Manual*. Volume 2: Data, Residential (Land Uses 200–299). Available online at: https://ia902309.us.archive.org/22/items/Arlington_MA_ShowDocument_Id_58390/ITETripGen10th_LUC220.pdf. Accessed May 2025.

vehicle trips per day for Average Daily One-way for HHTD Trips only. Therefore, the proposed Project would be consistent with the SPAL screening thresholds for low-rise apartment units and trip generation rates and would not require further air quality analysis as construction-related and operational emissions would fall below the thresholds established by the SJVAPCD. Therefore, impacts would be *less than significant*, and mitigation is not required.

c) Expose sensitive receptors to substantial pollutant concentrations?

Sensitive receptors are people that have an increased sensitivity to air pollution or environmental contaminants, such as the elderly, children, people with asthma or other respiratory illnesses, and others who are at a heightened risk of negative health outcomes due to exposure to air pollution. Some land uses are considered more sensitive to changes in air quality than others due to the population that occupies the uses and the activities involved. Sensitive receptor locations include schools, parks and playgrounds, day care centers, nursing homes, hospitals, and residences.

The nearest sensitive receptors include residential dwelling units located approximately 10 feet to the east and south of the Project site. Due to this proximity, proposed construction activities associated with the proposed Project have the potential to expose nearby residents to short-term construction-related emissions. Construction of the proposed Project would generate emissions, including diesel particulate matter (diesel PM) and fugitive dust. Construction and operational emissions would not exceed SJVAPCD thresholds; however, due to the close proximity of sensitive receptors, compliance with the SJVAPCD Standard Regulation VIII Control Measures and Mitigation Measures AQ-1 through AQ-4 would be required to reduce the potential for a nuisance and exposure to diesel PM and fugitive dust. Potential impacts related to the exposure of sensitive receptors to other emissions are included in *Impact Discussion III.d)*. The proposed Project includes construction of a new 12-unit multi-family residential development, and no operational activities are proposed that could expose sensitive receptors to substantial long-term pollutant concentrations. Therefore, impacts would be *less than significant with mitigation*.

d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

Construction activities generally have the potential to emit odors from diesel equipment, paints, solvents, fugitive dust, and adhesives. Any odors generated by construction activities would be intermittent and temporary, and generally would not extend beyond the construction area and therefore would not be significant. Any construction odors would be temporary and limited to the construction phase of the proposed Project. The proposed Project includes the construction of a 12-unit multi-family residential development. Construction equipment is anticipated to include one excavator, one loader, and one compactor; however, additional construction equipment may be required. Construction materials to be used include concrete foundation, wood framing, stucco finish, asphalt shingle roofing, and steel carport. Operation of the proposed residential development would not produce any offensive odors that would result in frequent odor complaints given

the nature of the proposed use and its size. In addition, the proposed Project does not include substantial odor-generating uses, such as agricultural activities, feedlots, wastewater treatment facilities, landfills, or heavy manufacturing uses.

The Project site is not located in an area with known potential for naturally occurring asbestos (NOA),[13] and construction activities would not have the potential to expose workers or surrounding land uses to harmful levels of NOA. The proposed Project does not include any demolition activities that could disturb asbestos-containing material (ACM) or lead-based paint (LBP). Further, required compliance with SJVAPCD Rule 8021 Section 6.3 would address Valley Fever during ground-disturbing activities. The proposed Project would not create objectionable odors affecting a substantial number of people during Project construction or operation. Therefore, impacts would be *less than significant*, and mitigation is not required.

Mitigation Measures

AQ-1 **Permit Requirements.** Prior to ground disturbance and construction, the Project contractor shall obtain all required permits for dust control and the use of portable equipment, 50 horsepower or greater, from the San Joaquin Valley Air Pollution Control District. Upon application for construction permits, all required mitigation measures shall be shown on all applicable grading or construction plans and implemented during all applicable grading and construction activities.

AQ-2 **Dust Control Measures.** No person shall perform any construction, demolition, excavation, extraction, or other earth-moving activities unless measures are sufficiently implemented to limit visible dust emissions (VDE) to 20% opacity and comply with the conditions for a stabilized surface area when applicable. In addition to the requirements of this rule, a person shall comply with all other applicable requirements of San Joaquin Valley Air Pollution Control District Regulation VIII. A person shall control the fugitive dust emissions to meet the following requirements:

1. Pre-Activity:
    a. Pre-water site sufficient to limit VDE to 20% opacity, and
    b. Phase work to reduce the amount of disturbed surface area at any one time.
2. During Active Operations:
    a. Apply water or chemical/organic stabilizers/suppressants sufficient to limit VDE to 20% opacity; or

[13] California Geological Survey (CGS). 2011. *Reported Historic Asbestos Mines, Historic Asbestos Prospects, and Other Natural Occurrences of Asbestos in California*.

b. Construct and maintain wind barriers sufficient to limit VDE to 20% opacity. If utilizing wind barriers, control measure 2.a shall also be implemented.

c. Apply water or chemical/organic stabilizers/suppressants to unpaved haul/access roads and unpaved vehicle/equipment traffic areas sufficient to limit VDE to 20% opacity and meet the conditions of a stabilized unpaved road surface.

3. Temporary Stabilization During Periods of Inactivity:

   a. Restrict vehicular access to the area; and

   b. Apply water or chemical/organic stabilizers/suppressants, sufficient to comply with the conditions of a stabilized surface. If an area having 0.5 acre or more of disturbed surface area remains unused for 7 or more days, the area must comply with the conditions for a stabilized surface area as defined in Section 3.58 of Rule 8011.

AQ-3 **Construction Emissions.** The Project shall utilize clean off-road construction equipment, including the latest tier equipment, where feasible.

AQ-4 **Diesel Idling.** At all times, idling of heavy-duty diesel trucks should be minimized and auxiliary power units should be used whenever possible. State law requires that:

1. Drivers of diesel-fueled commercial vehicles shall not idle the vehicle's primary diesel engine for greater than 5 minutes at any location.
2. Drivers of diesel-fueled commercial vehicles shall not idle a diesel-fueled auxiliary power system (APS) for more than 5 minutes to power a heater, air conditioner, or any ancillary equipment on the vehicle. Trucks with 2007 or newer model year engines must meet additional requirements (verified clean APS label required).
3. These requirements shall be shown on grading/building plans and/or on a separate sheet to be required with the map and adhered to throughout all grading and construction periods.

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

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				X
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				X

DISCUSSION

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

The following information is based on a literature review and observations made during a reconnaissance-level survey of the Project site and immediately surrounding area, referred to as the Project area in this section. The literature review included a review of the U.S. Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC) planning tool[14] and a nine-quadrangle query of the California Department of Fish and Wildlife (CDFW) California Natural Diversity Database (CNDDB)[15] and California Native Plant Society (CNPS) Rare Plant Inventory (RPI)[16] to identify special-status plant and animal species that have been previously documented in the Project area (Appendix A). In addition, an SWCA biologist conducted a biological reconnaissance survey of the Project site on April 14, 2025, to document existing conditions of the Project site.

Existing Conditions

The Project site consists of an undeveloped 1-acre parcel in an urban setting, bordered by West Dakota Avenue to the north and residential properties to the south, east, and west. Chain-link and wooden fences and cinder block walls enclose the

[14] U.S. Fish and Wildlife Service (USFWS). 2025a. Information for Planning and Consultation. Available online at: https://ipac.ecosphere.fws.gov/. Accessed April 2025.

[15] California Department of Fish and Wildlife (CDFW). 2025. California Natural Diversity Database. Available online at: https://wildlife.ca.gov/Data/CNDDB/Maps-and-Data. Accessed April 2025.

[16] California Native Plant Society (CNPS). 2025. Rare Plant Inventory. Available online at: https://rareplants.cnps.org/. Accessed April 2025.

property on all sides. Vegetation matting and discarded refuse were observed during the survey. The Project area is characterized by wild oats and annual brome grassland that is dominated by nonnative annual grasses and weeds, including wild oat (*Avena fatua*), ripgut brome (*Bromus diandrus*), and bur clover (*Medicago polymorpha*). Escaped landscaping plants such as China berry tree (*Melia azedarach*) and star jasmine (*Trachelospermum jasminoides*) occur along the perimeter of the property. Vegetation across the Project area consists of low-quality habitat. During the biological reconnaissance survey, avian species that were observed utilizing the grassland were limited to house sparrow (*Passer domesticus*), house finch (*Haemorhous mexicanus*), and northern mockingbird (*Mimus polyglottos*). A few small mammal burrows were also observed. No aquatic resources are located within the Project area. The Project site has been subject to vegetation maintenance (e.g., mowing, disking) and is surrounded by existing developed uses in an urban area, ultimately reducing habitat quality for special-status species.

Special-Status Plants

Based on a review of the USFWS IPaC and a nine-quadrangle query of the CDFW CNDDB and CNPS RPI, the following 14 special-status plant species have been previously documented in the Project vicinity (see Appendix A):

- Hoover's calycadenia (*Calycadenia hooveri*) is a California Rare Plant Rank (CRPR) 1B.3 species that typically occurs in rocky, exposed places, grassland, oak savanna at elevations between approximately 330 and 1,300 feet. The nearest recorded occurrence is approximately 12.6 miles northeast of the Project area (CNDDB Occ. 44). Based on the distance to the nearest recorded occurrence, high levels of site disturbance, and lack of suitable habitat, this species is not expected to occur on-site.
- Succulent owl's-clover (*Castilleja campestris* var. *succulenta*) is a federally threatened, State endangered, and CRPR 1B.2 species that typically occurs in vernal pool and wetland areas at elevations below approximately 2,130 feet. The nearest recorded occurrence is approximately 6.3 miles northeast of the Project area (CNDDB Occ. 7). Based on the distance to the nearest recorded occurrence, high levels of site disturbance, and lack of suitable habitat, this species is not expected to occur on-site.
- California jewelflower (*Caulanthus californicus*) is a federally endangered, State endangered, and CRPR 1B.1 species that typically occurs on flats and slopes within chenopod scrub, pinyon and juniper woodlands, and valley and foothill grasslands at elevations between approximately 230 and 3,280 feet. The nearest recorded occurrence is from the late 1890s and overlaps the Project area (CNDDB Occ. 38). Based on high levels of site disturbance, and date of the nearest recorded occurrence, this species is not expected to occur on-site.
- Dwarf downingia (*Downingia pusilla*) is a CRPR 2B.2 species that typically occurs within vernal pools and roadside ditches at elevations below approximately 500 feet. The nearest recorded occurrence is approximately

11.4 miles northeast of the Project area (CNDDB Occ. 120). Based on the distance to the nearest recorded occurrence, high levels of site disturbance, and lack of suitable habitat, this species is not expected to occur on-site.

- Spiny-sepaled button-celery (*Eryngium spinosepalum*) is a CRPR 1B.2 species that typically occurs within vernal pools, swales, and roadside ditches at elevations between approximately 330 and 4,170 feet. The nearest recorded occurrence is approximately 11.1 miles northeast of the Project area (CNDDB Occ. 72). Based on the distance to the nearest recorded occurrence, high levels of site disturbance, and lack of suitable habitat, this species is not expected to occur on-site.
- California satintail (*Imperata brevifolia*) is a CRPR 2B.1 species that typically occurs within wet springs, meadows, streambanks, and floodplains at elevations less than approximately 1,640 feet. The nearest recorded occurrence is from 1893 and overlaps the Project area (CNDDB Occ. 22). Based on high levels of site disturbance, lack of suitable habitat, and date of the nearest recorded occurrence, this species is not expected to occur on-site.
- Munz's tidy-tips (*Layia munzii*) is a CRPR 1B.2 species that typically occurs in alkaline clay soils at elevations between approximately 160 and 2,620 feet. The nearest recorded occurrence is approximately 14.1 miles northwest of the Project area (CNDDB Occ. 81). Based on the distance to the nearest recorded occurrence, high levels of site disturbance, and lack of suitable habitat, this species is not expected to occur on-site.
- Madera leptosiphon (*Leptosiphon serrulatus*) is a CRPR 1B.2 species that typically occurs in openings in woodland and chaparral at elevations between approximately 980 and 4,270 feet. The nearest recorded occurrence is from 1922 and overlaps the Project area (CNDDB Occ. 23). Based on the high levels of site disturbance and date of the nearest recorded occurrence, this species is not expected to occur on-site.
- Pincushion navarretia (*Navarretia myersii* ssp. *myersii*) is a CRPR 1B.1 species that typically occurs in vernal pools at elevations between approximately 60 and 300 feet. The nearest recorded occurrence is approximately 12.8 miles north of the Project area (CNDDB Occ. 17). Based on the distance to the nearest recorded occurrence, high levels of site disturbance, and lack of suitable habitat, this species is not expected to occur on-site.
- San Joaquin Valley Orcutt grass (*Orcuttia inaequalis*) is a federally threatened State endangered, and CRPR 1B.1 species that typically occurs in vernal pool and wetland habitats at elevations between approximately 35 and 2,475 feet. The nearest recorded occurrence is approximately 4.7 miles northeast of the Project area (CNDDB Occ. 21). Based on the high levels of site disturbance and lack of suitable habitat, this species is not expected to occur on-site.
- Hairy Orcutt grass (*Orcuttia pilosa*) is a federally endangered, State endangered, and CRPR 1B.1 species that typically occurs in vernal pool and wetland habitats at elevations between approximately 150 and 655 feet. The

nearest recorded occurrence is approximately 6.2 miles northwest of the Project area (CNDDB Occ. 28). Based on the distance to the nearest recorded occurrence, high levels of site disturbance, and lack of suitable habitat, this species is not expected to occur on-site.

- Hartweg's golden sunburst (*Pseudobahia bahiifolia*) is a CRPR 1B.1 species that typically occurs in cismontane woodland and valley and foothill grassland habitats between approximately 50 and 490 feet. The nearest recorded occurrence is approximately 14.3 miles northeast of the Project area (CNDDB Occ. 24). Based on the distance to the nearest recorded occurrence and frequent site disturbance, this species is not expected to occur on-site.
- Sanford's arrowhead (*Sagittaria sanfordii*) is a CRPR 1B.2 species that typically occurs within ponds and ditches at elevations lower than approximately 980 feet. The nearest recorded occurrence is approximately 1.3 miles north of the Project area (CNDDB Occ. 7). Based on the high levels of site disturbance and lack of suitable habitat, this species is not expected to occur on-site.
- Greene's tuctoria (*Tuctoria greenei*) is a CRPR 1B.1 species that typically occurs in vernal pool and wetland habitats at elevations between approximately 100 and 3,510 feet. The nearest recorded occurrence is approximately 11.5 miles southeast of the Project area (CNDDB Occ. 22). Based on the distance to the nearest recorded occurrence and frequent site disturbance, this species is not expected to occur on-site.

Short-term construction activities would have the potential to result in direct impacts to special-status plant species if present within the Project area during Project construction. No special-status plant species were observed during the reconnaissance-level field survey of the Project area on April 14, 2025. No special-status plant species are expected to occur within the Project area due to the lack of suitable habitat and extent of disturbance, and the proposed Project would not result in adverse effects to special-status plant species. Following construction, the Project site would be covered in hardscapes and would continue to experience site disturbance and would not provide suitable habitat for special-status plants. Therefore, impacts would be *less than significant*, and mitigation is not required.

Special-Status Animals

Based on a review of the USFWS IPaC and a nine-quadrangle query of the CDFW CNDDB, the following 24 special-status animal species have been previously documented in the Project vicinity (see Appendix A):

- Northwestern pond turtle (*Actinemys marmorata*) is a federally proposed threatened species and a CDFW Species of Special Concern (SSC) that typically occurs in aquatic and wetland habitats. The nearest recorded occurrence is approximately 10.4 miles northeast of the Project area (CNDDB Occ. 1,355). Based on the lack of suitable habitat and distance to the nearest recorded occurrence, this species is not expected to occur on-site.

- Tricolored blackbird (*Agelaius tricolor*) is a State threatened species and an SSC that typically occurs in freshwater marsh, marsh, swamp, and wetland habitats. The nearest recorded occurrence is approximately 4.8 miles northeast of the Project area (CNDDB Occ. 664). Based on the lack of suitable habitat, this species is not expected to occur on-site.
- California tiger salamander – Central California Distinct Population Segment (DPS) (*Ambystoma californiense* pop. 1) is a federally and State threatened species that typically occurs in cismontane woodland, meadow and seep, riparian woodland, valley and foothill grassland, vernal pool, and wetland habitats. The nearest recorded occurrence is from 1879 and overlaps the Project area (CNDDB Occ. 478). Based on the lack of connection to natural areas and date of the nearest recorded occurrence, this species is not expected to occur on-site.
- Northern California legless lizard (*Anniella pulchra*) is an SSC that typically occurs in sandy or loose loamy soils under coastal scrub or oak trees. The nearest recorded occurrence is from the late 1800s and overlaps the Project area (CNDDB Occ. 116). Based on the extent of disturbance at the Project site and date of the nearest recorded occurrence, this species is not expected to occur on-site.
- Pallid bat (*Antrozous pallidus*) is an SSC that typically occurs in deserts, grasslands, shrublands, woodlands, and forests. This species is most common in open, dry habitats with rocky areas for roosting and may roost in hollow trees and old buildings. The nearest recorded occurrence is approximately 4.5 miles southeast of the Project area (CNDDB Occ. 147). Based on the lack of suitable habitat, this species is not expected to occur on-site.
- California glossy snake (*Arizona elegans occidentalis*) is an SSC that typically occurs in open areas with loose soil for easy burrowing in arid scrub, rocky washes, grasslands, chaparral. The nearest recorded occurrence is from 1893 and overlaps the Project site (CNDDB Occ. 1). Based on the lack of connection to natural areas and date of the nearest recorded occurrence, this species is not expected to occur on-site.
- Golden eagle (*Aquila chrysaetos*) is a State fully protected species that typically occurs in open country in prairies, tundra, open coniferous forest, and barren areas, especially in hilly or mountainous regions. This species nests in large, prominent trees in wooded areas and on cliff ledges. The nearest recorded occurrence is approximately 25.2 miles northeast of the Project area (CNDDB Occ. 29). Based on the lack of suitable habitat and distance to the nearest recorded occurrence, this species is not expected to occur on-site.
- Burrowing owl (*Athene cunicularia*) is a State candidate endangered species and an SSC that typically occurs in wide-open, sparsely vegetated areas like prairies, deserts, grasslands and agricultural fields. The nearest recorded occurrence is approximately 5.9 miles east of the Project area (CNDDB Occ. 1,962). Although the Project site contains undeveloped grassland, the Project

site is characterized by highly disturbed ruderal landcover, showing evidence of regular mowing and recent disking for general maintenance. Based on the lack of suitable habitat and distance to the nearest recorded occurrence, this species is not expected to occur on-site.

- Crotch's bumble bee (*Bombus crotchii*) is a State candidate endangered species that typically occurs in grassland and scrub habitats. The nearest recorded occurrence is from 1899 and overlaps with the Project area (CNDDB Occ. 53). Based on the extent of disturbance at the Project site and date of the nearest recorded occurrence, this species is not expected to occur on-site.
- Vernal pool fairy shrimp (*Branchinecta lynchi*) is a federally threatened species that typically occurs in valley and foothill grassland, vernal pool, and wetland habitats. The nearest recorded occurrence is approximately 6.6 miles north of the Project area (CNDDB Occ. 828). Based on the lack of suitable habitat and distance to the nearest recorded occurrence, this species is not expected to occur on-site.
- Swainson's hawk (*Buteo swainsoni*) is a State threatened species that typically occurs in grassland, riparian forest, riparian woodland, and valley and foothill grassland habitats. The nearest recorded occurrence is from 1956 and overlaps the Project area (CNDDB Occ. 2,583). There is potential to observe this species soaring overhead; however, based on the extent of disturbance at the Project site and date of the nearest recorded occurrence, this species is not expected to nest on-site.
- Western yellow-billed cuckoo (*Coccyzus americanus occidentalis*) is a federally threatened and State endangered species that typically occurs in forests to open riparian woodlands with a thick understory. The nearest recorded occurrence is approximately 6.8 miles northeast of the Project area (CNDDB Occ. 197). Based on the lack of suitable habitat and distance to the nearest recorded occurrence, this species is not expected to occur on-site.
- Monarch butterfly (*Danaus plexippus*) is a federally proposed threatened species that is dependent on milkweed as a host plant for offspring and typically overwinters in wind-protected tree groves. The nearest recorded occurrence is approximately 105.1 miles east of the Project area (CNDDB Occ. 198). Based on the lack of suitable roosting habitat, and that the Project site is outside of the overwintering range of this species, this species is not expected to occur on-site.
- Valley elderberry longhorn beetle (*Desmocerus californicus dimorphus*) is a federally threatened species that typically occurs in riparian forests on valley floors and low foothills throughout California Central Valley. This species is dependent on its host plant, elderberry, throughout all stages of life. The nearest recorded occurrence is approximately 5.5 miles northwest of the Project area (CNDDB Occ. 134). Based on the lack of suitable habitat and distance to the nearest recorded occurrence, this species is not expected to occur on-site.

- Fresno kangaroo rat (*Dipodomys nitratoides exilis*) is a federally and State endangered species that typically occurs in alkali sink communities in the central portion of the San Joaquin Valley. This species occupies burrows in relatively light, sandy soils in raised areas. The nearest recorded occurrence is from 1891 and overlaps the Project area (CNDDB Occ. 15). Based on the extent of disturbance at the Project site and date of the nearest recorded occurrence, this species is not expected to occur on-site.
- Spotted bat (*Euderma maculatum*) is an SSC that typically roosts high in cliff crevices, occasionally in human-made structures, and in a wide variety of habitats from desert shrub to coniferous forests. The nearest recorded occurrence is approximately 16.2 miles northeast of the Project area (CNDDB Occ. 40). Based on the lack of suitable habitat and distance to the nearest recorded occurrence, this species is not expected to occur on-site.
- Western mastiff bat (*Eumops perotis californicus*) is an SSC that typically occurs in broad open areas, chaparral, montane meadows, rocky cliffs, and canyon areas and roosts in crevices, tunnels, and buildings. The nearest recorded occurrence is approximately 1.5 miles northeast of the Project area (CNDDB Occ. 73). Based on the lack of suitable habitat, this species is not expected to occur on-site.
- Bald eagle (*Haliaeetus leucocephalus*) is a State endangered and CDFW fully protected species that typically occurs in forests or woodlands adjacent to large bodies of water. This species is tolerant of human activity and is commonly spotted around dumps and fish-processing plants. The nearest recorded occurrence is approximately 24.9 miles north of the Project area (CNDDB Occ. 260). Based on the lack of suitable habitat and distance to the nearest recorded occurrence, this species is not expected to occur on-site.
- Hardhead (*Mylopharodon conocephalus*) is an SSC that typically inhabits pools and runs with deep, clear water; slow velocities; and sand-gravel-boulder substrates at low to mid elevations. This species is generally absent from streams that are heavily altered or occupied by nonnative fish, is primarily a bottom feeder, and forages on invertebrates and aquatic plant material. The nearest recorded occurrence is approximately 6.6 miles northeast of the Project area (CNDDB Occ. 12). Based on the lack of suitable habitat and distance to the nearest recorded occurrence, this species is not expected to occur on-site.
- Coast horned lizard (*Phrynosoma blainvillii*) is an SSC that occurs in a wide variety of habitats and is most common in lowlands along sandy washes with scattered low bushes. The nearest recorded occurrence is from the late 1800s and overlaps the Project area (CNDDB Occ. 863). Based on the extent of disturbance at the Project site and date of the nearest recorded occurrence, this species is not expected to occur on-site.
- Western spadefoot (*Spea hammondii*) is a federally proposed threatened species and an SSC that typically occurs in seasonal/vernal pools in coastal scrub, grassland, chaparral, woodland habitat, and open areas with sandy or

gravelly soils. The nearest recorded occurrence is approximately 5.4 miles northeast of the Project area (CNDDB Occ. 1,246). Based on the lack of suitable habitat and distance to the nearest recorded occurrence, this species is not expected to occur on-site.

- American badger (*Taxidea taxus*) is an SSC that typically occurs in dry, open fields with friable soil for tunneling and foraging. The nearest recorded occurrence is approximately 4.5 miles northwest of the Project area (CNDDB Occ. 79). Based on the lack of suitable habitat, this species is not expected to occur on-site.
- Least Bell's vireo (*Vireo bellii pusillus*) is a federally and State endangered species that typically occurs in riparian forest, riparian scrub, and riparian woodland habitats. The nearest recorded occurrence is approximately 6.7 miles east of the Project area (CNDDB Occ. 505). Based on the lack of suitable habitat and distance to the nearest recorded occurrence, this species is not expected to occur on-site.
- San Joaquin kit fox (*Vulpes macrotis mutica*) is a federally endangered and State threatened species that typically occurs in chenopod scrub and annual grasslands with loose sandy soils. The nearest recorded occurrence is approximately 4 miles northwest of the Project area (CNDDB Occ. 89). Based on the lack of suitable habitat and connection to natural areas this species is not expected to occur on-site.

Short-term construction activities would have the potential to result in direct (e.g., take) or indirect (e.g., light pollution, noise pollution, habitat loss, etc.) impacts to special-status animal species if present within the Project area during Project construction. No special-status animal species or evidence of special-status animal species were observed during the reconnaissance-level field survey of the Project area on April 14, 2025. Further, most special-status animal species known to occur in the region are not expected to occur within the Project area based on the Project's location in an urbanized area surrounded by existing development, the lack of connectivity to natural areas, and frequent site disturbance. However, there is some potential for migratory bird species to temporarily nest in the landscape trees within the Project area. There is some potential for landscape trees surrounding the Project site and the low-quality grassland habitat within the Project site to provide temporary nesting habitat and scavenging habitat for migratory nesting bird species. Proposed construction activities have the potential to result in direct and indirect disturbance to migratory nesting bird species if present within the Project area during construction. Mitigation Measure BIO-1 has been included to require preconstruction nesting bird surveys and identifies the proper protocol to be implemented if birds are found nesting within the Project area. Following construction, the Project site would be covered in hardscapes and would continue to experience site disturbance and would not provide suitable habitat for special-status animals. Implementation of Mitigation Measure BIO-1 would avoid and/or minimize potential impacts related to Swainson's hawk and nesting migratory birds; therefore, impacts related to special-status animal species would be *less than significant with mitigation*.

Based on the lack of suitable habitat and frequent disturbance, special-status plant species are not expected to occur within the Project area; therefore, the proposed Project would not result in adverse effects to special-status plant species. Implementation of Mitigation Measure BIO-1 would avoid and/or minimize potential impacts related to nesting migratory birds. Following construction, the Project site would be covered in hardscapes and would continue to experience site disturbance and would not provide suitable habitat for special-status plants or animals. Therefore, impacts related to special-status species would be *less than significant with mitigation*.

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

Future development that occurs in the vicinity of the San Joaquin River, its tributaries, any lakes or streams, and/or open grasslands with seasonal wetlands may result in a significant impact to riparian habitat or a special-status natural community. According to the USFWS National Wetlands Inventory (NWI) Surface Waters and Wetlands Mapper,[17] no riparian habitat or other sensitive natural communities occur within or in the vicinity of the Project site. The Project site consists of nonnative vegetation, and no riparian habitat or other sensitive natural communities were observed on-site during the reconnaissance survey. The proposed Project would not result in a substantial adverse effect on any riparian habitat or other sensitive natural community. Therefore, *no impact* would occur, and mitigation is not required.

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

Future development that occurs in the vicinity of the San Joaquin River corridor may result in significant impacts to protected wetlands. According to the USFWS NWI Surface Waters and Wetlands Mapper,[18] no aquatic resources occur within or in the vicinity of the Project site. The Project site consists of nonnative vegetation, and no aquatic features or indicators of potential aquatic features were observed on-site during the reconnaissance survey. The proposed Project would not result in a substantial adverse effect on a federally or State-protected wetland. Therefore, *no impact* would occur, and mitigation is not required.

[17] U.S. Fish and Wildlife Service (USFWS). 2025b. National Wetlands Inventory (NWI) Surface Waters and Wetlands Mapper. Available online at: https://fwsprimary.wim.usgs.gov/wetlands/apps/wetlands-mapper/. Accessed April 2025.

[18] U.S. Fish and Wildlife Service (USFWS). 2025b. National Wetlands Inventory (NWI) Surface Waters and Wetlands Mapper. Available online at: https://fwsprimary.wim.usgs.gov/wetlands/apps/wetlands-mapper/. Accessed April 2025.

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?

Open space areas, undeveloped land, and agricultural land are mainly located along the boundaries of the City, particularly near the northern boundary along the San Joaquin River corridor, which functions as a wildlife movement corridor for a number of terrestrial and aquatic mammals and birds. The San Joaquin River corridor facilitates movement of wildlife species from the City to the Sierra Nevada to the east and open agricultural land to the west.

The Project site is located in a developed area in the western portion of the City and is not located within or near a wildlife movement corridor. The Project site consists of an undeveloped and disturbed area that is surrounded by existing developed areas, including West Dakota Avenue along the northern boundary of the Project site and residential properties to the north, south, east, and west. Based on the level of existing development and frequent anthropogenic disturbance, the Project area is not suitable for terrestrial habitat connectivity. There are no waterways within the Project area that could provide migratory fish or breeding habitat. As previously identified, there is low potential for migratory birds to utilize ornamental trees within the Project area and the grassland habitat within the Project site for nesting habitat. The proposed Project would not result in the removal of any trees from the Project site or surrounding area that could impede the use of the Project site as nesting bird habitat. The proposed Project would not interfere substantially with the movement of migratory species. Therefore, impacts would be *less than significant*, and mitigation is not required.

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

The proposed Project would not conflict with any local policies or ordinances protecting biological resources. Though the proposed Project is subject to provisions of the City's Municipal Code regarding trees on public property (Article 3 of Chapter 13 of the City of Fresno Municipal Code), the proposed Project does not propose the removal of any trees and would not conflict with any of the existing ordinances. Therefore, *no impact* would occur, and mitigation is not required.

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?

The *PG&E San Joaquin Valley Operation & Maintenance Habitat Conservation Plan* (PG&E O&M HCP)[19] was approved in 2007 and covers portions of nine counties, including Fresno County. The PG&E O&M HCP covers Pacific Gas and Electric Company (PG&E) activities that occur as a result of ongoing operations and

[19] Pacific Gas and Electric Company (PG&E). 2007. *PG&E San Joaquin Valley Operation & Maintenance Habitat Conservation Plan*. December 2006; Updated December 2007. Sacramento, CA: Jones & Stokes. Available online at: https://ecos.fws.gov/docs/plan_documents/thcp/thcp_838.pdf. Accessed April 2025.

maintenance that would have an adverse impact on any of the 65 covered species and provides incidental take coverage from the USFWS and CDFW. The PG&E O&M HCP is not applicable to the proposed Project because the Project site is not located within the covered area of any HCP, Natural Community Conservation Plan (NCCP), or other adopted local, regional, or State HCP. Therefore, *no impact* would occur, and mitigation is not required.

Mitigation Measures

BIO-1 **Preconstruction Nesting Bird Survey.** Prior to initiation of any Project site preparation/construction activities, if work is planned to occur between February 1 and September 15, a qualified biologist shall survey the area for nesting birds within 1 week prior to initial Project activity beginning, including ground disturbance and/or vegetation removal/trimming. If nesting birds are located on or near the Project site, they shall be avoided until they have successfully fledged, or the nest is no longer deemed active, as detailed below:

1. A 50-foot exclusion zone shall be placed around non-listed, passerine species and a 250-foot exclusion zone will be implemented for raptor species. Each exclusion zone shall encircle the nest and have a radius of 50 feet (non-listed passerine species) or 250 feet (raptor species). All Project activities, including foot and vehicle traffic and storage of supplies and equipment, are prohibited inside exclusion zones. Exclusion zones shall be maintained until all exterior construction activities have been terminated for the current phase of work (e.g., if initial site improvements are completed, exclusion zones may be removed until initiation of site preparation for residence construction begins), or it has been determined by a qualified biologist that the young have fledged or that Project activities would not cause adverse impacts to the nest, adults, eggs, or young.
2. If special-status avian species are identified and observed nesting within the work area, no work will begin until an appropriate exclusion zone is determined in consultation with the City of Fresno and any relevant resource agencies.

The results of the survey shall be provided to the City of Fresno prior to initiation of site preparation/construction activities. The results shall detail appropriate fencing or flagging of exclusion zones and include recommendations for additional monitoring requirements. A map of the Project site and nest locations shall be included with the results. The qualified biologist conducting the nesting survey shall have the authority to reduce or increase the recommended exclusion zone depending on site conditions and species (if non-listed).

If 2 weeks lapse between different phases of Project activities (e.g., vegetation trimming, the start of grading), during which no or minimal work activity occurs, the nesting bird survey shall be repeated and a separate survey report shall be prepared and submitted to the City of Fresno.

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

DISCUSSION

a) Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?

A historical resource defined by CEQA includes one or more of the following criteria: 1) the resource is listed, or found eligible for listing in, the CRHR; 2) the resource is listed in a local register of historical resources as defined by PRC Section 5020.1(k); 3) the resource is identified as significant in a historical resources survey meeting the requirements of PRC Section 5024.1(g); or 4) the resource is determined to be a historical resource by the project's lead agency (PRC Section 21084.1; State CEQA Guidelines Section 15064.(a)). Under CEQA, historical resources include built-environment resources and archaeological sites.

The Project site is entirely undeveloped and does not consist of any buildings or structures that could qualify for listing as a historical resource. In addition, the Project site is not located in a historic district.

Construction activities would result in approximately 1 acre of ground disturbance, including approximately 500 CY of cut and 500 CY of fill. The maximum depth of excavation would be approximately 1.5 feet. Based on a records search conducted at the CHRIS San Joaquin Valley Information Center (SSJVIC), located at California State University, Bakersfield, and the NAHC SLF, there are no previously recorded historic or archaeological resources within the Project area; therefore, proposed ground-disturbing activities would not adversely affect any known cultural resource sites within the Project area. Further, Mitigation Measure CR-1 requires that in the unlikely event that previously unidentified cultural resources are uncovered during proposed ground-disturbing activities, all work shall cease within the vicinity of the find until a qualified archaeologist is retained to evaluate the significance of the find and

determine the need for further study. Based on the low potential to uncover historic archaeological resources within the Project area and implementation of Mitigation Measure CR-1, the proposed Project would not result in adverse impacts to known or unknown cultural resources. Therefore, impacts would be *less than significant with mitigation*.

b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?

According to the State CEQA Guidelines Section 15064.5(c)(1), "When a project will impact an archaeological site, a lead agency shall first determine whether the site is an historical resource." Those archaeological sites that do not qualify as historical resources shall be assessed to determine if these qualify as "unique archaeological resources" (PRC Section 21083.2).

Please refer to *Impact Discussion V.a).* Based on the low potential to uncover archaeological resources within the Project area and implementation of Mitigation Measure CR-1, the proposed Project would not result in adverse impact to known or unknown cultural resources. Therefore, impacts would be *less than significant with mitigation.*

c) Disturb any human remains, including those interred outside of formal cemeteries?

There are no known human remains or cemeteries located within or in the immediate vicinity of the Project site, and the Project area is considered to have low sensitivity for the presence of unidentified human resources. Although there is no record of isolated human remains or unknown cemeteries on the Project site, there is always a possibility that ground-disturbing activities associated with future development may uncover previously unknown buried human remains. The proposed Project would be required to comply with California Health and Safety Code Section 7050.5, which outlines the protocol for unanticipated discovery of human remains. Section 7050.5 states that no further disturbance shall occur until the Fresno County Coroner has made a determination of origin and disposition pursuant to PRC Section 5097.98. The Fresno County Coroner must be notified of the find immediately. If the human remains are determined to be prehistoric, the coroner will notify the NAHC, which will determine and notify a Most Likely Descendant (MLD). The MLD shall complete the inspection of the site within 48 hours of notification and may recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials. Based on required compliance with California Health and Safety Code Section 7050.5, the proposed Project would not result in disturbance to human remains. Therefore, impacts would be *less than significant*, and mitigation is not required.

Mitigation Measures

CR-1 If previously unknown resources are encountered before or during grading activities, construction shall stop in the immediate vicinity of the find and a qualified cultural resources specialist shall be consulted to determine whether the resource requires further study. The qualified cultural resources specialist

shall make recommendations to the City of Fresno on the measures that shall be implemented to protect the discovered resources, including, but not limited to, excavation of the finds and evaluation of the finds in accordance with Section 15064.5 of the California Environmental Quality Act (CEQA) Guidelines and the City of Fresno's Historic Preservation Ordinance. If the resources are determined to be unique historical resources as defined under State CEQA Guidelines Section 15064.5, measures shall be identified by the cultural resources specialist and recommended to the Lead Agency. Appropriate measures for significant resources could include avoidance or capping; incorporation of the Project site in green space, parks, or open space; or data recovery excavations of the finds. No further grading shall occur in the area of the discovery until the Lead Agency approves the measures to protect these resources. Any historical artifacts recovered as a result of mitigation shall be provided to a City of Fresno-approved institution or person who is capable of providing long-term preservation to allow future scientific study.

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

DISCUSSION

a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

During construction, fossil fuels, electricity, and natural gas would be used by construction vehicles and equipment. The energy consumed during construction would be temporary in nature and typical of other similar construction activities in the City. Construction activities would occur over the course of approximately 8 to 10 months, beginning in June 2025 and ending in January 2026. Construction equipment is anticipated to include one excavator, one loader, and one compactor; however, additional construction equipment may be required. Federal and State regulations in place require the use of fuel-efficient equipment and vehicles and require wasteful activities, such as diesel idling, to be limited. Further, the Project contractor(s), in an

effort to ensure cost efficiency, would be expected to not engage in wasteful or unnecessary energy and fuel practices, such as diesel idling. Energy consumption during construction would, therefore, not be wasteful, unnecessary, or inefficient.

Operational energy use would occur as a result of electricity for building operations and fuel for vehicle use. The proposed Project would result in approximately 88 new operational vehicle trips, also known as average daily trips (ADT) and would not result in a substantial increase in vehicle trips and associated fuel consumption. The proposed development would be required to comply with applicable California Green Building Standards Code (CALGreen; 24 CCR Part 11) and California Energy Code (24 CCR Part 6) requirements to encourage energy-efficient design. The proposed Project would be constructed using energy-efficient modern building materials and construction practices, and the proposed Project would also use new modern appliances and equipment, in accordance with the Appliance Efficiency Regulations (20 CCR 1601–1608). The expected energy consumption during operation of the proposed Project would be consistent with typical usage rates for medium-density residential uses; however, energy consumption is largely a function of personal choice and the physical structure and layout of buildings. It can be assumed that implementation of the proposed Project would result in additional energy demand in the City. Electricity demand for the proposed Project would be supplied by PG&E, which is fully compliant with State regulations. PG&E sources 38% of its energy from renewable energy sources and 95% of its energy greenhouse gas (GHG)-free energy sources.[20] By utilizing PG&E for electricity, the proposed Project would reduce the long-term use of non-renewable energy resources. Further, the proposed Project would be located in a developed urban area and would be required to comply with the City's energy efficiency policies, including General Plan Policy RC-8-b,[21] which encourages the use of alternative energy sources and Policy RC-8-c which encourages energy conservation in new development. Based on required compliance with CALGreen, California Energy Code, and City General Plan Policies, the proposed Project would not result in wasteful, inefficient, or unnecessary consumption of energy resources, during Project construction or operation. Therefore, impacts would be l*ess than significant*, and mitigation is not required.

b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

In 2002 the Legislature passed Senate Bill (SB) 1389, which required the California Energy Commission (CEC) to develop an integrated energy plan every 2 years for electricity, natural gas, and transportation fuels, for the California Energy Policy Report. The plan calls for the State to assist in the transformation of the transportation system to improve air quality, reduce congestion, and increase the efficient use of fuel

[20] Pacific Gas and Electric Company (PG&E). 2022a. Clean Energy Solutions. Available online at: https://www.pge.com/en/about/corporate-responsibility-and-sustainability/taking-responsibility/clean-energy-solutions.html. Accessed April 2025.

[21] City of Fresno. 2014c. *Fresno General Plan, Chapter 7: Resource Conservation and Resilience Element.* Available online at: https://www.fresno.gov/wp-content/uploads/2023/03/General-Plan-7-Resources-Conservation-and-Resilience-7-19.pdf. Accessed April 2025.

supplies with the least environmental and energy costs. To further this policy, the plan identifies a number of strategies, including assistance to public agencies and fleet operators in implementing incentive programs for zero emission (ZE) vehicles and their infrastructure needs, and encouragement of urban designs that reduce vehicle miles traveled (VMT) and accommodate pedestrian and bicycle access.

In February 2024, the CEC approved the *2023 Integrated Energy Policy Report* (2023 Energy Report),[22] which provides the results of the CEC's assessments of a variety of energy issues facing California. Many of these issues will require action if the State is to meet its climate, energy, air quality, and other environmental goals while maintaining energy reliability and controlling costs. The 2023 Energy Report identifies methods towards achieving California's goals for mitigating climate change and protecting the health of all Californians while simultaneously transitioning to renewable generation and electrifying the State's economy. California needs to accelerate the pace of clean energy resource deployment, including flexible loads like EV chargers and heat pumps connected at the distribution level as well as grid-scale renewables and storage connected at the transmission level.

As evaluated in *Impact Discussion VI.a)*, the proposed Project would not result in wasteful, inefficient, or unnecessary consumption of energy resources during Project construction or operation. Because California's energy conservation planning actions are conducted at a regional level, and because the proposed Project's total impact to regional energy supplies would be marginal, the proposed Project would not conflict with California's energy conservation plans as described in the 2023 Energy Report.

The City's 2014 *General Plan Resource Conservation and Resilience Element*[23] identifies goals and policies to reduce the consumption of non-renewable energy resources by requiring and encouraging conservation measures and the use of alternative energy sources. As previously evaluated, construction of the proposed Project would require the use of energy in the form of diesel fuel and gasoline for construction vehicles and equipment. The energy consumed during construction would be temporary and would not represent a significant or wasteful demand on available resources. Construction activities would include the use of clean off-road construction equipment, including the latest tier equipment, where feasible, which would be consistent with the City's General Plan goals related to the use of alternative energy sources.

As discussed in *Impact Discussion VI.a)*, required compliance with CALGreen, the California Energy Code, and the City's General Plan policies would ensure that the proposed Project would not result in wasteful, inefficient, or unnecessary consumption

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[22] California Energy Commission (CEC). 2024. *2023 Integrated Energy Policy Report Highlights*. February. Available online at: https://www.energy.ca.gov/sites/default/files/2024-05/2023_Integrated_Energy_Policy_Report_Highlights_ADA.pdf. Accessed April 2025.

[23] City of Fresno. 2014c. *Fresno General Plan, Chapter 7: Resource Conservation and Resilience Element.* Available online at: https://www.fresno.gov/wp-content/uploads/2023/03/General-Plan-7-Resources-Conservation-and-Resilience-7-19.pdf. Accessed April 2025.

of energy resources. Furthermore, as discussed in Section VIII, *Greenhouse Gas Emissions*, the proposed Project would be consistent with the GHG and energy measures included in the City's General Plan and the GHG emissions impact thresholds recommended to ensure that the proposed Project would reduce its "fair share" of emissions needed to support State goals for long-term GHG emissions reductions and carbon neutrality.

As such, the proposed Project would not conflict with or obstruct a State or local plan for renewable energy or energy efficiency, including the City's *General Plan Resource Conservation and Resilience Element*. Therefore, impacts would be *less than significant*, and mitigation is not required.

Mitigation Measures

Mitigation measures are not required.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
VII. GEOLOGY AND SOILS – Would the project:				
a) Directly or Indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:			X	
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.				X
ii) Strong seismic ground shaking?			X	
iii) Seismic-related ground failure, including liquefaction?			X	
iv) Landslides?			X	
b) Result in substantial soil erosion or the loss of topsoil?			X	

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			X	
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?			X	
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?				X
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?		X		

DISCUSSION

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.

Fault ruptures are generally expected to occur along active fault traces that have exhibited signs of recent geological movement (i.e., in the last 11,000 years). Alquist-Priolo Earthquake Fault Zones delineate areas around active faults with potential surface fault rupture hazards that would require specific geological investigations prior to approval of certain kinds of development within the delineated area. The Project site is not located within an Alquist-Priolo Earthquake Fault Zone. No known active or potentially active faults or fault traces are located in the Project vicinity. The nearest active fault is the Nunez Fault, located

approximately 50 miles southwest of the City of Fresno[24]. The proposed Project would not expose people or structures to risk as a result of fault rupture. Therefore, *no impact* would occur, and mitigation is not required.

ii. Strong seismic ground shaking?

The City of Fresno is located in an area with a historically low-to-moderate level of seismicity. However, there is some potential for seismic activity along the nearby Great Valley Fault Zone, the Nunez Fault, or other associated faults, which could affect the Project site through strong seismic ground shaking. Strong seismic ground shaking could potentially cause structural damage to the proposed Project. The proposed Project would be required to comply with the CBC (CCR Title 24) to ensure that the proposed Project would be designed to withstand seismic ground shaking. Based on the low potential for seismic ground shaking and required compliance with the CBC, the proposed Project would not result in the risk of loss, injury, or death as a result of seismic ground shaking. Therefore, impacts would be *less than significant*, and mitigation is not required.

iii. Seismic-related ground failure, including liquefaction?

Liquefaction takes place when loosely packed, water-logged sediments at or near the ground surface lose their strength in response to strong ground shaking. The predominant soils within the City of Fresno consist of varying combinations of loose/very soft to very dense/hard silts, clays, sands, and gravels. Groundwater has been encountered near the ground surface in close proximity to water-filled features such as canals, ditches, ponds, and lakes. Based on these characteristics, the potential for soil liquefaction within the City ranges from very low to moderate due to the variable density of the subsurface soils and the presence of shallow groundwater. In addition to liquefaction, the City could be susceptible to induced settlement of loose unconsolidated soils or lateral spread during seismic shaking events. Based on the nature of the subsurface materials and the relatively low to moderate seismicity of the region, potential for seismic related ground failure is low in Fresno.[25] Further, the proposed Project would be required to comply with the CBC to ensure that the proposed Project would be designed to withstand liquefaction. Based on the low potential for liquefaction and required compliance with the CBC, the proposed Project would not result in the risk of loss, injury, or death as a result of liquefaction. Therefore, impacts would be *less than significant*, and mitigation is not required.

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[24] California Department of Conservation. 2024. EQ Zapp: California Earthquake Hazards Zone Application. Available online at: https://www.conservation.ca.gov/cgs/geohazards/eq-zapp. Accessed April 2025.

[25] City of Fresno. 2014e. *Fresno General Plan, Chapter 9: Noise and Safety Element*. Adopted December 18. Available online at: https://www.fresno.gov/wp-content/uploads/2023/03/9-Noise-and-Safety-02-03-21.pdf. Accessed April 2025.

iv. Landslides?

A landslide generally occurs on relatively steep slopes and/or on slopes underlain by weak materials. The City of Fresno is located within an area that consists of mostly flat topography within the Central Valley. Accordingly, there is no risk of large landslides in the majority of the City. However, there is the potential for landslides and slumping along the steep banks of rivers, creeks, or drainage basins such as the San Joaquin River bluff and the many unlined basins and canals that trend throughout the City. The Project site is located in a relatively flat area and it is not in the vicinity of the San Joaquin River bluff or any unlined basins or canals; therefore, the potential for landslides to occur within the Project site is negligible. In addition, the proposed Project would be required to be designed and constructed in accordance with the CBC to reduce the risk associated with landslides. Based on the low potential for landslide and required compliance with CBC requirements, the proposed Project would not result in the risk of loss, injury, or death as a result of landslide. Therefore, impacts would be *less than significant*, and mitigation is not required.

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

Construction activities would result in approximately 1 acre of ground disturbance, including approximately 500 CY of cut and 500 CY of fill. Ground-disturbing activities during Project construction have the potential to result in erosion and loss of topsoil. Exposed soils could be entrained in stormwater runoff and transported off the Project site. The proposed Project would subject to the Regional Water Quality Control Board (RWQCB) General Construction Permit requirements, which require the preparation of a Stormwater Pollution Prevention Plan (SWPPP) with best management practices (BMPs) to address stormwater runoff during construction. In addition, the proposed Project would be required to comply with City Municipal Code Chapter 6, Article 7 (Urban Storm Water Quality Management and Discharge Control), which requires the implementation of BMPs to reduce erosive runoff during construction. Following Project construction, the Project site would be covered with hardscapes, which would reduce the potential for long-term erosion to occur at the Project site. Based on required compliance with RWQCB and City requirements, impacts related to substantial erosion would be *less than significant*, and mitigation is not 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?

As previously stated, soils at the Project site would not be subject to liquefaction, lateral spreading, or landslides. Further, the Project site is not located in an area with known subsidence.[26] The proposed Project would be constructed in accordance with CBC requirements to avoid risk associated with unstable soils. Based on the low potential for ground failure and required compliance with CBC requirements, the

[26] U.S. Geological Survey (USGS). 2024. Areas of Land Subsidence in California. Available online at: https://ca.water.usgs.gov/land_subsidence/california-subsidence-areas.html. Accessed April 2025.

proposed Project would not result in the risk associated with ground-failure events. Therefore, impacts would be *less than significant*, and mitigation is not required.

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

The surface and near-surface soils observed throughout the City consist of varying combinations of clays, silts, sands, gravels, and cobbles. Expansive soils are characterized by the potential for shrinking and swelling as the moisture content of the soil decreases and increases, respectively. The clayey soils, which consist of very fine particles, are considered to be slightly to moderately expansive. The Project site is underlain by one soil type, San Joaquin sandy loam (SdA), which consists of sandy loam, clay, and coarse sandy loam.[27] Due to the limited amount of clay components, soils at the Project site would have low potential for expansion potential. In addition, the proposed Project would be required to be constructed in accordance with the CBC to further reduce the risk associated with development on expansive soils. Based on the low potential for soil expansion and required compliance with the CBC, the proposed Project would not result in a significant risk associated with expansive soils. Therefore, impacts would be *less than significant*, and mitigation is not 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?

The Project site would be served by a wastewater conveyance system maintained by the City's Wastewater Management Division (WMD). Wastewater from the City's collection system is treated at the Fresno/Clovis Regional Wastewater Reclamation Facility (WRF). Development of the proposed project would not involve the use of septic tanks or alternative wastewater disposal systems. Therefore, *no impact* would occur, and mitigation is not required.

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

The Project site is underlain by nonmarine deposits of the Pleistocene era (Qc), which has a low paleontological sensitivity due its relatively young age.[28] Proposed construction activities would have a maximum depth of excavation of 1.5 feet and would not be expected to reach the underlying bedrock. Nonetheless, out of an abundance of caution Mitigation Measure GEO-1 has been identified to address inadvertent discovery of paleontological resources if encountered during excavation activities. Based on the low paleontological sensitivity of the underlying geologic unit

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[27] Natural Resources Conservation Service (NRCS). 2025. Web Soil Survey. U.S. Department of Agriculture Natural Resources Conservation Service. Available online at: https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx. Accessed April 2025.

[28] California Geological Survey (CGS). 1978. Fresno sheet. Map Scale: 1:250,000. Bouguer Gravity Map of California BGA-05. California Geological Survey Publications. Available online at: https://ngmdb.usgs.gov/Prodesc/proddesc_114520.htm. Accessed April 2025.

and implementation of Mitigation Measure GEO-1, the proposed Project would not directly or indirectly disturb a unique paleontological resource. Therefore, impacts would be *less than significant with mitigation*.

Mitigation Measures

GEO-1 **Inadvertent Discovery of Paleontological Resources.** During excavation activities that reach or occur within the bedrock of the underlying geologic unit, if a paleontological resource is encountered, the Project contractor shall cease ground-disturbing activities within 50 feet of the find. A qualified paleontologist shall evaluate the significance of the resource(s) and recommend appropriate treatment measures. At each fossil locality, field data forms shall be used to record pertinent geologic data, stratigraphic sections shall be measured, and appropriate sediment samples shall be collected and submitted for analysis. Any fossils encountered and recovered shall be catalogued and presented for donation to a public, non-profit institution with a research interest in the materials. Accompanying notes, maps, and photographs shall also be filed at the repository.

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

DISCUSSION

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

The State CEQA Guidelines indicate that a project would normally have a significant adverse GHG emission impact if the project would:

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

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

During construction, fossil fuels, electricity, and natural gas would be used by construction vehicles and equipment. Federal and State regulations in place require fuel-efficient equipment and vehicles and prohibit wasteful activities, such as diesel idling. The Project contractor(s), in an effort to ensure cost efficiency, would be expected to not engage in wasteful or unnecessary energy and fuel practices.

Operational energy consumption would include electricity use for building operations and fossil fuel use for vehicle trips to and from the Project site. Electricity would be provided by PG&E, which consists of 38% renewable energy sources and 57% GHG-free energy sources.[29] By using electricity from PG&E, the proposed Project would reduce the long-term use of non-renewable energy resources, which would help reduce long-term GHG emissions associated with energy generation. The proposed building would be required to comply with applicable CALGreen (24 CCR Part 11) and California Energy Code (24 CCR Part 6) requirements to encourage energy-efficient design, which would further reduce long-term GHG emissions associated with energy generation.

Furthermore, as discussed under Section VIII(b), below, this Project would comply with the Bay Air Quality Management District (BAAQMD) *Justification Report: CEQA Thresholds for Evaluating the Significance of Climate Impacts from Land Use Projects and Plans* (Justification Report). Thus, the Project is not anticipated to generate greenhouse gas emissions to a level which would cause a significant impact on the environment.

As discussed in Section XVII, *Transportation*, the proposed Project would generate approximately 88 vehicle trips per day, which is fewer than 500 ADT.[30] Therefore, the

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[29] Pacific Gas and Electric Company (PG&E). 2022b. Exploring Clean Energy Solutions. Available online at: https://www.pge.com/en_US/about-pge/environment/what-we-are-doing/clean-energy-solutions/clean-energy-solutions.page. Accessed April 2025.

[30] City of Fresno. 2020a. *CEQA Guidelines for Vehicle Miles Traveled Thresholds*. June 25. Available online at: https://www.fresno.gov/wp-content/uploads/2023/03/CEQA-Guidelines-for-Vehicle-Miles-Traveled-Final-Adopted-Version.pdf#:~:text=final%20rulemaking%20surrounding%20SB%20743%20and%20the%20implementation. Accessed April 2025.

proposed Project is not anticipated to generate VMT in a manner that could result in substantial consumption of fossil fuels. Further, the proposed Project includes the installation of EV parking spaces in accordance with City and CALGreen requirements to promote the use of long-term alternative fuel use. Therefore, the proposed Project would not result in substantial GHG emissions from transportation sources.

Based on the analysis provided above, the proposed Project is not anticipated to generate substantial GHG emissions during Project construction or operation. Therefore, impacts would be *less than significant*, and mitigation is not required.

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

The City of Fresno does not have a current GHG reduction plan, and the SJVAPCD also does not have adopted thresholds of significance for GHG emissions. Therefore, in the absence of any City or SJVAPCD specific guidelines or thresholds, this analysis evaluates the proposed Project for consistency with the Bay Area Air Quality Management District (BAAQMD) *Justification Report: CEQA Thresholds for Evaluating the Significance of Climate Impacts from Land Use Projects and Plans* (Justification Report).[31]

In April 2022, the BAAQMD adopted the Justification Report, which identifies applicable GHG significance thresholds. These thresholds establish whether a project would be consistent with California's efforts to meet long-term climate goals as established in the State's *Scoping Plan for Achieving Carbon Neutrality* (2022 Scoping Plan Update),[32] including achieving carbon neutrality by 2045 or earlier. If a project is designed and built to incorporate design elements related to natural gas, energy, VMT, and EVs, then it would contribute its portion of what is necessary to achieve California's long-term climate goals—its "fair share"—and an agency reviewing the project under CEQA can conclude that the project would not make a cumulatively considerable contribution to global climate change.

The Justification Report provides substantial evidence supporting the use of their thresholds for projects throughout California because the thresholds are applicable to meeting the State's established GHG reduction goals. In the absence of any City or SJVAPCD specific guidelines or thresholds, this analysis evaluates the proposed project for consistency with the identified project design elements as the applicable thresholds of significance to establish if the proposed project is achieving its "fair

[31] Bay Area Air Quality Management District (BAAQMD). 2022. *Justification Report: CEQA Thresholds for Evaluating the Significance of Climate Impacts from Land Use Projects and Plans*. April. Available online at: https://www.baaqmd.gov/~/media/files/planning-and-research/ceqa/ceqa-thresholds-2022/justification-report-pdf.pdf?la=en. Accessed April 2025.

[32] California Air Resources Board (CARB). 2022. 2022 Scoping Plan Documents. Available online at: https://ww2.arb.ca.gov/our-work/programs/ab-32-climate-change-scoping-plan/2022-scoping-plan-documents. Accessed April 2025.

share" of emission reductions to support long-term State goals for GHG emissions and carbon neutrality.

According to the Justification Report, a project would have a less-than-significant impact related to GHG emissions if it would include all the following project design elements:

1. Buildings
    a. The project will not include natural gas appliances or natural gas plumbing (in both residential and nonresidential development).
    b. The project will not result in any wasteful, inefficient, or unnecessary electrical usage as determined by the analysis required under CEQA Section 21100(b)(3) and Section 15126.2(b) of the State CEQA Guidelines.
2. Transportation
    a. Achieve a reduction in project-generated vehicle miles traveled (VMT) below the regional average consistent with the current version of the California Climate Change Scoping Plan (currently 15 percent) or meet a locally adopted Senate Bill 743 VMT target, reflecting the recommendations provided in the Governor's Office of Planning and Research's Technical Advisory on Evaluating Transportation Impacts in CEQA:
        - Residential projects: 15 percent below the existing VMT per capita
        - Office projects: 15 percent below the existing VMT per employee
        - Retail projects: no net increase in existing VMT
    b. Achieve compliance with off-street electric vehicle requirements in the most recently adopted version of CALGreen Tier 2.

These project design elements are utilized in the following analysis as the thresholds of significance to evaluate the project's potential GHG emissions impact.

Per the significance thresholds described above, a less-than-significant GHG impact would occur if the project were consistent with the identified design standards, as evaluated below.

However, for informational purposes, the anticipated emissions from construction and operation of the Project are also provided here.

Construction Greenhouse Gas Emissions

Construction activities associated with the proposed Project would produce combustion emissions from various sources. During construction, GHGs would be emitted through the operation of construction equipment and from worker and builder supply vendor vehicles, each of which typically use fossil-based fuels to operate. The

combustion of fossil-based fuels creates GHGs such as carbon dioxide (CO_2), methane (CH_4), and nitrous oxide (N_2O). Furthermore, CH_4 is emitted during the fueling of heavy equipment. Exhaust emissions from on-site construction activities would vary daily as construction activity levels change. Construction contractors, in an effort to ensure cost efficiency, would be expected not to engage in wasteful or unnecessary energy and fuel practices. Therefore, construction activities are not anticipated to result in significant GHG emissions.

The SJVAPCD does not have an adopted threshold of significance for construction-related GHG emissions. However, lead agencies are encouraged to quantify and disclose GHG emissions that would occur during construction. Following guidance from the SJVAPCD, GHG emissions for construction of the proposed Project were calculated using the California Emissions Estimator Model (CalEEMod).[33] Based on the analysis results, construction of the proposed Project would result in emissions of approximately 69.36 metric tons of carbon dioxide equivalent ($MTCO_2e$) per year.

Operational Greenhouse Gas Emissions

Long-term GHG emissions are typically generated from mobile sources (e.g., vehicle and truck trips), area sources (e.g., maintenance activities and landscaping), indirect emissions from sources associated with energy consumption, waste sources (land filling and waste disposal), and water sources (water supply and conveyance, treatment, and distribution). Mobile-source GHG emissions would include Project-generated vehicle trips to and from the Project site. Area-source emissions would be associated with activities such as landscaping and maintenance on the Project site. Energy-source emissions would be generated at off-site utility providers as a result of increased electricity demand generated by the proposed Project. Waste-source emissions generated by the proposed Project include energy generated by land filling and other methods of disposal related to transporting and managing Project-generated waste. In addition, water-source emissions associated with the proposed Project are generated by water supply and conveyance, water treatment, water distribution, and wastewater treatment.

Following guidance from the SJVAPCD, GHG emissions for operation of the proposed Project were also calculated using CalEEMod.[34] Based on analysis results, operation of the proposed Project would result in emissions of approximately 47.99 $MTCO_2e$ per year. These estimated emissions are provided for informational purposes, and the significance of the proposed Project is further analyzed below.

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[34] California Air Pollution Control Officers Association (CAPCOA). 2025. California Emissions Estimator Model (CalEEMod). Version 2022.1.1.29. Available online at: https://www.caleemod.com/. Accessed April 2025.

[34] California Air Pollution Control Officers Association (CAPCOA). 2025. California Emissions Estimator Model (CalEEMod). Version 2022.1.1.29. Available online at: https://www.caleemod.com/. Accessed April 2025.

Per the BAAQMD significance thresholds described above, a less-than-significant GHG impact would occur if the project were consistent with all the identified design standards, as evaluated below.

Natural Gas Usage

A less-than-significant GHG impact will occur if the project does not include natural gas appliances or natural gas plumbing. The new 12-unit multi-family residential development would consist of an all-electric building and would not include the use of natural gas. Therefore, the proposed Project would be consistent with this design element.

Energy Use

Under this design criterion, the project must not result in any wasteful, inefficient, or unnecessary energy usage as determined by the analysis required under CEQA Section 21100(b)(3) and State CEQA Guidelines Section 15126.2(b). As evaluated in Section VI, *Energy*, the energy consumed during construction would be temporary in nature and typical of other similar construction activities in the City. Federal and State regulations in place require the use of fuel-efficient equipment and vehicles and that wasteful activities, such as diesel idling, be limited. Operational electricity would be provided by PG&E, which consists of 38% renewable energy sources and 57% GHG-free energy sources.[35] By using electricity from PG&E, the proposed Project would reduce the long-term use of non-renewable energy resources. Further, the proposed Project would be required to comply with CALGreen (24 CCR Part 11) and California Energy Code (24 CCR Part 6) requirements to encourage energy-efficient design. Therefore, the proposed Project would not result in any wasteful, inefficient, or unnecessary electrical usage.

Vehicle Miles Traveled

As discussed above, development that meets a locally adopted SB 743 VMT target would be considered to have a less-than-significant GHG emissions impact from transportation sources. As discussed in Section XVII, *Transportation*, the proposed Project would generate approximately 88 vehicle trips, which is fewer than 500 ADT, the threshold established by the City at which projects are eligible to screen out of a full VMT analysis because it is presumed it will have a less than significant impact.[36] In addition, the project site is located in an area with low VMT (less than 87% of the regional average), meaning VMT would be 13 percent below the existing

[35] Pacific Gas and Electric Company (PG&E). 2022b. Exploring Clean Energy Solutions. Available online at: https://www.pge.com/en_US/about-pge/environment/what-we-are-doing/clean-energy-solutions/clean-energy-solutions.page. Accessed April 2025.

[36] City of Fresno. 2020a. *CEQA Guidelines for Vehicle Miles Traveled Thresholds*. June 25. Available online at: https://www.fresno.gov/wp-content/uploads/2023/03/CEQA-Guidelines-for-Vehicle-Miles-Traveled-Final-Adopted-Version.pdf#:~:text=final%20rulemaking%20surrounding%20SB%20743%20and%20the%20implementation. Accessed April 2025.

regional/County average. Therefore, the proposed Project is not anticipated to generate VMT in a manner that could result in substantial consumption of fossil fuels.

Electric Vehicle Requirements

Under this design criterion, the project must demonstrate consistency with the Tier 2 measures for off-street EV parking included in the most recently adopted version of CALGreen. In accordance with CAL Green EV-Requirements, 40% of the total number of proposed parking spaces must be EV-Ready w/Low Power Level 2 receptables. Nine of the 23 proposed parking spaces would be EV-Ready. Therefore, the proposed Project includes the installation of EV charging station in accordance with the CAL Green EV-Requirements, and the Project would be consistent with this design element

Conclusion

The proposed Project would be consistent with the project design elements related to natural gas, energy, VMT, and EVs, which demonstrate that the proposed Project is achieving its "fair share" of GHG emission reductions. Thus, the proposed Project would not generate substantial GHG emissions, or conflict with plans, policies, or regulations adopted for the purpose of reducing GHG emissions. Therefore, impacts would be *less than significant*, and mitigation is not required.

Mitigation Measures

Mitigation measures are not required.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
IX. HAZARDS AND HAZARDOUS MATERIALS – Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			X	
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			X	

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?			X	
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				X
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				X
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			X	
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?			X	

DISCUSSION

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

Construction activities associated with the proposed Project would involve the use of limited amounts of potentially hazardous materials, including but not limited to, solvents, paints, fuels, oils, and transmission fluids. However, all materials used during construction would be contained, stored, and handled in compliance with applicable standards and regulations established by the U.S. Environmental Protection Agency

(USEPA), Occupational Safety and Health Administration (OSHA), and California Department of Toxic Substances Control (DTSC). All storage, handling, and disposal of hazardous materials during Project construction and operation would comply with applicable safety standards and regulations, including General Plan Policies NS-4-a, NS-4-e, and NS-4-f.[37] The proposed Project is limited to the construction of a new multi-family residential development and no manufacturing, industrial, or other uses utilizing large amounts of hazardous materials would occur within the Project site. The hazardous materials used during operation of the Project would be confined to the types ordinarily found in residences, such as cleaners and pest control. Therefore, the proposed Project would have a *less than significant* impact associated with the routine transport, use, or disposal of hazardous materials, and no mitigation is required.

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?

As previously discussed, temporary construction activities would include the use of construction equipment, vehicles, and commonly used hazardous substances, including, but not limited to, paint, solvents, oils, fuel, and gasoline. In addition, operational maintenance activities may require the use of gasoline, fuels, cleaners, and other hazardous substances. Commonly used hazardous substances within the Project site would be transported, stored, and used according to regulatory requirements and existing procedures for the handling of hazardous materials. Compliance with existing regulations would reduce the potential for accidental spills to occur during construction and operational maintenance activities.

Aerially deposited lead (ADL) from the historical use of leaded gasoline exists along heavily traveled roadways throughout California (i.e., Principal Arterial roadways, freeways, and expressways). The proposed Project includes off-site improvements along West Dakota Avenue, including sidewalks, curbs, and a driveway approach. According to the Caltrans California Road System – Functional Classification,[38] West Dakota Avenue is classified as major collector roadway; therefore, it is not anticipated to contain significant amounts of ADL. The Project site is not located in an area with known potential for NOA;[39] therefore, construction activities would not have the potential to expose workers or surrounding land uses to harmful levels of NOA. The proposed Project does not include demolition activities that could result in the release of ACM or LBP. Further, required compliance with SJVAPCD Rule 8021 Section 6.3 would address Valley Fever during construction. Based on required compliance with

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[37] City of Fresno. 2014e. *Fresno General Plan, Chapter 9: Noise and Safety Element*, pp. 9-33, 9-34. Adopted December 18. Available online at: https://www.fresno.gov/wp-content/uploads/2023/03/9-Noise-and-Safety-02-03-21.pdf. Accessed April 2025.

[38] California Department of Transportation (Caltrans). 2024. California Road System – Functional Classification. Available online at: https://caltrans.maps.arcgis.com/apps/webappviewer/index.html?id=026e830c914c495797c969a3e5668538. Accessed April 2025.

[39] California Geological Survey (CGS). 2011. *Reported Historic Asbestos Mines, Historic Asbestos Prospects, and Other Natural Occurrences of Asbestos in California*.

USEPA, OSHA, and DTSC requirements, the proposed Project would not create significant hazard to the public or the environment through reasonably foreseeable upset or accident conditions involving the release of hazardous materials into the environment. Therefore, impacts would be *less than significant*, and mitigation is not 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?

The closest existing school is George M. DeWolf High School, located approximately 0.05 mile west of the Project site. As previously stated, the proposed Project would not result in the use or emission of substantial quantities of hazardous materials that would pose a human or environmental health risk. In addition, all materials would be handled, stored, and disposed of in accordance with applicable standards and regulations. As a residential development, the proposed Project does not involve activities that would result in the emission of hazardous materials or acutely hazardous substances; however, the proposed Project would handle hazardous materials during construction and operation in accordance with USEPA, OSHA, and DTSC requirements. Therefore, impacts would be *less than significant*, and mitigation is not 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?

According to the DTSC EnviroStor[40] and State Water Resources Control Board (State Water Board) GeoTracker[41] databases, the Project site is not located on a federal superfund site, State response site, voluntary cleanup site, school cleanup site, evaluation site, school investigation site, military evaluation site, tiered permit site, or corrective action site. Additionally, the Project site is not included on the list of hazardous waste sites compiled pursuant to California Government Code Section 65962.5.[42] As a result, no hazards to the public or environment are anticipated. Therefore, *no impact* would occur, and mitigation is not required.

[40] California Department of Toxic Substances Control (DTSC). 2025. EnviroStor. Available online at: https://www.envirostor.dtsc.ca.gov/public/map/?myaddress=fresno. Accessed April 2025.

[41] State Water Resources Control Board (State Water Board). 2025. GeoTracker. Available online at: https://geotracker.waterboards.ca.gov/. Accessed April 2025.

[42] California Environmental Protection Agency (CalEPA). 2018. Government Code Section 65962.5(a) Hazardous Waste and Substances Site List. Available online at: https://calepa.ca.gov/sitecleanup/corteselist/section-65962-5a/. Accessed April 2025.

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

The nearest medical centers with helipads include Community Regional Medical Center, located approximately 4 miles southeast of the Project site, and Saint Agnes Medical Center, located approximately 5.2 miles northeast of the Project site.[43] The nearest airports include the Fresno Yosemite International Airport, located approximately 5.8 miles east of the Project site; Fresno Chandler Executive Airport, located approximately 3.5 miles south of the Project site; and the Sierra Sky Airport, located approximately 3.8 miles north of the Project site.

Each of these airports is considered under the *Fresno County Airport Land Use Compatibility Plan* (Fresno County ALUCP),[44] which guides local jurisdictions in determining appropriate compatible land uses with detailed findings and policies. The Fresno County ALUCP includes airport safety zone maps that are based on the likelihood of aircraft accidents adjacent to airports. The Project site is not located within a designated airport safety zone; therefore, the aircraft accident risk level is low.

Due to the distance between the Project site and local airports and helipads, as well as the Project site's location outside of a designated airport safety zone, operations at these locations are not expected to pose a safety hazard for people in the Project site. The proposed Project would not result in a safety hazard related to airports for people residing or working in the Project area. Therefore, *no impact* would occur, and mitigation is not required.

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

The City does not have an adopted Emergency Response and Evacuation Plan; however, the *Fresno County Multi-Jurisdictional Hazard Mitigation Plan* [45] contains several goals and policies regarding emergency evacuation, including Objective 1.3: *Improve community transportation corridors to allow for better evacuation routes for the public and better access for emergency responders*. The proposed Project includes the construction of a 12-unit multi-family residential development with private garages, two carports, and uncovered parking on an existing parcel. The proposed Project would not require any temporary traffic controls; therefore, the proposed Project would not result in the alteration of existing roadways that could interfere with

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[43] California Department of Transportation (Caltrans). 2019. Caltrans HeliPlates. Available online at: https://heliplates.dot.ca.gov/#. Accessed April 2025.

[44] Fresno Council of Governments (FCOG). 2021. *Fresno County Airport Land Use Compatibility Plan*. December 2018; Amended December 2021. Available online at: https://www.dropbox.com/scl/fi/clh8iltq4f3eb10qyp93i/Fresno-Updated-ALUCP-Amended-Oct-2023.pdf?rlkey=e4ao8oy6ifk2btgzci95szb0u&e=1&dl=0. Accessed April 2025.

[45] County of Fresno. 2018. *Fresno County Multi-Jurisdictional Hazard Mitigation Plan*. May. Available online at: https://www.fresno.gov/wp-content/uploads/2023/03/FresnoCountyHMPFinal.pdf. Accessed April 2025.

emergency evacuation routes within the City or an adopted emergency response plan. Furthermore, the off-street improvements required as a result of this project will improve the roadway for the portion of Dakota Avenue which connects with the Project site. The proposed Project would not result in the alteration of existing roadways in a manner that could interfere with emergency evacuation routes within the City or an adopted emergency response plan. The proposed Project would be consistent with the *Fresno County Multi-Jurisdictional Hazard Mitigation Plan*.[46] Therefore, impacts would be *less than significant*, and mitigation is not required.

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

The Project site is located in an area mapped as a Local Responsibility Area (LRA) Unzoned, indicating that the area is urbanized and not susceptible to wildland fire. Additionally, the Project site is not located within a very high fire hazard severity zone (VHFHSZ).[47] The Project site is located in a highly developed area and does not consist of physical characteristics that would exacerbate wildfire risks. The proposed Project would be required to comply with the California Fire Code (CFC) to reduce risk associated with wildfire ignition at the Project site. Based on required compliance with the CFC, the proposed Project would not expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires. Therefore, impacts would be *less than significant*, and mitigation is not required.

Mitigation Measures

Mitigation measures are not required.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
X. HYDROLOGY AND WATER QUALITY – Would the project:				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?			X	

[46] County of Fresno. 2018. *Fresno County Multi-Jurisdictional Hazard Mitigation Plan*. May. Available online at: https://www.fresno.gov/wp-content/uploads/2023/03/FresnoCountyHMPFinal.pdf. Accessed April 2025.

[47] California Department of Forestry and Fire Protection (CAL FIRE). 2025. Fire Hazard Severity Zones. Available online at: https://osfm.fire.ca.gov/what-we-do/community-wildfire-preparedness-and-mitigation/fire-hazard-severity-zones. Accessed May 2025.

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

DISCUSSION

a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?

The State Water Board and nine RWQCBs regulate the water quality of surface water and groundwater bodies throughout California. The proposed Project is within the jurisdiction of the Central Valley RWQCB.

Pollutants of concern during construction include sediments, trash, petroleum products, concrete waste (dry and wet), sanitary waste, and chemicals. During Project construction, there would be an increased potential to expose soils to wind and water erosion, which could result in temporary minimal increases in sediment load in nearby waterbodies; however, there are no surface water resources located within or adjacent to the Project site.

Construction activities would result in approximately 1 acre of ground disturbance, including approximately 500 CY of cut and 500 CY of fill. In compliance with the City's General Plan, any development Project disturbing 1 or more acres of soil must obtain coverage under the General Permit for Discharges of Storm Water Associated with Construction Activity (Construction General Permit Order 2009-0009-DWQ). Construction activities subject to the Construction General Permit include clearing, grading, and other ground-disturbing activities such as stockpiling or excavation. The Construction General Permit requires development and implementation of a SWPPP.

A SWPPP includes features designed to eliminate contact of rainfall and stormwater runoff with sources of pollution that occur on construction sites, the main source being soil erosion resulting from unstabilized soils coming in contact with water and wind. These features are known as BMPs. Common BMPs to limit pollution in stormwater runoff from construction sites include maintaining or creating drainages to convey and direct surface runoff away from bare areas and installing physical barriers such as berms, silt fencing, waddles, straw bales, and gabions. The proposed Project would be required to comply with requirements under the National Pollutant Discharge Elimination System (NPDES) Construction General Permit, including the SWPPP and BMPs, which would reduce Project construction impacts on water quality. In addition, the proposed Project would be required to comply with Chapter 6, Article 7 (Urban Storm Water Quality Management and Discharge Control) of the City's Municipal Code, which requires the implementation of BMPs to reduce and/or eliminate pollutant discharge during construction.

Long-term operation impacts associated with the proposed Project would be reduced to less-than-significant levels with the implementation of the Fresno Metropolitan Flood Control District (FMFCD) Storm Drainage and Flood Control Master Plan (SDFCMP), which manages the City's stormwater drainage systems, and the City's participation in the Phase 1 NPDES Permit for Stormwater Discharges From Municipal

Separate Storm Sewer Systems (Phase 1 MS4),[48] which requires the City to implement water quality and watershed protection measures for all development projects. Based on required compliance with City requirements, the proposed Project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface water or groundwater quality. Therefore, impacts would be *less than significant,* and mitigation is not required.

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

The Project site is located in the Kings Subbasin of the San Joaquin Valley Groundwater Basin.[49] The Kings Subbasin encompasses an area of approximately 976,000 acres (1,530 square miles) within Fresno, Kern, and Tulare Counties; therefore, a marginal increase in impervious surface area at the Project site, by approximately 0.23 acre, would not substantially interfere with groundwater recharge in a manner that could impede sustainable groundwater management of the basin.

Water supply and wastewater services for the proposed Project would be provided by the City of Fresno through the Department of Public Utilities (DPU) Water and Wastewater Management Divisions. As discussed in the City's *2020 Urban Water Management Pla*n (2020 UWMP) the City relies on groundwater from the North Kings Subbasin, surface water from Central Valley Project (CVP; through a contract with the U.S. Bureau of Reclamation [USBR]), surface water from the Kings River (through a contract with Fresno Irrigation District [FID]), and recycled water.[50] The City has indicated that groundwater wells, pump stations, recharge facilities, water treatment and distribution systems shall be expanded incrementally to mitigate increased water demands. One of the primary objectives of Fresno's future water supply plans detailed in Fresno's current 2020 UWMP is to balance groundwater operations through a host of strategies. Through careful planning, Fresno has designed a comprehensive plan to accomplish this objective by increasing surface water supplies and surface water treatment facilities, intentional recharge, and conservation, thereby reducing groundwater pumping. The City continually monitors impacts of land use changes and

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[48] Central Valley Regional Water Quality Control Board. 2016. *National Pollutant Discharge Elimination System Permit and Waste Discharge Requirements General Permit for Discharges from Municipal Separate Storm Sewer Systems*. Order R5-2016-0040; NPDES No. CAS0085324. California Regional Water Quality Control Board Central Valley Region. June 23. Available at: https://www.waterboards.ca.gov/rwqcb5/board_decisions/adopted_orders/general_orders/r5-2016-0040_ms4.pdf. Accessed April 2025.

[49] California Department of Water Resources (DWR). 2006. *San Joaquin Valley Groundwater Basin Kings Subbasin*. California's Groundwater Bulletin 118. Available online at: https://water.ca.gov/-/media/DWR-Website/Web-Pages/Programs/Groundwater-Management/Bulletin-118/Files/2003-Basin-Descriptions/5_022_08_KingsSubbasin.pdf. Accessed April 2025.

[50] City of Fresno. 2021b. *Final 2020 Urban Water Management Plan*. City of Fresno Department of Public Utilities. Available online at: https://www.fresno.gov/wp-content/uploads/2023/03/Fresno-2020-UWMP_Final_2021-07-21.pdf. Accessed April 2025.

development project proposals on water supply facilities by assigning fixed demand allocations to each parcel by land use as currently zoned or proposed to be rezoned.

The proposed Project involves rezoning an existing parcel from RS-5/cz (Residential Single-Family, Medium Density/Conditions of Zoning) to RS-5 (Residential Single-Family, Medium Density) to remove current zoning conditions that limit development to 10 units and restrict structures to single story. The proposed zoning would allow for the construction of a 12-unit multi-family residential development in the City of Fresno. According to the City's General Plan Land Use Map, the project site is within the Medium Density Residential land use district, which allows for the development of five to 12 units per acre and is intended for areas with predominantly single-family residential development, but can also accommodate a mix of housing types, including small-lot starter homes, zero-lot-line developments, duplexes, and townhouses. Therefore, the City's General Plan and buildout scenario account for the development of up to 12 units on the project site. The proposed Project would be consistent with the allowable uses and project density of the RS-5 zoning district and Medium Density Residential land use district; therefore, buildout of the project site would be consistent with the City's planned buildout scenario and would not result in substantial or unplanned growth which would impact groundwater supplies.

In 2020 Fresno updated its UWMP to ensure the Fresno metro area has a reliable water supply through 2045. The 2020 UWMP implements a conjunctive use program, combining groundwater, treated surface water, artificial recharge, and an enhanced water conservation program. In the near future, groundwater will continue to be an important part of the City's water supply but will not be relied upon as heavily as has historically been the case. The City is planning to rely on expanding their delivery and treatment of surface water supplies and groundwater recharge activities. In addition, the City adopted the *2020 Water Shortage Contingency Plan* (WSCP),[51] which is a detailed plan that provides guidance on how the City would respond to foreseeable and unforeseeable water shortages. The WSCP provides tools to maintain reliable supplies and reduce the impacts of supply interruptions due to extended drought and catastrophic supply interruptions.

The City's General Plan requires the City to maintain a comprehensive conservation program to help reduce per capita water usage and includes conservation programs and regulations such as landscaping standards for drought tolerance, irrigation control devices, leak detection and retrofits, water audits, public education, and implementation of USBR BMPs for water conservation to maintain surface water entitlements. The proposed Project would comply with all applicable water conservation programs and regulations required by the City's General Plan.

The proposed Project would also be consistent with water management strategies from both the 2020 UWMP and the City's Metropolitan Water Resources Management

[51] City of Fresno. 2021a. *Final 2020 Water Shortage Contingency Plan*. City of Fresno Department of Public Utilities. July. Available online at: https://www.fresno.gov/wp-content/uploads/2023/03/Appendix-J_Fresno-2020-WSCP_Final_2021-07-21.pdf. Accessed May 2025.

Plan. Furthermore, the Project Applicant would be required to comply with water management requirements and recommendations of the City of Fresno Department of Public Utilities (DPU), which would reduce the Project impacts to groundwater recharge to less than significant. The DPU has reviewed the project and outlined conditions of approval that would be implemented into the project design and construction, accordingly. When development permits are issued, the Project site would be required to pay drainage fees pursuant to the Drainage Fee Ordinance. In addition, the proposed Project would be consistent with the allowable uses and project density of the RS-5 zoning district and Medium Density Residential land use district; therefore, buildout of the project site would be consistent with the City's planned buildout scenario and would not result in substantial or unplanned growth which would impact groundwater supplies. Based on compliance with the City's General Plan Policies, 2020 UWMP, and Department of Public Utilities requirements, the proposed Project would not decrease groundwater supply or interfere with groundwater recharge. Therefore, impacts would be *less than significant*, and mitigation is not required.

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?

The proposed Project would not result in direct alteration of any drainage or surface water features, as there are no bodies of water on the Project site which is vacant and covered in nonnative plant species. The proposed Project would result in approximately 1 acre of ground disturbance, including approximately 500 CY of cut and 500 CY of fill, which has the potential to result in an increase in erosion that could run off from the Project site to surrounding areas. The proposed Project would disturb 1 acre of soils and would be required to comply with RWQCB General Construction Permit requirements. In addition, the proposed Project would be required to comply with Chapter 6, Article 7 of the City's Municipal Code, which requires the implementation of BMPs to reduce erosive runoff during construction. Following Project construction, the Project site would be covered with hardscapes, which would reduce the potential for long-term erosion to occur at the Project site. Furthermore, the surrounding areas are substantially covered in hardscape, reducing the potential that the increase of impervious surfaces on the Project site will result in erosion off-site. Based on required compliance with RWQCB and City requirements, impacts related to substantial erosion would be *less than significant*, and mitigation is not required.

ii. Substantially increase the rate or amount of surface runoff in a manner, which would result in flooding on- or off-site?

The proposed Project does not include alteration or other direct impacts to any surface water features, as discussed above. The proposed Project includes the construction of a new 12-unit multi-family residential building. The proposed Project would result in approximately 0.23 acre of new impervious area on-site.

The proposed Project would be subject to Chapter 6, Article 7 of the City's Municipal Code and the FMFCD SDFCMP for long-term drainage requirements. Based on required compliance with City stormwater requirements, the proposed Project would not increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site. Additionally, as discussed below, the Project site is not located in a flood hazard area. Therefore, impacts would be *less than significant*, and mitigation is not required.

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?

The proposed Project would increase impervious surfaces at the Project site. However, with implementation of a SWPPP, which would require execution of BMPs for controlling pollution sources during Project construction, compliance with the FMFCD SDFCMP, and implementation of the NPDES Permit, the proposed Project would not exceed capacity of stormwater drainage systems or generate additional sources of polluted runoff. Additionally, the Project applicant would be subject to the payment of the FMFCD Drainage Fee to address impacts related to the increased amount of surface runoff resulting from the proposed Project. The FMFCD has reviewed the project and outlined conditions of approval that would be implemented into the project design and construction, accordingly.. Based on required compliance with RWQCB and FMFCD stormwater requirements, the proposed Project would not create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. Therefore, impacts would be *less than significant,* and mitigation is not required.

iv. Impede or redirect flood flows?

Regulations in 44 CFR Part 9 and the City's Floodplain Ordinance (Chapter 11, Article 6) require that placement and flood provision structures within a floodplain not result in a cumulative change in the floodplain water surface that exceeds 1 foot. In addition, the regulations under 44 CFR Part 9 do not allow placement of structures within a regulatory floodway unless that placement would not result in any increase in the floodplain water surface elevation, meaning that there is no displacement or redirection of the floodway. The City's Floodplain Ordinance requires that a registered Civil Engineer in the State of California certify that no displacement of floodwater would result from the flood proofing of a structure within a floodplain or a regulatory floodway. The proposed Project is not located within the 100-year flood hazard area as mapped by the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) 06019C1565H

(effective date 2/18/2009).[52] Therefore, impacts would be *less than significant*, and mitigation is not required.

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

The Project site is not located in a flood hazard, tsunami, or seiche zone, especially as it is not located near a body of water. The proposed Project would not risk the release of pollutants due to Project inundation. Therefore, *no impact* would occur, and mitigation is not required.

e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

The Project site is located in the Kings Subbasin of the San Joaquin Valley Groundwater Basin (California Department of Water Resources [DWR] Groundwater Subbasin Number 5-22.08).[53] As evaluated in *Impact Discussion X.b)*, the proposed Project would not decrease groundwater supply or interfere with groundwater recharge in a manner that would impede sustainable management of the groundwater basin.

The Project site is under the jurisdiction of the Central Valley RWQCB and would be subject to *The Water Quality Control Plan (Basin Plan) for the California Regional Water Quality Control Board Central Valley Region* (Basin Plan),[54] which establishes water quality objectives for beneficial uses of water resources within the Sacramento and San Joaquin River Basins. The proposed Project would be required to comply with the Central Valley RWQCB General Construction Permit requirements. In addition, the proposed Project would be required to comply with Chapter 6, Article 7 of the City's Municipal Code, which requires the implementation of BMPs to reduce and/or eliminate pollutant discharge during construction. Further, the proposed Project would be required to implement water quality and watershed protection measures in accordance with the FMFCD SDFCMP to address long-term drainage conditions. Based on required compliance with RWQCB and City requirements, the proposed Project would not violate any RWQCB water quality standards or waste discharge requirements. The proposed Project would be consistent with sustainable

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[52] Federal Emergency Management Agency (FEMA). 2025. FEMA Flood Map Service Center: Search By Address. Available online at: https://msc.fema.gov/portal/search?AddressQuery#searchresultsanchor. Accessed April 2025.

[53] California Department of Water Resources (DWR). 2006. *San Joaquin Valley Groundwater Basin Kings Subbasin*. California's Groundwater Bulletin 118. Available online at: https://water.ca.gov/-/media/DWR-Website/Web-Pages/Programs/Groundwater-Management/Bulletin-118/Files/2003-Basin-Descriptions/5_022_08_KingsSubbasin.pdf. Accessed April 2025.

[54] Regional Water Quality Control Board (RWQCB). 2019. *The Water Quality Control Plan (Basin Plan) for the California Regional Water Quality Control Board Central Valley Region*. Fifth Edition. California Regional Water Quality Control Board Central Valley Region. Revised February 2019 (with Approved Amendments). Available online at: https://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/sacsjr_201902.pdf. Accessed April 2025.

management of the San Joaquin Valley groundwater basin and the Basin Plan. Therefore, impacts would be *less than significant*, and mitigation is not required.

Mitigation Measures

Mitigation measures are not required.

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

DISCUSSION

a) Physically divide an established community?

The physical division of an established community typically refers to the construction of a physical feature (such as an interstate highway or railroad tracks) or removal of a means of access (such as a local road or bridge) that would impair mobility within an existing community, or between a community and outlying areas. For instance, the construction of an interstate highway through an existing community may constrain travel from one side of the community to another; similarly, such construction may also impair travel to areas outside of the community.

The proposed Project site is located in an urbanized area and consists of an existing undeveloped and vacant parcel substantially surrounded by other residential uses. The proposed Project would include construction of a 12-unit multi-family residential development with private garages, two carports, uncovered parking, and associated site improvements, including building a sidewalk which will connect to the preexisting sidewalk infrastructure on either side of the Project site. The proposed Project would not affect connectivity and would not divide an established community. Therefore, *no impact* would occur, and mitigation is not required.

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?

The Project site is in the RS-5 zoning district and Medium Density Residential land use district, which allows for developments of five to 12 units per acre and is intended for areas with predominantly single-family residential development, but can also accommodate a mix of housing types, including small-lot starter homes, zero-lot-line developments, duplexes, and townhouses. Much of the City's established neighborhoods fall within this designation.

The proposed Project includes the rezoning of an existing parcel to remove current zoning conditions that limit development to 10 units and permit only single-story structures. This rezoning would allow for the construction of a 12-unit multi-family residential development, which has been evaluated throughout this Initial Study and has been found to be consistent with standards and policies of the City's General Plan, Municipal Code, and other applicable planning documents referenced throughout this document. The proposed Project would be required to implement Mitigation Measures AQ-1 through AQ-4, included in Section III, *Air Quality*; Mitigation Measure BIO-1, included in Section IV, *Biological Resources*; Mitigation Measures CR-1, included in Section V, *Cultural Resources*; and Mitigation Measure GEO-1, included in Section VII, *Geology and Soils*, to mitigate potential impacts associated with Air Quality, Biological Resources, Cultural and Tribal Cultural Resources, and Geology and Soils, which is consistent with the identified plans and policies intended to avoid or mitigate adverse environmental effects. Upon implementation of the identified mitigation, the proposed Project would not conflict with other local policies or regulations adopted for the purpose of avoiding or mitigating environmental effects. Therefore, impacts would be *less than significant with mitigation*.

Mitigation Measures

Implement Mitigation Measures AQ-1 through AQ-4, included in Section III, *Air Quality*; Mitigation Measure BIO-1, included in Section IV, *Biological Resources*; Mitigation Measures CR-1, included in Section V, *Cultural Resources*; and Mitigation Measure GEO-1, included in Section VII, *Geology and Soils*.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XII. MINERAL RESOURCES – Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				X

DISCUSSION

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?

The principal area for mineral resources in the City of Fresno is located along the San Joaquin River Corridor. The California Department of Mines and Geology classifies lands along the San Joaquin River Corridor as Mineral Resource Zone (MRZ-) 1, MRZ-2, and MRZ-3. The Project site is not located in the vicinity of the San Joaquin River, is not an MRZ, and it does not contain an MRZ. The proposed Project would not result in the loss of availability of a known mineral resource of value to the region or residents of the State. Therefore, *no impact* would occur, and mitigation is not required.

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?

Refer to *Impact Discussion XII(a)*. The proposed Project would not result in the loss of availability of any known locally important mineral resource recovery sites. Therefore, *no impact* would occur, and mitigation is not required.

Mitigation Measures

Mitigation measures are not required.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XIII. NOISE – Would the project result in:				
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			X	
b) Generation of excessive groundborne vibration or groundborne noise levels?			X	
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				X

DISCUSSION

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 in other applicable local, state, or federal standards?

Project construction would result in short-term noise impacts on nearby sensitive receptors. Maximum construction noise would be short term, generally intermittent depending on the construction phase, and variable depending on receiver distance from the active construction zone. The duration of noise impacts generally would be from 1 day to several days, depending on the phase (e.g., demolition, land clearing, grading, excavation, erection) of construction. Noise produced by construction equipment such as earthmovers, material handlers, and portable generators can reach high levels. Generally, the grading phase of construction involves the most equipment and generates the highest noise levels, although noise ranges are usually similar across all construction phases. Typical noise levels generated by individual pieces of construction equipment generally range from approximately 77 A-weighted decibels (dBA) to 90 dBA maximum sound level (Lmax) at 50 feet. Depending on the

equipment required and duration of use, average hourly noise levels associated with construction activity typically ranges from roughly 65 to 90 dBA Leq at 50 feet.

Certain land uses are considered more sensitive to noise than others. Examples of these include residential areas, educational facilities, hospitals, childcare facilities, and senior housing. The closest sensitive receptors to the proposed Project include residential units approximately 10 feet to the north, south, and east of the Project site.

Chapter 10, Article 1 (Noise Regulations), of the City of Fresno Municipal Code establishes excessive noise guidelines and exemptions. Section 10-109 states that construction noise is exempted from City noise regulations provided such work takes place between the hours of 7:00 a.m. and 10:00 p.m. on any day except Sunday. Thus, although development activities associated with the proposed Project could potentially result in a temporary or periodic increase in ambient noise levels in the Project vicinity, construction activity would be exempt from City of Fresno noise regulations, as long as such activity is conducted pursuant to an applicable construction permit and occurs between 7:00 a.m. and 10:00 p.m., excluding Sunday. Therefore, short-term construction impacts associated with the exposure of persons to or the generation of noise levels in excess of standards established in the General Plan or Noise Ordinance or applicable standards of other agencies would be less than significant.

Motor vehicles with their distinctive noise characteristics are the dominant noise source in the Project vicinity. The amount of noise varies according to many factors, such as volume of traffic, vehicle mix (percentage of cars and trucks), average traffic speed, and distance from the observer. Implementation of the proposed Project would result in new daily trips on local roadways in the Project vicinity. A characteristic of sound is that a doubling of a noise source is required in order to result in a perceptible (3 dBA or greater) increase in the resulting noise level. As discussed below in Section XVII, *Transportation*, the proposed Project would generate approximately 88 daily trips. The Project daily trips would not result in a doubling of traffic volumes along any roadway segment in the Project vicinity and, therefore, would not result in a perceptible increase in traffic noise levels at receptors in the Project vicinity.

Additionally, development of the Project would increase activity at the Project site. Potential sources of operational noise would include stationary noise from mechanical equipment associated with heating, ventilation, and air conditioning (HVAC) equipment and mobile noise from vehicle trips generated by the proposed Project. Noise generated by HVAC systems or other equipment would not result in a noticeable increase in ambient noise levels based on the density of surrounding development. In addition, the proposed Project would be located in an existing urban area, would be consistent with the existing zoning of the Project site, and would not facilitate substantial or unplanned population growth in a manner that could generate a substantial number of new vehicle trips that could substantially increase long-term ambient noise levels in the Project area. The proposed Project would not result in a substantial increase in short- or long-term ambient noise levels in excess of standards

established in the local general plan or noise ordinance. Therefore, impacts would be *less than significant*, and mitigation is not required.

b) Generation of excessive groundborne vibration or groundborne noise levels?

The proposed Project does not include pile driving or other high-impact activities that would generate substantial groundborne noise or vibration during construction. Standard construction equipment would generate some groundborne noise and vibration during proposed ground-disturbing activities; however, these activities would be limited in duration and consistent with other standard construction activities. Equipment used during Project construction and demolition activities would be most similar to a large bulldozer, which generates a vibration level of 0.089 inches per second. Therefore, vibration from short-term construction activities would be below the 0.3 inch per second building damage criterion established by Caltrans.[55] Any groundborne noise or vibration generated by short-term construction activities would be limited to the immediate work area and is not anticipated to disturb surrounding residential land uses. In addition, City Municipal Code Section 15-2507, Vibration, exempts temporary construction activities from the City's vibration standards. Further, the construction of new residential uses would not increase long-term vibration or groundborne noise levels in the Project area. Therefore, impacts would be *less than significant*, and mitigation is not required.

c) 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 expose people residing or working in the project area to excessive noise levels?

The nearest medical centers with helipads include Community Regional Medical Center, located approximately 4 miles southeast of the Project site, and Saint Agnes Medical Center, located approximately 5.2 miles northeast of the Project site.[56] The nearest airports include the Fresno Yosemite International Airport, located approximately 5.8 miles east of the Project site; Fresno Chandler Executive Airport, located approximately 3.5 miles south of the Project site; and the Sierra Sky Airport, located approximately 3.8 miles north of the Project site.

Each of these airports is considered under the Fresno County ALUCP,[57] which guides local jurisdictions in determining appropriate compatible land uses with detailed findings and policies. The City of Fresno General Plan, other City land use plans, and all City land use decisions must be compatible with the adopted Fresno County

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[55] Federal Highway Administration (FWHA). 2006. *Construction Noise Handbook*. August. Available at: https://www.fhwa.dot.gov/environment/noise/construction_noise/handbook/. Accessed October 2024.

[56] California Department of Transportation (Caltrans). 2019. Caltrans HeliPlates. Available online at: https://heliplates.dot.ca.gov/#. Accessed April 2025.

[57] Fresno Council of Governments (FCOG). 2021. *Fresno County Airport Land Use Compatibility Plan*. December 2018; Amended December 2021. Available online at: https://www.dropbox.com/scl/fi/clh8iltq4f3eb10qyp93i/Fresno-Updated-ALUCP-Amended-Oct-2023.pdf?rlkey=e4ao8oy6ifk2btgzci95szb0u&e=1&dl=0. Accessed April 2025.

ALUCP, which includes community noise equivalent level (CNEL) noise contours based on projected airport and aircraft operations. The Project site is not within 2 miles of any public or private airstrip or helipad. Additionally, the Project site is located outside of the CNEL noise contours identified in the Fresno County ALUCP. The proposed Project would not result in the exposure of sensitive receptors to the excessive noise levels from aircraft noise sources. Therefore, *no impact* would occur, and mitigation is not required.

Mitigation Measures

Mitigation measures are not required.

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

DISCUSSION

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

The City's Planning Area is defined as the geographic area for which the City's General Plan establishes policies related to future urban growth and resource conservation and includes the area within the City Limits, the City's Sphere of Influence (SOI), and land immediately north and southwest of the SOI. The City's General Plan identifies a "General Plan Horizon" and "General Plan Buildout" to categorize and predict future growth and buildout conditions. General Plan Horizon is set to occur in 2035, and General Plan Buildout refers to complete development under the General Plan past the horizon year of 2035.

As of 2023, the population estimate was 545,716 for the City.[58] General Plan Horizon is set to accommodate a population of approximately 226,000 new residents by 2035, resulting in a total population of 771,000, and an estimated 267,000 residential units by 2035, of which 32,000 residential units would be located in the existing city limits. General Plan Buildout anticipates an additional 425,000 new residents over the existing population, resulting in a total population of 970,000, and a complete buildout of approximately 336,000 residential units, of which 55,610 units would be located in the existing city limits.

The proposed Project would include construction of a 12-unit multi-family residential development with private garages, two carports, and uncovered parking. Furthermore, the Project site is in the RS-5 zoning district and is designated as Medium Density Residential. The proposed Project would result in approximately 32 new residents. The proposed Project would be consistent with the allowable uses and project density of the RS-5 zoning district and Medium Density Residential land use designation; therefore, buildout of the project site would be consistent with the City's planned buildout scenario and would not result in substantial or unplanned growth. Proposed construction activities have the potential to generate short-term employment opportunities; however, project construction is expected to use workers from the local employment force and would not require workers to relocate to the project area. The proposed Project would not result in unplanned or substantial population growth. Therefore, impacts would be *less than significant*, and mitigation is not required.

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

The Project site is entirely undeveloped, and the proposed Project does not require the demolition or removal of existing housing and would not necessitate the displacement or removal of existing housing. Therefore, *no impact* would occur, and mitigation is not required.

Mitigation Measures

Mitigation measures are not required.

[58] U.S. Census Bureau. 2023. Quick Facts, Fresno city, California. Available online at: https://www.census.gov/quickfacts/fact/table/fresnocitycalifornia/PST045223. Accessed April 2025.

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

DISCUSSION

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

i. Fire protection?

The City of Fresno Fire Department (FFD) would provide fire protection services to the proposed Project. There are 21 FFD fire stations in the City, with the closest fire station, Fire Station 12, located approximately 1.3 miles north of the Project site. The proposed Project would result in an incremental increase in the demand for fire protection services as a result of 12 residential units that would result in approximately 32 new residents at the Project site. Additionally, the proposed Project would be subject to the payment of a Fire Facilities Fee and a Development Impact Fee pursuant to Chapter 12, Article 4.9 of the City's Code of Ordinances to account for the potential impacts to fire services.

The FFD would continue providing services to the Project site and would not require additional firefighters to serve the proposed Project or construction of a new or expanded fire station. 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 would not adversely affect existing responses times to the Project site or within the City. Therefore, impacts would be *less than significant*, and mitigation is not required.

ii. Police protection?

The City of Fresno Police Department (FPD) provides police protection to the Project site. The Police Department Patrol Division is divided into five policing districts; the Project site is located within the Central District. The proposed Project would result in an incremental increase in the demand for police protection services. Additionally, the proposed Project would be subject to the payment of a Police Impact Fee and a Development Impact Fee pursuant to Chapter 12, Article 4.8 of the City's Code of Ordinances to account for the potential impacts to police protection services.

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

iii. Schools?

The Project site is located within the Fresno Unified School District (FUSD), which serves more than 74,000 students and operates 64 elementary schools, 15 middle schools, eight high schools, four alternative schools, and three special education schools. The proposed Project includes the construction of 12 new residential units that would result in approximately 32 new residents, which could increase the number of school-aged children in the Project area. According to the FUSD, the Project is expected to result in approximately seven new students, including four elementary students. The Project developer would be required to pay appropriate school fees pursuant to Chapter 12, Article 8 of the City's Code of Ordinances at the time of building permits to address potential impacts. The proposed Project would not create an increased demand on local schools. Therefore, impacts would be *less than significant*, and mitigation is not required.

iv. Parks?

The proposed Project includes the construction of 12 new residential units that would result in approximately 32 new residents, which could result in a marginal increase in the demand on public parks and nearby facilities. However, the proposed Project includes approximately 0.3 acre of open space that would provide passive parkland to residents of the development. Further, the proposed

Project would be subject to the payment of applicable park facilities fees, pursuant to Chapter 12, Article 4.7 of the City's Code of Ordinances, to mitigate potential impacts of the proposed Project on park facilities. Therefore, impacts would be *less than significant*, and mitigation is not required.

v. Other public facilities?

The proposed Project includes the construction of 12 new residential units that would result in approximately 32 new residents, which could result in a marginal increase in demand for other public services, including libraries, community centers, and public health care facilities. However, the proposed Project would not result in substantial population growth that could increase the demand for these facilities, such that new facilities would be needed to maintain service standards. Therefore, impacts would be *less than significant*, and mitigation is not required.

Mitigation Measures

Mitigation measures are not required.

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

DISCUSSION

a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

The proposed Project would include the development of 12 new residential units and approximately 0.3 acre of open space on the Project site. The proposed Project may increase the demand on existing public recreational facilities in the vicinity of the Project site. As discussed in Section XIV, *Population and Housing*, the proposed

Project would not result in substantial or unplanned population growth in a manner that would exceed the City's planned buildout scenario; therefore, the proposed Project would not result in a substantial or unplanned population increase that could rapidly increase the physical deterioration of existing recreational facilities. Additionally, the proposed Project would be subject to the payment of park impact fees pursuant to Chapter 12, Article 4.7 of the City's Code of Ordinances at the time building permits are obtained to account for potential impacts to recreational facilities. Therefore, impacts would be *less than significant*, and mitigation is not required.

b) Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?

The proposed Project would consist of the development of 12 new residential units and associated infrastructure and site improvements. The proposed development would include approximately 0.3 acre of the Project site to be left as open space. The open space area would be accessible to residents and provide passive recreation opportunities that would not include or require the construction or expansion of existing public recreational facilities. Therefore, *no impact* would occur, and mitigation is not required.

Mitigation Measures

Mitigation measures are not required.

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

DISCUSSION

a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

The *Fresno General Plan Mobility and Transportation Element*,[59] identifies goals and implementing policies related to promoting a city of healthy communities, improving the quality of life in established neighborhoods, planning for all modes of travel on local and major streets in Fresno, providing a well-maintained transportation system, and protecting and improving public health and safety. Additionally, the Fresno Council of Governments (FCOG) *2022 Regional Transportation Plan* (FCOG 2022 RTP)[60] reflects transportation planning for Fresno County through 2046 and is intended to create a region of diverse, safe, resilient, and accessible transportation options that improve the quality of life for all residents by fostering sustainability, equity, a vibrant economy, clean air, and healthy communities. The proposed Project includes the development of a new 12-unit multi-family residential development. The Project site is located in an existing urbanized area, would be consistent with the existing allowable use and density for the RS-5 zone district and Medium Density Residential land use designation of the Project site, and would not facilitate substantial or unplanned population growth in a manner that could generate a substantial number of new vehicle trips, which is consistent with the objectives of the City's General Plan. Further, the Project site is located near existing transit stops that would allow for the use of alternative modes of transportation and allow residents to access other areas of the city, which would be consistent with the FCOG 2022 RTP. The proposed Project would be consistent with the City's Mobility and Transportation Element and the FCOG 2022 RTP. Therefore, impacts would be *less than significant*, and mitigation is not required.

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

SB 743 requires that relevant CEQA analysis of transportation impacts be conducted using VMT instead of Level of Service (LOS). VMT measures how much actual auto travel (additional miles driven) a proposed project would create on California roads. If the proposed Project adds excessive car travel onto our roads, the proposed Project may cause a significant transportation impact.

The State CEQA Guidelines were amended to implement SB 743, by adding Section 15064.3. Among its provisions, Section 15064.3 confirms that, except with respect to transportation projects, a project's effect on automobile delay shall not constitute a

[59] City of Fresno. 2014b. *Fresno General Plan, Chapter 4: Mobility and Transportation Element.* Adopted December 18. Available online at: https://www.fresno.gov/wp-content/uploads/2023/03/upload_temp4-Mobility-and-Transportation-9-30-2021.pdf. Accessed April 2025.

[60] Fresno Council of Governments (FCOG). 2022. *2022 Regional Transportation Plan/Sustainable Communities Strategy*. Available online at: https://www.planfresno.com/sustainable-communities-strategies-fall-outreach/. Accessed April 2025.

significant environmental impact. Therefore, LOS measures of impacts on traffic facilities is no longer a relevant CEQA threshold for transportation impacts.

State CEQA Guidelines Section 15064.3(b)(4) states that "[a] lead agency has discretion to evaluate a project's vehicle miles traveled, including whether to express the change in absolute terms, per capita, per household or in any other measure. A lead agency may use models to estimate a project's vehicle miles traveled and may revise those estimates to reflect professional judgment based on substantial evidence. Any assumptions used to estimate vehicle miles traveled and any revision to model outputs should be documented and explained in the environmental document prepared for the proposed Project. The standard of adequacy in Section 15151 shall apply to the analysis described in this section."

On June 25, 2020, the City adopted the *CEQA Guidelines for Vehicle Miles Traveled Thresholds* (City of Fresno VMT Thresholds),[61] pursuant to SB 743, to be effective July 1, 2020. The City of Fresno VMT Thresholds document was prepared and adopted consistent with the requirements of State CEQA Guidelines Sections 15064.3 and 15064.7. The December 2018 *Technical Advisory on Evaluating Transportation Impacts in CEQA* (Technical Advisory)[62] published by the California Governor's Office of Planning and Research (OPR; now the Governor's Office of Land Use and Climate Innovation), was utilized as a reference and guidance document in the preparation of the City of Fresno VMT Thresholds.

The proposed Project includes the development of a new 12-unit multi-family residential development. The City of Fresno VMT Thresholds Section 3.0 regarding Project Screening discusses a variety of projects that may be screened out of a VMT analysis including specific development and transportation projects. For development projects, conditions may exist that would presume that a development project has a less than significant impact. These may be size, location, proximity to transit, or trip-making potential. For transportation projects, the primary attribute to consider with transportation projects is the potential to increase vehicle travel, sometimes referred to as "induced travel."

The Fresno VMT Thresholds states that VMT exceeding an applicable threshold of significance may indicate a significant impact. Generally, projects with 500 ADT or less should be presumed to cause a less than significant transportation impact. The proposed project would result in approximately 88 ADT; therefore, the proposed Project is eligible to screen out. Additionally, the project site is located in an area with low VMT (less than 87% of the regional average), meaning VMT would be 13 percent

[61] City of Fresno. 2020a. *CEQA Guidelines for Vehicle Miles Traveled Thresholds*. June 25. Available online at: https://www.fresno.gov/wp-content/uploads/2023/03/CEQA-Guidelines-for-Vehicle-Miles-Traveled-Final-Adopted-Version.pdf#:~:text=final%20rulemaking%20surrounding%20SB%20743%20and%20the%20implementation. Accessed April 2025.

[62] California Governor's Office of Planning and Research (OPR). 2018. *Technical Advisory on Evaluating Transportation Impacts in CEQA*. December. Available online at: https://opr.ca.gov/docs/20180416-743_Technical_Advisory_4.16.18.pdf. Accessed April 2025.

below the existing regional/County average. In conclusion, the proposed Project is consistent with State CEQA Guidelines Section 15064.3(b). Therefore, impacts would be *less than significant*, and mitigation is not required.

c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

The proposed Project would include construction of a new 12-unit multi-family residential development with private garages, two carports, and uncovered parking. The development would be a maximum height of 29.5 feet, which is generally consistent with the height of surrounding development. The proposed Project includes the installation of off-site improvements along West Dakota Avenue, including sidewalks, curbs, and a driveway approach. The proposed Project would facilitate improved pedestrian and vehicle access to the Project site and would not introduce incompatible design features or equipment that would substantially increase the risk of hazards. Proposed improvements would be planned and constructed in accordance with City Department of Public Works Standard Specifications[63] to avoid hazardous design features. Therefore, the proposed Project would not substantially increase hazards due to a design feature, and impacts would be *less than significant.*

d) Result in inadequate emergency access?

The proposed Project would include construction of a new 12-unit multi-family residential development and off-site improvements along West Dakota Avenue, including sidewalks, curbs, and a driveway approach. Emergency vehicles would have access to the Project site via the proposed driveway approach along West Dakota Avenue. Construction activities would be limited to an existing parcel and would not require the closure of any public roadways that could impede emergency access to the Project site during temporary construction activities. The proposed Project would not result in inadequate emergency access. Therefore, impacts would be *less than significant*, and mitigation is not required.

Mitigation Measures

Mitigation measures are not required.

[63] City of Fresno. 2021c. *Standard Specifications*. City of Fresno Department of Public Works. March 5. Available online at: https://www.fresno.gov/wp-content/uploads/2023/03/City-of-Fresno-Standards-Vol-2-Std.-Specifications_Mar-2021-Accessible.pdf. Accessed April 2025.

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

DISCUSSION

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

As previously discussed in Section V, *Cultural Resources*, the Project site is entirely undeveloped and does not consist of any buildings or structures that could qualify for listing as a historical resource and is not located in a historic district. Therefore, historic resources of cultural values are not expected to occur at the project site. Further, as previously discussed in Section V, *Cultural Resources*, Mitigation Measure CR-1 requires that in the unlikely event that previously unidentified cultural resources are uncovered during proposed ground-disturbing activities, all work shall cease within the vicinity of the find until a qualified archaeologist is retained to evaluate the significance of the find and determine the need for further study. Based on the low potential to uncover historic archaeological resources within the Project area and implementation of Mitigation Measure CR-1, the proposed Project would not result in adverse impacts to known or unknown cultural resources. Therefore, impacts would be *less than significant with mitigation*.

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.

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

Additional information may also be available from the NAHC SLF per PRC Section 5097.96 and the CHRIS SSJVIC, administered by the California Office of Historic

Preservation. Please also note that PRC Section 21082.3(c) contains provisions specific to confidentiality.

AB 52, which became law January 1, 2015, requires that, as part of the CEQA review process, public agencies provide early notice of a project to Native American Tribes to allow for consultation between the Tribe and the public agency. The purpose of AB 52 is to provide the opportunity for public agencies and Tribes to consult and consider potential impacts to Tribal Cultural Resources, as defined by PRC Section 2107(a). Under AB 52, public agencies shall reach out to Native American Tribes who have requested to be notified of projects in areas within or that may have been affiliated with their Tribal geographic range. Pursuant to AB 52, the Table Mountain Rancheria Tribe and the Dumna Wo Wah Tribe were invited to consult. The contracted Tribes did not provide a response to invitations to consult.

As previously discussed in Section V, *Cultural Resources*, based on searches of the SSJVIC records and NAHC SLF, there are no previously recorded archaeological resources within the Project area, and the Project area is considered to have low sensitivity for the presence of unidentified prehistoric or historic archaeological resources. Therefore, proposed ground-disturbing activities are not anticipated to adversely affect any known or unknown cultural resource sites within the Project area. Mitigation Measure CR-1 requires that in the unlikely event that previously unidentified cultural resources are uncovered during proposed ground-disturbing activities, all work shall cease within the vicinity of the find until a qualified archaeologist is retained to evaluate the significance of the find and determine the need for further study. Further, the proposed Project would be required to comply with California Health and Safety Code Section 7050.5, which outlines the protocol for unanticipated discovery of human remains. California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the Fresno County Coroner has made a determination of origin and disposition pursuant to PRC Section 5097.98. The Fresno County Coroner must be notified of the find immediately. If the human remains are determined to be prehistoric, the coroner will notify the NAHC, which will determine and notify an MLD. The MLD shall complete the inspection of the site within 48 hours of notification and may recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials. With implementation of Mitigation Measure CR-1 and required compliance with California Health and Safety Code Section 7050.5, the proposed Project would not cause a substantial adverse change in the significance of a Tribal Cultural Resource. Therefore, impacts would be *less than significant with mitigation*.

Mitigation Measures

Implement Mitigation Measure CR-1, included in Section V, *Cultural Resources*.

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

DISCUSSION

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?

The proposed Project would result in a marginal increase in the use of water, sewer, electricity, telecommunications, and other utilities and would require the installation of utility extensions to connect to existing City infrastructure and serve the proposed Project. The impacts of construction activities at the Project site have been analyzed throughout this Initial Study, and no new impacts would occur as a result of construction activities for utility extensions. The proposed Project would be served by existing energy and telecommunications services, and no new electric, natural gas, or telecommunications facilities would be required to support the proposed Project. The City's Department of Public Utilities has determined that adequate sewer and water services would be available to serve the proposed Project. Further, the proposed Project would be subject to the payment of applicable connection charges and/or fees and extension of services in a manner which is compliant with the Department of Public Utilities standards, specifications, and policies. The proposed Project would not result in adverse environmental effects related to the relocation or installation of utility infrastructure. Therefore, impacts would be *less than significant*, and mitigation is not required.

b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

The City's Department of Public Utilities (DPU) would supply water to the Project site. Based on the 2020 UWMP,[64] the water supplies for the City (357,330 acre-feet per year [AFY]) are adequate to accommodate the demand in the City by 2045 (i.e., 241,447 AFY). Based on the 2020 UWMP, the projected potable water demand for 2025 is 136,504 AFY and the projected potable water demand for 2045 is 167,947 AFY. Further, the projected non-potable water demand for 2025 is 62,700 AFY and the projected non-potable water demand for 2045 is 73,500 AFY.

The proposed development of 12 residential units per acre is at the boundary between Medium Density (5-12 dwelling units/acre) and Medium High Density (12-16 dwelling units/acre). To be conservative, the higher water demand factor of 4,428 gallons per day for the Medium High Density land use was used to calculate the water demand estimate for the proposed Project. Based on this water demand factor, the Project would generate a demand of approximately 5.0 acre-feet/year. This amount of water demand is incremental and would be consistent with the 2020 UWMP and would therefore be covered by the City's water supply projections. Further, the City's DPU has confirmed that there is sufficient water supply for the proposed Project.

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[64] City of Fresno. 2021b. *Final 2020 Urban Water Management Plan*. City of Fresno Department of Public Utilities. Available online at: https://www.fresno.gov/wp-content/uploads/2023/03/Fresno-2020-UWMP_Final_2021-07-21.pdf. Accessed April 2025.

The Project site is located entirely within the Fresno City limits, and the proposed Project would be consistent with the allowable uses and density of the RS-5 zoning district and Medium Density Residential land use designation, as defined in the City's General Plan; therefore, the proposed Project would be consistent with the City's planned buildout scenario. Implementation of policies identified in the City's General Plan and 2020 UWMP would address the issues of providing an adequate, reliable, and sustainable water supply for the proposed Project. The proposed Project would have sufficient water supplies available to serve the proposed Project and reasonably foreseeable future development during normal, dry, and multiple dry years. Therefore, impacts would be *less than significant*, and mitigation is not required.

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?

The proposed Project is not expected to exceed wastewater treatment requirements of the applicable RWQCB. The City of Fresno owns and operates two wastewater treatment facilities: the Fresno/Clovis Regional WRF and the North Fresno WRF. The Fresno/Clovis Regional WRF currently has a capacity of 91.5 million gallons per day (mgd). The North Fresno WRF has a capacity of 0.71 mgd. The proposed Project would result in the construction of a 12-unit multi-family residential development, which would result in an incremental increase in wastewater generation. The Project site is located entirely within the Fresno City limits, and the proposed Project would be consistent with the allowable uses and density of the RS-5 zoning district and Medium Density Residential land use designation, as defined in the City's General Plan; therefore, the proposed Project would be consistent with the City's planned buildout scenario and would not result in unplanned growth that could result in a substantial increase in wastewater generation. Therefore, impacts would be *less than significant*, and mitigation is not required.

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?

Garbage generated in the City of Fresno is taken to the Cedar Avenue Recycling and Transfer Station. Once trash has been off-loaded at the transfer station, it is sorted, and non-recyclable solid waste is loaded onto large trucks and taken to the American Avenue Landfill located approximately 6 miles southwest of Kerman.

The American Avenue Landfill (i.e., American Avenue Disposal Site 10-AA-0009) has a maximum permitted capacity of 32,700,000 CY and a remaining capacity of 29,358,535 CY, with an estimated closure date of August 31, 2031. The maximum permitted throughput is 2,200 tons per day.[65] Other landfills within Fresno County include the Clovis Landfill (City of Clovis Landfill 10-AA-0004) with a maximum

[65] California Department of Resources Recycling and Recovery (CalRecycle). 2025a. SWIS Facility/Site Summary: American Avenue Disposal Site (10-AA-0009). Available online at: https://www2.calrecycle.ca.gov/SolidWaste/Site/Summary/352. Accessed April 2025.

remaining permitted capacity of 7,740,000 CY, a maximum permitted throughput of 2,000 tons per day, and an estimated closure date of 2047.[66]

Construction of the proposed Project may result in a temporary increase in solid waste, which would be disposed of in accordance with applicable State and local laws and regulations, such as CALGreen Sections 4.408 and 5.408, which require diversion of at least 75% of construction waste. The City's DPU has established a Construction and Demolition Approved Disposal Facilities guide[67] to assist with the proper disposal of construction material used for the proposed Project. Based on required compliance with CALGreen and City regulations, construction of the proposed Project would not generate solid waste in excess of local infrastructure capacity.

According to the California Department of Resources Recycling and Recovery (CalRecycle) Estimated Solid Waste Generation Rates, operation of 12 residential units would result in approximately 146.76 pounds of solid waste per day. Estimated solid waste calculations are shown in Table 2.

Table 2: Estimated Solid Waste Generation Rates

Waste Generation Source	Generation Rate	Unit of Measure	Proposed Development	Total
Residential	12.23	lb/household/day	12 units	146.76 lbs

Note: lb = pound

As shown in Table 2, the proposed Project would result in an incremental increase in solid waste of approximately 146.76 pounds per day. The Project site is located entirely within the Fresno City limits, and the proposed Project would be consistent with the City's planned buildout scenario and would not result in unplanned growth that could result in a substantial increase in solid waste generation. Solid waste generated by the proposed Project would be disposed of at either the Fresno Sanitary Landfill or the American Avenue Landfill, which have adequate capacity to dispose of the marginal amount of solid waste generated by construction activities and an additional 146.76 pounds of waste per day. Operation of the proposed Project would result in a marginal increase in solid waste and would not generate waste in excess

[66] California Department of Resources Recycling and Recovery (CalRecycle). 2025b. SWIS Facility/Site Summary: City of Clovis Landfill (10-AA-0004). Available online at: https://www2.calrecycle.ca.gov/SolidWaste/Site/Summary/347. Accessed April 2025.

[67] City of Fresno. 2020b. Construction & Demolition Approved Disposal Facilities. Available at: https://www.fresno.gov/wp-content/uploads/2023/05/DPUSW191004-Construction-Demolition-Approved-Disposal-Facilities-PDF.pdf. Accessed April 2025.

of State or local standards or in excess of the capacity of local infrastructure. Therefore, impacts would be *less than significant*, and mitigation is not required.

e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

The proposed Project would result in a marginal increase in solid waste and would not result in a substantial increase in solid waste that could interfere with solid waste reduction statutes and regulations, including, but not limited to, policies identified in the *Fresno General Plan Public Utilities and Services Element*.[68] The proposed Project would be required to comply with CALGreen and City requirements to ensure proper diversion and disposal of short- and long-term solid waste. The proposed Project would not conflict with federal, State, and local management and reduction statutes and regulations related to solid waste. Therefore, impacts would be *less than significant*, and mitigation is not required.

Mitigation Measures

Mitigation measures are not required.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XX. WILDFIRE – If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?			X	
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?			X	

[68] City of Fresno. 2014d. *Fresno General Plan, Chapter 6: Public Utilities and Services Element*. Adopted December 18. Available online at: https://www.fresno.gov/wp-content/uploads/2023/03/General-Plan-6-Public-Utilities-and-Services-7-19.pdf. Accessed April 2025.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?			X	
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?			X	

DISCUSSION

a) Substantially impair an adopted emergency response plan or emergency evacuation plan?

The City does not have an adopted Emergency Response and Evacuation Plan; however, the *Fresno County Multi-Jurisdictional Hazard Mitigation Plan*[69] contains several goals and policies regarding emergency evacuation, including Objective 1.3: *Improve community transportation corridors to allow for better evacuation routes for the public and better access for emergency responders*. The proposed Project would include the construction of a 12-unit multi-family residential development with private garages, two carports, and uncovered parking spaces. The proposed Project would be contained within the existing parcel and would not result in the alteration of existing roadways that could interfere with emergency evacuation routes within the City or an adopted emergency response plan. The proposed Project would be consistent with the *Fresno County Multi-Jurisdictional Hazard Mitigation Plan*. Therefore, impacts would be *less than significant*, and mitigation is not required.

[69] County of Fresno. 2018. *Fresno County Multi-Jurisdictional Hazard Mitigation Plan*. May. Available online at: https://www.fresno.gov/wp-content/uploads/2023/03/FresnoCountyHMPFinal.pdf. Accessed April 2025.

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?

The Project site is in an urban area and is not located within a VHFHSZ.[70] The Project site does not possess physical characteristics that would exacerbate wildfire risks. The proposed Project would include the construction of a 12-unit multi-family residential development with private garages, two carports, and uncovered parking spaces. The development would be a maximum height of 29.5 feet, which is generally consistent with the height of surrounding development. The proposed Project would be required to comply with the CFC to reduce risk associated with wildfire ignition at the Project site. The proposed Project would not expose Project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire. Therefore, impacts would be *less than significant*, and mitigation is not required.

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?

The Project site is located in a developed area of the City of Fresno, and the proposed Project would require the expansion of utility infrastructure to serve the proposed residential units. The proposed Project would be required to comply with the CFC to reduce risk associated with wildfire ignition at the Project site. Since the Project site is not located in or near lands classified as a VHFHSZ and based on required compliance with the CFC, the proposed Project would not exacerbate wildfire risk at the Project site. Therefore, impacts would be *less than significant*, and mitigation is not required.

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?

The Project site is located on a relatively flat area and is not located adjacent to any hills. In general, the potential for land sliding or slope failure in the City of Fresno is very low and the Project site would not be susceptible to landslides. The Project site is not located in a flood hazard zone and, therefore, would not be susceptible to flooding because of post-fire drainage changes. As discussed above, the Project site is not located within a VHFHSZ. The proposed Project would be required to comply with applicable CFC requirements to avoid risk associated with post-fire hazards. Additionally, the proposed Project would be required to comply with CBC requirements to avoid risks associated with post-fire slope instability. The Project site is not located in or near lands classified as a VHFHSZ and would be required to comply with the CBC and CFC. As such, the proposed Project would not expose people or structures

[70] California Department of Forestry and Fire Protection (CAL FIRE). 2025. Fire Hazard Severity Zones. Available online at: https://osfm.fire.ca.gov/what-we-do/community-wildfire-preparedness-and-mitigation/fire-hazard-severity-zones. Accessed May 2025.

to significant post-fire risks. Therefore, impacts would be *less than significant*, and mitigation is not required.

Mitigation Measures

Mitigation measures are not required.

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

DISCUSSION

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

The proposed Project involves the construction of a 12-unit multi-family residential development with private garages, two carports, and uncovered parking spaces within a developed area located in the City limits. The Project does not involve development in a rural area and would not result in a substantial reduction of habitat, plant or animal species, or significant cultural resources from major periods of California history or prehistory. Further, Mitigation Measure BIO-1, included in Section IV, *Biological Resources*, has been identified to reduce impacts to migratory birds; Mitigation Measure CR-1 included in Section V, *Cultural Resources*, has been identified to reduce impacts to cultural resources; and Mitigation Measure GEO-1 included in Section VII, *Geology and Soils* has been identified to reduce impacts to paleontological resources.

Therefore, the proposed Project would not have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of an endangered, rare, or threatened species, or eliminate important examples of the major periods of California history or prehistory, and impacts would be *less than significant with mitigation*.

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.)

When project impacts are considered along or in combination with other impacts, the project-related impacts may be significant. Construction and operation of the proposed Project would contribute to cumulative impacts related to Air Quality, Biological Resources, Cultural and Tribal Cultural Resources, and Geology and Soils. Mitigation measures have been incorporated into the proposed Project to reduce Project-related impacts to a less-than-significant level. Based on implementation of Mitigation Measures AQ-1 through AQ-4, included in Section III, *Air Quality*; Mitigation Measure BIO-1, included in Section IV, *Biological Resources*; Mitigation Measure CR-1, included in Section V, *Cultural Resources*; and Mitigation Measure GEO-1, included in Section VII, *Geology and Soils*, the cumulative effects of the proposed Project would be less than significant.

Implementation of these measures would ensure that the impacts of the proposed Project would be below established thresholds of significance and that these impacts

would not combine with the impacts of other cumulative projects to result in a cumulatively considerable impact on the environment as a result of Project development. Therefore, this impact would be *less than significant with mitigation*.

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

The proposed Project would result in air emissions during construction activities that may have a substantial adverse effect on human beings. Mitigation Measures AQ-1 through AQ-4, included in Section III, *Air Quality* have been identified that would reduce these Project-specific impacts to a less-than-significant level; therefore, the proposed Project would not result in substantial, adverse environmental effects to human beings, either directly or indirectly, and impacts would be *less than significant with mitigation*.

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APPENDIX A

USFWS IPaC, CDFW CNDDB, and CNPS Query Results

Selected Elements by Scientific Name

California Department of Fish and Wildlife

California Natural Diversity Database

Query Criteria: Quad IS (Fresno North (3611977) OR Fresno South (3611967) OR Gregg (3611988) OR Lanes Bridge (3611987) OR Friant (3611986) OR Herndon (3611978) OR Clovis (3611976) OR Kearney Park (3611968) OR Malaga (3611966))

Species	Element Code	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank/CDFW SSC or FP
Actinemys marmorata northwestern pond turtle	ARAAD02031	Proposed Threatened	None	G2	SNR	SSC
Agelaius tricolor tricolored blackbird	ABPBXB0020	None	Threatened	G1G2	S2	SSC
Ambystoma californiense pop. 1 California tiger salamander - central California DPS	AAAAA01181	Threatened	Threatened	G2G3T3	S3	WL
Anniella pulchra Northern California legless lizard	ARACC01020	None	None	G3	S2S3	SSC
Antrozous pallidus pallid bat	AMACC10010	None	None	G4	S3	SSC
Ardea alba great egret	ABNGA04040	None	None	G5	S4	
Arizona elegans occidentalis California glossy snake	ARADB01017	None	None	G5T2	S2	SSC
Athene cunicularia burrowing owl	ABNSB10010	None	Candidate Endangered	G4	S2	SSC
Bombus crotchii Crotch's bumble bee	IIHYM24480	None	Candidate Endangered	G2	S2	
Bombus pensylvanicus American bumble bee	IIHYM24260	None	None	G3G4	S2	
Branchinecta lynchi vernal pool fairy shrimp	ICBRA03030	Threatened	None	G3	S3	
Branchinecta mesovallensis midvalley fairy shrimp	ICBRA03150	None	None	G2	S2S3	
Buteo swainsoni Swainson's hawk	ABNKC19070	None	Threatened	G5	S4	
Calycadenia hooveri Hoover's calycadenia	PDAST1P040	None	None	G2	S2	1B.3
Castilleja campestris var. succulenta succulent owl's-clover	PDSCR0D3Z1	Threatened	Endangered	G4?T2T3	S2S3	1B.2
Caulanthus californicus California jewelflower	PDBRA31010	Endangered	Endangered	G1	S1	1B.1
Coccyzus americanus occidentalis western yellow-billed cuckoo	ABNRB02022	Threatened	Endangered	G5T2T3	S1	
Desmocerus californicus dimorphus valley elderberry longhorn beetle	IICOL48011	Threatened	None	G3T3	S3	
Dipodomys nitratoides exilis Fresno kangaroo rat	AMAFD03151	Endangered	Endangered	G2TH	SH	

Species	Element Code	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank/CDFW SSC or FP
Downingia pusilla dwarf downingia	PDCAM060C0	None	None	GU	S2	2B.2
Efferia antiochi Antioch efferian robberfly	IIDIP07010	None	None	G1G2	S1S2	
Egretta thula snowy egret	ABNGA06030	None	None	G5	S4	
Eremophila alpestris actia California horned lark	ABPAT02011	None	None	G5T4Q	S4	WL
Eryngium spinosepalum spiny-sepaled button-celery	PDAPI0Z0Y0	None	None	G2	S2	1B.2
Euderma maculatum spotted bat	AMACC07010	None	None	G4	S3	SSC
Eumops perotis californicus western mastiff bat	AMACD02011	None	None	G4G5T4	S3S4	SSC
Gonidea angulata western ridged mussel	IMBIV19010	None	None	G3	S2	
Great Valley Mixed Riparian Forest Great Valley Mixed Riparian Forest	CTT61420CA	None	None	G2	S2.2	
Imperata brevifolia California satintail	PMPOA3D020	None	None	G3	S3	2B.1
Lasiurus cinereus hoary bat	AMACC05032	None	None	G3G4	S4	
Layia munzii Munz's tidy-tips	PDAST5N0B0	None	None	G2	S2	1B.2
Leptosiphon serrulatus Madera leptosiphon	PDPLM09130	None	None	G3	S3	1B.2
Linderiella occidentalis California linderiella	ICBRA06010	None	None	G2G3	S2S3	
Lytta moesta moestan blister beetle	IICOL4C020	None	None	G2	S2	
Lytta molesta molestan blister beetle	IICOL4C030	None	None	G2	S2	
Metapogon hurdi Hurd's metapogon robberfly	IIDIP08010	None	None	G1G2	S1S2	
Mylopharodon conocephalus hardhead	AFCJB25010	None	None	G3	S3	SSC
Nannopterum auritum double-crested cormorant	ABNFD01020	None	None	G5	S4	WL
Navarretia myersii ssp. myersii pincushion navarretia	PDPLM0C0X1	None	None	G2T2	S2	1B.1
Northern Claypan Vernal Pool Northern Claypan Vernal Pool	CTT44120CA	None	None	G1	S1.1	

Species	Element Code	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank/CDFW SSC or FP
Northern Hardpan Vernal Pool Northern Hardpan Vernal Pool	CTT44110CA	None	None	G3	S3.1	
Nycticorax nycticorax black-crowned night heron	ABNGA11010	None	None	G5	S4	
Orcuttia inaequalis San Joaquin Valley Orcutt grass	PMPOA4G060	Threatened	Endangered	G1	S1	1B.1
Orcuttia pilosa hairy Orcutt grass	PMPOA4G040	Endangered	Endangered	G1	S1	1B.1
Perognathus inornatus San Joaquin pocket mouse	AMAFD01060	None	None	G2G3	S2S3	
Phrynosoma blainvillii coast horned lizard	ARACF12100	None	None	G4	S4	SSC
Pseudobahia bahiifolia Hartweg's golden sunburst	PDAST7P010	Endangered	Endangered	G1	S1	1B.1
Sagittaria sanfordii Sanford's arrowhead	PMALI040Q0	None	None	G3	S3	1B.2
Spea hammondii western spadefoot	AAABF02020	Proposed Threatened	None	G2G3	S3S4	SSC
Sycamore Alluvial Woodland Sycamore Alluvial Woodland	CTT62100CA	None	None	G1	S1.1	
Taxidea taxus American badger	AMAJF04010	None	None	G5	S3	SSC
Tuctoria greenei Greene's tuctoria	PMPOA6N010	Endangered	Rare	G1	S1	1B.1
Vireo bellii pusillus least Bell's vireo	ABPBW01114	Endangered	Endangered	G5T2	S3	
Vulpes macrotis mutica San Joaquin kit fox	AMAJA03041	Endangered	Threatened	G4T2	S3	

Record Count: 54

IPaC resource list

This report is an automatically generated list of species and other resources such as critical habitat (collectively referred to as *trust resources*) under the U.S. Fish and Wildlife Service's (USFWS) jurisdiction that are known or expected to be on or near the project area referenced below. The list may also include trust resources that occur outside of the project area, but that could potentially be directly or indirectly affected by activities in the project area. However, determining the likelihood and extent of effects a project may have on trust resources typically requires gathering additional site-specific (e.g., vegetation/species surveys) and project-specific (e.g., magnitude and timing of proposed activities) information.

Below is a summary of the project information you provided and contact information for the USFWS office(s) with jurisdiction in the defined project area. Please read the introduction to each section that follows (Endangered Species, Migratory Birds, USFWS Facilities, and NWI Wetlands) for additional information applicable to the trust resources addressed in that section.

NOT FOR CONSULTATION

Location

Fresno County, California



Local office

Sacramento Fish And Wildlife Office

(916) 414-6600
(916) 414-6713

Federal Building

2800 Cottage Way, Room W-2605
Sacramento, CA 95825-1846

NOT FOR CONSULTATION

Endangered species

This resource list is for informational purposes only and does not constitute an analysis of project level impacts.

The primary information used to generate this list is the known or expected range of each species. Additional areas of influence (AOI) for species are also considered. An AOI includes areas outside of the species range if the species could be indirectly affected by activities in that area (e.g., placing a dam upstream of a fish population even if that fish does not occur at the dam site, may indirectly impact the species by reducing or eliminating water flow downstream). Because species can move, and site conditions can change, the species on this list are not guaranteed to be found on or near the project area. To fully determine any potential effects to species, additional site-specific and project-specific information is often required.

Section 7 of the Endangered Species Act **requires** Federal agencies to "request of the Secretary information whether any species which is listed or proposed to be listed may be present in the area of such proposed action" for any project that is conducted, permitted, funded, or licensed by any Federal agency. A letter from the local office and a species list which fulfills this requirement can **only** be obtained by requesting an official species list from either the Regulatory Review section in IPaC (see directions below) or from the local field office directly.

For project evaluations that require USFWS concurrence/review, please return to the IPaC website and request an official species list by doing the following:

1. Draw the project location and click CONTINUE.
2. Click DEFINE PROJECT.
3. Log in (if directed to do so).
4. Provide a name and description for your project.
5. Click REQUEST SPECIES LIST.

Listed species[1] and their critical habitats are managed by the Ecological Services Program of the U.S. Fish and Wildlife Service (USFWS) and the fisheries division of the National Oceanic and Atmospheric Administration (NOAA Fisheries[2]).

Species and critical habitats under the sole responsibility of NOAA Fisheries are **not** shown on this list. Please contact NOAA Fisheries for species under their jurisdiction.

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1. Species listed under the Endangered Species Act are threatened or endangered; IPaC also shows species that are candidates, or proposed, for listing. See the listing status page for more information. IPaC only shows species that are regulated by USFWS (see FAQ).
2. NOAA Fisheries, also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

NOT FOR CONSULTATION

The following species are potentially affected by activities in this location:

Mammals

NAME	STATUS
Fresno Kangaroo Rat Dipodomys nitratoides exilis Wherever found There is **final** critical habitat for this species. Your location does not overlap the critical habitat. https://ecos.fws.gov/ecp/species/5150	Endangered
San Joaquin Kit Fox Vulpes macrotis mutica Wherever found No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/2873	Endangered

Reptiles

NAME	STATUS
Northwestern Pond Turtle Actinemys marmorata Wherever found No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/1111	Proposed Threatened

Amphibians

NAME	STATUS
California Tiger Salamander Ambystoma californiense There is **final** critical habitat for this species. Your location does not overlap the critical habitat. https://ecos.fws.gov/ecp/species/2076	Threatened
Western Spadefoot Spea hammondii Wherever found No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/5425	Proposed Threatened

Insects

NAME	STATUS

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Monarch Butterfly Danaus plexippus Wherever found There is **proposed** critical habitat for this species. Your location does not overlap the critical habitat. https://ecos.fws.gov/ecp/species/9743	Proposed Threatened

Crustaceans

NAME	STATUS
Vernal Pool Fairy Shrimp Branchinecta lynchi Wherever found There is **final** critical habitat for this species. Your location does not overlap the critical habitat. https://ecos.fws.gov/ecp/species/498	Threatened

Flowering Plants

NAME	STATUS
Fleshy Owl's-clover Castilleja campestris ssp. succulenta Wherever found There is **final** critical habitat for this species. Your location does not overlap the critical habitat. https://ecos.fws.gov/ecp/species/8095	Threatened
San Joaquin Valley Orcutt Grass Orcuttia inaequalis Wherever found There is **final** critical habitat for this species. Your location does not overlap the critical habitat. https://ecos.fws.gov/ecp/species/5506	Threatened

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Critical habitats

Potential effects to critical habitat(s) in this location must be analyzed along with the endangered species themselves.

There are no critical habitats at this location.

You are still required to determine if your project(s) may have effects on all above listed species.

Bald & Golden Eagles

Bald and Golden Eagles are protected under the Bald and Golden Eagle Protection Act [2] and the Migratory Bird Treaty Act (MBTA) [1]. Any person or organization who plans or conducts activities that may result in impacts to Bald or Golden Eagles, or their habitats, should follow appropriate regulations and consider implementing appropriate avoidance and minimization measures, as described in the various links on this page.

Additional information can be found using the following links:

- Eagle Management https://www.fws.gov/program/eagle-management
- Measures for avoiding and minimizing impacts to birds https://www.fws.gov/library/collections/avoiding-and-minimizing-incidental-take-migratory-birds
- Nationwide avoidance and minimization measures for birds https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf
- Supplemental Information for Migratory Birds and Eagles in IPaC https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action

There are Bald Eagles and/or Golden Eagles in your project area.

Measures for Proactively Minimizing Eagle Impacts
For information on how to best avoid and minimize disturbance to nesting bald eagles, please review the National Bald Eagle Management Guidelines. You may employ the timing and activity-specific distance recommendations in this document when designing your project/activity to avoid and minimize eagle impacts. For bald eagle information specific to Alaska, please refer to Bald Eagle Nesting and Sensitivity to Human Activity.

The FWS does not currently have guidelines for avoiding and minimizing disturbance to nesting Golden Eagles. For site-specific recommendations regarding nesting Golden Eagles, please consult with the appropriate Regional Migratory Bird Office or Ecological Services Field Office.

If disturbance or take of eagles cannot be avoided, an incidental take permit may be available to authorize any take that results from, but is not the purpose of, an otherwise lawful activity. For assistance making this determination for Bald Eagles, visit the Do I Need A Permit Tool. For assistance making this determination for golden eagles, please consult with the appropriate Regional Migratory Bird Office or Ecological Services Field Office.

Ensure Your Eagle List is Accurate and Complete
If your project area is in a poorly surveyed area in IPaC, your list may not be complete and you may need to rely on other resources to determine what species may be present (e.g. your local FWS field office, state surveys, your own surveys). Please review the Supplemental Information on Migratory Birds and Eagles, to help you properly interpret the report for your specified location, including determining if there is sufficient data to ensure your list is accurate.

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For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to bald or golden eagles on your list, see the "Probability of Presence Summary" below to see when these bald or golden eagles are most likely to be present and breeding in your project area.

Review the FAQs

The FAQs below provide important additional information and resources.

NAME	BREEDING SEASON
Bald Eagle Haliaeetus leucocephalus This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities.	Breeds Jan 1 to Aug 31
Golden Eagle Aquila chrysaetos This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1680	Breeds Jan 1 to Aug 31

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Probability of Presence Summary

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read "Supplemental Information on Migratory Birds and Eagles", specifically the FAQ section titled "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (■)

Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year. (A year is represented as 12 4-week months.) A taller bar indicates a higher probability of species presence. The survey effort (see below) can be used to establish a level of confidence in the presence score. One can have higher confidence in the presence score if the corresponding survey effort is also high.

How is the probability of presence score calculated? The calculation is done in three steps:

1. The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.
2. To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence

across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12 (0.25) is the maximum of any week of the year. The relative probability of presence on week 12 is 0.25/0.25 = 1; at week 20 it is 0.05/0.25 = 0.2.

3. The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

To see a bar's probability of presence score, simply hover your mouse cursor over the bar.

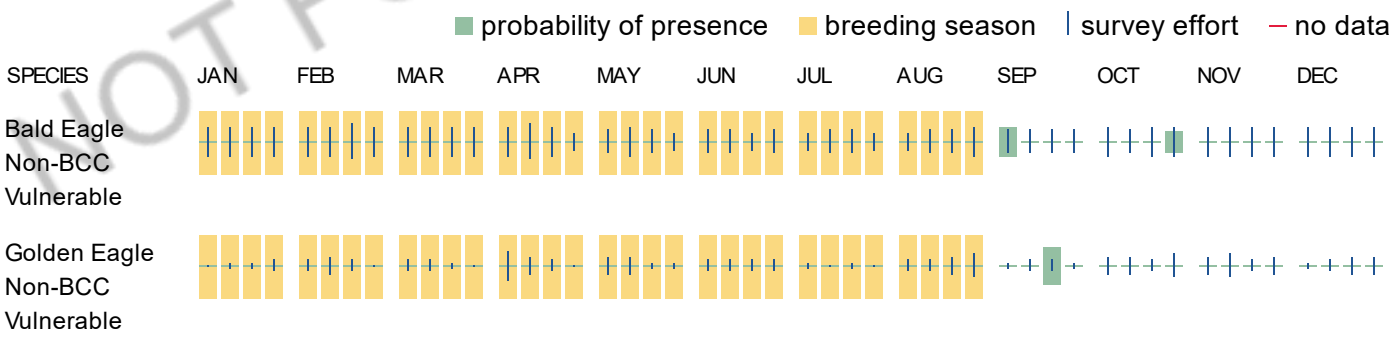
Breeding Season (▪)
Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

Survey Effort (|)
Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps. The number of surveys is expressed as a range, for example, 33 to 64 surveys.

To see a bar's survey effort range, simply hover your mouse cursor over the bar.

No Data (–)
A week is marked as having no data if there were no survey events for that week.

Survey Timeframe
Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information. The exception to this is areas off the Atlantic coast, where bird returns are based on all years of available data, since data in these areas is currently much more sparse.



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Bald & Golden Eagles FAQs

What does IPaC use to generate the potential presence of bald and golden eagles in my specified location?

The potential for eagle presence is derived from data provided by the Avian Knowledge Network (AKN). The AKN data is based on a growing collection of survey, banding, and citizen science datasets and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project

intersects, and that have been identified as warranting special attention because they are an eagle (Bald and Golden Eagle Protection Act requirements may apply).

Proper interpretation and use of your eagle report

On the graphs provided, please look carefully at the survey effort (indicated by the black vertical line) and for the existence of the "no data" indicator (a red horizontal line). A high survey effort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort line or no data line (red horizontal) means a lack of data and, therefore, a lack of certainty about presence of the species. This list is not perfect; it is simply a starting point for identifying what birds have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list and associated information help you know what to look for to confirm presence and helps guide you in knowing when to implement avoidance and minimization measures to eliminate or reduce potential impacts from your project activities or get the appropriate permits should presence be confirmed.

How do I know if eagles are breeding, wintering, or migrating in my area?

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating, or resident), you may query your location using the RAIL Tool and view the range maps provided for birds in your area at the bottom of the profiles provided for each bird in your results. If an eagle on your IPaC migratory bird species list has a breeding season associated with it (indicated by yellow vertical bars on the phenology graph in your “IPaC PROBABILITY OF PRESENCE SUMMARY” at the top of your results list), there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

Interpreting the Probability of Presence Graphs

Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year. A taller bar indicates a higher probability of species presence. The survey effort can be used to establish a level of confidence in the presence score.

How is the probability of presence score calculated? The calculation is done in three steps:

The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.

To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12 (0.25) is the maximum of any week of the year. The relative probability of presence on week 12 is 0.25/0.25 = 1; at week 20 it is 0.05/0.25 = 0.2.

The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

Breeding Season ()

Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

Survey Effort ()

Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps.

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No Data ()
A week is marked as having no data if there were no survey events for that week.

Survey Timeframe
Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information. The exception to this is areas off the Atlantic coast, where bird returns are based on all years of available data, since data in these areas is currently much more sparse.

Migratory birds

The Migratory Bird Treaty Act (MBTA) [1] prohibits the take (including killing, capturing, selling, trading, and transport) of protected migratory bird species without prior authorization by the Department of Interior U.S. Fish and Wildlife Service (Service). The incidental take of migratory birds is the injury or death of birds that results from, but is not the purpose, of an activity. The Service interprets the MBTA to prohibit incidental take.

1. The Migratory Birds Treaty Act of 1918.
2. The Bald and Golden Eagle Protection Act of 1940.

Additional information can be found using the following links:

- Eagle Management https://www.fws.gov/program/eagle-management
- Measures for avoiding and minimizing impacts to birds https://www.fws.gov/library/collections/avoiding-and-minimizing-incidental-take-migratory-birds
- Nationwide avoidance and minimization measures for birds
- Supplemental Information for Migratory Birds and Eagles in IPaC https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action

Measures for Proactively Minimizing Migratory Bird Impacts

Your IPaC Migratory Bird list showcases birds of concern, including Birds of Conservation Concern (BCC), in your project location. This is not a comprehensive list of all birds found in your project area. However, you can help proactively minimize significant impacts to all birds at your project location by implementing the measures in the Nationwide avoidance and minimization measures for birds document, and any other project-specific avoidance and minimization measures suggested at the link Measures for avoiding and minimizing impacts to birds for the birds of concern on your list below.

Ensure Your Migratory Bird List is Accurate and Complete

If your project area is in a poorly surveyed area, your list may not be complete and you may need to rely on other resources to determine what species may be present (e.g. your local FWS field office, state surveys, your own surveys). Please review the Supplemental Information on Migratory Birds and Eagles document, to help you properly interpret the report for your specified location, including determining if there is sufficient data to ensure your list is accurate.

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For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, see the "Probability of Presence Summary" below to see when these birds are most likely to be present and breeding in your project area.

Review the FAQs

The FAQs below provide important additional information and resources.

NAME	BREEDING SEASON
Bald Eagle Haliaeetus leucocephalus This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities.	Breeds Jan 1 to Aug 31
Belding's Savannah Sparrow Passerculus sandwichensis beldingi This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA https://ecos.fws.gov/ecp/species/8	Breeds Apr 1 to Aug 15
Bullock's Oriole Icterus bullockii This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA	Breeds Mar 21 to Jul 25
California Gull Larus californicus This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds Mar 1 to Jul 31
Clark's Grebe Aechmophorus clarkii This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds Jun 1 to Aug 31
Common Yellowthroat Geothlypis trichas sinuosa This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA https://ecos.fws.gov/ecp/species/2084	Breeds May 20 to Jul 31
Golden Eagle Aquila chrysaetos This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1680	Breeds Jan 1 to Aug 31

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Lawrence's Goldfinch Spinus lawrencei This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9464	Breeds Mar 20 to Sep 20
Northern Harrier Circus hudsonius This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA https://ecos.fws.gov/ecp/species/8350	Breeds Apr 1 to Sep 15
Nuttall's Woodpecker Dryobates nuttallii This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA https://ecos.fws.gov/ecp/species/9410	Breeds Apr 1 to Jul 20
Olive-sided Flycatcher Contopus cooperi This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/3914	Breeds May 20 to Aug 31
Santa Barbara Song Sparrow Melospiza melodia graminea This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA https://ecos.fws.gov/ecp/species/5513	Breeds Mar 1 to Sep 5
Western Screech-owl Megascops kennicottii cardonensis This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA	Breeds Mar 1 to Jun 30

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Probability of Presence Summary

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read "Supplemental Information on Migratory Birds and Eagles", specifically the FAQ section titled "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (■)

Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year. (A year is represented as 12 4-week months.) A taller bar indicates a higher probability of species presence. The survey effort (see below) can be used to establish a level of confidence in the presence score. One can have higher confidence in the presence score if the corresponding survey effort is also high.

How is the probability of presence score calculated? The calculation is done in three steps:

1. The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.
2. To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12 (0.25) is the maximum of any week of the year. The relative probability of presence on week 12 is 0.25/0.25 = 1; at week 20 it is 0.05/0.25 = 0.2.
3. The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

To see a bar's probability of presence score, simply hover your mouse cursor over the bar.

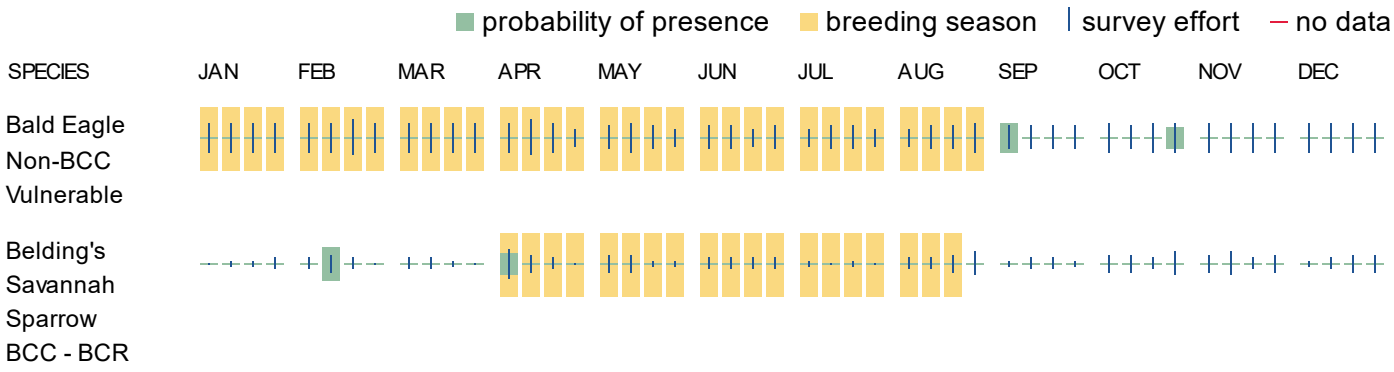
Breeding Season (■)
Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

Survey Effort (|)
Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps. The number of surveys is expressed as a range, for example, 33 to 64 surveys.

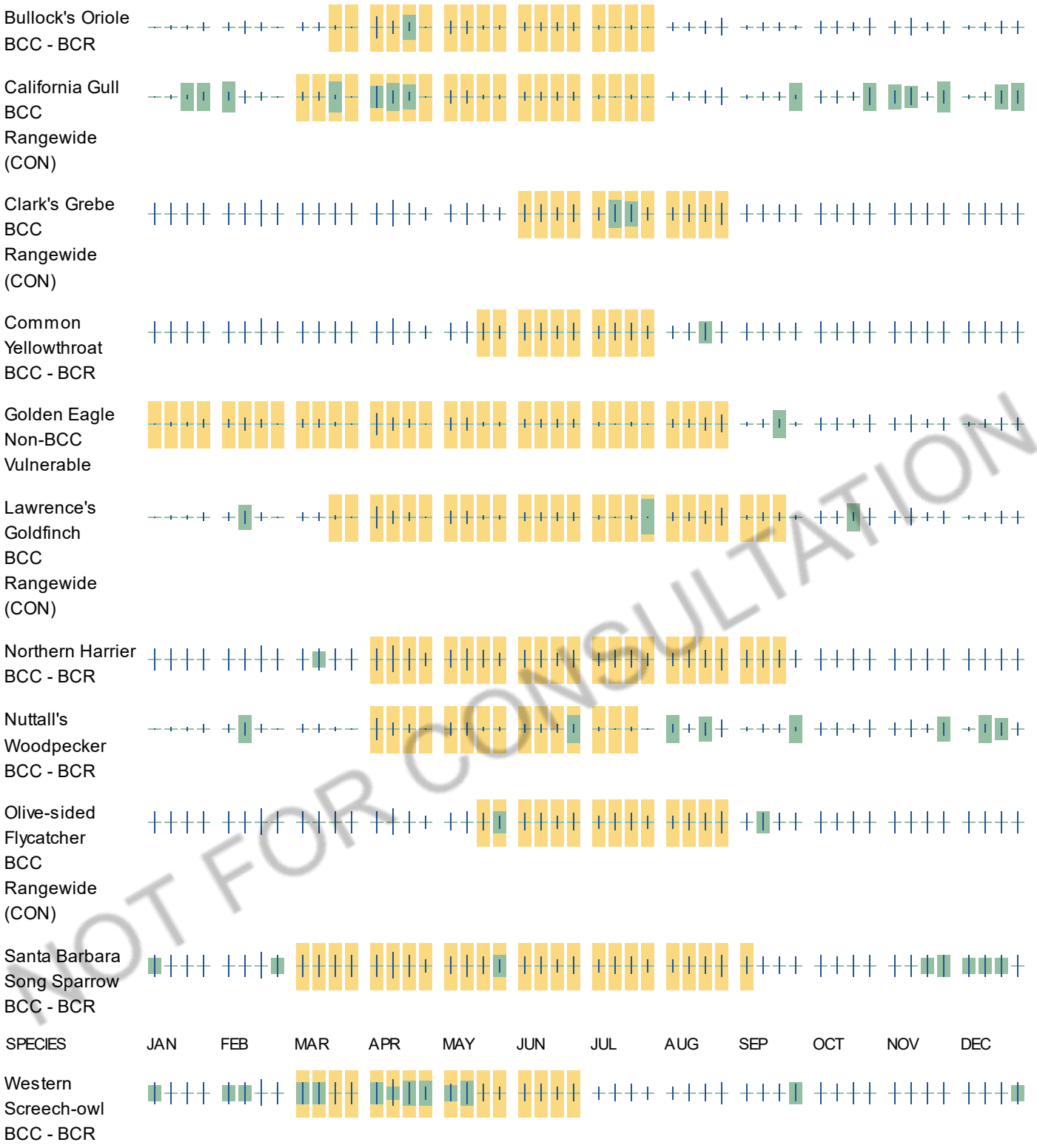
To see a bar's survey effort range, simply hover your mouse cursor over the bar.

No Data (–)
A week is marked as having no data if there were no survey events for that week.

Survey Timeframe
Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information. The exception to this is areas off the Atlantic coast, where bird returns are based on all years of available data, since data in these areas is currently much more sparse.



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Migratory Bird FAQs

Tell me more about avoidance and minimization measures I can implement to avoid or minimize impacts to migratory birds.

Nationwide Avoidance & Minimization Measures for Birds describes measures that can help avoid and minimize impacts to all birds at any location year-round. When birds may be breeding in the area, identifying the locations of any active nests and avoiding their destruction is one of the most effective ways to minimize

impacts. To see when birds are most likely to occur and breed in your project area, view the Probability of Presence Summary. Additional measures or permits may be advisable depending on the type of activity you are conducting and the type of infrastructure or bird species present on your project site.

What does IPaC use to generate the list of migratory birds that potentially occur in my specified location?

The Migratory Bird Resource List is comprised of Birds of Conservation Concern (BCC) and other species that may warrant special attention in your project location, such as those listed under the Endangered Species Act or the Bald and Golden Eagle Protection Act and those species marked as "Vulnerable". See the FAQ "What are the levels of concern for migratory birds?" for more information on the levels of concern covered in the IPaC migratory bird species list.

The migratory bird list generated for your project is derived from data provided by the Avian Knowledge Network (AKN). The AKN data is based on a growing collection of survey, banding, and citizen science datasets and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) with which your project intersects. These species have been identified as warranting special attention because they are BCC species in that area, an eagle (Bald and Golden Eagle Protection Act requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, and to verify survey effort when no results present, please visit the Rapid Avian Information Locator (RAIL) Tool.

Why are subspecies showing up on my list?

Subspecies profiles are included on the list of species present in your project area because observations in the AKN for **the species** are being detected. If the species are present, that means that the subspecies may also be present. If a subspecies shows up on your list, you may need to rely on other resources to determine if that subspecies may be present (e.g. your local FWS field office, state surveys, your own surveys).

What does IPaC use to generate the probability of presence graphs for the migratory birds potentially occurring in my specified location?

The probability of presence graphs associated with your migratory bird list are based on data provided by the Avian Knowledge Network (AKN). This data is derived from a growing collection of survey, banding, and citizen science datasets.

Probability of presence data is continuously being updated as new and better information becomes available. To learn more about how the probability of presence graphs are produced and how to interpret them, go to the Probability of Presence Summary and then click on the "Tell me about these graphs" link.

How do I know if a bird is breeding, wintering, or migrating in my area?

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating, or resident), you may query your location using the RAIL Tool and view the range maps provided for birds in your area at the bottom of the profiles provided for each bird in your results. If a bird on your IPaC migratory bird species list has a breeding season associated with it (indicated by yellow vertical bars on the phenology graph

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in your “IPaC PROBABILITY OF PRESENCE SUMMARY” at the top of your results list), there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

What are the levels of concern for migratory birds?

Migratory birds delivered through IPaC fall into the following distinct categories of concern:

1. "BCC Rangewide" birds are Birds of Conservation Concern (BCC) that are of concern throughout their range anywhere within the USA (including Hawaii, the Pacific Islands, Puerto Rico, and the Virgin Islands);
2. "BCC - BCR" birds are BCCs that are of concern only in particular Bird Conservation Regions (BCRs) in the continental USA; and
3. "Non-BCC - Vulnerable" birds are not BCC species in your project area, but appear on your list either because of the Bald and Golden Eagle Protection Act requirements (for eagles) or (for non-eagles) potential susceptibilities in offshore areas from certain types of development or activities (e.g. offshore energy development or longline fishing).

Although it is important to avoid and minimize impacts to all birds, efforts should be made, in particular, to avoid and minimize impacts to the birds on this list, especially BCC species. For more information on avoidance and minimization measures you can implement to help avoid and minimize migratory bird impacts, please see the FAQ “Tell me more about avoidance and minimization measures I can implement to avoid or minimize impacts to migratory birds”.

Details about birds that are potentially affected by offshore projects

For additional details about the relative occurrence and abundance of both individual bird species and groups of bird species within your project area off the Atlantic Coast, please visit the Northeast Ocean Data Portal. The Portal also offers data and information about other taxa besides birds that may be helpful to you in your project review. Alternately, you may download the bird model results files underlying the portal maps through the NOAA NCCOS Integrative Statistical Modeling and Predictive Mapping of Marine Bird Distributions and Abundance on the Atlantic Outer Continental Shelf project webpage.

Proper interpretation and use of your migratory bird report

The migratory bird list generated is not a list of all birds in your project area, only a subset of birds of priority concern. To learn more about how your list is generated and see options for identifying what other birds may be in your project area, please see the FAQ "What does IPaC use to generate the migratory birds potentially occurring in my specified location". Please be aware this report provides the "probability of presence" of birds within the 10 km grid cell(s) that overlap your project; not your exact project footprint. On the graphs provided, please look carefully at the survey effort (indicated by the black vertical line) and for the existence of the "no data" indicator (a red horizontal line). A high survey effort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort bar or no data bar means a lack of data and, therefore, a lack of certainty about presence of the species. This list does not represent all birds present in your project area. It is simply a starting point for identifying what birds of concern have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list and associated information help you know what to look for to confirm presence and helps guide implementation of avoidance and minimization measures to eliminate or reduce potential impacts from your project activities, should presence be confirmed. To learn more about avoidance and minimization measures, visit the FAQ "Tell me about avoidance and minimization measures I can implement to avoid or minimize impacts to migratory birds".

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Interpreting the Probability of Presence Graphs
Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year. A taller bar indicates a higher probability of species presence. The survey effort can be used to establish a level of confidence in the presence score.

How is the probability of presence score calculated? The calculation is done in three steps:
The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.

To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12 (0.25) is the maximum of any week of the year. The relative probability of presence on week 12 is 0.25/0.25 = 1; at week 20 it is 0.05/0.25 = 0.2.

The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

Breeding Season ()
Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

Survey Effort ()
Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps.

No Data ()
A week is marked as having no data if there were no survey events for that week.

Survey Timeframe
Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information. The exception to this is areas off the Atlantic coast, where bird returns are based on all years of available data, since data in these areas is currently much more sparse.

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Facilities

National Wildlife Refuge lands

Any activity proposed on lands managed by the National Wildlife Refuge system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

There are no refuge lands at this location.

Fish hatcheries

There are no fish hatcheries at this location.

Wetlands in the National Wetlands Inventory (NWI)

Impacts to NWI wetlands and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local U.S. Army Corps of Engineers District.

This location did not intersect any wetlands mapped by NWI.

NOTE: This initial screening does **not** replace an on-site delineation to determine whether wetlands occur. Additional information on the NWI data is provided below.

NOT FOR CONSULTATION

Data limitations

The Service's objective of mapping wetlands and deepwater habitats is to produce reconnaissance level information on the location, type and size of these resources. The maps are prepared from the analysis of high altitude imagery. Wetlands are identified based on vegetation, visible hydrology and geography. A margin of error is inherent in the use of imagery; thus, detailed on-the-ground inspection of any particular site may result in revision of the wetland boundaries or classification established through image analysis.

The accuracy of image interpretation depends on the quality of the imagery, the experience of the image analysts, the amount and quality of the collateral data and the amount of ground truth verification work conducted. Metadata should be consulted to determine the date of the source imagery used and any mapping problems.

Wetlands or other mapped features may have changed since the date of the imagery or field work. There may be occasional differences in polygon boundaries or classifications between the information depicted on the map and the actual conditions on site.

Data exclusions

Certain wetland habitats are excluded from the National mapping program because of the limitations of aerial imagery as the primary data source used to detect wetlands. These habitats include seagrasses or submerged aquatic vegetation that are found in the intertidal and subtidal zones of estuaries and nearshore coastal waters. Some deepwater reef communities (coral or tuberficid worm reefs) have also been excluded from the inventory. These habitats, because of their depth, go undetected by aerial imagery.

Data precautions

Federal, state, and local regulatory agencies with jurisdiction over wetlands may define and describe wetlands in a different manner than that used in this inventory. There is no attempt, in either the design or products of this inventory, to define the limits of proprietary jurisdiction of any Federal, state, or local government or to establish the geographical scope of the regulatory programs of government agencies. Persons intending to engage in activities involving modifications within or adjacent to wetland areas should seek the advice of appropriate Federal, state, or local agencies concerning specified agency regulatory programs and proprietary jurisdictions that may affect such activities.

NOT FOR CONSULTATION

Mitigation Measure Monitoring Program for Dakota Apartment Project

This Mitigation Monitoring and Reporting Program (MMRP) was formulated based upon the findings of the Initial Study/Mitigated Negative Declaration (IS/MND) prepared for the proposed Dakota Apartment Project (project). The MMRP, which is found in Table A of this section, lists mitigation measures recommended in the IS/MND for the proposed project and identifies mitigation monitoring requirements.

This MMRP has been prepared to comply with the requirements of State law (Public Resources Code Section 21081.6). State law requires the adoption of an MMRP when mitigation measures are required to avoid significant impacts. This requirement facilitates implementation of all mitigation measures adopted through the California Environmental Quality Act (CEQA) process. The MMRP is intended to ensure compliance during implementation of the project.

The MMRP is organized in a matrix format. The first column identifies the mitigation measure. The second column, entitled “Timing for Mitigation Measure,” refers to the implementation and schedule of mitigation measures. The third column, entitled “Mitigation Responsibility,” refers to the party responsible for implementing the mitigation measure. The fourth column, entitled “Monitoring/Reporting Agency,” refers to the agency responsible for oversight or ensuring that the mitigation measure is implemented. The fifth column, entitled “Verification,” will be initialed and dated by the individual designated to verify adherence to the project specific mitigation, when the mitigation measure is completed.

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Table A: Mitigation Monitoring and Reporting Program

MITIGATION MEASURE	Timing for Mitigation Measure	Mitigation Responsibility	Monitoring/ Reporting Agency	Verification (Initials and Date)
I. AESTHETICS				
There are no significant impacts to Aesthetics.				
II. AGRICULTURE AND FORESTRY RESOURCES				
There are no significant impacts to Agriculture and Forestry Resources.				
III. AIR QUALITY				
AQ-1 Permit Requirements. Prior to ground disturbance and construction, the Construction Contractor shall obtain all required permits for dust control and the use of portable equipment, 50 horsepower or greater, from the San Joaquin Valley Air Pollution Control District. Upon application for construction permits, all required mitigation measures shall be shown on all applicable grading or construction plans and implemented during all applicable grading and construction activities.	Prior to ground disturbance and demolition	Applicant/Contractor/SJVAPCD	Planning and Development	
AQ-2 Dust Control Measures. No person shall perform any construction, demolition, excavation, extraction, or other earth-moving activities unless measures are sufficiently implemented to limit visible dust emissions (VDE) to 20% opacity and comply with the conditions for a stabilized surface area when	During construction	Applicant/Contractor	Planning and Development	

Table A: Mitigation Monitoring and Reporting Program

MITIGATION MEASURE	Timing for Mitigation Measure	Mitigation Responsibility	Monitoring/ Reporting Agency	Verification (Initials and Date)
applicable. In addition to the requirements of this rule, a person shall comply with all other applicable requirements of San Joaquin Valley Air Pollution Control District Regulation VIII. A person shall control the fugitive dust emissions to meet the following requirements: 1. Pre-Activity: a. Pre-water site sufficient to limit VDE to 20% opacity, and b. Phase work to reduce the amount of disturbed surface area at any one time. 2. During Active Operations: a. Apply water or chemical/organic stabilizers/suppressants sufficient to limit VDE to 20% opacity; or b. Construct and maintain wind barriers sufficient to limit VDE to 20% opacity. If utilizing wind barriers, control				

Table A: Mitigation Monitoring and Reporting Program

MITIGATION MEASURE	Timing for Mitigation Measure	Mitigation Responsibility	Monitoring/ Reporting Agency	Verification (Initials and Date)
measure 2.a shall also be implemented. c. Apply water or chemical/organic stabilizers/suppressants to unpaved haul/access roads and unpaved vehicle/equipment traffic areas sufficient to limit VDE to 20% opacity and meet the conditions of a stabilized unpaved road surface. 3. Temporary Stabilization During Periods of Inactivity: a. Restrict vehicular access to the area; and b. Apply water or chemical/organic stabilizers/suppressants, sufficient to comply with the conditions of a stabilized surface. If an area having 0.5 acre or more of disturbed surface area remains unused for 7 or more days, the area must				

Table A: Mitigation Monitoring and Reporting Program

MITIGATION MEASURE	Timing for Mitigation Measure	Mitigation Responsibility	Monitoring/ Reporting Agency	Verification (Initials and Date)
comply with the conditions for a stabilized surface area as defined in Section 3.58 of Rule 8011.				
AQ-3 Construction Emissions. The project shall utilize clean off-road construction equipment, including the latest tier equipment, where feasible.	During construction	Applicant/Contractor	Planning and Development	
AQ-4 Diesel Idling. At all times, idling of heavy-duty diesel trucks should be minimized and auxiliary power units should be used whenever possible. State law requires that: 1. Drivers of diesel-fueled commercial vehicles shall not idle the vehicle's primary diesel engine for greater than 5 minutes at any location. 2. Drivers of diesel-fueled commercial vehicles shall not idle a diesel-fueled auxiliary power system (APS) for more than 5 minutes to power a heater, air conditioner, or any ancillary equipment on the vehicle. Trucks with 2007 or newer model year engines	During construction	Applicant/Contractor	Planning and Development	

Table A: Mitigation Monitoring and Reporting Program

MITIGATION MEASURE	Timing for Mitigation Measure	Mitigation Responsibility	Monitoring/ Reporting Agency	Verification (Initials and Date)
must meet additional requirements (verified clean APS label required). 3. These requirements shall be shown on grading/building plans and/or on a separate sheet to be required with the map and adhered to throughout all grading and construction periods.				
IV. BIOLOGICAL RESOURCES				
BIO-1 Preconstruction Nesting Bird Survey. Prior to initiation of any site preparation/construction activities, if work is planned to occur between February 1 and September 15, a qualified biologist shall survey the area for nesting birds within 1 week prior to initial project activity beginning, including ground disturbance and/or vegetation removal/trimming. If nesting birds are located on or near the proposed project site, they shall be avoided until they have successfully fledged, or the nest is no longer deemed active, as detailed below:	Prior to initiation of any site preparation/ demolition activities	Applicant/Contractor	Planning and Development	

Table A: Mitigation Monitoring and Reporting Program

MITIGATION MEASURE	Timing for Mitigation Measure	Mitigation Responsibility	Monitoring/ Reporting Agency	Verification (Initials and Date)
1. A 50-foot exclusion zone shall be placed around non-listed, passerine species and a 250-foot exclusion zone shall be implemented for raptor species. Each exclusion zone shall encircle the nest and have a radius of 50 feet (non-listed passerine species) or 250 feet (raptor species). All project activities, including foot and vehicle traffic and storage of supplies and equipment, are prohibited inside exclusion zones. Exclusion zones shall be maintained until all exterior construction activities have been terminated for the current phase of work (e.g., if initial site improvements are completed, exclusion zones may be removed until initiation of site preparation for residence construction begins), or it has been determined by a qualified biologist that the young have fledged or that proposed project activities would not				

Table A: Mitigation Monitoring and Reporting Program

MITIGATION MEASURE	Timing for Mitigation Measure	Mitigation Responsibility	Monitoring/ Reporting Agency	Verification (Initials and Date)
cause adverse impacts to the nest, adults, eggs, or young. 2. If special-status avian species are identified and nesting within the work area, no work shall begin until an appropriate exclusion zone is determined in consultation with the City of Fresno and any relevant resource agencies. The results of the survey shall be provided to the City of Fresno prior to initiation of site preparation/construction activities. The results shall detail appropriate fencing or flagging of exclusion zones and include recommendations for additional monitoring requirements. A map of the project site and nest locations shall be included with the results. The qualified biologist conducting the nesting survey shall have the authority to reduce or increase the recommended exclusion zone depending on site conditions and species (if non-listed). If 2 weeks lapse between different phases of project activities (e.g.,				

Table A: Mitigation Monitoring and Reporting Program

MITIGATION MEASURE	Timing for Mitigation Measure	Mitigation Responsibility	Monitoring/ Reporting Agency	Verification (Initials and Date)
vegetation trimming, the start of grading), during which no or minimal work activity occurs, the nesting bird survey shall be repeated, and a separate survey report shall be prepared and submitted to the City of Fresno.				
V. CULTURAL RESOURCES				
CR-1 If previously unknown resources are encountered before or during grading activities, construction shall stop in the immediate vicinity of the find and a qualified cultural resources specialist shall be consulted to determine whether the resource requires further study. The qualified cultural resources specialist shall make recommendations to the City of Fresno on the measures that shall be implemented to protect the discovered resources, including, but not limited to, excavation of the finds and evaluation of the finds in accordance with Section 15064.5 of the California Environmental Quality Act (CEQA) Guidelines and the City of Fresno's Historic Preservation Ordinance. If the resources are determined to be	During construction	Applicant/Contractor	Planning and Development	

Table A: Mitigation Monitoring and Reporting Program

MITIGATION MEASURE	Timing for Mitigation Measure	Mitigation Responsibility	Monitoring/ Reporting Agency	Verification (Initials and Date)
unique historical resources as defined under State CEQA Guidelines Section 15064.5, measures shall be identified by the cultural resources specialist and recommended to the Lead Agency. Appropriate measures for significant resources could include avoidance or capping; incorporation of the Project site in green space, parks, or open space; or data recovery excavations of the finds. No further grading shall occur in the area of the discovery until the Lead Agency approves the measures to protect these resources. Any historical artifacts recovered as a result of mitigation shall be provided to a City of Fresno-approved institution or person who is capable of providing long-term preservation to allow future scientific study.				
VI. ENERGY				
There are no significant impacts to Energy.				
VII. GEOLOGY AND SOILS				
GEO-1 Inadvertent Discovery of Paleontological Resources. During excavation activities that reach or occur within the bedrock of the	During excavation activities that reach	Applicant/Contractor	Planning and Development	

Table A: Mitigation Monitoring and Reporting Program

MITIGATION MEASURE	Timing for Mitigation Measure	Mitigation Responsibility	Monitoring/ Reporting Agency	Verification (Initials and Date)
underlying geologic unit, if a paleontological resource is encountered, the project contractor shall cease ground-disturbing activities within 50 feet of the find. A qualified paleontologist shall evaluate the significance of the resource(s) and recommend appropriate treatment measures. At each fossil locality, field data forms shall be used to record pertinent geologic data, stratigraphic sections shall be measured, and appropriate sediment samples shall be collected and submitted for analysis. Any fossils encountered and recovered shall be catalogued and presented for donation to a public, non-profit institution with a research interest in the materials. Accompanying notes, maps, and photographs shall also be filed at the repository.	or occur within the bedrock of the underlying geologic unit			
VIII. GREENHOUSE GAS EMISSIONS				
There are no significant impacts to Greenhouse Gas Emissions.				
IX. HAZARDS AND HAZARDOUS MATERIALS				
There are no significant impacts to Hazards and Hazardous Materials.				
X. HYDROLOGY AND WATER QUALITY				
There are no significant impacts to Hydrology and Water Quality.				

Table A: Mitigation Monitoring and Reporting Program

MITIGATION MEASURE	Timing for Mitigation Measure	Mitigation Responsibility	Monitoring/ Reporting Agency	Verification (Initials and Date)
XI. LAND USE AND PLANNING				
Implement Mitigation Measures AQ-1 through AQ-4, included in Section III, *Air Quality*; Mitigation Measure BIO-1, included in Section IV, *Biological Resources*; Mitigation Measures CR-1, included in Section V, *Cultural Resources*; and Mitigation Measure GEO-1, included in Section VII, *Geology and Soils*.				
XII. MINERAL RESOURCES				
There are no significant impacts to Mineral Resources.				
XIII. NOISE				
There are no significant impacts to Noise.				
XIV. POPULATION AND HOUSING				
There are no significant impacts to Population and Housing.				
XV. PUBLIC SERVICES				
There are no significant impacts to Public Services.				
XVI. RECREATION				
There are no significant impacts to Recreation.				
XVII. TRANSPORTATION				
There are no significant impacts to Transportation.				
XVII. TRIBAL CULTURAL RESOURCES				
CR-1 If previously unknown resources are encountered before or during grading activities, construction shall stop in the immediate vicinity of the find and a qualified cultural resources specialist shall be consulted to determine whether the resource requires further study. The qualified cultural resources specialist shall	During construction	Applicant/Contractor	Planning and Development	

Table A: Mitigation Monitoring and Reporting Program

MITIGATION MEASURE	Timing for Mitigation Measure	Mitigation Responsibility	Monitoring/ Reporting Agency	Verification (Initials and Date)
make recommendations to the City of Fresno on the measures that shall be implemented to protect the discovered resources, including, but not limited to, excavation of the finds and evaluation of the finds in accordance with Section 15064.5 of the California Environmental Quality Act (CEQA) Guidelines and the City of Fresno's Historic Preservation Ordinance. If the resources are determined to be unique historical resources as defined under State CEQA Guidelines Section 15064.5, measures shall be identified by the cultural resources specialist and recommended to the Lead Agency. Appropriate measures for significant resources could include avoidance or capping; incorporation of the Project site in green space, parks, or open space; or data recovery excavations of the finds. No further grading shall occur in the area of the discovery until the Lead Agency approves the measures to protect these resources. Any historical artifacts recovered as a result of mitigation shall be provided to a City of Fresno-approved				

Table A: Mitigation Monitoring and Reporting Program

MITIGATION MEASURE	Timing for Mitigation Measure	Mitigation Responsibility	Monitoring/ Reporting Agency	Verification (Initials and Date)
institution or person who is capable of providing long-term preservation to allow future scientific study.				
XIX. UTILITIES AND SERVICE SYSTEMS				
There are no significant impacts to Utilities and Service Systems.				
XX. WILDFIRE				
There are no significant impacts to Wildfire.				
XXI. MANDATORY FINDINGS OF SIGNIFICANCE				
Implement Mitigation Measures AQ-1 through AQ-4, included in Section III, *Air Quality*; Mitigation Measure BIO-1, included in Section IV, *Biological Resources*; Mitigation Measures CR-1, included in Section V, *Cultural Resources*; and Mitigation Measure GEO-1, included in Section VII, *Geology and Soils*.				