
Initial Study/Mitigated Negative Declaration

for:

TPM 2019-12



Prepared By:

City of Fresno

Planning & Development Department

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SECTION 1

I. INTRODUCTION

A. PURPOSE

This document is a project-level Initial Study/Mitigated Negative Declaration for evaluation of potential environmental impacts resulting from Tentative Parcel Map (TPM) 2012-12. A previously approved 24,192 square-foot single-story office building has been constructed on Parcel C (1010 West Alluvial). The office building was found exempt from CEQA through a Class 32 (Infill Development) Categorical Exemption dated February 27, 2020.

B. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) REQUIREMENTS

As defined by Section 15063 of the State of California Environmental Quality Act (CEQA) Guidelines, an **Initial Study** is prepared primarily to provide the Lead Agency with information to use as the basis for determining whether an Environmental Impact Report (EIR), Negative Declaration, or Mitigated Negative Declaration would be appropriate for providing the necessary environmental documentation and clearance for any proposed Project.

☐ According to Section 15065, an **EIR** is deemed appropriate for a particular proposal if the following conditions occur:

- The proposal has the potential to substantially degrade quality of the environment.
- The proposal has the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals.
- The proposal has possible environmental effects that are individually limited but cumulatively considerable.
- The proposal could cause direct or indirect adverse effects on human beings.

☐ According to Section 15070(a), a **Negative Declaration** is deemed appropriate if the proposal would not result in any significant effect on the environment.

☒ According to Section 15070(b), a **Mitigated Negative Declaration** is deemed appropriate if it is determined that though a proposal could result in a significant effect, mitigation measures are available to reduce these significant effects to insignificant levels.

This Initial Study is prepared in conformance with the California Environmental Quality Act of 1970, as amended (Public Resources Code, Section 21000 et. seq.); Section 15070 of the State Guidelines for Implementation of the California Environmental Quality Act of 1970, as amended (California Code of Regulations, Title 14, Chapter 3, Section 15000, et. seq.); applicable requirements of the City of Fresno; and the regulations, requirements, and procedures of any other responsible public agency or an agency with jurisdiction by law.

The City of Fresno is designated the Lead Agency, in accordance with Section 15050 of the CEQA Guidelines. The Lead Agency is the public agency which has the principal responsibility for approving the necessary environmental clearances and analyses for any project in the City of Fresno.

C. INTENDED USES OF INITIAL STUDY

This Initial Study is an informational document which is intended to inform the City of Fresno decision-makers, other responsible or interested agencies, and the general public of potential environmental effects of the proposed TPM. The environmental review process has been established to enable public agencies to evaluate environmental consequences and to examine and implement methods of

eliminating or reducing any potentially adverse impacts. While CEQA requires that consideration be given to avoiding environmental damage, the Lead Agency and other responsible public agencies must balance adverse environmental effects against other public objectives, including economic and social goals.

The Initial Study prepared for the project will be circulated for a period of 30 days for public and agency review and comments. At the conclusion, if comments are received, the City of Fresno Planning & Development Department will prepare a document entitled "Responses to Comments" which will be forwarded to any commenting entity and be made part of the record within 10-days of any project consideration.

D. CONTENTS OF INITIAL STUDY

This Initial Study is organized to facilitate a basic understanding of the existing setting and environmental implications of the proposed applications.

SECTION 1

I. INTRODUCTION presents an introduction to the entire report. This section discusses the environmental process, scope of environmental review, and incorporation by reference documents.

SECTION 2

II. ENVIRONMENTAL CHECKLIST FORM contains the City's Environmental Checklist Form. The checklist form presents results of the environmental evaluation for the proposed applications and those issue areas that would have either a significant impact, potentially significant impact, or no impact.

PROJECT SUMMARY, LOCATION AND ENVIRONMENTAL SETTINGS describes the proposed Project entitlements and required applications. A description of discretionary approvals and permits required for project implementation is also included. It also identifies the location of the project and a general description of the surrounding environmental settings.

ENVIRONMENTAL ANALYSIS evaluates each response provided in the environmental checklist form. Each response checked in the checklist form is discussed and supported with sufficient data and analysis, as necessary. As appropriate, each response discussion describes and identifies specific impacts anticipated with project implementation.

SECTION 3

III. MANDATORY FINDINGS presents Mandatory Findings of Significance in accordance with Section 15065 of the CEQA Guidelines.

IV. PERSONS AND ORGANIZATIONS CONSULTED identifies those persons consulted and involved in preparation of this Initial Study and Negative Declaration.

V. REFERENCES lists bibliographical materials used in preparation of this document.

VI. FINDINGS

SECTION 4

VII. RESPONSE TO COMMENTS (IF ANY)

VIII. MITIGATION MONITORING & REPORTING PROGRAM (MMRP) (IF ANY)

E. SCOPE OF ENVIRONMENTAL ANALYSIS

For evaluation of environmental impacts, each question from the CEQA Environmental Checklist Form is summarized and responses are provided according to the analysis undertaken as part of the Initial Study. Impacts and effects will be evaluated and quantified, when appropriate. To each question, there are four possible responses, including:

1. **No Impact:** A “No Impact” response is adequately supported if the impact simply does not apply to the proposed applications.
2. **Less Than Significant Impact:** The proposed applications will have the potential to impact the environment. These impacts, however, will be less than significant; no additional analysis is required.
3. **Less Than Significant with Mitigation Incorporated:** This applies where incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Than Significant Impact”.
4. **Potentially Significant Impact:** The proposed applications could have impacts that are considered significant. Additional analyses and possibly an EIR could be required to identify mitigation measures that could reduce these impacts to less than significant levels.

F. PROJECT LEVEL ENVIRONMENTAL ANALYSIS

This Initial Study will be conducted under a project level analysis. Regarding mitigation measures, it is not the intent of this document to “overlap” or restate conditions of approval that are commonly established for future known projects or the proposed applications. Additionally, those other standard requirements and regulations that any development must comply with, that are outside the City’s jurisdiction, are also not considered mitigation measures and therefore, will not be identified in this document.

G. TIERED DOCUMENTS AND INCORPORATION BY REFERENCE

Information, findings, and conclusions contained in this document are based on incorporation by reference of tiered documentation, which are discussed in the following section.

1. Tiered Documents

As permitted in Section 15152(a) of the CEQA Guidelines, information and discussions from other documents can be included into this document. Tiering is defined as follows:

“Tiering refers to using the analysis of general matters contained in a broader EIR (such as the one prepared for a general plan or policy statement) with later EIRs and negative declarations on narrower projects; incorporating by reference the general discussions from the broader EIR; and concentrating the later EIR or negative declaration solely on the issues specific to the later project.”

Tiering also allows this document to comply with Section 15152(b) of the CEQA Guidelines, which discourages redundant analyses, as follows:

“Agencies are encouraged to tier the environmental analyses which they prepare for separate but related projects including the general plans, zoning changes, and development projects. This approach can eliminate repetitive discussion of the same issues and focus the later EIR or negative declaration on the actual issues ripe for decision at each level of environmental review. Tiering is appropriate when the sequence of analysis is from an EIR prepared for a general plan, policy or program to an EIR or negative declaration for another plan, policy, or program of lesser scope, or to a site-specific EIR or negative declaration.”

Further, Section 15152(d) of the CEQA Guidelines states:

“Where an EIR has been prepared and certified for a program, plan, policy, or ordinance consistent with the requirements of this section, any lead agency for a later project pursuant to or consistent with the program, plan, policy, or ordinance should limit the EIR or negative declaration on the later project to effects which:

- (1) Were not examined as significant effects on the environment in the prior EIR; or

-
- (2) Are susceptible to substantial reduction or avoidance by the choice of specific revisions in the project, by the imposition of conditions, or other means.”

2. Incorporation by Reference

Incorporation by reference is a procedure for reducing the size of EIRs/MND and is most appropriate for including long, descriptive, or technical materials that provide general background information, but do not contribute directly to the specific analysis of the project itself. This procedure is particularly useful when an EIR or Negative Declaration relies on a broadly-drafted EIR for its evaluation of cumulative impacts of related projects (*Las Virgenes Homeowners Federation v. County of Los Angeles* [1986, 177 Ca.3d 300]). If an EIR or Negative Declaration relies on information from a supporting study that is available to the public, the EIR or Negative Declaration cannot be deemed unsupported by evidence or analysis (*San Francisco Ecology Center v. City and County of San Francisco* [1975, 48 Ca.3d 584, 595]). This document incorporates by reference appropriate information from the “The Fresno General Plan Program Environmental Impact Report” prepared by LSA which was adopted by the City Council on September 30, 2021.

When an EIR or Negative Declaration incorporates a document by reference, the incorporation must comply with Section 15150 of the CEQA Guidelines as follows:

- The incorporated document must be available to the public or be a matter of public record (CEQA Guidelines Section 15150[a]). In March of 2020, the City of Fresno undertook and update of the Master Environmental Impact Report (MEIR) for the City of Fresno General Plan and Development Code Update. The MEIR was replaced by The Fresno General Plan Program Environmental Impact Report (PEIR) which was adopted by the City Council on September 30, 2021. The PEIR is available as it will be used to “tier” certain potential impacts and corresponding mitigation, along with this document, at the City of Fresno Planning and Development Department, 2600 Fresno Street, Room 3043, Fresno, California, 93721 (559) 621-8009.
- The PEIR is available for inspection by the public at the City of Fresno Planning and Development Department, 2600 Fresno Street, Room 3043, Fresno, California, 93721 (559) 621-8009.
- These documents must include the State identification number of the incorporated documents (CEQA Guidelines Section 15150[d]). The State Clearinghouse Number for the Fresno General Plan Program Environmental Impact Report is SCH #2019050005.

The material to be incorporated in this document will include general background information (CEQA Guidelines Section 15150[f]). This has been previously discussed in this document.

SECTION 2

II. ENVIRONMENTAL CHECKLIST

1. **Project Title:** Tentative Parcel Map (TPM) 2019-12
2. **Lead Agency:** City of Fresno Planning and Development Department
3. **Contact Person and Phone Number:** Rob Holt, Planner III, Phone (559) 621-8056
Planning and Development Department
2600 Fresno Street
Fresno, CA 93711
4. **Project Location:** 7591 N Harrison Ave, Fresno, CA 93711: The proposed Project site is in north Fresno, west of Palm Bluffs, in the City of Fresno, California. The Project is bordered by West Harrison Avenue on the east and the San Joaquin Bluffs on the north. A residential neighborhood is located to the west. West Alluvial dead-ends into the site on the east (Figure 1). APN: 405-340-04 & 405-340-23
5. **Project Sponsor's Name and Address:**
Mr. Russell G. Smith
Russell G. Smith, Inc.
North Palm Investors
8050 North Palm Avenue, Ste. 300
Fresno, CA 93720
6. **General & Community plan land use designation:** Employment-Office planned land use designation, Bullard Community Plan
7. **Zoning:** APN: 405-340-04 – O/BL/UGM (Employment-Office/Bluff Protection Overlay District/Urban Growth Management)
APN: 405-340-23 – O/UGM (Employment-Office/Urban Growth Management)
8. **Description of project:** Tentative Parcel Map No. 2019-12 was filed by Dirk Poeschel of Dirk Poeschel Land Development Services. The applicant proposes to subdivide the two subject properties into a 4-lot commercial subdivision.

The proposed Project is TPM 2019-12 which proposes to subdivide two existing parcels (APNs: 405-340-23 & 405-340-04) totaling approximately ± 20 acres into four unequal parcels and develop a total of 249,992 gross square feet of office space (Figure 2 and 3), of this amount 225,800 gross square feet is new construction as one building has already been built. The size of each proposed parcel is as follows:

Parcel A - 4.23 acres

Parcel B - 7.00 acres

Parcel C - 2.86 acres (Note: This parcel has been developed with a single-story office building totaling 24,192 square feet. The development of the office building was previously approved and found to be exempt from CEQA through a Class 32 (Infill Development) Categorical Exemption dated February 27, 2020. The current project will not expand or change the existing use of this office building which is occupied with approximately 42 employees).

Parcel D – 6.66 acres

The Project also includes dedication of a bicycle, pedestrian and landscape easement/trail extending through the site from West Alluvial Avenue (Figure 4). This trail will allow movement from the residential neighborhood on the west through the site to the intersection of West Alluvial and North Harrison Avenue and connect to a 10,000 square foot open space area in the northeast portion of the site. The

easement will be dedicated to the City. The open space area is set aside by the Applicant and may be enlarged as the design proceeds.

The San Joaquin River Bluffs are adjacent to the northern boundary of the project. A portion of the site is currently developed with road, curb, gutter and an existing single-story office building. The remainder of the site is undeveloped and covered with grasses, piles of trash and refuse and old burn piles. The site also has one existing PG&E transmission tower as well as a 50-foot tower easement; a 10-foot PG&E pipeline easement; and a 5-foot telephone easement. The site is bordered by development to the west, south and east.

The Project is consistent with the existing land use designation (Office) and Zoning (Office). The site is also in the Bluff Protection (BL) Overlay District and is required to comply with the provisions of this District.

9. Surrounding Land Uses and Setting:

	Planned Land Use	Existing Zoning	Existing Land Use
North	Multi-Use	Open Space	Undeveloped
South	Office Light Industrial	Community Commercial Industrial Light	Mini Storage
East	Community	Community Commercial	Office
West	Low Density (1-3.5 DU/acre) Medium Low Density (3.5- 6 DU/acre)	Residential	Single-Family Residential

10. **Other public agencies whose approval is required** (e.g., permits, financing approval, or participation agreement.): Pacific Gas & Electric, AT&T, San Joaquin Valley Air Pollution Control District (SJVAPCD), Pinedale County Water District, City of Fresno Planning Commission (PC), Fresno City Council.
13. **Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1?**

The State requires lead agencies to consider the potential effects of proposed Projects and consult with California Native American tribes during the local planning process for the purpose of protecting Traditional Tribal Cultural Resources through the California Environmental Quality Act (CEQA) Guidelines. Pursuant to PRC Section 21080.3.1, the lead agency shall begin consultation with the California Native American tribe that is traditionally and culturally affiliated with the geographical area of the proposed Project. Such significant cultural resources are either sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a tribe which is either on or eligible for inclusion in the California Historic Register or local historic register, or, the lead agency, at its discretion, and support by substantial evidence, choose to treat the resources as a Tribal Cultural Resources (PRC Section 21074(a)(1-2)). According to the most recent census data, California is home to 109 currently recognized Indian tribes. Tribes in California currently have nearly 100 separate reservations or Rancherias. Fresno County has a number of Rancherias such as Table Mountain Rancheria, Millerton Rancheria, Big Sandy Rancheria, Cold Springs Rancheria, and Squaw Valley Rancheria. These Rancherias are not located within the city limits.

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's) Sacred Lands File per Public Resources Section

(PRC) Section 5097.96 and the California Historical Resources Information System (CHRIS) administered by the California Office of Historic Preservation. Note: 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 September 9, 2021. The 30-day comment period ended on October 11, 2021.

Under invitations to consult under AB 52, Table Mountain Rancheria elected to consult on the proposed project on October 5, 2021 under AB 52 guidelines. During consultation, Table Mountain Rancheria did not provide any mitigation measure requests to staff, thus no mitigation measures are required.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

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

DETERMINATION

(To be completed by the Lead Agency) on the basis of this initial evaluation:

- ☐ Found that the proposed Project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ Found 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.
- ☐ Found that the proposed Project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ Found that the proposed Project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ Found 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.



06/10/2022

Rob Holt, Planner III

Date

EVALUATION OF ADDITIONAL ENVIRONMENTAL IMPACTS NOT ASSESSED IN THE PROGRAM ENVIRONMENTAL IMPACT REPORT (PEIR):

1. For purposes of this Initial Study, the following answers have the corresponding meanings:
 - a. "No Impact" means the subsequent project will not cause any additional significant effect related to the threshold under consideration which was not previously examined in the PEIR.
 - b. "Less Than Significant Impact" means there is an impact related to the threshold under consideration that was not previously examined in the PEIR, but that impact is less than significant.
 - c. "Less Than Significant with Mitigation Incorporation" means there is a potentially significant impact related to the threshold under consideration that was not previously examined in the PEIR, however, with the mitigation incorporated into the project, the impact is less than significant.
 - d. "Potentially Significant Impact" means there is an additional potentially significant effect related to the threshold under consideration that was not previously examined in the PEIR.
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 Attachment B, "PEIR Mitigation Measure Monitoring Checklist for EA No. P19-05950" may be cross-referenced).
6. Earlier analyses may be used where, pursuant to the tiering, program EIR or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a. Earlier Analysis Used. Identify and state where they are available for review.
 - b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in the PEIR or another earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c. Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

-
7. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances).

Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

8. Supporting Information Sources: A source list should be attached, and other sources used, or individuals contacted should be cited in the discussion.
9. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
10. The explanation of each issue should identify:
 - a. The significance criteria or threshold, if any, used to evaluate each question; and
 - b. The mitigation measure identified, if any, to reduce the impact to less than significance.

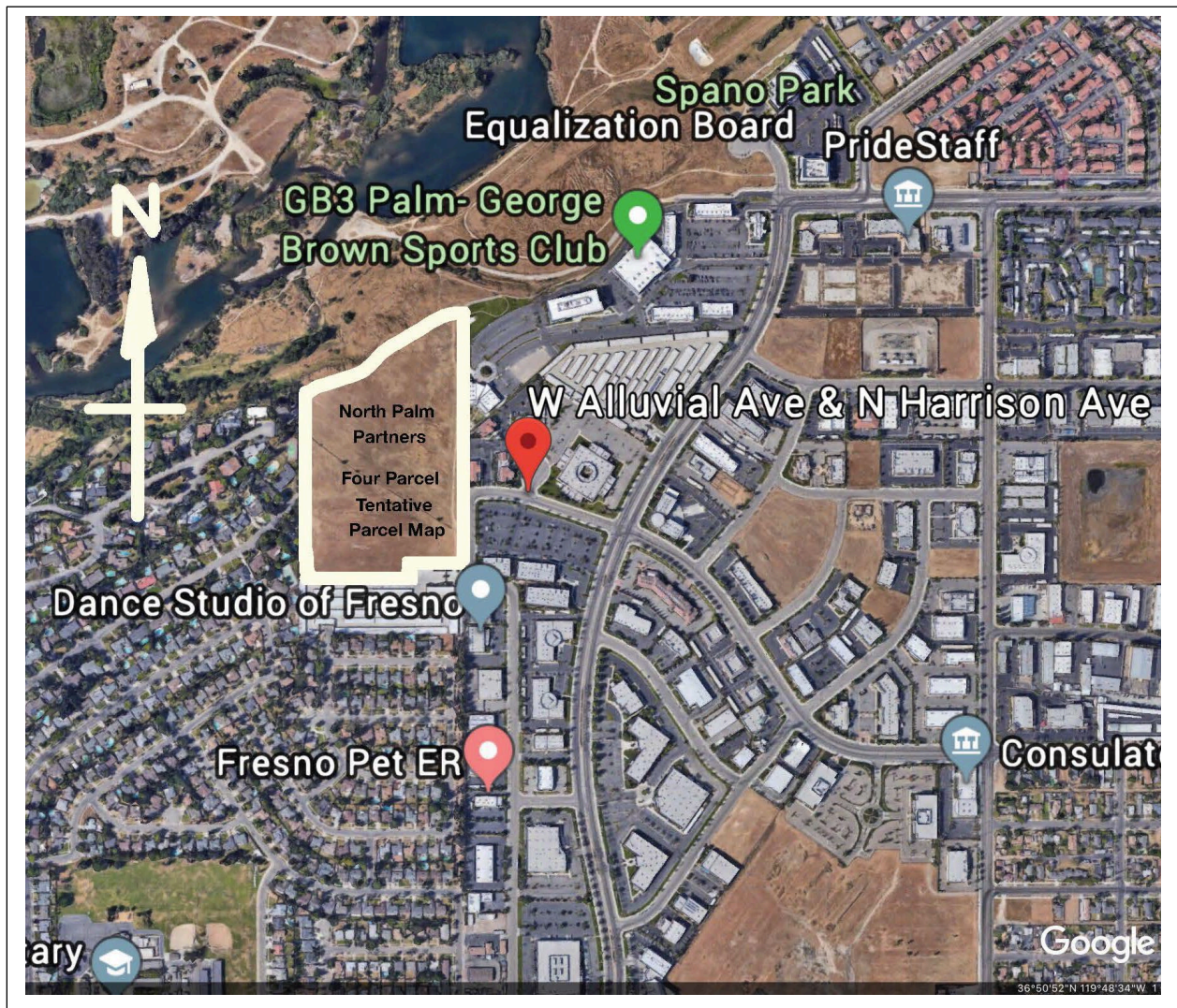
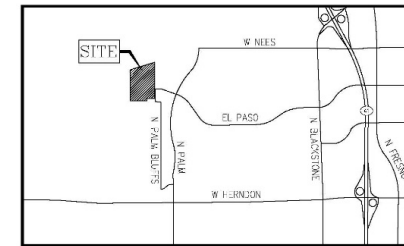


Figure 1
Project Location Map

VESTING TENTATIVE PARCEL MAP NO. 2019-12



VICINITY MAP
NOT TO SCALE

FLOOD ZONE INFORMATION:

A PORTION OF THIS PROPERTY LIES IN ZONE "X" OF "OTHER FLOOD AREAS" AS SHOWN ON FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FRESNO COUNTY, CALIFORNIA AND INCORPORATED AREAS. PANEL NO. 2110 OF 3525, MAP NO. 06019C2110H MAP REVISED, FEBRUARY 18, 2008.

FLOOD ZONE "X" OF "OTHER FLOOD AREAS" IS DESCRIBED AS AREAS OF 0.2% ANNUAL CHANCE FLOOD, AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE, AND AREAS PROTECTED BY LEVEES FROM 1% ANNUAL CHANCE FLOOD.

OWNER + SUBDIVIDER:

RUSSELL G. SMITH, INC.
8050 NORTH PALM AVENUE, SUITE 300
FRESNO, CA 93711
RUSSELL G. SMITH
(559) 449-2424

DIRK POESCHEL LAND
DEVELOPMENT SERVICES
923 VAN NESS AVENUE, SUITE 200
FRESNO, CA 93721
DIRK POESCHEL, AICP
(559) 445-0374

LINE & CURVE TABLE			
LINE/CURVE	BEARING	LENGTH	RADIUS
C1	42°27'01"	74.09'	100.00'
L1	N89°59'19"W	266.27'	
C2	27°35'19"	75.12'	156.00'
C3	55°19'53"	169.97'	176.00'
C4	27°47'29"	75.67'	156.00'
L2	S89°57'46"E	138.70'	
L3	N89°57'46"E	138.58'	
C5	N90°00'00"E	17.00'	
C6	27°47'29"	88.28'	182.00'
C7	55°19'53"	144.86'	150.00'
L4	N89°59'19"W	266.27'	
C8	44°07'14"	56.98'	74.00'
L5	S45°53'27"W	4.00'	



0' 100' 200'
SCALE 1" = 100'



LARS ANDERSEN & ASSOCIATES, INC.

CIVIL ENGINEERS - LAND SURVEYORS - PLANNERS

4694 WEST JACQUELYN AVENUE FRESNO CALIFORNIA 93722
TEL: 559 276-2790 FAX: 559 276-0850 WWW.LARSANDERSEN.CO
JOB NO. 18017.00 DATE: February 11, 2021 SHEET 1 OF 1

LEGEND

- (JR) RECORD DATA PER LOT LINE ADJUSTMENT NO. 2008-11, RECORDED AS DOC. NO. 20090004849, FRESNO COUNTY RECORDS.
- ▲ RIGHT-OF-WAY DEDICATED FOR STREET PURPOSES RECORDED ON TRACT 4637, DOC. NO. 9818838, VOL. 62 OF PLATES, PGS. 39-48 O.R.F.C.
- RIGHT-OF-WAY GRANTED TO THE CITY OF FRESNO PER PARCEL MAP 77-23, TO BE ABANDONED.
- ROAD RIGHT-OF-WAY PER BK. 4 PG. 68, TO BE ABANDONED.
- ▲▲▲▲▲ RELINQUISHMENT OF ACCESS

LEGAL DESCRIPTION:

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF FRESNO, COUNTY OF FRESNO, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

Parcel A of Lot Line Adjustment No. 2008-11, recorded January 15, 2009, Instrument No. 20090004849, Official Records, and more particularly described as follows:

That portion of the North half of Section 32, Township 12 South, Range 20 East, Mount Diablo Base and Meridian, in the City of Fresno, County of Fresno, State of California, according to the Official Plat thereof and that portion of Lots 299, 300, 301 and 307 of Ferno Colony No. 2, according to the amended map thereof recorded in Book 4, Page 68 of Maps, and that portion of Outlot "A" of Parcel Map No. 77-23, in the City of Fresno, County of Fresno, State of California, according to the map thereof recorded in Book 24, Pages 81 and 82 of Maps, in the Office of the County Recorder of said County, described as follows:

Beginning at the most Easterly Northeast corner of said Outlot "A", thence South 00° 14' 00" West, along the East line of said Outlot "A", a distance of 182.88 feet to a point on a line that is parallel with and 331.80 feet North of the South line of said Outlot "A", thence North 50° 51' 00" West, along said parallel line, a distance of 258.84 feet, thence South 00° 00' 00" West, a distance of 74.56 feet to a point on a line that is parallel with and 258.84 feet North of said South line, thence North 89° 51' 00" West, along said parallel line, a distance of 555.70 feet to a point on the Westerly line of said Outlot "A", thence North 00° 02' 48" West, a distance of 731.17 feet to the most Easterly Southeast corner of Tract No. 1362, The Bluffs, according to the map thereof recorded in Book 17, Pages 6 and 7 of Maps, in the Office of the County Recorder of said County, thence North 0° 49' 00" West, along the East line of said tract, a distance of 202.40 feet to the Northwest corner thereof, thence along the centerline of Old San Joaquin Canal North 67° 39' 30" East, a distance of 101.50 feet, thence North 72° 47' 00" East, a distance of 600.00 feet, thence North 74° 29' 00" East, a distance of 153.00 feet, thence leaving the centerline of said canal, South 0° 14' 00" West, a distance of 1045.74 feet to the point of beginning.

Except Therefrom all that portion conveyed to Pinedale County Water District, a County Water District by Deed recorded December 31, 2015 Instrument No. 2015-0164450-03 of Official Records.

NOTES:

- THE PROPERTY ADJUTS THE FOLLOWING PUBLIC STREETS:
N. HARRISON AVE & W. ALLUVIAL AVE.
- THE PROPERTY'S GENERAL LOCATION IS W. OF PALM BLUFFS-ALLUVIAL & NESS, FRESNO, CA
- SOURCE OF DATA FOR MAP IS LOT LINE ADJUSTMENT NO. 2008-11, RECORDED AS DOC. NO. 20090004849, O.R.F.C.
- THE SOURCE OF WATER SUPPLY SHALL BE THE PINEDALE WATER DISTRICT.
- THE SOURCE OF SEWERAGE AND SEWAGE DISPOSAL SHALL BE THE CITY OF FRESNO.
- ALL IMPROVEMENTS WILL BE INSTALLED TO CITY OF FRESNO STANDARDS.
- THE SITE CONTAINS UNDERGROUND FEATURES.
- PROPOSED LAND USE: OFFICE
EXISTING LAND USE: OFFICE
- ACREAGE:
NET: 20.75 AC
GROSS: 21.09 AC
- AFTER SUBDIVISION THERE WILL BE NO EXISTING GRADE DIFFERENTIALS OVER 6".

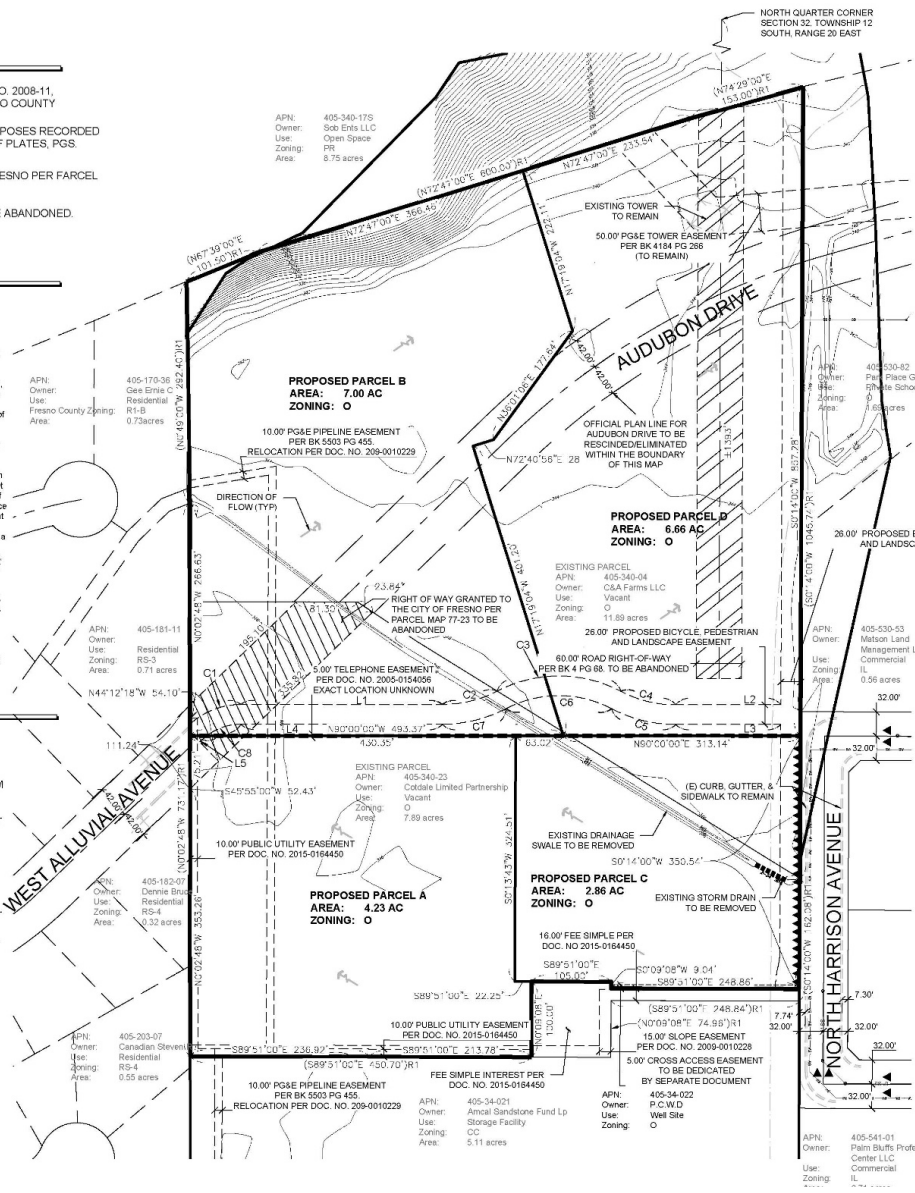
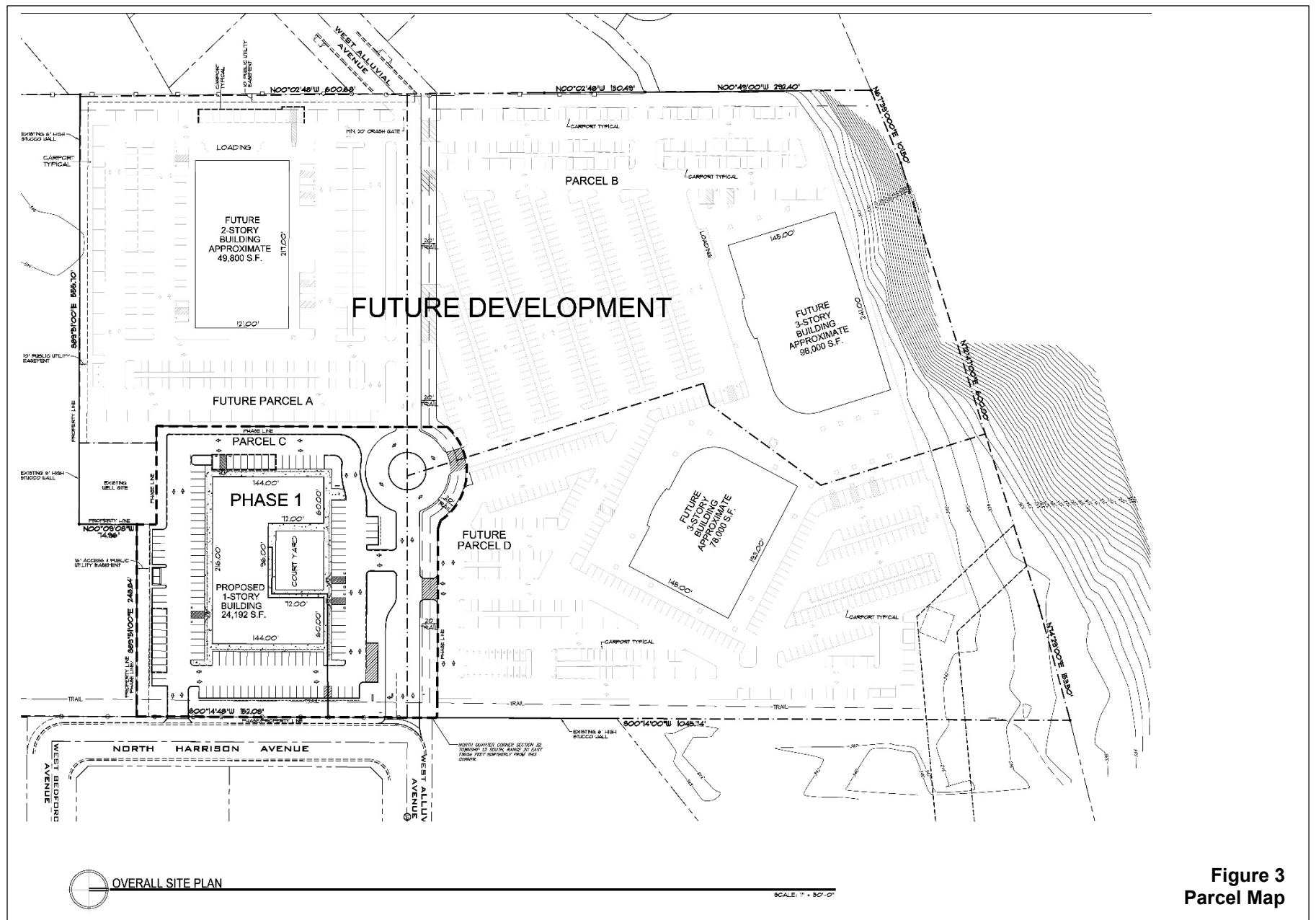


Figure 2
Vesting Tentative Map



**Figure 3
Parcel Map**

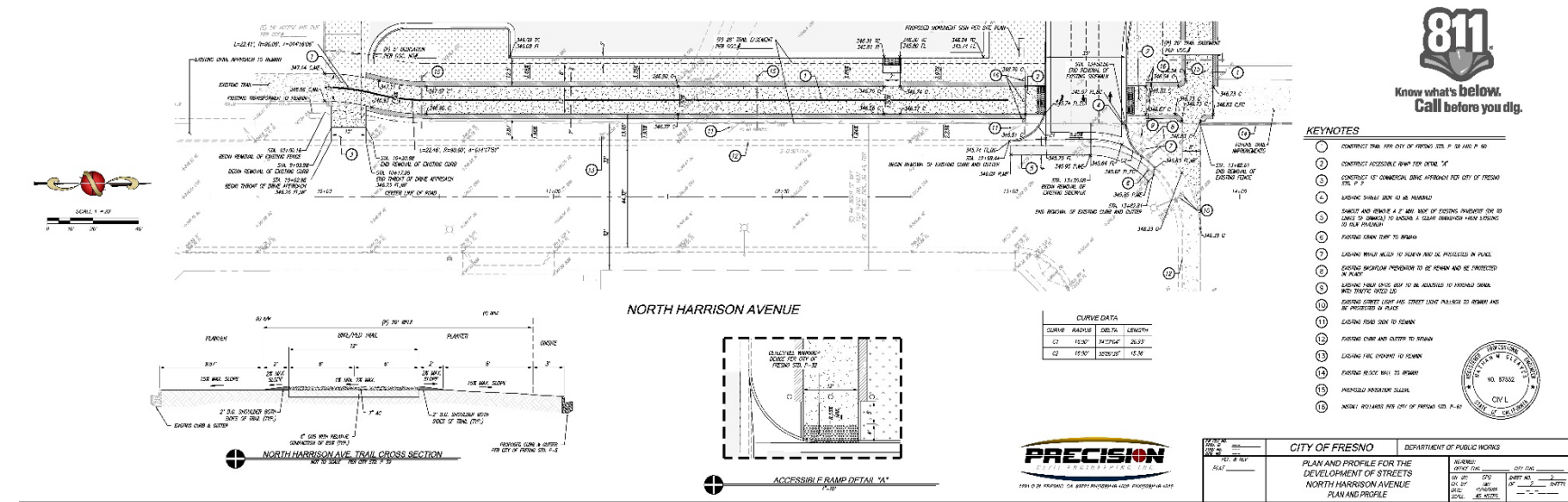


Figure 4
Proposed Pedestrian, Bicycle and Landscape Easement/Trail



Photo 1: Previously approved, existing Single-Story Office Building and parking lot at 1010 West Alluvial. Overhead lighting installed.



Photo 2: View west along driveway into property. Previously approved curb, gutter, sidewalk installed.



Photo 3: View north towards bluff and PG&E tower showing northern portion of the site.



Photo 4: View northwest across property. Existing residential neighborhood is screened by row of trees. Bluff is to the north. Curb and sidewalk installed per previous project approvals.



Photo 5: View south along eastern property line. Residential uses to the east, Derrell's Mini Storage visible to the south (center of photo).



Photo 6: View east from eastern property line towards existing office building (1010 West Alluvial). Derrell's Mini Storage units visible to the south (right of photo).

EVALUATION OF ENVIRONMENTAL IMPACTS:

- 1) 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).
- 2) 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.
- 3) 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.
- 4) "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 (5) below, may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, 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.
- 6) 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.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 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.

I. AESTHETICS Would the project:

- a) Have a substantial adverse effect on a scenic vista or scenic highway? ☐ ☐ ☐ ☒

No Impact. The proposed Project site is in north Fresno, west of Palm Bluffs, Alluvial Avenue and Nees Avenue in the City of Fresno, California. There are no scenic highways near the site. The northern boundary of the Project site is adjacent to the San Joaquin River Bluffs and is within the BL Overlay District. The District provides special land development standards for the southerly San Joaquin River Bluffs which include aesthetic considerations such as setbacks, design and orientation of buildings, exterior colors and construction materials and the locations of streets, utilities and other facilities. The intent of the standards is to preserve the integrity of the natural landscape. Future development on Parcels A, B and D will be required to comply with the provisions of the BL Overlay District. Therefore, the Project will not have a substantial adverse effect on a scenic vista.

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

No Impact. The Project site has been previously disturbed and partially developed with driveways, parking lot and a single-story office building on Parcel C. The undeveloped portion of the site is uneven and has several dirt stockpiles and a few trees on the northwestern portion. There are no rock outcroppings or historic buildings on the site nor is the site within a state scenic highway. No impact would occur.

- c) In nonurbanized 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? ☐ ☐ ☒ ☐

Less than Significant Impact. The Project is in an urban area in north Fresno that has been planned for industrial and commercial uses for decades. The Project is consistent with the O zoning designation and the BL Overlay District. The BL Overlay District has specific Development Standards for buildings on the south side of the San Joaquin Bluffs. Development, including buildings, structures, decks, pools, spas, and steps, is required to have a minimum bluff setback of 20 feet from the bluff edge or as identified as necessary for the preservation of the existing state of the bluffs in the soils report prepared pursuant to Section 15-1603-F, Soils Report, whichever is greater. Buildings, structures and steps that may be included in proposed office buildings may be below grade, at grade, or above grade. The Project would be subject BL Overlay District Development Standards to preserve the integrity of the natural landscape and special qualities of the bluffs. Therefore, the Project would have a less than significant impact on the existing visual character or quality of the site and surroundings.

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

Less than Significant Impact. Three office buildings would be developed on Parcels A, B and D in addition to the existing office building on Parcel C. All buildings would be subject to City lighting and illumination standards. Any development within 300 feet of the toe of the San Joaquin River bluff would be required to comply with the Lighting and Illumination Development Standard requiring that streetlights and all exterior lighting directed away from the river bottom. Construction materials are required to be compatible with the natural bluff environmental and surrounding development and the Project would be required to comply with City lighting standards requiring shielding of lighting on buildings and light poles. Therefore, the Project would result in no impact regarding adversely affecting day or nighttime views in the area.

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 Department 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? ☐ ☐ ☐ ☒

No Impact. The proposed Project is in the northern portion of the City of Fresno on the southern bluff of the San Joaquin River. The site is designated "Vacant or Disturbed Land" on the "2018 California Department of Conservation Important Farmland Map" and is surrounded by "Urban and Built-Up Land" on to the west, south and east. The area to the north of the site is designated as "Non-agricultural or Natural Vegetation". Thus, the Project would not convert any farmland pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency to a non-agricultural use. No impact would occur.

- b) Conflict with existing zoning for agricultural use, or a Williamson Act Contract? ☐ ☐ ☐ ☒

No Impact. The Project site is not in a Williamson Act Contract. However, the parcel immediately to the north on the slope of the San Joaquin River Bluff (APN 405-34-017S) is designated as a Williamson Act Contract on the Fresno County Williamson Act Parcels, California 2015. This area is designated as "Multi-Use" on the City of Fresno General Plan Land Use and Circulation Map. Development of the proposed Project would not conflict with the existing Williamson Act Contract on this parcel. Therefore, the proposed Project would not conflict with zoning for agricultural use or a Williamson Act Contract. No impact would occur.

- 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))?

No Impact. The City of Fresno Zoning Map does not have any lands zoned forest or timberland. Thus, the Project would have no impact or conflict with existing zoning for forest lands, timberlands, or timberland zoned Timberland Production (City of Fresno 2020).

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

No Impact. No forest lands are within the City of Fresno or its Sphere of Influence. The proposed Project would not result in the loss of forest land or conversion of forest land to non-forest use. Therefore, no impact is identified for this issue area.

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

No Impact. Refer to items “b)”, “c)” and “d)” above. The proposed Project would not result in any agriculture and forestry resource environmental impacts beyond those analyzed in Fresno General Plan PEIR.

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 the following determinations. Would the Project:

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

Less than Significant Impact. The discussion of air quality emissions is divided between construction and operational emissions. The analysis is based on the “Air Quality and Greenhouse Gas Assessment, Alluvial Avenue General Office Complex Project, Fresno, California”) prepared by ECORP Consulting, Inc. (2022). This document is included in its entirety in Appendix A of this document.

Three basic sources of short-term emissions would be generated through construction of the proposed Project: operation of the construction vehicles (i.e., tractors, dozers, backhoes), the creation of fugitive dust during clearing and grading, and the use of asphalt or other oil-based substances during paving activities (ECORP 2022, p. 14). Predicted emissions generated during Project construction were calculated using the California Air Resources Board (CARB) approved CalEEMod computer program, which is designed to model emissions for land use development projects, based on typical construction requirements (ECORP 2022, p. 15). (See Attachment A of Appendix A).

Predicted maximum daily emissions associated with Project construction are summarized in Table AQ-1. Construction-generated emissions would be short-term and of temporary duration, lasting only as long as construction activities occur but would be considered a significant air quality impact if the volume of pollutants generated exceeds the San Joaquin Valley Air Pollution Control District’s (SJVAPCD’s) thresholds of significance.

Potentially
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(PSI)

Potentially
Significant
Unless
Mitigation
Incorporated
(PSUMI)

Less Than
Significant
Impact
(LTSI)

No
Impact
(NI)

Table AQ-1
Construction-Related Emissions

Construction Year	ROG	NOx	CO	SO2	PM10	PM2.5
Construction 2022	1.12	3.96	4.37	0.01	0.77	0.36
Construction 2023	1.62	4.23	5.70	0.01	0.73	0.31
SJVAPCD Significance Threshold	10 tons/year	10 tons/year	100 tons/year	27 tons/year	15 tons/year	15 tons/year
Exceed SJVAPCD Threshold	No	No	No	No	No	No

Source: CalEEMod version 2020.4.0. Refer to Attachment A for Model Data Outputs in ECORP 2022., p 16.

Notes: Emission reduction/credits for construction emissions are applied based on the required implementation of SJVAPCD Regulation VIII. The specific air pollutant-reduction measures applied in CalEEMod include: watering unpaved surfaces two times per day with a maximum vehicle speed of 15 mph, cleaning paved public roads, and the use of soil stabilizers on all unpaved roads and traffic areas. Maximum daily emissions were taken from the "mitigated" values generated in CalEEMod for Regulation VIII mitigation measures.

As shown in Table AQ-1, construction-generated emissions would not exceed SJVAPCD significance thresholds.

In addition to the SJVAPCD criteria air pollutant thresholds, SJVAPCD Rule 9510, Indirect Source Review, is intended to fulfill the District's emission reduction commitments in the PM10 and Ozone Attainment Plans. This rule applies to the following construction projects within the jurisdiction of the SJVAPCD including general office space projects of 39,000 square feet. The Project is proposing the construction of more than 39,000 square feet of general office space. Therefore, the proposed Project is required to comply with Rule 9510. In accordance with Rule 9510, the Project applicant is required to prepare a detailed air impact assessment (AIA) for submittal to the SJVAPCD, which demonstrates reduction of NOx emissions from the Project's baseline by 20 percent and PM10 emissions from the Project's baseline by 45 percent. Table AQ-2 summarizes the results of the AIA prepared for the Project.

Table AQ-2
Construction Related NOx & PM10 Emissions-Baseline and Mitigated (tons per year)

Construction	NOx Baseline	NOx Mitigated	Percent Reduction
Total Construction	8.19	2.50	69%
<i>SJVAPCD Rule 9510 NOx Reduction Target</i>			20%
Construction	NOx Baseline	NOx Mitigated	Percent Reduction
Total Construction	1.50	0.65	56.5%
<i>SJVAPCD Rule 9510 PM₁₀ Reduction Target</i>			45%

Source: CalEEMod version 2020.4.0. Refer to Attachment A for Model Data Outputs in ECORP 2022, p. 18.

As shown in Table AQ-2, implementation of the required reduction measures of Rule 9510 have the potential to reduce total NOx emissions by 69 percent and total PM10 emissions by 55 percent, which is beyond the reduction needed to achieve the SJVAPCD Rule 9510 target. The required reduction measures of Rule 9510 would result in a greater (69%) than 20 percent reduction of NOx emissions from the unmitigated baseline and a greater (56.5%) than 45 percent reduction of PM10 emissions from the unmitigated baseline for all construction activities. Therefore, Project construction would not result in a potentially significant contribution to concentrations of non-attainment pollutants and would not result in a significant contribution to the adverse health impacts associated with those pollutants.

Operational Emissions

Implementation of the Project would result in long-term operational emissions of criteria air pollutants such as PM10, PM2.5, CO, and SO2 as well as O3 precursors such as ROG and NOX. Project-generated increases in emissions would be predominantly associated with motor vehicle use. The SJVAPCD's Guidance for Assessing and Mitigating Air Quality Impacts identifies significance thresholds for ROG, CO, and NOX, SO2, PM10, and PM2.5. Table AQ-3 identifies long-term operational emissions attributable to the Project compared to the operational significance thresholds promulgated by the SJVAPCD.

Table AQ-3
Operational-Related Emissions

Emissions Source	Maximum Pollutants (tons per year)					
	ROG	NOx	CO	SO2	PM10	PM 2.5
Proposed Project Annual Emissions						
Area	1.09	0.00	0.00	0.00	0.00	0.00
Energy	0.01	0.14	0.12	0.00	0.01	0.01
Mobile	0.63	0.81	4.60	0.00	0.88	0.24
Total	1.74	0.96	4.72	0.87	0.89	0.25
<i>SJVAPCD Significance Threshold</i>	10	10	100	27	15	15
Exceed SJVAPCD Threshold	No	No	No	No	No	No

Source: CalEEMod version 2020.4.0. Refer to Attachment A for Model Data Outputs in ECORP 2022, p. 19.

Notes: Emission projections predominately based on CalEEMod model defaults for Fresno County. Average daily vehicle trips and vehicle miles traveled provided by JLB Traffic Engineering, Inc. (2021).

As shown in Table AQ-3, Project construction would not generate emissions that would exceed SJVAPCD significance thresholds and therefore would not result in an increase in the frequency or severity of existing air quality violations or cause or contribute to new air quality violations. Furthermore, the Project is proposing the construction of three general office space buildings along with one existing office space building, and associated infrastructure. The Project's land use designation is consistent with the City General Plan O designation and thus would not conflict with the population growth forecasts of the 2035 General Plan buildout scenario (ECORP 2022, p. 21). Additionally, the Project site can be identified for its "location efficiency" resulting in vehicle miles traveled (VMT) reductions up to 65 percent in an urban area, up to 30 percent in a compact infill area, or up to 10 percent in a suburban and thus reductions in air pollutant emissions. For these reasons, the Project would not conflict with or obstruct implementation of any applicable air quality plan (ECORP 2022, p. 21).

- b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Less than Significant Impact. By its very nature, air pollution is largely a cumulative impact. No single project is sufficient in size, by itself, to result in non-attainment of ambient air quality standards. Instead, a project's individual emissions contribute to existing cumulatively significant adverse air quality impacts. If a project's individual emissions exceed its identified significance thresholds, the project would be cumulatively considerable. Projects that do not exceed significance thresholds would not be considered cumulative considerable (ECORP 2022, p.14).

As demonstrated in Tables AQ-1, AQ-2 and AQ-3 above, the proposed Project would not exceed the SJVAPCD's thresholds for construction or operational-related emissions. Therefore, this impact is considered less than significant.

- c) Expose sensitive receptors to substantial pollutant concentrations? ☐ ☐ ☒ ☐

Less than Significant Impact. Sensitive receptors are defined as facilities or land uses that include members of the population that are particularly sensitive to the effects of air pollutants, such as children, the elderly, and people with illnesses. The nearest sensitive receptors to the Project site are single-family residences located directly adjacent to the west and south (south of the Derrell's Mini Storage) (ECORP 2022, p. 21). The following discussion addresses pollutants from construction, operation, Carbon Monoxide Hotspots and Valley Fever.

Construction -Generated Air Contaminants

Construction of the Project would result in temporary, short-term construction-generated emissions of diesel particulate matter (DPM), ROG, NOx, CO, and PM10 from the exhaust of off-road, heavy-duty diesel equipment for site preparation/excavation (e.g., clearing, trenching); truck traffic; paving; and other miscellaneous activities. The Project is located in the portion of the San Joaquin Valley Air Basin (SJVAB) that is designated as a nonattainment area for state and federal O3, PM2.5 and PM10. Thus, existing O3, PM2.5 and PM10 levels in the SJVAB are at unhealthy levels during certain periods (ECORP 2022, p. 21). However, as shown in Table AQ-1 and Table AQ-2, the Project would not exceed the SJVAPCD significance thresholds for construction emissions. Likewise, Project construction would not result in a potentially significant contribution to concentrations of non-attainment pollutants and would not result in a significant contribution to the adverse health impacts associated with those pollutants.

Operational Air Contaminants

Operation of the proposed Project would not result in the development of any substantial sources of air toxics. There are no stationary sources associated with the operations of the Project nor would the Project attract additional mobile sources that spend long periods queuing and idling at the site. On-site Project emissions would not result in significant concentrations of pollutants at nearby sensitive receptors. The maximum operation-related emissions of exhaust PM10, considered a surrogate for DPM, would be 0.10 pounds per day, produced by the operational vehicle trips per day generated by the office complex. Therefore, the Project would not be a substantial source of Toxic Air Contaminants (TACs) and would not have a high carcinogenic or non-carcinogenic risk during operation (ECORP 2022, p. 23).

Valley Fever

Fresno County is considered a highly endemic area for Valley Fever. When soil containing this fungus is disturbed by ground-disturbing activities such as digging or grading, by vehicles raising dust, or by the wind, the fungal spores become airborne. When people breathe the spores into their lungs, they may get valley fever. Infection from Valley Fever during ground-disturbing activities can be partially mitigated through the control of Project-generated dust. Adherence to SJVAPCD dust-reducing measures (Regulation VIII), which includes the preparation of a SJVAPCD-approved dust control plan describing all fugitive dust control measures that are to be implemented before, during, and after any dust-generating activity, would assist with controlling project-generated dust. With implementation of SJVAPCD Regulation VIII, dust from the construction of the Project would not add significantly to the

existing exposure level of people to this fungus, including construction workers (ECORP 2022, p. 22).

Carbon Monoxide Hot Spots

Carbon Monoxide (CO) exceedances are caused by vehicular emissions, primarily when idling at intersections (ECORP 2022, p. 23). A CO “hot spot” would occur if an exceedance of the state one-hour standard of 20 parts per million (ppm) or the eight-hour standard of 9 ppm were to occur (ECORP 2022, p. 24). A project would have to have intersection traffic volumes more than 100,000 vehicles per day (or 44,000 vehicles per day) to generate CO levels that would be considered a “hot spot.” The proposed Project is anticipated to generate 2,199 daily traffic trips (JLB 2021). Therefore, there is no likelihood of the Project traffic exceeding CO values and creating a CO “hot spot” (ECORP 2022, p. 25).

Overall, Project construction would not result in a potentially significant contribution to concentrations of nonattainment pollutants and would not result in a significant contribution to the adverse health impacts associated with those pollutants. This impact is considered less than significant.

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

No Impact. During construction, the proposed Project could potentially generate objectionable odors in the form of diesel exhaust in the immediate vicinity of the site. However, these emissions are short-term in nature and will rapidly dissipate and be diluted by the atmosphere downwind of the emission sources. Additionally, odors would be localized and generally confined to the construction area. Therefore, construction odors would not adversely affect a substantial number of people and construction odor generation is considered less than significant.

Once construction is complete, the proposed office use would not generate any odors. No impact from odor generation would occur during operation of the Project.

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 Wildlife or U.S. Fish and Wildlife Service? ☐ ☒ ☐ ☐

Potentially Significant Unless Mitigation Incorporated. The analysis of Biological Resources is based on the “North Palm Partners Four Parcel Subdivision Biological Study” prepared by H.T. Harvey & Associates (2021). The Study is included as Appendix B.

The Project site was surveyed in its entirety on May 26, 2021, to determine the potential presence of special-status plant and wildlife species. Prior to the survey, existing accessible literature and database sources were reviewed for information on special-status biological resources that may occur within the proposed Project site. A query of California Fish and Wildlife Service’s California Natural Diversity Database, the National Oceanic and Atmospheric Administration’s Protected Resources Application, and the U.S. Fish and Wildlife Service’s online Information for Planning and Consultation records occurring within 5 miles of the Project site revealed 47 special-status species occurrences for 34 species in the Project vicinity (Figure 3, Appendix A and B of Appendix B of this

Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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document). The dates of the records ranged from the 1880s to 2017 with only three records after 2010. These three records are for California tiger salamander (*Ambystoma californiense*) (*Federally Threatened, State Threatened*), vernal pool fairy shrimp (*Branchinecta lynchi*) (*Federally Threatened*), and western spadefoot toad (*Spea hammondi*) (*Species of Special Concern*). These occurrences are located over 4.5 miles from the Project site, and, as described below, no suitable habitat for these species occurs on the Project site. Furthermore, the Project site does not overlap with Designated Critical Habitat (H.T. Harvey 2021, p. 1).

The Project site has been disturbed by historic agricultural activities and recent discing. These activities have limited habitat complexity and plant species diversity. Dominant plant species within the ruderal grassland consist of weedy species such as ripgut brome (*Bromus diandrus*), black mustard (*Brassica nigra*), and barley (*Hordeum sp.*) (see Appendix D of Appendix B of this document for a list of observed plants) (H.T. Harvey 2021, p. 5).

Piles of trash and refuse and old burn piles are scattered throughout the site (see Appendix C, Photo 2 of Appendix B of this document). Overall, the Project site provides habitat that is limited in quality for special-status plant and wildlife species. The majority of 500-foot buffer around the Project site consists of developed habitat; roads, housing developments, and office complexes (see Figure 4 of Appendix B of this document). Non-developed habitat is located in the portion of the buffer located north of the Project site below the San Joaquin River bluff and is described below (H.T. Harvey 2021, p. 5).

One common raven (*Corvus corax*) nest was found in a transmission tower in the northeast corner of the site (Figure 4 of Appendix B of this document). The nest was active at the time of the site visit, with two adults delivering food to the nest. No other nests were found on the Project site or within the 500-foot buffer. Burrows of California ground squirrels (*Otospermophilus beecheyi*) are moderately abundant throughout the Project site (Figure 4; Appendix C, Photo 6 of Appendix B of this document). All observed animal species are listed in Appendices E and F of Appendix B of this document (H.T. Harvey 2021, p. 5).

The ground squirrel burrows have the potential to be used for roosting or nesting by burrowing owls (*Athene cunicularia*), which are a special-status species listed by the California Department of Fish and Wildlife as a Species of Special Concern. However, there are no records of burrowing owls on the Project site or within 5.0 miles of the Project site (Figure 3 of Appendix B of this document). The closest occurrence is located 6.1 miles southeast of the Project site (California Natural Diversity Database [CNDDB] Occurrence No. 1962). Although recorded in the 1990s, these occurrences are considered by the CNDDB to be extant; therefore, the potential exists for burrowing owls to occur on the Project site (H.T. Harvey 2021, p. 7).

Other than burrowing owl, the proposed Project will have no effect on special-status species because suitable habitat conditions are absent from the Project site (see Appendix B of Appendix B of this document). Suitable nesting substrate occurs for raptors and nesting birds on and adjacent to the Project site. The federal Migratory Bird Treaty Act (MBTA), 16 U.S.C. Section 703, prohibits killing, possessing, or trading of migratory birds except in accordance with regulations prescribed by the Secretary of the Interior. The MBTA protects whole birds, parts of birds, and bird eggs and nests, and it prohibits the possession of all nests of protected bird species whether they are active or inactive. An active nest is defined as having eggs or young, as described by the USFWS in its June 14, 2018 memorandum "Destruction and Relocation of Migratory Bird Nest Contents". Nest starts (nests that are under construction and do not yet contain eggs) and inactive nests are not protected

Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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from destruction. The U.S. Fish and Wildlife Service published a proposed rule on governing the "take" of birds under the MBTA on February 3, 2020 (Federal Register 86 FR 1134: 1134-1165). This proposed rule stated that the scope of the MBTA applies only to intentional injuring or killing of birds. Prior to this rule, incidental take was also prohibited. On January 7, 2021, the final regulation defining the scope of the MBTA published in the Federal Register and went into effect on February 8, 2021. However, On May 7, 2021, the Service published a proposal to revoke the January 7, 2021 final regulation that limited the scope of the MBTA (Federal Register 86 FR 24573: 24573-24581) (H.T. Harvey 2021, p. 7).

All nesting birds, their eggs, and their nestlings are protected by the California Fish and Game Code (Section 3503). If birds nest in areas where direct construction disturbance will occur, work during the breeding season (typically February 1 through August 31) could result in the destruction of nests, eggs, or young. The effects on nesting birds would be limited to individuals and would not have an effect on species populations. The effects of the action would be limited to the construction phase (H.T. Harvey 2021, p. 8). The following mitigation measures from the PEIR would avoid and minimize any potential effects to nesting birds (MM BIO-4) and burrowing owls (MM BIO-1.1, BIO-1.2, BIO-1.3, and BIO-1.4 of the Fresno General Plan PEIR).

Mitigation Measures

PEIR Mitigation Measure BIO-1.1: Construction of a proposed Project should avoid, where possible, vegetation communities that provide suitable habitat for a special-status species known to occur within the Planning Area. If construction within potentially suitable habitat must occur, the presence/absence of any special-status plant or wildlife species must be determined prior to construction, to determine if the habitat supports any special-status species. If special-status species are determined to occupy any portion of a Project site, avoidance and minimization measures shall be incorporated into the construction phase of a project to avoid direct or incidental take of a listed species to the greatest extent feasible.

Timing of Implementation: Prior to development project approval.

Compliance Verified By: Development & Resource Management Department.

PEIR Mitigation Measure BIO-1.2: Direct or incidental take of any state or federally listed species should be avoided to the greatest extent feasible. If construction of a proposed Project will result in the direct or incidental take of a listed species, consultation with the resources agencies and/or additional permitting may be required. Agency consultation through the California Department of Fish and Wildlife (CDFW) 2081 and U.S. Fish and Wildlife Service (USFWS) Section 7 or Section 10 permitting processes must take place prior to any action that may result in the direct or incidental take of a listed species. Specific mitigation measures for direct or incidental impacts to a listed species will be determined on a case-by-case basis through agency consultation.

Timing of Implementation: Prior to development project approval.

Compliance Verified By: Development & Resource Management Department.

The U.S. Fish and Wildlife Service published a proposed rule on governing the "take" of birds under the Migratory Bird Treaty Act on February 3, 2020 (Federal Register 86 FR 1134: 1134-1165). This proposed rule stated that the scope of the Migratory Bird Treaty Act applies only to intentional injuring or killing of birds. Prior to this rule, incidental take was also prohibited. However, On May 7, 2021, the Service published a proposal to revoke the January 7, 2021, final regulation that limited the scope of the Migratory Bird Treaty Act (Federal Register 86 FR 24573: 24573-24581).

PEIR Mitigation Measure BIO-1.3: Development within the Planning Area should avoid, where possible, special-status natural communities and vegetation communities that provide suitable habitat for special-status species. If a proposed Project will result in the loss of a special-status natural community or suitable habitat for special-status species, compensatory habitat-based mitigation is required under CEQA and the California Endangered Species Act (CESA). Mitigation will consist of preserving on-site habitat, restoring similar habitat or purchasing off-site credits from an approved mitigation bank. Compensatory mitigation will be determined through consultation with the City and/or resource agencies. An appropriate mitigation strategy and ratio will be agreed upon by the developer and lead agency to reduce project impacts to special-status natural communities to a less than significant level. Agreed-upon mitigation ratios will depend on the quality of the habitat and presence/absence of a special-status species. The specific mitigation for project-level impacts will be determined on a case-by-case basis.

Timing of Implementation: Prior to development project approval and during construction activities.
Compliance Verified By: Development & Resource Management Department.

PEIR Mitigation Measure BIO-1.4: Proposed Projects within the Planning Area should avoid, if possible, construction within the general nesting season of February through August for avian species protected under Fish and Game Code 3500 and the Migratory Bird Treaty Act (MBTA), if it is determined that suitable nesting habitat occurs on a Project site. If construction cannot avoid the nesting season, a pre-construction clearance survey must be conducted to determine if any nesting birds or nesting activity is observed on or within 500-feet of a Project site. If an active nest is observed during the survey, a biological monitor must be on site to ensure that no proposed Project activities would impact the active nest. A suitable buffer will be established around the active nest until the nestlings have fledged and the nest is no longer active. Project activities may continue in the vicinity of the nest only at the discretion of the biological monitor. Prior to commencement of grading activities and issuance of any building permits, the Director of the City of Fresno Planning and Development Department, or designee, shall verify that all proposed Project grading and construction plans include specific documentation regarding the requirements of the Migratory Bird Treaty Act (MBTA) and California Fish and Game Code Section 3503, that preconstruction surveys have been completed and the results reviewed by staff, and that the appropriate buffers (if needed) are noted on the plans and established in the field.

Timing of Implementation: Prior to development project approval.
Compliance Verified By: Development & Resource Management Department

With implementation of PEIR mitigation measures BIO-1.1, BIO-1.2, BIO-1.3 and BIO-1.4, the Project will not result in any biological resource impacts beyond those analyzed in Fresno General Plan PEIR. This impact is considered less than significant.

- 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 Wildlife or U.S. Fish and Wildlife Service? ☐ ☐ ☐ ☒

No Impact. Approximately 0.30 acres of perennial riverine habitat consisting of the San Joaquin River is located within the northern edge of the 500-foot buffer (see Appendix C, Photo 3 of Appendix B of this document). Approximately 2.55 acres along the bank of the San Joaquin River and the toe of the bluff within an ephemeral backwater is mixed riparian woodland (Figure 4; Appendix C, Photo

3 of Appendix B of this document). Species along the riverbank are predominantly Gooding's black willow (*Salix goodingii*), sandbar willow (*Salix exigua*), scattered valley oaks (*Quercus lobata*), and patches of scarlet sesbania (*Sesbania punicea*). Vegetation in the backwater near the bottom of the bluff is dominated by Gooding's black willow, California ash (*Fraxinus dipetala*), valley oak, western sycamore (*Platanus racemosa*), and Fremont cottonwood (*Populus fremontii*). Sandbar willow thickets (*Salix exigua* Shrubland Alliance) with an understory of California mugwort (*Artemisia douglasiana*) comprise approximately 2.90 acres of the riparian area within the 500-foot buffer (Figure 4; Appendix C, Photo 4 of Appendix B of this document). Also located within the riparian zone and on the bluff are approximately 13.38 acres of non-native annual grassland (*Bromus (diandrus, hordeaceus* semi-natural stands), dominated by non-native bromes, such as ripgut brome and smooth brome (*Bromus hordeaceus*) (Figure 4; Appendix C, Photo 5, of Appendix B of this document) (H.T. Harvey 2021, p. 5). Because development is limited to the Project site above the bluff, the Project would not directly impact these habitats and no impact would occur.

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

No Impact. No wetland features of any kind were discovered during the survey of the Project site conducted on May 26, 2021 (see Appendix B of this document). Thus, no impact to a federally protected wetland would occur.

- d) Interfere substantially with the movement of any resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?
- | | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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No Impact. Wildlife corridors are linear features that connect large patches of natural open space and provide avenues for the migration of animals. The Project site is in the northern portion of the City of Fresno on the south side of the San Joaquin River Bluff. The site is surrounded by development (residential on the west, office on the south and east). The Project site has limited functionality for wildlife movement and dispersal. However, the San Joaquin River corridor from the bottom of the bluff to the San Joaquin River is part of a continuous riparian wildlife corridor. Construction will be limited to the Project site on the top of, and setback from the bluff/above the San Joaquin River. Therefore, the Project would not interfere 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 (H.T. Harvey 2021, p. 7). No impact regarding interfering with the movement of wildlife would occur in association with the proposed Project.

- e) Conflict with any local policies or ordinance protecting biological resource, such as a tree preservation policy or ordinance?
- | | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

No Impact. As discussed under item a) above, the Project site consists of bare ground with a scattered patches of ruderal grassland habitat, piles of trash and refuse and old burn piles. The Project site has been disturbed by historic agricultural activities and recent discing. These activities have limited habitat complexity and plant species diversity. Overall, the Project site provides habitat

Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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that is limited in quality for special-status plant and wildlife species (H.T. Harvey 2021, p. 5). The Project would not conflict with any local policies or ordinances protecting a biological resource. No impact would occur.

- f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? ☐ ☐ ☐ ☒

No Impact. The City of Fresno is not within an adopted Habitat Conservation Plan, Natural Community Conservation Plan or other approved local, regional, or state habitat conservation plan. No impact would occur.

V. CULTURAL RESOURCES Would the project:

- a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5? ☐ ☒ ☐ ☐

Potentially Significant Impact Unless Mitigation Incorporated. A Cultural Resources Record Search was prepared for the Project site by Piñon Heritage Solutions (2021). This included a literature and records search of properties within a 1-mile radius of the Project site boundary. The literature and records search was conducted at the San Joaquin Valley Information Center. Sixteen (16) previous projects had been conducted in the record search area, none of which overlapped with the Project site. This indicates that none of the Project site has been previously surveyed. Four previously recorded resources have been identified in the record search area, including three historic structures, and one historic building. Only one resource is recommended eligible, but none were within the boundaries of the Project site (Piñon 2021, p. 12).

A segment of transmission line built prior to 1965 crosses the northern portion of the Project site. As this transmission line is still in use, it is unlikely that planned development on the Project site would directly impact this resource.

Historic Landmark No. 934.03, a Temporary Detention Camp for Japanese Americans/Pinedale Assembly Area, was located within the Project site and is eligible for the National Register of Historic Places (NRHP)/California Register or Historic Resources (CRHR). From May to July 1942, the Pinedale Assembly Center housed a total of 4,823 people. The plaque commemorating this landmark is one part of the Pinedale Assembly Center Memorial built in 2007 at 625 W. Alluvial Avenue, the location of the last remaining structure from the Sugar Pine Lumber Company, which was acquired by the U. S. Army for the Pinedale Assembly Center and later converted to Camp Pinedale. The Memorial was developed by the Central California District Council of the Japanese American Citizens League. The memorial is part of the Remembrance Plaza which includes a statue, fountain, and storyboards about the center.

Two potentially significant historic-era resources are present in the Project Area. First, a segment of Forkner Ditch, which appears to be associated with locally important individual J.C. Forkner and his Fig Garden development, crosses the Project Area. Second, a segment of a large transmission line built prior to 1965 crosses the northeast corner of the Project Area. Both Forkner Ditch and the transmission line are more than 50 years old, but the record search indicates that neither has recorded or evaluated for NRHP or CRHR eligibility (Piñon 2021, p. 17-19). Impacts to these resources are considered potentially significant unless mitigation is incorporated. These include

project-specific mitigation measures CUL-1, CUL-2 and CUL-3 as well as PEIR Mitigation Measure CUL-1.1.

Mitigation Measures

CUL-1: Previous environmental documents and maps which illustrate the depth and types of landfill materials across the site shall be reviewed and compared with detailed maps of the planned development activities which specify the planned depth of construction activities in particular locations. A buried site sensitivity map shall be generated.

CUL-2: A Pedestrian Survey of the Project Area shall be performed prior to commencing construction. The segments of Forkner Ditch and the historic-era transmission line that are present in the Project Area shall be recorded and evaluated for the NRHP and the CRHR.

CUL-3: A qualified archaeological monitor, supervised by a Secretary of the Interior qualified archaeologist, shall be present during ground disturbing construction activities at locations without fill.

Timing of Implementation: Prior to commencement of, and during, construction activities.

Enforcement: Planning and Development Department.

PEIR Mitigation Measure CUL-1.1: If previously unknown resources are encountered before or during grading activities, construction shall stop in the immediate vicinity of the find and a qualified historical resources specialist shall be consulted to determine whether the resource requires further study. The qualified historical resources specialist shall make recommendations to the City 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 CEQA Guidelines and the City's Historic Preservation Ordinance. If the resources are determined to be unique historical resources as defined under Section 15064.5 of the CEQA Guidelines, measures shall be identified by the monitor and recommended to the Lead Agency. Appropriate measures for significant resources could include avoidance or capping, incorporation of the 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-approved institution or person who is capable of providing long-term preservation to allow future scientific study.

With implementation project-specific mitigation measures CUL-1, CUL-2, CUL-3 and PEIR Mitigation Measure CUL-1.1, impacts would be reduced to less than significant levels and the Project will not result in impacts to historic resources beyond those analyzed in Fresno General Plan PEIR.

- b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? ☐ ☒ ☐ ☐

Potentially Significant Impact Unless Mitigation Incorporated. According to the PEIR, "The portion of the Planning Area that extends from the south bank of the San Joaquin River to approximately one-mile south of the River is identified as having a high sensitivity for buried prehistoric resources" (LSA 2021, p. 4.5-14). The PEIR also states "Since the banks of the San Joaquin River have yielded prehistoric archaeological resources upstream and downstream of the Planning Area, grading and construction activities within previously undisturbed soils within the vicinity of the San Joaquin River could result in significant impact to unknown resources" (LSA 2021,

Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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p. 4.5-27). The Project site is located above the San Joaquin River bluff and the soils on the site have been previously disturbed. Thus, potential to disturb archaeological resources in the area of the San Joaquin River is not anticipated.

The Cultural Resources Record Search determined that the Project site has a high sensitivity for buried prehistoric resources. The Project site is within the boundaries of former Camp Pinedale on the site of the defunct Sugar Pine Lumber Company. The site was acquired by the United States Army in March of 1942 to use as a temporary detention camp or assembly center to confine Japanese Americans (California Historic Landmark No. 934.02, a Temporary Detention Camp for Japanese Americans/Pinedale Assembly Area) (Piñon 2021, p. 18 & 22). Based on the 1946 United States Geological Services Map, no structures appear to have been built on the Project site and it is unclear if any physical remains of Camp Pinedale might still be present within the boundaries of the Project site (Piñon 2021, p. 18). However, the potential exists for archaeological remains associated with Camp Pinedale to be present.

From 1954 to 1970, much of the Project site was part of the Pinedale Landfill Solid Waste Disposal Site. Large amounts of fill may be covering all or most of the Project site (Pinon 2021, p. iii). If construction takes place exclusively on landfill materials, impacts to Camp Pinedale-related archaeological resources would be unlikely.

Impacts to unknown archaeological resources are considered potentially significant unless mitigation is incorporated. These include project-specific mitigation measure CUL-4 as well as PEIR Mitigation Measure CUL-1.1.

Mitigation Measures

CUL-4 Supplemental Research shall be conducted regarding the Pinedale Assembly Center to identify the sort of activities occurring in the Project Area and to determine what kinds of archaeological remains might still be present.

Timing of Implementation: Prior to commencement of, and during, construction activities.

Enforcement: Planning and Development Department.

PEIR Mitigation Measure CUL-1.1: If previously unknown resources are encountered before or during grading activities, construction shall stop in the immediate vicinity of the find and a qualified historical resources specialist shall be consulted to determine whether the resource requires further study. The qualified historical resources specialist shall make recommendations to the City 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 CEQA Guidelines and the City's Historic Preservation Ordinance. If the resources are determined to be unique historical resources as defined under Section 15064.5 of the CEQA Guidelines, measures shall be identified by the monitor and recommended to the Lead Agency. Appropriate measures for significant resources could include avoidance or capping, incorporation of the 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-approved institution or person who is capable of providing long-term preservation to allow future scientific study.

With implementation project-specific mitigation measure CUL-4 and PEIR Mitigation Measure CUL-1.1, impacts to previously unknown archaeological resources would be reduced to less than

significant levels and the Project will not result in impacts to archaeological resources beyond those analyzed in Fresno General Plan PEIR.

- c) Disturb any human remains, including those interred outside of dedicated cemeteries? ☐ ☒ ☐ ☐

Potentially Significant Impact Unless Mitigation Incorporated. As described in items a, b and c, a variety of uses have occurred on the Project site. While a cemetery was not identified as a previous use, in the unlikely event that human remains are discovered, PEIR mitigation measure CUL-3 would be implemented (Appendix C):

Mitigation Measure

PEIR Mitigation Measure CUL-3: In the event that human remains are unearthed during excavation and grading activities of any future development project, all activity shall cease immediately. Pursuant to Health and Safety Code (HSC) Section 7050.5, no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to PRC Section 5097.98(a). If the remains are determined to be of Native American descent, the coroner shall within 24 hours notify the Native American Heritage Commission (NAHC). The NAHC shall then contact the most likely descendent of the deceased Native American, who shall then serve as the consultant on how to proceed with the remains. Pursuant to PRC Section 5097.98(b), upon the discovery of Native American remains, the landowner shall ensure that the immediate vicinity, according to generally accepted cultural or archaeological standards or practices, where the Native American human remains are located is not damaged or disturbed by further development activity until the landowner has discussed and conferred with the most likely descendants regarding their recommendations, if applicable, taking into account the possibility of multiple human remains. The landowner shall discuss and confer with the descendants all reasonable options regarding the descendants' preferences for treatment.

Timing of Implementation: During construction activities.

Enforcement: Planning and Development Department.

With implementation of PEIR Mitigation Measure CUL-3, impacts to previously unknown human remains would be reduced to less than significant levels and the Project will not result in impacts to human remains beyond those analyzed in Fresno General Plan PEIR.

VI. ENERGY

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

Less Than Significant Impact. Electricity usage during construction would likely be limited to electrically powered hand tools. The construction of the proposed Project would occur for a limited period of time (i.e., several months) and would not result in wasteful, inefficient, or unnecessary consumption of electricity. Electrical service is currently available in the Project area with no shortages in supply. Therefore, impacts to electrical power are considered less than significant.

Natural gas is not anticipated to be a major source of energy during project construction. Any minor amounts of natural gas that may be used during construction would be temporary and negligible.

Therefore, construction of the proposed Project would not result in wasteful, inefficient, or unnecessary consumption of natural gas.

The main source of energy used during Project construction includes petroleum-based fuels. Both diesel and gasoline would be used to fuel heavy equipment, material delivery trucks and worker vehicles throughout the construction period. Once the Project is complete, petroleum use for construction would cease. Energy (electricity) and fuel (gasoline) would be used by operation of the proposed office uses and employees commuting to the Project site. Electricity and gasoline are currently available in the project area with no shortages. Construction and operation of the Project would not use these resources in a wasteful manner. Therefore, impacts to electricity and gasoline as energy sources are considered less than significant.

- b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency. ☐ ☐ ☒ ☐

Less than Significant Impact. The proposed Project would add approximately 249,992 square feet of office space on APNs 405-340-23 and 405-340-04, of this amount 225,800 gross square feet is new construction as one building has already been built. Each building proposed for Parcel A, B and D would be designed in a manner that is consistent with relevant energy conservation plans and standards designed to encourage development that results in the efficient use of energy resources. The Project will be built to the Energy Efficiency Standards for Residential and Nonresidential Buildings, as specified in Title 24, Part 6, of the California Code of Regulations (Title 24). Title 24 was established in 1978 in response to a legislative mandate to reduce California's energy consumption and is updated approximately every three years. The 2019 update to the Energy Standards focuses on several key areas to improve the energy efficiency of newly constructed buildings and additions and alterations to existing buildings. The 2019 Energy Standards are a major step toward meeting Zero Net Energy.

In January 2010, the State of California adopted the California Green Building Standards Code (CalGreen) establishing mandatory green building standards for all buildings in California. The code was subsequently updated in 2013 and covers five categories: planning and design, energy efficiency, water efficiency and conservation, material conservation and resource efficiency, and indoor environmental quality. The Project would be required to comply with the provisions of CalGreen.

Compliance with State mandated code requirements and conservation requirements in the Energy Code and CalGreen ensure that the Project would not result in wasteful, inefficient, or unnecessary consumption of energy resources. Thus, the Project will not conflict with or obstruct any state or local plans for renewable energy or energy efficiency. This impact is considered less than significant.

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:
- 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 ☐ ☐ ☐ ☒

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No Impact. According to the Fresno General Plan Program EIR (PEIR) (2021), there are no major active faults or fault zones within the City's Planning Area. The PEIR also states that the Alquist-Priolo Earthquake Fault Zoning Act does not apply within the City of Fresno because no active faults cross the Planning Area (LSA 2020, p. 4.7-10). Thus, no impact is associated with a known earthquake fault.

The Geotechnical Engineering Investigation prepared for Parcel A and C (Appendix D of this document) also affirmed that "Review of the Regulatory Maps maintained by the California Department of Conservation reveals that no Earthquake Fault Zones are located on or near the Project site" (ASR Engineering 2018a p. 3 and 2018b, p. 3). Thus, no impact resulting from rupture of a known earthquake fault would occur.

- ii.) Strong Seismic ground shaking? ☐ ☐ ☒ ☐

Less than Significant Impact. The Project is subject to ground shaking in the event of an earthquake along faults in the region. The nearest zoned fault to the Planning Area is a portion of the Nunez Fault, located approximately 48 miles southwest of the Planning Area (LSA 2021, p. 4.7-20). The General Plan Update and City of Fresno Municipal Code also includes Objective NS-2 (Minimize risks of property damage and personal injury posed by geologic and seismic risks) and Policy NS-2-a (Seismic Protection. Ensure seismic protection is incorporated into new and existing construction, consistent with the Fresno Municipal Code). As noted in the PEIR, Objective NS-2 and Policy NS-2-a are intended "to reduce impacts to new development associated with continued implementation of the approved General Plan." The policies include requiring seismic protection into new and existing construction, conducting soil analyses on new development projects, and enforcing development setbacks in the Bluff Preservation Overlay Zone (LSA 2021, p. 4.7-11). The Project will be required to comply with this objective and policy.

A Geotechnical Engineering Investigation prepared for Parcel A and C will be used as a basis to design future development on the site consistent with state and federal standards. The proposed Project must comply with mandatory seismic safety standards proven effective in reducing seismic safety impacts to a level of insignificance. With mandatory compliance with seismic safety standards, potential seismic ground shaking impacts would be reduced to less than significant and the proposed Project would not result in impacts from strong seismic ground shaking beyond those analyzed in Fresno General Plan PEIR.

- iii.) Seismic-related ground failure, including
liquefaction? ☐ ☐ ☒ ☐

Less than Significant Impact. The Geotechnical Engineering Investigation prepared for Parcel A and C states "Subsurface soils, to a depth of about 5 feet, predominantly comprise dense silty sand. The underlying soils, to the maximum explored depth of 30 feet, predominantly comprise loose to medium dense sand. The non-cohesive sandy soils have the liquefaction potential. However, due to the denseness of the soil, the absence of groundwater in the near surface, the liquefaction risk is low. Furthermore, the site is not located within a known liquefaction zone based on the review of the Regulatory Maps maintained by the California Department of Conservation. Therefore, liquefaction is not

considered a likely geologic hazard at the site” (ASR 2018a p. 4 and ASR 2018b, p. 4). Therefore, impacts associated with liquefaction are considered less than significant.

iv.) Landslides? ☐ ☐ ☐ ☒

No Impact. As noted in the Geotechnical Engineering Investigation prepared for Parcel A and C, the ground surface was of the undeveloped portion of the site is fairly level (ASR 2018a, p. 1 and ASR 2018b, p. 1). Parcel C has been developed. The Bluff Protection Overlay District requires that structures be set back a minimum of 20 feet from the bluff edge. The Geotechnical Investigation did not identify any issues associated with potential for landslide. No impact is identified regarding landslides at the Project site.

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

Less than Significant Impact. The Project site's soils are primarily composed of Exeter loam. This soil type generally has slow infiltration rates and soils with moderately fine or fine textures (P&P 2020, p. 12). The Geotechnical Engineering Investigation prepared for Parcel A and C indicated that near surface soils consist primarily of silty sand. This soil “will be suitable for reuse as engineered fill if cleared of excessive organics, cemented particles larger than 3 inches and debris. The preferred materials specified for engineered fill are suitable for most applications with the exception of exposure to erosion” (ASR 2018a, p. 7 and ASR 2018b, p. 7).

Because construction would disturb more than 1 acre, the Project would be subject to a General Construction Activity Stormwater National Pollution Discharge System (NPDES) permit which would cover clearing, grading, excavating, and general disturbances to the ground (LSA 2021 p. 4.10-8). As noted in the PEIR, “Stormwater Pollution Prevention Plan (SWPPP) is required for the issuance of a General Construction Activity Stormwater NPDES permit and typically includes the implementation of structural and non-structural Best Management Practices (BMPs) (e.g., watering to control dust, minimizing the amount of soil exposed during construction activity, installing silt fencing to prevent soil transport off site) to reduce impacts related to surface water quality” (LSA 2021 p. 4.10-8). In addition, Fresno Municipal Code Section 12-1023, Grading and Erosion Control, requires every approved map to be conditioned on compliance with the requirements for grading and erosion control, including the prevention of sedimentation or damage to off-site property, set forth in Appendix Chapter 70 of the Uniform Building Code, 1973 Edition, Volume I, as adopted and amended by the City. Compliance with this Code and with other pertinent regulations will ensure that potential soil erosion impacts, or the potential loss of topsoil, would be less than significant.

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 landslides, lateral spreading, subsidence, liquefaction, or collapse? ☐ ☐ ☐ ☒

No Impact. The Geotechnical Engineering Investigation prepared for Parcel A and C included a field exploration program of performing four test borings on each parcel, the collection of undisturbed soil samples and a variety of laboratory tests. The borings revealed “subsurface soils to a depth of about 5 feet consist of primarily dense silty sand” (ASR 2018a p. 3 and ASR 2018b, p. 3). “The underlying soils, to the maximum explored depth of 30 feet, predominantly comprise loose to

medium dense sand. The near surface soils exhibited low to moderate settlement and collapse potential when subjected to moisture fluctuation under load” (ASR 2018a p. 5; ASR 2018b, p. 5).

The Geotechnical Engineering Investigation prepared for Parcel A and C conclude “The non-cohesive sandy soils have the liquefaction potential. However, due to the denseness of the soil, the absence of groundwater in the near surface, the liquefaction risk is low. Furthermore, the site is not located within a known liquefaction zone based on the review of the Regulatory Maps maintained by the California Department of Conservation. Therefore, liquefaction is not considered a likely geologic hazard at the site” (ASR 2018a p. 4 and ASR 2018b p. 4). No impact is anticipated.

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

No Impact. The Geotechnical Engineering Investigation prepared for Parcel A and C did not identify any expansive soils on the Project site. As previously noted in item “b)” the site is underlain by medium dense silty sand to loose poorly graded sand and loose well graded sand (ASR 2018a p. 5 and ASR 2018b p. 5). Therefore, no impact is identified for expansive soils creating a substantial direct, and indirect risk to life and property.

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

No Impact. The proposed Project will be served by municipal wastewater and does not require septic tanks or an alternative wastewater disposal system. No impact would occur.

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

No Impact. The Project site has been previously disturbed by historical activities (e.g. Sugar Pine Lumber Mill). The proposed Project would involve excavation and trenching in association with installation of building foundations. According to the Geotechnical Engineering Investigation prepared for Parcel A and C, “Wall footings for the structures should be continuous with a minimum width of 12 inches and extend to a minimum depth of 18 inches below the lowest adjacent grade. Isolated column footings should have a minimum width of 24 inches and extend to a minimum depth of 24 inches below the lowest adjacent grade” (ASR 2018a, p. 8 and ASR 2018b, p. 8).

The PEIR states that “excavation and/or construction activities within the Planning Area that are associated with the General Plan and Development Code Update have the potential to impact paleontological/geological resources during excavation and construction activities within previously undisturbed soils. Although many areas have been previously disturbed by farming activities or previous structural development, the project could include future development that will require excavations or construction within previously undisturbed soils.” (LSA 2021, p. 4.7-28). As noted, all soils affected by development of the Project have been previously disturbed. Thus, the potential to disturb unknown paleontological resources is low based on the extent of prior disturbance. No unique geologic features are present on the site. Thus, no direct or indirect impact to a unique paleontological resource is anticipated to occur.

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? ☐ ☐ ☒ ☐

The discussion of greenhouse gas emissions is divided between construction and operational emissions. The analysis is based on the “Air Quality and Greenhouse Gas Assessment, Alluvial Avenue Genal Office Complex Project, Fresno, California”) prepared by ECORP Consulting, Inc. (2022). This document is included in its entirety in Appendix A of this document.

Construction GHG Emissions

Construction-related activities generating GHG emissions include worker commute trips, haul trucks carrying supplies and materials to and from the Project site, and off-road construction equipment (e.g., dozers, loaders, excavators). Table GHG-1 provides the specific construction generated GHG emissions that would result from construction of the Project.

Table GHG-1
Construction-Related Greenhouse Gas Emissions

Emissions Source	CO ₂ e (Metric Tons/Year)
Construction Emissions in Year One	956
Construction Emissions in Year Two	1,315

Source: CalEEMod version 2020.4.0. Refer to Attachment A for Model Data Outputs. (ECORP 2022, p. 34)

As shown in Table GHG-1, the Project would result in the generation of approximately 956 metric tons of CO₂e during the first year of construction and 1,315 metric tons of CO₂e during year 2. Once construction is complete, the generation of these GHG emissions would cease. Furthermore, GHG emissions generated by the construction sector have been declining in recent years as evidenced by improvements in construction equipment engine efficiency year after year (i.e. federal standards Tier 1, 1996-2000; Tier 2 and 3, 2000-2008; Tier 4, 2008-2015) (ECORP 2022, p. 34).

Operational GHG Emissions

In addition to construction emission reductions achieved through improvements in construction equipment efficiency, the California Energy Commission recently released the 2019 Building Energy Efficiency Standards contained in the California Code of Regulations, Title 24, Part 6 (also known as the California Energy Code). The 2019 updates to the Building Energy Efficiency Standards focus on several key areas to improve the energy efficiency of newly constructed buildings and additions, and alterations to existing buildings (ECORP 2022, p. 34).

Operation of the Project would result in an increase in GHG emissions primarily associated with motor vehicle trips and onsite energy sources. Table GHG-2 identifies long-term operational GHG emissions attributed to the Project. As shown, Project operations would result in the net emissions of approximately 1,407 metric tons of CO₂e annually. A large majority of these emissions would be generated by mobile sources, which is an emission source that cannot be regulated by the City. A reduction of vehicle trips to and from the proposed Project site would reduce the amount of mobile emissions. Methods of reducing vehicle trips include carpooling, transit, cycling, and pedestrian connections.

**Table GHG-2
Operational-Related Greenhouse Gas Emissions**

Emissions Source	CO2e (Metric Tons/Year)
Area Source	0
Energy	343
Mobile	875
Waste	106
Water	83
Total	1,407

Source: CalEEMod version 2020.4.0. Refer to Attachment A for Model Data Outputs.

Notes: Emission projections predominately based on CalEEMod model defaults for Fresno County. Average daily vehicle trips and vehicle miles travel provided by JLB Traffic Engineering, Inc. (2021) (ECORP 2022, p. 35).

As previously stated, GHG emissions have been directly correlate to climate change. This can lead to events such as droughts, heat waves, increased intensity in storm events and rising sea levels. These can result in decrease precipitation, increased wildfires, saltwater infiltration of groundwater tables and decreased crop yields. A reduction of vehicle trips to and from the proposed Project site would reduce the amount of mobile emissions. Methods of reducing vehicle trips include carpooling, transit, cycling, and pedestrian connections.

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

No Impact. The significance of the Project's GHG emissions was evaluated consistent with CEQA Guidelines Section 15064.4(b)(2) by considering whether the Project was consistent with applicable plans. These include the Fresno Greenhouse Gas (GHG) Reduction Plan, which includes GHG emission reduction targets, strategies, and implementation measures developed to help the City reach its GHG reduction targets; the Fresno Council of Governments (COG) Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) which establishes an overall GHG target for the Project region. Lastly, the Project was assessed for consistency with the California AB 32 Scoping Plan and subsequent updates.

City of Fresno GHG Plan

The City GHG Plan (2014) is a strategic planning document that identifies sources of GHG emissions within the city's boundaries, presents current and future emissions estimates, identifies a GHG reduction target for future years, and presents strategic programs, policies, and projects to reduce emissions from the energy, transportation, land use, water use, and waste sectors. The Project is consistent with the GHG inventory and forecast in the GHG Plan. The Project is not proposing to amend the City General Plan and is thereby consistent with all land use designations applied to the site. As such, the Project is consistent with the GHG inventory and forecast in the GHG Plan. Additionally, the Project would be required to adhere to all applicable City General Plan and GHG Plan policy provisions intended to reduce community GHG emissions. The City ensures all provisions of the City General Plan and GHG Plan are incorporated into projects and associated permits through development review and applications of conditions of approval as applicable (ECORP 2022, p. 36). Thus, the Project is consistent with Fresno GHG Plan.

Fresno COG RTP/SCS

The Fresno COG region, which encompasses the Project site, must achieve specific federal air quality standards and is required by state law to lower regional GHG emissions. Specifically, the region has been tasked by CARB to achieve a 13 percent per capita reduction in GHG emissions emitted from passenger vehicles by 2035. The proposed Project is located on an infill lot and is consistent with the General Plan. As a result, the Project would not conflict with the land use assumptions or exceed the population or job growth projections used by Fresno COG to develop the RTP/SCS. Therefore, the proposed Project would be considered consistent with the population, housing, and employment growth projections utilized in the preparation of the RTP/SCS (ECORP 2022, p. 37).

The Project will increase density and land use diversity in the vicinity over current conditions but is located in close proximity to residential neighborhoods, restaurants, and shopping centers and other land uses all within walking distance (i.e., less than one-half mile), which would encourage alternative forms of transportation and thus potentially reducing Vehicle Miles Traveled (VMT) and associated GHG emissions. Additionally, the Project site is located within 1.0 mile of 20+ bus stops for the Fresno Area Express, promoting the use of bus transit within the City. The Project also includes a bicycle, pedestrian and landscape easement/trail through the site connecting to an on-site 10,000 square foot open space area and West Alluvial Avenue. Lastly, the Project abuts the San Joaquin River embankment area and is within the Bluff Protection Overlay District. Therefore, the Project would contain access to an established trail network along a scenic resource, connecting residential, commercial, industrial, and open space land uses, further reducing VMT and associated GHG emissions. While the Project would emit GHG emissions, implementing Fresno COG's RTP/SCS would greatly reduce the regional GHG emissions from transportation, helping to achieve the 2035 emission reduction target (ECORP 2022, p. 37). Thus, the Project is consistent with Fresno COG's RTP/SCS.

California AB 32 Scoping Plan

The Scoping Plan (approved by CARB in 2008 and updated in 2014 and 2017) provides a framework for actions to reduce California's GHG emissions targeting the following sectors: transportation, electricity and natural gas, water, green buildings, industry, recycling and waste management, forestry and agriculture. The Scoping Plan recommends strategies for implementation at the statewide level to meet statewide GHG reduction goals and establishes an overall framework for the measures that will be adopted to reduce California's GHG emissions. The Project would comply with all regulations adopted in furtherance of the Scoping Plan to the extent required by law and to the extent that they are applicable to the Project (see Table 3-4 in Appendix A). Therefore, the Project is consistent with the GHG emission reduction measures in the Scoping Plan and would not conflict with the state's trajectory toward future GHG reductions.

In conclusion, the Project compliance with the applicable GHG Plan strategies would result in less than significant impacts related to GHG emissions.

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? ☐ ☐ ☐ ☒

The discussion of Hazards and Hazardous Materials is based on the "Phase I Environmental Site Assessment Palm Bluffs West Property APN 405-340-04, 405,340-23" Prepared by Provost &

Pritchard (2020). The document is included as Appendix E.

No Impact. The proposed Project is the construction and occupation of four office buildings totaling 249,992 square feet, of this amount 225,800 gross square feet is new construction as one building has already been built. Appreciable quantities of hazardous chemicals would not be stored or used on site during construction. Diesel fuel, oil and hydraulic fluid may be present in limited quantities in association with heavy equipment used and staged on-site during construction. However, the limited quantities and duration of construction (i.e., approximately two years) would not create a significant hazard to the public through the routine transport, use, or disposal of hazardous materials. Moreover, contractors are required to transport, use and store hazardous materials in accordance with all applicable local, state and federal requirements. Once construction of the Project is completed, hazardous materials would not be stored in appreciable quantities for the operation and maintenance of the office buildings. No impact is identified regarding routine transport, use and disposal of hazardous materials.

- b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Potentially Significant Unless Mitigation Incorporated. From 1942-1947, the Project site was part of Camp Pinedale. The incinerator for the base was located on the Project site (P&P 2020, p. 14). Ash, burned and melted glass and metals and other debris were observed within approximately 100 yards of the former incinerator. Because a historic incinerator was located on the site, the potential exists for heavy metals and dioxins to be present in on-site soils from the combustion of trash, liquids and other materials (P&P 2020, p. 14). Therefore, potential for release of hazardous materials into the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment is considered a potentially significant impact unless mitigation is incorporated.

Phase I active gas sampling was conducted at the site in September 2017. The sampling revealed detectable concentrations of trichloroethylene (TCE) in soil vapor throughout the site. The sampling locations were chosen to focus on areas near historic TCE concentrations. The sampling locations generally correspond to the location of the historic incinerator associated with Camp Pinedale (P&P 2020, p. 8).

On December 5, 2018, the San Joaquin Valley Air Pollution Control District issued Authority to Construct C-9416-1-0 for the soil vapor extraction (SVE) system remediation project located near the middle of the site (P&P 2020, p. 12). The SVE System served is by two 1,000 lb carbon canisters connected in series and became operational in April 2019. The purpose of the SVE System is to extract residual levels of TCE present in soils beneath a portion of the site. Over the eight-month period from April to December 2020, the co-mingled influent TCE concentrations had declined from 6,200 µg/m³ to 514 µg/m³ (P&P 2020, p. 11). However, remaining TCE concentrations may represent a Business Environmental Risk (BER) (P&P 2020, p. 17). This is considered a potentially significant impact unless mitigation is incorporated.

Nine methane sampling points (gas wells) associated with the landfill on the north parcel are located throughout the property. Sampling results indicate that Methane is detectable in five of the wells: GW-1, -2, -3, -5, and -8 (P&P 2020, p. 16).

The Fresno County Department of Environment Health and CCR Title 27 Section 21190 require that all buildings and structures within 1,000 feet of adjacent landfill(s) must be comprised of a landfill gas vapor barrier to reduce the risk of exposure to Methane and Volatile Organic Compounds (VOCs). This is considered a potentially significant impact unless mitigation is incorporated (P&P 2020, p. 9).

Mitigation Measures

HAZ-1: All construction shall utilize an Asphalt Latex Membrane barrier underneath the building slab and foundation to seal vapor intrusion pathways, preventing soil vapors from intruding inside the building.

Timing of Implementation: Installed during construction.

Enforcement: Planning and Development Department.

HAZ-2: A Sub-Slab Depressurization System shall be installed to apply a low level of suction below the slab and foundation before it enters the building. Soil vapor shall be vented to the air outside the building at a point above the roof.

Timing of Implementation: Installed during construction.

Enforcement: Planning and Development Department.

With installation of vapor intrusion barriers, impacts resulting from soil vapor intrusion (TCE and Methane) would be reduced to a less than significant level.

- c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? ☐ ☐ ☐ ☒

No Impact. The proposed Project site is in north Fresno, west of Palm Bluffs, in the City of Fresno, California. The Project site is bordered by West Harrison Avenue on the east and the San Joaquin Bluffs on the north. A residential neighborhood is located to the west. West Alluvial dead-ends into the site on the east. No existing or proposed schools are located within on-quarter mile of the Project site. No impact would occur.

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

No Impact. The Phase I Environmental Assessment prepared for the site included a search of the CalEPA data warehouse system (nSite) for the California Enviroview Program. This data warehouse combines and merges facility and site information from the following sources: California Environmental Reporting System (CERS), EnviroStor, GeoTracker, California Integrated Water Quality System (CIWQS), and Toxic Release Inventory (TRI). The Project site is not listed on nSite. The Project would have no impact creating a significant hazard to the public or the environment (P&P 2020, p. 9).

- e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a ☐ ☐ ☐ ☒

safety hazard or excessive noise for people residing or working in the project area?

No Impact. The proposed Project is in north Fresno approximately 6 miles northwest of the Fresno Yosemite International (FYI) Airport. The site is within the Precision Approach Zone (PAZ) of the Fresno Yosemite International Airport Influence Area and Safety Zones (Exhibit D1, Fresno Yosemite Intl. Airport Influence Area and Safety Zones) (Fresno COG 2018).

The PAZ includes the 14 CFR Part 77 Outer Approach Transitional Surface and Precision Approach Surface. The Outer Approach Transitional Surface and Precision Approach Surface are used at airports with runways with an existing or planned Precision Instrument Approach. For the FYI Airport, the Airport Influence Area includes both the Traffic Pattern Zone (TPZ) 6 and the PAZ. The aircraft accident risk level is considered to be low within the TPZ 6 (Fresno COG 2018, p. 3-3). Thus, the proposed Project would not result in a safety hazard or excessive noise exposure. Thus, no impact is identified for these issues.

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

No Impact. As one of 15 cities in Fresno County, the City of Fresno maintains an Office of Emergency Services (OES) function for its jurisdictional responsibility area and coordinates with Fresno County OES regarding disaster preparedness, response, and recovery activities (Fresno County OES 2020). The Project is not located along a major roadway or highway serving as an evacuation route. Thus, the proposed Project would not impair the implementation of, or physically interfere with, any adopted emergency response plan or emergency evacuation plans. No impact would occur.

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

No Impact. The proposed Project is on the southern San Joaquin River Bluff within the boundaries of the City of Fresno. The Project site sits above the River at the top of the bluff and is within the Fresno County Draft Fire Hazard Severity Zones in the Local Responsibility Area (LRA) (FHSZ Viewer 2021). The LRA covers incorporated areas. The bluff below the site is designated as a "Moderate" Fire Hazard Severity Zone. The site is designated as "Unzoned" Fire Hazard Severity Zone. No impact would occur.

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? ☐ ☐ ☒ ☐

Less than Significant Impact. The proposed Project includes construction of 249,992 square feet of office space, of this amount 225,800 gross square feet is new construction as one building has already been built. Any development project disturbing one 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). A Stormwater Pollution Prevention Plan that includes Best Management Practices for erosion control would be prepared and implemented. The required preparation, implementation, and participation with the Construction General Permit, including the

SWPPP and BMPs would reduce project construction impacts on water quality to less than significant levels during construction.

Once the Project is built-out, the site would be covered with parking lots and office buildings. This would replace existing conditions which are vacant land free of impervious surfaces on Parcels A, B and D. The addition of pervious surfaces would increase stormwater runoff volumes and rates on the Project site. Runoff from the site would be conveyed through paved areas to storm drain inlets connected to underground pipes. The pipes convey stormwater to detention (water quality) and retention basins managed by the Fresno Metropolitan Flood Control District. The basins allow stormwater to percolate into the groundwater while the retention basins discharge to the San Joaquin River.

According to the PEIR, "The City of Fresno is a co-permittee with the Fresno Metropolitan Flood Control District, the County of Fresno, the City of Clovis, and California State University Fresno in the Phase 1 NPDES Permit for Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4s). This Phase 1 MS4 Permit requires that the City and its co-permittees implement water quality and watershed protection measures for all development projects. The waste discharge requirements contained in the NPDES Permit have been designed to be consistent with the water quality standards and goals established in the Central Valley RWQCB's Basin Plan. The Phase 1 MS4 Permit prohibits discharges from violating applicable water quality standards or creating a nuisance or water quality impairment in receiving waters. Participation in the Phase 1 MS4 permit and implementation of the Storm Drainage Master Plan will reduce impacts to surface waters to acceptable levels and long-term project impacts to surface or groundwater quality will not exceed acceptable levels" (LSA 2029, p. 4.10-20). With implementation of the SWPPP during construction and participation in the MS4 permit during operation, the Project would have a less than significant impact on violating a water quality standards or waste discharge requirements.

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

No Impact. According to the PEIR, "Fresno's primary source of potable water is groundwater stored in an aquifer (LSA 2020, p. 4.17-2). Groundwater is replenished from three methods: 1) natural recharge; 2) subsurface inflow; and 3) intentional recharge (LSA 2020, p. 4.17-3). Borings advanced on the Project site did not encounter groundwater at the maximum explored depth of approximately 30 feet below surface grade (bsg) (ASR 2018a p. 3 and ASR 2018b, p. 3). The Phase I ESA indicated that "The estimated depth to groundwater at the Property is between 80 to 90 feet below the ground surface (bgs) based on the California Department of Water Resources (DWR) Fall 2018 measurements in the area" (P&P 2020, p. 12). Development of the site would add impervious surface including parking lots and buildings. The addition of impervious surfaces would alter existing conditions at the site which would alter groundwater recharge. However, the site is on the bluff of the San Joaquin River. Stormwater flows would be directed through the curb and gutter system installed as part of the existing driveway and parking lots and future parking area. Thus, the Project would have no impact on decreasing groundwater supplies or interfere with groundwater recharge. Likewise, no impact to a groundwater management basin would occur.

- c) Substantially alter the existing drainage pattern of the site or area, including through

	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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the alteration of the course of a stream or river through the addition of impervious surfaces in a manner which would:

- i) Result in a substantial erosion or siltation on- or off-site. ☐ ☐ ☒ ☐

Less Than Significant Impact. The Parcels A, B and D are currently vacant while Parcel C is developed with a previously approved 24,192 square foot single-story office building. The vacant portions of the site would be cleared of vegetation and leveled to accommodate construction. The Project requires a Soils Report (i.e., Geotechnical Investigation), an NPDES permit and preparation of a Stormwater Pollution Prevention Plan (SWPPP) prior to granting of a grading permit (refer to discussion under Section VII Geology and Soils, item “b”). Compliance with these ministerial requirements that have proven effective in reducing erosion and siltation impacts on or off-site to less than significant levels would also apply to the proposed Project. Therefore, impacts with regard to substantial erosion or siltation on- or off-site are considered less than significant.

- ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite; ☐ ☐ ☒ ☐

Less than Significant Impact. Parcels A, B and D are currently vacant while Parcel C is developed with a previously approved 24,192 square foot single-story office building. The vacant portions of the site would be cleared of vegetation and leveled to accommodate construction. The Project will require a Soils Report (i.e., Geotechnical Investigation), an NPDES permit and preparation of a Stormwater Pollution Prevention Plan (SWPPP) prior to granting of a grading permit (refer to discussion under Section VII Geology and Soils, item “b”). Compliance with these ministerial requirements that have proven effective in reducing erosion and siltation impacts on or off-site to less than significant levels would also apply to the proposed Project. No impact would occur regarding substantially increasing the rate or amount of surface runoff that would result in flooding on- or off-site.

- 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? ☐ ☐ ☒ ☐

Less than Significant Impact. The proposed Project would increase the impervious surfaces on the Project site. The Project receives stormwater collection, disposal and flood control from the Fresno Metropolitan Flood Control District (FMFCD). According to the PEIR, the FMFCD plans, implements, operates and maintains the storm drainage facilities within the Fresno-Clovis Metropolitan area. The master plan drainage system for the Planning Area has over 158 individual drainage areas or urban watersheds. The FMFCD also develops and updates the Storm Drainage and Flood Control Master Plan (SDFCMP) (LSA 2020, p. 4.10-2). The SDFCMP delineates storm drain inlet watershed areas, collection system pipeline alignments and sizes, and retention basin or urban detention (water quality) basin locations and geometry and shows the proposed elevations for tops of curbs in undeveloped areas. Conformance with the SDFCMP ensures that development within the Planning Area is graded to properly drain to storm drainage facilities in order to collect and discharge stormwater. Stormwater retention and urban detention basins intercept and provide treatment by removing silt from stormwater prior to discharge to surface waters (LSA 2020, p. 4.10-23 - 24).

The proposed Project would be subject to FMFCD standards for drainage, grading and stormwater

management. The site is located in drainage area DH as shown on the FMFCD map (FMFCD ArcGIS 2021). A Master Plan inlet is located on the east side of the parcel with pipeline and inlets located along West Nees Avenue. Stormwater flows from the site would be captured through on-site stormwater infrastructure and conveyed to underground pipeline collection systems that convey storm flows to an unlined stormwater basins in drainage area DH. The basins allow sediments and trash to be removed from stormwater flows prior to discharge to the San Joaquin River (LSA 2020, p. 4.17-7). Compliance with FMFCD standards for drainage, grading and stormwater management would result in a less than significant impact with regard to exceeding the capacity of existing or planned stormwater drainage systems or providing substantial additional sources of polluted runoff.

iv) Impede or redirect flows? ☐ ☐ ☐ ☒

No Impact. As noted in item iii, the Project would connect to the FMFCD stormwater system. The proposed Project would not impede or redirect flows. No impact would occur.

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

No Impact. According to Exhibit 5.9-1 (100-Year Flood Zones) of the Fresno General Plan Master EIR, the proposed Project is not a flood hazard area (FCS 2014). The PEIR indicates that "Planning Area is located outside of a Tsunami Emergency Response Planning Zone (LSA 2020, p. 4.10-33). A seiche occurs in large bodies of water when an earthquake or strong winds creates an oscillating wave (FCS 2014, p. 5.9-60). The site sits on the southern side of the San Joaquin Bluffs above the river. The river is not a threat with regard to seiche. The Project site is located above the River and is not subject to flooding. Thus, the proposed Project is not in a flood hazard, tsunami or seiche zone and no pollutants would be released during inundation. No impact would occur.

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

No Impact. As discussed in items a) thru d) above, the proposed Project would not affect groundwater quality. The City of Fresno relies on natural groundwater recharge, subsurface inflow and intentional recharge to replenish groundwater. The proposed Project would discharge to on-site stormwater infrastructure and be conveyed to retention basins or urban detention (water quality) basin locations and would not discharge directly to the San Joaquin River thereby avoiding water quality impacts. The Project would not obstruct or conflict with the City's methods of groundwater recharge as stormwater flows would be conveyed to detention basins. No impact on a water quality control plan or a sustainable groundwater management plan would occur in association with the proposed Project.

XI. LAND USE AND PLANNING Would the project:

a) Physically divide an established community? ☐ ☐ ☐ ☒

No Impact. The Project is in north Fresno, west of Palm Bluffs, Alluvial Avenue and Nees Avenue in the City of Fresno. Specifically, the Project is west of the intersection of Alluvial Avenue and Harrison Avenue. The Project proposes to subdivide two existing parcels (APNs: 405-340-23 & 405-340-04) into four unequal parcels and develop a total of 249,992 gross square feet of office space, of this amount 225,800 gross square feet is new construction as one building has already been built. The parcels are surrounded by Derrell's Mini Storage to the south, the San Joaquin River bluff to the north, offices to the east and residential uses to the west. As previously noted, Parcel C is currently developed with one single-story office building. The Project would create infill in an area that is

	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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currently developed. The Project would have no impact on physically dividing an established community.

- b) Conflict with any applicable land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect? ☐ ☐ ☐ ☒

No Impact. The Project site is designated Office on the General Plan Land Use Map and zoned Office. The Project site is also within the Bluff Protection (BL) Overlay District. This District provides special land development standards to preserve the integrity of the natural landscape of the southern San Joaquin River Bluffs, adjacent properties, and adjacent open spaces as areas of special quality by reason of the topography, geologic substratum, and environment of the area. The proposed Project will be developed in accordance with the provisions of the BL Overlay District. No General Plan amendment or rezone is proposed. No impact would occur regarding an applicable land use plan, policy or regulation adopted for the purpose of avoiding or mitigating an environmental effect.

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? ☐ ☐ ☐ ☒

No Impact. Aggregate mineral extraction (sand and gravel) occurs within the San Joaquin River bottom as noted in policy LU-C.6 of the PEIR (LSA 2020, p. 4.11-25). The proposed Project is on the south bluff of the San Joaquin River. The Project's location would not interfere with any mining operations occurring on the river bottom. Therefore, development of the site with the proposed Project will have no impact on the loss of availability of a known mineral resource that would be of value to the region and the residents of the state.

- b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan? ☐ ☐ ☐ ☒

No Impact. The Project site is not a mineral resource recovery site. Therefore, the proposed Project will have no impact on the loss of availability of a locally-important mineral resource.

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? ☐ ☐ ☒ ☐

Less than Significant Impact. Noise associated with the proposed Project would occur on a short-term basis from construction activities. The City of Fresno General Plan Noise Ordinance (June 11, 2016) exempts construction, repair or remodeling work accomplished pursuant to a building, electrical, plumbing, mechanical, or other construction permit issued by the city or other governmental agency, or to site preparation and grading, provided such work takes place between the hours of 7:00 a.m. and 10:00 p.m. on any day except Sunday.

Construction is anticipated to occur between the hours identified in the Noise Ordinance. Because construction is considered exempt from the Ordinance when construction complies with the prescribed hours, short-term construction impacts associated with the exposure of persons to, or the generation of, short-term noise levels in excess of standards established in the local general plan or noise ordinance or applicable standards of other agencies would be less than significant.

The Project will be required to comply with all noise policies from the Fresno General Plan and Noise Ordinance. The proposed Project would not result in any noise environmental impacts beyond those analyzed in Fresno General Plan PEIR.

Therefore, exposure of persons to, or the generation of, long-term noise levels in excess of standards established in the local general plan or noise ordinance or applicable standards of other agencies would be less than significant.

- b) Generation of excessive groundborne vibration or groundborne noise levels? ☐ ☐ ☐ ☒

No Impact. Construction of the proposed Project would not generate groundborne vibration or noise levels that would be considered excessive. Activities such as blasting, or pile driving would not be necessary for construction of the office buildings. Therefore, no impact would occur regarding generation of excessive groundborne vibration or groundborne noise levels.

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

No Impact. The proposed Project is in north Fresno approximately 6 miles northwest of the Fresno Yosemite International (FYI) Airport. The site is within the northern extent of the Precision Approach Zone (PAZ) of the FYI Airport Influence Area and Safety Zones (Exhibit D1, Fresno Yosemite Intl. Airport Influence Area and Safety Zones). Based on the distance from FYI Airport, the Project is not anticipated to expose people residing or working in the area to excessive noise levels. No impact would occur.

XIV. POPULATION AND HOUSING Would the project:

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

No Impact. The proposed Project is the construction of 249,992 square feet of general office space, of this amount 225,800 gross square feet is new construction as one building has already been built. The Project does not propose the development of new housing nor does it propose construction or extension of new roads. Therefore, the proposed Project would have no impact regarding inducing population growth.

- b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? ☐ ☐ ☐ ☒

No Impact. The Project site is vacant land that is designated Office on the General Plan Land Use Map and zoned Office. Construction and operation of the Project would not displace any existing housing or people. No impact would occur regarding the need for construction of replacement housing.

XV. PUBLIC SERVICES

- 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:

1) Fire protection? ☐ ☐ ☒ ☐

Less than Significant Impact. The proposed Project is within the jurisdiction of the City of Fresno and would be served by the City of Fresno Fire Department. The closest Fire Station to the Project site is Station 2 located at 7114 North West Avenue, approximately 1.25 miles to the southwest. The Project would be reviewed by the Fresno Fire Department and required to comply with all applicable design standards to ensure adequate emergency access, fire flow, etc. Therefore, impacts to fire protection would be less than significant.

2) Police Protection? ☐ ☐ ☒ ☐

Less than Significant Impact. The Project site is within the jurisdiction of the City of Fresno Police Department. The Department is divided into five policing districts which are broken down in the one-half mile squares. The site is within the Northwest Police District (Nelson) which has seven sectors 5A through 5G. The Project is in Sector 5B. The Police Office for this District is located at 3080 West Shaw Avenue. The Project would be reviewed by the Fresno Police Department and required to comply with all applicable design standards to ensure adequate safety through access, lighting, security cameras etc. Therefore, impacts to police protection would be less than significant.

3) Schools? ☐ ☐ ☐ ☒

No Impact. The Project would develop 249,992 square feet of office space, of this amount 225,800 gross square feet is new construction as one building has already been built. The proposed Project will not impact schools because it neither includes a residential component nor would it generate the need for new housing to accommodate workforce population. As such, the proposed Project would not have an adverse physical effect on the environment resulting from construction of a new school. Therefore, no impact to schools would occur.

4) Parks? ☐ ☐ ☐ ☒

No Impact. The proposed Project does not include any park land. Spano Park is located approximately one-half mile northeast of the site and is within walking distance of the Project. Based on the nature of the Project as an office development, it would not generate residential population increasing demand for parks. Therefore, no impact to parks would occur.

5) Other Public Facilities? ☐ ☐ ☐ ☒

No Impact. The Project is in an urbanized area that is currently served with public services. The Project is not anticipated to not negatively impact any other public facilities beyond those identified in items 1 thru 4, above. No impact would occur.

XVI. RECREATION

- a) Would the project increase the use of the existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?
- | | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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No Impact. The proposed Project would develop 249,992 square feet of office space, of this amount 225,800 gross square feet is new construction as one building has already been built. Based on the nature of the Project as an office development, an increase the use of the existing neighborhood and regional parks or other recreational facilities is not anticipated to dramatically increase. The project includes a 10,000 square foot open space area in the northeast portion of the site. The open space area will be connected to the proposed trail to facilitate its use. In addition, Spano Park is approximately one-half mile to the northeast the of the Project site. No impact regarding substantial physical deterioration to this facility is anticipated.

- b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse effect on the environment?
- | | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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No Impact. As previously noted, the proposed Project includes a 10,000 square foot open space area in the northeast portion of the site for passive recreation that will connect with the proposed trail. As an office use, the project would not require the construction or expansion of recreational facilities. Thus, no impact to the environment would occur in association with expanding recreational facilities.

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.
- | | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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No Impact. The proposed Project is the construction and operation of 249,992 square feet of office space west of the intersection of Alluvial Avenue and Harrison Avenue, of this amount 225,800 gross square feet is new construction as one building has already been built. The site is located west of Palm Avenue. No transit or bicycle paths are located in the immediate vicinity of the Project and no permanent changes to the existing circulation system including transit, roadway, bicycle, and pedestrian facilities would occur. The Project would not conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system. No impact would occur.

- b) Conflict or be inconsistent with CEQA Guidelines §15064.3, subdivision (b)?
- | | | | |
|--------------------------|--------------------------|-------------------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
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Less than Significant Impact. The number of employees for the project was estimated using the ITE 10th Edition of the Trip Generation Manual. The ITE manual provides trip rates for thousand square foot (KSF) and employees, so the relation was used to estimate the number of employees per KSF, $9.74/3.28 = 2.97$ employees per KSF. As shown in Table TRN-1, the project for the new construction of office buildings, is estimated to have approximately 671 employees, $225.800 * 2.97 = 670.626$ employees ≈ 671 employees.

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(NI)

Table TRN-1
Project Employee Estimates

Project Land	ITE Code	KSF	Trips per KSF	Trips per Employee	Employee per	Total Employees
General Office	710	225,800	9.74	3.28	2.97	671

Source: JLB 2022, p. 4.

Note: K.S.F. = Thousand Square Feet

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

The State CEQA Guidelines were amended to implement SB 743, by adding Section 15064.3. Among its provisions, Section 15064.3 confirms that, except with respect to transportation projects, a project's effect on automobile delay shall not constitute a significant environmental impact. Therefore, LOS measures of impact on traffic facilities is no longer a relevant CEQA criteria for transportation impacts.

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

On June 25, 2020, the City of Fresno adopted CEQA Guidelines for Vehicle Miles Traveled Thresholds, pursuant to Senate Bill 743 to be effective of July 1, 2020. The thresholds described therein are referred to herein as the City of Fresno VMT Thresholds. The City of Fresno VMT Thresholds document was prepared and adopted consistent with the requirements of CEQA Guideline Sections 15064.3 and 15064.7. The December 2018 Technical Advisory on Evaluating Transportation Impacts in CEQA (Technical Advisory) published by the Governor's Office of Planning and Research (OPR), was utilized as a reference and guidance document in the preparation of the Fresno VMT Thresholds.

The City of Fresno VMT Thresholds adopted a screening standard and criteria that can be used to screen out qualified projects that meet the adopted criteria from needing to prepare a detailed VMT analysis.

For projects that are not screened out, a quantitative analysis of VMT impacts must be prepared and compared against the adopted VMT thresholds of significance. The Fresno VMT Thresholds document included thresholds of significance for development projects, transportation projects, and land use plans. These thresholds of significance were developed using the County of Fresno as the applicable region, and the required reduction of VMT (as adopted in the Fresno VMT Thresholds) corresponds to Fresno County's contribution to the statewide GHG emission reduction target. In order to reach the statewide GHG reduction target of 15%, Fresno County must reduce its GHG emissions by 13%. The method of reducing GHG by 13% is to reduce VMT by 13% as well.

The City's adopted thresholds for development projects correspond to the regional thresholds set by

the Fresno Council of Governments (COG). For residential and non-residential (except retail) development projects, the adopted threshold of significance is a 13% reduction, which means that projects that generate VMT in excess of a 13% reduction from the existing regional VMT per capita or per employee would have a significant environmental impact. Projects that reduce VMT by more than 13% are less than significant. For retail projects, the adopted threshold is any net increase in VMT per employee compared to existing VMT per employee.

Quantitative assessments of the VMT generated by a development project are determined using the COG Activity Based Model (ABM), which is a tour-based model.

VMT Results

Quantitative assessments of the VMT generated by a development project are determined using the Fresno COG ABM, which is a tour-based model. The Project's trip generation data was provided to LSA Associates, Inc. (LSA) in order to conduct a Project-specific VMT analysis using the Fresno COG ABM for specific Project components. Table TRN-1 summarizes the VMT results provided by LSA for the Project components. Based on Fresno Council of Governments Activity Based Model, VMT results, the Project is projected to have a VMT of 16.94 per employee and does not exceed the City's VMT threshold of 22.27 VMT per employee. In conclusion, there are no impacts to VMT associated with this Project pursuant to the City of Fresno VMT analysis guidelines.

**Table TRN-2
VMT Results**

Project Components	Fresno COG plus Project VMT Results ¹	City of Fresno VMT Threshold ²	Significant VMT Impact?
General Office Building	16.94 / Employee	22.27 / Employee	No

Source: JLB 2022, p. 7.

Note: 1 = VMT Results per Fresno COG ABM

2 = VMT Threshold per CEQA Guidelines for Vehicle Miles Traveled Thresholds for the City of Fresno.

The Project is projected to have approximately 671 employees for the new office buildings. As shown in Table TRN-2, the Project's VMT output is projected to be 16.94 VMT per employee. The City of Fresno VMT threshold for commercial non-retail land uses is a maximum of 22.27 VMT per employee. Because the project VMT is less than the Fresno VMT threshold, the Project will result in less than significant VMT impacts concerning consistency with CEQA Guidelines Section 15064.3(b).

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

No Impact. The proposed Project would be accessed from an existing driveway from Alluvial Avenue. The driveway includes a round-about that provides access to all four parcels. The Project would not substantially increase hazards due to a permanent design feature (e.g., sharp curves or dangerous intersections) or incompatible uses. No impact would occur regarding a substantial increase in hazards due to a geometric design feature.

- d) Result in inadequate emergency access? ☐ ☐ ☐ ☒

No Impact. The proposed Project would have two points of access. One access point currently exists as a driveway from Alluvial Avenue on the east at its intersection with Harrison Avenue. The other access is proposed from the west from the residential neighborhood from West Alluvial. As noted in

the PEIR, "Design and construction of roadways would be consistent with applicable State and City standards for roadway widths, turning radii, and sightlines and would not impair emergency response or emergency evacuation (LSA 2020, p. 4.8-18). The site plan would also be reviewed by the Planning Department and Fresno Fire Department to ensure that the Project meets all emergency access requirements. Therefore, the proposed Project is not anticipated to result in inadequate emergency access. No impact is identified for this issue.

XVIII. TRIBAL CULTURAL RESOURCES

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:

- a) 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
- | | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

No Impact. Following outreach to the Table Mountain Rancheria Tribe and the Dumna Wo Wah Tribe pursuant to Assembly Bill 52 (AB 52), neither tribe identified any resources with cultural value that could eligible for listing in the California Register of Historical Resources, or in a local register of historical resources. Therefore, no impact is identified for a tribal cultural resource.

- b) 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.
- | | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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No Impact. The Table Mountain Rancheria Tribe and Dumna Wo Wah Tribes were consulted during preparation of this analysis. Neither Tribe identified any resources which could be significant for the City to consider. Therefore, the City of Fresno determined there would be no impact to tribal cultural resource for either tribe.

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 effects?
- | | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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No Impact. Construction of the proposed Project would rely on existing infrastructure currently serving the area to provide required utilities and service systems as described below. An existing

10-foot PG&E Pipeline Easement aligns through Parcel B; a 10-foot Public Utility Easement extends along the western boundary of Parcels A and D and the southern boundary of Parcel A; a 5-foot Telephone Easement, and a 50-foot PG&E Tower easement are located on Parcel D; a 60-foot right-of-way through Parcels B and D is to be abandoned; and a 10-foot easement for the Pinedale County Water District (PCWD) is present along the south side of Parcel C for an existing well. A well site dedicated to the PCWD is located on the southern boundary of the site adjacent to Parcel C.

- b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?
- | | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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No Impact. A "Water Demand Analysis" was prepared for the proposed Project by Precision Civil Engineering (2021) (Appendix F). The Project site is in area serviced by the Pinedale County Water District (PCWD). The PCWD uses groundwater to meet its water demands. The PCWD does not currently have an adopted Urban Water Management Plan (UWMP). Therefore, water demands in the "Water Demand Analysis" were based on the rates published in the City of Fresno UWMP. If the Project site were developed with the original land use of single-family residential, at the maximum allowable 6.0 dwelling units (DU) per acre, it would construct approximately 126 DU. The U.S. Census Bureau American Community Survey reports approximately 3.1 persons/DU. Therefore, at full build-out of 126 DU, water demand would be approximately 85.3 AFY (Precision 2020, p. 3).

In contrast, based on the published demand rates in the UWMP, at full build out of the proposed office uses, total demand for the proposed office use is estimated to be 78.8 AFY. This demand is less than the projected demand of the demand of 85.3 AFY assumed in the UWMP for the Project site. Therefore, the proposed Project will not create an increase demand in water supply. PCWD uses groundwater to meet its water demands and has the infrastructure to service the Project. No impact to water supplies would occur (Precision 2020, p. 6).

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

No Impact. The proposed includes development of 249,992 square feet of office space, of this amount 225,800 gross square feet is new construction as one building has already been built. The City of Fresno owns and operates two wastewater treatment facilities that serve the Fresno metropolitan area: the Fresno-Clovis Regional Wastewater Reclamation Facility (FCRWR) and the North Fresno Wastewater Reclamation Facility (NFWRF) (LSA 2020, p. 4.17-22). The Project would be served by the FCRWR. The area is currently developed and has wastewater infrastructure in place to accommodate planned land uses. The project is consistent with the land use designation on the project site and therefore the existing infrastructure would be sized to accommodate the proposed office. Adequate wastewater treatment is available at the FCRWR. An additional expansion of approximately 9.6 mgd is anticipated after the year 2025. However, completion of the residential meter installation has resulted in reduced wastewater flows which may delay the need for expansion of the FCRWR beyond the year 2020 (LSA 2020, p. 4.7-23).

	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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- 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?

☐ ☐ ☐ ☒

No Impact. The proposed Project would develop 249,992 square feet of office use, of this amount 225,800 gross square feet is new construction as one building has already been built. Waste generated by the Project would be typical of an office development and include waste paper, trash, and recyclable materials (aluminum cans, bottles, paper). Based on a generation rate of 6 pounds of solid waste per 1,000 square feet, $(249,992 \text{ sq. ft.} \div 1,000 \text{ sq. ft.} \times 6 \text{ lbs})$ the project is estimated to generate 1,500 lbs per day of waste (CalRecycle website 2021). Since this calculation was based on gross square feet, it would likely be far less for the project. In addition, AB 939 mandates the reduction of solid waste disposal in landfills. Based on 2009 data, the City is currently achieving a 71 percent diversion rate which is anticipated to increase due to a Fresno City Council ordinance that commits the City to the goal of a Zero Waste goal by 2025 (LSA 2020, p. 4.17-31). The Project would be required to comply with the City's Resolution which would curb solid waste generation in keeping with the provisions of AB 939. Solid waste service is provided by the City of Fresno. Waste is disposed of at the American Avenue Landfill which has an estimated closure date of August 31, 2031 (LSA 2020, p. 4.17-30). No Impact would occur.

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

☐ ☐ ☐ ☒

No Impact. The Project would be required to comply Fresno Municipal Code Section 6-203 (d), to support the City goals of achieving 75% diversion by 2012 and Zero Waste status by 2025 which were adopted by City Council on June 26, 2007 and presented in its Zero Waste Strategic Action Plan approved on February 11, 2009. Refer to item d) above.

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?

☐ ☐ ☐ ☒

No Impact. The State Responsibility Area (SRA) is the area of the State of California is financially responsible for the prevention and suppression of wildfires. The SRA does not include lands within city boundaries (CalFire 2013).

According to the PEIR, while the City does have an adopted Emergency Operations Plan (EOP), the EOP does not designate evacuation routes (LSA 2020, p. 4.8-18). The proposed Project would construct 249,992 square feet of Office uses, of this amount 225,800 gross square feet is new construction as one building has already been built. The Project would not impair an adopted emergency response plan or emergency evacuation plan. No impact would occur.

- 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?

☐ ☐ ☐ ☒

No Impact. The City is not in the SRA. The PEIR states “According to CAL FIRE’s Fire and Resource Assessment Program, the Planning Area does not contain any lands within the State Responsibility Area (SRA) or lands classified as Very High Fire Hazard Severity Zone (VHFHSZ) within the Local Responsibility Area (LRA)” (LSA 2020, P. 4.18-17). Therefore, no impact would occur regarding exposing Project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire.

- c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?
- | | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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No Impact. The City is not in the SRA. Due to the nature of the Project and its location within city right-of-way and the RWRF, the proposed Project would not require new roads, fuel breaks, emergency water sources, power lines, or other utilities for construction that may exacerbate fire risk.

- d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?
- | | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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No Impact. The proposed Project site is in north Fresno, west of Palm Bluffs, in the City of Fresno, California. The Project is bordered by West Harrison Avenue on the east and the San Joaquin Bluffs on the north. The Project would be built in compliance with the requirements of the BL Overlay District which applies to areas within 300 feet of the toe of the San Joaquin River bluff. The regulations of the BL Overlay District include protection of the health, safety, and general welfare of owners and users of property within the River Bluff Influence Area. No impact would occur that would result in exposing 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.

Note: Authority cited: Sections 21083 and 21083.05, Public Resources Code. Reference: Section 65088.4, Gov. Code; Sections 21080(c), 21080.1, 21080.3, 21083, 21083.05, 21083.3, 21093, 21094, 21095, and 21151, Public Resources Code; Sundstrom v. County of Mendocino, (1988) 202 Cal.App.3d 296; Leonoff v. Monterey Board of Supervisors, (1990) 222 Cal.App.3d 1337; Eureka Citizens for Responsible Govt. v. City of Eureka (2007) 147 Cal.App.4th 357; Protect the Historic Amador Waterways v. Amador Water Agency (2004) 116 Cal.App.4th at 1109; San Franciscans Upholding the Downtown Plan v. City and County of San Francisco (2002) 102 Cal.App.4th 656.

SECTION 3

III. MANDATORY FINDINGS OF SIGNIFICANCE

The following are Mandatory Findings of Significance in accordance with Section 15065 of the CEQA Guidelines.

- a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?
- | | | | |
|--------------------------|--------------------------|-------------------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--------------------------|--------------------------|-------------------------------------|--------------------------|

Less than Significant Impact. The Project proposes to subdivide two existing parcels (APNs: 405-340-23 & 405-340-04) into four unequal parcels and develop a total of 249,992 gross square feet of office space, of this amount 225,800 gross square feet is new construction as one building has already been built. The proposed Project is located on land that has been previously disturbed but is currently vacant aside from Parcel C which is currently developed with one single-story office building. With implementation of PEIR Mitigation Measures BIO-1.1, BIO-1.2, BIO-1.3, and BIO-1.4, the Project would have no impact regarding degrading 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.

- b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)
- | | | | |
|--------------------------|--------------------------|-------------------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--------------------------|--------------------------|-------------------------------------|--------------------------|

Less than Significant Impact. The proposed Project would not result in any impacts that are individually limited but cumulatively considerable. As discussed with required to Air Quality, air pollution is by its very nature largely a cumulative impact. If a project's individual emissions exceed its identified significance thresholds, the Project would be cumulatively considerable. As demonstrated in Tables AQ-1, AQ-2 and AQ-3 above, the proposed Project would not exceed the SJVAPCD's thresholds for construction or operational-related emissions. Likewise, GHG emissions are typically considered cumulative. However, the Project would be in compliances with the City of Fresno GHG Plan, Fresno COG RTP/SCS and AB 32 Scoping Plan and would therefore result in less than significant impacts related to GHG emissions. Therefore, the Project is considered to have less than significant cumulative impacts.

- c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?
- | | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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No Impact. The Project would provide office space in north Fresno on land that is designated for this use. The Project will be developed consistent with all applicable federal, state City of Fresno code and design standards and setbacks as specified in the Bluff Protection Overlay District. Therefore, the proposed Project would not cause a substantial adverse effect on human beings either directly or indirectly. No impact would occur.

IV. PERSONS AND ORGANIZATIONS CONSULTED

This section identifies those persons who prepared or contributed to preparation of this document. This section is prepared in accordance with Section 15129 of the CEQA Guidelines.

A. CITY OF FRESNO

Rob Holt, Planner III

B. OTHER AGENCIES/ORGANIZATIONS

None

A. AIR QUALITY AND GREENHOUSE GAS

Seth Meyers, Senior Air Quality Analyst – ECORP Consulting, Inc.

B. MND PREPARERS

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(Written or oral comments received on the checklist prior to circulation)

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