



**CITY of CLOVIS**  
**PLANNING & DEVELOPMENT**  
1033 FIFTH STREET • CLOVIS, CA 93612

E20181000017

For County Clerk Stamp

**MITIGATED NEGATIVE DECLARATION**

**Proposed:** August 6, 2018

**Agency File No:** GPA2017-07, R2017-18, CUP2017-17 & TM6200

**Finding:** The City of Clovis has determined that the project described below will not have a significant effect on the environment and therefore the preparation of an Environmental Impact Report is not required.

**Lead Agency:** City of Clovis is the Lead Agency for this project.

**Project Title:** General Plan Amendment GPA2017-07, Rezone R2017-18, Conditional Use Permit CUP2017-17 & Vesting Tentative Tract Map TM6200.

**Project Location:** Northwest corner of Shepherd and Sunnyside Avenues in the City of Clovis, CA.

**Project Description:** Consider items associated with approximately 168 acres of land located on the northwest corner of Shepherd and Sunnyside Avenues. Various Owners; Lennar., applicant, Yamabe & Horn Engineering, representative.

GPA2017-07, A request to amend the circulation element of the General Plan and Heritage Grove Specific Plan for placement of a Shepherd Avenue access point on the north side of Shepherd Avenue, west of Sunnyside Avenue for future development. Additionally, a request to provide for reclassification of the designated Open Space area to a Mixed Use classification and relocation of the required Open Space within the Project site.

R2017-18, A request to approve a prezone from the AE20 (Agricultural Exempt.) Zone District to the R-1 (Single Family Residential), C-2 (General Commercial) and P-F (Public Facilities) Zone District.

CUP2017-17, A request to approve a 586-lot Planned Residential Development with public streets.

TM6200, A request to approve a vesting tentative tract map for a 586-lot single-family planned residential development.

**Environmental Assessment:** The Initial Study for this project is available for review at the City of Clovis, Planning and Development Services Department, 1033 Fifth Street, Clovis, CA.

**Justification for Mitigated Negative Declaration:** The City of Clovis has completed the preparation of an Initial Study for the project described above. The Initial Study did not identify any potentially significant environmental effects that would result from the proposed activity. Accordingly, approval of a Mitigated Negative Declaration for the project is recommended. The City finds that the proposed activity can be adequately served by City public services. It will not have a negative aesthetic effect, will not affect any rare or endangered species of plant or animal or the habitat of such species, nor interfere with the movement of any resident or migratory fish or wildlife species. It will not adversely affect water quality, contaminate public water supplies, or cause substantial flooding,

**EXHIBIT "C"**



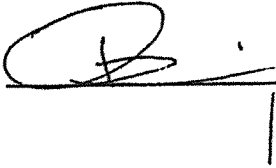
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erosion, or siltation. It will not have a significant effect on air quality, climate change, transportation or circulation systems, noise, light and glare, and land use. No significant cumulative impacts will occur from this project.

Contact Person: Orlando Ramirez, Senior Planner

Phone: (559) 324-2345

Signature: \_\_\_\_\_

A handwritten signature, likely of Orlando Ramirez, is written over a horizontal line. The signature is stylized, with a large initial 'O' and 'R'.

Date: August 6, 2018



**GENERAL PLAN AMENDMENT GPA2017-07  
REZONE R2017-18  
Conditional Use Permit CUP2017-17  
TENTATIVE TRACT MAP TM6200  
INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION**

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PREPARED BY:



**CITY *of* CLOVIS**

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**PLANNING & DEVELOPMENT**

1033 FIFTH STREET • CLOVIS, CA 93612

Planning Division  
1033 Fifth Street  
Clovis, CA 93612

Project Manager:  
Orlando Ramirez, Senior Planner  
559-324-2345  
[orlandor@cityofclovis.com](mailto:orlandor@cityofclovis.com)

**April, 2018**

**EXHIBIT 10**



## **CITY of CLOVIS**

### **PLANNING & DEVELOPMENT**

1033 FIFTH STREET • CLOVIS, CA 93612

For County Clerk Stamp

#### **NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION NOTICE OF PUBLIC HEARING NOTICE OF PUBLIC REVIEW OF A PROPOSED MITIGATED NEGATIVE DECLARATION**

**NOTICE IS HEREBY GIVEN** that on **Thursday, May 17, 2018, at 6:00 p.m.**, a public hearing will be conducted in the Council Chamber of the Clovis Civic Center, 1033 Fifth Street, Clovis, CA 93612. The Clovis Planning Commission will consider the following item:

Consider items associated with approximately 168 acres of land located on the northwest corner of Shepherd and Sunnyside Avenues. Various Owners; Lennar, applicant, Yamabe & Horn Engineering, representative.

1. GPA2017-07, A request to amend the circulation element of the General Plan and Heritage Grove Specific Plan for placement of a Shepherd Avenue access point on the north side of Shepherd Avenue, west of Sunnyside Avenue for future development. Additionally, a request to provide for reclassification of the designated Open Space area to a Mixed Use classification and relocation of the required Open Space within the Project site.
2. R2017-18, A request to approve a prezone from the AE20 (Agricultural Exempt.) Zone District to the R-1 (Single Family Residential), C-2 (General Commercial) and P-F (Public Facilities) Zone District.
3. CUP2017-17, A request to approve a 586-lot Planned Residential Development with public streets.
4. TM6200, A request to approve a vesting tentative tract map for a 586-lot single-family planned residential development.

A Mitigated Negative Declaration has been completed for this project, pursuant to Section 15070 of CEQA. Recommendation of a proposed Mitigated Negative Declaration does not necessarily mean these projects will be approved. Hard copies and electronic copies of the proposed Mitigated Negative Declaration for this project may be reviewed and/or obtained at the City of Clovis Planning Division, 1033 Fifth Street, Clovis, California, Monday through Friday, between 8:00 a.m. and 3:00 p.m.

All interested parties are invited to comment in writing to the Planning Division by no later than 3:00 p.m. on May 17, 2018, and/or to appear at the hearing described above to present testimony in regard to the above listed requests. Questions regarding these items should be directed to Orlando Ramirez, Senior Planner at (559) 324-2345 or email at [orlandor@cityofclovis.com](mailto:orlandor@cityofclovis.com).

If you would like to view the Planning Commission Agenda and Staff Reports, please visit the City of Clovis Website at [www.cityofclovis.com](http://www.cityofclovis.com). Select "Planning Commission Agendas" from right side of the main page under "Frequently Visited." Reports will be available approximately 72 hours prior to the meeting time.

If you challenge a project in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City at, or prior to, the public hearing.

Dwight D. Kroll, AICP, Planning and Development Services Director  
PUBLISH: Wednesday, April 25, 2018, *The Business Journal*



**CITY of CLOVIS**  
**PLANNING & DEVELOPMENT**  
1033 FIFTH STREET • CLOVIS, CA 93612

For County Clerk Stamp

**DRAFT MITIGATED NEGATIVE DECLARATION**

**Proposed:** May 17, 2018

**Agency File No:** GPA2017-07, R2017-18, CUP2017-17 & TM6200

**Finding:** The City of Clovis has determined that the project described below will not have a significant effect on the environment and therefore the preparation of an Environmental Impact Report is not required.

**Lead Agency:** City of Clovis is the Lead Agency for this project.

**Project Title:** General Plan Amendment GPA2017-07, Rezone R2017-18, Conditional Use Permit CUP2017-17 & Vesting Tentative Tract Map TM6200.

**Project Location:** Northwest corner of Shepherd and Sunnyside Avenues in the City of Clovis, CA.

**Project Description:** Consider items associated with approximately 168 acres of land located on the northwest corner of Shepherd and Sunnyside Avenues. Various Owners; Lennar., applicant, Yamabe & Horn Engineering, representative.

GPA2017-07, A request to amend the circulation element of the General Plan and Heritage Grove Specific Plan for placement of a Shepherd Avenue access point on the north side of Shepherd Avenue, west of Sunnyside Avenue for future development. Additionally, a request to provide for reclassification of the designated Open Space area to a Mixed Use classification and relocation of the required Open Space within the Project site.

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CUP2017-17, A request to approve a 586-lot Planned Residential Development with public streets.

TM6200, A request to approve a vesting tentative tract map for a 586-lot single-family planned residential development.

**Environmental Assessment:** The Initial Study for this project is available for review at the City of Clovis, Planning and Development Services Department, 1033 Fifth Street, Clovis, CA.



**Justification for Mitigated Negative Declaration:** The City of Clovis has completed the preparation of an Initial Study for the project described above. The Initial Study did not identify any potentially significant environmental effects that would result from the proposed activity. Accordingly, approval of a Mitigated Negative Declaration for the project is recommended. The City finds that the proposed activity can be adequately served by City public services. It will not have a negative aesthetic effect, will not affect any rare or endangered species of plant or animal or the habitat of such species, nor interfere with the movement of any resident or migratory fish or wildlife species. It will not adversely affect water quality, contaminate public water supplies, or cause substantial flooding, erosion, or siltation. It will not have a significant effect on air quality, climate change, transportation or circulation systems, noise, light and glare, and land use. No significant cumulative impacts will occur from this project.

Contact Person: Orlando Ramirez, Senior Planner

Phone: (559) 324-2345

Signature: \_\_\_\_\_

Date: April 23, 2018

## INITIAL STUDY

### Introduction

This document is an Initial Study and Mitigated Negative Declaration (MND) prepared pursuant to the California Environmental Quality Act (CEQA), for the Project. This MND has been prepared in accordance with the California Environmental Quality Act (CEQA), Public Resources Code Sections 21000 *et seq.*, and the CEQA Guidelines Sections 15070(b), 15071(e).

### Documents Incorporated By Reference

This mitigated negative declaration utilizes information and incorporates information and analyses provided in the following documents pursuant to CEQA Guidelines Section 16850.

- **City of Clovis General Plan.** The 2014 Clovis General Plan provides a description of the project area setting, and sets forth a plan for the development of the general plan planning area, of which the current project area is part.
- **Program Environmental Impact Report prepared for the Clovis General Plan.** The General Plan Program EIR describes potential impacts of development of the project area consistent with the general plan land use map. Some of these impacts (e.g. runoff, aesthetics, etc.) are to be expected with any urban development, and are therefore applicable to the current project.
- **Findings and Statement of Overriding Considerations prepared for the adoption of the Clovis General Plan.** Adoption of the development plan contained in the General Plan is expected to result in certain unavoidable environmental impacts (Agriculture, Air Quality, Cultural Resources, Greenhouse Gas, Hydrology and Water, Noise and Vibration, Population and Housing, Transportation and Traffic, and Utility and Service Systems) that the City has determined are outweighed by the potential benefits of plan implementation. These impacts are applicable to the project at hand due to the fact that the proposal is consistent with the planned urbanization of the general plan planning area.
- **Heritage Grove Specific Plan.** The Heritage Grove Specific Plan provides a description of the project area setting, and sets forth a plan for the development of the specific plan planning area, of which the current project area is part.
- **Environmental Impact Report prepared for the Clovis Landfill Expansion and Permitting Project (Certified July 11, 2005, SCH No. 2002091105).** The EIR examined the potential impacts of a revision to the city's Solid Waste Facility Permit to expand filling operations and expand the land fill property boundaries.
- **Environmental Impact Report prepared for the Clovis Sewage Treatment /Water Reuse Facility Program (Certified July 18, 2005, SCH No. 2004061065).** The EIR examined the potential impacts from the construction and operation of the City's new sewage treatment/water reuse facility (ST/WRF) that would provide an alternative solution to its current sewage (wastewater) treatment services capabilities.
- **Clovis Municipal Code Title 5 (Public Welfare, Morals And Conduct) and Title 9 (Development Code).** This Code consists of all the regulatory, penal, and administrative laws of general application of the City of Clovis and specifically to development standards, property maintenance and nuisances, necessary for the protection of health and welfare, codified pursuant to the authority contained in Article 2 of Chapter 1 of Part 1 of Division 1 of Title 5 of the Government Code of the State of California.
- **California Health and Safety Code Section 7050.5.** This section states that in the event that human remains are discovered, there shall be no further disturbance of the site of any nearby area reasonably suspected to overlie adjacent remains until the coroner of the county in which the remains are discovered has been notified. If the remains are

determined to be Native American, guidelines of the Native American Heritage Commission shall be adhered to in the treatment and disposition of the remains.

- **Section 15064.5 of the CEQA Guidelines.** This section addresses the discovery of human remains, and the disturbance of potential archaeological, cultural, and historical resources. The requirements of Section 15064.5 with regard to the discovery of human remains are identical to the requirements of Health and Safety Code Section 7050.5.
- **City of Clovis 2017-2018 Budget.** The budget provides information about city services, and objectives, annual spending plan for the 2017-2018 fiscal year, debt obligations, and the five-year Community Investment Program.
- **City of Clovis Economic Development Strategy (Adopted July 14, 2014).** The City of Clovis Economic Development Strategy outlines the City's strategies for the retention, expansion, and attraction of industrial development, commercial development, and tourism.
- **City of Clovis 2010 Urban Water Management Plan.** The Clovis Urban Water Management Plan outlines the City's strategy to manage its water resources through both conservation and source development. The Plan was prepared in compliance with California Water Code Section 10620.
- **Fresno Metropolitan Flood Control District Storm Drainage and Flood Control Master Plan (Adopted January 2006).** The Fresno Metropolitan Flood Control District (FMFCD) is located in the north-central portion of Fresno County between the San Joaquin and Kings rivers. The FMFCD service area includes most of the Fresno-Clovis metropolitan area (excluding the community of Easton), and unincorporated lands to the east and northeast. The Storm Drainage and Flood Control Master Plan includes program planning, structure, service delivery, and financing, for both flood control and local drainage services. The flood control program relates to the control, containment, and safe disposal of storm waters that flow onto the valley floor from the eastern streams. The local drainage program relates to the collection and safe disposal of storm water runoff generated within the urban and rural watersheds.
- **Fresno Metropolitan Flood Control District Notice of Requirements,** February 21, 2018, An evaluation of the project impact on FMFCD facilities.
- **Fresno Metropolitan Flood Control District Letter,** February 21, 2018, A letter from the District stating that their facilities can accommodate the Project.
- **Staff Report on Burrowing Owl Mitigation (CDFG 1995).** This report provides CEQA Lead Agencies and Project proponents the context in which the Department of Fish and Game will review Project specific mitigation measures. The report also includes pre-approved mitigation measures which have been judged to be consistent with policies, standards and legal mandates of the State Legislature, the Fish and Game Commission, and the Department's public trust responsibilities.
- **San Joaquin Valley Air Pollution Control District, Regulation VIII - Fugitive PM10 Prohibitions.** The purpose of Regulation VIII (Fugitive PM10 Prohibitions) is to reduce ambient concentrations of fine particulate matter (PM10) by requiring actions to prevent, reduce or mitigate anthropogenic fugitive dust emissions. Regulation VIII is available for download at <http://www.valleyair.org/rules/1ruleslist.htm#reg8>. A printed copy may be obtained at the District's Central Region offices at 1990 E. Gettysburg Ave., Fresno, CA 93726.
- **Fresno Irrigation District Letter,** December 29, 2018, An evaluation of project impacts on Fresno Irrigation District facilities.
- **City of Clovis Wastewater Collection System Master Plan Modification Review,** April 3, 2018, An evaluation of impacts to the Master Sewer Collection System.
- **Water Assessment from Provost and Pritchard,** March 30, 2018, An evaluation of impacts related to water resources.
- **Biological Assessment from Argonaut Ecological Consulting, Inc.,** February, 2018, An evaluation of biological impacts.
- **Cultural Resource Assessment from Applied EarthWorks, Inc.,** dated February, 2018, An evaluation of cultural resources.

- **Air Quality & Greenhouse Gas Analysis Report from Mitchell Air Quality Consulting**, January 5, 2018, An evaluation of the impacts related to Air Quality & Green House Gas.
- **Fresno County Department of Public Health**, letter dated December 18, 2017, providing standards for health related impacts.
- **Traffic Impact Study** by Peters Engineering Group for TM6200, Dated November 16, 2017, An evaluation of potential difference in traffic generation between the existing general plan land use and the proposed land use.
- **Department of Transportation District 6 Letter**, April 5, 2018, An evaluation of state highway impacts.
- **San Joaquin Valley Air Pollution Control District Letter**, December 28, 2017, An evaluation of project impact to air quality.
- **Clovis Unified School District Letter**, December 8, 2017, An evaluation of project impact to school facilities.

Unless otherwise noted, documents incorporated by reference in this Initial Study are available for review at the Clovis Planning and Development Services Department located at 1033 Fifth Street, Clovis, CA 93612 during regular business hours.

### **Project Description**

GPA2017-07, A request to amend the circulation element of the General Plan and Heritage Grove Specific Plan for placement of a Shepherd Avenue access point on the north side of Shepherd Avenue, west of Sunnyside Avenue for future development. Additionally, a request to provide for reclassification of the designated Open Space area to a Mixed Use classification and relocation of the required Open Space within the Project site.

R2017-18, A request to approve a prezone from the AE20 (Agricultural Exempt.) Zone District to the R-1 (Single Family Residential), C-2 (General Commercial), and P-F (Public Facilities) Zone District.

CUP2017-17, A request to approve a 586-lot Planned Residential Development with public streets.

TM6200, A request to approve a vesting tentative tract map for a 586-lot single-family planned residential development.

The project consists of a request to approve a general plan amendment, rezone, conditional use permit, and vesting tentative tract map on approximately 168 acres of land located at the northwest corner of Shepherd and Sunnyside Avenues, currently in the County of Fresno, pending annexation into the City of Clovis. The request includes amending the circulation element, rezoning, and a planned residential development, providing connectivity to City services when available. Furthermore, the Project includes the Fresno Local Agency Formation Commission (LAFCo) as a responsible agency.

General Plan Amendment GPA2017-07 is requesting to amend the General Plan and Heritage Grove Specific Plan circulation element for placement of a Shepherd Avenue access point on the north side of Shepherd Avenue, east of Clovis Avenue for future development. Additionally, a request to provide for reclassification of the designated Open Space area to a Mixed Use classification and relocation of the required Open Space within the Project site.

Rezone R2017-18 is rezoning approximately 168 acres from the R-A (Single Family Residential - 24,500 Sq. Ft.) Zone District to the R-1-PRD (Planned Residential Development), C-2 (General Commercial), and P-F (Public Facilities) Zone District.

Conditional Use Permit CUP2017-17 is requesting to approve a 586-lot Planned Residential Development with public streets.

Vesting Tentative Tract Map TM6200 includes a 586-lot single-family planned residential development with public streets.

The Project also includes demolition of structures, well and septic systems, grading, improvement of streets, and infrastructure to accommodate the tentative map.

The Project will be completed in accordance with the California Building Code; City of Clovis Municipal Code; and 2018 City of Clovis Standards.

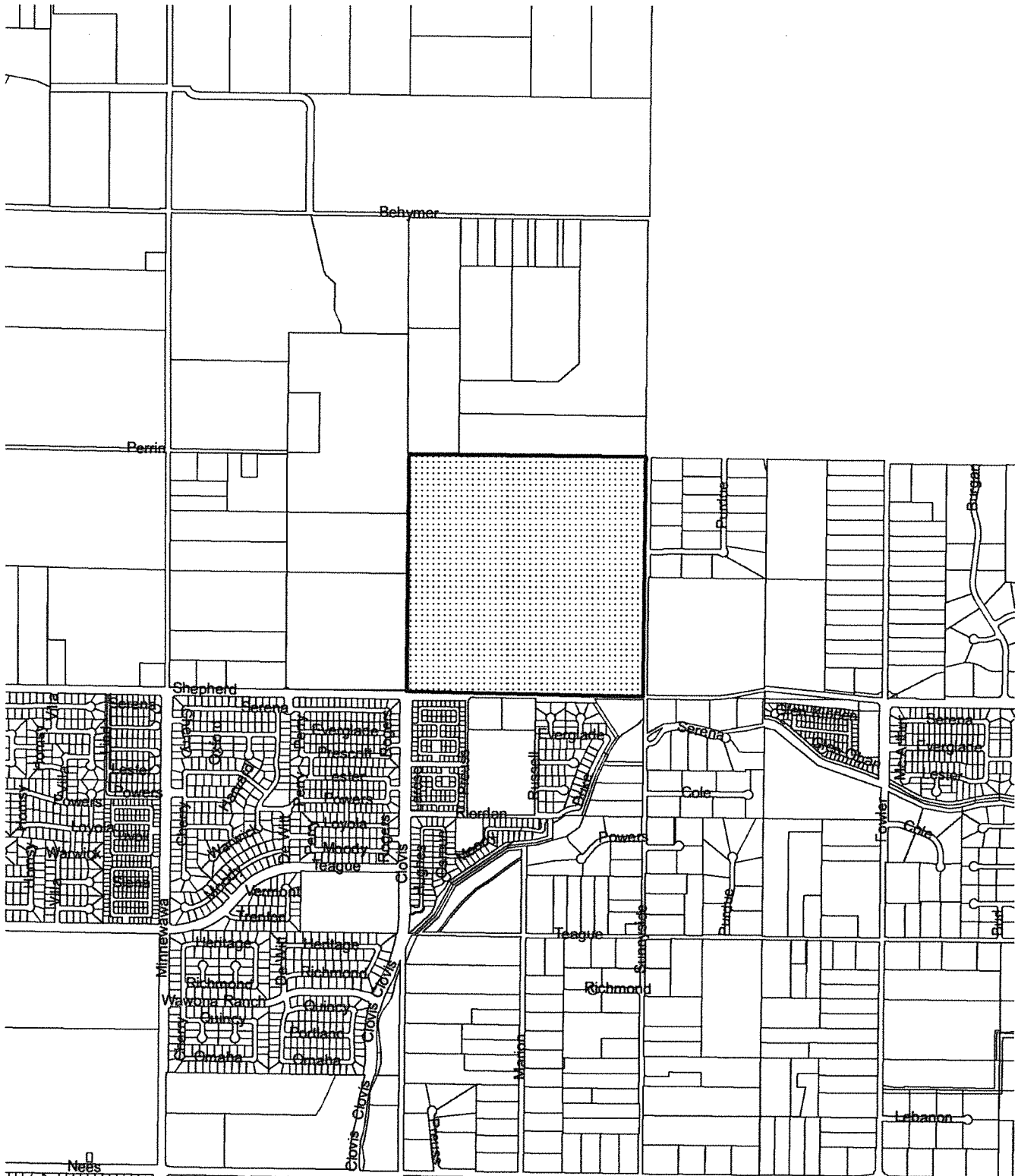
### **Project Location**

The proposed Project will be located within the City of Clovis in the County of Fresno (see Figure 1). The proposed Project site is located on northwest corner of Shepherd and Sunnyside Avenues (see Figure 2).



**Figure 1 - Regional Location**

GPA2017-07, R2017-18, CUP2017-17, TM6200



## Proposed Design of the Site

Figure 3 shows proposed site plan.

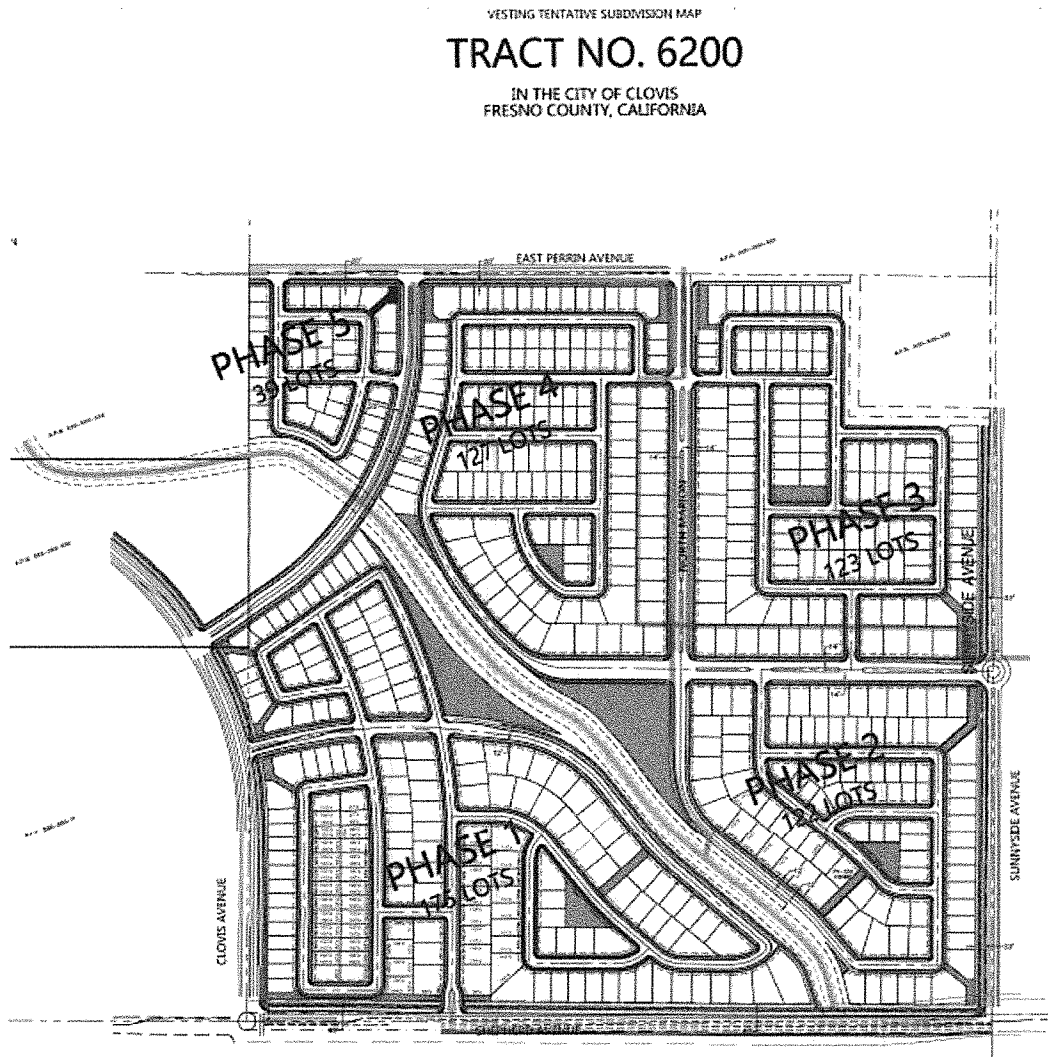


Figure 3 - Project Site Plan

### Environmental Measures

Environmental measures are methods, measures, standard regulations, or practices that avoid, reduce, or minimize a project's adverse effects on various environmental resources. Based on the underlying authority, they may be applied before, during, or after construction of the Project.

The following standard environmental measures, which are drawn from City ordinances and other applicable regulations and agency practices, would be implemented as part of the Project and incorporated into the City's approval processes for specific individual projects in the future. The City would ensure that these measures are included in any Project construction specifications (for example, as conditions of approval of a tentative parcel or subdivision map), as appropriate. This has proven to be effective in reducing potential impacts by establishing policies, standard requirements that are applied ministerially to all applicable projects.

### Environmental Measure 1: Measures to Minimize Effects of Construction-Related Noise

The following construction noise control standards per the Clovis Municipal Code (Clovis Municipal Code Section 9.3.228.10 et seq.) will be required, which are proven effective in reducing and controlling noise generated from construction-related activities.

- Noise-generating construction activities, unless otherwise expressly provided by permit, construction activities are only permitted between the hours of 7:00 a.m. and 7:00 p.m. Monday through Friday and between 9:00 a.m. and 5:00 p.m. on Saturday and Sunday. From June 1st through September 15th, permitted construction activity may commence after 6:00 a.m. Monday through Friday. Extended construction work hours must at all times be in strict compliance with the permit.
- Stationary equipment (e.g., generators) will not be located adjacent to any existing residences unless enclosed in a noise attenuating structure, subject to the approval of the Director.

### Environmental Measure 2: Erosion Control Measures to Protect Water Quality

To minimize the mobilization of sediment to adjacent water bodies, the following erosion and sediment control measures will be included in the storm water pollution prevention plan (SWPPP), to be included in the construction specifications and Project performance specifications, based on standard City measures and standard dust-reduction measures for each development.

- Cover or apply nontoxic soil stabilizers to inactive construction areas (previously graded areas inactive for 10 days or more) that could contribute sediment to waterways.
- Enclose and cover exposed stockpiles of dirt or other loose, granular construction materials that could contribute sediment to waterways.
- Contain soil and filter runoff from disturbed areas by berms, vegetated filters, silt fencing, straw wattle, plastic sheeting, catch basins, or other means necessary to prevent the escape of sediment from the disturbed area.
- No earth or organic material shall be deposited or placed where it may be directly carried into a stream, marsh, slough, lagoon, or body of standing water.
- Prohibit the following types of materials from being rinsed or washed into the streets, shoulder areas, or gutters: concrete; solvents and adhesives; thinners; paints; fuels; sawdust; dirt; gasoline; asphalt and concrete saw slurry; heavily chlorinated water.
- Dewatering activities shall be conducted according to the provisions of the SWPPP. No dewatered materials shall be placed in local water bodies or in storm drains leading to such bodies without implementation of proper construction water quality control measures.

### Environmental Measure 3: Dust Control Measures to Protect Air Quality

To control dust emissions generated during construction of future parcels, the following San Joaquin Valley Unified Air Pollution Control District (SJVAPCD) Regulation VIII Control Measures for construction emissions of PM10 are required to be implemented (SJVUAPCD Rule 8021). They include the following:

- Watering—for the purpose of dust control, carry-out, and tracking control—shall be conducted during construction in accordance with the City of Clovis' Storm Water Management Plan (SWMP) and the Project Storm Water Pollution Prevention Plan (SWPPP), if applicable.
- All disturbed areas, including storage piles, which are not being actively utilized for construction purposes, shall be effectively stabilized of dust emissions using water, chemical



stabilizer/suppressant, covered with a tarp or other suitable cover or vegetative ground cover.

- All onsite unpaved roads and offsite unpaved access roads shall be effectively stabilized of dust emissions using water or chemical stabilizer/suppressant.
- All land clearing, grubbing, scraping, excavation, land leveling, grading, cut and fill, and demolition activities shall be effectively controlled of fugitive dust emissions utilizing application of water or by presoaking.
- With the demolition of buildings up to six stories in height, all exterior surfaces of the building shall be wetted during demolition.
- When materials are transported off site, all material shall be covered, or effectively wetted to limit visible dust emissions, and at least 2 feet of freeboard space from the top of the container shall be maintained.
- All operations shall limit or expeditiously remove the accumulation of mud or dirt from adjacent public streets at the end of each workday. (The use of dry rotary brushes is expressly prohibited except where preceded or accompanied by sufficient wetting to limit the visible dust emissions.) (Use of blower devices is expressly forbidden.)
- Following the addition of materials to, or the removal of materials from, the surface of outdoor storage piles, said piles shall be effectively stabilized of fugitive dust emissions utilizing sufficient water or chemical stabilizer/suppressant.

#### Environmental Measure 4: Measures to Control Construction-Related Emissions

To comply with guidance from the SJVAPCD, the City will incorporate the following measures into the construction specifications and Project performance specifications:

- The construction contractor will ensure that all diesel engines are shut off when not in use on the premises to reduce emissions from idling.
- The construction contractor will review and comply with SJVAPCD Rules 8011 to 8081 (Fugitive Dust), 4102 (Nuisance), 4601 (Architectural Coatings), and 4641 (Paving and Maintenance Activities). Current SJVAPCD rules can be found at <http://www.valleyair.org/rules/1ruleslist.htm>.
- The construction contractor will use off-road trucks that are equipped with on-road engines, when possible.
- The construction contractor will use light duty cars and trucks that use alternative fuel or are hybrids, if feasible.

#### Environmental Measure 5: Measures to Minimize Exposure of People and the Environment to Potentially Hazardous Materials

Construction of the Project could create a significant hazard to workers, the public, or the environment through the transport, use or disposal of hazardous materials. Small quantities of potentially toxic substances (such as diesel fuel and hydraulic fluids) would be used and disposed of at the site and transported to and from the site during construction. Accidental releases of small quantities of these substances could contaminate soils and degrade the quality of surface water and groundwater, resulting in a public safety hazard.

To minimize the exposure of people and the environment to potentially hazardous materials, the following measures will be included in the construction specifications and Project performance specifications for each parcel that includes the use of hazardous materials, based on the City's standard requirements that construction specifications include descriptions of the SWPPP, dust control measures, and traffic mobilization.

- *Develop and Implement Plans to Reduce Exposure of People and the Environment to Hazardous Conditions Caused by Construction Equipment.* The City/contractor shall demonstrate compliance with Cal OSHA as well as federal standards for the storage and handling of fuels, flammable materials, and common construction-related hazardous materials and for fire prevention. Cal OSHA requirements can be found in the California Labor Code, Division 5, and Chapter 2.5. Federal standards can be found in Occupational Safety and Health Administration Regulations, Standards—29 CFR. These standards are considered to be adequately protective such that significant impacts would not occur. Successful development and implementation of the proper storage and handling of hazardous materials will be measured against the state and federal requirements as verified by the City of Clovis.
- *Develop and Implement a Hazardous Materials Business Plan in Accordance with the Requirements of the County of Fresno Environmental Health System Hazardous Materials Business Plan Program.* The City shall require contractors to develop and implement a Hazardous Materials Business Plan, if required, in accordance with the requirements of the County of Fresno Environmental Health System (EHS) Hazardous Materials Business Plan Program. The Hazardous Materials Business Plan shall be submitted to the County EHS and the City of Clovis Fire Department prior to construction activities and shall address public health and safety issues by providing safety measures, including release prevention measures; employee training, notification, and evacuation procedures; and adequate emergency response protocols and cleanup procedures. A copy of the Hazardous Materials Business Plan shall be maintained on-site, during site construction activities and as determined by the County EHS.
- *Immediately Contain Spills, Excavate Spill-Contaminated Soil, and Dispose at an Approved Facility.* In the event of a spill of hazardous materials in an amount reportable to the Clovis Fire Department (as established by fire department guidelines), the contractor shall immediately control the source of the leak, contain the spill and contact the Clovis Fire Department through the 9-1-1 emergency response number. If required by the fire department or other regulatory agencies, contaminated soils shall be excavated, treated and/or disposed of off-site at a facility approved to accept such soils.
- As applicable, each Project applicant shall demonstrate compliance with Cal-OSHA for the storage and handling of fuels, flammable materials, and common construction-related hazardous materials and for fire prevention. Cal-OSHA requirements can be found in the California Labor Code, Division 5, Chapter 2.5. Federal standards can be found in Occupational Safety and Health Administration Regulations, Standards—29 CFR.

#### Environmental Measure 6: Measures to Protect Undiscovered Cultural Resources

If buried cultural resources, such as chipped or ground stone, historic debris, building foundations, or human bone, are inadvertently discovered during ground-disturbing activities, the City shall require that work stop in that area and within 100 feet of the find until a qualified archaeologist can assess the significance of the find and, if necessary, develop appropriate treatment measures in consultation with the City of Clovis and other appropriate agencies.

If human remains of Native American origin are discovered during Project construction, it is necessary to comply with state laws relating to the disposition of Native American burials, which fall within the jurisdiction of the Native American Heritage Commission (Pub. Res. Code Sec. 5097). If any human remains are discovered or recognized in any location other than a dedicated cemetery, there will be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until:

- The Fresno County coroner has been informed and has determined that no investigation of the cause of death is required; and if the remains are of Native American origin,

- The descendants of the deceased Native Americans have made a recommendation to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98, or
- The Native American Heritage Commission was unable to identify a descendant or the descendant failed to make a recommendation within 24 hours after being notified by the commission.

According to California Health and Safety Code, six or more human burials at one location constitute a cemetery (Section 8100) and disturbance of Native American cemeteries is a felony (Section 7052). Section 7050.5 requires that construction or excavation be stopped in the vicinity of discovered human remains until the coroner can determine whether the remains are those of a Native American. If the remains are determined to be Native American, the coroner must contact the California Native American Heritage Commission.

#### Environmental Measure 7: Develop and Implement a Construction Traffic Control Plan

If applicable, the construction contractor, in coordination with the City, will prepare a traffic control plan during the final stage of Project design. The purpose of the plan is to insure public safety, provide noise control and dust control. The plan shall be approved by the City of Clovis City Engineer and comply with City of Clovis local ordinances and standard policies.

- The construction traffic control plan will be provided to the City of Clovis for review and approval prior to the start of construction and implemented by construction contractor during all construction phases, and monitored by the City.

#### Required Project Approvals

In addition to the approval of the proposed Project by the City of Clovis, the following agency approvals may be required:

- San Joaquin Unified Air Pollution Control District
- Fresno Metropolitan Flood Control District
- Fresno Local Agency Formation Commission (Fresno LAFCo) for consideration and approval of the proposed reorganization.

### ENVIRONMENTAL SETTING, IMPACTS AND MITIGATION MEASURES

#### Introduction

This chapter provides an evaluation of the potential environmental impacts of the proposed Project, including the CEQA Mandatory Findings of Significance. There are 18 specific environmental topics evaluated in this chapter including:

- Aesthetics
- Agriculture and Forest Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Geology/Soils
- Greenhouse Gas Emissions
- Hazards & Hazardous Materials
- Hydrology/Water Quality

- Land Use/Planning
- Mineral Resources
- Noise
- Population/Housing
- Public Services
- Recreation
- Transportation/Traffic
- Tribal Cultural Resources
- Utilities/Service Systems

For each issue area, one of four conclusions is made:

- **No Impact:** No project-related impact to the environment would occur with project development.
- **Less Than Significant Impact:** The proposed project would not result in a substantial and adverse change in the environment. This impact level does not require mitigation measures.
- **Less Than Significant with Mitigation Incorporated:** The proposed project would result in an environmental impact or effect that is potentially significant, but the incorporation of mitigation measure(s) would reduce the project-related impact to a less than significant level.
- **Potentially Significant Impact:** The proposed project would result in an environmental impact or effect that is potentially significant, and no mitigation can be identified that would reduce the impact to a less than significant level.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>3.1 Aesthetics</b> <i>Would the Project:</i>				
a. Have a substantial effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

## Environmental Setting

The City of Clovis is located within the San Joaquin Valley. As a result, the Project site and surrounding areas are predominantly flat. The flat topography of the valley floor provides a horizontal panorama providing vistas of the valley. On clear days, the Sierra Nevada Mountains are visible to the east. Aside from the Sierra Nevada and nearby foothills, there are no outstanding focal points or views from the City.

## Impacts

The Project may result in significant aesthetic impacts if it substantially affects the view of a scenic corridor, vista, or view open to the public, causes substantial degradation of views from adjacent residences, or results in night lighting that shines into adjacent residences.

- a. The proposed Project will not obstruct federal, state or locally classified scenic areas, historic properties, community landmarks, or formally classified scenic resources such as a scenic highway, national scenic area, or state scenic area. The City of Clovis is located in a predominantly agricultural area at the base of the Sierra Nevada Mountain Range, which provides for aesthetically pleasing views and open spaces. The project site is currently a rural residential use. The Project site proposes an R-1 zoning which permits two-story development, consistent with that allowed in urban development zoning. As such, the implementation of the Project using current zoning standards, would result in a less than significant impact to scenic vistas.
- b. The Project is located in a predominately urban area. The development of this parcel with single-story and two-story development would have a less than significant impact on scenic resources.
- c. The project site has a rural residential home and accessory structures. The implementation of the Project, consistent with the existing and proposed zoning would not substantially degrade the visual character or quality of the site and its surroundings.
- d. The Project will include on-site project and off-site street lighting, which would introduce a new source of light to the area. The lighting is necessary to provide enough illumination at night for security and traffic purposes. All lighting will be installed per City and PG&E standards. With the inclusion of the following Mitigation Measure, impacts in this category will be reduced to a less than significant impact.

### Mitigation Measure 3.1

The developer shall direct all on-site lighting downward and provide physical shields to prevent direct view of the light source from adjacent residential properties.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>3.2 Agriculture and forest resources</b> <i>Would the Project:</i>				
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220 (g)) or timberland (as defined in Public Resources Code section 4526)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

d. Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Environmental Setting

The General Plan EIR identified the Project site as existing Prime Farmland. The Project is categorized as nonrenewable land and is subject to expiration of any Contract Farmland requirements with urbanization. Buildout of the approximate 168 acre project site would be consistent with the adopted General Plan EIR which considered the conversion of farmland in Fresno County. Buildout of the Project per the General Plan results in cancellation and nonrenewal of contracts on Prime Agricultural land where the land use designation is changed to a nonagricultural use such as the proposed Project.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>3.3 Air Quality</b> <i>Will the proposal:</i>				
a. Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Violate any air quality standards or contribute to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Create objectionable odors?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

## Environmental Setting

### SAN JOAQUIN VALLEY AIR BASIN

The City of Clovis (City) is in the central portion of the San Joaquin Valley Air Basin (SJVAB). SJVAB consists of eight counties: Fresno, Kern (western and central), Kings, Tulare, Madera, Merced, San Joaquin, and Stanislaus. Air pollution from significant activities in the SJVAB includes a variety of industrial-based sources as well as on- and off-road mobile sources. These sources, coupled with geographical and meteorological conditions unique to the area, stimulate the formation of unhealthy air.

The SJVAB is approximately 250 miles long and an average of 35 miles wide. It is bordered by the Sierra Nevada in the east, the Coast Ranges in the west, and the Tehachapi mountains in the south. There is a slight downward elevation gradient from Bakersfield in the southeast end (elevation 408 feet) to sea level at the northwest end where the valley opens to the San Francisco Bay at the Carquinez Straits. At its northern end is the Sacramento Valley, which comprises the northern half of California's Central Valley. The bowl-shaped topography inhibits movement of pollutants out of the valley (SJVAPCD 2012a).

## **Climate**

The SJVAB is in a Mediterranean climate zone and is influenced by a subtropical high-pressure cell most of the year. Mediterranean climates are characterized by sparse rainfall, which occurs mainly in winter. Summers are hot and dry. Summertime maximum temperatures often exceed 100°F in the valley.

The subtropical high-pressure cell is strongest during spring, summer, and fall and produces subsiding air, which can result in temperature inversions in the valley. A temperature inversion can act like a lid, inhibiting vertical mixing of the air mass at the surface. Any emissions of pollutants can be trapped below the inversion. Most of the surrounding mountains are above the normal height of summer inversions (1,500–3,000 feet).

Winter-time high pressure events can often last many weeks, with surface temperatures often lowering into the 30°F. During these events, fog can be present and inversions are extremely strong. These wintertime inversions can inhibit vertical mixing of pollutants to a few hundred feet (SJVAPCD 2012a).

## **Ambient Air Quality Standards**

The Clean Air Act (CAA) was passed in 1963 by the US Congress and has been amended several times. The 1970 Clean Air Act amendments strengthened previous legislation and laid the foundation for the regulatory scheme of the 1970s and 1980s. In 1977, Congress again added several provisions, including nonattainment requirements for areas not meeting National AAQS and the Prevention of Significant Deterioration program. The 1990 amendments represent the latest in a series of federal efforts to regulate the protection of air quality in the United States. The CAA allows states to adopt more stringent standards or to include other pollution species. The California Clean Air Act (CCAA), signed into law in 1988, requires all areas of the state to achieve and maintain the California AAQS by the earliest practical date. The California AAQS tend to be more restrictive than the National AAQS, based on even greater health and welfare concerns.

These National and California AAQS are the levels of air quality considered to provide a margin of safety in the protection of the public health and welfare. They are designed to protect "sensitive receptors," those most susceptible to further respiratory distress, such as asthmatics, the elderly, very young children, people already weakened by other disease or illness, and persons engaged in strenuous work or exercise. Healthy adults can tolerate occasional exposure to air pollutant concentrations considerably above these minimum standards before adverse effects are observed.

Both California and the federal government have established health-based AAQS for seven air pollutants. As shown in Table 5.3-1, *Ambient Air Quality Standards for Criteria Pollutants*, these pollutants are ozone (O<sub>3</sub>), nitrogen dioxide (NO<sub>2</sub>), carbon monoxide (CO), sulfur dioxide (SO<sub>2</sub>), coarse inhalable particulate matter (PM<sub>10</sub>), fine inhalable particulate matter (PM<sub>2.5</sub>), and lead (Pb). In addition, the state has set standards for sulfates, hydrogen sulfide, vinyl chloride, and visibility-reducing particles. These standards are designed to protect the health and welfare of the populace with a reasonable margin of safety.

**TABLE 3.4-1  
FEDERAL AND STATE AMBIENT AIR QUALITY STANDARDS**

<b>Pollutant</b>	<b>Averaging Time</b>	<b>Federal Primary Standard</b>	<b>State Standard</b>
Ozone	1-Hour	--	0.09 ppm
	8-Hour	0.075 ppm	0.07 ppm
Carbon Monoxide	8-Hour	9.0 ppm	9.0 ppm
	1-Hour	35.0 ppm	20.0 ppm
Nitrogen Dioxide	Annual	0.053 ppm	0.03 ppm
	1-Hour	0.100 ppm	0.18 ppm
Sulfur Dioxide	Annual	0.03 ppm	--
	24-Hour	0.14 ppm	0.04 ppm
	1-Hour	0.075 ppm	0.25 ppm
PM <sub>10</sub>	Annual	--	20 ug/m <sup>3</sup>
	24-Hour	150 ug/m <sup>3</sup>	50 ug/m <sup>3</sup>
PM <sub>2.5</sub>	Annual	15 ug/m <sup>3</sup>	12 ug/m <sup>3</sup>
	24-Hour	35 ug/m <sup>3</sup>	--
Lead	30-Day Avg.	--	1.5 ug/m <sup>3</sup>
	3-Month Avg.	1.5 ug/m <sup>3</sup>	--

Notes: ppm = parts per million; ug/m<sup>3</sup> = micrograms per cubic meter.

Source: California Air Resources Board, 2008. Ambient Air Quality Standards (4/01/08), <http://www.arb.ca.gov/aqs/aaqs2.pdf>.

In addition to the criteria pollutants discussed above, toxic air contaminants (TACs) are another group of pollutants of concern. TACs are injurious in small quantities and are regulated despite the absence of criteria documents. The identification, regulation and monitoring of TACs is relatively recent compared to that for criteria pollutants. Unlike criteria pollutants, TACs are regulated on the basis of risk rather than specification of safe levels of contamination.

### **Attainment Status**

The air quality management plans prepared by SJVAPCD provide the framework for SJVAB to achieve attainment of the state and federal AAQS through the SIP. Areas are classified as attainment or nonattainment areas for particular pollutants, depending on whether they meet the ambient air quality standards. Severity classifications for ozone nonattainment range in magnitude from marginal, moderate, and serious to severe and extreme.

At the federal level, the SJVAPCD is designated as extreme nonattainment for the 8-hour ozone standard, attainment for PM<sub>10</sub> and CO, and nonattainment for PM<sub>2.5</sub>. At the state level, the SJVAB is designated nonattainment for the 8-hour ozone, PM<sub>10</sub>, and PM<sub>2.5</sub> standards. The SJVAB has not attained the federal 1-hour ozone, although this standard was revoked in 2005.

### **Impacts**

The SJVUAPCD has established the following standards of significance (SJVUAPCD, 1998). A project is considered to have significant impacts on air quality if:

- 1) A project results in new direct or indirect emissions of ozone precursors (ROG or NOx) in excess of 10 tons per year.



- 2) Any project with the potential to frequently expose members of the public to objectionable odors will be deemed to have a significant impact.
- 3) Any project with the potential to expose sensitive receptors (including residential areas) or the general public to substantial levels of toxic air contaminants would be deemed to have a potentially significant impact.
- 4) A project produces a PM<sub>10</sub> emission of 15 tons per year (82 pounds per day).

While the SJVUAPCD CEQA guidance recognizes that PM<sub>10</sub> is a major air quality issue in the basin, it has to date not established numerical thresholds for significance for PM<sub>10</sub>. However, for the purposes of this analysis, a PM<sub>10</sub> emission of 15 tons per year (82 pounds per day) was used as a significance threshold. This emission is the SJVUAPCD threshold level at which new stationary sources requiring permits for the SJVUAPCD must provide emissions "offsets". This threshold of significance for PM<sub>10</sub> is consistent with the SJVUAPCD's ROG and NO<sub>x</sub> thresholds of ten tons per year which are also the offset thresholds established in SJVUAPCD Rule 2201 New and Modified Stationary Source Review Rule.

The SJVUAPCD significance threshold for construction dust impacts is based on the appropriateness of construction dust controls, including compliance with its Regulation VIII fugitive PM<sub>10</sub> Prohibitions. The SJVUAPCD guidelines provide feasible control measures for construction emission of PM<sub>10</sub> beyond that required by SJVUAPCD regulations. If the appropriate construction controls are to be implemented, then air pollutant emissions for construction activities would be considered less than significant.

- a. The Project site is located within the San Joaquin Valley Air Basin (SJVUAPCD), which is a "nonattainment" area for the federal and state ambient air quality standards for ozone and PM<sub>10</sub>. The Federal Clean Air Act and the California Clean Air Act require areas designated as nonattainment to reduce emissions until standards are met. The proposed Project would not obstruct implementation of an air quality plan; however, temporary air quality impacts could result from construction activities. The proposed Project would not create a significant impact over the current levels of ozone and PM<sub>10</sub> or result in a violation of any applicable air quality standard. The Project is not expected to conflict with the SJVUAPCD's attainment plans. The Project will be subject to the SJVUAPCD's Regulation VIII to reduce PM<sub>10</sub> emissions and subject to Environmental Measure 3: Dust Control Measures to Protect Air Quality. With the incorporation of these existing measures, the Project will have a less than significant impact.
- b. The proposed Project would result in short-term construction related emissions (dust, exhaust, etc.). The SJVAB currently exceeds existing air quality standards for ozone and the State Standard for PM<sub>10</sub>. However, as with all construction projects, the Project will be subject to the rules and regulations adopted by the SJVUAPCD to reduce emissions throughout the San Joaquin Valley and will be subject to Environmental Measure 4: Measures to Control Construction-Related Emissions. Therefore, the Project would create a less than significant impact with existing measures incorporated.
- c. See responses to 3.3a and b above.
- d. The existing sensitive receptors near the proposed Project include residences. The proposed Project may subject sensitive receptors to pollutant concentrations due to construction activities. The use of construction equipment would be temporary and all equipment is subject to permitting requirements of the SJVUAPCD. This impact is considered less than significant.
- e. Objectionable odors are possible during site preparation and construction. However, the odors are not expected to be persistent or have an adverse effect on residents or other sensitive receptors in the Project's vicinity. No objectionable odors are anticipated after constructions activities are complete; therefore, the Project is expected to have a less than significant impact.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>3.4 Biological Resources</b> <i>Will the proposal result in impacts to:</i>				
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Have a substantial adverse effect on federally protected wetlands 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 checked="" type="checkbox"/>	<input type="checkbox"/>
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Environmental Setting

The Project site is currently a rural residential use. The site is bounded by urban development to the south, rural residential to the east, and agricultural land to the north and west.

## Impacts

The Project would have a significant effect on the biological resources if it would:

- 1) Interfere substantially with the movement of any resident or migratory fish or wildlife species;
- 2) Substantially diminish habitat for fish, wildlife or plants; or

- 3) Substantially affect a rare, threatened, or endangered species of animal or plant or the habitat of the species.

*CEQA Guidelines Section 15380 further provides that a plant or animal species may be treated as "rare or endangered" even if not on one of the official lists if, for example, it is likely to become endangered in the foreseeable future. This includes listed species, rare species (both Federal and California), and species that could reasonably be construed as rare.*

- a. According to an assessment of the site performed by Live Oak Associates, Inc., the study area could potentially support aquatic habitat, wetlands, or waters of the U.S. Additionally, no evidence of any raptor nest(s) was observed on the property. Impacts in this category may be mitigated to a less than significant level with the mitigation measure listed below.
- b. There is no riparian habitat or other sensitive natural communities identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or US Fish and Wildlife Service within the project area. Therefore, the proposed project would not have a substantial adverse effect on riparian or other sensitive natural habitat.
- c. The project would not 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.
- d. The project could potentially 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. Impacts in this category may be mitigated to a less than significant level with the mitigation measure listed below.
- e. The project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.
- f. The project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan.

#### **Mitigation Measure**

- **Mitigation Measure 3.4a:** If any trees or shrubs are to be removed during the nesting season (Feb – Aug) then a preconstruction survey should be conducted within 30-15 days of commencement of construction. If vegetation removal occurs outside the nesting period then no preconstruction survey is needed.
- **Mitigation Measure 3.4d:** If any potential impact is presented towards any species listed in the Biological Study and the Department of Fish and Game analysis; i.e., California Tiger Salamander, Swainson's Hawk, burrowing owl, and western pond turtle, or any nesting habitats, the applicant shall implement preconstruction surveys, provide environmental awareness training to workers, and if necessary, passively provide for relocation and biological monitoring of affected species; mitigating to a less than significant impact. The applicant shall also address Mitigation measures 1, 2 and 3 as presented by the California Department of Fish and Wildlife.

The project is not expected to create any significant impacts to biological resources with the inclusion of mitigation measures.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>3.5 Cultural Resources</b> <i>Will the proposal:</i>				
a. Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

## Environmental Setting

Mitigation Measures in the Clovis General Plan Program Environmental Impact Report, requires evaluation of the site for archaeological, paleontological, and historical structure sensitivity. These mitigation measures, which identify archaeological and paleontological levels of sensitivity, list historically important sites identified by the Fresno County Library. The Project is not anticipated to impact any cultural resources; however, the Project could lead to the disturbance of undiscovered archaeological and paleontological resources. General Plan Conservation Element Goal 2, acts to preserve historical resources, and mitigation measures adopted in association with the General Plan PEIR help to reduce potential impacts to a less than significant level. The project was evaluated by Applied EarthWorks, Inc. who concluded that no archeological resources or historic properties exist on the property. However, if artifacts, bone, stone, or shell are discovered, an archeologist should be consulted for in field evaluation of the discovery.

Pursuant to requirements of SB18 and AB52, a notification was sent to the Native American Heritage Commission for review with local tribes for cultural significance.

## Impacts

The Project may have a significant impact on cultural resources if it causes substantial adverse changes in the significance of a historical or archaeological resource as set forth by the California Register of Historic Places and Section 106 of the National Historic Preservation Act; directly or indirectly destroys a unique paleontological resource or site or unique geologic feature; or disturbs any human remains, including those interred in formal cemeteries. A cultural study was performed by Applied EarthWorks, Inc. and concluded that there were no historic sites identified within the Project area.

- b. The proposed Project is not anticipated to cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5 of the CEQA Guidelines or directly or indirectly destroy a unique paleontological resource or site or unique geological features. There are no known archaeological or paleontological resources located in the areas of construction. These areas have been previously disturbed; however with ground disturbance there is chance

that previously undiscovered archaeological and/or paleontological resources could be uncovered. The Project is subject to Environmental Measure 6: Measures to Protect Undiscovered Cultural Resources. Therefore, impacts will be less than significant.

c&d. The site has not been identified as containing areas where human remains may be located. However, Public Resources Code PRC Section 5097.98, provides procedures in case of accidental finds. Should any human remains be discovered at any time, all work is to stop and the County Coroner must also be immediately notified pursuant to the State Health and Safety Code, Section 7050.5 and the State Public Resources Code, Section 5097.98. If the remains are determined to be Native American, guidelines of the Native American Heritage Commission shall be adhered to in the treatment and disposition of the remains.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>3.6 Geology and Soils</b> <i>Will the Project:</i>				
a. Expose people or structures to 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Environmental Setting

The General Plan EIR identified no geologic hazards or unstable soil conditions known to exist on the Project site. There are several known faults that exist close enough to the Project to cause potential damage to structures or individuals. The City of Clovis has adopted the California Building Code to

govern all construction within the City, further reducing potential impacts in this category by ensuring that development is designed to withstand seismic or other geologic hazards. Furthermore, the structure will be designed, approved and built to Office of Statewide Health Planning and Development (OSHPD) codes and standards.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>3.7 Greenhouse Gas Emissions</b>				
<i>Will the proposal:</i>				
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

## Environmental Setting

Gases that trap heat in the atmosphere are referred to as greenhouse gases (GHGs) because they capture heat radiated from the sun as it is reflected back into the atmosphere, much like a greenhouse does. The accumulation of GHG's has been implicated as a driving force for global climate change. Definitions of climate change vary between and across regulatory authorities and the scientific community, but in general can be described as the changing of the earth's climate caused by natural fluctuations and anthropogenic activities which alter the composition of the global atmosphere.

Individual Projects contribute to the cumulative effects of climate change by emitting GHGs during construction and operational phases. The principal GHGs are carbon dioxide, methane, nitrous oxide, ozone, and water vapor. While the presence of the primary GHGs in the atmosphere are naturally occurring, carbon dioxide (CO<sub>2</sub>), methane (CH<sub>4</sub>), and nitrous oxide (N<sub>2</sub>O) are largely emitted from human activities, accelerating the rate at which these compounds occur within earth's atmosphere. Carbon dioxide is the "reference gas" for climate change, meaning that emissions of GHGs are typically reported in "carbon dioxide-equivalent" measures. Emissions of carbon dioxide are largely by-products of fossil fuel combustion, whereas methane results from off-gassing associated with agricultural practices and landfills. Other GHGs, with much greater heat-absorption potential than carbon dioxide, include hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride, and are generated in certain industrial processes.

There is international scientific consensus that human-caused increases in GHGs have and will continue to contribute to global warming, although there is uncertainty concerning the magnitude and rate of the warming. Potential global warming impacts in California may include, but are not limited to, loss in snow pack, sea level rise, more extreme heat days per year, more high ozone days, more large forest fires, and more drought years.<sup>1</sup> Secondary effects are likely to include a global rise in sea level, impacts to agriculture, changes in disease vectors, and changes in habitat and biodiversity.

In 2005, in recognition of California's vulnerability to the effects of climate change, Governor Schwarzenegger established Executive Order S-3-05, which sets forth a series of target dates by which statewide emission of greenhouse gases (GHG) would be progressively reduced, as follows: by 2010,

<sup>1</sup> California Air Resources Board (ARB), 2006, Climate Change website. (<http://www.arb.ca.gov/cc/120106workshop/intropres12106.pdf>).

reduce GHG emissions to 2000 levels; by 2020, reduce GHG emissions to 1990 levels; and by 2050, reduce GHG emissions to 80 percent below 1990 levels. In 2006, California passed the California Global Warming Solutions Act of 2006 (AB 32), which requires the California Air Resources Board (CARB) to design and implement emission limits, regulations, and other measures, such that feasible and cost-effective statewide GHG emissions are reduced to 1990 levels by 2020 (representing a 25 percent reduction in emissions).

In April 2009, the California Office of Planning and Research published proposed revisions to the California Environmental Quality Act to address GHG emissions. The amendments to CEQA indicate the following:

- Climate action plans and other greenhouse gas reduction plans can be used to determine whether a project has significant impacts, based upon its compliance with the plan.
- Local governments are encouraged to quantify the greenhouse gas emissions of proposed projects, noting that they have the freedom to select the models and methodologies that best meet their needs and circumstances. The section also recommends consideration of several qualitative factors that may be used in the determination of significance, such as the extent to which the given project complies with state, regional, or local GHG reduction plans and policies. OPR does not set or dictate specific thresholds of significance. Consistent with existing CEQA Guidelines, OPR encourages local governments to develop and publish their own thresholds of significance for GHG impacts assessment.
- When creating their own thresholds of significance, local governments may consider the thresholds of significance adopted or recommended by other public agencies, or recommended by experts.
- New amendments include guidelines for determining methods to mitigate the effects of greenhouse gas emissions in Appendix F of the CEQA Guidelines.
- OPR is clear to state that “to qualify as mitigation, specific measures from an existing plan must be identified and incorporated into the project; general compliance with a plan, by itself, is not mitigation.”
- OPR’s emphasizes the advantages of analyzing GHG impacts on an institutional, programmatic level. OPR therefore approves tiering of environmental analyses and highlights some benefits of such an approach.
- Environmental impact reports (EIRs) must specifically consider a project's energy use and energy efficiency potential.

On December 30, 2009, the Natural Resources Agency adopted the proposed amendments to the CEQA Guidelines in the California Code of Regulations.

In December 2009, the San Joaquin Valley Air Pollution Control District (SJVAPCD) adopted guidance for addressing GHG impacts in its *Guidance for Valley Land Use Agencies in Addressing GHG Impacts for New Projects Under CEQA*. The guidance relies on performance-based standards, otherwise known as Best Performance Standards (BPS), to assess significance of project-specific GHG emissions on global climate change during the environmental review process. Projects can reduce their GHG emission impacts to a less than significant level by implementing BPS. Projects can also demonstrate compliance with the requirements of AB 32 by demonstrating that their emissions achieve a 29% reduction below “business as usual” (BAU) levels. BAU is a projected GHG emissions inventory assuming no change in existing business practices and without considering implementation of any GHG emission reduction measures.

## Significance Criteria

The SJVAPCD's *Guidance for Valley Land Use Agencies in Addressing GHG Impacts for New Projects Under CEQA* provides initial screening criteria for climate change analyses, as well as draft guidance for the determination of significance.

The effects of project-specific GHG emissions are cumulative, and therefore climate change impacts are addressed as a cumulative, rather than a direct, impact. The guidance for determining significance of impacts has been developed from the requirements of AB 32. The guideline addresses the potential cumulative impacts that a project's GHG emissions could have on climate change. Since climate change is a global phenomenon, no direct impact would be identified for an individual land development project. The following criteria are used to evaluate whether a project would result in a significant impact for climate change impacts:

- Does the project comply with an adopted statewide, regional, or local plan for reduction or mitigation of GHG emissions? If no, then
- Does the project achieve 29% GHG reductions by using approved Best Performance Standards? If no, then
- Does the project achieve AB 32 targeted 29% GHG emission reductions compared with BAU?

Projects that meet one of these guidelines would have less than significant impact on the global climate.

Because BPS have not yet been adopted and identified for specific development projects, and because neither the ARB nor the City of Clovis has not yet adopted a plan for reduction of GHG with which the Project can demonstrate compliance, the goal of 29% below BAU for emissions of GHG has been used as a threshold of significance for this analysis.

An Air Quality and Greenhouse Gas Analysis Report was performed by Mitchell Air Quality Consulting, dated January 5, 2018. The evaluation concluded that the project is consistent with the goals of the ARB and impact is less than significant.

## Impacts

- a. A significance threshold of 29% below "business as usual" levels is considered to demonstrate that a project would be consistent with the goals of AB 32. An Air Quality and Greenhouse Gas Analysis Report was performed by Mitchell Air Quality Consulting. The report concludes that impacts related to conflicts with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases is less than significant.
- b. An Air Quality and Greenhouse Gas Analysis Report was prepared for the Project by Mitchell Air Quality Consulting. The evaluation addresses the potential for greenhouse gas emissions during construction and after full build out of the proposed Project.

GHG emissions were calculated for BAU conditions and for conditions with implementation of GHG emission reduction project design features proposed by the Project applicants. The report concludes that the proposed Project would not result in any direct impacts to the global climate, and cumulative impacts would be less than significant.



	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>3.8 Hazards and Hazardous Materials</b> <i>Will the Project:</i>				
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Environmental Setting

The General Plan Environmental Safety Element Policies were adopted to reduce the potential safety risks associated with hazardous materials and urban development. The proposed Project does not involve activities related to the handling or transport of hazardous materials other than substances to be

used during construction. The Project does not involve the construction or operation of hazardous material facilities.

Further, the Project site is not listed as part of the State of California's Hazardous Waste and Substances Site List. Field review by City staff did not identify any obvious signs of contamination.

## Impacts

- b. Construction activities that could involve the release of hazardous materials associated with the Project would include maintenance of on-site construction equipment, which could lead to minor fuel and oil spills. The use and handling of hazardous materials during construction activities would occur in accordance with applicable federal, state, and local laws. Therefore, these impacts are considered less than significant.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>3.9 Hydrology and Water Quality</b> <i>Will the proposal result in:</i>				
a. Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

delineation map?				
h. Place within a 100-year flood hazard area structures that would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j. Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Environmental Setting

The Plan Area is within the drainages of three streams: Dry Creek, Dog Creek, and Redbank Slough. On the north, Dry Creek discharges into the Herndon Canal in the City of Fresno west of Clovis. South of Dry Creek, Dog Creek is a tributary of Redbank Slough, which discharges into Mill Ditch south of Clovis (USGS 2012). A network of storm drains in the City and the Plan Area discharges into 31 retention basins, most of which provide drainage for a one- to two-square-mile area. Most of the Plan Area east and northeast of the City is not in drainage areas served by retention basins. Those areas drain to streams that discharge into reservoirs, including Big Dry Creek Reservoir in the north-central part of the Plan Area and Redbank Creek Dam and Reservoir in the southeast part of the Plan Area. Fancher Creek Dam and Reservoir are near the east Plan Area boundary.

The Project is located within the Fresno Metropolitan Flood Control District (FMFCD) boundary, and subject to its standards and regulations. Detention and retention basins in the FMFCD's flood control system are sized to accommodate stormwater from each basin's drainage area in builtout condition. The current capacity standard for FMFCD basins is to contain runoff from six inches of rainfall during a ten-day period and to infiltrate about 75 to 80 percent of annual rainfall into the groundwater basin (Rourke 2014). Basins are highly effective at reducing average concentrations of a broad range of contaminants, including several polycyclic aromatic hydrocarbons, total suspended solids, and most metals (FMFCD 2013). Pollutants are removed by filtration through soil, and thus don't reach the groundwater aquifer (FMFCD 2014). Basins are built to design criteria exceeding statewide Standard Urban Stormwater Mitigation Plan (SUSMP) standards (FMFCD 2013). The urban flood control system provides treatment for all types of development—not just the specific categories of development defined in a SUSMP—thus providing greater water quality protection for surface water and groundwater than does a SUSMP.

In addition to their flood control and water quality functions, many FMFCD basins are used for groundwater recharge with imported surface water during the dry season through contracts with the Fresno Irrigation District (FID) and the cities of Fresno and Clovis; such recharge totaled 29,575 acre feet during calendar year 2012 (FMFCD 2013).

The pipeline collection system in the urban flood control system is designed to convey the peak flow rate from a two-year storm.

Most drainage areas in the urban flood control system do not discharge to other water bodies, and drain mostly through infiltration into groundwater. When necessary, FMFCD can move water from a basin in one such drainage area to a second such basin by pumping water into a street and letting water flow in curb and gutter to a storm drain inlet in an adjoining drainage area (Rourke 2014). Two FMFCD drainage areas discharge directly to the San Joaquin River, and three to an irrigation canal, without storage in a basin. Six drainage areas containing basins discharge to the San Joaquin River, and another 39 basins discharge to canals (FMFCD 2013).

A proposed development that would construct more impervious area on its project site than the affected detention/retention basin is sized to accommodate is required to infiltrate some stormwater onsite, such as through an onsite detention basin or drainage swales (Rourke 2014).

The Big Dry Creek Reservoir has a total storage capacity of about 30 thousand acre-feet (taf) and controls up to 230-year flood flows. Fancher Creek Dam and Reservoir hold up to 9.7 taf and controls up to 200-year flood flows. Redbank Creek Dam and Reservoir hold up to 1 taf and controls up to 200-year flood flows.

## **Groundwater**

Clovis is underlain by the Kings Groundwater Basin that spans 1,530 square miles of central Fresno County and small areas of northern Kings and Tulare counties. Figure 5.9-4, Kings Groundwater Basin, shows that the basin is bounded on the north by the San Joaquin River, on the west by the Delta-Mendota and Westside Subbasins, the south by the Kings River South Fork and the Empire West Side Irrigation District, and on the east by the Sierra Nevada foothills. Depth to groundwater in 2016 ranged from 196.5 feet at the northwest City boundary to 69.5 feet at the southeast City boundary (Clovis 2016), 25 feet at the southeast SOI boundary, and about 20 feet at the eastern Plan Area boundary (FID 2013). The Kings Subbasin has been identified as critically overdrafted (Provost & Pritchard 2011).

In the Plan Area, groundwater levels are monitored by the City of Clovis and FID. The overall area has not experienced land subsidence due to groundwater pumping since the early 1900s (FID 2006). Subsidence occurs when underground water or natural resources (e.g., oil) are pumped to the extent that the ground elevation lowers. No significant land subsidence is known to have occurred in the last 50 years as a result of land development, water resources development, groundwater pumping, or oil drilling (FID 2006). The City has identified a localized area of subsidence of 0.6 feet in the vicinity of Minnewawa and Herndon Avenues within the last 14 years (Clovis 2016). Regional ground subsidence in the Plan Area was mapped as less than one foot by the US Geological Survey in 1999 (Galloway and Riley 1999). Groundwater levels in the San Joaquin Valley are forecast to hit an all-time low in 2014 (UCCHM 2014).

## **Groundwater Recharge**

New development in accordance with the General Plan Update would increase the amount of impervious surface in the Plan Area, potentially affecting the amount of surface water that filters into the groundwater supply. Groundwater levels are monitored in the Plan Area by the FID and the City of Clovis. As described in the 2015 City of Clovis Urban Water Management Plan (UWMP), groundwater recharge occurs both naturally and artificially throughout the City. The Kings Groundwater Basin area is recharged through a joint effort between the Cities of Clovis and Fresno and the FID (CDWR 2006). Approximately 8,400 acre-feet per year (afy) of water are intentionally recharged into the Kings Groundwater Basin by the City of Clovis, and approximately 7,700 afy of water naturally flow into groundwater in the City's boundaries (Clovis 2011).

The FMFCD urban stormwater drainage system would provide groundwater infiltration for runoff from developed land uses in detention basins in the drainage system service area. The process of expansion of the FMFCD urban storm drainage system is explained above under the analysis of the 2035 Scenario under Impact 5.9-1.

Projects pursuant to the proposed General Plan Update and developed outside of the FMFCD urban stormwater drainage system would be required to meet the requirements of NPDES regulations, including the implementation of BMPs to improve water retention and vegetation on project sites.

## Executive Order to Reduce Water Use

The new Clovis General Plan PEIR indicates that the City would have adequate water supply to meet the demand of planned development through the 2035 planning horizon. The current drought situation through mid-2014 was considered and addressed in the General Plan PEIR.

During the 2015 drought the Governor's April 1, 2015 executive order and the resulting State Water Resources Board regulations require that urban water users reduce water use by at least 25 percent (36 percent for the City of Clovis), and was implemented by the City of Clovis through a number of measures. These measures included:

- Establishment of mandatory reductions for all users and implementation of penalties for failure to comply
- Restriction of outdoor water use to two days per week
- Increased enforcement of water conservation rules
- Reducing water use on City landscaping by at least 36 percent below 2013 levels
- Relaxing enforcement of all neighborhood preservation ordinances that could require ongoing landscape irrigation
- Increased public outreach

During 2016 due to improved water conditions, the restrictions were relaxed by the State if the water supplier could self-certify adequate water supplies for the next three dry years. Clovis was able to meet this requirement and subsequently relaxed water conservation requirements for 2016.

It is noted that all landscaping associated with the Project will comply with applicable drought tolerant regulations including the City's adopted Water Efficient Landscape Ordinance. Since the residents within the Project are subject to and will comply with water use reduction requirements, the Project would not result in any significant adverse impacts related to water supply and quality or a substantial increase in the severity of the impacts identified in the Program EIR.

## **Impacts**

The proposed Project may result in significant impacts if it would violate any water quality standards or waste discharge requirements; substantially deplete groundwater supplies or interfere substantially with ground water recharge; substantially alter the existing drainage pattern if the site; substantially increase the rate or amount of surface runoff; exceed the existing or planned storm water drainage system; provide substantial additional sources of polluted runoff; degrade water quality; place housing or structures within a 100-year flood hazard area; expose people or structures to risks of flooding; and inundation from seiche, tsunami, or mudflow.

The General Plan Program Environmental Impact Report identified significant and unavoidable impacts for both the 2035 scenario and full build-out of the General Plan Area and statement of overriding considerations was adopted.

- a. Development of the Project site would be required to comply with all City of Clovis ordinances and standard practices which assure proper grading and storm water drainage into the approved storm water systems. The Project would also be required to comply with Fresno County Health Department requirements, FMFCD regulations, and all local, state, and federal regulations to prevent any violation of water quality standards or waste discharge requirements. This project would not violate any water quality standards or waste discharge requirements.
- b. The Project would not deplete groundwater supplies or interfere with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level due to the Project. The General Plan Program EIR identified a net decrease in ground water aquifer throughout the region, however, because the City's domestic water system

is primarily served through surface water via existing water entitlements, the loss of aquifer is less than significant. The City has developed a surface water treatment plant (opened in June, 2004) that reduces the need for pumped groundwater, and has also expanded the municipal groundwater recharge facility. The Projects impacts to groundwater are less than significant.

- c. The Project would not alter the existing drainage pattern of the site or area through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on or off-site. Therefore, impacts are less than significant.
- d. The Project would not alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on or off-site. Therefore, impacts are less than significant.
- e, f. The proposed Project would add insignificant amounts of new impervious surfaces. These new surfaces would not significantly change absorption rates or drainage patterns that would result in a significant impact. Construction-related activities could result in degradation to water quality. Construction activities typically involve machines that have the potential to leak hazardous materials that may include oil and gasoline.
- g. The Project would not place housing within a 100-year flood hazard area as mapped on the latest federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map. The Fresno Metropolitan Flood Control District has policies in place to address projects within a 100-year flood hazard area. The FMFCD has noted that this project is not located in a 100-year flood area.
- h. The Project would not place within a 100-year flood hazard area structures that would impede or redirect flood flows. The Fresno Metropolitan Flood Control District has policies in place to address projects within a 100-year flood hazard area. The FMFCD has noted that this project is not located in a 100-year flood area.
- i. The Project would not expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>3.10 Land Use and Planning</b> <i>Will the proposal:</i>				
a. Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the General Plan, Herndon-Shepherd Specific Plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Environmental Setting

The Project is consistent with the land use policies of the City, including the Clovis General Plan and Zoning Ordinance; therefore impacts in this category are avoided.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>3.11 Mineral Resources</b> <i>Will the proposal:</i>				
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>3.12 Noise</b> <i>Will the proposal result in:</i>				
a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Environmental Setting

The ambient noise environment in the immediate Project vicinity is defined primarily by local traffic, animals, residents and natural noise associated with a rural residential environment. The Clovis Development Code (Section 9.22.080) sets forth land use compatibility criteria for various community noise levels.

## Impacts

- a. The construction of the proposed Project may result in temporary construction-related noise impacts. Construction noise would be short-term in nature and only occur for a limited duration. These impacts have been addressed in the General Plan and with the Clovis Municipal Code restrictions on hours of construction, temporary noise would be less than significant.
- b. Potential groundborne vibration or groundborne noise levels would most likely occur as part of construction activities associated with the Project. The construction activities would be temporary in nature and no persons would be exposed for extended periods of time. Therefore, impacts associated with exposure to, or generation of, groundborne vibration or noises are considered to be less than significant.
- c. The proposed Project could result in a permanent increase in the ambient noise levels due to increased traffic, population and equipment related to single-family development, but the impacts are less than significant.
- d. A temporary increase in ambient noise levels would occur in association with construction activities. However, construction noise would be short-term in nature and only occur for a limited duration. Therefore, impacts are considered less than significant.
- e. The proposed Project site is not located within an airport land use plan area. The proposed Project site is approximately 6.43 miles north of the Fresno Yosemite International Airport. The project site sits outside of the 60-65 CNEL noise contour of the airport. Therefore, the Project would not expose people to excessive airport or airstrip noise.
- f. The Project is not located within the vicinity of a private airstrip.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>3.13 Population and Housing</b> <i>Would the Project:</i>				
a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Environmental Setting

The proposed Project will generate or result in increased population in the area. The project includes a 586-lot single-family planned residential development. The number of new residents in the area would equal approximately 1,582 residents.



## Impacts

- a. The Project could add 586 units to the area equating to approximately 1,582 new residents. It is anticipated that this development would introduce a number of new citizens to the City of Clovis, however it is considered to be less than significant.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>3.14 Public Services</b> <i>Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:</i>				
a. Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

## Environmental Setting

The Project would not result in a significant increased demand for public services. The Project is consistent with the Clovis General Plan and associated utility planning documents; therefore impacts in this category are not anticipated to be significant.

## Impacts

- a. The Project would have a less than significant increase in demand for fire protection services. In the event that a fire occurs during construction, the Clovis Fire Department would respond. However, no additional personnel or equipment would be needed as a result of the Project. Therefore, impacts to fire services are considered less than significant.
- b. The proposed project would not result in substantial adverse physical impacts associated with the provision of police protection. This Project will be located within the City of Clovis and police protection services will be provided by the City of Clovis Police Department. No significant impacts to police services are anticipated as a result of this project.
- c. The Project site is located within the Clovis Unified School District. The Clovis Unified School District levies a per square foot school facilities fee to help defray the impact of residential development. The project is subject to the fees in place at the time fee certificates are obtained. The school facility fee paid by the developer to the school district reduces any potential impact to a less than significant level.
- d. Development of this site with 586 single-family homes will introduce new residents to the community. The Parks and Recreation Element of the General Plan requires a specific ratio of park area to residents. A park impact fee is required for each new unit and is then used to construct community parks to meet these goals. The impacts in this category are less than significant since all units built in this Project will contribute to the park funds.

- e. The Project would have a less than significant impacts on other public facilities.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>3.15 Recreation</b> <i>Will the proposal:</i>				
a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

## Environmental Setting

The project includes a 586-lot single-family planned residential development.

## Impacts

- a. The proposed Project would not create new demand for any type of recreational facilities that were no already identified in the parks and recreation Element of the General Plan. The General Plan requires that all development contribute a proportionate share toward the development of parks throughout the community. The Project would have a less than significant impact to recreation.
- b. The General Plan requires a minimum of a four acres of park land be dedicated per every thousand people where Vesting Tentative Tract Map TM6200 is being proposed. The developer will be required to contribute a proportionate share towards the acquisition and development of the neighborhood park. The Project would have a less than significant impact to recreation.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>3.16 Transportation/Circulation</b> <i>Will the proposal result in:</i>				
a. Exceed the capacity of the existing circulation system, based on an applicable measure of effectiveness (as designed in a general plan policy, ordinance, etc.), taking into account all relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

standards established by the county congestion management agency for designated roads or highways?				
c. Result in a change in traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Environmental Setting

Roadways are the primary existing transportation facilities in the vicinity of the Project area. Although, non-automobile travel does occur in the area, separate facilities for transit, bicycles, or pedestrians are limited. The General Plan classifies major streets in the area as well as designates where bike lanes and pedestrian paths will occur.

## Impacts

- The site is currently a rural residential and agricultural use. The Project proposal includes a 586-unit single-family planned residential development. New traffic will be introduced to the area as a result of the Project. However, impacts are considered less than significant.
- The current and proposed improvements with the project can accommodate the additional traffic, and that impacts are considered less than significant.
- The proposed Project may result in a temporary change in traffic patterns due to construction; however, the Project will be required to comply with Section 7.15 Traffic Control, Public Convenience, and Safety of the Clovis Standard Specification and Standard Drawings will reduce impacts to a less than significant level.
- The City Engineer states that the location of drive access points are adequate in addressing the City Standards and has determined that impacts in this category are less than significant.
- The Project will not result in inadequate emergency access. The Project will be required to comply with Section 7.15 Traffic Control, Public Convenience, and Safety of the Clovis Standard Specification and Standard Drawings, which requires contractors to keep emergency services informed of the location and progress of work.
- The Project will not conflict with adopted policies, plans, or programs supporting alternative transportation.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>3.17 Tribal Cultural Resources</b> <i>Would the project cause a substantial adverse change in the significance of a Tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape sacred place, or object with cultural value to a California Native American tribe, and that is:</i>				
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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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 Resources Section 5024.1 for the purposes of this paragraph, the lead agency shall consider the significance of the resource to a California Native American Tribe?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

## Environmental Setting

On September 25, 2014, Governor Jerry Brown signed Assembly Bill AB52, which intends to protect a new class of resource under CEQA. This new class is Tribal Cultural Resources and provides an avenue to identify Tribal Cultural resources through a consultation process, similar to SB18. However, unlike SB18, where consultation is required for all General Plan and Specific Plan Amendments, AB52, applies to all projects where a Notice of Determination is filed. Furthermore, the consultation process is required to be complete prior to filing a Notice of Intent.

## Impacts

- A cultural resource assessment was prepared by Applied EarthWorks, Inc. (submitted February, 2018), for the project area. The analysis concluded that the Project is not listed 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).
- Per AB52, the Project was mailed to all Tribes listed on the Native American Heritage contact list, dated February 20, 2018. Tribes were provided an opportunity to request consultation. The City did not receive comments. The General Plan EIR includes existing measures which provide procedures in the case where resources are discovered. Therefore, impacts in this category are considered less than significant.

3.18 Utilities and Service Systems <i>Will the proposal:</i>		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a.	Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b.	Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c.	Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d.	Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e.	Result in a determination by the wastewater treatment provider that serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f.	Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g.	Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### Environmental Setting

Pacific Gas & Electric (PG&E) provides electricity and natural gas services in the City of Clovis. AT&T/SBC provides telephone service to the City.

The City's water supply sources include groundwater drawn from the Kings Sub-basin of the San Joaquin Valley Groundwater Basin and treated surface water from the Fresno Irrigation District (MID). Surface water is treated at the City of Clovis Surface Water Treatment Facility.

The City of Clovis provides sewer collection service to its residents and businesses. Treatment of wastewater occurs at the Fresno-Clovis Regional Wastewater Treatment Plant (RWTP). The Fresno-Clovis RWTP is operated and maintained by the City of Fresno and operates under a waste discharge requirement issued by the Central Valley Regional Water Quality Control Board. Additionally, the City of Clovis has completed a 2.8 mgd wastewater treatment/water reuse facility, which will service the City's new growth areas.

The Fresno Metropolitan Flood Control District (FMFCD) has the responsibility for storm water management within the Fresno-Clovis metropolitan area of the Project site. Stormwater runoff that is generated by land development is controlled through a system of pipelines and storm drainage detention basins.

## Impacts

- a. The wastewater impacts were evaluated in accordance with the Waste Water master Plan. The City Engineer concludes that the Project will not exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board. Impacts are considered less than significant.
- b. The Project will not directly result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.
- c. The Project may result in the construction of new storm water drainage facilities. The Fresno Metropolitan Flood Control District has policies for this type of project. According to a letter from the FMFCD dated February 21, 2018, the district can accommodate the proposed project.
- d. The Project will not require new or expanded entitlements and resources. The site is also within the Fresno Irrigation District and will turn over the water rights to the City of Clovis upon development.
- e. The Project will not require a determination by a wastewater treatment provider (see item b above).
- f. According to the Solid Waste Division, the Project will contribute to the landfill, however, the impacts are less than significant.
- g. The Project will comply with federal, state, and local statutes as well as regulations related to solid waste by the City of Clovis.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>3.19 Mandatory Findings of Significance</b>				
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"/>
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"/>
c. Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

## **Environmental Setting**

The project includes a 586-lot single-family planned residential development located on the northwest corner of Shepherd and Sunnyside Avenues, currently in the County of Fresno, but planned for annexation into the City of Clovis.

## **Impacts**

- a. Based on the analysis provided in Initial Study, the Project does not 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.
- b. Based on the analysis provided in this Initial Study, the project would not result in any significant cumulative impacts relative to other current projects, or the effects of probable future projects.
- c. Based on the analysis provided in Initial Study, the project will not have environmental effects that will cause substantial adverse effects on human beings.

## **CUMULATIVE IMPACTS**

This section addresses the Project's potential to contribute to cumulative impacts in the region. CEQA Guidelines Section 15355 defines cumulative impacts as "two or more individual effects that, when considered together, are considerable or which compound or increase other environmental impacts." The individual effects may be changes resulting from a single project or separate projects. The cumulative impact from several projects is the change in the environment that results from the incremental impact of the Project when added to other closely related past, present, and reasonably foreseeable future projects. Cumulative impacts can result from individually minor yet collectively significant projects taking place over a period of time.

The cumulative setting for the proposed Project is the build-out of the City of Clovis General Plan which was adopted in 2014. The City has processed several General Plan Amendments since 2014, all of which were included in the Project's analysis related to water, sewer, traffic, air quality, and greenhouse gas impacts.

## **Aesthetics**

The proposed Project is not expected to result in significant cumulative visual resource impacts with mitigation. Street lighting for the area could add additional light pollution to the area. A mitigation measure to shield lighting and/or utilize additional spacing to reduce the potential is included in the conditions of approval and mitigation measures.

## **Agriculture and Forest Resources**

The proposed Project would not substantially contribute to the conversion of agricultural land or forest land to urban or other uses with measures currently incorporated within the General Plan EIR. There are no forest lands in the adjacent to or in the immediate vicinity. The Project area, although currently classified as Prime Farmland or Farmland of Statewide Importance, with urbanization, the Project would result in no cumulative agricultural or forest resources impact.

## **Air Quality**

Implementation of the Project could result in cumulative short-term construction air quality impacts associated with increased emissions. The Project would not result in cumulative air quality impacts to the region. Existing measures are incorporated to address Air Quality Standards during construction. The Project would result in less than significant cumulative air quality impacts.

## **Biological Resources**

The Project could result in significant impacts to nesting migratory and nongame birds as well as special status animal species without mitigation. The Project would have a less than significant impact to cumulative biological resources with mitigation measures incorporated.

## **Cultural Resources**

The proposed Project is not anticipated to contribute to any potential impacts related to cultural and/or paleontological impacts. Any impacts would be site specific and would not contribute to cumulative impacts. Therefore, the Project would have a less than significant impact to cumulative cultural resources.

## **Geology and Soils**

Project impacts associated with geology and soils would be site-specific and implementation of the Project would not contribute to cumulative seismic hazards. Therefore, the Project would create no impact to cumulative geophysical conditions.

## **Greenhouse Gas Emissions**

As discussed under Section 3. Greenhouse Gas Emissions, implementation of the proposed Project would contribute to GHG emissions, which is inherently a cumulative issue. The emissions from construction would be short-term (during construction) as a result of various fossil fuel-based construction equipment. Since these impacts are short-term and the contributions to GHG emissions would be minor when compared to the State's GHG emissions target of 427 MMTCO<sub>2</sub>-eq by 2020, the construction related greenhouse gas emissions of this Project would be considered a less than significant cumulative impact.

The operational emissions from the Project would be as the result of indirect emissions from electricity usage of the well pump, emissions resulting from the occasional operation of the emergency back-up diesel generator when the power fails, and emissions from maintenance vehicles. These emissions would not be substantial and are considered less than significant. The Project's related GHG emissions would not contribute significantly to global climate change and would not impede the State's ability to meet its greenhouse gas reduction targets under AB 32.

## **Hazards & Hazardous Materials**

The proposed Project is not expected to have significant impacts as the result of hazards or hazardous materials; therefore, the Project is expected to have a less than significant impact to cumulative hazards and hazardous materials impacts.

## **Hydrology/Water Quality**

The proposed Project would not contribute to cumulative surface water quality impacts associated with construction and operational activities. As described in Section 3.3 Hydrology/Water Quality, The proposed Project would not substantially alter the direction of groundwater flows, or result in a substantial change in the quantity of groundwater. The Project would have a less than significant impact to cumulative water conditions.

## **Land Use Planning & Population/Housing**

With the implementation of the mitigation measure identified in Sections 3.1 (Aesthetics), land use impacts would be less than significant. The Project will not have significant impacts to housing or



population. The proposed Project is not expected to result in substantial cumulative impacts to land use planning, population or housing.

### **Mineral Resources**

The proposed Project is expected to have no impact to any site-specific mineral resources; therefore, the Project is expected to have a less than significant impact to cumulative mineral resource impacts.

### **Noise**

As described in Section 3.9 Noise, the Project could result in increased construction noise as well as long-term traffic noise impacts. These impacts are less than significant and would not contribute to any cumulative impacts creating a level of significance.

### **Public Services**

The proposed Project creates additional homes and residents but as identified in the initial study, would not result in significant impacts to public services. The Project would have less than significant to cumulative public services conditions.

### **Recreation**

The proposed Project creates additional homes and residents but as identified in the initial study, would not result in significant impacts to recreation. The proposed Project would not result in significant impacts to recreation uses and/or resources. Thus, a less than significant impact to recreation is anticipated.

### **Transportation/Circulation**

The proposed Project would not contribute to short-term or long-term traffic congestion impacts. The Project is not expected to impact cumulative transportation/circulation conditions. Therefore, the Project would have a less than significant impact on cumulative transportation and circulation conditions.

### **Tribal Cultural**

Tribal Cultural resources are site specific. The proposed Project would not cause a substantial adverse change in the significance on a cumulative Tribal cultural resource.

### **Utilities and Service Systems**

The proposed Project would have a less than significant cumulative impact on utility and service system demands.

## Environmental Factors Potentially Affected

The environmental factors checked below would be potentially affected by this Project, as indicated by the checklist and corresponding discussion in this Initial Study.

The environmental factors checked below would be potentially affected by this Project. None of these factors represents a "Potentially Significant Impact" as indicated by this Initial Study.

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

## Determination Findings

The potential impacts identified in this Initial Study are considered to be less than significant since they will cease upon completion of construction, or do not exceed a threshold of significance. Therefore, a Mitigated Negative Declaration is the appropriate level of documentation for this project.

According to the analysis in this Initial Study, based on substantial evidence in the public record, the City of Clovis finds:

- This Initial Study, prepared pursuant to CEQA Section 15063, has identified potentially significant environmental effects that would result from the project.
- The City has reviewed the proposed project impacts and has determined the following mitigation measures will address the identified impacts and reduce impacts to the level required by applicable standards:
  - **3.1-d** The developer shall direct all lighting downward and provide physical shields to prevent direct view of the light source from adjacent residential properties.
  - **3.4a:** If any trees or shrubs are to be removed during the nesting season (Feb – Aug) then a preconstruction survey should be conducted within 30-15 days of commencement of construction. If vegetation removal occurs outside the nesting period then no preconstruction survey is needed.
  - **3.4d:** If any potential impact is presented towards any species listed in the Biological Study and the Department of Fish and Game analysis; i.e., California Tiger Salamander, Swainson's Hawk, burrowing owl, and western pond turtle, or any nesting habitats, the applicant shall implement preconstruction surveys, provide environmental awareness training to workers, and if necessary, passively provide for relocation and biological monitoring of affected species; mitigating to a less than significant impact. The applicant shall also address Mitigation measures 1, 2 and 3 as presented by the California Department of Fish and Wildlife.

- The City finds that the cumulative impacts of this project are less than significant as described in Section 4.0 (Cumulative Impacts). As such, this project would not generate significant cumulative impacts.
- Feasible mitigation measures have been incorporated to revise the project before the Mitigated Negative Declaration and Initial Study is released for public review pursuant to CEQA Section 15070 in order to avoid or mitigate the identified effects to a point where clearly no significant effects on the environment will occur.
- The City finds that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described above have been added to the project. A MITIGATED NEGATIVE DECLARATION will be prepared.
- As required by CEQA Section 21081.6 et seq., a mitigation monitoring program (Section 6.0) will be adopted by incorporating mitigation measures into the project plan (CEQA Section 21081.6(b)).
- There is no substantial evidence in light of the whole record before the public agency that the project, as revised, may have a significant effect on the environment (CEQA Section 21064.5(2)).
- Based on the above-referenced Initial Study and feasible mitigation measures incorporated to revise the proposed project in order to avoid the effects or mitigate the effects to the point where clearly no significant effect on the environment will occur, staff finds that a Mitigated Negative Declaration should be adopted pursuant to CEQA Section 15070 for the proposed project.

Signature \_\_\_\_\_  
Orlando Ramirez, Senior Planner

Date: April 23, 2018

*Applicant's Concurrence*

In accordance with Section 15070 (b) (1) of the CEQA Guidelines, we hereby consent to the incorporation of the identified mitigation measures which are also contained in Section 6.0 of this document.

Signature \_\_\_\_\_ Date: \_\_\_\_\_

## **EXHIBIT B**

### **City of Clovis Mitigation Monitoring and Reporting Program General Plan Amendment GPA2017-07, Rezone R2017-18, Conditional Use Permit CUP2017-17 & Vesting Tentative Tract Map TM6200 Dated April 23, 2018**

This Mitigation Monitoring and Reporting Program (MMRP) has been prepared pursuant to Section 21081.6 of the California Public Resources Code, which requires public agencies to "adopt a reporting and monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment." A MMRP is required for the proposed project because the Mitigated Negative Declaration has identified significant adverse impacts, and measures have been identified to mitigate those impacts.

The MMRP, as outlined in the following table, describes mitigation timing, monitoring responsibilities, and compliance verification responsibility for all mitigation measures identified in this Mitigated Negative Declaration.

The City of Clovis will be the primary agency, but not the only agency responsible for implementing the mitigation measures. The MMRP is presented in tabular form on the following pages. The components of the MMRP are described briefly below:

- **Mitigation Measures:** The mitigation measures are taken from the Mitigated Negative Declaration, in the same order that they appear in the Mitigated Negative Declaration.
- **Mitigation Timing:** Identifies at which stage of the project mitigation must be completed.
- **Monitoring Responsibility:** Identifies the department within the City responsible for mitigation monitoring.
- **Compliance Verification Responsibility:** Identifies the department of the City or other State agency responsible for verifying compliance with the mitigation. In some cases, verification will include contact with responsible state and federal agencies.

Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
<b>3.1 Aesthetics</b>				
3.1-d	The developer shall direct all lighting downward and provide physical shields to prevent direct view of the light source from adjacent residential properties.	City of Clovis Planning	<i>Prior to Permits and During Construction</i>	
<b>3.4 Biological</b>				
3.4a	If any trees or shrubs are to be removed during the nesting season (Feb – Aug) then a preconstruction survey should be conducted within 30-15 days of commencement of construction. If vegetation removal occurs outside the nesting period then no preconstruction survey is needed.	City of Clovis Planning	<i>Prior to Permits and During Construction</i>	
3.4d	If any potential impact is presented towards any species listed in the Biological Study and the Department of Fish and Game analysis; i.e., California Tiger Salamander, Swainson's Hawk, burrowing owl, and western pond turtle, or any nesting habitats, the applicant shall implement preconstruction surveys, provide environmental awareness training to workers, and if necessary, passively provide for relocation and biological monitoring of affected species; mitigating to a less than significant impact. The applicant shall also address Mitigation measures 1, 2 and 3 as presented by the California Department of Fish and Wildlife.		<i>Prior to Permits and During Construction</i>	

