

**BARSTOW-DEWOLF SOUTHEAST REORGANIZATION
RO282
Prezone R2013-07
Conditional Use Permit CUP2013-10
Tract Map TM6055
Prezone R2013-12
Conditional Use Permit CUP2013-16
Tract Map TM6058
INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION**

PREPARED BY:



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NOVEMBER 2013

ATTACHMENT 1

INITIAL STUDY AND MITIGATED NEGATIVE
DECLARATION
FOR
BARSTOW-DEWOLF SOUTHEAST REORGANIZATION RO282
PREZONE R2013-07
CONDITIONAL USE PERMIT CUP2013-10
TRACT MAP TM6055
PREZONE R2013-12
CONDITIONAL USE PERMIT CUP2013-16
TRACT MAP TM6058
CITY OF CLOVIS, CALIFORNIA

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1.1 INTRODUCTION AND REGULATORY GUIDANCE

This document is an Initial Study and Mitigated Negative Declaration (MND) prepared pursuant to the California Environmental Quality Act (CEQA), for a Mixed Use 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.

If a project is not otherwise statutorily or categorically exempt from CEQA, an Initial Study is conducted by a lead agency to determine if a project may have a significant effect on the environment. In accordance with the CEQA Guidelines, Section 15064, an environmental impact report (EIR) must be prepared if the Initial Study indicates that the proposed project under review may have a potentially significant impact on the environment. A negative declaration may be prepared instead, if the lead agency prepares a written statement describing the reasons why a proposed project would not have a significant effect on the environment, and, therefore, why it does not require the preparation of an EIR (CEQA Guidelines Section 15371). According to CEQA Guidelines Section 15070, a negative declaration shall be prepared for a project subject to CEQA when either:

- a) *The Initial Study shows there is no substantial evidence, in light of the whole record before the agency, that the proposed project may have a significant effect on the environment, or*
- b) *The Initial Study identified potentially significant effects, but:*
 - (1) *Revisions in the project plans or proposals made by or agreed to by the applicant before the proposed negative declaration is released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur, and*
 - (2) *There is no substantial evidence, in light of the whole record before the agency, that the proposed project as revised may have a significant effect on the environment.*

If the Initial Study reveals that there may be significant effects upon the environment, but those effects can be avoided or reduced to a less than significant level with revisions to the project plans and/or mitigation measures, and the applicant agrees to the revisions and/or mitigation measures, the agency may prepare a mitigated negative declaration (Guidelines Sections 15070(b), 15071(e)).

1.2 LEAD AGENCY

The lead agency is the public agency with primary responsibility over a proposed project. Where two or more public agencies will be involved with a project, CEQA Guidelines Section 15051 provides criteria for identifying the lead agency. In accordance with CEQA Guidelines Section 15051(b)(1), "the lead agency will normally be the agency with general governmental powers, such as a city or county, rather than an agency with a single or limited purpose." Based on these criteria, the City of Clovis will serve as lead agency for the proposed project.

1.3 AGENCIES THAT MAY USE THIS DOCUMENT

This Initial Study and Mitigated Negative Declaration may be used by any responsible or trustee agencies that also have review authority over the project. As stated in the CEQA Guidelines Section 15231:

A Final EIR prepared by a lead agency or a Negative Declaration adopted by the lead agency shall be conclusively presumed to comply

with CEQA for the purposes of use by responsible agencies which were consulted pursuant to Sections 15072 or 15082 unless one of the following conditions occurs:

- a. The EIR or Negative Declaration is finally adjudged in a legal proceeding not to comply with the requirements of CEQA, or
- b. A subsequent EIR is made necessary by Section 15162 of these Guidelines.

The various local, state, and federal agencies that may use this document are listed in Section 2.0, "Project Description."

1.4 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 15150.

- **City of Clovis General Plan.** The 1993 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.
- **Environmental Impact Report prepared for the Clovis General Plan (Certified April 26, 1993, SCH No. 199212024).** The General Plan 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 (Air Quality, Biological Resources, Noise, Agriculture, and Transportation) 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.
- **Loma Vista Specific Plan.** The Southeast Urban Center 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 Loma Vista Specific Plan (Certified March 3, 2003, SCH No. 2002091061).** The Southeast Urban Center Specific Plan EIR describes potential impacts of development of the project area consistent with the specific 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.
- **Traffic and Circulation Study for the Southeast Urban Center Specific Plan EIR, City of Clovis, California, Associated Transportation Engineers, December, 2002.** This document analyzes traffic impacts associated with the development of the proposed Southeast Urban Center (Loma Vista) Specific Plan.
- **Findings and Statement of Overriding Considerations prepared for the adoption of the Loma Vista Specific Plan.** Adoption of the development plan contained in the Loma Vista

Specific Plan is expected to result in certain unavoidable environmental impacts (Increased light and glare, loss of agricultural resources, air quality impacts, and increased noise) that the City has determined are outweighed by the potential benefits of the 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 specific plan planning area.

- **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.
- **2011 City of Clovis Bicycle Transportation Master Plan-** The Bicycle Master Plan identifies the existing and planned Class I, II, and III facilities within the City of Clovis. The Sunnyside/Shepherd Trailhead, while not specifically identified in the Plan, will serve as a staging area where several bicycle/pedestrian facilities.
- **Clovis Municipal Code Title 5 (Public Welfare, Morals And Conduct) and Title 9 (Planning and Zoning Ordinance).** 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 2013-2014 Budget.** The budget provides information about city services, and objectives, annual spending plan for the 2013-2014 fiscal year, debt obligations, and the five-year Community Investment Program.
- **City of Clovis Economic Development Strategy (Adopted September 13, 2004).** 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 2005 Urban Water Management Plan (Adopted February 6, 2006).** 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.
- **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, Guide for Assessing and Mitigating Air Quality Impacts (GAMAQI), and the GAMAQI Technical Document.** The GAMAQI is an advisory document, that provides Lead Agencies, consultants, and Project applicants with uniform procedures for addressing air quality in environmental documents. The latest revisions of the District's CEQA guidance documents (January 10, 2002) are available for download at http://www.valleyair.org/transportation/ceqa_guidance_documents.htm. A printed copy may be obtained at the District's Central Region offices at 1990 E. Gettysburg Ave., Fresno, CA 93726.
- **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.
- **San Joaquin Valley Air Pollution Control District, letter dated October 21, 2013.** Assessing project impacts.
- **Options for Addressing Climate Change in San Luis Obispo County, San Luis County Air Pollution Control District, November 16, 2005.** This document describes the major sources of greenhouse gases, actions underway at community, national and international levels to combat the problem and recommendations for actions the San Luis Obispo County Air Pollution Control District can take locally to help address the issue.
- **Executive Summary, Climate Action Team Report to the Governor and California Legislature, California Environmental Protection Agency, March 2006.** This document provides a summary of the means to achieve the Governor's climate change emission reduction targets that will build on voluntary actions of California businesses, local government and community action, and State incentive and regulatory programs to achieve the targets.
- **Our Changing Climate, Assessing the Risks to California, A Summary Report From the California Climate Change Center, July 2006.** This document summarizes the recent findings of the California Climate Change Center's "Climate Scenarios" project, which analyzed a range of impacts that projected rising temperatures would likely have on California.

- **Climate Change 2007: The Physical Science Basis, Summary for Policy Makers, Intergovernmental Panel on Climate Change, February 2007.** This document describes progress in understanding of the human and natural drivers of climate change, observed climate change, climate processes and attribution, and estimates of projected future climate change.
- **Water Supply and Infrastructure Investigation from Provost and Pritchard – GPA2009-02, October 22, 2009.** The Water Supply Investigation evaluates the ability of the City of Clovis to provide water to satisfy the projected demands of the project site in accordance with Section 10910, et seq., of the California Water Code.
- **Greenhouse Gas Analysis Report from First Carbon Solutions, November 22, 2013,** An evaluation of the impacts related to Green House Gas and Air Quality.
- **Cultural Resources Records Search from Argonaut Ecological Consulting, Inc., November 12, 2013,** An evaluation of the impacts related to Cultural Resources.
- **Biological Study from Argonaut Ecological Consulting, Inc., November 11, 2013,** An evaluation of the impacts related to Biological Resources.
- **Site Plan Review SPR2008-10,** Loma Vista Specific Plan's Urban Centers.

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.

1.5 PURPOSE AND DOCUMENT ORGANIZATION

The purpose of this Initial Study and draft Mitigated Negative Declaration is to evaluate the potential environmental impacts of the proposed project.

This document is divided into the following sections:

- **1.0 Introduction** – Provides an introduction and describes the purpose and organization of this document;
- **2.0 Project Description** – Provides a detailed description of the proposed project;
- **3.0 Environmental Setting, Impacts and Mitigation Measures** – Describes the environmental setting for each of the environmental subject areas, evaluates a range of impacts classified as "no impact," "less than significant," "less than significant with mitigation incorporated," or "potentially significant" in response to the environmental checklist, and provides mitigation measures, where appropriate, to mitigate potentially significant impacts to a less than significant level;
- **4.0 Cumulative Impacts** – Includes a discussion of cumulative impacts;
- **5.0 Determination** – Provides the environmental determination for the project;
- **6.0 Mitigation Monitoring** – Ensures mitigation measure implementation; and
- **7.0 Report Preparation and References** – Identifies staff and consultants responsible for preparation of this document; and a list of sources utilized.

2.1 PROJECT OVERVIEW AND NEED

The Project includes annexation of properties from the County of Fresno to the City of Clovis for approximately 41 acres of property located on the southeast corner of Barstow and DeWolf Avenues. The west 32 acres includes Prezone R2013-12, Conditional Use Permit CUP2013-16 and Tentative Tract Map TM6058. The east 9.9 acres includes Prezone R2013-07, Conditional Use Permit CUP2013-10 and Tentative Tract Map TM6055.

Prezone R2013-07 is rezoning approximately 9.9 acres from the County AE-20 to the Clovis R-2 (Low Density Multiple Family Residential – 1 unit per 3,000 sq. ft.) Zone District. Conditional Use Permit CUP2013-10 and Tentative Tract Map TM6055 include a 134-lot single-family planned unit development with private streets.

Prezone R2013-12 is rezoning approximately 32 acres from the County AE-20 to the Clovis R-2 (Low Density Multiple Family Residential – 1 unit per 3,000 sq. ft.) Zone District. Conditional Use Permit CUP2013-16 and Tentative Tract Map TM6058 include a 111-lot single-family planned unit development with gated private streets.

The southeastern portion of Tentative Tract Map TM6058 will be a remainder for a future community park. The future community park site has been previously rezoned to the P-F (Public Facility) Zone District.

The Project also includes detaching the entire approximately 41 acres from the Fresno County Fire Protection District and the Kings River Conservation District. Furthermore, the Project includes the Fresno Local Agency Formation Commission (LAFCo) as a responsible agency.

The following provides a description of the proposed Project, anticipated design of the Project, and a description of the existing setting of the Project area. Section 3.0 of this document provides an analysis of the environmental effects associated with this Project.

2.2 PROJECT LOCATION

The proposed Project is located within the sphere of influence of the City of Clovis, County of Fresno (see **Figure 2.0-1**). The proposed Project site is located within the Loma Vista Specific Plan Area, east side of DeWolf Avenue, south of Barstow Avenue, west of Leonard Avenue and north of San Jose Avenue (see **Figure 2.0-2**). The Project is bounded by agricultural, urban density residential and rural residential land to the north and east, rural residential to the south, and urban density residential land uses to the west.

The Project site is designated by the General Plan as Medium High Residential, Open Space and Parks. The Project site is currently zoned County AE-20 with the exception of the Community Park planned area, which has been previously rezoned to the P-F (Public Facility) Zone District.



Figure 2.0- 1 Regional Location

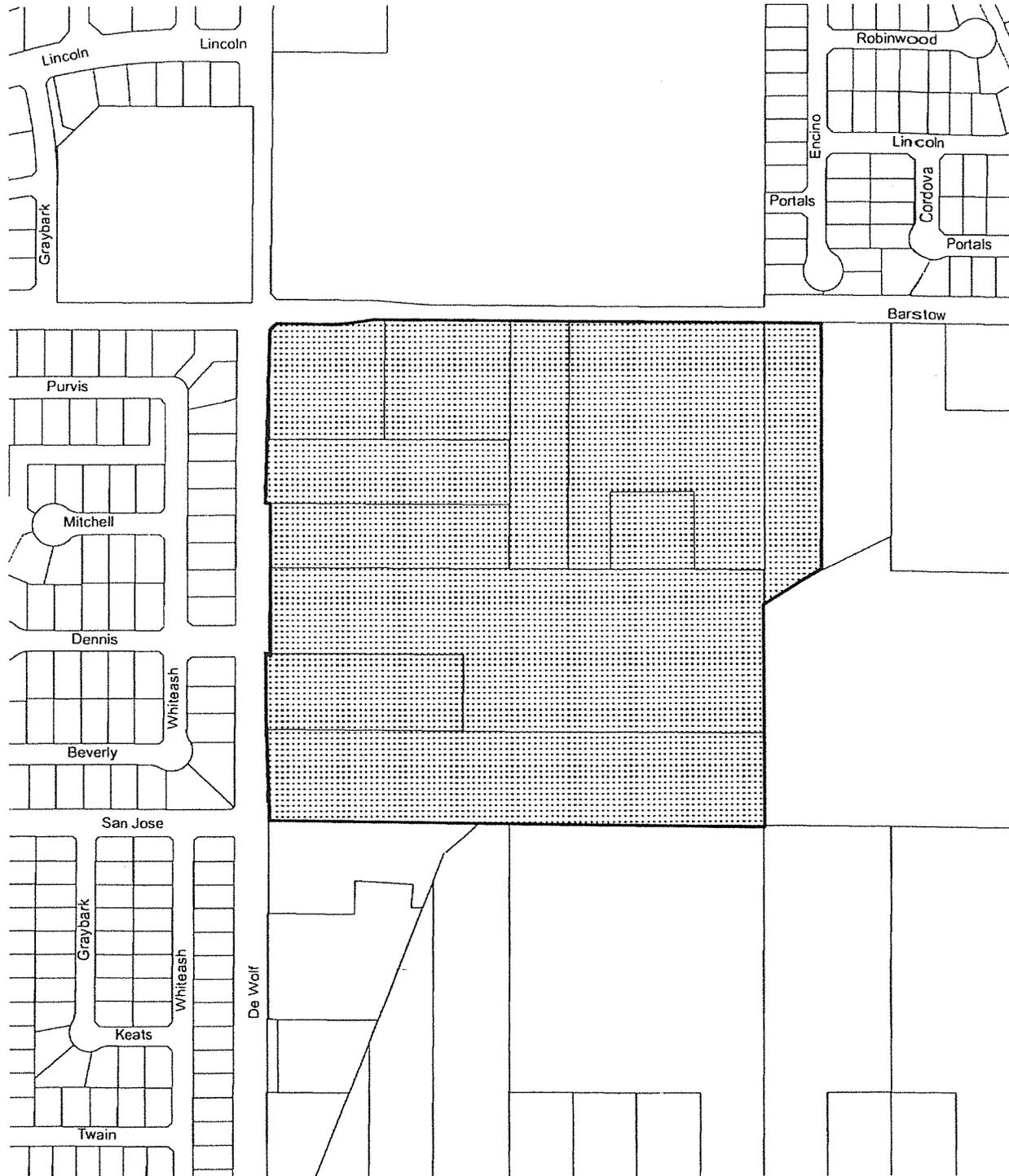


Figure 2.0- 2 Project Location

The Project will be completed in accordance with the California Building Code; City of Clovis Municipal Code; and 2012 City of Clovis Standards.

2.3 DESCRIPTION OF PROPOSED IMPROVEMENTS

The Project will include site grading, installation of streets, street lights, and infrastructure to accommodate subdivisions, parks, and trails and paseos. The project will also include demolition of existing homes, accessory buildings, wells, and septic systems. Approximately 8 acres located on the southeast corner of Barstow and DeWolf Avenues within the project area have no proposed development plans submitted.

2.4 PROPOSED DESIGN OF THE SITE

Figure 2.0-3 shows proposed site plan.

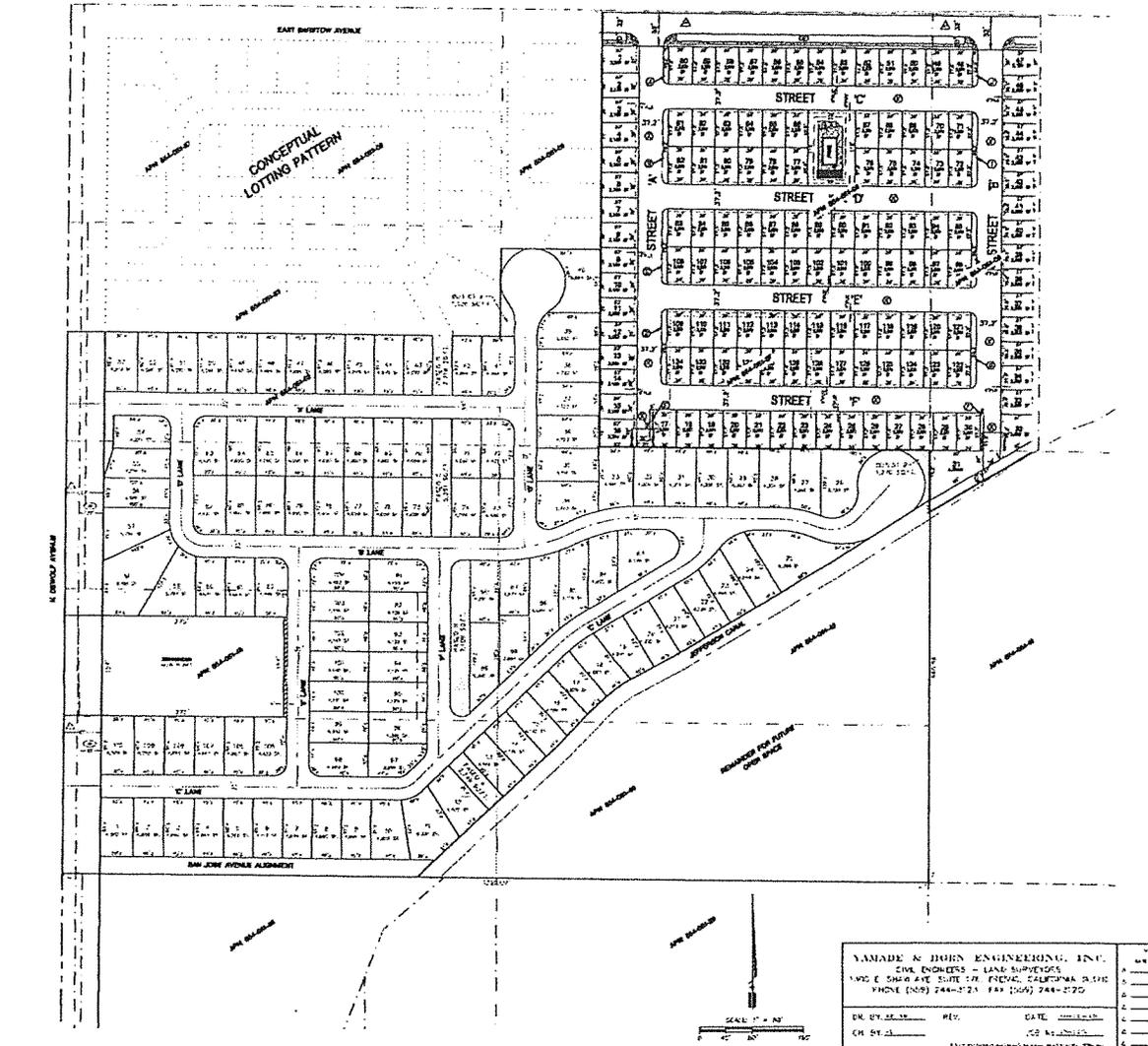


Figure 2.0- 3 Project Site Plan

2.5 ENVIRONMENTAL MEASURES

Environmental measures are methods, measures, 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.

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

The following construction noise control measures per the Clovis Municipal Code (Clovis Municipal Code Section 9.3.228.10 et seq.) will be required to reduce and control noise generated from construction-related activities.

- Noise-generating construction activities shall be restricted to the weekday hours (Monday through Saturday) of operation between 7:00 a.m. to 9:00 p.m. In addition, no construction activity is allowed any time on Sunday or holidays.
- 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's 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's 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.

2.6 REQUIRED PROJECT APPROVALS

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

- Fresno Local Agency Formation Commission (Fresno LAFCo) for consideration and approval of the proposed reorganization.

2.7 RESPONSIBLE AND INTERESTED AGENCIES

- Fresno Metropolitan Flood Control District
- Department of Fish and Game
- Army Corps of Engineers
- Fresno Local Agency Formation Commission
- San Joaquin Valley Air Pollution Control District
- California State Department of Motor Vehicles

INTRODUCTION

This chapter provides an evaluation of the potential environmental impacts of the proposed Project, including the CEQA Mandatory Findings of Significance. There are 17 specific environmental topics evaluated in this chapter. Other CEQA considerations are evaluated in Chapter 4.0. The environmental topics evaluated in this chapter include:

- 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
- 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.

3.0 ENVIRONMENTAL SETTING, IMPACTS AND MITIGATION MEASURES

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporate d	Less Than Significant Impact	No Impact
3.1 AESTHETICS				
<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 type="checkbox"/>	<input checked="" 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 AND MITIGATION MEASURES

Significance Criteria

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.

Checklist Discussion

a) Less Than Significant Impact. A change in the existing aesthetic character of the project site will occur. The site will be transformed from rural residential, agriculture and/or vacant land to an urban scale residential development.

The City of Clovis has adopted development and design standards as part of its Zoning Ordinance for the Residential Districts. All new development must adhere to these standards.

The project will not obstruct a scenic vista or otherwise adversely impact the area aesthetically.

b) Less Than Significant Impact. The Project is located in a predominately urban area. There are no state scenic highways or identified scenic resources located within or adjacent to the Project site. Therefore, implementation of the Project would have a less than significant impact on scenic resources.

c) Less Than Significant Impact. The Project area is considered underdeveloped. Construction of the Project would result in the conversion of underdeveloped land to urban scale land use which would transform the existing character of the site. The Clovis General Plan and Loma Vista Specific Plan anticipates the site being developed to an urban setting.

The project would not be out of character for the area and is required to follow the development standards for residential uses in the Loma Vista Specific Plan and the development standards of the Clovis Municipal Code. The development standards provide requirements, such as setbacks, building heights, parking, and landscaping.

These standards will reduce any aesthetic impacts to a less than significant impact. While change will occur from the existing condition of the land, the impact to the existing visual character or quality of the site and its surroundings is expected to be less than significant.

d) Less Than Significant Impact. The Project will install lighting, which would introduce a new source of light. The impact of light and glare from the Project site may significantly impact the adjacent residential development if faced directly toward those areas. With incorporation of the development standards, impacts will be reduced to a less than significant level.

CONCLUSIONS RELATING TO AESTHETICS

The Project area is in a planned urban environment. All work is consistent with the plans and policies of the City of Clovis, including the General Plan and Loma Vista Specific Plan and would not be out of character with the urban environment or what is currently located in the area. Therefore, the Project will not have a significant impact on any aesthetic resources.

3.0 ENVIRONMENTAL SETTING, IMPACTS AND MITIGATION MEASURES

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
3.2 AGRICULTURE AND FOREST RESOURCES				
<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 checked="" type="checkbox"/>	<input 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 City of Clovis is located within Fresno County, which is the largest producing agricultural county in the United States and California with a gross crop value in 2008 of \$5,662,895,000.00.

3.0 ENVIRONMENTAL SETTING, IMPACTS AND MITIGATION MEASURES

The top ten crops in 2008 were grapes, almonds, poultry, milk, tomatoes, cattle, peaches, oranges, garlic, and nectarines.¹

Continuing urban development in the County contributes to a net loss of productive agricultural land. As of 2006, Fresno County contained 2,212,569 acres of agricultural land out of 2,441,620 acres. This included 713,085 acres of Prime Farmland, 478,732 acres of Farmland of Statewide Importance, 98,091 acres of Unique Farmland, and 95,547 acres of Farmland of Local Importance. Between 2004 and 2006, 3,982 acres were converted from agricultural land to urban uses. Of this, 1,691 acres were designated Prime Farmland.²

The General Plan EIR analyzed the impacts of the City's urban growth on agricultural land and includes mitigation measures to reduce those impacts; however, impacts to agricultural land remain significant and unavoidable. A Statement of Overriding Considerations was adopted for the impacts to agriculture lands.

IMPACTS AND MITIGATION MEASURES

Significance Criteria

The following criteria are extracted from the Agricultural Resources Environmental Checklist form contained in the most recent update of the California Environmental Quality Act (CEQA) Guidelines. The project will, at a minimum, be considered to have a significant effect related to agricultural resources if any of the following occur:

- 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.
- Conflict with existing zoning for agricultural use, or a Williamson Act contract.
- Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use.

Checklist Discussion

a) Less than Significant Impact. Development of the Loma Vista Specific Plan is consistent with the City of Clovis General Plan, as well as Fresno County General Plan's goals and policies that direct urban growth to cities. The conversion of these lands currently designated agricultural to non-agricultural uses in accordance with the General Plan and the Specific Plan represents an orderly transition from rural to urban uses. The project area is located adjacent to the incorporated Clovis City, within the updated 2000 sphere-of-influence limits, thereby supporting concentrated growth pattern adjacent to the existing urban development. The Specific Plan guides the conversion of the existing agricultural and rural lands to planned urban uses in a gradual, phased, and orderly manner, therefore alleviating development pressure off of outlying unincorporated lands.

¹ Fresno County Department of Agriculture, *Agricultural Crop and Livestock Report*, 2008

² California Department of Conservation Division of Land Resource Protection, *2004-2006 Land Use Conversion*

Nonetheless, continuation of incremental losses of the agricultural lands at current rates will have an adverse impact on the County's agricultural land resources. The loss of agricultural land was addressed in the General Plan, and several policies were adopted to reduce the impacts of urban growth in this category. Land Use Element Policies 7.3 and 8.1 promote the incorporation of agricultural uses into the City, where appropriate, and where inappropriate, promote an orderly conversion of agricultural uses to urban uses in a gradual and phased manner. Open Space/Conservation Element Policies 5.1 and 5.2 act to limit the encroachment of urban uses into agricultural area, and protect commercial agricultural enterprises and small scale farming operations.

The General and Specific Plans' EIRs list impacts to the category as significant and unavoidable. With certification of the EIR, a Statement of Overriding Consideration was adopted. The Clovis General Plan and Loma Vista Specific Plan have designated this site as Medium High Residential Development and Park, which will allow for the development of this land to an urban use. Approval of the project will allow for the development of this land consistent with the General Plan and the Loma Vista Specific Plan. For these reasons, there are no anticipated impacts in this category that will exceed the impacts addressed in association with the previously prepared EIRs, and for that reason, the sections 15162 and 15182 standards of CEQA are met and no new environmental review is required.

b) No Impact. The future Community Park section of the project area has been rezoned consistent with the Loma Vista Specific Plan and General Plan. Impacts related to the change of use from agricultural to urban uses were evaluated in the Clovis General Plan, Loma Vista Specific Plan, and their EIR's. The Project does not conflict with any agricultural zoning or any Williamson Act contracts.

c) No Impact. The Project will not conflict with any forest or timberland zoning. The Project site does not contain and is not adjacent to any forest or timberland resources.

d) No Impact. The Project will not result in the loss of any forest land.

e) No Impact. The Project will not result in the conversion of farmland or forest land.

CONCLUSIONS RELATING TO AGRICULTURE AND FOREST RESOURCES

The Project will not convert agricultural land to a non-agricultural use or have any other affect on agricultural land or Forest Resources.

3.0 ENVIRONMENTAL SETTING, IMPACTS AND MITIGATION MEASURES

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
3.3 AIR QUALITY				
<i>Will the proposal:</i>				
a. Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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

Air Pollution Climatology

The Project is located in the San Joaquin Valley air basin, which is defined by the Sierra Nevada in the east, the Coast Ranges in the west, and the Tehachapi mountains in the south. The surrounding topographic features restrict air movement through and out of the basin and, as a result, impede the dispersion of pollutants from the basin. Inversion layers are formed in the San Joaquin Valley air basin throughout the year. (An inversion layer is created when a mass of warm dry air sits over cooler air near the ground preventing vertical dispersion of pollutants from the air mass below). During the summer, the San Joaquin Valley experiences daytime temperature inversions at elevations from 2,000 to 2,500 feet above the valley floor. During the winter months, inversions occur from 500 to 1,000 feet above the valley floor (San Joaquin Valley Unified Air Pollution Control District, 1998).

The climate of the Project area is typical of inland valleys in California with hot dry summers and cool, mild winters. Daytime temperatures in the summer often exceed 100 degrees, with lows in the 60's. In the winter, daytime temperatures are usually in the 50's with lows around 35 degrees.

3.0 ENVIRONMENTAL SETTING, IMPACTS AND MITIGATION MEASURES

Radiation fog is common in the winter and may persist for days. Winds are predominantly up-valley (from the north) in all seasons, but more so in the summer and spring months. Winds in the fall and winter are generally lighter and more variable in direction (California Air Resources Board, 1974).

The pollution potential of the San Joaquin Valley is very high. Surrounding elevated terrain in conjunction with temperature inversions frequently restrict lateral and vertical dilution of pollutants. Abundant sunshine and warm temperatures in summer are ideal conditions for the formation of photochemical oxidant. Thus the Valley is a frequent scene of photochemical pollution.

Ambient Air Quality Standards

Both the U. S. Environmental Protection Agency (EPA) and the California Air Resources Board (CARB) have established ambient air quality standards for common pollutants. These ambient air quality standards are levels of contaminants that represent safe levels that avoid specific adverse health effects associated with each pollutant. The ambient air quality standards cover what are called "criteria" pollutants because the health and other effects of each pollutant are described in criteria documents.

The federal and California state ambient air quality standards are summarized in **Table 3.4-1** for important pollutants. The federal and state ambient standards were developed independently with differing purposes and methods, although both processes attempted to avoid health-related effects. As a result, the federal and state standards differ in some cases. In general, the California state standards are more stringent. This is particularly true for ozone and PM₁₀.

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

<i>Pollutant</i>	Averaging Time	Federal Primary Standard	State Standard
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	0.05 ppm	0.03 ppm
	1-Hour	--	0.18 ppm
Sulfur Dioxide	Annual	0.03 ppm	--
	24-Hour	0.14 ppm	0.05 ppm
	1-Hour	--	0.25 ppm
PM ₁₀	Annual	--	20 ug/m ³
	24-Hour	150 ug/m ³	50 ug/m ³
PM _{2.5}	Annual	15 ug/m ³	12 ug/m ³
	24-Hour	35 ug/m ³	--
Lead	30-Day Avg.	--	1.5 ug/m ³
	3-Month Avg.	1.5 ug/m ³	--

Notes: ppm = parts per million; ug/m³ = 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

Federal and state air quality laws require identification of areas not meeting the ambient air quality standards. These areas must develop regional air quality plans to eventually attain the standards. The State of California has designated the Project area as being a severe non-attainment area for 1-hour ozone, nonattainment area for 8-hour ozone, a non-attainment area for PM₁₀ and PM_{2.5}. The EPA has designated the Project area as being a serious non-attainment area for 8-hour ozone, and nonattainment for PM_{2.5}. The air basin is either attainment or unclassified for other ambient standards. The San Joaquin Valley Unified Air Pollution Control District (SJVUAPCD) is responsible for establishing and enforcing local air quality rules and regulations that address the requirements of federal and state air quality laws.

IMPACTS AND MITIGATION MEASURES

Significance Criteria

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 NO_x) 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 PM₁₀ emission of 15 tons per year (82 pounds per day).

While the SJVUAPCD CEQA guidance recognizes that PM₁₀ is a major air quality issue in the basin, it has to date not established numerical thresholds for significance for PM₁₀. However, for the purposes of this analysis, a PM₁₀ 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 PM₁₀ is consistent with the SJVUAPCD's ROG and NO_x 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 PM₁₀ Prohibitions. The SJVUAPCD guidelines provide feasible control measures for construction emission of PM₁₀ 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.

Checklist Discussion

a) Less Than Significant Impact with Mitigation Incorporated. 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 PM₁₀. 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 PM₁₀ 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 PM₁₀ emissions and subject to Environmental Measure 3: Dust Control Measures to Protect Air Quality. In addition the Project will be subject to the mitigation measures identified below. With the incorporation of mitigation, the Project will have a less than significant impact.

b) Less Than Significant Impact with Mitigation Incorporated. 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 PM₁₀. 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. In addition, the Project will be subject to the mitigation identified below. Therefore, the Project would create a less than significant impact with mitigation incorporated to the violation of air quality standards.

c) Less Than Significant Impact with Mitigation Incorporated. See responses to 3.4a and b above.

d) Less Than Significant Impact. 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) Less Than Significant Impact. Objectionable odors are possible during site preparation and construction. However, the odors are not expected to be persistent or have an adverse affect 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.

MITIGATION MEASURES

3.3-1: Limit traffic speeds on unpaved roads or surfaces to 15 mph.

3.3-2: Install sandbags or equivalent erosion control measures to prevent silt runoff to public roadways.

3.3-3: Off-road construction equipment used on site shall achieve average construction exhaust emissions equal to or less than the Tier II emissions standard of 4.8 NOx g/hp-hr, if feasible. This can be achieved through any combination of uncontrolled engines and engines complying with Tier II and above engine standards. Documentation showing compliance shall be submitted to the City.

CONCLUSION REGARDING AIR QUALITY

The Project would not create any significant air quality impacts with the incorporation of the identified mitigation measures.

3.0 ENVIRONMENTAL SETTING, IMPACTS AND MITIGATION MEASURES

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
3.4 Biological Resources <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 checked="" type="checkbox"/>	<input 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"/>
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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 approximately 41-acre project site has agricultural and rural residential land. The Project is bounded by rural residential, agricultural, and urban density residential land to the north and east, rural residential to the south, and urban density residential land uses to the west.

IMPACTS AND MITIGATION MEASURES

Standards of Significance

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.

Checklist Discussion

With the preparation of the Biological Evaluation by Argonaut Ecological Consulting, Inc., there is the potential for an impact to threatened or endangered species in the project Area. Although the project Area contains single-family rural residences and agricultural land that has been subjected to active agricultural uses, the proposed project will result in conversion of all onsite habitats/land uses to residential areas. Potentially significant project impacts to biological resources and mitigation measures are discussed below. Additionally, the project is consistent with the General Plan EIR Analysis and does not present any new significant impacts addressed in the EIR.

Based on the above discussion, the project Area will not create a potential for an impact to threatened or endangered species. Therefore, the proposed project Area would not have a substantial adverse effect on threatened or endangered species.

a.) Less Than Significant With Mitigation Measures. Based on the above discussion, there are unseen species identified as a potential 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 within the project area or in an area of influence of the project area. Therefore, the project area could have an adverse effect on candidate, sensitive, or special status species, which is reduced to Less than Significant with the following Mitigation Measures.

Mitigation Measure No. 3.4-1. A preconstruction survey will be conducted by a qualified biologist for burrowing owls within 30 days of the on-set of construction of project area 1. This survey will be conducted according to methods described in the Staff Report on Burrowing Owl Mitigation (CCDFG) 1995). All suitable habitats of the site will be covered during this survey.

3.0 ENVIRONMENTAL SETTING, IMPACTS AND MITIGATION MEASURES

Mitigation Measure No. 3.4-2. If pre-construction surveys are undertaken during the breeding season (February through August) and active nest burrows are located within or near the construction zones, these nests, and an appropriate buffer around them (as determined by a qualified biologist) will remain off-limits to construction until the breeding season is over. Setbacks from occupied nest burrows of 100 meters where construction will result in the loss of foraging habitat required.

Mitigation Measure No. 3.3-3. During the non-breeding season (September through January), resident owls occupying burrows in areas proposed for development may be relocated to alternative habitat. The relocation of resident owls must be conducted according to a relocation plan prepared by a qualified biologist. Passive relocation will be the preferred method of relocation. This plan must provide for the owls' relocation to a suitable amount of dedicated open space providing nesting and foraging habitat.

Mitigation Measure No. 3.3-4. Compliance with Mitigation Measure 3.3-3 will provide for the preservation of off-site habitat suitable for the burrowing owl at a ratio of two acres of habitat preserved for each acre of habitat directly and permanently disturbed by project grading and construction.

Discussion: With the preparation of the Biological Evaluation by Argonaut Ecological Consulting, Inc., the evaluation revealed the potential nesting habitats for raptors and other nesting birds within the project area. The following measures were detailed in order to reduce or eliminate impact to nesting raptors. Additionally, the project is consistent with the General Plan EIR Analysis and does not present any new significant impacts addressed in the EIR.

Mitigation Measure No. 3.3-5. All construction activity should be conducted outside of the nesting season (February through August) or maintain a 250 foot buffer around trees during the nesting season in order to avoid possible impacts to special status raptors, loggerhead shrikes, non-listed raptors, and various bird species.

Mitigation Measure No. 3.3-6. During the nesting season, a pre-construction survey will be conducted by a qualified biologist for tree nesting raptors within 30-days of the on-set construction. All suitable habitats of the study area will be covered during this survey. Surveys will include the inspection of all trees and power poles within and adjacent to the footprint of construction between February 1st and August 31st of any given year.

Mitigation Measure No. 3.3-7. If pre-construction surveys are undertaken during the nesting season (February through August) and active nests are located within or near construction zones, these nests, and an appropriate buffer around them (as determined by a qualified biologist) will remain off-limits to construction until the breeding season is over.

Compliance with the above measures will reduce impacts to nesting raptors to a less than significant level and ensure that the project is in compliance with California Fish and Game Code.

b) Less Than Significant Impact. Although various species of special status plants are known to occur within the vicinity, none of these species or suitable habitat has been observed. These species are presumed to be absent from the project site.

c) No Impacts. The project area contains no 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) Less Than Significant Impact. As discussed above, there are the potential for project impacts from habitat modification that may or may not interfere with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.

Compliance with the above measures will mitigate possible project impacts to less than significant levels and ensure that the project is in compliance with California Fish and Game Code

e) No Impacts. The project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.

f) No Impacts. There is no Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan for this area.

3.0 ENVIRONMENTAL SETTING, IMPACTS AND MITIGATION MEASURES

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
3.5 CULTURAL RESOURCES				
<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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

ENVIRONMENTAL SETTING

The project site is located in the Loma Vista Specific Plan Area. The Draft EIR prepared for the Loma Vista Specific Plan states that the overall area was viewed as having low sensitivity (few or no archaeological sites). No archaeological resources were found during a survey conducted within or near the project area. In addition, the project area has undergone extensive and intensive cultivation for over one hundred years (Loma Vista Specific Plan Draft EIR, page 5-72). The area is identified in the City of Clovis General Plan EIR as moderate for archaeological sensitivity (General Plan EIR Exhibit 48) and low for paleontological sensitivity (General Plan EIR Exhibit 49). General Plan Conservation Element Policies 7.1 and 7.2, act to preserve historical and archaeological resources, and mitigation measures adopted in association with the General Plan reduce potential impacts to a less than significant level. Additionally, the project is consistent with the General Plan EIR Analysis and does not present any new significant impacts addressed in the EIR.

IMPACTS AND MITIGATION MEASURES

Significance Criteria

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.

Checklist Discussion

a) **No Impact.** The proposed Project would not cause a substantial adverse change in the significance of a historical resource as defined in §15064.5 of the CEQA Guidelines. There are no known historical resources that will be impacted by the proposed Project.

b.) **Less Than Significant Impact with Mitigation Incorporation.** According to the Cultural Resource Study prepared for the Loma Vista Specific Plan no archeological resources are expected to be present or identified within the boundary of project site. However, the project area is identified as Moderate on the Sensitive Archaeological Areas (Figure 5.5.2 of the Loma Vista Specific Plan EIR). Therefore, the services of a qualified archaeologist shall be retained and all work stopped if any archaeological resource is uncovered during site preparation.

Mitigation Measure No. 3.5-1. Should site preparation, grading or excavation activities uncover a previously unidentified archaeological resource, work shall be stopped and a qualified archaeological consultant shall be retained to assess the find(s).

c) **Less than Significant with Mitigation Incorporation.** There are no known paleontological resources or sites or unique geologic features located in the affected territory. The General Plan EIR and Loma Vista Specific Plan identifies the project area as low or undetermined for paleontological sensitivity. Therefore, the services of a qualified Paleontologist shall be retained and all work stopped if any unidentified geological deposit is identified as fossil bearing during site preparation.

Mitigation Measure No. 3.5-2. In the event that site preparation, grading or excavation activities uncover a previously unidentified geological deposit identified as fossil bearing, work shall be stopped and a qualified paleontological consultant shall be retained to assess the find(s) and appropriate steps shall be instigated.

d) **Less than Significant with Mitigation Incorporation.** Based on the review of existing studies, and given disturbed condition of the project area due to the agricultural use, it is unlikely that any human remains would be uncovered due to the proposed project. However, the potential still remains for the discovery of previously unidentified human remains. Should human remains be discovered site preparation should be stopped and a qualified paleontological consultant retained to assess the find.

Mitigation Measure No. 3.5-3. Should site preparation, grading or excavation activities uncover previously unidentified human remains, work shall be stopped and a qualified paleontological consultant shall be retained to assess the find(s).

3.0 ENVIRONMENTAL SETTING, IMPACTS AND MITIGATION MEASURES

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
3.6 GEOLOGY AND SOILS				
<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

Natural Hazards

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.

IMPACTS AND MITIGATION MEASURES

Significance Criteria

The Project may result in significant earth impacts if it causes substantial erosion or siltation; exposes people and structures to geologic hazards or risk from faults, landslides, unstable soil conditions, etc.; or substantially alters the natural topography or a unique geological or physical feature. Grading that disturbs large amounts of land or sensitive grading areas (e.g. slopes in excess of 20 percent, intermittent drainages) may cause substantial erosion or siltation.

Checklist Discussion

ai.) No Impact. No known faults with evidence of historic activity cut through the valley soils in the Project vicinity. The major active faults and fault zones occur at some distance to the east, west, and south of the Project site, the closest fault being approximately 62 miles to the southwest (Clovis General Plan EIR, Exhibit 5 and Table 4). Due to the geology of the Project area and its distance from active faults, the potential for loss of life, property damage, ground settlement, or liquefaction to occur in the Project vicinity is considered minimal.

a ii) No Impact. Ground shaking generally decreases with distance and increases with the depth of unconsolidated alluvial deposits. The most likely source of potential ground shaking is attributed to the San Andreas, Owens Valley, and the White Wolf faults. Based on this premise, and taking into account the distance to the causative faults, the potential for ground motion in the vicinity of the Project site is such that a minimal risk can be assigned.

a iii) No Impact. Liquefaction describes a phenomenon in which a saturated soil loses strength during an earthquake as a result of induced shearing strains. Lateral and vertical movement of the soil mass, combined with loss of bearing usually results. Loose sand, high groundwater conditions (where the water table is less than 30 feet below the surface), higher intensity earthquakes, and particularly long duration of ground shaking are the requisite conditions for liquefaction. Studies indicate that the soil types are not conducive to liquefaction (General Plan, Page 7-6 and General Plan EIR, Page 4-5).

a iv) No Impact. Landslides and mudflows are more likely in foothill and mountain areas where fractured and steep slopes are present (as in the Sierra Nevada Mountains). The Project is located on relatively flat topography. Therefore, the Project will not result in or expose people to potential impacts from landslides or mudflows.

b) No Impact. Construction of urban uses would create changes in absorption rates, drainage patterns, and the rate and amount of surface runoff on the selected Project site. Standard

3.0 ENVIRONMENTAL SETTING, IMPACTS AND MITIGATION MEASURES

construction practices that comply with City of Clovis ordinances and regulations, the California Building Code, and professional engineering designs approved by the Clovis Engineering Division will mitigate any potential impacts from development, if any.

c) No Impact. The Project site would not 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 off-site landslide, lateral spreading, subsidence, liquefaction or collapse.

d) No Impact. The Project will not result in or expose people to potential impacts from expansive soils.

e) No Impact. The City of Clovis provides necessary sewer and water systems for development within the City. The Project will not utilize septic tanks or alternate waste disposal.

CONCLUSIONS RELATING TO GEOLOGY/SOILS

The proposed Project is expected to result in less than significant impacts to geophysical conditions.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
3.7 GREENHOUSE GAS EMISSIONS				
<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

Greenhouse Gas Emissions Background

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 (CO₂), methane (CH₄), and nitrous oxide (N₂O) 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.

3.0 ENVIRONMENTAL SETTING, IMPACTS AND MITIGATION MEASURES

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.³ 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, 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.

³ California Air Resources Board (ARB), 2006, Climate Change website. (<http://www.arb.ca.gov/cc/120106workshop/intropres12106.pdf>).

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.

IMPACTS AND MITIGATION 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.

Checklist Discussion

a) **Less than Significant Impact.** A Greenhouse Gas Analysis Report was prepared for the Project on November 22, 2013 by First Carbon Solutions. The study 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) **Less Than Significant Impact.**

A Greenhouse Gas Analysis Report was prepared for the Project on November 22, 2013 by First Carbon Solutions. The evaluation addresses the potential for greenhouse gas emissions during construction and after full build out of the proposed Project. The study concluded that there will be less than significant impacts.

CONCLUSIONS RELATING TO GREENHOUSE GAS EMISSIONS

The Project 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. Current and probable future state and local greenhouse gas reduction measures will continue to reduce the Project's contribution to climate change. An example includes the regulations and programs of the SJUAPCD required to reduce impacts on air quality, which also have the effect of reducing greenhouse gas emissions. As a result, the Project would not contribute significantly, either individually or cumulatively, to global climate change. Therefore, the GHG emissions of this Project are less than significant.

3.0 ENVIRONMENTAL SETTING, IMPACTS AND MITIGATION MEASURES

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
3.8 HAZARDS AND HAZARDOUS MATERIALS				
<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 checked="" type="checkbox"/>	<input type="checkbox"/>
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

intermixed with wildlands?

ENVIRONMENTAL SETTING

The General Plan Public Safety Element Policy 2.1 was adopted to reduce the potential safety risks associated with hazardous materials and urban development. Furthermore, the General Plan EIR Safety Section instituted Mitigation Measures 1-8 that reduce potential impacts to a less than significant level by requiring buffers between potential hazards and sensitive receptors, and requiring cooperation between the City and other government regulatory agencies. 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.

The reader is referred to Section 3.2 (Geology/Soils) for information regarding impacts associated with geologic and seismic hazards, Section 3.3 (Water) for information regarding impacts associated with water quality and flooding, and Section 3.4 (Air Quality) regarding air quality hazards.

IMPACTS AND MITIGATION MEASURES

Significance Criteria

The Project may result in significant hazards if it:

- 1) Creates potential public health hazards;
- 2) Involves the use, production, disposal, or upset (accidents) of materials which pose a hazard to people in the area; interferes with emergency response plans or emergency evacuation plans; or,
- 3) Violates applicable laws intended to protect human health and safety or would expose employees to working situations that do not meet health standards.

Checklist Discussion

a) Less than Significant Impact. There are no known hazardous materials that would be generated by the Project that would expose sensitive receptors to substantial risk beyond those materials normally handled by residential uses.

b) Less than Significant Impact. Construction activities that could involve the release of hazardous materials associated with 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.

c) Less than Significant Impact. There is a school site with daily classes located within approximately half (0.59) mile of the Project area. The Project would not emit hazardous

3.0 ENVIRONMENTAL SETTING, IMPACTS AND MITIGATION MEASURES

emissions or require the handling of hazardous or acutely hazardous materials, substances, or waste beyond those materials normally handled by residential uses. There are no known hazardous materials that would be generated by the Project that would expose schools to substantial risk.

d) Less than Significant Impact. The land within the Project site is not included on a list of hazardous materials sites. The Department of Toxic Substances Control's Hazardous Waste and Substances Site List (Cortese List) does not list any hazardous waste and substances sites within the City of Clovis (www.dtsc.ca.gov/database/Calsites/Cortese_List.cfm).

e) No Impact. The Project site is not located within the Fresno-Yosemite International Airport land use plan or, within two miles of a public airport or public use airport. The proposed Project would not bring about a safety hazard related to an airport or aviation activities for people residing or working in the Project area.

f) No Impact. The Project site is not located within the vicinity of a private airstrip, and would not result in a safety hazard for people residing or working in the Project vicinity related to an airstrip or aviation activities.

g) No Impact. The proposed Project would not impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan.

h) No Impact. The Project site is located in an area surrounded by urban uses. As such, the site is not adjacent to or in close proximity to wildland areas. No impacts are anticipated.

CONCLUSIONS RELATING TO HAZARDS AND HAZARDOUS MATERIAL

The Project is expected to result in less than significant impacts from hazards and hazardous materials.

3.0 ENVIRONMENTAL SETTING, IMPACTS AND MITIGATION MEASURES

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
3.9 HYDROLOGY AND WATER QUALITY				
<i>Will the proposal result in:</i>				
a. Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

3.0 ENVIRONMENTAL SETTING, IMPACTS AND MITIGATION MEASURES

Rate Map or other flood hazard 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>
j. Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

ENVIRONMENTAL SETTING

Surface Water

San Joaquin River

The Project is located on the easterly side of the San Joaquin Valley floor about 30 miles east of the main trough of the Valley and about five to seven miles west of the base of the foothills of the Sierra Nevada range. The Kings River Basin lies to the south and the San Joaquin River lies to the north of the Project. The Fresno-Clovis metropolitan area is traversed by three natural stream systems. Each system consists of sub-streams that collect together to a centralized natural drainage channel. These creeks include the Redbank Slough, Fancher and Hog Creek system, the Dry and Dog Creek system, and the Pup Creek/Alluvial Drain system. These three systems convey through the Fresno-Clovis metropolitan areas and drain west into the Fresno Irrigation District (FID) canal and ultimately discharge into the San Joaquin River.

The San Joaquin River is the major surface water feature in the area and is located approximately 8 miles north/northwest of the site. The San Joaquin River basin drains 7,395 square miles, 4,320 square miles of which are in the Sierra Nevada, and 2,273 are in the San Joaquin Valley. According to the U. S. Geological Survey (USGS) flow records from 1951 to 1995, 66 percent of the average San Joaquin River flow comes from three major east-side river basins: the Merced River (15 percent), the Tuolumne River (30 percent), and the Stanislaus River (21 percent). The remaining flow in the San Joaquin River comes from the Bear Creek Basin, which includes Mud and Salt Sloughs, and small ephemeral creeks that drain from the west, including Orestimba Creek, Del Puerto Creek, and various drainage canals.

Kings River

Fresno Irrigation District holds "low flow" rights to the Kings River. While the District is entitled to water at nearly all flows, the percentage of total flow FID may divert is higher at relatively low Kings River flows. Therefore, for a given percent water year, FID receives a greater entitlement if the snow pack melts slowly than if the runoff occurs rapidly.

Fresno Irrigation District has received an average annual entitlement from the Kings River of approximately 452,000 AF. The median entitlement (the minimum amount received in the half of

3.0 ENVIRONMENTAL SETTING, IMPACTS AND MITIGATION MEASURES

the years with the highest entitlements or the maximum amount received in the half of the years with the lowest entitlements) is 445,000 AF. An annual entitlement of 300,000 AF has occurred or exceeded in 94 percent of the years of record.

The District's annual entitlement can vary widely for similar type water years. The widest scatter has occurred in water years with 60 percent to 70 percent of the historical mean. In this range annual entitlements have varied from 305,000 AF to 420,000 AF. This wide range of entitlement is due to the variability in precipitation and snowmelt.

FID gains entitlement on the Kings River based upon an entitlement with Clovis receiving a pro rata share of these supplies, as described in the conveyance agreement. The Kings River water supply evaluation was based upon unit entitlements in order to help quantify the range of supply that could potentially be made available to Clovis. Entitlement is determined by dividing the annual Kings River entitlement, 452,700 AF by the total district served area, 199,441 acres, which results in a unit entitlement of 2.27 AF/acre. This value is the basis for the current water delivery contract between Clovis and FID.

Groundwater

The City of Clovis is located in the Kings Sub-basin of the San Joaquin Valley Groundwater Basin of the Tulare Lake hydrologic region that encompasses approximately 17,000 square miles. The Kings Sub-basin covers most of Fresno County and some of Kings and Tulare counties. The total surface area of the Kings Sub-basin is 976,000 acres or 1,530 square miles. The northern portion of the San Joaquin Valley drains toward the Delta by the San Joaquin River and its tributaries. The southern portion of the valley is internally drained by the Kings, Kaweah, Tule, and Kern Rivers that flow into the Tulare drainage basin.

Groundwater is the predominate supply of water for agricultural and urban users in the Tulare Lake hydrologic region and accounts for 41% of the total water supply in the hydrologic region. Water levels in most of the sub-basin within the San Joaquin Valley have declined steadily as users within these basins have increased their reliance on groundwater.

Groundwater has been and continues to be a major source of water supply for Clovis as well as a majority of other cities, towns, and communities in the Central Valley. The ability of Clovis to continue to utilize groundwater as a water supply source to meet urban demand is dependent on many factors, the most important include: natural and artificial recharge; aquifer characteristics; water level trends; geologic conditions; and water quality.

The City of Clovis is located on the fringe (eastside) of a large cone of depression that underlies the Clovis/Fresno metropolitan area. As a result of this depression, water levels within the Clovis Sphere of Influence have declined, although the rate of decline has varied over the years since the 1950s. Water levels have shown the ability to stabilize and recover during wet periods of the hydrologic cycle.

The Kings Sub-basin groundwater aquifer system consists of unconsolidated continental deposits including older Tertiary and Quaternary age overlain by a younger Quaternary deposit. Groundwater recharge within the Kings Sub-basin occurs from river and stream seepage, deep percolation of irrigation water, canal seepage, and intentional recharge. The Cities of Fresno and Clovis, Fresno County, Fresno Irrigation District, and Fresno Metropolitan Flood Control District have a cooperative effort to utilize individually owned facilities to recharge groundwater in the greater urban area. Groundwater flow within the Clovis Sphere of Influence generally moves from northeast to the southwest.

Storm Water Management

Locally, the Fresno Metropolitan Flood Control District (FMFCD) has the responsibility for storm water management within the Fresno-Clovis metropolitan area of the proposed Project site. Stormwater runoff that is generated by land development is controlled through a system of pipelines and storm drainage detention basins. The FMFCD has an adopted Storm Drainage and Flood Control Master Plan. Property within the District pays a pro-rata share of the cost of the public drainage system. All property within the boundary of the Project will be required to pay the appropriate drainage fee pursuant to the Drainage Fee Ordinance prior to the approval of a final map and/or issuance of a building fee.

Potential Hydrological and Water Quality impacts were addressed in the General Plan EIR, and goals and mitigation measures were adopted to reduce potential impacts to a less than significant level. General Plan Public Facilities Goal 5 directs the City to maintain its agreement with FMFCD. Mitigation measures in the General Plan EIR (Page 4-43) include requirements to file for permits with State Water Resources Control Board to discharge runoff water to public facilities and show how pollution will be controlled. Also, the City requires a Storm Water Pollution Prevention Plan (SWPPP) with the submittal of construction plans for projects one acre in size or greater.

IMPACTS AND MITIGATION MEASURES

Significance Criteria

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.

Checklist Discussion

a) Less than Significant Impact. 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.

b) Less than Significant Impact. The proposed Project would not result in a substantial change in the quantity of groundwater and not create additional demand on groundwater. Therefore, the Project would create a less than significant impact.

c) No Impact. There are no streams or rivers located within the Project area. Therefore, 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.

3.0 ENVIRONMENTAL SETTING, IMPACTS AND MITIGATION MEASURES

d) No Impact. There are no streams or rivers located within the Project area. Therefore, 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.

e) No Impacts. The project areas lie within the Fresno Metropolitan Flood Control District and will be required to address comments made by the district.

f) Less than Significant Impact. 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.

It is expected that the developer or its contractors will use standard containment and handling protocols to ensure that these vehicles do not leak any material that might harm the quality of local surface or groundwater. In addition, improper use of fuels, oils, and other construction related hazardous materials may also pose a threat to surface or groundwater quality. However, the Project will have to comply with Environmental Measure 2: Erosion Control Measures to Project Water Quality, Environmental Measure 5: Measures to Minimize Exposure of People and the Environment to Potentially Hazardous Materials, and with Clovis Municipal Code Chapter 6.7 Urban Storm Water Quality Management and Discharge Control. These measures will reduce impacts to a less than significant level.

g) No Impact. 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. This project is subject to the Fresno Metropolitan Control District's Flood Plain Management Policy.

h) No Impact. The Project would not place within a 100-year flood hazard area structures that would impede or redirect flood flows.

i) No Impact. 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.

j) No Impact. The Project is not located near any ocean, coast, or seiche hazard areas and would not involve the development of sensitive land uses. Therefore, the Project would not expose people to potential impacts involving seiche or tsunami. No potential for mudflows is anticipated. There is no impact associated with the proposed Project.

CONCLUSIONS RELATED TO WATER

The proposed Project would result in a less than significant impact to hydrology and water quality resources.

3.0 ENVIRONMENTAL SETTING, IMPACTS AND MITIGATION MEASURES

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
3.10 LAND USE AND PLANNING				
<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, 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 type="checkbox"/>	<input checked="" 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.

IMPACTS AND MITIGATION MEASURES

Significance Criteria

The proposed Project may result in significant impacts if it physically divides an established community, conflicts with existing off-site land uses, causes substantial adverse change in the types or intensity of existing or planned land use patterns, or conflicts with any applicable City land use plan, policy or regulation.

Checklist Discussion

a) No Impact. The Project is surrounded by existing developed urban and rural residential land uses served by an existing street system and public infrastructure. The Project does not constitute a land use that would physically divide an established community.

b) No Impact. The proposed Project does not conflict with any of the goals, policies, or regulations of any agency with jurisdiction over the Project. The General Plan and Loma Vista Specific Plan do not remain static. On the contrary, the Plans consider change in response to changes in the environment, regional considerations, and the economy.

3.0 ENVIRONMENTAL SETTING, IMPACTS AND MITIGATION MEASURES

c) No Impact. There are no habitat conservation plans or natural community conservation plans within the City of Clovis. Therefore, no impact would occur.

CONCLUSION REGARDING LAND USE AND PLANNING

The proposed Project is not expected to have any land use planning impacts.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
3.11 MINERAL RESOURCES				
<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"/>

ENVIRONMENTAL SETTING

The Clovis General Plan states, "The Clovis Project area does not contain those mineral resources that require managed production, according to the State Mining and Geology Board" (General Plan, Page 6-8).

IMPACTS AND MITIGATION MEASURES

Significance Criteria

The Project would create significant impacts if it results in the loss of availability of a known mineral resource with future value.

Checklist Discussion

a) b) No Impact. The proposed Project would not use or extract any mineral or energy resources and would not restrict access to known mineral resource areas. Therefore, the Project would have no impact on mineral resources.

3.0 ENVIRONMENTAL SETTING, IMPACTS AND MITIGATION MEASURES

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
3.12 NOISE				
<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 type="checkbox"/>	<input checked="" 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. The General Plan Noise Element sets forth land use compatibility criteria for various community noise levels. These criteria are shown in Table 8-3 of the Noise Element. The Noise Element specifies that residential land uses are considered normally acceptable in exterior noise levels of up to 65 CNEL without the need for noise mitigation.

IMPACTS AND MITIGATION MEASURES

Significance Criteria

CEQA guidelines and the City of Clovis General Plan Noise Element have been used to establish impact standards for this section. Implementation of the Project would result in significant noise impacts if the Project would result in the following:

- 1) Exposure of persons to or generation of noise levels in excess of standards established in the City of Clovis General Plan. For this Project, the standards to be applied are 65 CNEL at existing residences in the Project vicinity, and CNEL for the park area.

Checklist Discussion

a) Less than Significant. The construction of the proposed Project would 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) Less than Significant. 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 to these 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) Less Than Significant. The proposed Project could result in a permanent increase in the ambient noise levels due to increased traffic, population and equipment related to a single family development. Noise was previously evaluated with the General Plan and Loma Vista Specific Plan. The proposed Project is consistent with the General Plan and Loma Vista Specific Plan.

d) Less than Significant. 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) No Impact. The proposed Project site is not located within an airport land use plan area. The proposed Project site is approximately four miles northeast of the Fresno Yosemite International Airport. Therefore, the Project would not expose people to excessive airport or airstrip noise.

f) No Impact. 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
3.13 POPULATION AND HOUSING				
<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 checked="" type="checkbox"/>	<input type="checkbox"/>
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

ENVIRONMENTAL SETTING

The proposed Project will not generate or result in increased population or an increased demand for housing.

IMPACTS AND MITIGATION MEASURES

Significance Criteria

The Project may result in significant impacts if it induces substantial growth, displaces a large number of people, or contributes to a job-housing imbalance.

Checklist Discussion

a) Less than Significant Impact. The Project would add housing units to the area and will introduce a number of new citizens to the City of Clovis consistent with the General Plan and Loma Vista Specific Plan. Impact in the category are less than significant.

b) Less than Significant Impact. The proposed projects would not displace substantial numbers of existing housing, thereby necessitating the construction of replacement housing elsewhere.

3.0 ENVIRONMENTAL SETTING, IMPACTS AND MITIGATION MEASURES

c) **Less than Significant Impact.** The proposed projects would not displace a substantial number of people.

CONCLUSIONS RELATING TO POPULATION AND HOUSING

The proposed Project would not result in significant impacts to population and housing.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
3.14 PUBLIC SERVICES				
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:				
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 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 AND MITIGATION MEASURES

Significance Criteria

The Project may result in significant public service impacts if it substantially and adversely alters the delivery or provision of fire protection, police protection, schools, facilities maintenance, and other governmental services.

Checklist Discussion

a) Fire protection. Less Than Significant Impact. The Project would increase demand for fire protection services. 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) Police protection. Less Than Significant Impact. The proposed project would not result in substantial adverse physical impacts associated with the provision of police protection. This property 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) Schools. Less than Significant Impact. 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 projects are 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) Parks. Less than significant Impact. The Project includes housing and a future community park. The Clovis General Plan requires that all living units contribute a proportionate share toward the construction of the required neighborhood parks at a ratio of 1 acre of park for each 1000 residents. Implementation of the park requirements will occur incrementally with each development to assure impacts to existing parks and open space are minimal.

e) Other public facilities. Less than Significant Impact. With the Project constructed, there will be an increase in demand for Public Services. The General Plan and Loma Vista Specific Plans anticipated urbanization of this site. Impacts are considered less than significant.

		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
3.15 RECREATION					
<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 type="checkbox"/>	<input checked="" type="checkbox"/>

IMPACTS AND MITIGATION MEASURES

Significance Criteria

The Project may create significant impacts if it creates demand for new expanded parks and recreation facilities, or substantially affects existing recreational opportunities.

Checklist Discussion

a) Less Than Significant Impact. Upon completion, the projects could result in an increased use of existing neighborhood and regional parks or other recreational facilities. However, the impact would be less than significant. The developer for the Project Area will be constructing a paseo network and dedicate land for a community park. The community level park and walking paths when developed, will be paid for by City Park fees.

b) No Impact. The Project Area does not include recreational facilities or facilities which might have an adverse physical effect on the environment.

3.0 ENVIRONMENTAL SETTING, IMPACTS AND MITIGATION MEASURES

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
3.16 TRANSPORTATION/CIRCULATION				
<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 standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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 type="checkbox"/>	<input checked="" type="checkbox"/>
e. Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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

City staff has reviewed the estimated average daily traffic (ADT), AM and PM peak hour traffic increases and decreases based on the maximum allowed densities in the existing planned land use and the proposed land use. Staff has determined that a traffic impact study is not required

with this Project. Actual traffic increases will be less if the densities are less than the maximum allowed. Proposed Tracts 6055 and 6058 have a density of around 13.97 units per acre and 7.10 units per acre, respectively, which are at the High and low end of the range of density allowed for the proposed land use designation.

IMPACTS AND MITIGATION MEASURES

Significance Criteria

The Project may result in significant transportation/circulation impacts if it:

- 1) Causes an increase in traffic which is substantial in relation to the existing traffic loads and capacity of the road system that are inconsistent with adopted standards;
- 2) Creates traffic conditions which expose people to traffic hazards;
- 3) Substantially interferes or prevents emergency access to the site or surrounding properties;
- 4) Conflicts with adopted policies or plans for alternative transportation.

Checklist Discussion

a) Less Than Significant Impact. There will be an increase in traffic when the subject property is developed. The project proposal would not cause a greater increase in traffic in relation to the existing traffic load and capacity of the street system that would result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections.

b) No Impact. The Project will not exceed, either individually or cumulatively, a level of service standard.

c) Less Than Significant Impact. 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.

d) No Impact. The Project will not increase hazards due to a design feature.

e) No Impact. 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.

f) No Impact. The Project will not conflict with adopted policies, plans, or programs supporting alternative transportation.

3.0 ENVIRONMENTAL SETTING, IMPACTS AND MITIGATION MEASURES

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
3.17 UTILITIES AND SERVICE SYSTEMS				
<i>Will the proposal:</i>				
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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>
g. Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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.

3.0 ENVIRONMENTAL SETTING, IMPACTS AND MITIGATION MEASURES

The City's water supply sources include groundwater drawn from the Kings Subbasin 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 AND MITIGATION MEASURES

Significance Criteria

As identified in the checklist above, the Project may result in significant impacts on utilities and service systems if it substantially and adversely alters the delivery of utilities or substantially increases the demand for utilities.

Checklist Discussion

- a) **Less than Significant Impact.** The Project will not generate more wastewater than previously evaluated with the General Plan Waste Water Master Plan dated June 30, 2008.
- b) **No Impact.** The Project will not 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) **No Impact.** The Project will not result in the construction of new storm water drainage facilities.
- d) **No Impact.** The Project will not require water supplies or new or expanded entitlements and resources.
- e) **No Impact.** The Project will not require a determination by a wastewater treatment provider (see item b above).
- f) **No Impact.** The Project will not require service from a landfill.
- g) **No Impact.** The Project will comply with federal, state, and local statutes as well as regulations related to solid waste by the City of Clovis.

CONCLUSIONS RELATING TO UTILITIES AND SERVICE SYSTEMS

Impacts to utilities and service systems will be less than significant.

3.0 ENVIRONMENTAL SETTING, IMPACTS AND MITIGATION MEASURES

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
3.18 MANDATORY FINDINGS OF SIGNIFICANCE				
a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input 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"/>

a) Less Than Significant with Mitigation Measures. Based on the analysis provided in the Initial Study, without mitigation measures in place, the project does 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. With regard to cultural and historical resources, if such materials are encountered during construction, work will stop in that area until a qualified archaeologist can evaluate the nature and significance of the find. Additionally, the project is consistent with the General Plan EIR Analysis and does not present any new significant impacts addressed in the EIR.

b) Less Than Significant. As described in Section 4.0 (Cumulative Impacts), implementation of the Project would have no significant impact to cumulative conditions.

c) Less Than Significant. The potential impacts identified in this Initial Study are considered to be less than significant since they will cease upon completion of construction, do not exceed a

3.0 ENVIRONMENTAL SETTING, IMPACTS AND MITIGATION MEASURES

threshold of significance, or can be reduced to a less than significant level through the implementation of mitigation measures. Therefore, a Mitigated Negative Declaration is the appropriate level of documentation for this project.

4.1 CUMULATIVE IMPACTS

INTRODUCTION

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.

CUMULATIVE SETTING

The cumulative setting for the proposed Project is the build-out of the City of Clovis General Plan.

CUMULATIVE IMPACT ANALYSIS

Aesthetics

The proposed Project is not expected to result in significant cumulative visual resource impacts. Thus, less than significant impacts to aesthetics is anticipated.

Agriculture and Forest Resources

The proposed Project would not contribute to the conversion of agricultural land or forest land to urban or other uses. Therefore, the Project would not result in cumulative agricultural or forest resources impacts.

Air Quality

Implementation of the Project would not result in cumulative short-term construction air quality impacts associated with increased emissions. Additionally, the operation of the Project would not result in significant cumulative air quality impacts to the region and would not result in a significant increase of air quality impacts with the implementation of the mitigation measures identified in Section 3.3 (Air Quality). Therefore, the Project would result in less than significant cumulative air quality impacts.

Biological Resources

The Project would not result in significant impacts to nesting migratory and nongame birds. The Project would have a less than significant impact to cumulative biological resources.

Cultural Resources

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

4.0 CUMULATIVE IMPACTS

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 MMTCO₂-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 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 measures 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, given the limited effects.

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 site-specific noise impacts. These impacts would not contribute to any cumulative noise issues and the Project would have less than significant impacts on cumulative noise conditions.

Public Services

The proposed Project would not result in significant impacts to public services. Therefore, the Project would have less than significant to cumulative public services conditions.

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 proposed 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.

Utilities and Service Systems

According to the City Engineer, this Project is expected to have a less than significant impact on cumulative utility and service system demands.

5.0 DETERMINATION

5.1 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 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"/> Utilities / Service Systems | <input checked="" type="checkbox"/> Mandatory Findings of Significance |

5.2 DETERMINATION FINDINGS

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.
 - **3.3-1:** Limit traffic speeds on unpaved roads or surfaces to 15 mph.
 - **3.3-2:** Install sandbags or equivalent erosion control measures to prevent silt runoff to public roadways.
 - **3.3-3:** Off-road construction equipment used on site shall achieve average construction exhaust emissions equal to or less than the Tier II emissions standard of 4.8 NO_x g/hp-hr, if feasible. This can be achieved through any combination of uncontrolled engines and engines complying with Tier II and above engine standards. Documentation showing compliance shall be submitted to the City.
 - **3.4-1:** A preconstruction survey will be conducted by a qualified biologist for burrowing owls and nesting bird/raptor within 30 days of the on-set of construction of the project area. This survey will be conducted according to methods described in the Staff Report on Burrowing Owl Mitigation (CCDFG) 1995). All suitable habitats of the site will be covered during this survey.

5.0 DETERMINATION

- **3.4-2:** If pre-construction surveys are undertaken during the breeding season (February through August) and active nest burrows are located within or near the construction zones, these nests, and an appropriate buffer around them (as determined by a qualified biologist) will remain off-limits to construction until the breeding season is over. Setbacks from occupied nest burrows of 100 meters where construction will result in the loss of foraging habitat required.
- **3.4-3:** During the non-breeding season (September through January), resident owls occupying burrows in areas proposed for development may be relocated to alternative habitat. The relocation of resident owls must be conducted according to a relocation plan prepared by a qualified biologist. Passive relocation will be the preferred method of relocation. This plan must provide for the owls' relocation to a suitable amount of dedicated open space providing nesting and foraging habitat.
- **3.4-4:** Compliance with Mitigation Measure 3.3.3 will provide for the preservation of off-site habitat suitable for the burrowing owl at a ratio of two acres of habitat preserved for each acre of habitat directly and permanently disturbed by project grading and construction.
- **3.4-5:** All construction activity should be conducted outside of the nesting season (February through August) or maintain a 250 foot buffer around trees during the nesting season in order to avoid possible impacts to special status raptors, loggerhead shrikes, non-listed raptors, and various bird species.
- **3.4-6:** During the nesting season, a pre-construction survey will be conducted by a qualified biologist for tree nesting raptors within 30-days of the on-set construction. All suitable habitats of the study area will be covered during this survey. Surveys will include the inspection of all trees and power poles within and adjacent to the footprint of construction between February 1st and August 31st of any given year.
- **3.4-7:** If pre-construction surveys are undertaken during the nesting season (February through August) and active nests are located within or near construction zones, these nests, and an appropriate buffer around them (as determined by a qualified biologist) will remain off-limits to construction until the breeding season is over.
- **3.5-1:** Should site preparation, grading or excavation activities uncover a previously unidentified archaeological resource, work shall be stopped and a qualified archaeological consultant shall be retained to assess the find(s).
- **3.5-2:** In the event that site preparation, grading or excavation activities uncover a previously unidentified geological deposit identified as fossil bearing, work shall be stopped and a qualified paleontological consultant shall be retained to assess the find(s) and appropriate steps shall be instigated.
- **3.5-3:** Should site preparation, grading or excavation activities uncover previously unidentified human remains, work shall be stopped and a qualified paleontological consultant shall be retained to assess the find(s).

5.0 DETERMINATION

- 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 generate no 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 should be prepared for the Project.
- 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 this 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  _____
George Gonzalez, MPA, Associate Planner

Date: November 27, 2013

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: _____

6.0 MITIGATION MONITORING AND REPORTING PROGRAM

6.1 INTRODUCTION

This document is the Mitigation Monitoring and Reporting Program (MMRP) for RO282, R2013-07, CUP2013-10, TM6055, R2013-12, CUP2013-16, and TM6058 located at the southeast corner of Barstow and DeWolf Avenues. This 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 numbering of the individual mitigation measures follows the numbering sequence as found in the Mitigated Negative Declaration.

6.2 MITIGATION MONITORING AND REPORTING PROGRAM

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.

6.0 MITIGATION MONITORING AND REPORTING PROGRAM

TABLE 6.0-1
MITIGATION MONITORING AND REPORTING PROGRAM

Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
3.3 Air Quality				
3.3-1	Limit traffic speeds on unpaved roads or surfaces to 15 mph.	City of Clovis Engineering Division	During construction	
3.3-2	Install sandbags or equivalent erosion control measures to prevent silt runoff to public roadways.	City of Clovis Engineering Division	Prior to commencement of any construction activities and on-going during construction	
3.3-3	Off-road construction equipment used on site shall achieve average construction exhaust emissions equal to or less than the Tier II emissions standard of 4.8 NOx g/hp-hr, if feasible. This can be achieved through any combination of uncontrolled engines and engines complying with Tier II and above engine standards. Documentation showing compliance shall be submitted to the City.	City of Clovis Engineering Division	During Construction	
3.4 Biological Resources				
3.4-1	A preconstruction survey will be conducted by a qualified biologist for burrowing owls and nesting bird/raptor within 30 days of the on-set of construction of project area. This survey will be conducted according to methods described in the Staff Report on Burrowing Owl Mitigation (CCDFG) 1995). All suitable habitats of the site will be covered during this survey.	City of Clovis Planning Division	Prior to Permits	
3.4-2	If pre-construction surveys are undertaken during the breeding season (February through August) and active nest burrows are located within or near the construction zones, these nests, and an appropriate	City of Clovis Planning Division	Prior to Permits	

6.0 MITIGATION MONITORING AND REPORTING PROGRAM

Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
3.4-3	<p>buffer around them (as determined by a qualified biologist) will remain off-limits to construction until the breeding season is over. Setbacks from occupied nest burrows of 100 meters where construction will result in the loss of foraging habitat required.</p> <p>During the non-breeding season (September through January), resident owls occupying burrows in areas proposed for development may be relocated to alternative habitat. The relocation of resident owls must be conducted according to a relocation plan prepared by a qualified biologist. Passive relocation will be the preferred method of relocation. This plan must provide for the owls' relocation to a suitable amount of dedicated open space providing nesting and foraging habitat.</p>	City of Clovis Planning Division	Prior to Permits	
3.4-4	Compliance with Mitigation Measure 3.3.3 will provide for the preservation of off-site habitat suitable for the burrowing owl at a ratio of two acres of habitat preserved for each acre of habitat directly and permanently disturbed by project grading and construction.	City of Clovis Planning Division	Prior to Permits	
3.4-5	All construction activity should be conducted outside of the nesting season (February through August) or maintain a 250 foot buffer around trees during the nesting season in order to avoid possible impacts to special status raptors, loggerhead shrikes, non-listed raptors, and various bird species.	City of Clovis Planning Division	Prior to Permits	
3.4-6	During the nesting season, a pre-construction survey will be conducted by a qualified biologist for tree nesting raptors within 30-days of the on-set construction. All suitable habitats of the study area will be covered during this survey. Surveys will include the inspection of all trees and power poles within and adjacent to the footprint of construction between February 1 st and	City of Clovis Planning Division	Prior to Permits	

6.0 MITIGATION MONITORING AND REPORTING PROGRAM

Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
3.4-7	August 31 st of any given year. If pre-construction surveys are undertaken during the nesting season (February through August) and active nests are located within or near construction zones, these nests, and an appropriate buffer around them (as determined by a qualified biologist) will remain off-limits to construction until the breeding season is over.	City of Clovis Planning Division	Prior to Permits	
3.5 Cultural Resources				
3.5-1	Should site preparation, grading or excavation activities uncover a previously unidentified archaeological resource, work shall be stopped and a qualified archaeological consultant shall be retained to assess the find(s).	City of Clovis Engineering Division	During construction	
3.5-2	In the event that site preparation, grading or excavation activities uncover a previously unidentified geological deposit identified as fossil bearing, work shall be stopped and a qualified paleontological consultant shall be retained to assess the find(s) and appropriate steps shall be instigated.	City of Clovis Engineering Division	During construction	
3.5-3	Should site preparation, grading or excavation activities uncover previously unidentified human remains, work shall be stopped and a qualified paleontological consultant shall be retained to assess the find(s).	City of Clovis Engineering Division	During construction	

7.1 REPORT PREPARERS

City of Clovis- Lead Agency

Planning Division

George González, MPA, Associate Planner, Project Manager

APPENDICES

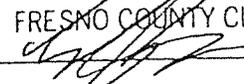
Appendix A Draft Mitigated Negative Declaration



City of Clovis
Planning and Development
Services
1033 Fifth Street
Clovis CA 93612

FILED

NOV 27 2013

FRESNO COUNTY CLERK
By  DEPUTY

For County Clerk Stamp

DRAFT MITIGATED NEGATIVE DECLARATION

Proposed: November 27, 2013

E201310000301

Filed with: County Clerk

Agency File No: RO282, R2013-07, CUP2013-10, TM6055, R2013-12, CUP2013-16, and TM6058

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: Annexation RO282, Prezone R2013-07, Conditional Use Permit CUP2013-10, Tract Map TM6055, Prezone R2013-12, Conditional Use Permit CUP2013-16, and Tract Map TM6058

Project Location: Southeast corner of Barstow and DeWolf Avenues in the County of Fresno.

Project Description:

A request to consider various items associated with approximately 41 acres of property located on the southeast corner of Barstow and DeWolf Avenues.

1. R2013-07, A request to approve a prezone from the County AE-20 Zone District to the Clovis R-2 (Low Density Multiple Family Residential – 1 unit per 3,000 sq. ft.) Zone District.
2. CUP2013-10, A request to approve a conditional use permit for a 134-lot single-family planned unit development, including private streets.
3. TM6055, A request to approve a vesting tentative tract map for a 134-lot single-family planned unit development.
4. R2013-12, A request to approve a prezone from the County AE-20 Zone District to the Clovis R-2 (Low Density Multiple Family Residential – 1 unit per 3,000 sq. ft.) Zone District.
5. CUP2013-16, A request to approve a conditional use permit for a 111-lot single-family planned unit development, including gated private streets.
6. TM6058, A request to approve a vesting tentative tract map for a 111-lot single-family planned unit development.
7. RO282, A resolution of application for the annexation of the Territory known as the Barstow-DeWolf Southeast Reorganization.

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.

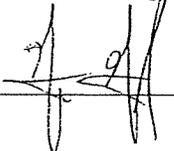
Justification for Mitigated Negative Declaration: The City of Clovis has completed the preparation of an Initial Study for the project described above. The Initial Study did not identify any potentially significant environmental effects that would result from the proposed activity with the incorporation of mitigation measures. 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 with the incorporation of mitigation measures identified in the Initial Study.

Contact Person: George González, MPA, Associate Planner

Phone: (559) 324-2383

Signature: _____



Date: November 27, 2013

E201310000301



City of Clovis
 Department of Planning and
 Development Services
 CITY HALL · 1033 FIFTH STREET
 CLOVIS, CA 93612

E201410000044

FILED

FEB 21 2014

FRESNO COUNTY CLERK
 By *Victoria Vitale*
 DEPUTY

For County Clerk Stamp

NOTICE OF DETERMINATION

County Clerk
 P.O. Box 1628
 Fresno, CA 93717

Office of Planning and Research
 1400 Tenth Street, Room 121
 Sacramento, CA 95814

Project Title or File No.: RO282, R2013-07, CUP2013-10, TM6055, R2013-12, CUP2013-16, & TM6058

Environmental Assessment No.:

SCH No.:

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

Project Location: Southeast corner of Barstow and DeWolf Avenues in the County of Fresno.

Project Description:

A request to consider various items associated with approximately 41 acres of property located on the southeast corner of Barstow and DeWolf Avenues.

1. Environmental Finding of a Mitigated Negative Declaration for Reorganization RO282, Prezone R2013-07, Conditional Use Permit CUP2013-10, Tentative Tract Map TM6055, Prezone R2013-12, Conditional Use Permit CUP2013-16, and Tentative Tract Map TM6058; and
2. R2013-07, A request to approve a prezone from the County AE-20 Zone District to the Clovis R-2 (Low Density Multiple Family Residential – 1 unit per 3,000 sq. ft.) Zone District.
3. CUP2013-10, A request to approve a conditional use permit for a 134-lot single-family planned unit development, including private streets.
4. TM6055, A request to approve a vesting tentative tract map for a 134-lot single-family planned unit development.
5. R2013-12, A request to approve a prezone from the County AE-20 Zone District to the Clovis R-2 (Low Density Multiple Family Residential – 1 unit per 3,000 sq. ft.) Zone District.
6. CUP2013-16, A request to approve a conditional use permit for a 111-lot single-family planned unit development, including gated private streets.
7. TM6058, A request to approve a vesting tentative tract map for a 111-lot single-family planned unit development.
8. RO282, A resolution of application for the annexation of the Territory known as the Barstow-DeWolf Southeast Reorganization.

City Action: This is to advise that on February 18, 2014, the City Council approved the above described Project and made the following determinations:

1. The Project will not have a potentially significant effect on the environment.
2. A Mitigated Negative Declaration was prepared for the Project pursuant to the provisions of CEQA and adopted by the City Council.
3. Mitigation Measures were made a condition of approval of the Project.

- 4. A Mitigation Monitoring Plan was prepared for this Project.
- 5. Findings were made pursuant to the provisions of CEQA.

E201410000044

This is to certify that the Mitigated Negative Declaration and record of Project approvals is available to the general public for review at the Clovis Planning and Development Services Department at the address listed above.

Contact Person: George González, MPA, Associate Planner

Phone: (559) 324-2383

Signature: _____



Date: February 21, 2014