

EXHIBIT B

FRESNO LAFCO'S CEQA FINDINGS AND STATEMENT OF OVERRIDING CONSIDERATIONS FOR APPLICATION USOI-163 (Clovis Sphere of Influence)

REQUIRED CEQA FINDINGS

FINDINGS OF FACT

1. CONSIDERATION OF THE EIR

The Commission has reviewed and considered the information in the Clovis General Plan and Development Code Update Environmental Impact Report (EIR SCH # No. 2012061069) which consists of the Draft EIR and the Final EIR, among other documents. The Commission has reached its own conclusion whether and how to approve the proposed SOI Expansion. These findings and determinations constitute the independent findings and determinations by the Commission in all respects and are fully and completely supported by substantial evidence, both oral and written, in the entire record relating to the proposal before the Commission.

2. RECORD OF PROCEEDINGS

The documents and other materials (including documents maintained in electronic format) that constitute the record of proceedings upon which this determination is based are in the custody of the Commission's Executive Officer, at 2607 Fresno Street, Suite B, Fresno, CA 93721.

The record of proceedings for Commission decisions on the proposal includes, but is not limited to, the following documents:

1. Public notices issued by the Commission associated with the proposal.
 - LAFCo prepared and distributed a notice to the affected agencies on March 9, 2015.
2. List all resolutions and ordinances provided by the City of Clovis associated with the proposal's land use development approvals, service delivery and environmental effects.
 - On August 25, 2014, the Clovis City Council adopted:
 - Resolution No. 14-81, A resolution of the City Council of the City of Clovis: 1) Certifying the Final Program Environmental Impact Report for the General Plan and Development Code Update; and 2) Adopting CEQA Findings of Fact and a Statement of Overriding Considerations, and adopting a Mitigation Monitoring Program.

- Resolution No. 14-82, A resolution of the City Council of the City of Clovis; 1) Approving the 2014 Clovis General Plan; and 2) Retiring the following Specific Plans: Northwest Area Specific Plan, Clovis Corridor Plan, Magill Heights Specific Plan, East Sierra Specific Plan, Temperance/Locan Specific Plan, Southeast Area Specific Plan.

Although the findings below identify specific pages within the record in support of various conclusions, the Commission incorporates by reference and adopts as its own, the reasoning set forth in the EIR and related documents, and thus relies on that reasoning, even where not specifically mentioned or cited below, in reaching the conclusions herein. The Commission further intends that if these findings fail to cross-reference or incorporate by reference any other part of these findings, any finding required or permitted to be made by the Commission with respect to any particular subject matter of the proposal must be deemed made if it appears in any portion of these findings or findings elsewhere in the record.

3. SIGNIFICANT IMPACTS IDENTIFIED IN THE EIR (SECTION 15091)

The Clovis City Council certified the EIR for the General Plan update which included the proposed SOI expansion that anticipates and guides growth of the city and extension of services to the lands within the LAFCo-determined sphere of influence. The EIR identified certain significant environmental effects for the broader General Plan update. Other than approving the Project analyzed in the EIR, changes and alterations to avoid or substantially lessen the significant environmental effects as identified in the EIR are within the responsibility and jurisdiction of the City of Clovis and not the Commission. Such changes have been adopted by the City or can and should be adopted by the City.

The Commission's jurisdiction to impose conditions on the Project is limited under Cortese-Knox-Hertzberg and CEQA Guidelines sections 15050 and 15096. As a responsible agency, the Commission has responsibility for mitigating or avoiding *only* the direct or indirect environmental effects of *those parts of the project that it decides to carry out, finance, or approve*. (CEQA Guidelines, § 15096(g)(1).)

With only a few exceptions, the proposed mitigation measures and alternatives identified in the EIR that might reduce or eliminate the significant adverse indirect environmental impacts of the proposal are not within the jurisdiction of the Commission.

The Commission hereby makes the following findings regarding the significant effects of the project, pursuant to Public Resources Code section 21081 and section 15091 of the State CEQA Guidelines. The discussion below does not attempt to describe the full analysis of each environmental impact contained in the EIR. Instead, the discussion provides a summary description of each potentially significant impact, describes the applicable mitigation measures identified in the Draft EIR or Final EIR and adopted by the City, and states the Commission's findings on the significance of each impact after imposition of the adopted mitigation measures. A full explanation of these environmental findings and conclusions can be found in the DEIR and FEIR, and these findings hereby incorporate by reference the discussion and

analysis in those documents supporting the FEIR's determinations regarding mitigation measures and the Project's impacts and mitigation measures designed to address those impacts. In making these findings, the Commission ratifies, adopts, and incorporates into these findings the analysis and explanation in the DEIR and FEIR, and ratifies, adopts, and incorporates in these findings the determinations and conclusions of the DEIR and FEIR relating to environmental impacts and mitigation measures, except to the extent any such determinations and conclusions are specifically and expressly modified by these findings.

The following summary describes the unavoidable adverse impact of the proposed project where either mitigation measures were found to be infeasible or mitigation would not lessen impacts to less than significant. Mitigation measures are described using their numbers in the DEIR and FEIR. The following impacts would remain significant and unavoidable:

Agriculture and Forestry Resources

Impact 5.2-1: Build out of the proposed General Plan Update would convert 3,206 acres of Prime Farmland, 1,834 acres of Farmland of Statewide Importance, and 1,585 acres of Unique Farmland to non-agricultural land uses.

Finding 1 –Impact 5.2-1 is within the responsibility and jurisdiction of City of Clovis and not the Commission. It is not a direct impact of the proposal. No other feasible changes or alterations to the proposal, within the Commission's authority, would reduce this impact to less than significant.

The Commission hereby makes Finding 1 and determines that changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the FEIR for both the 2035 Scenario and Full Build out. However, this impact would still remain significant and unavoidable. In order to approve the proposed General Plan Update and Sphere of influence amendment, a Statement of Overriding Considerations will be required.

Facts in Support of Finding

2035 Scenario

Implementation of the General Plan Update in the 2035 Scenario would convert all of the Important Farmland in the City and SOI and some percentage of land in the non-SOI Plan Area, including 2,086 acres of Prime Farmland, 401 acres of Farmland of Statewide Importance, and 528 acres of Unique Farmland to non-agricultural uses. The conversion of these farmlands would be a significant impact.

Full Build out

Full build out of the General Plan Update would convert 3,206 acres of Prime Farmland, 1,834 acres of Farmland of Statewide Importance, and 1,585 acres of Unique Farmland to nonagricultural land uses.

Mitigation Measures

The following mitigation measures are included in the DEIR and the FEIR and are applicable to the proposed project:

2-1 The City shall adopt either a 1) regional agricultural preservation program in coordination with regional partners, such as the Fresno Council of Governments (COG), its member agencies and farming stakeholders; or 2) a local Farmland Preservation Plan (FPP) by June 25, 2017, which is the expiration date of the City's Memorandum of Understanding with the County, as amended in 2000 (commonly referred to as the "Tax Sharing MOU"). The 2008 Model Farmland Conservation Program for Fresno County prepared by COG and the American Farmland Trust may be considered as a starting point for either program. Additionally, either program shall evaluate and incorporate, as appropriate, any policies, programs, and implementation tools contained in the Guide for Resource Management proposed as part of the Phase II San Joaquin Valley Greenprint work program. The adopted program shall include policies, standards and measures to avoid the unnecessary conversion of agricultural lands and shall include provisions for: (a) minimizing potential detrimental effects caused by urban development; (b) avoiding the premature conversion of Prime Farmland, Unique Farmland, and Farmland of Statewide Importance; (c) preserving farmland, including, if appropriate, mitigation fees to fund farmland preservation efforts; (d) integrating identified mitigation measures into the entitlement process; and (e) addressing enforcement through the regulatory environment.

2-2 Upon adoption, project applicants for properties that include designated Prime Farmland, Farmland of Statewide Importance, or Unique Farmland shall comply with the requirements of the adopted regional agricultural preservation program or local Farmland Preservation Plan (FPP).

2-3 Pending adoption of a regional agricultural preservation program or local FPP, or if a regional agricultural preservation program or local FPP is not in place by June 25, 2017, the following requirements shall apply:

(1) Project applicants for properties that include more than 20 acres designated Prime Farmland, Farmland of Statewide Importance, or Unique Farmland shall prepare or fund an agricultural resource evaluation prior to project approval.

(2) The resource evaluation shall use generally accepted methodologies (such as the Land Evaluation and Site Assessment Model) to identify the potentially significant impact of the loss of agricultural land.

(3) If the loss of agricultural land is determined to be a potentially significant impact, the resource evaluation shall consider the economic viability of future agricultural use of the property.

(4) If the agricultural resource is considered significant (based on LESA or other accepted methodology) and future agricultural use is considered economically viable, the conversion will be deemed significant. The City shall require mitigation by one of the following methods:

(a) Mitigation at a 1:1 ratio of converted to preserved acreage through a regional conservation easement, or payment of its valuation equivalent if a fee mitigation

program is established. If 1:1 mitigation is determined to be economically infeasible, based upon all of the evidence, the ratio may be reduced to an economically feasible ratio or no further mitigation shall be required. This determination shall be made by the City's Director of Planning and Development Services based upon substantial evidence in the record; or

(b) Other potential mitigation which achieves the same mitigating effect as the measures identified above, consistent with the CEQA Statutes and Guidelines. This determination shall be made by the City's Director of Planning and Development Services based upon substantial evidence in the record.

One possible substitute mitigation measure to achieve the preservation of agricultural land is through the use of benchmark densities and other land use policies that are designed to increase development efficiency. When development equals or exceeds the benchmark densities, no further mitigation is required because the community has taken steps to preserve agricultural land by increasing densities beyond a certain threshold thereby accommodating growth trends on less land. When development does not equal or exceed the benchmark densities, a sliding scale of mitigation fees are paid.

The General Plan contains many efficiency policies and land use designations to aid in the preservation of agricultural land, which are based upon the San Joaquin Valley Blueprint and Landscape of Choice Principles, which have been determined to be effective. See, for example: Land Use Element Goal 3 (orderly and sustainable outward growth into three Urban Centers); Land Use Element Goal 4, Policy 3.8 (land use compatibility); Land Use Element Goal 4, Policy 3.9 (connected development); Land Use Element Goal 4, Policy 4.4 (farmland conservation); Land Use Element Goal 5 (diverse housing and transit oriented development); Land Use Element, Goal 6, Policy 6.2 (smart growth); Land Use Element, Table LU-2 (land use designations); Economic Development Element, Goal 1, Policy 1.2 (jobs-housing ratio); Economic Development Element, Goal 5 (mix of land uses and types of development); Circulation Element, Goal 1, Policy 1.8 (network completion); Circulation Element, Goals 3 and 4, multimodal transportation, bicycle and transit system); Open Space and Conservation Element, Goal 2, Policies 2.4 and 2.5 (agricultural lands and right to farm); Air Quality Element, Goal 1, Policy 1.1 (land use and transportation); 2010 Housing Element, Regional Housing Needs Assessment (RHNA) requirements; Fresno COG Sustainable Communities Strategy; and LAFCo policies.

These efficiency policies and land use designations are designed to prevent the premature conversion of farmland by encouraging infill development, by requiring new development to be built at considerably higher densities than Clovis or the region has traditionally seen, by requiring that development occur in a compact, orderly manner, and by providing for balanced development, including substantial emphasis on increasing the jobs-housing ratio.

To the extent benchmark densities are adopted for Clovis or the region, and to the extent the City's General Plan policies and land use designations are consistent with those benchmark densities, mitigation may be met through implementation of the General Plan and application of the General Plan policies and benchmark densities to development proposals.

The Director of Planning and Development Services shall make a determination regarding whether substitute mitigation is satisfied prior to issuance of any land use entitlements, consistent with the CEQA Statutes and Guidelines.

(5) The following properties are determined to be not economically viable for future agricultural use, based upon all of the evidence in the record. Other properties shall be evaluated on a case by case basis:

- a) All properties within the Loma Vista Specific Plan ("Loma Vista").
- Properties within Loma Vista were designated for urban development under the 1993 General Plan and the 2003 Loma Vista Specific Plan (formerly called the Southeast Urban Center Specific Plan). The Loma Vista Specific Plan EIR, page 5-34, makes the following observations:

"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 proposed Specific Plan would guide 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."

Substantial development has occurred in Loma Vista since 2003.
- The City, property owners and the development community have relied upon this urbanization in planning for and developing Loma Vista.
- The 2000 County General Plan, Land Use Policy LU-G, provides that the County will direct urban growth and development within city spheres of influences to existing incorporated cities, and this policy is memorialized in the Tax Sharing MOU.
- The Tax Sharing MOU addresses Loma Vista and recognizes this area as becoming substantially urbanized. In fact, before development could proceed outside of Loma Vista, 60% of the developable area in Loma Vista has to be committed to development.
- In 2008, the City adopted a Master Plan Community zone district for the Loma Vista Community Centers North and South and approved a master site plan review for those sites. Projects adjacent to and within the Community Centers have been approved or are pending.
- The development community has nine pending project applications for development within Loma Vista.

Implementation of Mitigation Measures 2-1 through 2-3 would not fully mitigate the direct loss of farmlands associated with the implementation of the General Plan Update because there would still be a net reduction in the total amount of land suitable for agricultural use. The

impacts would therefore be significant and unavoidable under both the 2035 and Full Build out Scenarios.

Impact 5.2-2 The General Plan Update would change the land use designation of 4,610 acres designated for agriculture to other land use designations.

Finding 2 – Impact 5.2-2 is within the responsibility and jurisdiction of City of Clovis and not the Commission. It is not a direct impact of the proposal. No other feasible changes or alterations to the proposal, within the Commission’s authority, would reduce this impact to less than significant.

The Commission hereby makes Finding 2 and determines that changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the FEIR for both the 2035 Scenario and Full Build out. However, this impact still remains significant and unavoidable. In order to approve the proposed General Plan Update, a Statement of Overriding Considerations will be required.

Facts in Support of Finding

2035 Scenario

A total of 4,610 acres of agriculturally designated lands would change to other land use designations under the proposed General Plan Update. Since the exact location of parcels that would be converted is not known, the particular crops that would be lost cannot be precisely determined. However, Fresno County is the leading agricultural producer in the nation. Therefore, the change in land use designations and associated loss of agricultural production would be a significant impact.

Full Build out

As stated above, the proposed General Plan Update would convert 4,610 acres of land designated as Agriculture under the existing General Plan to other land use designations. The converted acreage would be approximately 45 percent of the current 10,199 acres in the Plan Area designated for agriculture. Conversion of land designated for agriculture would be a significant impact.

Mitigation Measures

See Mitigation Measures 2-1 through 2-3.

Implementation of Mitigation Measures 2-1 through 2-3 would not fully mitigate the direct loss of farmlands associated with the implementation of the General Plan Update because there would still be a net reduction in the total amount of land suitable for agricultural use. The impacts would therefore be significant and unavoidable under both scenarios.

Impact 5.2-3 General Plan Update build out would convert 3,047 acres of farmland bearing Williamson Act contracts to nonagricultural land uses.

Finding 3 – Impact 5.2-3 is within the responsibility and jurisdiction of City of Clovis and not the Commission. It is not a direct impact of the proposal. No other feasible changes or alterations to the proposal, within the Commission’s authority, would reduce this impact to less than significant

The Commission hereby makes Finding 3 and determines that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the FEIR for both the 2035 Scenario and Full Build out. This impact is significant and unavoidable. In order to approve the proposed General Plan Update, a Statement of Overriding Considerations will be required.

Facts in Support of Finding

2035 Scenario

Currently, 1,382 acres of agricultural land are under Williamson Act contracts in the SOI. Of these acres, owners of 855 acres of Prime Agricultural Lands have filed for nonrenewal. Another 16 acres of non-Prime Agricultural Lands are in nonrenewal status. By recording the nonrenewal form, property owners have provided notice of their intention to exit a Williamson Act contract. These contracts will expire on or by 2022. Because these contracts were in nonrenewal status prior to adoption of the General Plan Update, there is no conflict with these Williamson Act contracts.

An additional 510 acres of Prime Agricultural Lands in the SOI are subject to Williamson Act contract, as well as some portion of the non-SOI Plan Area that is part of the 2035 Scenario. Of the 510 acres of Prime Agricultural Lands in the SOI, it is anticipated that 476 acres would convert to nonagricultural or agriculture-incompatible use. It is anticipated these owners would seek to terminate their contracts through the nonrenewal process or through contract cancellation. The rate of these occurrences would be related to the location and pace of development in the 2035 Scenario. As the amount of developable land in the area decreases, market pressures to file notices of nonrenewal and cancellations increase because of rising land values. These activities would conflict with the intended purpose of the Williamson Act and would constitute a significant impact.

Mitigation Measures 2-1 through 2-3 are included in the FEIR to mitigate the potential loss of important farmlands. As noted above, it is anticipated that market pressures to convert agricultural properties to non-agricultural uses would result in the cancellation of Williamson Act contracts. This is an economic consideration for which no feasible mitigation has been identified.

Full Build out

Full build out of the proposed General Plan Update would convert 3,047 acres bearing Williamson Act contracts to nonagricultural land uses or land uses not compatible with

agriculture. Of the build out area, 1,770 acres have filed nonrenewal notices. The majority of these lands (1,185 acres) are identified as Prime Agricultural Lands, including 855 acres in the SOI and 329 acres in the non-SOI Plan Area. Because property owners of these lands filed notices of nonrenewal prior to the adoption of the General Plan Update, there is no impact from project implementation in terms of conflicts with these contracts. However, as discussed in the 2035 Scenario, implementation of the General Plan Update would result in cancellation and nonrenewal of contracts on Prime Agricultural Lands where the land use designation is changed to a nonagricultural or agriculture-incompatible use. Based on the designations in the General Plan Update, it is anticipated that 1,136 acres subject to Williamson Act contracts would convert. Given the public policy of protecting farmland embodied in the Williamson Act, the nonrenewal or cancellation of additional lands bearing these contracts to nonagricultural or incompatible uses would be a significant impact.

Mitigation Measure

See Mitigation Measures 2-1 through 2-3.

Implementation of Mitigation Measures 2-1 through 2-3 would not fully mitigate the loss of farmland bearing Williamson Act contracts. The impact would therefore be significant and unavoidable under both scenarios.

6. Air Quality

Impact 5.3-1: The General Plan Update would be consistent with the SJVAPCD control measures; however, development associated with the build out of the General Plan Update would exceed SJVAPCD significance thresholds and be inconsistent with the applicable air quality management plans.

Finding 4 – Impact 5.3-1 is within the responsibility and jurisdiction of the City of Clovis and not the Commission. It is not a direct impact of the proposal. No other feasible changes or alterations to the proposal, within the Commission’s authority, would reduce this impact to less than significant.

The Commission hereby makes Finding 4 and determines that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the FEIR for both the 2035 Scenario and Full Build out. This impact is significant and unavoidable. In order to approve the proposed General Plan Update, a Statement of Overriding Considerations will be required.

Facts in Support of Finding

2035 Scenario

The proposed General Plan Update would generate a substantial increase in criteria air pollutants that would exceed the San Joaquin Valley Air Pollution Control District (SJVAPCD) significance thresholds. Additionally, because dispersion modeling is not applicable for a program EIR as specific development land uses are not yet known, projects with emissions that

exceed these values are considered to have the potential to exceed the ambient air quality standards (AAQS). The San Joaquin Valley Air Basin (SJVAB) is designated nonattainment for O3 and PM2.5 under the California and National AAQS and nonattainment for PM10 under the California AAQS. Consequently, emissions generated by development projects in addition to existing sources within the City are considered to cumulatively contribute to the nonattainment designations of the SJVAB. Build out of the proposed land use plan would therefore contribute to an increase in frequency or severity of air quality violations and delay attainment of the AAQS or interim emission reductions in the air quality management plans (AQMPs).

Because cumulative development in the Plan Area would exceed the regional significance thresholds, the project could contribute to an increase in health effects in the basin until the attainment standards are met in the SJVAB. Therefore, implementation of the proposed General Plan Update would result in a significant and unavoidable air quality impact.

Full Build out

The analysis above for the 2035 Scenario also applies to Full Build out of the General Plan Update.

Mitigation Measure

The proposed project would generate a substantial increase in criteria air pollutants that would exceed the SJVAPCD's significance thresholds. Because dispersion modeling is not applicable for a program EIR, projects with emissions of any criteria air pollutant that exceed these values are considered to have the potential to exceed the ambient air quality standards, resulting in a potentially significant impact with regard to consistency with SJVAPCD's air quality plans. Therefore, even though the proposed project is consistent with the control measures in the AQMPs, to be conservative, it is considered inconsistent with the SJVAPCD's air quality plans. The only way to achieve consistency with the AQMPs is to reduce projected criteria air pollutant emissions to levels lower than the SJVAPCD's significance thresholds. Mitigation Measures 3-1 through 3-3 and goals and policies in the proposed General Plan Update would facilitate continued emissions reductions; however, cumulative development would continue to exceed SJVAPCD's significance thresholds. No additional mitigation measures are available to further reduce the impact to less than significant levels. Therefore, Impact 5.3 1 would remain significant and unavoidable.

Impact 5.3-2: Construction activities associated with build out of the General Plan Update would generate short-term emissions in exceedance of SJVAPCD'S significance threshold criteria and would contribute to the ozone and particulate matter nonattainment designations of the SJVAB.

Finding 5 – Impact 5.3-2 is within the responsibility and jurisdiction of the City of Clovis and not the Commission. It is not a direct impact of the proposal. No other feasible changes or alterations to the proposal, within the Commission's authority, would reduce this impact to less than significant.

The Commission hereby makes Finding 5 and determines that changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the FEIR for both the 2035 Scenario and Full Build out. However, this impact still remains significant and unavoidable. In order to approve the proposed General Plan Update, a Statement of Overriding Considerations will be required.

Facts in Support of Finding

2035 Scenario

Information regarding specific development projects, soil types, and the locations of receptors would be needed in order to quantify the level of impact associated with construction activity. Due to the scale of development activity associated with the General Plan Update, emissions would likely exceed the SJVAPCD regional significance thresholds and therefore, in accordance with the SJVAPCD methodology, would cumulatively contribute to the nonattainment designations of the SJVAB. The SJVAB is currently designated nonattainment for O₃ and particulate matter (PM₁₀ and PM_{2.5}). Emissions of VOC and NO_x are precursors to the formation of O₃. In addition, NO_x is a precursor to the formation of particulate matter (PM₁₀ and PM_{2.5}). Therefore, the proposed project would cumulatively contribute to the existing nonattainment designations of the SJVAB for O₃ and particulate matter (PM₁₀ and PM_{2.5}). Contributing to the nonattainment status would contribute to elevating health effects associated with these criteria air pollutants. The likely scale and extent of construction activities associated with the proposed General Plan Update would likely continue to exceed the SJVAPCD thresholds for some projects. Therefore, construction-related air quality impacts associated with implementation of the proposed Land Use Plan are deemed significant and unavoidable.

Full Build out

The analysis above for the 2035 Scenario also applies to Full Build out of the General Plan Update.

Mitigation Measure

3-1 Prior to issuance of any construction permits, development project applicants shall prepare and submit to the City of Clovis Planning Division a technical assessment evaluating potential project construction-related air quality impacts. The evaluation shall be prepared in conformance with San Joaquin Valley Air Pollution Control District (SJVAPCD) methodology in assessing air quality impacts. If construction-related criteria air pollutants are determined to have the potential to exceed the SJVAPCD adopted thresholds of significance, as identified in the Guidance for Assessing and Mitigating Air Quality Impacts (GAMAQI), the City of Clovis Planning Division shall require that applicants for new development projects incorporate mitigation measures to reduce air pollutant emissions during construction activities to below these thresholds. These identified measures shall be incorporated into appropriate construction documents (e.g., construction management plans) submitted to the City and shall be verified by the City's Planning Division. Mitigation measures to reduce construction-related emissions could include, but are not limited to:

- Using construction equipment rated by the United States Environmental Protection Agency as having Tier 3 (model year 2006 or newer) or Tier 4 (model year 2008 or newer) emission limits, applicable for engines between 50 and 750 horsepower. A list of construction equipment by type and model year shall be maintained by the construction contractor onsite, which shall be available for City review upon request.
- Ensuring construction equipment is properly serviced and maintained to the manufacturer's standards.
- Use of alternative-fueled or catalyst-equipped diesel construction equipment, if available and feasible.
- Clearly posted signs that require operators of trucks and construction equipment to minimize idling time (e.g., 5 minute maximum).
- Preparation and implementation of a fugitive dust control plan that may include the following measures:
 - Disturbed areas (including storage piles) that are not being actively utilized for construction purposes shall be effectively stabilized using water, chemical stabilizer/suppressant, or covered with a tarp or other suitable cover (e.g., revegetated).
 - Onsite unpaved roads and offsite unpaved access roads shall be effectively stabilized using water or chemical stabilizer/suppressant.
 - Land clearing, grubbing, scraping, excavation, land leveling, grading, cut and fill, and demolition activities shall be effectively controlled utilizing application of water or by presoaking.
 - Material shall be covered, or effectively wetted to limit visible dust emissions, and at least six inches of freeboard space from the top of the container shall be maintained when materials are transported offsite.
 - 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.
 - Within urban areas, track out shall be immediately removed when it extends 50 or more feet from the site and at the end of each workday.
 - Any site with 150 or more vehicle trips per day shall prevent carryout and track out.
 - Limit traffic speeds on unpaved roads to 15 mph.
 - Install sandbags or other erosion control measures to prevent silt runoff to public roadways from sites with a slope greater than 1 percent.
 - Install wheel washers for all exiting trucks or wash off all trucks and equipment leaving the project area.
 - Adhere to Regulation VIII's 20 percent opacity limitation, as applicable.
 - Enter into a Voluntary Emissions Reduction Agreement (VERA) with the San Joaquin Valley Air Pollution Control District (SJVAPCD). The VERA shall identify the amount of emissions to be reduced, in addition to the amount of funds to be paid by the project

applicant to the SJVAPCD to implement emission reduction projects required for the project.

3-2 Prior to discretionary approval, applicants for phased development projects (i.e., construction would overlap operation/opening of the project) involving residential land uses shall coordinate with the San Joaquin Valley Air Pollution Control District (SJVAPCD) or the City of Clovis in conjunction with the SJVAPCD in preparation of a health risk assessment (HRA) for construction activities. If the construction HRA identifies risk impacts that exceed the standards as determined by the SJVAPCD at the time the project is considered, it shall identify measures to reduce these impacts to below these standards. Recommended measures may include those identified in Mitigation Measure 3 1. The recommendations of the construction HRA shall be incorporated into all construction management plans which shall be submitted to the City and verified by the City's Planning Division.

In addition, the following standard condition shall be included as part of the mitigation monitoring program to reduce impacts related to Impact 5.3-2.

SC-1 Prior to project approval, each applicant for individual, site-specific developments under the General Plan shall comply with the SJVAPCD rules and regulations, including, without limitation, Indirect Source Rule 9510. The applicant shall document, to the City's reasonable satisfaction, its compliance with this standard condition.

Implementation of Standard Condition 1 (SC-1) and Mitigation Measures 3-1 and 3-2 and compliance with the City's applicable development code sections and SJVAPCD rules (e.g., Rule 9510) would reduce criteria air pollutant emissions from construction-related activities. However, due to the magnitude of emissions generated by future construction activities, no mitigation measures are available that would reduce impacts below SJVAPCD's thresholds. Therefore, Impact 5.3-2 would remain significant and unavoidable.

Impact 5.3-3: Implementation of the Land Use Plan of the proposed General Plan Update would generate long-term emissions that would exceed the SJVAPCD's significance threshold criteria and cumulatively contribute to the ozone and particulate matter nonattainment designations of the SJVAB.

Finding 6 – Impact 5.3-3 is within the responsibility and jurisdiction of City of Clovis and not the Commission. It is not a direct impact of the proposal. No other feasible changes or alterations to the proposal, within the Commission's authority, would reduce this impact to less than significant.

The Commission hereby makes Finding 6 and determines that changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the FEIR for both the 2035 Scenario and Full Build out. However, this impact would still remain significant and unavoidable. In order to approve the proposed General Plan Update, a Statement of Overriding Considerations will be required.

Facts in Support of Finding

2035 Scenario

Build out of the proposed General Plan under the 2035 Scenario would generate long-term emissions that exceed the annual SJVAPCD thresholds for VOC, NOX, CO, PM10, and PM2.5. Emissions of VOC and NOX are precursors to the formation of O3. In addition, NOX is a precursor to the formation of particulate matter (PM10 and PM2.5). Therefore, emissions of VOC and NOX that exceed the SJVAPCD criteria pollutant significance thresholds would contribute to the O3 nonattainment designation of the SJVAB. In addition, emissions of NOX and PM2.5 that exceed the SJVAPCD regional significance threshold would also contribute to the particulate matter (PM10 and PM2.5) nonattainment designation of the SJVAB. Contributing to the nonattainment status would also contribute to elevating health effects associated to these criteria air pollutants. Application of SJVAPCD Rule 9510 and implementation of the General Plan policies and implementation actions would reduce impacts to the extent feasible. However, future development projects could exceed the SJVAPCD regional emissions thresholds. Therefore, operational-related air quality impacts associated with future development under the proposed General Plan Update are considered significant and unavoidable.

Full Build out

Similar to the 2035 Scenario, Full Build out of the proposed General Plan Update would generate long-term emissions that exceed the annual SJVAPCD thresholds for VOC, NOX, CO, PM10, and PM2.5. Emissions of VOC and NOX are precursors to the formation of O3, and NOX is a precursor to the formation of particulate matter (PM10 and PM2.5). Therefore, emissions of VOC and NOX that exceed the SJVAPCD criteria pollutant significance thresholds would contribute to the O3 nonattainment designation of the SJVAB. In addition, emissions of NOX, and PM2.5 that exceed the SJVAPCD regional significance threshold would contribute to the particulate matter (PM10 and PM2.5) nonattainment designation of the SJVAB. Therefore, impacts are considered significant and unavoidable.

Mitigation Measure

3-3 Prior to project approval, development project applicants shall prepare and submit to the City of Clovis Planning Division a technical assessment evaluating potential project operation phase-related air quality impacts. The evaluation shall be prepared in conformance with SJVAPCD methodology in assessing air quality impacts. If operational-related criteria air pollutants are determined to have the potential to exceed the SJVAPCD adopted thresholds of significance, as identified in the Guidance for Assessing and Mitigating Air Quality Impacts (GAMAQI), the City of Clovis Planning Division shall require that applicants for new development projects incorporate mitigation measures to reduce air pollutant emissions during operational activities. The identified measures shall be included as part of the Standard Conditions of Approval. Mitigation measures to reduce long-term emissions can include, but are not limited to:

- For site-specific development that requires refrigerated vehicles, the construction documents shall demonstrate an adequate number of electrical service connections at

loading docks for plug in of the anticipated number of refrigerated trailers to reduce idling time and emissions.

- Applicants for manufacturing and light industrial uses shall consider energy storage and combined heat and power (CHP) in appropriate applications to optimize renewable energy generation systems and avoid peak energy use.
- Site-specific developments with truck delivery and loading areas, and truck parking spaces, shall include signage as a reminder to limit idling of vehicles while parked for loading/unloading in accordance with California Air Resources Board Rule 2845 (13 CCR Chapter 10 § 2485).
- Site-specific development shall demonstrate that an adequate number of electrical vehicle Level 2 charging stations are provided onsite. The location of the electrical outlets shall be specified on building plans, and proper installation shall be verified by the Building Division prior to issuance of a Certificate of Occupancy.
- Applicant-provided appliances shall be Energy Star appliances (dishwashers, refrigerators, clothes washers, and dryers). Installation of Energy Star appliances shall be verified by the Building Division during plan check.
- Applicants for large development projects (e.g., employers with 100 employees at work site) shall establish an employee trip commute reduction program (CTR), in conformance with the SJVAPCD Rule 9410. The program shall identify South Valley Rideshare and/or Valley Rides commute programs, which provide information about commute options and connect commuters for carpooling, ridesharing, and other activities. The CTR program shall identify alternative modes of transportation to the project site, including transit schedules, bike and pedestrian routes, and carpool/vanpool availability. Information regarding these programs shall be readily available to employees and clients and shall be posted in a highly visible location and/or made available online. The project applicant shall include the following incentives for commuters as part of the CTR program:
 - Ride-matching assistance (e.g., subsidized public transit passes)
 - Preferential carpool parking
 - Flexible work schedules for carpools
 - Vanpool assistance or employer-provided vanpool/shuttle
 - Telecommute and/or flexible work hour programs
 - Car-sharing program (e.g., Zipcar)
 - Bicycle end-trip facilities, including bike parking, showers, and lockers
 - End-of-trip facilities shall be shown on site plans and architectural plans submitted to the Planning Division Manager. The CTR program shall be prepared to the satisfaction of the Planning Division Manager prior to occupancy permits.
- Applicants for future development projects along existing and planned transit routes shall coordinate with the City of Clovis and City of Fresno to ensure that bus pads and shelters are incorporated, as necessary.
- Applicants for future development projects shall enter into a Voluntary Emissions Reduction Agreement (VERA) with the SJVAPCD. The VERA shall identify the amount of emissions to be reduced, in addition to the amount of funds to be paid by the project

applicant to the SJVAPCD to implement emission reduction projects required for the project.

In addition, SC-1 outlined above shall also be included as part of the mitigation monitoring program to reduce impacts related to Impact 5.3-3.

Goals and policies in the proposed General Plan Update would reduce vehicle trip lengths and encourage use of alternative forms of transportation, which would also reduce criteria air pollutants in the Plan Area. In addition, compliance with SJVAPCD regulations and implementation of SC-1 and Mitigation Measure 5.3-3 would reduce operational-phase emissions to the extent possible. However, due to the magnitude of emissions generated by the planned land uses, no mitigation measures are available that would reduce emissions below SJVAPCD's thresholds. Therefore, Impact 5.3-3 would remain significant and unavoidable.

7. Cultural Resources

Impact 5.5-1: Development in accordance with the General Plan Update could impact up to 30 historic buildings, structures, or objects identified through previous cultural research studies and up to 12 additional historic resources identified and listed on the Fresno County List of Historic Resources.

Finding 7 – Impact 5.5-1 is within the responsibility and jurisdiction of City of Clovis and not the Commission. It is not a direct impact of the proposal. No other feasible changes or alterations to the proposal, within the Commission's authority, would reduce this impact to less than significant.

The Commission hereby makes Finding 7 and determines that changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the FEIR for both the 2035 Scenario and Full Build out. However, this impact would remain significant and unavoidable. In order to approve the proposed General Plan Update, a Statement of Overriding Considerations will be required.

Facts in Support of Finding

2035 Scenario

According to SWCA's cultural resources study, 11 previously recorded cultural resources were found within the Plan Area. In addition, the Fresno County List of Historic Resources identifies locally significant historic resources in the City of Clovis. Development within the 2035 scenario could potentially impact these historic buildings and structures, particularly during infill and/or redevelopment of older areas of Clovis (e.g., Old Town Clovis), where there are a number of buildings and structures older than 50 years of age and eligible for the National Register of Historic Places (NRHP) and/or listing in the California Register of Historical Resources (CRHR). Thus, impacts are considered significant and unavoidable.

Full Build out

Similar to the 2035 Scenario, impacts to historic resources at Full Build out could cause adverse impacts. Given that most of the development to occur at Full Build out would be in the less developed SOI and non-SOI Plan Area, potential impacts to historic resources may be even greater. As stated above, the majority of the previously recorded cultural resources were located outside of the City's existing boundaries. Therefore, impacts are considered significant and unavoidable.

Mitigation Measure

5-1 Prior to any construction activities of individual projects that may affect historic resources, a historic resources assessment shall be performed by an architectural historian or historian who meets the Secretary of the Interior's Professional Qualifications Standards requirements in architectural history or history. The assessment shall include a records search at the Southern San Joaquin Valley Information Center to determine if any resources that may potentially be affected by the project have been previously recorded, evaluated, and/or designated on the National Register of Historic Places or California Register of Historic Resources. Following the records search, the qualified architectural historian or historian will conduct a reconnaissance-level and/or intensive-level survey in accordance with the California Office of Historic Preservation guidelines to identify any previously unrecorded potential historic resources that may potentially be affected by the proposed project. If the resource meets the criteria for listing on the California Register of Historical Resources (Pub. Res. Code Section 5024.1, Title 14 CCR, Section 4852), mitigation shall be identified within the technical study that ensures the value of the historic resource is maintained.

5-2 To ensure that individual projects requiring the relocation, rehabilitation, or alteration of a historic resource do not impair its significance, the Interior's Standards for the Treatments of Historic Properties (Standards) shall be used. The application of the standards shall be overseen by a qualified architectural historian or historic architect meeting the Secretary of the Interior's Professional Qualifications Standards. Prior to any construction activities that may affect the historic resource, a report identifying and specifying the treatment of character-defining features and construction activities shall be provided to the City of Clovis.

5-3 If an individual project would result in the demolition or significant alteration of a historic resource, it cannot be mitigated to a less than significant level. However, recordation of the resource prior to construction activities will assist in reducing adverse impacts to the resource to the greatest extent possible (but not avoid a significant impact). Recordation shall take the form of Historic American Buildings Survey, Historic American Engineering Record, or Historic American Landscape Survey documentation, and shall be performed by an architectural historian or historian who meets the Secretary of the Interior's Professional Qualifications Standards. Documentation shall include an architectural and historical narrative; medium- or large-format black-and-white photographs, negatives, and prints; and supplementary information such as building plans and elevations and/or historic photographs. Documentation shall be reproduced on archival paper and placed in appropriate local, state, or federal

institutions. The specific scope and details of documentation will be developed at the project level.

Mitigation Measures 5-1 through 5-3 would reduce impacts to historic resources. However, these mitigation measures would not entirely protect historic resources from any future demolition or alteration activities. Thus, historic resource impacts would remain significant and unavoidable for both the 2035 Scenario and Full Build out.

8. Greenhouse Gas Emissions

Impact 5.7-1: Implementation of the proposed General Plan Update would result in a substantial increase in GHG emissions for the 2035 Scenario and Full Build out compared to existing conditions. Additionally, although community-wide GHG emissions of the proposed General Plan Update for the 2035 Scenario and Full Build out would be less under adjusted business-as-usual (ABAU) conditions than under business-as-usual (BAU) conditions, the proposed General Plan Update would not meet the SJVAPCD's threshold of 29 percent below BAU and would not meet the long-term reduction target of Executive Order S-03-05.

Finding 8 – Impact 5.7-1 is within the responsibility and jurisdiction of City of Clovis and not the Commission. It is not a direct impact of the proposal. No other feasible changes or alterations to the proposal, within the Commission's authority, would reduce this impact to less than significant.

The Commission hereby makes Finding 8 and determines that changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the FEIR for both the 2035 Scenario and Full Build out. However, this impact would remain significant and unavoidable. In order to approve the proposed General Plan Update, a Statement of Overriding Considerations will be required.

Facts in Support of Finding

2035 Scenario

Implementation of the proposed General Plan Update under the 2035 Scenario's ABAU conditions would result in an increase of 271,448 MTCO₂e (or 46 percent) over existing conditions, a substantial increase in emissions. Compared to Year 2035 BAU conditions, the proposed General Plan Update under Year 2035 ABAU conditions would result in a reduction of 304,769 MTCO₂e of emissions, a 26 percent reduction from Year 2035 BAU. Additionally, implementation of the proposed General Plan Update would improve the job-to-housing ratio to 0.93 in year 2035 compared to the current 0.74 ratio (see Table 5.13-9). This improved ratio would contribute to shortening the average trip distance between residents and their place of employment, and therefore would reduce total VMT in the Plan Area, resulting in a reduction in GHG emissions per capita. However, even though 2035 ABAU conditions would result in overall lower emissions than under 2035 BAU conditions, it would not meet the SJVAPCD threshold of

29 percent below BAU. Therefore, overall, the project would cumulatively contribute to the long-term GHG emissions in the state and result in a significant and unavoidable impact.

Full Build out

Full build out of the proposed General Plan Update under ABAU conditions would result in a reduction of 535,375 MTCO₂e of emissions, or 27 percent, compared to full build out BAU conditions. Similar to the 2035 Scenario, the jobs-housing ratio would improve to 1.0 job per household in Full Build out compared to the current 0.74 ratio. However, although Full Build out of the proposed General Plan Update under ABAU conditions would result in overall lower emissions compared to f BAU conditions, it would not meet the SJVAPCD threshold of 29 percent below BAU. In addition, Full Build out of the proposed General Plan Update would generate 871,126 MTCO₂e of emissions, or 148 percent more than existing conditions, a substantial increase in emissions. Therefore, the project would cumulatively contribute to the long-term GHG emissions in the state and result in a significant and unavoidable impact.

Mitigation Measure

7-1 Prior to issuance of construction permits, the City of Clovis Planning Division shall require that applicants for new development projects submit documentation showing that greenhouse gas (GHG) emissions meet a 29 percent reduction from business-as-usual (BAU) in accordance with the methodology identified by the San Joaquin Valley Air Pollution Control District (SJVAPCD). The documentation shall identify measures to be incorporated into the considered project that would reduce GHG emissions from BAU. Such measures include, but are not limited to the following:

- Provide a pedestrian access network that internally links all uses and connects to existing external streets and pedestrian facilities.
- Provide the minimum number of parking spaces required.
- Create a shared parking program, as feasible.
- Provide bicycle end-of-trip facilities (e.g., bike parking, showers, and lockers).
- Develop rideshare and ride-matching assistance programs.
- For planned residential development, design and incorporate a neighborhood electric vehicle system.
- Design buildings to be electric vehicle charging-station-ready.
- Coordinate with the City of Clovis and/or the Fresno Area Express to install bus stops at or near the project site.
- Design buildings to be energy efficient beyond the requirements of Title 24.
- Design and orient structures to maximize shade in the summer and sun exposure in the winter.
- Install vegetative roofs that cover at least 50 percent of the roof area.
- Design buildings to incorporate passive solar design and solar heaters.
- Install solar panels on carports and parking areas.
- Limit nonessential idling of commercial vehicles beyond Air Toxic Control Measures idling restrictions.

In addition, SC-1 and Mitigation Measures 3-3, identified under the Air Quality section shall also be included as part of the mitigation monitoring program to reduce impacts related to Impact 5.7-1.

Compliance with statewide measures would reduce GHG emissions associated with implementation of the proposed General Plan Update. Furthermore, the policies in the proposed General Plan Update; SC-1; Mitigation Measures 3-3 and 7-1 would ensure that GHG emissions from build out of the proposed General Plan Update would be minimized to the extent feasible. However, due to the magnitude of the proposed General Plan Update's development, its implementation would substantially increase GHG emissions from existing conditions in year 2035 and Full Build out, exceeding the SJVAPCD threshold of 29 percent below BAU. Additional statewide measures would be necessary to reduce GHG emissions under the proposed General Plan Update to meet the SJVAPCD BAU threshold and the reduction target of Executive Order S-03-05. As identified by the California Council on Science and Technology, the state cannot meet the 2050 goal without major advancements in technology. Since no additional statewide measures to reduce emissions beyond year 2020 are available, Impact 5.7-1 would be significant and unavoidable.

9. Hydrology and Water Quality

Impact 5.9-2: Development pursuant to the General Plan Update would increase the demand on groundwater use and also increase impervious surfaces in the Plan Area, which would impact opportunities for groundwater recharge.

Finding 9 – Impact 5.9-2 is within the responsibility and jurisdiction of City of Clovis and not the Commission. It is not a direct impact of the proposal. No other feasible changes or alterations to the proposal, within the Commission's authority, would reduce this impact to less than significant.

The Commission hereby makes Finding 9 and determines that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the FEIR for both the 2035 Scenario and Full Build out. This impact is significant and unavoidable. In order to approve the proposed General Plan Update, a Statement of Overriding Considerations will be required.

Facts in Support of Finding

2035 Scenario

Based on the 2010 Urban Water Management Plan, the City of Clovis is forecast to have adequate water supplies to meet estimated water demands generated by build out of the General Plan Update under the 2035 Scenario. It is assumed that development within the Fresno Irrigation District (FID) is built out by 2030. If development occurs in areas outside the FID instead, such as in the northeast, then surface water supplies would be reduced and demand could exceed supplies or result in increased groundwater usage. Although the

estimated population of the Plan Area at build out of the 2035 Scenario (184,100 persons) is lower than the 2035 population estimate in the 2010 City of Clovis UWMP (188,224 persons), the duration and severity of the current drought is unknown. The potential for development in accordance with the General Plan Update to deplete groundwater or interfere with groundwater recharge, therefore, is determined to be potentially significant in the 2035 Scenario.

Full Build out

Water demands by Full Build out of the General Plan Update would exceed forecast water supplies available to the City of Clovis in 2035 per the City's UWMP. Full Build out would require the City to obtain expanded water supplies other than groundwater—that is, local surface water, imported water, recycled water (for nonpotable uses), or some combination thereof—to avoid depleting groundwater to meet water demands by General Plan Update build out. Potential groundwater depletion and groundwater recharge impacts of the Full Build out scenario would be significant.

Mitigation Measure

No feasible mitigation measure is available. Based on the 2010 UWMP, forecast water supplies available to the City of Clovis would meet estimated water demands generated by build out of the General Plan Update under the 2035 Scenario, but would not meet demands at full build out. However, the duration and severity of the current drought is unknown. In addition, full build out would require the City to obtain expanded water supplies other than groundwater—that is, local surface water, imported water, recycled water (for nonpotable uses), or some combination thereof—to avoid depleting groundwater to meet water demands by General Plan Update build out. The potential for development in accordance with the General Plan Update to deplete groundwater or interfere with groundwater recharge, therefore, is determined to be potentially significant in both the 2035 Scenario and Full Build out.

Policies under the proposed General Plan Update's Public Facilities and Services Element detail requirements on new developments to ensure public services, including water resources and infrastructure systems, remain reliable and cost-effective. Policy 1.1 requires new developments to pay its fair share of public facility and infrastructure improvements; Policy 1.2 requires new developments to demonstrate adequate and actual sustainable water supplies for demands; Policy 1.3 requires the City to acquire adequate water supply and service, wastewater treatment, and disposal capacity prior to annexation; and more specifically, Policy 1.7 requires the City to stabilize groundwater levels by requiring that new development water demands not exceed the sustainable groundwater supply. Additional details on long-term water planning and regulatory measures are included in Section 5.17, Utilities and Service Systems, of the Draft PEIR. However, No mitigation measures beyond long-term facility planning, conservation measures, recycling projects, and existing regulatory measures (e.g., SB 610 and SB 221) have been identified to address the proposed project's significant impact on water supply and groundwater depletion/recharge opportunities. Thus, Impact 5.9-2 would remain significant and unavoidable.

10. Noise

Impact 5.12-1: Development of the proposed land use plan would result in an increase in traffic, which would cause a substantial environmental noise increase to noise-sensitive uses adjacent to roadways.

Finding 10 – Impact 5.12-1 is within the responsibility and jurisdiction of the City of Clovis and not the Commission. It is not a direct impact of the proposal. No other feasible changes or alterations to the proposal, within the Commission’s authority, would reduce this impact to less than significant.

The Commission hereby makes Finding 10 and determines that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the FEIR for both the 2035 Scenario and Full Build out. This impact is significant and unavoidable. In order to approve the proposed General Plan Update, a Statement of Overriding Considerations will be required.

Facts in Support of Finding

2035 Scenario

Future development under the 2035 Scenario would cause increases in traffic along local roadways. Traffic on SR 168 is also projected to increase due to regional growth and City-related traffic. The traffic noise levels were estimated using the Federal Highway Administration (FHWA) Highway Traffic Noise Prediction Model (RD 77-108). Traffic noise increases along roadways at 2035 conditions due to implementation of the proposed land use plan, the implementation of the circulation plan, and regional growth would range from –1.4 to 10.0 dBA CNEL. The affected segments that would experience substantial noise increases greater than 5 dBA over existing conditions, resulting in noise levels greater than 65 dBA CNEL, and that include sensitive receptors are:

- Copper Avenue from Willow Avenue to Carson Avenue
- Shepherd Avenue from Willow Avenue to SR 168
- Teague Avenue from Willow Avenue to Minnewawa Avenue
- Nees Avenue from Minnewawa Avenue to Fowler Avenue
- Owens Mountain parkway from DeWolf Avenue to SR 168
- Herndon Avenue from Temperance Avenue to DeWolf Avenue
- Shaw Avenue from DeWolf Avenue to Academy Avenue
- Shields Avenue from Temperance Avenue to Leonard Avenue
- Willow Avenue from Friant Road to Alluvial Avenue
- Fowler Avenue from Ashland Avenue to Shields Avenue
- Armstrong Avenue from Nees Avenue to Herndon Avenue
- Armstrong Avenue from Gettysburg Avenue to Dakota Avenue
- Temperance Avenue from Shepherd Avenue to Nees Avenue
- Temperance Avenue from SR 168 to Ashland Avenue

- McCall Avenue from Herndon Avenue to Shaw Avenue

Noise decreases occur at a few segments that may be a result of road diets or a redistribution of traffic due to new roads and changes in road classifications. However, the vast majority of segments in the City would experience an increase in traffic noise. Future ambient noise would be substantially higher than existing conditions at receptors along the roadway segments identified above. Therefore, traffic-related noise impacts related to the implementation of the General Plan Update are significant.

Full Build out

Traffic noise increases along roadways at full build out conditions due to implementation of the proposed land use plan, the implementation of the circulation plan, and regional growth would range from 0.7 to 16.8 dBA CNEL. The affected segments that would experience substantial noise increases greater than 5 dBA over existing conditions, resulting in noise levels greater than 65 dBA CNEL, and that include sensitive receptors are:

- Copper Avenue from Willow Avenue to Carson Avenue
- Perrin Avenue from Willow Avenue to Sommerville Drive
- Shepherd Avenue from Maple Avenue to SR 168
- Teague Avenue from Willow Avenue to Minnewawa Avenue
- Nees Avenue from Minnewawa Avenue to Flower Avenue
- Alluvial Avenue from Clovis Avenue to Temperance Avenue
- Owens Mountain Parkway from DeWolf Avenue to SR 168
- Herndon Avenue from Temperance Avenue to Academy Avenue
- Tollhouse Road from Sunnyside Avenue to Armstrong Avenue
- Bullard Avenue from Temperance Avenue to DeWolf Avenue
- Shaw Avenue from Temperance Avenue to McCall Avenue
- Ashlan Avenue from DeWolf Avenue to McCall Avenue
- Dakota Avenue from Chestnut to Peach Avenue
- Shields Avenue from Temperance Avenue to Leonard Avenue
- Willow Avenue from Friant Road to Alluvial Avenue
- Clovis Avenue from Shepherd Avenue to Alluvial Avenue
- Sunnyside Avenue from Shepherd Avenue to Nees Avenue
- Flower Avenue from Behymer Avenue to Clinton Avenue
- Armstrong Avenue from Gettysburg Avenue to Shields Avenue
- Temperance Avenue from Shepherd Avenue to Nees Avenue
- Temperance Avenue from SR 168 to Shields Avenue
- DeWolf Avenue from Bullard Avenue to Shields Avenue
- Leonard Avenue from Bullard Avenue to Ashland Avenue
- Thompson Avenue from Cole Avenue to Herndon Avenue
- McCall Avenue from Herndon Avenue to Ashlan Avenue
- Academy Avenue from Shepherd Avenue to Ashlan Avenue

Future ambient noise would be substantially higher when compared to existing conditions at receptors along the roadway segments identified above. Therefore, traffic-related noise impacts related to the implementation of the General Plan Update are significant.

Mitigation Measure

No feasible mitigation measures are available. Several Environmental Safety Element policies under the General Plan Update would reduce potential noise impacts to new sensitive land uses. For example, Policy 3.1 requires mitigation measures to ensure future developments remain compatible with existing uses as detailed in the Noise Level Exposure and Land Use Compatibility Matrix and the City's noise ordinance. Policy 3.2 discourages land use and traffic patterns that expose sensitive land uses or noise-sensitive areas to unacceptable noise levels. Policy 3.3 requires new development to assess potential noise impacts and to fund feasible noise-related mitigation measures. Policies 3.4 and 3.5 require noise-minimizing site and building designs (e.g., sound walls, landscaping, buffers, siting, etc.) and an acoustical study. However, these policies would only affect new developments and would not apply to existing homes. Mitigating noise impacts to existing homes fronting major transportation corridors could consist of retrofitting sound walls, buffers, or other barriers along the corridor, but this would require adjusting existing rights-of-way to make room for the noise-minimizing designs. Shifting existing rights-of-way to install noise barriers could affect roadway or sidewalk widths, and the noise barriers may encroach onto private property. It would also be expensive to implement the buffers along all existing homes fronting major roadways throughout the City. Therefore, this is an economically and physically infeasible option. Thus, Impact 5.12 1 would remain significant and unavoidable.

Impact 5.12-4: Build out of the individual land uses and projects for implementation of the General Plan Update could expose sensitive uses to strong ground borne vibration.

Finding 11 – Impact 5.12-4 is within the responsibility and jurisdiction of the City of Clovis and not the Commission. It is not a direct impact of the proposal. No other feasible changes or alterations to the proposal, within the Commission's authority, would reduce this impact to less than significant.

The Commission hereby makes Finding 11 and determines that changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the FEIR for both the 2035 Scenario and Full Build out. However, this impact would remain significant and unavoidable. In order to approve the proposed General Plan Update, a Statement of Overriding Considerations will be required.

Facts in Support of Finding

2035 Scenario

Construction operations can generate varying degrees of ground vibration, depending on the construction procedures and equipment. Vibration from construction activities rarely reaches levels that can damage structures, but can achieve the audible and perceptible ranges in

buildings close to the construction site. Vibration generated by construction equipment has the potential to be substantial. Depending on the type of equipment and distance to the nearest receptors, the use of heavy equipment during construction would have the potential to cause annoyance and architectural damage at nearby uses. This would be a potentially significant impact.

Full Build out

The analysis above for the 2035 Scenario also applies to Full Build out of the General Plan Update.

Mitigation Measure

12-1 Individual projects that involve vibration-intensive construction activities within 200 feet of sensitive receptors, such as blasting, pile drivers, jack hammers, and vibratory rollers, shall be evaluated for potential vibration impacts. A study shall be conducted for individual projects where vibration-intensive impacts may occur. If construction-related vibration is determined to be perceptible at vibration-sensitive uses, additional requirements, such as use of less-vibration-intensive equipment or construction techniques, shall be implemented during construction (e.g., nonexplosive blasting methods, drilled piles as opposed to pile driving, etc.).

Mitigation Measure 12-1 would reduce vibration impacts by requiring alternative construction methods. However, it cannot be guaranteed that these methods can be implemented and that vibration impacts from construction of future projects would not occur. No other mitigation measures are available. Consequently, Impact 5.12-4 would remain significant and unavoidable.

Impact 5.12-5: Construction activities associated with build out of the individual land uses and projects for implementation of the General Plan Update would substantially elevate noise levels in the vicinity of noise-sensitive land uses.

Finding 12 – Impact 5.12-5 is within the responsibility and jurisdiction of the City of Clovis and not the Commission. It is not a direct impact of the proposal. No other feasible changes or alterations to the proposal, within the Commission’s authority, would reduce this impact to less than significant.

The Commission hereby makes Finding 12 and determines that changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the FEIR for both the 2035 Scenario and Full Build out. However, this impact would remain significant and unavoidable. In order to approve the proposed General Plan Update, a Statement of Overriding Considerations will be required.

Facts in Support of Finding

2035 Scenario

Construction of individual developments associated with build out of the proposed land use plan would temporarily increase the ambient noise environment and would have the potential to affect noise-sensitive land uses in the vicinity of each individual project. Section 5.27.604 of the Clovis Municipal Code provides that unless otherwise expressly provided by a permit, construction activities are only permitted between the hours of 7:00 AM and 7:00 PM Monday thru Friday and between 9:00 AM and 5:00 PM on Saturday and Sunday. From June 1 through September 15, permitted construction activity may commence after 6:00 AM Monday through Friday. Extended construction work hours with a permit must at all times be in strict compliance with the permit conditions.

These provisions would not apply for emergency work of public service utilities. In addition, stationary equipment (e.g., generators) cannot be adjacent to any existing residences unless enclosed in a noise-attenuating structure, subject to the review and approval of the Planning Director. However, construction activities could cause substantial noise increases to nearby uses during prolonged periods of construction. Even with the environmental review that would be required for most development projects, it cannot be guaranteed that noise impacts during construction could be mitigated to below significance. Therefore, construction noise as it relates to implementation of the General Plan Update would result in a potentially significant noise impact.

Full Build out

The analysis above for the 2035 Scenario also applies to Full Build out of the General Plan Update.

Mitigation Measure

12-2 Applicants for new development projects within 500 feet of sensitive receptors shall implement the following best management practices to reduce construction noise levels:

- Consider the installation of temporary sound barriers for construction activities immediately adjacent to occupied noise-sensitive structures.
- Equip construction equipment with mufflers.
- Restrict haul routes and construction-related traffic.
- Reduce nonessential idling of construction equipment to no more than five minutes.

Mitigation Measure 12-2 would reduce construction noise impacts to the extent feasible. However, factors such as distance, source to receiver geometry, and other site conditions may render the mitigation measure infeasible or ineffective for individual future projects in the Plan Area. Thus, Mitigation Measure 12-2 would not guarantee that construction noise impacts would be reduced to less than significant levels, and Impact 5.12-5 would remain significant and unavoidable.

11. Population and Housing

Impact 5.13-1: Under the 2035 Scenario, build out of the General Plan Update would result in similar population growth as projected by the Fresno COG; however, full build out of the proposed project would substantially increase population in the Plan Area, by over 150 percent by year 2080, which is also beyond Fresno COG's planning horizon.

Finding 13 – Impact 5.13-1 is within the responsibility and jurisdiction of the City of Clovis and not the Commission. It is not a direct impact of the proposal. No other feasible changes or alterations to the proposal, within the Commission's authority, would reduce this impact to less than significant.

The Commission hereby makes Finding 13 and determines that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the FEIR. Potentially significant impacts cannot be reduced to less than significant levels at full build out of the General Plan Update (2035 Scenario would be less than significant). This impact is significant and unavoidable. In order to approve the proposed General Plan Update, a Statement of Overriding Considerations will be required.

Facts in Support of Finding

2035 Scenario

The City's 2035 Scenario population growth under the proposed project (184,100 persons) would be 3.9 percent greater than the Fresno COG's 2035 projections; however, the difference is minimal, given that the population projections are estimated more than 20 years into the future. Thus, impacts are considered to be less than significant.

Full Build out

Full Build out of the project would result in 294,300 persons in the entire Plan Area, which is more than 150 percent of the existing population. Development in accordance with the proposed land use plan at full build out is not likely to occur within the next 50 years, and Fresno COG population projections do not exceed its 25-year planning horizon. Thus, it is uncertain whether the substantial population induced by the proposed General Plan Update would follow population growth trends forecast by the Fresno COG. Given the lack of comparative population projections, the population anticipated in the SOI and non-SOI Plan Area at full build out of the proposed General Plan Update would be substantial and significant.

Mitigation Measure

No feasible mitigation measure is available. Reducing the future population would require either an alternate land use (as analyzed in the EIR Project Alternatives) or a reduction in household size. However, household size data used in the EIR analysis was obtained from the City's 2010 U.S. Census data, which is an accurate representation of the City's average household size. Full build out of the proposed project would result in a substantial 156 percent

increase in population directly through proposed residential, commercial, and office uses under the proposed land use plan and indirectly through planned extensions and improvements of roads and infrastructure into the SOI and non-SOI Plan Area. Furthermore, because the Fresno COG population projections do not exceed its 25-year planning horizon, it is uncertain whether the City of Clovis' population growth beyond 2035 would keep pace with the proposed project's population growth. Impacts would remain significant and unavoidable at full build out of the General Plan Update.

12. Transportation and Traffic

Impact 5.16-1: Project-related trip generation would impact levels of service for the existing area roadway system.

Findings 14 & 15 – Impact 5.16-1 is within the responsibility and jurisdiction of the City of Clovis and not the Commission. It is not a direct impact of the proposal. No other feasible changes or alterations to the proposal, within the Commission's authority, would reduce this impact to less than significant.

The Commission hereby makes Finding 14 given that changes or alterations that could mitigate this impact are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency under both the 2035 Scenario and Full Build out.

The Commission hereby also makes Finding 15 and determines that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the FEIR for both the 2035 Scenario and Full Build out. Therefore, this impact is significant and unavoidable. In order to approve the proposed General Plan Update, a Statement of Overriding Considerations will be required.

Facts in Support of Finding

2035 Scenario

Based on LOS requirements, the majority of the study roadway segments would operate at acceptable levels (LOS D or better) during the AM and PM peak hours. However, the following study roadway segments would operate below the applicable LOS standard during either the AM or PM peak hours:

City of Clovis Roadways

- Minnewawa Avenue: Shaw Avenue to Ashlan Avenue (LOS F in PM peak hour)

County of Fresno Roadways

- Copper Avenue: Willow Avenue to Auberry Road (LOS E in AM peak hour)
- Copper Avenue: Auberry Road to Minnewawa Avenue (LOS F in AM and PM peak hours)
- Behymer Avenue: Clovis Avenue to Fowler Avenue (LOS D in PM peak hour)
- Herndon Avenue: McCall Avenue to Academy Avenue (LOS D in PM peak hour)

- Ashlan Avenue: Minnewawa Avenue to Clovis Avenue (LOS F in AM and PM peak hours)
- Ashlan Avenue: McCall Avenue to Academy Avenue (LOS D in PM peak hour)
- Minnewawa Avenue: Copper Avenue to Behymer Avenue (LOS F in AM and PM peak hours)
- Fowler Avenue: Behymer Avenue to Shepherd Avenue (LOS E in PM peak hour)
- DeWolf Avenue: Herndon Avenue to Bullard Avenue (LOS D in AM and PM peak hour)
- McCall Avenue: Herndon Avenue to Shaw Avenue (LOS F in AM and PM peak hours)
- Academy Avenue: Herndon Avenue to Shaw Avenue (LOS D in PM peak hour)

Caltrans Facilities

- SR 168 Eastbound: McKinley Avenue to Shields Avenue (LOS E in AM and PM peak hours)
- SR 168 Eastbound: Shields Avenue to Ashlan Avenue (LOS E in AM and PM peak hours)
- SR 168 Westbound: Ashlan Avenue to Shields Avenue (LOS E in AM peak hour)
- SR 168 Eastbound: Herndon Avenue to Fowler Avenue (LOS E in PM peak hour)
- SR 168 Westbound: Fowler Avenue to Herndon Avenue (LOS F in AM peak hour; LOS E in PM peak hour)
- SR 168 Westbound: Temperance Avenue to Fowler Avenue (LOS E in AM peak hour)
- SR 168: Temperance Avenue to Owens Mountain Parkway (LOS F in PM peak hour)

The impacted roadway in the City of Clovis at Minnewawa Avenue from Shaw Avenue to Ashland Avenue would operate at LOS F in PM peak hour; however, an exception to the City's LOS standard would apply to this roadway segment, per Policy 2.1 of the General Plan Update. Thus, no roadways in the City of Clovis would operate at unacceptable LOS in the 2035 Scenario.

Nevertheless, several roadway segments in the County of Fresno and Caltrans facilities would operate at unacceptable LOS. Although traffic improvements could mitigate these impacts, these improvements would be under the jurisdiction of Caltrans and the County of Fresno. Since the City of Clovis does not have control over the implementation of these mitigation measures, the City hereby makes Finding 2, and the impact would remain significant and unavoidable.

Full Build out

Based on traffic growth from this additional development, several deficiencies at study roadways were identified at Full Build out of the General Plan Update. The following segments were identified to need improvements, including segment extensions and lane expansions:

City of Clovis Roadways

- Copper Avenue: Willow Avenue to Auberry Road
- Copper Avenue: Auberry Road to Clovis Avenue
- Behymer Avenue: Willow Avenue to Clovis Avenue
- Minnewawa Avenue: Shepherd Avenue to Behymer Avenue
- Clovis Avenue: extended north from Behymer Avenue to Copper Avenue as a 4 lane arterial

- Clovis Avenue: Shepherd Avenue to Perrin Avenue
- Owens Mountain Parkway: DeWolf Avenue to “Muncie Avenue” (east-west collector street east of SR 168)
- Owens Mountain Parkway: McCall Avenue to “Dockery Avenue” (north-south arterial street east of McCall Avenue in Northeast Urban Center)
- Herndon Avenue: McCall Avenue to “Del Rey Avenue” (north-south collector street west of Academy Avenue in Northeast Urban Center)
- McCall Avenue: SR 168 to Owens Mountain Parkway
- McCall Avenue: north of Herndon Avenue
- Ashlan Avenue: Thompson Avenue to McCall Avenue
- DeWolf Avenue: Bullard Avenue south to City Limits
- Leonard Avenue: Bullard Avenue south to City Limits
- Shepherd Avenue: Willow Avenue to Temperance Road
- Alluvial Avenue: Clovis Avenue to Temperance Avenue
- Herndon Avenue: Temperance Avenue to DeWolf Avenue
- Gettysburg Avenue: Clovis Avenue to Sierra Vista Parkway
- Willow Avenue: Herndon Avenue to Escalon Avenue
- Sunnyside Avenue: Alluvial Avenue to Fifth Street
- Fowler Avenue: Enterprise Canal to Nees Avenue
- Armstrong Avenue: Alluvial Avenue to Herndon Avenue

County of Fresno Roadways

- McCall Avenue: Herndon Avenue to SR 180
- Academy Avenue: Herndon Avenue to Shaw Avenue

Caltrans Facilities

- SR 168: Herndon Avenue to Temperance Avenue
- SR 168: Temperance Avenue to Shepherd Avenue/McCall Avenue
- SR 168: Shepherd Avenue/McCall Avenue to “Dockery Avenue”
- SR 168: east of “Dockery Avenue” to east of “Indianola Avenue” (north-south arterial west of Academy Avenue in Northeast Urban Center)

As presented above, several segments would need to be expanded and extended. Improvements for roadways in the City of Clovis have been identified; however, at the time of the preparation of this analysis, no funding sources have been identified (Finding 15). In addition, the impacted County of Fresno roadways and Caltrans facilities are not under the City’s jurisdiction (Finding 14). Thus, this would be a significant impact.

Mitigation Measure

Several City roadway segments would need to be expanded and extended at full build out; however no funding sources have been identified to implement the required improvements. Policies in the proposed General Plan Circulation Element encourage a well-planned, funded, and maintained roadway network. Policy 2.3 requires new developments to pay their fair share of the cost for circulation improvements in accordance with the City’s traffic fee mitigation program. In addition, Policy 2.5 details proper coordination between Clovis and the County of

Fresno, City of Fresno, Fresno COG, and Caltrans to fund roadway improvements adjacent to and within the City's Plan Area.

However, the traffic demand forecast (TDF) model used to forecast traffic volumes was derived from the 2035 Fresno Council of Governments (COG) TDF, which uses land use and transportation inputs for year 2035 conditions. The model also includes funded transportation improvements that are expected to be complete by 2035 based on the list of projects and funding identified in the 2011 Fresno COG Regional Transportation Plan (RTP). Nevertheless, given that the 2011 Fresno COG RTP only forecasts conditions until year 2035, accurate improvements and funded sources are not available past 2035 to full build out of the General Plan Update. Therefore, funding sources have not been identified for the full build out time horizon. In addition, many of the segments outside of the City's jurisdiction would need to be improved by their respective jurisdictions (i.e., Caltrans and the County of Fresno).

Further, since the horizon year of the 2011 Fresno COG RTP is 2035, Fresno COG has not developed a TDF model with land use and transportation inputs that correspond with the timing of full build out of the proposed General Plan Update. Although the Fresno COG TDF model is the best tool available to forecast future traffic conditions, it is important to note that the model develops traffic forecasts based on current travel behavior, which may no longer be applicable for long-term future conditions. Changes in technology, demographics, and economic conditions—particularly over a long time-frame (e.g., 40+ years and full build out of the proposed General Plan Update)—may affect people's travel behavior in ways that are not captured by the model and would be speculative to predict at this time. Thus, no feasible mitigation measures are available for potentially significant impacts at full build out of the proposed project. Impacts would remain significant and unavoidable.

13. Utilities and Service Systems

Impact 5.17-1: Although the 2010 Urban Water Management Plan indicates sufficient water supply sources through year 2035, the severity and uncertain duration of California's recent drought conditions makes water supply unreliable. Therefore, water supply impacts are considered potentially significant under both the 2035 Scenario and Full Build out.

Finding 16 – Impact 5.17-1 is within the responsibility and jurisdiction of the City of Clovis and not the Commission. It is not a direct impact of the proposal. No other feasible changes or alterations to the proposal, within the Commission's authority, would reduce this impact to less than significant.

The Commission hereby makes Finding 16 and determines that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the FEIR under both the 2035 Scenario and Full Build out. This impact is significant and unavoidable. In order to approve the proposed General Plan Update, a Statement of Overriding Considerations will be required.

Facts in Support of Finding

2035 Scenario

Build out of the proposed General Plan under the 2035 Scenario is anticipated to increase total water demand to 52,910 acre-feet per year (afy). The City's 2010 UWMP has forecast that it will be able to meet a 2035 demand of 52,962 afy. Thus, the City would have adequate water supply to meet the demand of 2035 build out. However, this information does not take into account recent drought conditions. Given the uncertainty of the potential ongoing severity and duration of the drought, water supply impacts are considered significant and unavoidable.

Full Build out

Potable water demand at Full Build out of the General Plan Update is expected to increase to 78,695 afy. The City's 2010 UWMP only provides water supply projections to the year 2035. The UWMP anticipates average year supply to be 71,799 afy in 2035. Water supply at Full Build out cannot be expected to exceed this amount because the City has no existing plans to increase water supply past the year 2035. Further, considering current water supply constraints—including the record 2013–2014 California drought and the critically over drafted status of the Kings Sub-basin—it is uncertain whether the City would be able to secure water supplies. Therefore, impacts are considered significant and unavoidable.

Mitigation Measure

No feasible mitigation measure is available. Water is a nonrenewable resource, and given the current drought conditions, there are no economic, legal, social, or technological advances that will ensure adequate water supply remains through 2035 and full build out of the proposed General Plan Update. Thus, water supply impacts are significant and unavoidable.

4. FINDINGS REGARDING ALTERNATIVES ANALYZED IN THE EIR

CEQA requires that the discussion of alternatives focus on alternatives to the project or its location that are capable of avoiding or substantially lessening any significant effects of the project. Only locations that would avoid or substantially lessen any of the significant effects of the project need be considered for inclusion in the EIR (CEQA Guidelines Section 15126.6[f][2][A]).

An evaluation of an alternative to the project location is appropriate for a site-specific development project. In the case of the proposal, the project evaluated in the subject DEIR and FEIR is the General Plan Update and Development Code Update for the City of Clovis. The City does not have authority to carry out functions pursuant to its General Plan, including regulating land uses, outside of the City's boundaries. Therefore, an alternative project location would be infeasible and was not analyzed. However, land use alternatives evaluated in this Section, *Findings Regarding Alternatives Analyzed in the EIR*, does evaluate alternatives that eliminate development within certain sections of the Plan Area.

Several alternatives were determined to represent a reasonable range of alternatives with the potential to feasibly attain most of the basic objectives of the project but avoid or substantially lessen any of the significant effects of the project. The EIR analyzed four alternatives to the proposed Project:

- No Project/Existing General Plan Alternative
- Moderate Growth within SOI Alternative
- Concentrated Growth within SOI Alternative
- Low Density Growth Alternative

No Project/Existing General Plan Alternative

In the No Project/Existing General Plan Alternative, the General Plan Update would not be implemented. The current 1993 General Plan, including land use designations in the Land Use Element, would remain in effect. The 1993 General Plan addresses the same overall geographic boundaries and applies similar land use designations as the proposed General Plan (especially within the current City boundaries and the Loma Vista area). However, the 1993 General Plan designates less development and at lower intensities in a smaller geographic footprint in the Northeast and Northwest Urban Centers.

In general, nearly all build out factors of the No Project/Existing General Plan Alternative would be substantially lower than the proposed project, with the exception of nonresidential building square footage. The No Project Alternative would allow for 52 million square feet of nonresidential development, which is 700,000 square feet more than the proposed project. The development would experience much lower employment generation factors and would not be as intense in terms of generating additional employees. Thus, the proposed project would generate an additional 23 percent of employment compared to the No Project Alternative.

Finding: The No Project/Existing General Plan Alternative would be physically feasible but would not be as economically feasible as the proposed General Plan Update. The proposed project more accurately reflects the City's (including business owners and residents) future planning goals for their community. In addition, the General Plan Update is needed to reflect recent legislative changes (e.g., greenhouse gas emission reductions, Complete Streets Act, etc.), the economy and market, and emerging best practices.

The No Project/Existing General Plan Alternative would reduce impacts to agriculture, air quality, biological resources, cultural resources, geology and soils, greenhouse gas emissions, hydrology and water quality, noise, population and housing, public services, transportation and traffic, and utilities and service systems. However, all significant and unavoidable impacts would still remain. Land use and planning impacts would be greater under this alternative because the 1993 General Plan is not consistent with new or updated state and local planning laws. Furthermore, this alternative would not be as successful in accommodating 80 years of growth, nor would it develop complete communities in the three urban centers, given the lower intensity of development under the current land use plan. Public open space resources,

housing, employment, and lifestyle opportunities would also be more limited under this alternative in comparison to the proposed General Plan Update. Overall, this alternative would not be as effective in meeting the project objectives. Therefore, it has been rejected by the City in favor of the proposal.

Moderate Growth within SOI Alternative

The Moderate Growth within SOI Alternative assumes the same land use designations as the proposed project; however, development would be limited to areas within the current SOI boundary. The non-SOI Plan Area would maintain its existing land use designations per the County of Fresno General Plan. The only change of land use designation within the SOI boundary would be to the eastern Loma Vista parcels adjacent to McCall Avenue. These parcels would be lowered in density from Mixed Use Business Campus to Low Density Residential given that McCall Avenue would not be developed to accommodate such high use if development stays within the SOI boundary. In this alternative only 5,250 residential units and 262,500 square feet of nonresidential uses would be developed in the non-SOI Plan Area, compared to 38,500 units and 11.3 million square feet that would be developed in that area by the proposed General Plan Update. The total numbers of residents and employees in the Plan Area at build out of this alternative would each be approximately 31 percent less than corresponding numbers at full build out of the proposed General Plan Update.

Finding: The Moderate Growth within SOI Alternative would be physically feasible but may not be as responsive to the project objectives with respect to economic considerations as the proposed project. The three urban centers would not be developed as individual sustainable communities, nor would the City be able to accommodate 80 years of growth within the SOI boundary. Expansion into the non-SOI Plan Area is necessary to provide housing, employment, and lifestyle opportunities for the population growth expected in Clovis.

The Moderate Growth within SOI Alternative would reduce impacts to aesthetics, biological resources, geology and soils, hazards and hazardous materials, hydrology and water quality, public services, and utilities and service systems. In addition, the alternative would also reduce impacts to all significant and unavoidable impacts; however most would remain significant and unavoidable for both the 2035 and Full Build out Scenarios with the exception of population growth (Full Build out) and groundwater use and water supply (2035 Scenario and Full Build out). Nevertheless, this alternative would not be as responsive to the project objectives as the proposed project. By restricting development to areas within the SOI boundary, the alternative would not be able to develop complete communities in all three urban centers or accommodate 80 years of growth in a sustainable pattern. All housing, employment-generating development, and public open space resources (i.e., trails, parks, and recreation) proposed in the non-SOI Plan Area under the proposed project would not be developed under this alternative either. Thus, it has been rejected by the City in favor of the proposed project.

Concentrated Growth within SOI Alternative

The Concentrated Growth within SOI Alternative would accommodate the same level of development as the proposed project; however, there would be no change to designations outside of the SOI boundary, which would maintain its existing land use designations per the County of Fresno land use plan. In order to accommodate the same level of development, this alternative would substantially increase density in various areas within the City and SOI, particularly in Loma Vista and the Northwest Urban Center. For example, proposed residential uses would increase from Very Low or Low Density Residential to Medium High, High, and Very High Density Residential. At build out of this alternative, over 96 percent of residential units and over 99 percent of nonresidential building in the Plan Area would be within the SOI.

Finding: Concentrating all growth within Clovis' SOI boundary would be physically feasible but may not be as responsive to project objectives or environmental factors. The intensity of development and population growth would cause increased environmental impacts, including land use and planning, traffic, and recreation. Further, this alternative would not achieve the project objectives as well as the proposed General Plan Update because the high density development would significantly alter the character and quality of existing neighborhoods and Old Town.

Compared to the proposed project, the Concentrated Growth within the SOI Alternative would reduce impacts to biological resources, cultural resources, geology and soils, hazards and hazardous materials, public services, and utilities and service systems. While this alternative would not reduce any significant and unavoidable impacts of the proposed project to less than significant, it would still reduce impacts to agricultural resources, air quality, historical resources, and greenhouse gas emissions. This alternative would increase impacts to land use and planning, transportation and traffic, and recreation mainly due to the concentrated intensity of development proposed within just the SOI boundary. In addition to increased environmental impacts, the dense development under this alternative would adversely impact the small-town character of Old Town, the urban centers, and existing neighborhoods. Further, 80 years of sustainable growth would not be accommodated within just the SOI boundary. Therefore, the City rejected this alternative in favor of the proposed project.

Low Density Growth Alternative

Similar to the General Plan Update, the Low Density Growth Alternative would designate land uses across the entire Plan Area. However, it would substantially reduce development intensity. This alternative would significantly lower density in various areas within the City's SOI and the Northeast and Northwest Urban Centers. For example, the highest density residential designation would be Medium Density Residential with a maximum density of seven units per acre. In the urban centers, parcels adjacent to agricultural uses and rural residential areas are further reduced to Very Low Density Residential. Employment would also be limited to a handful of retail and business centers. Population and the number of housing units at build out of this alternative would each be reduced by about half compared to the proposed project;

employment would be reduced by about 59 percent; and nonresidential building area would be reduced by approximately 64 percent.

Finding: This alternative is physically feasible; however it would not be as effective in achieving the project objectives or reducing environmental impacts. Low density growth across the entire Plan Area would preserve the small-town character of Clovis' existing neighborhoods; however, given the size of the Plan Area, low density development is not a sustainable urban growth pattern and would likely cause an economic strain on the City due to expansion of public services, utilities, and roadways for a population half of that proposed by the General Plan Update.

The Low Density Growth Alternative would reduce impacts to aesthetics, geology and soils, hazards and hazardous materials, hydrology and water quality, recreation, and utilities and service systems. In addition, this alternative would reduce but would not eliminate significant and unavoidable impacts to air quality, greenhouse gas emissions, historical resources, construction-related noise and vibration, and traffic. However, impacts would be greater on land use and planning and public services. Significant and unavoidable population (Full Build out) and groundwater use and water supply (2035 Scenario and Full Build out) would be reduced to less than significant. The Low Density Growth Alternative would reduce impacts associated with higher density development, but it would be more difficult to meet several project objectives compared to the proposed project, such as developing complete communities in the three urban centers, providing residential and employment opportunities, accommodating 80 years of sustainable growth, and creating lifestyle opportunities for all ages and incomes of residents. Therefore, the City rejected this alternative in favor of the proposed project.

5. STATEMENT OF OVERRIDING CONSIDERATIONS (CEQA GUIDELINES SECTION 15093, 15096 (H))

The City of Clovis, acting as the Lead Agency, adopted a Statement of Overriding Considerations. Because the Project will result in the occurrence of significant effects which are identified in the FEIR that are not avoided or substantially lessened, and others that are only lessened by the actions of other agencies outside of the Commission's control, the Commission provides the following, specific reasons to support the proposal.

The Commission has made a reasonable and good faith effort to evaluate any alternatives or mitigation measures that would eliminate or substantially mitigate the environmental impacts resulting from the Project. The Commission has reviewed the actions by the City of Clovis to eliminate or substantially mitigate the environmental impacts, particularly the City's various mitigation measures in the EIR, and goals and policies identified in the General Plan.

For the reasons set forth below, the Commission determines that any significant environmental impacts caused by the Project has been minimized to the extent feasible, and where not feasible, has been outweighed and counterbalanced by the significant economic, fiscal, social,

and land-use benefits to be generated to the City. This Statement of Overriding Considerations justifies finding the unavoidable adverse environmental impacts from the Project acceptable.

The Commission finds that any one of the benefits set forth below is sufficient by itself to warrant approval of the Project, and justify the unavoidable adverse environmental impacts from the Project. This determination is based on the findings herein and the evidence in the record. Having balanced the unavoidable adverse environmental impacts against each of the benefits, the Commission hereby adopts this Statement of Overriding Considerations, for the following reasons.

The City, after balancing the specific economic, legal, social, technological, and other benefits of the proposed Project, including region wide or statewide environmental benefits, has determined that the unavoidable adverse environmental impacts identified above may be considered acceptable due to the following specific considerations that outweigh the unavoidable, adverse environmental impacts of the proposed Project, in accordance with CEQA Section 21081(b) and State CEQA Guideline Section 15093.

1. Fiscal benefits to the City, including reserving land area for jobs, investing in economic development, increasing retail spending in Clovis, and revitalizing commercial corridors to generate sufficient revenues to pay for continuation and improvement in public facilities and services, such as fire and police, and infrastructure.
2. Reduction in vehicle miles travelled and associated greenhouse gas emissions by designating compact, concentrated mixed-use development in Loma Vista and the Northeast and Northwest Urban Centers.
3. Increase in use of non-motorized transportation such as walking and biking by locating land uses such as housing, essential neighborhood-serving retail, and employment together, particularly in the three urban centers, to reduce distances between destinations.
4. Consistency with the strategies outlined in the Fresno Council of Government's 2011 Regional Transportation Plan and the San Joaquin Valley Blueprint Smart Growth Principles.
5. Proposed General Plan Update goals and policies that address citywide and neighborhood-specific sustainability and healthy communities' strategies.