

**DRY CREEK PRESERVE MASTER PLAN  
GENERAL PLAN AMENDMENT GPA2016-06  
PREZONE R2016-07  
VESTING TENTATIVE TRACT MAP TM6154  
REORGANIZATION RO296  
INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION**

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PREPARED BY:



**CITY OF CLOVIS**

Planning Division  
1033 Fifth Street  
Clovis, CA 93612

Project Manager:  
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**March 2018**

**ATTACHMENT 1**



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

For County Clerk Stamp

**DRY CREEK PRESERVE  
NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION  
NOTICE OF PUBLIC REVIEW OF A PROPOSED MITIGATED NEGATIVE DECLARATION**

**NOTICE IS HEREBY GIVEN** that the City of Clovis intends to adopt a Mitigated Negative Declaration for the Project described below. The Mitigated Negative Declaration will be considered by both the Planning Commission and City Council during public hearings, conducted in the Council Chamber of the Clovis Civic Center, 1033 Fifth Street, Clovis, CA 93612. A separate public notice will be sent and posted prior to each hearing.

The Clovis Planning Commission and City Council will consider the following items:

- A. Approve a Master Plan for Focus Area 7 in the General Plan, approximately 795 acres generally bounded by Nees Avenue on the South, Big Dry Creek on the west, Enterprise Canal on the east, and Shepherd Avenue on the north, commonly referred to as the Dry Creek Preserve.
- B. Consider items associated with eight properties located at the northwest corner of Teague and Fowler Avenues. Woodside 06N, LP, Inland Star Distribution Centers, Inc., a California Corporation, Paul and Monique Krause, Suzanne Robertson, Darell and Katherine Kroeker, Charles F. and Lisa J. Keller, Suhardi Tjuanta Trustee, owners; Woodside 06N, LP, applicant; Yamabe and Horn Engineering Inc., representative.
  1. **GPA2016-06**, A request to re-designate approximately 48.61 acres from Rural Residential (1 lot per 2 acres) to Low Residential (2.1 to 4 lots per acre).
  2. **R2016-07**, A request to prezone approximately 48.61 acres from the County R-R (Rural Residential) Zone District to the R-1 (Single-Family Residential) Zone District, and prezone 9.52 acres from County R-R Zone District to the City R-R Zone District.
  3. **TM6154**, Approve a vesting tentative tract map for a 95-lot single-family subdivision on 43.23 acres.
  4. **RO296**, A resolution of application for the Annexation of the Territory known as the Teague-Fowler Northwest Reorganization.

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

All interested parties are invited to comment in writing to the Planning Division and/or City Council. Comments will be accepted until 3:00 p.m. on April 19, 2018. Comments and questions regarding these items should be directed to Bryan Araki, City Planner at (559) 324-2346 or email at [bryana@cityofclovis.com](mailto:bryana@cityofclovis.com).

If you would like to view the Mitigated Negative Declaration and supporting documents, please visit the City of Clovis Website at [www.cityofclovis.com](http://www.cityofclovis.com). Select "Dry Creek Preserve" on the right hand column of the main page.

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

Bryan Araki, City Planner  
PUBLISH: Wednesday, March 28, 2018, *The Business Journal*



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

For County Clerk Stamp

**DRAFT MITIGATED NEGATIVE DECLARATION**

**Proposed:** March 28, 2018

**Agency File No:** Dry Creek Preserve Master Plan, GPA2016-06, R2016-07, TM6154, RO296

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

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

**Project Title:** Dry Creek Preserve Master Plan, General Plan Amendment GPA2016-06, Prezone R2016-07, Vesting Tentative Tract Map TM6154, and Reorganization RO296.

**Project Location:** GPA2016-06, R2016-07, TM6154, and RO296, are generally located at the Northwest corner of Teague and Fowler Avenues in Fresno County. The Master Plan for Focus Area 7 (Dry Creek Preserve) is generally bounded by Nees Avenue on the South, Big Dry Creek on the west, Enterprise Canal on the east, and Shepherd Avenue on the north.

**Project Description:**

- A. Approve a Master Plan for Focus Area 7 in the General Plan, approximately 795 acres generally bounded by Nees Avenue on the South, Big Dry Creek on the west, Enterprise Canal on the east, and Shepherd Avenue on the north, commonly referred to as the Dry Creek Preserve.
- B. Consider items associated with eight properties located at the northwest corner of Teague and Fowler Avenues. Woodside 06N, LP, Inland Star Distribution Centers, Inc., a California Corporation, Paul and Monique Krause, Suzanne Robertson, Darell and Katherine Kroeker, Charles F. and Lisa J. Keller, Suhardi Tjuanta Trustee, owners; Woodside 06N, LP, applicant; Yamabe and Horn Engineering Inc., representative.
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  3. **TM6154**, Approve a vesting tentative tract map for a 95-lot single-family subdivision on 43.23 acres.
  4. **RO296**, A resolution of application for the Annexation of the Territory known as the Teague-Fowler Northwest Reorganization.

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

**Justification for Mitigated Negative Declaration:** The City of Clovis has completed the preparation of an Initial Study for the project described above. The Initial Study did not identify any potentially significant environmental

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

Contact Person: Bryan Araki, City Planner

Phone: (559) 324-2346

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

A handwritten signature in black ink, appearing to read "Bryan Araki", written over a horizontal line. The signature is stylized with large loops and a long tail.

Date: March 26, 2018

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Appendix A Supporting Materials

## INITIAL STUDY

### 1.0 Introduction

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

### 1.1 Documents Incorporated By Reference

This mitigated negative declaration utilizes information and incorporates information and analysis provided in the following documents pursuant to CEQA Guidelines Section 15150.

- **City of Clovis General Plan.** The 2014 Clovis General Plan provides a description of the project area setting, and sets forth a plan for development of the general plan planning area, of which the current project area is part.
- **Program Environmental Impact Report prepared for the Clovis General Plan.** The General Plan Program EIR describes potential impacts of development of the project area consistent with the general plan land use map. Some of these impacts (e.g. runoff, aesthetics, etc.) are to be expected with any urban development, and are therefore applicable to the current project.
- **Findings and Statement of Overriding Considerations prepared for adoption of the Clovis General Plan.** Adoption of the development plan contained in the General Plan is expected to result in certain unavoidable environmental impacts (Agriculture, Air Quality, Cultural Resources, Greenhouse Gas, Hydrology and Water, Noise and Vibration, Population and Housing, Transportation and Traffic, and Utility and Service Systems) that the City has determined are outweighed by the potential benefits of plan implementation.
- **Herndon Shepherd Specific Plan.** The Herndon Shepherd Specific Plan provides a description of the project area setting, and sets forth a plan for the development of the specific plan planning area, of which the current project area is a part.
- **Clovis Municipal Code Title 5 (Public Welfare, Morals and Conduct) and Title 9 (Development Code).** This Code consists of the City's regulatory, penal, and administrative laws of general application of the City of Clovis and specifically to development standards, property maintenance and nuisances, necessary for the protection of health, safety and welfare.
- **California Health and Safety Code Section 7050.5.** This section states that in the event that human remains are discovered, there shall be no further disturbance of the site of any nearby area reasonably suspected to overlie adjacent remains until the coroner of the county in which the remains are discovered has been notified. If the remains are determined to be Native American, guidelines of the Native American Heritage Commission shall be adhered to in the treatment and disposition of the remains.
- **Section 15064.5 of the CEQA Guidelines.** This section addresses the discovery of human remains, and the disturbance of potential archaeological, cultural, and historical resources. The requirements of Section 15064.5 with regard to the discovery of human remains are identical to the requirements of Health and Safety Code Section 7050.5.
- **City of Clovis 2017-2018 Budget.** The budget provides information about city services, and objectives, annual spending plan for the 2017-2018 fiscal year, debt obligations, and the five-year Community Investment Program.
- **City of Clovis 2015 Urban Water Management Plan, July 2016, The Clovis Urban Water Management Plan** outlines the City's strategy to manage its water resources through both conservation and source development. The Plan was prepared in compliance with California Water Code Section 10620.

- **Fresno Metropolitan Flood Control District Storm Drainage and Flood Control Master Plan (Adopted December 16, 2015).** The Fresno Metropolitan Flood Control District (FMFCD) is located in the north-central portion of Fresno County between the San Joaquin and Kings rivers. The FMFCD service area includes most of the Fresno-Clovis metropolitan area (excluding the community of Easton), and unincorporated lands to the east and northeast. The Storm Drainage and Flood Control Master Plan includes program planning, structure, service delivery, and financing, for both flood control and local drainage services. The flood control program relates to the control, containment, and safe disposal of storm waters that flow onto the valley floor from the eastern streams. The local drainage program relates to the collection and safe disposal of storm water runoff generated within the urban and rural watersheds.
- **Fresno Metropolitan Flood Control District Notice of Requirements,** January 29, 2018, A letter from the District stating that their facilities can accommodate the Project.
- **San Joaquin Valley Air Pollution Control District, Regulation VIII - Fugitive PM10 Prohibitions.** The purpose of Regulation VIII (Fugitive PM10 Prohibitions) is to reduce ambient concentrations of fine particulate matter (PM10) by requiring actions to prevent, reduce or mitigate anthropogenic fugitive dust emissions. Regulation VIII is available for download at <http://www.valleyair.org/rules/1ruleslist.htm#reg8>. A printed copy may be obtained at the District's Central Region offices at 1990 E. Gettysburg Ave., Fresno, CA 93726.
- **Fresno Irrigation District Letter,** January 12, 2018, An evaluation of project impacts on Fresno Irrigation District facilities.
- **City of Clovis Sewer System Management Plan,** July 2014, An evaluation of impacts to the Master Sewer Collection System.
- **Biological Evaluation from Argonaut Ecological Consulting, Inc.,** January 18, 2018, An evaluation of biological impacts.
- **Cultural Archeological Evaluation from Peak & Associates, Inc,** January 17, 2018, An evaluation of cultural and archeological resources.
- **Air Quality and Global Climate Change Evaluation from First Carbon Solutions,** June 6, 2016, An evaluation of the impacts related to Air Quality and Green House Gas.
- **Blair Church and Flynn Engineers Sewer Assessment,** July 19, 2016, An evaluation of impacts related to sewer resources.
- **Water Assessment Memo from Provost and Pritchard,** July 22, 2016, An evaluation of impacts related to water resources.
- **Clovis Unified School District,** Letter dated April 22, 2016, An evaluation of school enrollment.
- **Traffic Evaluation by Peters Engineering Group,** February 13, 2018, an evaluation of traffic related impacts.
- **Department of Transportation,** January 11, 2018, an evaluation of impacts related to State Route 168.

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

## 1.2 Lead Agency

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

### 1.3 Agencies That May Use This Document

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

*A Final EIR prepared by a lead agency or a Negative Declaration adopted by the lead agency shall be conclusively presumed to comply with CEQA for the purposes of use by responsible agencies which were consulted pursuant to Sections 15072 or 15082 unless one of the following conditions occurs:*

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

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

### 2.0 Project Description

The Project is located within an area which remains in the County of Fresno but within the Clovis Sphere of Influence. The County area is approximately 795 acres and is described as Focus Area 7 in the General Plan (see Figure 1 below). The General Plan describes the land use as rural residential which permits one unit per two acres. The General Plan also requires a master plan to be developed as part of the first development to be requested in Focus Area 7.

The Project includes a master plan which provides development standards for future development as well as a specific tract map project. The tract map project consists of a request to re-designate approximately 48.61 acres from Rural Residential (1 unit per 2 acres) to Low Residential (2.1 to 4 lots per acre), prezone approximately 48.61 acres from the County R-R (Rural Residential) Zone District to the R-1 (Single-Family Residential) Zone District, prezone approximately 9.52 acres from the County R-R Zone District to the City R-R Zone District, approve a master plan for Focus Area 7, approve a vesting tentative tract map for a 95-lot single-family subdivision, and annex 58.13 acres for properties at the northwest corner of Teague and Fowler Avenues in the County of Fresno.

The development of the tract map will necessitate the demolition of structures, wells, septic systems, and removal of several trees. The tract map will also include site grading, temporary flood control basin, installation of off-site improvements including right-of-way acquisition, and infrastructure to accommodate a 95-lot single-family planned residential development with landscaping, and street improvements. The tract map and associated parcels will be required to be annexed from the County of Fresno to the City of Clovis and detachment from the Fresno County Fire Protection District and the Kings River Conservation District.

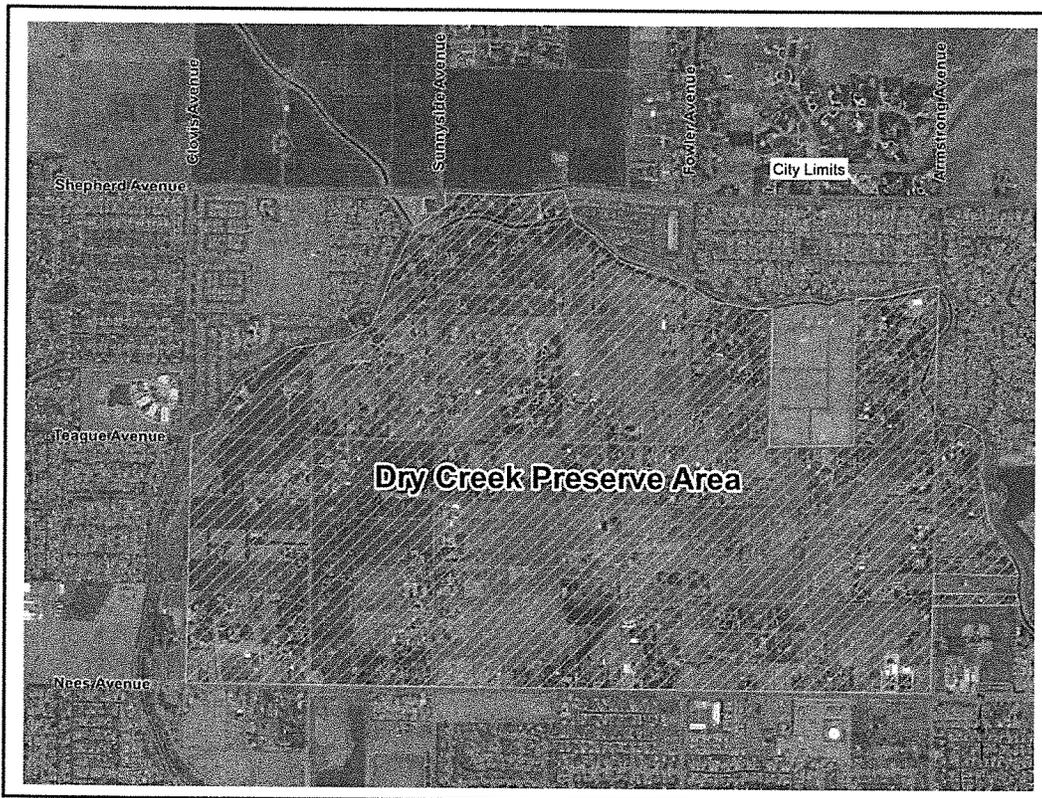


Figure 1 – Focus Area 7 Master Plan Area

## 2.1 Project Location

The proposed Project is located within the City of Clovis Sphere of Influence, in the County of Fresno. The proposed Project site is located near the northwest corner of Teague and Fowler Avenue. The proposed General Plan Amendment, Prezone and Vesting Tentative Tract Map are generally bounded by Fowler Avenue on the east, Teague Avenue on the south, The Enterprise Canal on the north and Rural residential properties on the west (see Figure 2). The General Plan requires a master plan to be developed with any development within the 795 acre County area described as Focus Area 7. Focus Area 7 is generally bounded by Nees Avenue on the south, Big Dry Creek on the west, Enterprise Canal on the east, and Shepherd Avenue on the north (see Figure 2 below).

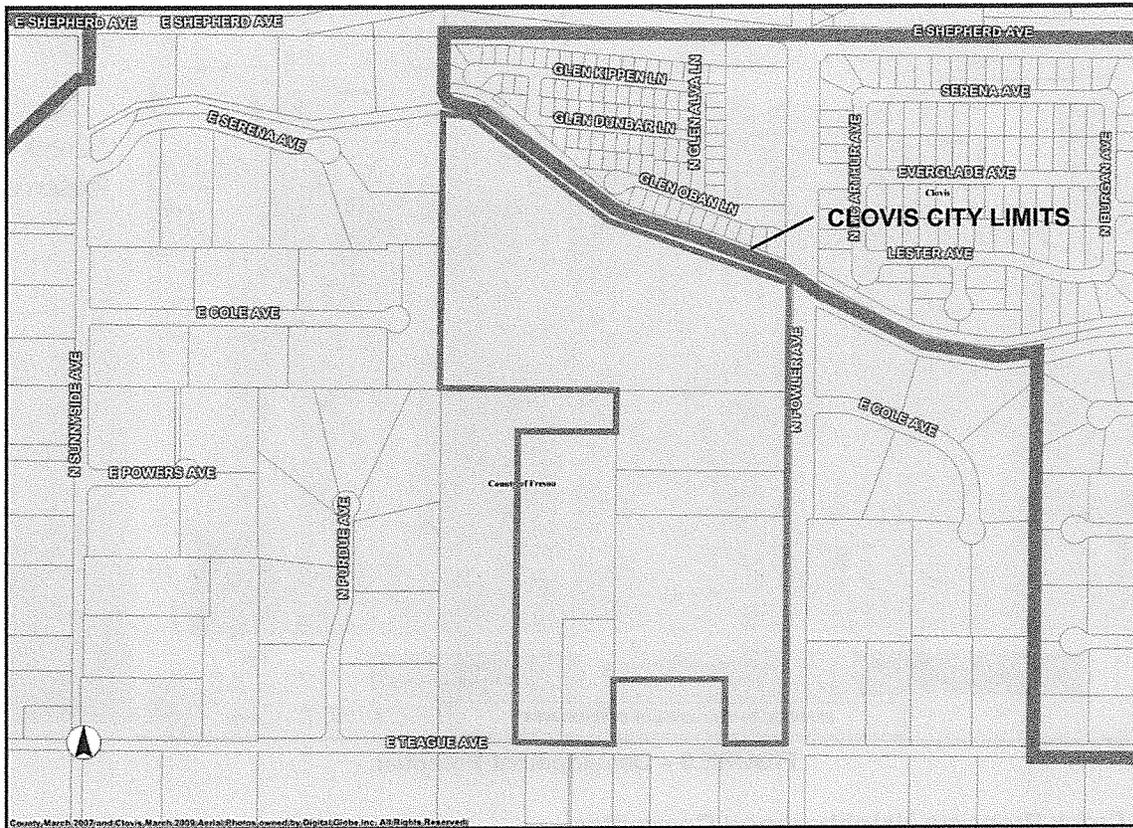
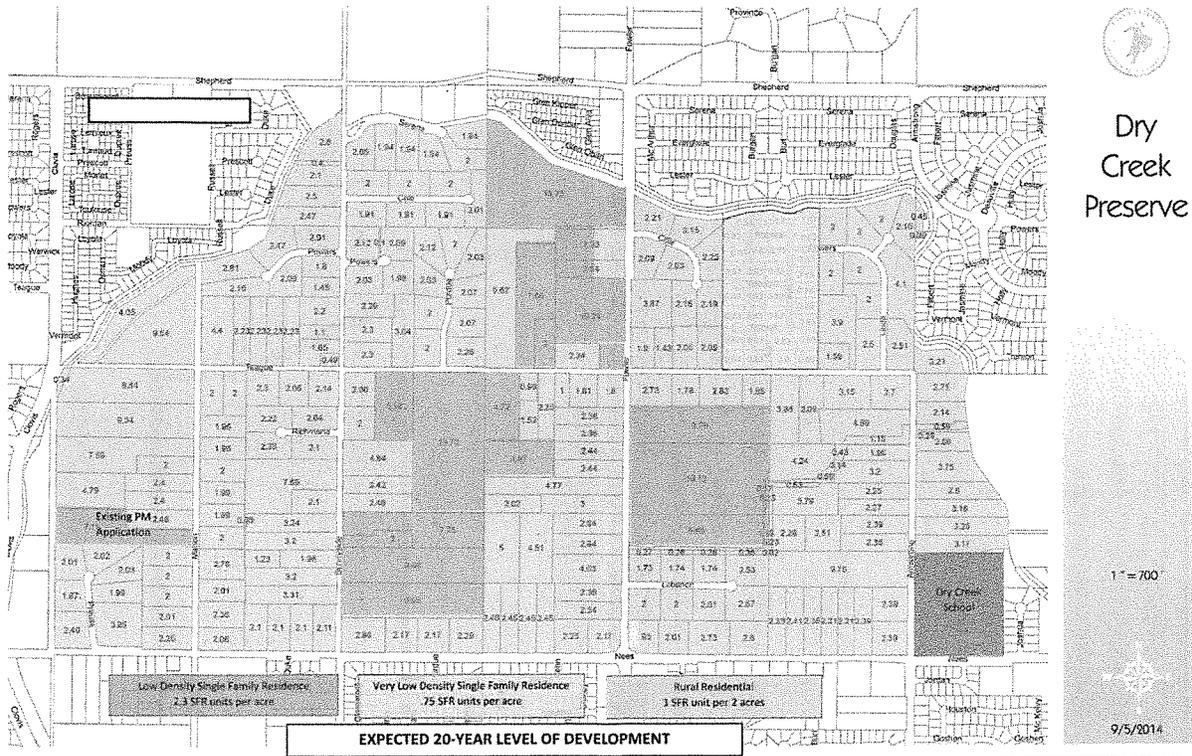


Figure 2 – TM6154 Project Location

## 2.2 Development Opportunity

During the initial review of the Project, it was brought to staff's attention that there are a number of properties outside the proposed Vesting Tentative Map area (within the County area) that are either owned by developers, or in discussion with other developers for future development at a higher density than the existing Rural Residential designation. There is one map in process with this development and it is necessary to assume that there may be other development requests in the future. Because this is a County area surrounded almost completely by the City of Clovis, infrastructure such as sewer, water, and streets will need to be designed to connect Clovis' growth areas to the north. As a County area, there are no taxes or fees collected to support infrastructure to, from, or through the area. The developers understand that lacking grant opportunities, development is the only means to fund infrastructure improvements within this area.

For purposes of this analysis, an assumption has been made that approximately 150 acres may develop at a density 2.3 units per acre which equates to an additional 345 lots (See Figure 3 below). This map is for general illustration purposes only and is not intended to require any property owner to develop their property or commit to development. This document as well as the supporting studies have considered the cumulative impacts related to a buildout of the County area using this assumption. Additionally, the sewer and water studies included potentially developable acreage beyond the additional 150 acres, even assuming the entire County area were to develop at 2.5 units per acre.



**FIGURE 3 – Development Potential**

### 2.3 Dry Creek Preserve Neighborhood Committee

There is a group of property owners within this 795 acre County area known as the Dry Creek Preserve Neighborhood Committee (DCPNC). The DCPNC mission includes but is not limited to preserving the rural residential atmosphere while providing for future development that is in keeping with the rural residential lifestyle.

The DCPNC is generally opposed to increase in densities beyond the Rural Residential Designation (1 lot per 2 acres), citing that any development of higher density residential would destroy any attempt to accomplish its mission. However, after extensive outreach to the neighborhood, there is a consensus that limited development, constructed with strict standards, could be consistent with the vision of the Dry Creek Preserve area.

As stated, the proposed tentative map is approximately 43.23 acres and sits at the top center of the County area. With an assumption that there may be an additional 110 acres which could develop at a higher density in the future, there are still opportunities for the DCPNC to reach their mission by proposing a General Plan Amendment or Specific Plan to re-designate their own properties as open space or public use as well as others which support the goals. Over the past ten years, the DCPNC has been working on a draft specific plan, occasionally providing copies to staff for review. The DCPNC draft specific plan was the seed that grew into what is now the Dry Creek Preserve Master Plan.

### 2.4 Annexation from the County to the City Overview

Development of the proposed Vesting Tentative Tract Map would necessitate properties to be annexed from the County of Fresno to the City of Clovis. The tentative boundary (see Figure 4 below) was presented to the County of Fresno and Fresno County Local Agency Land Formation Commission (LAFCo). The County of Fresno, LAFCo, and the City of Clovis tentatively agreed that the proposed

boundary meets the intent of the Memorandum of Understanding between the City of Clovis and County of Fresno, as well as LAFCo policies.

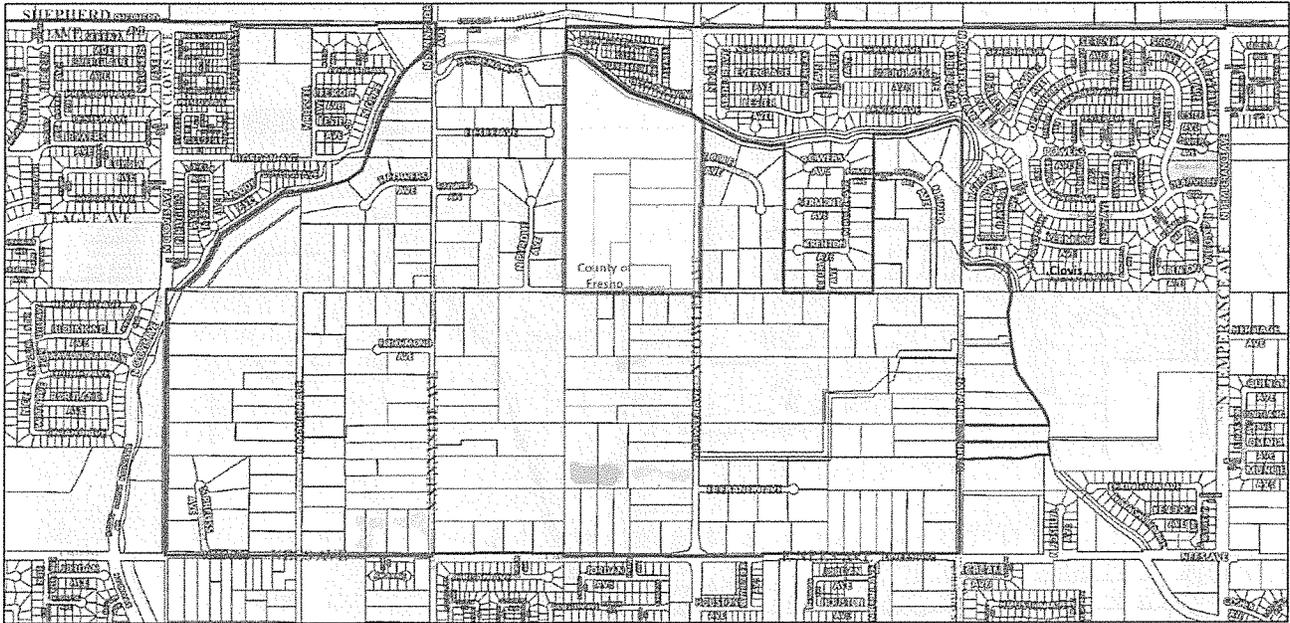


Figure 4 – Proposed Annexation Boundary

## 2.5 Proposed Design of the Woodside Tentative Map

Figure 5 shows the proposed vesting tentative map. The proposed map is approximately 43.23 acres and includes 95-lots and two remainder lots. The new lots range in size from 10,747 to 33,600 square feet. The density of the north portion is approximately 1.68 lots per acre and the south portion is approximately 2.8 lots per acre for an overall density around 2.2 lots per acre. The General Plan allows blending density across a Project to meet the maximum number of lots. The remainder lots were not factored as part of the density but if included, would bring the Project density to approximately 2.06 units per acre.



6:00 a.m. Monday through Friday. Extended construction work hours must at all times be in strict compliance with the permit.

- Stationary equipment (e.g., generators) will not be located adjacent to any existing residences unless enclosed in a noise attenuating structure, subject to the approval of the Director.

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

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

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

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

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

- Watering—for the purpose of dust control, carry-out, and tracking control—shall be conducted during construction in accordance with the City of Clovis' Storm Water Management Plan (SWMP) and the Project Storm Water Pollution Prevention Plan (SWPPP), if applicable.
- All disturbed areas, including storage piles, which are not being actively utilized for construction purposes, shall be effectively stabilized of dust emissions using water, chemical stabilizer/suppressant, covered with a tarp or other suitable cover or vegetative ground cover.
- All onsite unpaved roads and offsite unpaved access roads shall be effectively stabilized of dust emissions using water or chemical stabilizer/suppressant.
- All land clearing, grubbing, scraping, excavation, land leveling, grading, cut and fill, and demolition activities shall be effectively controlled of fugitive dust emissions utilizing application of water or by presoaking.
- With the demolition of buildings up to six stories in height, all exterior surfaces of the building shall be wetted during demolition.

- When materials are transported off site, all material shall be covered, or effectively wetted to limit visible dust emissions, and at least 2 feet of freeboard space from the top of the container shall be maintained.
- All operations shall limit or expeditiously remove the accumulation of mud or dirt from adjacent public streets at the end of each workday. (The use of dry rotary brushes is expressly prohibited except where preceded or accompanied by sufficient wetting to limit the visible dust emissions.) (Use of blower devices is expressly forbidden.)
- Following the addition of materials to, or the removal of materials from, the surface of outdoor storage piles, said piles shall be effectively stabilized of fugitive dust emissions utilizing sufficient water or chemical stabilizer/suppressant.

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

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

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

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

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

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

- *Develop and Implement Plans to Reduce Exposure of People and the Environment to Hazardous Conditions Caused by Construction Equipment.* The City/contractor shall demonstrate compliance with Cal OSHA as well as federal standards for the storage and handling of fuels, flammable materials, and common construction-related hazardous materials and for fire prevention. Cal OSHA requirements can be found in the California Labor Code, Division 5, and Chapter 2.5. Federal standards can be found in Occupational Safety and Health Administration Regulations, Standards—29 CFR. These standards are considered to be adequately protective such that significant impacts would not occur. Successful development and implementation of the proper storage and handling of

hazardous materials will be measured against the state and federal requirements as verified by the City of Clovis.

- *Develop and Implement a Hazardous Materials Business Plan in Accordance with the Requirements of the County of Fresno Environmental Health System Hazardous Materials Business Plan Program.* The City shall require contractors to develop and implement a Hazardous Materials Business Plan, if required, in accordance with the requirements of the County of Fresno Environmental Health System (EHS) Hazardous Materials Business Plan Program. The Hazardous Materials Business Plan shall be submitted to the County EHS and the City of Clovis Fire Department prior to construction activities and shall address public health and safety issues by providing safety measures, including release prevention measures; employee training, notification, and evacuation procedures; and adequate emergency response protocols and cleanup procedures. A copy of the Hazardous Materials Business Plan shall be maintained on-site, during site construction activities and as determined by the County EHS.
- *Immediately Contain Spills, Excavate Spill-Contaminated Soil, and Dispose at an Approved Facility.* In the event of a spill of hazardous materials in an amount reportable to the Clovis Fire Department (as established by fire department guidelines), the contractor shall immediately control the source of the leak, contain the spill and contact the Clovis Fire Department through the 9-1-1 emergency response number. If required by the fire department or other regulatory agencies, contaminated soils shall be excavated, treated and/or disposed of off-site at a facility approved to accept such soils.
- As applicable, each Project applicant shall demonstrate compliance with Cal-OSHA for the storage and handling of fuels, flammable materials, and common construction-related hazardous materials and for fire prevention. Cal-OSHA requirements can be found in the California Labor Code, Division 5, Chapter 2.5. Federal standards can be found in Occupational Safety and Health Administration Regulations, Standards—29 CFR.

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

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

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

- The Fresno County coroner has been informed and has determined that no investigation of the cause of death is required; and if the remains are of Native American origin,
  - The descendants of the deceased Native Americans have made a recommendation to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98, or
  - The Native American Heritage Commission was unable to identify a descendant or the descendant failed to make a recommendation within 24 hours after being notified by the commission.

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

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

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

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

### 2.7 Required Project Approvals

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

- Fresno County Local Agency Formation Commission (LAFCo)

## 4.0 ENVIRONMENTAL SETTING, IMPACTS AND MITIGATION MEASURES

### Introduction

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

- Aesthetics
- Agriculture and Forest Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Geology/Soils
- Greenhouse Gas Emissions
- Hazards & Hazardous Materials
- Hydrology/Water Quality
- Land Use/Planning
- Mineral Resources
- Noise
- Population/Housing
- Public Services
- Recreation
- Transportation/Traffic
- Tribal Cultural Resources
- Utilities/Service Systems

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

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

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

### Environmental Setting

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

The vesting tentative tract map is located at the northwest corner of Teague and Fowler Avenues, located within a County peninsula bounded by Nees Avenue on the south, Big Dry Creek on the west, Enterprise Canal on the east, and Shepherd Avenue on the north. The County area is approximately 795 acres referred to as Focus Area 7 in the General Plan. Focus Area 7 is generally a rural residential area comprised of 2 acre and larger lots, rural homes, agriculture, farming, and hobby commercial activities.

## Impacts

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

- a. The proposed Project will not obstruct federal, state or locally classified scenic areas, historic properties, community landmarks, or formally classified scenic resources such as a scenic highway, national scenic area, or state scenic area. The City of Clovis is located in a predominantly agricultural area at the base of the Sierra Nevada Mountain Range, which provides for aesthetically pleasing views and open spaces. The project site is currently rural residential with homes and open pasture land. The Focus Area is predominately rural residential in nature. The Project proposes R-1 Zoning which permits two-story development, consistent with that allowed in development surrounding the property, however homes would be placed closer together than is allowed under the current zoning. The project proposes one and two-story development consistent with the Clovis Development Code. As such, the implementation of the Project using current zoning standards, would result in a less than significant impact to scenic vistas.
- b. The Project is surrounded on three sides by rural residential properties and is not located near a scenic highway. The development of this parcel with single-story and two-story development would have a less than significant impact on scenic resources.
- c. The project area is predominately rural residential with existing homes. The implementation of the Project, consistent with the existing and proposed zoning as well as mitigation measures would reduce impacts to a less than significant level.
- d. The Project will include on-site project and off-site street lighting, which would introduce a new source of light. The lighting is necessary to provide enough illumination at night for security and traffic purposes. All lighting will be installed per City and PG&E standards. A requirement to reduce up-lighting or shield lighting having direct impact to adjacent development is necessary to maintain the rural nature of the area. With the inclusion of the following Mitigation Measure, impacts in this category will be reduced to a less than significant impact.

### Mitigation Measure 3.1-c

The developer shall incorporate the following mitigation measures into the tentative map TM6154 design and construction:

1. Utilize natural sidewalk paving materials, rather than concrete in developed areas, and no sidewalks, curbs or gutters in areas that remain Rural Residential.
2. Utilize split rail type fencing in place of or outside of block sound walls along developed streets.
3. Place homes facing Teague Avenue.
4. Restrict two-story homes within 100 feet of rural residential properties.
5. Utilize rural landscaping materials along developed streets. Landscaping along undeveloped reaches remain as-is.

### Mitigation Measure 3.1-d

The developer shall direct all on-site lighting downward and provide physical shields to prevent direct view of the light source from adjacent residential properties. Street lighting shall be spaced in accordance with City Standards to reduce up-lighting. The applicant shall utilize a PG&E street light which directs light downward.

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

### Environmental Setting

The Project is located at the northwest corner of Teague and Fowler Avenues, located within a County peninsula bounded by Nees Avenue on the south, Big Dry Creek on the west, Enterprise Canal on the east, and Shepherd Avenue on the north. The County area is approximately 795 acres referred to as Focus Area 7 in the General Plan. Focus Area 7 is generally a rural residential area comprised of 2 acre and larger lots, rural homes, agriculture, farming, and hobby commercial activities.

Since the early 1950s, Fresno County has led all counties in the United States in the greatest agricultural production by dollar value (Fresno County 2000; Fresno County 2011). Agriculture is the largest industry in the county, producing \$5.94 billion in 2010. The top five crops by dollar value in 2010, in descending order, were grapes, almonds, tomatoes, poultry, and milk (Fresno County 2011). In 2010, about 1.6 million acres, or 2,500 square miles, were in agricultural production, that is, about 42 percent of the county's land area (UCCE 2011).

The early agricultural history of Clovis was partly tied to the logging industry in the Sierra Nevada. A 42-mile log flume was built from Shaver Lake to Clovis, and a mill and finishing plant were developed in Clovis. Other agricultural products from the Clovis area included grains and livestock (Clovis 2012). Currently, there is little active agricultural use in the General Plan Area because of water supply

constraints and soil suitability issues, even though 7 percent of the SOI and 36 percent of the non-SOI Plan Area are designated Agriculture.

There are 10,199 acres in the General Plan Area designated for agricultural use under the current General Plan— 9,810 acres in the non-SOI Plan Area and 389 acres in the SOI. No land within the City is designated for agriculture (see Figure 3-4, *Current General Plan Land Use*). The land designated for agriculture is approximately 23 percent of the entire Plan Area.

The General Plan EIR analyzed the impacts of the City's urban growth on agricultural land and includes mitigation measures to reduce those impacts; however, impacts to agricultural land remain significant and unavoidable. A Statement of Overriding Considerations was adopted for the impacts to agriculture lands. The proposed Project does not significantly impact agricultural resources as identified in the General Plan's PEIR.

### **Impacts**

A significant impact may occur if the Project:

- Converts Prime Farmland, Unique Farmland, or Farmland of Statewide Importance.
  - Conflicts with existing zoning for agricultural use, or a Williamson Act contract.
  - Conflicts with existing zoning for, or cause rezoning of, forest land or timberland.
  - Results in the loss of forest land or conversion of forest land to non-forest use.
  - Involves other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use.
- a. The Project is not located within lands identified as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use.
  - b. The Project is not within lands which have existing Williamson Act or other contracts.
  - c. The Project will not conflict with any forest or timberland zoning. The Project site does not contain and is not adjacent to any forest or timberland resources.
  - d. The Project will not result in the loss of forest land or conversion of forest land to non-forest use.
  - e. All existing and/or planned services and infrastructure in the area can accommodate the proposed project. Other than the project site, there will be no changes to the existing environment which will result in conversion of Farmland to a non-agricultural use. The Project will not result in the other surrounding properties converting from farmland or forest land.

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

## Environmental Setting

### San Joaquin Valley Air Basin

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

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

### Climate

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

The subtropical high-pressure cell is strongest during spring, summer, and fall and produces subsiding air, which can result in temperature inversions in the valley. A temperature inversion can act like a lid, inhibiting vertical mixing of the air mass at the surface. Any emissions of pollutants can be trapped

below the inversion. Most of the surrounding mountains are above the normal height of summer inversions (1,500–3,000 feet).

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

### Ambient Air Quality Standards

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

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

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

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

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

PM <sub>2.5</sub>	Annual 24-Hour	15 ug/m <sup>3</sup> 35 ug/m <sup>3</sup>	12 ug/m <sup>3</sup> --
Lead	30-Day Avg. 3-Month Avg.	-- 1.5 ug/m <sup>3</sup>	1.5 ug/m <sup>3</sup> --

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

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

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

### Attainment Status

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

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

### Impacts

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

- A project results in new direct or indirect emissions of ozone precursors (ROG or NO<sub>x</sub>) in excess of 10 tons per year.
- Any project with the potential to frequently expose members of the public to objectionable odors will be deemed to have a significant impact.
- Any project with the potential to expose sensitive receptors (including residential areas) or the general public to substantial levels of toxic air contaminants would be deemed to have a potentially significant impact.
- A project produces a PM<sub>10</sub> emission of 15 tons per year (82 pounds per day).

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

The SJVUAPCD significance threshold for construction dust impacts is based on the appropriateness of construction dust controls, including compliance with its Regulation VIII fugitive PM<sub>10</sub> Prohibitions.

The SJVUAPCD guidelines provide feasible control measures for construction emission of PM<sub>10</sub> beyond that required by SJVUAPCD regulations. If the appropriate construction controls are to be implemented, then air pollutant emissions for construction activities would be considered less than significant.

The projects impacts to air quality was analyzed by First Carbon Solutions, dated April 18, 2016. The study concluded that the Project related impacts are less than significant.

a-e. The Project site is located within the San Joaquin Valley Air Basin (SJVUAPCD), which is a "nonattainment" area for the federal and state ambient air quality standards for ozone and PM<sub>10</sub>. The Federal Clean Air Act and the California Clean Air Act require areas designated as nonattainment to reduce emissions until standards are met. The proposed Project would not obstruct implementation of an air quality plan; however, temporary air quality impacts could result from construction activities. The proposed Project would not create a significant impact over the current levels of ozone and PM<sub>10</sub> or result in a violation of any applicable air quality standard. The Project is not expected to conflict with the SJVUAPCD's attainment plans. The Project will be subject to the SJVUAPCD's Regulation VIII to reduce PM<sub>10</sub> emissions and subject to Standard Environmental Measure 3: Dust Control Measures to Protect Air Quality. With the incorporation of these existing measures, the Project will have a less than significant impact.

The proposed Project would result in short-term construction related emissions (dust, exhaust, etc.). The SJVAB currently exceeds existing air quality standards for ozone and the State Standard for PM<sub>10</sub>. However, as with all construction projects, the Project will be subject to the rules and regulations adopted by the SJVUAPCD to reduce emissions throughout the San Joaquin Valley and will be subject to Standard Environmental Measure 4: Measures to Control Construction-Related Emissions. Therefore, the Project would create a less than significant impact with existing measures incorporated.

The existing sensitive receptors near the proposed Project include residences. The proposed Project may subject sensitive receptors to pollutant concentrations due to construction activities. The use of construction equipment would be temporary and all equipment is subject to permitting requirements of the SJVUAPCD. This impact is considered less than significant.

Objectionable odors are possible during site preparation and construction. However, the odors are not expected to be persistent or have an adverse effect on residents or other sensitive receptors in the Project's vicinity. No objectionable odors are anticipated after constructions activities are complete; therefore, the Project is expected to have a less than significant impact.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>3.4 Biological Resources</b>				
<i>Will the proposal result in impacts to:</i>				
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### Environmental Setting

The Project site is currently rural residential, farmland, and vacant lands. The site is bounded by residential and commercial to the north, rural residential to the east, south, and west. The area generally includes rural residential properties, agriculture, farming and hobby commercial activities.

### Impacts

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

- Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional

plans, policies or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service;

- Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Game or US Fish and Wildlife Service;
- Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means;
- Interfere substantially with the movement of any resident or migratory fish or wildlife species;
- Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance;
- Conflict with the provisions of an adopted Habitat Conservation Plan, Natural community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

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

- a. According to multiple assessments of the site performed by Argonaut Ecological Consulting, Inc, the proposed project has the potential to cause a significant impact, either directly or through habitat modifications, on species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service. Raptor nests were identified in the large trees along the Enterprise Canal. The study also concluded that ground nesting could be supported in the area. With inclusion of mitigation measures to address the nesting season for raptors and/or burrowing owls, impacts in this category are less than significant.
- b. Some disturbed riparian habitat (small willows, mule fat, and cottonwoods, with mixed grassland) does exist along the banks of Dry Creek, west of Sunnyside Avenue. It has historically been disturbed by periodic waterway clearing and maintenance activities, but still supports a largely native riparian and grassland flora and fauna, which includes roosting trees, and nest tree for raptors (both hawks and owls). Tracks indicate that it also represents a heavily used mammalian wildlife travel corridor.
- c. The project would not have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act, including, but not limited to, marsh, vernal pool, coastal, etc., through direct removal, filling, hydrological interruption, or other means. With inclusion of mitigation measures to address possible wetlands, a project level wetland delineation is required for areas that are identified.
- d. The project would not interfere with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites. Per the assessment provided by Argonaut Ecological Consulting, Inc., the vesting tentative map area is made up of fallow pasture and non-native grassland and has been graded and compacted for various uses. The area was a lowland that held water for several years. Over time, the land was turned and regraded to fill the low areas. A wetland delineation was prepared for the map area and confirms no wetlands remain.

The Master Plan and currently proposed TM6154, development will not materially alter the sensitive riparian habitat remnant, however future proposed developments, if in the vicinity of Dry Creek, would need to include required mitigation measures (e.g., setbacks and artificial

lighting restrictions) needed to protect the habitat corridor and its wildlife use. A stream protective corridor of at least 100 feet would be adequate and should be provided.

- e. There are a number of trees on the project site which are not listed on the protected tree ordinance. Some trees may be on the list and will be preserved or replaced per the Protected Tree Ordinance. The project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.
- f. The project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan.

**Mitigation Measures**

- **Mitigation Measure 3.4-a1:** Should project construction be scheduled to commence between March and the end of August, a pre-construction survey will be conducted by a qualified biologist for nesting raptors. This survey will occur within 30 days of the on-set of construction. All suitable habitats of the study area will be covered during this survey.
- **Mitigation Measure 3.4-a2:** If pre-construction surveys undertaken during the nesting season locate active nests within or near the construction zones, these nests, and an appropriate zone around them (as determined by a qualified biologist) will remain off limits to construction until the nesting season is over. Suitable setbacks from occupied nests will be established by a qualified biologist and maintained until the conclusion of the nesting season.
- **Mitigation Measure 3.4-a3:** The applicant shall conduct a pre-construction survey to assess any burrowing owl habitat. A licensed biologist will make a recommendation on measures necessary based on the findings of the survey.
- **Mitigation Measure 3.4-c:** A wetland delineation shall be conducted prior to permitting of development within areas described as potential wetland.
- **Mitigation Measure 3.4-d:** Project level habitat assessment for California Tiger Salamander, and Western Pond Turtle shall be conducted to cover areas of concern as identified in the biological survey..

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

## Environmental Setting

Mitigation Measures in the Clovis General Plan Program Environmental Impact Report, require evaluation of the site for archaeological, paleontological, and historical structure sensitivity. These mitigation measures, which identify archaeological and paleontological levels of sensitivity, list historically important sites identified by the Fresno County Library. The Project is not anticipated to impact any cultural resources; however, the Project could lead to the disturbance of undiscovered archaeological and paleontological resources. General Plan Conservation Element Goal 2, acts to preserve historical resources, and mitigation measures adopted in association with the General Plan PEIR help to reduce potential impacts to a less than significant level. The project was evaluated by First Carbon Solutions who concluded that there are no previously recorded prehistoric or historic sites identified within a .5 mile radius of the project.

Pursuant to requirements of SB18 and AB52, a notification was sent to the Native American Heritage Commission for review with local tribes for cultural significance. Staff did not receive any request for consultation within the 90-day review period.

## Impacts

The Project may have a significant impact on cultural resources if it causes substantial adverse changes in the significance of a historical or archaeological resource as set forth by the California Register of Historic Places and Section 106 of the National Historic Preservation Act; directly or indirectly destroys a unique paleontological resource or site or unique geologic feature; or disturbs any human remains, including those interred in formal cemeteries. A cultural study was performed by First Carbon Solutions and concluded that there are no previously recorded prehistoric or historic sites identified within a .5 mile radius of the project.

- a. A cultural Resource Assessment was conducted by Peak & Associates (January 17, 2018), to study the entire Dry Creek Master Plan area. The surveyor was not able to gain access to the entire area, but able to make conclusions based on several factors including visual, interviews, and historical documents. The assessment concluded that the proposed vesting tentative map area would not cause a substantial adverse change in the significance of a historical resource as defined in §15064.5 of the CEQA Guidelines. There are no known historical resources that will be impacted by the map. However, due to lack of access, it is recommended that a project level assessment is conducted with each project in the areas not covered by cultural resource surveys.
- b&c. The proposed Project is not anticipated to cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5 of the CEQA Guidelines or directly or indirectly destroy a unique paleontological resource or site or unique geological features. There are no known archaeological or paleontological resources located in the areas of construction. These areas have been previously disturbed with previous agriculture activity; however with ground disturbance there is chance that previously undiscovered archaeological and/or paleontological resources could be uncovered. The Project is subject to Standard Environmental Measure 6: Measures to Protect Undiscovered Cultural Resources. Therefore, impacts will be less than significant.
- d. The site has not been identified as containing areas where human remains may be located. However, California Public Resources Code Section 5097.98, provides procedures in case of accidental finds. Should any human remains be discovered at any time, all work is to stop and the County Coroner must also be immediately notified pursuant to California Health and Safety Code, Section 7050.5 and California Public Resources Code, Section 5097.98. If the remains

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

### **Mitigation Measures**

- **Mitigation Measure 3.5-a:** Project level studies shall be conducted before approval of specific projects on properties not previously covered by cultural resource studies. The studies shall research field surveys, and recordation and evaluation of any resources.

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

### Environmental Setting

The General Plan EIR identified no geologic hazards or unstable soil conditions known to exist on the Project site. There are several known faults that exist close enough to the Project to cause potential damage to structures or individuals. The City of Clovis has adopted the California Building Code to govern all construction within the City, further reducing potential impacts in this category by ensuring that development is designed to withstand seismic or other geologic hazards.

### Impacts

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

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

Ground shaking generally decreases with distance and increases with the depth of unconsolidated alluvial deposits. The most likely source of potential ground shaking is attributed to the San Andreas, Owens Valley, and the White Wolf faults. Based on this premise, and taking into account the distance to the causative faults, the potential for ground motion in the vicinity of the Project site is such that a minimal risk can be assigned.

Liquefaction describes a phenomenon in which a saturated soil loses strength during an earthquake as a result of induced shearing strains. Lateral and vertical movement of the soil mass, combined with loss of bearing usually results. Loose sand, high groundwater conditions (where the water table is less than 30 feet below the surface), higher intensity earthquakes, and particularly long duration of ground shaking are the requisite conditions for liquefaction. Studies indicate that the soil types are not conducive to liquefaction (General Plan, Page 7-6 and General Plan EIR, Page 4-5).

Landslides and mudflows are more likely in foothill and mountain areas where fractured and steep slopes are present (as in the Sierra Nevada Mountains). The Project is located on relatively flat topography, therefore the Project will not result in or expose people to potential impacts from landslides or mudflows.

- b. Construction of urban uses would create changes in absorption rates, drainage patterns, and the rate and amount of surface runoff on the selected Project site. Standard construction practices that comply with City of Clovis ordinances and regulations, the California Building Code, and professional engineering designs approved by the Clovis Engineering Division will mitigate any potential impacts from development, if any.
- c. The Project site would not be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the Project, and potentially result in off-site landslide, lateral spreading, subsidence, liquefaction or collapse.
- d. The Project will not result in or expose people to potential impacts from expansive soils.
- e. The City of Clovis provides necessary sewer and water systems for development within the City. The Project will not utilize septic tanks or alternate waste disposal.

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

### Environmental Setting

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

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

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

In 2005, in recognition of California's vulnerability to the effects of climate change, Governor Schwarzenegger established Executive Order S-3-05, which sets forth a series of target dates by which statewide emission of greenhouse gases (GHG) would be progressively reduced, as follows: by 2010, reduce GHG emissions to 2000 levels; by 2020, reduce GHG emissions to 1990 levels; and by 2050, reduce GHG emissions to 80 percent below 1990 levels. In 2006, California passed the California

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

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

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

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

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

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

### **Significance Criteria**

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

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

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

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

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

A global climate change evaluation was performed by First Carbon Solutions, dated April 28, 2016. The evaluation concluded that the project is consistent with the goals of the ARB and impact is less than significant.

## **Impacts**

- a. A significance threshold of 29% below "business as usual" levels is considered to demonstrate that a project would be consistent with the goals of AB 32. A global climate change evaluation was performed by First Carbon Solutions. The study concludes that impacts related to conflicts with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases is less than significant.
- b. A Global Climate Change Evaluation was prepared for the Project by First Carbon Solutions. The evaluation addresses the potential for greenhouse gas emissions during construction and after full build out of the proposed Project.

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

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

### Environmental Setting

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

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

## Impacts

- a. Based on field review, no signs of potential contamination or hazardous materials were identified. Thus, no hazard issues are expected with this development of this site. Any hazardous materials used would be required to comply with all applicable local, state, and federal standards associated with the handling of hazardous materials. Therefore, there are no impacts anticipated in the category.
- b. Construction activities that could involve the release of hazardous materials associated with Project would include maintenance of on-site construction equipment, which could lead to minor fuel and oil spills. The use and handling of hazardous materials during construction activities would occur in accordance with applicable federal, state, and local laws. Therefore, these impacts are considered less than significant.
- c. There is a future school facility located within one-half (0.5) mile of the Project area. Based on field review, no signs of potential contamination or hazardous materials were identified. Thus, no hazard issues are expected with this development of this site.
- d. The land within the Project site is not included on a list of hazardous materials sites. The Department of Toxic Substances Control's Hazardous Waste and Substances Site List (Cortese List) does not list any hazardous waste and substances sites within the City of Clovis ([www.dtsc.ca.gov/database/Calsites/Cortese\\_List.cfm](http://www.dtsc.ca.gov/database/Calsites/Cortese_List.cfm)).
- e. The Project site is not located within the Fresno-Yosemite International Airport land use plan or, within two miles of a public airport or public use airport. The proposed Project would not bring about a safety hazard related to an airport or aviation activities for people residing or working in the Project area.
- f. The Project site is not located within the vicinity of a private airstrip, and would not result in a safety hazard for people residing or working in the Project vicinity related to an airstrip or aviation activities.
- g. There may be temporary detouring of traffic during construction periods. Those periods will be monitored by traffic personnel. However, the proposed Project would not impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan.
- h. The Project site is located in an area surrounded by urban uses. As such, the site is not adjacent to or in close proximity to wildland areas. No impacts are anticipated.

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

## Environmental Setting

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

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

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

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

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

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

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

## Groundwater

Clovis is underlain by the Kings Groundwater Basin that spans 1,530 square miles of central Fresno County and small areas of northern Kings and Tulare counties. Figure 5.9-4, *Kings Groundwater Basin*, shows that the basin is bounded on the north by the San Joaquin River, on the west by the Delta-Mendota and Westside Subbasins, the south by the Kings River South Fork and the Empire West Side Irrigation District, and on the east by the Sierra Nevada foothills. Depth to groundwater in 2012 ranged from 160 feet along the west City boundary to 70 feet at the east City boundary, 25 feet at the southeast SOI boundary, and about 20 feet at the eastern Plan Area boundary (FID 2013). The Kings Subbasin has been identified as critically overdrafted (Provost & Pritchard 2011).

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

### Groundwater Recharge

New development in accordance with the General Plan Update would increase the amount of impervious surface in the Plan Area, potentially affecting the amount of surface water that filters into the groundwater supply. Groundwater levels are monitored in the Plan Area by the FID and the City of Clovis. As described in the 2010 City of Clovis Urban Water Management Plan (UWMP), groundwater recharge occurs both naturally and artificially throughout the City. The Kings Groundwater Basin area is recharged through a joint effort between the Cities of Clovis and Fresno and the FID (CDWR 2006). Approximately 8,400 acre-feet per year (afy) of water are intentionally recharged into the Kings Groundwater Basin by the City of Clovis, and approximately 7,700 afy of water naturally flow into groundwater in the City's boundaries (Clovis 2011).

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

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

## Impacts

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

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

- a. Development of the Project site would be required to comply with all City of Clovis ordinances and standard practices which assure proper grading and storm water drainage into the approved storm water systems. The Project would also be required to comply with Fresno County Health Department requirements, FMFCD regulations, and all local, state, and federal regulations to prevent any violation of water quality standards or waste discharge requirements. This project would not violate any water quality standards or waste discharge requirements.
- b. The Project would not deplete groundwater supplies or interfere with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level due to the Project. The General Plan Program EIR identified a net decrease in ground water aquifer throughout the region, however, because the City's domestic water system is primarily served through surface water via existing water entitlements, the loss of aquifer is less than significant. The City has developed a surface water treatment plant (opened in June, 2004) that reduces the need for pumped groundwater, and has also expanded the municipal groundwater recharge facility. New City development in the area would be required to utilize surface water through the City's domestic water lines. The Projects impacts to groundwater are less than significant.
- c. The Project would not alter the existing drainage pattern of the site or area through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on or off-site. Any development within a flood zone would require building pads to be elevated per Fresno Metropolitan Flood Control and Federal Emergency Management Agency polices. Therefore, impacts are less than significant.
- d. The Project would not alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on or off-site. Any development within a flood zone would require building pads to be elevated per Fresno Metropolitan Flood Control and Federal Emergency Management Agency polices. Therefore, impacts are less than significant.
- e, f. The proposed Project would add new impervious surfaces. These new surfaces would not significantly change absorption rates or drainage patterns that would result in a significant impact. Construction-related activities could result in degradation to water quality. Construction activities typically involve machines that have the potential to leak hazardous materials that may include oil and gasoline.
- g. Development within the Dry Creek Preserve Master Plan area could place housing within a 100-year flood hazard area as mapped on the latest federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map. The Fresno Metropolitan Flood Control District has policies in place to address projects within a 100-year flood hazard area. A letter from the FMFCD dated January 26, 2018, states that the tract map (TM6154) does not appear to be within a 100 year flood zone.
- h. Development within the Dry Creek Preserve Master Plan area could place within a 100-year flood hazard area structures that would impede or redirect flood flows. The Fresno Metropolitan Flood Control District has policies in place to address projects within a 100-year flood hazard area. The FMFCD has noted that this project may be located in a 100-year flood area, and would be subject to the District policies to reduce impacts to a less than significant level. A letter from the FMFCD dated January 26, 2018, states that the tract map (TM6154) does not appear to be within a 100 year flood zone.

- i. The Project would not expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam. The Enterprise canal runs adjacent to the north boundary of the project. The high water mark is above the current grade of the properties. The project area could be impacted with flood water if a breach in the canal bank occurs. The Fresno Irrigation has standards which require the developer to line the canal or encase within a culvert. The developer will be required to comply with Fresno irrigation District standards to provide a detailed plan prior to permits.
- j. The Project is not located near any ocean, coast, or seiche hazard areas and would not involve the development of residential or other sensitive land uses. Therefore, the Project would not expose people to potential impacts involving seiche or tsunami. No potential for mudflows is anticipated. There is no impact associated with the proposed Project.

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

### Environmental Setting

The proposed Project is located within the City of Clovis Sphere of Influence, in the County of Fresno. The proposed Project site is located near the northwest corner of Teague and Fowler Avenue. The proposed General Plan Amendment, Prezone and Vesting Tentative Tract Map are generally bounded by Fowler Avenue on the east, Teague Avenue on the south, The Enterprise Canal on the north and Rural residential properties on the west (see Figure 1). The General Plan requires a master plan to be developed with any development within the 795 acre County area described as Focus Area 7. Focus Area 7 is generally bounded by Nees Avenue on the south, Big Dry Creek on the west, Enterprise Canal on the east, and Shepherd Avenue on the north.

The Project consists of a request to re-designate approximately 48.61 acres from Rural Residential (1 unit per 2 acres) to Low Residential (2.1 to 4 lots per acre), prezone approximately 48.61 acres from the County R-R (Rural Residential) Zone District to the R-1 (Single-Family Residential) Zone District, prezone approximately 9.52 acres from the County R-R Zone District to the City R-R Zone District, approve a master plan for Focus Area 7, approve a vesting tentative tract map for a 95-lot single-family subdivision, and annex 58.13 acres for properties at the northwest corner of Teague and Fowler Avenues in the County of Fresno.

For purposes of this analysis, an assumption has been made that approximately 150 acres may develop at a density 2.3 units per acre which equates to approximately 345 lots.

Amendments to change the density require a General Plan Amendment filed through the City of Clovis and any such approval would be followed by annexation of the Project from the County of Fresno to the City of Clovis through the LAFCo.

**Impacts**

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

- a. The Project is located within a County area within the Sphere of Influence of Clovis. It is assumed that over time the County area would be annexed to the City of Clovis to provide for infrastructure necessary to accommodate urbanization of the area as well as connect the northwest growth area to the heart of Clovis. An annexation program is included in the Master Plan to project the scenarios over the next 20 years. The Project would not divide an established community, rather enhance the ability to develop Clovis as a seamless community.
- b. The proposal to increase the density within the Sphere of Influence is not consistent with land use designation as provided in the General Plan. However the goals and Policies of the General Plan encourage a range of housing opportunities, and neighborhoods with a strong sense of place. The proposal to increase density and establish a master plan of Focus Area 7 will provide a diversity of housing and provide for branding of the County area.
- c. There are no habitat conservation plans or natural community conservation plans within the City of Clovis Sphere of Influence.

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

**Environmental Setting**

The Clovis General Plan states, "The Clovis Project area does not contain those mineral resources that require managed production, according to the State Mining and Geology Board"

**Impacts**

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

- a-b. The proposed Project would not use or extract any mineral or energy resources and would not restrict access to known mineral resource areas.

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

**Environmental Setting**

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

**Impacts**

CEQA guidelines, the City of Clovis General Plan Noise Element, and the Clovis Development Code

have been used to establish impact standards for this section. Implementation of the Project would result in significant noise impacts if the Project would result in exposure of persons to or generation of noise levels in excess of standards established in the City of Clovis General Plan and Development Code. For this Project, the standards to be applied are 65 CNEL at existing residences in the Project vicinity, and 65 CNEL for the park area.

- a. The construction of the proposed Project may result in temporary construction-related noise impacts. Construction noise would be short-term in nature and only occur for a limited duration. These impacts have been addressed in the General Plan PEIR. The development of the tentative map would place housing and rear yards along the Fowler Avenue Arterial. Noise levels from Fowler Avenue may impact residents. The developer is required to construct a six-foot high masonry all along the back yards along Fowler Avenue, and is also provide an additional 15 feet of landscape on the east side of the wall. Impacts are less than significant.
- b. Potential groundborne vibration or groundborne noise levels would most likely occur as part of construction activities associated with the Project. The construction activities would be temporary in nature and no persons would be exposed for extended periods of time.
- c. The proposed Project could result in a permanent increase in the ambient noise levels due to increased traffic, population and equipment related to a single-family development. Traffic noise was previously evaluated with the General Plan PEIR with assumptions that Fowler and Sunnyside Avenues would be major connecting streets from north to south.
- d. A temporary increase in ambient noise levels would occur in association with construction activities. However, construction noise would be short-term in nature and only occur for a limited duration per the City of Clovis Municipal Code.
- e. The proposed Project site is not located within an airport land use plan area. The proposed Project site is approximately one mile north of the Fresno Yosemite International Airport. The Noise Element specifies that residential land uses are considered normally acceptable in exterior noise levels of up to 65CNEL without the need for noise mitigation.
- f. The Project is not located within the vicinity of a private airstrip.

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

## Environmental Setting

The Project consists of a request to re-designate approximately 48.61 acres from Rural Residential (1 unit per 2 acres) to Low Residential (2.1 to 4 lots per acre), prezone approximately 48.61 acres from the County R-R (Rural Residential) Zone District to the R-1 (Single-Family Residential) Zone District, prezone approximately 9.52 acres from the County R-R Zone District to the City R-R Zone District, approve a master plan for Focus Area 7, approve a vesting tentative tract map for a 95-lot single-family subdivision, and annex 58.13 acres for properties at the northwest corner of Teague and Fowler Avenues in the County of Fresno.

For purposes of this analysis, an assumption has been made that approximately 150 acres may develop at a density 2.3 units per acre which equates to an approximately 345 lots.

## Impacts

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

- a. The Project could add 95 homes to the area equating to approximately 270 new residents. It is anticipated that this development would introduce a number of new citizens to the City of Clovis, however according to a letter dated April 4, 2016, from the Clovis Unified School District, the District can accommodate students as a result of the Project.
- b-c. The Project includes a few existing homes in which property owners have requested inclusion into the Project. Property owners in the project area volunteered to sell the homes by choice, therefore not creating a substantial dispersion of housing and if approved, the Project would generate an increase in housing product to infill the area.

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

## **Environmental Setting**

The Project consists of a request to re-designate approximately 48.61 acres from Rural Residential (1 unit per 2 acres) to Low Residential (2.1 to 4 lots per acre), prezone approximately 48.61 acres from the County R-R (Rural Residential) Zone District to the R-1 (Single-Family Residential) Zone District, prezone approximately 9.52 acres from the County R-R Zone District to the City R-R Zone District, approve a master plan for Focus Area 7, approve a vesting tentative tract map for a 95-lot single-family subdivision, and annex 58.13 acres for properties at the northwest corner of Teague and Fowler Avenues in the County of Fresno.

The development of the site will necessitate the demolition of structures, wells and septic systems, and removal of several trees. The Project will also include site grading, installation of off-site improvements including right-of-way acquisition, and infrastructure to accommodate a 95-lot single-family planned residential development with landscaping, and street improvements. The Project will be required to be annexed from the County of Fresno to the City of Clovis and detachment from the Fresno County Fire Protection District and the Kings River Conservation District.

The Project is located within an area which remains in the County of Fresno but within the Clovis Sphere of Influence. The County area is approximately 795 acres and is described as Focus Area 7 in the General Plan. The General Plan describes the land use as rural residential which permits one unit per two acres. The General Plan also requires a master plan to be developed as part of the first development to be requested in Focus Area 7. The Project includes a master plan which provides a branding for the area and memorializes the land use designations.

For purposes of this analysis, an assumption has been made that approximately 150 acres may develop at a density 2.3 units per acre which equates to an approximately 345 lots. This document as well as the supporting studies have considered the cumulative impacts related to a buildout of the County area using this assumption.

Safety services for the area is served primarily by Fresno County Fire and Fresno County Sheriff with mutual aid from City of Clovis. Water and sewer for each property are currently being served with on-site wells and septic systems. Annexation of the Project would place the City of Clovis Fire and Police Departments as the primary safety services with mutual aid from Fresno County. The area is within the Clovis Unified School District boundaries. The Clovis Unified School District has indicated that their schools can accommodate the projected growth.

## **Impacts**

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

- a. The Project will have a less than significant increase in demand for fire protection services. In the event that a fire occurs during construction, the Clovis Fire Department would respond. First response would generally come from Fire Station No. 3 and 5, which are both within 2 miles of the Focus Area, Fresno County Fire Station No. 85 is south of Nees within .2 mile of the area and would provide mutual aid. No additional personnel or equipment would be needed as a result of the Project. In the event a development is approved with privacy gates, the Fire Department would require all entry gates to meet Fire Department Standards. The circulation system within the Dry Creek preserve area is adequate to provide emergency vehicle access within the Department's target response times.

- b. The project is located near the northern area of the City and within the Community Facilities District (CFD). The CFD is an assessment district designed to provide additional funding for safety services for residential development in Clovis' growth areas. The Police Department states that this area is already served through mutual aid and can provide superior response time for new development. Additionally, improved streets with wider lanes, defined traffic control and street lighting will provide safer intersections.
- c. The Project site is located within the Clovis Unified School District. The Clovis Unified School District levies a fee for residential facilities. According to a letter from the Clovis Unified School District, dated April 4, 2016, the District can accommodate the new students as a result of additional housing.
- d. Development of this site with 95 single-family homes will introduce new residents to the community. The Parks and Recreation Element of the General Plan requires a specific ratio of park area to residents. A park impact fee is required for each new unit and is then used to construct community parks to meet these goals. The impacts in this category are less than significant since all units built in this subdivision will contribute to the park funds. There are no neighborhood parks included in General Plan for this area, however there are community parks and trails within walking and biking distance of the Focus Area.
- e. The City of Clovis will eventually annex this County area resulting in higher demand on Clovis public services. As the demand increases, the impact to public facilities will increase as well. The City anticipates growth throughout the Sphere of Influence and budgets for maintenance of existing facilities as well as expansion. The development of the tentative map as well as future urbanization in the area will not have a significant impact to public facilities. Buildout of the Dry Creek Preserve area at a Rural Residential density will have a less than significant impact. The Master Plan limits future development with specific criteria to no more than 2.3 units per acre. Any development at a density of more than one unit per two acres would require a General Plan Amendment, including a specific analysis to determine public service impacts. As development occurs, each project will contribute a proportionate share toward street and infrastructure improvements.

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

## **Environmental Setting**

The proposed Project includes 95 new residential units which will add users to City parks and facilities. There are over 150 acres within Focus Area 7 which may develop at 2.3 units per acre, resulting in an additional 345 lots. The City of Clovis has several neighborhood and community parks as well as recreation facilities to serve the growing community.

## **Impacts**

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

- a-b. The proposed Project would not increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated, require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment. It is anticipated that the 20-year buildout of the Dry Creek Preserve Area could (would require a General Plan Amendment) include approximately 150 acres which equates to 345 new homes and 1,000 people. The introduction of 1000 people in an area of 795 acres would be a less than significant impact.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>3.16 Transportation/Circulation</b>				
<i>Will the proposal result in:</i>				
a. Exceed the capacity of the existing circulation system, based on an applicable measure of effectiveness (as designed in a general plan policy, ordinance, etc.), taking into account all relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Result in a change in traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Environmental Setting

The Project consists of a request to re-designate approximately 48.61 acres from Rural Residential (1 unit per 2 acres) to Low Residential (2.1 to 4 lots per acre), prezone approximately 48.61 acres from the County R-R (Rural Residential) Zone District to the R-1 (Single-Family Residential) Zone District, prezone approximately 9.52 acres from the County R-R Zone District to the City R-R Zone District, approve a master plan for Focus Area 7, approve a vesting tentative tract map for a 95-lot single-family subdivision, and annex 58.13 acres for properties at the northwest corner of Teague and Fowler Avenues in the County of Fresno.

During the initial review of the Project, it was brought to staff's attention that there are a number of properties outside the proposed Vesting Tentative Map area (within the County area) that are either owned by developers, in contract with developers, or in discussion with other developers for future development at a higher density than the existing Rural Residential designation. There is currently one map in process as part of this Project and it is important to assume that there may be other

development requests in the future. Because this is a County area surrounded almost completely by the City of Clovis, infrastructure such as sewer, water, and streets will need to be designed to connect Clovis' growth areas to the north. As a County area, there are no taxes or fees collected to support infrastructure to, from or through the area.

For purposes of this analysis, an assumption has been made that approximately 150 acres may develop at a density 2.3 units per acre which equates to approximately 345 lots. This document as well as the supporting studies have considered the cumulative impacts related to a buildout of the County area using this assumption.

A traffic analysis was conducted by Peters Traffic Engineers for the entire Dry Creek Preserve area and considering cumulative impacts with nearby projects as well Heritage Grove Urban Growth Area to the north. The study concluded that development at 2.3 units per acre within the Dry Creek preserve will not impact streets beyond significant thresholds. The study also concluded that traffic will increase on Sunnyside and Fowler Avenues even if additional development did not occur with the Dry Creek Preserve. Most of the traffic impacts are pass thru drivers heading north or south of the area. The current travel lanes can accommodate the current and future traffic and major streets would be improved as development occurs along the frontage.

Roadways are the primary existing transportation facilities in the vicinity of the Project area. Although, non-automobile travel does occur in the area, separate facilities for transit, bicycles, or pedestrians are limited. The General Plan and Herndon Shepherd Specific Plan classify major streets in the area as well as designate where bike lanes and pedestrian paths will occur. Implementation of improvements generally occur with development or in the case of streets within County areas, through government funded projects in cooperation with the County.

## Impacts

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

- Exceed the capacity of the existing circulation system, based on an applicable measure of effectiveness (as designed in a general plan policy,
  - Conflict with an applicable congestion management program
  - Result in a change in traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks
  - Substantially increase hazards due to a design feature
  - Result in inadequate emergency access
  - Conflict with adopted policies, plans, or programs supporting alternative transportation
- a. The site is currently designated Rural Residential. The Project proposal includes a 95-lot single-family development and potential higher density development within Focus Area 7, which will introduce additional traffic to the area. Peters Traffic Engineers, analyzed the impacts of the vesting tentative map including the assumption that 150 acres or more could develop at a higher density up to 2.3 units per acre. The analysis also considered additional growth in areas around the Dry Creek Preserve at a normal pace. Peters Traffic engineers concluded that the current and proposed improvements with the project can be accommodated with the proposed and required improvements to the circulation system.
- b. Peters Traffic Engineers, analyzed the Project including the assumption that 150 acres or more could develop at a higher density up to 2.3 units per acre. The analysis also considered additional growth in areas around the Dry Creek Preserve at a normal pace, and concluded that the current and proposed improvements with the project can accommodate the additional traffic and the Project will not have a significant impact on service levels in or around the area. Traffic will increase on surrounding streets but will not cause substantial safety risks.

- c. The proposed Project may result in a temporary change in traffic patterns due to construction; however, the Project will be required to comply with Section 7.15 Traffic Control, Public Convenience, and Safety of the Clovis Standard Specification and Standard Drawings will reduce impacts to a less than significant level. Road improvements as a requirement of the Project will include widening of streets, striping, signage and lighting to reduce safety risks along roadways and intersections.
- d. The City Engineer states that the location of drive access points are adequate in addressing the City Standards and has determined that impacts in this category are less than significant.
- e. The development will be served by Fire Station 3 and 5 which are both located within 2 miles (by road). The streets serving the development meet City and/or County standards and can accommodate the movement of safety vehicles. Impacts are considered less than significant.
- f. The development of the Projects as well as future development at a higher density of 2.3 units per acre would not Conflict with adopted policies, plans, or programs supporting alternative transportation.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<p><b>3.17 Tribal Cultural Resources</b>  <i>Would the project cause a substantial adverse change in the significance of a Tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape sacred place, or object with cultural value to a California Native American tribe, and that is:</i></p>				
a. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Section 5024.1 for the purposes of this paragraph, the lead agency shall consider the significance of the resource to a California Native American Tribe?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Environmental Setting**

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

applies to all projects where a Notice of Determination is filed. Furthermore, the consultation process is required to be complete prior to filing a Notice of Intent.

The Project was mailed to each interested Tribe listed on the latest Tribal Consultation list provided by the Native American Heritage Commission using registered US Mail. The Tribes were provided a 30 day period (from receiving the City letter) in which to request consultation. Once the consultation period ran its course, the CEQA Initial Study was prepared and a Notice of Intent filed with the County Clerk and/or Office of Planning and Research.

### **Impacts**

The Project may result in significant impacts if:

- The project causes a substantial adverse change in the significance of a Tribal cultural resource, as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape sacred place, or object with cultural value to a California Native American tribe, and that is listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources.
  - The project causes a substantial adverse change in the significance of a Tribal cultural resource, as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape sacred place, or object with cultural value to a California Native American tribe, and that is a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant.
- a. A cultural and historical analysis was prepared by Peak & Associates, Inc. (submitted April 13, 2016), for the project area. The analysis concluded that the Project is not listed in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k).
  - b. Per AB52, the Project was mailed to all Tribes listed on the Native American Heritage contact list, dated April 4, 2016. Tribes were provided an opportunity to request consultation. An informal meeting was requested with staff by Table Mountain Rancheria. The applicant agreed to meet on-site with the representative with Table Mountain which resulted in no significant issues. Although there were no significant issues identified, this does not imply that resources do not exist or will not be discovered during or prior to construction. The General Plan EIR includes existing standard measures which provide procedures in the case where resources are discovered. Therefore, impacts in this category are considered less than significant.

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

### Environmental Setting

The Project consists of a request to re-designate approximately 48.61 acres from Rural Residential (1 unit per 2 acres) to Low Residential (2.1 to 4 lots per acre), prezone approximately 48.61 acres from the County R-R (Rural Residential) Zone District to the R-1 (Single-Family Residential) Zone District, prezone approximately 9.52 acres from the County R-R Zone District to the City R-R Zone District, approve a master plan for Focus Area 7, approve a vesting tentative tract map for a 95-lot single-family subdivision, and annex 58.13 acres for properties at the northwest corner of Teague and Fowler Avenues in the County of Fresno.

During the initial review of the Project, it was brought to staff's attention that there are a number of properties outside the proposed Vesting Tentative Map area (within the County area) that are either owned by developers, in contract with developers, or in discussion with other developers for future development at a higher density than the existing Rural Residential designation. There are no current applications in process however, it is important to assume that there may be other development requests in the future. Because this is a County area surrounded almost completely by the City of Clovis, infrastructure such as sewer, water, and streets will need to be designed to connect Clovis' growth areas to the north. As a County area, there are no taxes or fees collected to support infrastructure to, from or through the area. The developers understand this and understand that development is one of the only means to fund infrastructure improvements within this area.

For purposes of this analysis, an assumption has been made that approximately 150 acres may develop at a density 2.3 units per acre which equates to approximately 345 lots. This document as well as the supporting studies have considered the cumulative impacts related to a buildout of the County area using this assumption.

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

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

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

The City of Clovis provides and/or manages waste and recycle collection for the residents and businesses in the City of Clovis as well as operates its own landfill for disposal of waste. The City anticipates urbanization throughout the City Sphere of Influence

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

## **Impacts**

The Project may result in a significant impact if:

- It exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board.
  - It requires or results in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.
  - It requires or results in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.
  - If it does not have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed.
  - It results in a determination by the wastewater treatment provider that serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments.
  - If the landfill does not have sufficient permitted capacity to accommodate the project's solid waste disposal needs.
  - Does not comply with federal, state, and local statutes and regulations related to solid waste.
- a. According to the City Engineer, the wastewater impacts were evaluated in accordance with the Waste Water Master Plan, evaluating the entire Master Plan as proposed for Focus Area No. 7 as well as cumulative impacts if additional lands were developed at a density of 2.3 units per acre.

The City Engineer concludes that although the Project is proposing to increase the density, the Project will not exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board. Impacts are considered less than significant.

- b. The Project will not directly result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects. According to the City Engineer, the current wastewater treatment plant has sufficient capacity to accommodate the Project as well as additional lands which were evaluated for a higher density of 2.5 units per acre.
- c. The Project may result in the construction of new storm water drainage facilities. Conversion to a higher density residential category may induce more storm run-off into the master planned system. The Fresno Metropolitan Flood Control District has policies for this type of conversion. According to a letter from the FMFCD dated May 23, 2016, the district can accommodate the proposed project.
- d. According to a study performed by Provost and Pritchard, the Project will not require new or expanded entitlements and resources. The site is also within the Fresno Irrigation District and will turn over the water rights to the City of Clovis upon development.
- e. The Project will not require a determination by a wastewater treatment provider (see item b above).
- f. According to the Solid Waste Division, the Project will contribute to the landfill, however, the impacts are less than significant.
- g. The Project will comply with federal, state, and local statutes as well as regulations related to solid waste by the City of Clovis. The City Engineer states that impacts in this category are less than significant.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>3.19 Mandatory Findings of Significance</b>				
a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

## Environmental Setting

The Project consists of a request to re-designate approximately 48.61 acres from Rural Residential (1 unit per 2 acres) to Low Residential (2.1 to 4 lots per acre), prezone approximately 48.61 acres from the County R-R (Rural Residential) Zone District to the R-1 (Single-Family Residential) Zone District, prezone approximately 9.52 acres from the County R-R Zone District to the City R-R Zone District, approve a master plan for Focus Area 7, approve a vesting tentative tract map for a 95-lot single-family subdivision, and annex 58.13 acres for properties at the northwest corner of Teague and Fowler Avenues in the County of Fresno.

During the initial review of the Project, it was brought to staff's attention that there are a number of properties outside the proposed Vesting Tentative Map area (within the County area) that are either owned by developers, in contract with developers, or in discussion with other developers for future development at a higher density than the existing Rural Residential designation. There are no current applications in process however, it is important to assume that there may be other development requests in the future. Because this is a County area surrounded almost completely by the City of Clovis, infrastructure such as sewer, water, and streets will need to be designed to connect Clovis' growth areas to the north. As a County area, there are no taxes or fees collected to support infrastructure to, from or through the area. The developers understand this and understand that development is one of the only means to fund infrastructure improvements within this area.

For purposes of this analysis, an assumption has been made that approximately 150 acres may develop at a density 2.3 units per acre which equates to an approximately additional 345 lots. This document as well as the supporting studies have considered the cumulative impacts related to a buildout of the County area using this assumption.

## Impacts

The Project may result in a significant impact if:

- Based on the analysis provided in Initial Study the Project has the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal.
- Based on the analysis provided in this Initial Study, the project would result in any significant cumulative impacts relative to other current projects, or the effects of probable future projects.
- The project would have environmental effect that will cause substantial adverse effects on human beings, either directly or indirectly.

## 4.0 CUMULATIVE IMPACTS

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

The cumulative setting for the proposed Project is the build-out of the City of Clovis General Plan which was adopted in 2014. The City has processed several General Plan Amendments since 2014, all of

which were included in the Project's analysis related to water, sewer, traffic, air quality, and greenhouse gas impacts.

Based on comments from the property owners and the applicant, a number of parcels in this County area are either under contract or in discussion with developers, are owned by developers, or are properties which were identified to be developable land at a higher density in the future. These properties consist of approximately 150 acres, which equates to approximately 345 lots at 2.3 units per acre. The studies and analysis performed for this project considered additional development in the area, even though there are no General Plan Amendment requests at this time.

### **Aesthetics**

a-c. The proposed Project as well as potential urbanization of the County area at a higher density of 2.3 units per acre, is not expected to result in significant cumulative visual resource impacts with mitigation. Street lighting for the area could add additional light pollution to the area. A mitigation measure to shield lighting to reduce the potential for up-lighting the night sky has been incorporated. The development of single-family homes would not degrade the quality of the environment. With incorporation of measures such as natural sidewalk paving materials, rather than concrete in developed areas, no sidewalks, curbs or gutters in areas that remain Rural Residential, split rail type fencing, homes facing Teague Avenue, and restriction of two-story homes within 100 feet of rural residential properties, the impacts are less than significant.

### **Agriculture and Forest Resources**

a-c. The proposed Project would not substantially contribute to the conversion of agricultural land or forest land to urban or other uses. There are no forest lands in the adjacent to or in the immediate vicinity. None of the properties in the Project area including lands identified and potentially developable at a higher density of 2.3 units per acre, are classified as Prime Farmland or Farmland of Statewide Importance, therefore, the Project would result in a less than significant cumulative agricultural or forest resources impact.

### **Air Quality**

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

### **Biological Resources**

a-c The Project could result in significant impacts to nesting migratory and nongame birds without mitigation. The impact to biological resources was analyzed with the Project as well as other properties which could potentially develop at a higher density of 2.3 units per acre. According to an analysis prepared by Argonaut Ecological Consulting, Inc., the Project will have a less than significant impact to cumulative biological resources with existing standard and project level mitigation measures incorporated.

### **Cultural Resources**

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

## **Geology and Soils**

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

## **Greenhouse Gas Emissions**

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

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

## **Hazards & Hazardous Materials**

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

## **Hydrology/Water Quality**

- a-c. The proposed Project would not contribute to cumulative surface water quality impacts associated with construction and operational activities. As described in Section 3.3 Hydrology/Water Quality, The proposed Project would not substantially alter the direction of groundwater flows, or result in a substantial change in the quantity of groundwater. The Project was analyzed using the assumption that 150 acres or more would develop at a higher density of 2.3 units per acre, resulting in a conclusion that there is a less than significant impact to cumulative water conditions.

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

- a-c With the implementation of the standard mitigation measures identified in Sections 3.1 (Aesthetics), land use impacts would be less than significant. The Project as well as other properties that have potential to develop at a higher density of 2.3 units per acre will not have significant impacts to housing or population. The proposed Project is not expected to result in substantial cumulative impacts to land use planning, population or housing.

## **Mineral Resources**

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

## **Noise**

- a-c. As described in Section 3.9 Noise, the Project as well as other properties which have a potential to develop at a higher density of 2.3 units per acre, could result in increased construction noise as well as long-term traffic noise impacts. These impacts are less than significant and would not contribute to any cumulative impacts creating a level of significance.

## **Public Services**

- a-c The proposed Project creates additional homes and residents but as identified in the initial study, would not result in significant impacts to public services. The City anticipates urbanization of areas within the City's Sphere of Influence and will budget for additional personnel and maintenance and expansion of facilities to accommodate growth. As the City grows, there will be additional impacts on public safety. Annexed areas within the DCP will be served by the Clovis Fire and Police Departments. Although development is eminent, the density of 2.3 units per acre will have a less than significant impact on services. The Project was analyzed with an assumption that 150 acres could potentially develop at a higher density of 2.3 units per acre, and concluded that there would be a less than significant cumulative impact to public services.

## **Recreation**

- a-c. The proposed Project creates additional homes and residents but as identified in the initial study, would not result in significant impacts to recreation and/or resources. Even with the assumption that an additional 150 acres beyond the tract map were to develop at a higher density of 2.3 units per acre, impacts would be less than significant.

## **Transportation/Circulation**

- a-c. The Project was analyzed by Peters Traffic Engineers assuming that 150 acres or more of the County area could develop at a higher density of 2.3 units per acre. The analyses generally confirms the roadway designations and planned lane configurations as set forth in the city of Clovis General Plan. The General Plan does not specify intersections configurations; the configurations suggested previously in this report should be used as a guide and should be updated as necessary when traffic studies are performed for specific development projects. The study found that ultimate roadway configurations included in the City of Clovis General Plan include sufficient reserve capacity to accommodate residential development within the DPC area. The analyses suggest that a vast majority of the additional trips expected to occur on Fowler Avenue and on Sunnyside Avenue will be the result of regional growth primarily expected to occur north of Shepherd Avenue.

As development occurs, street improvements will be necessary. Development is required to pay its proportionate share to construct roads and infrastructure to accommodate growth.

## **Tribal Cultural**

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

## **Utilities and Service Systems**

- a-c. The proposed project was analyzed with respect to the proposed master plan and research of surrounding recent and foreseeable projects including the potential that over 150 acres within the Focus Area 7, could develop at a higher density of 2.3 units per acre. The analysis concludes that the Project would not have a significant cumulative impact on utility and service system demands.

## Environmental Factors Potentially Affected

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

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

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

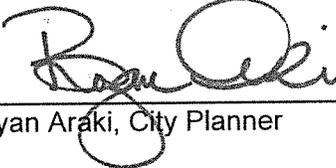
## 5.0 Determination Findings

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

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

- This Initial Study, prepared pursuant to CEQA Section 15063, has identified potentially significant environmental effects that would result from the project.
- The City has reviewed the proposed project impacts and has determined the following mitigation measures will address the identified impacts and reduce impacts to the level required by applicable standards:
  - e. The project area is predominately rural residential with existing homes. The implementation of the Project, consistent with the existing and proposed zoning as well as mitigation measures would reduce impacts to a less than significant level.
  - f. The Project will include on-site project and off-site street lighting, which would introduce a new source of light. The lighting is necessary to provide enough illumination at night for security and traffic purposes. All lighting will be installed per City and PG&E standards. A requirement to reduce up-lighting or shield lighting having direct impact to adjacent development is necessary to maintain the rural nature of the area. With the inclusion of the following Mitigation Measure, impacts in this category will be reduced to a less than significant impact.
    - **Mitigation Measure 3.1-c:** The developer shall incorporate the following mitigation measures into the tentative map TM6154 design and construction:
      - Utilize natural sidewalk paving materials, rather than concrete in developed areas, and no sidewalks, curbs or gutters in areas that remain Rural Residential.
      - Utilize split rail type fencing in place of or outside of block sound walls along developed streets.
      - Place homes facing Teague Avenue.

- Restrict two-story homes within 100 feet of rural residential properties.
- Utilize rural landscaping materials along developed streets. Landscaping along undeveloped reaches remain as-is.
- **Mitigation Measure 3.1-d:** The developer shall direct all on-site lighting downward and provide physical shields to prevent direct view of the light source from adjacent residential properties. Street lighting shall be spaced in accordance with City Standards to reduce up-lighting. The applicant shall utilize a PG&E street light which directs light downward.
- **Mitigation Measure 3.4-a1:** Should project construction be scheduled to commence between March and the end of August, a pre-construction survey will be conducted by a qualified biologist for nesting raptors. This survey will occur within 30 days of the on-set of construction. All suitable habitats of the study are will be covered during this survey.
- **Mitigation Measure 3.4-a2:** If pre-construction surveys undertaken during the nesting season locate active nests within or near the construction zones, these nests, and an appropriate zone around them (as determined by a qualified biologist) will remain off limits to construction until the nesting season is over. Suitable setbacks from occupied nests will be established by a qualified biologist and maintained until the conclusion of the nesting season.
- **Mitigation Measure 3.4-a3:** The applicant shall conduct a pre-construction survey to assess any burrowing owl habitat. A licensed biologist will make a recommendation on measures necessary based on the findings of the survey.
- **Mitigation Measure 3.4-c:** A wetland delineation shall be conducted prior to permitting of development within areas described as potential wetland within the biological survey.
- **Mitigation Measure 3.4-d:** Project level habitat assessment for California Tiger Salamander, and Western Pond Turtle shall be conducted to cover areas of concern.
- **Mitigation Measure 3.5-a:** Project level studies shall be conducted before approval of specific projects on properties not previously covered by cultural resource studies. The studies shall research field surveys, and recordation and evaluation of any resources.

Signature  Date: March 15, 2018  
 Bryan Araki, City Planner

*Applicant's Concurrence*

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

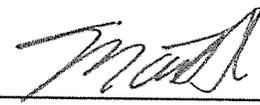
Signature \_\_\_\_\_ Date: \_\_\_\_\_

- Restrict two-story homes within 100 feet of rural residential properties.
- Utilize rural landscaping materials along developed streets. Landscaping along undeveloped reaches remain as-is.
- **Mitigation Measure 3.1-d:** The developer shall direct all on-site lighting downward and provide physical shields to prevent direct view of the light source from adjacent residential properties. Street lighting shall be spaced in accordance with City Standards to reduce up-lighting. The applicant shall utilize a PG&E street light which directs light downward.
- **Mitigation Measure 3.4-a1:** Should project construction be scheduled to commence between March and the end of August, a pre-construction survey will be conducted by a qualified biologist for nesting raptors. This survey will occur within 30 days of the on-set of construction. All suitable habitats of the study are will be covered during this survey.
- **Mitigation Measure 3.4-a2:** If pre-construction surveys undertaken during the nesting season locate active nests within or near the construction zones, these nests, and an appropriate zone around them (as determined by a qualified biologist) will remain off limits to construction until the nesting season is over. Suitable setbacks from occupied nests will be established by a qualified biologist and maintained until the conclusion of the nesting season.
- **Mitigation Measure 3.4-a3:** The applicant shall conduct a pre-construction survey to assess any burrowing owl habitat. A licensed biologist will make a recommendation on measures necessary based on the findings of the survey.
- **Mitigation Measure 3.4-c:** A wetland delineation shall be conducted prior to permitting of development within areas described as potential wetland within the biological survey.
- **Mitigation Measure 3.4-d:** Project level habitat assessment for California Tiger Salamander, and Western Pond Turtle shall be conducted to cover areas of concern.
- **Mitigation Measure 3.5-a:** Project level studies shall be conducted before approval of specific projects on properties not previously covered by cultural resource studies. The studies shall research field surveys, and recordation and evaluation of any resources.

Signature  Date: March 15, 2018  
 Bryan Araki, City Planner

*Applicant's Concurrence*

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

Signature  Date: 3/27/18

**6.0 MITIGATION MONITORING  
EXHIBIT B**

**City of Clovis Mitigation Monitoring and Reporting Program  
Dry Creek Preserve Master Plan, General Plan Amendment GPA2016-06, Prezone  
R2016-07, Vesting Tentative Map TM6154, Reorganization RO296  
Dated March 5, 2018**

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

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

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

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

## 6.2 Mitigation Monitoring Program

Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
<b>3.1 Aesthetics</b>				
3.1-c	<p>The developer shall incorporate the following mitigation measures into the tentative map TM6154 design and construction:</p> <ul style="list-style-type: none"> <li>▪ Utilize natural sidewalk paving materials, rather than concrete in developed areas, and no sidewalks, curbs or gutters in areas that remain Rural Residential.</li> <li>▪ Utilize split rail type fencing in place of or outside of block sound walls along developed streets.</li> <li>▪ Place homes facing Teague Avenue.</li> <li>▪ Restrict two-story homes within 100 feet of rural residential properties.</li> <li>▪ Utilize rural landscaping materials along developed streets. Landscaping along undeveloped reaches remain as-is.</li> </ul>	City of Clovis Planning	<i>Prior to Permits and During Construction</i>	
3.1-d	The developer shall direct all lighting downward and provide physical shields to prevent direct view of the light source from adjacent residential properties.	City of Clovis Planning	<i>Prior to Permits and During Construction</i>	
<b>3.4 Biological</b>				
3.4-a1	Should project construction be scheduled to commence between March and the end of August, a pre-construction survey will be conducted by a qualified biologist for nesting raptors. This survey will occur within 30 days of the onset of construction. All suitable habitats of the study are will be covered during this survey.	City of Clovis Planning	<i>Prior to Permits and During Construction</i>	

3.4.a2	If pre-construction surveys undertaken during the nesting season locate active nests within or near the construction zones, these nests, and an appropriate zone around them (as determined by a qualified biologist) will remain off limits to construction until the nesting season is over. Suitable setbacks from occupied nests will be established by a qualified biologist and maintained until the conclusion of the nesting season.	City of Clovis Planning	<i>Prior to Permits and During Construction</i>	
3.4-a3	The applicant shall conduct a re-construction survey to assess any burrowing owl habitat. A licensed biologist will make a recommendation on measures necessary based on the findings of the survey.	City of Clovis Planning	<i>Prior to Permits and During Construction</i>	
3.4-c	A wetland delineation shall be conducted prior to permitting of development within areas described as potential wetland.	City of Clovis Planning	<i>Prior to Permits</i>	

<b>3.5 Cultural Resources</b>				
3.5-a	Project level studies shall be conducted before approval of specific projects on properties not previously covered by cultural resource studies. The studies shall research field surveys, and recordation and evaluation of any resources.	City of Clovis Planning	<i>Prior to Permits</i>	

## 7.1 Report Preparers

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**Appendix A**  
**Environmental Studies**

