

**COSTCO WHOLESALE  
CONDITIONAL USE PERMIT CUP2017-16  
SITE PLAN REVIEW SPR2017-24**

INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION

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PREPARED BY:



**CITY OF CLOVIS**

Planning Division  
1033 Fifth Street  
Clovis, CA 93612

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**June 2018**

**ATTACHMENT 1**



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

For County Clerk Stamp

**COSTCO WHOLESALE  
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 the Planning Commission on June 28, 2018, in the Council Chamber of the Clovis Civic Center, 1033 Fifth Street, Clovis, CA 93612.

The Clovis Planning Commission will consider the following item:

1. CUP2017-16, A request to approve a conditional use permit for an auto tire service center and fuel station related to a Costco Wholesale facility proposed at the northwest corner of Santa Ana and Clovis Avenues in the City of Clovis, County of Fresno.

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 June 28, 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 "California Environmental Quality Act" 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, June 6, 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:** June 4, 2018

**Agency File No:** Costco Wholesale CUP2017-16, and SPR2017-24

**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:** Costco Wholesale CUP2017-16, and SPR2017-24.

**Project Location:** Located at the Northwest corner of Santa Ana and Clovis Avenues, in the City of Clovis, County of Fresno, California.

**Project Description:**

- A. CUP2017-16, A request to approve a conditional use permit for an auto tire service center and fuel station related to a Costco Wholesale facility proposed at the northwest corner of Santa Ana and Clovis Avenues in the City of Clovis, County of Fresno.

**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: \_\_\_\_\_

Date: June 6, 2018

## Table of Contents

	Page
1.0 INTRODUCTION	
1.1 Documents Incorporated by Reference .....	5
1.2 Lead Agency .....	6
1.3 Other Agencies That May Use This Document.....	6
2.0 PROJECT DESCRIPTION	
2.1 Project Description .....	7
2.2 Project Location .....	11
2.3 Standard Environmental Measures .....	11
3.0 ENVIRONMENTAL SETTING, IMPACTS AND MITIGATION MEASURES	
3.1 Aesthetics .....	16
3.2 Agriculture and Forest Resources .....	18
3.3 Air Quality .....	20
3.4 Biological Resources.....	24
3.5 Cultural Resources.....	26
3.6 Geology/Soils.....	28
3.7 Greenhouse Gas Emissions.....	30
3.8 Hazardous & Hazardous Materials.....	34
3.9 Hydrology/Water Quality .....	37
3.10 Land Use/Planning.....	42
3.11 Mineral Resources .....	43
3.12 Noise.....	44
3.13 Population/Housing .....	46
3.14 Public Services .....	47
3.15 Recreation.....	49
3.16 Transportation/Traffic .....	50
3.17 Tribal Cultural Resources.....	53
3.18 Utilities/Service Systems .....	54
3.19 Mandatory Findings of Significance.....	56
4.0 CUMULATIVE IMPACTS	
4.1 Cumulative Impacts.....	57
5.0 DETERMINATION	
5.1 Determination Findings .....	60
6.0 MITIGATION MONITORING	
6.1 Introduction .....	62
6.2 Mitigation Monitoring and Reporting Program .....	63
7.0 REPORT PREPARATION	
7.1 Report Preparers.....	65

### **Appendices**

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 2014 Clovis General Plan Update.** 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. The Project Mitigated Negative Declaration tiers off the 2014 General Plan EIR.
- **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.
- **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, December 26, 2017**, 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**, December 19, 2017, 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 LSA**, January, 2018, an evaluation of biological impacts.
- **Cultural Archeological Evaluation from LSA**, January, 2018, an evaluation of cultural and archeological resources.
- **Air Quality and Global Climate Change Evaluation from LSA**, January 16, 2018, an evaluation of the impacts related to Air Quality and Green House Gas.
- **Clovis Unified School District**, Letter dated March 27, 2018, an evaluation of school enrollment.
- **Traffic Evaluation by Kittelson & Associates**, June, 2018, an evaluation of traffic related impacts.

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 the City of Clovis at the northwest corner of Santa Ana and Clovis Avenues. The 20.07-acre site (two lots), currently zoned C-2 (Community Commercial), where retail merchandising is permitted as a by-right use. A Conditional Use Permit requests approval of a tire service center and auto fuel station as part of a Costco Wholesale facility. A site plan review is being processed for a 152,218 square-foot Costco Wholesale building, and 20 stall fuel sales facility (potential for 30 future) with associated 854 stall parking lot. Because the retail portion of the project is allowed by-right in the C-2 Zone District, the site plan review is a ministerial action.

The development of the site will necessitate the demolition of an advertising structure, and demolition of possible wells and septic systems. The Project will also include site grading, installation of off-site improvements, right-of-way acquisition, sewer lines, water lines, dry utility infrastructure, landscaping, and street improvements.

The warehouse is sited to minimize impacts to the existing residential neighborhood to the south and west. The main entry feature has been oriented towards the southeast away from existing residential uses. The parking lot design has incorporated a 40-foot perimeter landscape buffer adjacent to the existing residential uses to the west along Dewitt Avenue and south along Santa Ana Avenue. Parking lot trees and landscaping are per City requirements and would enhance the site and surrounding area and assist to minimize the visual impact of the development. Primary access to the warehouse and fuel facility would be from a new signalized intersection at the north end of the site on Clovis Avenue. A second right in and out access driveway is also located along Clovis Avenue at the mid portion of the site. There would be secondary driveways from Dewitt Avenue and Santa Ana Avenue to assist with the dispersing of traffic. As noted, a total of 854 parking stalls are provided on site, which exceeds the required City of Clovis parking requirement of 715 stalls. The Project provides oversized parking stalls of 10 feet by 20 feet, larger than the minimum requirements for the City of Clovis, to provide members with easier accessibility to vehicles. The primary, ADA compliant, pedestrian pathway would extend from the new warehouse through the parking lot by the southerly Clovis Avenue driveway.

The parking lot would be illuminated with standard downward pointing lights, each containing two LED fixtures affixed to a 37-foot light pole. The lighting fixtures are of a "shoe-box" style. Parking lot light standards are designed in order to provide even light distribution for vehicle and pedestrian safety. The parking lot would be timer controlled to limit lighting after the warehouse has closed and employees are gone from the warehouse. Parking lot lighting would remain on to provide security and emergency lighting along the main driveways. Lighting fixtures would also be located on the building approximately every 40 feet around the exterior of the building to provide safety and security. Parking and site lighting would incorporate the use of cutoff lenses to keep light from overflowing beyond the Project boundaries.

The landscape plan includes a mix of drought tolerant shrubs and grasses and a variety of shade trees, used throughout the parking field and along the perimeter of the Project site, appropriately selected for the climate in Clovis. Landscape islands are typically provided at one island per 4 lineal parking spaces in the parking field. The Project has also been designed to comply with the City requirement to provide 50 percent shading of the parking area.

The warehouse design is contemporary and has set the standard for large format retail facades with variety of massing and appropriate materials for the building. By combining concrete masonry block and architectural metal panels, Costco would create a scale and architectural interest to minimize the visual impact of a large retail warehouse. By use of design techniques such as the location of building materials, landscaping, and the incorporation of varying parapet cap heights, Costco would successfully break the long elevations both horizontally and vertically at the appropriate height to conceal roof top mounted mechanical equipment. The technique of breaking a long elevation into smaller elements with varied materials and colors is used to create a more pedestrian-friendly scale.

The proposed colors are warm natural earth tones, which would relate to the proposed surrounding development by utilizing similar building materials and architectural detailing. The building entrance, located on the “skew” of the floor plan, would create a visual queue to the warehouse entry.

Building signage would consist of the signature Costco red and blue corporate colors. The signage is scaled appropriately to the mass of the building elevations so as to not overwhelm but to reinforce the brand that Costco has established. The warehouse wall signage would consist of externally illuminated reverse pan channel letters, and the fuel facility signage would also be externally illuminated.

The Clovis Costco proposes to include a bakery, pharmacy, optical center with optical exams and retail optical sales, hearing aid testing center, food court, and a photo center along with the sales of approximately 4,000 products. The proposed warehouse also includes a Tire Center, which would be a 5,478 square-foot facility with member access via the inside of the main Costco building that includes tire sales and a tire installation facility. The installation facility would have four bays that face east to allow Costco employees to drive the cars into the installation facility. A promotional vehicle may be on display near the entry to the building. This vehicle is only to promote online or offsite vehicle sales; no vehicles would be sold on site.

The proposed truck loading dock is located at the Southwest side of the building with 40' of landscaping to buffer noise from the adjacent residential development to the west. The bay doors would be equipped with sealed gaskets to limit noise impacts. A smaller on grade door is planned for the west side of the building. This door would be for reception of bread delivery and Federal Express type trucks. Landscaping would be installed along the edge of the dock to help mitigate any visual impacts. A transformer and two trash compactors would also be located along the west edge of the building. Dense landscape material provides the necessary screening to this area.

The fuel facility would include an 11,840 square-foot canopy and a 106 square-foot controller enclosure that would be located on the northeast portion of the site. A planting island at the fuel station would house the control equipment. The controller enclosure would be built with steel walls and finished with paint to match the warehouse building colors. There would be five covered fueling bays, each with two gas dispensers to provide fueling for 20 cars. The fueling station would also have 10 stacking lanes which will allow approximately 50 cars to wait for pumps at any given time in addition to the 20 at the dispensers. The gas station would have fueling capacity for 20 dispensers initially with expansion to 30 dispensers. The dispensers would be fully automated and self-service for Costco members only, with a Costco attendant present to oversee operations and assist members with problems. Four underground fuel tanks would be installed at the southern edge of the gas station. Lights would be recessed into the canopy and provide both lighting during operating hours and a lower level of security lighting after hours.

In an effort to reduce energy consumption and promote sustainability, the proposed Project would incorporate many energy saving measures. Below are some of the significant practices that Costco would incorporate into the building to help conserve energy and other natural resources:

- Parking lot light standards are designed in order to provide even light distribution, and utilize less energy compared to a greater number of fixtures at lower heights. The use of LED lamps provide a higher level of perceived brightness with less energy than other lamps such as high pressure sodium.
- New and renewable building materials are typically extracted and manufactured within the region.
- The use of pre-manufactured building components, including structural framing and metal panels, helps to minimize waste during construction.
- Pre-manufactured metal wall panels with insulation carry a higher R-Value and greater solar reflectivity to help conserve energy. Building heat absorption is further reduced by a decrease in the thermal mass of the metal wall when compared to a typical masonry block wall.
- Costco uses a reflective cool roof material to produce lower heat absorption and thereby lowering energy requirements during the hot summer months. This roofing material meets the requirements for the U.S. Environmental Protection Agency (USEPA) Energy Star energy efficiency program.
- The warehouse includes skylights placed strategically throughout the metal roof. Photo sensors are placed at various locations on the roof as well as inside a number of skylights to accurately measure the amount of natural light entering the building. Lighting is controlled by the overall Project energy management system which utilizes high-efficiency lighting and ballasts, (LED) and bi-level switching for fluorescent fixtures.
- A substantial amount of the proposed plant material for the new site is native drought tolerant and will use less water than other common species.
- The irrigation system includes the use of deep root watering bubblers for parking lot trees to minimize usage and ensure that water goes directly to the intended planting areas.
- Use of native species vegetation and drip irrigation systems greatly reduces potable water consumption.
- High-efficiency restroom fixtures achieve a 40 percent decrease and water savings over U.S. standards by using high efficient restroom fixtures.
- Building envelopes are all insulated to meet or exceed current energy code requirements.
- Commissioning of mechanical systems will occur to ensure that the HVAC systems are performing as designed.
- HVAC comfort systems are controlled by a computerized building management system to maximize efficiency.
- HVAC units are high efficiency direct ducted units.
- HVAC units have phased out the use of HCFC's completely, long before the Montreal Protocol timeline.
- Parking lot and exterior lights are controlled by a photo sensor and time clock.
- Lighting is controlled by the overall Project energy management system.
- Energy efficient Transformers (i.e., Square D Type EE transformers) are used.
- Variable speed motors will be used on make-up air units and booster pumps.
- Gas water heaters are direct vent and 94 percent efficient or greater.
- Reclaim tanks are used to capture heat released by refrigeration equipment to heat domestic water in lieu of rejecting heat to the outside.
- Main Building structure is a pre-engineered system that uses recycled steel materials and is designed to minimize the amount of material utilized.
- Roof material is recycled standing seam metal panel, designed to maximum efficiency for spanning the structure.
- When masonry and concrete are used, the materials purchased are local to the Project minimizing the transportation and impact to local road networks.
- Construction waste is recycled whenever possible.
- Floor sealant is No-VOC and represents over 80 percent of the floor area.

- Lighting systems are designed with employee controllability in mind. Lighting is controlled by timers but over-ride switches are provided for employee use.
- Extensive recycling/reuse program is implemented for warehouse and office space including tires, cardboard, grease, plastics and electronic waste.
- Distribution facilities are strategically located to minimize miles traveled for delivery.
- Deliveries are made in full trucks.
- All Costco trucks are equipped with an engine idle shut off timer.

Construction of the Project would be completed in one construction phase. Construction is anticipated to commence in late winter 2018 or early spring 2019 and would occur for approximately 8 months.



**COSTCO CLOVIS, CA**  
CONCEPT SITE PLAN 2.9

Figure 1 – Proposed Site Plan

## 2.1 Project Location

The proposed Project is located at the northwest corner of Santa Ana and Clovis Avenues within the City of Clovis, County of Fresno. Surrounding uses include single-family and multiple-family residential to the west, commercial to the north, commercial to the east, and single-family residential to the south. The site is bordered by Clovis Avenue on the east, Santa Ana Avenue on the south and DeWitt Avenue on the west (see Figure 2 below).



Figure 2 – Costco Project Location

## 2.2 Standard Environmental Measures

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

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

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

The following construction noise control standards per the Clovis Municipal Code (Clovis Municipal Code Section 5.27.604 et seq.) will be required, which are proven effective in reducing and controlling noise generated from construction-related activities.

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

### 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.

### **3.0 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

### Environmental Setting

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

The Project is located at the northwest corner of Santa Ana and Clovis Avenues across the street from single-family and multiple-family homes. The construction of the new Costco facility will change the character of the existing conditions of the site; however, the Project is consistent with the standards per the C-2 Zone District which maximizes building heights to 35 feet (same as single-family residential), and requires a landscape buffer between residential uses. Additionally, the Project will comply with the Commercial Design Guidelines, which carries requirements to minimize impacts to surrounding

residential uses. The tire service center will be located within the enclosed structure. Other than the roll-up doors and vehicle staging outside, there are no other visible components of the tire center.

The fuel station is proposed along the Clovis Avenue frontage. Fifteen pumps are proposed in the full build-out allowing for 30 vehicles to pump fuel at one time under an 18-foot high canopy. The canopy height is consistent with the zoning and much lower in profile than a typical retail building that could be located on the site.

Lighting for the site will be required to be shielded to prevent direct view of the source from the residential neighborhood to the south and west. Additionally, the developer proposed additional landscape setbacks along Santa Ana and Dewitt Avenues to transition and complement the residential neighborhoods by providing a buffer to soften their view.

## **Impacts**

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

- a. The proposed Project will not obstruct federal, state or locally classified scenic areas, historic properties, community landmarks, or formally classified scenic resources such as a scenic highway, national scenic area, or state scenic area. The City of Clovis is located in a predominantly agricultural area at the base of the Sierra Nevada Mountain Range, which provides for aesthetically pleasing views and open spaces. The project site is currently vacant of buildings with one advertising structure located at the southeast corner of the site. The top of the Sierra Nevada Mountain range is currently visible from Dewitt and Santa Ana Avenues. The project proposes a tire center located within the future building and a fuel station along Clovis Avenues, consistent with the Clovis Development Code. As such, the implementation of the Project using current zoning standards, as well as the applicant's proposal to increase landscape setbacks and reduce the use of tall masonry walls would still block some of the view of the Sierra from Dewitt Avenue, however, the result in this category is a less than significant impact to scenic vistas.
- b. The Project is surrounded on two sides by residential properties and is not located near a scenic highway. The development of this parcel would have a less than significant impact on scenic resources.
- c. The project vicinity area is a mix of residential and commercial. Additional landscaping setbacks are proposed along Santa Ana and Dewitt Avenues to soften the edges and complement the neighborhoods. The development of the site will screen the back of an existing center where loading and service areas have been exposed to public view for several decades. The implementation of the Project, which is consistent with the existing and proposed zoning, would not substantially degrade the visual character or quality of the site and its surroundings and result in a less than significant impact.
- 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 to prevent light spill having direct impact to adjacent development is necessary. With the inclusion of the following Mitigation Measure, lighting associated with the Project will be consistent with urbanization and with surround uses. Therefore, impacts in this category will be reduced to a less than significant impact.

**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 type="checkbox"/>	<input checked="" type="checkbox"/>

**Environmental Setting**

The Project is located at the northwest corner of Santa Ana and Clovis Avenues on an in-fill property.

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 Clovis General Plan Area because of water supply constraints and soil suitability issues, even though 7 percent of the Sphere of Influence (SOI) and 36 percent of the non-SOI Plan Area are designated Agriculture.

There are 10,199 acres in the 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. Therefore there are no impacts in this category.
  - b. The Project does not include lands which have existing Williamson Act or other contracts. Therefore there are no impacts in this category.
  - 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. Therefore there are no impacts in this category.
  - d. The Project will not result in the loss of forest land or conversion of forest land to non-forest use. The Project site does not contain and is not adjacent to any forest. Therefore there are no impacts in this category.
  - e. All existing and/or planned services and infrastructure in the area can accommodate the proposed Project. 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. Therefore there are no impacts in this category.

	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 San Joaquin Valley Air Basin (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 and attainment for CO and NO<sub>x</sub>. The SJVAB has not attained the federal 1-hour ozone, although this standard was revoked in 2005.

### Impacts

The SJVAPCD has established the following standards of significance (SJVAPCD, 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 SJVAPCD 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 SJVAPCD threshold level at which new stationary sources requiring permits for the SJVAPCD must provide emissions "offsets". This threshold of significance for PM<sub>10</sub> is consistent with the SJVAPCD's ROG and NO<sub>x</sub> thresholds of ten tons per year, which are also the offset thresholds established in SJVAPCD Rule 2201 New and Modified Stationary Source Review Rule.

The SJVAPCD 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

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

The Air Quality and Greenhouse Gas Impacts were analyzed by LSA consultants. In a memo prepared on January 16, 2018 (and Air Quality and Greenhouse Gas Study attached), it is stated that the Project will not have a significant impact to air quality or greenhouse gas, with the incorporation of existing mitigation measures from the 2014 General Plan EIR, as well as existing policies and measures per the San Joaquin Valley Air Pollution Control District.

a-e. The Project site is located within the San Joaquin Valley Air Basin (SJVAB), 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 SJVAPCD 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 SJVAPCD. 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 construction activities are complete; therefore, the Project is expected to have a less than significant impact.

Under Based on the SJVAPCD methodology, if annual emissions of construction- or operational-related criteria air pollutants exceed any applicable threshold established by the SJVAPCD, the proposed Project would result in a cumulatively significant impact. As discussed above, the proposed Project’s construction emissions of criteria pollutants are estimated to be well below the emissions threshold established for the region.

Operational emissions associated with the proposed Project would not exceed SJVAPCD established significance thresholds for CO, ROG, SO<sub>x</sub>, PM<sub>10</sub>, or PM<sub>2.5</sub> emissions. With implementation of Rule 9510, NO<sub>x</sub> emissions would be reduced to below SJVAPCD thresholds. Therefore, the proposed Project would not result in a cumulatively considerable contribution to regional air quality impacts; 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### Environmental Setting

The Project site is currently vacant of buildings and trees. The site is routinely disked and abated for weeds. The site is bounded by residential uses to the west, and south, commercial to the north, and commercial and pedestrian trails to the east.

### 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 a site assessment performed by LSA, Inc, there are no special status plans on the project site. However, the Project would result in 18.28 acres of permanent impacts to disturbed and ruderal areas of the project site that could provide low quality habitat for ground nesting birds. With inclusion of mitigation measures to address the nesting season for ground nesting birds, impacts in this category are reduced to less than significant.
- b. There is no riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or US Fish and Wildlife Service within the project area. Therefore, the Project would not have a substantial adverse effect on riparian or other sensitive natural habitat, resulting in a less than significant impact.
- c. The project site does not contain any wetlands. Therefore, 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. Impacts are less than significant.

The project site does not serve as a wildlife corridor or otherwise facilitate wildlife movement. 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. Project construction activities could potentially spread invasive species from the project site. A mitigation measure has been added to avoid the spread of invasive species. With this mitigation measure incorporated, the impacts are reduced to less than significant.

- d. There are no trees on the project site. Therefore, the Project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. Impacts are less than significant.
- e. 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. Impacts are less than significant.

## Mitigation Measures

- **Mitigation Measure 3.4-a1:** Should project construction be scheduled to commence between February 1 thru August 31, a pre-construction survey for ground nesting birds shall be conducted by a qualified biologist.
- **Mitigation Measure 3.4-a2:** If an active nest is discovered within the BSA, a 100-foot no disturbance buffer shall be established around the nest (within the BSA) using orange construction fencing. A qualified biologist shall evaluate the potential for construction activities to disturb normal nesting behavior and adjust the buffer distance, as appropriate. The buffer fencing shall be maintained in good condition until the nest is inactive.
- **Mitigation Measure 3.4-a3:** Disturbance of active nests shall be avoided until it is determined by a qualified biologist that nesting is complete and the young from have fledged or that the nest has failed. If work is allowed to proceed, at a minimum, a qualified biologist shall be on-site during the start of construction activities during the nesting season to monitor nesting activity. The monitor shall have the authority to stop work if it is determined the Project is adversely affecting nesting activities.
- **Mitigation Measure 3.4-c:** All equipment shall be thoroughly cleaned before leaving the site.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>3.5 Cultural Resources</b>				
<i>Will the proposal:</i>				
a. Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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. 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 LSA, who concluded that there are no previously recorded prehistoric or historic sites identified within the project site.

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 LSA and concluded that there are no previously recorded prehistoric or historic sites identified within the project site.

- a. A Cultural Resource Assessment was conducted by LSA, Inc. and found no historical resources on the project site. Therefore, the Project would not cause a substantial adverse change in the significance of a historical resource as defined in §15064.5 of the CEQA Guidelines. Therefore impacts in this category are less than significant.
- b&c. The proposed Project is not anticipated 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. Implementation of this Standard Environmental Measure would ensure that potential impacts due to uncovering of previously undiscovered archaeological and/or paleontological resources would 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. Compliance with this regulatory compliance measure would ensure that potential impacts due to discovery of human remains would be less than significant.

	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 checked="" type="checkbox"/>	<input 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. There are no Impacts in this category.

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. Taking into account the distance to the causative faults and compliance with the California Building Code, the potential for ground motion in the vicinity of the Project site is such that a minimal risk can be assigned. There are no Impacts in this category.

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). There are no Impacts in this category.

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 with no slopes in vicinity; therefore, the Project will not result in or expose people to potential impacts from landslides or mudflows. There are no Impacts.

- b. The sandy loam soil on the project site has a moderate potential for erosion. Project construction activities would loosen the soil, leaving it exposed to potential water and wind erosion. The eroded soils, in turn, could be transported off the project site. Compliance with the provisions of the Clovis-Fresno Storm Water Quality Management Program (CFSWQMP), which incorporates the Construction General Permit, issued by the State Water Resources Control Board (SWRCB). The Construction General Permit is required for all projects that disturb one acre of land or more. The permit requirements include preparation of a Storm Water Pollution Prevention Plan (SWPPP) by a Qualified SWPPP Developer to address potential water quality issues. The SWPPP includes implementation of Best Management Practices to avoid or minimize adverse water quality impacts. Best Management Practices fall within the categories of Temporary Soil Stabilization, Temporary Sediment Control, Wind Erosion Control, Tracking Control, Non-Storm Water Management, and Waste Management and Materials Pollution Control. Only Best Management Practices applicable to the project would become part of the SWPPP. In short, the project has potentially significant impacts related to erosion, but compliance with SJVAPCD Regulation VIII and SWPPP, would result in a less than significant impact.
- c. The soils underlying the sites where the facilities would be constructed have not been identified as inherently unstable or prone to failure. The soils are not conducive to liquefaction and landslides are unlikely on this topographically flat project site. The project would not change existing stability conditions. Appropriate engineering design would avoid potential adverse effects. The project would have no impact on the stability of soils.
- d. Potential hazards from liquefaction, lateral spreading, seismically induced settlement, and subsidence are considered unlikely given the stiff soil conditions of the project site. Because the topography of the project site is flat, it is not at risk for landslides or geologic hazards

resulting from steep slopes. Additionally, all new structures will be required to conform to current seismic protection standards in the California Building Code (California Code of Regulations Title 24).

It is possible that grading and construction activities related to development of the Project could contribute to soil erosion. However, with implementation of erosion control measures as required by state and local regulation, erosion will be less than significant.

Based on these factors, impacts pertaining to geology and soil factors resulting from the Project, are less than significant.

- 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. There are no Impacts in this category.

	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 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

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

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.

It is important to note the threshold of evidence required when relying on quantification of project-generated GHG emissions in comparison to BAU conditions to determine consistency with AB 32’s reduction goals. Based on the California Supreme Court’s decision in *Center for Biological Diversity v. California Department of Fish and Wildlife and Newhall Land and Farming* (2015) 224 Cal.App.4th 1105 (CBD vs. CDFW; also known as the “Newhall Ranch case”), substantial evidence would need to be provided to document that project-level reductions in comparison to a BAU approach would be consistent with achieving AB 32’s overall statewide reduction goal. Given that AB 32’s statewide goal includes reductions that are not necessarily related to an individual development project, the use of this approach may be difficult to support given the lack of substantial evidence to adequately demonstrate a link between the data contained in the AB 32 Scoping Plan and individual development projects.

Alternatively, the Court identified potential options for evaluating GHG impacts for individual development projects, which included the use of GHG numeric thresholds, such as a numeric, mass-emissions threshold.

The SJVAPCD has adopted a Climate Change Action Plan (CCAP), which includes suggested BPS for proposed commercial development projects. Appendix J of the SJVAPCD Final Staff Report for the CCAP 13 contains GHG reduction measures that would be applicable to the proposed Project. The proposed Project’s consistency with these measures is included in Table 7 of the GHG Report from LSA.

As demonstrated in Table 7, the proposed Project’s consistency with many of the CCAP measures would be determined by design decisions that are currently not evident from the conceptual plans evaluated for the environmental analysis in this report. Implementation of the SJVAPCD recommended on-site emission reduction mitigation measures would ensure the proposed Project incorporates design features consistent with the applicable measures, as identified in Appendix J of the SJVAPCD Final Staff Report for the CCAP.

### **Significance Criteria**

Absent any other local or regional Climate Action Plan, the proposed Project was analyzed for consistency with the California Air Resources Board’s (ARB) adopted Scoping Plan. The proposed Project would be consistent with the Scoping Plan measures, including the following.

- California Light-Duty Vehicle Greenhouse Gas Standards. The standards would be applicable to light-duty vehicles that would access the Project Site.
- Energy Efficiency. The Project would increase its energy efficiency through compliance with the new Title 24 standards.
- Low Carbon Fuel Standard. Vehicles that access the Project Site would comply with the standard, by way of consuming transportation fuel that will meet the goal of a 10 percent reduction in carbon intensity by 2020.
- Recycling and Waste. The Project would contribute toward a Statewide reduction in waste by utilizing the City of Clovis recycling services, which have consistently exceeded State recycling mandates.

Based on Table 7 and the discussion above, the proposed Project would not conflict with plans, policies, or regulations adopted for the purpose of reducing the emissions of GHG.

A greenhouse gas analysis was performed by LSA, dated January 16, 2018. The evaluation concluded that the project is consistent with the goals of the ARB and impacts are less than significant.

## **Impacts**

a&b. Based on the analysis presented above, construction of the proposed Project would not result in the generation of criteria air pollutants that would exceed SJVAPCD thresholds of significance. Implementation of SJVAPCD Regulation VIII would further reduce construction dust impacts. As discussed above, the proposed Project's construction emissions of criteria pollutants are estimated to be well below the emissions threshold established for the region. Operational emissions associated with the proposed Project would not exceed SJVAPCD established significance thresholds for CO, ROG, SOx, PM10, or PM2.5 emissions. With implementation of Rule 9510, NOx emissions would be reduced to below SJVAPCD thresholds. The proposed Project would not result in a cumulatively considerable contribution to regional air quality impacts. The proposed Project is not expected to produce significant emissions that would affect nearby sensitive receptors. The proposed Project would also not result in objectionable odors affecting a substantial number of people. GHG emissions released during construction and operation of the Project are estimated to be lower than significance thresholds, and would not be cumulatively considerable. The proposed Project would be consistent with the goals of AB 32 and the City's General Plan. Impacts are 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 checked="" type="checkbox"/>	<input type="checkbox"/>
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Environmental Setting

### Definitions

For purposes of this chapter, the term “hazardous materials” refers to both hazardous substances and hazardous wastes. A “hazardous material” is defined in the Code of Federal Regulations (CFR) as “a

substance or material that...is capable of posing an unreasonable risk to health, safety, and property when transported in commerce” (49 CFR 171.8). California Health and Safety Code Section 25501 defines a hazardous material as follows:

“Hazardous material” means any material that, because of its quantity, concentration, or physical, or chemical characteristics, poses a significant present or potential hazard to human health and safety or to the environment if released into the workplace or the environment. “Hazardous materials” include, but are not limited to, hazardous substances, hazardous waste, and any material which a handler or the administering agency has a reasonable basis for believing that it would be injurious to the health and safety of persons or harmful to the environment if released into the workplace or the environment. “Hazardous wastes” are defined in California Health and Safety Code Section 25141(b) as wastes that: ... because of their quantity, concentration, or physical, chemical, or infectious characteristics, [may either] cause or significantly contribute to an increase in mortality or an increase in serious illness, or pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, disposed of, or otherwise managed.

### **Hazardous Materials History**

Existing and past land use activities are potential indicators of hazardous materials use or contamination. Some examples include sites where industrial or agricultural activities have occurred, which may contain soil or groundwater contaminated by hazardous substances. Other hazardous material sources include leaking underground tanks in commercial and industrial areas, surface runoff from contaminated sites, and migration of contaminated groundwater into areas that may be excavated as part of the project. The General Plan Environmental Safety Element Policies were adopted to reduce the potential safety risks associated with hazardous materials and urban development.

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

### **Schools**

Tarpey Elementary School is located approximately three-tenths of a mile southwest of the Project site. Clovis' Center for Advanced Research and Technology is located approximately 600 feet to the southeast. No other existing schools or future school sites are located within one-quarter of the project site.

### **Impacts**

- a. The types and amounts of hazardous materials that would be used in connection with the Project would be typical of those used during construction of commercial developments, including vehicle fuels, paints, oils, and transmission fluids. Similarly, the types and amounts of hazardous materials used during operation of the Project would be typical of such developments and would include cleaning solvents, pesticides for landscaping, painting supplies, and petroleum products. However, all potentially hazardous materials to be used during construction and operation of the Project would be contained, stored, and used in accordance with manufacturers' instructions and handled in compliance with applicable federal, State, and local regulations. does not involve the use, transport or disposal of hazardous materials and would not result in such an impact. The project includes construction of a gas station which will require the routine transport of gasoline during operation. It is anticipated that 2 to 3 gasoline trucks per day will be required to maintain supplies of fuel at the site. Transport and handling of gasoline will be carried out in accordance with all applicable regulations and best management practices. Thus, no hazard issues are expected with this development of this site, and no impacts anticipated in the category. Based on field review, no signs of potential contamination

or hazardous materials were identified. As noted above, the use and handling of hazardous materials during construction and operation would occur in accordance with applicable federal, state, and local laws. Therefore, these impacts are considered less than significant.

- b. Tarpey Elementary School is located within a half mile southwest of the Project (three-tenths of a mile as the bird flies). Clovis' Center for Advanced Research and Technology is located approximately 600 feet to the southeast. Based on field review, there are no signs of potential contamination or hazardous materials on the project site. All materials used during both the construction and operation of the Project would be used in accordance with manufacturers' instructions and handled in compliance with applicable federal, State, and local regulations. Gasoline will be stored in underground storage tanks that meet current regulatory requirements, and all use and deliveries of gasoline during for the fueling facility will be handled in accordance with local, State and Federal guidelines. In addition, the Project would not involve the use or handling of acutely hazardous materials, substances, or waste. As such, the use of such materials would not create a significant hazard to nearby schools. Therefore, impacts in this category are considered less than significant.
- c. 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)). Therefore, in the category are less than significant.
- d. The Project site is not located within the Fresno-Yosemite International Airport land use plan area. However, the Project site is located within two miles of a public airport or public use airport. Given the distance between the project site and the airport and the Project height of approximately 35 feet, the Project would not have the potential to result in a safety hazard for people residing or working in the Project area. There are no impacts in this category.
- e. 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. Impacts are considered less than significant.
- f. Temporary detouring of traffic during construction periods is anticipated. Emergency response departments will be notified per City Standards and Policies. The periods of closure or detouring will be monitored by traffic personnel. The proposed Project would not impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan. Impacts would be less than significant.
- g. 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.
- h. 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 polyaromatic 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, tsunamis, 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. The project could potentially degrade water quality by causing erosion and siltation during construction activities and by generating pollutants during both construction and operation that would be carried away in storm runoff to drainage facilities. Construction activities would potentially generate dust, litter, chemicals, paint fragments and stucco flakes, as well as pollutants from construction vehicles and processes. These materials have the potential to be carried away by stormwater runoff into the drainage system. Operation of the project would increase the potential for stormwater runoff to transport contaminants from parking areas and other impervious surfaces into the drainage system. Potential contaminants include fuel, oil, transmission fluids, petroleum hydrocarbons and heavy metals. Runoff from landscaped areas may contain pesticides and nutrients. Since stormwater will be directed into ponding basins rather than surface water bodies, sediments and urban pollutants may eventually collect and settle to the bottom of stormwater drainage basins.

Construction activities of the project are subject to several regulations that address erosion and sediment control, and minimize the resulting effects of erosion on water quality. These requirements include adherence to the existing General Construction Permit requirements (pursuant to the NPDES General Permit for Discharges of Stormwater Runoff Associated with Construction Activity), which are specifically aimed at reducing impacts on surface waters that may occur due to construction activities. Specifically, the Permit requires preparation of a stormwater pollution prevention plan (SWPPP) that would incorporate best management practices (BMPs) to improve water retention and vegetation on project sites. Given the extent of existing regulations and mandated compliance that the project would be required to comply with that address reducing or avoiding the erosion of disturbed soils during construction activities, the impact would be less than significant.

- b. The project is served by the City of Clovis' public water system and will not directly utilize groundwater in its construction or operation. As the City of Clovis relies in part on groundwater for its municipal water supply, the project may have an indirect impact on groundwater supplies. However, based on the 2015 Urban Water Management Plan, the City is forecast to have adequate water supplies to meet estimated water demands generated by build out of the General Plan Update under the 2035 Scenario, which included development of the project area with new hospital facilities and other business and commercial uses consistent with the subject proposal. Further, the City has diversified its water supply over time to utilize surface water and recycled water while proportionally decreasing groundwater usage (additional information regarding the City's water supply is included in Chapter 20, Utilities and Service Systems).

Regarding groundwater recharge, the project will increase impervious surfaces in the project area. However, the increase in the amount of impervious surfaces in the area was previously addressed in the Clovis General Plan EIR. As discussed in the Clovis General Plan EIR, most of the areas where development is anticipated are already served by the FMFCD urban drainage system, and new development would be required to pay Local Drainage Fees to fund drainage improvements pursuant to the FMFCD Master Plan serving the affected drainage areas before the beginning of any work on such developments. Additionally, onsite infrastructure needed such as additional curbs and gutters, storm drain inlets, and underground storm water pipelines will be constructed as part of the project. Given that the project would be adequately served by water supplies already designated for use by the City of Clovis and would not require additional groundwater supply entitlements, and given that the design and operational characteristics of the project would not substantially deplete groundwater resources or interfere with groundwater recharge, impacts to groundwater supplies and recharge would be less than significant.

- c. The Project would not alter the existing drainage pattern of the site or area through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on or off-site. Therefore, impacts are less than significant.

- d-f. The Project would not alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on or off-site. Therefore, impacts are less than significant.

The Project site is presently vacant which typically does not result in notable stormwater runoff except when soils are saturated during periods of extended above-normal rainfall. The generation of stormwater runoff from the project site will increase when developed.

Stormwater collection and drainage service needs are provided by the Fresno Metropolitan Flood Control District. The existing off-site stormwater infrastructure from the project site to Basin S was installed with previous development. According to comments received from FMFCD, much of the Master Plan storm drainage system for the area is complete. These facilities are adequate to serve Project's stormwater drainage needs. The project will also be subject to the required drainage fees. Onsite infrastructure such as additional curbs and gutters, storm drain inlets, and underground stormwater pipelines will be constructed as part of the proposed project. The stormwater management needs of the project area and other areas within the City of Clovis were considered in the adoption of the Clovis General Plan and the Fresno Metropolitan Flood Control District's Storm Drainage and Flood Control Master Plan. Compliance with existing plans and regulations will assure that any impacts associated with the project related to drainage and runoff will be less than significant.

- g. The Project is a Costco warehouse and fueling facility and would not include any housing. Development within the Project area would not place housing within a 100-year flood hazard area as mapped on the latest federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map. The Fresno Metropolitan Flood Control District has policies in place to address projects within a 100-year flood hazard area. The FMFCD has noted that this project is not located in a 100-year flood area. Impacts will be less than significant.
- h. Development within the Project area would not place within a 100-year flood hazard area structures that would impede or redirect flood flows. The Fresno Metropolitan Flood Control District has policies in place to address projects within a 100-year flood hazard area. The FMFCD has noted that this project is not located in a 100-year flood area. Impacts will be less than significant.
- 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. Impacts will be less than significant.
- 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 tsunamis. 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 type="checkbox"/>	<input checked="" type="checkbox"/>
b. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but no limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Environmental Setting

#### Existing Land Use

The Project site is located at the northwest corner of Santa Ana and Clovis Avenues in the City of Clovis. The 1993 General Plan confirmed the current designation of Commercial. The designation was again confirmed during the 2014 General Plan Update. The site is bounded by a commercial center to the north, the Sierra Vista Mall across Clovis Avenue to the east, and existing residential to the south and west. The Project site is currently vacant and has been routinely used as a site for seasonal sales such as Christmas trees, pumpkin sales and miscellaneous fruit and vegetable sales.

- a. The Project will expand upon commercial retail uses that front Shaw Avenue, as envisioned in the 2014 General Plan. The Project will not physically divide an established community, Therefore, there would be no impact.
- b. The proposed Project is consistent with the land use policies of the City, including the Clovis General Plan and Zoning Ordinance; therefore, there would be no impact.
- c. There is no habitat conservation plan or natural community conservation plan applicable to the project site. Therefore, there would be no impact.

	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. Therefore, there would be no impact.

	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

Noise is often described as unwanted sound. Noise levels are defined in terms of decibels (dB), which are typically adjusted for perception of loudness by the A-weighting network (dBA). Community noise is commonly described in terms of the "ambient" noise level, which is defined as the all-encompassing noise level associated with a given noise environment. A common statistical tool to measure the ambient noise level is the average, or equivalent, sound level (Leq), which corresponds to a steady-state, dBA sound level containing the same total energy as a time-varying signal over a given time period (usually one hour).

The Leq shows very good correlation with community response to noise, and it is the basis for other noise descriptors such as the Day-Night Average Sound Level (Ldn). The Ldn represents an average sound exposure over a 24-hour period, with noise occurring during the nighttime (10:00 p.m.-7:00 a.m.) weighted more heavily to account for the greater sensitivity of people to noise during this time period. Another noise descriptor is Lmax, which gives the highest sound level value measured by the sound level meter over a given period of time.

## Existing Noise Conditions

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

## Impacts

- a. The construction of the proposed Project may result in temporary construction-related noise impacts. Construction noise would be short-term in nature and only occur for a limited duration. The Clovis Municipal Code includes standards to limit noise exposure from commercial uses to residential properties. With these existing measures, Impacts will be less than significant.
- b. Potential groundborne vibration or groundborne noise levels would most likely occur as part of construction activities associated with the Project. The construction activities would be temporary in nature, and no persons would be exposed for extended periods of time. The Clovis Municipal Code includes standards to limit noise exposure from commercial uses to residential properties. With these existing measures, Impacts will be less than significant.
- c. The proposed Project could result in a permanent increase in the ambient noise levels due to increased traffic and equipment related to a commercial development. The Clovis Municipal Code includes standards to limit noise exposure from commercial uses to residential properties. With these existing measures, Impacts will be less than significant.
- d. A temporary increase in ambient noise levels would occur in association with construction activities. The Clovis Municipal Code includes standards to limit noise exposure from commercial uses to residential properties. Additionally, the Code limits hours of construction. With these existing measures, Impacts will be less than significant.
- e. The proposed Project site is not located within an airport land use plan area. The proposed Project site is approximately 1.68 miles north of the Fresno Yosemite International Airport. The Noise Element specifies that commercial land uses are considered normally acceptable in exterior noise levels of up to 70-75 CNEL without the need for noise mitigation. Therefore, the Project would not expose people to excessive airport or airstrip noise. Impacts will be less than significant.
- f. The Project is not located within the vicinity of a private airstrip. There are no impacts.

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

## Environmental Setting

### Regional Setting

The Clovis General Plan EIR discusses population and housing trends in the City of Clovis and Fresno County. Between the 2000 and 2010 Census, Fresno County experienced a population increase of 16.4 percent and the City of Clovis grew by 39.7 percent, to 930,450 and 95,631, respectively. Since the 2010 Census, the California Department of Finance estimates the County's population, as of January 1, 2017, to be 995,975 and the City's population to be 110,762, an increase of 7.0 and 15.8 percent, respectively.

The rate of housing growth in the City of Clovis and Fresno County gradually grew through the first half of the 2000s and peaked in the middle of the decade. Clovis grew at a slightly higher rate than the rest of Fresno County. During the recession and resulting housing market downturn (2008-2012), the housing growth rate dropped in both jurisdictions. Nevertheless, Clovis gained 11,324 dwelling units and Fresno County gained 49,876 dwelling units between 2000 and 2013, an increase of approximately 44.8 and 18.4 percent, respectively. Since 2013, the number of housing starts in Fresno County and the City of Clovis has grown substantially.

The Clovis General Plan EIR also discusses the jobs-housing ratio in the City of Clovis and Fresno County. The jobs-housing ratio is a general measure of the total number of jobs and housing units in a defined geographic area, without regard to economic constraints or individual preferences, and can serve as an indicator of a project's effect on growth and quality of life in the project area. The California Department of Finance defines a healthy jobs-housing balance as one new home built for every 1.5 jobs created. Using numbers from 2013, the jobs-housing ratio for the Clovis General Plan Area was calculated as 0.74, while the jobs-housing ratio for all of Fresno County was 1.32. Both measures are considered "housing rich" because its ratio is less than 1.50. Projections for 2035 are provided by Fresno Council of Governments (Fresno COG) and show that both Clovis and Fresno County's jobs-housing ratio are anticipated to decrease from 2013 ratios to 0.60 and 1.06, respectively. However, development in accordance with the Clovis General Plan is projected to increase the jobs-housing ratio to 0.93 for the 2035 scenario and 1.00 for full build out.

## 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 would not add new homes within the City limits. However, it is anticipated that this development could introduce a new residents to the City of Clovis as employees who move to the area for employment. The development of this site as a commercial use, will not create an imbalance of the jobs-housing balance. Impacts are considered to be less than significant.
- b-c. The project site is currently undeveloped. Therefore, the Project will not displace existing housing, necessitating the construction of replacement housing elsewhere. Furthermore, the Project will not displace substantial numbers of people, necessitating the construction of replacement housing elsewhere. There will be no impacts.

	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

### Fire Protection and Emergency Services

Fire protection services for the City of Clovis are provided by the Clovis Fire Department (CFD). CFD serves an area of 24.36 square miles and a population of approximately 108,000 residents from five fire stations. Current staffing levels consist of 61 sworn personnel, five non-sworn full-time personnel, and three non-sworn part-time personnel. In addition to fire suppression duties, CFD also provides technical rescue, hazardous materials spill/release mitigation, emergency medical services (EMS), life safety and enforcement services, and emergency preparedness for the citizens of Clovis. The closest CFD fire station to the project site is Station 2, which is located approximately one-quarter mile to the west.

The Fresno County Fire Protection District (FCFPD) provides fire services on the City's fringe and unincorporated areas in the City's Sphere of Influence, including the County neighborhoods to the south of the Project. CFD and FCFPD have an automatic aid agreement which defines dispatch parameters for the closest available resource to the scene of a fire or medical emergency within the defined automatic aid response area.

## **Law Enforcement**

The Clovis Police Department (CPD) provides police service within the existing City boundaries. Currently, CPD has 140 full-time employees, including 92 sworn officers. CPD also has an 18-person volunteer reserve program. CPD headquarters, where all personnel are stationed and respond from, is located at 1233 Fifth Street, approximately 1.5 miles north of the project site. The city is divided into seven service areas; the CCMC expansion area is located within Area 7.

The Fresno County Sheriff's Department and the California Highway Patrol provide police protection to the unincorporated areas outside the city limits. The City has a mutual aid assistance agreement with both agencies.

## **Schools**

The project site is located within the boundaries of the Clovis Unified School District (CUSD). CUSD serves more than 40,000 students and includes 33 elementary schools, five middle schools, five high schools, four alternative education schools, an adult school, and two specialty schools (Center for Advanced Research and Technology and the Sierra Outdoor School).

## **Impacts**

- a. 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.

Development of the proposed project would involve a minor addition to the responsibilities to the CFD. It would not degrade the existing service ratio, response time, or other performance objectives. The proposed project would comply with standard mitigation measures, and would not require the construction of new facilities or physically alter existing governmental facilities. The proposed project would have less than significant environmental impact associated with its demand on fire services.

- b. The proposed project would be served by existing police protection resources and would not require the construction of new facilities or physically alter existing facilities. Therefore, the Proposed Project would have a less than significant impact associated with
- c. The Project site is located within the Clovis Unified School District. The Clovis Unified School District levies a per square foot school facilities fee to help defray the impact of commercial development. The project is subject to the fees in place at the time fee certificates are obtained. The school facility fee paid by the developer to the school district are conclusively deemed to reduce any potential impact to a less than significant level.
- d. Development of this site may 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 commercial projects and is then used to construct community parks to meet these goals. With payment of these fees, the impacts in this category are less than significant since this Project will contribute to the park funds.

- e. The Project could introduce new residents and employees to Clovis. However, the limited numbers would have a less than significant impact on other public facilities such as recreation, trails, Civic Center services, Senior Services, and County Library.

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

### Environmental Setting

**Regional Setting** The City of Clovis maintains approximately 285 acres of parks and open space (including a series of recreational trails), as well as a variety of public recreational facilities such as the City of Clovis Batting Cages, the Clovis Rotary Skatepark, and the Clovis Recreation Center. These parks, trails, and recreational facilities are dispersed throughout the City.

#### Project Site and Surrounding Area

There are no existing or planned public parks or recreation facilities located on the project site. Across Clovis Avenue is the Old Town Trail which connects the Clovis Recreation Center (approximately 1.2 miles south), Shaw Avenue commercial district, Old Town Clovis, and several parks along the way to the Trailhead and Shepherd and Clovis Avenues. The Old Town Trail also splits north of Herndon Avenue and connects to the Regional Fresno Trail which connects Woodward Park.

Public parks and trails are operated and maintained by the City of Clovis. Each development pays an impact fee to help cover cost of new facilities and their maintenance.

### 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 is likely to introduce new residents and employees to the area which are anticipated to use Clovis recreation and parks facilities. The limited number of new residents and employees would not create new demand for any type of recreational facilities that were not already identified in the parks and recreation Element of the General Plan. The General Plan requires that all development contribute a proportionate share toward the development of parks by paying a development impact fee. The Project would have a less than significant impact to recreation.

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

## Environmental Setting

### Existing Roadway System

Clovis Avenue is an existing north-south six-lane (four-lane north of Shaw Avenue) major arterial street that connects Highway 99 in Fresno to Shepherd Avenue in Clovis to the north. Clovis Avenue is divided with a raised median which provides left turn movements at major and local streets as well as some commercial centers. Clovis Avenue runs along the east boundary of the site and will serve as the primary access route for vehicular traffic entering and leaving the site.

Shaw Avenue is an existing east-west six-lane major arterial street that runs through Fresno County and the City of Fresno to Clovis and beyond to just past Academy Avenue. Shaw Avenue carries a high volume of traffic for commuters travelling to and from Fresno from Clovis. Shaw Avenue is divided with a raised median which provides left turn movements at major and local streets as well as some commercial centers. Shaw Avenue is not immediately adjacent to the site but will be a major

carrier of day to day traffic to and from the site via Clovis Avenue and commercial traffic via Dewitt Avenue.

Santa Ana Avenue is an existing east-west two-lane local street along the south boundary of the Project site that runs from Minnewawa Avenue to Sierra Vista Parkway. Santa Ana Avenue is fronted with single-family homes on the south side and multiple-family housing on the north.

Dewitt Avenue is an existing north-south two-way local street that runs along the west boundary of the site from Shaw Avenue to Santa Ava Avenue. Dewitt Avenue carries residential and commercial traffic.

Gettysburg Avenue is an east-west two lane collector street south of the Project. Gettysburg is divided with a continuous left turn lane and runs from Clovis Avenue to Leonard Avenue.

## **Public and Alternative Transportation**

### **Bus Service**

Clovis Transit Service is the operator of the Clovis Stageline transit system that serves the City of Clovis. Currently, the nearest transit stop to the project site is the Clovis Stageline Transit Route 50. Route 50 runs in the vicinity of the proposed project via Shaw Avenue. This route provides a direct connection to Cal Skate, Kaiser Medical Center, Sierra Vista Mall, Clovis High School, CART (Center for Applied Research and Technology), Mickey Cox Elementary School, Clovis Community Medical Center, Clovis Civic Center, and Clark Junior High School. Route 50 operates at one-hour intervals Monday through Saturday. The bus stop nearest to the project site is located on Shaw Avenue west of Clovis Avenue.

### **Bicycle and Pedestrian Transportation**

Within the project area, there are sidewalks generally present along properties where there is existing development. The Clovis Old Town trail runs adjacent to Clovis Avenue on the east side. Clovis Old Town Trail extends from the Clovis Recreation Center about 1.2 miles south of the Project north to to the Dry Creek Trail north of Herndon Avenue, splitting off where the trails continue to the Trial Head at Sunnyside and Shepherd Avenues to the east and Fresno's trail to the west.

With exception to the Old Town Trail, there are no existing bike lanes in the vicinity of the Project. The Active Transportation Plan proposes a Class III bike lane along Santa Ana Avenue and Minnewawa Avenue.

## **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 Project site is currently vacant and planned for commercial use. The Project proposal includes a Conditional Use Permit request for the approval of a tire service center and auto fuel station as

part of a Costco Wholesale facility. New traffic will be introduced to the area as a result of the Project. The City Engineer has analyzed the Project and concluded that the current and proposed improvements along with mitigation, can accommodate the additional traffic, and that impacts are considered less than significant. The Project will install new traffic signals at the Shaw-DeWitt intersection and one of the site access points on Clovis Avenue. The traffic signal at the Clovis-Santa Ana intersection will be revised to accommodate additional traffic. The turn pocket lengths at the intersections of Clovis-Ashlan and Clovis-Gettysburg will be revised to accommodate additional traffic. As a result, traffic patterns will be changed, however, with mitigation incorporated, service levels remain within established standards.

- b. The City Engineer analyzed the Project and Traffic Study prepared by Kittelson & Associates, and concluded that the current and proposed improvements with the project can accommodate the additional traffic, and with mitigation incorporated, impacts are considered less than significant. The mitigations listed below and in the traffic impact study will accommodate the additional traffic.
- c. The proposed Project may result in a temporary change in traffic patterns during 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. These standards are designed to minimize public inconvenience and provide for safe and efficient passage of traffic at all times with minimal delays. While there will be increased delay during construction, the impact will be relatively short lived and is considered to be less than significant.
- 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. The access points and site configuration provide for safe and efficient movement of the general public.
- e. The Project will not result in inadequate emergency access. The Project will be required to comply with Section 7.15 Traffic Control, Public Convenience, and Safety of the Clovis Standard Specification and Standard Drawings, which requires contractors to keep emergency services informed of the location and progress of work. Completion of the site will provide adequate access and circulation for emergency services.
- f. The Project will not conflict with adopted policies, plans, or programs supporting alternative transportation. The project will comply with the applicable portions of the Bicycle and Trails System and the Transit System components of the City of Clovis General Plan, as well as the applicable portions of the City of Clovis Active Transportation Plan.

### **Mitigation Measures**

- **Mitigation Measure 3.16-a,b:** The developer shall install and or modify traffic signals and/or lanes at the following intersections:
  - Dewitt and Shaw Avenues.
  - Clovis Avenue at the north proposed entrance.
  - Modify the traffic signal at Clovis and Santa Ana Avenues as needed to accommodate project street improvements.
  - Modify the Ashlan-Clovis Avenue southbound left-turn pocket as requested by the County.
  - Modify the Gettysburg-Clovis Avenue southbound left-turn pocket.
  - Pay impact fees to address Project participation in mitigations to Shaw-Sunnyside. City staff will monitor the intersection and address future capacity issues when warranted.

	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>				
<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)?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>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?</p>	<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 for which a notice of preparation or a notice of negative declaration or mitigated negative declaration filed on or after July 1, 2015. Furthermore, the consultation process is required to be complete prior to filing a Notice of Intent to adopt a negative declaration or mitigated negative.

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 resources study was prepared by LSA (submitted January 2018) for the project area. The analysis concluded that the Project site does not include any resources 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). With incorporation of existing measures from the 2014 General Plan, impacts are less than significant.
  - b. Per AB52, the Project was mailed to all Tribes listed on the Native American Heritage contact list, dated January 17, 2018. Tribes were provided an opportunity to request consultation. 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

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 including the Project site.

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 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. The wastewater impacts were evaluated in accordance with the Waste Water Master Plan. The City Engineer analyzed the Project and found that use consistent with the 2014 General Plan and the Development Code. Therefore, concludes that the Project will not exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board. Impacts are considered less than significant.
  - b. The City Engineer analyzed the Project and found that use consistent with the 2014 General Plan and the Development Code. 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. Impacts are considered less than significant.

- c. The Project may result in the construction of new stormwater drainage facilities. The Fresno Metropolitan Flood Control District has policies for this type of project. According to a letter from the FMFCD dated December 26, 2017, the district can accommodate stormwater flows from the proposed Project. Impacts are considered less than significant.
- d. The Project will not require new or expanded water entitlements and resources. The site lies within the Fresno Irrigation District which provides water allocation upon development. Impacts in this category are less than significant.
- 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 has analyzed this Project in regards to City standards and policies and has concluded 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

## **Environmental Setting**

The CEQA Guidelines define “significant effect” as “... a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic and aesthetic significance. An economic or social change by itself shall not be considered a significant effect on the environment. A social or economic change related to a physical change may be considered in determining whether the physical change is significant” (CEQA Guidelines, 15382).

“An ironclad definition of significant effect is not possible because the significance of an activity may vary with the setting. For example, an activity which may not be significant in an urban area may be significant in a rural area” (CEQA Guidelines 15064).

## **Impacts**

As stated in the initial study for each category, the Project does not have the potential for a significant impact on the environment nor a cumulative impact causing substantial adverse effects on human beings, either directly nor 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 separate projects. The cumulative impact from several projects is the change in the environment that results from the incremental impact of the Project when added to other closely related past, present, and reasonably foreseeable future projects. Cumulative impacts can result from individually minor yet collectively significant projects taking place over a period of time.

The cumulative setting for the proposed Project is the year 2035 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 Project’s EIR’s, Mitigated Negative Declarations or other analysis per CEQA guidelines, related to aesthetics, water, sewer, traffic, air quality, and greenhouse gas impacts.

## **Aesthetics**

The environmental impact report for the City of 2014 Clovis General Plan concluded that the cumulative adverse impacts upon the community’s aesthetic conditions anticipated to occur due to the projected urban growth and development would not be considerable. This determination was based upon the provisions of numerous General Plan goals and policies and implementing requirements of the City’s Development Code which promote the visual quality and compatibility of new development. The project would have no impacts that would be inconsistent with the analysis and findings of the EIR for the general plan.

## **Agriculture and Forest Resources**

The Clovis 2014 General Plan EIR identified the loss of agricultural land resulting from General Plan implementation as a significant and unavoidable impact. Since the cumulative effect of the project site development was taken into account in the General Plan EIR, the analysis and conclusions of the General Plan EIR would not change as a result of the project. The project is also consistent with the goals and policies of the Fresno County General Plan directing growth toward existing urban areas in order to preserve agricultural areas. Based on the above, plus the conclusion of this MND that this project will not convert agricultural land to a non-agriculture use, there are no cumulative impacts.

## **Air Quality**

The proposed Project would not result in a cumulatively considerable contribution to regional air quality impacts. The proposed Project is not expected to produce significant emissions that would affect nearby sensitive receptors. The proposed Project would also not result in objectionable odors affecting a substantial number of people. The Project would result in less than significant cumulative air quality impacts.

## **Biological Resources**

The Project could result in significant impacts to nesting migratory and nongame birds without mitigation. There are other projects in the area that incorporate the same mitigation measures. The Project could contribute to the cumulative impacts, however, would have a less than significant impact with mitigation measures incorporated.

## **Cultural Resources**

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

## **Geology and Soils**

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

## **Greenhouse Gas Emissions**

Based on discussion above and the Greenhouse Gas analysis by LSA, the proposed Project would also not result in objectionable odors affecting a substantial number of people. GHG emissions released during construction and operation of the Project are estimated to be lower than significance thresholds, and would not be cumulatively considerable. The proposed Project would be consistent with the goals of AB 32 and the City's General Plan.

## **Hazards & Hazardous Materials**

The proposed Project is not expected to have significant impacts as the result of hazards or hazardous materials. Therefore, because there are no Project specific impacts, and all related projects would comply with applicable regulations, there a less than significant impact to cumulative hazards and hazardous materials impacts.

## **Hydrology/Water Quality**

As described in Section 3.3 Hydrology/Water Quality, The proposed Project would be served by FID water processed through the surface water treatment facility. The Project would not rely on ground water, therefore would not substantially alter the direction of groundwater flows, or result in a substantial change in the quantity of groundwater. The Project would have a less than significant impact to cumulative water conditions.

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

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

## **Mineral Resources**

The 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." The proposed Project is expected to have no impact to any site-specific mineral resources; therefore, the Project is expected to have no impact to cumulative mineral resources.

## **Noise**

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

## **Public Services**

The proposed Project could create the need for additional homes for new employees of the Project. The new residents would utilize public services. The number of new residents as a result of the Projects is less than significant and would not result in significant impacts to public services. The Project would have less than significant to cumulative public services conditions.

## **Recreation**

The proposed Project could create the need for additional homes for new employees of the Project. The new residents would utilize public services. The number of new residents as a result of the Projects is less than significant and would not result in significant impacts to recreation. The proposed Project would not result in significant impacts to recreation uses and/or resources. Thus, a less than significant impact to recreation is anticipated.

## **Transportation/Circulation**

The proposed Project would have a less than significant impact to short-term or long-term traffic congestion. The current improvements and the proposed improvements by the Project are expected to have a less than significant impact on the cumulative transportation/circulation conditions. Therefore, the Project would have a less than significant impact on cumulative transportation and circulation conditions.

## **Tribal Cultural**

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

## **Utilities and Service Systems**

The Clovis General Plan and other plans and reports have designated the project area for urban development which is planned to be served by municipal public utility systems. Development of the site as well as urban development of other vacant properties in the immediate vicinity, will increase demand for public services and necessitate construction of public utility infrastructure improvements.

The Clovis General Plan and other related long-range planning documents – such as the UMWP, the Water Master Plan Phase III, and Sewer System Management Plan – include analysis showing that adequate services for water, sewer, and solid waste disposal can be provided to accommodate the build out of the general plan. Since the project is consistent with general plan policies and its demand on public utilities is within the growth parameters considered in the City’s long-range planning documents, the project would not have a cumulatively considerable impact with respect to utilities and service systems.

### 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 less than significantly impacted by this Project. With mitigation, none of these factors represents a “Potentially Significant Impact” as indicated by this Initial Study.

- |  |   |   |
|--|---|---|
| <input checked="" type="checkbox"/> Aesthetics                         | <input 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 checked="" type="checkbox"/> Geology/Soils               |
| <input checked="" type="checkbox"/> Greenhouse Gas Emissions           | <input checked="" type="checkbox"/> Hazards & Haz Materials | <input checked="" type="checkbox"/> Hydrology / Water Quality   |
| <input type="checkbox"/> Land Use / Planning                           | <input type="checkbox"/> Mineral Resources                  | <input checked="" type="checkbox"/> Noise                       |
| <input checked="" type="checkbox"/> Population / Housing               | <input checked="" type="checkbox"/> Public Services         | <input checked="" type="checkbox"/> Recreation                  |
| <input checked="" type="checkbox"/> Transportation/Traffic             | <input checked="" type="checkbox"/> 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:
  - **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 February 1 thru August 31, a pre-construction survey for ground nesting birds shall be conducted by a qualified biologist.
  - **Mitigation Measure 3.4-a2:** If an active nest is discovered within the BSA, a 100-ft no disturbance buffer shall be established around the nest (within the BSA) using orange construction fencing. A qualified biologist shall evaluate the potential for

construction activities to disturb normal nesting behavior and adjust the buffer distance, as appropriate. The buffer fencing shall be maintained in good condition until the nest is inactive.

- **Mitigation Measure 3.4-a3:** Disturbance of active nests shall be avoided until it is determined by a qualified biologist that nesting is complete and the young from have fledged or that the nest has failed. If work is allowed to proceed, at a minimum, a qualified biologist shall be on-site during the start of construction activities during the nesting season to monitor nesting activity. The monitor shall have the authority to stop work if it is determined the Project is adversely affecting nesting activities.
- **Mitigation Measure 3.4-d:** All equipment shall be thoroughly cleaned before leaving the site.
- **Mitigation Measure 3.16-a,b:** The developer shall install and or modify traffic signals and/or lanes at the following intersections:
  - Dewitt and Shaw Avenues.
  - Clovis Avenue at the north proposed entrance.
  - Modify the traffic signal at Clovis and Santa Ana Avenues as needed to accommodate project street improvements.
  - Modify the Ashlan-Clovis Avenue southbound left-turn pocket as requested by the County.
  - Modify the Gettysburg-Clovis Avenue southbound left-turn pocket.
  - Pay impact fees to address Project participation in mitigations to Shaw-Sunnyside. City staff will monitor the intersection and address future capacity issues when warranted.

Signature  \_\_\_\_\_ Date: June 5, 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: \_\_\_\_\_

## 6.0 MITIGATION MONITORING EXHIBIT B

### City of Clovis Mitigation Monitoring and Reporting Program Conditional Use Permit CUP2017-16 and Site Plan Review SPR2017-24 Dated June 5, 2018

#### 6.1 Introduction

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-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.	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 February 1 thru August 31, a pre-construction survey for ground nesting birds shall be conducted by a qualified biologist.	City of Clovis Planning	<i>Prior to Permits and During Construction</i>	
3.4.a2	If an active nest is discovered within the BSA, a 100-ft no disturbance buffer shall be established around the nest (within the BSA) using orange construction fencing. A qualified biologist shall evaluate the potential for construction activities to disturb normal nesting behavior and adjust the buffer distance, as appropriate. The buffer fencing shall be maintained in good condition until the nest is inactive.	City of Clovis Planning	<i>Prior to Permits and During Construction</i>	
3.4-a3	Disturbance of active nests shall be avoided until it is determined by a qualified biologist that nesting is complete and the young from have fledged or that the nest has failed. If work is allowed to proceed, at a minimum, a qualified biologist shall be on-site during the start of construction activities during the nesting season to monitor nesting	City of Clovis Planning	<i>Prior to Permits and During Construction</i>	

Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
	activity. The monitor shall have the authority to stop work if it is determined the Project is adversely affecting nesting activities.			
3.4-c	All equipment shall be thoroughly cleaned before leaving the site.	City of Clovis Planning	<i>During Construction</i>	
<b>3.16 Traffic</b>				
3.16-a	Install traffic signals at following locations: <ul style="list-style-type: none"> <li>- Shaw and Dewitt Avenues</li> <li>- Clovis Avenue at Main North Entrance</li> </ul>	City of Clovis Engineering	<i>Prior to Final Occupancy</i>	
	Modify traffic signals at Santa Ana and Clovis Avenues	City of Clovis Engineering	<i>Prior to Final Occupancy</i>	
	Modify turn pocket at southbound Clovis Avenue at Ashlan Avenue	City of Clovis Engineering	<i>Prior to Final Occupancy</i>	
	Modify turn pocket at southbound Clovis Avenue at Gettysburg Avenue	City of Clovis Engineering	<i>Prior to Final Occupancy</i>	
	Pay impact fees for future alteration of the Shaw/Sunnyside intersection	City of Clovis Engineering	<i>Prior to Permits</i>	

## 7.1 Report Preparers

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