



CITY *of* CLOVIS

Final Program Environmental Impact Report

Clovis Community Medical Center Expansion and Herndon Avenue Widening Project

State Clearinghouse No. 2016101005

Lead Agency

**City of Clovis
Planning and Development Services Department**

May 2018



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and Herndon Avenue Widening Project
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CHAPTER 1

Introduction

CEQA REQUIREMENTS FOR FINAL EIRS

This Final Program Environmental Impact Report (Final EIR) for the Clovis Community Medical Center and Herndon Avenue Road Widening Project has been prepared in accordance with the requirements of the California Environmental Quality Act (CEQA) Statute and Guidelines. Specifically, CEQA Guidelines Section 15132 provides that a Final EIR shall consist of:

- (a) The Draft Environmental Impact Report (Draft EIR) or a revision of the Draft;
- (b) Comments and recommendations received on the Draft EIR either verbatim or in summary;
- (c) A list of persons, organizations, and public agencies commenting on the Draft EIR;
- (d) The responses of the Lead Agency to significant environmental points raised in the review and consultation process; and
- (e) Any other information added by the Lead Agency.

FINAL EIR ORGANIZATION

This Final EIR is organized as follows:

- Chapter 1 is this introduction.
- Chapter 2 presents the significant impacts of the project and mitigation measures, along with a brief project description and the project objectives.
- Chapter 3 presents the Mitigation Monitoring and Reporting Program for the project.
- Chapter 4 presents the comments that were received on the Draft EIR and the City of Clovis' responses to the comments.
- Chapter 5 shows the revisions made to the Draft EIR.

CHAPTER 2

Significant Impacts and Mitigation Measures

INTRODUCTION

This chapter presents the significant impacts of the project and mitigation measures. A brief project description and the project objectives are also provided.

PROJECT DESCRIPTION

The project evaluated in this EIR includes two components: the proposed Clovis Community Medical Center (CCMC) Expansion Project, and the proposed widening of Herndon Avenue between Temperance Avenue and DeWolf Avenue.

CCMC Expansion

The Clovis Community Medical Center Project consists of a 2-10 year expansion plan for additional facilities and improvements and a long-range site development master plan for 20 years in the future.

The project site comprises approximately 148 acres located on the north and south sides of Herndon Avenue, east and west of N. Temperance Avenue. Adjacent land uses include urban residential development and an elementary school to the south, the Enterprise Canal and rural residential to the east, Highway 168, agricultural land and commercial development to the north, and rural residential to the west.

The proposed expansion is divided into two major phases: a 2-10 year expansion plan and a 20 year expansion plan. Construction of these components will increase the building square footage of the medical center by approximately 410,172 square feet to a total of 1,129,720 square feet. The number of licensed beds will increase from 208 to 358. The 2-10 year expansion plan also includes the addition of up to 150,000 square feet of commercial space west of Temperance Avenue, as well as a 150 room hotel.

Implementation of the 20-year plan will result in a net increase of 413,769 square feet of medical center building area, taking into account that two of the existing medical office buildings will be replaced by future construction. The total square footage of the medical center upon implementation of the long-range plan will be approximately 1,543,489 square feet. The number of licensed beds will increase to a total of 508. The 20-year plan also includes up to 70,000 square feet of retail and/or office development and a 100-unit Assisted Living or Memory Care facility south of Herndon Avenue.

The existing medical center was authorized through the approval of a Conditional Use Permit. An amended Conditional Use Permit (CUP) must be processed and approved by the City to authorize the proposed expansion plan.

Herndon Avenue Widening

The proposed Herndon Avenue widening would extend from Temperance Avenue on the west to the southern leg of DeWolf Avenue on the east, encompassing a distance of one mile. This widening is necessary to implement the Clovis General Plan circulation element, which designates Herndon Avenue as an arterial street, and to accommodate traffic from planned land uses, including the CCMC project.

The project would widen the current five-lane section of Herndon Avenue between Temperance and Coventry Avenues to six lanes and widen the roadway between Coventry and the Enterprise Canal

Bridge from two lanes to a four-lane divided roadway. At the Enterprise Canal Bridge the roadway will have tapered to two lanes and the widening between the bridge and the southern leg of DeWolf Avenue will be minor. The project includes the installation of sidewalks, curb and gutter, street lights, median improvements and striping overlay. Existing overhead utilities on the south side of Herndon Avenue between Temperance and Locan Avenues will be placed underground. East of Locan Avenue, the overhead utilities will be relocated outside the roadway. The project will include traffic signals at Locan Avenue and at DeWolf Avenue.

PROJECT OBJECTIVES

The City of Clovis is the lead agency for Clovis Community Medical Center Expansion and Herndon Avenue Widening Project. The lead agency is the public agency that has the principal responsibility for carrying out or approving a project.

The objectives of Clovis Community Medical Center in proposing the project are to:

- Develop a medical campus capable of meeting the growing health care needs of Clovis and the surrounding area;
- Provide a coordinated long-term expansion plan for the medical campus that provides for the modernization and upgrading of existing facilities in concert with the provision of necessary new facilities;
- Provide an efficient vehicular and pedestrian campus circulation system in conjunction with adequate and well-located parking facilities for patients, visitors and staff;
- Continue to provide a well-designed medical campus that is inviting and remains attractive over time, being harmonious with the existing context of the hospital and keeping with the desired aesthetic character of Clovis;
- Provide medical office buildings at locations that will be conducive to the related functions to be provided at the hospital; and
- Provide for future development on land adjacent to the CCMC campus that is compatible and complimentary to the function of CCMC and consistent with the goals and policies of the Clovis General Plan.

The objectives of the City of Clovis in proposing the Herndon Avenue widening project are to:

- Widen and improve Herndon Avenue as an important component of the City's planned circulation system (Herndon Avenue is designated as an arterial street in the Circulation Element of the Clovis General Plan).
- Provide for a street than can accommodate projected traffic from the CCMC expansion and other planned land uses such that the Level of Service is D or less for the City of Clovis portion of Herndon Avenue and Level of Service C or less within the Fresno County portion of the project.
- Provide traffic signals at Locan Avenue and at both legs of DeWolf Avenue to improve access and safety for rural residential areas to the north and south of Herndon Avenue and improved safety for through traffic on Herndon Avenue.
- Minimize or avoid any encroachment or impact to the Enterprise Canal.

SIGNIFICANT IMPACTS AND MITIGATION MEASURES

Listed in this section are the significant environmental effects of the proposed project. These include the significant impacts of the project that cannot be avoided (significant unavoidable impacts) and those that are potentially significant and can be avoided or mitigated through the implementation of mitigation measures. Impacts that were determined to be less than significant without mitigation are not listed but are discussed in the chapters of this EIR addressing specific resources and conditions.

The project would have significant impacts in relation to a number of resources and conditions. Implementation of the mitigation measures presented in this EIR would either prevent the impacts or render them insignificant, with three exceptions involving impacts from greenhouse gas emissions and noise. Tables 1.1 and 1.2 summarizes the significant impacts and lists the mitigation measures associated with each. Additions to the text in comparison to the Draft EIR are underlined. Text deletions are shown in ~~strikethrough~~ type.

Significant Unavoidable Impacts

The following significant environmental impacts cannot be avoided if the proposed project is implemented, even with the implementation of listed mitigation measures.

Table 1.1
Significant Unavoidable Impacts

EIR Section	Impact/Mitigation Measure/Significance
GH-1 Greenhouse Gas Emissions	<p>Impact: The project would increase the generation of greenhouse gas emissions.</p> <p>Level of Significance without Mitigation: Potentially significant</p> <p>Mitigation Measures:</p> <p>GH-1: During construction and operation of the project, the following measures shall be implemented to reduce greenhouse gas (GHG) emissions:</p> <ul style="list-style-type: none"> (a) Utilize green building materials (materials which are resource efficient, recycled, and sustainable) available locally if possible. (b) Provide shade tree planting in parking lots to reduce evaporative emissions from parked vehicles. Design should provide 50 percent tree coverage within 10 years of construction using low ROG emitting, low maintenance native drought-resistant trees. (c) Plant drought tolerant native shade trees along southern exposures of buildings to reduce energy used to cool buildings in summer. (d) Incorporate outdoor electrical outlets to encourage the use of electric landscape maintenance equipment. (e) Install high-efficiency heating and cooling systems. (f) Utilize high-efficiency gas or solar water heaters. (g) Utilize built-in energy-efficient appliances (i.e., Energy Star rated). (h) Utilize double- or triple-paned windows. (i) Utilize low energy street lights (i.e., sodium, light-emitting diode [LED]). (j) Utilize energy-efficient interior lighting. (k) Use low-VOC content paints during construction and long-term facility maintenance. To the extent possible construction materials that are prefinished or that do not require the application of architectural coatings should be used. (l) Install low water consumption landscape. Use native plants that do not require watering after they are well established or minimal watering during the summer months and are low ROG emitting.

	<ul style="list-style-type: none"> (m) Provide a minimum of one designated parking space for alternatively fueled vehicles. (n) Install energy-saving systems in rooms that reduce energy usage associated with HVAC systems and appliances when rooms are not occupied, except where such systems would pose a safety or health concern. (o) Provide a pedestrian access network that internally links all uses and connects all existing or planned external streets and pedestrian facilities contiguous with the project site. (p) Provide on-site bicycle parking beyond those required by California Green Building Standards Code and related facilities to support long-term use (lockers, or a locked room with standard racks and access limited to bicyclists only). (q) Implement traffic calming improvements as appropriate (e.g., marked crosswalks, count-down signal timers, curb extensions, speed tables, raised crosswalks, median islands, mini-circles, tight corner radii, etc.) <p>Level of Significance with Mitigation: Implementation of the above mitigation measures would reduce emissions associated with motor vehicle use, energy use, waste generation, and area sources. In addition, Mitigation Measure AQ-1.2 (see Table 1.2, Below) would require the project proponent to enter into a Developer Mitigation Contract (DMC) with the SJVAPCD, which would reduce operational criteria air pollutants (i.e., ROG, NOX, PM10) through various means, including implementation of additional on-site or off-site mitigation and/or the funding of off-site mitigation. These additional measures have not yet been identified, but would likely have the added benefit of reducing project-generated GHG emissions. However, because the GHG emission reductions to be achieved through implementation of the DMC and other mitigation measures cannot be quantified at this time, increased GHG emissions associated with the proposed project would be considered to have a significant impact. This impact is thus considered significant and unavoidable.</p>
GH-2 Greenhouse Gas Emissions	<p>Impact: The project may conflict with an applicable greenhouse gas reduction plan, policy or regulation.</p> <p>Level of Significance: Potentially Significant</p> <p>Mitigation Measures:</p> <p>Implement Mitigation Measure GH-1.</p> <p>Level of Significance with Mitigation: The recommended mitigation measures for the project would require the project proponent to enter into a Developer Mitigation Contract (DMC) with SJVAPCD and additionally incorporate a number of design and operational elements to curb and reduce generation of GHG emissions. While a DMC would function to reduce operational air pollutants to a specified level, it does not include a directly mandate a specific level. Consequently, the project could conflict with GHG-reduction planning efforts because the emission reductions to be achieved cannot be quantified at this time, and increased GHG emissions associated with the proposed project would be considered to have a significant impact. This impact is therefore considered significant and unavoidable.</p>
NO-2 Noise	<p>Impact: The project would result in an increase in long-term ambient noise levels from traffic sources.</p> <p>Level of Significance: Potentially Significant</p> <p>Mitigation Measures:</p> <p>NO-2: Once detailed plans for lane configurations and alignments for the widening of Herndon Avenue are prepared, the City of Clovis shall have an acoustical analysis prepared. The acoustical analysis shall evaluate changes in traffic noise levels that would result from the proposed widening in comparison to the City of Clovis General Plan noise standards. Noise-reduction measures (e.g., sound walls) shall be evaluated and implemented, where feasible, to reduce traffic noise levels to below applicable noise standards.</p> <p>Level of Significance with Mitigation: The acoustical analysis would be required to evaluate changes in traffic noise levels in comparison to the City of Clovis General Plan noise standards and noise-reduction measures (e.g., sound walls) will be evaluated and implemented, where feasible. However, in some instances, the use of noise-reduction measures, such as sound walls, may not be feasible due to the need to preserve access to noise sensitive properties. Therefore, the impact is considered significant and unavoidable.</p>

Significant Impacts That Can Be Mitigated

The following significant environmental impacts can be avoided or reduced to a less than significant level with the implementation of the mitigation measures listed with each impact.

Table 1.2
Significant Impacts and Mitigation Measures

EIR Section	Impact/Mitigation Measure/Significance
AE-1 Aesthetics	<p>Impact: Clearing and construction activity would temporarily degrade the visual quality of the project site.</p> <p>Level of Significance without Mitigation: Potentially significant</p> <p>Mitigation Measures:</p> <p>AE-1.1: During the project clearing, grading, and construction phases, a chain-link fence six feet in height shall be maintained around the project sites and a solid fence or wall at least six feet in height shall be maintained around the construction staging area. A chain-link fence draped with heavy plastic is suitable for this purpose.</p> <p>AE-1.2: The project contractor shall store construction materials that may be on the site for more than 48 hours within the construction staging area, and the project contractor shall park or store construction equipment within the construction staging area. Construction materials or equipment shall not be stored on public streets, and the project contractor shall remove construction materials and equipment from the site when no further need exists for materials or equipment.</p> <p>AE-1.3: The project contractor shall keep properties and streets surrounding the project site free from project-related rubbish and debris by removing any rubbish or debris the day it appears.</p> <p>AE-1.4: Any excess excavated material shall be removed from the site immediately following completion of the excavation activity that resulted in the material.</p> <p>AE-1.5: The project contractor shall remove any graffiti on the project sites within 48 hours of the time it appears.</p> <p>AE-1.6: The project contractor shall place all portable restrooms within the construction staging area.</p> <p>Level of Significance with Mitigation: Less than significant</p>
AE-2 Aesthetics	<p>Issue and Threshold of Significance: The project would increase in illumination and glare due to project lighting, building surfaces and parking areas.</p> <p>Level of Significance without Mitigation: Potentially significant</p> <p>Mitigation Measures:</p> <p>AE-2.1: Parking lot lighting shall employ full cut-off type fixtures. A full cut-off type fixture is a luminaire or light fixture that, by design of the housing, does not allow light dispersion or direct glare to shine above a 90-degree horizontal plane from the base of the fixture. Full cut-off type fixtures must be installed in a horizontal position as designed.</p> <p>AE-2.2: The design of external signs and lighting shall prevent direct glare on adjoining properties.</p> <p>AE-2.3: The design for the buildings east of Medical Center Drive East shall incorporate exterior materials designed to minimize reflective glare from the exterior surfaces.</p> <p>Level of Significance with Mitigation: Less than significant</p>
AQ-1 Air Quality	<p>Impact: The project would increase long-term operational emissions of particulate matter and ozone precursor emissions.</p> <p>Level of Significance without Mitigation: Potentially significant</p> <p>Mitigation Measures:</p> <p>AQ-1.1: Operation of the proposed project shall comply with SJVAPCD's ISR rule (Rule 9510). Accordingly, an Air Impact Assessment (AIA) shall be prepared for the proposed Project. The AIA shall be submitted to and approved by the SJVAPCD prior to issuance of construction/grading permits by the City of Clovis. The AIA shall include: an estimate of operational emissions prior to the implementation of mitigation measures; a list of the mitigation measures to be applied to the project; an estimate of emissions for each applicable pollutant for the project, or each phase thereof, following the implementation of mitigation; and a calculation of the applicable off-site fee, if required by Rule 9510. Measures that may be implemented to reduce operational emissions may include, but are not limited to, the following:</p>

Table 1.2
Significant Impacts and Mitigation Measures

	<ul style="list-style-type: none"> (a) Utilize green building materials (materials which are resource efficient, recycled, and sustainable) available locally if possible. (b) Provide shade tree planting in parking lots to reduce evaporative emissions from parked vehicles. Design should provide 50% tree coverage within 10 years of construction using low ROG emitting, low maintenance native drought-resistant trees. (c) Plant drought tolerant native shade trees along southern exposures of buildings to reduce energy used to cool buildings in summer. (d) Incorporate outdoor electrical outlets to encourage the use of electric landscape maintenance equipment. (e) Install high-efficiency heating and cooling systems. (f) Utilize high-efficiency gas or solar water heaters. (g) Utilize built-in energy-efficient appliances (i.e., Energy Star rated). (h) Utilize double- or triple-paned windows. (i) Utilize low energy street lights (i.e., sodium, light-emitting diode [LED]). (j) Utilize energy-efficient interior lighting. (k) Install low water consumption landscape. Use native plants that do not require watering after they are well established or minimal watering during the summer months and are low ROG emitting. (l) Provide a minimum of one designated parking space for alternatively fueled vehicles. (m) Use low-VOC content paints during construction and long-term facility maintenance. To the extent possible construction materials that are prefinished or that do not require the application of architectural coatings should be used. (n) Install energy-saving systems in rooms that reduce energy usage associated with HVAC systems and appliances when rooms are not occupied, except where such systems would pose a safety or health concern. (o) Provide a pedestrian access network that internally links all uses and connects all existing or planned external streets and pedestrian facilities contiguous with the project site. (p) Provide on-site bicycle parking beyond those required by California Green Building Standards Code and related facilities to support long-term use (lockers, or a locked room with standard racks and access limited to bicyclists only). (q) Implement traffic calming improvements as appropriate (e.g., marked crosswalks, count-down signal timers, curb extensions, speed tables, raised crosswalks, median islands, mini-circles, tight corner radii, etc.) <p>AQ-1.2: A <u>Developer Mitigation Contract (DMC)</u> <u>Voluntary Emission Reduction Agreement (VERA)</u> shall be entered into with the SJVAPCD to reduce operational emissions of ROG and NOX to less than 10 tons/year and emissions of PM10 to below 15 tons/year. Operational emissions of ROG, NOX and PM10 (inclusive of PM2.5) shall be reduced in excess of the reductions required per compliance with SJVAPCD's ISR Rule (Refer to Mitigation Measure AQ-1). Emission reductions may be achieved by use of newer, low-emission equipment, implementation of on-site or off-site mitigation, and/or the funding of off-site mitigation, through participation in the SJVAPCD's off-site mitigation program. <u>The project development plans are long term and conceptual in nature and subject to change in uses and extent otherwise allowed by City zoning that have lesser or equal impacts to those assessed in the EIR.</u> VERA emission estimates shall be based on project-specific modeling assumptions where available (e.g., truck trip generation). Modeling performed shall account for declining emissions during the 10-year mitigation period due to vehicle turnover projected by the latest State approved emission models. VERA emission estimates may be revised to reflect actual development plans proposed for the site at the time each building or phase is finalized. VERA mitigation fee payments for a building or phase may be deferred until no later than 30 days prior to commencing construction activities for the building or phase. The <u>DMC VERA</u> shall be reviewed and approved by the SJVAPCD prior to issuance of construction/grading permits by the City of Clovis. The project proponent/owner shall submit to the City of Clovis Planning Department documentation confirming compliance with <u>entering into the DMC VERA</u> prior to issuance of final discretionary approval (e.g., approval of the grading permit for the first construction project relying on this EIR). Development and implementation of the <u>DMC VERA</u> shall be fully funded by the project</p>
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Table 1.2
Significant Impacts and Mitigation Measures

	<p>proponent/owner as development progresses. With approval by SJVAPCD, the DMC VERA may also be used to demonstrate compliance with emission reductions required by SJVAPCD's ISR Rule (Rule 9510).</p> <p>Level of Significance with Mitigation: Less than significant</p>
AQ-2 Air Quality	<p>Impact: Impacts to sensitive receptors may occur due to localized PM concentrations from construction activities and air emissions from stationary sources.</p> <p>Level of Significance without Mitigation: Potentially significant</p> <p>Mitigation Measures:</p> <p>AQ-2: Implement Measures to Reduce Localized Pollutant Concentrations</p> <p>(a) Potential health risks associated with permitted stationary sources (e.g., emergency generators) shall be evaluated prior to installation and operation, once more detailed equipment specifications have been identified and in accordance with SJVAPCD's permitting requirements. Emissions control measures and/or operational limitations shall be incorporated, to the extent deemed necessary, to ensure that operational emissions would not exceed applicable SJVAPCD's significance thresholds for cancer risk of 20 in one million or an acute/chronic hazard index of one.</p> <p>(b) The following measures shall be implemented to reduce potential expose of sensitive receptors to localized concentrations of construction-generated PM at nearby sensitive receptors and land uses during project construction:</p> <ol style="list-style-type: none"> 1. On-road diesel vehicles shall comply with Section 2485 of Title 13 of the California Code of Regulations. This regulation limits idling from diesel-fueled commercial motor vehicles with gross vehicular weight ratings of more than 10,000 pounds and licensed for operation on highways. It applies to California and non-California based vehicles. In general, the regulation specifies that drivers of said vehicles: <ul style="list-style-type: none"> • Shall not idle the vehicle's primary diesel engine for greater than 5 minutes at any location, except as noted in Subsection (d) of the regulation; and, • Shall not operate a diesel-fueled auxiliary power system to power a heater, air conditioner, or any ancillary equipment on that vehicle during sleeping or resting in a sleeper berth for greater than 5.0 minutes at any location when within 1,000 feet of a restricted area, except as noted in Subsection (d) of the regulation. 2. Off-road diesel equipment shall comply with the 5-minute idling restriction identified in Section 2449(d)(2) of the California Air Resources Board's In-Use Off-road Diesel regulation. The specific requirements and exceptions in the regulations can be reviewed at the following web sites: www.arb.ca.gov/msprog/truck-idling/2485.pdf and www.arb.ca.gov/regact/2007/ordiesl07/frooal.pdf. 3. Signs shall be posted at the project site construction entrance to remind drivers and operators of the state's five-minute idling limit. 4. To the extent available, replace fossil-fueled equipment with alternatively-fueled (e.g., natural gas) or electrically-driven equivalents. 5. Construction truck trips shall be scheduled, to the extent possible, to occur during non-peak hours. 6. The burning of vegetative material shall be prohibited. 7. The proposed project shall comply with SJVAPCD Regulation VIII for the control of fugitive dust emissions. Regulation VIII can be obtained on the SJVAPCD's website at website URL: https://www.valleyair.org/rules/1ruleslist.htm. At a minimum, the following measures shall be implemented: <ul style="list-style-type: none"> • 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.

Table 1.2
Significant Impacts and Mitigation Measures

	<ul style="list-style-type: none"> • All on-site unpaved roads and off-site 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, and cut & fill activities shall be effectively controlled of fugitive dust emissions utilizing application of water or by presoaking. • When materials are transported off-site, all material shall be covered, or effectively wetted to limit visible dust emissions, and at least six inches of freeboard space from the top of the container shall be maintained. • Trackout shall be immediately removed when it extends 50 or more feet from the site and 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. • On-road vehicle speeds on unpaved surfaces of the project site shall be limited to 15 mph. • Sandbags or other erosion control measures shall be installed sufficient to prevent silt runoff to public roadways from sites with a slope greater than one percent. • Excavation and grading activities shall be suspended when winds exceed sustained speeds of 20 miles per hour (Regardless of wind speed, an owner/operator must comply with Regulation VIII's 20 percent opacity limitation). <p>8. The above measures for the control of construction-generated emissions shall be included on site grading and construction plans.</p>
Level of Significance with Mitigation: Less than significant	
AQ-3 Air Quality	<p>Impact: The project may be inconsistent with the applicable air quality plan.</p> <p>Level of Significance without Mitigation: Potentially significant</p> <p>Mitigation Measures:</p> <p>Implement Measures AQ-1.1 through AQ-2.</p> <p>Level of Significance with Mitigation: Less than significant</p>
BR-1 Biological Resources	<p>Impact: The project would potentially impact Special Status Species including Vernal Pool Fairy Shrimp (VPFS), Burrowing Owl, Swainson's Hawk and other bird species.</p> <p>Level of Significance without Mitigation: Potentially significant</p> <p>Mitigation Measures:</p> <p>BR-1.1: The City of Clovis shall either:</p> <p>(a) Conduct surveys for VPFS following USFWS survey guidelines (2015) to determine presence of the species within the project area [A complete survey includes at least one wet season survey and one dry season survey, completed within a 3-year period. If VPFS are not detected, and if approved by USFWS, the City may be exempt from further mitigation measures for VPFS. If VPFS are detected in the roadside depression, an Incidental Take Permit would be required, as detailed in VPFS-1]; or</p> <p>(b) Elect to skip the surveys and immediately begin the consultation process for an Incidental Take Permit with USFWS and US Army Corps of Engineers (ACOE). A Biological Assessment to review the proposed action (the project) and its effects on the VPFS, in accordance with the legal requirements set forth in Section 7 of the Federal Endangered Species Act, would be required.</p> <p>BR-1.2: An Incidental Take Permit for VPFS and shall be obtained from the USFWS prior to construction. All conditions of the permit required by USFWS shall be implemented. Appropriate mitigation credit ratios</p>

Table 1.2
Significant Impacts and Mitigation Measures

	<p>and other measures should be determined in consultation with USFWS and ACOE. At a minimum, the following conservation measures shall be implemented to minimize impacts to the federally listed VPFS and/or other non-listed vernal pool brachiopods including midvalley fairy shrimp and California linderiella:</p> <ul style="list-style-type: none"> (a) Effects of permanent losses and degradation of VPFS habitat shall be minimized and, to the greatest extent practicable, habitat restored. Before discharge of fill material, creation and/or preservation credits (amount TBD with consultation with USFWS) will be obtained from a USFWS-approved mitigation bank for every acre of habitat directly or indirectly impacted. (b) Staging areas shall be located away from the seasonal wetlands and channels. (c) Temporary stockpiling of excavated or imported material shall occur only in approved construction staging areas. Excess excavated soil shall be used onsite or disposed of at a regional landfill or other appropriate facility. (d) A USFWS-approved biologist conduct habitat sensitivity training related to VPFS for all project contractors and personnel. <p>BR-1.3: Avoidance.</p> <p>If feasible, any vegetation removal will take place between September 1 and February 1 to avoid impacts to nesting birds in compliance with the Migratory Bird Treaty Act. If vegetation removal must occur during the nesting season, project construction may be delayed due to actively nesting birds and their required protective buffers.</p> <p>BR-1.4: Pre-Construction Surveys.</p> <ul style="list-style-type: none"> (a) If vegetation removal or ground disturbance will commence between February 1 and August 31, a qualified biologist will conduct a pre-construction survey for nesting birds within 14 days of the initiation of disturbance activities. This survey will cover: <ul style="list-style-type: none"> (1) Potential nest sites in trees, bushes, or grass within species-specific buffers of the project area (Swainson's hawk – 0.5 mile, other raptor species such as white-tailed kite – 500 ft, non-raptor species (loggerhead shrike, magpie etc. – 250 ft). (2) Survey protocol developed by the Swainson's Hawk Technical Advisory Committee (TAC) should be followed (CDFG 2000), which includes survey timing and requirements for repeated visits. (b) Surveys for burrowing owl will occur within 14 days prior to any ground disturbance, no matter the season. This survey will cover potential burrowing owl burrows in the project area and suitable habitat within 150 m (500 ft). Evaluation of use by owls shall be in accordance with California Department of Fish and Wildlife survey guidelines (CBOC 1993, CDFG 1995, CDFG 2012). Surveys will document if burrowing owls are nesting or using habitat in or directly adjacent to the project area. Survey results will be valid only for the season (breeding (Feb 1-Aug 31) or non-breeding (Sept 1-Jan 31) during which the survey is conducted. (c) If no active nests or burrows are detected during the pre-construction survey, then no further action is required. If an active nest or burrow is detected, then the minimization measures described in MM BR-5 shall be implemented. <p>BR-1.5: Minimization/Establish Buffers.</p> <ul style="list-style-type: none"> (a) Swainson's hawk, white-tailed kite, loggerhead shrike, yellow-billed magpie, Nuttall's woodpecker, oak titmouse, and MBTA-protected species: <p>If any active nests are discovered (and if construction will occur during bird breeding season), the USFWS and/or CDFW will be contacted to determine protective measures required to avoid take. These measures could include fencing off an area where a nest occurs, or shifting construction work temporally or spatially away from the nesting birds. Biologists are required on site to monitor construction while protected migratory birds are nesting in the project area. If an active nest is found after the completion of the pre-construction surveys and after construction begins, all construction activities will stop until a qualified biologist has evaluated the nest and erected the appropriate buffer around the nest.</p> <ul style="list-style-type: none"> (b) Burrowing owl:
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Table 1.2
Significant Impacts and Mitigation Measures

	<p>If burrowing owls are detected within the survey area, CDFW should be consulted to determine the suitable buffer. These buffers will take into account the level of disturbance of the project activity, existing disturbance of the site (vehicle traffic, humans, pets, etc.), and time of year (nesting vs. wintering). If avoidance is not feasible, the City will work with CDFW to determine appropriate mitigation, such as passive exclusion or translocation, and associated mitigation land offset (CDFG 2012).</p> <p>If avoidance is not feasible, as per the General Plan Update PEIR (City of Clovis 2014), “A qualified biologist will develop appropriate mitigations that will reduce project impacts to sensitive or protected biological resources to a less than significant level. The type and amount of mitigation will depend on the resources impacted, the extent of the impacts, and the quality of habitats to be impacted. Mitigations may include, but are not limited to: 1) Compensation for lost habitat or waters in the form of preservation or creation of in-kind habitat or waters, either onsite or offsite, protected by conservation easement; 2) Purchase of appropriate credits from an approved mitigation bank servicing the Clovis General Plan Update Area; 3) Payment of in-lieu fees.”</p> <p>Level of Significance with Mitigation: Less than significant</p>
BR-2 Biological Resources	<p>Impact: The widening of Herndon Avenue would impact 0.204 acres of wetlands.</p> <p>Level of Significance without Mitigation: Potentially significant</p> <p>Mitigation Measures:</p> <p>BR-2.1: The City of Clovis shall obtain a Section 404 CWA Nationwide Permit (#14 for linear transportation projects) from the ACOE for impacts to wetlands and waters of the United States and comply with the mitigation measures identified in the permit to prevent discharge of pollutants to surface waters during construction. This shall include complying with the State’s National Pollution Discharge Elimination System (NPDES) General Permit for Discharges of Storm Water Runoff Associated with Construction Activity (General Permit) issued by the Central Valley Regional Water Quality Control Board (CVRWQCB). A Section 401 Water Quality Certification must be obtained from the RWQCB for all proposed impacts to Waters of the State. A Section 1602 Lake and Streambed Alteration Agreement, if required by CDFW, must be obtained prior to the placement of any fill within the seasonal swale in the Project Area. Though the Nationwide Permit process, the ACOE will also submit a Biological Assessment to USFWS to initiate formal consultation under Section 7 of FESA to determine if the action could result in the incidental take of a federal listed species (in this case VPFS).</p> <p>BR-2.2: To mitigate for impacts to waters and/or wetlands, at least one of the following measures shall be incorporated:</p> <ul style="list-style-type: none"> (a) credits will be purchased from an approved mitigation bank (typically at a 2:1 or 3:1 ratio; to be determined in consultation with ACOE and USFWS); or (b) a creation, restoration, or preservation project will be identified in the vicinity; or (c) mitigation performed as otherwise directed by regulatory agencies during permit preparation. <p>Mitigation will be implemented prior to or concurrent with filling jurisdictional waters and/or wetlands. Since the waters to be impacted by the road widening overlap with potential VPFS habitat, VPFS mitigation may incorporate a portion of the required wetland/waters mitigation acreage.</p> <p>Level of Significance with Mitigation: Less than significant</p>
BR-3 Biological Resources	<p>Impact: The widening of Herndon Avenue would impact a small wetland swale riparian habitat.</p> <p>Level of Significance without Mitigation: Potentially significant</p> <p>Mitigation Measures:</p> <p>Implement Mitigation Measures BR-2.1 and BR-2.2.</p> <p>Level of Significance with Mitigation: Less than significant</p>
CR-1 Cultural Resources	<p>Impact: Potential disturbance of subsurface cultural and/or paleontological resources may result from project construction activities.</p> <p>Level of Significance without Mitigation: Potentially significant</p>

Table 1.2
Significant Impacts and Mitigation Measures

	<p>Mitigation Measures:</p> <p>CR-1.1: All contractors and subcontractors for the project shall be informed, in writing, of the possibility that cultural or paleontological resources may be discovered during project activities. If any cultural or paleontological materials are uncovered during project activities, work in the area or any area reasonably suspected to overlie adjacent remains shall halt until a professional evaluation and/or data recovery excavation can be planned and implemented. Appropriate measures to protect remains from accidents, looting, and vandalism shall be implemented immediately.</p> <p>CR-1.2: After they have been professionally recorded in their place of discovery, archaeological or paleontological materials shall be transferred to an appropriate regional repository for preservation, research, and/or use in interpretive exhibits.</p> <p>CR-1.3: If human remains are discovered, the Fresno County Coroner must be notified immediately. The Coroner has two working days to examine the remains and 24 hours to notify the Native American Heritage Commission (NAHC) if the remains are Native American (Health and Safety Code Section 7050.5). Once the NAHC is notified, the procedures set forth in CEQA Guidelines Section 15064.5(d) and Public Resources Code Section 5097.98 shall be followed.</p> <p>Level of Significance with Mitigation: Less than significant</p>
NO-1 Noise	<p>Impact: Temporary or periodic increases in ambient noise levels would result from construction activities.</p> <p>Level of Significance without Mitigation: Potentially significant</p> <p>Mitigation Measures:</p> <p>NO-1: The following measures shall be implemented to reduce construction-generated noise levels:</p> <ul style="list-style-type: none"> (a) Construction activities (excluding activities that would result in a safety concern to the public or construction workers) shall be limited to between the hours of 7:00 a.m. and 7:00 p.m. (b) Construction equipment shall be properly maintained and equipped exhaust mufflers and engine shrouds in accordance with manufacturers' recommendations. (c) Construction equipment staging areas shall be located at the furthest distance possible from nearby noise-sensitive land uses. <p>Level of Significance with Mitigation: Less than significant</p>
NO-3 Noise	<p>Impact: An increase in long-term ambient noise levels from operational features would result from the project.</p> <p>Level of Significance without Mitigation: Potentially significant</p> <p>Mitigation Measures:</p> <p>NO-3: The following measures shall be implemented to reduce operational noise levels:</p> <ul style="list-style-type: none"> (a) An acoustical analysis shall be prepared for the proposed central plant prior to final design. The acoustical analysis shall identify building/equipment noise-reduction measures to be incorporated sufficient to achieve an exterior average-hourly noise-level of 50 dBA Leq, or less, at the property line of the nearest noise-sensitive land use. This average-hourly noise levels performance standard would equate to an average-daily noise level of approximately 58 dBA CNEL, which would ensure compliance with the City of Clovis exterior and interior noise level standards of 65 and 45 dBA CNEL, respectively. Noise-reduction measures to be incorporated may include, but are not limited to, the selection of alternative or quieter equipment, use of sound enclosures, and shielding building intake and exhaust vents from direct line of sight of nearby noise-sensitive land uses. The acoustical analysis shall be submitted to the City of Clovis Planning Department for review and approval prior to issuance of construction/grading permits for the construction of the central plant. (b) Emergency generators shall be enclosed and fitted with exhaust silencers. (c) Building air conditioning units for proposed structures shall be located on building rooftops and shielded from direct line-of-sight of adjacent noise-sensitive land uses. Building parapets shall be constructed, when necessary, to shield nearby land uses from direct line-of-site of air conditioning units.

Table 1.2
Significant Impacts and Mitigation Measures

	<p>Level of Significance with Mitigation: Less than significant</p>
TT-1 Transportation and Traffic	<p>Impact: The “Existing Conditions plus Project” Scenario would result in unacceptable levels of service at the following intersection:</p> <ul style="list-style-type: none"> SR 168 EB Ramps at Temperance Avenue <p>Level of Significance without Mitigation: Potentially significant</p> <p>Mitigation Measures:</p> <p>TT-1: To improve the LOS at the intersection of SR 168 EB Ramps at Temperance Avenue, a second eastbound right-turn lane and third northbound through lane shall be added, and the existing traffic signal shall be modified to accommodate the added lane geometrics.</p> <p>Level of Significance with Mitigation: Less than significant</p>
TT-2 Transportation and Traffic	<p>Impact: The “Near Term Projects plus Project” Scenario would result in unacceptable levels of service at the following intersections:</p> <ul style="list-style-type: none"> SR 168 EB Ramps at Temperance Avenue Alluvial Avenue at Temperance Avenue Herndon Avenue at Temperance Avenue Herndon Avenue at De Wolf Avenue (South Leg) <p>Level of Significance without Mitigation: Potentially significant</p> <p>Mitigation Measures:</p> <p>TT-2: The project shall participate on a pro rata basis in making improvements to the intersections of 1) Alluvial Avenue at Temperance Avenue, 2) Herndon Avenue at Temperance Avenue, and 3) Herndon Avenue at De Wolf Avenue (south leg) listed under the “Near Term Projects plus Project” scenario for any improvements that are not covered by local and regional impact fee programs. The fair share percentages are calculated in Table 19.14 [see Chapter 19, Transportation and Traffic].</p> <p>Level of Significance with Mitigation: Less than significant</p>
TT-3 Transportation and Traffic	<p>Impact: The “Cumulative Year 2035 with Project” Scenario would result in unacceptable levels of service at the following intersections:</p> <ul style="list-style-type: none"> SR 168 EB Ramps at Temperance Avenue Herndon Avenue at Armstrong Avenue Herndon Avenue at Temperance Avenue Herndon Avenue at Locan Avenue Herndon Avenue at DeWolf Avenue (north leg) Herndon Avenue at DeWolf Avenue (south leg) Herndon Avenue at Leonard Avenue Herndon Avenue at McCall Avenue Herndon Avenue at Academy Avenue Bullard Avenue at Locan Avenue Bullard Avenue at De Wolf Avenue Alluvial Avenue at Temperance Avenue Herndon Avenue at Tollhouse Road New Access Road/Temperance Avenue

Table 1.2
Significant Impacts and Mitigation Measures

	<p>Level of Significance without Mitigation: Potentially significant</p> <p>Mitigation Measures:</p> <p>TT-3: The project shall participate on a pro-rata fair share basis in street improvements listed under the “Cumulative Year 2035 with Project Conditions” scenario for any improvements that are not covered by local and regional impact fee programs. The fair share percentages are calculated in Table 19.14 [see Chapter 19, Transportation and Traffic].</p> <p>Level of Significance with Mitigation: Less than significant</p>
TT-4 Transportation and Traffic	<p>Impact: The “Cumulative Year 2035 With Project” Conditions Would Result in the Need for Additional Turn Lane Storage Capacity at the following intersections:</p> <ul style="list-style-type: none"> • Nees Avenue/Temperance Avenue • Alluvial Avenue/Temperance Avenue • SR 168 EB Ramps/Temperance Avenue • Fir Avenue/Temperance Avenue • Herndon Avenue/Armstrong Avenue • Herndon Avenue/Temperance Avenue • Herndon Avenue/Coventry Avenue • Herndon Avenue/Locan Avenue • Herndon Avenue/DeWolf Avenue (north leg) • Herndon Avenue/DeWolf Avenue (south leg) • Herndon Avenue/Leonard Avenue • Herndon Avenue/McCall Avenue • Herndon Avenue/Academy Avenue • New Access Road/Temperance Avenue • Bullard Avenue/Locan Avenue • Bullard Avenue/DeWolf Avenue <p>Level of Significance without Mitigation: Potentially significant</p> <p>Mitigation Measures:</p> <p>TT-4: The project shall participate on a pro-rata fair share basis in the improvements identified in the Queueing Analysis of the Traffic Impact Analysis (Draft EIR Appendix 19).</p> <p>Level of Significance with Mitigation: Less than significant</p>
TR-1 Tribal Cultural Resources	<p>Impact: Disturbance of subsurface tribal cultural resources would potentially result from construction activities.</p> <p>Level of Significance without Mitigation: Potentially significant</p> <p>Mitigation Measures:</p> <p>Incorporate Mitigation Measures CR-1.1 through 1.3.</p> <p>Level of Significance with Mitigation: Less than significant</p>

AREAS OF CONTROVERSY

CEQA Guidelines Section 15123 requires that the EIR identify any “areas of controversy known to the Lead Agency including issues raised by agencies and the public.”

Based on comments provided in response to the Notice of Availability published for the DEIR, the items listed below have been identified as potential areas of controversy. Each of these items is addressed in Chapter 4 of the Final EIR (see reference in parenthesis):

- Concerns from a neighboring property owner regarding noise and aesthetic impacts from development at the east side of the CCMC project area. (See Comment Letter 1 and Response in Chapter 4)
- Concerns from a neighboring property owner regarding air quality, noise, and traffic conditions resulting from the proposed Herndon Avenue widening. (See Comment Letter 3 and Response Chapter 4)
- Concerns from a neighboring propane gas business regarding compatibility of proposed development at the west side of the CCMC project area with nearby propane gas facilities. (See Comment Letter 6 and Response in Chapter 4)

The lead agency is not aware of any other areas of controversy.

CHAPTER 3

Mitigation Monitoring and Reporting Program

This Mitigation Monitoring and Reporting Program (MMRP) has been prepared in accordance with State CEQA Guidelines Section 15091(d) and Section 15097. The purpose for the Mitigation Monitoring and Reporting Program is to ensure that the mitigation measures identified in this Final EIR are implemented.

The MMRP table to follow lists the mitigation measures that will be implemented as part of the project. These measures correspond to those listed in the Summary section of this Final EIR. To ensure that the mitigation measures are properly implemented, the table identifies the timing and responsibility for monitoring and reporting the implementation of the measures. CCMC and the City will have the responsibility for implementing the measures applicable to the CCMC expansion and Herndon Avenue widening, respectively, and various City of Clovis departments/divisions and other agencies will have the primary responsibility for monitoring and reporting the implementation of the mitigation measures.

**Mitigation Monitoring and Reporting Program for the
Clovis Community Medical Center Expansion and Herndon Avenue Widening Project**

AESTHETICS

IMPACT	MITIGATION MEASURES	TIMING	MONITORING AGENCY	SIGN OFF
AE-1: Clearing and construction activity would temporarily degrade the visual quality of the project site.	<p>AE-1.1: During the project clearing, grading, and construction phases, a chain-link fence six feet in height shall be maintained around the project sites and a solid fence or wall at least six feet in height shall be maintained around the construction staging area. A chain-link fence draped with heavy plastic is suitable for this purpose.</p> <p>AE-1.2: The project contractor shall store construction materials that may be on the site for more than 48 hours within the construction staging area, and the project contractor shall park or store construction equipment within the construction staging area. Construction materials or equipment shall not be stored on public streets, and the project contractor shall remove construction materials and equipment from the site when no further need exists for materials or equipment.</p> <p>AE-1.3: The project contractor shall keep properties and streets surrounding the project site free from project-related rubbish and debris by removing any rubbish or debris the day it appears.</p> <p>AE-1.4: Any excess excavated material shall be removed from the site immediately following completion of the excavation activity that resulted in the material.</p> <p>AE-1.5: The project contractor shall remove any graffiti on the project sites within 48 hours of the time it appears.</p> <p>AE-1.6: The project contractor shall place all portable restrooms within the construction staging area.</p>	Ongoing during grading and construction.	City of Clovis Planning and Development Services Department – Building Division	
AE-2: The project would increase in illumination and glare due to project lighting, building surfaces and parking areas.	<p>AE-2.1: Parking lot lighting shall employ full cut-off type fixtures. A full cut-off type fixture is a luminaire or light fixture that, by design of the housing, does not allow light dispersion or direct glare to shine above a 90-degree horizontal plane from the base of the fixture. Full cut-off type fixtures must be installed in a horizontal position as designed.</p> <p>AE-2.2: The design of external signs and lighting shall prevent direct glare on adjoining properties.</p>	At the time of plan review, and ongoing during construction and operation of the project.	City of Clovis Planning and Development Services Department – Building Division	

	AE-2.3: The design for the buildings east of Medical Center Drive East shall incorporate exterior materials designed to minimize reflective glare from the exterior surfaces.			
AIR QUALITY				
IMPACT	MITIGATION MEASURES	TIMING	MONITORING AGENCY	SIGN OFF
AQ-1: The project would increase long-term operational emissions of particulate matter and ozone precursor emissions.	<p>AQ-1.1: Operation of the proposed project shall comply with SJVAPCD's ISR rule (Rule 9510). Accordingly, an Air Impact Assessment (AIA) shall be prepared for the proposed Project. The AIA shall be submitted to and approved by the SJVAPCD prior to issuance of construction/grading permits by the City of Clovis. The AIA shall include: an estimate of operational emissions prior to the implementation of mitigation measures; a list of the mitigation measures to be applied to the project; an estimate of emissions for each applicable pollutant for the project, or each phase thereof, following the implementation of mitigation; and a calculation of the applicable off-site fee, if required by Rule 9510. Measures that may be implemented to reduce operational emissions may include, but are not limited to, the following:</p> <ul style="list-style-type: none"> (a) Utilize green building materials (materials which are resource efficient, recycled, and sustainable) available locally if possible. (b) Provide shade tree planting in parking lots to reduce evaporative emissions from parked vehicles. Design should provide 50% tree coverage within 10 years of construction using low ROG emitting, low maintenance native drought-resistant trees. (c) Plant drought tolerant native shade trees along southern exposures of buildings to reduce energy used to cool buildings in summer. (d) Incorporate outdoor electrical outlets to encourage the use of electric landscape maintenance equipment. (e) Install high-efficiency heating and cooling systems. (f) Utilize high-efficiency gas or solar water heaters. (g) Utilize built-in energy-efficient appliances (i.e., Energy Star rated). (h) Utilize double- or triple-paned windows. (i) Utilize low energy street lights (i.e., sodium, light-emitting diode [LED]). (j) Utilize energy-efficient interior lighting. 	Prior to the commencement of grading activities and ongoing during grading and construction.	City of Clovis Planning and Development Services Department – Planning and Building Divisions	

<ul style="list-style-type: none"> (k) Install low water consumption landscape. Use native plants that do not require watering after they are well established or minimal watering during the summer months and are low ROG emitting. (l) Provide a minimum of one designated parking space for alternatively fueled vehicles. (m) Use low-VOC content paints during construction and long-term facility maintenance. To the extent possible construction materials that are prefinished or that do not require the application of architectural coatings should be used. (n) Install energy-saving systems in rooms that reduce energy usage associated with HVAC systems and appliances when rooms are not occupied, except where such systems would pose a safety or health concern. (o) Provide a pedestrian access network that internally links all uses and connects all existing or planned external streets and pedestrian facilities contiguous with the project site. (p) Provide on-site bicycle parking beyond those required by California Green Building Standards Code and related facilities to support long-term use (lockers, or a locked room with standard racks and access limited to bicyclists only). (q) Implement traffic calming improvements as appropriate (e.g., marked crosswalks, count-down signal timers, curb extensions, speed tables, raised crosswalks, median islands, mini-circles, tight corner radii, etc.) <p>AQ-1.2: A Voluntary Emissions Reduction Agreement (VERA) shall be entered into with the SJVAPCD to reduce operational emissions of ROG and NOX to less than 10 tons/year and emissions of PM10 to below 15 tons/year. Operational emissions of ROG, NOX and PM10 (inclusive of PM2.5) shall be reduced in excess of the reductions required per compliance with SJVAPCD's ISR Rule (Refer to Mitigation Measure AQ-1). Emission reductions may be achieved by use of newer, low-emission equipment, implementation of on-site or off-site mitigation, and/or the funding of off-site mitigation, through participation in the SJVAPCD's off-site mitigation program. The project development plans are long term and conceptual in nature and subject to change in uses and extent otherwise allowed by City zoning that have lesser or equal impacts to those assessed in the EIR. VERA emission estimates shall be based on project-specific modeling assumptions where available (e.g., truck trip generation). Modeling performed shall account for declining emissions during the 10-year mitigation period due to vehicle turnover projected by the latest State approved emission models. VERA emission estimates may be revised to reflect actual development plans proposed for the site at the time each building or phase is finalized.</p>			
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	<p>VERA mitigation fee payments for a building or phase may be deferred until no later than 30 days prior to commencing construction activities for the building or phase. The VERA shall be reviewed and approved by the SJVAPCD prior to issuance of construction/grading permits by the City of Clovis. The project proponent/owner shall submit to the City of Clovis Planning Department documentation confirming entering into the VERA, prior to issuance of final discretionary approval (e.g., approval of the grading permit for the first construction project relying on this EIR). Development and implementation of the VERA shall be fully funded by the project proponent/owner as development progresses. With approval by SJVAPCD, the VERA may also be used to demonstrate compliance with emission reductions required by SJVAPCD's ISR Rule (Rule 9510).</p>			
AQ-2: Impacts to sensitive receptors may occur due to localized PM concentrations from construction activities and air emissions from stationary sources.	<p>AQ-2: Implement Measures to Reduce Localized Pollutant Concentrations</p> <p>(a) Potential health risks associated with permitted stationary sources (e.g., emergency generators) shall be evaluated prior to installation and operation, once more detailed equipment specifications have been identified and in accordance with SJVAPCD's permitting requirements. Emissions control measures and/or operational limitations shall be incorporated, to the extent deemed necessary, to ensure that operational emissions would not exceed applicable SJVAPCD's significance thresholds for cancer risk of 20 in one million or an acute/chronic hazard index of one.</p> <p>(b) The following measures shall be implemented to reduce potential expose of sensitive receptors to localized concentrations of construction-generated PM at nearby sensitive receptors and land uses during project construction:</p> <p>1. On-road diesel vehicles shall comply with Section 2485 of Title 13 of the California Code of Regulations. This regulation limits idling from diesel-fueled commercial motor vehicles with gross vehicular weight ratings of more than 10,000 pounds and licensed for operation on highways. It applies to California and non-California based vehicles. In general, the regulation specifies that drivers of said vehicles:</p> <ul style="list-style-type: none"> • Shall not idle the vehicle's primary diesel engine for greater than 5 minutes at any location, except as noted in Subsection (d) of the regulation; and, • Shall not operate a diesel-fueled auxiliary power system to power a heater, air conditioner, or any ancillary equipment on that vehicle during sleeping or resting in a sleeper berth for greater than 5.0 minutes at any location when within 1,000 feet of a restricted area, except as noted in Subsection (d) of the regulation. <p>2. Off-road diesel equipment shall comply with the 5-minute idling restriction identified in Section 2449(d)(2) of the California Air Resources Board's In-Use Off-road Diesel regulation. The specific requirements and exceptions in the regulations can</p>	Ongoing during grading, construction, and operation.	<p>San Joaquin Valley Air Pollution Control District (SJVAPCD)</p> <p>City of Clovis Planning and Development Services Department – Building Division</p>	

	<p>be reviewed at the following web sites: www.arb.ca.gov/msprog/truck-idling/2485.pdf and www.arb.ca.gov/regact/2007/ordiesl07/frooal.pdf.</p> <p>3. Signs shall be posted at the project site construction entrance to remind drivers and operators of the state's five-minute idling limit.</p> <p>4. To the extent available, replace fossil-fueled equipment with alternatively-fueled (e.g., natural gas) or electrically-driven equivalents.</p> <p>5. Construction truck trips shall be scheduled, to the extent possible, to occur during non-peak hours.</p> <p>6. The burning of vegetative material shall be prohibited.</p> <p>7. The proposed project shall comply with SJVAPCD Regulation VIII for the control of fugitive dust emissions. Regulation VIII can be obtained on the SJVAPCD's website at website URL: https://www.valleyair.org/rules/_1ruleslist.htm. At a minimum, the following measures shall be implemented:</p> <ul style="list-style-type: none"> • 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 on-site unpaved roads and off-site 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, and cut & fill activities shall be effectively controlled of fugitive dust emissions utilizing application of water or by presoaking. • When materials are transported off-site, all material shall be covered, or effectively wetted to limit visible dust emissions, and at least six inches of freeboard space from the top of the container shall be maintained. • Trackout shall be immediately removed when it extends 50 or more feet from the site and 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. 		
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	<ul style="list-style-type: none"> On-road vehicle speeds on unpaved surfaces of the project site shall be limited to 15 mph. Sandbags or other erosion control measures shall be installed sufficient to prevent silt runoff to public roadways from sites with a slope greater than one percent. Excavation and grading activities shall be suspended when winds exceed sustained speeds of 20 miles per hour (Regardless of wind speed, an owner/operator must comply with Regulation VIII's 20 percent opacity limitation). <p>8. The above measures for the control of construction-generated emissions shall be included on site grading and construction plans.</p>			
AQ-3: The project may be inconsistent with the applicable air quality plan.	Implement Measures AQ-1.1 through AQ-2.	See AQ-1.1, AQ-1.2 and AQ-2	See AQ-1.1, AQ-1.2 and AQ-2	
BIOLOGICAL RESOURCES				
IMPACT	MITIGATION MEASURES	TIMING	MONITORING AGENCY	SIGN OFF
BR-1: The project would potentially impact Special Status Species including Vernal Pool Fairy Shrimp (VPFS), Burrowing Owl, Swainson's Hawk and other bird species.	<p>BR-1.1: The City of Clovis shall either:</p> <p>(a) Conduct surveys for VPFS following USFWS survey guidelines (2015) to determine presence of the species within the project area [A complete survey includes at least one wet season survey and one dry season survey, completed within a 3-year period. If VPFS are not detected, and if approved by USFWS, the City may be exempt from further mitigation measures for VPFS. If VPFS are detected in the roadside depression, an Incidental Take Permit would be required, as detailed in VPFS-1]; or</p> <p>(b) Elect to skip the surveys and immediately begin the consultation process for an Incidental Take Permit with USFWS and US Army Corps of Engineers (ACOE). A Biological Assessment to review the proposed action (the project) and its effects on the VPFS, in accordance with the legal requirements set forth in Section 7 of the Federal Endangered Species Act, would be required.</p> <p>BR-1.2: An Incidental Take Permit for VPFS and shall be obtained from the USFWS prior to construction. All conditions of the permit required by USFWS shall be implemented. Appropriate mitigation credit ratios and other measures should be determined in consultation with USFWS and ACOE. At a minimum, the following conservation measures shall be implemented to minimize impacts to the federally</p>	Prior to the commencement of grading activities and ongoing during grading and construction	City of Clovis Planning and Development Services Department – Planning and Engineering Divisions	

<p>listed VPFS and/or other non-listed vernal pool brachiopods including midvalley fairy shrimp and California linderiella:</p> <p>(a) Effects of permanent losses and degradation of VPFS habitat shall be minimized and, to the greatest extent practicable, habitat restored. Before discharge of fill material, creation and/or preservation credits (amount TBD with consultation with USFWS) will be obtained from a USFWS-approved mitigation bank for every acre of habitat directly or indirectly impacted.</p> <p>(b) Staging areas shall be located away from the seasonal wetlands and channels.</p> <p>(c) Temporary stockpiling of excavated or imported material shall occur only in approved construction staging areas. Excess excavated soil shall be used onsite or disposed of at a regional landfill or other appropriate facility.</p> <p>(d) A USFWS-approved biologist conduct habitat sensitivity training related to VPFS for all project contractors and personnel.</p>	<p>BR-1.3: Avoidance.</p> <p>If feasible, any vegetation removal will take place between September 1 and February 1 to avoid impacts to nesting birds in compliance with the Migratory Bird Treaty Act. If vegetation removal must occur during the nesting season, project construction may be delayed due to actively nesting birds and their required protective buffers.</p> <p>BR-1.4: Pre-Construction Surveys.</p> <p>(a) If vegetation removal or ground disturbance will commence between February 1 and August 31, a qualified biologist will conduct a pre-construction survey for nesting birds within 14 days of the initiation of disturbance activities. This survey will cover:</p> <p>(1) Potential nest sites in trees, bushes, or grass within species-specific buffers of the project area (Swainson's hawk – 0.5 mile, other raptor species such as white-tailed kite – 500 ft, non-raptor species (loggerhead shrike, magpie etc. – 250 ft).</p> <p>(2) Survey protocol developed by the Swainson's Hawk Technical Advisory Committee (TAC) should be followed (CDFG 2000), which includes survey timing and requirements for repeated visits.</p> <p>(b) Surveys for burrowing owl will occur within 14 days prior to any ground disturbance, no matter the season. This survey will cover potential burrowing owl burrows in the project area and suitable habitat within 150 m (500 ft). Evaluation of use by owls shall be in accordance with California Department of Fish and Wildlife survey guidelines (CBOC 1993, CDFG 1995, CDFG 2012). Surveys will document if burrowing owls are nesting or using habitat in or directly adjacent to the project area.</p>		
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	<p>Survey results will be valid only for the season (breeding (Feb 1-Aug 31) or non-breeding (Sept 1-Jan 31) during which the survey is conducted.</p> <p>(c) If no active nests or burrows are detected during the pre-construction survey, then no further action is required. If an active nest or burrow is detected, then the minimization measures described in MM BR-5 shall be implemented.</p> <p>BR-1.5: Minimization/Establish Buffers.</p> <p>(a) Swainson's hawk, white-tailed kite, loggerhead shrike, yellow-billed magpie, Nuttall's woodpecker, oak titmouse, and MBTA-protected species:</p> <p>If any active nests are discovered (and if construction will occur during bird breeding season), the USFWS and/or CDFW will be contacted to determine protective measures required to avoid take. These measures could include fencing off an area where a nest occurs, or shifting construction work temporally or spatially away from the nesting birds. Biologists are required on site to monitor construction while protected migratory birds are nesting in the project area. If an active nest is found after the completion of the pre-construction surveys and after construction begins, all construction activities will stop until a qualified biologist has evaluated the nest and erected the appropriate buffer around the nest.</p> <p>(b) Burrowing owl:</p> <p>If burrowing owls are detected within the survey area, CDFW should be consulted to determine the suitable buffer. These buffers will take into account the level of disturbance of the project activity, existing disturbance of the site (vehicle traffic, humans, pets, etc.), and time of year (nesting vs. wintering). If avoidance is not feasible, the City will work with CDFW to determine appropriate mitigation, such as passive exclusion or translocation, and associated mitigation land offset (CDFG 2012).</p> <p>If avoidance is not feasible, as per the General Plan Update PEIR (City of Clovis 2014), “A qualified biologist will develop appropriate mitigations that will reduce project impacts to sensitive or protected biological resources to a less than significant level. The type and amount of mitigation will depend on the resources impacted, the extent of the impacts, and the quality of habitats to be impacted. Mitigations may include, but are not limited to: 1) Compensation for lost habitat or waters in the form of preservation or creation of in-kind habitat or waters, either onsite or offsite, protected by conservation easement; 2) Purchase of appropriate credits from an approved mitigation bank servicing the Clovis General Plan Update Area; 3) Payment of in-lieu fees.”</p>		
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BR-2: The widening of Herndon Avenue would impact 0.204 acres of wetlands.	<p>BR-2.1: The City of Clovis shall obtain a Section 404 CWA Nationwide Permit (#14 for linear transportation projects) from the ACOE for impacts to wetlands and waters of the United States and comply with the mitigation measures identified in the permit to prevent discharge of pollutants to surface waters during construction. This shall include complying with the State's National Pollution Discharge Elimination System (NPDES) General Permit for Discharges of Storm Water Runoff Associated with Construction Activity (General Permit) issued by the Central Valley Regional Water Quality Control Board (CVRWQCB). A Section 401 Water Quality Certification must be obtained from the RWQCB for all proposed impacts to Waters of the State. A Section 1602 Lake and Streambed Alteration Agreement, if required by CDFW, must be obtained prior to the placement of any fill within the seasonal swale in the Project Area. Though the Nationwide Permit process, the ACOE will also submit a Biological Assessment to USFWS to initiate formal consultation under Section 7 of FESA to determine if the action could result in the incidental take of a federal listed species (in this case VPFS).</p> <p>BR-2.2: To mitigate for impacts to waters and/or wetlands, at least one of the following measures shall be incorporated:</p> <ul style="list-style-type: none"> (a) credits will be purchased from an approved mitigation bank (typically at a 2:1 or 3:1 ratio; to be determined in consultation with ACOE and USFWS); or (b) a creation, restoration, or preservation project will be identified in the vicinity; or (c) mitigation performed as otherwise directed by regulatory agencies during permit preparation. <p>Mitigation will be implemented prior to or concurrent with filling jurisdictional waters and/or wetlands. Since the waters to be impacted by the road widening overlap with potential VPFS habitat, VPFS mitigation may incorporate a portion of the required wetland/waters mitigation acreage.</p>	Prior to the commencement of grading activities and ongoing during grading, construction, and operation.	City of Clovis Planning and Development Services Department – Engineering Division	
BR-3: The widening of Herndon Avenue would impact a small wetland swale riparian habitat.	Implement Mitigation Measures BR-2.1 and BR-2.2.	See BR-2.1 and BR 2.2	See BR-2.1 and BR 2.2	

CULTURAL RESOURCES				
IMPACT	MITIGATION MEASURES	TIMING	MONITORING AGENCY	SIGN OFF
CR-1: Potential disturbance of subsurface cultural and/or paleontological resources may result from project construction activities.	<p>CR-1.1: All contractors and subcontractors for the project shall be informed, in writing, of the possibility that cultural or paleontological resources may be discovered during project activities. If any cultural or paleontological materials are uncovered during project activities, work in the area or any area reasonably suspected to overlie adjacent remains shall halt until a professional evaluation and/or data recovery excavation can be planned and implemented. Appropriate measures to protect remains from accidents, looting, and vandalism shall be implemented immediately.</p> <p>CR-1.2: After they have been professionally recorded in their place of discovery, archaeological or paleontological materials shall be transferred to an appropriate regional repository for preservation, research, and/or use in interpretive exhibits.</p> <p>CR-1.3: If human remains are discovered, the Fresno County Coroner must be notified immediately. The Coroner has two working days to examine the remains and 24 hours to notify the Native American Heritage Commission (NAHC) if the remains are Native American (Health and Safety Code Section 7050.5). Once the NAHC is notified, the procedures set forth in CEQA Guidelines Section 15064.5(d) and Public Resources Code Section 5097.98 shall be followed.</p>	Prior to and during grading and construction activities.	City of Clovis Planning and Development Services Department – Engineering Division	
GREENHOUSE GAS EMISSIONS				
IMPACT	MITIGATION MEASURES	TIMING	MONITORING AGENCY	SIGN OFF
GH-1: The project would increase the generation of greenhouse gas emissions.	<p>GH-1: During construction and operation of the project, the following measures shall be implemented to reduce greenhouse gas (GHG) emissions:</p> <ul style="list-style-type: none"> (a) Utilize green building materials (materials which are resource efficient, recycled, and sustainable) available locally if possible. (b) Provide shade tree planting in parking lots to reduce evaporative emissions from parked vehicles. Design should provide 50 percent tree coverage within 10 years of construction using low ROG emitting, low maintenance native drought-resistant trees. (c) Plant drought tolerant native shade trees along southern exposures of buildings to reduce energy used to cool buildings in summer. (d) Incorporate outdoor electrical outlets to encourage the use of electric landscape maintenance equipment. 	Ongoing during construction and operation.	City of Clovis Planning and Development Services Department – Planning and Building Divisions San Joaquin Valley Air Pollution Control District (SJVAPCD)	

	<ul style="list-style-type: none"> (e) Install high-efficiency heating and cooling systems. (f) Utilize high-efficiency gas or solar water heaters. (g) Utilize built-in energy-efficient appliances (i.e., Energy Star rated). (h) Utilize double- or triple-paned windows. (i) Utilize low energy street lights (i.e., sodium, light-emitting diode [LED]). (j) Utilize energy-efficient interior lighting. (k) Use low-VOC content paints during construction and long-term facility maintenance. To the extent possible construction materials that are prefinished or that do not require the application of architectural coatings should be used. (l) Install low water consumption landscape. Use native plants that do not require watering after they are well established or minimal watering during the summer months and are low ROG emitting. (m) Provide a minimum of one designated parking space for alternatively fueled vehicles. (n) Install energy-saving systems in rooms that reduce energy usage associated with HVAC systems and appliances when rooms are not occupied, except where such systems would pose a safety or health concern. (o) Provide a pedestrian access network that internally links all uses and connects all existing or planned external streets and pedestrian facilities contiguous with the project site. (p) Provide on-site bicycle parking beyond those required by California Green Building Standards Code and related facilities to support long-term use (lockers, or a locked room with standard racks and access limited to bicyclists only). (q) Implement traffic calming improvements as appropriate (e.g., marked crosswalks, count-down signal timers, curb extensions, speed tables, raised crosswalks, median islands, mini-circles, tight corner radii, etc.) 		
GH-2: The project may conflict with an applicable greenhouse gas reduction plan, policy or regulation.	Implement Mitigation Measure GH-1.	Ongoing during construction and operation.	City of Clovis Planning and Development Services Department – Planning and Building Divisions

			San Joaquin Valley Air Pollution Control District (SJVAPCD)	
NOISE				
IMPACT	MITIGATION MEASURES	TIMING	MONITORING AGENCY	SIGN OFF
NO-1: Temporary or periodic increases in ambient noise levels would result from construction activities.	<p>NO-1: The following measures shall be implemented to reduce construction-generated noise levels:</p> <ul style="list-style-type: none"> (a) Construction activities (excluding activities that would result in a safety concern to the public or construction workers) shall be limited to between the hours of 7:00 a.m. and 7:00 p.m. (b) Construction equipment shall be properly maintained and equipped exhaust mufflers and engine shrouds in accordance with manufacturers' recommendations. (c) Construction equipment staging areas shall be located at the furthest distance possible from nearby noise-sensitive land uses. 	Ongoing during grading and construction.	City of Clovis Planning and Development Services Department – Building Division	
NO-2: The project would result in an increase in long-term ambient noise levels from traffic sources.	NO-2: Once detailed plans for lane configurations and alignments for the widening of Herndon Avenue are prepared, the City of Clovis shall have an acoustical analysis prepared. The acoustical analysis shall evaluate changes in traffic noise levels that would result from the proposed widening in comparison to the City of Clovis General Plan noise standards. Noise-reduction measures (e.g., sound walls) shall be evaluated and implemented, where feasible, to reduce traffic noise levels to below applicable noise standards.	At the time plans for lane configurations and alignments on Herndon Avenue have been prepared.	City of Clovis Planning and Development Services Department – Engineering Division	
NO-3: An increase in long-term ambient noise levels from operational features would result from the project.	NO-3: The following measures shall be implemented to reduce operational noise levels: <ul style="list-style-type: none"> (a) An acoustical analysis shall be prepared for the proposed central plant prior to final design. The acoustical analysis shall identify building/equipment noise-reduction measures to be incorporated sufficient to achieve an exterior average-hourly noise-level of 50 dBA Leq, or less, at the property line of the nearest noise-sensitive land use. This average-hourly noise levels performance standard would equate to an average-daily noise level of approximately 58 dBA CNEL, which would ensure 	Prior to final design of the hospital project, and incorporated during construction and/or installation.	City of Clovis Planning and Development Services Department – Planning Division	

	<p>compliance with the City of Clovis exterior and interior noise level standards of 65 and 45 dBA CNEL, respectively. Noise-reduction measures to be incorporated may include, but are not limited to, the selection of alternative or quieter equipment, use of sound enclosures, and shielding building intake and exhaust vents from direct line of sight of nearby noise-sensitive land uses. The acoustical analysis shall be submitted to the City of Clovis Planning Department for review and approval prior to issuance of construction/grading permits for the construction of the central plant.</p> <p>(b) Emergency generators shall be enclosed and fitted with exhaust silencers.</p> <p>(c) Building air conditioning units for proposed structures shall be located on building rooftops and shielded from direct line-of-sight of adjacent noise-sensitive land uses. Building parapets shall be constructed, when necessary, to shield nearby land uses from direct line-of-site of air conditioning units.</p>			
TRANSPORTATION AND TRAFFIC				
IMPACT	MITIGATION MEASURES	TIMING	MONITORING AGENCY	SIGN OFF
<p>TT-1: The “Existing Conditions plus Project” Scenario would result in unacceptable levels of service at the following intersection:</p> <ul style="list-style-type: none"> • SR 168 EB Ramps at Temperance Avenue 	<p>TT-1: To improve the LOS at the intersection of SR 168 EB Ramps at Temperance Avenue, a second eastbound right-turn lane and third northbound through lane shall be added, and the existing traffic signal shall be modified to accommodate the added lane geometrics.</p>	Prior to completion of first building in the 2-10 year phase of project	City of Clovis Planning and Development Services Department – Engineering Division	
<p>TT-2: The “Near Term Projects plus Project” Scenario would result in unacceptable levels of service at the following intersections:</p> <ul style="list-style-type: none"> • SR 168 EB Ramps at Temperance Avenue • Alluvial Avenue at Temperance Avenue 	<p>TT-2: The project shall participate on a pro rata basis in making improvements to the intersections of 1) Alluvial Avenue at Temperance Avenue, 2) Herndon Avenue at Temperance Avenue, and 3) Herndon Avenue at De Wolf Avenue (south leg) listed under the “Near Term Projects plus Project” scenario for any improvements that are not covered by local and regional impact fee programs. The fair share percentages are calculated in Table 19.14 [see Chapter 19, Transportation and Traffic].</p>	Appropriate timing to be determined by Engineering Division during the 2-10 year phase of the project.	City of Clovis Planning and Development Services Department – Engineering Division	

<ul style="list-style-type: none"> • Herndon Avenue at Temperance Avenue • Herndon Avenue at De Wolf Avenue (South Leg) 				
<p>TT-3: The “Cumulative Year 2035 with Project” Scenario would result in unacceptable levels of service at the following intersections:</p> <ul style="list-style-type: none"> • SR 168 EB Ramps at Temperance Avenue • Herndon Avenue at Armstrong Avenue • Herndon Avenue at Temperance Avenue • Herndon Avenue at Locan Avenue • Herndon Avenue at DeWolf Avenue (north leg) • Herndon Avenue at DeWolf Avenue (south leg) • Herndon Avenue at Leonard Avenue • Herndon Avenue at McCall Avenue • Herndon Avenue at Academy Avenue 	<p>TT-3: The project shall participate on a pro-rata fair share basis in street improvements listed under the “Cumulative Year 2035 with Project Conditions” scenario for any improvements that are not covered by local and regional impact fee programs. The fair share percentages are calculated in Table 19.14 [see Chapter 19, Transportation and Traffic].</p>	<p>Appropriate timing to be determined by Engineering Division</p>	<p>City of Clovis Planning and Development Services Department – Engineering Division</p>	

<ul style="list-style-type: none"> • Bullard Avenue at Locan Avenue • Bullard Avenue at De Wolf Avenue • Alluvial Avenue at Temperance Avenue • Herndon Avenue at Tollhouse Road • New Access Road/Temperance Avenue 				
<p>TT-4: The “Cumulative Year 2035 With Project” Conditions Would Result in the Need for Additional Turn Lane Storage Capacity at the following intersections:</p> <ul style="list-style-type: none"> • Nees Avenue/Temperance Avenue • Alluvial Avenue/Temperance Avenue • SR 168 EB Ramps/Temperance Avenue • Fir Avenue/Temperance Avenue 	<p>TT-4: The project shall participate on a pro-rata fair share basis in the improvements identified in the Queuing Analysis of the Traffic Impact Analysis (Draft EIR Appendix 19).</p>	Appropriate timing to be determined by Engineering Division	City of Clovis Planning and Development Services Department – Engineering Division	

<ul style="list-style-type: none"> • Herndon Avenue/Armstrong Avenue • Herndon Avenue/Temperance Avenue • Herndon Avenue/Coventry Avenue • Herndon Avenue/Locan Avenue • Herndon Avenue/DeWolf Avenue (north leg) • Herndon Avenue/DeWolf Avenue (south leg) • Herndon Avenue/Leonard Avenue • Herndon Avenue/McCall Avenue • Herndon Avenue/Academy Avenue • New Access Road/Temperance Avenue • Bullard Avenue/Locan Avenue • Bullard Avenue/DeWolf Avenue 				
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TRIBAL CULTURAL RESOURCES				
IMPACT	MITIGATION MEASURES	TIMING	MONITORING AGENCY	SIGN OFF
TR-1: Disturbance of subsurface tribal cultural resources would potentially result from construction activities.	Incorporate Mitigation Measures CR-1.1 through 1.3.	Prior to and during grading and construction activities.	City of Clovis Planning and Development Services Department – Engineering Division	

CHAPTER 4

Responses to Draft EIR Comments

This section includes the comments received on the Draft EIR and the responses of the City of Clovis to the comments. Each comment within the letters has been assigned a reference number that corresponds to the number assigned to each response. For reference and as required by CEQA Guidelines Section 15132(c), a list of the persons, organizations and public agencies who submitted comment letters is presented below.

Comment No.	Agency or Person	Comment Date	Page No.
1	Jan Kedwards	February 21, 2018	4-2
2	County of Fresno, Department of Public Health	March 21, 2018	4-8
3	George Leighton Allen	April 2, 2018	4-11
4	Fresno Irrigation District	April 4, 2018	4-15
5	State of California, Department of Transportation (Caltrans)	April 5, 2018	4-31
6	Mitchell Chadwick/Suburban Propane	April 6, 2018	4-36
7	Fresno Metropolitan Flood Control District (FMFCD)	April 11, 2018	4-40
8	San Joaquin Valley Air Pollution Control District	April 19, 2018	4-46

Jan Kedwards Email Comments

[MESSAGE 1]

From: Jan Kedwards [<mailto:jankedwards@gmail.com>]

Sent: Wednesday, February 21, 2018 9:38 AM

To: Bryan Araki <BryanA@ci.clovis.ca.us>

Subject: Medical Center Expansion

Good morning,

Our home backs up to the Enterprise Canal directly behind the medical center. We received your notice yesterday and are very disheartened by it. This will have extremely negative effects on this area including everything mentioned in your “Potential Project Impacts”. Even though you state that some of these significant effects “could be reduced to insignificance by mitigation measures”, in reality there isn’t anything they can do to mitigate the aesthetic effects when replacing the still somewhat rural feel with more concrete and asphalt no matter how nice they think their buildings are.

You are admitting that “greenhouse gas emissions and increased noise levels from traffic sources” can not be reduced to insignificant. These things will have a significant effect on the quality of life for the residences in the area and possibly a significant effect on the value of our properties.

1-1
Something you didn’t mention is the significant noise levels from the continued construction. It’s bad enough that we have to listen to it all day long within the noise ordinance allowances, but we have to start listening to it far, far sooner than 6:00 a.m. during the summer and 7:00 a.m. in the winter and 9:00 a.m. on the weekends. I have literally heard the beeping of a vehicle backing up in the equipment yard as early as 3:15 a.m. and a starting time of 4:00 a.m. for construction is not abnormal at all.

Why does the noise ordinance not apply to the medical center’s contractors? The construction equipment yard backups to the Enterprise Canal at our property, so I am hyper aware of the lights and the noises from that area.

This whole issue is very concerning for us and the first thing we tried to do was to review the Draft EIR online as directed and we couldn’t find it. Would you please email us instructions on how to get to it from www.cityofclovis.com.

Thank you,

Jan Kedwards

[MESSAGE 2]

On Feb 21, 2018, at 10:40 AM, Bryan Araki
<BryanA@ci.clovis.ca.us> wrote:

Hi Ms. Kedwards,

Thank you for your comments. The EIR can be found at the following link:
<http://www.ci.clovis.ca.us/Departments-Services/Planning-and-Development/California-Environmental-Quality-Act>

Also, I will immediately address the construction start times.

1-2

Sincerely,

Bryan Araki
City Planner

City of Clovis Planning Division
1033 Fifth Street
Clovis, California 93612
Ph. (559) 324-2346
bryana@cityofclovis.com

[MESSAGE 3]

From: Jan Kedwards [mailto:jankedwards@gmail.com]
Sent: Wednesday, February 21, 2018 1:38 PM
To: Bryan Araki <BryanA@ci.clovis.ca.us>
Subject: Re: Medical Center Expansion

Hi Bryan,

Thank you for the link and possibly doing something about the early construction start times.

1-3

After reviewing the plan, there is nothing but really bad news for us. On Figure 3.1 - CCMC Expansion Area Photos the #10 arrow lines up exactly with our property. One of our new views in the next couple of years is going to be the parking garage. I couldn't find anything as to how many stories the parking garage is going to be or whether or not it is going to be completely enclosed. If it's not enclosed we will be subject to the noises of car doors opening and closing and people conversing while walking to and from their vehicles, in addition to an ugly view. Please tell me how many stories the parking garage is going to be; whether or not it is going to be fully enclosed and confirm for me that the helistop is not going to be moved to the top of the garage.

Thank you,

Jan Kedwards

[MESSAGE 4]

On Feb 21, 2018, at 2:41 PM, Bryan Araki
<BryanA@ci.clovis.ca.us> wrote:

Hi Jan:

The hospital campus has undergone several amendments to address growth within their campus since it moved to this location. The proposed parking garage was approved adjacent to the Enterprise Canal in 2008 . The new proposal moves the garage further from the neighborhood to the west side of the internal looped road. The issue of lights, visibility and height were all brought up at the time from some of your neighbors. The height will be the same as their existing garage.

1-4

Although there are new buildings proposed on the campus, most were approved in previous EIR's. Much of the current EIR addresses development on the west side of Temperance Avenue and south of Herndon Avenue.

The helistop is proposed to be moved. We went through significant discussion in the 2008 EIR and the result was that the hospital decided to leave it in its place.

Hope this clarifies.

Bryan

[MESSAGE 5]

From: Jan Kedwards <jankedwards@gmail.com>
Subject: Re: Medical Center Expansion
Date: February 21, 2018 at 4:24:46 PM PST
To: Bryan Araki BryanA@ci.clovis.ca.us

Hi Bryan,

We purchased our home on Traverse in October, 2008. We went to subsequent meetings regarding the expansion. What I recall is the parking garage was going to be south of us. If it was going to line up with our property, I would certainly remember that. I know there was a map of the plan posted on the internet at the time but I'm not able to find it now. Would you please send me the link to that map to help refresh my memory.

1-5

You didn't address whether the garage is going to be a fully enclosed structure. Is it?

I do clearly recall the discussions about the helistop. It made a big impression on me because at some point it was proposed that it be between our property and the property directly to our south, where the equipment yard is now. That was going to be a temporary location until the parking garage was built and then the helistop was going to be on the top of the parking garage. There wasn't a single Traverse resident that agreed that it should be on the east side of the medical center's property but that didn't concern the City of Clovis or the medical center's owners. Where is the proposed new location of the helistop?

1-5

I also remember that the medical center committed to planting trees along the eastern border of their property. That hasn't happened except at the very northern end of the property. Had they planted the trees, the negative impact of the new structures going in would not be so substantial for residents along the eastern border.

I look forward to your response.

Jan

[MESSAGE 6]

From: Jan Kedwards [mailto:jankedwards@gmail.com]
Sent: Wednesday, February 21, 2018 5:47 PM
To: Bryan Araki
Subject: 2008 Plan Map

Bryan,

I don't need the link from you for the 2008 plan. I found a pdf of it. My recollection was 100% correct. The parking garage was going to be south of us, not at all in our view. The parking garage was also going to be operational in 2030, ten years later than what is being proposed now.

1-6

My husband and I have been married for fifty years. The last twenty-five years we've sacrificed doing fun things, going on vacations or relaxing, to instead work on our homes to build sweat equity. That hard work and those sacrifices are most likely going to be all for naught now because of Clovis Community Medical Center and the City of Clovis. I can't believe that having a three story garage with a helicopter pad on top of it, within yards of our property and in clear view, is not going to significantly diminish the value of our property. We'll be lucky now if we can even get out of this property what we have into it. The sweat equity that we've worked so hard for all those years, so that we could have a nice home in our golden years, is now probably gone. We're the little guys though, so there's nothing we can do about it.

Jan

Response to Jan Kedwards

Response 1-1

As a background note, this comment consists of a series of email messages between Jan Kedwards, a neighboring property owner, and Bryan Araki, City Planner for the City of Clovis.

In her initial email to the City of Clovis, Ms. Kedwards identifies the location of her residence and states concerns regarding aesthetic impacts and a conversion of the “still somewhat rural feel” of the area. The concerns regarding aesthetics are addressed in Response 1-3. The comment also notes, as concluded in the Draft EIR, that certain impacts related to Greenhouse Gas Emissions and Noise cannot be reduced to an insignificant level. While the significant and unavoidable impacts of the project are acknowledged, the environmental review process allows for such impacts to be weighed by decision-makers against the benefits of the proposed project.

Response 1-2

This is the response that was provided by the City of Clovis to address Ms. Kedwards’ first email in which she expressed concerns about construction noise during early-morning hours and issues with accessing a copy of the Draft EIR. Mr. Araki’s reply included a link to an electronic copy of the Draft EIR and a statement indicating he would address the construction start times.

Regarding the concern about early-morning construction noise, Mr. Araki contacted Community Medical Providers to obtain information about past construction activities occurring outside of daytime hours. Staff from Community Medical Providers responded that the early-morning construction noises identified in Ms. Kedwards’ letter could have occurred during construction of CCMC’s Cancer Center building, which apparently involved a specific lengthy concrete pouring process that was required as part of the project’s design. Going forward, it is recommended that Community Medical Providers adopt and abide by a policy of notifying nearby property owners of any activities that are to occur outside of the normal range of construction hours (7:00 a.m. to 7:00 p.m.), in addition to adhering to Mitigation Measure NO-1, which limits construction to those hours except for activities that would result in a safety concern to the public or construction workers.

Response 1-3

The comments here identify concerns about adverse aesthetic impacts of the parking structure and noise generated from operation of the parking structure. The parking structure will be three stories in height and will not be enclosed. However, the parking garage will be located a substantial distance from Ms. Kedwards’ property--approximately 1,000 feet west of her home and approximately 730 west of her rear property line. In addition, a planned medical office build will be constructed between the parking garage and Ms. Kedwards’ property. Regarding aesthetics, the parking structure would be sited within the horizon of CCMC’s existing development and would be consistent with the size and form of buildings currently present at the campus. Additionally, no changes are proposed regarding the hospital’s helistop; it will not be moving from its current location on the ground at the southern p.

Noise generated from operation and use of the parking structure is addressed under Impact NO-3 (Chapter 15, page 15-20 of the Draft EIR) and in the Noise Analysis prepared for the project. Predicted peak-hour noise levels at the nearest residential land use located to the east of the proposed parking

structure are estimated be approximately 30 dBA L_{eq}, and predicted average-daily noise levels at this nearest residence are estimated to be approximately 37 dBA CNEL or less. The predicted noise levels at nearby land uses would not exceed the City's exterior or interior noise standards of 65 and 45 dBA CNEL, respectively, and would be largely masked by ambient noise levels. (Also see Response 1-2, which addresses noise from construction activities and the timing of construction activities.)

Response 1-4

In this email, Mr. Araki provides clarification as to the relationship between the current proposed Project and a prior expansion of the CCMC campus which was approved in 2009 (note: the email references the year 2008 when the prior expansion project was submitted to the City of Clovis, but it was not actually approved until 2009). As noted in the email, most of the planned development on the east side of the CCMC campus was encompassed in the 2009 CCMC expansion EIR.

Regarding the location of the parking structure, Mr. Araki clarifies that the prior expansion entailed locating a parking structure adjacent to the Enterprise Canal in the southeast portion of the campus (about 500 feet southwest of Ms. Kedwards' property), while the current project entails locating the parking structure further from the homes east of the Enterprise Canal and closer to existing CCMC buildings on the west side of the internal looped road (see Figure 2.3 of the Draft EIR for more detail).

The helistop location will not be moved from where it is now.

Response 1-5

This email primarily discusses the proposed project in comparison to the prior CCMC expansion which was approved in 2009.

Responses 1-3 and 1-4 address the parking structure's location and design and the fact that the helistop will not be moved from where it is now located.

The 2009 EIR included a mitigation measure requiring trees to be planted along the eastern boundary of the property if the citrus trees were removed. The City will require this to be implemented.

Response 1-6

The comments regarding the location of the parking structure is addressed in Responses 1-3 and 1-4. The 2009 expansion included a ten-year plan and a long range plan for up to 25-30 years in the future. This means that the long range improvements could be installed any time after ten years and up to 25-30 years. Thus, under the long range plan and counting from 2009, the parking garage could have been built any time between 2019 and 2039, and not specifically 25-30 years from approval of the prior expansion.

The remainder of the email primarily expresses concern about how the project may affect the value of the Kedwards' property. Without an appraisal to indicate current value as compared to prior value, this contention is speculative and unsupported. It is noted that a project's potential impact on the value of a neighboring property is an economic impact that does not require evaluation under CEQA.



County of Fresno

DEPARTMENT OF PUBLIC HEALTH

David Pomaville, Director
Dr. Ken Bird, Health Officer

Comment Letter 2

March 21, 2018

LU0019360
2604

Bryan Araki, City Planner
City of Clovis
Planning and Development Services Department
1033 Fifth Street
Clovis, CA 93612

Dear Mr. Araki:

SUBJECT: Notice of Availability of Draft Environmental Impact Report (DEIR)-
Clovis Community Medical Center Expansion & Herndon Avenue Widening Project
PROJECT: SCH#2016101005
LOCATION: Clovis Community Medical Center (Herndon Avenue between Temperance & Dewolf Avenues)

The Fresno County Department of Public Health, Environmental Health Division has reviewed the Draft Environmental Impact Report (DEIR) documentation for the proposed Clovis Community Medical Center expansion and Herndon Avenue widening project on approximately 148 acres located on the north and south sides of Herndon Avenue, east and west of N. Temperance Avenue and offers the following comments for consideration for the DEIR project:

Hazards and Hazardous Materials Section

2-1 The hazardous materials section should address potential hazards and hazardous materials during construction and grading activities, there is potential for discovering abandoned underground petroleum storage tank(s). If this occurs, the applicant shall apply for and secure an Underground Storage Tank Removal Permit from the Fresno County Department of Public Health, Environmental Health System. Contact the Certified Unified Program Agency at (559) 600-3271 for more information.

2-2 Similarly, abandoned sewage disposal systems may be discovered during construction and grading activities. All abandoned sewage disposal systems within the unincorporated County shall be properly destroyed under permit and inspection from the Department of Public Works and Planning, Building and Safety Section.

Hydrology and Water Quality Section

2-3 The Hydrology and Water Quality Section should address the manner in which existing water wells, both domestic and agricultural, will be handled in areas of the proposed project. Areas served by individual domestic and agricultural wells may provide a conduit to groundwater if not properly protected or destroyed. Improper abandonment of such wells presents a significant risk of contaminating groundwater. For this reason, when development occurs, it is extremely important to ensure the safe and proper destruction of all abandoned water wells.

Promotion, preservation and protection of the community's health

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REVIEWED BY:

Kevin

Tsuda

Kevin Tsuda, R.E.H.S.

Environmental Health Specialist II

(559) 600-3271

cc: Steven Rhodes- Environmental Health Division (CT. 59.07)
 Ryan Burnett- Management Analyst (RyanB@ci.clovis.ca.us)
 Scott B. Odell- Consultant (scott@odellplanning.com)

Response to County of Fresno, Department of Public Health

Response 2-1

Review of existing federal and state databases and the land use history of the site did not reveal any hazardous materials issues. However, the City acknowledges that in the unlikely event of discovering an abandoned underground storage tank during construction, the applicant would be required to secure an Underground Storage Tank Removal Permit from Fresno County Environmental Health System.

Response 2-2

The City acknowledges the any abandoned sewage disposal systems discovered during construction in unincorporated County territory would be required to be properly destroyed under permit and inspection from the Department of Public Works and Planning, Building and Safety Section.

Response 2-3

The City is not aware of any existing wells that would be affected by project development but acknowledges that improper abandonment of wells presents a significant groundwater contamination risk. Any wells to be abandoned would be handled in accordance with state and local regulations requiring proper closure.

Comment Letter 3

April 2, 2018

George Leighton Allen
7027 N. DeWolf Ave.
Clovis, CA 93619

Bryan Araki, City Planner City of Clovis, Planning & Development Services
1033 Fifth Street
Clovis, CA 93612
Bryana@cityofclovis.com

Re: Herndon Ave. Widening Project

Since Herndon Ave. is being turned into a major thoroughfare through Clovis AND DeWolf Ave. has become the largest feeder street unto the large Loma Vista development, my property is bearing much of the risk to these expansions. As I view this, the widening proposal is not being done correctly, and the creation of a “choke point” at the Enterprise Canal is concerning. As I read this, the widening project is NOT going far enough to ensure smooth traffic and safe flow of fast moving cars.

3-1

I live at the corner of Herndon and DeWolf Ave., and I have great concerns over the attempt to widen Herndon to the southern leg of DeWolf Ave. The increased environmental, noise, and safety issues to my property and family are not being addressed correctly.

Below are my concerns:

3-2

Environmental: The pollution from increased cars is not being mitigated. Your report states in table 5.5 that my house levels for NOx will be 60.8, CO will be 43.2, and PM10 will be 8.0. These exceed California standards and will put my family to additional health risk if not mitigated correctly.

3-3

Noise: Noise pollution is already higher than previous years, but will only become worse with your widening project. Your current study states levels will be as high as 79 dBA in traffic and 68 dBA within 50 feet of the DeWolf intersection. My house is 50 feet from this intersection and this is concerning. Studies show that noise levels above 60 dBA have detrimental medical and hearing effects on most populations.

3-4

We agree with the report that, “A large object or barrier in the path between a noise source and a receiver can substantially attenuate noise levels at the receiver.” (15-2) I see no plans to mitigate this noise.

Safety: The choke point will create MANY MORE accidents. Your proposal is creating a safety hazard against my fence and property. Currently, the corner of Hendon and DeWolf has a major

accident every 3 months as people try to pass at the left turn on Herndon. This creating of a new choke-point at the Enterprise Canal Bride will put all these accidents into my back-yard.

3-4

Your studies show that >1000 cars cross next to my back yard every hour in 2016, and all have to protect my family is a chain-link fence. Cars repeatedly hit this fence now, and your project is not dealing with this increased safety risk. As the number doubles into the next year, what is being done to protect the family and play and the animals I keep along Herndon?

3-5

Conclusion: We ask that this project be better planned on how expansion and traffic will be ruined on either side of the Enterprise Canal Bridge. We ask that a re-do of the Herndon Expansion be considered to take into these issues raised above.

Thank you for your consideration,



George Leighton Allen, Jr.

Response to George Leighton Allen

Response 3-1

The first two paragraphs consist of introductory information that identifies the location of Mr. Allen's property and introduces the scope of Mr. Allen's concerns regarding the proposed widening of Herndon Avenue (i.e. air quality, noise, traffic/safety). The responses below address these concerns.

Response 3-2

Table 5.5 referred to in the comment letter provides information on average daily construction generated emissions. It indicates that uncontrolled average daily emissions for the Herndon Avenue widening in pounds per day will be 6.4 for ROG, 60.8 for NOX, 43.2 for CO, 0.0 for SO₂, 8.0 for PM₁₀, and 3.2 for PM_{2.5}. The San Joaquin Valley Air Pollution Control District's significance threshold per day for each of these pollutants is 100 pounds per day. The project is substantially under the significance thresholds for these pollutants. Regarding long term operational air pollutant emissions, a substantial component of which is mobile source emissions (motor vehicles), the Draft EIR concluded that the impact would be less than significant with the implementation of the mitigation measures provided in the document.

Response 3-3

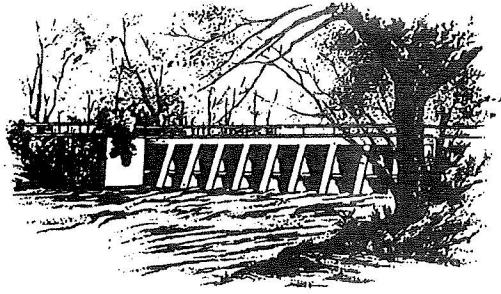
As discussed in Draft EIR Chapter 15, Noise, Mitigation Measure NO-2 would require the preparation of an acoustical analysis for the widening of Herndon Avenue once detailed plans for lane configurations and alignments become available. The acoustical analysis would be required to evaluate changes in traffic noise levels in comparison to the City of Clovis General Plan noise standards, and noise-reduction measures (e.g., sound walls) will be evaluated and implemented where feasible. The Draft EIR determined traffic noise associated with the widening of Herndon Avenue would be considered significant and unavoidable because in some instances the use of noise-reduction measures, such as sound walls, may not be feasible due to the need to preserve access to noise sensitive properties. However, for some properties, the addition of a noise barrier may be beneficial. The required acoustical analysis will determine this.

Response 3-4

The widening of Herndon Avenue is necessary as an implementation of the Clovis General Plan's designation for the roadway as an arterial street to handle projected additional traffic due to planned growth in accordance with the adopted General Plan. A "choke point" where the roadway would narrow to two lanes west of the Enterprise Canal Bridge is not expected to develop. However, if traffic were to back up, it would occur substantially west of Mr. Allen's residence (west of the bridge), as it is eastbound traffic that would be heading into the narrowing roadway. Traffic traveling west would not back up because the roadway would be widening. Thus, the new configuration of the roadway would not create a substantial additional safety issue in relation to Mr. Allen's property.

Response 3-5

The text here consists of summary/concluding remarks from Mr. Allen's letter. No additional response is necessary.



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FRESNO, CALIFORNIA 93725-2208

April 4, 2018

Comment Letter 4

Bryan Araki
City of Clovis
Department of Planning and Development Services
1033 Fifth Street
Clovis, CA. 93612

RE: Notice of Availability of a Draft Environmental Impact Report for Clovis Community Medical Center Expansion and Herndon Avenue Widening Project
FID Facilities: Enterprise No. 109, Clovis No. 115

Dear Mr. Araki:

The Fresno Irrigation District (FID) has reviewed the Draft Environmental Impact Report for Clovis Community Medical Center Expansion and Herndon Avenue Widening Project. Clovis Community Medical Center Expansion consists of 148 acres in size and lies within the north and south sides of Herndon Avenue, east and west of Temperance Avenue, within Fresno County. The Herndon Avenue Widening Project would extend from Temperance Avenue on the west to the southern leg of DeWolf Avenue on the east encompassing a distance of one-mile. FID's comments are as follows:

Impacted Facilities

1. FID has facilities within the project location as shown on the attached FID exhibit map. The major facilities are: Enterprise No. 109 and Clovis No. 115. FID's canals range from a medium diameter pipeline to a large open canal. In many cases, the existing facilities will need to be relocated to accommodate new urban developments which will require new pipelines and new exclusive easements. FID anticipates it will require the same conditions on future projects as it would with any other project located within the common boundary of the City of Clovis and FID.
2. FID's Enterprise No. 109 runs northwesterly, traverses the northern portion of the project location, as shown in the attached FID exhibit map. FID's records indicate a recorded easement for the affected portion of open channel, recorded on May 3, 1991 as Document No. 91052869, Official Records of Fresno County, and will be impacted by the proposed developments.

4-1

3. FID's Clovis No. 115 runs westerly along the north side of Herndon Avenue, traverses the southern portion of the Clovis Community Medical Center in a 30 feet wide exclusive easement (i) recorded November 21, 1961, as Document No. 85505, in Book 4639, on Page 430, Official Records of Fresno County. And (ii) November 22, 1961, as Document No. 85786, in Book 4640, on Page 38, Official Records of Fresno County, and will be impacted by the proposed developments.
4. FID's facilities that are within the project location carry irrigation water for FID users, recharge water for the City of Fresno and Clovis, untreated drinking water for the City of Fresno, and flood waters during the winter months.
5. FID requires that, within the limits of the proposed project [and its remainder], the landowner(s) grant an exclusive easement for the land underlying the Enterprise Canal and associated area along the canal required for maintenance pursuant to Water Code Section 22425 and FID policy, where FID does not currently have one. FID's District Canal Right-of-Way Requirements sheet is enclosed for your reference. The proposed easement (width) will depend on several factors including: 1) Width of canal, 2) height of canal banks, 3) final alignment of canal, 4) additional space needed where roads/avenues intersect canal, etc.
6. FID requires that the Engineer/Land Surveyor use the inside top hinge of the canal to define the edge of FID's right-of-way such that FID has a minimum 20 feet wide right-of-way along the top of bank to be clear of obstructions, structures, vegetation, etc. to provide clear passage and full width. There are no minimum or suggested numbers of survey shots to take but, there must be enough survey points such that the top inside hinge of the canal bank is properly identified. Before finalizing the Final Maps, the Engineer/Land Surveyor will need to stake both the inside top hinge and the right-of-way/property for FID Staff to field evaluate an adequate width. FID staff must field verify the right-of-way/property boundary and the hinge line edge before signing plans to ensure that there are enough survey points to properly define the canal.
7. Typically, for any type of development that impacts a large open canal or is adjacent to one such as the Enterprise No. 109, FID requires the developer/applicant to improve the canal with either concrete lining, encasing the canal in a box culvert, or other approved means to protect the canal's integrity for an urban setting. FID does not have sufficient information to determine what kind of improvements will ultimately be required as part of the development. The engineers working on the project and FID's engineering staff must meet to discuss specific requirements as discussed below. In order to meet the "urban" standards for the canal, FID will require the following minimum conditions:

4-1

- a. Channel Stabilization: The proposed plan does not indicate any improvements to the Canal. If the Developer is not willing to concrete line the Canal or place it underground within a box culvert, they must come up with another means acceptable to and approved by FID to protect the Canal's integrity. On similar projects, Developers typically propose the following:
- i. Surrounding Development – All proposed building pad elevations must be a minimum of 12-inches above the canal's high water.
 - ii. Freeboard – FID typically requires between 1.0 to 1.5 feet of freeboard. Because the Canal is used to route stormwaters, and is one of the larger canals used to convey the stormwater, FID will require a minimum of 1.5 feet of freeboard and a maximum of 2.0 feet. The Developer will be required to either import or export material to match FID's standards.
 - iii. Maintenance – this reach of Canal does have a history of high loads of sediment deposits which requires periodic dredging. FID will typically dredge the Canal and deposit the spoils on top of the banks to dry out. Once the spoil has dried, FID will flatten the spoil as time permits. The hauling off of this material may occur several weeks after the deposit has been placed on the side of the canal, and the silts may be considered a nuisance (sight and smell). If the Developer, Applicant and/or City require a different level of maintenance effort, they will need to enter into an agreement for that purpose. The Developer, Applicant, and/or City will be responsible to fund the "higher level" of maintenance.
- b. Drive banks/maintenance roads and encroachments (both banks):
- i. One or both of the drive banks must be sloped a minimum of 2% away from the canal with provisions made for rainfall. Drainage will not be accepted into the Canal and must be routed away from FID property/drive banks. Runoff must be conveyed to nearby public streets or drainage system by drainage swales or other FID acceptable alternatives. Any drainage systems or swales proposed must be located outside FID's property/easement.
 - ii. One or both of the drive banks shall be overlaid with 3 inches of Class II aggregate base for all-weather access and for dust suppression. Aggregate to be a minimum of 20 feet wide along the top of the drive banks.

- iii. Encroachments - All existing trees, bushes, debris, fencing, and other structures must be removed within FID's property/easement.
8. Trail - It is FID's understanding that a trail is master-planned along the Enterprise Canal. As with other developments with trails proposed along the canals, FID will not allow the trail to encroach/overlap FID's canal easement. The following requirements are intended for trail projects adjacent to FID-owned properties and right-of-ways for open canals:
- FID will not allow the trail easement to be in common use with FID-owned property or easements.
 - FID requires all trail improvements be placed outside of FID-owned properties and easements.
 - FID will not allow any portion of a tree canopy to encroach within its properties or easements.
 - FID's canals will not accept any drainage from the trail or the canal bank.
 - FID may require some improvements be made to the canal depending on the existing canal condition, the proposed trail, and the adjacent development.
9. If a fence will be installed between the development and open canal, a block/masonry wall shall be required. Chain-link and wood fencing will no longer be accepted for urban developments.

Water Impact

- 4-2
- It appears the land within the Project Area for the medical center lies within the limits of the City of Clovis, however, eastern portion of the Herndon Avenue Project lies outside the limits of the City of Clovis.
 - The potential for increase in water consumption by the project will result in additional groundwater overdraft. There is a significant cone of depression beneath the City of Clovis. FID is concerned that the increased water demand due to a change in land use will have a significant impact to the groundwater quantity and/or quality underneath the City of Clovis, FID and the Kings Groundwater Sub-basin. The "demand" side of water consumed needs to be evaluated or scrutinized as much as the "supply" side of the water supply. The area was historically native, rural residential, and agricultural with minimal to no water use. Under current circumstances the project area is experiencing a modest but continuing groundwater overdraft. Should the proposed expansion result in a significant increase in dependence on groundwater, this deficit will increase. FID recommends the City of Clovis require the proposed development balance anticipated groundwater use with sufficient recharge of imported surface

water in order to preclude increasing the area's existing groundwater overdraft problem.

- 4-3
- 3. As noted in the Draft EIR, California enacted landmark legislation in 2014 known as the Sustainable Groundwater Management Act (SGMA). The act requires the formation of local groundwater sustainability agencies (GSAs) that must assess conditions in their local water basins and adopt locally-based management plans. FID and the City of Clovis are members of the North Kings Groundwater Sustainability Agency which will manage the groundwater basin within the FID service area. This area is in an overdrafted groundwater basin and SGMA will impact all users of groundwater and those who rely on it. The City of Clovis should consider the impacts of the development on the City's ability to comply with the requirements of SGMA.

4-4

 - 4. The Clovis Community Medical Center Expansion and Herndon Avenue Widening Project (*Responsible Agencies* page 2-7) states that "The Fresno Irrigation District must review and approve any project improvements that may encroach or adversely affect the Enterprise No. 109". This statement must be revised to state. "FID requires its review, approve and be made a party to signing all improvement plans which affect its property/easements and canal/pipeline facilities including, but not limited to Sewer and Water, FMFCD, Street, Landscaping, Dry Utilities, and all other utilities".

4-5

 - 5. The Clovis Community Medical Center Expansion and Herndon Avenue Widening Project (*Hydrologic Settings* page 12-1) states that the Enterprise Canal is maintained by the Fresno metropolitan flood control district. This is incorrect, the Fresno Irrigation District (FID) owns, operates, and maintains this facility.

4-6

 - 6. This same section, *Irrigation Systems Integration* on page 4.15-32, also states that whether a canal is left as-is, improved, or replaced with a pipeline is determined by the developer of the project. This is not true. The City of Clovis Municipal Code requires all irrigation or drainage canals of a capacity which can be accommodated by a pipeline having an inside diameter of fifty-four inches or less will be required to be piped and trash racks be installed at all newly constructed headwalls or pipe inlets. It should also be noted that all work, whether left as canal or piped, must be improved to meet FID's standards and requirements for an urban setting.

4-7

 - 7. Discharges into FID Canals – FID will not allow any discharges into the canals for numerous reasons, including but not limited to: Federal/ State/Local regulations, FID's Rules and Regulations, and the potential negative impact to water quality. All new and existing discharges and runoff must be routed to FMFCD storm drain facilities.

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4-7

 - 7. Discharges into FID Canals – FID will not allow any discharges into the canals for numerous reasons, including but not limited to: Federal/ State/Local regulations, FID's Rules and Regulations, and the potential negative impact to water quality. All new and existing discharges and runoff must be routed to FMFCD storm drain facilities.

Agricultural Land Impact

- 4-8
1. The FID water allocated to the agricultural land within FID boundary would be converted onto City water rates, as required, by the current agreement and any subsequent agreement or agreements between the City and FID.
 1. The proposed land use (or change in land use) should be such that the need for water is minimized and/or reduced so that groundwater impacts to the proposed project area and any surrounding areas are eliminated.
 3. California enacted landmark legislation in 2014 known as the Sustainable Groundwater Management Act (SGMA). The act requires the formation of local groundwater sustainability agencies (GSAs) that must assess conditions in their local water basins and adopt locally-based management plans. FID and the City of Clovis are members of the North Kings Groundwater Sustainability Agency which will manage the groundwater basin within the FID service area. This area is completely reliant on groundwater pumping and SGMA will impact all users of groundwater and those who rely on it. The City of Clovis should consider the impacts of the development on the City's ability to comply with requirements of SGMA.

Road Improvement Impact

- 4-11
1. There will be many FID canals impacted by future road improvements to meet the traffic demands. Significant effort will be required to allow for such growth and expansion in a manner that allows FID to maintain and operate its facilities in an efficient and effective manner.
 2. Herndon Avenue will not be able to be expanded to the north because of the Enterprise No.109 Canal. All expansions of Herndon Avenue must be located on the south side of the road or the canal be relocated and reconstructed to accommodate the necessary expansion(s). FID requires a 20 feet wide right-of-way for operations and maintenance on both sides of the canal (which currently FID does not fully have). As the area develops under the City of Clovis and the traffic increases, it will be significantly more difficult and hazardous for FID to maintain and operate the Enterprise Canal without road closures and/or traffic control unless the canal right-of-way is in place. The City needs to consider these issues in development, traffic and road improvements, need for any turn lanes, etc. for the future growth in the area and the expansion of Herndon Avenue. All right-of-way and easements necessary for the full build-out of the area must be obtained now as a part of this development.

Parks and Recreation Impact.

- 4-13
1. It is our understanding that some of the parks and trails are planned near FID canals which raise concerns for FID operation and maintenance as well as liability. Parks and trails adjacent to FID facilities will increase the public

exposure to FID's water conveyance system(s) and public safety and liability concerns increase significantly unless properly mitigated. As seen in recent court cases, the trail immunity provision does not really provide any protection for the trail agency or adjacent properties. The trail, as well as parks, are expected to be free and clear of any and all hazards whether from along the trail or adjacent areas.

2. Protective measures must be considered and provided when planning for parks or trails close to FID open channels. FID is supportive of the City's efforts to provide these open space amenities and is open to discussing various alternatives to provide for public safety. In all situations where the park and/or trail are near FID facilities, there is a need to have a master indemnification agreement between the agencies which protects and indemnifies FID from the public exposure created as a result of the City amenity.
3. As you may be aware, FID is currently working with the City on various tracts within the City where trails have been planned adjacent to FID's right-of-way. While we are earnestly working with City staff on the concerns and issues with the City, there are significant issues and challenges to be resolved.

FID's most significant concerns on trails and parks near or adjacent to FID canals, are as follows:

- a. Liability/Indemnification – The City will need to indemnify and defend FID from any claims arising from the use of the trails and parks located near, adjacent to, or on FID facilities.
- b. FID's Ability to Perform Operations and Maintenance – Impacts to FID's ability to maintain and operate the canal facilities must be mitigated or minimized to the extent possible. Most of the canals impacted are the larger main canals, including the Enterprise, Gould, and Big Dry Creek canals, are significant features, and require substantial effort to maintain and operate. FID appreciates the City's work and effort in getting the smaller conveyance facilities placed in underground pipelines at the time of development.
- c. Right-of-Way/Property Issues – Legal title or easement rights for the FID facilities need to be provided or obtained.
- d. Design Standards – All improvements must be planned and constructed to not interrupt, interfere, or obstruct FID's ability to maintain and operate its facilities. Parks and trails will be required to be set back a certain distance from the canal and provided a physical barrier, to the extent warranted.

- 4-13
- e. Additional Costs as a result of the proximate trails and parks – The creation of a public trail or park adjacent to or near FID's canal system will result in additional burdens and costs to FID which will need to be mitigated and/or compensated.
 - 4. When trails and/or parks are planned where there exists FID above-ground structures, FID will require City to provide protective fencing and/or features around the FID structures to ensure public safety. As you are aware, FID's systems were originally designed for an agricultural setting and not the public exposure created by urbanization. As part of a development or redevelopment and when possible, FID's facility should be relocated and realigned, or at a minimum protected, such that conflicts between the urban uses and FID facilities are minimized.

General Comments

- 4-14
- 1. FID requires permanent drive approaches to access the Herndon Canal. Subject to the impact of the proposed project, FID's ability to access the canal may be impacted and/or impaired. In order to access the maintenance road with our larger equipment, FID requires a larger drive approach. FID's minimum access requirement off major roadways is 50 feet from edge of right-of-way narrowing to 20 feet wide drive banks (See attached "Drive Approach in Urban Areas" Detail No. 62). The 50 feet in width is defined as starting from the end portion of the bridge/railing outward (away from the bridge). In certain circumstances, a minimum 35 feet wide setback, to allow safe and adequate access has been accepted. Every road and canal intersection is different and therefore each access will be different. The major factors affecting the proposed width will be the angle of the road intersecting the Canal, grade of canal bank vs. County road, median vs. no median, etc.
 - 2. FID requires its easements be shown on all maps/plans with proper recording information, and that FID be made a party to signing the final map.
 - 3. FID requires it review, approve and be made a party to signing all improvement plans which affect its property/easements and canal/pipeline facilities.
 - 4. FID assumes that all utilities will be located within the road right-of-way. FID's existing easements are exclusive and therefore FID will not allow any proposed utilities to be within its right-of-way/easement. FID's requirements will substantially change if any utilities are located within FID's right-of-way/easement.
 - 5. FID requires it review, approve and be made a party to signing all improvement plans which affect its property/easements and canal/pipeline facilities including,

but not limited to Sewer and Water, FMFCD, Street, Landscaping, Dry Utilities, and all other utilities.

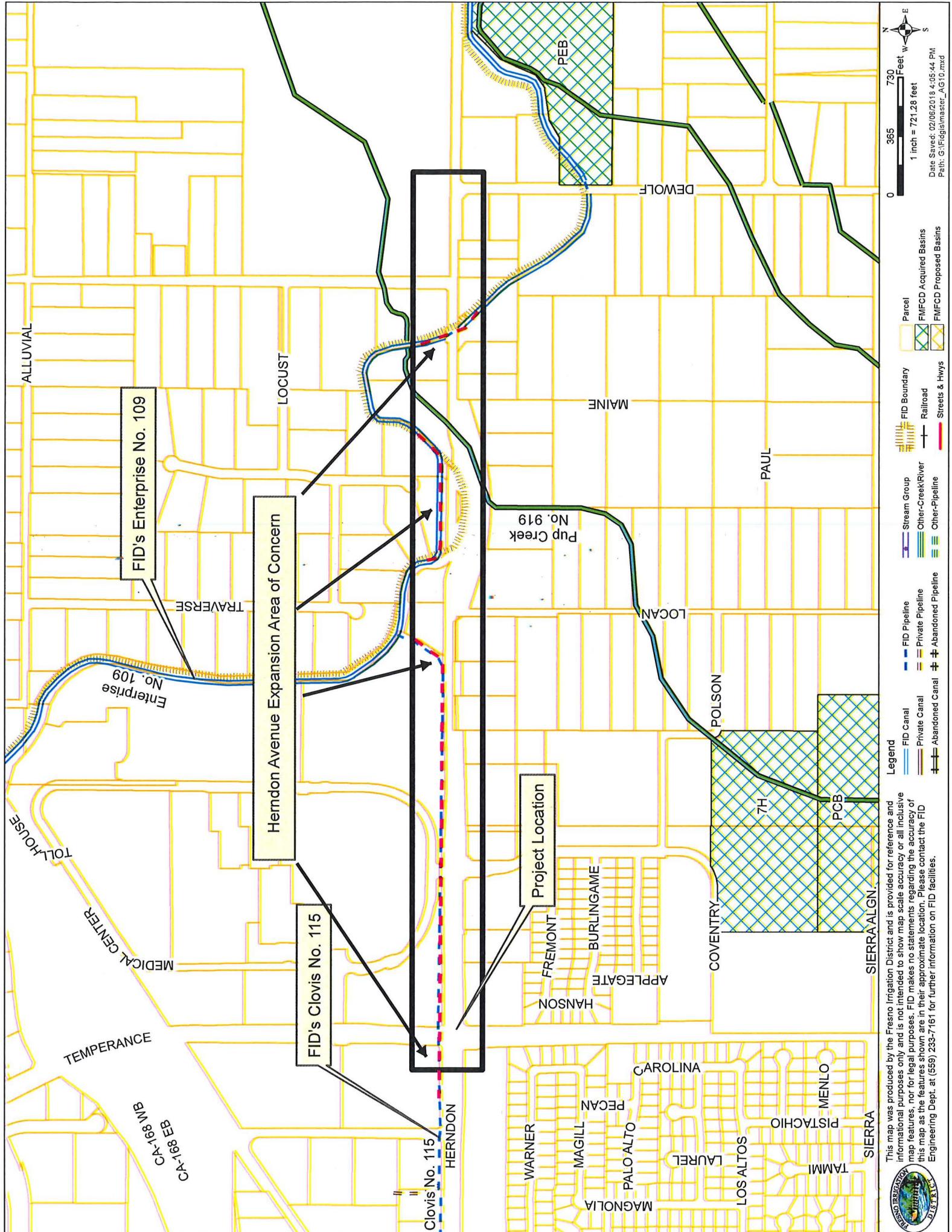
6. FID does not allow FID owned property or easements to be in common use with public utility easements but will in certain instances allow its property to be in common use with landscape easements if the City of Clovis enters into the appropriate agreement with FID. FID requires all block walls, fences, and footings to be located outside of its property and easement.
7. FID's Engineering Department, (559) 233-7161, shall be notified 48 hours prior to construction affecting FID's facilities. No work shall begin without Contractor first obtaining an FID Permit to Work within Easement and Right-Of-Way. FID will require a permit for each crossing.
8. As with most developer projects, there will be considerable time and effort required of FID's staff to plan, coordinate, engineer, review plans, prepare agreements, and inspect the project. FID's cost for associated plan review will vary and will be determined at the time of the plan review.
9. The above comments are not to be construed as the only requests FID will have regarding this project. FID will make additional comments and requests as necessary as the project progresses and more detail becomes available.

Thank you for submitting this for our review. We appreciate the opportunity to review and comment on the subject documents for the proposed project. If you have any questions, please feel free to contact Jeremy Landrith at (559) 233-7161 extension 7407 or jlandrith@fresnoirrigation.com.

Sincerely,



Laurence Kimura, P.E.
Chief Engineer



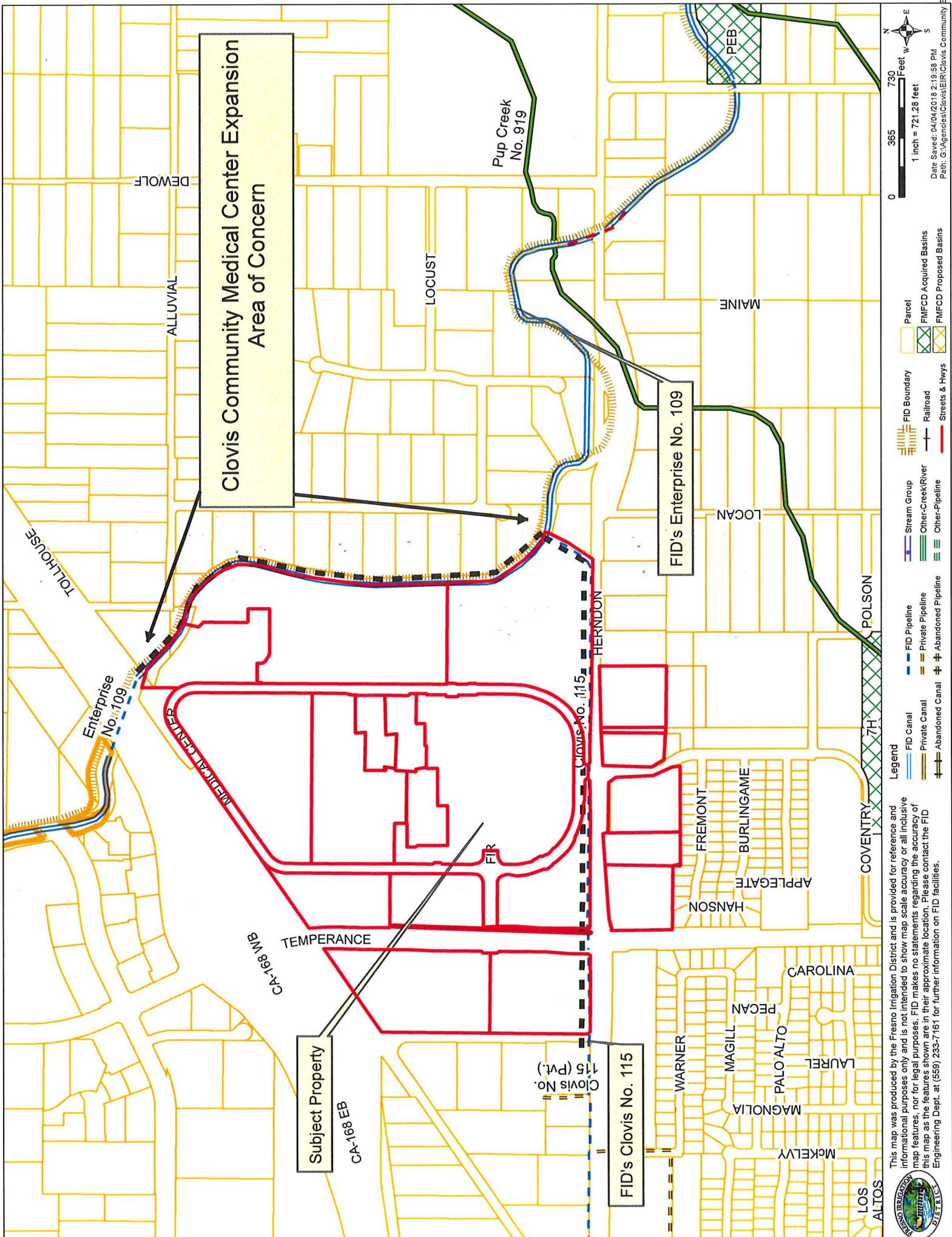
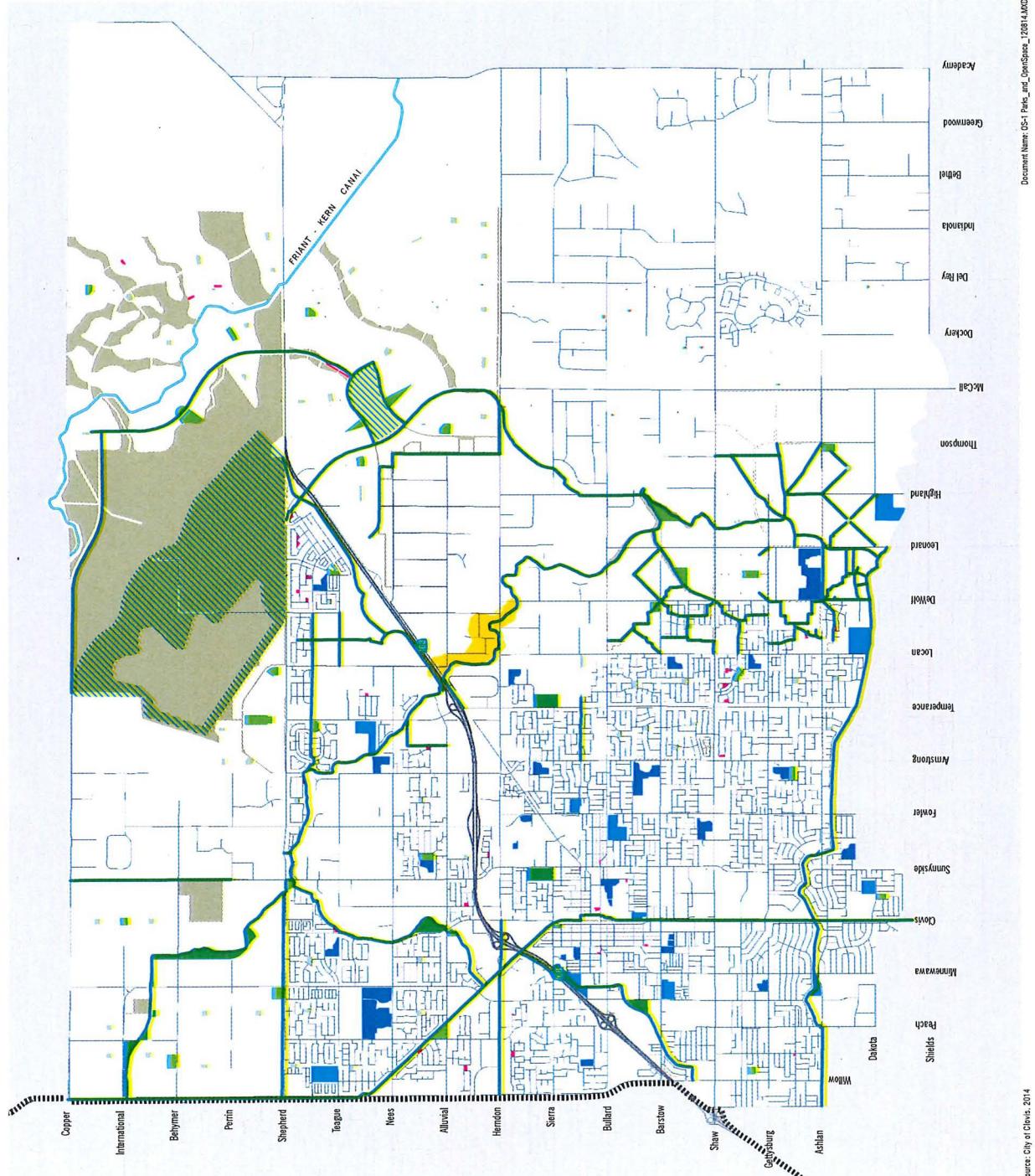
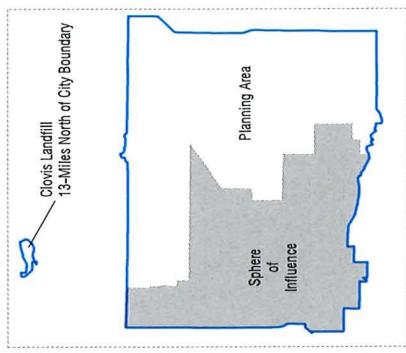


Figure OS-1
Parks & Open Space



Note:
For complete bike and trail network refer to Figure C-2 - Bicycle and Trails System.



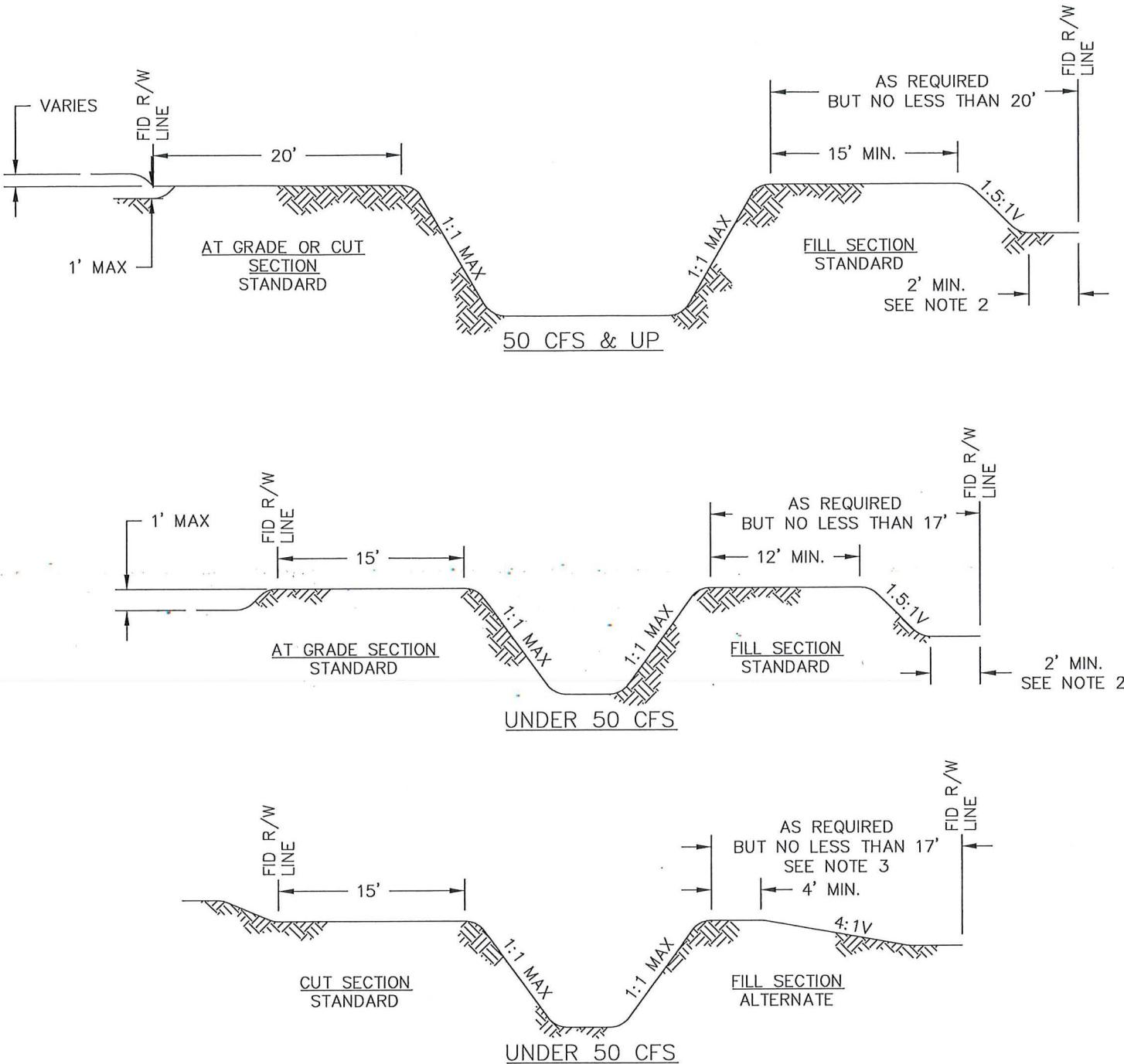
CLOVIS
GENERAL PLAN



PLACEWORKS

Document Name: OS-1 Parks_and_OpenSpace_120814.MXD

Source: City of Cleveland, 2014



NOTES:

1. ALL PRIVATE FACILITIES TO BE LOCATED OUTSIDE FID RIGHT-OF-WAY
2. ADD 2 FEET TO EMBANKMENT WIDTH TO ESTABLISH OVERALL RIGHT-OF-WAY WIDTH TO ACCOMMODATE GRADER BLADE CLEARANCE.
3. THE ALTERNATE SECTION CANNOT BE USED IF THE OVERALL WIDTH EXCEEDS THE STANDARD WIDTH AND IS PERMITTED ONLY WHEN DISTRICT OPERATIONS AND MAINTENANCE FUNCTIONS DO NOT REQUIRE A STANDARD ROADWAY.



FRESNO IRRIGATION DISTRICT

"Your Most Valuable Resource - Water"

CANAL RIGHT-OF-WAY

SCALE: NOT TO SCALE

DATE: JANUARY 2018

STANDARD DETAIL

1-01

SHEET 1 OF 1

Response to Fresno Irrigation District (FID)

Response 4-1

The potential impacted facilities and FID's typical procedures and requirements related to development near such facilities are noted. The City and CCMC will comply with the existing policies, regulations and development standards of FID during the development process.

Response 4-2

Informational comment noted and is correct.

Response 4-3

The City recognizes that groundwater overdraft is an important issue and that the Kings Groundwater Sub-basin needs to ultimately reach sustainability. The Sustainable Groundwater Management Act (SGMA) was signed into law in 2014 to remedy unsustainable groundwater depletion in groundwater basins in California. SGMA requires the development and adoption of Groundwater Sustainability Plans (GSPs) by 2020 and that all high and medium priority groundwater basins must reach sustainability by 2040. This condition developed over a long period of time and it will take substantial time to rectify. As noted, the City of Clovis is a member of the North Kings Groundwater Sustainability Agency. This agency is responsible for developing a Groundwater Sustainability Plan (GSP). CCMC is already using recycled water from the City's wastewater treatment plant for landscape irrigation purposes, which constitutes a substantial portion of the CCMC's total water use. The City has been continually expanding its recycled water system. The City has diversified its water system over time to utilize surface water and recycled water while proportionately decreasing groundwater usage. The City and FMFCD have substantial groundwater recharge facilities that percolate surface water and stormwater into the ground. As a member of the North Kings Groundwater Sustainability Agency, the City is committed to working towards sustainability in the Kings Groundwater Sub-basin in accordance with SGMA.

Response 4-4

The requested change to page 2-7 to the Draft EIR under Responsible Agencies has been made (see Chapter 4 of this Final EIR).

Response 4-5

The requested change to page 12-1 to the Draft EIR under Hydrologic Setting has been made (see Chapter 4 of this Final EIR).

Response 4-6

The Draft EIR does not have a page 4.15-32 nor does it have an "Irrigation Systems Integration" subsection. However, the existing requirements of the City of Clovis Municipal Code and FID indicated in the comment are noted.

Response 4-7

The existing regulations prohibiting any discharges into the canal are noted. All new and existing discharges and runoff will be routed to FMFCD storm drain facilities.

Response 4-8

The comment regarding FID water allocated to agricultural land and conversion to City water rates per agreement between the City and FID is noted.

Response 4-9

Please refer to Response 4-3.

Response 4-10

Please refer to Response 4-3.

Response 4-11

General comment on the need to make road improvements in a manner that allows FID to maintain and operate its facilities is noted.

Response 4-12

The City recognizes the constraints posed by the location of the Enterprise Canal, which runs parallel and adjacent to the north side of Herndon, east of Locan Avenue, for approximately 750 feet. The City has already anticipated in its preliminary design that the Herndon widening and related improvements would be shifted to the south in this area. One of the stated objectives for the Herndon Avenue Widening project (Draft EIR page 2-9) is to “minimize or avoid any encroachment or impact to the Enterprise Canal.” All rights-of-way and easements ultimately needed in relation to this section of the Enterprise Canal will be obtained with the implementation of this project.

Response 4-13

There are no parks or recreational facilities planned as part of this project. The City’s Parks and Recreation master plan does provide for a future trail to be located along the Enterprise Canal. The City is appreciative of FID’s support for the City’s trail planning, but the City recognizes that there are a number of issues of concern to FID, including public safety and liability concerns, minimizing the impact to FID’s ability to maintain and operate its canal facilities, right-of-way/property issues, and conflicts with FID above ground structures. The City looks forward to continuing to work with FID to resolve any issues and concerns such that successful trail planning and construction continues for the benefit of the community.

Response 4-14

The City acknowledges the various existing requirements, policies and procedures applicable to the development process reflected in the general comments, such as drive approach requirements, showing

easements on maps, review and approval of improvements plans, prohibition of utilities and fences/walls within the FID right-of-way, notification of construction activities affecting FID facilities, costs associated with FID plan review and the potential for other comments and requests by FID as more project detail becomes available. The City will work with FID as development takes place to be sure that existing regulations, policies and procedures are adhered to.

**DEPARTMENT OF TRANSPORTATION****DISTRICT 6**

1352 WEST OLIVE AVENUE
P.O. BOX 12616
FRESNO, CA 93778-2616
PHONE (559) 488-7307
FAX (559) 488-4088
TTY 711
www.dot.ca.gov

Comment Letter 5

*Making Conservation a
California way of life.*

April 5, 2018

FRE-168-9.147

Clovis Community Medical Center Expansion/
Herndon Avenue Widening
SCH# 2016101005

Mr. Bryan Araki
City Planner
City of Clovis
1033 Fifth Street
Clovis, California 93612

Dear Mr. Araki:

Thank you for including the California Department of Transportation (Caltrans) in the review process for continuation with the expansion of Clovis Community Medical Center per its Master Plan. The work would also include the widening of Herndon Avenue in the proximity of the Medical Center. The existing Medical Center is located on the northeast corner of the intersection of N. Temperance Avenue and E. Herndon Avenue, near State Route (SR) 168. The expansion would be phased over a 20 year period, and would include new inpatient bed towers, medical office buildings, a general support building, a cancer center, and a central plant and parking garage. The existing emergency department, surgical facilities, materials management, and outpatient community center would be expanded. The master plan also includes development of commercial buildings, a hotel, and an assisted living center across the street (N. Temperance Avenue and E. Herndon Avenue) from the main hospital campus. Caltrans provides the following comments:

Traffic Operations - N. Temperance Avenue

- 5-1
1. Caltrans recommends the addition of a right-turn lane (575 feet) from the SR168 eastbound off-ramp to southbound N. Temperance Avenue (E/B off-ramp) as an opening-day improvement. This ramp-intersection currently experiences some unstable flow during the morning peak travel periods, and the analysis worksheets show that this specific right-turn movement experiences considerable delay during both AM and PM peak travel periods. The first phase of the expansion would likely increase the volume of this specific turning movement by 45% during the morning peak travel period, and by 27% during the evening peak travel period (TIS Fig. 2, 4, 5). The second phase of the expansion would likely increase the volume of this specific turning movement by an additional 54% during the morning peak travel period, and by an additional 20% during the evening peak travel period (TIS Fig. 2, 10). Therefore, the proposed expansion project should construct the eastbound right-turn lane prior to opening-day.

- 5-2**
2. The addition of a southbound lane on N. Temperance Avenue between the SR 168 E/B off-ramp and Fir Avenue is recommended. Intersections 4 and 5 (TIS Fig. 2, 7) show an increase in volume along this segment sufficient to substantiate the need for a third southbound lane. The first phase of the expansion would likely increase the volume along this southbound segment by 35% during the morning peak travel period, and by 24% during the evening peak travel period (TIS Fig. 2, 4). The second phase of the expansion would likely increase the volume along this southbound segment by an additional 41% during the morning peak travel period, and by an additional 19% during the evening peak travel period. Compared to the percentages of the impacts from other sources, the impact of the proposed expansion is substantial. Having a third receiving lane would be the preferred configuration with the addition of a second right-turn lane from the SR 168 E/B off-ramp.
- 5-3**
3. Caltrans concurs with the traffic study's recommendation that an additional left-turn lane from the SR 168 E/B off-ramp is needed however, traffic generated from the proposed expansion does not impact this specific movement. Caltrans also concurs with the recommendation that a third northbound lane is needed on N. Temperance Avenue between the SR 168 E/B off-ramp and Fir Avenue. However, the operation along this northbound segment of N. Temperance Avenue does not affect the operation of the ramp intersection, so it falls upon the City to determine the priority and mechanism for such improvement.
- 5-4**
4. The establishment of a New Access Road, proposed on northbound N. Temperance Avenue between the SR 168 E/B off-ramp and Fir Avenue would not affect the operation of the ramp. It is Caltrans' understanding that this New Access Road would be situated approximately mid-way between the ramp intersection and Fir Avenue, and would have only right-in and right-out access.
5. An encroachment permit must be obtained for all proposed activities for placement of encroachments within, under or over the State highway rights-of-way. Activity and work planned in the State right-of-way shall be performed to State standards and specifications, at no cost to the State. Engineering plans, calculations, specifications, and reports (documents) shall be stamped and signed by a licensed Engineer or Architect. Engineering documents for encroachment permit activity and work in the State right-of-way may be submitted using English Units. The Permit Department and the Environmental Planning Branch will review and approve the activity and work in the State right-of-way before an encroachment permit is issued. The Streets and Highways Code Section 670 provides Caltrans discretionary approval authority for projects that encroach on the State Highway System. Encroachment permits will be issued in accordance with Streets and Highway Codes, Section 671.5, "Time Limitations." Only the legal property owner or his/her authorized agent can pursue obtaining an encroachment permit. Please call the Caltrans Encroachment Permit Office - District 6: 1352 W. Olive, Fresno, CA 93778, at (559) 488-4058.
- 5-5**

Sustainability

- 5-6**
6. Caltrans recommends the project provide charging stations for electric vehicles as part of the statewide effort to reduce greenhouse gas emissions. Other environmental considerations include the use of solar or alternative energies; strategic placement of windows; heating water utilizing sunlight, to supplement or reduce the significant energy demands of a facility of this size.

5-7

7. Caltrans recommends green paint be applied to the roadway in locations of potential conflict between motorists and bicyclists—particularly the SR 168 interchange at N. Temperance Avenue. There are class II bike lanes north and south of the interchange and it is anticipated that bike travel may increase with the development of the Health Science Center to the north. Caltrans reminds the developer that bike parking should be provided on site in accordance with the City of Clovis' Active Transportation Plan.

Please be advised these recommendations were arrived at subsequent to planning-level analysis. Additional requirements may arise during the permit process as a result of field review. Questions about these comments can be directed to Jamaica Gentry at (559) 488-7307.

Sincerely,



MICHAEL NAVARRO

Branch Chief

Transportation Planning - North

Response to State of California, Department of Transportation (Caltrans)

Response 5-1

The eastbound right turn lane from SR 168 eastbound off-ramp to southbound Temperance Avenue is part of a City fee that is proposed to take effect this year. Instead of construction, the project will participate in the fee program.

Response 5-2

Addition of a third lane with a Class II bike lane would require modifications to the Temperance curb alignments. The City's Active Transportation Plan requires a Class II bike lane on the north and south directions of Temperance Avenue, thus this would be the currently required improvement. Another option, which would not require modifications to the curb alignments, would be to restripe Temperance to provide three lanes and provide a Class I bike lane. This option, however, would require modification of the Active Transportation Plan.

Response 5-3

The comment reflects that Caltrans concurs with the findings of the Traffic Study while adding minor clarifications as to the scope of effects on State roadways. No additional response is required.

Response 5-4

The comment regarding establishment of a New Access Road in relation to the SR 168 E/B off-ramp is noted. No additional response is required.

Response 5-5

This comment identifies Caltrans' encroachment permit requirements for activities within, over, or under the State highway right-of-way. It is acknowledged that development of the project will require adherence to these requirements.

Response 5-6

As indicated on page 8-5 in Chapter 8 (Energy), the majority of the mitigation measures included to address impacts to Air Quality and Greenhouse Gas Emissions (Chapters 5 and 10, respectively) entail energy-efficient and/or energy reducing qualities. These measures include: utilizing green building materials in construction of facilities; utilizing drought-resistant shade trees to reduce sun exposure of buildings and parking areas; installing high-efficiency heating and cooling systems; utilizing high-efficiency gas or solar water heaters; utilizing built-in energy-efficient appliances (i.e., Energy Star rated); utilizing double- or triple-paned windows; utilizing energy-efficient interior lighting; utilizing low-energy street lights (i.e., sodium, light-emitting diode [LED]); and installing energy-saving systems in rooms that reduce energy usage associated with HVAC systems and appliances when rooms are not occupied, except where such systems would pose a safety or health concern. The project is also generally subject to the California Green Building Standards Code (Title 24, Part 11) and the California Energy Code (Title 24, Part 6 – with some exceptions for acute care medical facilities

included in the proposal). The standards collectively include additional requirements to improve the energy efficiency of buildings, including more efficient windows, insulation, lighting, ventilation systems and numerous other improvements. The City will encourage CCMC to provide charging stations for electric vehicles.

The City of Clovis will consider applying green paint in locations of potential conflict between motorists and bicyclists. CCMC will provide bike parking in accordance with the City of Clovis' Active Transportation Plan.



Comment Letter 6

Patrick G. Mitchell
pmitchell@mitchellchadwick.com
916-462-8887
916-788-0290 Fax

April 6, 2018

VIA U.S. MAIL AND EMAIL

Bryan Araki
City Planner
Planning and Development Services Department
City of Clovis
1033 Fifth Street
Clovis, CA 93612
bryana@cityofclovis.com

Re: Comments on DEIR for Clovis Community Medical Center Expansion and Herndon Avenue Widening Project

Dear Mr. Araki:

This letter presents the comments of my client, Suburban Propane, L.P., regarding the February 2018 Draft Environmental Impact Report (“DEIR”) prepared for the Clovis Community Medical Center Expansion and Herndon Avenue Widening Project, pursuant to the California Environmental Quality Act (“CEQA”).

The DEIR states that the Clovis Community Medical Center (“CCMC”) proposes to expand its healthcare facilities on the CCMC campus located east of Temperance Avenue, between Herndon Avenue and State Route 168. In addition, the project proposes development on land owned by CCMC west of Temperance Avenue and on land south of Herndon Avenue. The project is split into two phases, a 2-10 year expansion plan, and a 20 year expansion plan. The area adjacent to Suburban Propane’s storage tank is proposed to include 150,000 square feet of commercial uses and a 150-room hotel within the next 2 to 10 years. (See DEIR pp. 2-4, 2-5 and Table 2.2.)

Suburban Propane has a 30,000-gallon above-ground propane storage tank located off of Tollhouse Road, just west of Temperance Avenue. (See the attachment to this letter, which shows the location of the propane tank on DEIR Figure 3.2.) This storage tank has been in use at this location since June 13, 1998. Under the proposed project, the open field adjacent to the east side of the storage tank would be developed for commercial purposes and a hotel.

6-1

{00033844;1 }

6-2

The effect of the proximity of the proposed project to Suburban Propane's existing storage tank is not examined at all in the DEIR. Suburban Propane seeks to alert the Clovis Planning Department, Planning Commission, and City Council to the existence of Suburban Propane's storage tank now, in order to avoid being asked to relocate the storage tank in the future.

We do not believe that proposing a hotel and commercial uses adjacent to Suburban Propane's existing storage tank constitutes appropriate land use planning. In addition, the proposed project could have an impact on Suburban Propane's tank use, which tank provides a utility service to the public. Despite that, Chapter 21 of the DEIR fails to acknowledge Suburban Propane's storage tank facility and potential related impacts to it. We also note that DEIR chapters 20 and 21 are both paginated starting with page 21-1. Please revise the DEIR to address these concerns.

6-3

There may be additional concerns with the DEIR, which Suburban Propane will address if necessary.

Please contact me or Sarah Taylor at 916-462-8888 if you have any questions.

Sincerely yours,

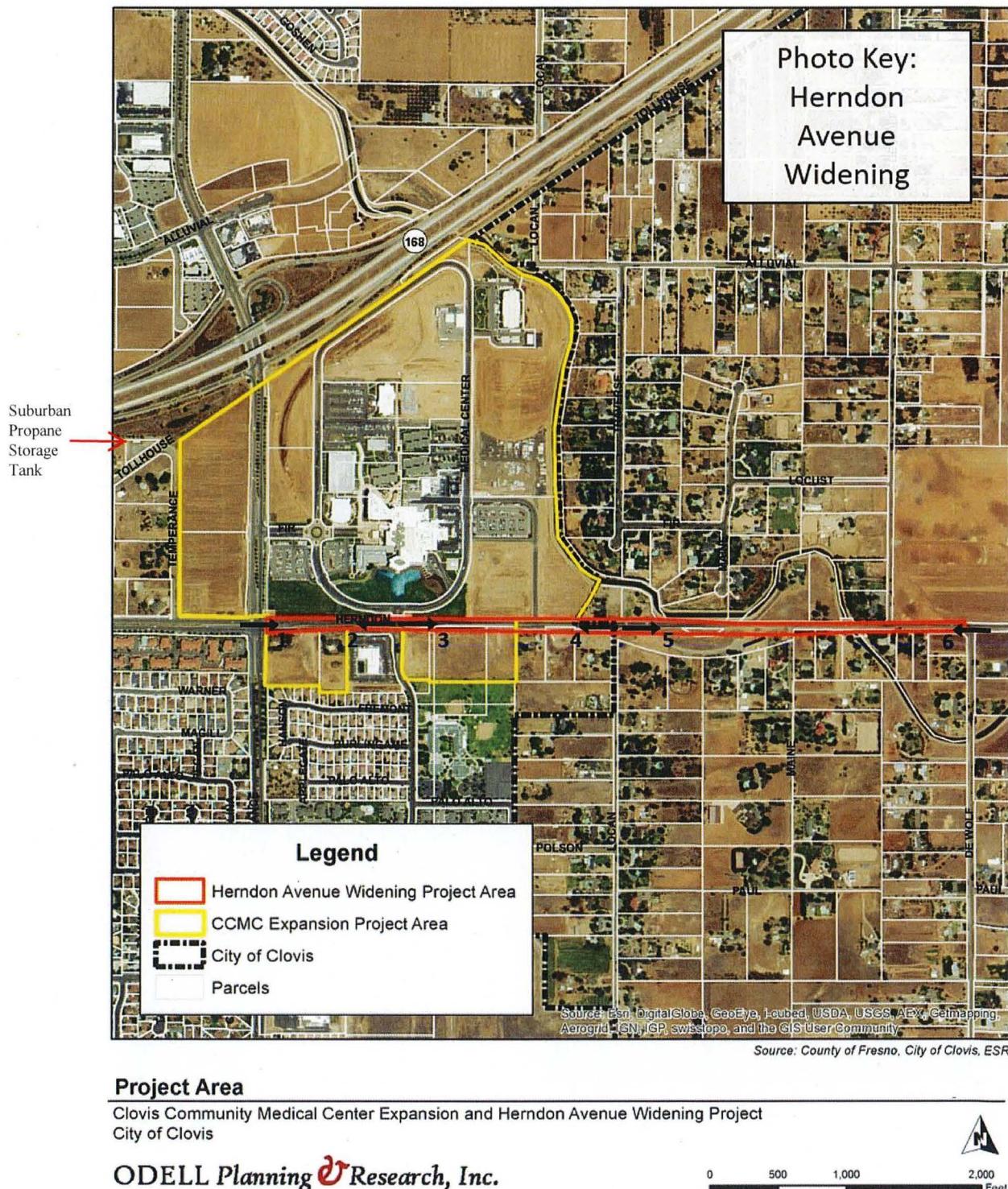
MITCHELL CHADWICK LLP



Patrick G. Mitchell

cc: Susan Delia (Suburban Propane)
Sarah Taylor (Mitchell Chadwick)

Figure 3.2 –Herndon Avenue Widening Area Photos



Response to Mitchell Chadwick/Suburban Propane

Response 6-1

These paragraphs include introductory information about the purpose of the letter; a restatement of information from the Draft EIR project description; information on the size of the propane tank (30,000 gallons) and how long it has been in place (June 13, 1998); and indicates that the area west of Temperance Avenue proposed for retail use and a hotel is adjacent to Suburban Propane's storage tank.

Response 6-2

The comment letter notes the proximity of the of the project to the existing tank and does "not believe that proposing a hotel and commercial uses adjacent to Suburban Propane's existing storage tank constitutes appropriate land use planning." In response to this statement, City of Clovis provides the following:

The comment letter indicates that the propane tank has been in use at that location since 1998. The City notes that the land to the east proposed for commercial and hotel use has been designated for commercial use (business corridor) in the Herndon-Shepherd Specific Plan since 1988 and in the City of Clovis General Plan since 1993. Thus, a designation for commercial land use existed prior to the approval and installation of the propane tank.

The comment letter does not provide any information or analysis that demonstrates the tank will pose a significant hazard to future commercial use to the east. National Fire Protection Association *Liquefied Petroleum Gas Code* (NFPA 58) requires that propane storage tanks containing 2,001- 30,000 gallons must be located no less than 50 feet from the property line. The tank is located approximately 54 feet from the west property line of the 0.52-acre propane tank parcel and approximately 170 feet from the east property line. The nearest point of the CCMC commercial property is 280 feet east of the propane tank. The CCMC property is 495 feet wide so most of the commercial uses would likely be substantially further than 280 feet from the propane tank.

It is noted that existing residences are located 185 feet southwest, 230 feet west and 280 feet southeast of the propane tank. These homes all existed when the tank was installed in 1998.

Lastly, it is unclear how the project would have an impact on Suburban Propane's tank use. No information is provided to support this contention.

Response 6-3

The comment indicates there may be additional concerns with the Draft EIR but does not provide any further elaboration as to the character or nature of those concerns.



FRESNO METROPOLITAN FLOOD CONTROL DISTRICT

File 170.11

310. "7H"

550.30 "7H"

Comment Letter 7

April 11, 2018

Mr. Bryan Araki
City of Clovis
1033 Fifth Street
Clovis, CA 93612

Dear Mr. Araki,

**Fresno Metropolitan Flood Control District Comments for
Notice of Availability of a Draft Environmental Impact Report for
Clovis Community Medical Center Expansion and
Herndon Avenue Widening Project
Drainage Area "7H"**

The Fresno Metropolitan Flood Control District (FMFCD) has reviewed the subject Draft Environmental Impact Report (DEIR) and requests the following revisions:

- 7-1

1. Page 12-1, Hydrologic Setting section, paragraph 2, the DEIR incorrectly states that the Enterprise Canal is maintained by the Fresno Metropolitan Flood Control District. The canal is maintained by the Fresno Irrigation District.
- 7-2

2. The DEIR should address the major storm requirements included on page 2, paragraph 3 of the FMFCD's letter to the City of Clovis dated November 7, 2016. Major storm flows from areas east of Temperance Avenue have historically flowed across the westerly portion of the proposed expansion site and then over to Magnolia Avenue (old Temperance Avenue). The westerly portion of the expansion shall be graded to maintain the historical major storm path.
- 7-3

3. Page 12-6, HY-3 section, paragraph 2, the DEIR states facilities are adequate to serve CCMC's existing stormwater needs and the additional stormwater runoff created as a result of the expansion plan. This statement is partially correct. CCMC's existing facilities have adequate service, but stormwater runoff from a portion of the expansion project, specifically APN's 553-020-34, 40, 42, 53, 70, 71, 72, and 73, may exceed the existing pipeline capacity and require mitigation. Please reference FMFCD's letter to the City of Clovis dated November 7, 2016.

For your reference we have enclosed a copy of our November 7, 2016 response letter to the Notice of Preparation issued by the City of Clovis for this project.

Mr. Bryan Araki

**Notice of Availability of a Draft Environmental Impact Report for
Clovis Community Medical Center Expansion and
Herndon Avenue Widening Project**

April 11, 2018

Page 2

Thank you for the opportunity to comment. Please keep our office informed on the development of the project and if you have any further questions, or need any additional information, please contact the District at (559) 456-3292.

Very truly yours,



Robert Villalobos
Engineering Technician III

RV/lrl

Enclosure



FRESNO METROPOLITAN FLOOD CONTROL DISTRICT

Capturing stormwater since 1956.

File 170.11
310. "7H"
550.30 "7H"

November 7, 2016

Mr. Bryan Araki
City of Clovis
1033 Fifth Street
Clovis, CA 93612

Dear Mr. Araki,

**Fresno Metropolitan Flood Control District Comments for
Notice of Preparation of a Draft Environmental Impact Report for
Clovis Community Medical Center Expansion and
Herndon Avenue Widening Project
Drainage Area "7H"**

The Fresno Metropolitan Flood Control District (FMFCD) bears responsibility for storm water management within the Fresno-Clovis metropolitan area, including the area of the proposed project site. Within the metropolitan area, storm runoff produced by land development is to be controlled through a system of pipelines and storm drainage retention basins. The community has developed and adopted a Storm Drainage and Flood Control Master Plan. Each property contributes its pro-rata share to the cost of the public drainage system. All properties are required to participate in the community system for everyone. It is this form of participation in the cost and/or construction of the drainage system that will mitigate the impact of development.

The subject property shall pay drainage fees pursuant to the Drainage Fee Ordinance prior to approval of any final maps and/or issuance of building permits at the rates in effect at the time of such approval. Please contact FMFCD for a final fee obligation prior to issuance of any construction permits. Should land use densities of existing residential areas be increased, the property would be subject to a reassessment of drainage fees based on the proposed increased land uses and may include the requirement of additional drainage fees to be paid to offset the increased land use. Each proposed development will be reviewed and assessed upon submittal to FMFCD. Any drainage fees previously paid on a property would be given a credit against any new fee responsibility.

Mr. Bryan Araki

**Notice of Preparation of a Draft Environmental Impact Report for
Clovis Community Medical Center Expansion and
Herndon Avenue Widening Project**

November 7, 2016

Page 2

There are existing storm drain facilities located throughout the plan area. Any proposed relocation, construction of proposed or reconstruction of existing storm drainage facilities will need to be reviewed and approved by FMFCD prior to implementation. Any storm drainage facilities that are not located within the public street right-of way shall be within a dedicated pipeline easement to FMFCD. No encroachments into the easement shall be permitted including, but not limited to, foundations, roof overhangs, swimming pools, and trees.

Much of the FMFCD Master Plan storm drainage system for the plan area is complete. This system was designed for land use densities designated on prior General Plans and have been reflected in the Master Plan. Any proposed densification of existing residential areas within the plan area may exceed the capacity of the existing storm drainage system and will require FMFCD review and approval prior to implementation. Mitigation of site storm water discharge may be required in some circumstances. Such mitigation shall be in the form of on-site retention or FMFCD system modifications. All mitigation shall be reviewed and approved by FMFCD.

The grading of any proposed development within the plan areas including public street areas shall be consistent with the FMFCD Master Plan. Additionally, grading shall not have an adverse impact to major storm conveyance, and to the passage of storm water to the adjacent roadways and existing storm drainage pipelines and inlets. Development shall provide the appropriate surface flowage easements or covenants for any portion of the development area that cannot convey storm water to the public right-of-way without crossing private property.

Any proposed new structures within the plan area with street level entry may be at risk for flooding during a large storm event. Therefore, any new development within the plan area is required to provide street capacity calculations and/or check the overflow point to determine the finish floor that provides protection of the structure from flooding during a large storm event.

Clovis Community Medical Center shall excavate the District's Basin "7H" as needed to provide storage for the additional runoff generated from the project area.

FMFCD will need to review and approve the final improvement plans for all development (i.e. grading, street improvement and storm drain facilities) within the boundaries of the proposed project to insure consistency with the approved Storm Drainage Master Plan.

Mr. Bryan Araki

**Notice of Preparation of a Draft Environmental Impact Report for
Clovis Community Medical Center Expansion and
Herndon Avenue Widening Project**

November 7, 2016

Page 3

If there are to be storm water discharges from private facilities to the FMFCD's storm drainage system, they shall consist only of storm water runoff and shall be free of solids and debris. Landscape and/or area drains are not allowed to connect directly to FMFCD's facilities.

In an effort to improve storm runoff quality, outdoor storage areas shall be constructed and maintained such that material that may generate contaminants will be prevented from contact with rainfall and runoff and thereby prevent the conveyance of contaminants in runoff into the storm drain system.

FMFCD encourages, but does not require that roof drains from non-residential development be constructed such that they are directed onto and through a landscaped grassy swale area to filter out pollutants from roof runoff.

Runoff from areas where industrial activities, product, or merchandise come into contact with and may contaminate storm water must be directed through landscaped areas or otherwise treated before discharging it off-site or into a storm drain. Roofs covering such areas are recommended. Cleaning of such areas by sweeping instead of washing is to be required unless such wash water can be directed to the sanitary sewer system. Storm drains receiving untreated runoff from such areas that directly connect to FMFCD's system will not be permitted. Loading docks, depressed areas, and areas servicing or fueling vehicles are specifically subject to these requirements. FMFCD's policy governing said industrial site NPDES program requirements are available. Contract FMFCD's Environmental Department for further information regarding these policies related to industrial site requirements.

Thank you for the opportunity to comment. Please keep our office informed on the development of these plans. If you should have any questions or comments, please contact FMFCD at (559) 456-3292.

Very truly yours,



Robert Villalobos
Engineering Technician III

RV/lrl

Response to Fresno Metropolitan Flood Control District (FMFCD)

Response 7-1

The comment correctly notes that the Enterprise Canal is owned, operated, and maintained by the Fresno Irrigation District (FID) rather than FMFCD. This correction has been made and is reflected in Chapter 5 of this Final EIR.

Response 7-2

FMFCD's comments regarding the historic grading pattern in the western area of the project site are noted. The detailed project development plans, when proposed, will require subsequent review by FMFCD and will be required conform to FMFCD requirements, including grading to maintain the historical major storm path.

Response 7-3

FMFCD's comments regarding existing pipeline capacity in a small portion of the proposed project area (southeast corner of Herndon and Coventry Avenues) are noted. FMFCD should be aware that APNs 553-020-34, 40, 42 and 53 are part of the existing Cedarwood Elementary School campus and not part of the project site. These parcels comprise the northern portion of the elementary school turfed play fields, and therefore would not generate a large amount of runoff compared to more intense urban uses. In any event, the project development plans, when proposed, will require subsequent review by FMFCD and will be required conform to FMFCD requirements.

April 19, 2018

Comment Letter 8

Bryan Araki
City of Clovis
Planning & Development Services
1033 Fifth Street
Clovis, CA 93612

Project: Draft Environmental Impact Report for the Clovis Community Medical Center Expansion and Herndon Avenue Widening Project

District CEQA Reference No: 20180180

Dear Mr. Araki:

The San Joaquin Valley Unified Air Pollution Control District (District) has reviewed the Notice of Preparation (NOP) for the Clovis Community Medical Center Expansion and Herndon Avenue Widening Project. The proposed project consists of an expansion to the existing Clovis Community Medical Center and road widening on Herndon Avenue. The Clovis Community Medical Center Expansion includes two major phases: a 2–10 year expansion plan and a 20 year expansion plan. The 2–10 year expansion plan would add 410,172 square feet to the existing Clovis Community Medical Center. The 2–10 year plan also includes up to 150,000 square feet of commercial space and a 150 room hotel. The 20 year expansion plan would add 413,769 square feet to the existing Clovis Community Medical Center. The 20 year plan also includes up to 70,000 square feet of retail and/or office space and a 100 unit assisted living or memory care facility. The project would also widen the current five lanes on Herndon Avenue between Temperance and Coventry Avenues to six lanes and widen the roadway between Coventry and the southern leg of DeWolf Avenue from two lanes to a four lane divided roadway. The District offers the following comments:

1. Voluntary Emissions Reduction Agreement (VERA)

For Mitigation Measure AQ-2, the Draft EIR indicates that Clovis Community Medical Center, (the project proponent) will enter into a VERA with the District. On Page 20, the Draft EIR Appendices Mitigation Measure AQ-2 states, “... *The VERA shall be reviewed and approved by the SJVAPCD prior to issuance of construction/grading permits by the City of Clovis. The project proponent/owner shall submit to the City of Clovis Planning Department documentation confirming compliance with the VERA, prior to issuance of final discretionary approval (e.g., approval of the grading permit)....*”

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Executive Director/Air Pollution Control Officer

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Modesto, CA 95356-8718
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Central Region (Main Office)
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Southern Region
34946 Flyover Court
Bakersfield, CA 93308-9725
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Based on project information and the intent of the project mitigation, the VERA is to be approved by the District prior to the City's issuance of construction/grading permits. This is consistent with the requirements of a VERA to have mitigation in place prior to the start of the first activity generating emissions, including but not limited to demolition, grading, etc., whichever occurs first. This will ensure that the targeted emissions reductions and the project emissions occur contemporaneously.

8-1 Additionally, the VERA will include requirements for the District, upon successful fulfillment of mitigation under the VERA of project-related emissions, to verify in writing to the project proponent and to the City of Clovis that the project related impacts on air quality have been mitigated as required under the VERA. This process, which includes the funding of clean emission reduction projects, will occur over an extended period of time, however contemporaneous with the project. As such, the following changes are recommended (see strikeout and underline):

"The VERA shall be reviewed and approved by the SJVAPCD prior to issuance of construction/grading permits by the City of Clovis. The project proponent/owner shall submit to the City of Clovis Planning Department documentation confirming compliance with entering into the VERA, prior to issuance of final discretionary approval (e.g., approval of the grading permit)."

2. **District Rule 9510 Indirect Source Review (ISR)**

District Rule 9510 is intended to reduce a project's impact on air quality through project design elements or by payment of applicable off-site mitigation fees. Any applicant subject to District Rule 9510 is required to submit an AIA application to the District no later than applying for final discretionary approval.

8-2 Based on information provided to the District, the proposed Project would equal or exceed 20,000 square feet of medical offices. Therefore, the District concludes that the proposed Project is subject to District Rule 9510, which requires that an AIA application be submitted at this time.

The District recommends that demonstration of compliance with District Rule 9510 be made a condition of project approval. Information about how to comply with District Rule 9510 can be found online at: <http://www.valleyair.org/ISR/ISRHome.htm>.

3. **Other District Permits/Rules**

8-3 The project may be subject to District Rules and Regulations, including: Regulation VIII (Fugitive PM10 Prohibitions), Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving, and Maintenance Operations). In the event an existing building will be renovated, partially demolished or removed, the project may be subject to District Rule 4002 (National Emission Standards for Hazardous Air Pollutants). The above list of rules is neither exhaustive nor exclusive. To identify other District rules or regulations that apply to this project or to obtain information about District permit requirements, the applicant is

8-3

strongly encouraged to contact the District's Small Business Assistance Office at (559) 230-5888. Current District rules can be found online at: www.valleyair.org/rules/1ruleslist.htm.

District staff is available to meet with you and/or the applicant to further discuss the regulatory requirements that are associated with this project. If you have any questions or require further information, please call Michael Corder at (559) 230-5818.

Sincerely,

Arnaud Marjollet
Director of Permit Services



Brian Clements
Program Manager

AM:mc

Response to San Joaquin Valley Air Pollution Control District (SJVAPCD)

Response 8-1

SJVAPCD's comments regarding the timing of approval for a VERA and requirements for written verification by the District upon successful fulfillment of mitigation are noted. Mitigation Measure AQ 1.2 has been updated to provide improved clarity and detail regarding the VERA, given that this is a Program EIR that covers a phased long-term project. The updated language includes the change recommended in SJVAPCD's comment letter (i.e. changing "compliance with" to "entering into").

AQ 1.2: A Voluntary Emissions Reduction Agreement (VERA) shall be entered into with the SJVAPCD to reduce operational emissions of ROG and NOX to less than 10 tons/year and emissions of PM10 to below 15 tons/year. Operational emissions of ROG, NOX and PM10 (inclusive of PM2.5) shall be reduced in excess of the reductions required per compliance with SJVAPCD's ISR Rule (Refer to Mitigation Measure AQ-1). Emission reductions may be achieved by use of newer, low-emission equipment, implementation of on-site or off-site mitigation, and/or the funding of off-site mitigation, through participation in the SJVAPCD's off-site mitigation program. The project development plans are long term and conceptual in nature and subject to change in uses and extent otherwise allowed by City zoning that have lesser or equal impacts to those assessed in the EIR. VERA emission estimates shall be based on project-specific modeling assumptions where available (e.g., truck trip generation). Modeling performed shall account for declining emissions during the 10-year mitigation period due to vehicle turnover projected by the latest State approved emission models. VERA emission estimates may be revised to reflect actual development plans proposed for the site at the time each building or phase is finalized. VERA mitigation fee payments for a building or phase may be deferred until no later than 30 days prior to commencing construction activities for the building or phase. The VERA shall be reviewed and approved by the SJVAPCD prior to issuance of construction/grading permits by the City of Clovis. The project proponent/owner shall submit to the City of Clovis Planning Department documentation confirming compliance with entering into the VERA, prior to issuance of final discretionary approval (e.g., approval of the grading permit for the first construction project relying on this EIR). Development and implementation of the VERA shall be fully funded by the project proponent/owner as development progresses. With approval by SJVAPCD, the VERA may also be used to demonstrate compliance with emission reductions required by SJVAPCD's ISR Rule (Rule 9510).

Response 8-2

SJVAPCD's comment regarding the applicability of District Rule 9510 (Indirect Source Review) is noted. Mitigation Measure AQ 1.1 requires that the project to comply with Rule 9510. Accordingly, an Air Impact Assessment (AIA) shall be prepared for the project, and the AIA shall be submitted to and approved by the SJVAPCD prior to issuance of construction/grading permits by the City of Clovis.

Response 8-3

SJVAPCD's comment that additional District rules and regulations may apply to the project is noted. The project will comply with subsequent rules and regulations as such rules and regulations become applicable during the course of development of the project.

CHAPTER 5

Revisions to the Draft EIR

INTRODUCTION

This chapter contains revisions to the Draft EIR resulting from comments received on the Draft EIR. Added text is underlined and deleted text is shown in ~~strikeout~~ type. The revisions consist of clarifications and amplifications to the existing document.

DRAFT EIR REVISIONS

Chapter 2, Responsible Agencies, Page 2-7:

Responsible Agencies

Under CEQA, the following state and local agencies will be Responsible Agencies for the project. The agencies and discretionary approvals necessary from each are as follows:

- a. The California Office of Statewide Health Planning and Development must review and approve the construction plans and geotechnical reports for the CCMC expansion.
- b. The County of Fresno must review and approve the Herndon Avenue Widening project improvements within its jurisdiction.
- c. The Fresno Irrigation District requires that it review, approve and be made a party to signing all improvement plans which affect its property/easements and canal/pipeline facilities including, but not limited to sewer and water, FMFCD, street, landscaping, dry utilities and all other utilities, must review and approve any project improvements that may encroach upon or adversely affect the Enterprise Canal.
- d. The Fresno Metropolitan Flood Control District must review and approve any plans for storm drainage improvements or modifications.

Chapter 12, Second Paragraph under Hydrologic Settings, Page 12-1:

Notable surface water features in the vicinity of the project site include the Enterprise Canal, which forms the eastern boundary of the CCMC campus, and tributaries of Pup Creek. The Enterprise Canal is owned, operated and maintained by Fresno Irrigation District. These surface water features are components of The stormwater drainage system is maintained by the Fresno Metropolitan Flood Control District (FMFCD), and is discussed more below.

Chapter 1, Mitigation Measure AQ-1.2, Page 1-6 and Chapter 5, Mitigation Measure AQ-1.2, Page 5-21:

AQ-1.2: A Developer Mitigation Contract (DMC) Voluntary Emission Reduction Agreement (VERA) shall be entered into with the SJVAPCD to reduce operational emissions of ROG and NOX to less than 10 tons/year and emissions of PM10 to below 15 tons/year. Operational emissions of ROG, NOX and PM10 (inclusive of PM2.5) shall be reduced in excess of the reductions required per compliance with SJVAPCD's ISR Rule (Refer to Mitigation Measure AQ-1). Emission reductions may be achieved by use of newer, low-emission equipment, implementation of on-site or off-site mitigation, and/or the funding of off-site mitigation, through participation in the SJVAPCD's off-site mitigation program. The project development plans are long term and conceptual in nature and subject to change in uses and extent otherwise allowed by City zoning that have lesser or equal impacts to those assessed in the

EIR. VERA emission estimates shall be based on project-specific modeling assumptions where available (e.g., truck trip generation). Modeling performed shall account for declining emissions during the 10-year mitigation period due to vehicle turnover projected by the latest State approved emission models. VERA emission estimates may be revised to reflect actual development plans proposed for the site at the time each building or phase is finalized. VERA mitigation fee payments for a building or phase may be deferred until no later than 30 days prior to commencing construction activities for the building or phase. The DMC VERA shall be reviewed and approved by the SJVAPCD prior to issuance of construction/grading permits by the City of Clovis. The project proponent/owner shall submit to the City of Clovis Planning Department documentation confirming compliance with entering into the DMC VERA prior to issuance of final discretionary approval (e.g., approval of the grading permit for the first construction project relying on this EIR). Development and implementation of the DMC VERA shall be fully funded by the project proponent/owner as development progresses. With approval by SJVAPCD, the DMC VERA may also be used to demonstrate compliance with emission reductions required by SJVAPCD's ISR Rule (Rule 9510).