



CITY of CLOVIS

AGENDA • CLOVIS CITY COUNCIL
Council Chamber, 1033 Fifth Street, Clovis, CA 93612 (559) 324-2060
www.cityofclovis.com

In compliance with the Americans with Disabilities Act, if you need special assistance to access the City Council Chamber to participate at this meeting, please contact the City Clerk or General Services Director at (559) 324-2060 (TTY – 711). Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to the Council Chamber.

Any writings or documents provided to a majority of the City Council regarding any item on this agenda will be made available for public inspection at City Hall, in the City Clerk's office, during normal business hours. In addition, such writings and documents may be posted on the City's website at www.cityofclovis.com.

August 5, 2019

6:00 PM

Council Chamber

The City Council welcomes participation at Council Meetings. Members of the public may address the Council on any item of interest to the public that is scheduled on the Agenda. In order for everyone to be heard, please limit your comments to 5 minutes or less, or 10 minutes per topic.

Meeting called to order by Mayor Bessinger
Flag salute led by Councilmember Flores

ROLL CALL

PRESENTATIONS/PROCLAMATIONS

1. None.

PUBLIC COMMENTS - This is an opportunity for the members of the public to address the City Council on any matter within the City Council's jurisdiction that is not listed on the Agenda. In order for everyone to be heard, please limit your comments to 5 minutes or less, or 10 minutes per topic. Anyone wishing to be placed on the Agenda for a specific topic should contact the City Manager's office and submit correspondence at least 10 days before the desired date of appearance.

ORDINANCES AND RESOLUTIONS - With respect to the approval of resolutions and ordinances, the reading of the title shall be deemed a motion to waive a reading of the complete resolution or ordinance and unless there is a request by a Councilmember that the resolution or ordinance be read in full, further reading of the resolution or ordinance shall be deemed waived by unanimous consent of the Council.

CONSENT CALENDAR - Items considered routine in nature are to be placed upon the Consent Calendar. They will all be considered and voted upon in one vote as one item unless a Councilmember requests individual consideration. A Councilmember's vote in favor of the Consent Calendar is considered and recorded as a separate affirmative vote in favor of each action listed. Motions in favor of adoption of the Consent Calendar are deemed to include a motion to waive the reading of any ordinance or resolution on the Consent Calendar. For adoption of ordinances, only those that have received a unanimous vote upon introduction are considered Consent items.

2. City Clerk – Approval – Minutes from the July 15, 2019 Council Meeting.
3. City Clerk – Approval – Waive Normal Purchasing Process and approve the purchase of replacement desktop computers and servers using competitively bid contracts with purchasing provisions for California State and local government agencies.
4. Administration - Approval - City of Clovis Americans with Disabilities Act Transition Plan Update.
5. Finance - Receive and File – Investment Report for the month of May 2019.
6. Finance - Receive and File – Treasurer's Report for the month of May 2019.
7. General Services - Receive and File 3rd Quarter FY 2018-19 General Services Department Report.
8. General Services - Receive and File 4th Quarter FY 2018-19 General Services Department Report.
9. Planning and Development Services - Approval – Final Acceptance for CIP 14-21, Shaw/Locan Traffic Signal & Widening.
10. Planning and Development Services - Approval - Bid Award for CIP 17-11, Ashlan Alley Project, and; Authorize the City Manager to execute the contract on behalf of the City.
11. Planning and Development Services - Approval – Final Acceptance for CIP 17-19 Paula Avenue, Homsy Avenue, and San Gabriel Sewer Replacement.
12. Planning and Development Services - Approval - Bid Award for CIP 18-09, Ashcroft/Holland Alley Project, and; Authorize the City Manager to execute the contract on behalf of the City.
13. Planning and Development Services - Approval- Authorize the City Manager to Execute a Quit Claim Deed for Excess and Unnecessary Right of Way Along Gettysburg Avenue East of Highland Avenue.
14. Planning and Development Services - Approval – Final Acceptance for Tract 6101, located on the southeast corner of Leonard Avenue and Dakota Avenue (DeYoung Properties).
15. Public Safety - Approval – Res. 19-____, Confirming Weed and Rubbish Abatement Charges for 2019.
16. Public Utilities – Approval - Recertification of the Sewer System Management Plan (SSMP) Five Year Update.
17. Public Utilities - Approval - Waive Formal Bidding Requirements and Authorize the Purchase of a Landfill Compactor off of the Sourcewell Purchasing Contract from Quinn Company.

PUBLIC HEARINGS - A public hearing is an open consideration within a regular or special meeting of the City Council, for which special notice has been given and may be required. When a public hearing is continued, noticing of the adjourned item is required as per Government Code 54955.1.

18. Consider items associated with approximately 12.50 acres of property located at the northwest corner of Spruce and Peach Avenues. Edward J. and Janis M. Donaghy (Owners) / Ara Chekerdeman of Lennar Homes of California, Inc. (Applicant) / Keith Jolly of Morton Pitalo, Inc. (Representative).

Staff: Ricky Caperton, Senior Planner

Recommendation: Approve

- a. Consider Approval - Res. 19-____, A request adopt an environmental finding of a Mitigated Negative Declaration for Rezone R2019-004, Conditional Use Permit CUP2019-004, Vesting Tentative Tract Map TM6262, Variance V2019-001, and Residential Site Plan Review RSPR2019-003.
- b. Consider Introduction - Ord. 19-____, R2019-004, A request to approve a rezone of a portion of the site from the R-A (Single-Family Residential – 24,000 Sq. Ft.) to the R-2 (Low Density Multiple Family Residential) (1 Unit / 3,000 Sq. Ft.) Zone District.
- c. Consider Approval - Res. 19-____, CUP2019-004, A request to approve a conditional use permit for a 185-lot Planned Residential Development with private streets.
- d. Consider Approval - Res. 19-____, TM6262, A request to approve a vesting tentative tract map for a 185-lot Planned Residential Development.
- e. Consider Approval - Res. 19-____, V2019-001, A request to approve a variance to reduce the minimum drive aisle width from 26 feet to 20 feet for portions of the private roadway network to accommodate a 185-unit townhome project for property located at Assessor Parcel Numbers (APNs) 561-260-10 and 561-260-17.

19. Consider Approval - Res. 19-____, Resolution of Necessity to determine that public interest and necessity require acquisition of property for public purposes and; authorizing proceedings in eminent domain for two properties located at the northeast corner of Sunnyside Avenue and Fourth Street. Addresses: 1403 Fourth Street; APN: 491-191-18 and 1421 Fourth Street; APN: 491-191-17. Owners: Flores Living Trust.

Staff: Andrew Haussler, Community and Economic Development Director

Recommendation: Approve

CORRESPONDENCE – Correspondence is communication addressed to City Council that requests action.

20. None.

ADMINISTRATIVE ITEMS – Administrative Items are matters on the regular City Council Agenda other than Public Hearings.

21. Consider Approval – Land Tenure Agreement with Fresno Wildlife Rehabilitation Service to Construct The Nature Center at David McDonald Park and Authorize City Manager to Execute the Agreement.

Staff: Luke Serpa, City Manager

Recommendation: Approve

22. Consider Approval – Res. 19-____, Approving the Exception to the 180-Day Wait Period (Government Code Sections 7522.56 & 21224) Pertaining to the Hiring of Bryan Araki as Extra Help for Critical City Planning Projects

Staff: Lori Shively, Personnel / Risk Manager

Recommendation: Approve

CITY MANAGER COMMENTS

COUNCIL ITEMS

23. Council Comments

CLOSED SESSION - A “closed door” (not public) City Council meeting, allowed by State law, for consideration of pending legal matters and certain matters related to personnel and real estate transactions.

24. None.

ADJOURNMENT

Future Meetings and Key Issues			
Aug. 6 – Sep. 2, 2019 Summer Recess			
Sep. 3, 2019 (Tue.)	6:00 P.M.	Regular Meeting	Council Chamber
Sep. 9, 2019 (Mon.)	6:00 P.M.	Regular Meeting	Council Chamber
Sep. 16, 2019 (Mon.)	6:00 P.M.	Regular Meeting	Council Chamber
Oct. 7, 2019 (Mon.)	6:00 P.M.	Regular Meeting	Council Chamber
Oct. 14, 2019 (Mon.)	6:00 P.M.	Regular Meeting	Council Chamber
Oct. 21, 2019 (Mon.)	6:00 P.M.	Regular Meeting	Council Chamber
Nov. 4, 2019 (Mon.)	6:00 P.M.	Regular Meeting	Council Chamber
Nov. 12, 2019 (Tue.)	6:00 P.M.	Regular Meeting	Council Chamber
Nov. 18, 2019 (Mon.)	6:00 P.M.	Regular Meeting	Council Chamber



CITY *of* **CLOVIS**

REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: Administration

DATE: August 5, 2019

PRESENTATIONS/PROCLAMATIONS

None.

Please direct questions to the City Manager's office at 559-324-2060.

CLOVIS CITY COUNCIL MEETING

July 15, 2019

6:00 P.M.

Council Chamber

Meeting called to order by Mayor Pro Tem Flores
Flag Salute led by Councilmember Whalen

Roll Call: Present: Councilmembers Flores, Mouanoutoua, Whalen
Absent: Mayor Bessinger, Councilmembers Ashbeck

PRESENTATION

1. NONE.

Councilmember Ashbeck arrived at 6:04 p.m.

PUBLIC COMMENTS 6:04

Resident Marcus, lives by the indoor gun range commented. He indicated that the gun range is exceeding what was approved by the City Council in 2012 regarding the noise ordinance. He is requesting to meet with his councilmember on how to deal with the negative impact he believes the gun range has had on his neighborhood.

CONSENT CALENDAR 6:12

Motion by Councilmember Ashbeck, seconded by Councilmember Mouanoutoua, that the items on the Consent Calendar be approved. Motion carried 4-0-1 with Mayor Bessinger absent.

2. City Clerk – Approved - Minutes for the July 1, 2019 Council Meeting.
- 2a. Community and Economic Development – Approved - Authorizing the City Manager to execute the Sierra Vista Mall Assignment and Assumption Agreement between the City of Clovis and Comm 2006-C8 Shaw Avenue Clovis, LLC and Sierra Vista Realty, LLC, Sierra Vista CHC LLC, and Sierra Vista Nassim, LLC, as represented by Namdar, LLC.
3. General Services - Approved - **Res. 19-95**, Amending the Management Benefit Summary, the Executive Management Benefit Summary, and the Represented Employees Benefit Summary.
4. General Services – Approved – **Res. 19-96**, Authorizing Amendments to the Senior Fire Prevention Officer Classification.
5. General Services – Approved – A One-Year Contract Extension with Environment Control for City-wide Janitorial Services from September 22, 2019 through September 21, 2020.
6. General Services – Approved – **Res. 19-97**, Authorizing the Execution of the Certifications and Assurances for the FY 2019-20 California State of Good Repair Program.
7. General Services – Approved - Claim Rejection of General Liability Claim for Stacey Lynn Horne.
8. General Services – Approved - Claim Rejection of General Liability Claim for Tyler A. Horne.
9. Planning and Development Services - Approved – Final Acceptance for CIP 19-05, ADA Ramp Project 2019.

10. Planning and Development Services - Approved – Partial Acceptance for Final Map for Tract 6080, located at the southwest area of Ashlan and Highland Avenues (Ashlan/Highland No.1, LP – McCaffrey Homes).
11. Public Safety - Approved – Waive the City's usual purchasing requirements and authorize the purchase of the Tyler New World Brazos mobile phone application to allow more efficient workflows and integration with the court system.

PUBLIC HEARINGS

12. 6:13 - APPROVED - **RES. 19-98**, CUP2019-005, APPROVING A CONDITIONAL USE PERMIT FOR A 23-LOT SINGLE-FAMILY PLANNED RESIDENTIAL DEVELOPMENT WITH PUBLIC STREETS, REDUCED SETBACKS AND INCREASED LOT COVERAGE FOR PROPERTY LOCATED AT THE NORTHWEST CORNER OF ASHLAN AND LOCAN AVENUES. WILSON PREMIER HOMES, INC., OWNER/APPLICANT; HARBOUR & ASSOCIATES, REPRESENTATIVE.

Associate Planner George Gonzalez presented a report on a request to approve a conditional use permit for a 23-lot single-family planned residential development with public streets, reduced setbacks and increased lot coverage for property located at the northwest corner of Ashlan and Locan Avenues. The applicant is requesting approval of a conditional use permit for a 23-lot planned residential development with public streets, reduced setbacks and increased lot coverage for a previously approved vesting tentative tract map. The applicant is not proposing a Homeowner's Association with this project. Approval of this Project would allow the developer to continue processing a residential site plan review and development drawings.

Stan Harbour, engineer representing the applicant, commented on and spoke in favor of the project. Leo Wilson, Wilson Homes, commented on the remaining parcel and possible disposition of it. Discussion by the Council.

Motion by Councilmember Ashbeck, seconded by Councilmember Whalen, for the Council to approve a conditional use permit for a 23-lot single-family planned residential development with public streets, reduced setbacks and increased lot coverage for property located at the northwest corner of Ashlan and Locan Avenues. Motion carried 4-0-1 with Mayor Bessinger absent.

CORRESPONDENCE

13. NONE.

ADMINISTRATIVE ITEMS

14. 6:35 - APPROVED ADOPTION - ORD. 19-09, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLOVIS AMENDING SECTION 5.6.09, SUBSECTION (A) OF CHAPTER 5.6 OF TITLE 9 OF THE CLOVIS MUNICIPAL CODE REGARDING THE MAXIMUM NUMBER OF CARD TABLES ALLOWED IN A CARD ROOM. (VOTE: 4-1 WITH COUNCILMEMBER WHALEN VOTING NO)

Assistant City Manager John Holt presented a report on a request for Council to adopt an ordinance amending Section 5.6.09, subsection (a) of Chapter 5.6 of Title 9 of the Clovis Municipal Code increasing the maximum number of authorized card tables at the 500 Club from 18 to 20. The new owners of the 500 Club (K & M Casinos, Inc.) took over operations on March 1, 2019. Staff is in receipt of a request from the owners to increase the number of card tables allowed to operate in a card room from eighteen (18) to twenty (20). The City Attorney's office reviewed the request and found that Chapter 5 of the Gambling Control Act, Business and Professions Code, Section 19961.6 subdivision (b), allows for a one time increase of two tables without requiring voter approval. Attachment (A) is the draft ordinance amending Section 5.6.09, subsection (a) increasing the maximum number of authorized card tables in a Card Room from 18 to 20. Attachment (B) is a staff report from 2011 providing some background on prior actions taken with the relocation and expansion of the 500 Club. There being no public comment, Mayor Pro Tem Flores closed the public portion. Discussion by the Council.

Motion by Councilmember Ashbeck, seconded by Councilmember Mouanoutoua, for the Council to adopt an ordinance amending Section 5.6.09, subsection (a) of Chapter 5.6 of Title 9 of the Clovis Municipal Code increasing the maximum number of authorized card tables at the 500 Club from 18 to 20. Motion carried 3-1-1 with Councilmember Whalen voting no and Mayor Bessinger absent.

15. 6:38 - APPROVED ADOPTION - ORD. 19-10, AMENDING VARIOUS SECTIONS OF THE MUNICIPAL CODE RELATING TO DEVELOPMENT FEES. (VOTE: 3-0-2 WITH COUNCILMEMBER FLORES AND COUNCILMEMBER WHALEN ABSENT)

Associate Engineer Sean Smith presented a report on a request to adopt Ordinance 19-10, amending various sections of the Municipal Code relating to Development Fees. On July 1, 2019, City Council approved a resolution related to Development Impact Fees (DIF) and also approved the introduction of Ordinance 19-10, amending the Municipal Code relating to Development Fees. At the July 1, 2019 meeting, the introduction of the ordinance was approved with less than a unanimous vote due to two council absences from that meeting. Therefore the adoption of the ordinance is being considered on the regular agenda versus the consent calendar.

The Municipal Code provides for reimbursements of specific DIF's when a project exceeds its fee obligation. A few of these are Sewer, Water, Major Street, Undergrounding of Overhead Utilities, and Parks. The Major Street section is the only DIF that requires the payment of interest on reimbursements when the City does not have an adequate fund balance. The City Attorney's Office has found no other requirement for the City to pay interest besides the City's Municipal Code. Staff is recommending approval of the ordinance change necessary to implement the interest revision as a clean-up action to make the Major Street section consistent with other reimbursement sections of the Municipal Code.

Darius Assemi, Granville Homes, indicated that he was not in town on July 1 for the consideration of the adoption of fees. He indicated that charging a one bedroom apartment the same park fee as a 5 bedroom home does not seem to be fair. Mike Cunningham, resident, commented on having Councilmember Whalen and Flores ability

to vote on the item as they were absent during the July 1, 2019 meeting. Discussion by the Council.

Motion by Councilmember Ashbeck, seconded by Councilmember Whalen, for the Council to approve a request to adopt Ordinance 19-10, amending various sections of the Municipal Code relating to Development Fees. Motion carried 4-0-1 with Mayor Bessinger absent.

16. 7:05 - APPROVED – REVISED, AMENDED, AND RESTATED COOPERATIVE AGREEMENT BETWEEN FRESNO IRRIGATION DISTRICT AND CITY OF CLOVIS FOR WATER UTILIZATION AND CONVEYANCE, AND MAKING THE DETERMINATION THAT THE AGREEMENT IS EXEMPT FROM CEQA; AND CONSIDER APPROVAL – FIRM SURFACE WATER SUPPLY AND PURCHASE AGREEMENT.

Public Utilities Director Scott Redelfs and Assistant Public Utilities Director Paul Armendariz presented Council a proposed Cooperative Agreement between Fresno Irrigation District and City of Clovis for Water Utilization and Conveyance. City of Clovis staff began negotiations with the Fresno Irrigation District (FID) in late 2017 to discuss the terms of revising and updating the Cooperative Agreement between FID and Clovis that specifies the contractual arrangement for the City to receive Kings River Water Supply. The attached agreements represent the final proposed language and terms for the City to continue receiving Kings River water and include the addition of a new water supply to meet future City growth and support implementation of the Sustainable Groundwater Management Act (SGMA). The original Conveyance Agreement, which was signed in 1972, needed to be revised and updated for current and future operations.

The revised and updated Conveyance Agreement provides the City the certainty of receiving its current allocation of Kings River water and allows for an additional 1% allocation as lands within the FID service area annex to the City upon development. Currently, in an average water year, FID is entitled to approximately 450,000 acre feet of Kings River water. Of that amount, the City of Clovis currently receives 6.12%, which is about 27,500 acre feet of allocated Kings River water. The additional 1% will add about 4,500 acre feet, totaling approximately 32,000 acre feet of allocated water in an average water year.

To meet expected growth in relationship to the City of Clovis General Plan and the 2015 Urban Water Management Plan (UWMP), and to assist in compliance with SGMA, a supplemental agreement for a new water supply has been negotiated. The supplemental agreement is for a firm 7,000 acre feet of water available to the City annually and is not dependent on seasonal conditions. This water supply will be extremely valuable in multiple drought years. This new water supply will also provide for City growth.

Staff believes that the combination of secured water supply and enacted State legislation will provide the City the necessary means to serve growth as defined in the General Plan. The 2020 UWMP update, expected to be completed next year, will provide the City with an updated look at current and future water needs. The following is a list of water supply that is and will be available to meet City water needs:

• FID Conveyance Agreement (average water year)	32,000 acre feet
• Firm Water Supply Agreement	7,000 acre feet
• Waldron Pond Banking Facility	9,000 acre feet
• Jameson-Boswell Banking Facility	4,500 acre feet
• Garfield Water District allocation (average water year)	1,170 acre feet
• International Water District allocation (average water year)	600 acre feet

Senate Bill SB 606 and Assembly Bill 1668 require cities to set strict annual water budgets. Under the bills, each urban water provider will be required to come up with a target for water use by 2022. Fines for agencies failing to meet their goals can begin in 2027. Standards will be based on a formula that is made up of three main factors: an allowance of 55 gallons per person per day for indoor water use, dropping to 50 gallons by 2030; a yet-to-be determined amount for residential outdoor use that will vary depending on regional climates; and a standard for water loss due to leak rates in water system pipes.

Bill Stretch, General Manager, Fresno Irrigation District, introduced Jerry Prieto and Gary Serrato, and commented on the agreement. Gary Serrato, former General Manager, and lead negotiator, commented on the proposed agreement. Discussion by the Council.

Motion by Councilmember Ashbeck, seconded by Councilmember Whalen, for the Council to:

- Approve the Revised, Amended and Restated Cooperative Agreement between Fresno Irrigation District and City of Clovis for Water Utilization and Conveyance; and
- Determine that the Revised, Amended and Restated Cooperative Agreement between FID and the City is exempt from CEQA pursuant to CEQA Guideline Section 15061(b)(3).

Motion carried 4-0-1 with Mayor Bessinger absent.

Motion by Councilmember Ashbeck, seconded by Councilmember Whalen, for the Council to approve the Firm Surface Water Supply and Purchase Agreement.

Motion carried 4-0-1 with Mayor Bessinger absent.

17. 8:12 - DENIED – A REQUEST FROM A RESIDENT FOR THE CITY TO ALLOW COMFORT ANIMALS IN THE CLOVIS SENIOR ACTIVITY CENTER.

General Services Manager Amy Hance presented a report on a request to consider a request from resident Judy Moffett for the City to allow comfort animals in the Clovis Senior Activity Center. The City has received a request from resident Judy Moffett for the City to allow comfort animals in the Clovis Senior Activity Center. Currently, the Clovis Senior Activity Center along with all City facilities, adheres to the Federal standards of the Americans with Disabilities Act (ADA) and the California Unruh Act by allowing disabled individuals and their service animals to have full access to public places. Emotional support animals are not covered by the ADA or Unruh Act and do not require

accommodation, except under the Fair Housing Act and the Air Carrier Access Act (ACAA). Amy Hance indicated that staff was recommending denial of the request.

Judy Moffett, resident, commented on and spoke in support of her request. Discussion by the Council. Motion by Councilmember Whalen, seconded by Councilmember Mouanoutoua, for the Council to deny the request to allow emotional support animals in the Clovis Senior Activity Center. Motion carried 4-0-1 with Mayor Bessinger absent.

CITY MANAGER COMMENTS 8:39

City Manager Luke Serpa commented on early renewal of the Measure C that was discussed at the Fresno Council of Governments meeting on Friday.

COUNCIL ITEMS 8:40

18. Council Comments

CLOSED SESSION 8:42

19. Government Code Section 54956.9

CONFERENCE WITH LEGAL COUNCIL-ANTICIPATED LITIGATION

Initiation of Litigation Pursuant to Paragraph (4) of Subdivision (d) of Section 54946.9 (Deciding Whether to Initiate Litigation): 1 Case

Mayor Pro Tem Flores reconvened the regular meeting of the Council and requested the City Attorney report out on the action taken.

David Wolfe indicated that on a motion by Council member Ashbeck, seconded by Council member Whalen, and a 4-0 vote with Mayor Bessinger absent, the Council authorized the initiation of litigation. Details will be available once the action is commenced.

Mayor Pro Tem Flores adjourned the meeting of the Council to August 5, 2019

Meeting adjourned: 8:55 p.m.

Mayor Pro Tem

City Clerk



CITY of CLOVIS

REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: City Clerk Department

DATE: August 5, 2019

SUBJECT: Approval – Waive Normal Purchasing Process and approve the purchase of replacement desktop computers and servers using competitively bid contracts with purchasing provisions for California State and Local government agencies.

CONFLICT OF INTEREST

None.

RECOMMENDATION

That Council waives the normal purchasing process and approves the purchase of desktop computers and servers through the use of competitively bid contracts with purchasing provisions for California State and Local government agencies.

EXECUTIVE SUMMARY

Included in the 2019-2020 Budget are funds to purchase computers for all departments and servers for applications. The computers and servers are to provide upgrades and replacement of obsolete, worn-out equipment and to equip new employees with computers. The computers are allocated to the various departments based on need. Upgrades are necessary to improve the work performance of clerical and technical positions. A portion of the computers to be purchased are to replace units that have high failure and repair rates, or are unable to run upgraded software. Staff is recommending purchasing the replacement computers using previously competitively bid contracts with purchasing provisions for California State and Local government agencies.

BACKGROUND

As in prior years, the Information Services Division is requesting approval to purchase computers and servers through other competitively bid contracts by other agencies, such as the California Multiple Award Schedule (CMAS). With the proliferation of competitively bid contracts with "piggy-back" provisions, the need to purchase in large quantities at one time is no longer necessary. These current contracts base their pricing on the ability of multiple State and Local government agencies to purchase equipment on an "as needed" basis, while still passing along quantity discounts. Other examples of these contracts are the Western States Contracting Alliance (WSCA) and the California Communities Purchasing Program (CCPP) sponsored by the League of California Cities.

When purchasing computers on an as needed basis, the City will be able to setup and install the computers more efficiently when staffing is available, eliminating the need to have a large storage area for the computers and risk of potential loss due to theft or disaster. By purchasing when the computer is required, the City can take advantage of price reductions.

As in the past, the City will continue to use the same evaluation criteria for selecting equipment. This will include certification of the preloaded operating system and software, quality of components, software upgrade policy, price, compliance with the City's standard specifications, product reliability, vendor reputation, and financial stability of the supplier and the computer manufacturer.

FISCAL IMPACT

There is \$250,000 budgeted to fund the purchase of replacement computers, servers, related software, licensing and peripherals.

REASON FOR RECOMMENDATION

The computers and servers are needed to increase the stability of the computing environment, increase productivity and to replace worn-out equipment. Purchasing through current contracts will allow the City the flexibility to install computers and servers on an as needed basis, purchase the most recent configurations offered by the manufacturers, and receive the latest price reductions offered.

ACTIONS FOLLOWING APPROVAL

The City will purchase the budgeted desktop computers and servers from current competitively bid contracts as they are required. As the units arrive, they will be setup and installed to the department users that were designated to receive new computers during the budget process.

Prepared by: Jesse Velez, I.T. Manager

Submitted by: 
John Holt, Assistant City Manager



CITY *of* CLOVIS

REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: Administration

DATE: August 5, 2019

SUBJECT: Approval - City of Clovis Americans with Disabilities Act Transition Plan Update

ATTACHMENTS: (A) Transition Plan

CONFLICT OF INTEREST

None

RECOMMENDATION

For the City Council to approve the attached City of Clovis Americans with Disabilities Act (ADA) Transition Plan Update.

EXECUTIVE SUMMARY

The City is required to have a Transition Plan to comply with provisions of the Americans with Disabilities Act (ADA). The basic purpose of this Transition Plan is to identify physical obstacles in the City's facilities that limit the accessibility of its programs or activities to individuals with disabilities, come up with a plan to remove such barriers, and implement. In 2007, 2009, and 2012, the City Council approved Transition Plans. The attached Transition Plan is an update to the 2012 version.

Prior action regarding ADA:

- ✓ 2006 - Staff engaged the services of a consulting firm that performed a current assessment of City facilities regarding compliance with Title II of the ADA (focus on the access to public facilities);
- ✓ September 2007 - City Council approved a Grievance Procedure and appointed the City Clerk as the ADA Coordinator consistent with the ADA;

- ✓ May 2008 – City Council approved the 2008-2009 ADA Transition Plan.
- ✓ June 2008 – Council appointed Councilmember Lynne Ashbeck as City Council Liaison to the Americans with Disabilities Act (ADA) City Compliance Team to assist with implementation of the ADA Transition Plan.
- ✓ August 2008 – Council received a progress report regarding Americans with Disabilities Act Transition Plan Implementation.
- ✓ August 2009 – Council approved an updated 2009 Transition Plan.
- ✓ February 2010 – present – Staff has been working on barrier removal and compliance with the consent decree entered into. The City has until June 2013 to complete all requirements.
- ✓ June 2010 – March 2012 – a survey of all public rights-of-way was completed.
- ✓ March – June 2012 – development and review of the database developed from the survey.
- ✓ June 2012 - Council approved an updated 2012 Transition Plan.
- ✓ August 2019 – forward – staff will continue to prioritize the obstacles identified in the survey and work on removing.

The Transition Plan is a living document that needs to be reviewed, amended, and updated on an annual basis. The attached Transition Plan has been updated for 2019 and puts forth a plan which identifies a schedule and plan to remove identified barriers.

BACKGROUND

Americans with Disabilities Act (ADA) became law on July 26, 1990. As a civil rights law, the ADA provides protection to individuals with disabilities and guarantees equal opportunity for individuals with disabilities in employment, public accommodations, transportation, state and local services and telecommunications.

As defined in the ADA, a “qualified individual with a disability” is a person who has:

- A disability that substantially limits “major life activity”, or
- Has a record of such disability, or
- Is regarded as having such a disability (may be by association).

Major life activities include functions such as caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working.

In September 2007, the Clovis City Council approved a Grievance Procedure and appointed the City Clerk as the ADA Coordinator consistent with the ADA. ADA is made up of five Titles, of which the City is primarily impacted by Titles I & II. Title I of the ADA is designed to remove barriers that would deny qualified individuals with disabilities access to the same employment opportunities and benefits available to

others without disabilities. Title II prohibits discrimination on the basis of disability by public entities and requires the City to provide access to programs, services and activities provided by the City.

Below is a summary of the ADA's five titles:

Title I – Employment - covers obligations of employers. It became effective July 26, 1992 for employers with 25 or more employees and July 26, 1994 for employers with 15 or more employees, and is enforced by the Equal Employment Opportunity Commission (EEOC).

Title II - State and Local Governments – Prohibits discrimination on the basis of disability by public entities regardless of their size. The public entity is required to give individuals with disabilities an equal opportunity to access its programs, services and activities. State and local governments are not required to take actions that would result in undue financial or administrative burdens or a fundamental alteration in the nature of a service, program or activity. However, they are required to make reasonable modifications to policies, practices, and procedures where necessary to avoid discrimination, unless they can demonstrate that doing so would fundamentally alter the nature of the service, program, or activity being provided or result in undue financial and administrative burdens.

Title III - Private Entities - Covers public accommodations, commercial facilities, private entities that offer examinations or courses related to licensing or certification, and transportation provided to the public by private entities. The title became generally effective January 26, 1992, and is enforced by the Department of Justice.

Title IV – Telecommunications - Establishes a national telecommunications relay service, which was required to be established by July 26, 1993, and mandates that public service announcements provided or funded in whole or in part by any federal agency be closed captioned. This title is enforced by the Federal Communications Commission.

Title V - Miscellaneous Provisions - Contains provisions applying to all titles of the ADA.

Actions associated with this report focus on compliance with Title II of the ADA. Specific actions associated with Title II requirements are the designation of an ADA Coordinator; development of a City of Clovis Grievance Procedure; development of a transition plan; and implementation of the plan. Designation of the City Clerk as the ADA Coordinator and approval of the Grievance Procedure accomplished the first two. Approval and implementation of the Transition Plan began compliance with the latter two requirements.

In 2006, the City engaged the services of a consulting firm that performed a current assessment of City facilities regarding compliance with Title II of the ADA (focus on the

access to public facilities). An ADA Compliance Team, made up of staff members from all affected departments, has been formed to develop and implement the transition plan. The transition plan itself is the identification of any existing barriers for individuals with disabilities and the development of a work plan to remove such barriers. The transition plan began with an assessment of City facilities.

The ADA Coordinator has worked with the ADA Compliance Team to complete the Transition Plan. Implementation of the removal of any barriers will be managed through the Community Investment Program (CIP) as funding becomes available on an annual basis. Completion of the Transition Plan is a multi-year project which will include existing and future City facilities including such infrastructure as sidewalks.

As previously mentioned, the Transition Plan is a living document that will be amended on an annual basis. This Transition Plan has been reviewed and amended and, if approved, will allow the City to continue with the removal of barriers that restrict individuals with disabilities an equal opportunity to access its programs, services and activities offered. Total ADA compliance will be an ongoing multi-year effort. Development of the Plan and implementation of the Plan on both existing and future assets will continue to move the City in the direction of compliance with the ADA.

FISCAL IMPACT

Implementation of the removal of barriers will be managed through the Community Investment Program (CIP) as funding becomes available on an annual basis.

REASON FOR RECOMMENDATION

Approval and implementation of the Transition Plan will enable the City to move forward with the removal of barriers that restrict individuals with disabilities an equal opportunity to access its programs, services and activities offered by the City.

ACTIONS FOLLOWING APPROVAL

If approved, staff will implement City of Clovis 2019 ADA Transition Plan Update.

Submitted by:



John Holt, ADA Coordinator

**CITY OF CLOVIS, CA
AMERICANS WITH DISABILITIES ACT (ADA)
TRANSITION PLAN UPDATE
AUGUST 2019**

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A. INTRODUCTION: DEVELOPMENT OF ADA TRANSITION PLAN UPDATE

The Americans with Disabilities Act (ADA) of 1990 provides comprehensive civil rights protections to qualified individuals with disabilities in the areas of employment, public accommodations, State and local government services, and telecommunications. A primary goal of the ADA is to ensure equal participation in public life for all Americans with disabilities. Title II of the Act covers programs, services and activities of public entities, such as the City of Clovis.

Under Title II, a public entity may not deny the benefits of its programs, services, and/or activities to individuals with disabilities by maintaining inaccessible facilities, which house these programs, services and activities. The City's programs, services, and activities, when viewed in their entirety, must be made accessible to, and usable by, individuals with disabilities, except where to do so would result in a fundamental alteration in the nature of the program; result in undue financial and administrative burdens or threaten or destroy the historic significance of a historic property.

Section §35.150 requires that each program, service or activity conducted by a City, when viewed in its entirety, be readily accessible to, and usable by, individuals with disabilities. The regulation makes clear, however, that a City is not required to make each of its existing facilities accessible (§35.150(a)(1)). Unlike Title III of the ADA, which requires public accommodations to remove architectural barriers where such removal is "readily achievable," or to provide goods and services through alternative methods, where those methods are "readily achievable," Title II requires a City to make its programs accessible in all cases, except where to do so would result in a fundamental alteration in the nature of the program or in undue financial and administrative burdens. The US Congress intended the "undue burden" standard in Title II to be significantly higher than the "readily achievable" standard in Title III. Thus, although Title II may not require removal of barriers in some cases where removal would be required under Title III, the program access requirement of Title II should enable individuals with disabilities to participate in, and benefit from, the programs, services or activities provided by the city in all but the most unusual cases.

To comply with the Title II requirements for accessibility to City *programs, services and activities*, this Transition Plan:

- Identifies physical obstacles in the public entity's facilities that limit the accessibility of its programs or activities to individuals with disabilities;
- Assesses the extent of architectural barriers to program accessibility in the public rights-of-way and within the buildings, parks and other facilities operated by the City;
- Describes in detail the proposed methods that will be used to make the facilities accessible;
- Estimates costs based on identified barriers for mitigation solutions;

- Specifies the steps necessary to achieve compliance;
- Provides a provisional schedule for barrier removal/mitigation;
- Establishes priorities for barrier elimination; and
- Indicates the official responsible for implementation of the plan.

Separate from this Transition Plan is a database that is being maintained from the 2007 and the 2012 self-evaluations of city owned assets city wide.

The City may achieve program accessibility by a number of methods, both structural and non-structural:

- Structural methods include altering an existing facility;
- Acquisition of or redesign of equipment
- Assignment of aides; and/or
- Providing services at alternate accessible sites.

When choosing a method of providing program access, the City will give priority to the one that results in the most integrated setting appropriate to encourage interaction among all users, including individuals with disabilities. The process of making City facilities and programs accessible to all individuals will be an on-going one, and the City will continue to review accessibility issues such as resolution of complaints and reasonable modifications to programs.

Per 28 Code of Federal Regulations, Part 35; Subpart D – Program Accessibility; §35.150 – Existing Facilities; (d) Transition Plan (1): The City shall provide an opportunity to interested persons, including individuals with disabilities or organizations representing individuals with disabilities, to participate in the development of the transition plan by submitting comments. As such the City should invite the public to participate in the development of the Self-Evaluation and Transition Plan and to submit comments, questions, and recommendations.

B. SELF-EVALUATION OF POLICIES, PROCEDURES AND PRACTICES

In addition to identifying and modifying physical barriers, Title 28 CFR Part 35, *Non Discrimination on the Basis of Disability in State and Local Government Services*, requires that a public entity evaluate its policies, procedures and practices. The following outlines the City's self-evaluation:

- Evaluate City policies, procedures, and practices as they pertain to its programs, services and activities; and make the necessary modifications to those policies and practices that do not meet the programmatic requirements of Title II of the ADA;
- Provide an opportunity to interested persons, including individuals with disabilities or organizations representing individuals with disabilities, to participate in the self-evaluation process by submitting comments;
- Maintain, file and make available for public inspection a list of interested persons consulted, a description of areas examined and any problems identified, and a description of any modifications made.

It is recommended that the City periodically evaluate such policies, procedures and practices pertaining to communication, auxiliary aides and services, emergency response, publications, determination for undue burden, public activities, employment, and new construction of facilities, in addition to physical accessibility of existing City facilities.

It is also recommended that for program barrier mitigation, a detailed outline of administrative requirements and detailed requirements of needed policies be included. The policy outline would serve as a guideline upon which the City's future policies may be built.

C. OVERVIEW - ACCESS COMPLIANCE ASSESSMENTS OF PEDESTRIAN FACILITIES WITHIN THE PUBLIC RIGHTS-OF-WAY

An ADA transition plan is used to document the access barriers to City's programs, services and activities. As part of this project, the City completed a city-wide evaluation of pedestrian facilities within the public rights-of-way in 2012/13 and an evaluation of facilities in 2007, and documented the existing physical barriers and conditions not compliant with ADA. A separate database is maintained separately from this Transition Plan. Additionally, on an ongoing basis, staff meets with members of the City of Clovis ADA Public Advisory Committee to identify any barriers to access. The City has annually dedicated funding for improvements citywide to remove barriers through its Community Investment Program.

The City has either sole or shared responsibility/authority over streets, roads and walkways in the public rights-of-way and City facilities. The ADA Transition Plan references the Planning and Development Services Department's schedule for providing curb ramps or mitigating barriers in pedestrian sidewalks, giving priority to pedestrian routes serving public entities, including State and local government offices and facilities, transportation, places of public accommodation, and employers, followed by walkways serving other areas and government facilities.

The survey of pedestrian facilities, as it pertains to the public rights-of-way, fulfills the first requirement for the Transition Plan by identifying physical obstacles limiting the accessibility of City programs, services and activities to individuals with disabilities. Field assessments of City Street intersections and mid-blocks were conducted in accordance with current accessibility regulations per Title II of the ADA and Title 24 of the California Code of Regulations; the report also includes recommendations based on the US Access Board's revised draft guidelines for Accessible Public Rights-of-Way.

Report Production

The following information contains the minimum data included in the Transition Plan-Assessment Reports (A separate database is maintained from this Transition Plan):

- Street numbers and/or names with geographical orientation information for each barrier
- Area/location of the barrier; for example distance from street corner
- Description of the barrier (as-built situation)
- As-is measurement/dimension
- Proposed conceptual solution or method of barrier-mitigation
- Code citations specifying the applicable sections in the State accessibility regulations and federal standards
- Prioritization criteria and ranking of barrier-removal
- Unit and estimated unit price
- Photographic and/or video documentation
- Special site conditions (if applicable)

D. PRIORITIZATION CRITERION FOR BARRIER MITIGATION

The relative significance of each barrier, according to its impact upon the disabled population was taken into account when developing the prioritization criteria for barrier mitigation. A prioritization criterion was developed as a result of two distinct type of analysis – barrier impedance and usage (referred to as activity analysis). Both types of analyses produce a score for each feature, and the final barrier ranking prioritization rationale is based on the function of these combined scores.

Activity Analysis

Activity analysis determines how much use a given pedestrian feature (surveyed pedestrian facility or infrastructure – section of sidewalk, bus stop, curb ramp at corner, pedestrian median within an intersection, etc.) can expect to receive to determine priority. This is done using a GIS-based spatial analysis tool, which evaluates the characteristics of the area surrounding each feature to estimate how much activity would be likely. Layers in the spatial analysis tool include information pertaining to the following:

- Collectors & Arterial streets
- Bus Stops
- City Parks
- Schools
- Population Density
- Location of Large Employers – Still working on this layer
- Location of Senior Housing
- Location of Retail Businesses – Still working on this layer
- Other demographic information pertaining to age, vehicle ownership, etc.

Barrier Impedance Analysis

The barrier impedance analysis involves assigning relative weightage to the different deficiency-categories and calculating the barrier impedance score based on their respective field measurements. This GIS-based tool allows the City to assign relative weightage to displacements in sidewalks, cross slopes at driveways, obstructions in width of pedestrian access routes, etc.

Transition Planning Tools

Using GIS-based tools with simple user interfaces, City staff is able to analyze different weightage scenarios, while running multiple analyses to determine the most efficient use public funds and to mitigate the highest priority barriers. This iterative process allows the City to compare the model results with real world knowledge and understanding of the City, and adjust the results so that they are validated satisfactorily.

In the public rights-of-way, where the City has sole responsibility/authority over streets, roads and walkways, the ADA Transition Plan references the City's Pavement Management Plan and Street Resurfacing Program schedule for providing curb ramps or

mitigating barriers in pedestrian sidewalks. In addition, the Transition Plan schedule prioritizes barrier-mitigation within pedestrian routes that serve public entities, including State and local government offices and facilities, transportation, places of public accommodation, and employers, followed by walkways serving other areas.

The identified barriers are prioritized and sorted for inclusion into annual barrier-removal projects developed by departmental staff that manage various City programs and are based on the City's available funding, The Divisions and their corresponding departments are as follows:

- Engineering Division (Planning and Development Services Department)
- Streets Maintenance Division (Public Utilities Department)
- Facilities Maintenance Division (General Services Department)

It is the goal of the City to continue its efforts to improve pedestrian accessibility. To achieve its goal the City plans to utilize the following criterion to guide its sidewalk and curb ramp program.

Prioritization Criteria for pedestrian rights-of-way according to barrier location:

- Priority 1. Pedestrian routes wherein requests for barrier removal by any person with mobility and/or vision disabilities seeking full and equal access
- Priority 2. Pedestrian routes serving City, State and local government offices and facilities
- Priority 3. Pedestrian routes serving important transportation corridors, public transit, including pathways leadings to schools.
- Priority 4. Pedestrian routes serving commercial/business zones and other Title III entities
- Priority 5. Enhance safety at pedestrian crossings
- Priority 6. Pedestrian routes serving residential neighborhoods and undeveloped regions.
- Priority 7. Create connected systems of accessible pathways.

For barriers within the public rights-of-way, a 3-pronged approach to implementation is recommended:

1. Engineering Division staff is to prepare a mitigation schedule for pedestrian access routes from the nearest fixed route (Stageline Transit Line) bus stop(s) serving City offices/facilities to the site-entrance points of those facilities. If a technical infeasibility is determined, Engineering staff is to coordinate with the Transit

Division on relocating bus stops along accessible routes serving said City offices/facilities.

2. The Engineering Division, which manages the Community Investment Program (CIP), will coordinate information from the City's Pavement Management Plan identifying street sections being resurfaced under this program and identify non-compliant curb ramps triggered by these projects. Non-compliant curb ramps are to be scheduled for upgrade to applicable standards in tandem with the corresponding Capital Improvement Project. See pages 16 and 17 of this document.
3. The City Manager's Office is to adopt a formal procedure/policy of reviewing citizen-requests for barrier-removal within pedestrian access routes and providing the necessary services determined through the review in coordination with the City's ADA Coordinator.

E. IMPLEMENTATION OF TRANSITION PLAN

Official Responsible

The ADA requires that an official be identified as responsible for the implementation of the city's plan.

It is the US DOJ's view that compliance with 28 CFR 35.150(a), like compliance with the corresponding provisions of the section 504 regulations for public programs, would in most cases not result in undue financial and administrative burdens on a typical City. In determining undue financial and administrative burdens, all City resources available for use in the funding and operation of City services, programs and activities would need to be considered.

The burden of proving that compliance with paragraph (a) of 28 CFR 35.150 would either fundamentally alter the nature of a service, program, or activity OR would result in undue financial and administrative burdens rests with the City. The decision that compliance would result in such alteration and/or burden must be made by the head of the public entity or his or her designee and must be accompanied by a written statement of the reasons for reaching that conclusion.

While the US DOJ has acknowledged the difficulty/complexity of not only making such a determination, but also identifying the official responsible to make this decision/determination, the department's intention is clear in that the determination must be made by a high level official, no lower than a Department head, having budgetary authority and responsibility for making spending decisions.

The Official Responsible for the implementation should be able to seek/acquire funding for ADA barrier removal work over the City's Transition Planning period. The City of Clovis has designated the Assistant City Manager as the Official Responsible for the implementation of its ADA Transition Plan. In the City of Clovis, the barriers identified in the Rights-of-Way will all fall in the purview of the Assistant City Manager and/or his respective designees – Department Directors, City Engineer, etc.

Typically, the responsibility of making any particular City program, service or activity accessible to all persons, regardless of ability, rests with the official who controls the operating funds for that particular program, service or activity. To this end, the task of seeking/getting approval for funds from the governing body to make the said program accessible lies with the official responsible for the program. Indication of the official responsible for implementation of the plan fulfills the final requirement of a Transition Plan.

It is the responsibility of the ADA Coordinator (assigned to Assistant City Manager) to develop, monitor, and implement the Transition Plan. The final product is a working

document to be modified as barriers are removed or alterations are made. The City's final document will be retained for record keeping purposes following completion, and be maintained on file and made available for public inspection.

Implementation of the Transition Plan will be managed by the ADA Coordinator in conjunction with the City's Facilities Maintenance Division, the City's Community Investment Program and other staff as appropriate. On an annual basis the transition plan will be updated and annual work plans will be presented to City Council for review and approval identifying the work to be accomplished each year.

CFR Section 35.150, Existing Facilities, subsection (a) states that the City shall operate each service, program, or activity so, when viewed in its entirety, it is readily accessible to and usable by individuals with disabilities. This Section does not require the City to take any action that would threaten or destroy the historic significance of a historic property; does not require the City to take any action that it can demonstrate would result in a fundamental alteration in the nature of the service, program, or activity or in undue financial and administrative burdens; or does not require the City to make each of its existing facilities accessible to and usable by individuals with disabilities.

As noted above, the City does not have to take any action that it can demonstrate would result in a fundamental alteration in the nature of the program or activity, would create a hazardous condition for other people, or would represent an undue financial and administrative burden. This determination can only be made by the City Manager, ADA Coordinator or a Department Head and must be accompanied by a statement citing the reasons for reaching that conclusion. The determination that an undue financial burden would result must be based on an evaluation of all resources available for use in a program and the City must consider other options for providing access that would ensure that individuals with disabilities receive the benefits and services of the program or activity.

The City maintains streets, many of which contain curbs, gutters, and sidewalks. In accordance with the Streets and Highways Improvement Act of 1911, property owners are responsible for the maintenance of curbs, gutters and sidewalks adjacent to their property.

The City also makes sidewalks more accessible through new development, street capital improvement projects and other similar work. To promote efficiency and accessibility, the City may choose to construct curb ramps at every point where a sidewalk intersect a curb; however, the City is not necessarily required to do so. Alternative routes to buildings that make use of existing curb cuts may be acceptable under the concept of program accessibility in the limited circumstances where individuals with disabilities need only travel a marginally longer route. In addition, the fundamental alteration and undue burden limitations may limit the number of curb ramps that the City may be required to provide.

As part of the ongoing self-evaluation process and transition plan updates the following criteria have been developed for prioritizing new curb ramp construction and alterations.

- Repair of hazardous conditions
- Installation of new curb ramps to connect existing sidewalks, and
- Repair of existing curb ramps that do not comply with ADAAG technical requirements and State of California standards.

In addition, to achieve or maintain program accessibility, it may be appropriate for the City to establish an ongoing procedure for installing curb ramps upon request in areas frequented by individuals with disabilities.

However, when streets are newly built or altered, the City must provide ramps or sloped areas wherever there are curbs or other barriers to entry from a sidewalk or path. Likewise, when new sidewalks or paths are built or altered, they must contain curb ramps or sloped areas wherever they intersect with streets, roads, or highways.

Program Accessibility Resources

In order to facilitate access to City programs by all citizens, the ADA Coordinator will maintain a list of resources, information and technological devices that will help staff members communicate with individuals with a variety of disabilities.

Alternative Format Communications: Resources to produce standardized publications such as applications and registration forms in Braille, audiotape, large print text and accessible electronic media will be assembled.

American Sign Language Interpreters: A pool of on-call American Sign Language interpreters will be developed. This list will be routinely updated to ensure the availability of interpreters.

Assistive Listening Systems and Devices: Systems and devices to amplify sound for persons with hearing disabilities will be available for public meetings and conferences.

Text Telephone (TTY): City Departments will have access to a telephone transfer service as offered by public telephone companies.

Transportation: The City will provide accessible transportation as needed/requested by program participants.

Enlarging Printed Materials: A copy machine capable of enlarging printed materials will be available for each site where programs or transaction counter services are provided to the public.

Public Input

On July 18, 2019, at 2:00 p.m., the City of Clovis ADA Public Advisory Committee met to discuss the draft ADA Transition Plan. The meeting took place at the Public Safety Community Room, 1233. Copies of the draft plan were distributed. Copies were also provided all Committee members in hard copy and by electronic mail. Input and comment were received from Committee Members.

On July 25, 2019, at 4:00 p.m., a public hearing was held on the Transition Plan in the Council Chambers at 1033 Fifth Street. Notice of the public hearing was placed in The Business Journal on Friday, July 19, 2019. The invitation notice was also posted to the following locations:

- City of Clovis website news section
 - <https://cityofclovis.com/city-of-clovis-notice-of-public-meeting/>
- Facebook
 - City of Clovis Government page
 - Clovis Senior Activity Center page
- Next Door
 - All Residents

Copies of the Transition Plan were sent to the following for review:

Executive Director, Resources for Independence, Central Valley; Executive Director, Central Valley Regional Center; Executive Director, Deaf and Hard of Hearing Service Center; Executive Director, Valley Center for the Blind; Executive Director, Fresno Madera Area Agency on Aging; President, California Council of the Blind Fresno; CSUF Rehabilitation Counseling; CSUF/FCC Gerontology; Disabled Veteran's Advocate; and the Certified Americans with Disabilities Act Coordinator, City of Fresno

Transition Plan Implementation

The document should be maintained and updated for the duration of the Transition Planning period and a copy of the transition plan shall be made available for public inspection.

The final product is a working document to be updated as barriers are removed or alterations are made. The Official responsible and project managers overseeing the barrier-removal projects will document all such ADA improvements/upgrades. Also as part of this process, technical infeasibility, if any, to meet necessary accessibility compliance will be documented and filed for the City's records by the Engineer-of-Record on the said project. It is also recommended to provide accessibility site audits (inspections) of on-going projects as part of the project close-out/certification. This documentation and verification of barrier-mitigation will be integrated into the City's ADA

Transition Plan on a regular basis to ensure that barriers are “checked-off” and the Plan is current with a record of barrier-mitigation work. Annual reports of barrier-mitigation work may also be provided to City Council.

This is a living document and is open to modification throughout the transition period. Identified in the appendix of the Transition Plan, is a current inventory of barriers identified as a snap-shot in time.

The City will continue to plan for an annual “ADA Transition Planning budget”. This budget will be used to plan mitigation of those barriers identified in the Plan that are not part of any CIP project or Bond program. This budget will be in addition to and separate from funds required for any ADA improvements and upgrades triggered by CIP projects and Bond Programs. The scope of work and budget for all such CIP and bond projects must incorporate the improvements triggered by applicable Federal, State and local accessibility regulations and codes.

Maintenance of Accessible Features

Finally, the maintenance of accessible features is mandated by State and Federal Regulations and is an integral part of the City's plan to transition into a more accessible destination. Both, Chapter 28 Code of Federal Regulation, Part 35, Section 35.133 as well as the California Building Code section 1101B.3 – maintenance of accessible features, state:

1. A public accommodation shall maintain in operable working condition those features of facilities and equipment that are required to be accessible to and usable by persons with disabilities.
2. This section does not prohibit isolated or temporary interruptions in service or access due to maintenance or repairs.

Both these sections provide that a public entity shall maintain in operable working condition those features of facilities and equipment that are required to be accessible to and usable by persons with disabilities. They require that, to the maximum extent feasible, facilities must be accessible to, and usable by, individuals with disabilities. These sections recognize that it is not sufficient to provide features such as accessible routes, ramps, or elevators, if those features are not maintained in a manner that enables individuals with disabilities to use them. Inoperable elevators and sidewalks in a state of disrepair, are neither "accessible to" nor "usable by" individuals with disabilities.

It is, of course, impossible to guarantee that mechanical devices will never fail to operate or that sidewalks will never be obstructed by an improperly parked vehicle. As such, the 2nd paragraph provides that this section does not prohibit isolated or temporary interruptions in service or access due to maintenance or repairs. This paragraph is intended to clarify that temporary obstructions or isolated instances of mechanical failure would not be considered violations of the ADA or this part. However, allowing obstructions or "out of service" equipment to persist beyond a reasonable period of time would violate this part, as would repeated mechanical failures due to improper or inadequate maintenance. Failure of the public entity to arrange prompt repair of inoperable elevators, sidewalks in disrepair or other features intended to provide access would also violate this part.

A City-wide formal policy specifically addressing the legal requirements (28CFR Part 35.133 & CBC1101B.3) of maintaining accessible features would be of long-term benefit to the City. When, over time, an accessible feature fails, institutionalizing organizational commitments towards protocols and maintenance ensures an appropriate action is taken.

F. SCHEDULE OF PROJECTS

Transition Plan Work Program for FY 2019-2020 (Jul 1 – Jun 30)

- a. Community Development Block Grant (CDBG) \$200,000 per year for highest priority improvements (i.e. access, curb ramps, barrier removal);
- b. Measure C “Pass-through” \$250,000 per year for Public Rights-of-ways (curb ramps, barrier removal);
- c. Additionally, between \$150,000 - \$300,000 is spent on ADA items related to Capital Projects per year with Federal, State and discretionary funds;

Specific Projects for ADA are:

1. Civic Center ADA Improvements: \$65,000 per year for the next 5 years;
2. ADA master Planned Access Improvements for Public Facilities: \$50,000;
3. ADA Survey Update – City Staffing: \$50,000 (annually)
4. ADA Ramp and Access Annual Project – Various Locations: \$250,000-\$400,000 (annually)
5. ADA Transit – Various Locations: \$100,000 (every third year)
6. Miscellaneous Concrete Improvements: \$100,000 (budgeted every year for the public right-of-way)

Street Projects addressing ADA are:

1. Armstrong – Tollhouse to Herndon (Curb Returns)
2. Armstrong – Tollhouse to Sierra (Curb Returns)
3. Barstow – Minnewawa to Shaw (Curb Returns)
4. Bullard – Armstrong to Temperance (Curb Returns)
5. Clovis – Nees to Alluvial (Curb Returns)
6. Clovis – Shepherd to Teague (Curb Returns)
7. Clovis – Sierra to Fifth (Curb Returns)
8. Fowler – Ashlan to City Limits (Curb Returns)
9. Fowler – Barstow to Shaw (Curb Returns)
10. Gettysburg – Sierra Vista Parkway to Clovis (Curb Returns)
11. Herndon – Armstrong to Temperance (Curb Returns)
12. Minnewawa – Alluvial to Herndon (Curb Returns and Sidewalks)
13. Minnewawa – Shepherd to Teague (Curb Returns)
14. Nees – Minnewawa to Clovis (Curb Returns and Sidewalks)
15. Shaw – Sunnyside to Fowler (Curb Returns)
16. Sierra – Willow to Peach (Curb Returns)
17. Sunnyside – SR168 to Alluvial (Curb Returns)
18. Villa – Barstow to Shaw (Curb Returns)
19. Villa – Bullard to Barstow (Curb Returns)

See attached schedule of Year 2019-20 Projects

See attached proposed five-year list of projects through 2024

DRAFT

Appendix II – Schedule of Year 2019-20 Projects

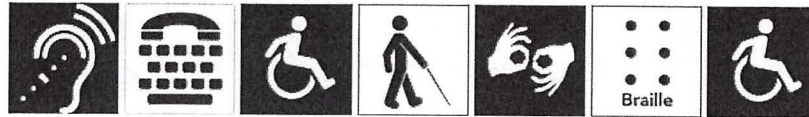
Year 2019-20 Projects:

1. ADA master planning;
2. Installation of pedestrian ADA improvements.

Appendix III – Proposed five-year list of projects through 2024

1. ADA improvements phased;
2. ADA master planning;
3. Pedestrian Facilities;
4. Miscellaneous Concrete improvements;
5. Sidewalk improvement – near Gettysburg and Peach;
6. Pedestrian Signal Push Button Upgrades
7. Miscellaneous Wheelchair Ramps;
8. ADA Transit improvements – bus stops.

Appendix IV – Staff Toolkit



Guide for City Employees to Title II of the Americans with Disabilities Act (ADA) *Serving Our Customers with Disabilities*

The Americans with Disabilities Act

On July 26, 1990, the Americans with Disabilities Act (“ADA”) was signed into law under the principal that this legislation would “let the shameful wall of exclusion finally come tumbling down.” ADA is one of the most important civil rights laws enacted since the Civil Rights Act of 1964, prohibiting discrimination against persons with disabilities. Under the ADA City facilities, programs, services and activities must be accessible to persons with disabilities.

The City of Clovis is dedicated to ensure that no qualified person with a disability be excluded from participating in, or denied the benefits of, the programs, services and activities provided by the City based on a disability. There are more than 50 million Americans with disabilities – nearly 18% of our population estimates suggest. City employees are expected to be aware of and respectful of the various types of disabilities individuals may have. Disabilities may include the following: mobility, blindness and vision, deafness and hearing, speech and language and mental and learning disabilities. Some disabling conditions are not readily apparent and some are invisible.

Accommodations for Individuals with Disabilities

The City is fully committed to providing access for individuals with disabilities and improvements to access have been and continue to be made. While it is not required that every area of every City facility be accessible, it is required that City programs and services be accessible. Periodically, department staff may receive requests for accommodations to allow individuals to participate in and benefit from City services. Staff should reference the City’s ADA website for available resources or contact the ADA Coordinator. When responding to a request for accommodation, City personnel are expected to respond graciously to requests and to make a good faith effort to meet the

need, in a timely manner. This should include exploration of various alternatives, which may include:

- Relocation of a program or activity
- Provision of services at alternative accessible sites
- Delivery of services
- Provision of auxiliary aides (e.g. readers, interpreters, mobility assistants, hearing devices)
- Provision of information in an alternative format (e.g. audio tape, large print, Braille conversion)
- Structural alterations

Alternatives that integrate a participant with disabilities with other program participants are preferred. Although some additional costs may be incurred in accommodating the individual, these costs may not be passed on to the individual in the form of surcharges. Ideally, the chosen accommodation is acceptable to the individual and feasible for the City. However, in some cases it may not be possible to reasonably accommodate the individual. The City's obligation under Title II of the ADA must not cause undue financial and administrative burdens to the City or fundamental alterations in the nature of the program, service, or activity. These determinations are best made based on the judgment and knowledge of the department staff and the City ADA Title II Coordinator.

Any request and the departmental response should be documented using the Request for Accommodation form. Inabilities to provide an accommodation due to a determination of fundamental alteration or undue burden should be made in consultation with the City's ADA Coordinator and include a written statement of the reasons for reaching that conclusion.

Disability Etiquette

To ensure full participation by all community members it is imperative that individuals with disabilities feel welcomed and respected. One way to make people with disabilities feel welcomed is by practicing disability etiquette.

- Introduce yourself. Shake hands or touch the person on the arm or shoulder to welcome and acknowledge their presence. Treat people as you would like to be treated!
- Be yourself – everyone will feel more comfortable if you relax. Speak directly to that person - face to face. If the person is in a wheelchair, use a chair, in order to communicate at the person's eye level.

- Be courteous, but not condescending. Offer assistance in a dignified manner with sensitivity and respect and realize that asking first is better than assuming help is needed.
- Words Set the Tone – So use Words with Dignity. Place the individual first – “a person with a disability.” Avoid words such as, “handicapped” or “cripple” which are not only inappropriate and outdated but, demeaning.
 - The word “handicapped” allegedly originates from the “cap in hand/hand in cap” legislation of King Henry VII after a brutal war had left his country with a great number of disabled veterans. Henry could not envision disabled persons being financially self-sufficient hence, he proclaimed that begging in the streets be legal for persons with disabilities. When we describe people by “labels” we devalue and disrespect them as individuals.
- Allow a person with visual impairments to take your shoulder or arm at or about the elbow. This will enable you to guide rather than lead the person.
- Service animals assist persons with various disabilities some of which are apparent and invisible. Never touch a service animal or the person it assists without permission. Service animals are working hence; do not distract them as loss of their concentration could put their owners in danger. A service animal is not required to have any special certification.
- Remember that not all disabilities are apparent. Respect an individual’s needs and requests whenever possible.

It’s About Customer Service

Providing access to City programs and services to individuals with disabilities is not just about complying with the law. It is about providing good customer service and being responsive. It is realizing that a disability does not define the individual, but that each person is unique and deserves respect and consideration, regardless of whether or not that person has a disability.

If you have questions or need information about available resources, contact the City ADA Coordinator:

John Holt, ADA Coordinator

City of Clovis 1033 Fifth Street, Clovis, CA 93612

Direct Line: 559-324-2060, Facsimile: 559-324-2840, johnh@cityofclovis.com

Appendix V – Grievance: Complaint Form

City of Clovis

Title II of the American with Disabilities Act
Section 504 of the Rehabilitation Act of 1973



FORMAL WRITTEN COMPLAINT

Please type or print legibly.

Reporting Individual:

Date of request:

Address:

City, State and Zip:

Telephone Number:

Business Phone:

Other Contact Information:

If person needing accommodation is not the individual completing this form, please enter:

Name:

Telephone Number:

Other Contact Information:

Program/Facility Alleged to be Inaccessible:

When did the situation occur (date)?

Describe the situation or way in which the program is not accessible, providing the name(s) where possible of the individuals who were involved in the situation, and any documentation or photographs supporting the incident:

Have efforts been made to resolve this complaint through the Request for Accommodation with the ADA Coordinator? ☐ Yes ☐ No

If yes, what were the results?

How do you suggest this issue be remedied?

Signature:

Date:

.....

Please send the completed form to:

John Holt, ADA Coordinator
1033 Fifth Street
Clovis, CA 93612
(559)324-2060
FAX – (559)324-2840
johnh@cityofclovis.com

Requesting an ADA Accommodation or Barrier Removal

Request for accommodations or barrier removals should be made to the ADA Coordinator, include the name, address and telephone number of the individual requesting the accommodation. The request should contain the location of the program, service, activity or facility where the accommodation is required and a description of why the accommodation is needed.

Within fifteen (15) calendar days of the written request, the ADA Coordinator will respond to the individual requesting the accommodation. If the response by the ADA Coordinator does not satisfactorily resolve the issue, the individual making the request may file a formal grievance. All requests for accommodations received by the ADA Coordinator will be kept by the City of Clovis for at least three (3) years.

Filing an ADA Grievance

The City of Clovis has adopted a formal grievance procedure providing for prompt and equitable resolution of complaints alleging any action prohibited by Title II of the ADA and state disability rights. This procedure is available for any individual who wishes to file a complaint alleging discrimination on the basis of the disability in the provision of services, activities, facilities and programs by the City of Clovis.

The availability and use of this grievance procedure via submission of a complaint form does not preclude filing a complaint of discrimination with any appropriate state or federal agency. Use of this grievance procedure is not a prerequisite to the pursuit of other remedies.

The Written Complaint

The complaint should contain as much information as possible about the alleged discrimination. The Complainant or his/her representative should file a complaint form with the ADA Coordinator no later than **60 days** from the date of the alleged discrimination. The complaint should be in writing however, other arrangements for submitting a request, such as personal interviews, tape recordings and assistance completing the form is available upon request.

The ADA Coordinator will notify the Complainant in writing of any additional information that is needed to complete the complaint. If the Complainant fails to complete the complaint form, the ADA Coordinator shall close the complaint without prejudice.

Meeting with the ADA Coordinator

Within fifteen (15) calendar days after receipt of the written complaint, the ADA Coordinator will meet with or contact the complainant to discuss the complaint and possible resolutions. Within fifteen (15) calendar days after the meeting, the ADA Coordinator will respond in writing or in a format accessible to the complainant. The response will explain the position of the City of Clovis and offer options for resolution of the complaint.

Appeal to the City Manager

If the response by the ADA Coordinator does not satisfactorily resolve the issue, the complainant may appeal the decision, within fifteen (15) calendar days after receipt of the response, to the City Manager or an appointed representative.

Within fifteen (15) calendar days after receipt of the appeal, the City Manager, or an appointed representative, will meet with or contact the complainant to discuss the complaint and possible resolutions. Within fifteen (15) calendar days after the meeting, the City Manager, or an appointed representative, will respond in writing or in a format accessible to the complainant of final resolutions to the complaint.

All written complaints received by the ADA Coordinator, appeals to the City Manager and responses from the ADA Coordinator and the City Manager, will be kept by the City of Clovis for at least three (3) years.

Accommodation and Grievance Response

In responding to request(s) for structural improvement brought through the ADA Accommodation and Grievance process, the ADA Coordinator is limited to the funds in established Community Investment Plan (CIP) and other miscellaneous funds. In the event that these allocated funds are insufficient or already spent, subsequent improvements will be prioritized and scheduled in subsequent fiscal years.

Appendix VI – Program Survey Form CITY OF CLOVIS



Americans with Disabilities Act (ADA) Program & Facility Access Checklist

The City of Clovis is in the process of updating the City's Americans with Disabilities Act (ADA) Self-Evaluation and Transition Plan. The following is a program and facility access survey, which is required for each Department. Thank you for your time and consideration in advance.

Please return this survey to:

ADA Coordinator, John Holt
City of Clovis 1033 Fifth Street, Clovis, CA 93612 Phone: 559-324-2060 E-Mail: johnh@cityofclovis.com

This survey is available in alternative formats, on request.

Access Element	0. Don't Know	1. No/ Disagree	2. No Opinion	3. Yes/ Agree	Suggested Improvements
A. General Requirements.					
1. Has the City designated an employee to coordinate efforts to comply with and carry out responsibilities under ADA?					
2. Do you know who the City's designated ADA Coordinator is?					If yes, name person:
3. Have you posted and noticed the name and address of the ADA Coordinator?					If yes, where:
4. Are you aware of the City's complaint procedures and process for requesting auxiliary aids?					
5. Has the City taken steps to ensure that all employees and consumers been instructed and notified regarding their rights under ADA?					
6. Has the City provided information to the public, in an accessible format, explaining its policy to provide accessible policies, programs, services or activities and practices?					
7. Have you ensured that written and/or audio-visual materials portray person with disabilities in an appropriate manner?					

8. Do you feel your department would benefit from training on the requirements of the ADA and/or relating to people with all types of disabilities?

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DRAFT

Access Element	0. Don't Know	1. No/ Disagree	2. No Opinion	3. Yes/ Agree	Suggested Improvements
B. Policy Requirements.					
9. Do your department's policies ensure that persons with mobility and/or sensory disabilities are provided auxiliary aids or accommodations to fully participate in programs, services and activities?					
10. Do your department's publications, service announcements and advertisements make known that they are available in alternative formats (e.g. large print, audio, Braille, captioned)?					
C. Communication Requirements.					
11. Has your department reviewed its policies to ensure that its communications with persons with disabilities are as effective as its communications with others?					
12. Does your department conduct business or provide services or information by telephone to the public?					
13. If YES to Question 12, is a telecommunication device for deaf (TDD) or other equally effective system available to facilitate communications with hearing and/or speech impaired persons?					
14. If NO to Question 12, list steps to ensure effective communications with deaf, hearing and/or speech impaired individuals. This can include providing a TDD or third party relay service.					
15. Does your department provide captioning of the verbal content on public television (i.e. E-TV) service announcements that it produces?					If yes, state location, number and if they are operable:
For Clovis Fire & Police Department (Departments which provide 911 emergency services):					
16. Does your department ensure direct access to persons who use telecommunication devices for the deaf (TDDs) and computer modems?					
17. If YES to Question 15, are all 911 emergency response services equipped with a TDD or other equally effective technology to make the service accessible to persons who are deaf, hearing and/or speech impaired?					
D. Auxiliary Aids & Services.					

18. Does your department provide provisions or assist the public by informing of auxiliary aids or services that are available through the ADA Coordinator (i.e. hearing devices, Braille, large print, qualified readers or interpreters and captioned video programs)?					
19. Are assistive listening devices available for individuals with hearing impairments at your site?					If yes, state location, number fixed or portable and if they are operable:
20. Have you reviewed your website for accessibility for vision-impaired persons?					If yes, when:
E. Facility Checklist: Not Required for Departments within City Hall however, feel free to share comments/suggestions.					
21. Do you already have an Accessibility Survey or report for your site?					If yes, please attach to the survey.
22. Are grievance procedures or complaint procedures noticed and posted at your site?					If yes, where:
23. Do you have emergency evacuation plans posted at your site?					If yes, where:
24. Are individuals with disabilities included in or have an opportunity to participate in all programs, activities and services provided by your site?					
25. Are individuals with disabilities served or located in segregated areas of your facility?					
26. Do you require persons with disabilities to receive or participate in services at an alternate location?					If yes, describe:
27. Do you provide transportation for your programs, services, or activities?					If yes, describe transportation and its accessibility:
28. Do you follow a specific procedure or policy for use of the facility by organizations or members of the public?					If yes, describe:
29. Do you offer programs at your site that are not offered at other sites in the City?					If yes, describe:
30. Have you made accommodations for individuals with disabilities (employees, members of the public, etc)?					If yes, describe:
31. Do you have a statement of accommodations in your literature or on public notices?					
32. Do you have any programs offered or located at a different site?					If yes, describe facilities:

33. Do you have any employees with disabilities at your site (if known):					
34. Are you aware of any community members or recipients of services with disabilities who utilize your site?					
35. Have you provided training or information to your staff regarding the requirements of the Americans with Disabilities Act?					If yes, describe:
36. Would you like additional training regarding the Americans with Disabilities Act?					If yes, describe:
37. Have you received any awards or special recognitions regarding programs or services for individuals with disabilities?					If yes, describe:
38. Do you have any construction or remodeling projects currently underway or planned within the next three years?					If yes, describe:
39. Do you have any volunteers?					
40. If you have volunteers, have they received training on providing services or activities for individuals with disabilities?					
41. Do you have access to current City policies, procedures, or practices?					
42. Are there any issues or information with regard to persons with disabilities or accessibility that would be helpful to your facility?					

Department: _____

Name, Title of Person Completing Survey: _____

Phone Number: _____

E-mail Address: _____

Appendix VII – Definitions

As used in this Transition Plan Update, the following terms shall have the meaning ascribed to them in this Section, which are consistent with the provisions of existing federal and state law, including the regulations promulgated there under. Except to the extent expressly stated to the contrary, any term not expressly defined in this Section or elsewhere in this Transition Plan that has an expressly defined meaning in either the ADA or the regulations promulgated there under ("Regulations") shall have the meaning ascribed to it by the ADA or the Regulations, in that order of preference. All other terms shall be interpreted according to their plain and ordinary meaning.

ADA: "ADA" means and refers to the Americans with Disabilities Act as contained at 42 U.S.C. §12101 et seq.

ADAAG: "ADAAG" means and refers to the Americans with Disabilities Act Access Guidelines, codified at Appendix A to 28 Code of Federal Regulations part 36 and at Appendix A to 49 Code of Federal Regulations part 37. "ADAAG Standards" means and refers to physical conditions that meet the new construction and/or alterations standards set forth in the ADAAG guidelines. Note the City of Clovis subscribes to ADAAG and not the Uniform Federal Accessibility Standards ("UFAS").

Auxiliary Aids and Services: The term "auxiliary aids and services" includes, qualified interpreters or other effective methods of making orally delivered materials available to individuals with hearing impairments; qualified readers, taped texts, or other effective methods of making visually delivered materials available to individuals with visual impairments; and acquisition or modification of equipment or devices; and other similar services and actions.

Compliance Period: "Compliance Period" means and refers to the period of time for which this Transition Plan will be in effect. The Transition Plan shall become effective upon Final Approval and remain in effect for up to 30 years. The City may dissolve the Transition Plan at any time upon a showing that it provides Program Access to Pedestrian Rights of Way or upon a showing that it has met or exceeded the monetary obligations specified in this Transition Plan. Alternatively, the Transition Plan will remain in effect until it dissolves automatically 30 years after Final Approval.

Compliant Curb Ramp: "Compliant Curb Ramp" means and refers to a curb ramp that is constructed to comply with state and/or federal law (whichever provides the higher access standard) in place at the time of construction. In the case of a location where it is Structurally Impracticable or Technically Infeasible to build a fully compliant curb ramp, or where construction of a fully compliant curb ramp would constitute a Fundamental Alteration of a service, program, or activity of the City or an Undue Burden on the City, a curb ramp that complies with access standards, or was constructed to the standards existing at the time of construction, or to the maximum extent feasible, will constitute a Compliant Curb Ramp as long as the requirements set forth in this Transition Plan for justifying the reasons for the City to avoid full compliance are met.

Curb Ramp: "Curb Ramp" is used interchangeably with "curb cut."

Detectable Warnings: "Detectable Warnings" means and refers to truncated domes which provide a tactile surface at the transition between the curb and the street or other hazardous vehicular crossings, assisting pedestrians with Vision Disabilities in determining when they enter the street.

Disability: "Disability" means, with respect to an individual, a physical or mental impairment that substantially limits one or more of the major life activities of such individual; a record of such impairment; or being regarded as having such impairment.

Discrimination on the Basis of Disability: “Discrimination on the Basis of Disability” means to, limit, segregate, or classify a citizen in a way that may adversely affect opportunities or status because of the person's disability; limit, segregate, or classify a participant in a program or activity offered to the public in a way that may adversely affect opportunities or status because of the participant's disability; participate in a contract that could subject a qualified citizen with a disability to discrimination; use any standards, criteria, or methods of administration that have the effect of discriminating on the basis of disability; deny equal benefits because of a disability; fail to make reasonable accommodations to known physical or mental limitations of an otherwise qualified individual unless it can be shown that the accommodation would impose an undue burden on the City's operations; use selection criteria that exclude otherwise qualified people with disabilities from participating in the programs or activities offered to the public; and fail to use tests, including eligibility tests, in a manner that ensures that the test results accurately reflect the qualified applicant's skills or aptitude to participate in a program or activity.

Fundamental Alteration: “Fundamental Alteration” means and refers to an action that, if taken by the City, would result in a fundamental alteration in the nature of the service, program or activity of Pedestrian Rights of Way in the City. If the City claims that any action otherwise required by this Transition Plan would constitute a Fundamental Alteration, the City shall have to demonstrate that such alteration would result and the decision that an action would constitute a Fundamental Alteration must be made by the ADA Coordinator and City Engineer, or his or her designee, after considering all funds available for such work and must be accompanied by a written statement of the reasons for reaching that conclusion.

Mobility Disability: “Mobility Disability” means and refers, with respect to an individual, to any physical or mental impairment or condition that substantially limits an individual's ability to move his or her body or a portion of his or her body and includes, but is not limited to, orthopedic and neuromotor disabilities and any other impairment or condition that limits an individual's ability to walk, maneuver around objects, ascend or descend steps or slopes and operate controls. An individual with a Mobility Disability may use a wheelchair or motorized scooter for mobility, or may be Semi-Ambulatory.

Pedestrian Rights-of-Way: “Pedestrian Rights-of-way” (PROW) means and refers to all sidewalks over which the City of Clovis has responsibility or authority as well as all Curb Ramps and crosswalks serving such sidewalks and any other pathways used by pedestrians along public rights of way, including pedestrian pathways through public parking lots.

Physical or Mental Impairments: “Physical or mental impairments” may include, but are not limited to vision, speech, and hearing impairments; emotional disturbance and mental illness; seizure disorders; mental retardation; orthopedic and neuromotor disabilities; learning disabilities; diabetes; heart disease; nervous conditions;. Cancer; Asthma; .Hepatitis B; HIV infection (HIV condition); and drug addiction if the addict has successfully completed or is participating in a rehabilitation program and no longer uses illegal drugs.

The following conditions are not physical or mental impairments: transvestitism; illegal drug use; homosexuality or bisexuality; compulsive gambling; kleptomania; pyromania; pedophilia; exhibitionism; voyeurism; pregnancy; height; weight; eye color; hair color; left-handedness; poverty; lack of education; a prison record; and poor judgment or quick temper if not symptoms of a mental or physiological disorder.

Record of Impairment: An individual is disabled if he or she has a history of having an impairment that substantially limits the performance of a major life activity; or has been diagnosed, correctly or incorrectly, as having such impairment.

Regarded as Having a Disability: An individual is disabled if she or he is treated or perceived as having an impairment that substantially limits major life activities, although no such impairment exists.

Statutory Defenses: “Statutory Defenses” means and refers to the City's right to assert under this Transition Plan that removal of any barrier or installation of a Compliant Curb Ramp is not required because

such barrier removal or curb ramp installation would be Technically Infeasible, or Structurally Impracticable, or that it would constitute an Undue Burden or Fundamental Alteration.

Structurally Impracticable: “Structurally Impracticable” means and refers to circumstances in which the unique characteristics of terrain prevent the incorporation of accessibility features. If it is structurally impracticable to provide full access at any location along pedestrian rights of way, the City shall comply with access requirements to the extent that it is not structurally impracticable to do so. (See ADAAG § 4.1.1(5)(a)).

Substantial Limitations of Major Life Activities: An individual disabled if she or he has a physical or mental impairment that (a) renders her or him unable to perform a major life activity, or (b) substantially limits the condition, manner, or duration under which she or he can perform a particular major life activity in comparison to other people.

Major life activities are functions such as caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working. In determining whether a physical or mental impairment substantially limits the condition, manner, or duration under which an individual can perform a particular major life activity in comparison to other people, the following factors shall be considered: The nature and severity of the impairment. The duration or expected duration of the impairment; and the permanent or long-term impact (or expected impact) of or resulting from the impairment.

Technically Infeasible: “Technically Infeasible” means, with respect to an alteration of a building, facility or Pedestrian Right of Way, that it has little likelihood of being accomplished because existing physical or site constraints or a lack of public right of way prohibit modification or addition of elements, spaces, or features which are in full and strict compliance with the minimum requirements for new construction and which are necessary to provide accessibility. (See ADAAG § 4.1.6(1)(j)).

Third Party Entity: “Third-Party Entity” means an entity other than the City of Clovis that controls certain barriers or elements of barriers in a Pedestrian Rights of Way. Transit agencies and local utilities are examples of Third Party Entities.

Title 24: “Title 24” means and refers to the regulations set forth at Title 24 of the California Code of Regulations also, known as the Building Codes.

Undue Burden: “Undue Burden” means and refers to an action that, if taken by the City of Clovis, would result in an undue financial and administrative burden. In order to demonstrate that removal of a barrier would constitute an Undue Burden, the decision must be made by the ADA Coordinator and City Engineer, or his or her designee, after considering all resources available from various funding available for removal of sidewalk barriers and must be accompanied by a written statement of said reasons for reaching that conclusion. In preparing such a statement, the City may consider the usability of the existing facilities.

Qualified Individual with a Disability: “Qualified Individual with a Disability” means an individual with a disability who, with or without reasonable modification to rules, policies, or practices; the removal of architectural, communication, or transportation barriers; or the provision of auxiliary aids and services, meets the essential eligibility requirements for the receipt of services or the participation in programs or activities provided by the City.



AGENDA ITEM NO: 5
City Manager: CS

CITY of CLOVIS

REPORT TO THE CITY COUNCIL

TO: Mayor and City Council
FROM: Finance Department
DATE: August 5, 2019
SUBJECT: Receive and File - Investment Report for the Month of May 2019

Exhibits: (A) Distribution of Investments
(B) Monthly Investment Transactions
(C) Certificates of Deposit
(D) Graph of May 31, 2019 Treasury Rates
(E) Rate of Return Comparison

Attached is the Investment Report for the month of May 2019. Shown in Exhibit A is the distribution of investments which lists all the individual securities owned by the City with the book and market values. Book value is the actual price paid for the investment. Market value is the amount that the investment is worth if sold in the open market. The market value (which fluctuates daily) that is used in the report is as of the last working day of the month. Exhibit B reflects the monthly investment transactions for the month of May 2019. Exhibit C lists the certificates of deposit. Exhibit D is a graph of Treasury rates on May 31, 2019. Exhibit E compares the Clovis' Rate of Return with the annualized 90-day Treasury rate as of January 31, 2006 – January 31, 2019.

The investment of the City's funds is performed in accordance with the adopted Investment Policy. Funds are invested with the following objectives in mind:

1. Assets are invested in adherence with the safeguards and diversity of a prudent investor.
2. The portfolio is invested in a manner consistent with the primary emphasis on preservation of the principal, while attaining a high rate of return consistent with this guideline. Trading of securities for the sole purpose of realizing trading profits is prohibited.
3. Sufficient liquidity is maintained to provide a source for anticipated financial obligations as they become due.

4. Investments may be made, consistent with the Investment Policy Guidelines, in fixed income securities maturing in three years or less and can be extended to five years with the City Manager's approval.

The Finance Department invests the City's assets with an expectation of achieving a total rate of return at a level that exceeds the annualized rate of return on short-term government guaranteed or insured obligations (90-day Treasury bills) and to assure that the principal is preserved with minimal risk of depreciation or loss. In periods of rising interest rates, the City of Clovis portfolio return may be less than that of the annualized 90-day Treasury bill. In periods of decreasing interest rates, the City of Clovis portfolio return may be greater than the annualized 90-day Treasury bill (see Exhibit E for more details). The current 90-day Treasury bill rate (annualized) is 2.25%. The rate of return for the City of Clovis portfolio is 2.11%. The goal for the City of Clovis investment return is 120% of the 90-day Treasury bill rate. The current rate of return is 94% of the Treasury bill rate.

In accordance with the Investment Policy, the investment period on each investment does not exceed three years and can be extended to five years with the City Manager's approval. As of May 2019 the average investment life of the City's investment portfolio is 0.89 years.

Current Investment Environment and Philosophy

During the month of May 2019, the federal funds rate remained at 2.25%-2.50%.

On May 31, 2019, the Treasury yield curve declines from 6-month to 2-year notes, followed by a slight increase from 5-year to 10-year notes.

Certificates of Deposit (CD's)

The City purchases both negotiable and non-negotiable Certificates of Deposit (CD's). Although negotiable CD's can be traded, it is the City's policy to buy and hold all CD's. Negotiable CD's are held by U.S. Bank, a third party custodian. Non-negotiable CD's are held in the City's safe.

Purchases and Maturities

- 1 government security totaling \$6,000,000.00 was purchased.
- 1 government security totaling \$2,500,000.00 was called.
- 2 certificates of deposit totaling \$500,000 were purchased.
- 3 certificates of deposit totaling \$740,000 were called or matured.

Market Environment

- During May, the federal funds rate remained at 2.25%-2.5%.
- On May 31, the yield curve declines from 6-month to 2-year notes, followed by a slight increase from 5-year to 10-year notes. See Exhibit D, Graph of Treasury Rates on May 31, 2019.

Prepared by: Jeffrey Blanks, Deputy Finance Director

Submitted by: Jay Schengel, Finance Director 

Exhibit A

City of Clovis
Distribution of Investments
As of May 31, 2019

	COST	NET BOOK VALUE	MARKET VALUE *	YIELD TO MATURITY	STATED INTEREST RATE	INVEST DATE	MATURITY DATE	DAYS TO MATURITY FROM 5/31/2019
GOV'T SECURITIES								
FFCB	3,007,560	3,007,560	2,999,760	1.300%	1.300%	06/09/16	06/06/19	6
FNMA	3,006,150	3,006,150	2,997,450	1.250%	1.250%	07/13/16	06/28/19	28
FNMA	3,002,400	3,002,400	2,994,120	1.125%	1.125%	07/26/16	07/26/19	56
FHLMCMTN	2,997,000	2,997,000	2,992,320	1.500%	1.500%	10/12/17	09/27/19	119
FHLB	2,498,750	2,498,750	2,492,100	1.625%	1.625%	11/16/17	10/30/19	152
FNMA	3,000,000	3,000,000	2,985,060	1.250%	1.250%	11/16/16	11/15/19	168
FHLMCMTN	3,000,000	3,000,000	2,984,790	1.300%	1.300%	11/28/16	11/27/19	180
FFCB	2,502,117	2,502,117	2,502,150	2.750%	2.750%	06/05/18	12/05/19	188
FFCB	994,500	994,500	994,270	1.400%	1.400%	03/30/17	02/24/20	269
FHLB	1,008,597	1,008,597	996,760	1.875%	1.875%	03/22/17	03/13/20	287
FNMAMTN	3,006,210	3,006,210	2,988,450	1.700%	1.700%	05/02/17	04/27/20	332
FNMAMTN	3,007,770	3,007,770	2,988,570	1.800%	1.800%	05/02/17	04/27/20	332
FFCB	1,990,555	1,990,555	1,983,980	1.320%	1.320%	08/31/17	05/07/20	342
FHLMCMTN	2,498,750	2,498,750	2,484,300	1.550%	1.550%	05/25/17	05/22/20	357
FFCB	2,500,000	2,500,000	2,487,200	1.670%	1.670%	06/01/17	06/01/20	367
FHLB	5,000,000	5,000,000	4,972,750	1.625%	1.625%	06/26/17	06/26/20	392
FAMCMTN	2,500,000	2,500,000	2,488,900	1.650%	1.650%	07/27/17	06/29/20	395
FHLB	2,500,000	2,500,000	2,486,325	1.640%	1.640%	07/27/17	06/29/20	395
FFCB	5,000,000	5,000,000	4,978,400	1.625%	1.625%	07/06/17	07/06/20	402
FHLB	2,455,547	2,455,547	2,487,850	2.750%	2.750%	06/01/18	08/28/20	455
FHLB	2,465,678	2,465,678	2,490,925	1.950%	1.950%	01/18/18	08/28/20	455
FHLB	2,500,000	2,500,000	2,484,825	1.800%	1.800%	03/16/18	09/18/20	476
FNMAMTN	2,500,000	2,500,000	2,493,225	1.600%	1.600%	09/18/17	10/13/20	501
FNMA	2,442,365	2,442,365	2,478,950	2.100%	2.100%	12/22/17	10/28/20	516
FHLB	2,488,750	2,488,750	2,492,350	1.950%	1.850%	11/16/17	11/25/20	544
FFCB	3,000,000	3,000,000	3,000,000	1.500%	1.500%	03/01/18	12/22/20	571
FHLB	2,486,055	2,486,055	2,500,500	2.300%	2.300%	03/01/18	01/26/21	606
FHLMCMTN	2,497,500	2,497,500	2,500,250	2.150%	2.150%	01/26/18	01/26/21	606
FHLMCMTN	2,477,875	2,477,875	2,514,350	2.375%	2.375%	08/02/18	02/16/21	627
FHLMCMTN	2,258,140	2,258,140	2,292,640	2.750%	2.750%	06/01/18	03/29/21	668
FAMCMTN	2,502,236	2,502,236	2,528,050	2.750%	2.750%	06/28/18	04/19/21	689
FFCB	2,452,750	2,452,750	2,500,000	2.020%	2.020%	12/13/18	05/17/21	717
FHLB	2,568,983	2,568,983	2,578,075	3.625%	3.625%	06/28/18	06/11/21	742
FHLB	2,418,750	2,418,750	2,480,675	2.820%	2.820%	08/02/18	06/14/21	745
FHLMCMTN	2,471,750	2,471,750	2,491,775	1.500%	1.500%	02/22/19	06/30/21	761
FAMCMTN	3,000,000	3,000,000	3,046,770	2.750%	2.750%	09/06/18	08/17/21	809
FFCB	1,998,520	1,998,520	2,029,480	2.700%	2.700%	09/06/18	08/27/21	819
FFCB	2,490,878	2,490,878	2,547,325	2.850%	2.850%	10/05/18	09/20/21	843
FFCB	2,500,200	2,500,200	2,549,375	2.780%	2.780%	12/17/18	12/17/21	931
FFCB	2,498,750	2,498,750	2,507,925	2.800%	2.800%	01/24/19	01/24/22	969
FHLB	12,110,520	12,110,520	12,171,480	2.500%	2.500%	04/25/19	03/11/22	1,015
FFCB	5,979,668	5,979,668	6,007,680	2.280%	2.280%	03/28/19	03/28/22	1,032
SECURITIES TOTAL	\$ 123,585,272	\$ 123,585,272	\$123,972,130					
LAIF		\$ 65,000,000	\$ 65,000,000					
MONEY MARKET (Rabo)		\$ -	\$ -					
Sweep Account (Union Bank)		\$ 24,639,055	\$ 24,639,055					
TOTAL CD'S		\$ 12,415,000	\$ 12,415,160					
TOTAL INVESTMENTS		\$ 225,639,327	\$ 226,026,345					

* Market values for securities obtained from US Bank.

City of Clovis
Monthly Investment Transactions
As of May 31, 2019

Exhibit B

Institution	Description	Activity	Amount	Market Value	Rate	Activity Date	Maturity Date
FHLB	Gov Security	Purchase	6,000,000	6,085,740	2.500%	05/30/19	03/11/22
Jefferson Financial FCU	CD	Purchase	250,000	250,613	2.650%	05/15/19	05/16/22
Synchrony Bank	CD	Purchase	250,000	249,343	2.450%	05/17/19	05/17/22
FFCB	Gov Security	Full Call	2,500,000	2,500,000	2.770%	05/21/19	07/22/21
Horizon Bank	CD	Maturity	245,000	245,000	1.100%	05/24/19	05/24/19
Private Bank and Trust Co.	CD	Maturity	245,000	245,000	1.100%	05/20/19	05/20/19
Welch State Bank	CD	Full Call	250,000	250,000	2.950%	05/01/19	08/31/21

PORTFOLIO DATA

Current Month (05/19)

	Book	Market
CD'S	\$ 12,415,000	\$ 12,415,160
Gov't Securities*	123,585,272	123,972,130
LAIF	65,000,000	65,000,000
Sweep Account (Union Bank)	24,639,055	24,639,055
TOTAL	\$ 225,639,327	\$226,026,345

One Month Previous (04/19)

	Book	Market
CD'S	\$ 12,655,000	\$12,651,138
Gov't Securities*	120,009,552	119,885,084
LAIF	65,000,000	65,000,000
Sweep Account (Union Bank)	28,917,363	24,639,055
TOTAL	\$ 226,581,915	\$ 222,175,277

Three Months Previous (02/19)

	Book	Market
CD'S	\$ 12,650,000	\$12,611,455
Gov't Securities*	116,159,420	115,658,458
LAIF	65,000,000	65,000,000
Sweep Account (Union Bank)	17,362,894	17,362,894
TOTAL	\$ 211,172,314	\$ 210,632,807

Six Months Previous (11/18)

	Book	Market
CD'S	\$ 11,890,000	\$ 11,769,242
Gov't Securities*	109,250,075	108,095,382
LAIF	65,000,000	65,000,000
Sweep Account (Union Bank)	5,044,345	5,044,345
TOTAL	\$ 191,184,420	\$ 189,908,970

One Year Previous (05/18)

	Book	Market
CD'S	\$ 12,224,000	\$ 12,093,334
Gov't Securities*	79,417,069	78,354,735
LAIF	65,000,000	65,000,000
Sweep Account (Union Bank)	35,013,612	35,013,612
TOTAL	\$ 191,654,681	\$ 190,461,681

*Adjusted Quarterly for Premium/Discount Amortization

Exhibit C

City of Clovis
Certificates of Deposit
As of May 31, 2019

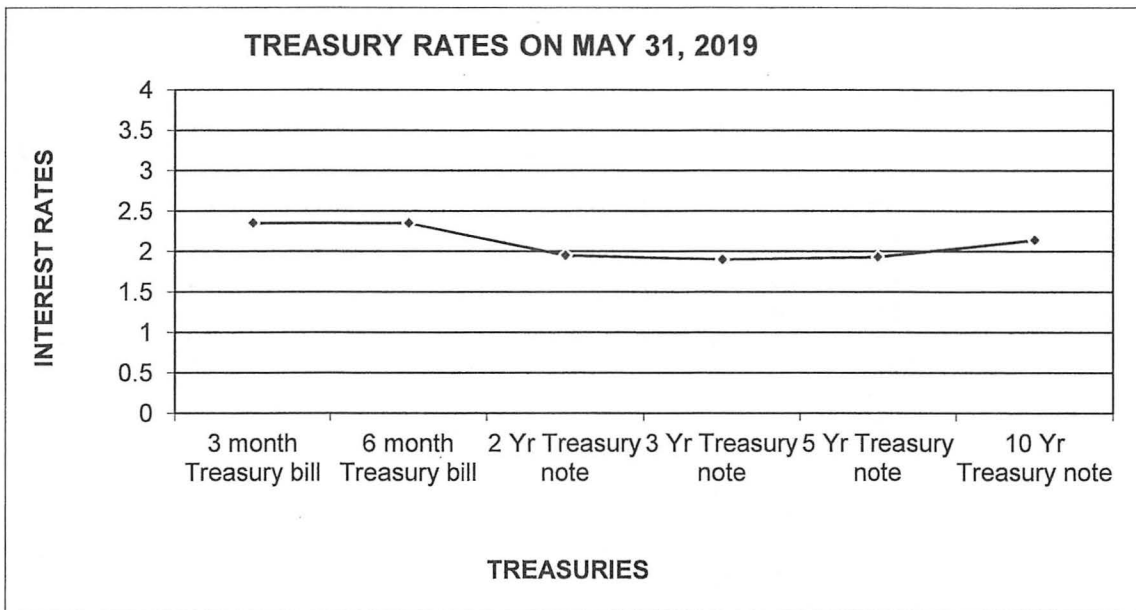
Negotiable CDs	COST	MARKET PRICE	INTEREST RATE	INVEST DATE	MATURITY DATE	MATURITY FROM 05/31/19	INTEREST FREQUENCY
Quantum National	245,000	244,843.20	1.150%	06/22/16	06/21/19	21	QUARTERLY
Discovery Bank	245,000	244,769.70	1.200%	07/01/16	07/01/19	31	SEMI-ANNUALLY
Northern Bank Trust	245,000	244,681.50	1.100%	07/12/16	07/12/19	42	QUARTERLY
Morgan Stanley Bank	250,000	249,662.50	1.700%	09/30/17	08/12/19	73	SEMI-ANNUALLY
Wex Bank	245,000	244,360.55	1.200%	08/12/16	08/12/19	73	SEMI-ANNUALLY
Fnb Of Mcgregor	245,000	244,316.45	1.100%	08/18/16	08/19/19	80	MONTHLY
Hamni Bank	250,000	249,867.50	2.100%	09/09/18	09/09/19	101	SEMI-ANNUALLY
Ally Bank	245,000	244,039.60	1.300%	09/15/16	09/16/19	108	MONTHLY
Atlantic	245,000	243,929.35	1.200%	09/30/16	09/30/19	122	MONTHLY
First Technology Fed Cr Un Mtn	250,000	249,435.50	1.800%	10/16/17	10/16/19	138	MONTHLY
Morton Community Bank	245,000	243,787.25	1.500%	12/15/16	12/16/19	199	SEMI-ANNUALLY
Sallie Mae	245,000	243,990.60	1.750%	01/11/17	01/13/20	227	SEMI-ANNUALLY
Stearns Bank	245,000	243,603.50	1.600%	02/10/17	02/10/20	255	MONTHLY
Crescent Bank	245,000	243,488.35	1.550%	02/15/17	02/14/20	259	MONTHLY
Pyramax Bank	245,000	243,556.95	1.600%	02/17/17	02/18/20	263	MONTHLY
American Express	245,000	243,882.80	1.900%	04/17/17	04/06/20	311	MONTHLY
First Bank	245,000	243,182.10	1.600%	04/17/17	04/20/20	325	MONTHLY
Ion Bank	245,000	243,187.00	1.600%	04/17/17	04/20/20	325	MONTHLY
Communitywide	250,000	248,757.50	1.950%	12/01/17	06/01/20	367	MONTHLY
Nthwt Dist Ch8	250,000	248,057.50	1.700%	06/16/17	06/16/20	382	MONTHLY
Tbk Bank Ssb	250,000	248,282.50	1.800%	06/23/17	06/23/20	389	MONTHLY
Amer Natl	250,000	247,910.00	1.700%	07/12/17	07/13/20	409	MONTHLY
Mb Financial Bank	250,000	248,055.00	1.800%	08/10/17	08/10/20	437	MONTHLY
East Boston Svgs Bk Boston Ma	250,000	247,822.50	1.800%	09/28/17	09/28/20	486	MONTHLY
Medallion Bk Salt Lake City Utah	250,000	247,980.00	1.850%	09/29/17	09/29/20	487	MONTHLY
Eagle Bank	250,000	250,105.00	2.500%	03/29/19	09/29/20	487	QUARTERLY
Illinois Cmnty	250,000	248,250.00	2.000%	11/28/17	11/30/20	549	MONTHLY
First Bank	250,000	249,237.50	2.300%	02/06/18	02/08/21	619	MONTHLY
Merchants Manufacturers	250,000	249,225.00	2.300%	02/16/18	02/16/21	627	MONTHLY
Merrick Bank	250,000	250,265.00	2.550%	03/09/18	03/09/21	648	MONTHLY
Towne Bank	250,000	250,945.00	2.700%	04/27/18	04/27/21	697	MONTHLY
Citibank	250,000	251,935.00	2.900%	05/22/18	05/24/21	724	MONTHLY
University Of Iowa Cmnty Fcu	250,000	251,945.00	2.900%	05/24/18	05/28/21	728	MONTHLY
B Bay Llc	250,000	252,462.50	3.000%	06/15/18	06/15/21	746	MONTHLY
Connectone Bk Englewood Cliffs	250,000	252,477.50	3.000%	06/15/18	06/15/21	746	MONTHLY
Bar Harbor Bank Trust	250,000	252,515.00	3.000%	06/29/18	06/29/21	760	MONTHLY
Spiritbank Na	250,000	250,207.50	3.000%	07/13/18	07/13/21	774	MONTHLY
Keesler Fed Cr Un	250,000	252,945.00	3.050%	02/20/19	08/30/21	822	QUARTERLY
Ubs Bank Usa	250,000	254,020.00	3.200%	11/07/18	11/08/21	892	MONTHLY
Mountain America Fd Credit	250,000	254,047.50	3.200%	11/15/18	11/15/21	899	MONTHLY
Saco Biddleford	250,000	250,187.50	2.600%	03/29/19	12/29/21	943	QUARTERLY
Jp Morgan Chase	250,000	250,920.00	3.000%	01/18/19	01/18/22	963	SEMI-ANNUALLY
Wells Fargo	250,000	253,002.50	3.000%	01/18/19	01/18/22	963	MONTHLY
Security First	250,000	250,990.00	3.000%	01/25/19	01/25/22	970	QUARTERLY
Bmo Harris Bank	250,000	250,252.50	3.000%	01/25/19	01/28/22	973	QUARTERLY
Goldman Sachs Bk USA Ny	245,000	246,715.00	2.800%	02/20/19	02/22/22	998	QUARTERLY
Tiaa FSB Jacksonville Fla	245,000	247,035.95	2.850%	02/28/19	02/22/22	998	QUARTERLY
Comenity Capital Bank	250,000	250,070.00	2.550%	04/30/19	04/29/22	1,064	QUARTERLY
Jefferson Financial Bank	250,000	250,612.50	2.650%	05/15/19	05/16/22	1,081	QUARTERLY
Synchrony Bank	250,000	249,342.50	2.450%	05/17/19	05/17/22	1,082	QUARTERLY
Negotiable CD TOTAL	\$ 12,415,000	\$ 12,415,160					
CD TOTAL	\$ 12,415,000	\$ 12,415,160					

**CITY OF CLOVIS
FINANCE DEPARTMENT
MAY 31, 2019 TREASURY RATES**

Exhibit D

Treasury Rates as of May 31, 2019

3 month Treasury bill	2.35
6 month Treasury bill	2.35
2 Yr Treasury note	1.95
3 Yr Treasury note	1.90
5 Yr Treasury note	1.93
10 Yr Treasury note	2.14

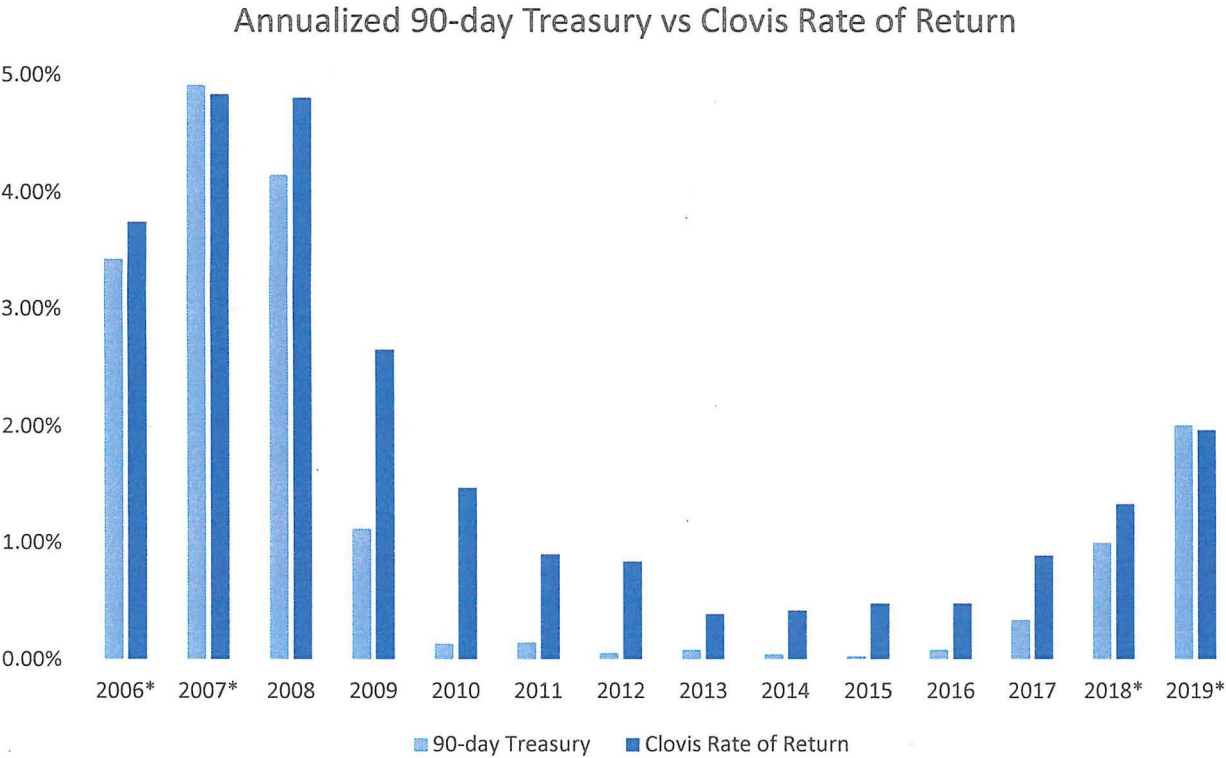


As indicated in the above graph, treasuries decline from 6-month to 2-year notes, followed by a slight increase from 5-year to 10-year notes

EXHIBIT E

Rate of Return Comparison
90-day Treasury vs Clovis Rate of Return
January 31, XXXX

	2006*	2007*	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018*	2019*
90-day Treasury	3.43%	4.92%	4.15%	1.12%	0.14%	0.15%	0.06%	0.09%	0.05%	0.03%	0.09%	0.34%	1.00%	2.01%
Clovis Rate of Return	3.75%	4.84%	4.81%	2.66%	1.48%	0.90%	0.84%	0.39%	0.42%	0.48%	0.48%	0.89%	1.34%	1.97%
	109%	98%	116%	238%	1057%	600%	1400%	433%	840%	1600%	533%	262%	134%	98%



*In periods of rapidly rising interest rates, such as 2006-2007 and 2018-2019, Clovis' Rate of Return will trail behind a short-term Treasury; this situation is currently occurring, with the Fed raising its reserve rate 1% in the span of one year. Conversely, in periods of rapidly declining rates, such as 2008-2010, Clovis' Rate of Return vastly outperforms the short-term Treasury. The goal of the City's investment ladder is to avoid the rate volatility; while not reaching the peak of yield, it will avoid the valley of a downturn, such as in years 2010-2016.



AGENDA ITEM NO: 6
City Manager: CS

CITY of CLOVIS

REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: Finance Department

DATE: August 5, 2019

SUBJECT: Receive and File - Treasurer's Report for the Month of May 2019

ATTACHMENTS: (A) Statement of Cash Balances
(B) Summary of Investment Activity
(C) Investments with Original Maturities Exceeding One Year

Attached for the Council's information is the Treasurer's Report for the month ended May 31, 2019.

Pursuant to Section 41004 of the Government Code of the State of California, the City Treasurer is required to submit a monthly report of all receipts, disbursements and fund balances. The first page of the report provides a summary of the beginning balance, total receipts, total disbursements, ending balance for all funds, and a listing, by fund, of all month end fund balances. The second page of the report summarizes the investment activity for the month and distribution, by type of investment, held by the City. The third page lists all investments with original maturities exceeding one year as of the month ended May 31, 2019.

Prepared by: Jeffrey Blanks, Deputy Finance Director

Submitted by: Jay Schengel, Finance Director JS

City of Clovis
Statement of Cash Balances
As of May 31, 2019

Previous Balance	\$	6,701,142.75
Deposits		29,699,629.52
Disbursements		(30,303,508.81)
Current Balance	\$	6,097,263.46

FUNDS	BALANCE
100 General Fund	\$ 14,591,112.17
201 Local Transportation	15,760,124.24
202 Parking and Business Improvements	210,442.21
203 Off Highway Use	68,264.97
205 Senior Citizen Memorial Trust	51,487.97
207 Landscape Assessment District	5,193,269.49
208 Blackhorse III (95-1) Assessment District	143,071.64
301 Park & Recreation Acquisition	8,696,827.53
305 Refuse Equipment Reserve	1,058,807.63
310 Special Street Deposit Fund	24,411,769.05
313 Successor Agency	(589,381.97)
314 Housing Successor Agency	2,029,418.59
402 1976 Fire Bond Redemption	25,475.23
404 1976 Sewer Bond Redemption Fund	393,555.65
501 Community Sanitation Fund	16,405,766.39
502 Sewer Service Fund	29,436,876.05
504 Sewer Capital Projects-Users	836,100.16
506 Sewer Capital Projects-Developer	3,596,491.10
507 Water Service Fund	47,410,968.17
508 Water Capital Projects-Users	4,617,940.40
509 Water Capital Projects-Developer	9,476,793.77
515 Transit Fund	2,635,100.27
540 Planning & Development Services	12,412,331.15
601 Property & Liability Insurance	1,522,798.85
602 Fleet Maintenance	11,184,343.14
603 Employee Benefit Fund	8,319,541.43
604 General Government Services	14,329,776.30
701 Curb & Gutter Fund	155,677.68
702 Sewer Revolving Fund	121,308.29
703 Payroll Tax & Withholding Fund	1,169,489.11
712 Temperance/Barstow Assmt Dist (98-1)	73,479.96
713 Shepherd/Temperance Assmt Dist (2000-1)	5,586.04
715 Supp Law Enforcement Serv	226,902.03
716 Asset Forfeiture	23,371.51
720 Measure A-Public Safety Facility Tax	41,449.01
736 SA Admin Trust Fund	1,421.40
741 SA Debt Service Trust Fund	(33,995.85)
747 Housing Successor Trust Fund	1,137.98
SUBTOTALS	\$ 236,014,898.74
999 Invested Funds	(229,917,635.28)
TOTAL	\$ 6,097,263.46

City of Clovis
Summary of Investment Activity
For the month of May 31, 2019

<u>Balance of Investments Previous Month End</u>		<u>\$ 222,303,607.08</u>
<u>Time Certificates of Deposit Transactions</u>		
Investments	500,000.00	
Withdrawals	<u>(740,000.00)</u>	
Total CD Changes		(240,000.00)
<u>Other Changes</u>		
Government Securities	3,575,720.00	
US Treasury Notes	0.00	
Local Agency Investment Fund	0.00	
Money Market	0.00	
Sweep Account	<u>4,278,308.20</u>	
Total Other Changes		<u>7,854,028.20</u>
Balance of Investments Current Month End		<u>\$ 229,917,635.28</u>

City of Clovis
Distribution of Investments
As of May 31, 2019

Insured CD's	12,415,000.00
Government Securities	123,585,271.97
US Treasury Notes	0.00
Local Agency Investment Fund	65,000,000.00
Money Market	0.00
Sweep Account	<u>28,917,363.31</u>
Investment Total	<u>\$ 229,917,635.28</u>

City of Clovis
Original Maturities Exceeding One Year
As of May 31, 2019

Institution	Face Value	Investment Balance At Amortized Cost	Maturity	Stated Rate
FFCB/3133EGCZ6	3,000,000.00	3,007,560.00	6/6/2019	1.300%
FNMA/3135G0K93	3,000,000.00	3,006,150.00	6/28/2019	1.250%
FNMA/3135G0M91	3,000,000.00	3,002,400.00	7/26/2019	1.125%
FHLMCMTN/3134GB30	3,000,000.00	2,997,000.00	9/27/2019	1.500%
FHLB/3130ACLX0	2,500,000.00	2,498,750.00	10/30/2019	1.625%
FNMA/3135G0R62	3,000,000.00	3,000,000.00	11/15/2019	1.250%
FHLMCMTN/3134GAWD2	3,000,000.00	3,000,000.00	11/27/2019	1.300%
FFCB/3133EJRD3	2,500,000.00	2,502,117.00	12/5/2019	2.390%
FFCB/3133EFZT7	1,000,000.00	994,500.00	2/24/2020	1.400%
FHLB/313378J77	1,000,000.00	1,008,596.72	3/13/2020	1.875%
FNMA/3136G4NJ8	3,000,000.00	3,006,210.00	4/27/2020	1.700%
FNMA/3136G4NK5	3,000,000.00	3,007,770.00	4/27/2020	1.800%
FFCB/3133EGD69	2,000,000.00	1,990,555.00	5/7/2020	1.320%
FHLMC/3134GBQZ8	2,500,000.00	2,498,750.00	5/22/2020	1.550%
FFCB/3133EHKR3	2,500,000.00	2,500,000.00	6/1/2020	1.670%
FHLB/3130ABNQ5	5,000,000.00	5,000,000.00	6/26/2020	1.625%
FAMCMTN/3132X0UC3	2,500,000.00	2,500,000.00	6/29/2020	1.650%
FHLB/3130ABNM4	2,500,000.00	2,500,000.00	6/29/2020	1.640%
FFCB/3133EHQJ5	5,000,000.00	5,000,000.00	7/6/2020	1.625%
FHLB/3130ACBY9	2,500,000.00	2,455,546.50	8/28/2020	1.680%
FHLB/3130ABZN9	2,500,000.00	2,465,677.50	8/28/2020	1.800%
FHLB/3130ACD92	2,500,000.00	2,500,000.00	9/18/2020	1.600%
FNMA/3136G4QB2	2,500,000.00	2,500,000.00	10/13/2020	1.850%
FNMA/3135G0Q97	2,500,000.00	2,442,365.00	10/28/2020	1.500%
FHLB/3130ACTL8	2,500,000.00	2,488,750.00	11/25/2020	1.950%
FFCB/3133EH4B6	3,000,000.00	3,000,000.00	12/22/2020	2.100%
FHLB/3130ADG30	2,500,000.00	2,486,055.00	1/26/2021	2.300%
FHLMC/3134GSBK0	2,500,000.00	2,497,500.00	1/26/2021	2.150%
FHLMCMTN/3137EAEL9	2,500,000.00	2,477,875.00	2/16/2021	2.375%
FHLMCMTN/3134GBTG7	2,300,000.00	2,258,140.00	3/29/2021	1.875%
FAMCMTN/3132X0T84	2,500,000.00	2,502,236.25	4/19/2021	2.650%
FFCB/3133EHJP9	2,500,000.00	2,452,750.00	5/17/2021	2.000%
FHLB/313373ZY1	2,500,000.00	2,568,982.50	6/11/2021	3.625%
FHLB/3130A8EN9	2,500,000.00	2,418,750.00	6/14/2021	1.640%
FHLMCMTN/3134G9UL9	2,500,000.00	2,471,750.00	6/30/2021	1.500%
FAMCMTN/3132X05D9	3,000,000.00	3,000,000.00	8/17/2021	2.750%
FFCB/3133EJYF0	2,000,000.00	1,998,520.00	8/27/2021	2.700%
FFCB/3133EJZU6	2,500,000.00	2,490,877.50	9/20/2021	2.850%
FFCB/3133EJ3B3	2,500,000.00	2,500,200.00	12/17/2021	2.800%
FFCB/3133EJ5Q8	2,500,000.00	2,498,750.00	1/24/2022	2.800%
FFCB/3133EKEW2	5,960,000.00	5,979,668.00	3/29/2022	2.280%
FHLB/313378WG2	6,000,000.00	6,034,800.00	3/11/2022	2.500%
FHLB/313378WG2	6,000,000.00	6,075,720.00	3/11/2022	2.500%



AGENDA ITEM NO: 7
City Manager: LS

CITY of CLOVIS

REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: General Services Department

DATE: August 5, 2019

SUBJECT: Receive and File – 3rd Quarter FY 2018-19 General Services Department Report

The General Services Department Quarterly Report contains statistical data and information related to the Personnel/Risk Management division, Department Support division, and Community Services division.

GENERAL SERVICES DEPARTMENT
Personnel/Risk Management Division
Quarterly Report
January 2019 - March 2019

Departmental Performance Measures

- Employee recruitment will be conducted with the objective of recruiting, testing, and selecting the most qualified candidates for departmental hiring. As a benchmark, the Personnel/Risk Management Division will complete 95% of all recruitments within 90 days

90-Day Recruitment:

FY 2016-2017	FY 2017-2018	FY 2018-2019 (current)
95%	95%	95%

- Employee Benefit programs will be administered in a manner that will ensure quality services and cost containment. The benchmarks will measure cost savings whenever possible, to continue to contain costs in the Employee Health Plan at or below the annual medical inflation rates, and maintain quality health services without reducing benefit levels.

Savings Achieved:

FY 2016-2017	FY 2017-2018	FY 2018-2019 (current)
Contained to 9.96% Increase	Contained to 7.35% Increase	7.14% Increase

- The Risk Management Section will continue to emphasize the protection of the public, City employees, and City assets through training, risk identification, risk transfer, and insurance coverage procurement. As a benchmark, the number of annual work-related employee accidents resulting in lost workdays will be 15 or less, and safety/risk management training programs will be offered to all employees.

Injuries Involving Lost Workdays:

FY 2016-2017 Total	FY 2017-2018 Total	FY 2018-2019 To Date
16	17	13

Safety/Risk Management Training Programs:

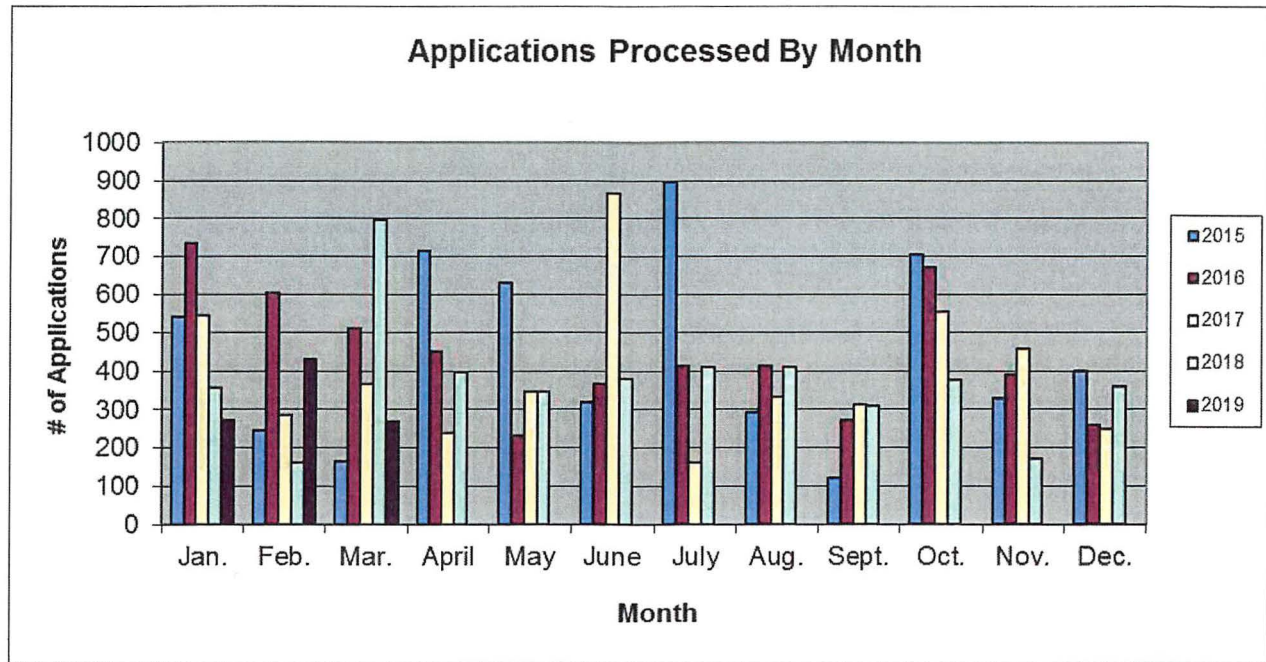
FY 2016-2017 Total	FY 2017-2018 Total	FY 2018-2019 To Date
100	172	61

Personnel Section

Personnel received and processed **973** employment applications for the months of January, February, and March.

The chart below reflects the number of applications processed by month during the last five years.

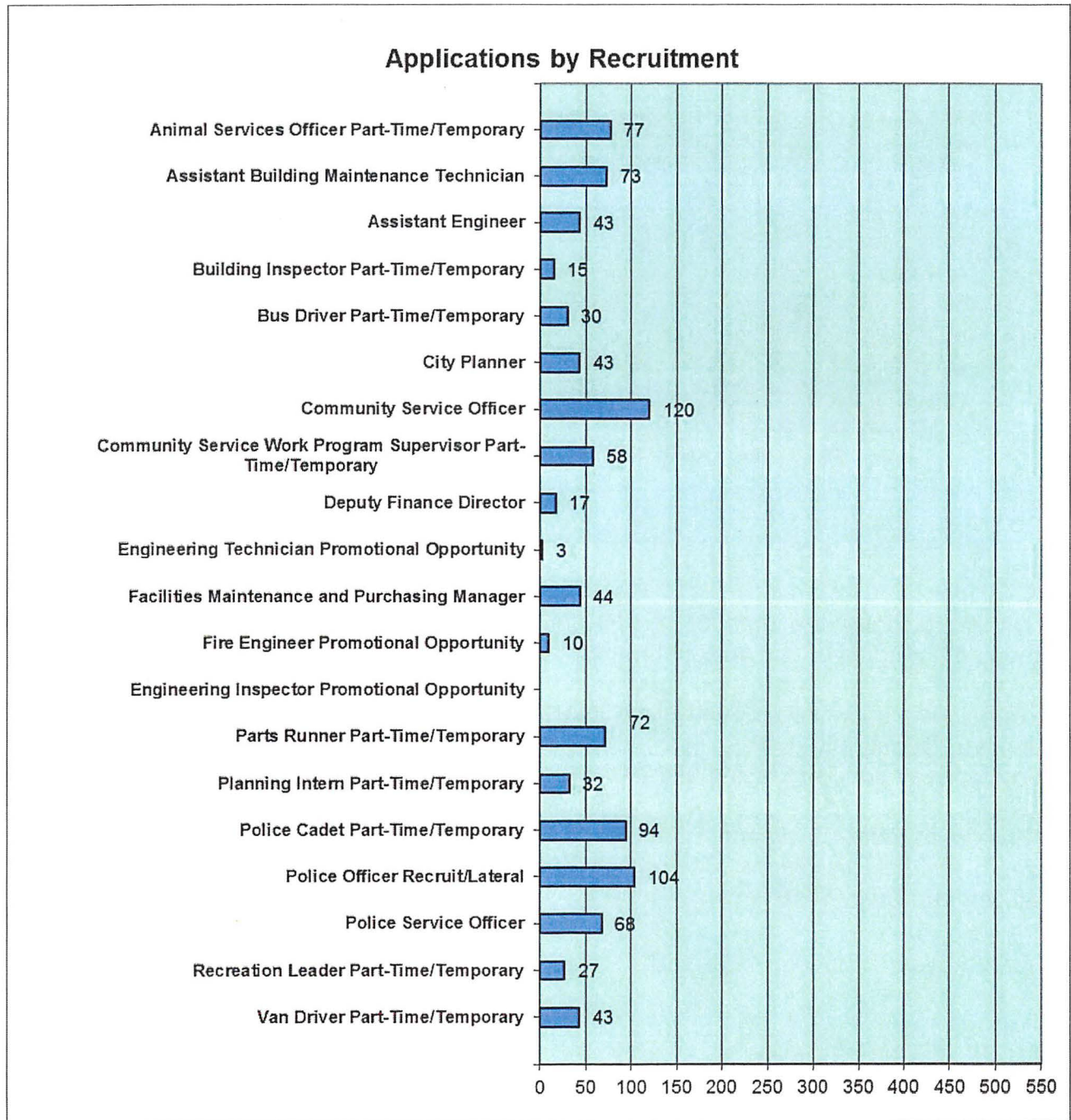
Yr.	Jan.	Feb.	Mar.	April	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total	Yearly % Increase
2015	542	246	166	716	633	321	897	294	120	705	330	401	5371	-11.7%
2016	737	604	510	450	234	365	415	412	274	673	390	258	5322	-0.9%
2017	545	285	367	239	347	866	161	333	313	554	456	248	4714	-12.12%
2018	355	162	796	396	347	381	409	411	308	378	171	361	4475	-5.2%
2019	274	429	270										973	



This chart shows the number of applications received for each of the recruitments during the months of January, February, and March.

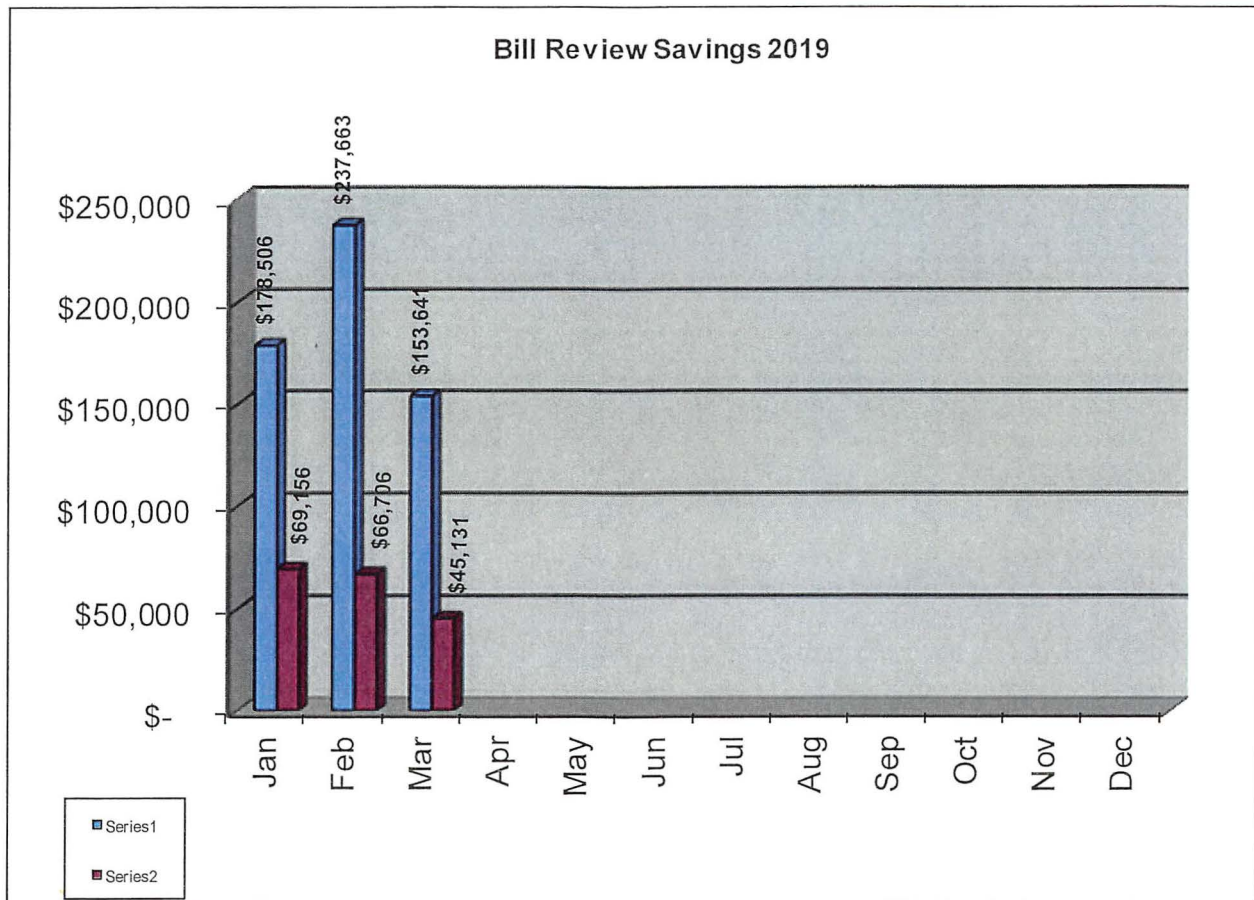
Exams were administered and eligibility lists were established for the Deputy Finance Director, Deputy Fire Chief, Engineering Technician Promotional Opportunity, Facilities Maintenance and Purchasing Manager, and Police Service Officer classifications.

There were four (4) Personnel Commission interview panels conducted from January to March for the Bus Driver, Community Service Officer, Police Officer, Police Service Officer, and Utility Worker classifications.



Workers' Compensation

In an effort to ensure a cost effective Workers' Compensation program, the Personnel/Risk Management Division utilizes a bill review process through the City's Third Party Administrator. While the California Labor Code caps a majority of the costs associated with Workers' Compensation treatment, the City has been able to realize additional savings through the use of contract physicians. The chart below describes the savings obtained by using a bill review service.

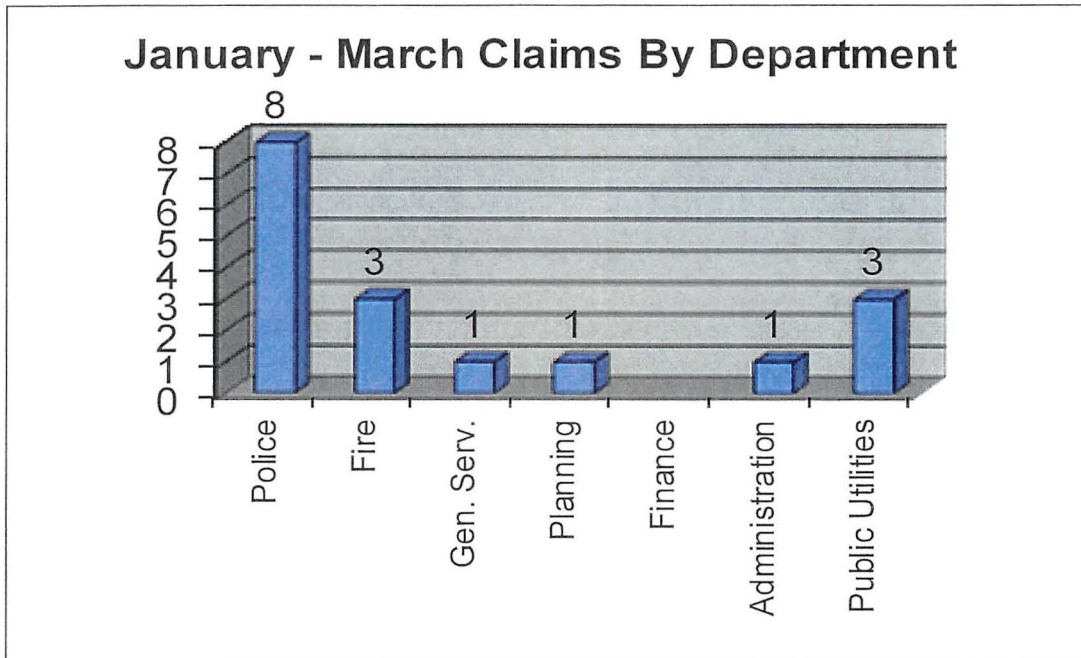


Series one represents the total medical expenses that were charged and series two represents the total amount paid for the medical charges after the bill review.

In addition to bill review savings, the Personnel/Risk Management Division utilizes nurse case managers to attend appointments with employees. Nurse case managers achieve additional savings by working with physicians to return employees back to work sooner and reduce the frequency and costs of various treatments that may not be necessary.

Workers' Compensation Claims

There were 17 work related injuries reported in the period of January through March 2019. The chart below shows the number of claims by department during this quarter:



These injuries have gone through a job analysis/assessment to determine the cause that contributed to the incident and any future preventative measures that can be taken to avoid future incidents. None of the injuries suffered were serious.

Liability Claims

The City received 10 liability claims during January through March 2019.

Safety Training:

Annual Fire Extinguisher Training
Annual HIPPA & Hearing Conservation
CPR/AED
Don't Take Back Problems Sitting Down
Emergency Action and Fire Preparedness
Management Harassment Prevention Training (AB1825)
Management Leaves Training



Computer Loans

During the months of January, February and March, nine (9) computer loans were issued by Personnel/Risk Management staff.

GENERAL SERVICES DEPARTMENT
Department Support Division
Quarterly Report
January 2019 - March 2019

Facilities Maintenance Section

Scope of Duties

- This Section performs routine monthly maintenance as required. Routine monthly maintenance is defined as those tasks performed on a schedule once a month or more frequently. These tasks include interior lighting replacement, light fixture repairs, emergency stand-by generator monitoring (required by the San Joaquin Valley Air Pollution Control District), and HVAC filters in the areas not covered by a contract.
- This Section maintains all facility systems, including HVAC, lighting, security, solar systems, electrical, plumbing and daytime janitorial services. The section also performs new construction projects involving office remodels and complex HVAC upgrades.
- Facilities Maintenance staff also responds to daily service requests not classified as routine in nature.

Departmental Performance Goal

- The goal of the Section is to respond to each service request within 24-hours of notification. This Section is meeting that goal.

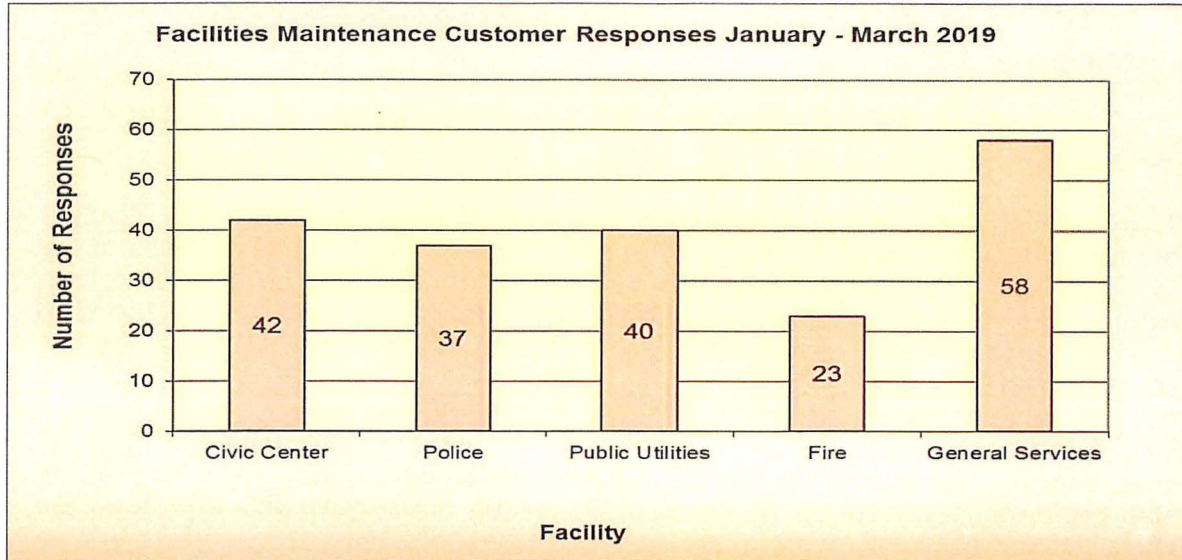
Quarterly CRM Service Request Activity

The Facilities Maintenance Section received 279 internal "*Citizen Relationship Manager*" (CRM) service requests this quarter, with Facilities Maintenance staff responding to and completing 277 CRM's. Following is a historical chart showing typical CRM activity for the last three (3) years during the 3rd Quarter and totals for their respective fiscal years.

CRM Requests:	<u>3rd Qtr. FY16-17</u>	<u>3rd Qtr. FY17-18</u>	<u>3rd Qtr. FY18-19</u>
	236	243	279
Totals: Year to Date	<u>FY16-17</u>	<u>FY17-18</u>	<u>FY18-19</u>
	567	747	467

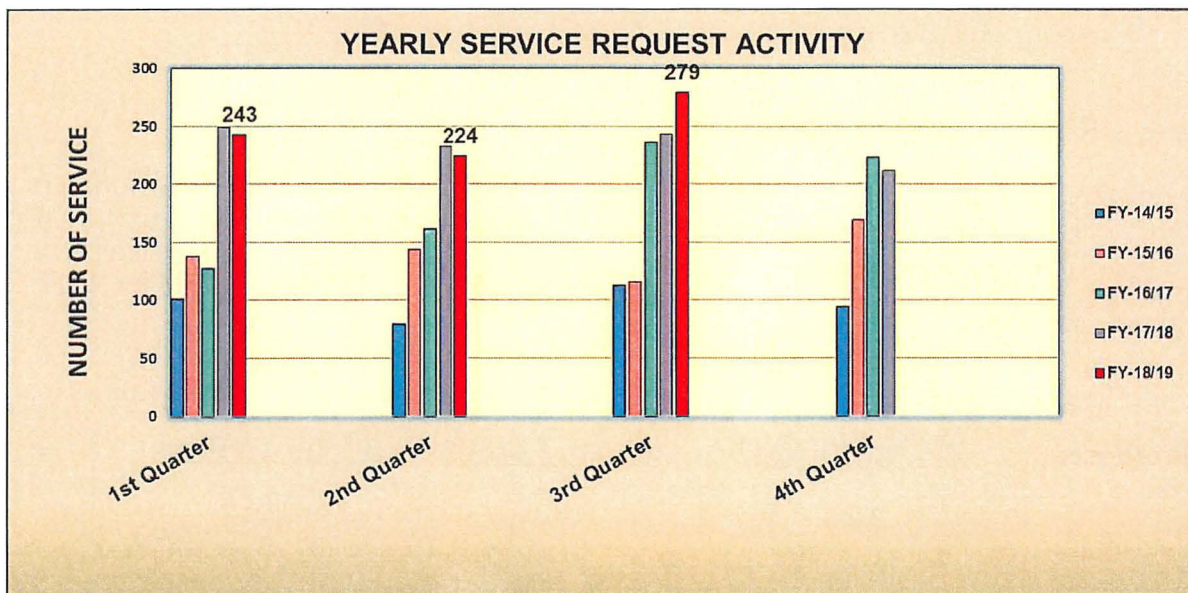
Quarterly Service Responses

The quarterly service responses are the total number of on-site responses that occurred during the course of the 3rd Fiscal Quarter. These responses include non-routine service requests and new construction projects. This chart reflects the number of service responses by city department / facility during January – March 2019.



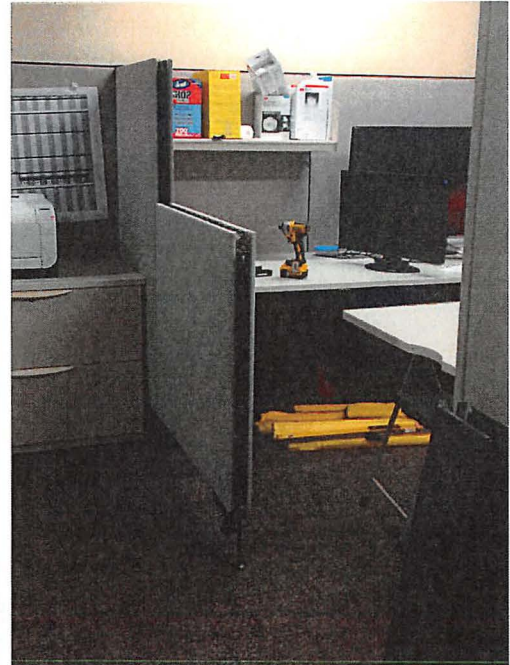
Yearly Service Request Activity

The charts below reflects the number of non-routine service requests processed by quarter for the last five (5) fiscal years.



Facilities Maintenance Project Highlights for January - March 2019:

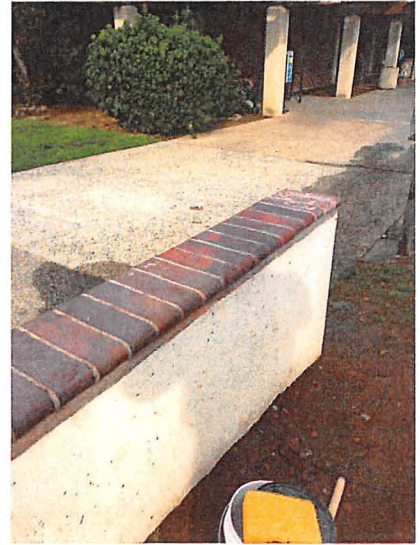
- Facilities Maintenance Staff reconfigured modular workstations within the Planning and Development Services building.



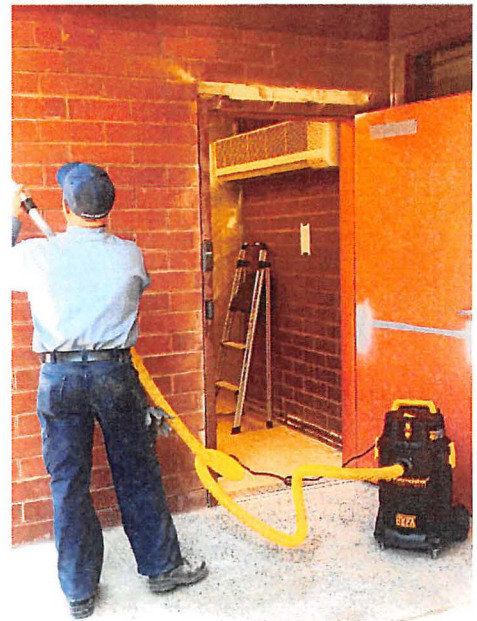
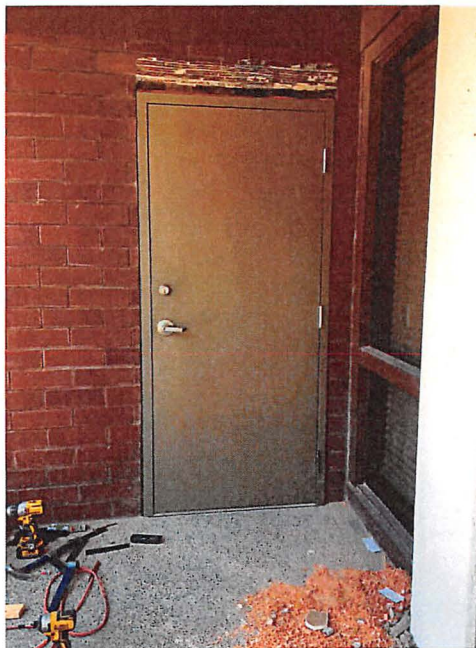
- Facilities Maintenance Staff removed old floor covering and epoxy coating office floors at Animal Control – Villa.



- Facilities Maintenance Staff reinstalled all displaced stem wall pavers throughout Civic Center.



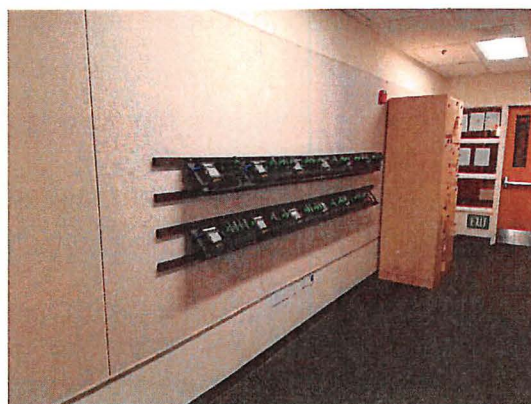
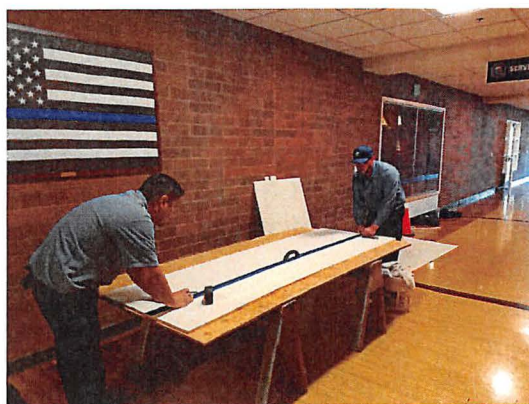
- Facilities Maintenance Staff replaced the City Hall server room door and frame.



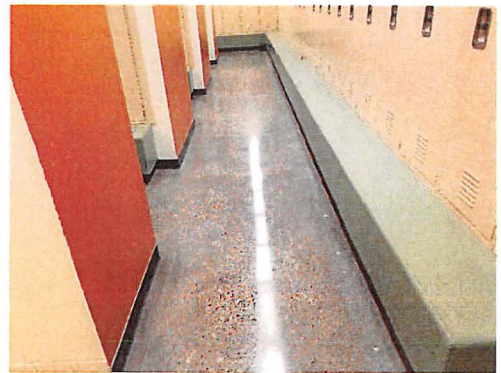
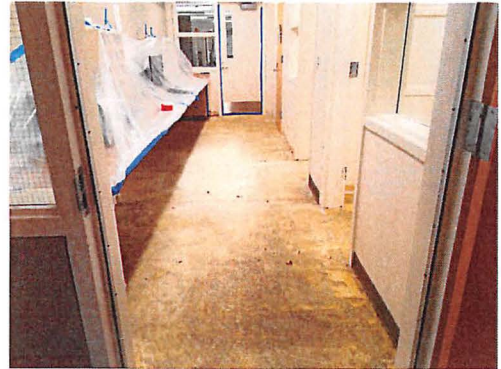
- Facilities Maintenance Staff fabricated and installed new corbel supports for the public gazebo in Old Town.



- Facilities Maintenance Staff removed old tack board at various areas within the Public Safety Facility and replaced with new. Location shown is the hallway where the police body camera chargers are located.



- Facilities Maintenance Staff coordinated and provided project oversight for the removal of existing floor covering and the polishing and sealing of concrete floors within the Police locker rooms, Juvenile booking, and the jail control pod.



Other Facilities Maintenance Activities:

- Staff is participating in the Landmark Commons bi-weekly meetings to provide insight from a facilities maintenance perspective.
- Staff is currently in the process of installing new boilers inside the Fleet building.
- Staff is participating in meetings related to Corporation Yard's electrification project that will support future electric bus chargers.

Purchasing Section

The Purchasing Section is responsible for the purchasing and acquisition of goods and services utilized for department support functions.

Purchasing Section's Monthly Highlights for 3rd Quarter FY18/19:

- Staff is coordinating meetings with City staff and a security vendor to strategize on features for a new security system at the Corporation Yard.
- Staff met with an office supplies vendor to discuss new products and the proposed launch date of the upcoming RFP for office supplies.

- Staff generated and executed an agreement between the City and an uninterruptible power supply (UPS) vendor to provide complete preventative maintenance of the Police Department radio tower's UPS system.
- Staff generated and executed an agreement between the City and an electrical engineering firm to conduct load amperage testing of all electrical panels located at the Corporation Yard.

GENERAL SERVICES DEPARTMENT
Community Services Division
Quarterly Report
January 2019 - March 2019

The following programs, services and activities are highlights of the activities occurring within the Community Services Division during the third quarter of FY18-19.

Senior Services Section

Tracking of senior program participants occurs as seniors sign-in for services and activities. New senior participants are tracked when they complete a confidential form. During this quarter, 368 new seniors participated in services and activities offered through the Clovis Senior Activity Center. *Tracking procedures have been revised to more accurately represent Information & Assistance activity using our software.*

<u>Program Participants</u>	<u>FY18</u>	<u>FY19</u>	<u>YTD FY18</u>	<u>YTD FY19</u>
Information and Assistance	40,698	*25,715	114,449	*79,665
Outreach	166	393	862	2,026
Newsletters	7,466	9,858	28,412	28,597
Community Services	17,174	20,771	33,627	56,104
Health Services	1,256	404	4,179	1,019
Senior Nutrition				
<i>In Center (includes special meals)</i>	2,984	2,944	9,317	9,027
<i>Frozen Meals for Homebound</i>	5,194	8,904	14,868	21,532
Consumer Services	2,556	6,645	6,558	13,270
Volunteers	204	1,506	559	2,042
Volunteer Hours	4,051	3,709	9,775	11,390

<u>Revenue Generated</u>	<u>FY18</u>	<u>FY19</u>	<u>YTD FY18</u>	<u>YTD FY19</u>
Rental	\$13,078	\$6,951	\$31,770	\$27,953
Older American Act Funding	\$9,333	\$3,999	\$16,445	\$9,333
Memorial District	\$20,000	\$20,000	\$20,000	\$20,000
Sales: Taxable & Non-Taxable & Misc.	\$600	\$0	\$2,025	\$1,325
Special Events	\$2,125	\$3,285	\$5,982	\$6,982
Class User Fees	\$22,647	\$20,280	\$64,549	\$60,226
Project Income	\$5,032	\$5,856	\$14,711	\$16,747
In House Nutrition Program	\$3,491	\$4,206	\$10,233	\$12,303
Homebound Nutrition Program	\$770	\$365	\$1,080	\$680
Donations	\$1,751	\$2,737	\$3,348	\$10,722
Total	<u>\$78,827</u>	<u>\$67,679</u>	<u>\$170,143</u>	<u>\$166,271</u>

- The Clovis Senior Activity Center's Quarterly Tribute to Vets program is an opportunity for veterans and their families to gather. The program varies each quarter but a typical event includes topical guest speakers, live entertainment, snacks and goodies, and a raffle prize. On March 28, 2019, more than 100 honored veteran guests were entertained with live music provided by the incomparable Sounds of Freedom band. Most stayed for lunch with friends at the center.



Clovis Transit Quarterly Report FY18/19 3rd Quarter

Revenue generated FY18/19 3rd Quarter

Stageline:

Funding Source	FY18	FY19	YTD FY18	YTD FY19
Fares	\$17,174	\$10,428	\$43,931	\$35,844
Bus Passes/Metro Pass	\$11,307	\$5,916	\$31,457	\$15,775
Sub Total	\$28,481	\$16,344	\$75,388	\$51,619
Trolley Rentals/Advertising	\$1,450	\$1,081	\$26,373	\$17,693
Measure C	\$131,477	\$0	\$131,477	\$0
LTF-Article 4	\$0	\$0	\$0	\$0
STA	\$302,464	\$221,944	\$302,464	\$470,062
Proposition 1B Grant	\$0	\$0	\$0	\$0
SB1 State of Good Repair Grant	N/A	\$151,926	N/A	\$237,106
TOTAL	\$463,872	\$391,295	\$535,702	\$776,480

Roundup:

Funding Source	FY18	FY19	YTD FY18	YTD FY19
Fares	\$6,662	\$17,945	\$29,555	\$49,773
Bus Passes	\$10,682	\$4,384	\$37,138	\$14,682
Sub Total	\$17,344	\$22,329	\$66,693	\$64,455
Trolley Rentals/Advertising	\$0	\$0	\$0	\$0
Measure C	\$0	\$0	\$0	\$0
LTF-Article 4/4.5	\$2,085,715	\$2,334,048	\$2,085,715	\$2,667,440
STA	\$0	\$0	\$0	\$0
Proposition 1B Grant	\$0	\$0	\$0	\$0
SB1 State of Good Repair Grant	N/A	\$0	N/A	\$52,317
TOTAL	\$2,103,059	\$2,356,377	\$2,152,408	\$2,784,212

RIDERSHIP

Stageline

FY 17/18							FY 18/19						
Month	10	50	70	80	W-Mart Shuttle	Total	10	50	70	80	W-Mart Shuttle	Total	
July	4,805	2,831	0	0	31	7,667	4,581	2,932	0	0	80	7,593	
Aug	6,225	3,709	127	134	67	10,262	6,301	3,952	126	94	45	10,518	
Sept	7,217	4,249	490	245	45	12,246	6,633	4,027	194	191	67	11,112	
Oct	8,484	4,315	399	537	28	13,763	7,116	4,753	274	261	68	12,472	
Nov	6,634	3,284	298	293	44	10,553	5,788	3,563	196	155	72	9,774	
Dec	6,173	3,923	331	266	25	10,718	5,025	3,222	167	134	18	8,566	
Jan	6,172	3,971	280	283	60	10,766	5,412	3,420	194	198	22	9,246	
Feb	6,073	3,917	327	329	40	10,686	5,250	3,334	165	217	14	8,980	
March	5,891	4,185	282	257	44	10,659	6,131	3,910	187	225	63	10,516	
TOTAL	57,674	34,384	2,534	2,334	384	97,320	52,237	33,113	1,503	1,475	449	88,777	

Roundup

FY 17/18				FY 18/19		
Month	Fresno	Clovis	Total	Fresno	Clovis	Total
July	1,648	2,522	4,170	1,448	2,239	3,687
August	2,262	3,002	5,264	1,914	2,650	4,564
Sept	1,888	2,628	4,516	1,853	2,287	4,140
Oct	2,113	2,530	4,643	2,240	2,626	4,866
Nov	1,794	2,360	4,154	1,673	2,434	4,107
Dec	1,555	2,605	4,160	1,458	3,046	4,504
Jan	1,758	2,288	4,046	1,879	2,525	4,404
Feb	1,810	2,083	3,893	1,720	2,268	3,988
March	1,899	2,340	4,239	2,021	2,814	4,835
TOTAL	16,727	22,358	39,085	16,206	22,889	39,095

Round Up Passenger No-Shows

FY 18/19				
Month	No-Shows	% of Total Trips	Warnings	Suspensions
July	87	2.35%	1	0
August	65	1.42%	0	1
Sept	71	1.71%	0	1
Oct	87	1.78%	0	0
Nov	73	1.77%	0	0
Dec	89	1.97%	0	0
Jan	78	1.77%	1	0
Feb	79	1.98%	2	1
March	86	1.77%	2	1
TOTAL	715	1.83%	5	3

Fleet Performance /Stageline On-Time %

Month	Collisions	Road Calls	% On Time
July	0	1	95.8%
August	2	1	97.1%
Sept	1	0	97.0%
Oct	4	0	97.8%
Nov	4	1	96.5%
Dec	1	0	97.8%
Jan	2	0	96.9%
Feb	2	2	97.2%
March	1	0	97.9%
TOTAL	17	5	97.1%

Complaint Calls/Tracking

FY 18/19								
Month	Rude Driver	Missed Passenger	Unsafe Driving	Late Bus	Device Use	Full Bus	Other	Total
July	0	0	0	0	0	0	1	1
August	0	0	0	0	0	0	0	0
Sept	1	0	0	0	0	0	0	1
Oct	1	0	1	0	0	0	1	3
Nov	1	0	0	0	0	0	0	1
Dec	0	0	0	0	0	0	0	0
Jan	0	1	0	0	0	0	2	3
Feb	0	0	1	0	0	0	1	2
March	1	4	1	0	0	1	1	8
TOTAL	4	5	3	0	0	1	6	19

Recreation Section

Quarter 3

Revenue Generated This Quarter:	FY 18	FY 19	YTD 18	YTD 19
User Fees	\$50,414	\$52,769	\$138,352	\$140,422
Project Income	\$127	\$211	\$454	\$376
Batting Cage	\$13,401	\$16,089	\$22,532	\$24,970
Donations	\$0	\$0	\$0	\$0
Totals	\$63,942	\$69,070	\$161,338	\$165,767

Food Services

Candy Machines	\$0	\$98	\$73	\$98
Batting Cage Snack Bar	\$129	\$134	\$409	\$299
Totals	\$129	\$232	\$482	\$397

Adult programs

- The City Of Clovis Recreation indoor co-ed soccer, basketball, and floorball leagues finished up the winter league on March 9, 2019, then started the spring league the week of April 1, 2019. Twenty-eight (28) teams participated in the winter leagues, and spring leagues have thirty (30) teams registered. These adult sports generated \$10,089 in revenue during the third quarter.
- The adult Men's and Coed softball leagues are scheduled to begin on April 28, 2019.

Youth Programs

- The City of Clovis Recreation Winter session is one of our busiest sessions with thirteen (13) programs occurring. The youth Basketball League for youth 1st through 6th grades is our biggest program with thirty-eight (38) total teams and a total of 304 players. Each team had two practices a week with games on Saturdays. The youth programs brought in \$23,139 in the third quarter.

Clovis Batting Range

- The Clovis Batting Range re-opened to the public on January 23, 2019. The batting range is currently open to the public Monday - Friday 4:00 PM – 8:00 PM, Saturday Noon - 8:00 PM and Sunday Noon - 7:00 PM.
- The batting range had 7,978 participants and brought in \$15,956 in the 52 days that it was open to the public during the third quarter.

Skatepark

- The Clovis Rotary Skatepark hours are Monday – Sunday 10:00 AM – 9:00 PM. The Skatepark had 1,113 participants for this quarter. A mandatory change in participation rules requiring additional safety equipment to be worn while using the skate park went into effect on October 1, 2018. This new rule resulted in a drastic decline in the number of people using the skate park.

<u>Program Participation</u>	<u>Qtr 3/18</u>	<u>Qtr 3/19</u>	<u>YTD FY18</u>	<u>YTD FY19</u>
Program Participation	46,216	21,969	125,087	75,702

These numbers are not taking into consideration participants that use the Recreation Center on a walk-in basis or spectators. Some duplication may be included.

Class User Fee Quarter 3 Participation and Revenue Numbers						
Program	Sessions	Participants for Quarter	Daily Average	Volunteers	Total	Revenue
Arts & Crafts Holiday	0	0	0	0	0	\$174
Basketball Adult Men's Comp	9	540	60	0	540	\$2,412
Basketball Adult Men's Rec	18	1280	71	0	1280	\$5,794
Basketball HS League	0	0	0	0	0	\$622
Basketball Little Dribblers	14	560	40	0	560	\$591
Basketball MS League	13	720	55	0	720	\$2,333
Basketball Youth League	75	6650	89	126	6776	\$14,700
Basketball Youth Skills and Drills	0	0	0	0	0	\$3,656
Batting Cages	63	7978	127	0	7978	\$15,956
Drop-In	58	1497	26	0	1497	\$2,994
Drop-In Daily	18	531	30	0	531	\$0
Drop-In Reservation	0	0	0	0	0	\$12,774
Floorball	8	480	60	0	480	\$709
Skate Park	157	1113	7	0	1113	\$0
Soccer Adult Coed	8	320	40	0	320	\$1,174
Soccer Youth Skills and Drills	0	0	0	0	0	\$65
Softball Adult Slow Pitch Adult Coed	0	0	0	0	0	\$116
Start Smart Baseball	4	88	22	0	88	\$48
Start Smart Basketball	2	44	22	0	44	\$1,360
Start Smart Soccer	0	0	0	0	0	\$17
Start Smart Tennis	0	0	0	0	0	\$145
Tennis Youth	0	0	0	0	0	\$757
Tiny Tumblers	6	42	7	0	42	\$1,911
Tiny Tumblers II	10	75	8	0	75	\$0
Cheer Camp	6	51	9	0	51	\$416
Total	469	21969		126	22095	\$68,724



AGENDA ITEM NO: 8
City Manager: CS

CITY of CLOVIS

REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: General Services Department

DATE: August 5, 2019

SUBJECT: Receive and File – 4th Quarter FY 2018-19 General Services Department Report

The General Services Department Quarterly Report contains statistical data and information related to the Personnel/Risk Management division, Department Support division, and Community Services division.

GENERAL SERVICES DEPARTMENT
Personnel/Risk Management Division
Quarterly Report
April 2019 - June 2019

Departmental Performance Measures

- Employee recruitment will be conducted with the objective of recruiting, testing, and selecting the most qualified candidates for departmental hiring. As a benchmark, the Personnel/Risk Management Division will complete 95% of all recruitments within 90 days

90-Day Recruitment:

FY 2016-2017	FY 2017-2018	FY 2018-2019 (current)
95%	95%	95%

- Employee Benefit programs will be administered in a manner that will ensure quality services and cost containment. The benchmarks will measure cost savings whenever possible, to continue to contain costs in the Employee Health Plan at or below the annual medical inflation rates, and maintain quality health services without reducing benefit levels.

Savings Achieved:

FY 2016-2017	FY 2017-2018	FY 2018-2019 (current)
Contained to 9.96% Increase	Contained to 7.35% Increase	7.14% Increase

- The Risk Management Section will continue to emphasize the protection of the public, City employees, and City assets through training, risk identification, risk transfer, and insurance coverage procurement. As a benchmark, the number of annual work-related employee accidents resulting in lost workdays will be 15 or less, and safety/risk management training programs will be offered to all employees.

Injuries Involving Lost Workdays:

FY 2016-2017 Total	FY 2017-2018 Total	FY 2018-2019 To Date
16	17	16

Safety/Risk Management Training Programs:

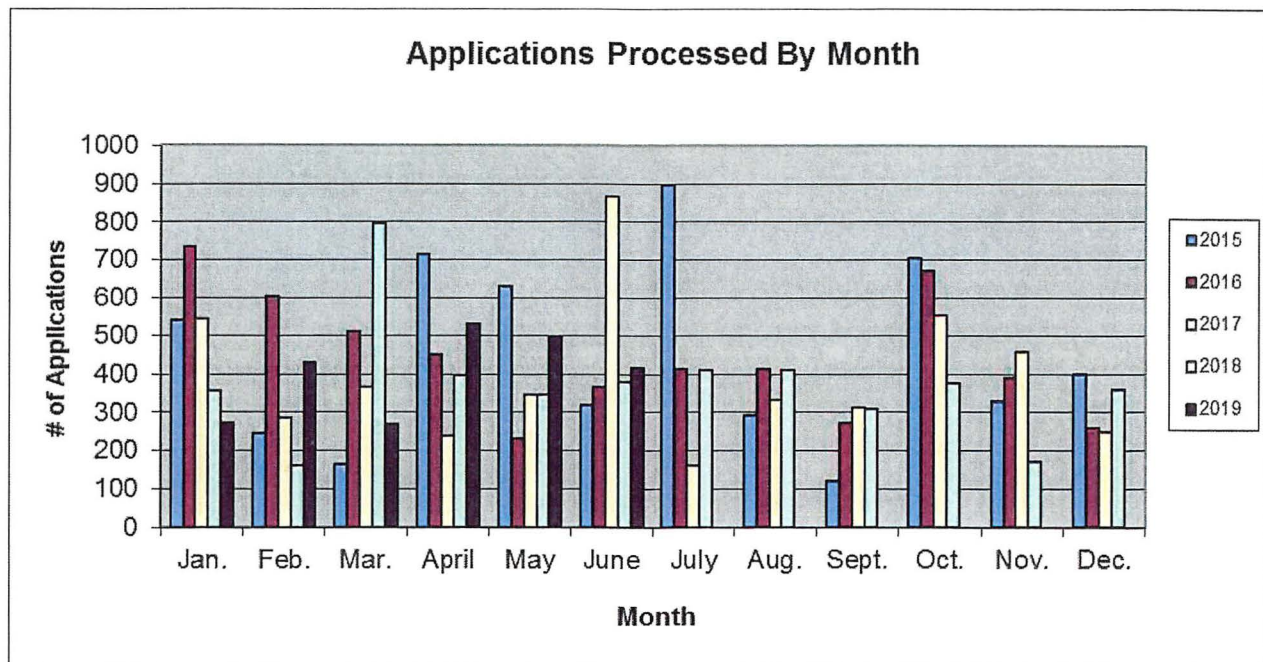
FY 2016-2017 Total	FY 2017-2018 Total	FY 2018-2019 To Date
100	172	92

Personnel Section

Personnel received and processed **1,445** employment applications for the months of April, May, and June.

The chart below reflects the number of applications processed by month during the last five years.

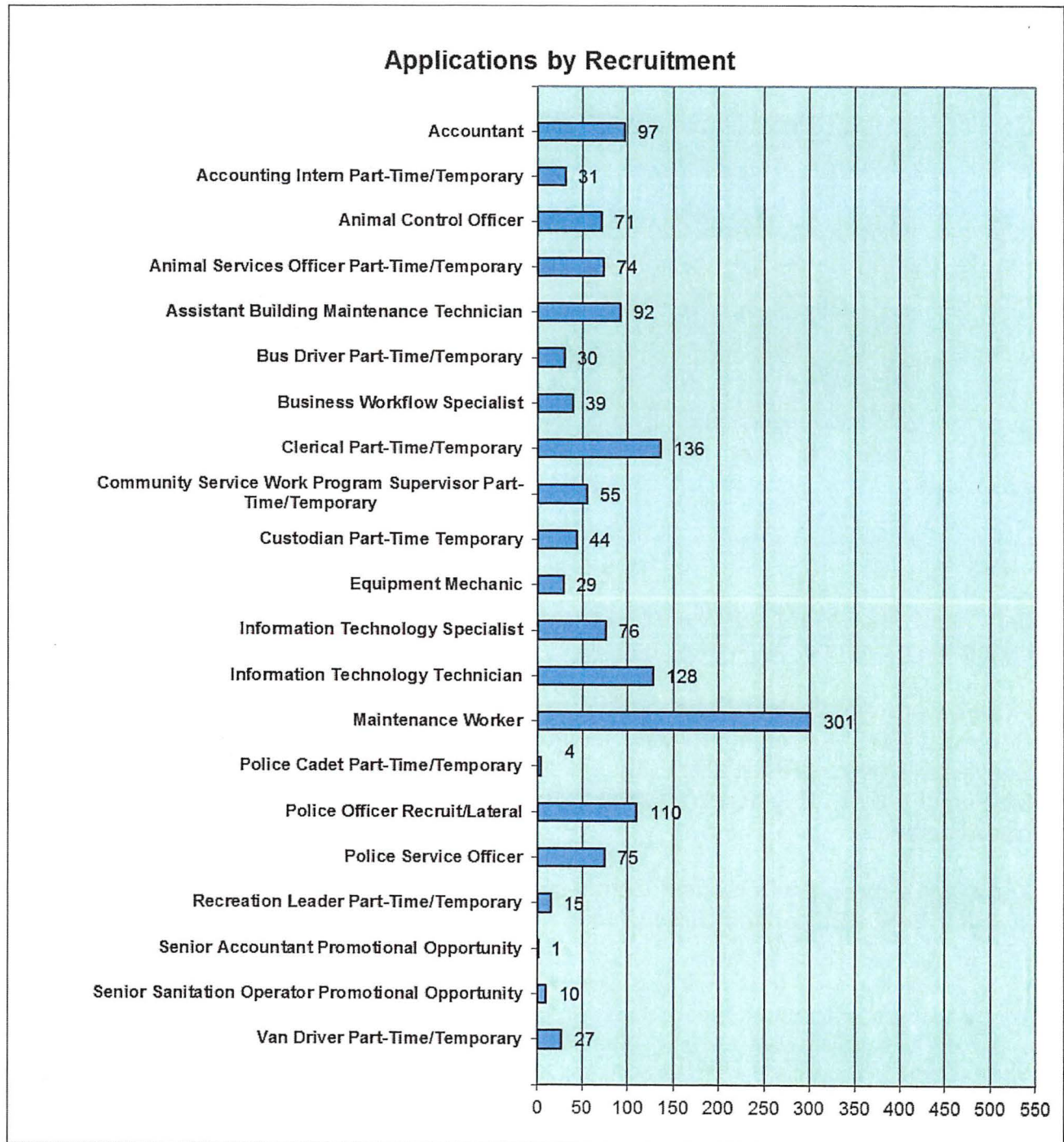
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2019	274	429	270	530	499	416							2418	



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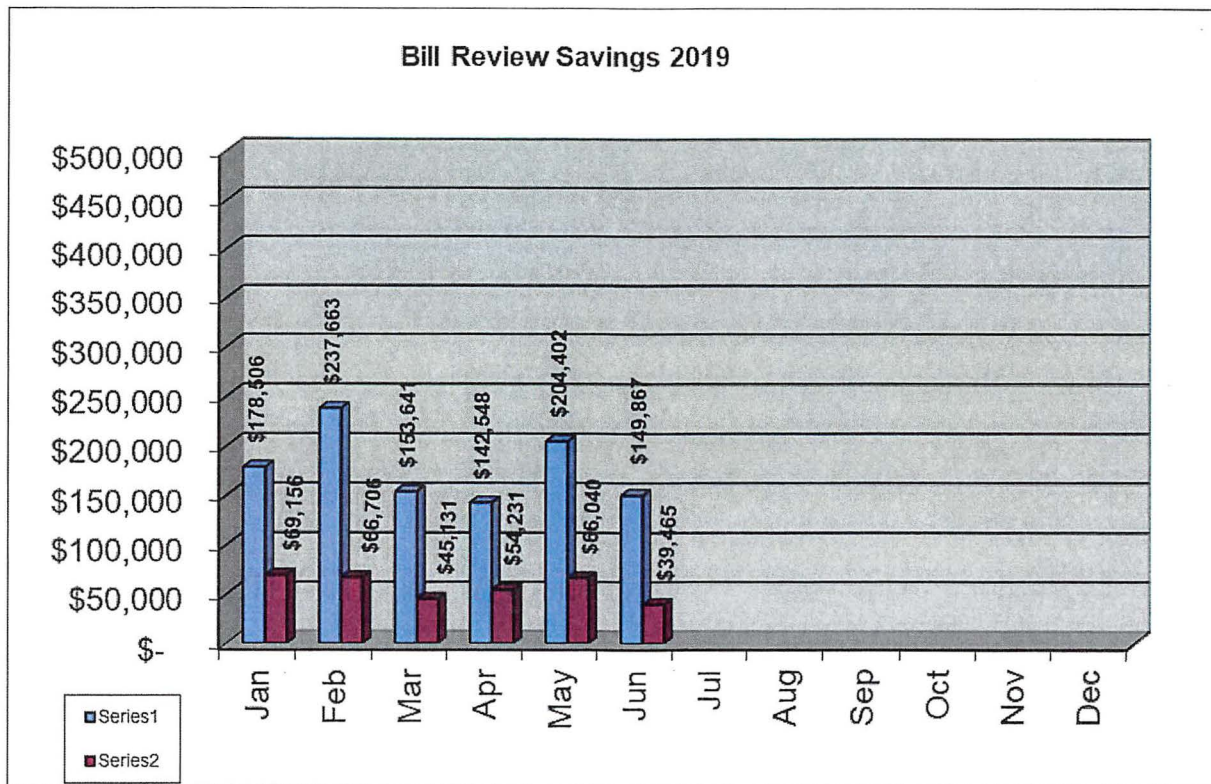
Exams were administered and eligibility lists were established for Accountant, Animal Control Officer, Assistant Building Maintenance Technician (2), Assistant Engineer, Business Workflow Specialist, City Planner, Community Service Officer, Equipment Mechanic, Fire Engineer Promotional Opportunity, and Maintenance Worker classifications.

There were three (3) Personnel Commission interview panels conducted from April to June for Police Officer and Utility Worker classifications.



Workers' Compensation

In an effort to ensure a cost effective Workers' Compensation program, the Personnel/Risk Management Division utilizes a bill review process through the City's Third Party Administrator. While the California Labor Code caps a majority of the costs associated with Workers' Compensation treatment, the City has been able to realize additional savings through the use of contract physicians. The chart below describes the savings obtained by using a bill review service.

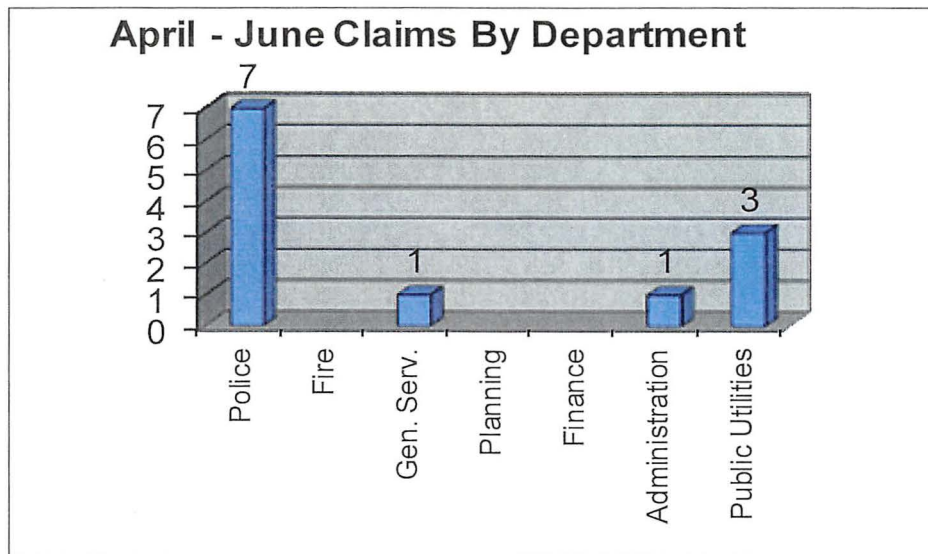


Series one represents the total medical expenses that were charged and series two represents the total amount paid for the medical charges after the bill review.

In addition to bill review savings, the Personnel/Risk Management Division utilizes nurse case managers to attend appointments with employees. Nurse case managers achieve additional savings by working with physicians to return employees back to work sooner and reduce the frequency and costs of various treatments that may not be necessary.

Workers' Compensation Claims

There were 12 work related injuries reported in the period of April through June 2019. The chart below shows the number of claims by department during this quarter:



These injuries have gone through a job analysis/assessment to determine the cause that contributed to the incident and any future preventative measures that can be taken to avoid future incidents. None of the injuries suffered were serious.

Liability Claims

The City received 18 liability claims during April through June 2019.

Safety Training:

Heat Illness Prevention
DOT
Evacuation Drill (PDS & Fire)
Management 101
Ergonomics
Defensive Driving
De-escalation: Officer Safety and Force Response
Hand Safety
Back Safety: Exercise and Ergonomics
Eye Protection
Safe Work Practices
Slip, Trips and Falls
First Aid
Safe Lifting
Human Behavior-Reducing Unsafe Acts
Dog Bite Prevention
Safe Operations and Use of Hand & Power Tools
Good Housekeeping
Hard Hats
Forklift Training
Prop 65
PPE Training

Code of Safe Practices
Mower Safety
Backing Accident Prevention
OSHA Nightmare Compilation
IIPP and Spill Prevention Control and Countermeasure Plan
Propane Operator Dispenser Training
Fall Protection/Inspection Training
CPR/AED Training
Management MOU Updates



Computer Loans

During the months of April, May and June, three computer loans were issued by Personnel/Risk Management staff.

GENERAL SERVICES DEPARTMENT
Department Support Division
Quarterly Report
April 2019 - June 2019

Facilities Maintenance Section

Scope of Duties

- This Section performs routine monthly maintenance as required. Routine monthly maintenance is defined as those tasks performed on a schedule once a month or more frequently. These tasks include interior lighting replacement, light fixture repairs, emergency stand-by generator monitoring (required by the San Joaquin Valley Air Pollution Control District), and HVAC filters in the areas not covered by a contract.
- This Section maintains all facility systems, including HVAC, lighting, security, solar systems, electrical, plumbing and daytime janitorial services. The section also performs new construction projects involving office remodels and complex HVAC upgrades.
- Facilities Maintenance staff also responds to daily service requests not classified as routine in nature.

Departmental Performance Goal

- The goal of the Section is to respond to each service request within 24-hours of notification. This Section is meeting that goal.

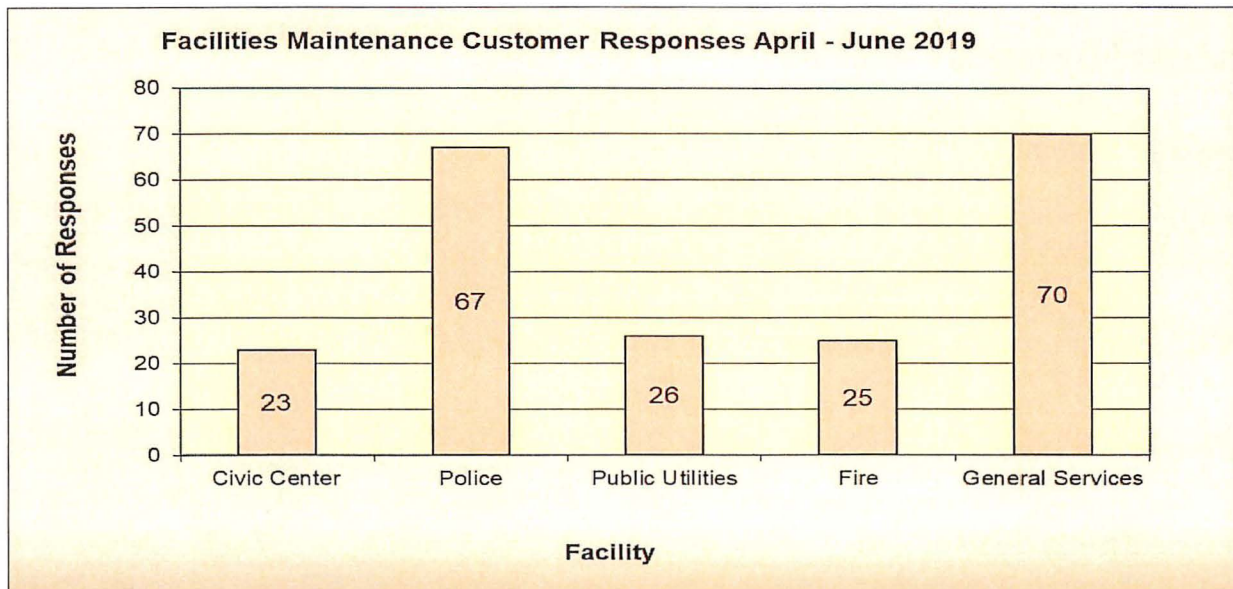
Quarterly CRM Service Request Activity

The Facilities Maintenance Section received 281 internal “*Citizen Relationship Manager*” (CRM) service requests this quarter, with Facilities Maintenance staff responding to and completing 293 CRM's. Following is a historical chart showing typical CRM activity for the last three (3) years during the 4th Quarter and totals for their respective fiscal years.

CRM Requests:	<u>4th Qtr. FY16-17</u>	<u>4th Qtr. FY17-18</u>	<u>4th Qtr. FY18-19</u>
	223	211	281
Totals: Year to Date	<u>FY16-17</u>	<u>FY17-18</u>	<u>FY18-19</u>
	747	936	1027

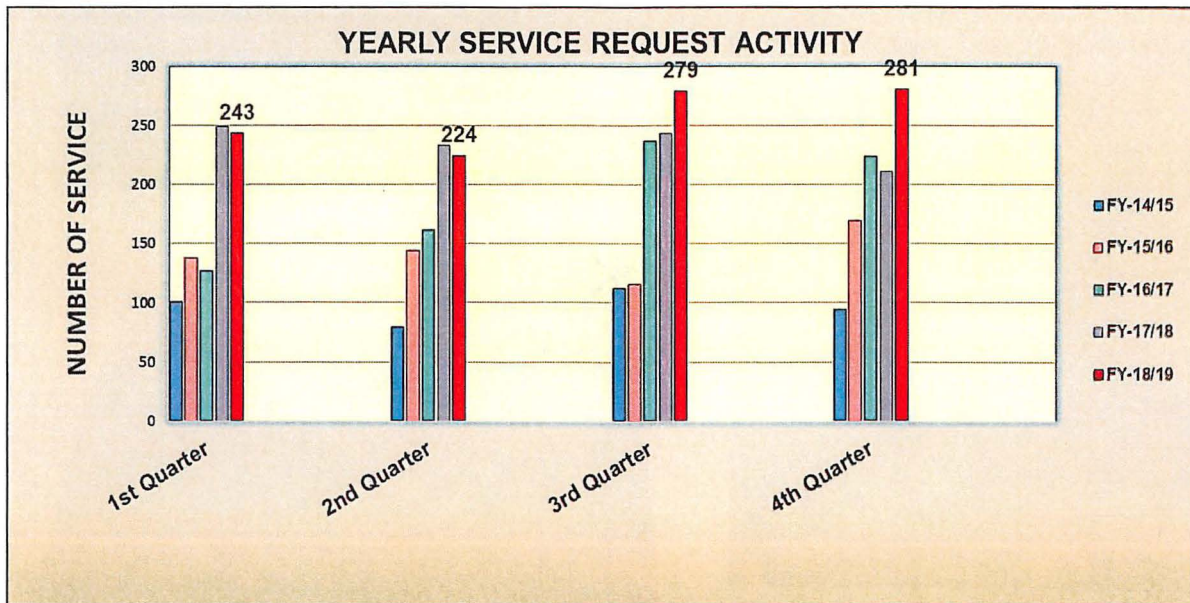
Quarterly Service Responses

The quarterly service responses are the total number of on-site responses that occurred during the course of the 4th Fiscal Quarter. These responses include non-routine service requests and new construction projects. This chart reflects the number of service responses by city department / facility during April – June 2019.



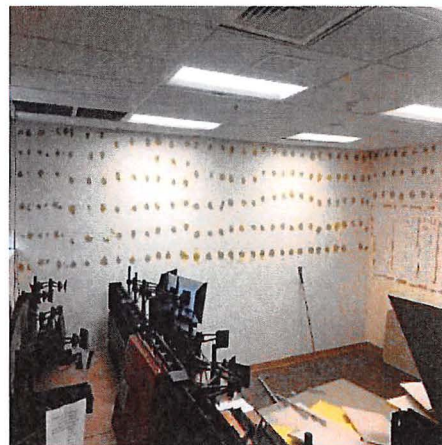
Yearly Service Request Activity

The charts below reflects the number of non-routine service requests processed by quarter for the last five (5) fiscal years.

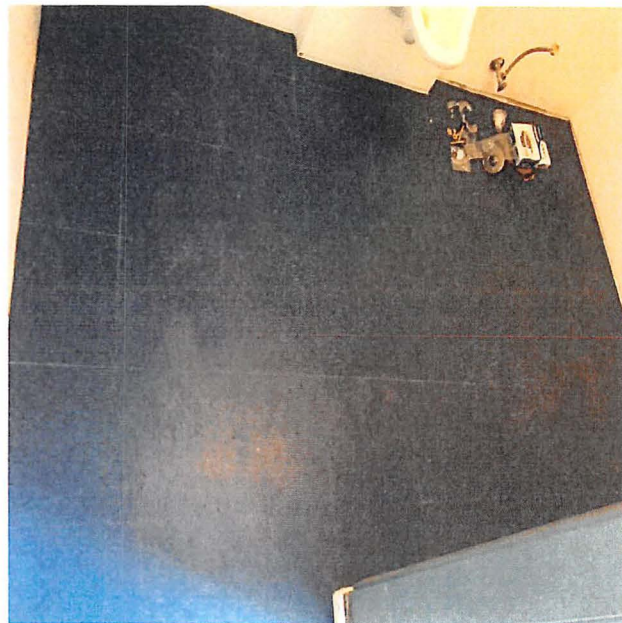
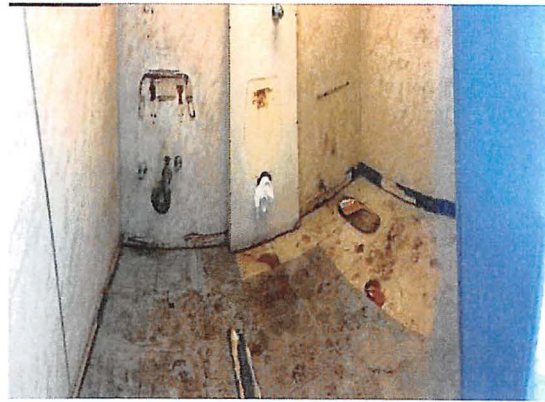


Facilities Maintenance Project Highlights for April - June 2019:

Facility Maintenance Staff removed and replaced tack board at Public Safety Facility in the back up Sheriffs Dispatch office



Facilities Maintenance Staff
remodeled staff restroom at
Villa Yard



Facilities Maintenance Staff
installed new stainless steel
corner guards at Miss Winkles



Facilities Maintenance Staff washed solar panels at Public Safety Facility to ensure peak production



Facilities Maintenance Staff fabricated and installed new hardwood counter at PDS



Facilities Maintenance Staff removed a wall to expand an Interrogation Room at Public Safety Facility



Other Facilities Maintenance Activities:

- Staff met with the City's contracted janitorial services vendor to discuss and review current service.
- Staff provided oversight of a workstation reconfiguration at Public Safety Facility.

Purchasing Section

The Purchasing Section is responsible for the purchasing and acquisition of goods and services utilized for department support functions.

Purchasing Section's Monthly Highlights for 4th Quarter FY18/19:

- Staff obtained pricing and generated a contract between the City and an electrical engineering firm to provide construction documents for the installation of new electrical chargers for the Transit's electric buses.
- Staff obtained pricing from a furniture vendor and executed agreements for various workstation modifications within the Public Safety Facility.
- Staff is coordinating meetings with city staff and Energy Management System (EMS) vendors to discuss upgrades to our current system.
- Staff generated and executed an agreement between the City and a generator testing company to load test all the emergency generators required for reporting by the air board.
- Staff generated and executed an agreement between the City and a Heating Ventilation and Air Conditioner (HVAC) vendor to extend their service contract an additional year for HVAC preventative maintenance services.
- Staff generated and executed an agreement between the City and an elevator vendor to purchase and install a new valve box for the elevator at Public Safety Facility.
- Staff generated a Staff Report for a one year contract extension of City wide janitorial service.
- Staff met with a furniture vendor to review a new line of chairs.

GENERAL SERVICES DEPARTMENT
Community Services Division
Quarterly Report
April 2019 - June 2019

The following programs, services and activities are highlights of the activities occurring within the Community Services Division during the third quarter of FY18-19.

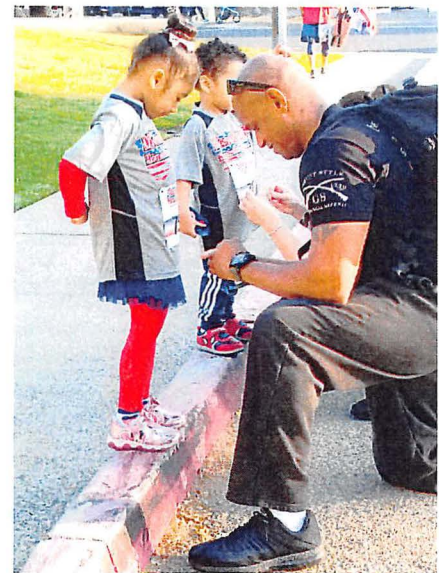
Senior Services Section

Tracking of senior program participants occurs as seniors sign-in for services and activities. New senior participants are tracked when they complete a confidential form. During this quarter, 231 new seniors participated in services and activities offered through the Clovis Senior Activity Center. *Tracking procedures have been revised to more accurately represent Information & Assistance activity.*

<u>Program Participants</u>	<u>FY18</u>	<u>FY19</u>	<u>YTD FY18</u>	<u>YTD FY19</u>
Information and Assistance	43,604	*28,447	158,053	*108,112
Outreach	264	650	1,126	2,676
Newsletters	8,214	11,181	44,840	39,778
Community Services	16,274	22,444	49,901	78,548
Health Services	1,487	496	5,666	1,515
Senior Nutrition				
<i>In Center (includes special meals)</i>	3,322	3,158	12,639	12,185
<i>Frozen Meals for Homebound</i>	5,446	7,378	20,314	28,910
Consumer Services	2,093	5,724	8,651	18,994
Volunteers	196	1,612	755	3,654
Volunteer Hours	3,668	3,675	13,443	15,065

<u>Revenue Generated</u>	<u>FY18</u>	<u>FY19</u>	<u>YTD FY18</u>	<u>YTD FY19</u>
Rental	\$8,563	\$7,775	\$40,333	\$35,728
Older American Act Funding	\$15,555	\$12,334	\$32,000	\$21,667
Memorial District	\$20,000	\$20,000	\$40,000	\$40,000
Sales: Taxable & Non-Taxable & Misc.	\$166	\$1,200	\$2,191	\$4,325
Special Events	\$15,145	\$18,591	\$21,128	\$25,573
Class User Fees	\$18,861	\$15,843	\$83,410	\$76,069
Project Income	\$3,633	\$5,082	\$18,344	\$21,829
In House Nutrition Program	\$3,589	\$4,153	\$13,812	\$16,457
Homebound Nutrition Program	\$230	\$215	\$1,310	\$895
Donations	\$348	\$1,298	\$3,696	\$12,020
Total	<u>\$69,090</u>	<u>\$86,491</u>	<u>\$236,224</u>	<u>\$254,653</u>

- The Clovis Memorial 5K Run, Walk N' Roll was held in May with a record-setting number of athletes running, walking, or rolling over the course. The 548 participants were cheered across the finish line with the help of the Buchanan High School cheer squad. They all enjoyed a tasty pancake breakfast and received a finisher's medal and event shirt. This event is a fundraiser for the Clovis Senior Activity Center but more importantly, it's an opportunity for the community to express their thanks and recognize service members, and their friends and families, who gave the ultimate sacrifice in defense of our freedom.



Clovis Transit Quarterly Report FY18/19 4th Quarter

Revenue generated FY18/19 4th Quarter

Stageline:

Funding Source	FY18	FY19	YTD FY18	YTD FY19
Fares	\$10,610	\$15,381	\$54,542	\$49,023
Bus Passes/Metro Pass	\$5,246	\$12,464	\$36,705	\$28,240
Sub Total	\$15,856	\$27,845	\$91,247	\$77,263
Trolley Rentals/Advertising	\$18,401	\$6,200	\$44,774	\$23,406
Measure C	\$153,007	\$0	\$284,485	\$0
LTF-Article 4	\$1,509,000	\$0	\$1,509,000	\$0
STA	\$333,977	\$304,198	\$636,441	\$774,260
Proposition 1B Grant	\$0	\$0	\$0	\$0
SB1 State of Good Repair Grant	\$0	\$237,106	\$237,106	\$237,106
TOTAL	\$2,267,347	\$575,349	\$2,803,053	\$1,112,035

Roundup:

Funding Source	FY18	FY19	YTD FY18	YTD FY19
Fares	\$13,662	\$17,055	\$43,218	\$69,030
Bus Passes	\$11,503	\$4,097	\$48,642	\$18,779
Sub Total	\$25,165	\$21,152	\$91,860	\$87,809
Trolley Rentals/Advertising	\$0	\$0	\$0	\$0
Measure C	\$0	\$0	\$0	\$0
LTF-Article 4/4.5	\$344,407	\$769,654	\$2,430,092	\$3,281,594
STA	\$0	\$0	\$0	\$0
Proposition 1B Grant	\$0	\$0	\$0	\$0
SB1 State of Good Repair Grant	\$0	\$0	\$0	\$52,317
TOTAL	\$369,572	\$790,806	\$2,521,952	\$3,421,720

RIDERSHIP

Stageline

FY 17/18							FY 18/19					
Month	10	50	70	80	W-Mart Shuttle	Total	10	50	70	80	W-Mart Shuttle	Total
July	4,805	2,831	0	0	31	7,667	4,581	2,932	0	0	80	7,593
Aug	6,225	3,709	127	134	67	10,262	6,301	3,952	126	94	45	10,518
Sept	7,217	4,249	490	245	45	12,246	6,633	4,027	194	191	67	11,112
Oct	8,484	4,315	399	537	28	13,763	7,116	4,753	274	261	68	12,472
Nov	6,634	3,284	298	293	44	10,553	5,788	3,563	196	155	72	9,774
Dec	6,173	3,923	331	266	25	10,718	5,025	3,222	167	134	18	8,566
Jan	6,172	3,971	280	283	60	10,766	5,412	3,420	194	198	22	9,246
Feb	6,073	3,917	327	329	40	10,686	5,250	3,334	165	217	14	8,980
March	5,891	4,185	282	257	44	10,659	6,131	3,910	187	225	63	10,516
April	6,730	4,504	341	293	55	11,923	6,111	3,644	147	165	70	10,137
May	6,884	4,623	312	316	54	12,189	6,767	3,864	181	282	30	11,124
June	4,959	3,211	68	39	67	8,344	4,356	2,404	38	50	25	6,873
TOTAL	76,247	46,722	3,255	2,992	560	129,776	69,471	43,025	1,869	1,972	574	116,911

Roundup

FY 17/18				FY 18/19		
Month	Fresno	Clovis	Total	Fresno	Clovis	Total
July	1,648	2,522	4,170	1,448	2,239	3,687
August	2,262	3,002	5,264	1,914	2,650	4,564
Sept	1,888	2,628	4,516	1,853	2,287	4,140
Oct	2,113	2,530	4,643	2,240	2,626	4,866
Nov	1,794	2,360	4,154	1,673	2,434	4,107
Dec	1,555	2,605	4,160	1,458	3,046	4,504
Jan	1,758	2,288	4,046	1,879	2,525	4,404
Feb	1,810	2,083	3,893	1,720	2,268	3,988
March	1,899	2,340	4,239	2,021	2,814	4,835
April	1,911	2,351	4,262	1,914	2,600	4,514
May	2,080	2,541	4,621	2,006	2,734	4,740
June	1,585	2,508	4,093	1,835	2,768	4,603
TOTAL	22,203	29,758	52,061	21,961	30,991	52,952

Round Up Passenger No-Shows

FY 18/19				
Month	No-Shows	% of Total Trips	Warnings	Suspensions
July	87	2.35%	1	0
August	65	1.42%	0	1
Sept	71	1.71%	0	1
Oct	87	1.78%	0	0
Nov	73	1.77%	0	0
Dec	89	1.97%	0	0
Jan	78	1.77%	1	0
Feb	79	1.98%	2	1
March	86	1.77%	2	1
April	81	1.79%	0	0
May	96	2.02%	2	0
June	83	1.80%	1	0
TOTAL	975	1.84%	9	4

Complaint Calls/Tracking

FY 18/19								
Month	Rude Driver	Missed Passenger	Unsafe Driving	Late Bus	Device Use	Full Bus	Other	Total
July	0	0	0	0	0	0	1	1
August	0	0	0	0	0	0	0	0
Sept	1	0	0	0	0	0	0	1
Oct	1	0	1	0	0	0	1	3
Nov	1	0	0	0	0	0	0	1
Dec	0	0	0	0	0	0	0	0
Jan	0	1	0	0	0	0	2	3
Feb	0	0	1	0	0	0	1	2
March	1	4	1	0	0	1	1	8
April	1	0	0	0	0	0	0	1
May	0	0	1	1	0	0	0	2
June	0	0	2	0	0	0	0	2
TOTAL	5	5	6	1	0	1	6	24

Fleet Performance

FY 18/19		
Month	Collisions	Road Calls
July	0	1
August	2	1
Sept	1	0
Oct	4	0
Nov	4	1
Dec	1	0
Jan	2	0
Feb	2	2
March	1	0
April	0	0
May	0	0
June	0	0
TOTAL	17	5

Stageline On-Time Performance

FY 18/19	
Month	% On Time
July	95.8%
August	97.1%
September	97.0%
October	97.8%
November	96.5%
December	97.8%
January	96.9%
February	97.2%
March	97.9%
April	96.2%
May	96.7%
June	96.0%

Clovis Recreation Quarterly Report FY18/19 4th Quarter

Quarter 4

Revenue Generated This Quarter:	FY 18	FY 19	YTD 18	YTD 19
User Fees	\$55,394	\$70,896	\$193,746	\$211,318
Project Income	\$461	\$263	\$915	\$639
Batting Cage	\$17,753	\$19,577	\$40,285	\$44,546
Donations	\$0	\$0	\$0	\$0
Totals	\$73,608	\$90,736	\$234,946	\$256,503

Food Services

Candy Machines	\$100	\$33	\$173	\$131
Batting Cage Snack Bar	\$361	\$236	\$770	\$534
Totals	\$461	\$269	\$943	\$665

+Adult programs

- The City of Clovis Recreation indoor co-ed soccer, basketball, and floorball leagues finished the spring leagues on May 23, 2019, and then started the summer leagues the week of June 27, 2019. There were 29 teams that participated in the spring leagues and currently 31 teams are participating in the summer leagues. These adult sports leagues generated \$11,692 in revenue during the fourth quarter.
- The 2018 spring men's and co-ed softball league finished on June 24, 2019. The summer men's and co-ed leagues are scheduled to begin the week of July 17, 2019. The spring league had 24 men's and co-ed teams registered and the summer league has 18 men's and co-ed teams. The adult softball program generated \$13,448 this quarter.

Youth Programs

- The City of Clovis Recreation section youth programs continue to grow. There were 3 new programs added this quarter.
- The youth programs generated \$28,396 during the 4th quarter.

Clovis Batting Range

- The Clovis Batting Range is currently open to the public Monday - Friday 4:00 PM – 8:00 PM, Saturday Noon - 8:00 PM and Sunday Noon - 7:00 PM.
- The batting range had 12,184 participants and brought in \$19,576 in the 73 days that it was open to the public during the 4th quarter.

Skatepark

- The Clovis Rotary Skatepark hours are Monday – Sunday 10:00 AM – 9:00 PM. The Skatepark had 1,858 participants for this quarter. A mandatory change in participation rules requiring additional safety equipment to be worn while using the skate park went into effect on October 1, 2018. This new rule resulted in a drastic decline in the number of people using the skate park, but participation numbers are slowly increasing again.

Program Participation	Qtr 4/18	Qtr 4/19	YTD FY18	YTD FY19
Program Participation	48,556	23,657	173,643	99,359

These numbers do not take into consideration participants that use the Recreation Center on a walk-in basis or spectators. Some duplication may occur.

Class User Fee Quarter 4 Participation and Revenue Numbers						
Program	Sessions	Participants for Quarter	Daily Average	Volunteers	Total	Revenue
Basketball Adult Men's Comp	0	0	0	0	0	\$6,005
Basketball Adult Men's Rec	21	1720	82	0	1720	\$2,596
Basketball HS League	0	0	0	0	0	\$622
Basketball Little Dribblers	0	0	0	0	0	\$3,673
Basketball Middle School Camp	6	66	11	0	66	\$0
Basketball MS League	0	0	0	0	0	\$6,299
Basketball Youth League	15	1080	72	110	1190	\$21,965
Basketball Youth Skills and Drills	24	540	23	0	540	\$1,942
Batting Cages	73	12184	167	0	12184	\$19,576
Drop-In	60	1149	19	0	1149	\$2,291
Drop-In Daily	37	953	26	0	953	\$0
Drop-In Reservation	0	0	0	0	0	\$4,475
Floorball	0	0	0	0	0	\$900
Skate Park	91	1858	20	0	1858	\$0
Soccer Adult Coed	8	390	49	0	390	\$2,191
Soccer Adult Coed 30+	0	0	0	0	0	\$0
Soccer Adult Men's	0	0	0	0	0	\$0
Soccer Little Kickers	0	0	0	0	0	\$0
Soccer Youth League	0	0	0	0	0	\$0
Soccer Youth Skills and Drills	0	0	0	0	0	\$0
Softball Adult Slow Pitch Adult Coed	23	2710	118	0	2710	\$12,150
Softball Adult Slow Pitch Adult Men's	0	0	0	0	0	\$1,298
Start Smart Basketball	16	184	12	0	184	\$1,197
Start Smart Tennis	6	36	6	0	36	\$213
Summer Camp Basketball	0	0	0	0	0	\$1,087
Summer Camp Soccer	0	0	0	0	0	\$78
Tennis Youth	0	0	0	0	0	\$630
Tiny Slugger	0	0	0	0	0	\$292
Tiny Tumblers	10	70	7	0	70	\$992
Basketball Adult 30+	9	570	63	0	570	\$0
Tennis Camp	12	102	9	0	102	\$0
Tiny Tumblers	5	45	9	0	45	\$0
Total	66	23657		110	3516	\$90,472

*Not included in year-to-date user fee total at top of page.



AGENDA ITEM NO: 9
City Manager: cm

CITY of CLOVIS

REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: Planning and Development Services Department

DATE: August 5, 2019

SUBJECT: Approval – Final Acceptance for CIP 14-21, Shaw/Locan Traffic Signal & Widening.

ATTACHMENTS: (A) Vicinity map

CONFLICT OF INTEREST

None

RECOMMENDATION

For the City Council to accept the work performed as complete and authorize recording of the notice of completion.

EXECUTIVE SUMMARY

The project consisted of street widening on Shaw Avenue between Locan Avenue and Maine Avenue including the installation of a traffic signal at the Shaw and Locan intersection. The work included asphalt concrete paving and aggregate base material, grinding, concrete work, installing traffic signal and loop detectors, accessible pedestrian facilities, storm drain, water facilities, landscape and irrigation, striping and signing, fiber optic conduit, recycled water main, and undergrounding of overhead utilities.

BACKGROUND

Bids for the subject project were received and opened on August 15, 2017, with Council authorization on August 7, 2017, for the City Manager to award the project to the lowest responsible bidder. Agee Construction Company was the low bidder and was awarded the

project. City council authorized the execution of contract change order #1 on April 2, 2018. The project was completed in accordance with the construction documents.

FISCAL IMPACT

1.	Award	\$1,707,316.00
2.	Cost increase resulting from differences between estimated quantities used for award and actual quantities installed.	\$1,843.47
3.	Contract Change Orders	\$256,020.85
	CCO No. 1 Compensation for additional cost for high voltage equipment and installation	\$219,710.70
	CCO No. 2 - 8 Adjust contract time, add retaining wall for PG&E facilities, additional irrigation wires, modify irrigation sprinklers, modify luminaires, and regrade drive approach	\$36,310.15
4.	Liquidated Damages Assessed	(\$14,300.00)
	Final Contract Cost	\$1,950,880.32

This project was approved in the Community Investment Program 2017-2018 fiscal year budget and is funded by Regional Measure C funds.

REASON FOR RECOMMENDATION

The Public Utilities Department, the City Engineer, the engineering inspector, and the project engineer agree that the work performed by the contractor is in accordance with the project plans and specifications, and has been deemed acceptable. The contractor, Agee Construction Corporation, has requested final acceptance.

ACTIONS FOLLOWING APPROVAL

1. The notice of acceptance will be recorded; and
2. All remaining retention funds will be released no later than 35 calendar days following recordation of the notice of completion, provided no liens have been filed. Retention funds may be released within 60 calendar days after the date of completion, provided no liens

have been filed, with "completion" defined as the earlier of either (a) beneficial use and occupancy and cessation of labor, or (b) acceptance by the City Council per Public Contract Code Section 7107(c)(2).

Prepared by: John Cross, Engineer II

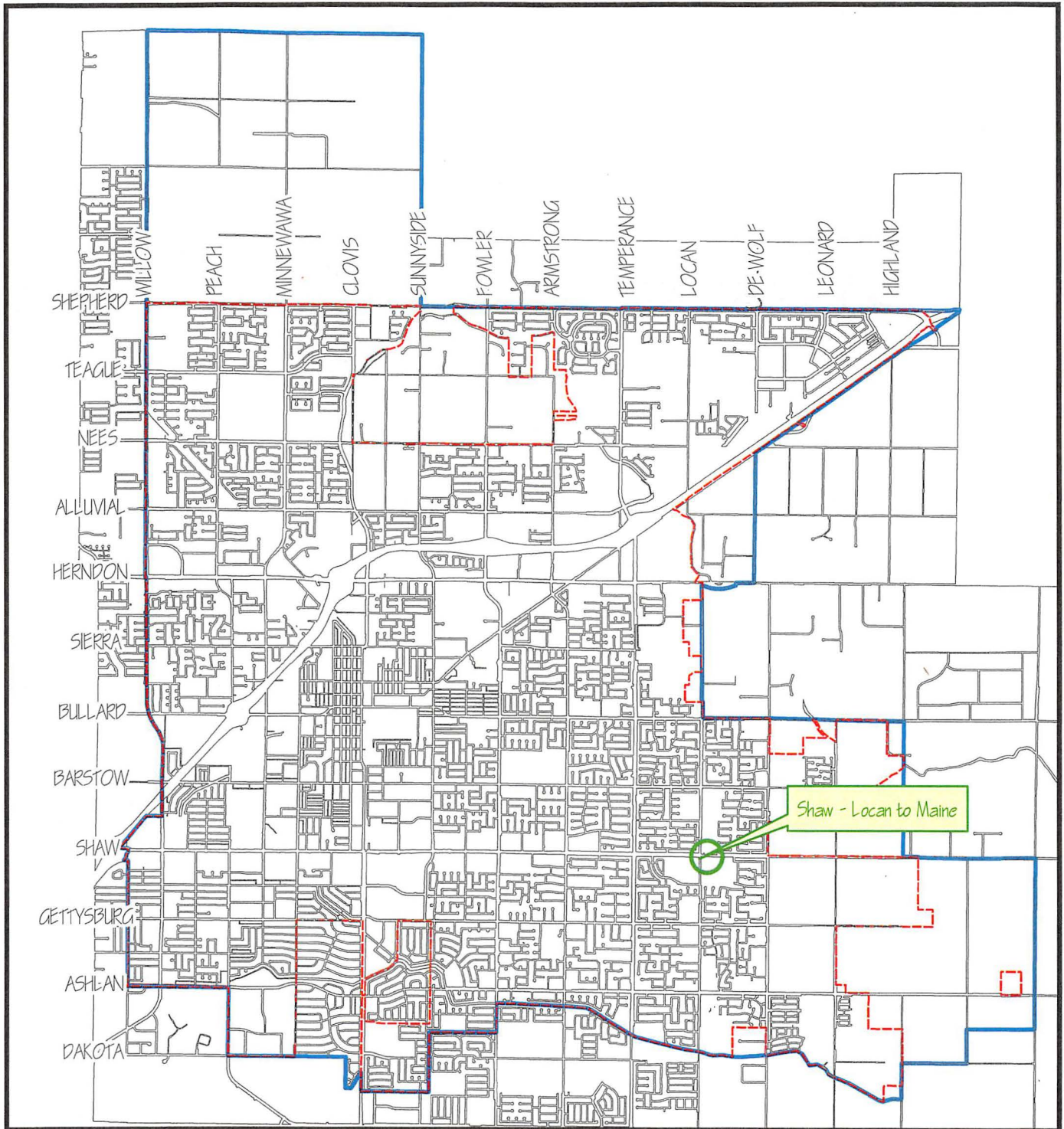
Submitted by: 
Michael Harrison, PE
City Engineer

Recommended by:


Dwight Kroll, AICP Dk
Director of Planning and
Development Services

VICINITY MAP

CIP 14-21 - Shaw/ Locan Traffic Signal & Widening



JULY 7, 2017

ATTACHMENT A

CITY LIMITS

SPHERE OF INFLUENCE



1" = 8000'



AGENDA ITEM NO: **10**
City Manager: *[Signature]*

CITY of CLOVIS

REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: Planning and Development Services Department

DATE: August 5, 2019

SUBJECT: Approval - Bid Award for CIP 17-11, Ashlan Alley Project, and; Authorize the City Manager to execute the contract on behalf of the City.

ATTACHMENT: (A) Vicinity Map

CONFLICT OF INTEREST

None

RECOMMENDATION

1. For the City Council to pre-authorize the City Manager to award the subject project to the lowest responsible bidder and;
2. For the City Council to authorize the City Manager to execute the contract on behalf of the City.

EXECUTIVE SUMMARY

Staff is recommending that Council pre-authorize the City Manager to award and execute the contract to the lowest responsible bidder, so the contractor may start and complete construction in a timely manner.

The project involves alley reconstruction activities at Ashlan Alley, north of Ashlan Avenue east of Helm Avenue. The work shall include, but not be limited to, installation of concrete driveway approaches, new concrete valley gutters and new pavement.

This action by Council will allow the City Manager to move forward with award and execution of the contract in the most prudent manner.

BACKGROUND

The project plans and specifications have been made available to prospective bidders. The bid opening is scheduled for August 13, 2019. The construction cost is estimated at \$105,000.00. The apparent low bidder will be determined following the bid opening process, and project award will take place after staff has validated bidder's license status through the California State Contractor's Board.

FISCAL IMPACT

This project was approved in the 2018-2019 fiscal year budget. The project is primarily supported by Community Development Block Grant Program (CDBG) funds. The construction cost has been estimated as noted above and funding is available and allocated at this amount. Staff will evaluate the lowest responsible bids in comparison with the estimated construction costs and will execute the contracts only if the lowest bid is financially responsive to the allocated funding.

REASON FOR RECOMMENDATION

Staff is requesting that the City Council pre-authorize the City Manager to award and execute the contract for the project to the lowest responsible bidder that meets the contract requirements. Staff is requesting this expedited process for maintaining the current project requirements and schedule commitments. Pre-authorization for awarding of this project will allow the Engineering Division to deliver this project in a timely manner.

ACTIONS FOLLOWING APPROVAL

1. Staff expects to open bids and determine the lowest responsible bidder for the project, and Council will receive a report of the bid awards.
2. The contract will be prepared and executed, subject to the Contractor providing performance security that is satisfactory to the City.
3. Construction will begin approximately two (2) weeks after contract execution and be completed in thirty (30) working days thereafter.

Prepared by: Kevin Gross, Engineer II

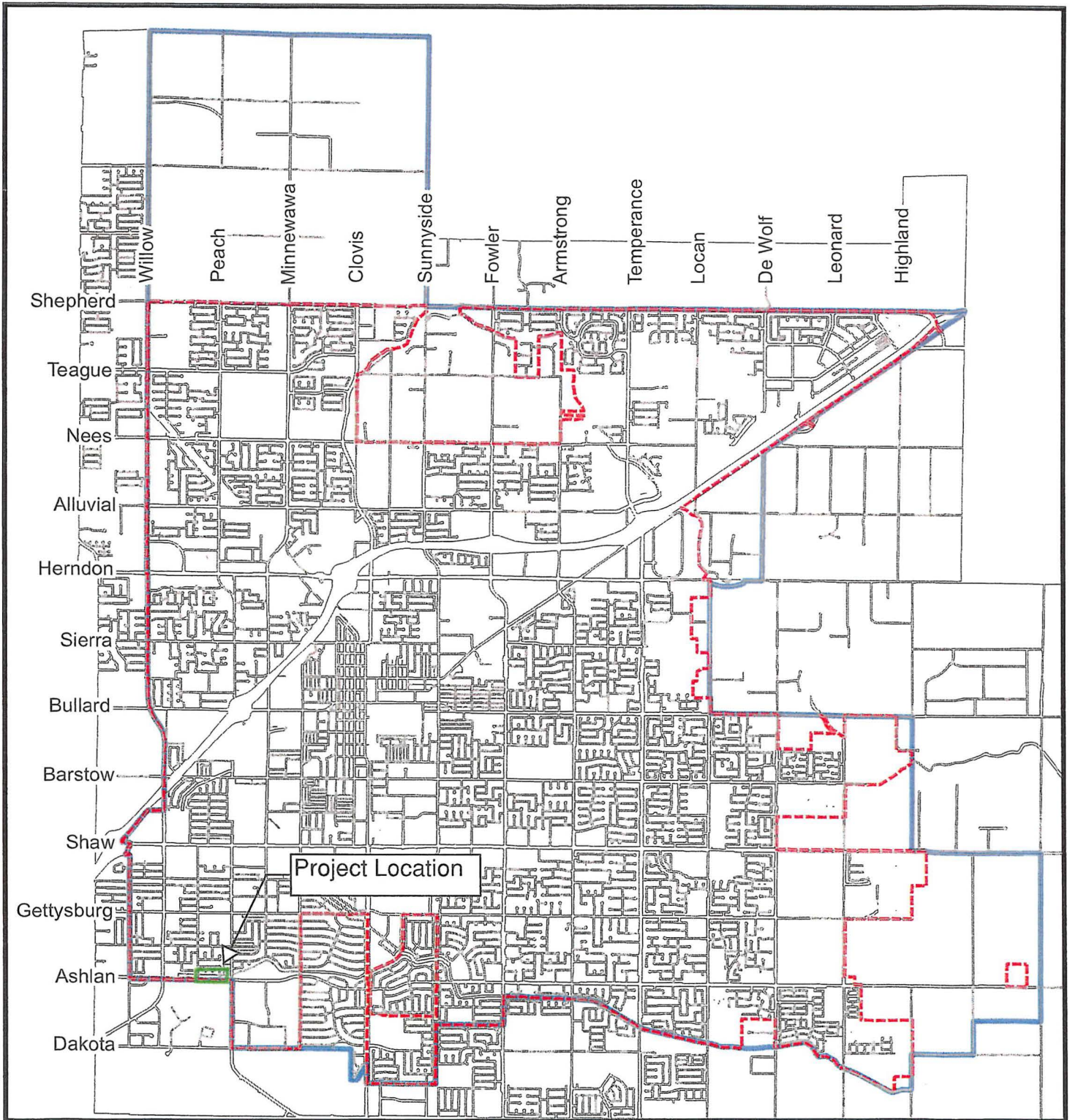
Submitted by: 
Michael Harrison
City Engineer

Recommended by:


Dwight Kroll
Director of Planning and
Development Services

VICINITY MAP

CIP 17-11 Ashlan Alley Project



ATTACHMENT A



CITY LIMITS SPHERE OF INFLUENCE

August 5, 2019

Prepared By: Kevin Gross



AGENDA ITEM NO: **11**
City Manager: *AA*

CITY *of* CLOVIS

REPORT TO THE CITY COUNCIL

TO: Mayor and City Council
FROM: Planning and Development Services
DATE: August 5, 2019
SUBJECT: Approval – Final Acceptance for CIP 17-19 Paula Avenue, Homsy Avenue, and San Gabriel Sewer Replacement.

ATTACHMENTS: (A) Vicinity Map

CONFLICT OF INTEREST

None

RECOMMENDATION

For the City Council to accept the work performed as complete and authorize recording of the notice of completion.

EXECUTIVE SUMMARY

The project involved removal and replacement of existing 6" sewer main with 8" PVC sewer main (under live line construction), reconnecting laterals, modifying manholes, trench resurfacing, and striping and pavement markings.

BACKGROUND

Bids were received on February 19, 2019 and the project was awarded by City Council to the low bidder, Agee Construction Corporation, on March 4, 2019. The project was completed in accordance with the construction documents and the contractor has submitted a request for acceptance of the project.

FISCAL IMPACT

1.	Award	\$ 256,608.00
2.	Cost increases/decreases resulting from differences between estimated quantities used for award and actual quantities installed.	\$ (1,500.00)
3.	Contract Change Orders	\$ 23,492.10
4.	Liquidated Damages Assessed	<u>\$ 0.00</u>

Final Contract Cost **\$ 278,600.10**

This project was approved in the Community Investment Program 2018-2019 fiscal year budget and is fully funded by Sewer Enterprise fund.

REASON FOR RECOMMENDATION



The Public Utilities Department, the City Engineer, the engineering inspector, and the project Engineer agree that the work performed by the contractor is in accordance with the project plans and specifications, and has been deemed acceptable. The contractor, Agee Construction Corporation, has requested final acceptance from City Council.

ACTIONS FOLLOWING APPROVAL

1. The notice of completion will be recorded; and
2. All remaining retention funds will be released 35 calendar days following recordation of the notice of acceptance, provided no liens have been filed. Retention funds may be released within 60 days after the date of completion, provided no liens have been filed, with "completion" defined as the earlier of either (a) beneficial use and occupancy and cessation of labor, or (b) acceptance by the City Council per Public Contract Code Section 7107(c)(2).

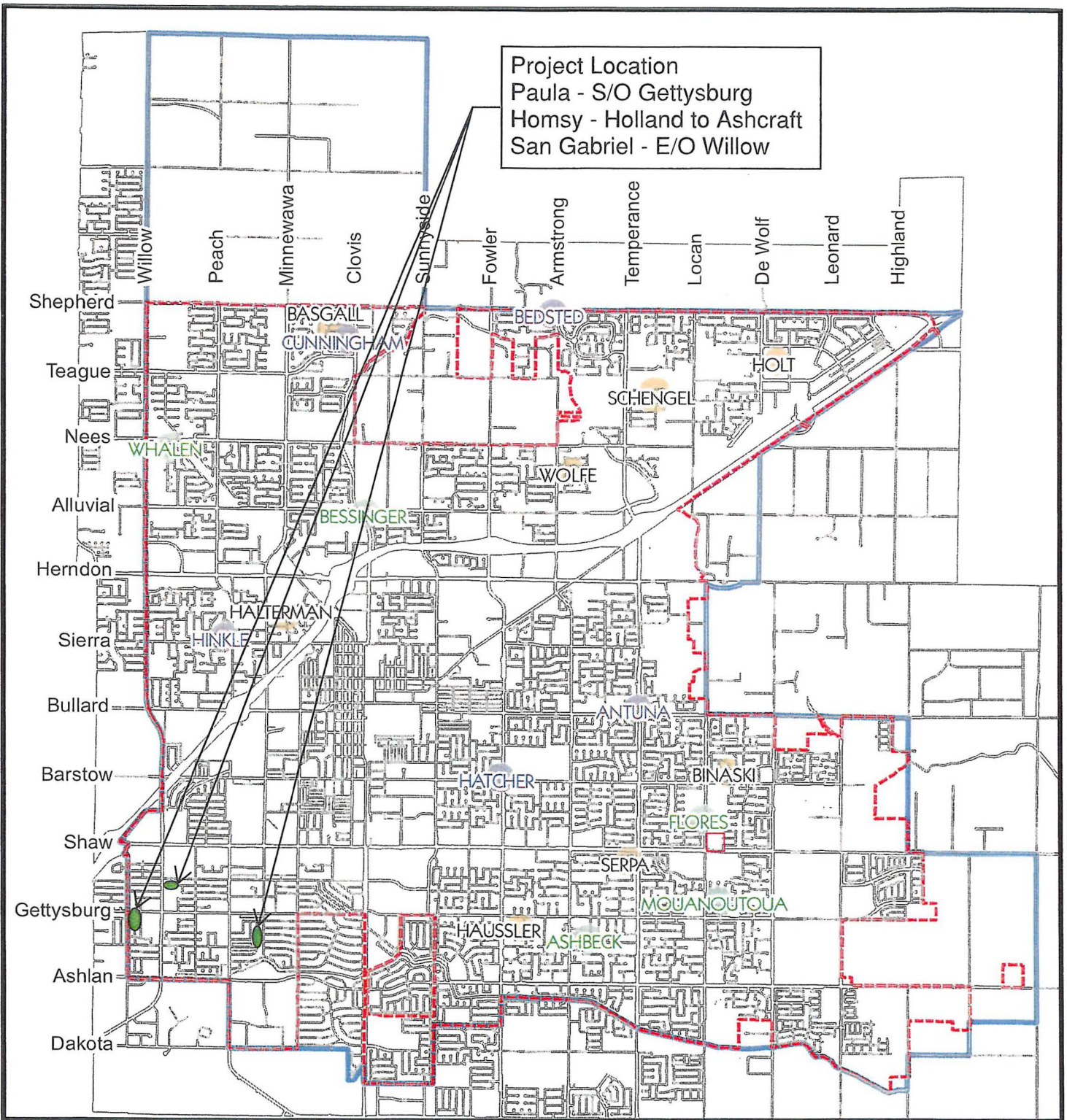
Prepared by: Eric Easterling, Construction Manager

Submitted by: 
Michael Harrison
City Engineer

Recommended by: 
Dwight Kroll
Director of Planning and
Development Services 

VICINITY MAP

CIP 17-19 Vicinity Map



March 4, 2019

ATTACHMENT A



 CITY LIMITS SPHERE OF INFLUENCE

November 2, 2018

Prepared By: John Corss



CITY of CLOVIS

REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: Planning and Development Services Department

DATE: August 5, 2019

SUBJECT: Approval - Bid Award for CIP 18-09, Ashcroft/Holland Alley Project, and;
Authorize the City Manager to execute the contract on behalf of the City.

ATTACHMENT: (A) Vicinity Map

CONFLICT OF INTEREST

None

RECOMMENDATION

1. For the City Council to pre-authorize the City Manager to award the subject project to the lowest responsible bidder and;
2. For the City Council to authorize the City Manager to execute the contract on behalf of the City.

EXECUTIVE SUMMARY

Staff is recommending that Council pre-authorize the City Manager to award and execute the contract to the lowest responsible bidder, so the contractor may start and complete construction in a timely manner.

The project involves alley reconstruction activities at Ashcroft/Holland Alley between Peach and Homsy. The work shall include, but not be limited to, installation of concrete driveway approaches, new concrete valley gutters and new pavement.

This action by Council will allow the City Manager to move forward with award and execution of the contract in the most prudent manner.

BACKGROUND

The project plans and specifications have been made available to prospective bidders. The bid opening is scheduled for August 13, 2019. The construction cost is estimated at \$133,000.00. The apparent low bidder will be determined following the bid opening process, and project award will take place after staff has validated bidder's license status through the California State Contractor's Board.

FISCAL IMPACT

This project was approved in the 2018-2019 fiscal year budget. The project is primarily supported by Community Development Block Grant Program (CDBG) funds. The construction cost has been estimated as noted above and funding is available and allocated at this amount. Staff will evaluate the lowest responsible bids in comparison with the estimated construction costs and will execute the contracts only if the lowest bid is financially responsive to the allocated funding.

REASON FOR RECOMMENDATION

Staff is requesting that the City Council pre-authorize the City Manager to award and execute the contract for the project to the lowest responsible bidder that meets the contract requirements. Staff is requesting this expedited process for maintaining the current project requirements and schedule commitments. Pre-authorization for awarding of this project will allow the Engineering Division to deliver this project in a timely manner.

ACTIONS FOLLOWING APPROVAL

1. Staff expects to open bids and determine the lowest responsible bidder for the project, and Council will receive a report of the bid awards.
2. The contract will be prepared and executed, subject to the Contractor providing performance security that is satisfactory to the City.
3. Construction will begin approximately two (2) weeks after contract execution and be completed in thirty (30) working days thereafter.

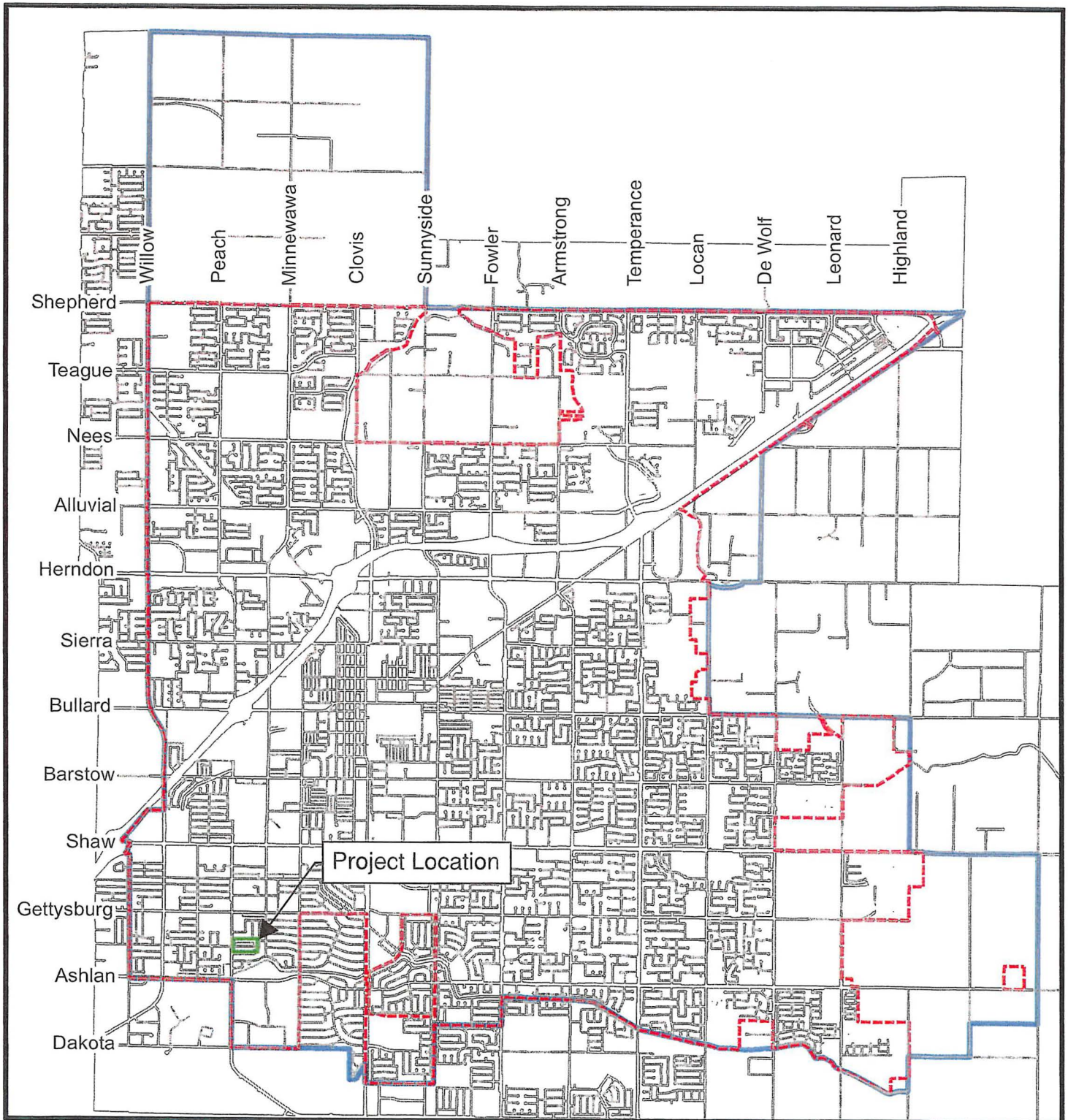
Prepared by: Ian King, Engineer II

Submitted by: 
Michael Harrison
City Engineer

Recommended by: 
Dwight Kroll
Director of Planning and
Development Services

VICINITY MAP

CIP 18-09 Ashcroft/Holland Alley Project



ATTACHMENT A



August 5, 2019

 CITY LIMITS  SPHERE OF INFLUENCE

Prepared By: Ian King



AGENDA ITEM NO: **13**
City Manager: SAA

CITY of CLOVIS

REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: Planning and Development Services

DATE: August 5, 2019

SUBJECT: Approval - Authorize the City Manager to Execute a Quit Claim Deed for Excess and Unnecessary Right of Way Along Gettysburg Avenue East of Highland Avenue.

ATTACHMENT: (1) Quit Claim Deed

CONFLICT OF INTEREST

None

RECOMMENDATION

Authorize the City Manager to execute a quit claim deed for excess and unnecessary right of way along Gettysburg Avenue east of Highland Avenue.

EXECUTIVE SUMMARY

Previous right of way dedicated with Tract 6102 (DeYoung Properties), located at Highland and Gettysburg Avenues, for Gettysburg Avenue has been determined not to be needed. Staff is recommending that the excess right of way be deeded back to the developer for incorporation into the adjacent lots.

BACKGROUND

Through the review of the improvement plans for Tract 6102 the number of lanes were reduced for Gettysburg Avenue, which resulted in a reduction of the ultimate right of way needed. Staff analyzed and determined that the Gettysburg Avenue right of way could be reduced and would not affect future development.

Since a portion of the current right of way that was previously dedicated with Tract 6102 can be reduced, staff is recommending that the excess right of way be deeded back to the developer through a quit claim deed. The developer plans to incorporate the excess right of way into the adjacent lots.

FISCAL IMPACT

There is no fiscal impact.

REASON FOR RECOMMENDATION


A portion of the right of way for Gettysburg Avenue dedicated with Tract 6102 has been deemed excess and unnecessary and staff recommends deeding the property back to the developer for incorporation into adjacent lots. The quitclaim of the excess right of way is consistent with the General Plan.

ACTIONS FOLLOWING APPROVAL

A quit claim deed will be executed by the City Manager and recorded.

Prepared by: Ryan Burnett, Engineering Program Supervisor

Submitted by: 
Michael Harrison, PE
City Engineer

Recommended by: 
Dwight Kroll, AICP
Director of Planning and
Development Services

FOR THE BENEFIT OF THE CITY OF CLOVIS

WHEN RECORDED RETURN TO
AND RECORDING REQUESTED BY:

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

SPACE ABOVE THIS LINE FOR RECORDER'S USE

Location: NEC of Highland and Gettysburg Avenues

Exempt from fees per Government Code Sections 6103 and 27383
Exempt from SB2 fees per Government Code Section 27388.1(a)(2)(D)

QUITCLAIM DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

City of Clovis, a California Municipal Corporation,

does hereby remise, release and forever quitclaim to DYP 6068 L.P., A California Limited Partnership, the following described Real Property in the City of Clovis, County of Fresno, State of California, to wit:

SEE EXHIBIT "A" ATTACHED HERETO
AND HEREBY MADE A PART HEREOF

DATED: _____

GRANTOR:

City of Clovis, A California Municipal
Corporation

Luke Serpa, City Manager

ATTACH NOTARY ACKNOWLEDGMENT

Attachment 1

“EXHIBIT A”

That portion of Gettysburg Avenue right of way, as shown upon Tract No. 6102, per map recorded in Volume 87 of Plats, at Pages 45 through 48, Fresno County Records, situated in the Northwest quarter of the Southwest quarter of the Northwest quarter of Section 18, Township 13 South, Range 22 East, Mount Diablo Base and Meridian, in the City of Clovis, County of Fresno, State of California, according to the official plat thereof, more particularly described as follows:

Beginning at the Southeast corner of Lot 44 of said Tract No. 6102, which point is situated on the East line of said Northwest quarter of the Southwest quarter of the Northwest quarter of Section 18;

Thence, North $89^{\circ}51'43''$ West, along the South line of said Lot 44, and along the South lines of Lots 45 thru 50, of said Tract No. 6102, and along the North right of way line of said Gettysburg Avenue, 410.14 feet;

Thence, South $72^{\circ}40'35''$ East, 33.55 feet, to the beginning of a tangent curve, concave Northerly, having a radius of 100.00 feet;

Thence, Easterly, along said 100.00 foot radius curve, through a central angle of $24^{\circ}29'55''$, an arc distance of 42.76 feet, to a point of reverse curvature and beginning of a tangent curve, concave Southerly, having a radius of 1043.00 feet;

Thence, Easterly, along said 1043.00 foot radius curve, through a central angle of $9^{\circ}41'18''$, an arc distance of 176.37 feet;

Thence, South $87^{\circ}29'12''$ East, 87.22 feet, to the beginning of a tangent curve, concave Northerly, having a radius of 477.00 feet;

Thence, Easterly, along said 477.00 foot radius curve, through a central angle of $2^{\circ}22'31''$, an arc distance of 19.78 feet;

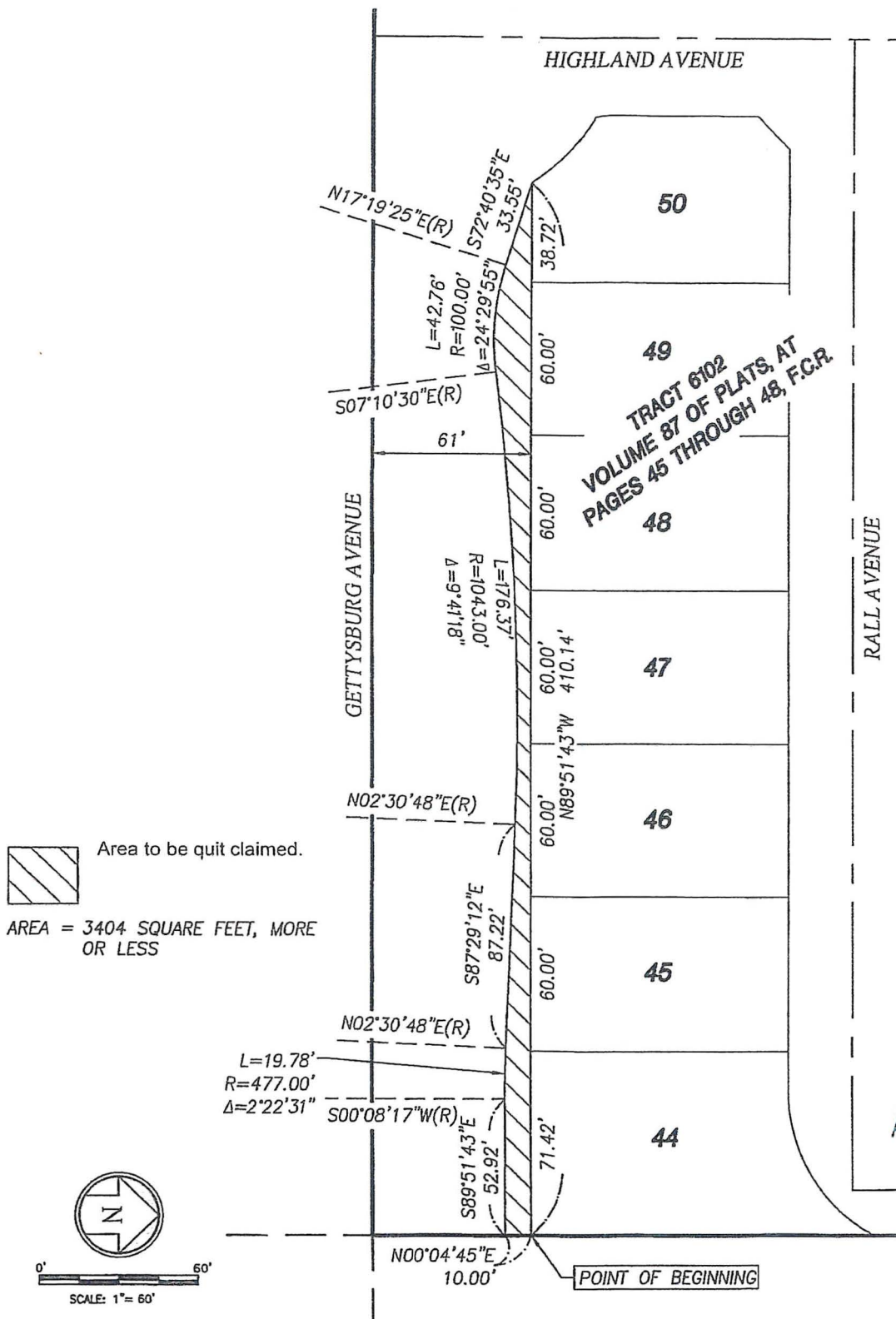
Thence, South $89^{\circ}51'43''$ East, 52.92 feet, to a point situated on said East line of the Northwest quarter of the Southwest quarter of the Northwest quarter of Section 18;

Thence, North $0^{\circ}04'45''$ East, along said East line, 10.00 feet, to the Point of Beginning.

Containing 3,404 square feet, more or less.

Sheet 1 of 1





PROJECT NO.: 170044

DRAWN BY: TB

QA/QC BY: DB

SCALE: AS SHOWN

SHEET NO.:

1 OF 1

EXHIBIT 'B'

**GETTYSBURG AVENUE ABANDONMENT
TRACT 6102**



601 POLLASKY AVE., STE. 301 TEL: (559) 449-2400
CLOVIS, CA 93612 WWW.QKINC.COM
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AGENDA ITEM NO: **14**
City Manager: *[Signature]*

CITY *of* CLOVIS

REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: Planning and Development Services

DATE: August 5, 2019

SUBJECT: Approval – Final Acceptance for Tract 6101, located on the southeast corner of Leonard Avenue and Dakota Avenue (DeYoung Properties).

ATTACHMENT: (A) Vicinity Map

CONFLICT OF INTEREST

None

RECOMMENDATION

1. Accept the public improvements for Tract 6101; and authorize recording of the Notice of Completion; and
2. Authorize release of the Performance Surety immediately and then release of the Labor and Materials Surety ninety (90) days after the recordation of the Notice of Completion, provided no liens have been filed; and release of Public Improvements Maintenance Surety upon the expiration of the one-year warranty period, provided any defective work has been repaired to the City's satisfaction.

EXECUTIVE SUMMARY

The owner, DeYoung Properties, has requested final acceptance of the public improvements constructed or installed in conjunction with this tract. The public improvements include all those shown on the subdivision improvement plans approved by the City Engineer.

All of the required improvements submitted for acceptance have been completed in accordance with the approved plans and specifications. The owner has requested final acceptance. Staff is recommending approval of their request.

FISCAL IMPACT

The costs for periodic routine maintenance, as well as repairs needed as the improvements deteriorate with age and usage, will be incorporated into the annual maintenance budget of the Public Utilities Department as these costs are identified.

REASON FOR RECOMMENDATION

The Subdivision Map Act requires that once construction of the required improvements has been completed in compliance with all codes, plans and specifications, and all other required documents have been completed and submitted, final acceptance is required and the appropriate sureties are released.

ACTIONS FOLLOWING APPROVAL

Record the Notice of Completion and release the Performance, Labor and Materials, and Maintenance Sureties as appropriate.

Prepared by: Eric Easterling, Construction Manager

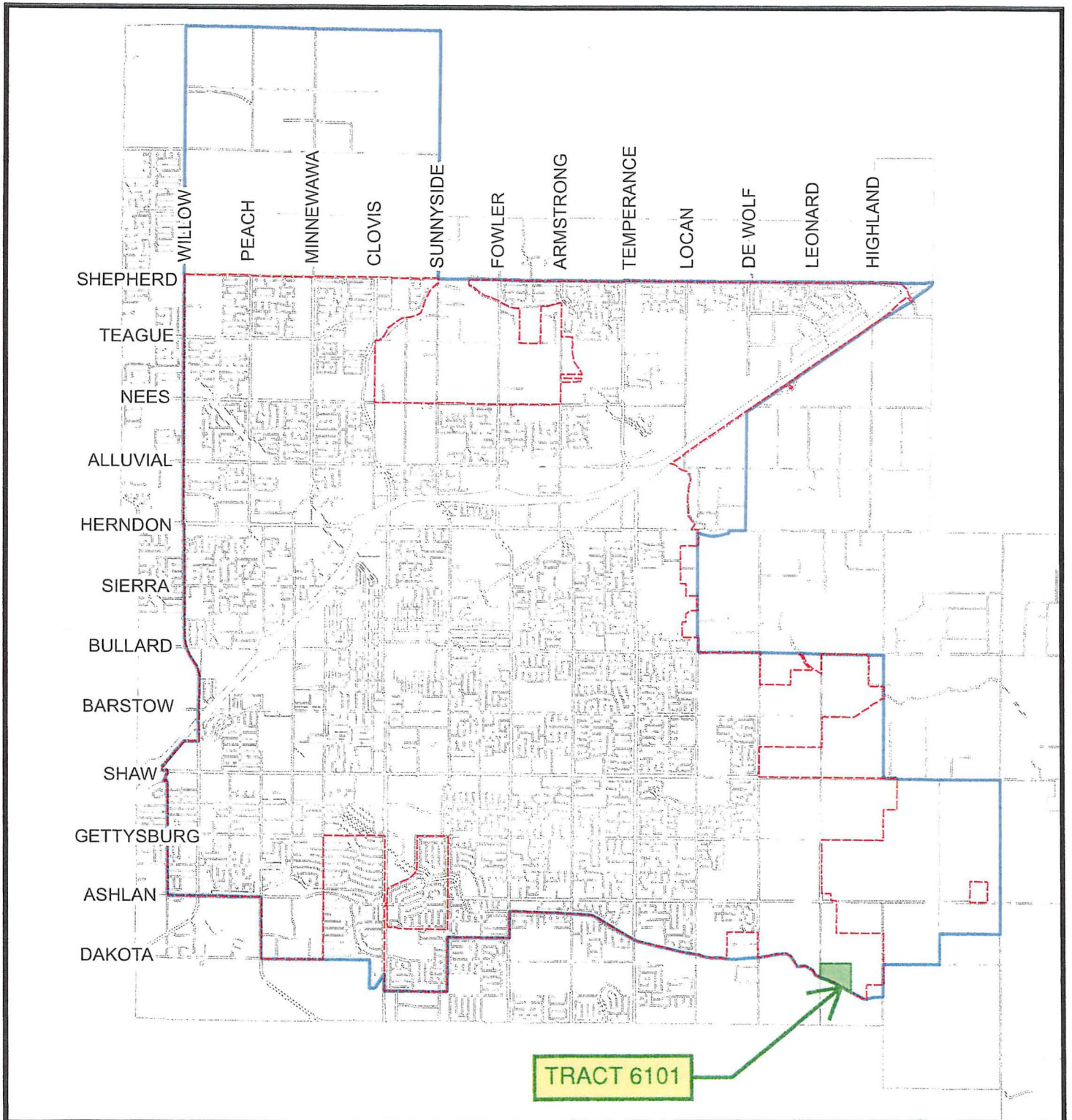
Submitted by:


Michael Harrison
City Engineer

Recommended by:

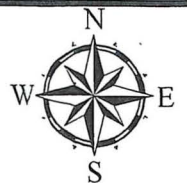

Dwight Kroll, AICP
Director of Planning
And Development
Services

VICINITY MAP



ATTACHMENT A

CITY LIMITS SPHERE OF INFLUENCE



1" = 6000'



AGENDA ITEM NO: 15
City Manager: LS

CITY of CLOVIS

REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: Fire Department

DATE: August 05, 2019

SUBJECT: Approval – Res 19 - ____ - Confirming Weed and Rubbish Abatement Charges for 2019

ATTACHMENTS: Resolution 19-
(A) Exhibit A – 2019 Weed Abatement Contractor Charges
(B) Exhibit B – 2019 Weed Abatement Charges Assessed
(C) Exhibit C – Authorization Letter

CONFLICT OF INTEREST

None.

RECOMMENDATION

1. Council adopt Resolution 19-__ confirming weed and rubbish abatement charges listed in Exhibit B, which certifies the charges as the costs of abatement against said property and that said charges shall become a lien against the property if not paid by August 30, 2019.
2. Authorize staff to remove any names from this adopted list if payment is received prior to submittal to the County Auditor Controller Office.
3. Authorize staff to modify charges for the costs of abatement against said property as a result of an appeal hearing conducted by the City Manager or his designee.
4. Authorize payment of \$5,156.25 to the City's contractor, Sequoia Western for contracted services as outlined in Exhibit A.

EXECUTIVE SUMMARY

Weed Abatement Posting Notices were mailed out to 269 property owners this past spring. The City of Clovis contracted with Sequoia Western to clean 11 of those properties. Attachment B lists those properties that were cleaned and the cost of cleanup plus the administrative fee.

Before the weed abatement charges can be submitted to the County Auditor Controller for collection, the charges must be confirmed by the City Council in resolution form.

BACKGROUND

The Weed and Rubbish Abatement Program has proven to be an effective tool in reducing open land fires, controlling possible habitats for rodents and insects, and maintaining property values throughout Clovis.

The Fire Department incorporates weed and rubbish abatement into its Fire Prevention Program, providing the opportunities to stop many small fires and reduce the potential for larger ones. In addition, abatement is instrumental in decreasing calls for service so units are available for higher priority calls. Properties are surveyed and hazards identified for removal, the result of which is a much cleaner, safer environment for our citizens.

The weed abatement process started in March 2019 with the first letters being sent to the property owners of parcels where abatement had been an issue within the last three years. Additional letters were mailed to properties where we receive specific complaints from citizens. These letters were mailed during May and June requesting abatement within a specified time frame according to Clovis Municipal Code.

Continuous inspections were performed throughout June and July 2019. If abatement had not been accomplished within specified date for a particular parcel, work orders were prepared and forwarded to the City's private contractor for action.

The above average rains for the year increased the number of complaints regarding vegetation growth, with a majority of those complaints not requiring fire intervention. With continued infill development, hazardous conditions within the city limits have been significantly reduced.

Breakdown of cleanup:

Properties identified for abatement	269
Properties cleaned by City Contractors	11

Property owners who had their properties abated by the City have until 4:00 p.m. on August 30, 2019, to appeal the costs of abatement to the City Manager. Subsequent to an administrative hearing conducted by the City Manager or his designee, the charges could be approved, modified or disallowed, all based on the evidence presented.

FISCAL IMPACT

The cost of abatement plus a \$300.00 administrative fee has been billed directly to the property owner. If the cost is not paid to the City by August 30, 2019, the cost is recovered through billing on the owner's property tax statement through the County of Fresno.

REASON FOR RECOMMENDATION

Before the weed abatement charges can be submitted to the County Auditor Controller for collection, the charges must be confirmed by the City Council in resolution form.

ACTIONS FOLLOWING APPROVAL

1. The City Clerk will forward a list of all assessments not paid by August 30, 2019, to the County Auditor-Controller for collection by tax lien.
2. Check will be issued to, Sequoia Western for services rendered as the City's weed and rubbish abatement contractors.
3. A signed authorization from the Fire Chief will be submitted to the Fresno County Auditor-Controller authorizing the name(s) and title(s) of those persons who can add, delete or change any special assessments (Exhibit C).

Prepared by: Katie Krahn, Administrative Assistant

Submitted by: John Binaski, Fire Chief



RESOLUTION NO. 19-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLOVIS CONFIRMING THE COST OF WEED AND RUBBISH ABATEMENT AND PROVIDING FOR COLLECTION

WHEREAS, the Council by ordinance, adopted Article 102 of Chapter 27 of Title 5 of the Clovis Municipal Code, declaring as a public nuisance, weeds and rubbish upon public or private property in the City, and

WHEREAS, the Fire Chief has caused the removal of weeds and rubbish and abated nuisance declared by said Article 102 of Chapter 27 of Title 5 of said Municipal Code, and

WHEREAS, the Fire Chief has kept an itemized account of the work done in the removal of such weeds and rubbish and has prepared a report thereon and submitted the same to this Council for confirmation, and

WHEREAS, this Council has set August 5, 2019 at the hour of 6:00 o'clock p.m., at the Council Chambers, Clovis, California, as the time and place when this Council would receive and consider the said report and make and confirm assessments against each parcel of land subject to assessment to pay the cost of such abatement,

NOW, THEREFORE, BE IT RESOLVED:

a) The itemized report of the cost of removal of weeds and rubbish submitted to this Council by the Fire Chief pursuant to Article 102 of Chapter 27 of Title 5 of the Clovis Municipal Code is confirmed and approved;

b) The cost of abatement for each parcel of real property subject to assessment to pay the cost of removal of weeds and rubbish is shown under "Weed Abatement Assessments" on Exhibit A attached hereto;

c) The cost of such abatement for each such parcel of real property as shown under "Weed Abatement Assessments" therefore on said Exhibit A constitutes a special assessment against that parcel and is a lien on the parcel;

d) The City Clerk is directed to transmit a certified copy of this resolution to the Fresno County Recorder and the Fresno County Auditor Controller. The said County Auditor Controller is requested to enter the assessment on the county tax roll and to collect the total amount of the assessment at the time and in the manner as other ordinary municipal taxes.

e) The Finance Department is authorized to accept payment of the assessment until 4:00 p.m., August 30, 2019.

* * * * *

The foregoing resolution was introduced and adopted at a regular meeting of the City Council of the City of Clovis held on the 5th day of August, 2019, by the following vote to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

DATED: August 5, 2019

Mayor

City Clerk

2019 Weed Abatement Charges by APN

	APN	Location	Contractor Cost	Admin. Cost	Total cost Payable to City of Clovis	Owner
1	420-142-11	SWC Lincoln & Sylmar	\$306.25	\$300.00	\$606.25	
2	492-080-85	135 Osmun Ave.	\$468.75	\$300.00	\$768.75	
3	497-051-18	295 W. Shaw	\$450.00	\$300.00	\$750.00	
4	499-134-20S	2604 Clovis Ave.	\$652.50	\$300.00	\$952.50	
5	550-020-56S	1820 Herndon Ave.	\$100.00	\$300.00	\$400.00	
6	551-280-05	1859 Shaw Ave.	\$801.25	\$300.00	\$1,101.25	
7	559-080-17	2783 Nees Ave.	\$412.50	\$300.00	\$712.50	
8	564-050-11	2371 Tollhouse Rd.	\$802.50	\$300.00	\$1,102.50	
9	564-050-23		\$407.50	\$300.00	\$707.50	
10	564-050-32		\$457.50	\$300.00	\$757.50	
11	564-050-49	2351 Tollhouse Rd.	\$297.50	\$300.00	\$597.50	
		Grand Total Cost	\$5,156.25	\$3,300.00	\$8,456.25	

CITY OF CLOVIS 2019 WEED ABATEMENT ASSESSMENTS

APN	AMOUNT	Tax Code	OWNER	OWNER ADDRESS
420-142-11	\$606.25	6095	SHEN DENNIS	1148 BARROILHET DR., BURLINGAME, CA 94010
492-080-85	\$768.75	6905	TGP INVESTMENTS LLC	1398 W HERNDON #205, FRESNO, CA 93711
497-051-18	\$750.00	6095	CENTRES CLOVIS ALDI LTD c/o D CURREY	904 BLUEBONNET, AUSTIN, TX 78704
499-134-20S	\$952.50	6905	WOLFE DAVID TODD	555 FOXFIRE DR., MANTECA, CA 95337
550-020-56S	\$400.00	6095	BUCHANAN CROSSROADS SEC LP	7090 N. MARKS #102, FRESNO, CA 93711
551-280-05	\$1,101.25	6905	LITTLE ANGELS DAY CARE LLC	P.O. BOX 27740, LAS VEGAS, NV 89147
559-080-17	\$712.50	6905	DA REAL ESTATE HOLDINGS, LLC	1396 W HERNDON #101, FRESNO, CA 93711
564-050-11	\$1,102.50	6905	BURFORD-MINNICK JILL TRUSTEE	1443 W SAMPLE, FRESNO, CA 93711
564-050-23	\$707.50	6095	DDYS INVESTMENTS LLC	9036 BURGAN, CLOVIS, CA 93619
564-050-32	\$757.50	6095	DDYS INVESTMENTS LLC	9036 BURGAN, CLOVIS, CA 93619
564-050-49	\$597.50	6905	BURFORD-MINNICK JILL TRUSTEE	1443 W SAMPLE, FRESNO, CA 93711
TOTAL FEE:	\$8,456.25			



CITY OF CLOVIS FIRE DEPARTMENT

1233 Fifth Street, Clovis, CA 93612 · (559) 324-2200



August 5, 2019

Fresno County Auditor Controller
Treasurer-Tax Collector
Attn: Oscar J. Garcia, CPA

Dear Auditor-Controller:

Please accept all instructions for adding, changing and deleting Special Assessments on behalf of the City of Clovis Fire Department from the following individuals:

1. Luke Serpa, City Manager
2. John Binaski, Fire Chief
3. Jay Schengel, Finance Director
4. Chad Fitzgerald, Life Safety Enforcement Manager

This shall remain in effect through June 30, 2020 unless notified differently. If you should have any questions, please contact Chad Fitzgerald, Life Safety/Enforcement Manager at 559-324-2218.

Sincerely,

John Binaski, Fire Chief



AGENDA ITEM NO: **16**
City Manager: *AA*

CITY of CLOVIS

REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: Public Utilities Department

DATE: August 5, 2019

SUBJECT: Approval - Recertification of the Sewer System Management Plan (SSMP) Five Year Update.

ATTACHMENTS: Sewer System Management Plan
(Appendices are available on the City website or upon request)

CONFLICT OF INTEREST

None.

RECOMMENDATION

For the City Council to approve the recertification of the Sewer System Management Plan (SSMP) five year update.

EXECUTIVE SUMMARY

The City is required by the State Water Resources Control Board (SWRCB) to prepare a Sewer System Management Plan (SSMP) and have the plan approved and adopted by the governing body. The SSMP was originally adopted by City Council in 2009 and it is required that the plan be updated and/or revised at least once every five (5) years, or whenever significant changes are made to the SSMP. All significant changes to the SSMP and five-year updates are required to be re-certified by the governing body according to Sanitary Sewer System (SSS) Waste Discharge Requirements (WDRs) Section D.14.

There have been no significant changes to the City's SSMP, however, the plan was last updated in July 2014 and is due for its five year recertification.

There are eleven elements to the Plan which include the following:

1. Goal
2. Organization
3. Legal Authority
4. Operation and Maintenance Program
5. Design and Performance Provisions
6. Overflow Emergency Response Plan
7. FOG Control Program
8. System Evaluation and Capacity Assurance Plan
9. Monitoring, Measurement, and Program Modifications
10. SSMP Program Audits
11. Communication Program

Each element has been completed and staff is requesting Council approval to recertify the final plan with the State Water Resources Control Board. Upon approval by Council, the City will have met its obligations to the SWRCB.

BACKGROUND

The State Water Resources Control Board Order No. 2006-0003-DWG, Statewide General Waste Discharge Requirements for Sanitary Sewer Systems, requires that public agencies that own or operate sanitary sewer systems greater than one mile in length that collect and/or convey untreated wastewater to publicly owned treatment facilities comply with the order. The order requires that the enrollee comply with all of the provisions of the order including the following:

1. Take all feasible steps to eliminate sanitary sewer overflows (SSOs).
2. If an SSO does occur, take all feasible steps to contain and mitigate the impacts of an SSO.
3. If an SSO does occur, take all feasible steps to prevent untreated wastewater from discharging from storm drains into flood control channels or waters of the United States by blocking the storm drainage system and by removing the wastewater from the storm drains.
4. Report all SSOs in accordance with the general waste discharge requirements.

5. When an SSO occurs, take all feasible steps to control or limit the volume of untreated or partially treated wastewater discharged, terminate the discharge and recover as much of the wastewater discharged as possible for proper disposal.
6. Properly manage, operate and maintain all parts of the sanitary system and ensure that all system operators are adequately trained.
7. Allocate adequate resources for the operation, maintenance and repair of the sanitary sewer system.
8. Provide adequate capacity to convey base flows and peak flows including flows related to wet weather events.
9. Develop and implement a written Sewer System Management Plan (SSMP) and make it available to the State and/or Regional Water Board upon request. A copy of this document must be publicly available at the Enrollee's office and/or available on the Internet. This SSMP must be approved by the Enrollee's governing board at a public meeting.
10. All engineering and geologic evaluations and judgments shall be performed by or under the direction of registered professionals competent and proficient in the fields pertinent to the required activities. Specific elements of the SSMP that require professional evaluation and judgments shall be prepared by or under the direction of appropriately qualified professionals, and shall bear the professional(s)' signature and stamp.
11. There are eleven mandatory elements of the SSMP. However if the Enrollee believes that any element of this section is not appropriate or applicable to the Enrollee's sanitary sewer system, the SSMP program does not need to address that element. The Enrollee must justify why that element is not applicable. The SSMP must be approved by the deadlines listed in the SSMP Time Schedule.

FISCAL IMPACT

The actions included in the plan are predominately ones the City has already included in its normal operations activities. Record keeping and audits of the Plan are included in the annual operations budget for Wastewater.

REASON FOR RECOMMENDATION

The City operates a sewer collection system which is covered by the General Waste Discharge Requirements for Sanitary Sewer Systems. Under that order the City is required to prepare and update a Sewer System Management Plan. The SSMP five year update and recertification is required to be approved by the governing board.

ACTIONS FOLLOWING APPROVAL

Staff will implement the Plan and make certifications to the Regional Water Resources Control Board.

Prepared by: Paul Armendariz, Assistant Public Utilities Director

Submitted by: Scott Redelfs, Public Utilities Director





City of Clovis

Sewer System Management Plan (SSMP)

July 2019

(Five Year Update)

Prepared by:

City of Clovis Public Utilities Department
155 N. Sunnyside Ave., Clovis, CA 93611

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Element 1 - Goals

This Sewer System Management Plan (SSMP) element identifies the goals of the City of Clovis for the management, operation and maintenance of the sewer system and discusses the role of the SSMP in supporting these goals. These goals will provide direction to City staff to focus efforts on maintaining the system and making improvements.

1.1 Regulatory Requirements for Goals Element

The requirements of the General Waste Discharge Requirements (WDR) for Wastewater Collection Agencies Sewer System Management Plan (SSMP) Goals element are as follows:

The goal of the SSMP is to provide a plan and schedule to properly manage, operate, and maintain all parts of the sanitary sewer system. This will help reduce and prevent sanitary sewer overflows (SSOs), as well as mitigate any SSOs that do occur.

1.2 Element 1 Appendix

There is no appendix associated with Element 1.

1.3 Goals Discussion

One of the major goals of the City of Clovis is to provide for financially sustainable city services. Specific to that goal is keeping well-maintained city infrastructure and facilities. Department goals for the Wastewater Section are to remove and dispose of all wastewater generated within the City and to ensure compliance with all appropriate local, state and federal regulations. The following specific goals have been developed to carry out this mission.

1. Cost effectively manage, operate and maintain all parts of the wastewater collection system.
2. Provide adequate capacity to serve new growth areas in the City including peak flows.
3. Minimize sanitary sewer overflows to no more than one annually per 50 miles of sewer main.
4. Mitigate the impact of sanitary sewer overflows to customers and the environment.
5. Maintain all lift stations such that there are no sanitary sewer overflows due to lift station failure.
6. Maintain all lift station facilities and grounds to be clean and attractive.

7. Perform all operations in a safe manner to avoid personal injury and property damage.
8. Regularly assess the condition of sewer mains to provide timely rehabilitation and replacement.
9. Maintain and invest in wastewater equipment to enhance system reliability.
10. Provide quick response to customer and contractor inquiries.

The listed goals for this SSMP will allow the City to properly manage the sewer collection system and assist the City in minimizing the frequency and impacts of SSOs by providing guidance for appropriate maintenance, capacity management, and emergency response.

Element 2 - Organization

This section of the SSMP identifies City of Clovis staff that are responsible for implementing this SSMP, responding to SSO events and meeting the SSO reporting requirements. This section also includes the designation of the Authorized Representative to meet SWRCB requirements for completing and certifying spill reports. This section fulfills the Organization requirement of the SWRCB Order.

2.1 Regulatory Requirements for Organization Element

The requirements of the General WDR for Wastewater Collection Agencies Sewer System Management Plan (SSMP) Organization element require as follows:

The SSMP must identify:

- (a) The name of the responsible or authorized representative.
- (b) The names and telephone numbers for management, administrative, and maintenance positions responsible for implementing specific measures in the SSMP program. The SSMP must identify lines of authority through an organization chart or similar document with a narrative explanation; and
- (c) The chain of communication for reporting SSOs, from receipt of a complaint or other information, including the person responsible for reporting SSOs to the State and Regional Water Board and other agencies if applicable (such as County Health Officer, County Environmental Health Agency, Fresno Metropolitan Flood Control District, Regional Water Board, and/or State Office of Emergency Services (OES)).

2.2 Element 2 Appendix

Supporting information for Element 2 is included in Appendix A. This appendix includes the following documents:

1. [Table of sewer staff names and phone numbers](#) (updated as necessary).

2.3 Organization Discussion

This section discusses the organization and roles of wastewater collection staff, the authorized City representative to the State Water Resources Control Board, and key staff responsible for implementing and maintaining the SSMP.

Organization

The organization chart for the management, operation and maintenance of the City's wastewater collection system is shown in Figure 2-1. The names and phone numbers of staff filling these positions are included in Appendix A.

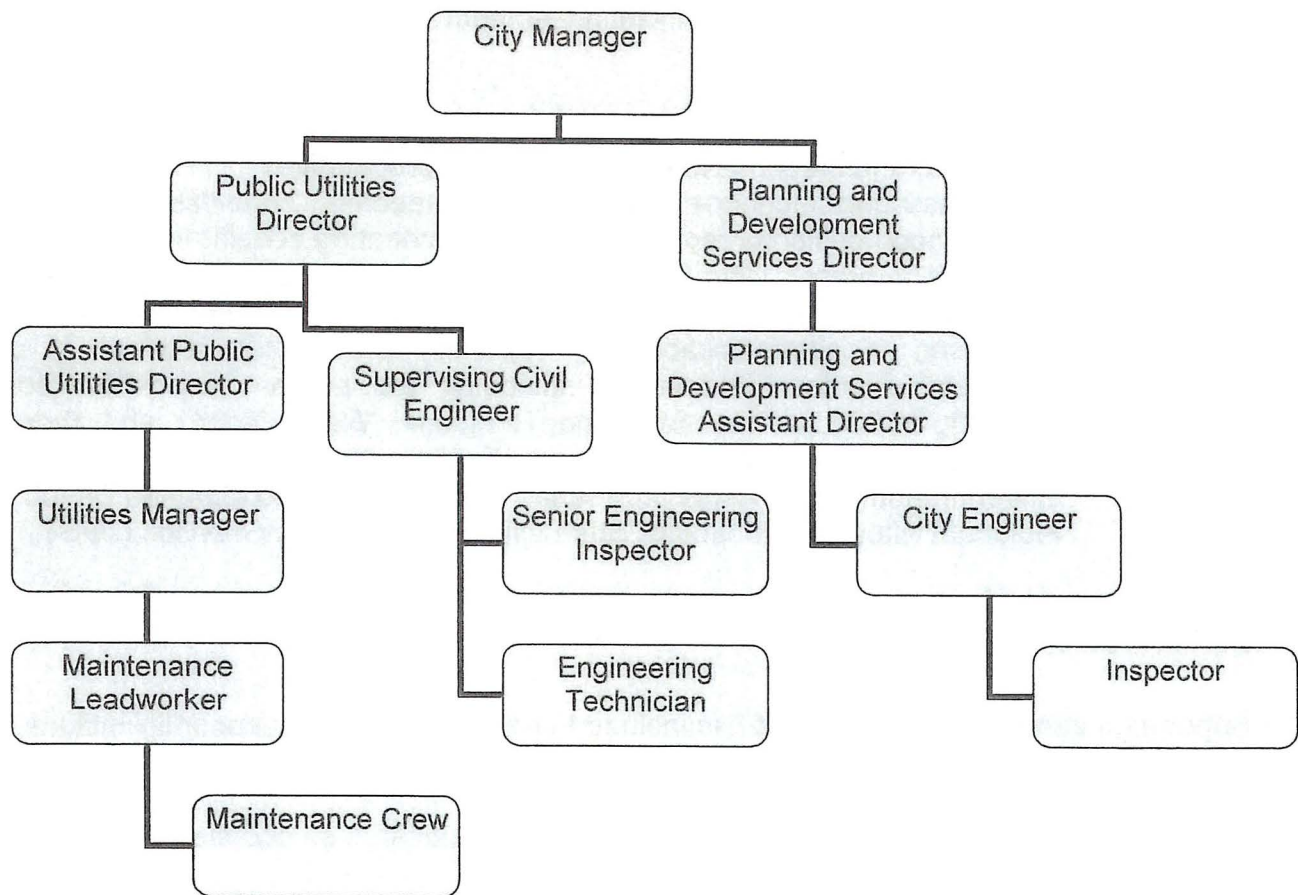


Figure 2-1 Organization Chart of Sewer Staff

Description of General Responsibilities

City Manager – Provides policy direction.

Public Utilities Director - Implements City policy, establishes Public Utilities Department policy, plans department strategy, leads department staff, allocates resources and delegates responsibility.

Planning and Development Services Director - Implements City policy, establishes Planning and Development Services policy, plans department strategy, leads department staff, allocates resources and delegates responsibility.

Assistant Public Utilities Director - Implements Public Utilities Department policy, assists the Public Utilities Director in development of department plans and programs including the sewer operations and the capital improvement program, reviews project plans and specifications for public utilities projects, confers with engineering consultants, officials of other public agencies and other departments, is responsible for regulatory compliance, coordinates development and implementation of SSMP, oversees and coordinates sewer maintenance operations.

Planning and Development Services Assistant Director – Implements City policy, oversees the Planning, Engineering, and Building Division heads, confers with the Planning and Development Services Director on proposed projects and improvements, is responsible for regulatory compliance and meets and negotiates with outside agencies and the public.

City Engineer - Coordinates minor updates to wastewater system master planning documents due to development changes, manages the capital improvement delivery program in consultation with the Public Utilities Department. Is responsible for the development and updating of standard specifications and drawings for the City, implements capital improvement program and is responsible for construction management of City and developer projects.

Inspector - Ensures that new and rehabilitated sewer facilities meet City standards, works with City maintenance staff to respond to contractor emergencies.

Utilities Manager - Manages field operations and maintenance activities, provides information to upper management, prepares and implements contingency plans, supervises emergency response, reviews capital improvement and development plans for wastewater facilities, purchases equipment and trains field crews.

Senior Engineering Inspector - Provides quality assurance for new and rehabilitated sewer facilities, acts as a liaison between the Public Utilities Department and the Planning and Development Services Department.

Supervising Civil Engineer – Provides technical advice and review related to sewer maintenance operations and regulations.

Engineering Technician - Updates the City's GIS system for wastewater facilities.

Maintenance Leadworker - Coordinates field activities, leads field crews in maintenance activities and emergency response, investigates and reports SSOs.

Maintenance Crew - Conducts preventive and corrective maintenance activities, responds to notification of stoppages and SSOs and provide by-pass pumping. This crew consists of six maintenance and senior maintenance workers and 2.25 utility workers. There are 3 two-person cleaning teams, and 2.25 staff members that are utilized to video sewer mains, provide lift station maintenance and repairs and perform Underground Service Alert markings.

Authorized Representative

The City's authorized representative in all wastewater collection system matters is the Assistant Public Utilities Director. The Assistant Public Utilities Director is authorized to certify electronic spill reports submitted to the State Water Resources Control Board.

The Utilities Manager is authorized to act in the Assistant Director's absence.

The Utilities Manager and the Wastewater Maintenance Leadworker are authorized to submit SSO reports to the appropriate government agencies.

Responsibility for SSMP Implementation

The Assistant Public Utilities Director is responsible for implementing and maintaining all elements of this SSMP.

2.4 SSO Reporting Chain of Communication

Figure 2-2 contains a flowchart depicting the chain of communication for responding to and reporting SSOs, from observation of a SSO to reporting the SSO to the appropriate regulatory agencies. Table 2-1 lists contact phone numbers for the parties included in the chain of communication. The SSO Reporting process is described in more detail in Element 6: Overflow Emergency Response Plan.

Table 2-1. Contact Numbers for SSO Chain of Communication

Contact	Telephone Number
Assistant Public Utilities Director	(559) 324-2649
Municipal Service Center	(559) 324-2600
Police/Fire Dispatch	(559) 324-2800
Sewer On Call Personnel	(559) 324-2600
Utilities Manager	(559) 324-2611

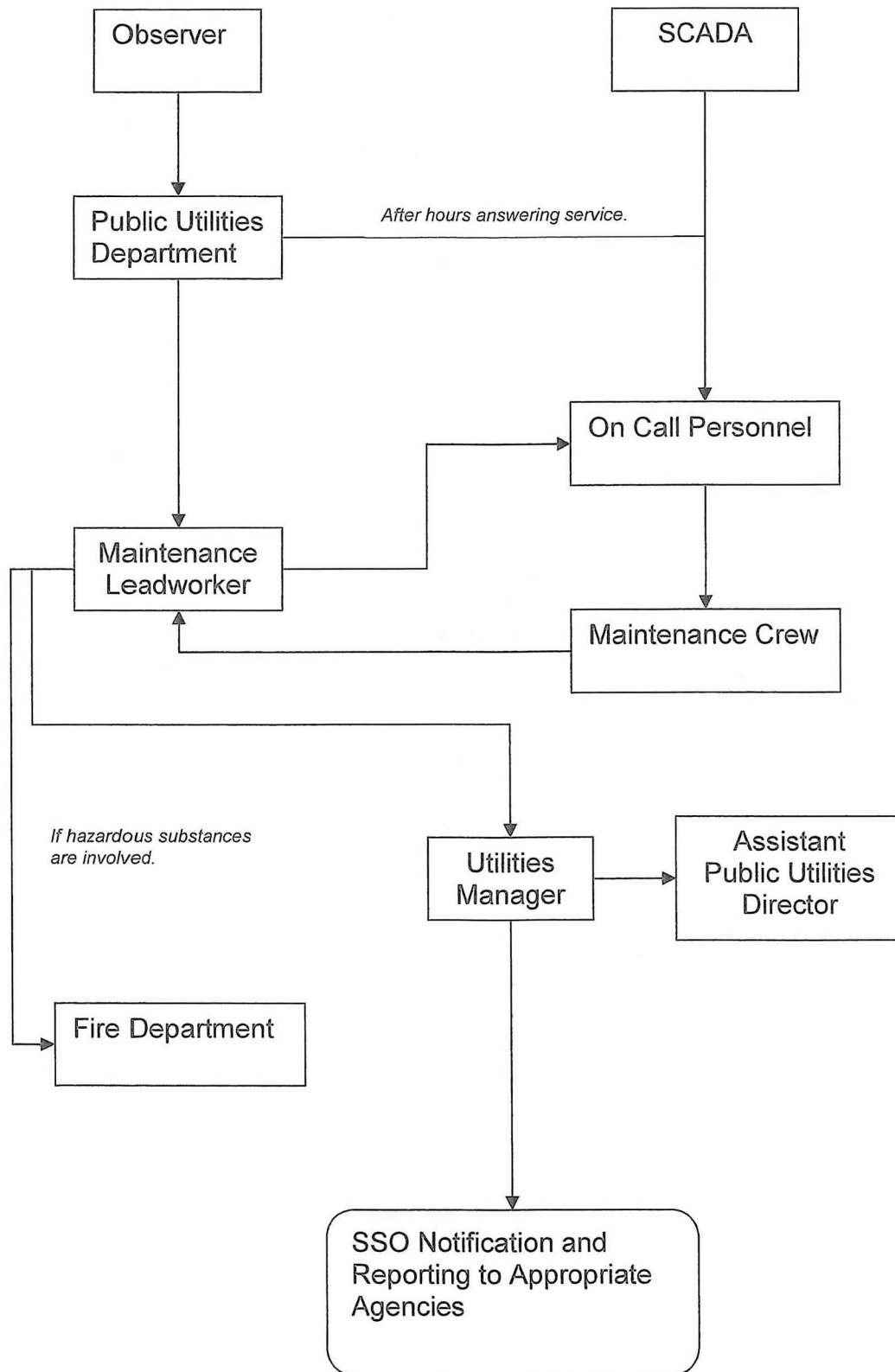


Figure 2-2. SSO Response Chain of Communication

Element 3 – Legal Authority

This section of the SSMP provides documentation of the City of Clovis' legal authority to regulate uses and discharges and regulate construction standards for sanitary sewers within the service boundaries. This authority includes the right to enforce violations.

3.1 Regulatory Requirements for Legal Authority Element

The requirements of the General WDR for Wastewater Collection Agencies Sewer System Management Plan (SSMP) Legal Authority element are as follows:

The City of Clovis must demonstrate, through sanitary sewer system use ordinances, service agreements, or other legally binding procedures, that it possesses the necessary legal authority to:

- (a) Prevent illicit discharges into its sanitary sewer system, including infiltration and inflow from satellite wastewater collection systems and laterals, storm water, unauthorized debris, etc.
- (b) Require proper design and construction of sewers and connections.
- (c) Ensure access for maintenance, inspection and repairs to publicly owned portions of laterals.
- (d) Limit the discharge of fats, oil and grease (FOG) and other debris that may cause blockages.
- (e) Enforce violations of its sewer ordinances.

3.2 Element 3 Appendix

Supporting information for Element 3 is included in Appendix B. This appendix includes the following documents:

1. [Fresno-Clovis Regional Sewerage System Joint Powers Agreement dated March 3, 1977](#)
2. [Addendum No. 7 – Fresno-Clovis Regional Sewerage System Joint Powers Agreement Dated March 1977 Pretreatment Program dated September 23, 2003.](#)
3. [City of Clovis Municipal code section 6.4 SEWAGE DISPOSAL.](#)
4. [City of Fresno Municipal code Article 3 SEWAGE AND WATER DISPOSAL.](#)
5. [City of Clovis Standard Specifications 2012 Section 64 SANITARY SEWER FACILITIES and Section 65 SANITARY SEWER FORCE MAINS.](#)
6. [City of Clovis Public Utilities Department CONFINED SPACE ENTRY PROCEDURE.](#)
7. [City of Clovis Utilities Ownership, Operation and Maintenance Policy 2006](#)
8. [Water and Sewer Repair Policy 1998](#)

3.3 Legal Authority Discussion

The [City of Clovis Municipal code chapter 6.4](#) covers sewage disposal within the City limits and approved applicants outside the City limits where sewer service is available. Section 6.4.02 requires that every building or structure in which plumbing fixtures are installed and every premise having piping which conveys sewage or liquid water to a legal point of disposal shall be connected to the public sewer if available. The section forbids the disposal of sewage or other liquid wastes into any drainage system or property which is not connected to a public sewer.

The City of Clovis has a [Joint Powers Agreement](#) with the City of Fresno to provide for treatment and to provide the [City's pretreatment program](#). As a result, City Ordinance 6.4.15 Discharge prohibitions and industrial reporting requirements, refers to the [City of Fresno Municipal Code](#) which is adopted by reference. The Fresno Ordinance in Section 6-301. (c). indicates that Article 3 Sewage and Water Disposal, shall apply to the City of Fresno and to persons outside the city (Fresno) who are by contract, permit or agreement with the city, users of the city's publicly owned treatment works (POTW). Specific discharge prohibitions are included in Sec. 6-327 FMC.

Sewer connections and main construction are required to be inspected by the City and to be installed in conformance with [standard specifications](#) for sanitary sewers in the City per Section 6.4.04.

The [Water and Sewer Repair Policy](#) dated January 2, 1998 clarifies City responsibilities and private property owners' responsibilities in regard to sewer pipes. The policy states that Sewer Mains shall be the responsibility of the City to maintain if they are located in the street right of way or in a dedicated easement to the City for utility purposes and if they are available for connection to by other property owners. Sewer Laterals shall be the responsibility of the property owner to maintain from the connection from a City sewer main to the building or point of use.

[Utilities Ownership, Operation and Maintenance Policy for Private Development](#), dated April 4, 2006 is a successive policy to the Water and Sewer Repair Policy and states "Sewer service laterals connecting a user, whether a Private Development or a single family residence, to a City-owned sewer main located in public right of way or easement will remain under the ownership, operation and maintenance by the owner of the property being served, from the lateral's connection point at the City sewer main to the building or other point-of-use." For City maintained sewer mains a minimum of 15 feet wide easement is required per this policy.

The City by reference to the City of Fresno Municipal Code has adopted a Fats, Oil and Grease Program titled FATS, OILS, & GREASE (FOG) CONTROL PROGRAM contained within The City of Fresno Municipal code article 3 section 6-321.1. This program requires a FOG Wastewater Discharge Permit for all food service establishments.

Enforcement of the ordinances related to sewage disposal is provided for in Clovis Municipal Code (CMC) 6.4.18 Duty of enforcement, which by reference refers to the provisions and procedures in the Fresno Municipal Code. The City has the authority under Ordinance Section 6.5.110(b) to discontinue water service for noncompliance with any law regarding the disposal of water.

The City of Clovis Municipal code, section 6.4.17, indicates the officers, employees, and inspectors of the City shall have the right to enter upon the premises of any person at reasonable hours to inspect and determine whether the provisions of the ordinance are being violated.

Element 4 – Operation and Maintenance Program

This section of the SSMP provides documentation of the City of Clovis' Operation and Maintenance Program. An essential element of this segment is the accurate mapping of the collection system and maintenance of the mapping system and its appurtenances.

4.1 Regulatory Requirements for Operation and Maintenance Program Element

The requirements of the General Waste Discharge Requirements (WDR) for Wastewater Collection Agencies Sewer System Management Plan (SSMP) Operation and Maintenance Program element are as follows:

4.1 a. Collection System Map

The City shall maintain up to date maps of its wastewater collection system facilities, showing all gravity line segments and manholes, pumping facilities, pressure pipes and valves, and applicable storm water pumping and piping facilities.

4.1 b. Preventive Operation and Maintenance

Describe routine preventive operation and maintenance activities by staff and contractors, including a system for scheduling regular maintenance and cleaning of the sanitary sewer system with more frequent cleaning and maintenance targeted at known problem areas. The Preventive Maintenance (PM) program should have a system to document scheduled and conducted activities, such as work orders.

4.1 c. Rehabilitation and Replacement Plan

Develop a rehabilitation and replacement plan to identify and prioritize system deficiencies and implement short-term rehabilitation actions to address each deficiency. The program should include regular visual and TV inspections of manholes and sewer pipes, and a system for ranking the conditions of sewer pipes and scheduling rehabilitation. Rehabilitation and replacement should focus on sewer pipes that are at risk of collapse or prone to more frequent blockages due to pipe defects. Finally, the rehabilitation and replacement plan should include a capital improvement plan that addresses proper management and protection of the infrastructure assets. The plan shall include a time schedule for implementing the short and long-term plans plus a schedule for developing the funds needed for the capital improvement plan.

4.1 d. Training

Provide training on a regular basis for staff in sanitary sewer system operations and maintenance and require contractors to be appropriately trained.

4.1 e. Contingency Equipment and Replacement Inventories

Provide equipment and replacement part inventories, including identification of critical replacement parts.

4.2 Element 4 Appendix

Supporting information for Element 4 is included in Appendix C. This appendix includes the following documents:

1. [City of Clovis Wastewater Collection System Overview Map; including pump station and lift station service areas.](#)
2. City of Clovis wastewater plat maps; covers all sections of service area.
3. [Storm Drain System Map.](#)
4. [Cleaning Cycles.](#)
5. [Lift Station Sample Maintenance Log.](#)
6. [Utilities Training Topics.](#)
7. [Safety Training Report.](#)
8. [Employee Safety Orientation form.](#)
9. [Utilities Safety Meeting Attendance form.](#)
10. [Critical lift station and mobile equipment parts list.](#)
11. [Vehicle replacement schedule program.](#)
12. [Sample video inspection report.](#)
13. [Station B & E operations valve configurations mapping.](#)

4.3 Operation and Maintenance Discussion

4.3 a. Collection System Map

The service area of the City of Clovis wastewater collection system contains a separate and independent storm water collection system. This storm water system is managed by a separate agency, the Fresno Metropolitan Flood Control District. This system includes the City within its geographic service area and also includes the City of Fresno and areas of Fresno County.

The City of Clovis began utilizing a Geographic Mapping System in the late 1990's. The effort included the use of Global Positioning Satellite (GPS) technology to physically locate all City owned utility features. The Public Utilities Department employs one full time engineering technician dedicated to updating and revising the City's Geographic

Information System (GIS). The department's engineering technician is responsible for updating wastewater and water plats. This includes new development tracts, Capital Improvement Program (CIP) projects, major facility upgrades, and revisions and corrections reported by field maintenance staff. New developments and replacement projects require "as-built" plans to be issued to the City Planning and Development Services Department, Engineering section. As these plans are received, a copy is issued to the department engineering technician by the City engineering section. This GIS electronic map is considered the master copy of the wastewater collection system. As plat sections are updated the engineering technician prints and distributes the plat updates to management and maintenance personnel. The plat maps include the date of the update and features such as manhole numbers, pipe size, pipe type, pipe depth, and the direction of sewage flow. Each plat has a section number and the manholes within each section are based upon the section number. Access to GIS data is shared with Planning and Development Services Engineering staff.

4.3 b. Preventive Operation and Maintenance

The wastewater section maintains a collection system cleaning schedule for the entire system. The cleaning schedule is broken into cleaning routes; one route for each quarter mile square section. The cleaning route is based on the individual section plat maps. The routes are designed to provide operators with a logical progression of cleaning within the section beginning with start manholes and working downstream. The cleaning routes include manhole numbers, pipe size and the length of each pipe run. The routes are printed and distributed to maintenance personnel assigned to sewer main line cleaning. Upon completion the routes are turned in to the leadworker. The routes are updated by the leadworker upon completion by the maintenance crew. Observations and recommendations from the notes section of the cleaning cycle are investigated by the leadworker who makes changes and updates to the cleaning cycle if necessary following confirmation of field observations. These changes are also relayed to the department engineering technician when map corrections are required.

The primary cleaning method employed by the City is high velocity flushing. The section regularly utilizes two Superproducts "Camel" brand combination vacuum/high velocity cleaning trucks and one Vactor 2100i. Currently the department operates one 2009 Camel truck, one 2013 Camel truck, and one 2019 Vactor 2100. Financing the replacement funds for these vehicles is included in the Fleet vehicle replacement fund. Money is annually budgeted for vehicle replacement and transferred to the fleet fund. The fund amounts are reviewed annually in relation to anticipated true costs of vehicle replacement.

The department goal is to clean the entire system annually. Within this goal are various levels of scheduled sewer line cleaning. Like most agencies, Clovis prioritizes frequent cleaning cycles based on operator experience, field observations, video inspections, blockages, pipe age, pipe size, and pipe material. The result is a monthly cleaning cycle for problem lines, a three month cleaning route, a six month cleaning route and the normal annual cleaning routes. The lines listed on the monthly problem line cycle

are somewhat transitory as they are prime candidates for rehabilitation or replacement if physical or structural defects can be corrected thus eliminating the need for frequent maintenance. The combination of monthly cleaning, three month cleaning, six month cleaning, and annual cleaning routes results in a total cleaning demand of approximately 450 miles of pipeline annually. Due to the overlap in cleaning schedules this is approximately 50 miles more than the nearly 400 miles of system pipeline.

The collection system includes five lift stations and two pumping stations. The two pump stations are the primary supply sources for the Sewage Treatment-Water Reuse Facility (ST-WRF). The ST-WRF was commissioned in 2009 for wastewater treatment. The five lift stations serve various sections of the collection system which cannot gravity flow due to geographic constraints. The maintenance section performs all routine checks and maintenance of all City lift and pump stations. Routine maintenance is scheduled three times a week. Routine maintenance has three layers of inspection increasing in depth and scope: daily, weekly, and monthly. All lift stations have pumping redundancy and critical lift and pump stations have backup generators for power outages. Operation and maintenance manuals for lift and pump stations are housed at the City Corporation Yard along with station design drawings.

4.3 c. Rehabilitation and Replacement Plan

The City's wastewater section has performed in house video inspections for over twenty-five years. The inspections are generally broken down into three categories: routine inspections, problem investigation, and engineering locating. The vast majority of completed video footage is the result of routine inspections. This activity is used to develop line replacement or repair projects for the City Capital Improvement Program. Annually the section queries the video inspection software program for line segments with the greatest defects. These are reviewed for in house repair or CIP project candidates. Videos for system problem investigation stem from reports from the cleaning personnel or from suspected discrepancies in new construction areas. Occasionally, the section also performs video inspections to locate sewer laterals for CIP projects or internal water projects. In addition to the in house inspections, all new developments are required to submit a video inspection recording and report for review prior to acceptance.

Since the year 2000 the department has made significant investments in its video inspection system. That year the City acquired a new self-contained video van from CUES Corporation. Since then the system has seen software and hardware upgrades including CUES Granite XP software in 2007 and new cameras. In 2017 the City acquired a new van and the latest Granite Net software and network hosting for staff access. This includes the ability to store acquired data on the City computer network for access by the Public Utilities Department as well as the Engineering unit.

The department has completed video inspection of all older sections containing vitrified clay pipe (VCP) and concrete pipe segments. These areas have received the greatest amount of inspections due to age and deterioration susceptibility. A portion of new

plastic SDR 35 pipe lines have also been videoed since completion of the initial assessment in older sections. Inspections are systematically scheduled along with strategic selection of older re-inspections.

Once the data is collected on system condition, projects are proposed for the Capital Improvement Program. Depending on the severity of the problem and funding availability they are prioritized and put into the five-year program. Funding for rehabilitation and replacement projects are included in the user fees for service. The fund balance is examined each year by looking at the current year expenses and the anticipated expenses for the next five years in the future. If the fund balance is projected to decline below bond reserve requirements a user fee increase is planned for implementation.

4.3 d. Training

Staff is trained when they first come to the section on each piece of equipment that they will be using and the safety aspect of the equipment. As new equipment is received all staff receives training on the equipment. Training is provided to staff on confined space entry, backhoe operation, camel operation, heat illness prevention, blood borne pathogens, defensive driving, lockout tagout and other topics per the [Utilities Training Topics](#) spreadsheet. Safety training is documented on the [Employee Safety Orientation Form](#). Weekly tailgate meetings are documented on a [sign in sheet](#). Training documentation forms are then entered into a database for all employee training called [Safety Training](#).

Collection system training is provided for employees with presentations by vendors, City staff, and through correspondence courses. Staff is encouraged and given goals of attaining collection system certification. Currently over half of staff is certified with the goal of all being certified.

4.3 e. Contingency Equipment and Replacement Inventories

The City owns one 6" mobile pump with a sound enclosure which can be set up for bypass pumping in the event of pump station failure. However, all pump stations are designed with redundancy features. Each pump station has two pumps which can each handle the full station flow. They normally rotate operation based on starts or run times so that each pump gets equal wear. Additionally backup power is available at each site with the exception of the Gettysburg/Phillip Lift Station. The generators are exercised automatically on a routine basis in compliance with permit limits set by the San Joaquin Valley Air Pollution Control District.

The Clovis lift station pumps are standardized at the Peach/Stuart, Tollhouse/Helm, Gettysburg/Phillip and the Helm/Holland lift stations.

Element 5 – Design and Performance Provisions

This section of the SSMP provides documentation of the City of Clovis' Design and Performance Provisions.

5.1 Regulatory Requirements for Design and Performance Provisions

The requirements of the General WDR for Wastewater Collection Agencies Sewer System Management Plan (SSMP) Design and Performance Provisions element are as follows:

5.1 a. Standards for Installation, Rehabilitation and Repair

The City shall identify design and construction standards and specifications for the installation of new sanitary sewer systems, pump stations, and other appurtenances, as well as for rehabilitation and repair of existing sanitary sewer systems.

5.1 b. Standards for Inspection and Testing of New, Rehabilitated, and Repaired Facilities

The City shall identify the procedures and standards for inspecting and testing the installation of new sewers, pumps, and other appurtenances, and for rehabilitation and repair projects.

5.2 Element 5 Appendix

Supporting information for Element 5 is included in Appendix D. This appendix includes the following documents:

1. [City of Clovis Standard Specifications](#) section 64 SANITARY SEWER FACILITIES.
2. [City of Clovis Sewer System Standard Drawings](#).

5.3 Design and Performance Provisions Discussion

5.3 a. Standards for Installation, Rehabilitation and Repair

The City standard drawings and standard specifications were updated in 2012 and have had minor updates since then. The goal of the process was to update drawings and

specifications to include newer processes and technologies, create drawings and specifications where gaps existed, and to streamline both documents by making them more cohesive and consistent. The changes to the sewer section of drawings and specifications were minor in comparison to other sections. Staff from the Public Utilities and Engineering Departments worked together on the Standard Drawings and Standard Specifications. An external audit and review process was also employed utilizing a local consulting engineering firm as well as other independent consultants.

The drawings and specifications are referenced during the plan review process for new development and CIP projects. These documents form the basis for the City's inspection and acceptance process for all projects. The City employs standard construction inspection practices for sewers including pressure testing, CCTV inspection, mandrel testing and backfill and compaction testing.

Rehabilitation and repair projects are subject to the City Standard Drawings and Standard Specifications. If rehabilitation and repair technologies are proposed for particular projects which are not included in the City Standard Drawings and Standard Specifications, they must be submitted to the City Engineer and public utilities management staff for review prior to acceptance. Acceptance is project specific and does not grant any overt or implied acceptance for any other projects.

5.3 b. Standards for Inspection and Testing of New, Rehabilitated, and Repaired Facilities.

All work constructed for the City of Clovis, whether new, rehabilitated or repaired, is inspected by the City of Clovis Planning and Development Services and Public Utilities Construction Management Section.

Element 6 – Emergency Overflow Response Plan

This section of the SSMP provides documentation of the City of Clovis' Emergency Overflow Response Plan.

6.1 Regulatory Requirements for Emergency Overflow Response Plan

The requirements of the General WDR for Wastewater Collection Agencies Sewer System Management Plan (SSMP) Emergency Overflow Response Plan element are as follows:

The City shall develop and implement an overflow emergency response plan that identifies measures to protect public health and the environment. The minimum elements to be included in the plan are listed below:

- (a) Proper notification procedures so that the primary responders and regulatory agencies are informed of all SSOs in a timely manner;
- (b) A program to ensure an appropriate response to all overflows;
- (c) Procedures to ensure prompt notification to appropriate regulatory agencies and other potentially affected entities such as health agencies, Regional Water Boards, and water suppliers of all SSOs that potentially affect public health or reach water of the State in accordance with the Monitoring and Reporting Program (MRP). All SSOs shall be reported in accordance with this MRP, the California Water Code, other State Law and other applicable Regional Water Board Waste Discharge Permit Requirements or NPDES permit requirements. The SSMP should identify the officials who will receive immediate notification;
- (d) Procedures to ensure that appropriate staff and contractor personnel are aware of and follow the Emergency Response Plan and are appropriately trained;
- (e) Procedures to address emergency operations, such as traffic and crowd control and other necessary response activities; and
- (f) A program to ensure that all reasonable steps are taken to contain and prevent the discharge of untreated and partially treated wastewater to waters of the United States and to minimize or correct any adverse impact on the environment resulting from the SSOs, including such accelerated or additional monitoring as may be necessary to determine the nature and impact of the discharge.

6.2 Element 6 Appendix

Supporting information for Element 6 is included in Appendix E. This appendix includes the following documents:

1. [SSO data collection check list.](#)
2. [SSO field report.](#)
3. [SSO contact list.](#)

6.3 Emergency Overflow Response Plan Discussion

Utilities staff have developed a sanitary sewer overflow response plan which includes emergency response, spill containment, corrective actions, spill recovery, and agency reporting. The responding chain of command is addressed in section 2.4 of this document, including methods of contacting and dispatching responding personnel. This includes electronic SCADA system auto dialer and the use of an afterhours answering service to ensure a response 24 hours a day.

Field staff is trained in SSO response via internal training as well as training sessions provided by the California Water Environment Association. Section vehicles are equipped with SSO Field Reports and SSO contact lists. Operators are trained to determine the source of an overflow, location, SSO category, and log observations required for reporting. The priority of the first responder is to contain spill, if possible, by blocking any storm drains and/or building a dam to keep wastewater from spreading or entering a drainage channel or inlet. An accessible spill containment kit is located at the wastewater shop which includes items such as drain waddles, absorbents, and drain covers. The second on-scene person calls in a supervisor to complete a SSO report and any other personnel to assist with the SSO.

The supervisor will then serve as a scene coordinator and determine if additional City resources are required at the site for site security, public safety, or to mitigate other potential hazards. Evacuation coordination would be handled by City emergency services; Clovis Fire Department or Clovis Police Department. The supervisor will make a field determination of category 1, 2 or 3 SSO, proceed with reporting requirements, and determine the best approach to spill recovery and clean up. Additional Public Utilities personnel will be utilized for large overflows which require bypass pumping, traffic control, underground repair, or pump repairs.

The following is The City of Clovis, Wastewater Department's field procedures when responding to a SSO. All City of Clovis wastewater employees have been notified and trained on the SSO procedures.

1. **ALWAYS NOTE TIME:** RECEIVED CALL, ARRIVED ONSITE, OVERFLOW STARTED/STOPPED, CLEAN UP COMPLETED, ETC...
2. **STOP SANITARY SEWER FROM ENTERING STORM SYSTEM:** DO WHAT IS NEEDED TO STOP THE INFLOW OF SEWER TO THE STORM SYSTEM, EXAMPLES – ABSORBENT, BLOCK DI'S, SET UP VACUUM TRUCK TO VACUUM UP SEWAGE BEFORE IT ENTERS STORM SYSTEM.
3. **FIX CAUSE OF SSO:** BLOCKED SEWER MAIN, LIFT STATION FAILURE, ETC...
4. **WHEN OVERFLOW HAS STOPPED, PROCEED WITH CLEANUP/SANTIZE STREET, CURB AND GUTTER, DRAIN INLETS:** USE A DISINFECTANT, WASH DOWN STREET, AND VACUUM UP WATER BEFORE IT ENTERS STORM SYSTEM. VACUUM AS MUCH SEWAGE AS POSSIBLE FROM STORM INLET/CATCHBASINS.
5. **START TO COMPLETE SSO REPORT FORM:** DETERMINE AMOUNT OF WASTEWATER RELEASED FROM SANITARY SEWER SYSTEM. MANHOLE #'S, SIZE OF SEWER MAIN, LENGTH OF MAIN, DURATION OF OVERFLOW, AMOUNT IN GPM (USE PICTURES AND/OR CHART)
6. **DETERMINE CATEGORY 1, 2 OR 3 SSO**
See attached Categories and Definitions
7. **WITHIN 2 HOURS NOTIFY OES, COUNTY HEALTH DEPT, FMFCD, RWQCB OF A CATEGORY 1 SSO:** INFORMATION IS ON THE "SSO NOTIFICATION CONTACT LIST"
8. **CONTACT ANY OTHER AGENCIES AFFECTED BY SSO**
9. **WITHIN 3 DAYS FOR CATEGORY 1 AND 2 ONLINE DRAFT REPORT MUST BE COMPLETED; CATEGORY 3 MUST BE COMPLETED WITHIN 30 CALENDAR DAYS OF THE END OF THE MONTH IN WHICH SSO OCCURRED.**

Element 7 – Fats, Oil, Grease (FOG) Control Plan

This section of the SSMP provides documentation of the City of Clovis' Fats, Oil, Grease (FOG) Plan.

7.1 Regulatory Requirements for Fats, Oil, Grease (FOG) Control Plan

The requirements of the General WDR for Wastewater Collection Agencies Sewer System Management Plan (SSMP) Fats, Oil, and Grease (FOG) Control Plan element are as follows:

The City shall evaluate its service area to determine whether a Fats, Oil, Grease (FOG) Control Plan is needed for the City service area. If it is determined that a FOG program is not needed the City must provide justification as to why it is not needed. If Fats, Oil, and Grease are determined to be a source of collection system problems the City must prepare and implement a FOG source control program to reduce the amount of these substances discharged to the sanitary sewer system. The FOG control plan must include the following elements as the City deems appropriate:

- (a) An implementation plan and schedule for a public education outreach program that promotes proper disposal of FOG;
- (b) A plan and schedule for the disposal of FOG generated within the sanitary system service area. This may include a list of acceptable disposal facilities and/or additional facilities needed to adequately dispose of FOG generated within a sanitary sewer service area;
- (c) The legal authority to prohibit discharges to the system and identify measures to prevent SSOs and blockages caused by FOG;
- (d) Requirements to install grease removal devices such as interceptors, design standards for the removal devices, maintenance requirements, best management practice requirements, record keeping and reporting requirements;
- (e) Authority to inspect grease producing facilities, enforcement authorities, and whether the City has sufficient staff to inspect and enforce the FOG ordinance;
- (f) Identification of sanitary sewer system sections subject to FOG blockages and establishment of a cleaning maintenance schedule for each section; and
- (g) Develop and implement source control measures for all sources of FOG discharged to the sanitary sewer system for each section identified in item (f) above.

7.2 Element 7 Appendix

Supporting information for Element 7 is included in Appendix F. This appendix includes the following documents:

1. [City of Fresno Fats, Oil, Grease \(FOG\) Program](#).
2. [City of Fresno Web Page for FOG Program](#)
<https://www.fresno.gov/publicutilities/sewer-wastewater/fats-oils-grease/>
3. [Industrial Pretreatment Program](#)
4. [Enforcement Response Plan](#)

7.3 Fats, Oil, Grease (FOG) Control Plan Discussion

Historically the City of Clovis collection system has seen minimal impacts as a result of fats, oils, and grease discharges. The primary impacts have been to small diameter sewer mains, six and eight inches, as well as mains which serve high volume restaurants. Impacts from FOG discharges are minimized through increased sewer line cleaning of these problem locations, routine video inspection to detect sewer main defects such as sags or off set joints which can contribute to the accumulation of grease, and the application of a FOG program. While the negative impacts of FOG have been small, the City of Clovis has partnered with the City of Fresno in utilizing Fresno's FOG program and inspection process to control the impacts of FOG to the City's collection system.

As decades long partners in the Fresno-Clovis Regional Wastewater Treatment Facility the two agencies have developed a pre-treatment partnership. Per the Joint Powers Agreement between the two agencies, the City of Fresno is designated as the lead agency to monitor pre-treatment wastewater operations including the dischargers of fats, oils, and grease. By agreement, Fresno will continue to provide Clovis with this service as Clovis' wastewater will continue to be treated at the joint regional facility. The City of Clovis has adopted Fresno's ordinance including the FOG program by agreement. Elements of this program include public education and outreach, facility inspections, and the legal authority of enforcement. Included in the facility inspections is the right to view disposal records and physical inspection of onsite grease traps and interceptors. Legal authority of FOG control agents including the authority to prohibit discharges into the collections system and perform inspections is included in the City of Fresno FOG program in appendix F of this SSMP.

Requirements for onsite FOG control devices are set forth in the City site plan review process. During this process the Public Utilities Department along with the Planning and Development Services Department review and set conditions for the applications

for use. Standards for the construction of grease interceptors are included in the City Standard Drawings issued by the City Engineer. Internal devices are subject to the accepted Uniform Plumbing Code and subject to inspection by the City Building Division.

Sanitary sewer overflows including locations and causes are tracked by the City of Clovis Public Utilities Department. This data is contained on the City's pub and on the California Integrated Water Quality System database. The cause and locations of SSOs are used to identify sections of the collection system which require more frequent cleaning as discussed in section 4.3 *Operations and Maintenance* of this SSMP.

Element 8 – System Evaluation and Capacity Assurance Plan

This section of the SSMP provides documentation of the City of Clovis' System Evaluation and Capacity Assurance Plan.

8.1 Regulatory Requirements for System Evaluation and Capacity Assurance Plan

The requirements of the General WDR for Wastewater Collection Agencies Sewer System Management Plan (SSMP) System Evaluation and Capacity Assurance Plan element are as follows:

The City shall prepare and implement a capital improvement plan that will provide hydraulic capacity of key sanitary sewer system elements for dry weather peak flow conditions, as well as the appropriate design storm or wet weather event. At a minimum, the plan must include:

- (a) **Evaluation:** Actions needed to evaluate those portions of the sanitary sewer system that are experiencing or contributing to a SSO discharge caused by hydraulic deficiency. The evaluation must provide elements of peak flows (including flows from SSOs that escape the system) associated with conditions similar to those causing overflow events, estimates of the capacity of key system components, hydraulic deficiencies (including components of the system with limiting capacity) and the major sources that contribute to the peak flows associated with overflow events.
- (b) **Design Criteria:** Where design criteria do not exist or are deficient, undertake the evaluation identified in (a) above to establish appropriate design criteria.
- (c) **Capacity Enhancement Measures:** The steps needed to establish a short and long term CIP to address identified hydraulic deficiencies, including prioritization, alternative analysis, and schedules. The CIP may include increases in pipe size, inflow and infiltration reduction, increases and redundancy in pumping capacity, and storage facilities. The CIP shall include an implementation schedule and shall identify sources of funding.
- (d) **Schedule:** The enrollee shall develop a schedule of completion dates for all portions of the capital improvement program developed in (a) through (c) above. This schedule shall be reviewed and updated consistent with the SSMP review and updated requirements as described in Section D.14 which states that the SSMP must be updated every five years and must include any significant program changes.

8.2 Element 8 Appendix

Supporting information for Element 8 is included in Appendix G. This appendix includes the following documents:

1. [City of Clovis Sewer Master Plan.](#)
2. [CIP schedule for wastewater projects.](#)

8.3 System Evaluation and Capacity Assurance Plan Discussion

8.3.a & b. System Evaluation and Design Criteria

In 2008 the Clovis Wastewater Collection System Master Plan (CWCSMP) was completed, and the most recent Phase 3 update was completed in 2017. The CWCSMP is a culmination of a multi-phase project commenced in 1995 to update the City's Wastewater Master Plan. It is designed to provide a course of action for the City of Clovis with respect to wastewater service needs through the year 2030, in conformance with the 1993 Clovis General Plan. The CWCSMP remains a living document in that there is the need for continued effort to modify and update the plan in response to ongoing community planning and development activity. The master planning process consisted generally of developing design criteria, defining wastewater service areas, developing wastewater flow projections, analyzing and designing collection system pipelines, and summarizing results.

The CWCSMP was developed with a focus on major elements: *Service Areas, Wastewater Flow Projections and Capacities, Collection System Analysis and Design, Master Plan Plats, Regional Trunk Sewer System Issues, Flow Metering of Clovis Trunk Sewers, and Major Elements of Clovis' Wastewater System Infrastructure.*

Certain elements of the CWCSMP are critical to the City's SSMP as they focus on the areas of system evaluation and capacity assurance to measure current needs as well as design and build to meet future system demands.

Wastewater flow projections were determined for all areas within the Clovis Sphere of Influence new growth areas except for those planned for rural residential development or agricultural uses. Wastewater flow generation rates for the major land use categories were applied to projected development based upon planned uses from the Clovis General Plan. For each service area discharging to the regional trunk sewer system, flows were calibrated using currently developed properties with metered flow at the trunk sewer discharge point. This provided the basis for calculations on future development.

Criteria for pipeline analysis and design were established, including hydraulic elements and pipeline depth limitations. A custom hydraulic computer model was developed to

analyze the hydraulics of individual segments of the sewers, utilizing the established hydraulic criteria. Existing sewers ten inches in diameter and larger (and some eight inch diameter sewers where necessary to assure adequacy of capacity) were analyzed. All proposed new major sewers were also analyzed and sized.

8.3.c. Capacity Enhancement Measures (Capital Improvement Plan)

In those few segments where the standard analysis indicated apparent lack of capacity for planned build out flow in the existing sewer system, a more comprehensive analysis was performed. In most cases, calibration of the calculated existing flow to match the trunk sewer service area measured flow was sufficient to indicate adequate capacity for build out. In other cases, specific flow metering was performed at or near the site to confirm adequate capacity for build out flow. If these analyses failed to indicate adequate design capacity, the segment was noted on the CWCSMP as requiring upgrading within the City's Capital Improvement Program (CIP).

8.3.d. Schedule

The CIP program is a five year plan that is updated annually with completed projects removed and new project requests added. Review of the current project prioritization is also included in the annual CIP project list review. A review of all SSOs occurring during the past ten years revealed none due to capacity or hydraulic conditions regardless of weather.

Analysis of regional sewer system issues was also included in the 2008 CWCSMP. Trunk sewers downstream of the Clovis collection system and the Fresno Clovis Regional Wastewater Treatment Plant have both resolved past capacity limitations. Additionally, in 2009 the City of Clovis began operation of the new Sewage Treatment – Water Reuse Facility with a phase one daily treatment capacity of 2.8 million gallons. The associated pump stations allow for the City to control and divert wastewater flows from its major trunk sewer to this new facility.

Flow capacity and flow evaluation are performed on all four major trunk sewers which serve the Clovis collection system. The metered data is used to monitor and measure capacity and to establish cost sharing for treatment at the regional plant.

Element 9 – Monitoring, Measurement and Program Modifications

This section of the SSMP provides documentation of the City of Clovis' Monitoring, Measurement and Program Modifications.

9.1 Regulatory Requirements for Monitoring, Measurement and Program Modification Plan

The City shall:

- (a) Maintain relevant information that can be used to establish and prioritize appropriate SSMP activities;
- (b) Monitor the implementation and where appropriate, measure the effectiveness of each element of the SSMP;
- (c) Assess the success of the preventive maintenance program;
- (d) Update program elements, as appropriate, based on monitoring or performance evaluations; and
- (e) Identify and illustrate SSO trends, including frequency, location, and volume.

9.2 Element 9 Appendix

Supporting information for Element 9 is included in Appendix H. This appendix includes the following documents:

- 1. [Customer Response System Form](https://cityofclovis.com/government/customer-service/) - <https://cityofclovis.com/government/customer-service/>
- 2. [Monthly Report Table](#)
- 3. [Budget Performance Measures](#)

9.3 Monitoring, Measurement and Program Modification Discussion

In order to measure the effectiveness of collection system operations, Public Utilities staff must monitor key system indicators and analyze these results. In place of a comprehensive computerized maintenance management system, the City utilizes various systems to monitor the collection system. Historically, sewer main blockages have been tracked in an annual log book format and were also included in the wastewater section of the Public Utilities Department monthly report. In order to have data in a more harvestable format, the Department logs, files, and stores SSO data electronically in the form of monthly reports within the Department and reports to City

Council. The database format allows for the creation of standard reports for annual line blockages. The database fields are based upon data gathered for electronic reporting of Sanitary Sewer Overflows.

Citizen complaints and concerns are tracked through a Customer Relationship Management (CRM) program which is used by all City departments. This system captures complaints, catalogs them, and records staff responses in a format which allows access by employees as well as the reporting residents. Complaints are time stamped to also track and record the responsiveness of departments to the public. Custom reports can be ran randomly or scheduled to measure the volume of system complaints and the corresponding results. The system has been in place for ten years and has added a level of transparency and efficiency in matching problems to the appropriate work section. This system also provides feedback to the department by including an optional customer survey to grade the service the department provided.

The wastewater section also tracks work activity in the form of monthly reports. These reports are based upon data gathered daily by the section leadworker. This is where detailed data on sewer footage cleaning, lift station repairs, sewer line repairs, video inspections, and complaints are logged. This is largely tabular production data based upon the activities of section maintenance personnel. Sewer cleaning data is gathered from sectional cleaning routes developed upon the GIS system mapping for the collection system. In addition to cleaning sections, the Department also more frequently cleans particular routes which are considered problematic due to age, pipe material, condition, or the type of discharges contained in these segments.

Mobile equipment such as maintenance vehicles and high velocity cleaning/vacuum machines are maintained by the City's Fleet Maintenance Department. The fleet section uses computer software to track vehicle maintenance repairs and expenses on all vehicles. This system includes an inventory of spare parts matched to specific vehicles.

A primary monitoring tool for the collection system is video inspection. The City has historically made significant investments in this technology. The City has owned Closed Circuit Television Inspection equipment for over twenty years. Lines are videoed on a routine schedule to detect problems in their early stages as well as in response to information gained from sewer cleaning crews. Line segments are scored according to the level of problems detected. The scoring allows problem lines to be queried for needed repair or increased cleaning. The City continues to make substantial capital investments in equipment and technology. In 2017 the City purchased a new video van and has made improvements in this system including acquiring the CUES Granite Net software. These recent improvements have included upgraded software to store video and reports in a digital format on the City's network computer. The software upgrade included licensing to allow the City Engineering Division access to all data collected. This has enhanced the ability to plan and design sewer main replacement projects for the Capital Improvement Program. In 2008 the department purchased a second camera to increase the video system reliability and limit downtime when the primary

camera is out for vendor repairs. In 2009 and 2013 the department purchased Camel trucks, and in 2019 the department purchased one Vactor 2100i.

Effectiveness is also evaluated in the City's annual budget. The budget includes performance measures for each department. These are broad goals which measure productivity, efficiency and effectiveness. The budget measures include such goals as sewer footage cleaning and limits on complaints and stoppages.

Element 10 – Internal Program Audits

This section of the SSMP provides documentation of the City of Clovis' Internal Program Audits.

10.1 Regulatory Requirements for Internal Program Audits

The City shall conduct periodic internal audits, appropriate to the size of the system and the number of Sanitary System Overflows. At a minimum, the City must conduct audits every two years and a report must be prepared and kept on file. The audit shall focus on evaluating the effectiveness of the SSMP and the City's compliance with the requirements of the SSMP. The audit shall also include the identification of any deficiencies in the City's SSMP and identify steps to correct such deficiencies.

10.2 Element 10 Appendix

There is no appendix associated with Element 10.

10.3 Internal Program Audits Discussion

The department shall conduct audits of the Sanitary Sewer Management System on a two year basis as required. The self audits will be conducted by the utilities manager with assistance from the section leadworker. The audit report will then be reviewed by the assistant director of public utilities. The report will be presented in a format consistent with a department staff report and shall include a brief summary followed by significant system events, improvements, accomplishments, and deficiencies. A copy of the final bi-annual audit will be included with the SSMP as an attachment. The schedule of the bi-annual internal audit report shall correspond with the completion schedule of the SSMP and be finished following the completion of odd numbered years. The primary method of notification on the progress or results of internal audits shall be the City of Clovis website.

Currently the City collection system does not include any satellite collection systems to include in the bi-annual audit.

Element 11 – Communications Program

This section of the SSMP provides documentation of the City of Clovis' Communications Program.

11.1 Regulatory Requirements for Communications Program

The City shall communicate on a regular basis with the public on the development, implementation and performance of its Sanitary Sewer Management Plan. The communication system shall provide the public the opportunity to provide input to the City as the program is developed and implemented. The City shall also create a plan of communication with tributary or satellite systems that are connected to the City's sanitary sewer collection system.

11.2 Element 11 Appendix

Supporting information for Element 11 is included in Appendix I. This appendix includes the following document:

1. [Public Utilities Wastewater Web Page](#)

11.3 Communication Program Discussion

In the absence of satellite system partners, the communication plan of the City of Clovis SSMP focuses on the relationship between the City and its citizens. The primary tool of outreach will be through the City of Clovis website.

Element 12 – Plan Certification

This section of the SSMP provides documentation of the City of Clovis' Final Sewer System Management Plan Certification.

12.1 Regulatory Requirements for Plan Certification

The Sanitary Sewer Management Plan and the City's program to implement the SSMP must be certified by the City to be in compliance with the requirements set forth above and must be presented to the City of Clovis Council for approval at a public meeting. The City shall certify that the SSMP, and subparts thereof, are in compliance with the general Waste Discharge Requirements within the required time frame. The City's authorized representative must complete the certification portion in the on-line SSO database questionnaire by checking the appropriate milestone box, printing and signing the automated form, and sending the form to the State Water Board.

12.2 Element 12 Appendix

There is no appendix associated with Element 12.

12.3 Plan Certification Discussion

The City of Clovis Council approved the Plan as developed at a public meeting on July 20, 2009. The City's authorized representative completed the certification in the on-line SSO database questionnaire by checking the appropriate milestone box, printing and signing the automated form, and sent the form to the State



AGENDA ITEM NO: 17
City Manager: AA

CITY of CLOVIS

REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: Public Utilities Department

DATE: August 5, 2019

SUBJECT: Approval - Waive Formal Bidding Requirements and Authorize the Purchase of a Landfill Compactor off the Sourcewell Purchasing Contract from Quinn Company

ATTACHMENTS: None.

CONFLICT OF INTEREST

None.

RECOMMENDATION

For the City Council to waive the City's formal bidding requirements and authorize the Purchase of a Landfill Compactor off the Sourcewell Purchasing Contract from Quinn Company for a total cost of \$1,005,578.57 including tax and freight.

EXECUTIVE SUMMARY

Sufficient funds have been collected in the current Fleet Capital Acquisition budget to purchase a new Compactor in the Solid Waste Landfill Section. The Clovis Landfill currently utilizes two compactors, one that is approximately ten years old and another that is twenty years old. The new compactor being purchased will become the compactor that is primarily used and the twenty year compactor will go out of service.

The Sourcewell Purchasing contract, formerly the National Joint Powers Alliance (NJPA) contract, is a nationwide public procurement service that makes the governmental procurement process more efficient. All contracts available to

participating members have been awarded by virtue of a public competitive procurement process compliant with state statutes.

BACKGROUND

The recommended vehicle is available through the Sourcewell Purchasing Contract, former NJPA contract, which is competitively bid on a nationwide basis.

FISCAL IMPACT

Sufficient funds were included in the 2019-20 Fleet Capital budget and the user section, Solid Waste, has accumulated the necessary funds to purchase the equipment. The recommended vehicle meets the required specifications.

REASON FOR RECOMMENDATION

The existing compactor to be replaced is twenty years old and has become uneconomical to operate and maintain. The new Compactor will help the landfill meet its compaction goals and will optimize the airspace utilization factor to maintain or extend the landfill's design life.


Staff has evaluated the available equipment and has determined that the proposed equipment will meet the Solid Waste needs. The replacement unit will also meet the TEIR 4 emission requirement for off road equipment. The proposed method of purchasing the equipment is cost effective and funds are available.

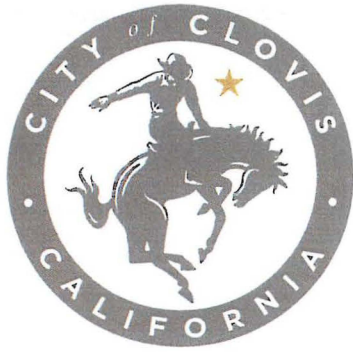
ACTIONS FOLLOWING APPROVAL

A purchase order will be prepared for the City Manager's approval and sent to the vendor.

Prepared by: Paul Armendariz, Assistant Public Utilities Director

Submitted by: Scott Redelfs, Public Utilities Director





AGENDA ITEM NO: 18
City Manager: [Signature]

CITY of CLOVIS

REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: Planning and Development Services

DATE: August 5, 2019

SUBJECT: Consider items associated with approximately 12.50 acres of property located at the northwest corner of Spruce and Peach Avenues. Edward J. and Janis M. Donaghy (Owners) / Ara Chekerdeman of Lennar Homes of California, Inc. (Applicant) / Keith Jolly of Morton Pitalo, Inc. (Representative).

- a. **Consider Approval, Res. 19-__**, A request adopt an environmental finding of a Mitigated Negative Declaration for Rezone R2019-004, Conditional Use Permit CUP2019-004, Vesting Tentative Tract Map TM6262, Variance V2019-001, and Residential Site Plan Review RSPR2019-003.
- b. **Consider Introduction, Ord. 19-__, R2019-004**, A request to approve a rezone of a portion of the site from the R-A (Single-Family Residential – 24,000 Sq. Ft.) to the R-2 (Low Density Multiple Family Residential) (1 Unit / 3,000 Sq. Ft.) Zone District.
- c. **Consider Approval, Res. 19-__, CUP2019-004**, A request to approve a conditional use permit for a 185-lot Planned Residential Development with private streets.
- d. **Consider Approval, Res. 18-__, TM6262**, A request to approve a vesting tentative tract map for a 185-lot Planned Residential Development.
- e. **Consider Approval, Res. 19-__, V2019-001**, A request to approve a variance to reduce the minimum drive aisle width from 26 feet to 20 feet for portions of the private roadway network to accommodate a 185-unit townhome project for property located at Assessor Parcel Numbers (APNs) 561-260-10 and 561-260-17.

- ATTACHMENTS:
1. Conditions of Approval
 2. Initial Study / Mitigated Negative Declaration
 3. Draft Resolutions and Ordinance
 4. Vesting Tentative Tract Map TM6262
 5. Proposed Development Standards
 6. Conceptual Landscape Plan
 7. Correspondence, Agencies and Departments
 8. Public Comments
 9. Planning Commission Minutes

CONFLICT OF INTEREST

None.

RECOMMENDATION

Planning Commission and staff recommend that the City Council:

- Adopt a Mitigated Negative Declaration for R2019-004, CUP2019-004, TM6262, V2019-001, and RSPR2019-003, pursuant to CEQA Guidelines; and
- Approve Rezone R2019-004, subject to the conditions of approval listed as Attachment 1; and
- Approve Conditional Use Permit CUP2019-004, subject to the conditions of approval listed as Attachment 1; and
- Approve Vesting Tentative Tract Map TM6262, subject to the conditions of approval listed as Attachment 1; and
- Approve Variance V2019-001, subject to the conditions of approval listed as Attachment 1; and
- Make a finding of consistency that the dedication toward public right-of-way is proportionate to the development being requested.

EXECUTIVE SUMMARY

The applicant is proposing a 185-unit gated townhome complex at the Project site shown in **Figure 1**. In order to accommodate the Project, the applicant is requesting to rezone a portion of an approximately 12.50-acre Project site, shown in **Figure 2** below, from the R-A (Single-Family Residential-24,000 Sq. Ft.) to the R-2 (Low Density Multiple Family Residential) (1 Unit / 3,000 Sq. Ft.) Zone District. The Project also includes approval of a vesting tentative tract map for a gated 185-lot planned residential townhome development with private streets and a Homeowner's Association.

Additionally, the applicant is requesting approval of a variance to reduce the minimum drive aisle width from 26 feet to 20 feet for portions of the private roadway network.

Approval of this Project would allow the applicant to continue processing development drawings and to complete the Residential Site Plan Review process.

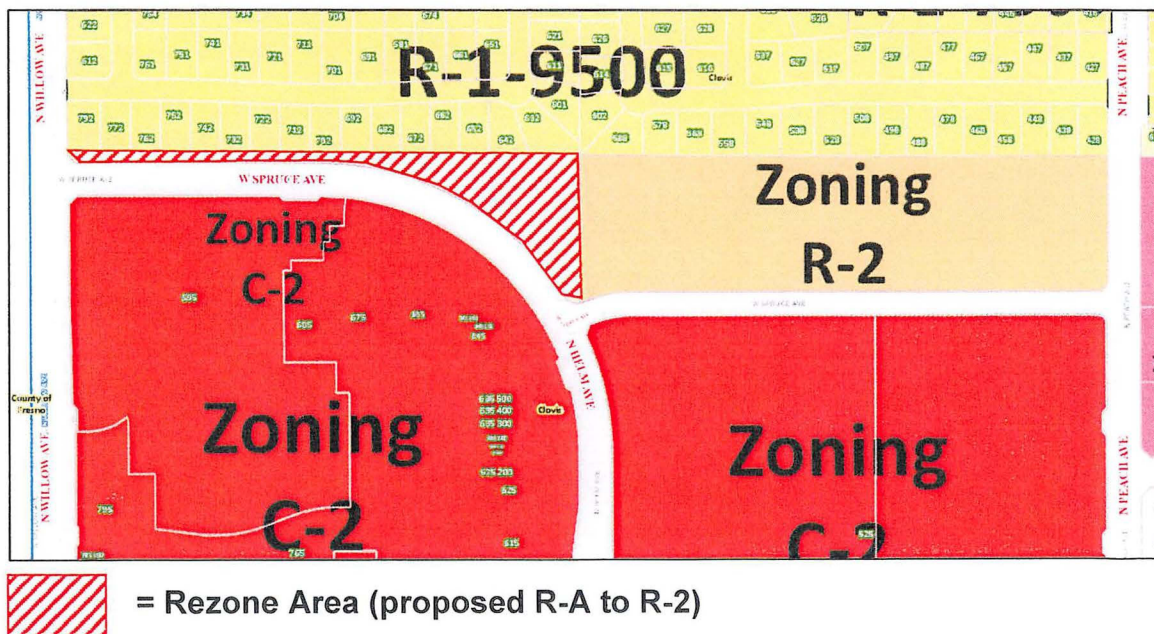
BACKGROUND

- General Plan Designation: Medium-High Density Residential (7.1-15.0 DU/Ac)
- Specific Plan Designation: Herndon-Shepherd Specific Plan (Industrial)
- Existing Zoning: R-A (Single-Family Residential-24,000 Sq. Ft.)
R-2 (Low Density Multiple Family Residential)
(1 Unit / 3,000 Sq. Ft.)
- Lot Size: Approx. 12.50 acres
- Current Land Use: Vacant and Undeveloped
- Adjacent Land Uses:
 - North: Single-Family Residential
 - South: Vacant and Undeveloped
 - East: Vacant and Undeveloped / Industrial
 - West: Commercial
- Previous Entitlements: GPA84-03A/R85-06/R91-21/R91-21-A/
R2001-18/CUP91-14/SPR2004-17/
SPR2004-17A-A5

Figure 1 – Project Location



Figure 2 – Proposed Rezone



PROPOSAL AND ANALYSIS

The applicant's proposal, which was presented to the Planning Commission on July 11, 2019, includes requests for approval of R2019-004, CUP2019-004, TM6262, and V2019-001 to construct 185 townhome units as a part of a gated Planned Residential Development (PRD).

The applicant's proposal includes modifications that were made throughout the process leading up to Planning Commission based on public concerns and comments received at a May 15, 2019 neighborhood meeting voluntarily held by the applicant.

Each of the required entitlements and modifications made as a result of public comment are described and analyzed in more detail within this report.

Rezone

The proposed rezone is required for the Project site to be consistent with the site's Medium-High Density Residential land use designation as identified in the General Plan Land Use Diagram; therefore, the applicant is requesting to rezone a portion of the Project site as shown in **Figure 2**, from the R-A (Single Family Residential-24,000 Sq. Ft.) Zone District to the R-2 (Low Density Multiple Family Residential) (1 Unit / 3,000 Sq. Ft.) Zone District.

The area being rezoned was initially identified in a previous rezone application (R91-21), however was inadvertently excluded from Council approval and adoption of the associated ordinance. The rezoning of this area is a cleanup action necessary for development as well as meeting the Government Code to maintain a consistent zone map with the General Plan. The remaining portion of the Project site is currently zoned R-2 and, therefore, would not need to be rezoned as part of the Project.

Traffic

A Traffic Impact Study was prepared by Peters Engineering on May 14, 2019. The potential for traffic impacts have been analyzed and addressed in the Initial Study prepared for the Project included as **Attachment 2**. In summary, the Project was found to result in less-than-significant impacts with implementation of the mitigation measures identified in the Initial Study, which includes payment of a fair share portion for the design and construction of a future roundabout at the intersection of Helm and Spruce Avenues.

At the July 11, 2019 Planning Commission hearing, there were public comments regarding the potential for additional traffic, especially during holidays caused by the adjacent shopping center. Although traffic would increase temporarily during holidays, roadways are not necessarily planned for these periodic increases that are in fact temporary in nature. According to the Traffic Impact Study, the traffic that would result from the Project itself would be less than significant and would be accommodated in accordance to City standards with the existing roadway infrastructure.

Further, the Project, as a condition of approval and mitigation measure, would be required to pay a fair share cost for the future construction of a traffic control device at the intersection of Helm and Spruce Avenue, such as a roundabout. In order to complete the roundabout, the City would explore opportunities for grant funding and/or through development fees from future nearby development.

Homeowner's Association

As a proposed gated Planned Residential Development, a Homeowner's Association (HOA) would be established in order to maintain open space areas, provide enforcement within the development, and for maintenance of the private roadway network serving the development.

Conditional Use Permit

As part of the Project, the applicant is requesting a Planned Residential Development, which allows for flexibility from the development standards otherwise required under the R-2 Zone District and the City's Multiple Family Residential Design Guidelines. Planned Residential Developments are allowed under Chapter 9.66, Planned Development Permits, of the Clovis Municipal Code.

The purpose of Chapter 9.66 is to provide a method whereby land may be designed and developed by taking advantage of modern site planning techniques thereby resulting in more efficient use of land and a better living environment than is otherwise possible through strict application of the development standards.

Development Standards

The applicant has provided proposed development standards for individual lots as shown in **Attachment 5** and summarized below. In addition to standards for the individual lots, there are overall development standards for the Project as a whole (i.e. not applicable to the individual lots).

Individual Lot Development Standards:

Minimum Lot Size:	1,000 square feet
Minimum Parcel Width:	20 feet
Minimum Parcel Depth:	50 feet
Maximum Height:	35 feet (2 stories)
Minimum Front Setback:	0 feet
Minimum Side Setback:	0 feet
Minimum Rear Setback:	0 feet
Maximum Site Coverage:	100% (no maximum)

Garages (minimum): 20' x 20' interior dimension (2-car garage)

Overall Development Standards:

Minimum Front Setback: 15 feet
Minimum Street Side Setback: 15 feet
Minimum Rear Setback: 6 feet – 6 inches
Accessory Structure Maximum Height: 12 feet

Parking

The applicant proposes 2-car garages with direct access to each of the units, along with one (1) uncovered guest space per unit for a total of 555 parking spaces (370 garage spaces and 185 uncovered guest spaces). This is consistent with the parking requirements required under Section 9.32.040 of the Clovis Municipal Code.

During review of the Project, the Police Department expressed concern with overflow parking onto adjacent streets which could increase the potential for vehicle burglaries and vandalism for those vehicles parked outside of the gated areas. To address this concern, a condition of approval has been included to designate the adjacent streets outside of the gated development as "No Parking."

Residential Site Plan Review

A subsequent Residential Site Plan Review will follow this application in order to allow staff to review and memorialize landscaping, open spaces, architecture, and elevations.

Landscape

As part of the Project, the applicant will be required to install landscaping throughout the site including areas such as required setbacks, outlots, and other open space areas. A separate staff level review of landscape plans ensure compliance with the City of Clovis Water Efficient Landscape Requirement, as well as placement and location of landscaping. The applicant has provided a conceptual landscape plan, included as **Attachment 6**.

Amenities

Chapter 9.66 of the Clovis Municipal Code provides for flexibility in development standards as a mechanism to accommodate new types of projects that may not otherwise comply with strict adherence to typical development standards. As part of that request, Planned Residential Developments are required to provide amenities in proportion to the request.

In return for the reduced lot sizes, reduced setbacks, and increased lot coverage, the applicant proposes to construct a swimming pool and shade structure for its residents, as well as provide several landscaped open space areas throughout the site (i.e. outlots). The applicant is also

providing a bicycle lane along the north side of the Spruce Avenue frontage for safer bicycle circulation.

Vesting Tentative Tract Map

The Project includes a Vesting Tentative Tract Map TM6262. The map includes 185 lots and is consistent with the requirements of the Subdivision Map Act.

Circulation and Lot Sizes

The Project would be accessible from two (2) points of ingress/egress along the Spruce Avenue frontage at the southern portion of the site. There are no proposed access points along Peach Avenue on the east side or Spruce Avenue at the western portion of the site (i.e. where Helm Avenue becomes Spruce Avenue). The Project includes public sidewalks along the Spruce Avenue frontage, completing the connection between Spruce and Peach Avenues.

The Project includes 20- to 26-foot wide private streets for internal circulation, as well as private drive aisles providing direct access to each townhome. The minimum width for drive aisles per the Development Code and the Multiple Family Design Guidelines is 26 feet; however, the applicant is requesting a Variance (V2019-001), for a reduction to 20 feet in some areas to accommodate the Project and to maximize the setback along the north property line. This request is discussed further under the "Variance" section of this staff report.

The Project proposes 185-lots ranging in size from approximately 1,111 square feet to 1,783 square feet, for an average lot size of approximately 1,220 square feet. Based on the Project site's size at 12.50 acres and 185 proposed units, the density is 14.8 dwelling units per acre (DU/Ac), which is consistent with the density requirements of the Medium-High Density land use designation.

Outlots

As part of Vesting Tentative Tract Map TM6262, the applicant is proposing several outlots within the development for landscape and recreational purposes for residents. These outlots would include a mix of landscape and hardscape providing aesthetic amenities for the development. The design elements for the outlots would be reviewed under the required Residential Site Plan Review process. Upon completion, these areas will be maintained by HOA.

Variance

Variance V2019-001 is a request to approve a variance to reduce the minimum drive aisle width from 26 feet to 20 feet for portions of the private roadway network to accommodate a 185-unit townhome project. This request for variance is in response to neighborhood feedback regarding the setback along the northern property line and would allow for a greater setback providing an increased buffer between the Project and the existing neighborhood to the north.

Under State law, four findings of fact must be considered in order to grant a variance to the development standards of any zone district.

Finding 1: There are exceptional or extraordinary circumstances or conditions applicable to the property involved which do not apply generally to other properties in the vicinity having the identical zoning classification.

Applicant's Statement: "Based upon the narrow shape of the overall property and the size and configuration of the buildings, the private access road shown as Road "C" had to be reduced to 20-foot curb to curb from the standard 26-feet. The access within the street and adjacent parking will not be impacted from the reduction in width."

Staff Response: Due to the narrow and unique shape of the Project site, this variance request will allow the existing property to comply with the upper end of the density range previously planned and anticipated for the site, as well as address concerns from the neighborhood regarding the size of the setback along the north property line. Staff supports the reduction of the drive aisle width as requested.

Finding 2: Such variance is necessary for the preservation and enjoyment of a substantial property right of the applicant, a right that is possessed by other property owners under like conditions in the vicinity having identical zoning classification.

Applicant's Statement: "The community will include a private looped access road that will provide for optimal ingress and egress similar to other multi-family communities in the vicinity. The overall community design with the looped access road shown as Road "C" provides for the preservation & enjoyment of a substantial property right."

Staff Response: The variance is required of the property in order for the applicant to develop a product within the higher end of the density range planned for this site under the Clovis General Plan land use designation and the R-2 Zone District and to provide the existing neighborhood to the north with continued privacy of their yard. Therefore, staff supports a reduction in the drive aisle width as requested.

Finding 3: The granting of the variance will not be materially detrimental to the public welfare or injurious to property and improvements in the vicinity of which the property is located.

Applicant's Statement: "The granting of this variance will provide for a community consistent with other multi-family communities in the vicinity that will take advantage of good ingress and egress throughout the community that will not be detrimental to the public welfare or injurious to property and improvements."

Staff Response: The granting of this variance will not detract or detrimentally affect adjacent property owners or the general public welfare. The proposed drive aisle width would not negatively affect the site nor area properties. The proposed reduction in drive aisle was

reviewed by the Clovis Fire Department and determined to be sufficient for emergency circulation. Therefore, staff supports a reduction in the drive aisle width as requested.

Finding 4: The granting of such variance will not be contrary to the objectives of the General Plan.

Applicant's Statement: "The proposed multi-family is consistent with the density and land use requirements as provided by the General Plan. The granting of such variance will not be contrary to the objectives of the General Plan."

Staff Response: The subject lot is designated for the type of development proposed and the variance would allow for the Project to develop at a density within the density range planned for the site. The objectives of the General Plan would not be compromised by the granting of this variance request. Therefore, staff supports a reduction in the drive aisle width as requested.

Drive aisle widths are specified in order to provide safe circulation throughout the City. Although it is standard to have a minimum drive aisle width of 26 feet, 20-feet was deemed acceptable for this site, as it would not affect the overall safety and circulation as a private drive aisle. The Clovis Fire Department reviewed the proposed reduction and determined that there would be no conflict with the reduced drive aisle width.

Staff feels that the variance would allow the applicant to address neighborhood concerns regarding the setback along the northern property line in that the granting of the variance essentially allows for the entire site to shift south approximately five (5) feet, providing an increased north setback.

Consistency with General Plan Goals and Policies

Staff has evaluated the Project in light of the General Plan Land Use goals and policies. The following goals and policies reflect Clovis' desire to maintain Clovis' tradition of responsible planning and well managed growth to preserve the quality of life in existing neighborhoods and ensure the development of new neighborhoods with an equal quality of life. The goals and policies seek to foster more compact development patterns that can reduce the number, length, and duration of auto trips.

Goal 5: A city with housing, employment, and lifestyle opportunities for all ages and incomes of residents.

Policy 5.1 Housing variety in developments. The Clovis General Plan has been planned to provide a variety of housing product types suitable to each stage of a person's life. Each development should contribute to a diversity of housing sizes and types within the standards appropriate to the land use designation. This policy does not apply to projects smaller than five acres.

Policy 5.3 **Innovative housing.** Encourage innovative housing product types, including multigenerational, cooperative, and variations on live-work housing.

Policy 3.5 **Fiscal sustainability.** The City shall require establishment of community facility districts, lighting and landscaping maintenance districts, special districts, and other special funding or financing tools in conjunction with or as a condition of development, building or permit approval, or annexation or sphere of influence amendments when necessary to ensure that new development is fiscally neutral or beneficial.

Review and Comments by Agencies

The Project was distributed to all City Divisions as well as outside agencies, including CalTrans, Clovis Unified School District, Fresno Irrigation District, Fresno Metropolitan Flood Control District, AT&T, PG&E, San Joaquin Valley Air Pollution Control District, and the State Department of Fish and Wildlife.

Comments received are included in **Attachment 7** only if the agency has provided concerns, conditions, or mitigation measures. Routine responses and comment letters are placed in the administrative record and provided to the applicant for their records.

California Environmental Quality Act (CEQA)

The City of Clovis has completed an environmental review (an assessment of the project's impact on natural and manmade environments) of the proposed Project, as required by the State of California. The City Planner has recommended approval of a Mitigated Negative Declaration (a written statement announcing that this project will not have a significant effect on the environment with implementation of mitigation measures). Recommendation of a proposed Mitigated Negative Declaration does not necessarily mean this Project will be approved.

The City published notice of this public hearing in The Business Journal on Friday, June 21, 2019.

Public Outreach

Although not required by the Clovis Municipal Code for the Project, the applicant voluntarily conducted public outreach on several occasions with neighbors throughout the process. The applicant has worked closely with City staff to address comments and concerns as they arose, and, in many cases, altered the Project layout to address these concerns, as further described below in more detail.

Neighborhood Meeting

On May 15, 2019 at 6:00 p.m., the applicant voluntarily held a neighborhood meeting at Garfield Elementary School. Property owners within a 600 foot radius of the Project site were invited,

which is consistent with the notification radius that the City policy for notifications for this type of Project. Approximately 26 neighbors attended the meeting to provide input on the Project. The neighborhood meeting began with a brief presentation by the applicant and their team, followed by a session of questions and answers. Following the meeting, the applicant made themselves available for individual questions.

Based on the site plan proposed at the neighborhood meeting, the primary concerns were regarding the proposed location of trash enclosures, the amount of setback along the northern property line, protection of existing trees in the backyards of the adjacent neighborhood during construction, as well as concerns regarding new landscape potentially affecting existing solar panels.

Trash Enclosures

The initial site plan presented at the neighborhood meeting proposed several enclosures on the north side of the northern most drive aisle within the setback adjacent to single-family homes. Due to neighbor concerns of those enclosures being in close proximity to backyards of several homes, the applicant revised the site plan showing enclosures now on the south side of the drive aisle, which are no longer adjacent to the property lines of the neighbors.

Existing Trees

Also, there were concerns regarding protection of a few existing mature trees located along the north property line within backyards of the adjacent neighborhood. Several properties have large trees that have branches and limbs as well as root systems extending over the property line. To address this concern, the applicant hired an arborist to assess the trees and to work with the neighbors to ensure appropriate pruning and adequate protection of the existing trees during construction activities.

Solar

Lastly, an abutting resident had expressed concern regarding new landscaping potentially affecting operation of her solar panels. The applicant reached out to the applicant and will ensure that landscape near that area would be of the type and variety that would not impede the operation of solar panels.

Public Comments

Following the neighborhood meeting up until the finalization of this Staff Report, comment letters were received. These comment letters are provided in **Attachment 8**, and summarized below.

- Sherri and Clint Geer, May 23, 2019: Mr. and Mrs. Geer provided a comment letter with general concerns, comments, and questions regarding location of the trash enclosures, height of the townhomes, and size of the setback along the north property line.

- Katie and Aaron Hoskins, June 7, 2019: Mr. and Mrs. Hoskins provided a comment letter with concerns regarding operation of their solar panels and requested that the foliage of any new landscaping does not impede the sun such that operation of the solar arrays would be disturbed. The Hoskins' also provided a comment regarding the size of the retaining wall.
- Laura Rios, June 10, 2019: Ms. Rios provided a comment letter with concerns regarding traffic, height of the townhomes, and the placement of trash enclosures. Further, concerns were expressed regarding the potential for crime from higher density housing, as well as the concern for a potential decrease in property values as a result of the Project.
- Bob and Tracy Pennell, June 14, 2019: Mr. and Mrs. Pennell provided a comment letter expressing concerns regarding protection of their trees during construction of the Project. Also, the comment letter requested consultation under Assembly Bill 52 (AB52), a State law requiring consultation if requested by Native tribes.
- Sherri and Clint Geer, June 28, 2019: Mr. and Mrs. Geer provided a second comment letter with general concerns, comments, and questions regarding height of the townhomes and height of the wall along the northern property line.
- Trisha Frazier, July 9, 2019: Ms. Frazier provided a comment letter expressing concerns regarding the type of landscaping that would be planted behind her home given her sensitive allergies to certain plant and tree type.
- Ryan McNeil, July 10, 2019: Mr. McNeil provided a comment letter expressing concern with the maximum height, privacy, location of trash receptacles, and clarification on the extent and location of the northern property line wall.

In response to the comments received, both staff and/or the applicant have reached out individually to the commenters to discuss their concerns. Staff met in person with Mr. and Mrs. Geer, Mr. and Mrs. Pennell, and spoke to Mr. and Mrs. Hoskins on the phone. Attempts by staff were made to meet with Ms. Rios, however, was unsuccessful. Further, staff talked with Ms. Frazier on the phone regarding her concerns. Soon after, the applicant had their landscape architect reach out to discuss preliminary planting type so that appropriate landscaping would be placed near Ms. Frazier's residence to minimize potential allergens.

Subsequent to comments received, staff and the applicant provided clarification on the concerns expressed such as the building heights as well as working together on solutions for the protection of existing mature trees, and to ensure that new landscaping would not impede solar panels. As a result of these conversations, conditions of approval were added to address these concerns.

Also, in response to receiving recurring comments of similar concerns such as setbacks, height, and trash enclosure locations, the applicant mailed a supplemental notification clarifying these

items to the neighbors in attendance of the neighborhood meeting in addition to any interested area individuals.

Planning Commission Comments July 11, 2019

The Planning Commission considered the Project on Thursday, July 11, 2019. Public concerns were raised about residents potentially using the adjacent neighborhood to the north for overflow parking; however, based on the proposed site plan, the distance from the adjacent neighborhood to the Project discourage residents from parking in that area. Further, the parking on the Project site meets the Development Code requirements by providing 2 covered spaces per unit and 1 additional space (uncovered) for each unit, for a total of 3 vehicle spaces per unit.

Commissioner Hinkle raised a question regarding the applicant providing electric vehicle (EV) charging stations. The applicant would provide EV charging capability in each garage unit, consistent with California Green (CAL Green) Building Code requirements.

Other comments were raised about the Project's potential to impact nearby schools, namely Garfield Elementary. As typical, the City works closely with the Clovis Unified School District (CUSD) as projects are proposed. As such, CUSD representatives were distributed the project during the Development Review Committee (pre-application) phase of the Project, as well as when the Project was formally submitted for review. Further, the Project site has been designated for Medium-High Density Residential uses since for more than 20 years, thus, the CUSD has been aware and have theoretically planned and accounted for development at such density. As provided in **Attachment 7**, CUSD provided a comment letter dated May 23, 2019 in response to the Project indicating that the Project is within the Garfield Elementary attendance area and that it is possible that adjustment of school attendance areas could be adjusted in the future. As shown in their letter, Garfield has a capacity of 800 students and currently has 702 enrolled for the 2018-19 school year.

Planning Commission minutes are provided in **Attachment 9**.

FISCAL IMPACT

None.

REASON FOR RECOMMENDATION

Rezone R2019-004

The proposed rezone is consistent with the goals and policies of the General Plan Land Use Diagram and Development Code. Staff therefore recommends that the City Council approve Rezone R2019-004.

The findings to consider when making a decision on a rezone application include:

1. The proposed amendment is consistent with the goals, policies, and actions of the General Plan; and
2. The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or general welfare of the City.
3. The parcel is physically suitable (including absence of physical constraints, access, and compatibility with adjoining land uses, and provision of utilities) for the requested zoning designations and anticipated land uses/projects. (§ 2, Ord. 14-13, eff. October 8, 2014)

Vesting Tentative Tract Map TM6262

The proposed rezone is consistent with the goals and policies of the General Plan Land Use Diagram and Development Code. Staff therefore recommends that the City Council approve Rezone R2019-004.

The findings to consider when making a decision on a tentative subdivision map application are as follows:

1. The proposed map, subdivision design, and improvements are consistent with the General Plan and any applicable specific plan;
2. The site is physically suitable for the type and proposed density of development;
3. The design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat;
4. The design of the subdivision or type of improvements is not likely to cause serious public health or safety problems;
5. The design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision. This finding may also be made if the review authority finds that alternate easements for access or use will be provided, and that they will be substantially equivalent to ones previously acquired by the public. This finding shall apply only to easements of record, or to easements established by judgment of a court of competent jurisdiction, and no authority is hereby granted to the review authority to determine that the public at large has acquired easements of access through or use of property within the proposed subdivision;

6. The discharge of sewage from the proposed subdivision into the community sewer system will not result in violation of existing requirements prescribed by the California Regional Water Quality Control Board;
7. The design of the subdivision provides, to the extent feasible, passive or natural heating and cooling opportunities; and
8. The proposed subdivision, its design, density, and type of development and improvements conform to the regulations of this Development Code and the regulations of any public agency having jurisdiction by law.

In light of court decisions, it is appropriate for the City to make findings of consistency between the required dedications and the proposed development. Every dedication condition needs to be evaluated to confirm that there is a rough proportionality, or that a required degree of connection exists between the dedication imposed and the proposed development. The City of Clovis has made a finding that the dedication of property for this Project satisfies the development's proportionate contribution to the City's circulation system. The circulation system directly benefits the subject property by providing access and transportation routes that service the site.

Conditional Use Permit CUP2019-004

The proposed conditional use permit is consistent with the goals and policies of the General Plan Land Use Diagram and Development Code. Staff considers the proposed changes a benefit to the community by allowing a larger home within the neighborhood without the need to reduce the land density. Staff therefore recommends that the City Council approve CUP2019-004, subject to the conditions of approval attached as **Attachment 1**.

The findings to consider when making a decision on a conditional use permit application include:

1. The planned development permit would:
 - a. Be allowed within the subject base zoning district;
 - b. Be consistent with the purpose, intent, goals, policies, actions, and land use designations of the General Plan and any applicable specific plan;
 - c. Be generally in compliance with all of the applicable provisions of this Development Code relating to both on- and off-site improvements that are necessary to accommodate flexibility in site planning and property development and to carry out the purpose, intent, and requirements of this chapter and the subject base zoning district, including prescribed development standards and applicable design guidelines; and
 - d. Ensure compatibility of property uses within the zoning district and general neighborhood of the proposed development.

2. The proposed project would produce a comprehensive development of superior quality (e.g., appropriate variety of structure placement and orientation opportunities, appropriate mix of structure sizes, high quality architectural design, increased amounts of landscaping and open space, improved solutions to the design and placement of parking facilities, incorporation of a program of enhanced amenities, etc.) than which might otherwise occur from more traditional development applications;
3. Proper standards and conditions have been imposed to ensure the protection of the public health, safety, and welfare;
4. Proper on-site traffic circulation and control is designed into the development to ensure protection for fire suppression and police surveillance equal to or better than what would normally be created by compliance with the minimum setback and parcel width standards identified in Division 2 of this title (Zoning Districts, Allowable Land Uses, and Zone-Specific Standards);
5. The subject parcel is adequate in terms of size, shape, topography, and circumstances to accommodate the proposed development;
6. The design, location, operating characteristics, and size of the proposed development would be compatible with the existing and future land uses in the vicinity, in terms of aesthetic values, character, scale, and view protection (§ 2, Ord. 14-13, eff. October 8, 2014);
7. The proposed project has been reviewed in compliance with the provisions of the California Environmental Quality Act (CEQA), and there would be no potential significant negative effects upon environmental quality and natural resources that would not be properly mitigated and monitored, unless findings are made in compliance with CEQA. (§ 2, Ord. 14-13, eff. October 8, 2014); and
8. The City Council does find the project in substantial conformance with the environmental analysis performed for the 2014 General Plan Update and 2014 Development Code Update pursuant to CEQA guidelines.

Variance V2019-001

After evaluating this variance request subject to the "Findings of Fact", staff is able to support the request to reduce the drive aisle width from 26 feet to 20 feet as shown on Attachment 4 for the property located at Assessor Parcel Numbers (APNs) 561-260-10 and 561-260-17.

This staff report and attachments provide the evidentiary support for the necessary findings for approval of a variance request. The findings to consider when making a decision on a variance application include:

1. The request does not constitute a use variance and is, therefore, within the scope of State Planning Law;
2. There are exceptional or extraordinary circumstances or conditions applicable to the property involved which do not apply generally to other property in the vicinity having the identical zoning classification.
3. Such variance is necessary for the preservation and enjoyment of a substantial property right of the applicant, which right is possessed by other property owners under like conditions in the vicinity having the identical zoning classification.
4. The granting of this variance will not be materially detrimental to the public welfare or injurious to property and improvements in the vicinity in which the property is located; and
5. The granting of such a variance will not be contrary to the objectives of the General Plan.
6. That, based upon the Initial Study and comments received; there is no substantial evidence that the Project will have a significant effect on the environment.

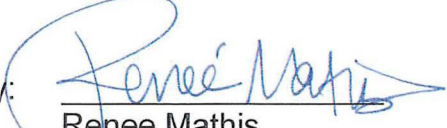
ACTIONS FOLLOWING APPROVAL

The second reading of the Rezone Ordinance will be heard by the City Council at its next regular meeting and if approved, will go into effect 30 days from its passage and adoption.

NOTICE OF HEARING

Property Owners within 600 feet notified:	172
Interested individuals notified:	10

Prepared by: Ricky Caperton, AICP, Senior Planner

Submitted by: 
Renee Mathis
Assistant Director
Planning and Development Services

Conditions of Approval

ATTACHMENT 1

ATTACHMENT 1

Conditions of Approval Planning Division Comments

(Ricky Caperton, AICP, Senior Planner – 559-324-2347)

Conditions of Approval - Rezone R2019-004

1. This Project is subject to the development standards of the General Plan Land Use Diagram, R-2 Zone District, Herndon-Shepherd Specific Plan, and Multiple Family Design Guidelines, except where adjustments are approved under CUP2019-004. The density shall remain between 7.1 and 15.0 dwelling units per acre, consistent with Project site's Medium-High Density Residential designation.
2. R2019-004 approves a rezone of Assessor's Parcel Number (APN) 561-260-10 from the R-A (Single-Family Residential-24,000 Sq Ft) to the R-2 (Low Density Multiple Family Residential) (1 Unit/3,000 Sq Ft) Zone District.

Conditions of Approval - CUP2019-004 / TM6262

3. CUP2019-004 is approved per **Attachments 4**, and **5**. Development standards shall comply with those identified in **Attachment 5**, and shown on **Attachment 4**, which allows for modifications to the site's setbacks, lot coverage, and drive aisle width.
4. TM6262 is approved per **Attachment 4**.
5. Spruce Avenue along the western property line shall have a minimum 15-foot landscape setback.
6. Spruce Avenue along the southern property line shall have a minimum 15-foot landscape setback.
7. Peach Avenue along the eastern property line shall have a minimum 20-foot landscape setback.
8. Due to the meandering drive aisle along the northern portion of the property, the rear setback along the north property line shall be per **Attachment 4** and shall have a minimum landscape setback of 6 feet 6 inches, and minimum 20 foot setback to the nearest structure.
9. Garages shall be a minimum dimension of 20' x 20' (interior clear).
10. Maximum building (main structures) height shall not exceed thirty-five (35) feet.
11. Setbacks shall be measured to the exterior face of the framing of the structure. Exceptions to the setbacks are identified in §9.24.100, of the Clovis Development Code.

12. This Project requires the submittal and approval of a residential site plan review. Specific color and materials of the models, walls, landscaping, and fencing will be evaluated.
13. The developer shall construct a minimum six-foot high solid wall along the length of the northern property line. This wall shall be similar in material and size of the existing partially constructed wall.
14. The developer shall enter into a Homeowner's Association (HOA) covenant regarding the maintenance of open/park space, common areas, and private drive aisles. Such agreements shall be disclosed to all future home buyers. The HOA shall be formed and functioning prior to tract acceptance.
15. Upon final recordation of this tentative tract map, it shall be the applicant's responsibility to furnish to the Planning Department an electronic (PDF) copy of the original map obtained from the Fresno County Recorder's Office.
16. The applicant shall relay all conditions of approval for Vesting Tentative Tract Map TM6262 to all subsequent purchasers of individual lots, if applicable, and/or to subsequent purchasers of this entire tract map development.
17. The applicant shall record a Notice of Nonconformance dealing with any structure used for model homes where the garage is converted for the use as a sales office.
18. The applicant shall install a bicycle lane along the north side of Spruce Avenue along the site's frontage. This bicycle lane shall be constructed to City standards.
19. All lighting shall be screened from direct view from the public right-of-way and adjacent residential properties.
20. All landscaping shall conform to the City of Clovis Water Efficient Landscape Ordinance. Landscape shall be planned and installed so as not to impede operation of solar panels on the existing homes to the north.
21. There shall be no parking located on Spruce or Peach Avenues. The developer shall install appropriate signage indicating "No Parking" consistent with City standards.
22. The developer shall comply with all mitigation measures identified in the Initial Study Mitigated Negative Declaration prepared for the Project, included as **Attachment 1** to the staff report.
23. The developer shall install a six-foot high wrought iron fence along the west, south, and eastern property lines. The overall design of the fence will be reviewed during the residential site plan review process. The fence shall include decorative pilasters in the design and include appropriate pedestrian ingress/egress.

24. The Project shall maintain a minimum of 2 covered vehicle spaces per unit and 1 covered or uncovered guest vehicle spaces per unit. Guest parking spaces shall be constructed in compliance with the standards identified in Chapter 9.32, Parking and Loading Standards, of the Clovis Municipal Code.
25. The Project developer or arborist shall work with adjacent neighbors along the north property line to ensure appropriate pruning and/or protection of mature trees during construction activities, as well as during operation of the Project. This may include advance notice to these property owners and residents of when and how any pruning of trees would occur.
26. The applicant shall obtain City approval in advance of temporary and permanent subdivision signs through separate sign review, consistent with the development criteria of the Clovis Municipal Code.
27. The developer shall contact cultural resources staff at Table Mountain Rancheria prior to ground-disturbance to coordinate a training session on how to appropriately identify potential artifacts.
28. All transformers for this subdivision can be located above ground subject to review and approval of the required landscape screening material. Landscaping shall be reviewed through the residential site plan review process. Transformers shall not be placed in public space.
29. The applicant shall install pedestrian lighting along common areas. Spacing and location will be evaluated during residential site plan review.

Conditions of Approval - V2019-001

30. V2019-001 is approved to allow for reduced drive aisle widths on from 26 feet to 20 feet in the locations shown on **Attachment 4** in association with Tract 6262.
31. All conditions of R2019-004 and CUP2019-004 are hereby made a part of this variance approval.
32. Any further exceptions to the R-2 or standards established under CUP2019-004 shall require a separate variance and/or appropriate amendment.

Police Department Conditions

(Curtis Shurtliff, Department Representative - 324-3415)

33. The Clovis Police Department requests this development to be gated for all vehicle and pedestrian traffic. All streets within this project shall be private and the community maintained by an HOA.
34. The Clovis Police Department requests this development to be completely secured with a minimum 6 foot fence, and a masonry wall to the north to protect the privacy of the residence.

35. Because this development will potentially bring 370 vehicles to this neighborhood, The Police Department request a minimum of two parking stalls per house hold to prevent overflow parking from the medium-high density development into near-by neighborhoods which based on our study will cause blight issues, vehicle burglaries and vehicle thefts.
36. Because of additional students attending the nearby Buchanan Educational Center complex, the Police Department is requesting "Bicycle Lanes" be installed on the north side of Spruce Ave for students to safely traverse their route to this facility.

Fire Department Conditions

(Gary Sawhill, Department Representative - 324-2224)

37. **Street Width:** Fire apparatus access width shall be determined by measuring from "base of curb" to "base of curb" for roadways that have curbs. When roadways do not have curbs, the measurements shall be from the edge of the roadway surface (approved all weather surface).
38. **Street Width for Single Family Residences:** Shall comply with Clovis Fire Standard #1.1
39. **Turning Radius:** All access way roads constructed shall be designed with a minimum outside turning radius of forty-five feet (45')
40. **Security Gates:** All security gates shall comply with Clovis Fire Department Gates Standard #1.5. Plans shall be submitted for review and permits issued by Fire Department prior to installation.
41. **Temporary Street Signs:** The applicant shall install temporary street signs that meet City Temporary Street Sign Standard #1.9 prior to issuance of building permits within a subdivision.
42. **All Weather Access & Water Supply:** The applicant shall provide all weather access to the site during all phases of construction to the satisfaction of the approved Clovis Fire Department Standard #1.2 or #1.3.
43. **Two Points of Access:** Any development to this parcel will require a minimum of two (2) points of access to be reviewed and approved by the Clovis Fire Department. All required access drives shall remain accessible during all phases of construction which includes paving, concrete work, underground work, landscaping, and perimeter walls.
44. **Fire Lane:** The fire lanes shall be painted red as per Clovis Fire Department Standard #1.1 and identified on site plan. All streets throughout subdivision shall be red curbed and marked Fire Lane.

45. **Private Street Names:** Private street names shall be consistent with public street names to the north and south or to the east and west alignments as approved by the Fire Department.
46. **Address Numbers:** Address numbers shall be installed on every building as per adopted Clovis Fire Department Standard #1.8.
47. **Residential Fire Hydrant:** The applicant shall install 13 4 ½" x 2 ½" approved Residential Type fire hydrant(s) and "Blue Dot" hydrant locators, paint fire hydrant(s) yellow with blue top and caps, and paint the curb red as specified by the adopted Clovis Fire Department Standard #1.4. Plans shall be submitted to the Clovis Fire Department for review and approval prior to installation. The hydrant(s) shall be charged and in operation prior to any framing or combustible material being brought onto the site. Hydrants curb markings and blue dots to be completed prior to occupancy of any homes.
48. **Looped Water Main:** The applicant shall install approved looped water main capable of the necessary flow of water for adequate fire protection and approved by the Clovis Fire Department.
49. **Residential Fire Sprinklers:** The applicant shall install an automatic fire sprinkler system in all new one- and two-family dwellings and manufactured homes as per NFPA 13D, 2016. Any covered patios or balconies shall be protected by fire sprinklers.
50. Provide a copy of the approved stamped site plan from the Planning Division. Site Plan shall include all fire department notes to verify compliance with requirements. Site plans included with this plan submittal are subject to the conditions on the Planning Division approved set.

ENGINEERING / UTILITIES / SOLID WASTE DIVISION CONDITIONS

(Sean Smith, Engineering Division Representative – 324-2363)

(Paul Armendariz, Department Representative – 324-2649)

Maps and Plans

51. The applicant shall have a final tract map prepared, in the form prescribed by the Subdivision Map Act and City of Clovis Municipal Code. The final tract map shall be submitted to the City of Clovis Engineering Division, and should include, but not be limited to, final tract map, the current filing fee, closure calculations, current preliminary title report, legal descriptions and drawings of required dedications.
52. The applicant shall submit separately to the City of Clovis Engineering Division, a set of construction plans on 24" x 36" sheets with City standard title block for all required improvements and a current preliminary title report. These plans shall be prepared by a registered civil engineer, and shall include a grading plan, landscape plan, a site plan showing trash enclosure locations and an overall site utility plan showing locations and sizes of sewer, water, storm drain, and irrigation mains, laterals,

manholes, meters, valves, hydrants, fire sprinkler services, other facilities, etc. Plan check and inspection fees per City of Clovis Resolution No. 18-61 shall be paid with the first submittal of said plans. All plans shall be submitted at or before the time the building plans are submitted to the Building Division and shall be approved by the City and all other involved agencies prior to the release of any development permits.

53. Prior to the initial submittal of the improvement plans, the applicant shall contact Sean Smith at (559) 324-2363 to setup a coordination meeting (Pre-submittal Meeting).
54. Upon approval of improvement plans, the applicant shall provide the City with the appropriate number of copies. After all improvements have been constructed and accepted by the City, the applicant shall submit to the City of Clovis Engineering Division (1) digital copy to the City in PDF format of the approved set of construction plans revised to accurately reflect all field conditions and revisions and marked "AS-BUILT" for review and approval. Upon approval of the AS-BUILTs by the City, and prior to granting of final occupancy or final acceptance, the applicant shall provide (1) digital copy to the City in PDF format.

General Provisions

55. The applicant shall pay all applicable development fees at the rate in effect at the time of payment and prior to final map approval by Council or have the fees payable directly to the City through a separate escrow account at the time of recordation of the map.
56. The applicant is advised that, pursuant to California Government Code, Section 66020, any party may protest the imposition of fees, dedications, reservations, or other exactions imposed on a development project by a local agency. Protests shall be filed in accordance with the provisions of the California Government Code and shall be filed within 90 days after conditional approval of this application is granted. The 90 day protest period for this project shall begin on the "date of approval" as indicated on the "Acknowledgment of Acceptance of Conditions" form.
57. The applicant shall install all improvements within public right-of-way and easements in accordance with the City of Clovis standards, specifications, master plans, and record drawings in effect at the time of improvement plan approval.
58. The applicant shall address all conditions, and be responsible for obtaining encroachment permits from the City of Clovis for all work performed within the City's right-of-way and easements.
59. The applicant shall submit a soils report or a waiver of soils report to the City of Clovis Engineering Division for approval by the City Engineer.
60. The applicant shall provide and pay for all geotechnical services per City policy.

61. The applicant shall comply with the requirements of the local utility, telephone, and cable companies. The City shall not accept first submittals without proof that the applicant has provided the improvement plans and documents showing all proposed work to the utility, telephone, and cable companies. All utility vaults in which lids cannot be sloped to match proposed finished grading, local utilities have 5% max slope, shall be located in sidewalk areas with pedestrian lids so the lid slope matches sidewalk cross slope.
62. All new utility facilities located on-site or within the street right-of-way along the streets adjacent to this tract shall be undergrounded unless otherwise approved by the City Engineer.
63. The applicant shall contact and address all requirements of the United States Postal Service Clovis Office for the location and type of mailboxes to be installed. The location of the facilities shall be approved by the City Engineer prior to approval of improvement plans or any construction.
64. The applicant shall contact and address Caltrans requirements. The applicant will be required to mitigate impacts to State Highway facilities as determined by the City Engineer.

Dedications and Street Improvements

65. The applicant shall provide right-of-way acquisition or dedicate free and clear of all encumbrances and/or improve the following streets to City standards. The street improvements shall be in accordance with the City's specific plans and shall match existing improvements. The applicant's engineer shall be responsible for verifying the type, location, and grades of existing improvements.
 - a. West Spruce Avenue – Along frontage between North Helm and North Peach Avenues, improve with sidewalk, drive approaches, curb return ramps, street lights.
 - b. Gated Developments – Provide ample vehicle stacking area outside the travel lanes of Spruce Avenue that will allow vehicles to wait as vehicles are accessing the control panel to open the security gates. Design a turn-around to allow vehicles that cannot enter the complex to return to the street without backing the vehicle up. Provide the Solid Waste Division with remote controls that will allow access for all solid waste and recycling vehicles.
 - c. Interior streets shall be private. For two-way traffic with no parking on both sides, the minimum travel width shall be 25' with a clear width of 30'. For two-way traffic with parking on one side, the minimum travel width shall be 32'. For two-way traffic with parking on both sides, the minimum travel width shall be 36'.

- d. Entry feature streets with median islands shall have a minimum of 22' wide travel lanes in each direction with parking or without parking.
 - e. The applicant shall relinquish all access to Peach Avenue.
66. The applicant shall pay the fair share cost of the traffic control improvements at Spruce and Helm Avenues prior to issuance of building permits with the option to prorate and/or defer fair share costs to occupancy of each unit and/or building, as approved by the City Engineer. The traffic control improvement currently proposed and recommended in the TIS is a roundabout that includes one entry lane on the eastbound and westbound approaches, two entry lanes on Helm Avenue (northbound and southbound), two circulating lanes adjacent to the east and west legs, and one circulating lane adjacent to the north and south legs. The ultimate configuration and/or any alternatives shall be approved by the City Engineer.
67. The applicant shall provide a dedication for a 10' public utility easement, where applicable, along all frontages or alternate widths approved by the utilities companies.
68. For new onsite ADA paths of travel that connect to the City sidewalk, the applicant shall replace enough sidewalk to provide a compliant landing with appropriate transitions to existing sidewalk grades.
69. The applicant shall remove and repair all damaged or broken concrete improvements, such as but not limited to the following list. The City Engineer may require the repair of additional improvements if they are damaged prior to occupancy.
- a. Chipped curb along the West Spruce Avenue frontage, between North Helm and North Peach Avenues,
 - b. Uplifted sidewalk along the West Spruce Avenue frontage, between North Willow and North Helm Avenues, and
 - c. Sunken water meter box along the West Spruce Avenue frontage, between North Willow and North Helm Avenues.
70. The applicant shall not install any fences, temporary or permanent in public right-of-way.

Sewer

71. The applicant shall identify and abandon all septic systems to City standards.
72. The applicant shall install sanitary sewer mains of the size and in the locations indicated below, prior to occupancy. The sewer improvements shall be in accordance with the City's master plans and shall match existing improvements. The applicant's

engineer shall be responsible for verifying the size, location, and elevations of existing improvements. Any alternative routing of the mains will require approval of the City Engineer and shall be supported by appropriate calculations.

- a. Interior Private Streets – install 8" mains.

73. The applicant shall install one (1) 4" sewer service house branch to each lot within the tentative tract.

Water

74. The applicant shall identify and abandon all water wells to City standards.

75. The applicant shall install water mains of the sizes and in the locations indicated below, and provide an adequately looped water system prior to occupancy. The water improvements shall be in accordance with the City's master plans and shall match existing improvements. The applicant's engineer shall be responsible for verifying the size, location, and elevations of existing improvements. Any alternative routing of the mains will require approval of the City Engineer and shall be supported by appropriate calculations.

- a. Interior Private Streets – install 8" mains.

76. The applicant shall provide dedication of 15-foot wide utility easements for all on-site water mains, hydrants, blow-offs, and water meters not located in otherwise dedicated rights-of-way.

77. The applicant shall install a City standard water service to each lot of the proposed subdivision. Water services shall be grouped at property lines to accommodate automatic meter reading system, including installation of connecting conduit. The water meter shall be placed in the sidewalk and not in planters or driveways.

78. All existing water services that will not be used with this development shall be abandoned by closing the service's corporation stop and creating a physical separation between the corporation stop and the service.

79. Prior to recording a final map of any phase, the applicant shall demonstrate to the satisfaction of the City Fire Chief and City Engineer that there is adequate water pressure to serve the units to be constructed. The applicant shall work with the City Engineer to determine the adequacy of water supply/pressure for the proposed development.

Grading and Drainage

80. The applicant shall contact the Fresno Metropolitan Flood Control District (FMFCD) and address all requirements, pay all applicable fees required, obtain any required

NPDES permit, and implement Best Available Technology Economically Achievable and Best Conventional Pollutant Control Technology to reduce or eliminate storm water pollution. Plans for these requirements shall be included in the previously required set of construction plans, and shall be submitted to and approved by FMFCD prior to the release of any development permits.

81. Grade differentials between lots and adjacent properties shall be adequately shown on the grading plan and shall be treated in a manner in conformance with City of Clovis Standard Drawing No. M-4 as modified by the City Council. Any retaining walls required on-site or in public right of way shall be masonry construction. All retaining walls shall be designed by a registered civil engineer.

Irrigation and Landscaping Facilities

82. The owner shall request annexation to and provide a covenant for the Landscape Maintenance District. The property owner acknowledges and agrees that such request serves as a petition pursuant to California State Proposition 218 and no further election will be required for the establishment of the initial assessment. The assessment for each lot shall be obtained from the City for the tax year following the recordation of the final map. The estimated annual assessment per average sized lot is \$183.00, which is subject to change prior to issuance of building permit or final tract map approval and is subject to an annual change in the range of the assessment in the amount of the Consumer Price Index, U.S. City Average, All Urban Consumers (CPI Index), plus two percent (2%). The owner/developer shall notify all potential lot buyers before they actually purchase a lot that this tract is a part of a Landscape Maintenance District and shall inform potential buyers of the assessment amount. Said notification shall be in a manner approved by the City. The owner/developer shall supply all pertinent materials for the Landscape Maintenance District.
83. The applicant shall comply with the City of Clovis Water Efficient Landscape Requirements Ordinance.
84. The applicant shall contact and address all requirements of the Fresno Irrigation District (FID). This may include dedicating easements, piping or relocating any existing FID canals and ditches, replacing any existing irrigation piping, concrete lining or improving any existing canals, construction or reconstruction of any canals, culverts, and bridge crossings. Plans for these requirements and improvements shall be included as in the previously required set of construction plans, and shall be submitted to and approved by FID prior to the release of any development permits or recording of the final tract map. If a FID or private irrigation line is to be abandoned, the applicant shall provide waivers from all downstream users.
85. All existing agricultural irrigation systems either on-site or in public right of way, whether FID or privately owned, shall be identified prior to any construction activity on the site. Service to all downstream users of irrigation water shall be maintained at all times through preservation of existing facilities or, if the existing facilities are required

to be relocated, the relocation and replacement of the existing facilities. It is the intent that downstream users not bear any burden as a result of development of the site. Therefore, the applicant shall pay all costs related to modification, relocation, or repair of any existing irrigation facilities resulting from or necessitated by the development of the site. The applicant shall identify on site plans and construction plans, all existing irrigation systems and their disposition (abandonment, repair, relocation, and/or piping). The applicant shall consult with the Fresno Irrigation District for any additional requirements for lines to be abandoned, relocated, or piped. The applicant shall provide waivers from all users in order to abandon or modify any irrigation pipelines or for any service interruptions resulting from development activities.

Miscellaneous

86. The applicant shall construct eleven (11) City of Clovis standard Type III trash enclosure (M-2 and M-3) including solid metal gates. Grease barrel enclosures shall be required for all grease producing businesses. The applicant shall provide paved access to and from the trash enclosure that must be accessible between 6 a.m. to 2:30 p.m. on the day(s) of service. The solid waste collection vehicles shall not be required to backup to service the trash enclosure. The trash enclosure shall be positioned to have front loading solid waste vehicle access. The concrete pad shall be inspected by the City prior to pouring of concrete. All access driveways to and from the trash enclosure shall be a minimum of 26' in width with large turn radius. Trash enclosures shall be setback a minimum of 5' from all driveways to minimize impact of gates left open and mitigate any visibility issues.
87. The applicant shall install street lights along the major streets on metal poles to local utility provider's standards at the locations designated by the City Engineer. Street light locations shall be shown on the utility plans submitted with the final map for approval. Street lights at future traffic signal locations shall be installed on approved traffic signal poles, including all conduits and pull boxes. Street lights along the major streets shall be owned and maintained by local utility providers. Proof of local utility provider's approval shall be provided.
88. The applicant shall install all major street monumentation and section corner monumentation within the limits of the project work in accordance with City Standard ST-32 prior to final acceptance of the project. Monumentation shall include all section corners, all street centerline intersection points, angle points and beginning and end of curves (E.C.'s & B.C.'s). The applicant/contractor shall furnish brass caps. Any existing section corner or property corner monuments damaged by this development shall be reset to the satisfaction of the City Engineer. A licensed land surveyor or civil engineer licensed to perform land surveying shall certify the placement of all required monumentation prior to final acceptance. Brass caps required for installation of new monuments or replacement of existing monuments shall be provided by the contractor/the applicant and approved by City prior to installation. Within five days after the final setting of all monuments has been completed, the engineer or surveyor shall give written notice to the City Engineer that the final monuments have been set.

Upon payment to the engineer or surveyor for setting the final monuments, the applicant shall present to the City Engineer evidence of the payment and receipt thereof by the engineer or surveyor.

89. A deferment, modification, or waiver of any engineering conditions will require the express written approval of the City Engineer.
90. The conditions given herein are for the entire development. Additional requirements for individual phases may be necessary pending review by the City Engineer.

Fresno Irrigation District

(Chris Lundeen, FID Representative – 233-7161 ext. 7410)

91. The Applicant shall refer to the attached Fresno Irrigation District correspondence. If the list is not attached, please contact the FID for the list of requirements.

County of Fresno Health Department Conditions

(Kevin Tsuda, County of Fresno Health Department Representative – 600-3271)

92. The Applicant shall refer to the attached Fresno County Health Department correspondence. If the list is not attached, please contact the Health Department for the list of requirements.

Caltrans

(Jamaica Gentry, Caltrans Representative – 488-7307)

93. The Applicant shall refer to the attached Caltrans correspondence. If the list is not attached, please contact the Caltrans for the list of requirements.

Clovis Unified School District

(Michael Johnston, CUSD Representative – 327-9000)

94. The Applicant shall refer to the attached CUSD correspondence. If the list is not attached, please contact the CUSD for the list of requirements.

San Joaquin Valley Air Pollution Control District

(Eric McLaughlin, SJVAPCD Representative – 230-5808)

95. The Applicant shall refer to the attached CUSD correspondence. If the list is not attached, please contact the CUSD for the list of requirements.

**Initial Study
Mitigated Negative Declaration**

ATTACHMENT 2



State of California - Department of Fish and Wildlife

2018 ENVIRONMENTAL FILING FEE CASH RECEIPT

DFW 753.5a (Rev. 01/03/18) Previously DFG 753.5a

RECEIPT NUMBER:

E201910000224

STATE CLEARINGHOUSE NUMBER (if applicable)

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY	LEAD AGENCY EMAIL	DATE
CITY OF CLOVIS		06/21/2019
COUNTY/STATE AGENCY OF FILING	DOCUMENT NUMBER	
FRESNO COUNTY	E201910000224	

PROJECT TITLE

R2019-004, CUP2019-004, TM622, V2019-001

PROJECT APPLICANT NAME	PROJECT APPLICANT EMAIL	PHONE NUMBER
CITY OF CLOVIS		(559) 324-2345
PROJECT APPLICANT ADDRESS	CITY	STATE
1033 FIFTH ST	CLOVIS	CA
		ZIP CODE
		93612

PROJECT APPLICANT (Check appropriate box)

☒ Local Public Agency ☐ School District ☐ Other Special District ☐ State Agency ☐ Private Entity

CHECK APPLICABLE FEES:

<input type="checkbox"/> Environmental Impact Report (EIR)	\$3,271.00	\$	0.00
<input type="checkbox"/> Mitigated/Negative Declaration (MND)(ND)	\$2,354.75	\$	0.00
<input type="checkbox"/> Certified Regulatory Program document (CRP)	\$1,077.00	\$	0.00

☐ Exempt from fee☐ Notice of Exemption (attach)☐ CDFW No Effect Determination (attach)☐ Fee previously paid (attach previously issued cash receipt copy)

<input type="checkbox"/> Water Right Application or Petition Fee (State Water Resources Control Board only)	\$1,112.00	\$	0.00
<input type="checkbox"/> County documentary handling fee	\$50.00	\$	0.00
<input checked="" type="checkbox"/> Other NOTICE OF INTENT		\$	0.00

PAYMENT METHOD:

☐ Cash ☐ Credit ☐ Check ☐ Other

TOTAL RECEIVED \$ 0.00

SIGNATURE

X

Nina Lopez

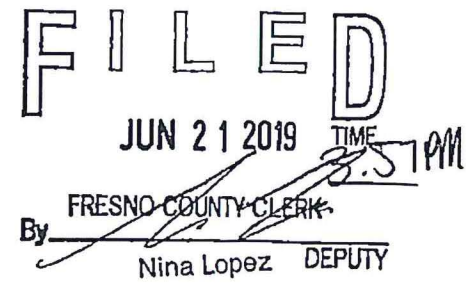
AGENCY OF FILING PRINTED NAME AND TITLE

Nina Lopez Deputy Clerk



CITY of CLOVIS
PLANNING & DEVELOPMENT
1033 FIFTH STREET • CLOVIS, CA 93612

E201910000224



For County Clerk Stamp

**NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION
NOTICE OF PUBLIC HEARING
NOTICE OF PUBLIC REVIEW OF A PROPOSED MITIGATED NEGATIVE DECLARATION**

NOTICE IS HEREBY GIVEN that on **Thursday, July 11, 2018, at 6:00 p.m.**, a public hearing will be conducted in the Council Chamber of the Clovis Civic Center, 1033 Fifth Street, Clovis, CA 93612. The Clovis Planning Commission will consider the following item:

Consider items associated with approximately 12.50 acres of property located at the northwest corner of Spruce and Peach Avenues. Edward J. and Janis M. Donaghy (Owners) / Ara Chekerdeman of Lennar Homes of California, Inc. (Applicant) / Keith Jolly of Morton Pitlo, Inc. (Representative).

1. R2019-004, A request to approve a rezone of a portion of the site from the R-A (Single-Family Residential – 24,000 Sq. Ft.) to the R-2 (Low Density Multiple Family Residential) (1 Unit/3,000 Sq. Ft.) Zone District.
2. CUP2019-004, A request to approve a conditional use permit for a 185-lot Planned Residential Development with private streets.
3. TM6262, A request to approve a vesting tentative tract map for a 185-lot planned residential development.
4. V2019-001, A request to approve a variance to reduce the minimum drive aisle width from 26 feet to 20 feet for portions of the private roadway network to accommodate a 185-unit townhome project for property located at Assessor Parcel Numbers (APNs) 561-260-10 and 561-260-17.

A Mitigated Negative Declaration has been completed for this project, pursuant to Section 15070 of CEQA. Recommendation of a proposed Mitigated Negative Declaration does not necessarily mean these projects will be approved. Hard copies and electronic copies of the proposed Mitigated Negative Declaration for this project may be reviewed and/or obtained at the City of Clovis Planning Division, 1033 Fifth Street, Clovis, California, Monday through Friday, between 8:00 a.m. and 4:00 p.m.

E701910000224

All interested parties are invited to comment in writing to the Planning Division by no later than 3:00 p.m. on July 11, 2019, and/or to appear at the hearing described above to present testimony in regard to the above listed requests. Questions regarding these items should be directed to Orlando Ramirez, Senior Planner at (559) 324-2345 or email at orlandor@cityofclovis.com.

If you would like to view the Planning Commission Agenda and Staff Reports, please visit the City of Clovis Website at www.cityofclovis.com. Select "Planning Commission Agendas" from right side of the main page under "Frequently Visited." Reports will be available approximately 72 hours prior to the meeting time.

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

Dwight D. Kroll, AICP, Planning and Development Services Director
PUBLISH: Friday, June 21, 2019, *The Business Journal*



CITY of CLOVIS
PLANNING & DEVELOPMENT
1033 FIFTH STREET • CLOVIS, CA 93612

E201910000224

For County Clerk Stamp

DRAFT MITIGATED NEGATIVE DECLARATION

Agency File No: R2019-004, CUP2019-004, TM6262, V2019-001

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

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

Project Title: Lennar Spruce Townhomes

Project Location: Northwest corner of Spruce and Peach Avenues in the City of Clovis, CA.

Project Description: Consider items associated with approximately 12.50 acres of property located at the northwest corner of Spruce and Peach Avenues. Edward J. and Janis M. Donaghy (Owners) / Ara Chekerdemian of Lennar Homes of California, Inc. (Applicant) / Keith Jolly of Morton Pitalo, Inc. (Representative).

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7. TM6262, A request to approve a vesting tentative tract map for a 185-lot planned residential development.
8. V2019-001, A request to approve a variance to reduce the minimum drive aisle width from 26 feet to 20 feet for portions of the private roadway network to accommodate a 185-unit townhome project for property located at Assessor Parcel Numbers (APNs) 561-260-10 and 561-260-17.

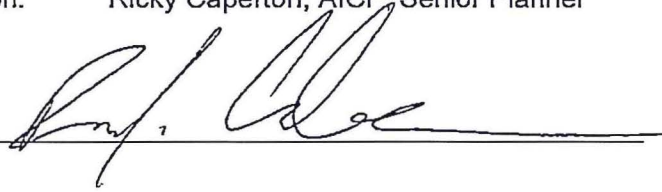
Environmental Assessment: The Initial Study for this project is available for review at the City of Clovis, Planning and Development Services Department, 1033 Fifth Street, Clovis, CA, Monday through Friday from 8 a.m. to 4:00 p.m., except major holidays.

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

Contact Person: Ricky Caperton, AICP, Senior Planner

Phone: (559) 324-2347

Signature: _____

A handwritten signature in black ink, appearing to read 'Ricky Caperton', is written over a horizontal line.

Date: June 21, 2019

Lennar Spruce Townhomes
TM6262 / R2019-004 / CUP2019-004 / V2019-001 / RSPR2019-003
Initial Study and Mitigated Negative Declaration

June 2019

PREPARED BY:

Ricky Caperton, AICP
Senior Planner
Planning & Development Services
(559) 324-2347
rcaperton@cityofclovis.com



CITY *of* CLOVIS

PLANNING & DEVELOPMENT

1033 FIFTH STREET • CLOVIS, CA 93612

INITIAL STUDY

This Initial Study was prepared pursuant to the California Environmental Quality Act (CEQA) Public Resources Code Sections 21000 *et seq.*, CEQA Guidelines Title 14, Section 15000 *et seq.* of the California Code of Regulations.

PROJECT TITLE:	Lennar Spruce Townhomes
LEAD AGENCY NAME AND ADDRESS:	City of Clovis Planning & Development Services 1033 Fifth Street Clovis, CA 93612
CONTACT PERSON AND PHONE NUMBER:	Ricky Caperton, AICP, Senior Planer (559) 324-2347 rcaperton@cityofclovis.com
PROJECT LOCATION:	NW Corner of N Peach and W Spruce Aves. Clovis, CA 93612 APN(s): 561-260-10 and 561-260-17
PROJECT SPONSOR'S NAME AND ADDRESS:	Ara Chekerdemian, Project Manger Lennar Homes of California 8080 North Palm Ave., Suite 110 Clovis, CA 93711
LAND USE DESIGNATION:	Medium-High Density Residential
ZONING DESIGNATION:	See page 6 of this Initial Study
PROJECT DESCRIPTION	See page 7 of this Initial Study.
SURROUNDING LAND USES AND SETTING:	See page 6 of this Initial Study.
REQUIRED APPROVALS:	See page 9 of this Initial Study.
HAVE CALIFORNIA NATIVE AMERICAN TRIBES REQUESTED CONSULTATION? IF SO, HAS CONSULTATION BEGUN?	Yes

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A. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

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

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

Determination

On the basis of this initial evaluation:

- ☐ I find that the proposed Project COULD NOT have a significant effect on the environment and a NEGATIVE DECLARATION will be prepared.
- ☒ I find that, although the proposed Project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponents. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ I find that the proposed Project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT (EIR) will be prepared.
- ☐ I find that the proposed Project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that although the proposed Project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately analyzed in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed Project, nothing further is required.

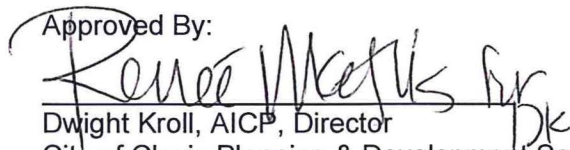
Prepared By:



Ricky Caperton, AICP, Senior Planner
City of Clovis Planning & Development Services

6-21-19
Date

Approved By:



Dwight Kroll, AICP, Director
City of Clovis Planning & Development Services

6/21/19
Date

B. PROJECT OVERVIEW

Lennar Homes proposes the construction of 185 townhomes and associated site improvements (i.e. landscape, parking, sidewalks, and utilities infrastructure) on approximately 12.50 acres of vacant and undeveloped land on the northwest corner of Spruce and Peach Avenues in the City of Clovis, California, herein referred to throughout the document as “proposed Project” and/or “Project.”

C. PROJECT LOCATION

As shown in Figure 1 below, the Project is located along the north side of West Spruce Avenue between North Helm and North Peach Avenues and consists of two parcels totaling approximately 12.50 acres. Assessor’s Parcel Number (APN) 561-260-10 is approximately 2.50 acres, and APN 561-26-17 is approximately 10 acres.

D. EXISTING SETTING

This section describes the existing conditions, surrounding conditions, as well as the General Plan land use and zoning designations.

1. EXISTING CONDITIONS

As shown in Figure 2 below, the existing site is vacant and undeveloped, consisting primarily of low-lying vegetation, grasses, shrubs, and weeds. The site is generally flat, although there is a slight grade difference between the adjacent single-family homes to the north. The Project site also includes a row of mature trees, and an existing sidewalk pattern along North Helm and North Peach Avenues. There is no existing sidewalk along West Spruce fronting the Project site.

2. SURROUNDING CONDITIONS

As shown reference in Table 1 below, and shown on Figure 2 above, the Project site is surrounded by existing development consisting of commercial and residential uses. In general, there are existing single-family homes to the north, a mix of undeveloped and commercial uses to the east, undeveloped land immediately to the south, and an existing shopping center to the west.

Table 1: Surrounding Land Uses

	Land Use Designation	Zoning*	Existing Land Use
North	Low Density Residential	R-1-9500	Single Family Residential
East	Industrial	C-M	Vacant/Undeveloped
South	General Commercial	C-2	Vacant/Undeveloped
West	General Commercial	C-2	Commercial Shopping Center
*R-1-9500 (Single-Family Residential – 9,500 square feet) C-M (Commercial-Light Manufacturing) C-2 (Community Commercial)			

3. LAND USE DESIGNATION

As shown on Figure 3, the Project site has an existing General Plan Land Use designation Medium-High Density Residential, which allows for a density range of 7.1 to 15.0 dwelling units per acre (DU/Ac). According to the 2014 Clovis General Plan, this Land Use Designation is intended for small lot single family detached homes, townhouses, duplexes, and apartments.¹

4. ZONING DESIGNATION

As shown on Figure 4, the Project site is within the R-A (Single-Family Residential – 24,000 square feet) and R-2 (Low Density Multiple Family Residential) Zone Districts. As described below, the Project proposes a rezone of the R-A zoned parcel to R-2. According to Section 9.10.010(B)(8) of the Clovis Municipal Code (CMC), the R-2 Zone District is intended for moderately dense residential units, including

¹ 2014 City of Clovis General Plan, Land Use Element, Table LU-2, Land Use Designations, page LU-10. August 2014.

multifamily apartments, duplexes, townhouses, and small parcel, attached and detached single-family uses. The allowable density range is 7.1 to 15.0 DU/Ac, thus, consistent with the Medium-High Density Residential Land Use Designation of the General Plan.

E. PROJECT DESCRIPTION

This section describes the components of the proposed Project in more detail, including site preparation, proposed structures, and on- and off-site improvements.

1. PROJECT CONSTRUCTION

The Project is anticipated to begin construction October 2019, with full buildout by June 2023. However, first occupancy is assumed to occur by January 2021.

2. SITE PREPARATION

Site preparation would include typical grading activities to ensure a flat surface. Part of the preparation would include the removal of any vegetation, such as grasses, shrubs, and weeds; however, the row of trees along Helm Avenue would remain in place. Other site preparation activities would include minor excavation for the installation of utility infrastructure, for conveyance of water, sewer, stormwater, and irrigation. There are no existing structures on the Project site, therefore, there would be no demolition of structures as part of the Project.

3. PROJECT COMPONENTS

This section describes the overall components of the Project, such as the proposed buildings, landscape, vehicle and pedestrian circulation, and utilities.

DEMOLITION

As mentioned above under the “Site Preparation” section, there are no existing structures on the Project site, therefore, no demolition would occur. However, there would be site preparation, such as grading and clearing of vegetation.

BUILDINGS AND SITE LAYOUT

As shown in Figure 5, the Project proposes 185 individual lots ranging in sizes from approximately 1,111 square-feet and 1,783 square feet, that will accommodate two-story townhomes. Each townhome would be up to thirty-five (35) feet in maximum height (2 stories), consisting of private covered patio space on the first level and balconies on the second level, and attached two-car garages. Conceptual floor plans are provided in Figure 6. The units are comprised of thirty-seven (37) clusters of five (5) units each. Although the exterior of each cluster is attached and has a common roof, there is a one-inch air gap between walls, therefore, each townhome is on its own individual lot.

The proposed site layout includes street facing townhomes within a gated community fronting Helm and Spruce Avenues, and interior townhomes facing opposite each other with a 20 foot common drive aisle providing access between buildings to the individual attached two-car garages. The site also includes uncovered guest spaces throughout the site, which are described in more detail below under “Site Circulation and Parking.”

Table 2 below shows the proposed lot development standards typically required under the R-2 Zone District, and what’s being proposed under the Conditional Use Permit (CUP) for the Planned Residential Development (PRD). Chapter 9.66, Planned Development Permits, of the Clovis Municipal Code (CMC or Code) provides a method whereby land may be designed and developed taking advantage of modern site planning techniques resulting in a more efficient use of land and better living environment than otherwise possible through strict application of the development standards. In general, this section of the Code provides a mechanism to afford some relief to typical development standards. The proposed

Project, although within the R-2 Zone District,² request customized standards to some areas of development standards otherwise required under R-2 development standards, which is allowed with an approved Conditional Use Permit for a Planned Residential Development.

As Table 2 reflects, the Project includes reduced standards for the individual lots to the minimum parcel size, front, rear, and side yard setbacks to be able to develop the townhomes as proposed.

Table 2: Individual Lot Development Standards

	R-2 Zone District Standards	Proposed Standards	Difference
Min. Parcel Size	7,200 sq. ft.	1,000 sq. ft.	Reduction of 6,200 sq. ft.
Height	35 ft. / 2 stories	35 ft. / 2 stories	No change
Min. Front Setback	20 ft.	0 ft.	Reduction of 20 ft.
Min. Rear Setback	20 ft.	0 ft.	Reduction of 20 ft.
Min. Side Setback	5 ft.	0 ft.	Reduction of 5 ft.
Lot Coverage	45% (max.)	72% (max.)	Increase of 27%

Table 3 below shows the general development standards, such as setbacks to where structures or site features are located relative to the property line. The proposed Project is unique in that there are standards for the individual lots themselves, as well as the overall development standards of the property itself, such as the setbacks of where buildings and structures are actually located.

Table 3: Overall Site Development Standards

	R-2 Zone District Standards	Proposed Standards	Difference
Min. Front Setback	20 ft.	15 ft.	Reduction of 5 ft.
Min. Rear Setback	20 ft.	20 ft. (to structure)	No change
Min. Side Setback	5 ft.	15 ft. (min.)	Increase of 10 ft.

SITE CIRCULATION AND PARKING

The Project would be a gated community with private roadways facilitating circulation throughout the site. As shown in Figure 5, the Project includes a private drive aisle between 20 feet and 26 feet in width generally surrounding the townhome units and would serve as the primary drive aisle providing access throughout the site. There is one 20 foot³ wide pass through road generally in the center of the site providing connection between the northern and southern areas of the site. Each cluster of townhomes would either be served by a 20 foot common drive aisle providing direct access to attached two-car garages, or from the main circulation roadway.

On-site parking would be provided via two-car garages attached to each unit, as well as one (1) uncovered (unassigned) guest vehicle space per unit, for a total of 555 vehicles parking spaces at buildout.

Pedestrian circulation would be provided through a network of paved walking paths throughout the site. Each cluster of townhomes would be connected via a walkway, as well as walkways providing access to service areas such as the trash enclosures, and to amenities such as the community pool and other open space and landscaped areas throughout the site.

² The Project proposes a Rezone of the smaller parcel from R-A to R-2. If approved, the entire project site would be within the R-2 Zone District.
³ The 20 foot drive aisle is proposed under Variance V2019-001 as part of the Project.

PROJECT DESIGN

Conceptual design of the units are shown in Figure 7; however, it is important to note that at this stage of the process, these designs are conceptual. The overall footprint, height limit, and placement of the structures, described above, would generally remain the same, however, the color palette and design details are subject to slightly change throughout the Residential Site Plan Review Process (RSPR), which typically occurs later on in the entitlement process.

Per the R-2 Zone District, the maximum allowable height limit is thirty-five (35) feet. Each unit is proposed as two-stories and would not exceed the maximum allowable height. The units would be in clusters of five (5) units and include stucco exterior, likely to be a combination of neutral tones and may include some stone veneer. Each unit would have a covered porch on the first floor, as well as a balcony on the second level.

LANDSCAPE

The Project would include landscape throughout the site. Landscaped areas would generally be located along the perimeter of the site where a variety of ornamental shrubs, plants, and trees would be planted, as well as landscape in areas between each cluster of townhomes. Landscape plans are typically provided at a later date at which time the proposed landscape would be reviewed for compliance with the City's water efficient landscape regulations and guidelines.

UTILITIES

Utilities for the site would consist of water, sewer, electric, cable, gas, and stormwater infrastructure. Minor trenching and digging activities would be required for the installation of necessary pipelines typical of residential development. All utility plans would be required to be reviewed and approved by the appropriate agency, and/or department to ensure that installation occurs to pertinent codes and regulations. It is important to note that there is a 15 foot wide Fresno Irrigation District (FID) easement along the eastern portion of the Project site along North Peach Avenue. Other infrastructure would include new fire hydrants as required by the City of Clovis Fire Department.

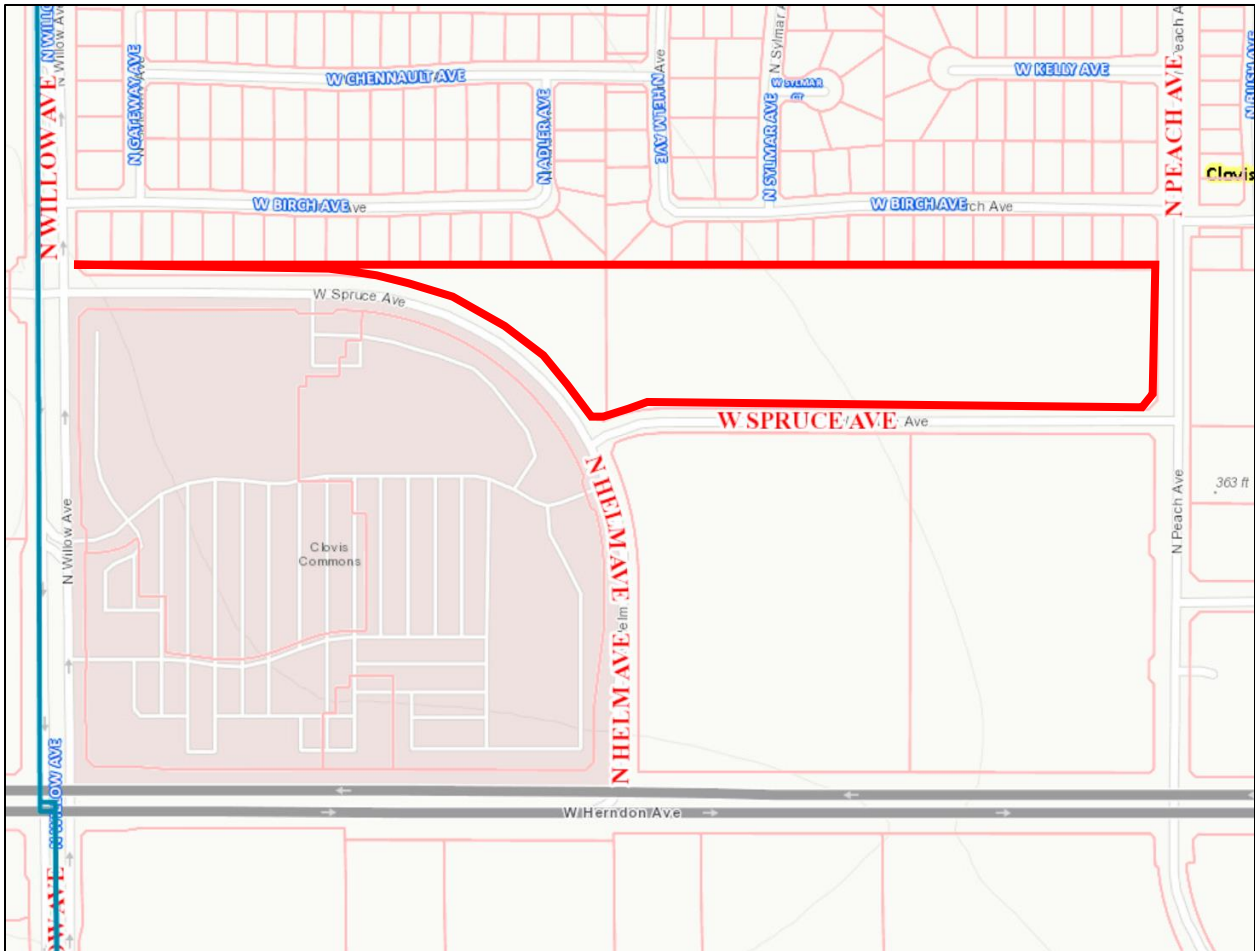
Utilities are provided by and managed from a combination of agencies, including FID which provides the City's water supply, Fresno Metropolitan Flood Control District (FMFCD) which has responsibility for storm water management, and the City's public utilities department which provides for solid waste collection, and sewer collection services. Pacific Gas & Electric (PG&E) provides electricity and natural gas within the City of Clovis.

F. REQUIRED PROJECT APPROVALS

The City of Clovis requires the following review, permits, and/or approvals for the proposed Project; however, other approvals not listed below may be required as identified throughout the entitlement process:

- Vesting Tentative Tract Map
- Variance
- Conditional Use Permit (Planned Residential Development)
- Rezone (portion of the site)
- Residential Site Plan Review
- Grading Permit
- Building Permit
- Sign Permit
- San Joaquin Unified Air Pollution Control District
- Fresno Metropolitan Flood Control District

Figure 1: Project Location




 = Project Site



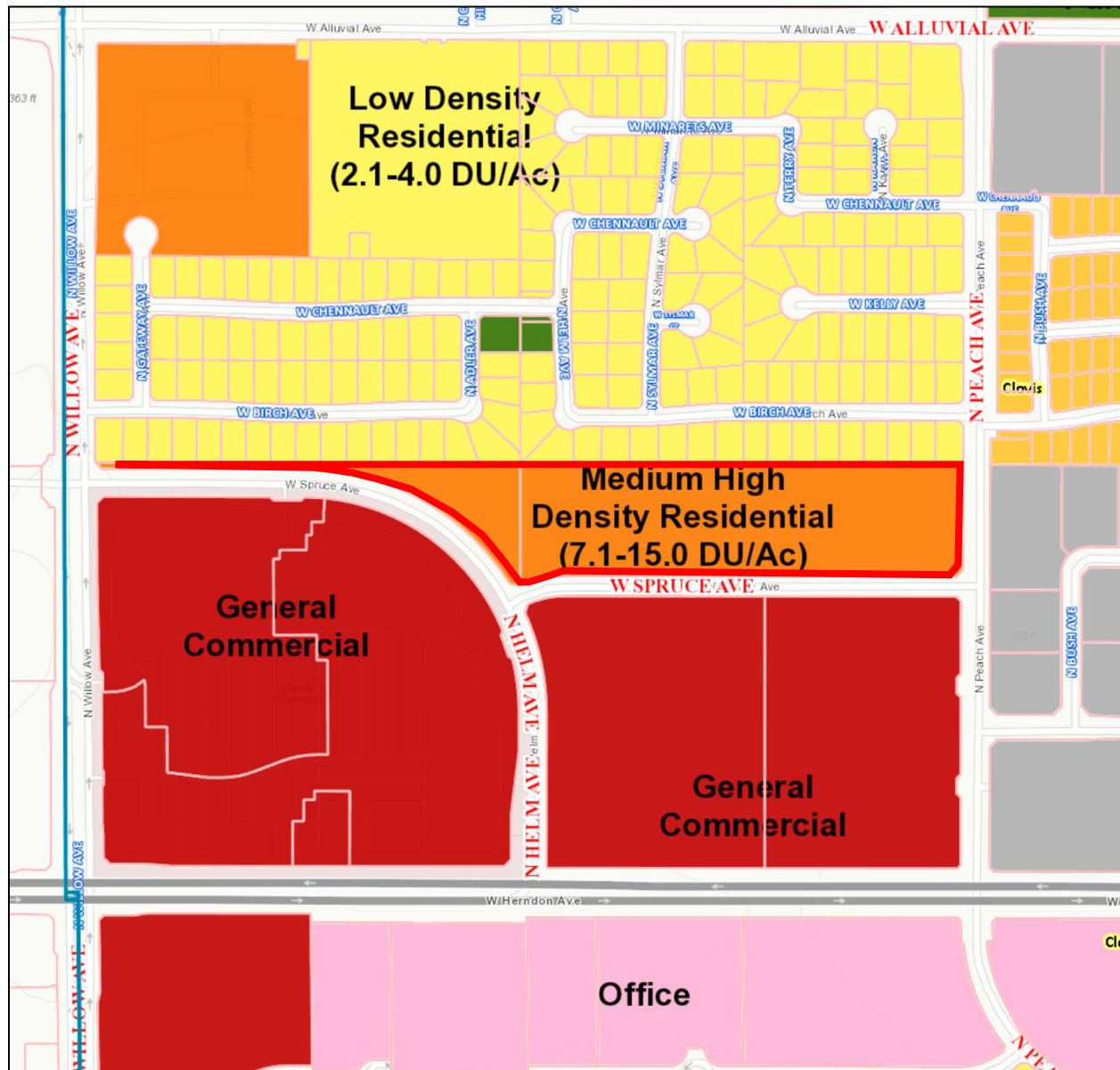
Figure 2: Aerial of Project Site



= Project Site



Figure 3: Land Use Designations



 = Project Site



Figure 4: Zoning Districts

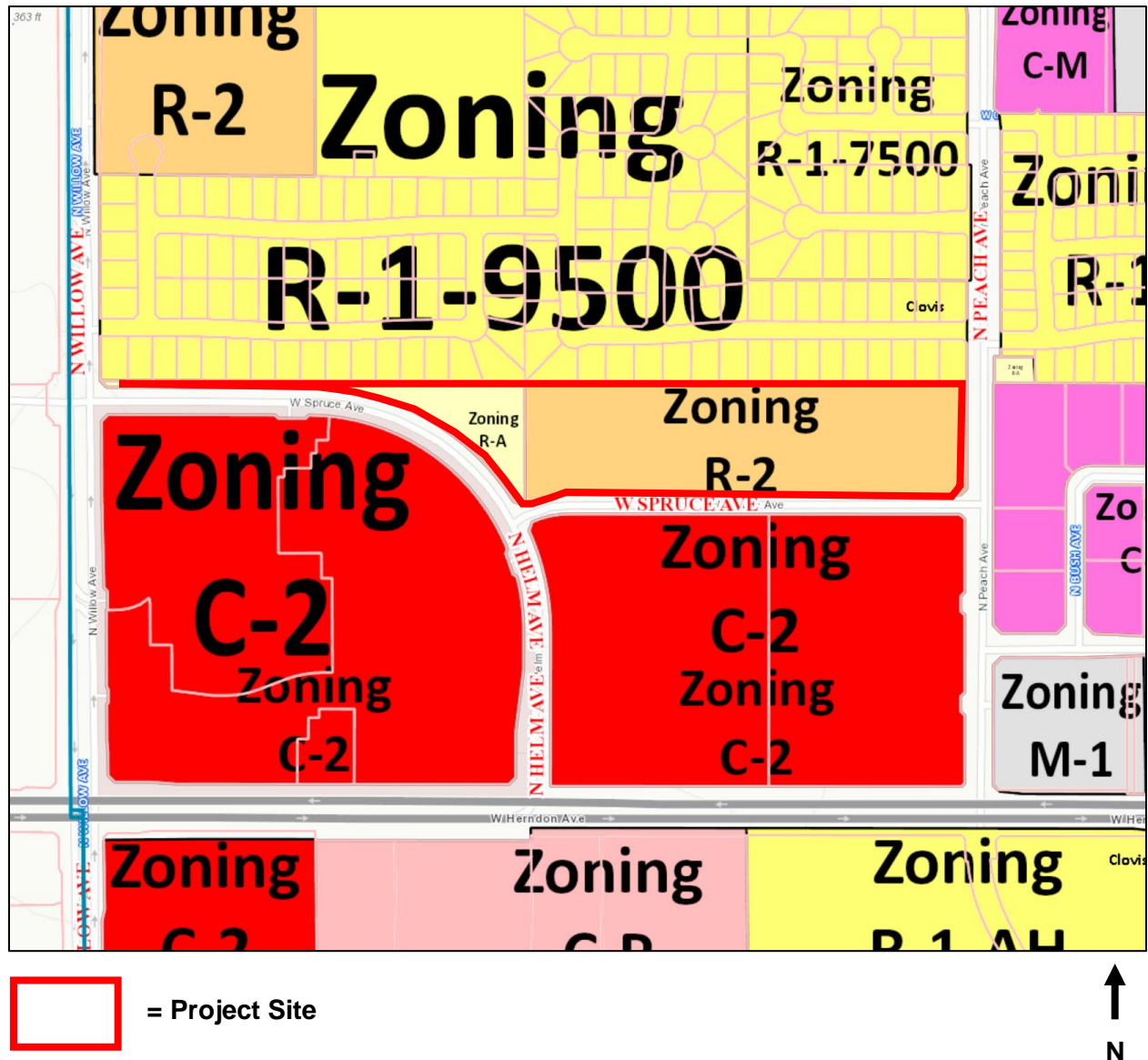


Figure 5: Proposed Site Plan

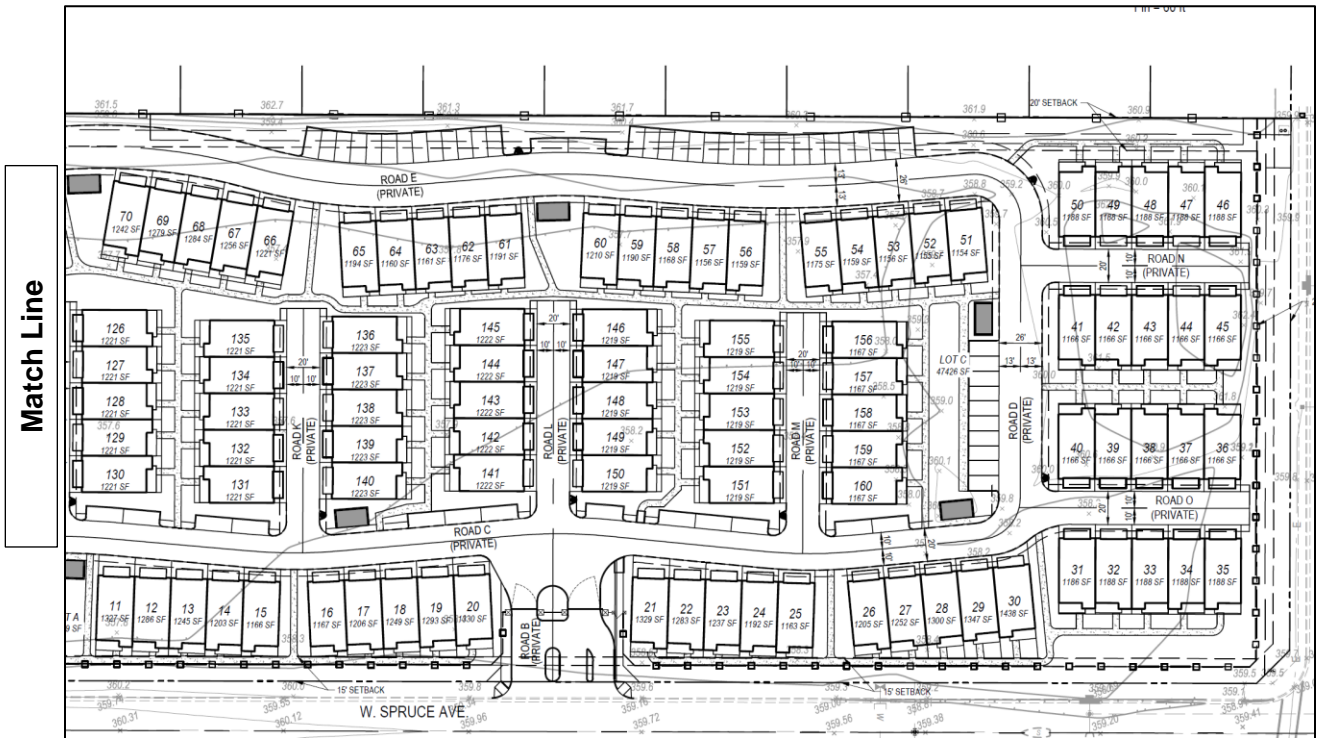
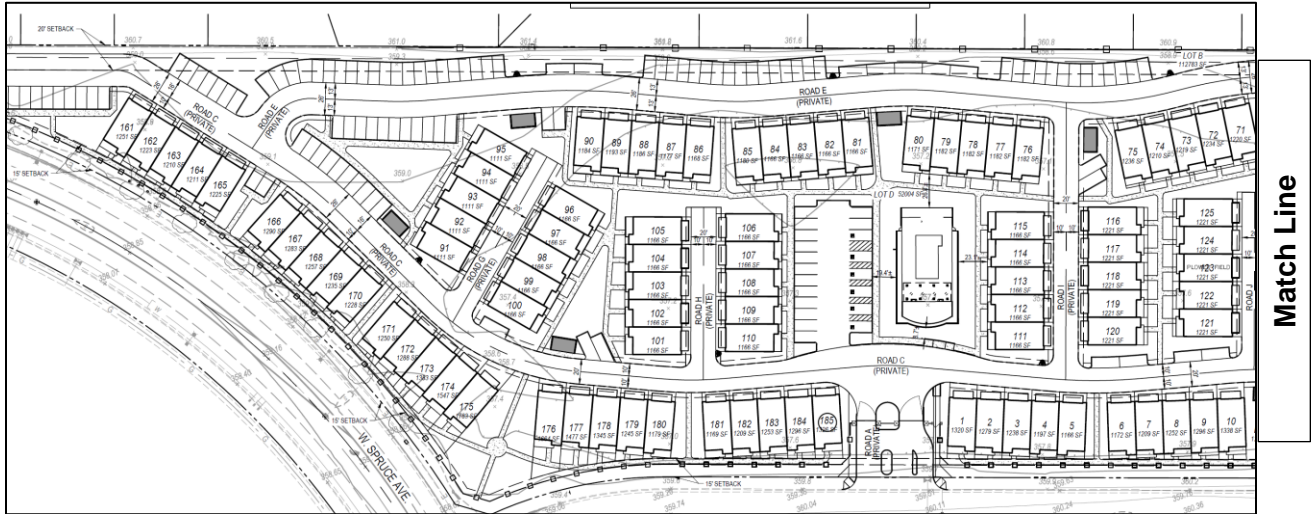


Figure 6: Proposed Floor Plan



The above floor plans are conceptual only. Actual floor plan and dimensions could change during the review process.

Figure 7: Conceptual Elevations



The above plans are conceptual only. Actual colors and materials are subject to change during the Residential Site Plan Review Process.

G. ENVIRONMENTAL CHECKLIST

This section provides an evaluation of the potential environmental impacts of the proposed project and are based on CEQA Guidelines Appendix G. For each issue area, one of four conclusions is made:

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

1. AESTHETICS

Except as provided in Public Resources Code Section 21099, would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Have a substantial effect on a scenic vista?			X	
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?			X	
c. Substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?			X	
d. Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?			X	

ENVIRONMENTAL SETTING

The City of Clovis is located within the San Joaquin Valley. Thus, much of the City and its surrounding areas are predominately flat. As a result, on clear days, the Sierra Nevada Mountains are visible to the east depending on your location.

Aside from Sierra Nevada, there are no officially designated focal points or viewsheds within the City. However, Policy 2.3, Visual Resources, of the Open Space Element of the 2014 Clovis General Plan, requires maintaining public views of open spaces, parks, and natural features and to preserve Clovis' viewshed of the surrounding foothills.

As mentioned above in the Project Description, the site is located along Spruce Avenue between Spruce and Peach Avenues. In general, the Project site is within an urbanized area of the City surrounded by existing residential, commercial, and industrial related uses to the north, east, south, and west. As a result, the area is characterized by a mix of development type and uses, as well as typical infrastructure, such as roadways, street lights, parking lot lights, and ambient light sources typical of residential development and commercial shopping centers.

DISCUSSION

- a) *Would the project have a substantial effect on a scenic vista?*

Less-Than-Significant Impact. As mentioned above, there are no officially designated scenic vistas or focal points in the City of Clovis. While the Sierra Nevada Mountains can be viewed on clear days, the Project would be consistent with the existing R-2 Zone District standards which allows structures to be constructed at a maximum height of 35 feet. This would be consistent with the height limits of the immediately surrounding area and with the Zone District of the Project site. Further, General Plan Policy 2.3 requires that public views of open spaces, parks, and natural features be maintained; however, the Project site is not within the immediate vicinity of these features. Therefore, because the Project would be constructed at a maximum height consistent with the area, as well as with the R-2 Zone District development standards previously planned for in the General Plan, a **less-than-significant impact** would occur with regards to the project having a substantial effect on a scenic vista. As a result, no mitigation measures are required.

- b) *Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway?*

No Impact. As stated in the 2014 Clovis General Plan Environmental Impact Report (EIR), there are no Caltrans-designated scenic highways within the City of Clovis.⁴ Further, there are no existing historical structures or rock outcroppings located on or within the immediate vicinity of the site. Therefore, the Project would result in **no impact** with regards to substantially damaging scenic resources within a State scenic highway, and no mitigation measures are required.

- c) *Would the project substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?*

Less-Than-Significant Impact. As mentioned previously, the existing site is within an urbanized area surrounded by a mix of residential and commercial uses. Immediately west of the Project site is a shopping center, north is single-family residential, and east is commercial and industrial uses. Thus, the area is characterized by a many types of structures at different heights, design, and character. Further, the site has been designated and zoned for medium-high density residential uses, and the Project is consistent with that planned land use. Therefore, the Project would complement and enhance the visual character of the area by resulting in a new and diverse housing type that would be of a similar scale and character of the surrounding area.

⁴ 2014 Clovis General Plan EIR, June 2014, Page 5.1-1.

In addition to the Project being of a similar size and scale as surrounding development, Policy 3.6 of the Land Use Element of the Clovis General Plan encourages a mix of housing types, unit sizes, and densities. The Project, as a townhome development, is somewhat unique and uncommon in recent years in the City, thus, would contribute to the compliance of Policy 3.6 by resulting in a housing product that adds to the variety of housing stock within the City. Further, the Project would undergo Residential Site Plan Review (RSPR) which would ensure that the overall design and character is consistent and/or complements the surrounding areas. The RSPR process will ensure the Project complies with relevant design policies, such as in the Herndon-Shepherd Specific Plan, Multi-Family Residential Design Guidelines, the Clovis Development Code, and the General Plan. During the review, the height, color and materials are reviewed for consistency with these plans and guidelines. Consequently, a **less-than-significant** impact would occur with regards to substantially degrading the existing visual character of the site and its surroundings, and no mitigation measures are required.

- d) *Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?*

Less-Than-Significant Impact. The Project consists of a 185-unit gated townhome complex. As a result of the existing site being vacant and undeveloped, the Project would result in new sources of light and glare. Light and glare from the Project would be typical of residential development, including but not limited to, sources such as exterior lighting for safety, light and glare from vehicles or from light reflecting off of surfaces such as windshields. Other sources of light would be the interior lighting of the units at night. These sources of light and glare not typically associated with causing significant effects on the environment. Further, the site is already surrounded by existing uses, such as residential and commercial. This existing development has contributed to the urbanization of the area, therefore, lighting and glare are already being emitted in the vicinity. Sources of existing light and glare are comprised of streetlights, exterior shopping center lighting, parking lot lighting, light and glare from vehicles going to and from the shopping center and adjacent residential development.

Although the Project would introduce new sources of light and glare, the RSPR process would ensure that the design and placement of lighting is appropriate to minimize potential light and glare impacts to surrounding properties. Further, the Project would be required to comply with Section 9.22.050, Exterior Light and Glare, of the Clovis Municipal Code (CMC or Development Code), which requires light sources to be shielded and that lighting does not spillover to adjacent properties.

Overall, through the City's design review process and compliance with Section 9.22.050 of the Development Code, the Project would result in a **less-than-significant impact** with regard to lighting adversely affecting day or nighttime views in the area. No mitigation measures are required.

2. AGRICULTURE AND FORESTRY RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program			X	

of the California Resources Agency, to non-agricultural use.				
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X
c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220 (g)) or timberland (as defined in Public Resources Code section 4526)?				X
d. Result in the loss of forest land or conversion of forest land to non-forest use?				X
e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?			X	

ENVIRONMENTAL SETTING

The Project site is located on Spruce Avenue between Helm and Peach Avenues, and is considered an in-fill property. The site is within an urbanized area of the City, and is surrounded a mix of existing developments types. Although the site was previously farmed, it has not been actively farmed in decades.

DISCUSSION

- a) *Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?*

Less-Than-Significant Impact. According to the 2016 Farmland Monitoring and Mapping Program (FMMP) maps from the California Department of Conservation,⁵ the Project site is considered Farmland of Local Importance, which is defined by the Department of Conservation as farmable lands within Fresno County that do meet the definitions of Prime, Statewide, or Unique farmlands. Generally, Farmland of Local Importance is or has been used for irrigated pasture, dryland farming, livestock, dairy, and grazing land.

The Project site is an in-fill site within an urbanized area of Clovis and has not been used for farming activities for decades, nor is it zoned or designated for farming-related activities. Consequently, because the site is not considered Prime, Unique, or Farmland of Statewide Importance, a **less-than-significant** impact would occur, and no mitigation measures are required.

⁵ Farmland Mapping and Monitoring Program, California Department of Conservation, 2016 Fresno County Map.

b) *Would the project conflict with existing zoning for agricultural use, or a Williamson Act Contract?*

No Impact. As shown on Figure 5.2-2 of the Agricultural Resources Chapter of the 2014 Clovis General Plan EIR, the Project site is not under a Williamson Act Contract. Further, as mentioned above, the site is within the R-2 Zone District, therefore, is not currently zoned or designated for agricultural use. As a result, the Project would have **no impact** with regards to conflicting with existing zoning for agricultural use or a Williamson Act Contract. No mitigation measures are required.

c) *Would the project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220 (g)) or timberland (as defined in Public Resources Code section 4526)?*

No Impact. The Project site is mostly vacant and undeveloped, thus, does not contain forest land. Further, the site is not zoned for forestry or other forestry related uses. As a result, **no impact** would occur with regards to conflicts with existing zoning for, or cause rezoning of, forest land. No mitigation measures are required.

d) *Would the project result in the loss of forest land or conversion of forest land to non-forest use?*

No Impact. See discussion under Section 2c.

e) *Would the project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?*

Less-Than-Significant Impact. Although the Project site is considered Farmland of Local Importance according to the Department of Conservation, the site is not zoned for or designated for agricultural uses. Further, the existing site hasn't been used for agricultural related uses in decades. The site is considered an in-fill site and the 2014 Clovis General Plan designates the site for residential uses. Additionally, see discussion under Section 2.C related to forest land. Overall, the project would have a **less-than-significant** impact with regards to this topic and no mitigation measure are required.

3. AIR QUALITY

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Conflict with or obstruct implementation of the applicable air quality plan?			X	
b. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?			X	

c. Expose sensitive receptors to substantial pollutant concentrations?			X	
d. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?			X	

ENVIRONMENTAL SETTING

An Air Quality and Greenhouse Gas Analysis Report (AQ/GHG Report) was prepared by Mitchell Air Quality Consulting on April 16, 2019 (see Appendix A). Information in this AQ/GHG Report is used for the analysis included in both the Air Quality and Greenhouse Gas Emissions section of this Initial Study.

San Joaquin Valley Air Basin

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

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

Topography⁶

The topography of a region is important for air quality because mountains can block airflow that would help disperse pollutants, and can channel air from upwind areas that transports pollutants to downwind areas. The San Joaquin Valley Air Pollution Control District (SJVAPCD) covers the entirety of the SJVAB. The SJVAB is generally shaped like a bowl. It is open in the north and is surrounded by mountain ranges on all other sides. The Sierra Nevada mountains are along the eastern boundary (8,000 to 14,000 feet in elevation), the Coast Ranges are along the western boundary (3,000 feet in elevation), and the Tehachapi Mountains are along the southern boundary (6,000 to 8,000 feet in elevation).

Climate

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

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

⁶ Air Quality and Greenhouse Gas Analysis Report, Mitchell Air Quality Consulting, page 9, April 16, 2019.

Any emissions of pollutants can be trapped below the inversion. Most of the surrounding mountains are above the normal height of summer inversions (1,500–3,000 feet).

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

Ambient Air Quality Standards

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

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

Both California and the federal government have established health-based AAQS for seven air pollutants. As shown in Table 4, Ambient Air Quality Standards for Criteria Pollutants, these pollutants are ozone (O₃), nitrogen dioxide (NO₂), carbon monoxide (CO), sulfur dioxide (SO₂), coarse inhalable particulate matter (PM₁₀), fine inhalable particulate matter (PM_{2.5}), and lead (Pb). In addition, the state has set standards for sulfates, hydrogen sulfide, vinyl chloride, and visibility-reducing particles. These standards are designed to protect the health and welfare of the populace with a reasonable margin of safety.

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

Table 4: Ambient Air Quality Standards

Pollutant	Averaging Time	Federal Primary Standard	State Standard
Ozone	1-Hour	--	0.09 ppm
	8-Hour	0.07 ppm	0.07 ppm
Carbon Monoxide	8-Hour	9.0 ppm	9.0 ppm
	1-Hour	35.0 ppm	20.0 ppm
Nitrogen Dioxide	Annual	0.053 ppm	0.03 ppm
	1-Hour	0.100 ppm	0.18 ppm

Sulfur Dioxide	Annual 24-Hour 3-Hour 1-Hour	0.03 ppm 0.14 ppm 0.5 ppm 0.075 ppm	-- 0.04 ppm 0.25 ppm
PM ₁₀	Annual 24-Hour	-- 150 ug/m ³	20 ug/m ³ 50 ug/m ³
PM _{2.5}	Annual 24-Hour	12 ug/m ³ 35 ug/m ³	12 ug/m ³ --
Lead	30-Day Avg. 3-Month Avg.	-- 1.5 ug/m ³	1.5 ug/m ³ --
Notes: ppm = parts per million; ug/m ³ = micrograms per cubic meter. Source: California Air Resources Board, 2008. Ambient Air Quality Standards (4/01/08), http://www.arb.ca.gov/aqs/aaqs2.pdf .			

Attainment Status

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

At the federal level, the SJVAPCD is designated as extreme nonattainment for the 8-hour ozone standard, attainment for PM₁₀ and CO, and nonattainment for PM_{2.5}. At the state level, the SJVAB is designated nonattainment for the 8-hour ozone, PM₁₀, and PM_{2.5} standards. The SJVAB has not attained the federal 1-hour ozone, although this standard was revoked in 2005.

DISCUSSION

a) *Would the project conflict with or obstruct implementation of the applicable air quality plan?*

Less-Than-Significant Impact. Although the CEQA Guidelines indicate that a significant impact would occur if the Project were to conflict with or obstruct implementation of the applicable air quality plan, the SJVAPCDs 2015 Guide for Assessing and Mitigating Air Quality Impacts (GAMAQI) does not provide specific guidance on analyzing conformity with the plan. Thus, for purposes of analyzing this potential impact, the AQ/GHG Report considered impacts based on: (1) whether the Project will result in an increase in the frequency or severity of existing air quality violations or cause or contribute to new violations, or delay timely attainment of air quality standards; and (2) whether the Project will comply with applicable control measures in the air quality plan, primarily compliance with Regulation VIII – Fugitive PM₁₀ Prohibitions and Rule 9510 – Indirect Source Review.

In general, regional air quality impacts and attainment of standards are the result of the cumulative impacts of all emission sources within the air basin. Thus, individual projects are generally not large enough to contribute measurably to an existing violation or air quality standards alone. Therefore, in order to analyze this threshold, and because of the region's existing nonattainment status for several pollutants, the Project would be considered to cause significant impacts if it were to generate emissions that would exceed the SJVAPCDs significance thresholds. Based on the AQ/GHG Report, the Project would not exceed these thresholds from construction and operation of the townhomes.⁷

⁷ Air Quality and Greenhouse Gas Analysis Report, Mitchell Air Quality Consulting, starting on page 82, April 16, 2019.

Lastly, the SJVAPCD provided a comment letter, dated May 22, 2019, indicating that the Project would not exceed thresholds and that it would be exempt from the requirements of Section 6.0 (General Mitigation Requirements) and Section 7.0 (Off-site Emission Reduction Fee Calculations and Fee Schedules) of Rule 9510, thus, the Project was determined by SJVAPCD to comply with emission reduction requirements of Rule 9510. Consequently, a **less-than-significant** impact would occur and no mitigation measures are required.

- b) *Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?*

Less-Than-Significant Impact. See discussion under Section 3a above.

- c) *Would the project expose sensitive receptors to substantial pollutant concentrations?*

Less-Than-Significant Impact. Sensitive receptors are generally considered to include children, the elderly, and persons with pre-existing respiratory and cardiovascular illness. The SJVAPCD considers a sensitive receptor a location that houses or attracts children, the elderly, or people with illnesses. Examples of these receptors are considered to be hospitals, residences, schools and school facilities, and convalescent facilities. The nearest sensitive receptors to the Project site would be the existing residences adjacent to the site to the north, south, and east. Based the AQ/GHG Report, the Project would not exceed emission thresholds that would result in a significant impact⁸ based on compliance with SJVAPCD regulations and standards for construction and operation of this type of development. Therefore, a **less-than-significant** impact would occur.

- d) *Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?*

Less-Than-Significant Impact. Generally, sources considered to emit odors are associated with wastewater treatment facilities, sanitary landfills, petroleum refineries, chemical manufacturing, and other industrial/manufacturing related uses. The Project is a residential use, thus, the odors associated with such use would be similar to that of the surrounding area which includes commercial and residential uses. Although the Project proposes trash enclosures throughout the site, these enclosures were located south of the drive aisle along the north area of the property, as far away from the existing residences as possible, thus, would minimize or eliminate the possibility of odor emitting from the enclosures. Overall, because the Project is a residential use, similar to existing residential uses, the types of odor that could result from the Project would not be considered an objectionable odor source. Thus, a **less-than-significant** impact would occur.

⁸ Air Quality and Greenhouse Gas Analysis Report, Mitchell Air Quality Consulting, starting on page 89, April 16, 2019.

4. BIOLOGICAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?		X		
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?			X	
c. Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				X
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?				X

e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				X
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				

ENVIRONMENTAL SETTING

A biological resources report (Biological Report) was prepared by QK in May 2019 (see Appendix B). This Biological Report included an evaluation for the presence and potential for special-status biological resources of the site. As part of the Biological Report, a reconnaissance site visit and database review were completed by QK biologists.

The existing Project site is vacant and undeveloped; however, there are some low-lying shrubs and vegetation, as well as a row of trees along the west side of the site that were planted as part of the commercial shopping center development. According to the Biological Report, there are no sensitive natural communities or aquatic resources present at the site; however, one special status species, burrowing owl, was determined to have potential to occur on site.

The following analysis is based in part on information provided by the Biological Report prepared by QK.

DISCUSSION

- a) *Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?*

Less-Than-Significant Impact With Mitigation. As described in the Biological Report, three habitat types were observed at the site, including annual grassland, barren, and urban. Annual grasslands accounted for a majority of the site which were observed to have been recently plowed at the time of the biologist site visit in April 2019.⁹ Further, while up to 15 special-status plant species are known or have the potential to occur within the vicinity of the site, due to the lack of suitable habitat conditions, these plant species were not observed at the site.¹⁰

During field observations, wildlife activity was determined to be low, which is consistent with urbanized areas. Animal species detected included squirrels, mourning doves, mockingbirds, and finches, neither of which are considered to be special-status species nor identified as candidates of sensitive or special-status.

⁹ Biological Analysis Report for Tract 6262 prepared by QK, page 12, May 2019.

¹⁰ Biological Analysis Report for Tract 6262 prepared by QK, page 16, May 2019.

Nevertheless, burrowing owls, which are considered special-status species, were determined to have the potential to be present, although none were observed during the field visit nor were there any diagnostic signs of burrowing owls observed on site. Further, there were no other nesting birds observed on site at the time of the field visit.

Overall, due to the lack of presence of special-status plant and animal species, as well as the site being surrounded by existing urban development, it is not likely that the Project would have a substantial adverse effect to habitat supporting these special status species. Nevertheless, implementation of mitigation measures BIO-1 through BIO-3 would ensure that a **less-than-significant impact with mitigation** occurs.

Mitigation Measure BIO-1: Pre-Activity Surveys for Burrowing Owl. Within 14 days of the start of Project activities in any specific area, a pre-activity survey should be conducted by a qualified biologist knowledgeable in the identification of burrowing owls. The surveys should cover the Project site plus a 250-foot buffer and should be phased with construction of the Project. Pedestrian surveys achieving 100% visual coverage should be conducted. Where access to adjacent parcels is not granted, visual inspections from the Project site and public access ways should be conducted. If no burrowing owls are observed, no further action is required. Survey efforts should be documented.

Mitigation Measure BIO-2: Avoidance and Minimization Measures for Burrowing Owls. If burrowing owls are detected on-site a no-work Environmentally Sensitive Area (ESA) buffer around the occupied burrow should be established in consultation with a qualified biologist. If the burrow is determined to be a nest burrow, the minimum buffer should be 100 feet. Smaller buffers may be utilized if the burrow is not being used as a nest. The ESA buffer should remain in place until the burrowing owl has left on its own. Once the owl has left, the burrow may be monitored using trail cameras. If no owls are detected for a minimum of 3 consecutive days/nights, the burrow may be hand excavated under the direct supervision of the biologist. All burrow tunnels must be hand excavated to their terminus before backfilling to ensure no burrowing owls or other animals are hiding inside.

Alternatively, burrowing owls can be passively excluded from a non-nest burrow through the use of one-way doors. Prior to engaging in passive exclusion activities, an Exclusion Plan should be prepared following the guidance outlined in the CDFW's Staff Report on Burrowing Owl Mitigation (2012). The Exclusion Plan should be submitted to the CDFW for review and approval prior to implementation. Once approved, one-way doors may be installed at non-nest burrows. The doors should be monitored for a minimum of three days to ensure the burrowing owls has left the burrow. The burrow may then be excavated as described above. If at any time during excavation a burrowing owl is detected within the burrow, excavation activities should immediately stop, and the one-way door reinstalled and monitored until the owl has left the burrow. Hand excavation may then resume. Exclusion efforts should be documented.

Mitigation Measure BIO-3: Pre-activity Nesting Bird Surveys. If Project activities must occur during the nesting season (February 15 to August 31), pre-activity nesting bird surveys should be conducted within seven (7) days prior to the start of construction at the construction site plus a 250-foot buffer. The surveys should be phased with construction of the Project. If no active nests are found, no further action is required; however, note that nests may become active at any time throughout the summer, including when construction activities are occurring. If active nests are found during the survey or at any time during construction of the Project, an avoidance buffer ranging from 100 feet to 250 feet may be required, as determined by a qualified biologist. The avoidance buffer will remain in place until the biologist has determined that the young are no longer reliant on the nest. Work may occur within the avoidance buffer under the approval and guidance of the biologist. The biologist should have the ability to stop

construction if nesting adults show sign of distress. Survey and monitoring efforts should be documented.

- b) *Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?*

Less-Than-Significant Impact. As mentioned previously, the Project site is characterized by annual grassland, and barren. There were no riparian habitat or sensitive natural community identified at the site, nor are any identified in local or regional plans. Therefore, the Project would not result in a substantial adverse effect with respect to this threshold, and a **less-than-significant** impact would occur. No mitigation measures are required.

- c) *Would the project have a substantial adverse effect on state or federally protected wetlands as (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?*

No Impact. The site was identified as having one drainage feature but is no longer present. According to the Biological Report, the drainage has likely been undergrounded. No other wetland or water features were identified at the site; therefore, **no impact** would occur.

- d) *Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?*

No Impact. According to the Biological Report, the site does not intersect any regional or local wildlife movement corridors, nor does it support an important wildlife nursery site or fishery resources.¹¹ Thus, **no impact** would occur and no mitigation measures are required.

- e) *Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?*

Less-Than-Significant Impact. Although the Project would include development of an existing undeveloped and vacant site, the site does not indicate the presence of any sensitive habitat or wildlife features that would be significantly impacted. Although Policy 2.6 of the Open Space and Conservation Element of the General Plan calls for the protection of biological resources, the Biological Report did not identify any such resources at the site due to its location and being surrounded by urban development. Further, the Clovis Development Code does include tree protection standards, however, the Project does not propose the removal of trees. Although there are a row of trees along the western edge of the site, the trees are anticipated to remain; however, if they are removed, the compliance with the tree protection standards of the Clovis Municipal Code would require the replacement of trees and/or payment of in-lieu fees. Consequently, due to the lack of any identified sensitive species, and because the Project does not propose the removal of any existing trees, the impact would be **less-than-significant** as the Project would not conflict with local policies or ordinances for protection biological resources.

- f) *Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural community Conservation Plan, or other approved local, regional, or state habitat conservation plan?*

¹¹ Biological Analysis Report for Tract 6262 prepared by QK, page 22, May 2019.

No Impact. The Project site is not located within an adopted or approved Habitat Conservation Plan (HCP) or other conservation plan. However, the site is within the PG&E San Joaquin Valley Operation and Maintenance HCP, although the PG&E HCP applies only to PG&E construction and maintenance activities and does not apply to the site. Overall, **no impact** would occur and no mitigation measures are required.

5. CULTURAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?				X
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?		X		
c. Disturb any human remains, including those interred outside of formal cemeteries?		X		

ENVIRONMENTAL SETTING

The Project site is located on an undeveloped and vacant infill site. The site does not contain any structures, and is surrounded by existing development including commercial, light industrial, and residential.

A cultural resources memorandum was prepared by QK on April 25, 2019 (see Appendix C). This memorandum was based on information obtained at the Southern San Joaquin Valley Information Center, CSU Bakersfield, as well as a previously adopted Initial Study Mitigated Negative Declaration.

DISCUSSION

- a) *Would the project cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?*

No Impact. As previously mentioned, there are no structures on the site, nor is the site within immediate proximity to any known historical resource. Further, the cultural resources memorandum prepared for the Project did not identify any historical resources within 0.5-mile of the site. Further, compliance with Policy 2.9 of the General Plan, which calls for the preservation of historical sites and buildings of state or national significance, would ensure that if there were historical resources present, they would be protected. Therefore, **no impact** would occur with regard to the Project causing a substantial adverse change in the significance of a historical resource and no mitigation measures are required.

- b) *Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?*

Less-Than-Significant Impact With Mitigation. The site is currently vacant and undeveloped, although is surrounded by existing urban development. However, the site's ground has been previously disturbed as a result of some light grading and the mowing of weeds and shrubs, as well as the installation of some sidewalks and landscape (along Spruce Avenue near the commercial shopping center). The cultural resources memorandum prepared for the Project concluded that the lack of historical or archaeological resources within a 0.5-mile radius, as a result of studies from other projects, would make it unlikely that the Project would encounter such resources during construction. Nevertheless, the potential remains that archeological resources could be inadvertently or accidentally uncovered during ground-disturbing activities such as trenching, digging, and the installation of utilities and other infrastructure.

Because there is the slight possibility for the accidental or inadvertent uncovering of archaeological resources during construction, Mitigation Measure CULT-1 would serve to reduce those potential impacts by requiring the stopping of any work until any found artifacts can be properly removed and inventoried by a qualified archaeologist. Therefore, the Project would result in a **less-than-significant impact with mitigation**.

Mitigation Measure CULT-1: If prehistoric or historic-era cultural or archaeological materials are encountered during construction activities, all work in the immediate vicinity of the find shall halt until a qualified professional archaeologist, meeting the Secretary of the Interior's Professional Qualification Standards for prehistoric and historic archaeologist, can evaluate the significance of the find and make recommendations. Cultural resource materials may include prehistoric resources such as flaked and ground stone tools and debris, shell, bone, ceramics, and fire-affected rock as well as historic resources such as glass, metal, wood, brick, or structural remnants.

If the qualified professional archaeologist determines that the discovery represents a potentially significant cultural resource, additional investigations may be required to mitigate adverse impacts from project implementation. These additional studies may include avoidance, testing, and evaluation or data recovery excavation.

If a potentially-eligible resource is encountered, then the qualified professional archaeologist, the Lead Agency, and the project proponent shall arrange for either 1) total avoidance of the resource or 2) test excavations to evaluate eligibility and, if eligible, total data recovery. The determination shall be formally documented in writing and submitted to the Lead Agency as verification that the provisions for managing unanticipated discoveries have been met.

- c) *Would the project disturb any human remains, including those interred outside of formal cemeteries?*

Less-Than-Significant Impact With Mitigation. The site is currently vacant and undeveloped, although is surrounded by existing urban development. However, the site's ground has been previously disturbed as a result of some light grading and the mowing of weeds and shrubs, as well as the installation of some sidewalks and landscape (along Spruce Avenue near the commercial shopping center). The cultural resources memorandum prepared for the Project concluded that the lack of historical or archaeological resources within a 0.5-mile radius, as a result of studies from other projects, would make it unlikely that the Project would encounter such resources during construction. Nevertheless, the potential remains that human remains could be inadvertently or accidentally uncovered during ground-disturbing activities such as trenching, digging, and the installation of utilities and other infrastructure.

Because there is the slight possibility for the accidental or inadvertent uncovering of human remains during construction, Mitigation Measure CULT-2 would serve to reduce those potential impacts by requiring the stopping of any work until any found human remains can be properly removed by the County coroner and/or tribes. Therefore, the Project would result in a **less-than-significant impact with mitigation**.

Mitigation Measure CULT-2: If human remains are discovered during construction or operational activities, further excavation or disturbance shall be prohibited pursuant to Section 7050.5 of the California Health and Safety Code. The specific protocol, guidelines, and channels of communication outlined by the Native American Heritage Commission, in accordance with Section 7050.5 of the Health and Safety Code, Section 5097.98 of the Public Resources Code (Chapter 1492, Statutes of 1982, Senate Bill 297), and Senate Bill 447 (Chapter 44, Statutes of 1987), shall be followed. Section 7050.5(c) shall guide the potential Native American involvement, in the event of discovery of human remains, at the direction of the County coroner. All reports, correspondence, and determinations regarding the discovery of human remains on the project site shall be submitted to the Lead Agency.

6. ENERGY

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?			X	
b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?			X	

ENVIRONMENTAL SETTING

The Project is located on an infill site surrounded by existing urban uses, such as a commercial shopping center to the west, and residential to the north.

DISCUSSION

- a) *Would the project result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?*

Less-Than-Significant Impact. The Project proposes the construction of 185 townhome units on approximately 12.50 acres, along with associated landscape, hardscape, and infrastructure (i.e. drive aisles, utilities, etc.). The Project would include construction activities typical of residential development, thus, is not generally considered the type of use or intensity that would result in the unnecessary

consumption of energy. The units themselves would comply with Title 24 Green Building Standards for energy efficiency, as well as be required to comply with the latest water efficient landscape policy regulations. Further, the Project would be required to comply with Clovis General Plan Policy 3.4, and 3.7 of the Open Space and Conservation, which call for the use of water conserving and drought tolerant landscape, as well as energy efficient buildings. Consequently, compliance with these measures would ensure that the Project does not result in a significant impact due to the unnecessary consumption of energy and **less-than-significant** impact would occur.

- b) *Would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?*

Less-Than-Significant Impact. See discussion under Section 6a above.

7. GEOLOGY AND SOILS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?			X	
ii) Strong seismic ground shaking?			X	
iii) Seismic-related ground failure, including liquefaction?			X	
iv) Landslides?			X	
b. Result in substantial soil erosion or the loss of topsoil?			X	
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading,			X	

subsidence, liquefaction or collapse?				
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?				X
e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste disposal systems where sewers are not available for the disposal of wastewater?				X
f. Directly or indirectly destroy a unique paleontological resource or unique geologic feature?		X		

ENVIRONMENTAL SETTING

The 2014 Clovis General Plan EIR identified no geologic hazards or unstable soil conditions known to exist on the Project site. Although Figure 5.6-2 of the Geology and Soils Chapter of the General Plan EIR does show a fault, the fault is located several miles east of the Project site.

DISCUSSION

- a) *Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?; ii) Strong seismic ground shaking?; iii) Seismic-related ground failure, including liquefaction?; iv) Landslides?*

Less-Than-Significant Impact. Although the Project site does not have any known faults on the site, the potential remains that seismic ground-shaking could occur from the fault located east of the Project. However, adherence to the most current California Building Codes would ensure that the structures are constructed safely and in compliance with the appropriate Building Codes. With regards to liquefaction, the 2014 General Plan EIR states that the soil types in the area are not considered conducive to liquefaction due to their high clay content or from being too coarse.¹² Further, the site is generally flat and therefore landslides would not occur at the Project site. Overall, due to the location away from a known fault, adherence to the most recent California Building Codes, and the flat topography, a **less-than-significant impact** would occur with regards to potential impacts from seismic activity.

- b) *Would the project result in substantial soil erosion or the loss of topsoil?*

Less-Than-Significant Impact. Although the site is relatively flat, grading activities would be required to ensure a flat and graded surface prior to construction, which may result in the soil erosion and loss of topsoil. However, as part of the Project, grading plans are required to be submitted and approved by the

¹² 2014 Clovis General Plan EIR, Chapter 5: Geology and Soils, page 5.6-3.

City Engineer Division to ensure appropriate grading of the site. Thus, this review and approval process would ensure that a **less-than-significant** impact occur and no mitigation measures are required.

- c) *Would the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?*

Less-Than-Significant Impact. See discussion under Section 7a.

- d) *Would the project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating direct or indirect substantial risks to life or property?*

No Impact. According to the 2014 Clovis General Plan EIR, expansive soils are mostly present in areas along the northern edge of the non-Sphere of Influence (SOI) and the easternmost part of the Clovis non-SOI plan area. Because the Project is not within the vicinity of these areas, there would be no potential for creating direct or indirect substantial risks to life or property with regards to expansive soils. As a result, **no impact** would occur and no mitigation measures are required.

- e) *Would the project have soils incapable of adequately supporting the use of septic tanks or alternative waste disposal systems where sewers are not available for the disposal of wastewater?*

No Impact. The Project does not propose the use of septic tanks, therefore, **no impact** would occur.

- f) *Would the project directly or indirectly destroy a unique paleontological resource or unique geologic feature?*

Less-Than-Significant Impact With Mitigation. The Project site has been previously disturbed, as well as the immediately surrounding areas with no known occurrences of the discovery of paleontological resources. In addition, the cultural resources memorandum concluded that the potential for uncovering of archaeological or subsurface historical deposits (i.e. paleontological resources) is unlikely. Nevertheless, the possibility remains that the inadvertent or accidental discovery could occur during ground disturbing construction activities. However, Mitigation Measure GEO-1, below, would serve to protect the accidental discovery of paleontological resources. As such, a **less-than-significant with mitigation** impact would occur.

Mitigation Measure GEO-1: If prehistoric or historic-era cultural materials are encountered during construction activities, all work in the immediate vicinity of the find shall halt until a qualified professional archaeologist and/or paleontologist, meeting the Secretary of the Interior's Professional Qualification Standards for prehistoric and historic archaeologist, can evaluate the significance of the find and make recommendations. Cultural resource materials may include prehistoric resources such as flaked and ground stone tools and debris, shell, bone, ceramics, and fire-affected rock as well as historic resources such as glass, metal, wood, brick, or structural remnants.

If the qualified professional determines that the discovery represents a potentially significant cultural resource, additional investigations may be required to mitigate adverse impacts from project implementation. These additional studies may include avoidance, testing, and evaluation or data recovery excavation.

If a potentially-eligible resource is encountered, then the qualified professional archaeologist and/or paleontologist, the Lead Agency, and the project proponent shall arrange for either 1) total avoidance of the resource or 2) test excavations to evaluate eligibility and, if eligible, total

data recovery. The determination shall be formally documented in writing and submitted to the Lead Agency as verification that the provisions for managing unanticipated discoveries have been met.

8. GREENHOUSE GAS EMISSIONS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			X	
b. Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?			X	

ENVIRONMENTAL SETTING

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

Individual Projects contribute to the cumulative effects of climate change by emitting GHGs during construction and operational phases. The principal GHGs are carbon dioxide, methane, nitrous oxide, ozone, and water vapor. While the presence of the primary GHGs in the atmosphere are naturally occurring, carbon dioxide (CO₂), methane (CH₄), and nitrous oxide (N₂O) are largely emitted from human activities, accelerating the rate at which these compounds occur within earth's atmosphere. Carbon dioxide is the "reference gas" for climate change, meaning that emissions of GHGs are typically reported in "carbon dioxide-equivalent" measures. Emissions of carbon dioxide are largely by-products of fossil fuel combustion, whereas methane results from off-gassing associated with agricultural practices and landfills. Other GHGs, with much greater heat-absorption potential than carbon dioxide, include hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride, and are generated in certain industrial processes.

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

In 2005, in recognition of California's vulnerability to the effects of climate change, Governor Schwarzenegger established Executive Order S-3-05, which sets forth a series of target dates by which statewide emission of greenhouse gases (GHG) would be progressively reduced, as follows: by 2010, reduce GHG emissions to 2000 levels; by 2020, reduce GHG emissions to 1990 levels; and by 2050, reduce GHG emissions to 80 percent below 1990 levels. In 2006, California passed the California Global Warming Solutions Act of 2006 (AB 32), which requires the California Air Resources Board (CARB) to design and implement emission limits, regulations, and other measures, such that feasible and cost-effective statewide GHG emissions are reduced to 1990 levels by 2020 (representing a 25 percent reduction in emissions).

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

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

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

In December 2009, the San Joaquin Valley Air Pollution Control District (SJVAPCD) adopted guidance for addressing GHG impacts in its *Guidance for Valley Land Use Agencies in Addressing GHG Impacts for New Projects Under CEQA*. The guidance relies on performance-based standards, otherwise known as Best Performance Standards (BPS), to assess significance of project-specific GHG emissions on global climate change during the environmental review process.

Projects can reduce their GHG emission impacts to a less than significant level by implementing BPS. Projects can also demonstrate compliance with the requirements of AB 32 by demonstrating that their emissions achieve a 29% reduction below “business as usual” (BAU) levels. BAU is a projected GHG emissions inventory assuming no change in existing business practices and without considering implementation of any GHG emission reduction measures.

Significance Criteria

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

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

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

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

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

DISCUSSION

- a) *Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?*

Less-Than-Significant Impact. The Project would include the construction and operation of 185-townhome units. As such, GHG emissions would be produced through the construction and operational phases of the Project. However, the SJVAPCD includes regulations to reduce GHG emissions such as standards for medium and heavy duty engines and vehicles (i.e. tractors and construction equipment) that would apply to buildout of the Project. Further, compliance with Title 24 energy efficient building codes would apply, which also help to reduce GHG emissions during operation of the Project, by requiring minimum standards for insulation, energy efficiency, and window glazing, etc., which serve to maximize efficiency of new construction. Further, the Project would comply with the latest water efficient landscape standards which help to reduce energy usage. Overall, the AQ/GHG Report concluded that the Project, with implementation of required energy efficient standards, would reduce emissions versus business as

usual scenarios and would exceed the minimum percentage reduction of emissions required by the State, SJVAPCD, and the Clovis General Plan EIR.¹³ Therefore, a **less-than-significant** impact would occur.

- b) *Would the project conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?*

Less-Than-Significant Impact. Based on the AQ/GHG Report,¹⁴ the Project would include several features that would minimize GHG emissions, which are consistent with project-level strategies identified by the Air Resources Board Scoping Plan and the Clovis General Plan. As indicated in the discussion above under Section 8a, the Project would result in GHG reductions that meet or exceed minimum targets by complying with the latest energy efficient standards, and water conservation. Consequently, the AQ/GHG Report found this potential impact to be **less than significant**.

9. HAZARDS AND HAZARDOUS MATERIALS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			X	
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			X	
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?			X	
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				X
e. For a project located within an airport land use plan or, where such a plan has not been				X

¹³ Air Quality and Greenhouse Gas Analysis Report, Mitchell Air Quality Consulting, page 110, April 16, 2019.

¹⁴ Air Quality and Greenhouse Gas Analysis Report, Mitchell Air Quality Consulting, starting on page 111, April 16, 2019.

adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?				
f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			X	
g. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?			X	

ENVIRONMENTAL SETTING

For purposes of this chapter, the term “hazardous materials” refers to both hazardous substances and hazardous wastes. A “hazardous material” is defined in the Code of Federal Regulations (CFR) as “substance or material that is capable of posing an unreasonable risk to health, safety, and property when transported in commerce” (49 CFR 171.8). California Health and Safety Code Section 25501 defines a hazardous material as follows:

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

The nearest school to the Project site is Garfield Elementary, located approximately one (1) mile northeast of the site.

DISCUSSION

- a) *Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?*

Less-Than-Significant Impact. The Project consists of the construction of 185 townhomes on an existing vacant site. The type of hazardous materials that would be associated with the Project are those typical of residential uses, such as the use of household cleaners, landscape maintenance products, soaps, and potential pesticides (for pest control). There would also be a community pool which would include the use of chlorine and other chemicals typically associated with pool maintenance. Overall, the Project would not routinely transport, use, or dispose of hazardous materials other than those typical of

residential development, which are not generally considered of the type or quantity that would pose a significant hazard to the public when used as directed. During construction, typical equipment and materials would be used that are associated with residential construction; however, any chemicals or materials would be handled, stored, disposed of, and/or transported according to applicable laws. Consequently, because the Project is not of the type of use that would routinely transport, use, or dispose of hazardous materials a **less-than-significant** impact would occur.

- b) *Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?*

Less-Than-Significant Impact. See discussion above under Section 9a.

- c) *Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?*

Less-Than-Significant Impact. As mentioned above, the Project site is located approximately one (1) mile from the nearest school, which is Garfield Elementary. Further, the Project is not of the type of use typically associated with emitting hazardous emissions or handling the type or quantity of hazardous materials such that it would pose a risk or threat to the school, or surrounding area. Therefore, a **less-than-significant** impact would occur.

- d) *Would the project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?*

No Impact. According the California Department of Toxic Substance Control EnviroStor Database, the Project site is not located on or within the immediate vicinity of a hazardous materials site.¹⁵ Therefore, **no impact** would occur.

- e) *For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?*

No Impact. The Project is not within an airport land use plan nor is the site within two miles of a public airport. Therefore, **no impact** would occur.

- f) *Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?*

Less-Than-Significant Impact. The Project is located at a site that is surrounded by existing development. Further, the road network is already in place from previous development. Although the Project could result in temporary traffic detouring or closures during buildout, these delays would be temporary and would be coordinated with the City engineering department and other departments to ensure safe access to and from the area is maintained. Further, the site itself would reviewed by City departments to ensure adequate site access and circulation is provided in the event of an emergency. Overall, a **less-than-significant** impact would occur.

¹⁵ California Department of Toxic Substance Control, EnviroStor Database, https://www.envirostor.dtsc.ca.gov/public/map/?global_id=71003467, accessed on June 16, 2019.

- g) *Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?*

Less-Than-Significant Impact. The site is an infill site surrounded by urban uses. Therefore, it is not in a location typically associated with wildfires. Although urban fires could occur, the Project would be constructed to the latest fire code standards, which would include fire sprinklers in each unit, as well as the installation of several fire hydrants throughout the site as required by the Clovis Fire Department. Further, other life safety features would be required such as smoke detectors, which would be reviewed and checked by the Fire Department to ensure proper operation prior to occupancy. Ultimately, a **less-than-significant** impact would occur.

10. HYDROLOGY AND WATER QUALITY

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?			X	
b. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?			X	
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would: (i) result in substantial erosion or siltation on- or off-site; (ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite; (iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or (iv) impede or redirect flood flows?			X	
i) Result in substantial erosion or siltation on- or off-site?			X	

ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite?			X	
iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?			X	
iv) Impede or redirect flood flows?			X	
d. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?			X	
e. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?			X	

ENVIRONMENTAL SETTING

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

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

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

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

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

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

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

Groundwater

Clovis is underlain by the Kings Groundwater Basin that spans 1,530 square miles of central Fresno County and small areas of northern Kings and Tulare counties. Figure 5.9-4, Kings Groundwater Basin, shows that the basin is bounded on the north by the San Joaquin River, on the west by the Delta-Mendota and Westside Subbasins, the south by the Kings River South Fork and the Empire West Side Irrigation District, and on the east by the Sierra Nevada foothills. Depth to groundwater in 2016 ranged from 196.5 feet at the northwest City boundary to 69.5 feet at the southeast City boundary (Clovis 2016), 25 feet at the southeast SOI boundary, and about 20 feet at the eastern Plan Area boundary (FID 2013). The Kings Subbasin has been identified as critically overdrafted (Provost & Pritchard 2011).

In the Plan Area, groundwater levels are monitored by the City of Clovis and FID. The overall area has not experienced land subsidence due to groundwater pumping since the early 1900s (FID 2006). Subsidence occurs when underground water or natural resources (e.g., oil) are pumped to the extent that the ground elevation lowers. No significant land subsidence is known to have occurred in the last 50 years as a result of land development, water resources development, groundwater pumping, or oil drilling (FID 2006). The City has identified a localized area of subsidence of 0.6 feet in the vicinity of Minnewawa and Herndon Avenues within the last 14 years (Clovis 2016). Regional ground subsidence in the Plan Area was mapped as less than one foot by the US Geological Survey in 1999 (Galloway and Riley 1999). Groundwater levels in the San Joaquin Valley are forecast to hit an all-time low in 2014 (UCCHM 2014).

New development in accordance with the General Plan Update would increase the amount of impervious surface in the Plan Area, potentially affecting the amount of surface water that filters into the groundwater supply. Groundwater levels are monitored in the Plan Area by the FID and the City of Clovis. As described in the 2015 City of Clovis Urban Water Management Plan (UWMP), groundwater recharge occurs both naturally and artificially throughout the City. The Kings Groundwater Basin area is recharged through a joint effort between the Cities of Clovis and Fresno and the FID (CDWR 2006). Approximately 8,400 acre-feet per year (afy) of water are intentionally recharged into the Kings Groundwater Basin by the City of Clovis, and approximately 7,700 afy of water naturally flow into groundwater in the City's boundaries (Clovis 2011).

The FMFCD urban stormwater drainage system would provide groundwater infiltration for runoff from developed land uses in detention basins in the drainage system service area.

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

DISCUSSION

- a) *Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?*

Less-Than-Significant Impact. The Project is located on a site that was previously anticipated for the type and intensity of development that the Project proposes. As with any development, existing policies and standards are required to be complied with, which are assessed during review of the entitlements. As such, the engineering department, as well as outside agencies such as the Fresno Metropolitan Flood Control District (FMFCD) review all plans to ensure that none of the water quality standards are violated and that waste discharge requirements are adhered to during construction and operation of the Project. Consequently, this process of Project review and approval would ensure that a **less-than-significant** impact occur.

- b) *Would the project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?*

Less-Than-Significant Impact. The Project would not deplete groundwater supplies or interfere with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level due to the Project. The General Plan EIR identified a net decrease in ground water aquifer throughout the region, however, because the City's domestic water system is primarily served through surface water via existing water entitlements, the loss of aquifer is less than significant. The City has developed a surface water treatment plant (opened in June, 2004) that reduces the need for pumped groundwater, and has also expanded the municipal groundwater recharge facility. The Projects impacts to groundwater are **less than significant**.

- c) *Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would: (i) result in substantial erosion or siltation on- or off-site; (ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite; (iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or (iv) impede or redirect flood flows?*

Less-Than-Significant Impact. The Project site is located on an infill site that is generally flat and surrounded by existing urban uses. There are no streams or rivers on the site that would be altered as a result of the Project. Further, some of the infrastructure surrounding the site, such as stormdrains are already in place from existing development. The site is mostly pervious since it is currently undeveloped, and as a result, the Project would increase the amount of impervious surfaces by installing paving for roadways and sidewalks. However, the drainage pattern would be constructed per existing policies and regulations through review of the plans by the City engineering department and the FMFCD to ensure the site is properly and adequately drained such that the stormdrain system is maintained and so that no flooding occurs. Consequently, this review and approval by City engineers and FMFCD would mean that the Project result in a **less-than-significant** impact.

- d) *Would the project, in flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?*

Less-Than-Significant Impact. The Project site is located on an infill site substantially surrounded by existing urban uses. Due to the Central Valley's location away from the ocean, an impact from a tsunami is unlikely. However, the western half of the Project site is designated as a Federal Emergency Management Agency (FEMA) Flood Zone "X" which is considered by FEMA as a non-special flood hazard area and that the risk of a flood is low-risk. A Flood Zone X has a 0.2 percent-annual-chance of flood (or a 500-year flood). Consequently, this is a low-risk area and as a result a **less-than-significant** impact would occur.

- e) *Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?*

Less-Than-Significant Impact. The City of Clovis is within the North Kings County Groundwater Sustainability Agency (GSA). Pursuant to the Sustainable Groundwater Management Act of 2014 (SGMA), certain regions in California are required to develop and implement a groundwater management plan that sustainably manages groundwater resources. As of the writing of this Initial Study, the North Kings County GSA did not yet have an adopted groundwater management plan, as the public review draft is anticipated for release in June 2019, according to the North Kings GSA website. As such, there is not yet an adopted plan. Nevertheless, the Project would derive its water from surface water sources and does not propose or include plans for groundwater use. With regards to water quality control, the Project would be required to adhere to appropriate storm drain conveyance and the protection of water resources which would include the installation of backflow preventers. Consequently, the Project would result in a **less-than-significant** impact.

11. LAND USE AND PLANNING

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Physically divide an existing community?			X	
b. Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?			X	

ENVIRONMENTAL SETTING

As described above in the Project Description, the Project site is considered an in-fill site in that the surrounding areas are urbanized. There are existing single-family residential uses to the north, commercial and light industrial to the east, commercial to the south, and a commercial shopping center to the west.

As mentioned, the site is within the R-2 Zone District, and would include a rezone of one of the parcels from R-A to R-2 for consistency. If approved, the entire site would be R-2 which is intended for low density multiple family residential uses.

DISCUSSION

a) *Would the project physically divide an existing community?*

Less-Than-Significant Impact. Although the site is currently vacant and undeveloped, the general area is urbanized with a mix of existing uses and land use types. Typically, physically dividing existing communities is associated with the construction of a new road intersecting an established area or introducing uses that are not necessarily in line with the existing uses and planned land uses of the area. However, the Project site has been previously designated in the Clovis General Plan and zoned for medium density residential. Further, as part of the Project, new sidewalks would be installed along Spruce Avenue which would facilitate improved and safer connections between the site and adjacent uses. Further, the Project would install new bicycle lanes along Spruce Avenue to better connect the surrounding areas.

Consequently, because the proposed Project is the type of use previously planned for this site and the general areas, it would not physically divide an existing community. Rather, it seeks to complement and enhance the connectivity of the area with installation of a new public sidewalk and bicycle lanes. Therefore, a **less-than-significant** impact would occur and no mitigation measures are required.

b) *Would the project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?*

Less-Than-Significant Impact. As mentioned, most of the Project site is zoned R-2 and includes a request to rezone a small parcel from R-A to R-2 for consistency. If approved, the entire site would be R-2 which allows for low density multiple family residential use. As a proposed townhome Project, this is consistent with both the General Plan Land Use Designation, as well as the Zone District. Further, through the review and entitlement process, the Project is reviewed for compliance with applicable regulations, including those intended for avoiding or mitigation an environmental effect. For example, the Project would be required to comply applicable lighting, landscape, and noise standards, which are regulated through the Clovis Municipal Code to ensure minimal impacts to the environment as well as to neighboring properties.

As a result of the Project in complying with the land use and zoning designation, as well as the review process ensuring General Plan and other applicable policies are adhered to, the Project would result in a **less-than-significant** impact with regards to conflicting with a land use plan.

12. MINERAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X

b. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				X
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ENVIRONMENTAL SETTING

The City of Clovis 2014 General Plan EIR defines minerals as any naturally occurring chemical elements or compounds formed from inorganic processes and organic substances.¹⁶ The 2014 General Plan EIR indicates that there are no active mines or inactive mines within the Plan Area of the City of Clovis.

DISCUSSION

- a) *Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?*

No Impact. As stated above, the City of Clovis does not have any active mines or inactive mines. Further, the Project site is an infill site within the City and is not zoned, designated, or otherwise mapped for mineral resource extraction, or for having mineral resources of value to the region present on or below the surface of the site. Therefore, **no impact** would occur and no mitigation measures are required.

- b) *Would the project result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?*

No Impact. Please refer to the discussion under Section 12.a.

13. NOISE

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			X	
b. Generation of excessive groundborne vibration or groundborne noise levels?			X	
c. For a project located within the vicinity of a private airstrip or an				X

¹⁶ 2014 Clovis General Plan EIR, Chapter 5: Mineral Resources, page 5.11-1.

airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				
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ENVIRONMENTAL SETTING

The Project site is located on a vacant and undeveloped site surrounded by existing development including a shopping center to the west, residential to the north, commercial and industrial to the east, and a vacant lot to the south. Further, the site is bound by existing roadways to the west, east, and south that were installed as part of the previous projects. As such, existing ambient noise levels are typical of noises from these types of developments (i.e. commercial shopping centers, roadway networks, and residential).

DISCUSSION

- a) *Would the project result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?*

Less-Than Significant Impact. The Project would include development of an existing vacant and undeveloped site within Clovis. Thus, the Project would result in a temporary and permanent increase in ambient noise levels as a result. However, as mentioned above, the Project site is infill and is already surrounded by existing commercial and residential development. Therefore, while the Project would introduce new ambient noise from the construction of and operation of the townhomes, these noises would be typical of that of the surrounding area and would not represent the type of noise levels that would drastically differ from what already exists.

Further, the City of Clovis Municipal Code Section 9.22.080, Noise, sets forth noise standards for development which would need to be complied with. For example, construction would only be permitted between the hours of 7:00 a.m. and 7:00 p.m. on weekdays, and between 9 a.m. and 5:00 p.m. on weekends. However, between June 1 and September 15, construction may begin at 6 a.m. on weekdays. In terms of noise following the buildout of the Project, the Project includes construction of a masonry or other type of solid wall along the northern property line to serve as a buffer between the Project and the existing residential to the north. Further, landscaping would occur along the northern property line, as well as throughout the site, which would also serve to buffer noise from the Project. With the exception of the five townhome units at the northeast portion of the site located at a setback of 20 feet, the other townhomes would be at least 30 feet or more away from the northern property line, and in most cases further than that. Thus, the potential for ambient noise levels to significantly increase would be unlikely. Further, vehicles would enter and exit along Spruce Avenue which is at the southern part of the Project, away from existing residential to the north. As mentioned above, existing ambient noise already exists from vehicles, and while new homes would add to the ambient noise, it would not significantly increase the ambient noise levels themselves.

Consequently, because the Project site is considered infill, already surrounded by similar uses, and because construction noise would be temporary in nature, the potential for a substantial increase in

ambient or temporary noise increases is considered **less-than-significant** and no mitigation measures are required.

- b) *Would the project result in generation of excessive groundborne vibration or groundborne noise levels?*

Less-Than Significant Impact. The Project includes development of 185 townhomes on an existing vacant and undeveloped parcel. Therefore, construction equipment typical of the development of residential homes would be utilized temporary. This equipment could include the use of heavy tractors, trucks, and other equipment, however, this type of equipment isn't typically associated with excessive groundborne vibration. If any vibration were to occur, it's likely that it would be temporary in nature and not at levels that would significantly impact the surrounding area. Further, the Project would be required to comply with the provisions of Section 9.22.090 of the Clovis Municipal Code which requires that vibration not be perceptible along property lines and that it shall not interfere with operations or facilities on adjoining parcels. It's important to note also that temporary construction vibration and noise is exempt from these provisions due to the fact that construction is temporary. Overall, because the type of equipment likely to be used in the development of the Project is not considered to be of the type and intensity to result in substantial vibration or groundborne noise, the impact would be **less than significant** and no mitigation measures are required.

- c) *For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?*

No Impact. The Project is not located within the vicinity of a private airstrip or within an airport land use plan nor is the site within two miles a public airport. Therefore, **no impact** would occur.

14. POPULATION AND HOUSING

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example through extension of roads or other infrastructure)?			X	
b. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?				X

ENVIRONMENTAL SETTING

The Project is located on an in-fill site that has previously planned for medium-high density residential use in the 2014 Clovis General Plan. As mentioned in the Project Description above, the site has a land use designation of Medium-High Density Residential which allows for 7.1 to 15.0 dwelling units per acre

(DU/Ac). The Project site is approximately 12.50 acres and proposes 185 units for a density of 14.8 DU/Ac.

DISCUSSION

- a) *Would the project induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example through extension of roads or other infrastructure)?*

Less-Than-Significant Impact. As mentioned, the Project would result in a density of 14.8 DU/Ac which is within the planned density range of the Medium-High Density land use designation under the 2014 Clovis General Plan. Therefore, the site was previously planned for population growth within this density range. Further, unplanned population growth is typically associated with providing new services in remote areas of the City or other infrastructure that was not previously identified in the General Plan. The Project site itself is an in-fill site, thus, the infrastructure (i.e. road network, utilities, sidewalks, etc.) is already in place and would be able to serve the site, as planned for in the 2014 General Plan. Although the Project would result in new housing units and population to the site, this growth was previously planned and anticipated under the 2014 General Plan. Thus, a **less-than-significant** impact would occur and no mitigation measures are required.

- b) *Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?*

No Impact. The Project site is currently vacant and undeveloped. There are no existing structures, homes, or people currently living on the site, therefore, the Project would not result in the substantial displacement of existing people or housing. **No impact** would occur and no mitigation measure are required.

15. PUBLIC SERVICES

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

ENVIRONMENTAL SETTING

The Project is located on an in-fill site within the City, surrounded by existing residential and commercial uses. As mentioned above in the Population and Housing and Land Use and Planning sections, the Project is consistent with the use already planned for in terms of type, and intensity of development. The Project would be served by the Clovis Fire Department, Clovis Police Department, with mutual aid from the City of Fresno, when needed. The Project site would also be within the Clovis Unified School District.

The nearest fire station is Fire Station #3, located a short distance (approximately 1.5 miles) east of the site. The other closest fire station is Fire Station #1, located approximately 2.8 miles southeast of the site.

DISCUSSION

- a) *Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for fire protection services?*

Less-Than-Significant Impact. Although the Project would result in 185 new residential units to the area, the site is located in an urbanized area of the City already able to be served by the Clovis Fire Department. Also, the site itself is in close proximity to Fire Station's #1 and #3, which would mean that response times should be able to be maintained during calls for service. As part of the entitlement process for the Project, the Clovis Fire Department will review the design and site layout to ensure adequate fire safety measures and site circulation are achieved. This would include placement of new fire hydrants in certain locations throughout the site, adequate drive widths for fire truck and emergency vehicle access, and the appropriate application of fire codes, such as installation of sprinkler systems, fire alarms, and smoke detectors. Overall, with the sites close proximity to numerous fire stations, construction that would meet the latest fire code standards, and review by the Clovis Fire Department, impacts related to effects on the performance of the Fire Department would be **less-than-significant** and no mitigation measures are required.

- b) *Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for police protection services?*

Less-Than-Significant Impact. Although the Project would result in 185 new residential units to the area, the site is located in an urbanized area of the City already able to be served by the Clovis Police Department. The Clovis Police Department headquarters are located at 1233 Fifth Street, which is just over 3 miles from the site. As part of the entitlement process for the Project, the Clovis Police Department will review the design and site layout to ensure adequate safety measures are achieved. Further, the Project site is proposed as a gated community which can decrease and deter the potential for crime, such as vehicle break-ins. Also, the design of the Project with the units fronting onto Spruce and Peach Avenues create the concept of "eyes on the street" which can help to deter the potential for crime. Lastly, the site is located in an already urbanized areas serviced by the Clovis Police Department, and thus access to and from the site would be similar to existing conditions when responding to calls for services. Consequently, a **less-than-significant** impact would occur and no mitigation measures are required.

- c) *Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental*

facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for schools?

Less-Than-Significant Impact. Although the Project would result in 185 new residential units to the area, the site is located in an urbanized area of the City within the Clovis Unified School District (CUSD). As part of the review process, CUSD is provided the opportunity to comment and work closely with the City as development is proposed. As mentioned previously, the Project site was previously planned and anticipated for Medium-High Density Residential, as indicated in the 2014 Clovis General Plan. As such, the CUSD has been aware of the potential for this type and density of development at this location. As part of the process, the Project would be required to pay school fees which typically go towards the improvement and/or construction of new schools or expanding existing schools if and when needed, as determined by the CUSD. Therefore, because the Project is consistent with what was previously planned for at this site in addition to payment of appropriate school fees set by the CUSD, a **less-than-significant** impact would occur and no mitigation measures are required.

- d) *Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for parks?*

Less-Than-Significant Impact. See discussion under Section 16, Recreation for the analysis related to parks.

- e) *Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for other public facilities?*

Less-Than-Significant Impact. Although the Project would result in 185 new residential units, these units have been previously planned for in the 2014 Clovis General Plan. As such, the Project's consistency with the planned land use designation for this site would mean that the potential impacts on public facilities have been adequately accounted for. Further, through the entitlement process, the Project would undergo review by several departments and agencies for compliance with appropriate regulations and policies. This could result in various impact fees that are intended to maintain and enhance public facilities as appropriate. As such, payment of the typical development fees, as well as project review by the different department and agencies, would result in the Project having a **less-than-significant** impact to public facilities. No mitigation measures are required.

16. RECREATION

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical			X	

deterioration of the facility would occur or be accelerated?				
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?			X	

ENVIRONMENTAL SETTING

The Project is located on an in-fill site surrounded by existing residential and commercial development. The nearest park to the site is Railroad Park, located approximately ¼ mile northeast of the Project site.

DISCUSSION

- a) *Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?*

Less-Than-Significant Impact. As mentioned in the Population and Housing section of this Initial Study, the Project is of the type and density previously planned and accounted for in the 2014 Clovis General Plan. Although 185 new housing units would be constructed, therefore, adding new population to the area that may utilize parks within the surrounding area, this growth was planned for with regards to park usage throughout the city. Further, the Project itself would include landscaped and open space areas on-site for its residents, thereby, providing areas of recreation within the site. Also, a community pool is proposed as part of the Project, also providing a recreational amenity for its residents. The Project would also be required to comply with General Plan Policy 2.2 of the Open Space and Conservation Element which encourages the incorporation of on-site natural resources.

Overall, because the type and density of the use was previously accounted for in the 2014 General Plan with regards to parks, and because the Project incorporates on-site open space and amenities, the Project is not likely to increase the use of existing parks such that physical deterioration would occur. Therefore, the impact would be **less-than-significant** and no mitigation measures are required.

- b) *Does the project include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?*

Less-Than-Significant Impact. The Project site itself would construct on-site open space areas and amenities for its residents. However, it is not likely that the Project itself would require the construction or expansion of new recreational facilities that would have an adverse physical effect on the environment. The Project would also be required to contribute a proportionate share towards the acquisition and development of future parks in order for the City to maintain its adopted ratio of providing four (4) acres of parkland per 1,000 residents, as stated in Policy 1.1 in the Open Space and Conservation Element of the 2014 General Plan, and Section 3.4.03 of the Clovis Municipal Code. As such, a **less-than-significant** impact would occur and no mitigation measures are required.

17. TRANSPORTATION

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?		X		
b. Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?			X	
c. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			X	
d. Result in inadequate emergency access?			X	

ENVIRONMENTAL SETTING

The Project is located in an area within a previously urbanized area in the City, as previously mentioned. The site is bounded by Spruce and Helm Avenues to the west, Spruce Avenue to the south, and Peach Avenue to the east. The Project site is bounded by existing single-family residential to the north. As an already urbanized area of the City, the circulation network serving the site and its vicinity is already in place.

According to the 2014 Clovis General Plan Circulation Diagram in the Circulation Element (Figure C-1 of the Circulation Element), Helm and Spruce Avenues to the west of the site are classified as collector streets, as well as Peach Avenue to the east of the site. The portion of Spruce Avenue along the south of the site and providing direct ingress and egress access to the Project is classified as a local street. Collector streets are intended to provide for relatively short distance travel between and within neighborhoods. Local streets are intended to provide direct access to abutting land uses and serve short distance trips within neighborhoods.

A Traffic Impact Study (TIS) was prepared by Peters Engineering Group on May 14, 2019 (included as Appendix D of this Initial Study). The information and analysis in the following sections is based in part on the results of the TIS.

DISCUSSION

- a) *Would the project conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?*

Less-Than-Significant Impact With Mitigation. As mentioned above, the site is within an urbanized area of the City on land that was previously planned for Medium-High Density residential development (i.e. multi-family) by the 2014 Clovis General Plan. Further, the Project proposes a density of 14.8 DU/Ac which is within the allowable density range of the Medium-High Density land use designation which is 7.1 to 15.0 DU/Ac. Thus, the 2014 Clovis General Plan and its EIR previously contemplated the potential traffic impacts associated with development within this density range and because the Project does not propose an increase to the density, there wouldn't be the potential for traffic related impacts not already contemplated in the General Plan. Also, the TIS studied two intersections: 1) Helm Avenue/Spruce Avenue, and 2) Peach Avenue/Spruce Avenue, for existing conditions, existing-plus-project conditions, near term with project conditions, and cumulative conditions to the year 2040. A discussion of each of these scenarios is included below. Each scenario is based on the Projects a.m. and p.m. peak hour trips as determined in the TIS. According to the TIS, the Project would result in 86 trips in the a.m. peak hours of between 7 a.m. and 9 a.m. and 104 trips in the p.m. peak hours between 4 p.m. and 6 p.m., as well as a total of 1,356 daily vehicle trips.

Existing Traffic Conditions

Based on the TIS (page 3), existing traffic volumes were determined during morning peak hours of 7 a.m. to 9 a.m., and between evening peak hours of 4 p.m. and 6 p.m. on a weekday while the school year was in session. According to the TIS, the intersection of Peach and Spruce Avenues is operating at acceptable levels of service; however, the intersection of Helm and Spruce is not.¹⁷

Existing-Plus-Project Conditions

Existing-Plus-Project conditions represent existing conditions plus buildout of the Project. According to the TIS, the intersection of Peach and Spruce Avenues would continue to operate at an acceptable level of service; however, an increase in delays could occur at the intersection of Helm and Spruce Avenues during the p.m. peak hour on the eastbound approach exiting the shopping center. However, implementation of Mitigation Measure TRAF-1 was found to adequately mitigate this potential impact.

Near-Term-With-Project Conditions

These conditions are based on buildout of the Project plus the near term planned or entitled projects that are reasonably foreseeable. The TIS included the shopping center at the northwest corner of Willow and Herndon Avenues, America's Tire Shop, Heritage Crossing Residential Care Facility at the intersection of Alluvial, west of Willow Avenue, and the apartments at the northwest corner of Willow and Herndon Avenues. Similar to existing-plus-project conditions described above, Peach and Spruce Avenues would continue to operate at acceptable levels of service while Helm and Spruce Avenues would not. However, implementation of Mitigation Measure TRAF-1 was found to adequately mitigate this potential impact.

Cumulative 2040 Traffic Conditions

These conditions represent anticipated traffic volumes for the year 2040 using the Fresno Council of Governments (Fresno COG) travel model. As described in the TIS, the two study intersections would

¹⁷ Traffic Impact Study, Tentative Tract No. 6262, Peters Engineering Group, May 14, 2019, page 7.

operate at unacceptable levels of service for the year 2040. However, implementation of Mitigation Measure TRAF-1 was found to adequately mitigate this potential impact.

Bicycle Facilities

With regards to bicycle facilities, Figure C-2 of the 2014 Clovis General Plan indicates an existing Class II bicycle lane along Peach Avenue along the eastern border of the Project; however, the Project would not conflict operation of this bicycle lane because it does not propose ingress/egress along Peach Avenue.

Consequently, the Project itself would help to facilitate improved circulation by adding a pedestrian sidewalk along Peach Avenue fronting the site which would provide a complete connection of sidewalk from Spruce and Helm Avenues to Peach Avenue. Further, as part of conditions of approval of the Project, a bicycle lane would be required to be installed along the Project frontage on Spruce Avenue to help facilitate safer bicycle circulation. The TIS also determined that implementation of Mitigation Measure TRAF-1 would reduce the potential for significant traffic impacts by ensuring that payment of fair share costs be assessed for future traffic control at Helm and Spruce Avenues. While the level of service at this intersection would be slightly exacerbated with the Project, Policy 2.1 in the Circulation Element of the General Plan allows exceptions to LOS on a case-by-case basis where a project would result in other public benefits. In the case of the Project, development of an infill property at a medium-high density would provide a public benefit by creating a pedestrian-friendly environment on a site that is otherwise vacant and undeveloped. Lastly, Mitigation Measure TRAF-2 would ensure that future improvements that may be needed for Herndon Avenue would be adequately mitigated through the payment of fair share costs attributed to anticipated trips from the Project. Overall, because the Project complies with the density range and type of land use previously planned for this site, because improvements would serve to facilitate a safer circulation network, with implementation of Mitigation Measures TRAF-1 and TRAF-2, a **less-than-significant with mitigation** impact would occur.

Mitigation Measure TRAF-1: The Project proponent and/or applicant shall work with City staff to develop a solution for traffic control at Spruce and Helm Avenues and pay a fair share of costs for the installation of the traffic control device prior to issuance of building permits with the option to prorate and/or defer fair share costs to occupancy of each unit and/or building, if approved by the City Engineer. This mitigation measure assumes that installation of a roundabout that includes one entry lane on the eastbound and westbound approaches, two entry lanes on Helm Avenue (northbound and southbound), two circulating lanes adjacent to the east and west legs, and one circulating lane adjacent to the north and south legs will be needed.

Mitigation Measure TRAF-2: The Project proponent and/or applicant shall comply with the requirements of the comment letter provided by the California Department of Transportation (Caltrans), which would require the payment of fair share costs for future improvements to Herndon Avenue. Payment of fair share fees shall be paid to the City of Clovis prior to issuance of building permits with the option to prorate and/or defer fair share costs to occupancy of each unit and/or building, if approved by the City Engineer.

- b) *Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?*

Less-Than-Significant Impact. Under Senate Bill 743 (SB743), starting July 2020, projects will be required to assess traffic impacts based on Vehicle Miles Traveled (VMT), which is the amount and distance of automobile travel attributable to a project, as opposed to the existing Level of Service (LOS) method, which measures vehicle delays. As such, VMT is not required to be assessed until July 2020. Nevertheless, the Project is located on an infill site within the City that is surrounded by existing

commercial and residential uses. Thus, the Project would serve to reduce VMT as an infill site. Further, there is an existing shopping commercial shopping center immediately adjacent to the west of the Project that includes restaurants, personal services, and big box retail. The close proximity of the Project to a shopping center would serve to reduce VMT given that the proposed townhomes are a short walk. The Project is consistent with General Plan Policy 1.4 of the Circulation Element, which encourages infill development for the purpose of reducing VMT. Overall, the Project, due to its close proximity to an existing commercial shopping center, and as an infill site, would result in a **less-than-significant** impact.

- c) *Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?*

Less-Than-Significant Impact. The Project would result in a significant impact if it would include features that would create a hazard such as a sharp curve in a new roadway, or create a blind corner or result in sight distance issues from entryways. Through the entitlement process, the Project would undergo review by multiple City departments, such as planning and engineering, to ensure that the site layout conforms to existing regulations, such as the City Development Code, and other applicable codes, such as the fire code and building code. During this review, the Project would need to make the necessary corrections to ensure that no hazardous design features would result from the Project. Further, the main roadway network (i.e. Spruce Avenue, Peach Avenue, and Helm Avenue) was previously constructed to City roadway standards. Therefore, because the Project would undergo site plan and design review to ensure consistency and adherence to applicable design and site layout guidelines, a **less-than-significant** impact would occur.

- d) *Would the project result in inadequate emergency access?*

Less-Than-Significant Impact. The Project would include two ingress/egress access points along Spruce Avenue. As part of the Project review, the Clovis Fire Department would review all plans to ensure adequate emergency access is provided. This review includes review for adequate roadway widths, turning radii, as well as adequate access to units and accessibility to water. Consequently, because the Project plans would be required by the Clovis Municipal Code to be reviewed and approved by Clovis Fire Department and Police Department prior to construction, this impact would be **less than significant** and no mitigation measures are required.

18. TRIBAL CULTURAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?				X
b. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public		X		

Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Section 5024.1 for the purposes of this paragraph, the lead agency shall consider the significance of the resource to a California Native American Tribe?				
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ENVIRONMENTAL SETTING

On September 25, 2014, Governor Jerry Brown signed Assembly Bill AB52, which intends to protect a new class of recourse under CEQA. This new class is Tribal Cultural Resources and provides an avenue to identify Tribal Cultural resources through a consultation process, similar to SB18. However, unlike SB18, where consultation is required for all General Plan and Specific Plan Amendments, AB52, applies to all projects where a Notice of Determination is filed. Furthermore, the consultation process is required to be complete prior to filing a Notice of Intent.

On May 20, 2019, consistent with AB52, invitations to consult on the Project were mailed to thirteen (13) tribes within the area. According to AB52, tribes have up to thirty (30) days to request consultation, at which time the City would set up a consultation. On June 19, 2019 the City consulted with the Table Mountain Rancheria tribe and are were able to agree upon a mitigation measure that would ensure the protection of accidental discovery of any cultural resources. This mitigation measures is included below.

A cultural resources memorandum was prepared by QK on April 25, 2019 (see Appendix C). This memorandum was based on information obtained at the Southern San Joaquin Valley Information Center, CSU Bakersfield, as well as a previously adopted Initial Study Mitigated Negative Declaration.

DISCUSSION

- a) *Would the project cause a substantial adverse change to a listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?*

No Impact. As mentioned in the Project Description, the Project site is currently vacant and undeveloped. There are no existing structures or features on the site that are listed or eligible in the California Register of Historical Resources, or in a local register. As such, the Project would have **no impact** and no mitigation measures are required.

- b) *Would the project cause a substantial adverse change to a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Section 5024.1 for the purposes of this paragraph, the lead agency shall consider the significance of the resource to a California Native American Tribe?*

Less-Than-Significant Impact With Mitigation. As mentioned above, the City invited 13 Native American tribes to consult on the Project under AB52, and no tribes requested consultation within the 30-days afforded to respond under AB52. The Project site is currently vacant and undeveloped, and would require trenching and ground-disturbing activities during construction for the installation of utility infrastructure needed to serve the Project. As described in the cultural resources memorandum prepared

by QK, a cultural resources records search (RS #19-154) was conducted on April 22, 2019 and indicated that the site had not been surveyed for cultural resources, although eight (8) studies were conducted on unrelated projects within a half mile of the Project site, and that neither of those studies indicated the presence of cultural resources. Nevertheless, the potential remains that cultural resources could be inadvertently discovered during ground-disturbing activities. However, implementation of Mitigation Measures TCR-1 and TCR-2 below would reduce potential significant impacts and ensure protection in the event of accidental discovery of any cultural resources. With Mitigation Measure TCR-1 and TCR-2, impacts would be **less-than-significant with mitigation**.

Mitigation Measure TCR-1: At least five (5) business days prior to any ground-disturbing activities during construction, such as grading and/or installation of utilities, the applicant and/or their contractor, shall notify cultural resources staff at Table Mountain Rancheria to invite them to monitor the site during such ground-disturbance. At the time of this notification, the applicant shall also provide grading plans to Table Mountain Rancheria for review. If prehistoric or historic-era cultural materials are encountered during construction activities, all work in the immediate vicinity of the find shall halt until a qualified professional archaeologist/tribal representative, meeting the Secretary of the Interior's Professional Qualification Standards for prehistoric and historic archaeologist, can evaluate the significance of the find and make recommendations. Cultural resource materials may include prehistoric resources such as flaked and ground stone tools and debris, shell, bone, ceramics, and fire-affected rock as well as historic resources such as glass, metal, wood, brick, or structural remnants.

If the qualified professional archaeologist/tribal representative determines that the discovery represents a potentially significant cultural resource, additional investigations may be required to mitigate adverse impacts from project implementation. These additional studies may include avoidance, testing, and evaluation or data recovery excavation.

If a potentially-eligible resource is encountered, then the qualified professional archaeologist, the Lead Agency, and the project proponent shall arrange for either 1) total avoidance of the resource or 2) test excavations to evaluate eligibility and, if eligible, total data recovery. The determination shall be formally documented in writing and submitted to the Lead Agency as verification that the provisions for managing unanticipated discoveries have been met.

Mitigation Measure TCR-2: If human remains are discovered during construction or operational activities, further excavation or disturbance shall be prohibited pursuant to Section 7050.5 of the California Health and Safety Code. The specific protocol, guidelines, and channels of communication outlined by the Native American Heritage Commission, in accordance with Section 7050.5 of the Health and Safety Code, Section 5097.98 of the Public Resources Code (Chapter 1492, Statutes of 1982, Senate Bill 297), and Senate Bill 447 (Chapter 44, Statutes of 1987), shall be followed. Section 7050.5(c) shall guide the potential Native American involvement, in the event of discovery of human remains, at the direction of the County coroner. All reports, correspondence, and determinations regarding the discovery of human remains on the project site shall be submitted to the Lead Agency.

19. UTILITIES AND SERVICE SYSTEMS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?			X	
b. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?			X	
c. Result in a determination by the wastewater treatment provider that serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?			X	
d. Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?			X	
e. Comply with federal, state, and local management reduction statutes and regulations related to solid waste?			X	

ENVIRONMENTAL SETTING

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

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

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

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

DISCUSSION

- a) *Would the project require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?*

Less-Than-Significant Impact. The Project includes construction of 185 townhome units on an infill site. As mentioned above, the site is within the density range and is of the type of use that was previously anticipated for this location, thus, previously accounted for in the 2014 Clovis General Plan. As part of the review process for the Project, the wastewater impacts will be evaluated by the City Engineer to ensure compliance with the City's Waste Water Master Plan, as well as FMFCD, so that the Project would not exceed wastewater treatment requirements such that a new facility would be required nor would the existing treatment facility need to be expanded. Further, while the Project would introduce new units at this site, the type of development is consistent with the land use designation and Zone District previously planned for. Upon review and approval by the City Engineer, the Project would result in a **less-than-significant** impact.

- b) *Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?*

Less-Than-Significant Impact. The Project is of the type of development and density previously accounted for in the 2014 Clovis General Plan, and is on an infill site surrounded with existing urban uses which are served adequately with City water. Therefore, the Project is anticipated to be adequately served by City water. Further, the Project would comply with current Green Building Codes, as well as the water efficient landscape policies with regards to water conserving features. Further, the Project would be required to comply several water conserving policies, such as Policy 3.4 and 3.5 of the Open Space and Conservation Element. Overall, a **less-than-significant** impact would occur.

- c) *Would the project result in a determination by the wastewater treatment provider that serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?*

Less-Than-Significant Impact. Because the Project is of the type and density previously planned and accounted for in the 2014 Clovis General Plan, it is not likely that the Project would result in a demand that would exceed the capacity of the wastewater treatment facility. For that reason, the impact would be **less than significant**.

- d) *Would the project generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?*

Less-Than-Significant. The Project would introduce new solid waste throughout construction and operation of the Project. However, the Project would be required to comply with Chapter 6.3.1, Recycling and Diversion of Construction and Demolition Debris, of the Clovis Municipal Code during construction. This section of the Clovis Municipal Code requires that a minimum of fifty percent (50%) of waste tonnage from a project be diverted from disposal, and that all new residential (and commercial) construction within the City shall submit and obtain approval for a waste management plan prior to construction activities. Compliance with these measures would ensure that the Project does not result in a significant impact during the construction phase of the Project. Further, compliance with policies in the General Plan for the reduction and recycling of solid waste would serve to reduce impacts of solid waste by promoting and encouraging the recycling of materials. Lastly, according to the California Department of Resources Recycling and Recovery (CalRecycle, the City of Clovis has exceeded their target per resident disposal rate of 4.7 pounds per day per resident, meaning that Clovis residents are actually producing less solid waste than the target set by the State.¹⁸ Consequently, a **less-than-significant** impact would occur.

- e) *Would the project comply with federal, state, and local management reduction statutes and regulations related to solid waste?*

Less-Than-Significant. See discussion 19d above.

20. WILDFIRE

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Substantially impair an adopted emergency response plan or emergency evacuation plan?			X	
b. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?			X	
c. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?			X	
d. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result			X	

¹⁸ Calrecycle, City of Clovis, <https://www2.calrecycle.ca.gov/LGCentral/DiversionProgram/JurisdictionDiversionPost2006>, accessed June 17, 2019.

of runoff, post-fire slope instability, or drainage changes?				
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ENVIRONMENTAL SETTING

The Project site is located on an infill site surrounded by existing urban uses. The site's topography is generally flat and characterized primarily by low lying shrubs and grasses.

DISCUSSION

- a) *Would the project substantially impair an adopted emergency response plan or emergency evacuation plan?*

Less-Than-Significant Impact. The Project is located at a site that is surrounded by existing development. Further, the road network is already in place from previous development. Although the Project could result in temporary traffic detouring or closures during buildout, these delays would be temporary and would be coordinated with the City engineering department and other departments to ensure safe access to and from the area is maintained. Further, the site itself would reviewed by City departments to ensure adequate site access and circulation is provided in the event of an emergency. Overall, a **less-than-significant** impact would occur.

- b) *Would the project, due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?*

Less-Than-Significant Impact. The Project site is flat and undeveloped and located on an infill site surrounded by existing urban uses. The general vicinity of the site is flat, therefore, is not of the type of topography nor in a location likely to exacerbate wildfire risks. Further, the Project would be required to comply with the latest fire codes and would be required to include sprinklers on the interior of the townhomes and require installation of several hydrants throughout the site. Lastly, the site plans would undergo review by the Clovis Fire Department to ensure that all fire safety regulations are met. Therefore, a **less-than-significant** impact would occur.

- c) *Would the project require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?*

Less-Than-Significant Impact. The site is located in an area previously developed with urban uses. As a new development, installation of a private roadway network, water lines, and power lines would be required; however, these utilities and infrastructure are typical of residential development and would be constructed to standards of the respective agencies and departments which oversee them, as well as be required to comply all necessary plan review and permitting requirements of such departments and agencies. As such, a **less-than-significant** impact would occur.

- d) *Would the project expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?*

No Impact. The City of Clovis is generally flat topography, and the site itself is in an area that is not in close proximity to hillsides such that it would expose people or structures to significant risks associates

with downstream flooding or landslides as a result of runoff or post-fire slope instability. As such, **no impact** would occur.

21. MANDATORY FINDINGS OF SIGNIFICANCE

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

ENVIRONMENTAL SETTING

The Project is located on an infill site within the City of Clovis, substantially surrounded by existing development consisting of commercial and residential uses.

DISCUSSION

- a) *Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?*

Less-Than-Significant Impact. As discussed above throughout the Initial Study, the Project would not result in any significant impacts with implementation of mitigation measures prescribed above. Therefore, the Project would have a **less-than-significant** impact as it would not substantially degrade the quality of the environment.

- b) *Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?*

Less-Than-Significant Impact. The Project includes mitigation measures in certain topic areas identified throughout this Initial Study which would reduce potential impacts to a less-than-significant level. None of these impacts would be cumulatively considerable since most are either temporary impacts from construction or site specific. With the exception of air quality that is generally considered measurable cumulatively, the Project was found to have a less-than-significant impact through compliance with existing regulations from the SJVPACD. As such, future Projects in Clovis would be required to comply with those same regulations, ensuring adequate mitigation as development occurs. Lastly, while the Project would introduce 185 new townhome units to an existing vacant site, the type of use and density was previously accounted for in the 2014 Clovis General Plan buildout. Therefore, cumulative impacts were already accounted for since the Project is generally consistent with the Zone District. Thus, a **less-than-significant** impact would occur.

- c) *Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?*

Less-Than-Significant Impact. As discussed throughout the document, the Project would not result in a significant impact that could not be mitigated to a less-than-significant level. Therefore, a **less-than-significant** impact would occur.

H. Report Preparation

LEAD AGENCY

Ricky Caperton, AICP

Senior Planner
City of Clovis
Planning & Development Services

TECHNICAL STUDIES

Air Quality and Greenhouse Gas Analysis Report

Lennar Central Valley Tract No. 6262 – Spruce Townhomes
Dave Mitchell, Senior Air Quality Scientist
Mitchell Air Quality Consulting

Biological Analysis Report

Lennar Tract 6262
Carie Wingert, Senior Environmental Scientist
Quad Knopf, Inc. (QK)

Cultural Resources Technical Memorandum

Lennar Tract 6262
Robert Parr, MS, RPA, Senior Archaeologist
Quad Knopf, Inc. (QK)

Traffic Impact Study

Tentative Tract No. 6262
John Rowland, PE, TE
Peters Engineering Group

APPENDIX A

Air Quality and Greenhouse Gas Analysis Report

Lennar Central Valley Tract No. 6262 – Spruce Townhomes

**Air Quality and Greenhouse Gas Analysis Report
Lennar Central Valley Tract No. 6262—Spruce Townhomes
City of Clovis, California**

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April 16, 2019

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ACRONYMS AND ABBREVIATIONS

$\mu\text{g}/\text{m}^3$	micrograms per cubic meter
AB	Assembly Bill
AQMP	Air Quality Management Plan
ARB	California Air Resources Board
BAU	Business as Usual
CalEEMod	California Emissions Estimator Model
CAPCOA	California Air Pollution Control Officers Association
CEQA	California Environmental Quality Act
CO	carbon monoxide
CO ₂	carbon dioxide
District	San Joaquin Valley Air Pollution Control District
DPM	diesel particulate matter
EMFAC	EMission FACTors Model
EPA	United States Environmental Protection Agency
Fresno COG	Fresno Council of Governments
GAMAQI	Guidance for Assessing and Mitigating Air Quality Impacts
GHG Rx	Greenhouse Gas Reduction Exchange
GHG(s)	greenhouse gas(es)
HAP	hazardous air pollutant
HRA	health risk assessment
IPCC	United Nations Intergovernmental Panel on Climate Change
MAQC	Mitchell Air Quality Consulting
MMTCO ₂ e	million metric tons of carbon dioxide equivalent
MTCO ₂ e	metric tons of carbon dioxide equivalent
NO _x	nitrogen oxides
PM ₁₀	particulate matter less than 10 microns in diameter
PM _{2.5}	particulate matter less than 2.5 microns in diameter
ppb	parts per billion
ppm	parts per million
ROG	reactive organic gases
RTP/SCS	Regional Transportation Plan/Sustainable Communities Strategy
SB	Senate Bill
SCAQMD	South Coast Air Quality Management District
SJVAPCD	San Joaquin Valley Air Pollution Control District
SMAQMD	Sacramento Metropolitan Air Quality Management District
SO _x	sulfur oxides
VOC	volatile organic compounds

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SECTION 1: EXECUTIVE SUMMARY

1.1—Purpose and Methods of Analysis

The following air quality and greenhouse gas (GHG) analysis was prepared to evaluate whether the estimated criteria air pollutants, toxic air contaminants (TACs), and GHG emissions generated from the development of Tract No. 6262 (project) would cause significant impacts to air resources in the project area. This assessment was conducted within the context of the California Environmental Quality Act (CEQA, California Public Resources Code Sections 21000, et seq.). The methodology follows the Guidance for Assessing and Mitigating Air Quality Impacts (GAMAQI) prepared by the San Joaquin Valley Air Pollution Control District (SJVAPCD or District) for quantification of emissions and evaluation of potential impacts to air resources (SJVAPCD 2015a) and the SJVAPCD's Guidance for Valley Land-Use Agencies in Addressing GHG Emission Impacts for New Projects under CEQA (SJVAPCD 2009).

1.2—Project Description

The project includes the construction and development of 185 multi-family residential units (townhomes) on a 12.5-acre site. The project is located on the northwest corner of North Peach Avenue and West Spruce Avenue in the City of Clovis, California. The overall project density is 14.8 units per acre. The General Plan designation is Medium High Density Residential (7.1-15 DU/Acre). The site is zoned R-2 (Low Density Multifamily Residential) (1 Unit/3,000 square feet). The site is vacant.

The project's regional vicinity location is shown in Figure 1; an aerial view of the local vicinity is provided in Figure 2; and the Tentative Tract Map is provided in Figure 3.

1.3—Summary of Analysis Results

The following is a summary of the analysis results. As shown below, the project would result in less than significant impacts for all air quality and GHG impact criteria analyzed.

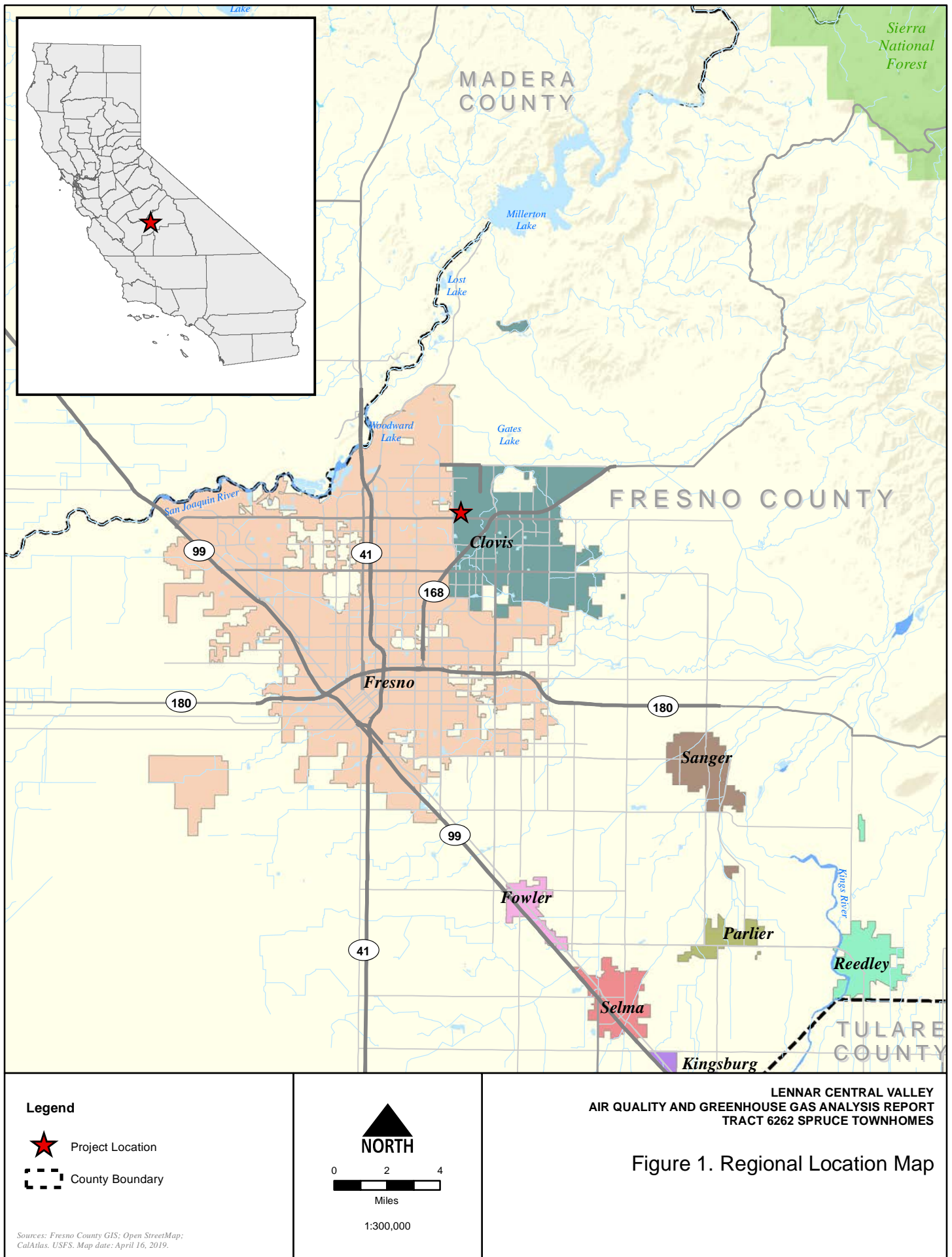
- Impact AIR-1:** The project would not conflict with or obstruct implementation of the applicable air quality plan. **Less than significant impact.**
- Impact AIR-2:** The project would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard (including releasing emissions, which exceed quantitative thresholds for ozone precursors). **Less than significant impact.**
- Impact AIR-3:** The project would not expose sensitive receptors to substantial pollutant concentrations. **Less than significant impact.**
- Impact AIR-4:** The project would not create objectionable odors affecting a substantial number of people. **Less than significant impact.**

Impact GHG-1: The project would not generate direct or indirect greenhouse gas emissions that would result in a significant impact on the environment. **Less than significant impact.**

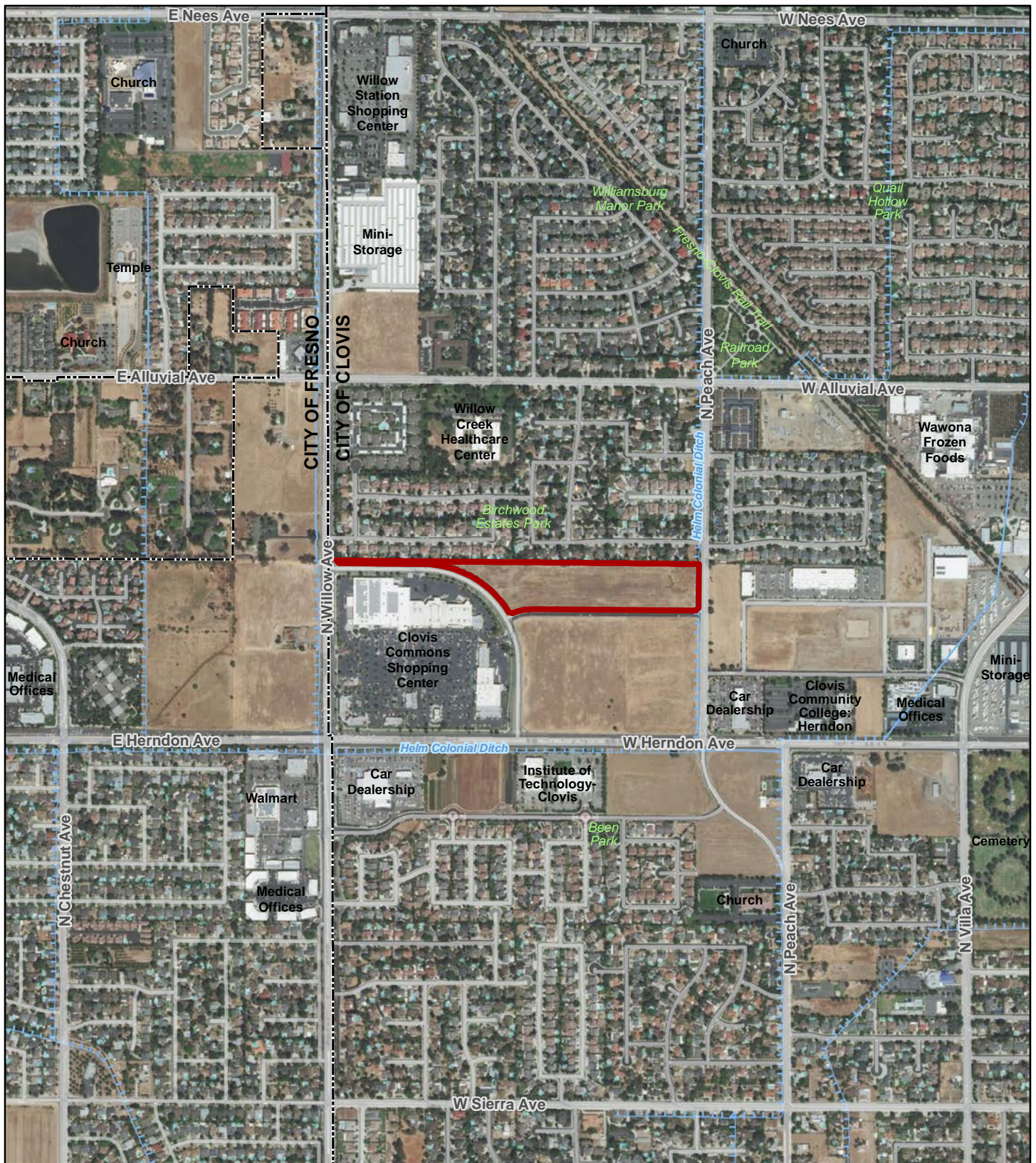
Impact GHG-2: The project would not conflict with any applicable plan, policy or regulation of an agency adopted to reduce the emissions of greenhouse gases. **Less than significant impact.**

1.4—Standard Conditions and Mitigation Measures Applied to the Project

No mitigation measures beyond compliance with mandatory regulations were required to demonstrate that the project would have less than significant for air quality, health risk, and GHG impacts.



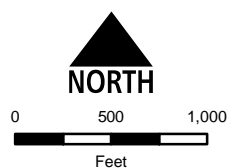
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Legend

- Project Boundary
- City Boundary

Sources: Fresno County, USGS NHD; ArcGIS Online
World Imagery Map Service. Map date: April 17, 2019.



LENNAR CENTRAL VALLEY AIR QUALITY AND GREENHOUSE GAS ANALYSIS REPORT TRACT 6262 SPRUCE TOWNHOMES

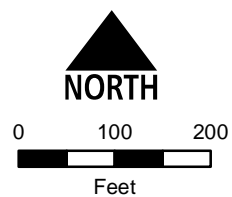
Figure 2. Vicinity Map

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Legend

 Project Boundary



**LENNAR CENTRAL VALLEY
AIR QUALITY AND GREENHOUSE GAS ANALYSIS REPORT
TRACT 6262 SPRUCE TOWNHOMES**

Figure 3. Site Plan

*Source: Morton & Pitalo, Inc, Spruce Townhomes Study
Plan Alt-G.v.2, 11/29/2018. Map date: April 17, 2019.*

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SECTION 2: AIR QUALITY SETTING

2.1—Environmental Setting

Air quality impacts are both local and regional. Regional and local air quality is impacted by topography, dominant airflows, atmospheric inversions, location, and season. The project is located in the San Joaquin Valley Air Basin (Air Basin), which experiences some of the most challenging environmental conditions for air quality in the nation. The following section describes these conditions as they pertain to the Air Basin. The information in this section is primarily from the SJVAPCD's GAMAQI (SJVAPCD 2015a).

2.1.1 - San Joaquin Valley Air Basin

Topography

The topography of a region is important for air quality because mountains can block airflow that would help disperse pollutants, and can channel air from upwind areas that transports pollutants to downwind areas. The SJVAPCD covers the entirety of the Air Basin. The Air Basin is generally shaped like a bowl. It is open in the north and is surrounded by mountain ranges on all other sides. The Sierra Nevada mountains are along the eastern boundary (8,000 to 14,000 feet in elevation), the Coast Ranges are along the western boundary (3,000 feet in elevation), and the Tehachapi Mountains are along the southern boundary (6,000 to 8,000 feet in elevation).

Climate

The climate is important for air quality because of differences in the atmosphere's ability to trap pollutants close to the ground, which creates adverse air quality; inversely, the atmosphere's ability to rapidly disperse pollutants over a wide area prevents high concentrations from accumulating under different climatic conditions. The Air Basin has an "inland Mediterranean" climate and is characterized by long, hot, dry summers and short, foggy winters. Sunlight can be a catalyst in the formation of some air pollutants (such as ozone); the Air Basin averages over 260 sunny days per year.

Inversion layers are significant in determining pollutant concentrations. Concentration levels can be related to the amount of mixing space below the inversion. Temperature inversions that occur on the summer days are usually encountered 2,000 to 2,500 feet above the valley floor. In winter months, overnight inversions occur 500 to 1,500 feet above the valley floor.

Dominant airflows provide the driving mechanism for transport and dispersion of air pollution. The mountains surrounding the Air Basin form natural horizontal barriers to the dispersion of air contaminants. The wind generally flows south-southeast through the valley, through the Tehachapi Pass and into the Mojave Desert Air Basin portion of Kern County. As the wind moves through the Air Basin, it mixes with the air pollution generated locally, generally transporting air pollutants from the north to the south in the summer and in a reverse flow in the winter.

The winds and unstable air conditions experienced during the passage of winter storms result in periods of low pollutant concentrations and excellent visibility. Between winter storms, high pressure and light winds allow cold moist air to pool on the San Joaquin Valley floor. This creates strong, low-

level temperature inversions and very stable air conditions, which can lead to Tule fog. Wintertime conditions favorable to fog formation are also conditions favorable to high concentrations of PM_{2.5} and PM₁₀.

2.2—Regulatory Setting

Air pollutants are regulated to protect human health and for secondary effects such as visibility and building soiling. The Clean Air Act of 1970 tasks the United States Environmental Protection Agency (EPA) with setting air quality standards. The State of California also sets air quality standards, which are in some cases more stringent than federal standards, in addition to addressing additional pollutants. The following section describes these federal and state standards and the health effects of the regulated pollutants.

2.2.1 - Clean Air Act

Congress established much of the basic structure of the Clean Air Act (CAA) in 1970, and made major revisions in 1977 and 1990. Six common air pollutants (also known as criteria pollutants) are addressed in the CAA: particulate matter, ground-level ozone, carbon monoxide, sulfur oxides, nitrogen oxides, and lead. The EPA labels these pollutants as criteria air pollutants because they are regulated by developing human health-based and/or environmentally based criteria (science-based guidelines), which sets permissible levels. The set of limits based on human health are called primary standards. Another set of limits intended to prevent environmental and property damage are called secondary standards (EPA 2014). The federal standards are called National Ambient Air Quality Standards (NAAQS). The air quality standards provide benchmarks for determining whether air quality is healthy at specific locations and whether development activities will cause or contribute to a violation of the standards. The criteria pollutants are:

- Ozone
- Nitrogen dioxide (NO₂)
- Lead
- Particulate matter (PM₁₀ and PM_{2.5})
- Carbon monoxide (CO)
- Sulfur dioxide

The federal standards were set to protect public health, including that of sensitive individuals; thus, the EPA is tasked with updating the standards as more medical research is available regarding the health effects of the criteria pollutants. Primary federal standards are the levels of air quality necessary, with an adequate margin of safety, to protect the public health (ARB 2016).

2.2.2 - California Clean Air Act

The California Legislature enacted the California Clean Air Act (CCAA) in 1988 to address air quality issues of concern not adequately addressed by the federal CAA at the time. California's air quality problems were and continue to be some of the most severe in the nation, and required additional actions beyond the federal mandates. The California Air Resources Board (ARB) administers California Ambient Air Quality Standards (CAAQS) for the 10 air pollutants designated in the CCAA. The 10 state air pollutants are the six federal standards listed above as well visibility-reducing particulates, hydrogen sulfide, sulfates, and vinyl chloride. The EPA authorized California to adopt its own regulations for motor vehicles and other sources that are more stringent than similar federal regulations implementing the CAA. Generally, the planning requirements of the CCAA are less

stringent than the federal CAA; therefore, consistency with the CAA will also demonstrate consistency with the CCAA.

2.2.3 - Toxic Air Contaminants

A TAC is defined as an air pollutant that may cause or contribute to an increase in mortality or serious illness, or that may pose a hazard to human health. TACs are usually present in minute quantities in the ambient air; however, their high toxicity or health risk may pose a threat to public health even at low concentrations. There are no ambient air quality standards for TAC emissions. TACs are regulated in terms of health risks to individuals and populations exposed to the pollutants. The 1990 Clean Air Act Amendments significantly expanded the EPA's authority to regulate hazardous air pollutants (HAP). Section 112 of the Clean Air Act lists 187 hazardous air pollutants to be regulated by source category. Authority to regulate these pollutants was delegated to individual states. ARB and local air districts regulate TACs and HAPs in California.

2.2.4 - Air Pollutant Description and Health Effects

The federal and state ambient air quality standards, relevant effects, properties, and sources of the pollutants are summarized in Table 1.

Table 1: Description of Air Pollutants

Air Pollutant	Averaging Time	California Standard	Federal Standard ^a	Most Relevant Effects from Pollutant Exposure	Properties	Sources
Ozone	1 Hour	0.09 ppm	—	Irritate respiratory system; reduce lung function; breathing pattern changes; reduction of breathing capacity; inflame and damage cells that line the lungs; make lungs more susceptible to infection; aggravate asthma; aggravate other chronic lung diseases; cause permanent lung damage; some immunological changes; increased mortality risk; vegetation and property damage.	Ozone is a photochemical pollutant as it is not emitted directly into the atmosphere, but is formed by a complex series of chemical reactions between volatile organic compounds (VOC), NO _x , and sunlight. Ozone is a regional pollutant that is generated over a large area and is transported and spread by the wind.	Ozone is a secondary pollutant; thus, it is not emitted directly into the lower level of the atmosphere. The primary sources of ozone precursors (VOC and NO _x) are mobile sources (on-road and off-road vehicle exhaust).
	8 Hour	0.070 ppm	0.070 ppm ^f			
Carbon monoxide (CO)	1 Hour	20 ppm	35 ppm	Ranges depending on exposure: slight headaches; nausea; aggravation of angina pectoris (chest pain) and other aspects of coronary heart disease; decreased exercise tolerance in persons with peripheral vascular disease and lung disease; impairment of central nervous system functions; possible increased risk to fetuses; death.	CO is a colorless, odorless, toxic gas. CO is somewhat soluble in water; therefore, rainfall and fog can suppress CO conditions. CO enters the body through the lungs, dissolves in the blood, replaces oxygen as an attachment to hemoglobin, and reduces available oxygen in the blood.	CO is produced by incomplete combustion of carbon-containing fuels (e.g., gasoline, diesel fuel, and biomass). Sources include motor vehicle exhaust, industrial processes (metals processing and chemical manufacturing), residential wood burning, and natural sources.
	8 Hour	9.0 ppm	9 ppm			
Nitrogen dioxide ^b (NO ₂)	1 Hour	0.18 ppm	0.100 ppm	Potential to aggravate chronic respiratory disease and respiratory symptoms in sensitive groups; risk to public health implied by pulmonary and extra-pulmonary biochemical and cellular changes and pulmonary structural changes; contribution to atmospheric discoloration; increased visits to hospital for respiratory illnesses.	During combustion of fossil fuels, oxygen reacts with nitrogen to produce nitrogen oxides—NO _x (NO, NO ₂ , NO ₃ , N ₂ O, N ₂ O ₃ , N ₂ O ₄ , and N ₂ O ₅). NO _x is a precursor to ozone, PM ₁₀ , and PM _{2.5} formation. NO _x can react with compounds to form nitric acid and related small particles and result in PM-related health effects.	NO _x is produced in motor vehicle internal combustion engines and fossil fuel-fired electric utility and industrial boilers. Nitrogen dioxide (NO ₂) forms quickly from NO _x emissions. NO ₂ concentrations near major roads can be 30 to 100 percent higher than those at monitoring stations.
	Annual	0.030 ppm	0.053 ppm			

Table 1 (cont.): Description of Air Pollutants

Air Pollutant	Averaging Time	California Standard	Federal Standard ^a	Most Relevant Effects from Pollutant Exposure	Properties	Sources
Sulfur dioxide ^c (SO ₂)	1 Hour	0.25 ppm	0.075 ppm	Bronchoconstriction accompanied by symptoms which may include wheezing, shortness of breath and chest tightness, during exercise or physical activity in persons with asthma. Some population-based studies indicate that the mortality and morbidity effects associated with fine particles show a similar association with ambient sulfur dioxide levels. It is not clear whether the two pollutants act synergistically or one pollutant alone is the predominant factor.	Sulfur dioxide is a colorless, pungent gas. At levels greater than 0.5 ppm, the gas has a strong odor, similar to rotten eggs. Sulfur oxides (SO _x) include sulfur dioxide and sulfur trioxide. Sulfuric acid is formed from sulfur dioxide, which can lead to acid deposition and can harm natural resources and materials. Although sulfur dioxide concentrations have been reduced to levels well below state and federal standards, further reductions are desirable because sulfur dioxide is a precursor to sulfate and PM ₁₀ .	Human-caused sources include fossil-fuel combustion, mineral ore processing, and chemical manufacturing. Volcanic emissions are a natural source of sulfur dioxide. The gas can also be produced in the air by dimethylsulfide and hydrogen sulfide. Sulfur dioxide is removed from the air by dissolution in water, chemical reactions, and transfer to soils and ice caps. The sulfur dioxide levels in the State are well below the maximum standards.
	3 Hour	—	0.5 ppm			
	24 Hour	0.04 ppm	0.14 (for certain areas)			
	Annual	—	0.030 ppm (for certain areas)			
Particulate matter (PM ₁₀)	24 Hour	50 µg/m ³	150 µg/m ³	<ul style="list-style-type: none"> Short-term exposure (hours/days): irritation of the eyes, nose, throat; coughing; phlegm; chest tightness; shortness of breath; aggravates existing lung disease, causing asthma attacks and acute bronchitis; those with heart disease can suffer heart attacks and arrhythmias. Long-term exposure: reduced lung function; chronic bronchitis; changes in lung morphology; death. 	Suspended particulate matter is a mixture of small particles that consist of dry solid fragments, droplets of water, or solid cores with liquid coatings. The particles vary in shape, size, and composition. PM ₁₀ refers to particulate matter that is between 2.5 and 10 microns in diameter (1 micron is one-millionth of a meter). PM _{2.5} refers to particulate matter that is 2.5 microns or less in diameter, about one-thirtieth the size of the average human hair.	Stationary sources include fuel or wood combustion for electrical utilities, residential space heating, and industrial processes; construction and demolition; metals, minerals, and petrochemicals; wood products processing; mills and elevators used in agriculture; erosion from tilled lands; waste disposal; and recycling. Mobile or transportation-related sources are from vehicle exhaust and road dust. Secondary particles form from reactions in the atmosphere.
	Mean	20 µg/m ³	—			
Particulate matter (PM _{2.5})	24 Hour	—	35 µg/m ³			
	Annual	12 µg/m ³	12.0 µg/m ³			
Visibility-reducing particles	8 Hour	See note below ^d				

Table 1 (cont.): Description of Air Pollutants

Air Pollutant	Averaging Time	California Standard	Federal Standard ^a	Most Relevant Effects from Pollutant Exposure	Properties	Sources
Sulfates	24 Hour	25 µg/m ³	—	(a) Decrease in ventilatory function; (b) aggravation of asthmatic symptoms; (c) aggravation of cardio-pulmonary disease; (d) vegetation damage; (e) degradation of visibility; (f) property damage.	The sulfate ion is a polyatomic anion with the empirical formula SO ₄ ²⁻ . Sulfates occur in combination with metal and/or hydrogen ions. Many sulfates are soluble in water.	Sulfates are particulates formed through the photochemical oxidation of sulfur dioxide. In California, the main source of sulfur compounds is combustion of gasoline and diesel fuel.
Lead ^e	30-day	1.5 µg/m ³	—	Lead accumulates in bones, soft tissue, and blood and can affect the kidneys, liver, and nervous system. It can cause impairment of blood formation and nerve conduction, behavior disorders, mental retardation, neurological impairment, learning deficiencies, and low IQ.	Lead is a solid heavy metal that can exist in air pollution as an aerosol particle component. Leaded gasoline was used in motor vehicles until around 1970. Lead concentrations have not exceeded state or federal standards at any monitoring station since 1982.	Lead ore crushing, lead-ore smelting, and battery manufacturing are currently the largest sources of lead in the atmosphere in the United States. Other sources include dust from soils contaminated with lead-based paint, solid waste disposal, and crustal physical weathering.
	Quarter	—	1.5 µg/m ³			
	Rolling 3-month average	—	0.15 µg/m ³			
Vinyl chloride ^e	24 Hour	0.01 ppm	—	Short-term exposure to high levels of vinyl chloride in the air causes central nervous system effects, such as dizziness, drowsiness, and headaches. Epidemiological studies of occupationally exposed workers have linked vinyl chloride exposure to development of a rare cancer, liver angiosarcoma, and have suggested a relationship between exposure and lung and brain cancers.	Vinyl chloride, or chloroethene, is a chlorinated hydrocarbon and a colorless gas with a mild, sweet odor. In 1990, ARB identified vinyl chloride as a toxic air contaminant and estimated a cancer unit risk factor.	Most vinyl chloride is used to make polyvinyl chloride plastic and vinyl products, including pipes, wire and cable coatings, and packaging materials. It can be formed when plastics containing these substances are left to decompose in solid waste landfills. Vinyl chloride has been detected near landfills, sewage plants, and hazardous waste sites.
Hydrogen sulfide	1 Hour	0.03 ppm	—	High levels of hydrogen sulfide can cause immediate respiratory arrest. It can irritate the eyes and respiratory tract and cause	Hydrogen sulfide (H ₂ S) is a flammable, colorless, poisonous gas that smells like rotten eggs.	Manure, storage tanks, ponds, anaerobic lagoons, and land application sites are the primary sources of hydrogen sulfide.

Table 1 (cont.): Description of Air Pollutants

Air Pollutant	Averaging Time	California Standard	Federal Standard ^a	Most Relevant Effects from Pollutant Exposure	Properties	Sources
				headache, nausea, vomiting, and cough. Long exposure can cause pulmonary edema.		Anthropogenic sources include the combustion of sulfur-containing fuels (oil and coal).
Volatile organic compounds (VOC)		There are no state or federal standards for VOCs because they are not classified as criteria pollutants.		Although health-based standards have not been established for VOCs, health effects can occur from exposures to high concentrations because of interference with oxygen uptake. In general, concentrations of VOCs are suspected to cause eye, nose, and throat irritation; headaches; loss of coordination; nausea; and damage to the liver, the kidneys, and the central nervous system. Many VOCs have been classified as toxic air contaminants.	Reactive organic gases (ROG), or VOCs, are defined as any compound of carbon—excluding carbon monoxide, carbon dioxide, carbonic acid, metallic carbides or carbonates, and ammonium carbonate—that participates in atmospheric photochemical reactions. Although there are slight differences in the definition of ROG and VOCs, the two terms are often used interchangeably.	Indoor sources of VOCs include paints, solvents, aerosol sprays, cleansers, tobacco smoke, etc. Outdoor sources of VOCs are from combustion and fuel evaporation. A reduction in VOC emissions reduces certain chemical reactions that contribute to the formulation of ozone. VOCs are transformed into organic aerosols in the atmosphere, which contribute to higher PM ₁₀ and lower visibility.
Diesel particulate matter (DPM)		There are no ambient air quality standards for DPM.		Some short-term (acute) effects of DPM exposure include eye, nose, throat, and lung irritation, coughs, headaches, light-headedness, and nausea. Studies have linked elevated particle levels in the air to increased hospital admissions, emergency room visits, asthma attacks, and premature deaths among those suffering from respiratory problems. Human studies on the carcinogenicity of DPM demonstrate an increased risk of lung cancer, although the increased risk cannot be clearly attributed to diesel exhaust exposure.	DPM is a source of PM _{2.5} —diesel particles are typically 2.5 microns and smaller. Diesel exhaust is a complex mixture of thousands of particles and gases that is produced when an engine burns diesel fuel. Organic compounds account for 80 percent of the total particulate matter mass, which consists of compounds such as hydrocarbons and their derivatives, and polycyclic aromatic hydrocarbons and their derivatives. Fifteen polycyclic aromatic hydrocarbons are confirmed carcinogens, a number of which are found in diesel exhaust.	Diesel exhaust is a major source of ambient particulate matter pollution in urban environments. Typically, the main source of DPM is from combustion of diesel fuel in diesel-powered engines. Such engines are in on-road vehicles such as diesel trucks, off-road construction vehicles, diesel electrical generators, and various pieces of stationary construction equipment.

Table 1 (cont.): Description of Air Pollutants

Air Pollutant	Averaging Time	California Standard	Federal Standard ^a	Most Relevant Effects from Pollutant Exposure	Properties	Sources
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Notes:

ppm = parts per million (concentration) $\mu\text{g}/\text{m}^3$ = micrograms per cubic meter Annual = Annual Arithmetic Mean 30-day = 30-day average Quarter = Calendar quarter

^a Federal standard refers to the primary national ambient air quality standard, or the levels of air quality necessary, with an adequate margin of safety to protect the public health. All standards listed are primary standards except for 3 Hour SO_2 , which is a secondary standard. A secondary standard is the level of air quality necessary to protect the public welfare from any known or anticipated adverse effects of a pollutant.

^b To attain the 1-hour NO_2 national standard, the 3-year average of the annual 98th percentile of the 1-hour daily maximum concentrations at each site must not exceed 100 parts per billion (ppb) (0.100 ppm).

^c On June 2, 2010, a new 1-hour SO_2 standard was established and the existing 24-hour and annual primary standards were revoked. To attain the 1-hour national standard, the 3-year average of the annual 99th percentile of the 1-hour daily maximum concentrations at each site must not exceed 75 ppb. The 1971 SO_2 national standards (24-hour and annual) remain in effect until one year after an area is designated for the 2010 standard, except that in areas designated nonattainment for the 1971 standards, the 1971 standards remain in effect until implementation plans to attain or maintain the 2010 standards are approved.

^d Visibility-reducing particles: In 1989, the ARB converted both the general statewide 10-mile visibility standard and the Lake Tahoe 30-mile visibility standard to instrumental equivalents, which are “extinction of 0.23 per kilometer” and “extinction of 0.07 per kilometer” for the statewide and Lake Tahoe Air Basin standards, respectively.

^e The ARB has identified lead and vinyl chloride as “toxic air contaminants” with no threshold level of exposure for adverse health effects determined. These actions allow for the implementation of control measures at levels below the ambient concentrations specified for these pollutants.

^f The EPA Administrator approved a revised 8-hour ozone standard of 0.07 ppb on October 1, 2015. The new standard went into effect 60 days after publication of the Final Rule in the Federal Register. The Final Rule was published in the Federal Register on October 26, 2015 and became effective on December 28, 2015.

Source of effects, properties, and sources: South Coast Air Quality Management District 2007; California Environmental Protection Agency 2002; California Air Resources Board 2009a; U.S. Environmental Protection Agency 2003, 2009a, 2009b, 2010, 2011, 2012a and 2012b; National Toxicology Program 2011 and 2016.

Source of standards: California Air Resources Board 2013a.

Several pollutants listed in Table 1 are not addressed in this analysis. Analysis of lead, hydrogen sulfide, sulfates, and vinyl chloride are not included in this report because no new sources of these pollutant emissions are anticipated with the project. Visibility-reducing particles are not explicitly addressed in this analysis because particulate matter is addressed as PM₁₀ and PM_{2.5}.

Toxic Air Contaminants Health Effects

A TAC is defined as an air pollutant that may cause or contribute to an increase in mortality or serious illness, or that may pose a hazard to human health. TACs are usually present in minute quantities in the ambient air; however, their high toxicity or health risk may pose a threat to public health even at low concentrations. There are no ambient air quality standards for TAC emissions. TACs are regulated in terms of health risks to individuals and populations exposed to the pollutants. The 1990 Clean Air Act Amendments significantly expanded the EPA's authority to regulate hazardous air pollutants. Section 112 of the Clean Air Act lists 187 hazardous air pollutants to be regulated by source category. Authority to regulate these pollutants was delegated to individual states. ARB and local air districts regulate TACs and hazardous air pollutants in California.

Exposures to TACs emissions can have both chronic long-term (over a year or longer) and acute short-term (over a period of hours) health impacts. The TACs of greatest concern are those that cause serious health problems or affect many people. Health problems can include cancer, respiratory irritation, nervous system problems, and birth defects. Some health problems occur very soon after a person inhales a TAC. These immediate effects may be minor, such as watery eyes, or they may be serious, such as life-threatening lung damage. Other health problems may not appear until many months or years after a person's first exposure to the TAC. Cancer is one example of a delayed health problem.

A TAC is defined as an air pollutant that may cause or contribute to an increase in mortality or serious illness, or that may pose a hazard to human health. TACs are usually present in minute quantities in the ambient air; however, their high toxicity or health risk may pose a threat to public health even at low concentrations. The California Almanac of Emissions and Air Quality—2009 Edition (ARB 2009b) presents the relevant concentration and cancer risk data for the ten TACs that pose the most substantial health risk in California based on available data. The ten TACs are acetaldehyde, benzene, 1,3-butadiene, carbon tetrachloride, hexavalent chromium, para-dichlorobenzene, formaldehyde, methylene chloride, perchloroethylene, and diesel particulate matter (DPM).

Some studies indicate that DPM poses the greatest health risk among the TACs listed above. A 10-year research program (ARB 1998) demonstrated that DPM from diesel-fueled engines is a human carcinogen and that chronic (long-term) inhalation exposure to DPM poses a chronic health risk. In addition to increased risk of lung cancer, exposure to diesel exhaust can have other health effects. Diesel exhaust can irritate the eyes, nose, throat, and lungs, and it can cause a cough, headaches, lightheadedness, and nausea. Diesel exhaust is a major source of fine particulate pollution as well, and studies have linked elevated particle levels in the air to increased hospital admissions, emergency room visits, asthma attacks, and premature deaths among those suffering from respiratory problems.

DPM differs from other TACs in that it is not a single substance, but a complex mixture of hundreds of substances. Although DPM is emitted by diesel-fueled, internal combustion engines, the composition of the emissions varies, depending on: engine type, operating conditions, fuel composition, lubricating oil, and whether an emission control system is present. Unlike the other TACs, however, no ambient monitoring data are available for DPM because no routine measurement method currently exists. The ARB has made preliminary concentration estimates based on a DPM exposure method. This method uses the ARB emissions inventory's PM₁₀ database, ambient PM₁₀ monitoring data, and the results from several studies to estimate concentrations of DPM.

Health risks attributable to the top 10 TACs listed above are available from the ARB as part of its California Almanac of Emissions and Air Quality. As shown therein for data collected at the First Street air monitoring station in Fresno, cancer risks attributable to all of the listed TACs above with the exception of DPM have declined about 70 percent from the mid-1990s to 2007. Risks associated with DPM emissions are provided only for the year 2000 and have not been updated in the Almanac. Although more recent editions of the Almanac do not provide estimated risk, they do provide emission inventories for DPM for later years. The 2013 Almanac provides emission inventory trends for DPM from 2000 through 2035. The same Almanac reports that DPM emissions were reduced in the SJVAB from 16 tons per day in 2000 to 11 tons per day in 2010, a 31 percent decrease. DPM emissions in the San Joaquin Valley are projected to decrease to 6 tons per day by 2015, a 62 percent reduction from year 2000 levels. ARB predicts a reduction to three tons per day by 2035, which would be an 81 percent reduction from year 2000 levels. Continued implementation of the ARB's Diesel Risk Reduction Plan is expected to provide continued reductions in DPM through 2020 and beyond through regulations on this source (ARB 2013b).

Asbestos

Asbestos is the name given to a number of naturally occurring fibrous silicate minerals that have been mined for their useful properties such as thermal insulation, chemical and thermal stability, and high tensile strength. The three most common types of asbestos are chrysotile, amosite, and crocidolite. Chrysotile, also known as white asbestos, is the most common type of asbestos found in buildings. Chrysotile makes up approximately 90 to 95 percent of all asbestos contained in buildings in the United States. Exposure to asbestos is a health threat; exposure to asbestos fibers may result in health issues such as lung cancer, mesothelioma (a rare cancer of the thin membranes lining the lungs, chest, and abdominal cavity), and asbestosis (a non-cancerous lung disease that causes scarring of the lungs). Exposure to asbestos can occur during demolition or remodeling of buildings that were constructed prior to the 1977 ban on asbestos for use in buildings. Exposure to naturally occurring asbestos can occur during soil-disturbing activities in areas with deposits present. No naturally occurring asbestos is located near the project site.

2.3—Existing Air Quality Conditions

The local air quality can be evaluated by reviewing relevant air pollution concentrations near the project area. Table 2 summarizes 2014 through 2016 published monitoring data, which is the most recent three-year period available. The table displays data from the Clovis-North Villa Avenue monitoring station (located approximately 1.6 miles southeast of the project site), which is the closest monitoring station to the project site. The data shows that during the past few years, the

project area has exceeded the standards for ozone (state and national), PM₁₀ (state), and PM_{2.5} (national). The data in the table reflect the concentration of the pollutants in the air, measured using air monitoring equipment. This differs from emissions, which are calculations of a pollutant being emitted over a certain period. No recent monitoring data for Fresno County or the San Joaquin Valley Air Basin was available for CO or SO₂. Generally, no monitoring is conducted for pollutants that are no longer likely to exceed ambient air quality standards.

Table 2: Air Quality Monitoring Summary

Air Pollutant	Averaging Time	Item	2015	2016	2017
Ozone ¹	1 Hour	Max 1 Hour (ppm)	0.116	0.113	0.138
		Days > State Standard (0.09 ppm)	18	26	13
Ozone	8 Hour	Max 8 Hour (ppm)	0.098	0.095	0.100
		Days > State Standard (0.07 ppm)	51	63	50
		Days > National Standard (0.070 ppm)	50	62	47
Carbon monoxide (CO)	8 Hour	Max 8 Hour (ppm)	ND	ND	ND
		Days > State Standard (9.0 ppm)	ND	ND	ND
		Days > National Standard (9 ppm)	ND	ND	ND
Nitrogen dioxide (NO ₂) ¹	Annual	Annual Average (ppm)	0.010	ID	0.010
	1 Hour	Max 1 Hour (ppm)	0.0590	0.0498	0.0588
		Days > State Standard (0.18 ppm)	0	0	0
Sulfur dioxide (SO ₂)	Annual	Annual Average (ppm)	ND	ND	ND
	24 Hour	Max 24 Hour (ppm)	ND	ND	ND
		Days > State Standard (0.04 ppm)	ND	ND	ND
Inhalable coarse particles (PM ₁₀) ¹	Annual	Annual Average (µg/m ³)	33.7	32.7	36.2
	24 hour	24 Hour (µg/m ³)	101.3	74.9	103.2
		Days > State Standard (50 µg/m ³)	50.3	61.3	13
		Days > National Standard (150 µg/m ³)	0	0	0
Fine particulate matter (PM _{2.5}) ¹	Annual	Annual Average (µg/m ³)	13.0	11.6	13.2
	24 Hour	24 Hour (µg/m ³)	80.7	50.4	69.5
		Days > National Standard (35 µg/m ³)	15.4	8.2	19.2
Notes: > = exceed ppm = parts per million µg/m ³ = micrograms per cubic meter ID = insufficient data ND = no data max = maximum Bold = exceedance State Standard = California Ambient Air Quality Standard National Standard = National Ambient Air Quality Standard ¹ Clovis-North Villa Avenue Source: California Air Resources Board 2017a: Clovis-N. Villa Avenue Station.					

The health impacts of the various air pollutants of concern can be presented in a number of ways. The clearest of these is comparable with the state and federal ozone standards. If concentrations are below the standard, it is safe to say that no health impact would occur to anyone. When concentrations exceed the standard, impacts will vary based on the amount by which the standard is exceeded. The EPA developed the Air Quality Index (AQI) as an easy-to-understand measure of health impacts compared with concentrations in the air. Table 3 provides a description of the health impacts of ozone at different concentrations.

Table 3: Air Quality Index and Health Effects from Ozone

Air Quality Index/ 8-hour Ozone Concentration	Health Effects Description
AQI 51–100—Moderate Concentration 55–70 ppb	Sensitive Groups: Children and people with asthma are the groups most at risk. Health Effects Statements: Unusually sensitive individuals may experience respiratory symptoms. Cautionary Statements: Unusually sensitive people should consider limiting prolonged outdoor exertion.
AQI 101–150—Unhealthy for Sensitive Groups Concentration 71–85 ppb	Sensitive Groups: Children and people with asthma are the groups most at risk. Health Effects Statements: Increasing likelihood of respiratory symptoms and breathing discomfort in active children and adults and people with respiratory disease, such as asthma. Cautionary Statements: Active children and adults, and people with respiratory disease, such as asthma, should limit prolonged outdoor exertion.
AQI 151–200—Unhealthy Concentration 86–105 ppb	Sensitive Groups: Children and people with asthma are the groups most at risk. Health Effects Statements: Greater likelihood of respiratory symptoms and breathing difficulty in active children and adults and people with respiratory disease, such as asthma; possible respiratory effects in general population. Cautionary Statements: Active children and adults, and people with respiratory disease, such as asthma, should avoid prolonged outdoor exertion; everyone else, especially children, should limit prolonged outdoor exertion.
AQI 201–300—Very Unhealthy Concentration 106–200 ppb	Sensitive Groups: Children and people with asthma are the groups most at risk. Health Effects Statements: Increasingly severe symptoms and impaired breathing likely in active children and adults and people with respiratory disease, such as asthma; increasing likelihood of respiratory effects in general population. Cautionary Statements: Active children and adults, and people with respiratory disease, such as asthma, should avoid all outdoor exertion; everyone else, especially children, should limit outdoor exertion.
Source: Air Now 2015.	

The AQI for the 8-hour ozone standard was changed to reflect the current NAAQS of 70 parts per billion (ppb). Based on the AQI scale for the 8-hour ozone standard, the project area experienced no days in the last three years that would be categorized as very unhealthy (AQI 201–250), and as many as 159 days that were unhealthy (AQI 151–200) or unhealthy for sensitive groups (AQI 101–150), violating the 70-ppb standard as measured at the Clovis-North Villa Avenue monitoring station. The highest reading was 100 parts per billion (ppb) in 2017 (AQI 187), compared with the 105-ppb cutoff point for unhealthy (AQI 200). The most days over the standard were 62 days in 2016.

The other nonattainment pollutant of concern is PM_{2.5}. An AQI of 100 or lower is considered moderate and would be triggered by a 24-hour average concentration of 12.1 to 35.4 µg/m³. An AQI of 101 to 150 or 35.5–55.4 µg/m³ is considered unhealthy for sensitive groups. When concentrations reach this amount, it is considered an exceedance of the federal PM_{2.5} standard. The monitoring station nearest the project exceeded the standard on approximately 43 days in the three-year period spanning from 2015 to 2017. People with respiratory or heart disease, the elderly and children are the groups most at risk. Unusually sensitive people should consider reducing prolonged or heavy exertion. The AQI of 151 to 200 is classified as unhealthy for everyone. This AQI classification is triggered when PM_{2.5} concentration ranges from 55.4 to 150.4 µg/m³. At this concentration, there is increasing likelihood of respiratory symptoms in sensitive individuals, aggravation of heart or lung disease and premature mortality in persons with cardiopulmonary disease, and in the elderly. People with respiratory or heart disease, the elderly, and children should limit prolonged exertion. Everyone else should reduce prolonged or heavy exertion. The highest concentration recorded at the Clovis-North Villa Avenue monitoring station in the last three years was 80.7 µg/m³ (AQI 164) in 2015. At this concentration, increased aggravation of heart or lung disease and premature mortality in persons with cardiopulmonary disease and the elderly, and increased respiratory effects in general population would occur. People with respiratory or heart disease, the elderly, and children should avoid prolonged exertion; everyone else should limit prolonged exertion when the AQI exceeds this level. The relationship of the AQI to health effects is shown Table 4.

Table 4: Air Quality Index and Health Effects of Particulate Pollution

Air Quality Index/ PM _{2.5} Concentration	Health Effects Description
AQI 51–100—Moderate Concentration 12.1–35.4 µg/m ³	Sensitive Groups: Some people who may be unusually sensitive to particle.
	Health Effects Statements: Unusually sensitive people should consider reducing prolonged or heavy exertion.
	Cautionary Statements: Unusually sensitive people: Consider reducing prolonged or heavy exertion. Watch for symptoms such as coughing or shortness of breath. These are signs to take it easier.
AQI 101–150—Unhealthy for Sensitive Groups Concentration 35.5–55.4 µg/m ³	Sensitive Groups: Sensitive groups include people with heart or lung disease, older adults, children, and teenagers.
	Health Effects Statements: Increasing likelihood of respiratory symptoms in sensitive individuals, aggravation of heart or lung disease and premature mortality in persons with cardiopulmonary disease, and the elderly.
	If you have heart disease: Symptoms such as palpitations, shortness of breath, or unusual fatigue may indicate a serious problem. If you have any of these, contact your health care provider.

Table 4 (cont.): Air Quality Index and Health Effects of Particulate Pollution

Air Quality Index/ PM _{2.5} Concentration	Health Effects Description
AQI 151–200—Unhealthy Concentration 55.5–150.4 µg/m ³	Sensitive Groups: Everyone
	Health Effects Statements: Increased aggravation of heart or lung disease and premature mortality in persons with cardiopulmonary disease and the elderly; increased respiratory effects in general population.
	Cautionary Statements: Sensitive groups: Avoid prolonged or heavy exertion. Consider moving activities indoors or rescheduling. Everyone else: Reduce prolonged or heavy exertion. Take more breaks during outdoor activities.
AQI 201–300—Very Unhealthy Concentration 150.5–250.4 µg/m ³	Sensitive Groups: Everyone
	Health Effects Statements: Significant aggravation of heart or lung disease and premature mortality in persons with cardiopulmonary disease and the elderly; significant increase in respiratory effects in general population.
	Cautionary Statements: Sensitive groups: Avoid all physical activity outdoors. Move activities indoors or reschedule to a time when air quality is better. Everyone else: Avoid prolonged or heavy exertion. Consider moving activities indoors or rescheduling to a time when air quality is better.

2.3.1 - Attainment Status

The EPA and the ARB designate air basins where ambient air quality standards are exceeded as “nonattainment” areas. If standards are met, the area is designated an “attainment” area. If there is inadequate or inconclusive data to make a definitive attainment designation, they are considered “unclassified.” National nonattainment areas are further designated marginal, moderate, serious, severe, or extreme as a function of deviation from standards.

Each standard has a different definition, or “form” of what constitutes attainment, based on specific air quality statistics. For example, the federal 8-hour CO standard is not to be exceeded more than once per year; therefore, an area is in attainment of the CO standard if no more than one 8-hour ambient air monitoring values exceeds the threshold per year. In contrast, the federal annual PM_{2.5} standard is met if the three-year average of the annual average PM_{2.5} concentration is less than or equal to the standard.

The current attainment designations for the Air Basin are shown in Table 5. The Air Basin is designated nonattainment for ozone, PM₁₀, and PM_{2.5}.

Table 5: San Joaquin Valley Air Basin Attainment Status

Pollutant	State Status	National Status
Ozone—One Hour	Nonattainment/Severe	No Standard
Ozone—Eight Hour	Nonattainment	Nonattainment/Extreme
Carbon monoxide	Attainment/Unclassified	Merced, Madera, and Kings Counties are unclassified; others are in Attainment
Nitrogen dioxide	Attainment	Attainment/Unclassified
Sulfur dioxide	Attainment	Attainment/Unclassified
PM ₁₀	Nonattainment	Attainment
PM _{2.5}	Nonattainment	Nonattainment
Lead	Attainment	No Designation/Classification
Source of State status: California Air Resources Board (ARB 2013c). Source of National status: U.S. Environmental Protection Agency (EPA 2016a). Source of additional status information (SJVAPCD 2017a).		

2.4—Air Quality Plans and Regulations

Air pollutants are regulated at the national, state, and air basin or county level, and each agency has a different level of regulatory responsibility: the EPA regulates at the national level, the ARB at the state level, and the SJVAPCD at the air basin level.

The EPA is responsible for national and interstate air pollution issues and policies. The EPA sets national vehicle and stationary source emission standards, oversees approval of all State Implementation Plans, provides research and guidance for air pollution programs, and sets National Ambient Air Quality Standards—also known as the federal standards described earlier.

A State Implementation Plan (SIP) is a document prepared by each state describing existing air quality conditions and measures that will be followed to attain and maintain federal standards. The SIP for the State of California is administered by the ARB, which has overall responsibility for statewide air quality maintenance and air pollution prevention. California's SIP incorporates individual federal attainment plans for regional air districts; specifically, an air district prepares their federal attainment plan, which is sent to ARB to be approved and incorporated into the California State Implementation Plan. Federal attainment plans include the technical foundation for understanding air quality (e.g., emission inventories and air quality monitoring), control measures and strategies, and enforcement mechanisms. The ARB then submits the SIP to the EPA for approval. After reviewing submitted SIPs, the EPA proposes to approve or disapprove all or part of each plan. The public has an opportunity to comment on the EPA's proposed action. The EPA considers public input before taking final action on a state's plan. If EPA approves all or part of a SIP, those control measures are enforceable in federal court. If a state fails to submit an approvable plan or if the EPA disapproves a plan, the EPA is required to develop a federal implementation plan (FIP). The SIP approval process often takes several years. The most recent federally approved attainment plans for the SJVAPCD are the 2007 8-Hour Ozone Attainment Plan and the 2012 PM_{2.5} Plan for the 2006 PM_{2.5} standard.

Areas designated nonattainment must develop air quality plans and regulations to achieve standards by specified dates, depending on the severity of the exceedances. For much of the country, implementation of federal motor vehicle standards and compliance with federal permitting requirements for industrial sources are adequate to attain air quality standards on schedule. For many areas of California, however, additional state and local regulation is required to achieve the standards. Regulations adopted by California are described below.

2.4.1 - California Regulations

Low-Emission Vehicle Program

The ARB first adopted Low-Emission Vehicle (LEV) program standards in 1990. These first LEV standards ran from 1994 through 2003. LEV II regulations, running from 2004 through 2010, represent continuing progress in emission reductions. As the State's passenger vehicle fleet continues to grow and more sport utility vehicles and pickup trucks are used as passenger cars rather than work vehicles, the more stringent LEV II standards were adopted to provide reductions necessary for California to meet federally mandated clean air goals outlined in the 1994 State Implementation Plan. In 2012, ARB adopted the LEV III amendments to California's LEV regulations. These amendments, also known as the Advanced Clean Car Program include more stringent emission standards for model years 2017 through 2025 for both criteria pollutants and GHGs for new passenger vehicles (ARB 2012a).

On-Road Heavy-Duty Vehicle Program

The ARB has adopted standards for emissions from various types of new on-road heavy-duty vehicles. Section 1956.8, Title 13, California Code of Regulations contains California's emission standards for on-road heavy-duty engines and vehicles, as well as test procedures. ARB has also adopted programs to reduce emissions from in-use heavy-duty vehicles including the Heavy-Duty Diesel Vehicle Idling Reduction Program, the Heavy-Duty Diesel In-Use Compliance Program, the Public Bus Fleet Rule and Engine Standards, and the School Bus Program and others (ARB 2013b).

The regulation applies to nearly all privately and federally owned diesel-fueled trucks and buses and to privately and publicly owned school buses with a gross vehicle weight rating (GVWR) greater than 14,000 pounds. The regulation provides a variety of flexibility options tailored to fleets operating low-use vehicles, fleets operating in selected vocations like agricultural and construction, and small fleets of three or fewer trucks (ARB 2015b).

ARB Truck and Bus Regulation

The latest amendments to the Truck and Bus regulation became effective on December 31, 2014. The amended regulation requires diesel trucks and buses that operate in California to be upgraded to reduce emissions. Newer heavier trucks and buses must meet PM filter requirements beginning January 1, 2012. Lighter and older heavier trucks must be replaced starting January 1, 2015. By January 1, 2023, nearly all trucks and buses will need to have 2010 model year engines or equivalent.

The regulation applies to nearly all privately and federally owned diesel-fueled trucks and buses and to privately and publicly owned school buses with a gross vehicle weight rating (GVWR) greater than

14,000 pounds. The regulation provides a variety of flexibility options tailored to fleets operating low-use vehicles, fleets operating in selected vocations like agricultural and construction, and small fleets of three or fewer trucks (ARB 2015a).

ARB Regulation for In-Use Off-Road Diesel Vehicles

On July 26, 2007, the ARB adopted a regulation to reduce DPM and nitrous oxide (NO_x) emissions from in-use (existing) off-road heavy-duty diesel vehicles in California. Such vehicles are used in construction, mining, and industrial operations. The regulation limits idling to no more than five consecutive minutes, requires reporting and labeling, and requires disclosure of the regulation upon vehicle sale. The ARB is enforcing that part of the rule with fines up to \$10,000 per day for each vehicle in violation. Performance requirements of the rule are based on a fleet's average NO_x emissions, which can be met by replacing older vehicles with newer, cleaner vehicles or by applying exhaust retrofits. The regulation was amended in 2010 to delay the original timeline of the performance requirements, making the first compliance deadline January 1, 2014 for large fleets (over 5,000 horsepower), 2017 for medium fleets (2,501–5,000 horsepower), and 2019 for small fleets (2,500 horsepower or less).

ARB Regulation for Consumer Products

The ARB Consumer Products Regulation was last amended in January 2015. The ARB regulates the VOC content of a wide variety of consumer products sold and manufactured in California. The purpose of the regulation is to reduce the emission of ozone precursors, TACs, and GHG emissions in products that are used by homes and businesses. The regulated products include but are not limited to solvents, adhesives, air fresheners, soaps, aromatic compounds, windshield cleaners, charcoal lighter, dry cleaning fluids, floor polishes, and general cleaners and degreasers (ARB 2015b)

ARB Airborne Toxic Control Measure for Asbestos

In July 2001, the ARB approved an Air Toxic Control Measure for construction, grading, quarrying, and surface mining operations to minimize emissions of naturally occurring asbestos. The regulation requires application of best management practices to control fugitive dust in areas known to have naturally occurring asbestos and requires notification to the local air district prior to commencement of ground-disturbing activities. The measure establishes specific testing, notification and engineering controls prior to grading, quarrying, or surface mining in construction zones where naturally occurring asbestos is located on projects of any size. There are additional notification and engineering controls at work sites larger than one acre in size. These projects require the submittal of a "Dust Mitigation Plan" and approval by the air district prior to the start of a project.

Construction sometimes requires the demolition of existing buildings where construction occurs. The project includes no demolition. Asbestos is also found in a natural state, known as naturally occurring asbestos. Exposure and disturbance of rock and soil that naturally contain asbestos can result in the release of fibers into the air and consequent exposure to the public. Asbestos most commonly occurs in ultramafic rock that has undergone partial or complete alteration to serpentine rock (serpentinite) and often contains chrysotile asbestos. In addition, another form of asbestos, tremolite, can be found associated with ultramafic rock, particularly near faults. Sources of asbestos emissions include unpaved roads or driveways surfaced with ultramafic rock, construction activities in ultramafic rock deposits, or rock quarrying activities where ultramafic rock is present.

The ARB has an Air Toxic Control Measure for construction, grading, quarrying, and surface mining operations, requiring the implementation of mitigation measures to minimize emissions of asbestos-laden dust. The measure applies to road construction and maintenance, construction and grading operations, and quarries and surface mines when the activity occurs in an area where naturally occurring asbestos is likely to be found. Areas are subject to the regulation if they are identified on maps published by the Department of Conservation as ultramafic rock units or if the Air Pollution Control Officer or owner/operator has knowledge of the presence of ultramafic rock, serpentine, or naturally occurring asbestos on the site. The measure also applies if ultramafic rock, serpentine, or asbestos is discovered during any operation or activity. Review of the Department of Conservation maps indicates that no ultramafic rock has been found near Clovis.

Diesel Risk Reduction Plan

The ARB's Diesel Risk Reduction Plan has led to the adoption of new state regulatory standards for all new on-road, off-road, and stationary diesel-fueled engines and vehicles to reduce DPM emissions by about 90 percent overall from year 2000 levels. The projected emission benefits associated with the full implementation of this plan, including federal measures, are reductions in DPM emissions and associated cancer risks of 75 percent by 2010, and 85 percent by 2020 (ARB 2000).

2.4.2 - San Joaquin Valley Air Pollution Control District

The District is responsible for controlling emissions primarily from stationary sources. The District, in coordination with the eight countywide transportation agencies, is also responsible for developing, updating, and implementing air quality attainment plans for the Air Basin. The District also has roles under CEQA.

Ozone Plans

The Air Basin is designated nonattainment of state and federal health-based air quality standards for ozone. To meet Clean Air Act requirements for the one-hour ozone standard, the District adopted an Extreme Ozone Attainment Demonstration Plan in 2004, with an attainment date of 2010. Although the EPA revoked the federal 1-hour ozone standard effective June 15, 2005 and replaced it with an 8-hour standard, the requirement to submit a plan for that standard remained in effect for the San Joaquin Valley.

The planning requirements for the 1-hour plan remain in effect until replaced by a federal 8-hour ozone attainment plan. On March 8, 2010, the EPA approved the 2004 Extreme Ozone Attainment Demonstration Plan, including revisions to the plan, effective April 7, 2010. However, the Air Basin failed to attain the standard in 2010 and was subject to a \$29 million Clean Air Act penalty. The penalty is being collected through an additional \$12 motor vehicle registration surcharge for each passenger vehicle registered in the Air Basin that will be applied to pollution reduction programs in the region. The District also instituted a more robust ozone episodic program to reduce emissions on days with the potential to exceed the ozone standards. On July 18, 2016, the EPA published in the Federal Register a final action determining that the San Joaquin Valley has attained the 1-hour ozone national ambient air quality standard. This determination is based on the most recent three-year period (2012-2014) of sufficient, quality-assured, and certified data. The penalty fees remain in place pending submittal of a demonstration that the San Joaquin Valley will maintain the 1-hour standard for 10 years (EPA 2016b).

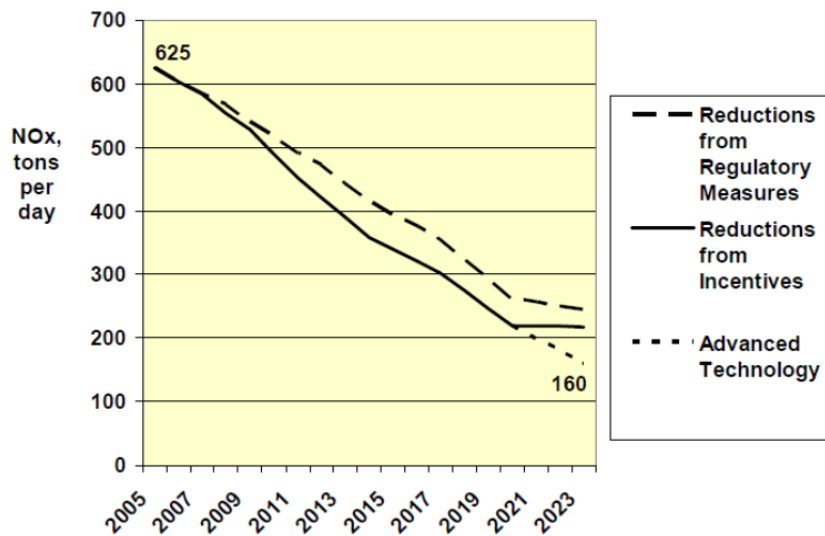
The EPA originally classified the Air Basin as serious nonattainment for the 1997 federal 8-hour ozone standard with an attainment date of 2013. On April 30, 2007, the District's Governing Board adopted the 2007 Ozone Plan, which contained analysis showing a 2013 attainment target to be infeasible. The 2007 Ozone Plan details the plan for achieving attainment on schedule with an "extreme nonattainment" deadline of 2024. At its adoption of the 2007 Ozone Plan, the District also requested a reclassification to extreme nonattainment. ARB approved the plan in June 2007, and the EPA approved the request for reclassification to extreme nonattainment on April 15, 2010.

The 2007 Ozone Plan contains measures to reduce ozone and particulate matter precursor emissions to bring the Basin into attainment with the federal 8-hour ozone standard. The 2007 Ozone Plan calls for a 75 percent reduction of NO_x and a 25 percent reduction of reactive organic gases (ROG). Figure 4 displays the anticipated NO_x reductions attributed in the 2007 Ozone Plan (Source: 2007 Ozone Plan). The plan, with innovative measures and a "dual path" strategy, assures expeditious attainment of the federal 8-hour ozone standard for all Air Basin residents. The District Governing Board adopted the 2007 Ozone Plan on April 30, 2007. The ARB approved the plan on June 14, 2007. The 2007 Ozone Plan requires yet to be determined "Advanced Technology" to achieve additional reductions after 2021, in order to attain the standard at all monitoring stations in the Air Basin by 2024 as allowed for areas designated extreme nonattainment by the federal Clean Air Act.

The Air Basin is designated an extreme ozone nonattainment area for the EPA's 2008 8-hour ozone standard of 75 ppb. The District's Governing Board approved the 2016 Plan for the 2008 8-Hour Ozone Standard on June 16, 2016. The ARB approved the attainment demonstration plan for the San Joaquin Valley on July 21, 2016 and transmitted the plan to EPA on August 24, 2016. The comprehensive strategy in this plan will reduce NO_x emissions by over 60 percent between 2012 and 2031, and will bring the San Joaquin Valley into attainment of the EPA's 2008 8-hour ozone standard as expeditiously as practicable, no later than December 31, 2031. The 2016 Ozone Plan predicts attainment of the 2008 standard by 2031 (SJVAPCD 2018a). To ensure that the plan is approvable with the necessary contingencies, the plan includes a "Black Box" that will require implementation of new advanced technologies and controls prior to the 2031 deadline.

The EPA Administrator signed the Final Rule revising the 8-hour ozone standard to 70 ppm on October 1, 2015. The new standard will require the SJVAPCD to prepare a new attainment to achieve the more stringent emission level within 20 years from the effective date of designation (EPA 2018).

State ozone standards do not have an attainment deadline but require implementation of all feasible measures to achieve attainment at the earliest date possible. This is achieved through compliance with the federal deadlines and control measure requirements.

Figure 4: San Joaquin Valley NO_x Emissions Forecast

Particulate Matter Plans

The Air Basin was designated nonattainment of state and federal health-based air quality standards for PM₁₀. The Air Basin is also designated nonattainment of state and federal standards for PM_{2.5}.

To meet Clean Air Act requirements for the PM₁₀ standard, the District adopted a PM₁₀ Attainment Demonstration Plan (Amended 2003 PM₁₀ Plan and 2006 PM₁₀ Plan), which has an attainment date of 2010. The District adopted the 2007 PM₁₀ Maintenance Plan in September 2007 to assure the San Joaquin Valley's continued attainment of the EPA's PM₁₀ standard. The EPA designated the valley as an attainment/maintenance area for PM₁₀ on September 25, 2008. Although the San Joaquin Valley has exceeded the standard since then, those days were considered exceptional events that are not considered a violation of the standard for attainment purposes.

The 2008 PM_{2.5} Plan builds upon the comprehensive strategy adopted in the 2007 Ozone Plan to bring the Air Basin into attainment of the 1997 national standards for PM_{2.5}. The EPA has identified NO_x and SO₂ as precursors that must be addressed in air quality plans for the 1997 PM_{2.5} standards. The 2008 PM_{2.5} Plan is a continuation of the District's strategy to improve the air quality in the Air Basin. The EPA issued final approval of the 2008 PM_{2.5} Plan on November 9, 2011, which became effective on January 9, 2012. The EPA approved the emissions inventory, the reasonably available control measures/reasonably available control technology demonstration, reasonable further progress demonstration, attainment demonstration and associated air quality modeling, and the transportation conformity motor vehicle emissions budgets. The EPA also granted California's request to extend the attainment deadline for the San Joaquin Valley to April 5, 2015 and approved commitments to measures and reductions by the District and the ARB. Finally, it disapproved the State Implementation Plan's contingency provisions and issued a protective finding for transportation conformity determinations.

In December 2012, the District adopted the 2012 PM_{2.5} Plan to bring the San Joaquin Valley into attainment of the EPA's 2006 24-hour PM_{2.5} standard of 35 µg/m³. The ARB approved the District's 2012 PM_{2.5} Plan for the 2006 standard at a public hearing on January 24, 2013 (SJVAPCD 2012). This

plan seeks to bring the Valley into attainment with the standard by 2019, with the expectation that most areas will achieve attainment before that time.

The 2015 Plan for the 1997 PM_{2.5} Standard approved by the District Governing Board on April 16, 2015—will bring the Valley into attainment of the EPA’s 1997 PM_{2.5} standard as expeditiously as practicable, but no later than December 31, 2020. The plan was required to request reclassification to Serious nonattainment and to extend the attainment date from 2018 to 2020 (SJVAPCD 2015b).

The 2016 Moderate Area Plan for the 2012 PM_{2.5} Standard was adopted on September 15, 2016. This plan includes an attainment impracticability demonstration and request for reclassification of the Valley from Moderate nonattainment to Serious nonattainment (SJVAPCD 2017b).

The SJVAPCD adopted the 2018 Plan for the 1997, 2006, and 2012 PM_{2.5} Standards on November 15, 2018. This plan provides a combined strategy to address the EPA federal 1997 annual PM_{2.5} standard of 15 µg/m³ and 24-hour PM_{2.5} standard of 65 µg/m³; the 2006 24-hour PM_{2.5} standard of 35 µg/m³; and the 2012 annual PM_{2.5} standard of 12 µg/m³. This plan demonstrates attainment of the federal PM_{2.5} standards as expeditiously as practicable (SJVAPCD 2018b).

SJVAPCD Rules and Regulations

The SJVAPCD rules and regulations that may apply to projects that will occur during buildout of the project include, but are not limited to the following:

Rule 4102—Nuisance. The purpose of this rule is to protect the health and safety of the public, and applies to any source operation that emits or may emit air contaminants or other materials.

Rule 4601—Architectural Coatings. The purpose of this rule is to limit Volatile Organic Compounds (VOC) emissions from architectural coatings. Emissions are reduced by limits on VOC content and providing requirements on coatings storage, cleanup, and labeling.

Rule 4641—Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations. The purpose of this rule is to limit VOC emissions from asphalt paving and maintenance operations. If asphalt paving will be used, then the paving operations will be subject to Rule 4641.

Rule 4901—Wood-Burning Fireplaces and Wood-Burning Heaters. The purposes of this rule are to limit emissions of carbon monoxide and particulate matter from wood-burning fireplaces, wood-burning heaters, and outdoor wood-burning devices, and to establish a public education program to reduce wood-burning emissions. All development that includes wood-burning devices are subject to this rule.

Rule 4902—Residential Water Heaters. In 2009, the District amended Rule 4902 to strengthen the rule by lowering the limit to 10 nanograms per joule (ng/J) for new or replacement water heaters, and to a limit of 14 ng/J for instantaneous water heaters. Retailer compliance dates ranged from 2010 to 2012, depending on the unit type.

Regulation VIII—Fugitive PM₁₀ Prohibitions. Rules 8011–8081 are designed to reduce PM₁₀ emissions (predominantly dust/dirt) generated by human activity, including construction and demolition activities, road construction, bulk materials storage, paved and unpaved roads, carryout

and trackout, etc. All development projects that involve soil disturbance are subject to at least one provision of the Regulation VIII series of rules.

Rule 9510—Indirect Source Review. This rule reduces the impact of NO_x and PM₁₀ emissions from growth within the Air Basin. The rule places application and emission reduction requirements on development projects meeting applicability criteria in order to reduce emissions through on-site mitigation, off-site District-administered projects, or a combination of the two. This project must comply with Rule 9510 because it would develop more than 50 residential dwelling units.

CEQA

The District has three roles under CEQA:

1. **Lead Agency:** Responsible for preparing environmental analyses for its own projects (adoption of rules, regulations, or plans) or permit projects filed with the District where the District has primary approval authority over the project.
2. **Responsible Agency:** The discretionary authority of a responsible agency is more limited than a lead agency; having responsibility for mitigating or avoiding only the environmental effects of those parts of the project which it decides to approve, carry out, or finance. The District defers to the lead agency for preparation of environmental documents for land use projects that also have discretionary air quality permits, unless no document is prepared by the lead agency and potentially significant impacts related to the permit are possible. The District regularly submits comments on documents prepared by lead agencies to ensure that District concerns are addressed.
3. **Commenting Agency:** The District reviews and comments on air quality analyses prepared by other public agencies (such as the project).

The District also provides guidance and thresholds for CEQA air quality and GHG analyses. The result of this guidance, as well as state regulations to control air pollution, is an overall improvement in the Air Basin. In particular, the District's 2015 GAMAQI states the following:

1. The District's Air Quality Attainment Plans include measures to promote air quality elements in county and city general plans as one of the primary indirect source programs. The general plan is the primary long-range planning document used by cities and counties to direct development. Since air districts have no authority over land use decisions, it is up to cities and counties to ensure that their general plans help achieve air quality goals. Section 65302.1 of the California Government Code requires cities and counties in the San Joaquin Valley to amend appropriate elements of their general plans to include data, analysis, comprehensive goals, policies, and feasible implementation strategies to improve air quality in their next housing element revisions.
2. The Air Quality Guidelines for General Plans (AQGGP), adopted by the District in 1994 and amended in 2005, is a guidance document containing goals and policy examples that cities and counties may want to incorporate into their General Plans to satisfy Section 65302.1. When adopted in a general plan and implemented, the suggestions in the AQGGP can reduce vehicle trips and miles traveled and improve air quality. The specific suggestions in

the AQGGP are voluntary. The District strongly encourages cities and counties to use their land use and transportation planning authority to help achieve air quality goals by adopting the suggested policies and programs.

2.4.3 - Local

The City of Clovis adopted its 2014 General Plan in August 2014 (City of Clovis 2015a). The City's applicable air quality goals and policies from the Air Quality Element and Circulation Element are listed below.

City of Clovis Air Quality Goals and Policies

Air Quality Element

- **Goal 1:** A local environment that is protected from air pollution and emissions.
 - **Policy 1.1: Land use and transportation.** Reduce greenhouse gas and other local pollutant emissions through mixed use and transit-oriented development and well-designed transit, pedestrian, and bicycle systems.
 - **Policy 1.2: Sensitive land uses.** Prohibit the future siting of sensitive land uses within the distances of emission sources as defined by the California Air Resources Board, without sufficient mitigation.
 - **Policy 1.3: Construction activities.** Encourage the use of best management practices during construction activities to reduce emissions of criteria pollutants as outlined by the San Joaquin Valley Air Pollution Control District (SJVAPCD).
 - **Policy 1.6: Alternative fuel infrastructure.** Encourage public and private activity and employment centers to incorporate electric charging and alternative fuel stations.
 - **Policy 1.8: Trees.** Maintain or plant trees where appropriate to provide shade, absorb carbon, improve oxygenation, slow stormwater runoff, and reduce the heat island effect.
- **Goal 2:** A region with healthy air quality and lower greenhouse gas emissions.
 - **Policy 2.1: Regional coordination.** Support regional efforts to reduce air pollution (criteria air pollutants and greenhouse gas emissions) and collaborate with other agencies to improve air quality at the emission source and reduce vehicle miles traveled.
 - **Policy 2.2: Cross-jurisdictional issues.** Collaborate with regional agencies and surrounding jurisdictions to address cross-jurisdictional transportation and air quality issues.
 - **Policy 2.6: Innovative mitigation.** Encourage innovative mitigation measures to reduce air quality impacts by coordinating with the SJVAPCD, project applicants, and other interested parties.

Circulation Element

- **Goal 1:** A context-sensitive and “complete streets” transportation network that prioritizes effective connectivity and accommodates a comprehensive range of mobility needs.
 - **Policy 1.1: Multimodal network.** The City shall plan, design, and maintain the transportation network to promote safe and convenient travel for all users: pedestrian, bicyclists, transit riders, freight, and motorists.
 - **Policy 1.2: Transportation decisions.** Decisions should balance the comfort, convenience, and safety of pedestrian, bicyclists, and motorists.

- **Policy 1.4: Jobs and housing.** Encourage infill development that would provide jobs and services closer to housing, and vice versa, to reduce citywide vehicle miles traveled and effectively utilize the existing transportation infrastructure.
- **Policy 1.5: Neighborhood connectivity.** The transportation network shall provide multimodal access between neighborhoods and neighborhood-serving uses (educational, recreational, or neighborhood commercial uses).
- **Goal 3:** A multimodal transportation network that is safe and comfortable in the context of adjacent neighborhoods.
 - **Policy 3.11: Right-of-way design.** Design landscaped parkways, medians, and right-of-ways as aesthetic buffers to improve the community's appearance and encourage non-motorized transportation.
- **Goal 5:** A complete system of trails and pathways accessible to all residents.
 - **Policy 5.1: Complete street amenities.** Upgrade existing streets and design new streets to include complete street amenities, prioritizing improvements to bicycle and pedestrian connectivity or safety (consistent with the Bicycle Transportation Master Plan and other master plans).
 - **Development-funded facilities.** Require development to fund and construct facilities as shown in the Bicycle Transportation Plan when facilities are in or adjacent to the development.
 - **Policy 5.3: Pathways.** Encourage pathways and other pedestrian amenities in Urban Centers and new development 10 acres or larger.
 - **Policy 5.5: Pedestrian access.** Require sidewalks, paths, and crosswalks to provide access to schools, parks, and other activity centers to provide general pedestrian connectivity throughout the city.

Land Use Element

- **Goal 3:** Orderly and sustainable outward growth into three urban centers with neighborhoods that provide a balanced mix of land uses and development types to support a community lifestyle and small-town character.
 - **Policy 3.9: Connected development.** New development in Urban Centers must fully improve roadway, pedestrian, and bicycle systems within and adjacent to the proposed project and connect to existing urbanized development.

Open Space and Conservation Element

- **Goal 3:** A built environment that conserves and protects the use and quality of water and energy resources.
 - **Policy 3.5: Energy and water conservation.** Encourage new development and substantial rehabilitation projects to exceed energy and water conservation and reduction standards set in the California Building Code.

City of Clovis General Plan Program EIR

The General Plan Program Environmental Impact Report (PEIR) (City of Clovis 2015b) includes the following mitigation measures and standard condition to reduce significant air quality impacts:

- **SC-1:** Prior to project approval, each applicant for individual, site-specific developments under the General Plan shall comply with the San Joaquin Valley Air Pollution Control District rules

and regulations, including, without limitation, Indirect Source Rule 9510. The applicant shall document, to the City's reasonable satisfaction, its compliance with this standard condition.

Mitigation Measures

- 3-1:** Prior to issuance of any construction permits, development project applicants shall prepare and submit to the City of Clovis Planning Division a technical assessment evaluating potential project construction-related air quality impacts. The evaluation shall be prepared in conformance with San Joaquin Valley Air Pollution Control District (SJVAPCD) methodology in assessing air quality impacts. If construction-related criteria air pollutants are determined to have the potential to exceed the SJVAPCD adopted thresholds of significance, as identified in the Guidance for Assessing and Mitigating Air Quality Impacts (GAMAQI), the City of Clovis Planning Division shall require that applicants for new development projects incorporate mitigation measures to reduce air pollutant emissions during construction activities to below these thresholds. These identified measures shall be incorporated into all appropriate construction documents (e.g., construction management plans) submitted to the City and shall be verified by the City's Planning Division.
- 3-2:** Prior to discretionary approval, applicants for phased development projects (i.e., construction would overlap operation/opening of the project) involving residential land uses shall coordinate with the San Joaquin Valley Air Pollution Control District (SJVAPCD) or the City of Clovis in conjunction with the SJVAPCD in preparation of a health risk assessment (HRA) for construction activities. If the HRA identifies risk impacts that exceed the standards as determined by the SJVAPCD at the time the project is considered, it shall identify measures to reduce these impacts to below these standards. Recommended measures may include those identified in Mitigation Measure 3-1. The recommendations of the HRA shall be incorporated into all construction management plans which shall be submitted to the City and verified by the City's Planning Division.
- 3-3:** Prior to project approval, development project applicants shall prepare and submit to the City of Clovis Planning Division a technical assessment evaluating potential project operation phase-related air quality impacts. The evaluation shall be prepared in conformance with San Joaquin Valley Air Pollution Control District (SJVAPCD) methodology in assessing air quality impacts. If operational-related criteria air pollutants are determined to have the potential to exceed the SJVAPCD adopted thresholds of significance—as identified in the Guidance for Assessing and Mitigating Air Quality Impacts (GAMAQI)—the City of Clovis Planning Division shall require that applicants for new development projects incorporate mitigation measures to reduce air pollutant emissions during operational activities. The identified measures shall be included as part of the Standard Conditions of Approval.
- 3-4:** Prior to project approval, the City of Clovis Planning Division shall require applicants for individual, site-specific developments to consider establishing a Voluntary Emission Reduction Agreement (VERA) with the San Joaquin Valley Air Pollution Control District. Under this agreement, project proponents may enter into an agreement where funds are used to develop and implement emission reduction projects.

- 3-5:** Prior to discretionary project approval, the City of Clovis shall evaluate new development proposals for sensitive land uses (e.g., residential, schools, day care centers) within the City for potential incompatibilities with regard to the California Air Resources Board's Air Quality and Land Use Handbook: A Community Health Perspective (April 2005). Applicants for sensitive land uses that are within the recommended buffer distances shall submit a health risk assessment (HRA) to the City of Clovis prior to future discretionary project approval. The HRA shall be prepared in accordance with policies and procedures of the State Office of Environmental Health Hazard Assessment (OEHHA) and the San Joaquin Valley Air Pollution Control District. The latest OEHHA guidelines shall be used for the analysis, including age sensitivity factors, breathing rates, and body weights appropriate for children age 0 to 6 years. If the HRA shows that the incremental cancer risk exceeds ten in one million ($10E-06$), the appropriate noncancer hazard index exceeds 1.0, or if the PM_{10} or $PM_{2.5}$ ambient air quality standard increment exceeds $2.5 \mu g/m^3$, the applicant will be required to identify and demonstrate that mitigation measures are capable of reducing potential cancer and non-cancer risks to an acceptable level (i.e., below ten in one million or a hazard index of 1.0), including appropriate enforcement mechanisms.
- 3-6:** Prior to discretionary project approval, applicants for industrial or warehousing land uses shall coordinate with the San Joaquin Valley Air Pollution Control District (SJVAPCD) or the City of Clovis in conjunction with the SJVAPCD to determine the appropriate level of health risk assessment (HRA) required. All HRAs shall be submitted to the City of Clovis.

2.4.4 - Existing Sources of Toxic Emissions

No existing sources were identified that exceed ARB recommendations in its Air Quality Land Use Handbook for siting sensitive land uses impact the project.

2.4.5 - ARB Air Quality Land Use Handbook

Table 6 lists the following ARB advisory recommendations that address the issue of siting "sensitive land uses" near specific sources of air pollution (ARB 2005):

- | | |
|-----------------------------------|-----------------------------------|
| • High traffic freeways and roads | • Refineries |
| • Distribution centers | • Chrome plating facilities |
| • Rail yards | • Dry cleaners |
| • Ports | • Large gas dispensing facilities |

The analysis examines the area around the site to determine if potential sources of TAC emissions may impact the project, based on the ARB recommended screening distances.

Table 6: Recommendations on Siting New Sensitive Land Uses

Source Category	Advisory Recommendations
Freeways and High-Traffic Roads	Avoid siting new sensitive land uses within 500 feet of a freeway, urban roads with 100,000 vehicles/day, or rural roads with 50,000 vehicles/day.
Distribution Centers	<p>Avoid siting new sensitive land uses within 1,000 feet of a distribution center (that accommodates more than 100 trucks per day, more than 40 trucks with operating transport refrigeration units (TRUs) per day, or where TRU unit operations exceed 300 hours per week).</p> <p>Take into account the configuration of existing distribution centers and avoid locating residences and other new sensitive land uses near entry and exit points.</p>
Rail Yards	Avoid siting new sensitive land uses within 1,000 feet of a major service and maintenance rail yard. Within one mile of a rail yard, consider possible siting limitations and mitigation approaches.
Ports	Avoid siting of new sensitive land uses immediately downwind of ports in the most heavily impacted zones. Consult local air districts or the ARB on the status of pending analyses of health risks.
Refineries	Avoid siting new sensitive land uses immediately downwind of petroleum refineries. Consult with local air districts and other local agencies to determine an appropriate separation.
Chrome Platers	Avoid siting new sensitive land uses within 1,000 feet of a chrome plater.
Dry Cleaners Using Perchloroethylene	<p>Avoid siting new sensitive land uses within 300 feet of any dry cleaning operation. For operations with two or more machines, provide 500 feet. For operations with three or more machines, consult with the local air district.</p> <p>Do not site new sensitive land uses in the same building with perchloroethylene dry cleaning operations.</p>
Gasoline Dispensing Facilities	Avoid siting new sensitive land uses within 300 feet of a large gas station (defined as a facility with a throughput of 3.6 million gallons per year or greater). A 50-foot separation is recommended for typical gas dispensing facilities.
<p>Note: These recommendations are advisory. Land use agencies have to balance other considerations, including housing and transportation needs, economic development priorities, and other quality of life issues.</p>	

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SECTION 3: CLIMATE CHANGE SETTING

3.1—Climate Change

Climate change is a change in the average weather of the earth that is measured by alterations in wind patterns, storms, precipitation, and temperature. These changes are assessed using historical records of temperature changes occurring in the past, such as during previous ice ages. Many of the concerns regarding climate change use this data to extrapolate a level of statistical significance, specifically focusing on temperature records from the last 150 years (the Industrial Age) that differ from previous climate changes in rate and magnitude.

The United Nations Intergovernmental Panel on Climate Change (IPCC) constructed several emission trajectories of GHGs needed to stabilize global temperatures and climate change impacts. In its Fourth Assessment Report, the IPCC predicted that the global mean temperature change from 1990 to 2100, given six scenarios, could range from 1.1 degrees Celsius (°C) to 6.4°C. Regardless of analytical methodology, global average temperatures and sea levels are expected to rise under all scenarios (IPCC 2007a). The report also concluded that “[w]arming of the climate system is unequivocal,” and that “[m]ost of the observed increase in global average temperatures since the mid-20th century is very likely due to the observed increase in anthropogenic greenhouse gas concentrations.”

An individual project cannot generate enough GHG emissions to cause a discernible change in global climate. However, the project participates in the potential for global climate change by its incremental contribution of GHGs—and when combined with the cumulative increase of all other sources of GHGs—constitute potential influences on global climate change.

3.1.1 - Consequences of Climate Change in California

In California, climate change may result in consequences such as the following (from CCCC 2006 and Moser et al. 2009):

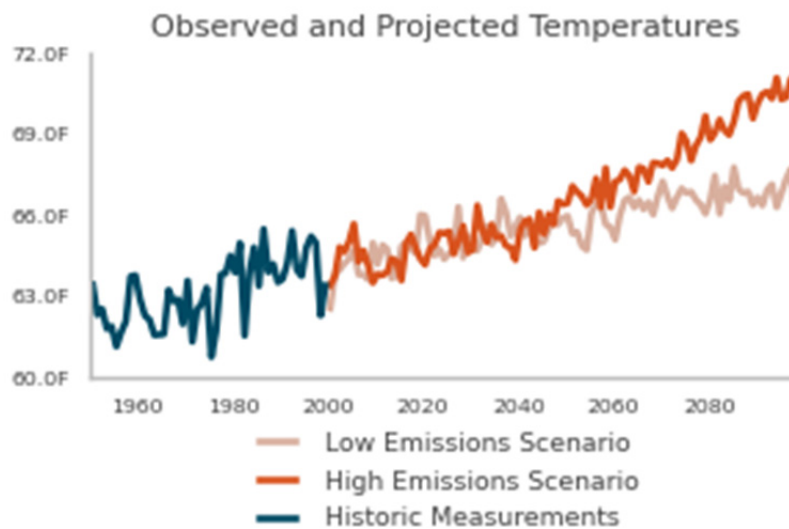
- **A reduction in the quality and supply of water from the Sierra snowpack.** If heat-trapping emissions continue unabated, more precipitation will fall as rain instead of snow, and the snow that does fall will melt earlier, reducing the Sierra Nevada spring snowpack by as much as 70 to 90 percent. This can lead to challenges in securing adequate water supplies. It can also lead to a potential reduction in hydropower.
- **Increased risk of large wildfires.** If rain increases as temperatures rise, wildfires in the grasslands and chaparral ecosystems of southern California are estimated to increase by approximately 30 percent toward the end of the 21st century because more winter rain will stimulate the growth of more plant “fuel” available to burn in the fall. In contrast, a hotter, drier climate could promote up to 90 percent more northern California fires by the end of the century by drying out and increasing the flammability of forest vegetation.
- **Reductions in the quality and quantity of certain agricultural products.** The crops and products likely to be adversely affected include wine grapes, fruit, nuts, and milk.

- **Exacerbation of air quality problems.** If temperatures rise to the medium warming range, there could be 75 to 85 percent more days with weather conducive to ozone formation in Los Angeles and the San Joaquin Valley, relative to today's conditions. This is more than twice the increase expected if rising temperatures remain in the lower warming range. This increase in air quality problems could result in an increase in asthma and other health-related problems.
- **A rise in sea levels resulting in the displacement of coastal businesses and residences.** During the past century, sea levels along California's coast have risen about seven inches. If emissions continue unabated and temperatures rise into the higher anticipated warming range, sea level is expected to rise an additional 22 to 35 inches by the end of the century. Elevations of this magnitude would inundate coastal areas with salt water, accelerate coastal erosion, threaten vital levees and inland water systems, and disrupt wetlands and natural habitats.
- **An increase in temperature and extreme weather events.** Climate change is expected to lead to increases in the frequency, intensity, and duration of extreme heat events and heat waves in California. More heat waves can exacerbate chronic disease or heat-related illness.
- **A decrease in the health and productivity of California's forests.** Climate change can cause an increase in wildfires, an enhanced insect population, and establishment of non-native species.

Consequences of Climate Change in the Clovis Area

Figure 5 displays a chart of measured historical and projected annual average temperatures in the City of Clovis area. As shown in the figure, temperatures are expected to rise in the low and high GHG emissions scenarios. The results indicate that temperatures are predicted to increase by 3.7 degrees Fahrenheit (°F) under the low emission scenario and 6.5°F under the high emissions scenario (CalAdapt 2017).

Figure 5: Observed and Projected Temperatures for Climate Change in the City of Clovis Area



Source: CalAdapt 2017

Water Supply

The City of Clovis Public Utilities Department would provide water for the project. The City relies on groundwater and treated surface water for potable water supplies. The availability of surface water and the rate of groundwater recharge could decline if climate change were to result in reduced snowpack in the Sierra Nevada.

Wildfires

The project site is within an urbanizing area with limited fuels that would be subject to a wildfire. Foothill and mountain areas located to the north and east of the Clovis area subject to wildfire. The potential for increased temperatures and drought conditions due to climate change would result in increased risk from wildfire in those areas.

Human Health Effects of GHG Emissions

GHG emissions from development projects would not result in concentrations that would directly impact public health. However, the cumulative effects of GHG emissions on climate change have the potential to cause adverse effects to human health.

In its report, *Global Climate Change Impacts in the U.S.* (2009), the U.S. Global Change Research Program has analyzed the degree to which impacts on human health are expected to impact the United States.

Potential effects of climate change on public health include:

- **Direct Temperature Effects:** Climate change may directly affect human health through increases in average temperatures, which are predicted to increase the incidence of heat waves and hot extremes.
- **Extreme Events:** Climate change may affect the frequency and severity of extreme weather events, such as hurricanes and extreme heat and floods, which can be destructive to human health and well-being.
- **Climate-Sensitive Diseases:** Climate change may increase the risk of some infectious diseases, particularly those diseases that appear in warm areas and are spread by mosquitoes and other insects, such as malaria, dengue fever, yellow fever, and encephalitis.
- **Air Quality:** Respiratory disorders may be exacerbated by warming-induced increases in the frequency of smog (ground-level ozone) events and particulate air pollution (EPA 2009a).

Although there could be health effects resulting from changes in the climate and the consequences that can occur, inhalation of GHGs at levels currently in the atmosphere would not result in adverse health effects, with the exception of ozone and aerosols (particulate matter). The potential health effects of ozone and particulate matter are discussed in criteria pollutant analyses. At very high indoor concentrations (not at levels existing outside), carbon dioxide, methane, sulfur hexafluoride, and some chlorofluorocarbons can cause suffocation as the gases can displace oxygen (CDC 2010 and OSHA 2003).

3.2—Greenhouse Gases

Gases that trap heat in the atmosphere are referred to as GHGs. The effect is analogous to the way a greenhouse retains heat. Common GHGs include water vapor, carbon dioxide, methane, NO_x, chlorofluorocarbons, hydrofluorocarbons, perfluorocarbons, sulfur hexafluoride, ozone, and aerosols. Natural processes and human activities emit GHGs. The presence of GHGs in the atmosphere affects the earth's temperature. It is believed that emissions from human activities, such as electricity production and vehicle use, have elevated the concentration of these gases in the atmosphere beyond the level of naturally occurring concentrations.

Climate change is driven by forcings and feedbacks. Radiative forcing is the difference between the incoming energy and outgoing energy in the climate system. Positive forcing tends to warm the surface while negative forcing tends to cool it. Radiative forcing values are typically expressed in watts per square meter. A feedback is a climate process that can strengthen or weaken a forcing. For example, when ice or snow melts, it reveals darker land underneath which absorbs more radiation and causes more warming. The global warming potential is the potential of a gas or aerosol to trap heat in the atmosphere. The global warming potential of a gas is essentially a measurement of the radiative forcing of a GHG compared with the reference gas, CO₂.

Individual GHG compounds have varying global warming potential and atmospheric lifetimes. CO₂, the reference gas for global warming potential, has a global warming potential of one. The global warming potential of a GHG is a measure of how much a given mass of a GHG is estimated to contribute to global warming. To describe how much global warming a given type and amount of GHG may cause, the carbon dioxide equivalent is used. The calculation of the carbon dioxide equivalent is a consistent methodology for comparing GHG emissions since it normalizes various GHG emissions to a consistent reference gas, CO₂. For example, CH₄'s warming potential of 21 indicates that CH₄ has 21 times greater warming effect than CO₂ on a molecule-per-molecule basis. A carbon dioxide equivalent is the mass emissions of an individual GHG multiplied by its global warming potential. GHGs defined by Assembly Bill (AB) 32 (see the Climate Change Regulatory Environment section for a description) include CO₂, CH₄, NO_x, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride. They are described in Table 7. A seventh GHG, nitrogen trifluoride (NF₃), was added to Health and Safety Code section 38505(g)(7) as a GHG of concern. The global warming potential amounts are from IPCC Second Assessment Report (SAR). IPCC Fourth Assessment Report (AR4) introduced updated global warming potentials. The new amounts have not been used in order to remain consistent with the amounts used to develop the ARB Scoping Plan and SJVAPCD thresholds.

Table 7: Description of Greenhouse Gases

Greenhouse Gas	Description and Physical Properties	Sources
Nitrous oxide	Nitrous oxide (laughing gas) is a colorless GHG. It has a lifetime of 114 years. Its global warming potential is 310.	Microbial processes in soil and water, fuel combustion, and industrial processes.
Methane	Methane is a flammable gas and is the main component of natural gas. It has a lifetime of 12 years. Its global warming potential is 21.	Methane is extracted from geological deposits (natural gas fields). Other sources are landfills, fermentation of manure, and decay of organic matter.

Table 7 (cont.): Description of Greenhouse Gases

Greenhouse Gas	Description and Physical Properties	Sources
Carbon dioxide	Carbon dioxide (CO ₂) is an odorless, colorless, natural GHG. Carbon dioxide's global warming potential is 1. The concentration in 2005 was 379 parts per million (ppm), which is an increase of about 1.4 ppm per year since 1960.	Natural sources include decomposition of dead organic matter; respiration of bacteria, plants, animals, and fungus; evaporation from oceans; and volcanic outgassing. Anthropogenic sources are from burning coal, oil, natural gas, and wood.
Chlorofluorocarbons	These are gases formed synthetically by replacing all hydrogen atoms in methane or ethane with chlorine and/or fluorine atoms. They are nontoxic, nonflammable, insoluble, and chemically unreactive in the troposphere (the level of air at the earth's surface). Global warming potentials range from 3,800 to 8,100.	Chlorofluorocarbons were synthesized in 1928 for use as refrigerants, aerosol propellants, and cleaning solvents. They destroy stratospheric ozone. The Montreal Protocol on Substances that Deplete the Ozone Layer prohibited their production in 1987.
Perfluorocarbons	Perfluorocarbons have stable molecular structures and only break down by ultraviolet rays about 60 kilometers above Earth's surface. Because of this, they have long lifetimes, between 10,000 and 50,000 years. Global warming potentials range from 6,500 to 9,200.	Two main sources of perfluorocarbons are primary aluminum production and semiconductor manufacturing.
Sulfur hexafluoride	Sulfur hexafluoride (SF ₆) is an inorganic, odorless, colorless, and nontoxic, nonflammable gas. It has a lifetime of 3,200 years. It has a high global warming potential of 23,900.	This gas is man-made and used for insulation in electric power transmission equipment, in the magnesium industry, in semiconductor manufacturing, and as a tracer gas.
Nitrogen trifluoride	Nitrogen trifluoride (NF ₃) was added to Health and Safety Code section 38505(g)(7) as a GHG of concern. It has a high global warming potential of 17,200.	This gas is used in electronics manufacture for semiconductors and liquid crystal displays.
Sources: Compiled from a variety of sources, primarily Intergovernmental Panel on Climate Change 2007a and 2007b.		

The State has begun addressing pollutants referred to as short-lived climate pollutants. Senate Bill (SB) 605, approved by the governor on September 14, 2014 required the ARB to complete a comprehensive strategy to reduce emissions of short-lived climate pollutants by January 1, 2016. ARB was required to complete an emission inventory of these pollutants, identify research needs, identify existing and potential new control measures that offer co-benefits, and coordinated with other state agencies and districts to develop measures. The Short-Lived Climate Pollutant Strategy was approved by the ARB on March 24, 2017. The strategy calls for reductions of 50 percent from black carbon, 40 percent from methane, and 40 percent from HFCs from the 2030 Business as Usual (BAU) inventory for these pollutants (ARB 2017b).

The short-lived climate pollutants include three main components: black carbon, fluorinated gases, and methane. Fluorinated gases and methane are described in Table 7 and are already included in the California GHG inventory. Black carbon has not been included in past GHG inventories; however, ARB will include it in its comprehensive strategy (ARB 2015c).

Ozone is another short-lived climate pollutant that will be part of the strategy. Ozone affects evaporation rates, cloud formation, and precipitation levels. Ozone is not directly emitted, so its precursor emissions, volatile organic compounds (VOC) and oxides of nitrogen (NO_x) on a regional scale and CH_4 on a hemispheric scale will be subject of the strategy (ARB 2015c).

Black carbon is a component of fine particulate matter. Black carbon is formed by incomplete combustion of fossil fuels, biofuels, and biomass. Sources of black carbon within a jurisdiction may include exhaust from diesel trucks, vehicles, and equipment, as well as smoke from biogenic combustion. Biogenic combustion sources of black carbon include the burning of biofuels used for transportation, the burning of biomass for electricity generation and heating, prescribed burning of agricultural residue, and natural and unnatural wildfires. Black carbon is not a gas but an aerosol—particles or liquid droplets suspended in air. Black carbon only remains in the atmosphere for days to weeks, whereas other GHGs can remain in the atmosphere for years. Black carbon can be deposited on snow, where it absorbs sunlight, reduces sunlight reflectivity, and hastens snowmelt. Direct effects include absorbing incoming and outgoing radiation; indirectly, black carbon can also affect cloud reflectivity, precipitation, and surface dimming (cooling).

Global warming potentials for black carbon were not defined by the IPCC in its Fourth Assessment Report. The ARB has identified a global warming potential of 3,200 using a 20-year time horizon and 900 using a 100-year time horizon from the IPCC Fifth Assessment. Sources of black carbon are already regulated by ARB, and air district criteria pollutant and toxic regulations that control fine particulate emissions from diesel engines and other combustion sources (ARB 2015d). Additional controls on the sources of black carbon specifically for their GHG impacts beyond those required for toxic and fine particulates are not likely to be needed.

Water vapor is also considered a GHG. Water vapor is an important component of our climate system and is not regulated. Increasing water vapor leads to warmer temperatures, which causes more water vapor to be absorbed into the air. Warming and water absorption increase in a spiraling cycle. Water vapor feedback can also amplify the warming effect of other GHGs, such that the warming brought about by increased carbon dioxide allows more water vapor to enter the atmosphere (NASA 2015b).

3.2.1 - Emissions Inventories

An emissions inventory is a database that lists, by source, the amount of air pollutants discharged into the atmosphere of a geographic area during a given time period. Emissions worldwide were approximately 43,286 million metric tons of carbon dioxide equivalents ($\text{MMT}\text{CO}_2\text{e}$) in 2012. As shown in Figure 6, China was the largest GHG emitter with over 10 billion metric tons of CO_2e , and the United States was the second-largest GHG emitter with over 6 billion metric tons of CO_2e (WRI 2014).

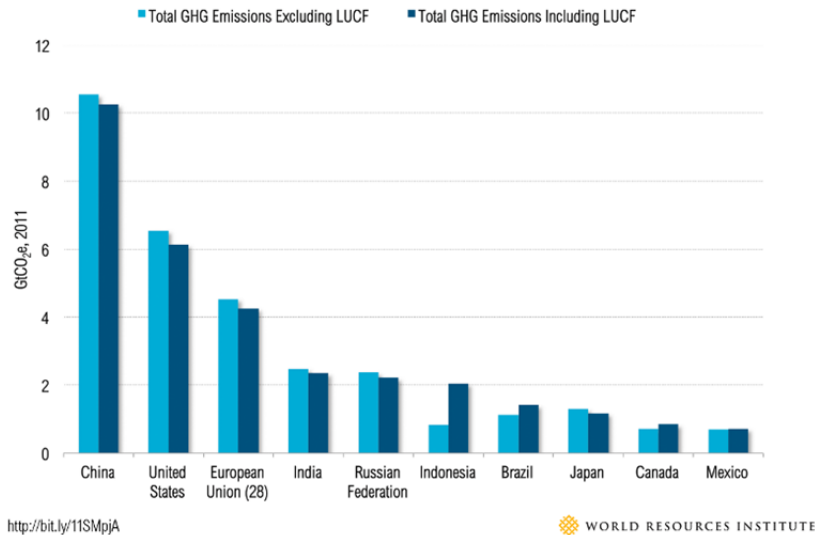
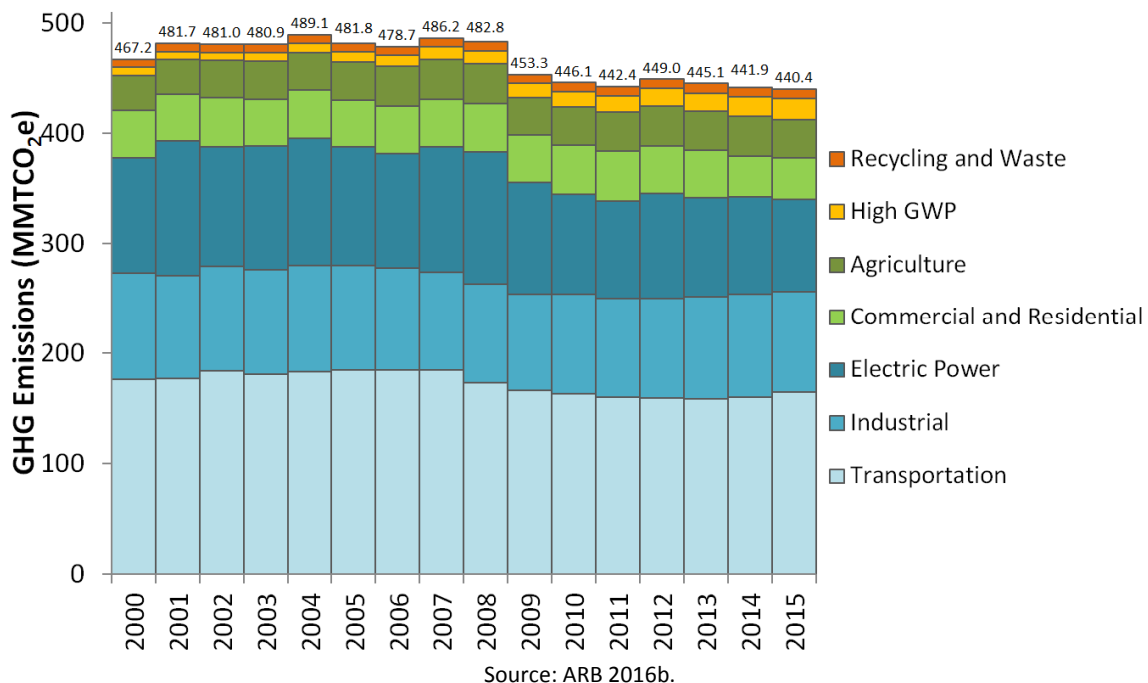
Figure 6: Greenhouse Gas Emissions by Geographic Area**Top 10 Emitters**

Figure 7 shows the contributors of GHG emissions in California between years 2000 and 2015 by Scoping Plan category. The main contributor was transportation. The second highest sector was industrial, which includes sources from refineries, general fuel use, oil and gas extraction, cement plants, and cogeneration heat output. ARB reported that California's GHG emissions inventory was 440.4 MMTCO₂e in 2015 (ARB 2016b).

Figure 7: Greenhouse Gas Emission Trends by Scoping Plan Category in California

3.3—Regulatory Environment

3.3.1 - International

International organizations, such as the ones discussed below, have made substantial efforts to reduce GHGs. Preventing human-induced climate change will require the participation of all nations in solutions to address the issue.

Intergovernmental Panel on Climate Change. In 1988, the United Nations and the World Meteorological Organization established the Intergovernmental Panel on Climate Change. The panel was tasked with assessing the scientific, technical, and socioeconomic information relevant to understanding the scientific basis of risk of human-induced climate change, its potential impacts, and options for adaptation and mitigation.

United Nations Framework Convention on Climate Change (Convention). On March 21, 1994, the United States joined a number of countries around the world in signing the Convention. Under the Convention, governments gather and share information on GHG emissions, national policies, and best practices; launch national strategies for addressing GHG emissions and adapting to expected impacts, including the provision of financial and technological support to developing countries; and cooperate in preparing for adaptation to the impacts of climate change.

Kyoto Protocol. The Kyoto Protocol is an international agreement linked to the United Nations Framework Convention on Climate Change. The major feature of the Kyoto Protocol is that it sets binding targets for 37 industrialized countries and the European community for reducing GHG emissions at average of five percent against 1990 levels over the five-year period from 2008–2012. The Convention (as discussed above) encouraged industrialized countries to stabilize emissions; however, the Protocol commits them to do so. Developed countries have contributed more emissions over the last 150 years; therefore, the Protocol places a heavier burden on developed nations under the principle of “common but differentiated responsibilities.”

In 2001, President George W. Bush indicated that he would not submit the treaty to the U.S. Senate for ratification, which effectively ended American involvement in the Kyoto Protocol. In December 2009, international leaders met in Copenhagen to address the future of international climate change commitments post-Kyoto. No binding agreement was reached in Copenhagen; however, the Committee identified the long-term goal of limiting the maximum global average temperature increase to no more than 2°C above pre-industrial levels, subject to a review in 2015. The UN Climate Change Committee held additional meetings in Durban, South Africa in November 2011; Doha, Qatar in November 2012; and Warsaw, Poland in November 2013. The meetings are gradually gaining consensus among participants on individual climate change issues.

On September 23, 2014, more than 100 heads of state and government, along with leaders from the private sector and civil society met at the Climate Summit in New York hosted by the United Nations. At the Summit, heads of government, business, and civil society announced actions in areas that would have the greatest impact on reducing emissions, including: climate finance, energy, transport, industry, agriculture, cities, forests, and building resilience.

Paris Agreement. Parties to the United Nations Framework Convention on Climate Change (UNFCCC) reached a landmark agreement on December 12, 2015 in Paris, charting a fundamentally new course in the two-decade-old global climate effort. Culminating in a 4-year negotiating round, the new treaty ends the strict differentiation between developed and developing countries that characterized earlier efforts, replacing it with a common framework that commits all countries to put forward their best efforts and to strengthen those efforts in the years ahead. This includes, for the first time, requirements that all parties report regularly on their emissions and implementation efforts, and undergo international review.

The agreement and a companion decision by parties were the key outcomes of the conference, known as the 21st session of the UNFCCC Conference of the Parties, or COP 21. Together, the Paris Agreement and the accompanying COP decision:

- Reaffirm the goal of limiting global temperature increase well below 2 degrees Celsius, while urging efforts to limit the increase to 1.5 degrees;
- Establish binding commitments by all parties to make “nationally determined contributions” (NDCs), and to pursue domestic measures aimed at achieving them;
- Commit all countries to report regularly on their emissions and “progress made in implementing and achieving” their NDCs, and to undergo international review;
- Commit all countries to submit new NDCs every five years, with the clear expectation that they will “represent a progression” beyond previous ones;
- Reaffirm the binding obligations of developed countries under the UNFCCC to support the efforts of developing countries, while for the first time encouraging voluntary contributions by developing countries too;
- Extend the current goal of mobilizing \$100 billion a year in support by 2020 through 2025, with a new, higher goal to be set for the period after 2025;
- Extend a mechanism to address “loss and damage” resulting from climate change, which explicitly will not “involve or provide a basis for any liability or compensation;”
- Require parties engaging in international emissions trading to avoid “double counting;” and
- Call for a new mechanism, similar to the Clean Development Mechanism under the Kyoto Protocol, enabling emission reductions in one country to be counted toward another country’s NDC (C2ES 2015a).

On June 1, 2017, President Trump announced the decision for the United States to withdraw from the Paris Climate Accord (White House 2017). California remains committed to combating climate change through programs designed to reduce GHGs.

3.3.2 - Federal Regulations

Prior to the last decade, there were no concrete federal regulations of GHGs or major planning for climate change adaptation. Since then, federal activity has increased. The following are actions regarding the federal government, GHGs, and fuel efficiency.

Greenhouse Gas Endangerment. *Massachusetts v. EPA* (Supreme Court Case 05-1120) was argued before the United States Supreme Court on November 29, 2006, in which it was petitioned that the EPA regulate four GHGs, including carbon dioxide, under Section 202(a)(1) of the Clean Air Act. A decision was made on April 2, 2007, in which the Supreme Court found that GHGs are air pollutants covered by the Clean Air Act. The Court held that the Administrator must determine whether emissions of GHGs from new motor vehicles cause or contribute to air pollution, which may reasonably be anticipated to endanger public health or welfare, or whether the science is too uncertain to make a reasoned decision. On December 7, 2009, the EPA Administrator signed two distinct findings regarding GHGs under section 202(a) of the Clean Air Act:

- **Endangerment Finding:** The Administrator finds that the current and projected concentrations of the six key well-mixed greenhouse gases—carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride—in the atmosphere threaten the public health and welfare of current and future generations.
- **Cause or Contribute Finding:** The Administrator finds that the combined emissions of these well-mixed greenhouse gases from new motor vehicles and new motor vehicle engines contribute to the greenhouse gas pollution, which threatens public health and welfare.

These findings do not impose requirements on industry or other entities. However, this was a prerequisite for implementing GHG emissions standards for vehicles, as discussed in the section “Clean Vehicles” below. After a lengthy legal challenge, the United States Supreme Court declined to review an Appeals Court ruling upholding the EPA Administrator findings (EPA 2009c).

Clean Vehicles. Congress first passed the Corporate Average Fuel Economy law in 1975 to increase the fuel economy of cars and light duty trucks. The law has become more stringent over time. On May 19, 2009, President Obama put in motion a new national policy to increase fuel economy for all new cars and trucks sold in the United States. On April 1, 2010, the EPA and the Department of Transportation’s National Highway Safety Administration announced a joint final rule establishing a national program that would reduce GHG emissions and improve fuel economy for new cars and trucks sold in the United States.

The first phase of the national program applies to passenger cars, light-duty trucks, and medium-duty passenger vehicles, covering model years 2012 through 2016. They require these vehicles to meet an estimated combined average emissions level of 250 grams of CO₂ per mile, equivalent to 35.5 miles per gallon; that is, if the automobile industry were to meet this CO₂ level solely through fuel economy improvements. Together, these standards would cut CO₂ emissions by an estimated 960 million metric tons and 1.8 billion barrels of oil over the lifetime of the vehicles sold under the program (model years 2012–2016). The EPA and the National Highway Safety Administration issued final rules on a second-phase joint rulemaking, establishing national standards for light-duty vehicles for model years 2017 through 2025 in August 2012 (EPA 2012b). The new standards for model years 2017 through 2025 apply to passenger cars, light-duty trucks, and medium duty passenger vehicles. The final standards are projected to result in an average industry fleetwide level of 163 grams/mile of CO₂ in model year 2025, which is equivalent to 54.5 miles per gallon if achieved exclusively through fuel economy improvements.

The EPA and the U.S. Department of Transportation issued final rules for the first national standards to reduce GHG emissions and improve fuel efficiency of heavy-duty trucks and buses on September 15, 2011, which became effective November 14, 2011. For combination tractors, the agencies are proposing engine and vehicle standards that began in the 2014 model year and achieve up to a 20-percent reduction in CO₂ emissions and fuel consumption by the 2018 model year. For heavy-duty pickup trucks and vans, the agencies are proposing separate gasoline and diesel truck standards, which phase in starting in the 2014 model year and achieve up to a 10-percent reduction for gasoline vehicles, and a 15-percent reduction for diesel vehicles by 2018 model year (12 and 17 percent respectively if accounting for air conditioning leakage). Lastly, for vocational vehicles, the engine and vehicle standards would achieve up to a 10-percent reduction in fuel consumption and CO₂ emissions from the 2014 to 2018 model years.

Mandatory Reporting of Greenhouse Gases. The Consolidated Appropriations Act of 2008, passed in December 2007, requires the establishment of mandatory GHG reporting requirements. On September 22, 2009, the EPA issued the Final Mandatory Reporting of Greenhouse Gases Rule, which became effective January 1, 2010. The rule requires reporting of GHG emissions from large sources and suppliers in the United States, and is intended to collect accurate and timely emissions data to inform future policy decisions. Under the rule, suppliers of fossil fuels or industrial GHGs, manufacturers of vehicles and engines, and facilities that emit 25,000 metric tons or more per year of GHG emissions are required to submit annual reports to the EPA.

New Source Review. The EPA issued a final rule on May 13, 2010 that establishes thresholds for GHGs, which will define when permits under the New Source Review Prevention of Significant Deterioration and Title V Operating Permit programs are required for new and existing industrial facilities. This final rule “tailors” the requirements of these Clean Air Act permitting programs to limit which facilities will be required to obtain Prevention of Significant Deterioration and Title V permits. In the preamble to the revisions to the federal code of regulations, the EPA states:

This rulemaking is necessary because without it the Prevention of Significant Deterioration and Title V requirements would apply, as of January 2, 2011, at the 100 or 250 tons per year levels provided under the Clean Air Act, greatly increasing the number of required permits, imposing undue costs on small sources, overwhelming the resources of permitting authorities, and severely impairing the functioning of the programs. EPA is relieving these resource burdens by phasing in the applicability of these programs to greenhouse gas sources, starting with the largest greenhouse gas emitters. This rule establishes two initial steps of the phase-in. The rule also commits the agency to take certain actions on future steps addressing smaller sources, but excludes certain smaller sources from Prevention of Significant Deterioration and Title V permitting for greenhouse gas emissions until at least April 30, 2016.

The EPA estimates that facilities responsible for nearly 70 percent of the national GHG emissions from stationary sources will be subject to permitting requirements under this rule. This includes the nation’s largest GHG emitters—power plants, refineries, and cement production facilities.

Standards of Performance for Greenhouse Gas Emissions for New Stationary Sources: Electric Utility Generating Units. As required by a settlement agreement, the EPA proposed new performance standards for emissions of carbon dioxide for new, affected, fossil fuel-fired electric utility generating units on March 27, 2012. New sources greater than 25 megawatts would be required to meet an output based standard of 1,000 pounds of carbon dioxide per megawatt-hour, based on the performance of widely used natural gas combined cycle technology. President Trump signed the Executive Order on Energy Independence (E.O. 13783), which calls for a review of the Clean Power Plan. On October 16, 2017, the EPA issued the proposed rule Repeal of Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units an Energy Independence (EPA 2017).

Cap-and-Trade. Cap-and-trade refers to a policy tool where emissions are limited to a certain amount and can be traded, or provides flexibility on how the emitter can comply. There is no federal GHG cap-and-trade program currently; however, some states have joined to create initiatives to provide a mechanism for cap-and-trade.

The Regional Greenhouse Gas Initiative is an effort to reduce GHGs among the states of Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New York, Rhode Island, and Vermont. Each state caps carbon dioxide emissions from power plants, auctions carbon dioxide emission allowances, and invests the proceeds in strategic energy programs that further reduce emissions, save consumers money, create jobs, and build a clean energy economy. The Initiative began in 2008.

The Western Climate Initiative partner jurisdictions have developed a comprehensive initiative to reduce regional GHG emissions to 15 percent below 2005 levels by 2020. The partners are California, British Columbia, Manitoba, Ontario, and Quebec. Currently only California and Quebec are participating in the cap-and-trade program (C2ES 2015).

3.3.3 - California

Legislative Actions to Reduce GHGs

The State of California legislature has enacted a series of bills that constitute the most aggressive program to reduce GHGs of any state in the nation. Some legislation such as the landmark AB 32 California Global Warming Solutions Act of 2006 was specifically enacted to address GHG emissions. Other legislation such as Title 24 and Title 20 energy standards were originally adopted for other purposes such as energy and water conservation, but also provide GHG reductions. This section describes the major provisions of the legislation.

AB 32. The California State Legislature enacted AB 32, the California Global Warming Solutions Act of 2006. AB 32 requires that GHGs emitted in California be reduced to 1990 levels by the year 2020. “Greenhouse gases” as defined under AB 32 include carbon dioxide, methane, NO_x, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride. Since AB 32 was enacted, a seventh chemical, nitrogen trifluoride, has also been added to the list of GHGs. The ARB is the state agency charged with monitoring and regulating sources of GHGs. AB 32 states the following:

Global warming poses a serious threat to the economic well-being, public health, natural resources, and the environment of California. The potential adverse impacts

of global warming include the exacerbation of air quality problems, a reduction in the quality and supply of water to the state from the Sierra snowpack, a rise in sea levels resulting in the displacement of thousands of coastal businesses and residences, damage to marine ecosystems and the natural environment, and an increase in the incidences of infectious diseases, asthma, and other human health-related problems.

The ARB approved the 1990 GHG emissions level of 427 MMTCO₂e on December 6, 2007 (ARB 2007). Therefore, to meet the State's target, emissions generated in California in 2020 are required to be equal to or less than 427 MMTCO₂e. Emissions in 2020 in a BAU scenario were estimated to be 596 MMTCO₂e, which do not account for reductions from AB 32 regulations (ARB 2008a). At that rate, a 28 percent reduction was required to achieve the 427 MMTCO₂e 1990 inventory. In October 2010, ARB prepared an updated 2020 forecast to account for the effects of the 2008 recession and slower forecasted growth. The 2020 inventory without the benefits of adopted regulation is now estimated at 545 MMTCO₂e. Therefore, under the updated forecast, a 21.7 percent reduction from BAU is required to achieve 1990 levels (ARB 2010a).

Progress in Achieving AB 32 Targets and Remaining Reductions Required

The State has made steady progress in implementing AB 32 and achieving targets included in Executive Order S-3-05. The progress is evident in updated emission inventories prepared by ARB, which showed that the State inventory dropped below 1990 levels for the first time in 2016 (ARB 2018a). The 2017 Scoping Plan Update includes projections indicating that the State will meet or exceed the 2020 target with adopted regulations (ARB 2017).

ARB 2008 Scoping Plan. The ARB's Climate Change Scoping Plan (Scoping Plan) contains measures designed to reduce the State's emissions to 1990 levels by the year 2020 to comply with AB 32 (ARB 2008). The Scoping Plan identifies recommended measures for multiple GHG emission sectors and the associated emission reductions needed to achieve the year 2020 emissions target—each sector has a different emission reduction target. Most of the measures target the transportation and electricity sectors. As stated in the Scoping Plan, the key elements of the strategy for achieving the 2020 GHG target include:

- Expanding and strengthening existing energy efficiency programs as well as building and appliance standards;
- Achieving a statewide renewables energy mix of 33 percent;
- Developing a California cap-and-trade program that links with other Western Climate Initiative partner programs to create a regional market system;
- Establishing targets for transportation-related GHG emissions for regions throughout California and pursuing policies and incentives to achieve those targets;
- Adopting and implementing measures pursuant to existing State laws and policies, including California's clean car standards, goods movement measures, and the Low Carbon Fuel Standard; and

- Creating targeted fees, including a public goods charge on water use, fees on high global warming potential gases, and a fee to fund the administrative costs of the State's long-term commitment to AB 32 implementation.

In addition, the Scoping Plan differentiates between “capped” and “uncapped” strategies. Capped strategies are subject to the proposed cap-and-trade program. The Scoping Plan states that the inclusion of these emissions within the cap-and-trade program will help ensure that the year 2020 emission targets are met despite some degree of uncertainty in the emission reduction estimates for any individual measure. Implementation of the capped strategies is calculated to achieve a sufficient amount of reductions by 2020 to achieve the emission target contained in AB 32. Uncapped strategies that will not be subject to the cap-and-trade emissions caps and requirements are provided as a margin of safety by accounting for additional GHG emission reductions (ARB 2008).

Cap-and-Trade Program. The Cap-and-Trade Program is a key element of the Scoping Plan. It sets a statewide limit on sources responsible for 85 percent of California's GHG emissions, and establishes a price signal needed to drive long-term investment in cleaner fuels and more efficient use of energy. The program is designed to provide covered entities the flexibility to seek out and implement the lowest cost options to reduce emissions. The program conducted its first auction in November 2012. Compliance obligations began for power plants and large industrial sources in January 2013. Other significant milestones include linkage to Quebec's cap-and-trade system in January 2014 and starting the compliance obligation for distributors of transportation fuels, natural gas, and other fuels in January 2015 (ARB 2015d).

The Cap-and-Trade Program provides a firm cap, ensuring that the 2020 statewide emission limit will not be exceeded. An inherent feature of the Cap-and-Trade program is that it does not guarantee GHG emissions reductions in any discrete location or by any particular source. Rather, GHG emissions reductions are guaranteed only on an accumulative basis. As summarized by ARB in the First Update:

The Cap-and-Trade Regulation gives companies the flexibility to trade allowances with others or take steps to cost-effectively reduce emissions at their own facilities. Companies that emit more have to turn in more allowances or other compliance instruments. Companies that can cut their GHG emissions have to turn in fewer allowances. But as the cap declines, aggregate emissions must be reduced. In other words, a covered entity theoretically could increase its GHG emissions every year and still comply with the Cap-and-Trade Program if there is a reduction in GHG emissions from other covered entities. Such a focus on aggregate GHG emissions is considered appropriate because climate change is a global phenomenon, and the effects of GHG emissions are considered cumulative (ARB 2014b).

The Cap-and-Trade Program works with other direct regulatory measures and provides an economic incentive to reduce emissions. If California's direct regulatory measures reduce GHG emissions more than expected, then the Cap-and-Trade Program will be responsible for relatively fewer emissions reductions. If California's direct regulatory measures reduce GHG emissions less than expected, then the Cap-and-Trade Program will be responsible for relatively more emissions reductions. Thus, the Cap-and-Trade Program assures that California will meet its 2020 GHG emissions reduction mandate:

The Cap-and-Trade Program establishes an overall limit on GHG emissions from most of the California economy—the “capped sectors.” Within the capped sectors, some of the reductions are being accomplished through direct regulations, such as improved building and appliance efficiency standards, the [Low Carbon Fuel Standard] LCFS, and the 33 percent [Renewables Portfolio Standard] RPS. Whatever additional reductions are needed to bring emissions within the cap is accomplished through price incentives posed by emissions allowance prices. Together, direct regulation and price incentives assure that emissions are brought down cost-effectively to the level of the overall cap. The Cap-and-Trade Regulation provides assurance that California’s 2020 limit will be met because the regulation sets a firm limit on 85 percent of California’s GHG emissions. In sum, the Cap-and-Trade Program will achieve aggregate, rather than site specific or project-level, GHG emissions reductions. Also, due to the regulatory architecture adopted by ARB in AB 32, the reductions attributed to the Cap-and-Trade Program can change over time depending on the State’s emissions forecasts and the effectiveness of direct regulatory measures (ARB 2014b).

The ARB approved the First Update to the Scoping Plan (Update) on May 22, 2014. The Update identified the next steps for California’s climate change strategy. The Update shows how California continues on its path to meet the near-term 2020 GHG limit, but also sets a path toward long-term, deep GHG emission reductions. The report established a broad framework for continued emission reductions beyond 2020, on the path to 80 percent below 1990 levels by 2050.

AB 398. The Governor signed AB 398 on July 25, 2017 to extend the Cap-and-Trade Program to 2030. The legislation includes provisions to ensure that offsets used by sources are limited to 4 percent of their compliance obligation from 2021 through 2025 and 6 percent from 2026 through 2030. AB 398 also prevents Air Districts from adopting or implementing emission reduction rules from stationary sources that are also subject to the Cap-and-Trade Program (CAR 2017).

SB 32. The Governor signed SB 32 on September 8, 2016. SB 32 now gives ARB the statutory responsibility to include the 2030 target previously contained in Executive Order B-30-15 in the 2017 Scoping Plan Update. SB 32 states that “In adopting rules and regulations to achieve the maximum technologically feasible and cost-effective greenhouse gas emissions reductions authorized by this division, the state [air resources] board shall ensure that statewide greenhouse gas emissions are reduced to at least 40 percent below the statewide greenhouse gas emissions limit no later than December 31, 2030.” The 2017 Climate Change Scoping Plan Update addressing the SB 32 targets was adopted on December 14, 2017. The major elements of the framework proposed to achieve the 2030 target are as follows:

1. SB 350
 - Achieve 50 percent Renewables Portfolio Standard (RPS) by 2030.
 - Doubling of energy efficiency savings by 2030.
2. Low Carbon Fuel Standard (LCFS)
 - Increased stringency (reducing carbon intensity 18 percent by 2030, up from 10 percent in 2020).

3. Mobile Source Strategy (Cleaner Technology and Fuels Scenario)
 - Maintaining existing GHG standards for light- and heavy-duty vehicles.
 - Put 4.2 million zero-emission vehicles (ZEVs) on the roads.
 - Increase ZEV buses, delivery and other trucks.
4. Sustainable Freight Action Plan
 - Improve freight system efficiency.
 - Maximize use of near-zero emission vehicles and equipment powered by renewable energy.
 - Deploy over 100,000 zero-emission trucks and equipment by 2030.
5. Short-Lived Climate Pollutant (SLCP) Reduction Strategy
 - Reduce emissions of methane and hydrofluorocarbons 40 percent below 2013 levels by 2030.
 - Reduce emissions of black carbon 50 percent below 2013 levels by 2030.
6. SB 375 Sustainable Communities Strategies
 - Increased stringency of 2035 targets.
7. Post-2020 Cap-and-Trade Program
 - Declining caps, continued linkage with Québec, and linkage to Ontario, Canada.
 - ARB will look for opportunities to strengthen the program to support more air quality co-benefits, including specific program design elements. In Fall 2016, ARB staff described potential future amendments including reducing the offset usage limit, redesigning the allocation strategy to reduce free allocation to support increased technology and energy investment at covered entities and reducing allocation if the covered entity increases criteria or toxics emissions over some baseline.
8. 20 percent reduction in greenhouse gas emissions from the refinery sector.
9. By 2018, develop Integrated Natural and Working Lands Action Plan to secure California's land base as a net carbon sink (ARB 2017c).

SB 375—The Sustainable Communities and Climate Protection Act of 2008. SB 375 was signed into law on September 30, 2008. According to SB 375, the transportation sector is the largest contributor of GHG emissions, which emits over 40 percent of the total GHG emissions in California. SB 375 states, “Without improved land use and transportation policy, California will not be able to achieve the goals of AB 32.” SB 375 does the following: (1) requires metropolitan planning organizations to include sustainable community strategies in their regional transportation plans for reducing GHG emissions, (2) aligns planning for transportation and housing, and (3) creates specified incentives for the implementation of the strategies.

Concerning CEQA, SB 375—as codified in Public Resources Code Section 21159.28—states that CEQA findings determinations for certain projects are not required to reference, describe, or discuss (1) growth-inducing impacts or (2) any project-specific or cumulative impacts from cars and light-duty truck trips generated by the project on global warming or the regional transportation network if the project:

1. Is in an area with an approved Sustainable Communities Strategy or an alternative planning strategy that the ARB accepts as achieving the greenhouse gas emission reduction targets;
2. Is consistent with that strategy (in designation, density, building intensity, and applicable policies); and
3. Incorporates the mitigation measures required by an applicable prior environmental document.

The ARB has prepared the Proposed Update to the SB 375 Greenhouse Gas Emission Reduction Targets. The update includes an increase in the 2035 target for Fresno County from 10 percent to 13 percent (ARB 2018).

AB 1493 Pavley Regulations and Fuel Efficiency Standards. California AB 1493, enacted on July 22, 2002, required the ARB to develop and adopt regulations that reduce GHGs emitted by passenger vehicles and light duty trucks. Implementation of the regulation was delayed by lawsuits filed by automakers and by the EPA's denial of an implementation waiver. The EPA subsequently granted the requested waiver in 2009, which was upheld by the U.S. District Court for the District of Columbia in 2011 (ARB 2013d).

The standards were phased in during the 2009 through 2016 model years. When fully phased in, the near-term (2009–2012) standards resulted in an approximately 22 percent reduction compared with the 2002 fleet, and the mid-term (2013–2016) standards resulted in about a 30 percent reduction. Several technologies stand out as providing significant reductions in emissions at favorable costs. These include discrete variable valve lift or camless valve actuation to optimize valve operation, rather than relying on fixed valve timing and lift as has historically been done; turbocharging to boost power and allow for engine downsizing; improved multi-speed transmissions; and improved air conditioning systems that operate optimally, leak less, and/or use an alternative refrigerant (ARB 2013e).

The second phase of the implementation for the Pavley bill was incorporated into Amendments to the Low-Emission Vehicle Program referred to as LEV III or the Advanced Clean Cars program. The Advanced Clean Car program combines the control of smog-causing pollutants and GHG emissions into a single coordinated package of requirements for model years 2017 through 2025. The regulation will reduce GHGs from new cars by 34 percent from 2016 levels by 2025. The rules will reduce pollutants from gasoline and diesel-powered cars, and deliver increasing numbers of zero-emission technologies, such as full battery electric cars, newly emerging plug-in hybrid electric vehicles, and hydrogen fuel cell cars. The regulations will also ensure adequate fueling infrastructure is available for the increasing numbers of hydrogen fuel cell vehicles planned for deployment in California (ARB 2011a).

SB 1368—Emission Performance Standards. In 2006, the State Legislature adopted SB 1368, which was subsequently signed into law by the governor. SB 1368 directs the California Public Utilities Commission to adopt a performance standard for GHG emissions for the future power purchases of California utilities. SB 1368 seeks to limit carbon emissions associated with electrical energy consumed in California by forbidding procurement arrangements for energy longer than 5 years from resources that exceed the emissions of a relatively clean, combined cycle natural gas power plant. Because of the carbon content of its fuel source, a coal-fired plant cannot meet this standard

because such plants emit roughly twice as much carbon as natural gas, combined cycle plants. Accordingly, the new law effectively prevents California's utilities from investing in, otherwise financially supporting, or purchasing power from new coal plants located in or out of the State. The California Public Utilities Commission adopted the regulations required by SB 1368 on August 29, 2007. The regulations implementing SB 1368 establish a standard for baseload generation owned by, or under long-term contract to publicly owned utilities, of 1,100 lbs. CO₂ per megawatt-hour (MWh).

SB 1078—Renewable Electricity Standards. On September 12, 2002, Governor Gray Davis signed SB 1078, requiring California to generate 20 percent of its electricity from renewable energy by 2017. SB 107 changed the due date to 2010 instead of 2017. On November 17, 2008, Governor Arnold Schwarzenegger signed Executive Order S-14-08, which established a Renewable Portfolio Standard target for California requiring that all retail sellers of electricity serve 33 percent of their load with renewable energy by 2020. Governor Schwarzenegger also directed the ARB (Executive Order S-21-09) to adopt a regulation by July 31, 2010, requiring the State's load serving entities to meet a 33 percent renewable energy target by 2020. The ARB approved the Renewable Electricity Standard on September 23, 2010 by Resolution 10-23. In 2011, the state legislature adopted this higher standard in SB X1-2. Renewable sources of electricity include wind, small hydropower, solar, geothermal, biomass, and biogas.

SB 350—Clean Energy and Pollution Reduction Act of 2015. The legislature approved and the governor then signed SB 350 on October 7, 2015, which reaffirms California's commitment to reducing its GHG emissions and addressing climate change. Key provisions include an increase in the RPS, higher energy efficiency requirements for buildings, initial strategies towards a regional electricity grid, and improved infrastructure for electric vehicle charging stations. Provisions for a 50 percent reduction in the use of petroleum statewide were removed from the Bill because of opposition and concern that it would prevent the Bill's passage. Specifically, SB 350 requires the following to reduce statewide GHG emissions:

- Increase the amount of electricity procured from renewable energy sources from 33 percent to 50 percent by 2030, with interim targets of 40 percent by 2024, and 25 percent by 2027.
- Double the energy efficiency in existing buildings by 2030. This target will be achieved through the California Public Utility Commission (CPUC), the California Energy Commission (CEC), and local publicly owned utilities.
- Reorganize the Independent System Operator (ISO) to develop more regional electricity transmission markets and improve accessibility in these markets, which will facilitate the growth of renewable energy markets in the western United States (California Leginfo 2015).

SB 100- California Renewables Portfolio Standard Program. The Governor approved SB 100 on September 10, 2018. The legislation revised the Renewable Portfolio Standard goals to achieve the 50 percent renewable resources target by December 31, 2026, and to achieve a 60 percent target by December 31, 2030. The bill would require that retail sellers and local publicly owned electric utilities procure a minimum quantity of electricity products from eligible renewable energy resources so that the total kilowatt hours of those products sold to their retail end-use customers achieve 44 percent of retail sales by December 31, 2024, 52 percent by December 31, 2027, and 60 percent by December 31, 2030 (California Leginfo (2018)).

SBX 7-7—The Water Conservation Act of 2009. The legislation directs urban retail water suppliers to set individual 2020 per capita water use targets and begin implementing conservation measures to achieve those goals. Meeting this statewide goal of 20 percent decrease in demand will result in a reduction of almost 2 million acre-feet in urban water use in 2020.

Executive Orders Related to GHG Emissions

California's Executive Branch has taken several actions to reduce GHGs through the use of executive orders. Although not regulatory, they set the tone for the State and guide the actions of state agencies.

Executive Order S-3-05. On June 1, 2005, former California Governor Arnold Schwarzenegger announced through Executive Order S-3-05, the following reduction targets for GHG emissions:

- By 2010, reduce greenhouse gas emissions to 2000 levels.
- By 2020, reduce greenhouse gas emissions to 1990 levels.
- By 2050, reduce greenhouse gas emissions to 80 percent below 1990 levels.

The 2050 reduction goal represents what some scientists believe is necessary to reach levels that will stabilize the climate. The 2020 goal was established to be a mid-term target. Because this is an executive order, the goals are not legally enforceable for local governments or the private sector.

Executive Order B-30-15. On April 29, 2015, Governor Edmund G. Brown Jr. issued an executive order to establish a California GHG reduction target of 40 percent below 1990 levels by 2030. The Governor's executive order aligns California's GHG reduction targets with those of leading international governments ahead of the United Nations Climate Change Conference in Paris late 2015. The executive order sets a new interim statewide GHG emission reduction target to reduce GHG emissions to 40 percent below 1990 levels by 2030 in order to ensure California meets its target of reducing GHG emissions to 80 percent below 1990 levels by 2050, and directs the ARB to update the Climate Change Scoping Plan to express the 2030 target in terms of MMTCO₂e. The executive order also requires the State's climate adaptation plan to be updated every three years and for the State to continue its climate change research program, among other provisions. As with Executive Order S-3-05, this executive order is not legally enforceable against local governments and the private sector. Legislation that would update AB 32 to provide post-2020 targets was signed by the Governor in 2016. SB 32 includes a 2030 mandate matching the requirements of the Executive Order.

Executive Order S-01-07—Low Carbon Fuel Standard. The governor signed Executive Order S 01-07 on January 18, 2007. The order mandates that a statewide goal shall be established to reduce the carbon intensity of California's transportation fuels by at least 10 percent by 2020. In particular, the executive order established a Low Carbon Fuel Standard (LCFS) and directed the Secretary for Environmental Protection to coordinate the actions of the California Energy Commission, the ARB, the University of California, and other agencies to develop and propose protocols for measuring the "life-cycle carbon intensity" of transportation fuels. This analysis supporting development of the protocols was included in the State Implementation Plan for alternative fuels (State Alternative Fuels Plan adopted by California Energy Commission on December 24, 2007) and was submitted to ARB for consideration as an "early action" item under AB 32. The ARB adopted the Low Carbon Fuel Standard on April 23, 2009.

The Low Carbon Fuel Standard was subject to legal challenge in 2011. Ultimately, ARB was required to bring a new LCFS regulation to the Board for consideration in February 2015. The proposed LCFS regulation was required to contain revisions to the 2010 LCFS as well as new provisions designed to foster investments in the production of the low-carbon fuels, offer additional flexibility to regulated parties, update critical technical information, simplify and streamline program operations, and enhance enforcement. The Office of Administrative Law (OAL) approved the regulation on November 16, 2015 (ARB 2015e).

Executive Order S-13-08. Executive Order S-13-08 states that “climate change in California during the next century is expected to shift precipitation patterns, accelerate sea level rise and increase temperatures, thereby posing a serious threat to California’s economy, to the health and welfare of its population and to its natural resources.” Pursuant to the requirements in the order, the 2009 California Climate Adaptation Strategy (California Natural Resources Agency 2009) was adopted, which is the “. . . first statewide, multi-sector, region-specific, and information-based climate change adaptation strategy in the United States.” Objectives include analyzing risks of climate change in California, identifying and exploring strategies to adapt to climate change, and specifying a direction for future research.

Executive Order B-55-18. Executive Order B-55-18 issued by Governor Brown on September 10, 2018 establishes a new statewide goal to achieve carbon neutrality as soon as possible, but no later than 2045, and achieve and maintain net negative emissions thereafter. The executive order directs ARB to work with relevant state agencies to develop a framework for implementation and accounting that tracks progress toward this goal (Brown 2018).

California Regulations and Building Codes

California has a long history of adopting regulations to improve energy efficiency in new and remodeled buildings. These regulations have kept California’s energy consumption relatively flat even with rapid population growth.

Title 20 Appliance Efficiency Regulations. California Code of Regulations, Title 20: Division 2, Chapter 4, Article 4, Sections 1601–1608: Appliance Efficiency Regulations regulates the sale of appliances in California. The Appliance Efficiency Regulations include standards for both federally regulated appliances and non-federally regulated appliances. Twenty-three categories of appliances are included in the scope of these regulations including lighting, air conditioning, and most home appliances. The standards within these regulations apply to appliances that are sold or offered for sale in California, except those sold wholesale in California for final retail sale outside the State and those designed and sold exclusively for use in recreational vehicles or other mobile equipment (CEC 2018a).

Title 24 Energy Efficiency Standards. California Code of Regulations Title 24 Part 6: California’s Energy Efficiency Standards for Residential and Nonresidential Buildings, was first adopted in 1978 in response to a legislative mandate to reduce California’s energy consumption. The standards are updated periodically to allow consideration and possible incorporation of new energy efficient technologies and methods. Energy efficient buildings require less electricity; therefore, increased energy efficiency reduces fossil fuel consumption and decreases GHG emissions. The most current

2016 Building Energy Efficiency Standards went into effect on January 1, 2017 (CEC 2016). The 2019 Building Energy Efficiency Standards are scheduled to go into effect on January 1, 2020 (CEC 2018b).

Title 24 California Green Building Standards Code (California Code of Regulations Title 24, Part 11 code) is a comprehensive and uniform regulatory code for all residential, commercial, and school buildings that went in effect January 1, 2011. The code is updated on a regular basis, with the most recent update consisting of the 2016 California Green Building Code Standards that became effective January 1, 2017. Local jurisdictions are permitted to adopt more stringent requirements, as state law provides methods for local enhancements. The Code recognizes that many jurisdictions have developed existing construction and demolition ordinances, and defers to them as the ruling guidance provided they provide a minimum 50-percent diversion requirement. The code also provides exemptions for areas not served by construction and demolition recycling infrastructure. State building code provides the minimum standard that buildings need to meet in order to be certified for occupancy, which is generally enforced by the local building official.

The California Green Building Standards Code (California Code of Regulations Title 24, Part 11 code) requires:

- **Short-term bicycle parking.** If a commercial project is anticipated to generate visitor traffic, provide permanently anchored bicycle racks within 200 feet of the visitors' entrance, readily visible to passers-by, for five percent of visitor motorized vehicle parking capacity, with a minimum of one two-bike capacity rack (5.106.4.1.1).
- **Long-term bicycle parking.** For buildings with over 10 tenant-occupants, provide secure bicycle parking for five percent of tenant-occupied motorized vehicle parking capacity, with a minimum of one space (5.106.4.1.2).
- **Designated parking.** Provide designated parking in commercial projects for any combination of low-emitting, fuel-efficient and carpool/van pool vehicles as shown in Table 5.106.5.2 (5.106.5.2).
- **Recycling by Occupants.** Provide readily accessible areas that serve the entire building and are identified for the depositing, storage, and collection of nonhazardous materials for recycling. (5.410.1).
- **Construction waste.** A minimum 50-percent diversion of construction and demolition waste from landfills, increasing voluntarily to 65 and 80 percent for new homes and 80-percent for commercial projects. (5.408.1, A5.408.3.1 [nonresidential], A5.408.3.1 [residential]). All (100 percent) of trees, stumps, rocks and associated vegetation and soils resulting from land clearing shall be reused or recycled (5.408.3).
- **Wastewater reduction.** Each building shall reduce the generation of wastewater by one of the following methods:
 1. The installation of water-conserving fixtures or
 2. Using nonpotable water systems (5.303.4).
- **Water use savings.** Twenty percent mandatory reduction in indoor water use with voluntary goal standards for 30, 35, and 40 percent reductions (5.303.2, A5303.2.3 [nonresidential]).

- **Water meters.** Separate water meters for buildings in excess of 50,000 square feet or buildings projected to consume more than 1,000 gallons per day (5.303.1).
- **Irrigation efficiency.** Moisture-sensing irrigation systems for larger landscaped areas (5.304.3).
- **Materials pollution control.** Low-pollutant emitting interior finish materials such as paints, carpet, vinyl flooring, and particleboard (5.404).
- **Building commissioning.** Mandatory inspections of energy systems (i.e., heat furnace, air conditioner, mechanical equipment) for nonresidential buildings over 10,000 square feet to ensure that all are working at their maximum capacity according to their design efficiencies (5.410.2).

Model Water Efficient Landscape Ordinance. The Model Water Efficient Landscape Ordinance (Ordinance) was required by AB 1881 Water Conservation Act. The bill required local agencies to adopt a local landscape ordinance at least as effective in conserving water as the Model Ordinance by January 1, 2010. Reductions in water use of 20 percent consistent with (SBX-7-7) 2020 mandate are expected for the ordinance. Governor Brown's Drought Executive Order of April 1, 2015 (EO B-29-15) directed DWR to update the ordinance through expedited regulation. The California Water Commission approved the revised ordinance on July 15, 2015, which became effective on December 15, 2015. New development projects that include landscaped areas of 500 square feet or more are subject to the ordinance. The update requires:

- More efficient irrigation systems
- Incentives for graywater usage
- Improvements in on-site stormwater capture
- Limiting the portion of landscapes that can be planted with high water use plants
- Reporting requirements for local agencies.

SB 97 and the CEQA Guidelines Update. Passed in August 2007, SB 97 added Section 21083.05 to the Public Resources Code. The code states: "(a) On or before July 1, 2009, the Office of Planning and Research shall prepare, develop, and transmit to the Resources Agency guidelines for the mitigation of GHG emissions or the effects of GHG emissions as required by this division, including, but not limited to, effects associated with transportation or energy consumption. (b) On or before January 1, 2010, the Resources Agency shall certify and adopt guidelines prepared and developed by the Office of Planning and Research pursuant to subdivision (a)."

Section 21097 was also added to the Public Resources Code. This provided an exemption until January 1, 2010 for transportation projects funded by the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006, or projects funded by the Disaster Preparedness and Flood Prevention Bond Act of 2006—in stating that the failure to analyze adequately the effects of GHGs would not violate CEQA. The Natural Resources Agency completed the approval process and the Amendments became effective on March 18, 2010. The Natural Resources Agency adopted additional amendments related to greenhouse gases in the 2019 CEQA Guidelines Update adopted on December 28, 2018.

The 2010 CEQA Amendments along with the 2019 CEQA Amendments provide guidance to public agencies regarding the analysis and mitigation of the effects of GHG emissions in CEQA documents. The CEQA Amendments fit within the existing CEQA framework by amending existing CEQA Guidelines to reference climate change.

Section 15064.4(b) of the CEQA Guidelines provides direction for lead agencies for assessing the significance of impacts of GHG emissions:

- The extent to which the project may increase or reduce greenhouse gas emissions as compared to the existing environmental setting;
- Whether the project emissions exceed a threshold of significance that the lead agency determines applies to the project; or
- The extent to which the project complies with regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of greenhouse gas emissions. Such regulations or requirements must be adopted by the relevant public agency through a public review process and must include specific requirements that reduce or mitigate the project's incremental contribution of greenhouse gas emissions. If there is substantial evidence that the possible effects of a particular project are still cumulatively considerable notwithstanding compliance with the adopted regulations or requirements, an EIR must be prepared for the project. In determining the significance of impacts, the lead agency may consider a project's consistency with the State's long-term climate goals or strategies, provided that substantial evidence supports the agency's analysis of how those goals or strategies address the project's incremental contribution to climate change and its conclusion that the project's incremental contribution is not cumulatively considerable.

Section 15064.4(c) states that a lead agency may use a model or methodology to estimate greenhouse gas emissions resulting from a project. The lead agency has discretion to select the model or methodology it considers most appropriate to enable decision makers to intelligently take into account the project's incremental contribution to climate change. The lead agency must support its selection of a model or methodology with substantial evidence. The lead agency should explain the limitations of the particular model or methodology selected for use.

The 2019 CEQA Guidelines include the following discussion regarding thresholds of significance.

(d) Using environmental standards as thresholds of significance promotes consistency in significance determinations and integrates environmental review with other environmental program planning and regulation. Any public agency may adopt or use an environmental standard as a threshold of significance. In adopting or using an environmental standard as a threshold of significance, a public agency shall explain how the particular requirements of that environmental standard reduce project impacts, including cumulative impacts, to a level that is less than significant, and why the environmental standard is relevant to the analysis of the project under consideration. For the purposes of this subdivision, an "environmental standard" is a rule of general application that is adopted by a public agency through a public review process and that is all of the following:

- (1) a quantitative, qualitative or performance requirement found in an ordinance, resolution, rule, regulation, order, plan or other environmental requirement;
- (2) adopted for the purpose of environmental protection;
- (3) addresses the environmental effect caused by the project; and,
- (4) applies to the project under review.

In addition, the 2019 amendments revised Appendix G Checklist questions to include a new question specifically on energy conservation.

CEQA emphasizes that the effects of GHG emissions are cumulative and should be analyzed in the context of CEQA's requirements for cumulative impacts analysis (see CEQA Guidelines Section 15130(f)).

California Supreme Court GHG Ruling

A November 30, 2015 ruling, the *California Supreme Court in Center for Biological Diversity (CBD) v. California Department of Fish and Wildlife (CDFW)* on the Newhall Ranch project, concluded that whether the project was consistent with meeting statewide emission reduction goals is a legally permissible criterion of significance, but the significance finding for the project was not supported by a reasoned explanation based on substantial evidence. The Court offered potential solutions on pages 25 to 27 of the ruling to address this issue summarized below.

Specifically, the Court advised that:

- **Substantiation of Project Reductions from BAU.** A lead agency may use a BAU comparison based on the Scoping Plan's methodology if it also substantiates the reduction a particular project must achieve to comply with statewide goals. The Court suggested a lead agency could examine the "data behind the Scoping Plan's business-as-usual model" to determine the necessary project-level reductions from new land use development at the proposed location (p. 25).
- **Compliance with Regulatory Programs or Performance Based Standards.** "A lead agency might assess consistency with A.B. 32's goal in whole or part by looking to compliance with regulatory programs designed to reduce greenhouse gas emissions from particular activities. (See Final Statement of Reasons, *supra*, at p. 64 [greenhouse gas emissions 'may be best analyzed and mitigated at a programmatic level.'].) To the extent a project's design features comply with or exceed the regulations outlined in the Scoping Plan and adopted by the Air Resources Board or other state agencies, a lead agency could appropriately rely on their use as showing compliance with 'performance based standards' adopted to fulfill 'a statewide . . . plan for the reduction or mitigation of greenhouse gas emissions.' (CEQA Guidelines § 15064.4(a)(2), (b)(3); see also *id.*, § 15064(h)(3) [determination that impact is not cumulatively considerable may rest on compliance with previously adopted plans or regulations, including 'plans or regulations for the reduction of greenhouse gas emissions'].)" (p. 26).
- **Compliance with GHG Reduction Plans or Climate Action Plans (CAPs).** A lead agency may utilize "geographically specific GHG emission reduction plans" such as climate action plans or greenhouse gas emission reduction plans to provide a basis for the tiering or streamlining of project-level CEQA analysis (p. 26).

- **Compliance with Local Air District Thresholds.** A lead agency may rely on “existing numerical thresholds of significance for greenhouse gas emissions” adopted by, for example, local air districts (p. 27).

Therefore, consistent with CEQA Guidelines Appendix G, the three factors identified in CEQA Guidelines Section 15064.4 and the recently issued Newhall Ranch opinion, the GHG impacts would be considered significant if the project would:

- Conflict with a compliant GHG Reduction Plan if adopted by the lead agency;
- Exceed the SJVAPCD GHG Reduction Threshold; or
- Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emission of GHGs.

3.3.4 - San Joaquin Valley Air Pollution Control District

Climate Change Action Plan

On August 21, 2008, the SJVAPCD Governing Board approved a proposal called the Climate Change Action Plan (CCAP). The CCAP began with a public process bringing together stakeholders, land use agencies, environmental groups, and business groups to conduct public workshops to develop comprehensive policies for CEQA guidelines, a carbon exchange bank, and voluntary GHG emissions mitigation agreements for the Board’s consideration. The CCAP contains the following goals and actions:

- Develop GHG significance thresholds to address CEQA projects with GHG emission increases.
- Develop the San Joaquin Valley Carbon Exchange for banking and trading GHG reductions.
- Authorize use of the SJVAPCD’s existing inventory reporting system to allow use for GHG reporting required by AB 32 regulations.
- Develop and administer GHG reduction agreements to mitigate proposed emission increases from new projects.
- Support climate protection measures that reduce greenhouse gas emissions as well as toxic and criteria pollutants. Oppose measures that result in a significant increase in toxic or criteria pollutant emissions in already impacted areas.

On December 17, 2009, the SJVAPCD Governing Board adopted “Guidance for Valley Land-use Agencies in Addressing GHG Emission Impacts for New Projects under CEQA,” and the policy “District Policy—Addressing GHG Emission Impacts for Stationary Source Projects Under CEQA When Serving as the Lead Agency.” The SJVAPCD concluded that the existing science is inadequate to support quantification of the impacts that project-specific GHG emissions have on global climatic change. The SJVAPCD found the effects of project-specific emissions to be cumulative, and without mitigation, their incremental contribution to global climatic change could be considered cumulatively considerable. The SJVAPCD found that this cumulative impact is best addressed by requiring all projects to reduce their GHG emissions, whether through project design elements or mitigation.

The SJVAPCD's approach is intended to streamline the process of determining if project-specific GHG emissions would have a significant effect. Projects exempt from the requirements of CEQA, and projects complying with an approved plan or mitigation program would be determined to have a less than significant cumulative impact. Such plans or programs must be specified in law or adopted by the public agency with jurisdiction over the affected resources, and must have a certified final CEQA document.

For non-exempt projects, those projects for which there is no applicable approved plan or program, or those projects not complying with an approved plan or program, the lead agency must evaluate the project against performance-based standards and would require the adoption of design elements, known as a Best Performance Standard, to reduce GHG emissions. The Best Performance Standards (BPS) have not yet fully been established, though they must be designed to achieve a 29 percent reduction when compared with the BAU projections identified in ARB's AB 32 Scoping Plan.

BAU represents the emissions that would occur in 2020 if the average baseline emissions during the 2002–2004 period were grown to 2020 levels, without control. Thus, these standards would carry with them pre-quantified emissions reductions, eliminating the need for project-specific quantification. Therefore, projects incorporating BPS would not require specific quantification of GHG emissions, and automatically would be determined to have a less than significant cumulative impact for GHG emissions.

For stationary source permitting projects, BPS means, "The most stringent of the identified alternatives for control of GHG emissions, including type of equipment, design of equipment and operational and maintenance practices, which are achieved-in-practice for the identified service, operation, or emissions unit class." The SJVAPCD has identified BPS for the following sources: boilers; dryers and dehydrators; oil and gas extraction; storage, transportation, and refining operations; cogeneration; gasoline dispensing facilities; volatile organic compound control technology; and steam generators.

For development projects, BPS means, "Any combination of identified GHG emission reduction measures, including project design elements and land use decisions that reduce project-specific GHG emission reductions by at least 29 percent compared with business as usual."

Projects not incorporating BPS would require quantification of GHG emissions and demonstration that BAU GHG emissions have been reduced or mitigated by 29 percent. As stated earlier, ARB's adjusted inventory reduced the amount required by the State to achieve 1990 emission levels from 29 percent to 21.7 percent to account for slower growth experienced since the 2008 recession. According to SJVAPCD guidance, quantification of GHG emissions would be required for all projects for which the lead agency has determined that an environmental impact report is required, regardless of whether the project incorporates BPS. The SJVAPCD has not yet adopted BPS for development projects, so quantification of project emissions is required.

San Joaquin Valley Carbon Exchange

The SJVAPCD initiated work on the San Joaquin Valley Carbon Exchange in November 2008. The purpose of the carbon exchange is to quantify, verify, and track voluntary GHG emissions reductions generated within the San Joaquin Valley. However, the SJVAPCD has pursued an alternative strategy

that incorporates the GHG emissions into its existing Rule 2301—Emission Reduction Credit Offset Banking that formerly only addressed criteria pollutants. The SJVAPCD is also participating with the California Air Pollution Control Officers Association (CAPCOA), of which it is a member, in the CAPCOA Greenhouse Gas Reduction Exchange (GHG Rx). The GHG Rx is operated cooperatively by air districts that have elected to participate. Participating districts have signed a Memorandum of Understanding (MOU) with CAPCOA and agree to post only those credits that meet the Rx standards for quality. The objective is to provide a secure, low-cost, high-quality greenhouse gas exchange for credits created in California. The GHG Rx is intended to help fulfill compliance obligations or mitigation needs of local projects subject to environmental review, reducing the uncertainty of using credits generated in distant locations. The SJVAPCD currently has no credits posted to the GHG Rx website as of this writing (CAPCOA 2018).

Rule 2301

While the Climate Change Action Plan indicated that the GHG emission reduction program would be called the San Joaquin Valley Carbon Exchange, the District incorporated a method to register voluntary GHG emission reductions into its existing Rule 2301—Emission Reduction Credit Banking through amendments of the rule. Amendments to the rule were adopted on January 19, 2012. The purposes of the amendments to the rule include the following:

- Provide an administrative mechanism for sources to bank voluntary GHG emission reductions for later use.
- Provide an administrative mechanism for sources to transfer banked GHG emission reductions to others for any use.
- Define eligibility standards, quantitative procedures, and administrative practices to ensure that banked GHG emission reductions are real, permanent, quantifiable, surplus, and enforceable.

Fresno Council of Governments

Regional Transportation Plan

The Fresno Council of Governments (Fresno COG) is the Regional Transportation Planning Agency (RTPA) for the Fresno County region. The Fresno COG adopted the 2014 Regional Transportation Plan/Sustainable Community Strategy (RTP/SCS) that included the County's first Sustainable Community Strategy to comply with SB 375. The RTP is a planning document prepared in cooperation with the Federal Highway Administration (FHWA), Federal Transit Administration (FTA), the California Department of Transportation (Caltrans), and other stakeholders, including transportation system users. The SCS is intended to show how integrated land use and transportation planning can lead to lower greenhouse gas (GHG) emissions from autos and light trucks. SB 375 includes the following four primary findings related to the RTP/SCS development process:

- SB 375 required the ARB to develop regional GHG emission reduction targets for cars and light trucks for each of the 18 MPOs in California, including Fresno COG. ARB approved targets for the San Joaquin Valley in January 2013. The target for Fresno is a per capita reduction in GHG emissions from passenger vehicle travel of five percent by 2020 and 10 percent by 2035

relative to 2005 levels. The 2018 RTP indicates that the County continues to pursue the 5 percent reduction by 2020 and 10 percent reduction by 2035 (Fresno COG 2018).

- SB 375 required the preparation of an SCS. Fresno COG included a SCS that specifies how the GHG emission reduction target set by ARB will be achieved in the RTP. If the target cannot be met through the SCS, then an Alternative Planning Strategy (APS) shall be prepared by Fresno COG. Chapter 4 of the 2014 RTP includes the SCS for Fresno COG. Chapter 3 of the 2018 RTP includes the updated SCS.
- SB 375 streamlines CEQA requirements for specific residential and mixed-use developments that are consistent with the Fresno County SCS or APS (as determined by ARB) to achieve regional GHG emissions reduction target.

The 2018 RTP/SCS was adopted by Fresno COG on July 26, 2018 and reflects its latest regional vehicle miles traveled (VMT) targets (Fresno COG 2018).

3.3.5 - Local

The City of Clovis does not currently have formal GHG emissions reduction plans or recommended emissions thresholds for determining significance associated with GHG emissions from development projects. However, the General Plan includes goals and policies to reduce GHG emissions that are listed below.

General Plan

The City of Clovis adopted its 2014 General Plan in August 2014 (City of Clovis 2015a). The 2014 General Plan includes the following applicable goals and policies related to improving air quality that may also co-benefit climate change impacts:

Air Quality Element

- **Goal 1:** A local environment that is protected from air pollution and emissions.
 - **Policy 1.1: Land use and transportation.** Reduce greenhouse gas and other local pollutant emissions through mixed use and transit-oriented development and well-designed transit, pedestrian, and bicycle systems.
 - **Policy 1.6: Alternative fuel infrastructure.** Encourage public and private activity and employment centers to incorporate electric charging and alternative fuel stations.
 - **Policy 1.8: Trees.** Maintain or plant trees where appropriate to provide shade, absorb carbon, improve oxygenation, slow stormwater runoff, and reduce the heat island effect.
- **Goal 2:** A region with healthy air quality and lower greenhouse gas emissions.
 - **Policy 2.1: Regional coordination.** Support regional efforts to reduce air pollution (criteria air pollutants and greenhouse gas emissions) and collaborate with other agencies to improve air quality at the emission source and reduce vehicle miles traveled.
 - **Policy 2.2: Cross-jurisdictional issues.** Collaborate with regional agencies and surrounding jurisdictions to address cross-jurisdictional transportation and air quality issues.
 - **Policy 2.6: Innovative mitigation.** Encourage innovative mitigation measures to reduce air quality impacts by coordinating with the SJVAPCD, project applicants, and other interested parties.

Circulation Element

- **Goal 1:** A context-sensitive and “complete streets” transportation network that prioritizes effective connectivity and accommodates a comprehensive range of mobility needs.
 - **Policy 1.1: Multimodal network.** The City shall plan, design, operate, and maintain the transportation network to promote safe and convenient travel for all users: pedestrian, bicyclists, transit riders, freight, and motorists.
 - **Policy 1.2: Transportation decisions.** Decisions should balance the comfort, convenience, and safety of pedestrians, bicyclists, and motorists.
 - **Policy 1.4: Jobs and housing.** Encourage infill development that would provide jobs and services closer to housing, and vice versa, to reduce citywide vehicle miles traveled and effectively utilize the existing transportation infrastructure.
 - **Policy 1.5: Neighborhood connectivity.** The transportation network shall provide multimodal access between neighborhoods and neighborhood-serving uses (educational, recreational, or neighborhood commercial uses).
- **Goal 3:** A multimodal transportation network that is safe and comfortable in the context of adjacent neighborhoods.
 - **Policy 3.11: Right-of-way design.** Design landscaped parkways, medians, and right-of-ways as aesthetic buffers to improve the community’s appearance and encourage non-motorized transportation.
- **Goal 5:** A complete system of trails and pathways accessible to all residents.
 - **Policy 5.1: Complete street amenities.** Upgrade existing streets and design new streets to include complete street amenities, prioritizing improvements to bicycle and pedestrian connectivity or safety (consistent with the Bicycle Transportation Master Plan and other master plans).
 - **Policy 5.2: Development-funded facilities.** Require development to fund and construct facilities as shown in the Bicycle Transportation Plan when facilities are in or adjacent to the development.
 - **Policy 5.3: Pathways.** Encourage pathways and other pedestrian amenities in urban centers and new development 10 acres or larger.
 - **Policy 5.4: Homeowner associations.** The city may require homeowner associations to maintain pathways and other bicycle and pedestrian facilities within the homeowner association area.
 - **Policy 5.5: Pedestrian access.** Require sidewalks, paths, and crosswalks to provide access to schools, parks, and other activity centers and to provide general pedestrian connectivity throughout the city.

Land Use Element

- **Goal 3:** Orderly and sustainable outward growth into three urban centers with neighborhoods that provide a balanced mix of land uses and development types to support a community lifestyle and small town character.
 - **Policy 3.9: Connected development.** New development in urban centers must fully improve roadway, pedestrian, and bicycle systems within and adjacent to the proposed project and connect to existing urbanized development.

Open Space and Conservation Element

- **Goal 3:** A built environment that conserves and protects the use and quality of water and energy resources.
 - **Policy 3.4: Drought-tolerant landscaping.** Promote water conservation through use of drought-tolerant landscaping on existing and new residential properties. Require drought-tolerant landscaping for all new commercial and industrial development and city-maintained landscaping, unless used for recreation purposes.
 - **Policy 3.5: Energy and water conservation.** Encourage new development and substantial rehabilitation projects to exceed energy and water conservation and reduction standards set in the California Building Code.
 - **Policy 3.6: Renewable Energy.** Promote the use of renewable and sustainable energy sources to serve public and private sector development.
 - **Policy 3.7: Construction and design.** Encourage new construction to incorporate energy efficient building and site design strategies.

City of Clovis General Plan Program EIR

The General Plan PEIR (City of Clovis 2015b) includes the following discussion regarding reducing GHG emissions associated with the General Plan Update:

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

- Provide a pedestrian access network that internally links all uses and connects to existing external streets and pedestrian facilities.
- Provide the minimum number of parking spaces required.
- Create a shared parking program, as feasible.
- Provide bicycle end-of-trip facilities (e.g., bike parking, showers, and lockers).
- Develop rideshare and ride-matching assistance programs.
- For planned residential development, design and incorporate a neighborhood electric vehicle system.
- Design buildings to be electric vehicle charging-station-ready.
- Coordinate with the City of Clovis and/or the Fresno Area Express to install bus stops at or near the project site.
- Design buildings to be energy efficient beyond the requirements of Title 24.
- Design and orient structures to maximize shade in the summer and sun exposure in the winter.

- Install vegetative roofs that cover at least 50 percent of the roof area.
- Design buildings to incorporate passive solar design and solar heaters.
- Install solar panels on carports and parking areas.
- Limit nonessential idling of commercial vehicles beyond Air Toxic Control Measures idling restrictions.

Waste Diversion

With the passage of SB 1016, the Per Capita Disposal Measurement System, only per capita disposal rates are measured. Targets are based on the per capita disposal rates. For 2015, the target rate was 4.1 pounds per person. The City's disposal rates were well below the target rate of 4.7 pounds per person per day in 2015. The rate reported was 3.5 pounds per person per day in 2015. The City has met the per capita target on a per-resident basis for each year of the last 3 reporting years (CalRecycle 2016a).

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SECTION 4: MODELING PARAMETERS AND ASSUMPTIONS

4.1—Model Selection and Guidance

Air pollutant emissions can be estimated by using emission factors and a level of activity. Emission factors represent the emission rate of a pollutant given the activity over time; for example, grams of NO_x per horsepower-hour or grams of NO_x per vehicle mile traveled. The ARB has published emission factors for on-road mobile vehicles/trucks in the EMFAC mobile source emissions model and emission factors for off-road equipment and vehicles in the OFFROAD emissions model. An air emissions model (or calculator) combines the emission factors and the various levels of activity and outputs the emissions for the various pieces of equipment.

The California Emissions Estimator Model (CalEEMod) version 2016.3.2 was developed by the South Coast Air Quality Management District in cooperation with other air districts throughout the State. CalEEMod is designed as a uniform platform for government agencies, land use planners, and environmental professionals to quantify potential criteria pollutant and GHG emissions associated with construction and operation from a variety of land uses.

The modeling follows District guidance where applicable from its GAMAQI. The models used in this analysis are summarized as follows:

- Construction emissions: CalEEMod, version 2016.3.2
- Operational emissions: CalEEMod, version 2016.3.2

4.2—Air Pollutants and GHGs Assessed

4.2.1 - Criteria Pollutants Assessed

The following air pollutants are assessed in this analysis:

- Reactive organic gases (ROG)
- Nitrogen oxides (NO_x)
- Carbon monoxide (CO)
- Sulfur dioxide (SO_2)
- Particulate matter less than 10 microns in diameter (PM_{10})
- Particulate matter less than 2.5 microns in diameter ($\text{PM}_{2.5}$)

Note that the project would emit ozone precursors ROG and NO_x . However, the project would not directly emit ozone, since it is formed in the atmosphere during the photochemical reaction of ozone precursors. Other criteria pollutants such as vinyl chloride, hydrogen sulfide, lead, and sulfates were not included because of their low levels of emissions from the project.

As noted previously, the project would emit ultrafine particles. However, there is currently no standard separate from the $\text{PM}_{2.5}$ standards for ultrafine particles and there is no accepted methodology to quantify or assess the significance of such particles.

4.2.2 - Greenhouse Gases Assessed

This analysis is restricted to GHGs identified by AB 32, which include: carbon dioxide, methane, NO_x , hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride. The project would generate a variety of GHGs, including several defined by AB 32 such as carbon dioxide, methane, and NO_x .

The project may emit GHGs that are not defined by AB 32. For example, the project may generate aerosols through emissions of DPM from the vehicles and trucks that would access the project site. Aerosols are short-lived particles, as they remain in the atmosphere for about one week. Black carbon is a component of aerosol. Studies have indicated that black carbon has a high global warming potential; however, the Intergovernmental Panel on Climate Change states that it has a low level of scientific certainty (IPCC 2007a).

Water vapor could be emitted from evaporated water used for landscaping, but this is not a significant impact because water vapor concentrations in the upper atmosphere are primarily due to climate feedbacks rather than emissions from project-related activities.

The project would emit nitrogen oxides and volatile organic compounds, which are ozone precursors. Ozone is a GHG; however, unlike the other GHGs, ozone in the troposphere is relatively short-lived and can be reduced in the troposphere on a daily basis. Stratospheric ozone can be reduced through reactions with other pollutants.

Certain GHGs defined by AB 32 would not be emitted by the project. Perfluorocarbons and sulfur hexafluoride are typically used in industrial applications, none of which would be used by the project. Therefore, it is not anticipated that the project would emit perfluorocarbons or sulfur hexafluoride.

4.3—Construction Modeling Assumptions

Construction emissions can vary substantially from day to day, depending on the level of activity, the specific type of operation, and prevailing weather conditions. Construction emissions result from on-site and off-site activities. On-site emissions principally consist of exhaust emissions from the activity levels of heavy-duty construction equipment, motor vehicle operation, and fugitive dust (mainly PM_{10}) from disturbed soil. Additionally, paving operations and application of architectural coatings would release VOC emissions. Off-site emissions are caused by motor vehicle exhaust from delivery vehicles, worker traffic, and road dust (PM_{10} and $\text{PM}_{2.5}$).

4.3.1 - Project Schedule

The project was assumed to begin construction in October 2019 with full buildout completed in June 2023. First occupancy was assumed to occur by January 2021. The project was assumed to be completed in a single phase with, site preparation, and grading occurring over the entire site.

The CalEEMod default construction schedule and the default hours of equipment use were used for the analysis. The detailed construction schedule is provided in Appendix A. CalEEMod default construction equipment and equipment activity are based on surveys of construction projects of various sizes conducted for development in Southern California and may overstate equipment use for larger project sites in regions outside of Southern California and should be considered highly

conservative. The modeling assumptions can be reviewed in the modeling results included in Appendix A of this report.

4.3.2 - Construction Equipment Emission Factors

CalEEMod contains an inventory of construction equipment that incorporates estimates of the number of equipment, age, horsepower, and equipment emission control level or tier from which rates of emissions are developed. The CalEEMod default equipment assumptions were used in this analysis for the estimation of emissions from on-site construction equipment. CalEEMod's off-road emission factors and load factors are from the ARB OFFROAD model.

4.3.3 - Site Preparation

Site preparation involves clearing vegetation (grubbing and tree/stump removal) and removing stones and other unwanted material or debris prior to grading. The site has been previously graded so limited site preparation is required. During site preparation, emissions are generated from the use of diesel construction equipment. Fugitive dust is generated during soil-disturbing activities and truck loading and unloading.

4.3.4 - Grading

During grading activities, fugitive dust can be generated from the movement of dirt on the project site. CalEEMod estimates dust from dozers moving dirt around, dust from graders or scrapers leveling the land, and loading or unloading dirt into haul trucks. Each activity is calculated differently in CalEEMod, based on the number of acres traversed by the grading equipment.

Only some pieces of equipment generate fugitive dust in CalEEMod. The CalEEMod manual identifies various equipment and the acreage disturbed in an 8-hour day:

- Crawler tractors, graders, and rubber tired dozers: 0.5 acre per 8-hour day
- Scrapers: 1 acre per 8-hour day

Therefore, the following acres are the total quantities disturbed per day, per phase, according to the acreage disturbed quantities listed above:

- Demolition = 1 acre per day
- Site preparation = 3.5 acres per day
- Grading = 2.5 acres per day

It was assumed that soil would be balanced on-site so no additional haul truck trips were included in the analysis.

4.3.5 - Building Construction, Paving, and Architectural Coatings

The analysis uses the default modeling assumptions from CalEEMod for construction equipment during building construction, paving, and application of architectural coatings. As previously discussed, the equipment hours for the building construction phases were adjusted to retain the CalEEMod default-generated horsepower hours.

4.3.6 - Construction Off-site Trips

Worker trips are accounted for during the construction phases, based on 1.25 trips per piece of equipment (the CalEEMod default). The CalEEMod default worker trip length of 10.8 miles was retained. The CalEEMod default vehicle fleet (LD Mix) was used for employee trips.

Vendor trips for the building construction phase are calculated from a study performed by the Sacramento Metropolitan Air Quality Management District (SMAQMD) based on land use and size. The CalEEMod defaults for vendor trips, trip length, and vehicle fleet (Heavy Duty Truck Vehicle Fleet Mix) were used.

4.4—Operation

Operational emissions are those emissions that occur when the project is occupied by the future residents. The major sources are summarized below.

4.4.1 - Motor Vehicles

Motor vehicle emissions refer to exhaust and road dust emissions from the automobiles that would travel to and from the project residences.

The analysis uses CalEEMod 3.2.3 default trip generation rates that are based on *Institute of Transportation Engineers Trip Generation Manual, 9th Edition*.

A pass-by trip accounts for vehicles already on the roadway network that stop at the project site as they pass-by; the pass-by trips are existing vehicle trips in the community. CalEEMod default rates of three percent pass-by trips were used in this analysis.

The vehicle fleet mix is defined as the mix of motor vehicle classes active during the operation of the project. Emission factors are assigned to the expected vehicle mix as a function of vehicle class, speed, and fuel use (gasoline and diesel-powered vehicles). The CalEEMod default vehicle fleet mix overstates the percentage of heavy-duty trucks for residential development projects; therefore, the SJVAPCD-approved Residential Fleet Mix for the analysis.

4.4.2 - Architectural Coatings (Painting)

Paints release VOC emissions during application and drying. The buildings in the project would be repainted on occasion. The project is required to comply with the SJVAPCD Rule 4601—Architectural Coatings. The rule requires flat paints to meet a standard of 50 grams per liter (g/l) and gloss paints 100 g/l by 2012 for an average rate of 65 g/l. Most of the coatings used for residential painting are flat paints.

4.4.3 - Consumer Products

Consumer products are various solvents used in non-industrial applications, which emit VOCs during their product use. “Consumer Product” means a chemically formulated product used by household and institutional consumers, including but not limited to: detergents; cleaning compounds; polishes; floor finishes; cosmetics; personal care products; home, lawn, and garden products; disinfectants; sanitizers; aerosol paints; and automotive specialty products. It does not include other paint

products, furniture coatings, or architectural coatings (ARB 2011b). The default emission factor developed for CalEEMod was used.

4.4.4 - Landscape Equipment

CalEEMod estimated the landscaping equipment using the default assumptions in the model.

4.4.5 - Electricity

Electricity used by the project (for lighting, etc.) would result in emissions from the power plants that would generate electricity distributed on the electrical power grid. Electricity emissions estimates are only used in the GHG analysis. CalEEMod was used to estimate these emissions from the project.

Electricity Emission Factor

The default CalEEMod emission factors for Pacific Gas & Electric (from the CEC's year 2006 data) are as follows:

- Carbon dioxide: 641.35 pounds per megawatt hour (lbs/MWh)
- Methane: 0.029 lb/MWh
- Nitrous oxide: 0.006 lb/MWh

It is assumed that the Renewable Electricity Standards would have taken effect by 2020. The Renewable Electricity Standard requires that electricity providers include a minimum of 33 percent renewable energy in their portfolios by the year 2020. Pacific Gas & Electric provides estimates of its emission factor per megawatt hour of electricity delivered to its customers. The Pacific Gas and Electric Company (PG&E) emissions factor for 2020 for CO₂ is provided below. No projections have been made by PG&E for later years, so the rate is assumed to remain constant through 2030. The rates for methane and nitrous oxide are based on compliance with the Renewable Portfolio Standard.

- Carbon dioxide: 290 lbs/MWh
- Methane: 0.022 lb/MWh
- Nitrous oxide: 0.005 lb/MWh

4.4.6 - Electricity Consumption

CalEEMod has three categories for electricity consumption: electricity that is impacted by Title 24 regulations, non-Title 24 electricity, and lighting. The Title 24 uses are defined as the major building envelope systems covered by California's Building Code Title 24 Part 6, such as space heating, space cooling, water heating, and ventilation. Lighting is separate since it can be both part and not part of Title 24. Since lighting is not considered as part of the building envelope energy budget, CalEEMod does not consider lighting to have any further association with Title 24 references in the program. Non-Title 24 includes everything else such as appliances and electronics. Total electricity consumption in CalEEMod is divided into the three categories. The percentage for each category is determined by using percentages derived from the CalEEMod default electricity intensity factors. The percentages are then applied to the electricity consumption to result in the values used in the analysis.

4.4.7 - Natural Gas

The project would generate emissions from the combustion of natural gas for water heaters, heat, etc. CalEEMod has two categories for natural gas consumption: Title 24 and non-Title 24. CalEEMod defaults were used.

4.4.8 - Water and Wastewater

GHG emissions are emitted from the use of electricity to pump water to the project and to treat wastewater. CalEEMod defaults were used.

4.4.9 - Refrigerants

During operation, there may be leakage of refrigerants (hydrofluorocarbons) from air conditioners and the refrigeration system. Hydrofluorocarbons are typically used for refrigerants, which are long-lived GHGs. Residential uses of refrigerants are minor; therefore, they were not estimated.

4.4.10 - Solid Waste

GHG emissions would be generated from the decomposition of solid waste generated by the project. CalEEMod was used to estimate the GHG emissions from this source. The CalEEMod default for the mix of landfill types is as follows:

- Landfill no gas capture: 6%
- Landfill capture gas flare: 94%
- Landfill capture gas energy recovery: 0%

4.4.11 - Vegetation

There is currently limited carbon sequestration occurring on-site from existing vegetation. The project would plant trees and integrate landscaping into the project design, which would provide carbon sequestration. However, the number of trees to be planted is unknown and data are insufficient to accurately determine the impact that existing plants have on carbon sequestration. For this analysis, it was assumed that the loss and addition of carbon sequestration that are due to the project would be balanced; therefore, emissions due to carbon sequestration were not included.

SECTION 5: AIR QUALITY IMPACT ANALYSIS

This section calculates the expected emissions from construction and operation of the project as a necessary requisite for assessing the regulatory significance of project emissions on a regional and localized level.

5.1—CEQA Guidelines

The CEQA Guidelines define a significant effect on the environment as “a substantial, or potentially substantial, adverse change in the environment.” To determine if a project would have a significant impact on air quality, the type, level, and impact of emissions generated by the project must be evaluated.

The following air quality significance thresholds are contained in Appendix G of the CEQA Guidelines effective December 28, 2018. A significant impact would occur if the project would:

- a) Conflict with or obstruct implementation of the applicable air quality plan;
- b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable national or state ambient air quality standard;
- c) Expose sensitive receptors to substantial pollutant concentrations; or
- d) Result in other emissions (such as those leading to odors adversely affecting a substantial number of people).

While the final determination of whether a project is significant is within the purview of the lead agency pursuant to Section 15064(b) of the CEQA Guidelines, the District recommends that its quantitative air pollution thresholds be used to determine the significance of project emissions. If the lead agency finds that the project has the potential to exceed these air pollution thresholds, the project should be considered to have significant air quality impacts. The applicable District thresholds and methodologies are contained under each impact statement below.

5.2—Impact Analysis

5.2.1 - Consistency with Air Quality Plan

Impact AIR-1: **The project would not conflict with or obstruct implementation of the applicable air quality plan.**

Impact Analysis

The CEQA Guidelines indicate that a significant impact would occur if the project would conflict with or obstruct implementation of the applicable air quality plan. The GAMAQI does not provide specific guidance on analyzing conformity with the Air Quality Plan (AQP). Therefore, this document proposes the following criteria for determining project consistency with the current AQPs:

1. Will the project result in an increase in the frequency or severity of existing air quality violations or cause or contribute to new violations, or delay timely attainment of air quality standards or the interim emission reductions specified in the AQPs? This measure is determined by comparison to the regional and localized thresholds identified by the District for Regional and Local Air Pollutants.
2. Will the project comply with applicable control measures in the AQPs? The primary control measures applicable to development projects is Regulation VIII—Fugitive PM₁₀ Prohibitions and Rule 9510 Indirect Source Review.

Contribution to Air Quality Violations

A measure for determining if the project is consistent with the air quality plans is if the project would not result in an increase in the frequency or severity of existing air quality violations, cause or contribute to new violations, or delay timely attainment of air quality standards or the interim emission reductions specified in the air quality plans. Regional air quality impacts and attainment of standards are the result of the cumulative impacts of all emission sources within the air basin. Individual projects are generally not large enough to contribute measurably to an existing violation of air quality standards. Therefore, the cumulative impact of the project is based on its cumulative contribution. Because of the region's nonattainment status for ozone, PM_{2.5}, and PM₁₀—if project-generated emissions of either of the ozone precursor pollutants (ROG and NO_x), PM₁₀, or PM_{2.5} would exceed the District's significance thresholds—then the project would be considered to contribute to violations of the applicable standards and conflict with the attainment plans.

As discussed in Impact AIR-2 below, emissions of ROG, NO_x, PM₁₀, and PM_{2.5} associated with the construction and operation of the project would not exceed the District's significance thresholds. As shown in Impact AIR-2, the project would not result in CO hotspots that would violate CO standards. Therefore, the project would not contribute to air quality violations.

Compliance with Applicable Control Measures

The AQP contains a number of control measures, which are enforceable requirements through the adoption of rules and regulations. A description of rules and regulations that apply to this project is provided below.

SJVAPCD Rule 9510—Indirect Source Review is a control measure in the 2006 PM₁₀ Plan that requires NO_x and PM₁₀ emission reductions from development projects in the San Joaquin Valley. The NO_x emission reductions help reduce the secondary formation of PM₁₀ in the atmosphere (primarily ammonium nitrate and ammonium sulfate) and also reduce the formation of ozone. Reductions in directly emitted PM₁₀ reduce particles such as dust, soot, and aerosols. Rule 9510 is also a control measure in the 2016 Plan for the 2008 8-Hour Ozone Standard. Developers of projects subject to Rule 9510 must reduce emissions occurring during construction and operational phases through on-site measures, or pay off-site mitigation fees. The project is required to comply with Rule 9510.

Regulation VIII—Fugitive PM₁₀ Prohibitions is a control measure that is one main strategies from the 2006 PM₁₀ for reducing the PM₁₀ emissions that are part of fugitive dust. Projects over 10 acres are required to file a Dust Control Plan (DCP) containing dust control practices sufficient to comply with Regulation VIII. The project is required to prepare a DCP to comply with Regulation VIII.

Other control measures that apply to the project are Rule 4641—Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operation that requires reductions in VOC emissions during paving and Rule 4601—Architectural Coatings that limits the VOC content of all types of paints and coatings sold in the San Joaquin Valley.

The project would comply with all applicable SJVAPCD rules and regulations. Therefore, the project complies with this criterion and would not conflict with or obstruct implementation of the applicable air quality attainment plan.

The applicable General Plan for the project is the City of Clovis General Plan, which was adopted in 2014 prior to adoption of the SJVAPCD's latest AQPs. The 2016 Plan for the 2008 8-Hour Ozone Standard was adopted in June 2016. The 2015 Plan for the 1997 PM_{2.5} Standard was adopted in April 2015 and the 2016 Moderate Area Plan for the 2012 PM_{2.5} Standard was adopted in September 2016. The project is consistent with the General Plan and the modeling assumptions used in the latest SJVAPCD AQP's; therefore, the project would not conflict with or obstruct implementation of the applicable air quality attainment plan.

The General Plan PEIR found that the growth allowed by the plan was inconsistent with the SJVAPCD AQP because the emissions at buildout exceeded the criteria pollutant emission thresholds (see Impact AIR-2) and thus, the City of Clovis found the impact to be significant and unavoidable and adopted a Statement of Overriding Considerations (SOC). Projects that are consistent with the General Plan policies and comply with the mitigation measures included in the General Plan and Development Code Update Draft PEIR mitigation measures are able to rely upon the SOC finding to address their cumulative air quality impacts. The General Plan PEIR indicates that application of SJVAPCD Rule 9510—Indirect Source Review and implementation of the General Plan policies and implementation actions would reduce impacts to the extent feasible. The project is required to comply with Rule 9510 and is consistent with General Plan policies and implementation actions as described in Table 8.

Table 8: Consistency with General Plan Policies

General Plan Policy	Project Consistency
Air Quality Policy 1.1: Land use and transportation. Reduce greenhouse gas and other local pollutant emissions through mixed use and transit-oriented development and well-designed transit, pedestrian, and bicycle systems.	Consistent. Residents would have easy access to the existing bike lane on Willow Avenue that connects to destinations throughout the area. Enhancements to encourage walking and bicycling will reduce driving and related pollutant emissions. In addition, the project is adjacent to a major shopping center at Herndon Avenue and Willow Avenue that would provide numerous retail and service opportunities within walking distance.
Air Quality Policy 1.2: Sensitive land uses. Prohibit the future siting of sensitive land uses within the distances of emission sources as defined by the California Air Resources Board, without sufficient mitigation.	Consistent. As discussed in Section 5.2.3—Sensitive Receptors, the project does not locate sensitive receptors within the distances of emission sources as defined by the California Air Resources Board.

Table 8 (cont.): Consistency with General Plan Policies

General Plan Policy	Project Consistency
Air Quality Policy 1.3: Construction activities. Encourage the use of best management practices during construction activities to reduce emissions of criteria pollutants as outlined by the San Joaquin Valley Air Pollution Control District (SJVAPCD).	Consistent. The project will be required to comply with Regulation VIII—Fugitive PM ₁₀ Prohibitions.
Air Quality Policy 1.6: Alternative fuel infrastructure. Encourage public and private activity and employment centers to incorporate electric charging and alternative fuel stations.	Consistent. The project would not preclude future installment of electrical vehicle charging systems in individual residences.
Air Quality Policy 1.8: Trees. Maintain or plant trees where appropriate to provide shade, absorb carbon, improve oxygenation, slow stormwater runoff, and reduce the heat island effect.	Consistent. The project would incorporate landscaping throughout the project site. The incorporated landscaping would provide shade, absorb carbon, improve oxygenation, slow stormwater runoff, and reduce the heat island effect.
Air Quality Policy 2.1: Regional coordination. Support regional efforts to reduce air pollution (criteria air pollutants and greenhouse gas emissions) and collaborate with other agencies to improve air quality at the emission source and reduce vehicle miles traveled.	Not applicable. However, residents can participate in educational and grant programs designed to reduce criteria pollutant emissions developed through regional coordination.
Air Quality Policy 2.2: Cross-jurisdictional issues. Collaborate with regional agencies and surrounding jurisdictions to address cross-jurisdictional transportation and air quality issues.	Not applicable. This measure applies to government agencies and not to individual development projects.
Air Quality Policy 2.6: Innovative mitigation. Encourage innovative mitigation measures to reduce air quality impacts by coordinating with the SJVAPCD, project applicants, and other interested parties.	Consistent. The project would comply with Rule 9510, which may include payment of mitigation fees that can be used for innovative mitigation measures that reduce criteria pollutants and GHG emissions.
Circulation Policy 1.1: Multimodal network. The City shall plan, design, and maintain the transportation network to promote safe and convenient travel for all users: pedestrian, bicyclists, transit riders, freight, and motorists.	Consistent. The project area includes a variety of features designed to provide safe and convenient travel for users of all modes of transportation. Residents will have easy access to an existing bike lane that runs along Willow Avenue.
Circulation Policy 1.2: Transportation decisions. Decisions should balance the comfort, convenience, and safety of pedestrian, bicyclists, and motorists.	Consistent. The project will have easy access to bike lanes that will provide convenience and safety for pedestrians and bicyclists. The project is within easy walking distance of numerous shops and restaurants in the shopping center at Herndon Avenue and Willow Avenue.
Circulation Policy 1.4: Jobs and housing. Encourage infill development that would provide jobs and services closer to housing, and vice versa, to reduce citywide vehicle miles traveled and effectively utilize the existing transportation infrastructure.	Consistent. The project is residential development that will provide employees for jobs in existing business parks and jobs centers in Clovis. The project is adjacent to a large shopping center west of the site and office development adjacent to the east of the site.

Table 8 (cont.): Consistency with General Plan Policies

General Plan Policy	Project Consistency
Circulation Policy 1.5: Neighborhood connectivity. The transportation network shall provide multimodal access between neighborhoods and neighborhood-serving uses (educational, recreational, or neighborhood commercial uses).	Consistent. The project is within 2 miles of multiple existing educational, commercial, and business uses.
Circulation Policy 3.11: Right-of-way design. Design landscaped parkways, medians, and right-of-ways as aesthetic buffers to improve the community's appearance and encourage non-motorized transportation.	Consistent. The project will comply with City of Clovis design standards and landscaping requirements.
Circulation Policy 5.1: Complete street amenities. Upgrade existing streets and design new streets to include complete street amenities, prioritizing improvements to bicycle and pedestrian connectivity or safety (consistent with the Bicycle Transportation Master Plan and other master plans).	Consistent. The project would be required to upgrade existing streets fronting the property in accordance with city standards.
Circulation Policy 5.2: Development-funded facilities. Require development to fund and construct facilities as shown in the Bicycle Transportation Plan when facilities are in or adjacent to the development.	Not applicable. There are no new planned trails within or directly adjacent to the development. There are existing bike lanes on North Willow Avenue.
Circulation Policy 5.3: Pathways. Encourage pathways and other pedestrian amenities in urban centers and new development 10 acres or larger.	Consistent. Future residents will be able to utilize existing and planned sidewalks, bike lanes, and paths constructed in compliance with city requirements in this area.
Circulation Policy 5.5: Pedestrian access. Require sidewalks, paths, and crosswalks to provide access to schools, parks, and other activity centers to provide general pedestrian connectivity throughout the city.	Consistent. Future residents will be able to utilize sidewalks and paths constructed in compliance with city requirements in this area.
Land Use Policy 3.9: Connected development. New development in urban centers must fully improve roadway, pedestrian, and bicycle systems within and adjacent to the proposed project and connect to existing urbanized development.	Consistent. The project will provide required street improvements and connections to pedestrian and bicycle systems.
Open Space and Conservation Policy 3.5: Energy and water conservation. Encourage new development and substantial rehabilitation projects to exceed energy and water conservation and reduction standards set in the California Building Code.	Consistent. The project will meet or exceed energy and water conservation and reduction standards set in the California Building Code.
Source: City of Clovis General Plan 2014.	

The air quality mitigation measures and standard conditions from the General Plan PEIR and a discussion of project compliance with each measure are provided in Table 9.

Table 9: Compliance with General Plan PEIR Mitigation Measures

Mitigation Measure	Project Compliance
<p>SC-1: Prior to project approval, each applicant for individual, site-specific developments under the General Plan shall comply with the San Joaquin Valley Air Pollution Control District rules and regulations, including, without limitation, Indirect Source Rule 9510. The applicant shall document, to the City's reasonable satisfaction, its compliance with this standard condition.</p>	<p>The project is required to submit an Air Impact Assessment Application to the SJVAPCD to comply with Rule 9510.</p>
<p>3-1: Prior to issuance of any construction permits, development project applicants shall prepare and submit to the City of Clovis Planning Division a technical assessment evaluating potential project construction-related air quality impacts.</p>	<p>The analysis of construction emissions is included herein. No criteria pollutant construction emissions exceed SJVPACD thresholds with the application of mitigation measures.</p>
<p>The evaluation shall be prepared in conformance with San Joaquin Valley Air Pollution Control District (SJVAPCD) methodology in assessing air quality impacts. If construction-related criteria air pollutants are determined to have the potential to exceed the SJVAPCD adopted thresholds of significance, as identified in the Guidance for Assessing and Mitigating Air Quality Impacts (GAMAQI), the City of Clovis Planning Division shall require that applicants for new development projects incorporate mitigation measures to reduce air pollutant emissions during construction activities to below these thresholds. These identified measures shall be incorporated into all appropriate construction documents (e.g., construction management plans) submitted to the City and shall be verified by the City's Planning Division.</p>	<p>The air quality impact analysis prepared for this project utilizes SJVAPCD guidance and thresholds from the GAMAQI.</p>
<p>3-3: Prior to project approval, development project applicants shall prepare and submit to the City of Clovis Planning Division a technical assessment evaluating potential project operation phase-related air quality impacts. The evaluation shall be prepared in conformance with San Joaquin Valley Air Pollution Control District (SJVAPCD) methodology in assessing air quality impacts. If operational-related criteria air pollutants are determined to have the potential to exceed the SJVAPCD adopted thresholds of significance, as identified in the Guidance for Assessing and Mitigating Air Quality Impacts (GAMAQI), the City of Clovis Planning Division shall require that applicants for new development projects incorporate mitigation measures to reduce air pollutant emissions during operational activities. The identified measures shall be included as part of the Standard Conditions of Approval.</p>	<p>The analysis of project operational emissions is included herein. No criteria pollutant operational emissions exceed SJVAPCD thresholds.</p>

Table 9 (cont.): Compliance with General Plan PEIR Mitigation Measures

Mitigation Measure	Project Compliance
<p>3-4: Prior to project approval, the City of Clovis Planning Division shall require applicants for individual, site-specific developments to consider establishing a Voluntary Emission Reduction Agreement (VERA) with the San Joaquin Valley Air Pollution Control District. Under this agreement, project proponents may enter into an agreement where funds are used to develop and implement emission reduction projects.</p>	<p>The project does not exceed SJVAPCD significance thresholds; therefore, no VERA would be required to reduce project impacts.</p>
<p>3-5: Prior to discretionary project approval, the City of Clovis shall evaluate new development proposals for sensitive land uses (e.g., residential, schools, day care centers) within the City for potential incompatibilities with regard to the California Air Resources Board's Air Quality and Land Use Handbook: A Community Health Perspective (April 2005). Applicants for sensitive land uses that are within the recommended buffer distances shall submit a health risk assessment (HRA) to the City of Clovis prior to future discretionary project approval. The HRA shall be prepared in accordance with policies and procedures of the state Office of Environmental Health Hazard Assessment (OEHHA) and the San Joaquin Valley Air Pollution Control District. The latest OEHHA guidelines shall be used for the analysis, including age sensitivity factors, breathing rates, and body weights appropriate for children age 0 to 6 years. If the HRA shows that the incremental cancer risk exceeds ten in one million ($10E-06$), the appropriate non-cancer hazard index exceeds 1.0, or if the PM_{10} or $PM_{2.5}$ ambient air quality standard increment exceeds $2.5 \mu g/m^3$, the applicant will be required to identify and demonstrate that mitigation measures are capable of reducing potential cancer and non-cancer risks to an acceptable level (i.e., below ten in one million or a hazard index of 1.0), including appropriate enforcement mechanisms.</p>	<p>The impacts to sensitive receptors were evaluated herein. No sources of toxic emissions identified by the ARB Air Quality and Land Use Handbook were identified within the recommended buffer distances.</p>
<p>3-6: Prior to discretionary project approval, applicants for industrial or warehousing land uses shall coordinate with the San Joaquin Valley Air Pollution Control District (SJVAPCD) or the City of Clovis in conjunction with the SJVAPCD to determine the appropriate level of health risk assessment (HRA) required. All HRAs shall be submitted to the City of Clovis.</p>	<p>The project is a residential development. This mitigation measure is not applicable.</p>

Air Quality Plan Control Measures

The AQP contains a number of control measures, which are enforceable requirements through the adoption of rules and regulations. A detailed description of rules and regulations that apply to this project is provided in Section 2.2, Regulatory Setting. The project would comply with all applicable SJVAPCD rules and regulations. Therefore, the project complies with this criterion and would not conflict with or obstruct implementation of the applicable air quality attainment plan.

Conclusion

The project's emissions are less than significant for all criteria pollutants and would not result in inconsistency with the AQP for this criterion. The project's land use designation is Medium High Density Residential (7.1-15 DU/Acre) which is consistent with the City of Clovis 2014 General Plan and the planning assumptions used for the latest AQPs. The project complies with all applicable policies, implementation actions, and mitigation measures of the 2014 General Plan; therefore, the project is consistent with the AQP, and the impact would be less than significant.

Level of Significance Before Mitigation

Less than significant impact.

Mitigation Measures

No mitigation measures are required.

Level of Significance After Mitigation

Less than significant impact.

5.2.2 - Cumulative Criteria Pollutant Impacts

Impact AIR-2: **The project would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard.**

Impact Analysis

To result in a less than significant impact, the following criteria must be true:

1. Regional analysis: emissions of nonattainment pollutants must be below the District's regional significance thresholds. This is an approach recommended by the District in its GAMAQI.
2. Summary of projections: the project must be consistent with current air quality attainment plans including control measures and regulations. This is an approach consistent with Section 15130(b) of the CEQA Guidelines.
3. Cumulative health impacts: the project must result in less than significant cumulative health effects from the nonattainment pollutants. This approach correlates the significance of the regional analysis with health effects, consistent with the court decision, *Bakersfield Citizens for Local Control v. City of Bakersfield* (2004) 124 Cal.App.4th 1184, 1219-20.

Regional Emissions

Air pollutant emissions have both regional and localized effects. This analysis assesses the regional effects of the project's criteria pollutant emissions in comparison to SJVAPCD thresholds of significance for short-term construction activities and long-term operation of the project. Localized emissions from project construction and operation are assessed under Impact AIR-3—Sensitive Receptors using concentration-based thresholds that determine if the project would result in a localized exceedance of any ambient air quality standards or would make a cumulatively considerable contribution to an existing exceedance.

The primary pollutants of concern during project construction and operation are ROG, NO_x, PM₁₀, and PM_{2.5}. The SJVAPCD GAMAQI adopted in 2015 contains thresholds for CO, NO_x, ROG, SO_x, PM₁₀, and PM_{2.5}.

Ozone is a secondary pollutant that can be formed miles from the source of emissions, through reactions of ROG and NO_x emissions in the presence of sunlight. Therefore, ROG and NO_x are termed ozone precursors. The Air Basin often exceeds the state and national ozone standards. Therefore, if the project emits a substantial quantity of ozone precursors, the project may contribute to an exceedance of the ozone standard. The Air Basin also exceeds air quality standards for PM₁₀, and PM_{2.5}; therefore, substantial project emissions may contribute to an exceedance for these pollutants. The District's annual emission significance thresholds used for the project define the substantial contribution for both operational and construction emissions as follows:

- 100 tons per year CO
- 10 tons per year NO_x
- 10 tons per year ROG
- 27 tons per year SO_x
- 15 tons per year PM₁₀
- 15 tons per year PM_{2.5}

The project does not contain sources that would produce substantial quantities of SO₂ emissions during construction and operation. Modeling conducted for the project show that SO₂ emissions are well below the SJVAPCD GAMAQI thresholds, as shown in the modeling results contained in Appendix A. No further analysis of SO₂ is required.

Construction Emissions

Construction emissions were modeled using the CalEEMod default construction schedule and equipment activity rates. The results of the modeling are presented in Table 10. The highest emissions that would occur in any year of construction activity were compared with the significance threshold. For assumptions in estimating the emissions, please refer to Section 4, Modeling Parameters and Assumptions. As shown in Table 10, the emissions are below the significance thresholds in each construction year. Therefore, the emissions are less than significant on a project basis.

Table 10: Construction Air Pollutant Emissions Summary (Mitigated)

Year	Emissions (tons per year)				
	ROG	NO _x	CO	PM ₁₀	PM _{2.5}
Construction 2019	0.11	1.17	0.73	0.28	0.16
Construction 2020	0.36	2.89	2.74	0.31	0.18

Table 10 (cont.): Construction Air Pollutant Emissions Summary (Mitigated)

Year	Emissions (tons per year)				
	ROG	NO _x	CO	PM ₁₀	PM _{2.5}
Construction 2021	0.80	0.43	0.46	0.04	0.03
Grand Total for All Years of Construction	1.28	4.48	3.93	0.63	0.36
<i>Highest Construction Emissions in Any Year</i>	0.80	2.89	2.74	0.31	0.18
Significance threshold (tons/year)	10	10	100	15	15
Exceed threshold—significant impact?	No	No	No	No	No
Notes: PM ₁₀ and PM _{2.5} emissions are from the mitigated output to reflect compliance with Regulation VIII—Fugitive PM ₁₀ Prohibitions. ROG = reactive organic gases NO _x = nitrogen oxides PM ₁₀ and PM _{2.5} = particulate matter Calculations use unrounded numbers. Source: CalEEMod output (Appendix A).					

Operational Emissions

Operational emissions occur over the lifetime of the project and are from two main sources: area sources and motor vehicles, or mobile sources. Construction of the project is expected to begin in 2019 with full buildout completed in November 2023. First occupancy is expected as early as April 2021 and was used as the project buildout modeling year as a conservative assumption. The SJVAPCD considers construction and operational emissions separately when making significance determinations.

For assumptions in estimating the emissions, please refer to Section 4, Modeling Parameters and Assumptions. The emissions modeling results for project operation are summarized in Table 11.

As shown in Table 11, the emissions are below the SJVAPCD significance thresholds prior to application of mitigation measures or taking credit for project design features that would reduce project emissions and, therefore, would result in a less than significant impact.

Table 11: Operational Air Pollutant Emissions (Unmitigated)

Source	Emissions (tons per year)				
	ROG	NO _x	CO	PM ₁₀	PM _{2.5}
Area	0.95	0.09	1.41	0.01	0.01
Energy	0.02	0.15	0.07	0.01	0.01
Mobile	0.36	1.31	4.09	0.01	0.32
Total Project Emissions	1.32	1.54	5.56	0.04	0.34
Significance threshold	10	10	100	15	15
Exceed threshold—significant impact?	No	No	No	No	No

Table 11 (cont.): Operational Air Pollutant Emissions (Unmitigated)

Source	Emissions (tons per year)				
	ROG	NO _x	CO	PM ₁₀	PM _{2.5}
Notes: ROG = reactive organic gases NO _x = nitrogen oxides PM ₁₀ and PM _{2.5} = particulate matter Area source emissions include emissions from natural gas, landscape, and painting. Source: CalEEMod output (Appendix A).					

Step 2: Plan Approach

Section 15130(b) of the CEQA Guidelines states the following:

The following elements are necessary to an adequate discussion of significant cumulative impacts: 1) Either: (A) A list of past, present, and probable future projects producing related or cumulative impacts, including, if necessary, those projects outside the control of the agency, or (B) A summary of projections contained in an adopted general plan or related planning document, or in a prior environmental document which has been adopted or certified, which described or evaluated regional or area wide conditions contributing to the cumulative impact.

In accordance with CEQA Guidelines 15130(b), this analysis of cumulative impacts is based on a summary of projections analysis. The District attainment plans are based on a summary of projections that accounts for projected growth throughout the Air Basin, and the controls needed to achieve ambient air quality standards. This analysis considers the current CEQA Guidelines, which includes the amendments approved by the Natural Resources Agency, effective on December 28, 2018. The Air Basin is in nonattainment or maintenance status for ozone and particulate matter (PM₁₀ and PM_{2.5}), which means that concentrations of those pollutants currently exceed the ambient air quality standards for those pollutants, or that the standards have recently been attained in the case of pollutants with maintenance status. When concentrations of ozone, PM₁₀, or PM_{2.5} exceed the ambient air quality standard, then those sensitive to air pollution (such as children, the elderly, and the infirm) could experience health effects such as: decrease of pulmonary function and localized lung edema in humans and animals; increased mortality risk; and risk to public health, implied by altered connective tissue metabolism, altered pulmonary morphology in animals after long-term exposures, and pulmonary function decrements in chronically exposed humans. See Section 2.3—Existing Air Quality Conditions for additional correlation of the health impacts with the existing pollutant concentrations experienced in the Fresno area.

Under the CEQA Guidelines, cumulative impacts may be analyzed using other plans that evaluate relevant cumulative effects. The geographic scope for cumulative criteria pollution from air quality impacts is the Air Basin, because that is the area in which the air pollutants generated by the sources within the Air Basin circulate and are often trapped. The SJVAPCD is required to prepare and maintain air quality attainment plans and a State Implementation Plan to document the strategies and measures to be undertaken to reach attainment of ambient air quality standards. While the SJVAPCD does not have authority over land use decisions, it is recognized that changes in land use

and circulation planning would help the Air Basin achieve clean air mandates. The District evaluated emissions from land uses and transportation in the entire Air Basin when it developed its attainment plans. Emission inventories used to predict attainment of NAAQS must be based on the latest planning assumptions for mobile sources.

In accordance with CEQA Guidelines Section 15064, subdivision (h)(3), a lead agency may determine that a project's incremental contribution to a cumulative effect is not cumulatively considerable if the project complies with the requirements in a previously approved plan or mitigation program.

The history and development of the SJVAPCD's current Ozone Attainment Plan is described in Section 2.4, Air Quality Plans. The 2007 8-Hour Ozone Plan contains measures to achieve reductions in emissions of ozone precursors, and sets plans towards attainment of ambient ozone standards by 2023. The 2012 PM_{2.5} Plan and the 2015 PM_{2.5} Plan for the 1997 PM_{2.5} Standard require fewer NO_x reductions to attain the PM_{2.5} standard than the Ozone Plan, so the Ozone Plan is considered the applicable plan for reductions of the ozone precursors NO_x and ROG. The 2012 PM_{2.5} Plan requires reductions in directly emitted PM_{2.5} from combustion sources, such as diesel engines and fireplaces, and from fugitive dust to attain the ambient standard and is the applicable plan for PM_{2.5} emissions. PM_{2.5} is also formed in secondary reactions in the atmosphere involving NO_x and ammonia to form nitrate particles. Reductions in NO_x required for ozone attainment are also sufficient for PM_{2.5} attainment. As discussed in Impact AIR-1, the project is consistent with all applicable control measures in the air quality attainment plans. The project would comply with any District rules and regulations that may pertain to implementation of the AQPs. Therefore, impacts would be less than significant with regard to compliance with applicable rules and regulations.

The Clovis General Plan PEIR found cumulative impacts to be significant and unavoidable because the cumulative impacts of development in accordance with the General Plan and other projects and plans within the SJVAPCD are significant, and the projects implementing the General Plan make an incremental contribution to this impact that itself is cumulatively considerable. The application of SJVAPCD Rule 9510, and implementation of the General Plan air quality-related policies would reduce impacts to the extent feasible. In addition, the project fulfills other General Plan objectives by increasing development densities and providing infill development in an area surrounded by existing homes and businesses. This project does not exceed SJVAPCD thresholds and will reduce its cumulative impact through compliance with Rule 9510; therefore, the project is considered less than significant for this criterion.

Project Health Impacts

In the 5th District Court of Appeal case *Sierra Club v. County of Fresno (Friant Ranch, L.P.)*, the Court found the project EIR deficient because it did not identify specific health related effects resulting from the estimated amount of pollutants generated by the project. The ruling stated that the EIR should give a "sense of the nature and magnitude of the 'health and safety problems' caused by a project's air pollution. The EIR should translate the emission numbers into adverse impacts or to understand why such translation is not possible at this time (and what limited translation is, in fact, possible)."

The standard measure of the severity of impact is the concentration of pollutant in the atmosphere compared to the ambient air quality standard for the pollutant for a specified period of time. The

severity of the impact increases with the concentration and the amount of time that people are exposed to the pollutant. The change in health impacts with concentration is described in Table 3 and Table 4 using the EPA's Air Quality Index. The pollutants of concern in the Friant Ranch ruling were regional criteria pollutants ozone, and PM₁₀. It is important to note that the potential for localized impacts can be addressed through dispersion modeling. The SJVAPCD includes screening criteria that if exceeded would require dispersion modeling to determine if project emissions would result in a significant health impact. For this project, no significant localized health impacts would occur. Regional pollutants require more complex modeling as described below.

Ozone concentrations are estimated using regional photochemical models because ozone formation is subject to temperature, inversion strength, sunlight, emissions transport over long distances, dispersion, and the regional nature of the precursor emissions. The emissions from individual projects are too small to produce a measurable change in ozone concentrations – it is the cumulative contribution of emissions from existing and new development that is accounted for in the photochemical model. Ozone concentrations vary widely throughout the day and year even with the same amount of daily emissions. The SJVAPCD indicated in an Amicus Brief on Friant Ranch that running the photochemical model with just Friant Ranch emissions (109.5 tons/year NO_x) is not likely to yield valid information given the relative scale involved. A copy of the SJVAPCD brief is included in Appendix B. The NO_x inventory for the San Joaquin Valley is 224 tons per day in 2019 or 81,760 tons per year. Friant Ranch would result in 0.13 percent increase in NO_x emissions. A project emitting at the SJVAPCD CEQA threshold of 10 tons per year would result in a 0.01 percent increase in NO_x emissions. Most project emissions are generated by motor vehicle travel distributed on regional roadways miles from the project site, and these emissions are not conducive to project-level modeling.

Emissions throughout the San Joaquin Valley are projected to markedly decline in the coming decade. The SJVAPCD 2016 Ozone Plan predicts NO_x emissions will decline to 103 tons per day by 2029 or 54 percent from 2019 levels through implementation of control measures included in the plan. This means that ozone health impacts to residents of the San Joaquin Valley will be lower than currently experienced and most areas of the San Joaquin Valley will have attained ozone air quality standards. The plan accounts for growth in population at rates projected by the State of California for the San Joaquin Valley, so only cumulative projects that would exceed regional growth projections would potentially delay attainment and prolong the time and the number of people would experience health impacts. It is unlikely that anyone would experience greater impacts from regional emissions than currently occur. The federal transportation conformity regulation provides a means of ensuring growth in emissions does not exceed emission budgets for each County. Regional Transportation Plans and Regional Transportation Improvement Plans must provide a conformity analysis based on the latest planning assumptions that demonstrates that budgets will be not be exceeded. If budgets are exceeded, the San Joaquin Valley may be subject to Clean Air Act sanctions until the deficiency is addressed.

Particulate emission impacts can be localized and regional. Particulates can be directly emitted and can be formed in the atmosphere with chemical reactions. Small directly emitted particles such as diesel emissions and other combustion emissions can remain in the atmosphere for a long time and can be transported over long distances. Large particles such as fugitive dust tend to be deposited a short distance from where emitted but can also travel long distances during periods of high winds.

Particulates can be washed out of the atmosphere by rain and deposited on surfaces. Secondary particulates formed in the atmosphere such as ammonium nitrate require NO_x and ammonia, and they require low inversion levels and certain ranges of temperature and humidity to result in substantial concentrations. These complications make modeling project particulate emissions to determine concentration feasible only for directly emitted particles at receptor locations close to the project site. Regional particulate concentrations are modeled using a gridded inventory (emissions in tons/day are placed on a 4-kilometer, three-dimensional grid to spatially allocate the emissions geographically and vertically in the atmosphere) and an atmospheric chemistry component to simulate the chemical reactions. The model uses relative reduction factors to determine the amount of reductions of each PM component that will be needed to attain the air quality standards on the days with the conditions most favorable to high particulate concentrations. A small project would not produce sufficient emissions to determine a project's individual contribution to the particulate concentration.

Step 3: Cumulative Health Impacts

The Air Basin is in nonattainment for ozone, PM_{10} (State only), and $\text{PM}_{2.5}$, which means that the background levels of those pollutants are at times higher than the ambient air quality standards. The air quality standards were set to protect public health, including the health of sensitive individuals (such as children, the elderly, and the infirm). Therefore, when the concentration of those pollutants exceeds the standard, it is likely that some sensitive individuals in the population would experience health effects that were described in Table 1. However, the health effects are a factor of the dose-response curve. Concentration of the pollutant in the air (dose), the length of time exposed, and the response of the individual are factors involved in the severity and nature of health impacts. If a significant health impact results from project emissions, it does not mean that 100 percent of the population would experience health effects. Table 2, Table 3, and Table 4 relate the pollutant concentration experienced by residents using air quality data for the nearest air monitoring station to the health impacts ascribed to those concentrations by the EPA Air Quality Index. This provides a more detailed look at the actual impacts currently experienced by area residents.

Since the Basin is nonattainment for ozone, PM_{10} , and $\text{PM}_{2.5}$, it is considered to have an existing significant cumulative health impact without the project. When this occurs, the analysis considers whether the project's contribution to the existing violation of air quality standards is cumulatively considerable. The SJVAPCD regional thresholds for NO_x , VOC, PM_{10} , or $\text{PM}_{2.5}$ are applied as cumulative contribution thresholds. Projects that exceed the regional thresholds would have a cumulatively considerable health impact. As shown in Table 10 and Table 11, the regional analysis of construction and operational emissions indicates that the project would not exceed the District's significance thresholds and the project is consistent with the applicable Air Quality

The SJVAPCD Air Quality Attainment Plans predict that nonattainment pollutant emissions will continue to decline each year as regulations adopted to reduce these emissions are implemented, accounting for growth projected for the region. Therefore, the cumulative health impact will also decline even with the project's emission contribution.

Level of Significance Before Mitigation

Less than significant impact.

Mitigation Measures

No mitigation measures are required.

Level of Significance After Mitigation

Less than significant impact.

5.2.3 - Sensitive Receptors

Impact AIR-3: **The project would not expose sensitive receptors to substantial pollutant concentrations.**

Impact Analysis

Sensitive Receptors

Those who are sensitive to air pollution include children, the elderly, and persons with pre-existing respiratory or cardiovascular illness. The District considers a sensitive receptor a location that houses or attracts children, the elderly, people with illnesses, or others who are especially sensitive to the effects of air pollutants. Examples of sensitive receptors include hospitals, residences, convalescent facilities, and schools. The closest sensitive receptors are existing residences located adjacent to the north, south, and east of the project site.

Impacts to On-site Workers

The project is not a commercial or industrial operation that would have on-site workers. Therefore, a health risk assessment for on-site workers is not required or recommended.

Off-site Sensitive Receptors

Impacts to receptors located outside the project boundaries would occur primarily during project construction. Construction emissions commencing with the year 2019 and continue until project buildout. For criteria pollutants, impacts to receptors located outside of the project is based on emissions during the highest emissions during any construction year. Emissions are less than SJVAPCD screening criteria, so this impact is less than significant.

On-site Sensitive Receptors

The project is not a significant source of TAC emissions. Construction activities produce short-term emissions that would not contribute substantially to cancer risk, which is estimated on a 70-year exposure period.

Construction: ROG

ROG is emitted during the application of architectural coatings (painting). The amount emitted is dependent on the amount of ROG (or VOC) in the paint. ROG emissions are typically an indoor air quality health hazard concern rather than an outdoor air quality health hazard concern. Therefore, exposure to ROG during architectural coatings is a less than significant health impact.

There are three types of asphalt that are typically used in paving: asphalt cements, cutback asphalts, and emulsified asphalts. However, SJVAPCD Rule 4641 prohibits the use of the following types of asphalt: rapid cure cutback asphalt; medium cure cutback asphalt; slow cure asphalt that contains more than one-half (0.5) percent of organic compounds that evaporate at 500 degrees Fahrenheit

(°F) or lower; and emulsified asphalt containing organic compounds, in excess of 3 percent by volume, that evaporate at 500°F or lower. An exception to this is medium cure asphalt when the National Weather Service official forecast of the high temperature for the 24-hour period following application is below 50°F.

The acute (short-term) health effects from worker direct exposure to asphalt fumes include irritation of the eyes, nose, and throat. Other effects include respiratory tract symptoms and pulmonary function changes. The studies were based on occupational exposure of fumes. Residents are not in the immediate vicinity of the fumes; therefore, they would not be subjected to concentrations high enough to evoke a negative response. In addition, the restrictions that are placed on asphalt in the San Joaquin Valley reduce ROG emissions from asphalt and exposure. The impact to nearby sensitive receptors from ROG during construction would be less than significant.

Localized Pollutant Screening Analysis

Localized Pollutant Analysis

Emissions occurring at or near the project have the potential to create a localized impact, also referred to as an air pollutant hotspot. Localized emissions are considered significant if, when combined with background emissions, they would result in exceedance of any health-based air quality standard. The impact from localized pollutants is based on the impact to the nearest sensitive receptor.

The SJVAPCD's GAMAQI includes screening thresholds for identifying projects that need detailed analysis for localized impacts. Projects with on-site emission increases from construction activities or operational activities that exceed the 100 pounds per day screening level of any criteria pollutant after compliance with Rule 9510 and implementation of all enforceable mitigation measures would require preparation of an ambient air quality analysis. The criteria pollutants of concern for localized impact in the SJVAB are PM₁₀, PM_{2.5}, NO_x, and CO. There is no localized emission standard for ROG and most types of ROG are not toxic and have no health-based standard; however, ROG was included for informational purposes only.

The highest daily emissions occur during project grading activities except for ROG emissions, which are highest during application of architectural coatings. The results of the construction screening analysis with mitigation incorporated are presented in Table 12.

Table 12: Maximum Daily Air Pollutant Emissions during Construction

Maximum Daily Emissions Year and Activity	Emissions (pounds per day)				
	ROG	NO _x	CO	PM ₁₀	PM _{2.5}
Highest Emissions in Any Year	75.58	54.59	34.10	10.67	6.71
Screening Thresholds	100	100	100	100	100
Exceeds Threshold (Yes or No)	No	No	No	No	No
Notes: NO _x = nitrogen oxides CO = carbon monoxide PM ₁₀ and PM _{2.5} = particulate matter N/A = Not applicable Summer emissions were higher for ROG and CO and winter emissions were higher for NO _x . All other pollutants were equal during each season. There is no ambient air quality standard for ROG. Source: CalEEMod output (Appendix A).					

Maximum Daily Operational Emissions

An analysis of maximum daily emissions during operation was conducted to determine if emissions would exceed 100 pounds per day for any pollutant of concern. The maximum daily operational emissions would occur at project buildout. The built-out project was modeled for 2021, which is the year of first occupancy as a conservative assumption. This is considered conservative because emissions decline each year and will be lower if a later buildout year is assumed. Operational emissions include emissions generated on-site by area sources such as natural gas combustion and landscape maintenance, and off-site by motor vehicles accessing the project. Most motor vehicle emissions would occur distant from the site and would not contribute to a violation of ambient air quality standards; therefore, operational emissions only reflect the emissions within 0.5 mile of the project site. The results of the screening analysis are presented in Table 13.

Table 13: Maximum Daily Air Pollutant Emissions during Operations (Mitigated)

Maximum Daily Emissions per Source Category and Phase	Emissions (pounds per day)				
	ROG	NO _x	CO	PM ₁₀	PM _{2.5}
Area	5.03	1.86	16.01	0.22	0.22
Energy	0.10	0.84	0.36	0.07	0.07
Mobile	0.18	0.50	1.67	0.43	0.12
Total	5.31	3.20	18.04	0.72	0.41
Screening threshold	100	100	100	100	100
Exceed screening threshold?	No	No	No	No	No
Notes: NO _x = nitrogen oxides CO = carbon monoxide PM ₁₀ and PM _{2.5} = particulate matter N/A = Not applicable Summer emissions used for all pollutants except for NO _x , which is higher in winter. There is no ambient air quality standard for ROG. Source: CalEEMod output (Appendix A).					

The project would not exceed SJVAPCD screening thresholds for localized operational criteria pollutant impacts; therefore, the project's localized criteria pollutant impacts would be less than significant.

Operation: ROG

During operation, ROG would be emitted primarily from motor vehicles. Direct exposure to ROG from project motor vehicles would not result in health effects, because the ROG would be distributed across miles and miles of roadway and in the air. The concentrations would not be great enough to result in direct health effects.

Operation: PM₁₀, PM_{2.5}, CO, NO₂

As shown in Table 13, localized concentrations of PM₁₀, PM_{2.5}, CO, and NO₂ would not exceed the SJVAPCD screening thresholds at full project build-out. Residential development is an insignificant source of these pollutants, except for projects that allow woodburning devices that emit PM₁₀, PM_{2.5}

in wood smoke. The project will include only natural gas-fueled fireplaces and inserts that are insignificant sources of PM_{2.5} and PM₁₀. Therefore, the project would not expose sensitive receptors to substantial criteria air pollutant concentrations during operation.

Carbon Monoxide Hot Spot Analysis

Localized high levels of CO are associated with traffic congestion and idling or slow-moving vehicles. The SJVAPCD provides screening criteria to determine when to quantify local CO concentrations based on impacts to the level of service (LOS) of intersections in the project vicinity.

The construction of the project would result in minor increases in traffic for the surrounding road network during the duration of construction. Motor vehicles accessing the site when it becomes operational would result in a minor increase in daily trips that would not substantially reduce the LOS. Furthermore, local roadways are not identified as operating at unacceptable conditions under existing and future buildout conditions, according to the City of Clovis General Plan. In addition, the highest background 8-hour average CO concentration during the latest year it was monitored is 2.06 ppm, which is 78 percent lower than the CAAQS of 9.0 ppm or the NAAQS of 9 ppm. Therefore, the project would not significantly contribute to an exceedance of state or federal CO standards.

Operation: Toxic Air Contaminants

The ARB Air Quality and Land Use Handbook contains recommendations that will “help keep California’s children and other vulnerable populations out of harm’s way with respect to nearby sources of air pollution” (ARB 2005), including recommendations for distances between sensitive receptors and certain land uses. In the *California Building Industry Association v. Bay Area Air Quality Management District*, 62 Cal.4th 369 (2015) (Case No. S213478) the California Supreme Court held that “agencies subject to CEQA generally are not required to analyze the impact of existing environmental conditions on a projects’ future users or residents. But when a proposed project risks exacerbating those environmental hazards or conditions that already exist, an agency must analyze the potential impact of such hazards on future residents or users. In those specific instances, it is the project’s impact on the environment—and not the environment’s impact on the project—that compels an evaluation of how future residents or users could be affected by exacerbated conditions.” Although the Court ruled that impacts from the existing environment on projects are not required to be addressed under CEQA, land uses such as gasoline stations, dry cleaners, distribution centers, and auto body shops can expose residents to high levels of TAC emissions if they are in proximity of the project site. Information regarding the location of existing TAC sources is provided for disclosure purposes only and not as a measure of the project’s significance under CEQA.

Consistency with these recommendations is assessed as follows:

- Heavily traveled roads. ARB recommends avoiding new sensitive land uses within 500 feet of a freeway, urban roads with 100,000 vehicles per day, or rural roads with 50,000 vehicles per day. Epidemiological studies indicate that the distance from the roadway and truck traffic densities were key factors in the correlation of health effects, particularly in children. The project is located north of East Herndon Avenue near the intersection of East Herndon Avenue and North Willow Avenue. The traffic volume on East Herndon Avenue at North Chestnut Avenue was 39,330 trips per day in 2012. The traffic volume on North Willow at Herndon

Avenue was 24,100 trips per day in 2012. No roads serving the project would exceed this criterion (Fresno COG 2013).

- Distribution centers. ARB also recommends avoiding siting new sensitive land uses within 1,000 feet of a distribution center. The project is not located within 1,000 feet of a distribution center.
- Fueling stations. ARB recommends avoiding new sensitive land uses within 300 feet of a large fueling station (a facility with a throughput of 3.6 million gallons per year or greater). ARB recommends a 50-foot separation is recommended for typical gas dispensing facilities. The nearest gas station is located at the corner of North Willow Avenue and East Alluvial Avenue approximately 0.5 miles northwest of the project site.
- Dry cleaning operations. ARB recommends avoiding siting new sensitive land uses within 300 feet of any dry-cleaning operation that uses perchloroethylene. For operations with two or more machines, ARB recommends a buffer of 500 feet. For operations with three or more machines, ARB recommends consultation with the local air district. The nearest dry-cleaning operation is approximately 0.5 miles northwest of the project site at the corner of North Willow Avenue and East Alluvial Avenue.
- Auto body shops. Auto body shops have the potential to emit TACs related to painting. The nearest auto body shop is located at 361 North Minnewawa Avenue approximately 0.7 miles southeast of the project site, which is beyond the distance that would result in a measurable impact.

Valley Fever

Valley fever, or coccidioidomycosis, is an infection caused by inhalation of the spores of the fungus, *Coccidioides immitis* (*C. immitis*). The spores live in soil and can live for an extended time in harsh environmental conditions. Activities or conditions that increase the amount of fugitive dust contribute to greater exposure, and they include dust storms, grading, and recreational off-road activities.

The San Joaquin Valley is considered an endemic area for Valley fever. By geographic region, hospitalizations for Valley fever in the San Joaquin Valley increased from 230 (6.9 per 100,000 population) in 2000 to 701 (17.7 per 100,000 population) in 2007. Within the region, Kern County reported the highest hospitalization rates, increasing from 121 (18.2 per 100,000 population) in 2000 to 285 (34.9 per 100,000 population) in 2007, and peaking in 2005 at 353 hospitalizations (45.8 per 100,000 population). The Centers for Disease Control and Prevention indicates that 752 of the 8,657 persons (8.7 percent) hospitalized in California between 2000 and 2007 for Valley fever died (CDC 2009). A total of 158 Valley Fever cases reported in Fresno County in 2014 (Fresno County 2014).

The distribution of *C. immitis* within endemic areas is not uniform and growth sites are commonly small (a few tens of meters) and widely scattered. Known sites appear to have some ecological factors in common suggesting that certain physical, chemical, and biological conditions are more favorable for *C. immitis* growth. Avoidance, when possible, of sites favorable for the occurrence of *C. immitis* is a prudent risk management strategy. Listed below are ecologic factors and sites favorable for the occurrence of *C. immitis*:

- 1) Rodent burrows (often a favorable site for *C. immitis*, perhaps because temperatures are more moderate and humidity higher than on the ground surface)
- 2) Old (prehistoric) Indian campsites near fire pits
- 3) Areas with sparse vegetation and alkaline soils
- 4) Areas with high salinity soils
- 5) Areas adjacent to arroyos (where residual moisture may be available)
- 6) Packrat middens
- 7) Upper 30 centimeters of the soil horizon, especially in virgin undisturbed soils
- 8) Sandy, well-aerated soil with relatively high water-holding capacities

Sites within endemic areas less favorable for the occurrence of *C. immitis* include:

- 1) Cultivated fields
- 2) Heavily vegetated areas (e.g. grassy lawns)
- 3) Higher elevations (above 7,000 feet)
- 4) Areas where commercial fertilizers (e.g. ammonium sulfate) have been applied
- 5) Areas that are continually wet
- 6) Paved (asphalt or concrete) or oiled areas
- 7) Soils containing abundant microorganisms
- 8) Heavily urbanized areas where there is little undisturbed virgin soil (USGS 2000).

The project site is situated in a city growth area. The project includes urbanization of a site that was formerly used for agricultural purposes. Therefore, implementation of the project would have a low probability of the site having *C. immitis* growth sites and exposure to the spores from disturbed soil.

Construction activities would generate fugitive dust that could contain *C. immitis* spores. The project will minimize the generation of fugitive dust during construction activities by complying with the District's Regulation VIII. Therefore, this regulation, combined with the relatively low probability of the presence of *C. immitis* spores, would reduce Valley fever impacts to less than significant.

During operations, dust emissions are anticipated to be negligible, because most of the project area would be occupied by buildings, pavement, and landscaped areas. This condition would preclude the possibility of the project from providing habitat suitable for *C. immitis* spores and for generating fugitive dust that may contribute to Valley fever exposure. Impacts would be less than significant.

Naturally Occurring Asbestos

According to a map of areas where naturally occurring asbestos in California are likely to occur (U.S. Geological Survey 2011), there are no such areas in the project area. Therefore, development of the

project is not anticipated to expose receptors to naturally occurring asbestos. Impacts would be less than significant.

In summary, the project would not exceed SJVAPCD localized emission daily screening levels for any criteria pollutant. The project is not a significant source of TAC emissions during construction or operation. The project is not in an area with suitable habitat for Valley fever spores and is not in area known to have naturally occurring asbestos. Therefore, the project would not result in significant impacts to sensitive receptors.

Level of Significance Before Mitigation

Less than significant impact.

Mitigation Measures

No mitigation measures are required.

Level of Significance After Mitigation

Less than significant impact.

5.2.4 - Objectionable Odors

Impact AIR-4: **The project would not create objectionable odors affecting a substantial number of people.**

Impact Analysis

Thresholds of Significance

Odor impacts on residential areas and other sensitive receptors, such as hospitals, day-care centers, schools, etc. warrant the closest scrutiny, but consideration should also be given to other land uses where people may congregate, such as recreational facilities, worksites, and commercial areas.

Two situations create a potential for odor impact. The first occurs when a new odor source is located near an existing sensitive receptor. The second occurs when a new sensitive receptor locates near an existing source of odor. According to the *CBIA v. BAAQMD* ruling, impacts of existing sources of odors on the project are not subject to CEQA review. Therefore, the following analysis is provided for information only. The District has determined the common land use types that are known to produce odors in the Air Basin. These types are shown in Table 14.

Table 14: Screening Levels for Potential Odor Sources

Odor Generator	Screening Distance
Wastewater Treatment Facilities	2 miles
Sanitary Landfill	1 mile
Transfer Station	1 mile
Composting Facility	1 mile
Petroleum Refinery	2 miles

Table 14 (cont.): Screening Levels for Potential Odor Sources

Odor Generator	Screening Distance
Asphalt Batch Plant	1 mile
Chemical Manufacturing	1 mile
Fiberglass Manufacturing	1 mile
Painting/Coating Operations (e.g., auto body shop)	1 mile
Food Processing Facility	1 mile
Feed Lot/Dairy	1 mile
Rendering Plant	1 mile
Source: SJVAPCD 2015a.	

According to the SJVAPCD GAMAQI, analysis of potential odor impacts should be conducted for the following two situations:

- **Generators:** projects that would potentially generate odorous emissions proposed to locate near existing sensitive receptors or other land uses where people may congregate, and
- **Receivers:** residential or other sensitive receptor projects or other projects built for the intent of attracting people located near existing odor sources.

With the *CBIA v. BAAQMD* ruling, analysis of odor impacts on receivers is not required for CEQA compliance. Therefore, the following analysis is provided for information only.

Project Analysis

Land uses that are typically identified as sources of objectionable odors include landfills, transfer stations, sewage treatment plants, wastewater pump stations, composting facilities, feed lots, coffee roasters, asphalt batch plants, and rendering plants. The project would not engage in any of these activities. Therefore, the project would not be considered a generator of objectionable odors during operations.

During construction, the various diesel-powered vehicles and equipment in use on-site would create localized odors. These odors would be temporary and would not likely be noticeable for extended periods of time beyond the project's site boundaries. The potential for diesel odor impacts would therefore be less than significant.

As a residential development, the project has the potential to place sensitive receptors near existing odor sources. There are no major odor-generating sources (as listed in Table 14) within screening distance of the site. Therefore, the uses in the vicinity of the project would not cause substantial odor impacts to the project.

Level of Significance Before Mitigation

Less than significant impact.

Mitigation Measures

No mitigation measures are required.

Level of Significance After Mitigation

Less than significant impact.

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SECTION 6: GREENHOUSE GAS IMPACT ANALYSIS

6.1—CEQA Guidelines

CEQA Guidelines define a significant effect on the environment as “a substantial, or potentially substantial, adverse change in the environment.” To determine if a project would have a significant impact on GHGs, the type, level, and impact of emissions generated by the project must be evaluated.

The following GHG significance thresholds are contained in Appendix G of the CEQA Guidelines, which were amendments adopted into the Guidelines on March 18, 2010, pursuant to SB 97. A significant impact would occur if the project would:

- (a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment; or
- (b) Conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases.

6.2—Impact Analysis

6.2.1 - Greenhouse Gas Inventory

Impact GHG-1: **The project would generate direct and indirect greenhouse gas emissions; however, these emissions would not result in a significant impact on the environment.**

Impact Analysis

Threshold of Significance

Section 15064.4(b) of the CEQA Guidelines’ 2018 amendments for GHG emissions states that a lead agency may take into account the following three considerations in assessing the significance of impacts from GHG emissions.

- **Consideration #1:** The extent to which the project may increase or reduce greenhouse gas emissions as compared to the existing environmental setting.
- **Consideration #2:** Whether the project emissions exceed a threshold of significance that the lead agency determines applies to the project.
- **Consideration #3:** The extent to which the project complies with regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of greenhouse gas emissions. Such regulations or requirements must be adopted by the relevant public agency through a public review process and must include specific requirements that reduce or mitigate the project’s incremental contribution of greenhouse gas emissions. If there is substantial evidence that the possible effects of a particular project are still cumulatively considerable notwithstanding compliance with the adopted regulations or requirements, an EIR must be prepared for the project. In determining the significance of impacts, the lead agency may consider a project’s consistency with the State’s long-term

climate goals or strategies, provided that substantial evidence supports the agency's analysis of how those goals or strategies address the project's incremental contribution to climate change and its conclusion that the project's incremental contribution is not cumulatively considerable.

The City of Clovis has not adopted its own GHG thresholds or prepared a Climate Action Plan that can be used as a basis for determining project significance; however, General Plan PEIR Mitigation Measure 7-1 requires applicants to meet a 29 percent reduction from BAU in accordance with SJVAPCD methodologies. The SJVAPCD's *Guidance for Valley Land-use Agencies in Addressing GHG Emission Impacts for New Projects under CEQA* includes thresholds based on whether the project will reduce or mitigate GHG levels by 29 percent from BAU levels compared with 2005 levels by 2020 (SJVAPCD 2009b). This level of GHG reduction is based on the target established by ARB's AB 32 Scoping Plan, approved in 2008. First occupancy at the project site is expected to occur in 2021. This date is beyond the AB 32 2020 milestone year, so a new approach based on continued progress toward later goals is included in this analysis.

The General Plan PEIR GHG analysis based significance on achieving a reduction from BAU of 29 percent at project buildout in 2035. Mitigation Measure 7-1 does not differentiate between analysis of projects pre-2020 and post-2020 with its 29 percent reduction from BAU. Therefore, an analysis of the project's reduction from BAU based on emissions in 2030 compared with the 29 percent reduction as one measure of significance was prepared. This approach provides estimates of project emissions in the new milestone year with the existing threshold to address Considerations 1 and 2 above.

The State is on track to achieve the 2020 target with adopted regulations and has adopted the 2030 Scoping Plan Update on December 14, 2017 that provides the State's strategy to achieve the SB 32 2030 target of a 40 percent reduction in emissions compared to 1990 levels. The plan includes existing and new measures that when implemented are expected to achieve the SB 32 2030 target. The 2030 Scoping Plan includes substantial reductions beyond 2020 through continued implementation of existing regulations. Other regulations will be adopted to implement recently enacted legislation including SB 350, which requires an increase in renewable energy from 33 percent to 50 percent and doubling the efficiency of existing buildings by 2030. The Legislature extended the Cap-and-Trade Program through 2030. Cap-and-Trade provides a mechanism to make up shortfalls in other strategies if they occur (ARB 2017c). In addition, the strategy relies on reductions achieved in implementing the ARB Short-Lived Climate Pollutant (SLCP) Reduction Strategy to reduce pollutants not previously controlled for climate change such as black carbon, methane, and hydrofluorocarbons (HFCs) (ARB 2017b).

The First Update to the Climate Change Scoping Plan adopted in May 2014 provided revised inventory projections to reflect slower growth in emissions during the recession and lower future year projections. The State's 2020 BAU inventory was reduced from 596 MMTCO₂e to 545 MMTCO₂e (ARB 2014b). The current GHG reduction level for the State to reach 1990 emission levels by 2020 is 21.7 percent from BAU in 2020. In addition, ARB reported that the California GHG inventory for 2016 was below the 2020 target for the first time (ARB 2018).

Although a lower percentage reduction (21.7 percent) would demonstrate consistency with AB 32, this analysis uses the 29 percent reduction from BAU as the basis of the threshold to demonstrate compliance with the Newhall Ranch decision described below which indicated that new development may need to provide more reductions than existing development to show consistency with State targets. The analysis prepared for the project also includes a qualitative assessment of compliance with 2008 and the 2017 Scoping Plans and General Plan measures to support GHG significance findings under Impact GHG-2.

Newhall Ranch

On November 30, 2015, the California Supreme Court issued its decision in *Newhall Ranch*, invalidating the GHG analysis for a large master planned residential development in Los Angeles County consisting of over 20,000 residential dwelling units and other uses. In particular, the Court upheld: (1) use of the statewide emissions reduction goal in AB 32 as a significance criterion (pp. 15–19), (2) use of the Scoping Plan’s BAU model “as a comparative tool for evaluating efficiency and conservation efforts” of the Project (pp. 18–19), and (3) a comparison of the project’s expected emissions to a BAU model rather than a baseline of pre-project conditions (pp. 15–19). The Court invalidated the GHG analysis on the grounds that the “administrative record discloses no substantial evidence that the Newhall Ranch’s project-level reduction of 31 percent in comparison to [BAU] is consistent with achieving AB 32’s statewide goal of a 29 percent reduction from [BAU].” The Court indicated that a lead agency may use a BAU comparison based on the Scoping Plan’s methodology if it also substantiates the reduction a particular project must achieve to comply with statewide goals. The Court suggested a lead agency could examine the “data behind the Scoping Plan’s business-as-usual model” to determine the necessary project-level reductions from new land use development at the proposed location (p. 25). A lead agency “might assess consistency with A.B. 32’s goal in whole or part by looking to compliance with regulatory programs designed to reduce greenhouse gas emissions from particular activities.”

The substantial evidence needed to support a project BAU threshold can be derived from data used to develop the Scoping Plan inventory and control strategy, and from analysis conducted by the ARB to track progress in achieving the AB 32 2020 target. The critical factor in determining the appropriate project threshold is whether the State requires additional reductions beyond those achieved by existing regulations in order to achieve its target. If no additional reductions are required from individual projects, no nexus exists to require a project to mitigate its emissions. In that case, the percentage reductions achieved by projects through compliance with regulations is the amount needed to reach the AB 32 target.

The State’s regulatory program implementing the 2008 Scoping Plan is now fully mature. All regulations envisioned in the Scoping Plan have been adopted by the responsible agencies and the effectiveness of those regulations have been estimated by the agencies during the adoption process and then are tracked to verify their effectiveness after implementation. The combined effect of this successful effort is that the State now projects that it will meet the 2020 target and achieve continued progress toward meeting post-2020 targets. Governor Brown, in the introduction to Executive Order B-30-15, states “California is on track to meet or exceed the current target of reducing greenhouse gas emissions to 1990 levels by 2020, as established in the California Global Warming Solutions Act of 2006 (AB 32).”

The Supreme Court was concerned that new development may need to do more than existing development to reduce GHGs to demonstrate that it is doing its fair share of reductions. As will be shown below, new development does do more than existing development and, because of the nature of the sources of GHG emissions related to development, existing development is equally responsible for reducing emissions from the most important sources of emissions. It is important to note that most of the State's regulatory program applies to both new and existing development.

The Scoping Plan reduction from BAU accounts for growth projected in the State and assumes that existing development would continue to emit GHGs at the same rate that occurred in the base year (2002-2004 average). The California Department of Finance (DOF) Report E-5 predicts that population growth in California from 2005 to 2020 will be 13.2 percent. This means that development that existed in 2005 will produce nearly 87 percent of the State's emissions in 2020. Conversely, new development is only responsible for about 13 percent of the emissions generated during this timeframe. If measures to reduce emissions from existing development were not available, new development could not provide sufficient reductions to reach the 2020 target even if their emissions were reduced to net zero. This continues to apply to the 2030 target. The DOF forecasts California's population will grow by 8.1 percent between 2020 and 2030, so existing development will be responsible for 92 percent of the emissions that occur in 2030.

The State's regulatory program is able to target both new and existing development because the two most important strategies—motor vehicle fuel efficiency and emissions from electricity generation—obtain reductions equally from existing and new sources. This is because all vehicle operators use cleaner low carbon fuels and buy vehicles subject to the fuel efficiency regulations, and all building owners or operators purchase cleaner energy from the grid that is produced by increasing percentages of renewable fuels. This includes regulations on mobile sources such as: The Pavley standards that apply to all vehicles purchased in California, the Low Carbon Fuel Standard (LCFS) that applies to all fuel used in California, and the Renewable Portfolio Standard and Renewable Energy Standard that apply to utilities providing electricity to all California homes and businesses. The reduction strategy where new development is required to do more than existing development is building energy efficiency and energy use related to water conservation regulations. For example, new projects are subject to Title 24 Energy Efficiency standards and CALGreen Code and Model Water Efficient Landscape Ordinance (MWELO) water conservation requirements. Residential buildings constructed to the 2013 Title 24 standards use 25 percent less energy than buildings complying with the 2008 standards. The newest version of Title 24 effective January 1, 2017 improves energy efficiency in residential buildings by 28 percent compared to the 2013 Title 24 standards and 46 percent compared with 2008 Title 24 standards. New buildings and landscapes are much more energy efficient and water efficient than the development that has been built over the past decades and will require much less energy. Title 24 is updated about every 3 years with the goal of reaching zero net energy from new residential buildings by 2020 and new commercial buildings by 2030. Some of the project's residential buildings would be constructed after 2020 and would be required to comply with the regulations in effect at the time building permits are issued.

As described above, the State requires an average reduction from all sources of the emission inventory of 21.7 percent to achieve the 2020 target. The Scoping Plan strategy will achieve greater than average reductions from energy and mobile source sectors that are the primary sources related to development projects, and lower than average reductions from other sources such as agriculture.

The amount of reduction estimated by the ARB for each sector was based on technical feasibility and cost effectiveness. Review of the 2008 Scoping Plan inventory and strategy shows that the reduction from all development related sources is approximately 29 percent from BAU in order to make up for the below average sectors and achieve the required 21.7 percent average reduction. Achieving the SB 32 2030 target will require an approximate 40 percent reduction from 2020 levels assuming the State achieves the AB 32 target. The 2017 Scoping Plan Update identifies a range of reduction amounts expected from each emission sector, but an amount needed for development's fair share of reductions have not been determined.

As suggested by the Court, a project BAU analysis was prepared for this project that assesses "consistency with AB 32's goal in whole or part by looking to compliance with regulatory programs designed to reduce greenhouse gas emissions from particular activities." The analysis shows the extent to which the project complies with adopted regulations and the additional amount that will be achieved through project design features. At this point in time, no additional reductions are required from new development beyond regulations for the State to achieve its 2020 target. The recently adopted 2030 target will require a reduction from 431 MTCO₂e to 260 MTCO₂e or 40 percent from 1990 levels. After accounting for projected growth of approximately 0.8 percent per year an average decrease of 5.2 percent per year from the State GHG inventory will be required to achieve the target. The 2017 Scoping Plan Update includes a strategy for achieving the needed reductions, but does not identify an amount required specifically from new development. However, all GHG emission sources within development projects are subject to GHG regulations.

Therefore, this analysis demonstrates consistency with the existing 2020 target and shows progress toward achieving the 2030 target. The quantitative analysis prepared for the project provides the reduction from BAU in the 2030 target year to show the progress anticipated prior to applying reductions from new strategies contained in the 2017 Scoping Plan Update. The new reduction strategies from the Plan Update are designed to close the gap between existing commitments and those needed to achieve the 2030 target, but most strategies must go through a regulatory process to be implemented. Therefore, the amount of reductions needed from new development beyond regulations, if any, is uncertain.

The analysis prepared for the project also includes qualitative assessments of compliance with 2008 Scoping Plan, the 2017 Scoping Plan Update, and General Plan measures to support GHG significance findings under Impact GHG-2. There are no measures that identify specific requirements on development projects, but the analysis shows how the applicable measures affect project emission sources.

To determine significance, the analysis first quantifies project-related GHG emissions under a BAU scenario, and then compares these emissions with emissions that would occur when all project-related design features are accounted for, and when compliance with applicable regulatory measures is assumed. The standard and methodology is explained in further detail below.

Impact Analysis

Construction

Total GHG emissions generated during all phases of construction were combined and are presented in Table 15. The SJVAPCD does not recommend assessing the significance of construction-related emissions. However, other jurisdictions, such as the SCAQMD and the SMAQMD, have concluded that construction emissions should be included since they may remain in the atmosphere for years

after construction is complete. In order to account for the construction emissions, amortization of the total emissions generated during construction were based on the life of the development (residential—30 years) and added to the operational emissions.

Table 15: Construction Greenhouse Gas Emissions

Year	MTCO ₂ e per year
2019	122.53
2020	496.77
2021	78.13
Total	496.77
<i>Amortized over 30 years</i>	16.56
Notes: Calculation totals use unrounded numbers from CalEEMod output. MTCO ₂ e = metric tons of carbon dioxide equivalents Source: CalEEMod output (Appendix A).	

Operation

Operational or long-term emissions occur over the life of the project. Sources of emissions may include motor vehicles and trucks, energy usage, water usage, waste generation, and area sources, such as landscaping activities and residential wood burning.

Business As Usual Operational Emissions

Operational emissions under the BAU scenario were modeled using CalEEMod 2016.3.2. Modeling assumptions for the year 2005 were used to represent 2020 and 2030 BAU conditions (without the benefit of regulations adopted to reduce GHG emissions). The SJVAPCD guidance recommends using emissions in 2002–2004 in the baseline scenario to represent conditions—as if regulations had not been adopted—to allow the effect of projected growth on achieving reduction targets to be clearly defined. CalEEMod defaults were used for project energy usage, water usage, waste generation, and area sources (architectural coating, consumer products, and landscaping). The vehicle fleet mix was revised to reflect the residential fleet mix approved by SJVAPCD for the year of first occupancy, which is expected to occur in 2021. Full assumptions and CalEEMod model outputs are provided in Appendix A.

2021 and 2030 Operational Emissions

Operational emissions were modeled for the 2021 and 2030 using CalEEMod. CalEEMod assumes compliance with some, but not all, applicable rules and regulations regarding energy efficiency, vehicle fuel efficiency, renewable energy usage, and other GHG reduction policies, as described in the CalEEMod User's Guide (SCAQMD 2017). The reductions obtained from each regulation and the source of the reduction amount used in the analysis are described below.

Emissions Accounting for Applicable Regulations

The following regulations are incorporated into the CalEEMod emission factors:

- Pavley I and Pavley II (LEV III) motor vehicle emission standards
- ARB Medium and Heavy-Duty Vehicle Regulation
- 2005, 2008, 2013, and 2016 Title 24 Energy Efficiency Standards

The following regulations have not been incorporated into the CalEEMod emission factors and require alternative methods to account for emission reductions provided by the regulations:

- Renewable Portfolio Standards (RPS)
- Low Carbon Fuel Standard (LCFS)
- Green Building Code Standards (indoor water use)
- California Model Water Efficient Landscape Ordinance (Outdoor Water)

Pavley II/LEV III standards have been incorporated in the latest version of CalEEMod. ARB estimates a 3 percent reduction in 2020 and a 19 percent reduction from the vehicle categories subject to the regulation by 2030 (ARB 2010b and ARB 2013d).

The ARB GHG Regulation for Medium and Heavy-Duty Engines and Vehicles applies to trucks that will be accessing the project site. The benefits of the regulation were incorporated into CalEEMod 2016.3.2. The ARB estimates that this regulation will reduce GHG emissions from the affected vehicles by 7.2 percent (ARB 2013f).

The Low Carbon Fuel Standard (LCFS) is estimated to achieve a 10 percent reduction in emissions by 2020 and an 18 percent reduction by 2030 (ARB 2010). CalEEMod does not include credit for the LCFS, so the reduction is calculated off-model.

Title 24 reductions for 2013 and 2016 updates were added to CalEEMod 2016.3.2. The California Energy Commission (CEC) estimates that 2013 Title 24 standards would result in an increase in energy efficiency of 25 percent in residential buildings compared to 2008 Title 24 (CEC 2014a). An additional 28 percent reduction from the 2008 standards have been claimed for compliance with 2016 Title 24. This results in a combined reduction of about 46 percent (CEC 2015).

RPS is not accounted for in CalEEMod 2016.3.2. Reductions from RPS are addressed by revising the electricity emission intensity factor in CalEEMod to account for the utility RPS rate forecast for 2020 (CPUC 2016). PG&E provides emission factors for the electricity it provides to customers and projections for its energy portfolio for 2020 that is used to estimate project emissions. No data to reflect compliance in 2030 was included in the PG&E projections. The utilities will be required by new legislation to increase the use of renewable energy sources to 50 percent, but details on individual utility compliance have not been determined.

Energy savings from water conservation resulting from the Green Building Code Standards for indoor water use and California Model Water Efficient Landscape Ordinance for outdoor water use are not included in CalEEMod. The Water Conservation Act of 2009 mandates a 20 percent reduction in urban water use that is implemented with these regulations (CDWR 2013). Benefits of the water conservation regulations are applied in the CalEEMod mitigation component.

Reductions in emissions from solid waste are based on the City achieving the CalRecycle 75 Percent Initiative by 2020 compared with a 50 percent baseline for 2005. Reductions are taken using the CalEEMod mitigation component.

Regulations applicable to project sources and the percent reduction anticipated from each source are shown in Table 16. The percentage reductions are only applied to the specific sources subject to the regulations. For example, the Pavley LEV Standards apply only to light duty cars and trucks.

Table 16: Reductions from Greenhouse Gas Regulations

Regulation	Project Applicability	Reduction Source	Percent Reduction in 2030
Pavley Low Emission Vehicle Standards	Light-duty cars and trucks accessing the site are subject to the regulation.	CalEEMod defaults (Pavley I)	25.1 ¹
		Adjusted GHG emission factor (Pavley II/LEV III) in CalEEMod.	19.5% ²
Truck and Bus Regulation	Heavy-duty trucks accessing the site for deliveries and services are subject to the regulation.	Adjusted GHG emission factors for the regulation in CalEEMod	7.2% ³
Low Carbon Fuel Standard (LCFS)	Vehicles accessing the site will use fuel subject to the LCFS	CalEEMod defaults	18% ¹
Title 24 Energy Efficiency Standards	Project buildings will be constructed to meet the latest version of Title 24 (currently 2016). Reduction applies only to energy consumption subject to the regulation.	CalEEMod defaults	46% ^{4,5}
Green Building Code Standards	The project will include water conservation features required by the standard	CalEEMod mitigation component	20% ⁶
Water Efficient Land Use Ordinance	The project landscaping will comply with the regulation	CalEEMod mitigation component	20% ⁷
Renewable Portfolio Standard (RPS)	Electricity purchased for use at the project site is subject to the 33 percent RPS mandate	CalEEMod adjusted energy intensity factors with PG&E emission factors that show the company will exceed the 33 percent mandate.	54.5% ⁸
Solid waste	The solid waste service provider will need to provide programs to increase diversion and recycling to meet the 75 percent mandate.	CalEEMod mitigation component	25% ⁹

Notes:

Regulations are described in Section 2.3 Regulatory Environment. The source of the percentage reductions from each measure are from the following sources:

¹ Pavley 1 + Low Carbon Fuel Standard Postprocessor Version 1.0 User's Guide (ARB 2010b)

² ARB Staff Report for LEV III Amendments (ARB 2013e)

³ ARB Staff Report for GHG Regulations for Medium and Heavy-Duty Engines and Vehicles (ARB 2013f)

⁴ California Energy Commission News Release: New Title 24 Standards Will Cut Residential Energy Use by 25 Percent, Save Water, and Reduce Greenhouse Gas Emissions (CEC 2014b)

⁵ California Energy Commission Adoption Hearing Presentation: 2016 Buildings Energy Efficiency Standards (CEC 2015)

Table 16 (cont.): Reductions from Greenhouse Gas Regulations

Regulation	Project Applicability	Reduction Source	Percent Reduction in 2030
⁶ 2013 California Green Building Standards Code Section 5.303.2			
⁷ California Water Plan Update 2013 (CDWR 2013)			
⁸ Based on CalEEMod default PG&E rate for 2005 and PG&E projected emission factor for 2020			
⁹ CalRecycle 75 Percent Initiative: Defining the Future (2016b)			

In addition to rules and regulations, the project would incorporate design features and would obtain benefits from its location and infrastructure that would reduce project VMT compared with default values. The project would construct pedestrian infrastructure connecting to adjacent land uses and has access to a transit stop within one quarter mile from the site. In addition, the project would provide electrical outlets for landscaping equipment that would be used in accordance with statewide usage rates for this type of equipment.

Note that CalEEMod nominally treats these design elements and conditions as “mitigation measures,” despite their inclusion in the project description. Therefore, reported operational emissions are considered to represent unmitigated project conditions. Full assumptions and model outputs are provided in Appendix A and results of this analysis for the 2021 are presented in Table 17. A second analysis for 2030 is presented in Table 18.

Table 17: Project Operational Greenhouse Gases 2021

Source	Emissions (MTCO ₂ e per year)		
	Business as Usual	2021 (with Regulation and Design Features)	Percent Reduction
Area	139.39	82.92	40.5%
Energy	476.02	313.40	34.2%
Mobile	1,377.96	959.54	30.4%
Waste	42.80	32.10	25.0%
Water	43.22	22.86	47.1%
Amortized Construction Emissions	16.56	16.56	0.0%
Total	2,095.95	1,427.37	31.9%
Reduction from BAU		668.58	—
Percent Reduction		31.9%	—
Significance Threshold		29.0%	—
Are emissions significant?		No	
Notes: MTCO ₂ e = metric tons of carbon dioxide equivalents The project achieves the SJVAPCD 29 percent reduction from BAU threshold and the 21.7 percent required to show consistency with AB 32 targets. No new target has been set for 2030. Source: CalEEMod output (Appendix A).			

As shown in Table 17, the project would achieve a reduction of 31.9 percent from BAU by the year 2021 with regulations and design features incorporated. This is above the 29 percent reduction required by the SJVAPCD threshold and the Clovis General Plan, and the 21.7 percent average reduction from all sources of GHG emissions now required to achieve AB 32 targets. The ARB originally identified a reduction of 29 percent from BAU as needed to achieve AB 32 targets. The 2008 recession and slower growth in the years since 2008 have reduced the growth forecasted for 2020, and the amount needed to be reduced to achieve 1990 levels as required by AB 32. The California Department of Finance (DOF) population forecast for 2020 to 2030 predicts growth in the State of 8.1 percent by the 2030 target year or 0.8 percent per year (DOF 2017).

The project includes design features that would result in reductions in energy use and support walking and bicycling. Measures that are part of the project design do not require additional mitigation measures to ensure they are accomplished.

The 31.9 percent reduction from BAU is 10.2 percent beyond the average reduction required by the State from all sources to achieve the AB 32 2020 target and therefore addresses the concern expressed in Newhall Ranch that projects should likely do more than the average to ensure they are providing a fair share of emission reductions.

Since the project buildout would occur after 2020, additional analysis summarized in Table 18 was prepared to show consistency with SB 32 2030 target.

Table 18: Project Operational Greenhouse Gases 2030

Source	Emissions (MTCO ₂ e per year)		
	Business as Usual	2030 (with Regulation and Design Features)	Percent Reduction
Area	139.39	82.92	40.5%
Energy	476.02	313.40	34.2%
Mobile	1,377.96	673.34	51.1%
Waste	42.80	32.10	25.0%
Water	43.22	22.86	47.1%
Amortized Construction Emissions	16.56	16.56	0.0%
Total	2,095.95	1,141.16	45.6%
Reduction from BAU		948.78	—
Percent Reduction		45.6%	—
Significance Threshold		29.0%	—
Are emissions significant?		No	

Notes:
MTCO₂e = metric tons of carbon dioxide equivalents
The project achieves the SJVAPCD 29 percent reduction from BAU threshold and the 21.7 percent required to show consistency with AB 32 targets. No new target has been set for 2030.
Source: CalEEMod output (Appendix A).

As shown in Table 18, the project would exceed the 21.7 percent reduction required by the State to achieve the 2020 target by 23.9 percent and the SJVAPCD 29.0 percent target by 16.6 percent. No new threshold has been adopted by the City of Clovis for the 2030 target, so in the interim the project must make continued progress toward the 2030 goal.

The analysis presented above does not include new strategies proposed in the 2030 Scoping Plan Update. The update was adopted in December 2017. The update provides alternatives in terms of their likelihood of implementation and ranges of reduction from the strategies. Measures already authorized by legislation are highly likely to be implemented, while measures requiring new legislation are less likely to go forward. The State is highly likely to incorporate zero net energy buildings in future updates to Title 24. A new round of motor vehicle fuel efficiency standards beyond 2025 when LEV III standards are at their maximum reduction level is highly likely. Changing heavy-duty trucks and off-road equipment to alternative fuels face greater technological hurdles and are less likely to provide dramatic reductions by 2030.

The 2030 emission limit is 260 MMTCO₂e. The ARB estimates that the 2030 BAU (reference) Inventory will be 392 MMTCO₂e—a reduction of 132 MMTCO₂e, including existing policies and programs but not including known commitments that are already underway. The 2030 Scoping Plan Update includes the estimated GHG emissions by sector compared with 1990 levels that is presented in Table 19. The proposed plan would achieve the bulk of the reductions from Electric Power, Industrial fuel combustion, and Transportation. Cap-and-Trade would provide between 10 and 20 percent of the required reductions depending on the amounts achieved by the other reduction measures.

Table 19: 2030 Scoping Plan Update Estimated Change in GHG Emissions by Sector

Scoping Plan Sector	Emissions (MMTCO ₂ e per year)		
	1990	2030 Proposed Plan Ranges	Percent Change from 1990
Agriculture	26	24–25	-4 to -8
Residential and Commercial	44	38–40	-9 to -14
Electric Power	108	42–62	-43 to -61
High GWP	3	8–11	167 to 267
Industrial	98	77–87	-11 to -21
Recycling and Waste	7	8–9	14 to 29
Transportation (including TCU)	152	103–111	-27 to -32
Net Sink	-7	TBD	TBD
Subtotal	431	300–345	-20 to -30
Cap-and-Trade Program	N/A	40–85	N/A
Total	431	260	-40
ARB 2030 Scoping Plan Update (ARB 2017)			

Although 2030 Scoping Plan Update focuses on state agency actions necessary to achieve the 2030 GHG limit, the ARB considers local governments essential partners in achieving California's goals to reduce GHG emissions. The 2030 target will require an increase in the rate of emission reductions compared to what was needed to achieve the 2020 limit, and this will require action and collaboration at all levels, including local government action to complement and support State-level actions. For individual projects, the 2030 Scoping Plan Update suggests that all new land use development implement all feasible measures to reduce GHG emissions. The Scoping Plan does not define all feasible measures or attribute an amount of reductions required from new development beyond compliance with regulations. When requiring mitigation of a project's fair share of a cumulative impact, the Lead Agency must show the nexus between the project contribution and its fair share of mitigation to reduce the impact to less than cumulatively considerable. A threshold based on local support and collaboration with State actions as described in the 2017 Scoping Plan Update does not lend itself to a quantitative determination of fair share. Requiring developers and future residents of the development to fully mitigate emissions without accounting for compliance with regulations would result in double mitigation, first by the developer and then by the residents purchasing electricity, fuel, and vehicles compliant with regulations in effect at the time of purchase and beyond that would violate constitutional nexus requirements.

In conclusion, the project would achieve reductions 23.9 percent beyond the ARB 2020 21.7 percent target and 16.6 percent beyond the SJVAPCD and City of Clovis General Plan PEIR 29 percent reduction from BAU requirements from adopted regulations and on-site design features. No new threshold has been adopted by the City for the SB 32 2030 target. Based on this progress and the strong likelihood that the measures included in the 2017 Scoping Plan Update will be implemented, it is reasonable to conclude that the project is consistent with the 2017 Scoping Plan and will contribute a reasonable fair-share contribution to achieving the 2030 target. The fair share may very well be achieved through compliance with increasingly stringent State regulations that apply to new development, such as Title 24 and CALGreen; regulations on energy production, fuels, and motor vehicles that apply to both new and existing development; and voluntary actions to improve energy efficiency in existing development. In addition, compliance with the VMT targets adopted to comply with SB 375 and implemented through the RTP/SCS may be considered to adequately address GHG emissions from passenger cars and light-duty trucks. As shown in Table 19, the State strategy relies on the Cap-and-Trade Program to make up any shortfalls that may occur from the other regulatory strategies. The costs of Cap-and-Trade emission reductions will ultimately be passed on to the consumers of fuels, electricity and products produced by regulated industries which include future residents of development projects and other purchasers of products and services. Therefore, the impact in terms of Considerations #1 and #2 would be less than significant.

Level of Significance Before Mitigation

Less than significant impact.

Mitigation Measures

No mitigation measures are required.

Level of Significance After Mitigation

Less than significant impact.

6.2.2 - Greenhouse Gas Reduction Plans

Impact GHG-2: **The project would not conflict with any applicable plan, policy, or regulation of an agency adopted to reduce the emissions of greenhouse gases.**

Impact Analysis

The following analysis assesses the project's compliance with Consideration #3 regarding consistency with adopted plans to reduce GHG emissions. The City of Clovis has not adopted a GHG reduction plan. In addition, the City has not completed the GHG inventory, benchmarking, or goal-setting process required to identify a reduction target and take advantage of the streamlining provisions contained in the CEQA Guidelines amendments adopted for SB 97 and clarifications provided in the CEQA Guidelines amendments adopted on December 28 2018. The SJVAPCD has adopted a Climate Action Plan, but it does not contain measures that are applicable to development projects. Therefore, the SJVAPCD Climate Action Plan cannot be applied to the project. Since no other local or regional Climate Action Plan is in place, the project is assessed for its consistency with ARB's adopted Scoping Plans. This would be achieved with an assessment of the project's compliance with Scoping Plan measures contained in the 2008 Scoping Plan and the 2017 Scoping Plan Update.

Although the City of Clovis General Plan does not meet the CEQA Guidelines 15064.4(b)(3) requirements for an applicable plan to reduce GHG emissions, it contains policies intended to reduce vehicle travel and energy use that would provide GHG reductions. Therefore, the project's consistency with the General Plan policies is also assessed.

AB 32 Scoping Plan

The California State Legislature adopted AB 32 in 2006. AB 32 focuses on reducing GHGs (carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride) to 1990 levels by the year 2020. Pursuant to the requirements in AB 32, the ARB adopted the Climate Change Scoping Plan (Scoping Plan) in 2008, which outlines actions recommended to obtain that goal. The Scoping Plan calls for an "ambitious but achievable" reduction in California's GHG emissions, cutting approximately 30 percent from BAU emission levels projected for 2020, or about 10 percent from 2008 levels. On a per-capita basis, that means reducing annual emissions of 14 tons of carbon dioxide for every man, woman, and child in California down to about 10 tons per person by 2020. As stated earlier, the ARB has updated its emission inventory forecasts and now estimates a reduction of 21.7 percent is required from BAU in 2020 to achieve AB 32 targets.

The Scoping Plan contains a variety of strategies to reduce the State's emissions. As shown in Table 20, the project is consistent with most of the strategies, while others are not applicable to the project. As discussed earlier, the 2017 Scoping Plan Update strategies primarily rely on increasing the stringency of existing regulations for which the project would continue to comply with and support through the project's design and implementation of the General Plan goals and policies.

Table 20: Project Consistency with AB 32 Scoping Plan

Scoping Plan Sector	Scoping Plan Measure	Implementing Regulations	Project Consistency
Transportation	California Cap-and-Trade Program Linked to Western Climate Initiative	Regulation for the California Cap on Greenhouse Gas Emissions and Market-Based Compliance Mechanism October 20, 2015 (CCR 95800)	Consistent. The Cap-and-Trade Program applies to large industrial sources such as power plants, refineries, and cement manufacturers. However, the regulation indirectly affects people who use the products and services produced by these industrial sources when increased cost of products or services (such as electricity and fuel) are transferred to the consumers. The Cap-and-Trade Program covers the GHG emissions associated with electricity consumed in California, whether generated in-state or imported. Accordingly, GHG emissions associated with CEQA projects' electricity usage are covered by the Cap-and-Trade Program. The Cap-and-Trade Program also covers fuel suppliers (natural gas and propane fuel providers and transportation fuel providers) to address emissions from such fuels and from combustion of other fossil fuels not directly covered at large sources in the Program's first compliance period.
	California Light-Duty Vehicle Greenhouse Gas Standards	Pavley I 2005 Regulations to Control GHG Emissions from Motor Vehicles	Consistent. This measure applies to all new vehicles starting with model year 2012. The project would not conflict with its implementation as it would apply to all new passenger vehicles purchased in California. Passenger vehicles, model year 2012 and later, associated with construction and operation of the project would be required to comply with the Pavley emissions standards.
		2012 LEV III Amendments to the California Greenhouse Gas and Criteria Pollutant Exhaust and Evaporative Emission Standards	
	Low Carbon Fuel Standard.	2009 readopted in 2015. Regulations to Achieve Greenhouse Gas Emission Reductions Subarticle 7. Low Carbon Fuel Standard CCR 95480	Consistent. This measure applies to transportation fuels utilized by vehicles in California. The project would not conflict with implementation of this measure. Motor vehicles associated with construction and operation of the project would utilize low carbon transportation fuels as required under this measure.

Table 20 (cont.): Project Consistency with AB 32 Scoping Plan

Scoping Plan Sector	Scoping Plan Measure	Implementing Regulations	Project Consistency
	Regional Transportation-Related Greenhouse Gas Targets.	SB 375. Cal. Public Resources Code §§ 21155, 21155.1, 21155.2, 21159.28	Consistent. The project will provide residential development in the region that is consistent with the increased development densities promoted in the 2018 Regional Transportation Plan/Sustainable Communities Strategy (SCS). The project is not within an SCS priority area and so is not subject to requirements applicable to those areas.
	Goods Movement	Goods Movement Action Plan January 2007.	Not applicable. The project does not propose any changes to maritime, rail, or intermodal facilities or forms of transportation.
	Medium/Heavy-Duty Vehicles	2010 Amendments to the Truck and Bus Regulation, the Drayage Truck Regulation and the Tractor-Trailer Greenhouse Gas Regulation	Consistent. This measure applies to medium- and heavy-duty vehicles that operate in the State. The project would not conflict with implementation of this measure. Medium- and heavy-duty vehicles associated with construction and operation of the project would be required to comply with the requirements of this regulation.
	High Speed Rail	Funded under SB 862	Not applicable. This is a statewide measure that cannot be implemented by a project applicant or lead agency.
Electricity and Natural Gas	Energy Efficiency	Title 20 Appliance Efficiency Regulation	Consistent. The project would not conflict with implementation of this measure. The project will comply with the latest energy efficiency standards and incorporate applicable energy efficiency features designed to reduce project energy consumption.
		Title 24 Part 6 Energy Efficiency Standards for Residential and Non-Residential Building	
		Title 24 Part 11 California Green Building Code Standards	
	Renewable Portfolio Standard/Renewable Electricity Standard.	2010 Regulation to Implement the Renewable Electricity Standard (33% 2020)	Consistent. PG&E obtained 33 percent of its power supply from renewable sources such as solar and geothermal in 2017, and about 70 percent of the electricity it delivers is carbon-free, including nuclear and large hydroelectric facilities. The owners of residences within the project would purchase power that consists of a greater percentage of renewable sources and could install renewable solar power systems that will assist the utility in achieving exceeding the renewable mandate.
		SB 350 Clean Energy and Pollution Reduction Act of 2015 (50% 2030)	

Table 20 (cont.): Project Consistency with AB 32 Scoping Plan

Scoping Plan Sector	Scoping Plan Measure	Implementing Regulations	Project Consistency
	Million Solar Roofs Program	Tax incentive program	Consistent. This measure is intended to increase solar throughout California by means of a variety of electricity providers and existing solar programs. Projects within the plan area will be able to take advantage of incentives that are in place at the time of construction. The project will meet the “solar ready” requirements of the Green Building Code Standards. Units constructed after the 2019 Title 24 Energy Efficiency Standards take effect may be required to install solar panels.
Water	Water	Title 24 Part 11 California Green Building Code Standards	Consistent. The project will comply with the California Green Building Standards Code, which requires a 20 percent reduction in indoor water use. The project will also comply with the MWELO as required by the City’s development code.
		SBX 7-7—The Water Conservation Act of 2009	
		Model Water Efficient Landscape Ordinance	
Green Buildings	Green Building Strategy	Title 24 Part 11 California Green Building Code Standards	Consistent. The State will increase the use of green building practices. The project would implement required green building strategies through existing regulation that requires the project to comply with various CALGreen requirements. The project includes sustainability design features that support the Green Building Strategy.
Industry	Industrial Emissions	2010 ARB Mandatory Reporting Regulation	Not applicable. The project is not an industrial land use.
Recycling and Waste Management	Recycling and Waste	Title 24 Part 11 California Green Building Code Standards	Consistent. The project would not conflict with implementation of these measures. The project is required to achieve the recycling mandates via compliance with the CALGreen code. The project would utilize City of Clovis recycling services. The City has consistently exceeded its state recycling mandates.
		AB 341 Statewide 75 Percent Diversion Goal	

Table 20 (cont.): Project Consistency with AB 32 Scoping Plan

Scoping Plan Sector	Scoping Plan Measure	Implementing Regulations	Project Consistency
Forests	Sustainable Forests	Cap-and-Trade Offset Projects	Not applicable. The project site is in an area designated for urban uses. No forested lands exist on-site.
High Global Warming Potential	High Global Warming Potential Gases	ARB Refrigerant Management Program CCR 95380	Not applicable. The regulations are applicable to refrigerants used by large air conditioning systems and large commercial and industrial refrigerators and cold storage system. Homes do not use large systems subject to the refrigerant management regulations adopted by ARB.
Agriculture	Agriculture	Cap-and-Trade Offset Projects for Livestock and Rice Cultivation	Not applicable. The project site is designated for urban development. No grazing, feedlot, or other agricultural activities that generate manure occur currently exist on-site or are proposed to be implemented by the project.
Source of ARB Scoping Plan Reduction Measures: California Air Resources Board 2008.			

General Plan Compliance

The City of Clovis updated and adopted its General Plan in August of 2014. The General Plan contains a limited number of goals or policies that relate directly to climate change. However, some of the policies in the Air Quality and Circulation Element would likely reduce GHG emissions as well as the other criteria pollutant emissions, because they attempt to reduce VMT and increase energy efficiency. As shown in Table 21, the project is consistent with the feasible and applicable policies.

Table 21: Consistency with General Plan Policies

General Plan Policy	Project Consistency
Air Quality Policy 1.1: Land use and transportation. Reduce greenhouse gas and other local pollutant emissions through mixed use and transit-oriented development and well-designed transit, pedestrian, and bicycle systems.	Consistent. Residents would have easy access to the existing bike lane on North Willow Avenue that connects to destinations throughout the area. Enhancements to encourage walking and bicycling will reduce driving and related pollutant emissions. In addition, the project is near existing shopping, restaurant, and office uses.
Air Quality Policy 1.6: Alternative fuel infrastructure. Encourage public and private activity and employment centers to incorporate electric charging and alternative fuel stations.	Consistent. The project would not preclude future installment of electrical vehicle charging systems. Building codes require homes to be wired to allow future installations of charging equipment.
Air Quality Policy 1.8: Trees. Maintain or plant trees where appropriate to provide shade, absorb carbon, improve oxygenation, slow stormwater runoff, and reduce the heat island effect.	Consistent. The project would incorporate landscaping throughout the project site. The incorporated landscaping would provide shade, absorb carbon, improve oxygenation, slow stormwater runoff, and reduce the heat island effect.
Air Quality Policy 2.1: Regional coordination. Support regional efforts to reduce air pollution (criteria air pollutants and greenhouse gas emissions) and collaborate with other agencies to improve air quality at the emission source and reduce vehicle miles traveled.	Not applicable. This measure applies to local government coordination and not project proponents or residents. However, future residents can participate in educational and grant programs designed to reduce criteria pollutant emissions developed through regional coordination.
Air Quality Policy 2.2: Cross-jurisdictional issues. Collaborate with regional agencies and surrounding jurisdictions to address cross-jurisdictional transportation and air quality issues.	Not applicable. This measure applies to local government coordination and not to project proponents or residents.
Air Quality Policy 2.6: Innovative mitigation. Encourage innovative mitigation measures to reduce air quality impacts by coordinating with the SJVAPCD, project applicants, and other interested parties.	Consistent. The project would comply with Rule 9510, which may include payment of mitigation fees that can be used for innovative mitigation measures that reduce criteria pollutants and GHG emissions. Residents can participate in educational and grant programs designed to reduce GHG emissions developed through regional coordination.
Circulation Policy 1.1: Multimodal network. The City shall plan, design, operate, and maintain the transportation network to promote safe and convenient travel for all users: pedestrian, bicyclists, transit riders, freight, and motorists.	Consistent. The project area includes features designed to provide safe and convenient travel for users of all transportation modes. Residents will have easy access to an existing bike lane on North Willow Avenue and connects to the Clovis trail system.

Table 21 (cont.): Consistency with General Plan Policies

General Plan Policy	Project Consistency
Circulation Policy 1.2: Transportation decisions. Decisions should balance the comfort, convenience, and safety of pedestrians, bicyclists, and motorists.	Consistent. The project will comply with City of Clovis standards for street design that supports multiple modes of transportation. Residents will have easy access to the regional bikeways and the City of Clovis trail system, which will provide convenience and safety for pedestrians and bicyclists.
Circulation Policy 1.4: Jobs and housing. Encourage infill development that would provide jobs and services closer to housing, and vice versa, to reduce citywide vehicle miles traveled and effectively utilize the existing transportation infrastructure.	Consistent. The project is a residential development with 185 units that will provide employees for jobs in existing business parks and jobs centers in Clovis. The project is situated adjacent to a major commercial center at Herndon and Willow and is within 2 miles of multiple medical facilities and regional commercial centers along Herndon Avenue.
Circulation Policy 1.5: Neighborhood connectivity. The transportation network shall provide multimodal access between neighborhoods and neighborhood-serving uses (educational, recreational, or neighborhood commercial uses).	Consistent. The project is within 1 to 2 miles of multiple existing educational, commercial, and businesses uses.
Circulation Policy 3.11: Right-of-way design. Design landscaped parkways, medians, and right-of-ways as aesthetic buffers to improve the community's appearance and encourage non-motorized transportation.	Consistent. The project will comply with City of Clovis design standards regarding landscaping and design of road improvements consistent with this policy.
Circulation Policy 5.1: Complete street amenities. Upgrade existing streets and design new streets to include complete street amenities, prioritizing improvements to bicycle and pedestrian connectivity or safety (consistent with the Bicycle Transportation Master Plan and other master plans).	Consistent. The project would be required to upgrade existing streets fronting the property in accordance with city standards. The project is located near bike lanes and trail systems, which provide access and safety for pedestrians and cyclists to jobs, schools, and shopping.
Circulation Policy 5.2: Development-funded facilities. Require development to fund and construct facilities as shown in the Bicycle Transportation Plan when facilities are in or adjacent to the development.	Not applicable. There are no planned trails within or directly adjacent to the development.
Circulation Policy 5.3: Pathways. Encourage pathways and other pedestrian amenities in urban centers and new development 10 acres or larger.	Consistent. The project will be served by bike lanes along the roads accessing the site.
Circulation Policy 5.4: Homeowner associations. The city may require homeowner associations to maintain pathways and other bicycle and pedestrian facilities within the homeowner association area.	Consistent. The project would comply with this policy if a homeowner's association is formed for the development.
Circulation Policy 5.5: Pedestrian access. Require sidewalks, paths, and crosswalks to provide access to schools, parks, and other activity centers to provide general pedestrian connectivity throughout the city.	Consistent. Future residents will be able to utilize sidewalks and paths constructed in compliance with city requirements in this area.

Table 21 (cont.): Consistency with General Plan Policies

General Plan Policy	Project Consistency
Land Use Policy 3.9: Connected development. New development in urban centers must fully improve roadway, pedestrian, and bicycle systems within and adjacent to the proposed project and connect to existing urbanized development.	Not applicable. The project is not in an urban center, but it will provide required street improvements and connections to pedestrian and bicycle systems.
Open Space and Conservation Policy 3.4: Drought-tolerant landscaping. Promote water conservation through use of drought-tolerant landscaping on existing and new residential properties. Require drought-tolerant landscaping for all new commercial and industrial development and city-maintained landscaping, unless used for recreation purposes.	Consistent. The project will promote water conservation through use of drought-tolerant landscaping on new residential properties.
Open Space and Conservation Policy 3.5: Energy and water conservation. Encourage new development and substantial rehabilitation projects to exceed energy and water conservation and reduction standards set in the California Building Code.	Consistent: The project will, at a minimum, comply with the 2016 Title 24 energy efficiency standards, which are 28 percent more stringent than previous standards. The 2016 Title 24 energy efficiency standards went into effect in January 2017 and provide a 28 percent reduction in energy use compared with 2013 Title 24. 2019 Title 24 becomes effective on January 1, 2020.
Open Space and Conservation Policy 3.6: Renewable Energy. Promote the use of renewable and sustainable energy sources to serve public and private sector development	Consistent: The project will comply with Green Building Code requirements for solar-ready roofs.
Open Space and Conservation Policy 3.7: Construction and design. Encourage new construction to incorporate energy efficient building and site design strategies.	Consistent: The project will design homes to meet or exceed the latest most stringent energy standards.
Source: City of Clovis General Plan 2014	

In summary, the project incorporates a number of features that would minimize GHG emissions. These features are consistent with project-level strategies identified by the ARB's Scoping Plan and the City of Clovis General Plan. As demonstrated in the impact analysis above, the project would achieve an approximately 31.9 percent reduction from the BAU inventory by 2021 and a 45.6 percent reduction by 2030 and, therefore, would not significantly hinder or delay the State's ability to meet the reduction targets contained in AB 32 or SB32 or conflict with implementation of the Scoping Plan. The project promotes the goals of the Scoping Plan through implementation of design measures that reduce energy consumption, water consumption, and reduction in VMT. Therefore, the project does not conflict with any plans to reduce GHG emissions. The impact would be less than significant.

Consistency with California's Post-2020 Targets

The State's executive branch adopted several Executive Orders related to GHG emissions. Executive Orders S-3-05 and B-30-15 are two examples. Executive Order S-3-05 sets goals to reduce emissions

to 1990 levels by 2020 and 80 percent below 1990 levels by 2050. The goal of Executive Order S-3-05 to reduce GHG emissions to 1990 levels by 2020 was codified by AB 32. The project, as analyzed above, is consistent with AB 32. Therefore, the project does not conflict with this component of Executive Order S-3-05. Executive Order B-30-15 establishes an interim goal to reduce GHG emissions to 40 percent below 1990 levels by 2030.

The 2030 goal was recently codified under SB 32 and is now addressed by the 2017 Scoping Plan Update. The new plan provides a strategy that is capable of reaching the SB 32 target if the measures included in the plan are implemented and achieve reductions within the ranges expected. Under the Scoping Plan Update, local government plays a supporting role through its land use authority and control over local transportation infrastructure. The Plan Update includes reductions from implementation of SB 375 that applies to VMT from passenger vehicles. Fresno County targets for SB 375 are a 5 percent reduction by 2020 and a 10 percent reduction by 2035. SB 375 is implemented with the Fresno COG Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS). The RTP/SCS envisions an increase in development density that would encourage fewer and shorter trips and more trips by transit, walking, and bicycling in amounts sufficient to achieve the SB 375 targets.

Now that the 2017 Scoping Plan has been adopted, new methodologies and threshold approaches are required to determine the fair-share contributions City development projects would need to make to achieve the 2030 target. In the meantime, however, the discussion under “Consistency with SB 32” below addresses the consistency of the proposed project with SB 32, which provides the statutory underpinning of the 2017 Scoping Plan. The SB 32 target requires GHG emissions to be reduced from 1990 levels. No consensus has been reached around the State on a new quantitative target for new development based on consistency with the SB 32 targets.

The Executive Order S-3-05 2050 target has not been codified by legislation. Studies have shown that, in order to meet the 2050 target, aggressive pursuit of technologies in the transportation and energy sectors, including electrification and the decarbonization of fuel, will be required. Because of the technological shifts required and the unknown parameters of the regulatory framework in 2050, quantitatively analyzing the project’s impacts further relative to the 2050 goal is speculative for purposes of CEQA. (ARB 2014b).

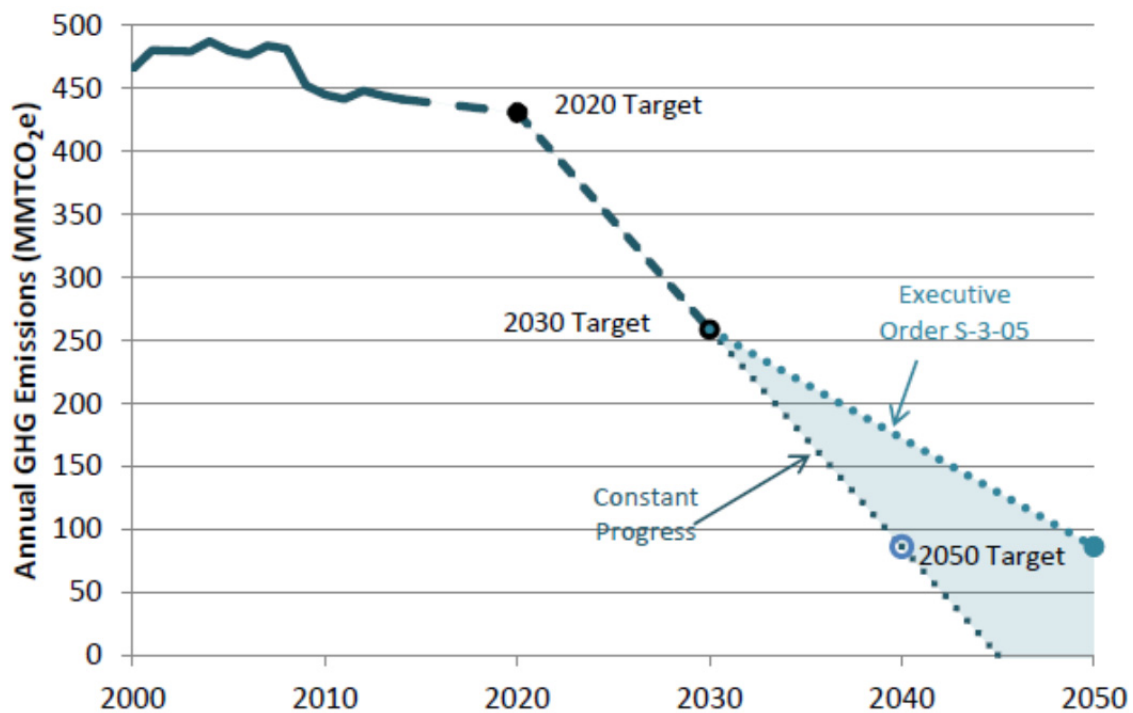
The ARB recognizes that AB 32 establishes an emissions reduction trajectory that will allow California to achieve the more stringent 2050 target: “These [greenhouse gas emission reduction] measures also put the State on a path to meet the long-term 2050 goal of reducing California’s GHG emissions to 80 percent below 1990 levels. This trajectory is consistent with the reductions that are needed globally to stabilize the climate.” In addition, ARB’s First Update “lays the foundation for establishing a broad framework for continued emission reductions beyond 2020, on the path to 80 percent below 1990 levels by 2050,” and many of the emission reduction strategies recommended by ARB would serve to reduce the proposed project’s post-2020 emissions level to the extent applicable by law:

- **Energy Sector:** Continued improvements in California’s appliance and building energy efficiency programs and initiatives, such as the State’s zero net energy building goals, would serve to reduce the proposed project’s emissions level. Additionally, further additions to California’s renewable resource portfolio would favorably influence the project’s emissions level.

- **Transportation Sector:** Anticipated deployment of improved vehicle efficiency, zero emission technologies, lower carbon fuels, and improvement of existing transportation systems all will serve to reduce the project's emissions level.
- **Water Sector:** The project's emissions level will be reduced as a result of further desired enhancements to water conservation technologies.
- **Waste Management Sector:** Plans to further improve recycling, reuse and reduction of solid waste will beneficially reduce the project's emissions level.

For the reasons described above, the project's post-2020 emissions trajectory is expected to follow a declining trend, consistent with the 2030 and 2050 targets. The trajectory required to achieve the post-2020 targets is shown in Figure 8.

Figure 8 California's Path to Achieving the 2050 Target



Source: ARB 2017 Scoping Plan Update (ARB 2017)

In his January 2015 inaugural address, Governor Brown expressed a commitment to achieve “three ambitious goals” that he would like to see accomplished by 2030 to reduce the State’s GHG emissions:

- Increasing the State’s Renewable Portfolio Standard from 33 percent in 2020 to 50 percent in 2030;
- Cutting the petroleum use in cars and trucks in half; and
- Doubling the efficiency of existing buildings and making heating fuels cleaner.

Regarding goals for 2050 under Executive Order S-3-05, it is not possible at this time to quantify the emissions savings from future regulatory measures, as they have not yet been developed; nevertheless, it can be anticipated that operation of the project would comply with applicable measures enacted by state lawmakers to achieve an 80 percent reduction below 1990 levels by 2050.

Consistency with SB 32

The 2017 Climate Change Scoping Plan Update (2017 Scoping Plan) includes the strategy that the State intends to pursue to achieve the 2030 targets of Executive Order S-3-05 and SB 32. The 2017 Scoping Plan includes the following summary of its overall strategy for reaching the 2030 target:

- SB 350
 - Achieve 50 percent Renewables Portfolio Standard (RPS) by 2030.
 - Doubling of energy efficiency savings by 2030.
- Low Carbon Fuel Standard (LCFS)
 - Increased stringency (reducing carbon intensity 18 percent by 2030, up from 10 percent in 2020).
- Mobile Source Strategy (Cleaner Technology and Fuels Scenario)
 - Maintaining existing GHG standards for light- and heavy-duty vehicles.
 - Put 4.2 million zero-emission vehicles (ZEVs) on the roads.
 - Increase ZEV buses, delivery and other trucks.
- Sustainable Freight Action Plan
 - Improve freight system efficiency.
 - Maximize use of near-zero emission vehicles and equipment powered by renewable energy.
 - Deploy over 100,000 zero-emission trucks and equipment by 2030.
- Short-Lived Climate Pollutant (SLCP) Reduction Strategy
 - Reduce emissions of methane and hydrofluorocarbons 40 percent below 2013 levels by 2030.
 - Reduce emissions of black carbon 50 percent below 2013 levels by 2030.
- SB 375 Sustainable Communities Strategies
 - Increased stringency of 2035 targets.
- Post-2020 Cap-and-Trade Program
 - Declining caps, continued linkage with Québec, and linkage to Ontario, Canada.
 - ARB will look for opportunities to strengthen the program to support more air quality co-benefits, including specific program design elements. In Fall 2016, ARB staff described potential future amendments including reducing the offset usage limit, redesigning the allocation strategy to reduce free allocation to support increased technology and energy investment at covered entities and reducing allocation if the covered entity increases criteria or toxics emissions over some baseline.
- By 2018, develop Integrated Natural and Working Lands Action Plan to secure California's land base as a net carbon sink.

Table 22 provides an analysis of the project's consistency with the 2017 Scoping Plan Update measures.

Table 22: Consistency with SB 32 2017 Scoping Plan Update

Scoping Plan Measure	Project Consistency
SB 350 50% Renewable Mandate. Utilities subject to the legislation will be required to increase their renewable energy mix from 33% in 2020 to 50% in 2030.	Consistent. The project will purchase electricity from a utility subject to the SB 350 Renewable Mandate.
SB 350 Double Building Energy Efficiency by 2030. This is equivalent to a 20 percent reduction from 2014 building energy usage compared to current projected 2030 levels	Not Applicable. This measure applies to existing buildings. New structures are required to comply with Title 24 Energy Efficiency Standards that are expected to increase in stringency until residential housing achieves zero net energy.
Low Carbon Fuel Standard. This measure requires fuel providers to meet an 18 percent reduction in carbon content by 2030.	Consistent. Vehicles accessing the project site will use fuel containing lower carbon content as the fuel standard is implemented.
Mobile Source Strategy (Cleaner Technology and Fuels Scenario) Vehicle manufacturers will be required to meet existing regulations mandated by the LEV III and Heavy-Duty Vehicle programs. The strategy includes a goal of having 4.2 million ZEVs on the road by 2030 and increasing numbers of ZEV trucks and buses.	Consistent. Project residents can be expected to purchase increasing numbers of more fuel efficient and zero emission cars and trucks each year. The 2016 CALGreen Code requires electrical service in new single-family housing to be EV charger-ready. Home deliveries will be made by increasing numbers of ZEV delivery trucks.
Sustainable Freight Action Plan The plan's target is to improve freight system efficiency 25 percent by increasing the value of goods and services produced from the freight sector, relative to the amount of carbon that it produces by 2030. This would be achieved by deploying over 100,000 freight vehicles and equipment capable of zero emission operation and maximize near-zero emission freight vehicles and equipment powered by renewable energy by 2030.	Not Applicable. The measure applies to owners and operators of trucks and freight operations. However, home deliveries are expected to be made by increasing number of ZEV delivery trucks.
Short-Lived Climate Pollutant (SLCP) Reduction Strategy. The strategy requires the reduction of SLCPs by 40 percent from 2013 levels by 2030 and the reduction of black carbon by 50 percent from 2013 levels by 2030.	Consistent. The project will include only natural gas hearths that produce very little black carbon compared to wood burning fireplaces and heaters.
SB 375 Sustainable Communities Strategies. Requires Regional Transportation Plans to include a sustainable communities strategy for reduction of per capita vehicle miles traveled. The targets for Fresno County are	Consistent. The project will provide residential development in the region that is consistent with the Regional Transportation Plan/Sustainable Communities Strategy (SCS) strategy to increase development densities to reduce VMT. The project is not within an SCS priority area and so is not subject to requirements applicable to those areas.

Table 22 (cont.): Consistency with SB 32 2017 Scoping Plan Update

Scoping Plan Measure	Project Consistency
<p>Post-2020 Cap-and-Trade Program. The Post 2020 Cap-and-Trade Program continues the existing program for another 10 years. The Cap-and-Trade Program applies to large industrial sources such as power plants, refineries, and cement manufacturers.</p>	<p>Consistent. The post-2020 Cap-and-Trade Program indirectly affects people who use the products and services produced by the regulated industrial sources when increased cost of products or services (such as electricity and fuel) are transferred to the consumers. The Cap-and-Trade Program covers the GHG emissions associated with electricity consumed in California, whether generated in-state or imported. Accordingly, GHG emissions associated with CEQA projects' electricity usage are covered by the Cap-and-Trade Program. The Cap-and-Trade Program also covers fuel suppliers (natural gas and propane fuel providers and transportation fuel providers) to address emissions from such fuels and from combustion of other fossil fuels not directly covered at large sources in the program's first compliance period.</p>
<p>Natural and Working Lands Action Plan. The ARB is working in coordination with several other agencies at the federal, state, and local levels, stakeholders, and with the public, to develop measures as outlined in the Scoping Plan Update and the governor's Executive Order B-30-15 to reduce GHG emissions and to cultivate net carbon sequestration potential for California's natural and working land.</p>	<p>Not Applicable. The project is residential development and will not be considered natural or working lands.</p>
Source: ARB 2017 Scoping Plan Update.	

Regarding goals for 2050 under Executive Order S-3-05, at this time it is not possible to quantify the emissions savings from future regulatory measures, as they have not yet been developed; nevertheless, it can be anticipated that operation of the project would comply with whatever measures are enacted that state lawmakers decide would lead to an 80 percent reduction below 1990 levels by 2050. In its 2008 Scoping Plan, ARB acknowledged that the "measures needed to meet the 2050 are too far in the future to define in detail." In the First Scoping Plan Update; however, ARB generally described the type of activities required to achieve the 2050 target: "energy demand reduction through efficiency and activity changes; large scale electrification of on-road vehicles, buildings, and industrial machinery; decarbonizing electricity and fuel supplies; and rapid market penetration of efficiency and clean energy technologies that requires significant efforts to deploy and scale markets for the cleanest technologies immediately." The 2017 Scoping Plan provides an intermediate target that is intended to achieve reasonable progress toward the 2050 target.

Accordingly, taking into account the proposed project's emissions, project design features, and the progress being made by the State towards reducing emissions in key sectors such as transportation, industry, and electricity, the project would be consistent with State GHG Plans and would further the

State's goals of reducing GHG emissions to 1990 levels by 2020, 40 percent below 1990 levels by 2030, and 80 percent below 1990 levels by 2050, and does not obstruct their attainment.

Level of Significance Before Mitigation

Less than significant impact.

Mitigation Measures

No mitigation measures are required.

Level of Significance After Mitigation

Less than significant impact.

SECTION 7: REFERENCES

The following references were used in the preparation of this analysis and are referenced in the text and/or were used to provide the author with background information necessary for the preparation of thresholds and content.

- Air Now. 2015. AQI Calculator: AQI to Concentration. Website: http://www.airnow.gov/index.cfm?action=resources.aqi_conc_calc. Accessed March 28, 2019.
- Brown, Edmund G. Jr. 2015. Press Release: California Establishes Most Ambitious Greenhouse Gas Goal in North America. April 29. Website: <https://www.gov.ca.gov/news.php?id=18938>. Accessed January 6, 2018.
- Brown, Edmund G. Jr. 2018. EO B-55-18. Website: <https://www.gov.ca.gov/news.php?id=18938>. December 12, 2018.
- CalAdapt. 2017. Local Climate Snapshots. Website: <http://v1.cal-adapt.org/tools/factsheet/>. Accessed April 1, 2019.
- CalEEMod. California Emissions Estimator Model. Version 2016.3.2 Website: <http://caleemod.com/>. Accessed April 1, 2019.
- California Air Pollution Control Officers Association (CAPCOA). 2010. Quantifying Greenhouse Gas Mitigation Measures. August 2010. Website: <http://www.capcoa.org/wp-content/uploads/2010/11/CAPCOA-Quantification-Report-9-14-Final.pdf>. Accessed March 23, 2019.
- California Air Pollution Control Officers Association (CAPCOA). 2018. CAPCOA Greenhouse Gas Reduction Exchange. Website: <http://www.ghgrx.org/>. Accessed March 23, 2019.
- California Air Resources Board (ARB). 1998. The Toxic Air Contaminant Identification Process: Toxic Air Contaminant Emissions from Diesel-fueled Engines. Website: <http://www.arb.ca.gov/toxics/dieseltac/factsht1.pdf>. Accessed March 23, 2019.
- California Air Resources Board (ARB). 2000. Risk Reduction Plan to Reduce Particulate Matter Emissions from Diesel-fueled Engines and Vehicles. Website: <http://www.arb.ca.gov/diesel/documents/rrpfinal.pdf>. Accessed March 23, 2019.
- California Air Resources Board (ARB). 2005. California Environmental Protection Agency. Air Quality and Land Use Handbook: A Community Health Perspective. April 2005. Website: www.arb.ca.gov/ch/landuse.htm. Accessed March 23, 2019.
- California Air Resources Board (ARB). 2007. Staff Report. California 1990 Greenhouse Gas Level and 2020 Emissions Limit. November 16, 2007. Website: www.arb.ca.gov/cc/inventory/pubs/reports/staff_report_1990_level.pdf. Accessed March 23, 2019.
- California Air Resources Board (ARB). 2008. (includes edits made in 2009) Climate Change Scoping Plan, a framework for change. Website: http://www.arb.ca.gov/cc/scopingplan/document/adopted_scoping_plan.pdf. Accessed March 23, 2019.

California Air Resources Board (ARB). 2009a. California Air Resources Board. Vinyl Chloride. Website: www.arb.ca.gov/research/aaqs/caaqs/vc/vc.htm. Accessed March 23, 2019.

California Air Resources Board (ARB). 2009b. The California Almanac of Emissions and Air Quality—2009 Edition. Chapter 4, Air Basin Trends and Forecasts—Criteria Pollutants. Website: www.arb.ca.gov/aqd/almanac/almanac09/chap409.htm. Accessed April 1, 2019.

California Air Resources Board (ARB). 2010a. 2020 Greenhouse Gas Emissions Projection and BAU Scenario Emissions Estimate. Website: http://www.arb.ca.gov/cc/inventory/archive/captrade_2010_projection.pdf. Accessed April 1, 2019.

California Air Resources Board (ARB). 2010b. Pavley 1 + Low Carbon Fuel Standard Postprocessor Version 1.0 User's Guide. Website: <https://www.arb.ca.gov/cc/sb375/tools/pavleylcf-userguide.pdf>. Accessed April 1, 2019.

California Air Resources Board (ARB). 2011a. California Greenhouse Gas Emissions Inventory 2000-2009. Website: https://www.arb.ca.gov/cc/inventory/pubs/reports/ghg_inventory_00-09_report.pdf. Accessed April 1, 2019.

California Air Resources Board (ARB). 2011b. Regulation for Reducing Emissions from Consumer Products. Website: https://www.arb.ca.gov/consprod/regs/2015/article_2_final_1-22-15.pdf. Accessed April 1, 2019.

California Air Resources Board (ARB). 2013a. California Air Resources Board. Ambient Air Quality Standards. Updated May 4, 2016. Website: <https://ww3.arb.ca.gov/research/aaqs/aaqs2.pdf>. Accessed April 1, 2019.

California Air Resources Board (ARB). 2013b. The California Almanac of Air Quality and Emissions—2013 Edition. Website: <http://www.arb.ca.gov/aqd/almanac/almanac13/almanac13.htm>. Accessed April 1, 2019.

California Air Resources Board (ARB). 2013c. Area Designation Maps/State and National. 2012 State Area Designations. Page last reviewed October 18, 2017. Website: www.arb.ca.gov/design/adm/adm.htm. Accessed April 1, 2019.

California Air Resources Board (ARB). 2013d. Clean Car Standards—Pavley, Assembly Bill 1493. Website: <http://www.arb.ca.gov/cc/ccms/ccms.htm>. Accessed April 1, 2019.

California Air Resources Board (ARB). 2013e. Facts About the Clean Cars Program. Website: http://www.arb.ca.gov/msprog/zevprog/factsheets/advanced_clean_cars_eng.pdf. Accessed April 1, 2019.

California Air Resources Board (ARB). 2013f. Initial Statement of Reasons for Proposed Rulemaking, Proposed GHG Regulations for Medium and Heavy-Duty Engines and Vehicles. Website: <https://www.arb.ca.gov/regact/2013/hdghg2013/hdghg2013isor.pdf>. Accessed April 1, 2019.

California Air Resources Board (ARB). 2014a. California Greenhouse Gas Emissions for 2000 to 2012—Trends of Emissions and Other Indicators. Website: http://www.arb.ca.gov/cc/inventory/pubs/reports/ghg_inventory_00-12_report.pdf. Accessed April 1, 2019.

- California Air Resources Board (ARB). 2014b. First Update to the Climate Change Scoping Plan. Website: <http://www.arb.ca.gov/cc/scopingplan/document/updatescopingplan2013.htm>. Accessed April 1, 2019.
- California Air Resources Board (ARB). 2015a. On-Road Heavy-Duty Diesel Vehicles (In-Use) Regulation. Website: <http://www.arb.ca.gov/msprog/onrdiesel/onrdiesel.htm>. Accessed April 1, 2019.
- California Air Resources Board (ARB). 2015b. Regulation for Reducing Emissions from Consumer Products. Website: https://www.arb.ca.gov/consprod/regs/2015/article_2_final_1-22-15.pdf. Accessed April 1, 2019.
- California Air Resources Board (ARB). 2015c. Short-Lived Climate Pollutant Reduction Strategy, Concept Paper. May. Website: http://www.arb.ca.gov/cc/shortlived/concept_paper.pdf. Accessed April 1, 2019.
- California Air Resources Board (ARB). 2015d. ARB Emissions Trading Program. Website: http://www.arb.ca.gov/cc/capandtrade/guidance/cap_trade_overview.pdf. Accessed April 1, 2019.
- California Air Resources Board (ARB). 2015e. Low Carbon Fuel Standard Regulation. Website: <http://www.arb.ca.gov/regact/2015/lcfs2015/lcfs2015.htm>. Accessed April 1, 2019.
- California Air Resources Board (ARB). 2015f. Acceptance of the Greenhouse Gas Quantification Determination for the Fresno Council of Governments' Regional Transportation Plan/Sustainable Communities Strategy, Resolution 15-1, January 29. Website: http://www.arb.ca.gov/cc/sb375/fcog_final_signed_resolution_15_1.pdf. Accessed April 1, 2019.
- California Air Resources Board (ARB). 2016a. Federal Standard Area Designations. Last Reviewed February 12, 2016. Website: <http://www.arb.ca.gov/design/feddesig.htm>. Accessed April 1, 2019.
- California Air Resources Board (ARB). 2016b. California Greenhouse Inventory -Graphs. Website: <https://www.arb.ca.gov/cc/inventory/data/graph/graph.htm>. Accessed April 1, 2019.
- California Air Resources Board (ARB). 2017a. Short-Lived Climate Pollutant Reduction Strategy. March. Website: https://www.arb.ca.gov/cc/shortlived/meetings/03142017/final_slcp_report.pdf. Accessed April 1, 2019.
- California Air Resources Board (ARB). 2017b. iADAM: Air Quality Data Statistics. Website: <https://www.arb.ca.gov/adam/>. Accessed April 10, 2019.
- California Air Resources Board (ARB). 2017c. The 2017 Climate Change Scoping Plan Update, the Proposed Strategy for Achieving California's 2030 Greenhouse Gas Target. January 17, 2017. Website: https://www.arb.ca.gov/cc/scopingplan/2030sp_pp_final.pdf. Accessed April 1, 2019.

- California Air Resources Board (ARB). 2018. Climate Pollutants Fall Below 1990 Levels for the First Time. Website: <https://ww2.arb.ca.gov/news/climate-pollutants-fall-below-1990-levels-first-time>. Accessed April 5, 2019.
- California Building Standards Commission (CBSC) 2013. California Building Standards Code, California Code of Regulations Title 24, Part 11. Website: <http://www.bsc.ca.gov/Home/CALGreen.aspx>. Accessed April 1, 2019.
- California Climate Change Center. (CCCC). 2006. Our Changing Climate, Assessing the Risks to California: A Summary Report from the California Climate Change Center. July 2006. CEC-500-2006-077. Website: www.scc.ca.gov/webmaster/ftp/pdf/climate_change/assessing_risks.pdf. Accessed April 1, 2019.
- California Department of Resources Recycling and Recovery (CalRecycle). 2016a. Countywide, Regionwide, and Statewide Jurisdiction Diversion/Disposal Progress Report06). Website <https://www2.calrecycle.ca.gov/LGCentral/AnnualReporting/DiversionDisposal>. Accessed April 1, 2019.
- California Department of Resources Recycling and Recovery (CalRecycle). 2016b. California's 75 Percent Initiative: Defining the Future. Website: <https://www.calrecycle.ca.gov/calendar/75percent>. Accessed April 1, 2019.
- California Department of Water Resources (CDWR). 2008. Managing an Uncertain Future, Climate Change Adaptation Strategies for California's Water. October. Website: www.water.ca.gov/climatechange/docs/ClimateChangeWhitePaper.pdf. Accessed April 1, 2019.
- California Department of Water Resources (CDWR). 2013. California Water Plan Update 2013, Chapter 3 Urban Water Use Efficiency. Website: http://www.water.ca.gov/calendar/materials/vol3_urbanwue_apr_release_16033.pdf. No longer available on the CDWR website.
- California Department of Water Resources (CDWR). 2018. California Water Plan Update 2018. Website: <https://water.ca.gov/Programs/California-Water-Plan/Water-Plan-Updates>. Accessed April 1, 2019.
- California Energy Commission (CEC). 2014. New Title 24 Standards Will Cut Residential Energy Use by 25 Percent, Save Water, and Reduce Greenhouse Gas Emissions. Website: http://www.energy.ca.gov/releases/2014_releases/2014-07-01_new_title24_standards_nr.html. Accessed April 1, 2019.
- California Energy Commission (CEC). 2016. 2016 Building Energy Efficiency Standards Frequently Asked Questions. Website: http://www.energy.ca.gov/title24/2016standards/rulemaking/documents/2016_Building_Energy_Efficiency_Standards_FAQ.pdf. Accessed April 1, 2019.
- California Energy Commission (CEC). 2018a. California Code of Regulations Title 20, Division 2, Article 4 Appliance Efficiency Regulations. Website: [https://govt.westlaw.com/calregs/Browse/Home/California/CaliforniaCodeofRegulations?guid=I8F8F3BC0D44E11DEA95CA4428EC25FA0&originationContext=documenttoc&transitionType=Default&contextData=\(sc.Default\)](https://govt.westlaw.com/calregs/Browse/Home/California/CaliforniaCodeofRegulations?guid=I8F8F3BC0D44E11DEA95CA4428EC25FA0&originationContext=documenttoc&transitionType=Default&contextData=(sc.Default)). Accessed April 1, 2019.

- California Energy Commission (CEC). 2018b. 2019 Building Energy Efficiency Standards Frequently Asked Questions. Website: https://www.energy.ca.gov/title24/2019standards/documents/2018_Title_24_2019_Building_Standards_FAQ.pdf. Accessed April 1, 2019.
- California Energy Commission. (CEC). 2014a. Integrated Energy Policy Report: 204 IEPR Update. Website: <http://www.energy.ca.gov/2014publications/CEC-100-2014-001/CEC-100-2014-001-CMF-small.pdf>. Accessed April 1, 2019.
- California Energy Commission. (CEC). 2014b. California Energy Commission News Release: New Title 24 Standards Will Cut Residential Energy Use by 25 Percent, Save Water, and Reduce Greenhouse Gas Emissions. No longer available on CEC website.
- California Environmental Protection Agency. 2002. Office of Environmental Health Hazard Assessment. Health Effects of Diesel Exhaust. Website: <http://oehha.ca.gov/media/downloads/calenviroscreen/indicators/diesel4-02.pdf>. Accessed April 1, 2019. (Note: information is used in Table 1.)
- California Legislative Information (California Leginfo). 2015. Senate Bill 350 Clean Energy and Pollution Reduction Act of 2015. Website: https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201520160SB350. Accessed April 1, 2019.
- California Legislative Information (California Leginfo). 2018. Senate Bill 100 California Renewables Portfolio Standard Program. Website: https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180SB100. Accessed April 11, 2019.
- California Natural Resources Agency. 2009. 2009 California Climate Adaptation Strategy. Website: <http://www.climatechange.ca.gov/adaptation/strategy/index.html>. Accessed April 1, 2019.
- California Office of Environmental Health Hazards Assessment 2015. Air Toxics Hot Spots Program Risk Assessment Guidelines. Guidance Manual for Preparation of Health Risk Assessments. February. Website: <http://oehha.ca.gov/media/downloads/crnrr/2015guidancemanual.pdf>. Accessed April 1, 2019.
- California Public Utilities Commission. (CPUC). 2016. Renewable Portfolio Standard Quarterly Report. Website: http://www.cpuc.ca.gov/uploadedFiles/CPUC_Website/Content/Utilities_and_Industries/Energy/Reports_and_White_Papers/Q4_2016_RPS_Report_to_the_Legislature_FINAL.pdf. Accessed April 1, 2019.
- Center for Climate and Energy Solutions (C2ES). 2015a. Outcomes of the U.N. Climate Change Conference. Website: <http://www.c2es.org/international/negotiations/cop21-paris/summary>. Accessed April 1, 2019.
- Center for Climate and Energy Solutions (C2ES). 2015b. Multi-State Climate Initiatives. Website: <http://www.c2es.org/us-states-regions/regional-climate-initiatives>. Accessed April 1, 2019.
- Centers for Disease Control and Prevention (CDC). 2010. Department of Health and Human Services, the National Institute for Occupational Safety and Health. Carbon Dioxide. Website: www.cdc.gov/niosh/npg/npgd0103.html. Accessed April 1, 2019.

- Centers for Disease Control and Prevention (CDC). 2012. Construction—Website: www.cdc.gov/niosh/construction/. Indoor Environmental Quality—Website: www.cdc.gov/niosh/topics/indoorenv/constructionieq.html. Accessed April 1, 2019.
- City of Clovis. 2000. Zone Map. Revised July 31, 2017. Website: <https://cityofclovis.com/wp-content/uploads/2018/10/Zoning-Map.pdf>. Accessed April 1, 2019.
- City of Clovis. 2014. City of Clovis General Plan. Website: <https://cityofclovis.com/planning-and-development/planning/master-plans/general-plan/>. Accessed April 1, 2019.
- City of Clovis. 2015a. City of Clovis Department of Planning and Development Services. General Plan Map (Updated October 13, 2017). Website: <https://cityofclovis.com/wp-content/uploads/2018/10/General-Plan-Map.pdf>. Accessed April 1, 2019.
- City of Clovis. 2015b. Clovis Parks and Trails Map. Updated April 13, 2018. Website: <https://cityofclovis.com/wp-content/uploads/2018/10/Clovis-Parks-and-Trails-Map.pdf>. Accessed April 1, 2019.
- Climate Action Reserve (CAR). 2017. AB 398: California Extends Cap-and-Trade Program. Website: <http://www.climateactionreserve.org/blog/2017/07/20/ab-398-california-extends-cap-and-trade-program/>. Accessed April 1, 2019.
- Energy and Environmental Economics. 2015. Pathways to Deep Decarbonization in the United States. Website: <http://unsdsn.org/wp-content/uploads/2014/09/US-Deep-Decarbonization-Report.pdf>. Accessed April 1, 2019.
- Fresno Council of Governments (Fresno COG). 2013. Fresno County Regional Traffic Monitoring Report. April 15. Website: https://www.fresnocog.org/wp-content/uploads/publications/Modeling/TrafficCountReport_2007-2012.PDF. Accessed April 1, 2019.
- Fresno Council of Governments (Fresno COG). 2016. Conformity Analysis for the 2017 Federal Transportation Improvement Program and 2014 Regional Transportation Plan. September 29. Website: https://www.fresnocog.org/wp-content/uploads/publications/FTIP/2017_FTIP/Final_2017_FTIP_Docs/03_2017_Final_Conformity_for_2017_FTIP-2014_RTP_9-29-16.pdf. Accessed April 1, 2019.
- Fresno Council of Governments (Fresno COG). 2018. Regional Transportation Plan. Website: https://www.fresnocog.org/wp-content/uploads/2017/02/2018-RTP_Chapter-1_Regional-Context_7-3-18.pdf. Accessed April 1, 2019.
- Fresno County Department of Public Health. 2014. A Summary of Valley Fever in Fresno County (2014). Website: <http://www.co.fresno.ca.us/home/showdocument?id=20590>. Accessed April 1, 2019.
- Governor's Office of Planning and Research. 2008. Technical Advisory. CEQA and Climate Change: Addressing Climate Change Through California Environmental Quality Act (CEQA) Review. Website: <http://opr.ca.gov/docs/june08-ceqa.pdf>. Accessed April 1, 2019.
- Intergovernmental Panel on Climate Change (IPCC). 2001. Climate Change 2001: The Scientific Basis. Website: https://www.ipcc.ch/site/assets/uploads/2018/07/WG1_TAR_FM.pdf. Accessed April 1, 2019.

- Intergovernmental Panel on Climate Change (IPCC). 2007a. Climate Change 2007: The Physical Science Basis. Contribution of Working Group I to the Fourth Assessment Report of the Intergovernmental Panel on Climate Change (Solomon, S., D. Qin, M. Manning, Z. Chen, M. Marquis, K.B. Averyt, M. Tignor and H.L. Miller [eds.]). Cambridge University Press, Cambridge, United Kingdom and New York, NY, USA, Website: www.ipcc.ch/publications_and_data/ar4/wg1/en/contents.html. Accessed April 1, 2019.
- Intergovernmental Panel on Climate Change (IPCC). 2007b. Climate Change 2007: Synthesis Report. Contribution of Working Groups I, II and III to the Fourth Assessment Report of the Intergovernmental Panel on Climate Change (Core Writing Team, Pachauri, R.K. and Reisinger, A. [eds.]). IPCC, Geneva, Switzerland. Website: <https://www.ipcc.ch/report/ar4/syr/>. Accessed April 1, 2019.
- Intergovernmental Panel on Climate Change (IPCC). 2013. Climate Change 2013: The Physical Science Basis. Contribution of Working Group I to the Fifth Assessment Report of the Intergovernmental Panel on Climate Change. Website: <https://www.ipcc.ch/report/ar5/wg1/>. Accessed April 1, 2019.
- Moser et al. 2009. Moser, Susie, Guido Franco, Sarah Pittiglio, Wendy Chou, Dan Cayan. 2009. The Future Is Now: An Update on Climate Change Science Impacts and Response Options for California. California Energy Commission, PIER Energy-Related Environmental Research Program. CEC-500-2008-071. Website: www.energy.ca.gov/2008publications/CEC-500-2008-071/CEC-500-2008-071.PDF. Accessed April 1, 2019.
- National Aeronautics and Space Administration (NASA). 2015. NASA—Global Climate Change, Vital Signs of a Planet. Website: <http://climate.nasa.gov/causes/>. Accessed April 1, 2019.
- National Toxicology Program. 2011. Thirteenth Report on Carcinogens; U.S. Department of Health and Human Services, Public Health Service. Benzene. Website: <https://ntp.niehs.nih.gov/annualreport/2015/glance/roc/index.html>. Accessed April 1, 2019. (Note: information is used in Table 1.)
- National Toxicology Program. 2016. Report on Carcinogens, Fourteenth Edition; U.S. Department of Health and Human Services, Public Health Service. Diesel Exhaust Particles. Website: <https://ntp.niehs.nih.gov/ntp/roc/content/profiles/dieselexhaustparticulates.pdf>. Accessed April 1, 2019. (Note: information is used in Table 1.)
- Occupational Safety and Health Administration (OSHA). 2003. United States Department of Labor. Safety and Health Topics: Methane. Website: www.osha.gov/dts/chemicalsampling/data/CH_250700.html. Accessed April 1, 2019.
- San Joaquin Valley Air Pollution Control District (SJVAPCD). 2007. 2007 Ozone Plan. Website: www.valleyair.org/Air_Quality_Plans/AQ_Final_Adopted_Ozone2007.htm. Accessed April 1, 2019.
- San Joaquin Valley Air Pollution Control District (SJVAPCD). 2008. Climate Action Plan. Website: http://www.valleyair.org/programs/CCAP/CCAP_menu.htm. Accessed April 1, 2019.

- San Joaquin Valley Air Pollution Control District (SJVAPCD). 2009a. Guidance for Land-use Agencies in Addressing GHG Emission Impacts for New Projects under CEQA. Website: www.valleyair.org/programs/CCAP/11-05-09/3_CCAP_FINAL_LU_Guidance_Nov_05_2009.pdf. Accessed April 1, 2019.
- San Joaquin Valley Air Pollution Control District (SJVAPCD). 2009b. "Final Staff Report, Addressing Greenhouse Gas Emissions Impacts under the California Environmental Quality Act." Website: http://www.valleyair.org/programs/CCAP/11-05-09/1_CCAP_FINAL_CEQA_GHG_Draft_Staff_Report_Nov_05_2009.pdf. December 2009. Accessed April 1, 2019.
- San Joaquin Valley Air Pollution Control District (SJVAPCD). 2012. 2012 PM_{2.5} Plan. Website: http://www.valleyair.org/Air_Quality_Plans/PM25Plan2012/CompletedPlanbookmarked.pdf. Accessed April 1, 2019.
- San Joaquin Valley Air Pollution Control District (SJVAPCD). 2015a. Guidance for Assessing and Mitigating Air Quality Impacts. Revised March 19, 2015. Website: http://www.valleyair.org/transportation/GAMAQI_3-19-15.pdf. Accessed April 1, 2019.
- San Joaquin Valley Air Pollution Control District (SJVAPCD). 2015b. 2015 Plan for the 1997 PM_{2.5} Standard. Website: http://www.valleyair.org/Air_Quality_Plans/docs/PM25-2015/2015-PM2.5-Plan_Bookmarked.pdf. Accessed April 1, 2019.
- San Joaquin Valley Air Pollution Control District (SJVAPCD). 2016. 2016 Plan for the 2008 8-Hour Ozone Standard. Website: http://www.valleyair.org/Air_Quality_Plans/Ozone-Plan-2016/Adopted-Plan.pdf. April 1, 2019.
- San Joaquin Valley Air Pollution Control District (SJVAPCD). 2017a. Ambient Air Quality Standards & Valley Attainment Status. Website: <http://www.valleyair.org/aqinfo/attainment.htm>. Accessed April 1, 2019.
- San Joaquin Valley Air Pollution Control District (SJVAPCD). 2017b. Adopted PM Plans. http://www.valleyair.org/Air_Quality_Plans/PM_Plans.htm. Accessed April 1, 2019.
- San Joaquin Valley Air Pollution Control District. 2018a. Ozone Plans. Website: http://valleyair.org/Air_Quality_Plans/Ozone_Plans.htm. Accessed April 1, 2019.
- San Joaquin Valley Air Pollution Control District. 2018b. 2018 Plan for the 1997, 2006, and 2012 PM_{2.5} Standards. Website: <http://valleyair.org/pmplans/>. Accessed April 1, 2019.
- U. S. Geological Survey. 2000. Operational Guidelines (version 1.0) for Geological Fieldwork in Areas Endemic for Coccidioidomycosis (Valley Fever). Website: <http://citeseerx.ist.psu.edu/viewdoc/download?doi=10.1.1.486.1526&rep=rep1&type=pdf>. Accessed April 1, 2019.
- U.S. Environmental Protection Agency (EPA). 2003. Particle Pollution and your Health. EPA-452/F-03-001. Website: <https://www.epa.gov/pm-pollution>. Accessed April 1, 2019.
(Note: information is used in Table 1.)
- U.S. Environmental Protection Agency (EPA). 2009a. Ozone and your Health. EPA-456/F-09-001. Website: <http://www.epa.gov/airnow/ozone-c.pdf>. Accessed April 1, 2019.
(Note: information is used in Table 1.)

- U.S. Environmental Protection Agency (EPA). 2009b. Fact Sheet, Proposed Revisions to the National Ambient Air Quality Standards for Nitrogen Dioxide. July 22, 2009. Website: <https://www.epa.gov/no2-pollution>. Accessed April 1, 2019. (Note: information is used in Table 1.)
- U.S. Environmental Protection Agency (EPA). 2009c. Endangerment and Cause or Contribute Findings for Greenhouse Gases under Section 202(a) of the Clean Air Act. Website: <https://www.epa.gov/ghgemissions/endangerment-and-cause-or-contribute-findings-greenhouse-gases-under-clean-air-act>. Accessed April 1, 2019.
- U.S. Environmental Protection Agency (EPA). 2010a. Technology Transfer Network, Air Toxics Website. Page updated April 5, 2010. Health Effects Notebook for Hazardous Air Pollutants. Website: <https://www.epa.gov/haps/health-effects-notebook-hazardous-air-pollutants>. Accessed April 1, 2019. (Note: information is used in Table 1.)
- U.S. Environmental Protection Agency (EPA). 2010b. Clean Air Act Permitting of Greenhouse Gases: Guidance and Technical Information, Fact Sheet. Website: <https://www.epa.gov/sites/production/files/2015-12/documents/ghgpermittingtoolsfs.pdf>. Accessed April 1, 2019.
- U.S. Environmental Protection Agency (EPA). 2011a. Indoor Air Quality. Sources of Indoor Air Pollution—Organic Gases (Volatile Organic Compounds—VOCs). Website: <https://www.epa.gov/indoor-air-quality-iaq/volatile-organic-compounds-impact-indoor-air-quality#Sources>. Accessed April 1, 2019. (Note: data is used in Table 1.)
- U.S. Environmental Protection Agency (EPA). 2011b. 2011 U.S. Greenhouse Gas Inventory Report. Inventory of U.S. Greenhouse Gas Emissions and Sinks: 1990-2009. EPA 430-R-11-005. Website: <https://www.epa.gov/ghgemissions/inventory-us-greenhouse-gas-emissions-and-sinks-1990-2009>. Accessed April 1, 2019.
- U.S. Environmental Protection Agency (EPA). 2012a. Fact Sheet, Final Revisions to the National Ambient Air Quality Standards for Nitrogen Dioxide. January 22, 2012. Website: <https://www.epa.gov/no2-pollution>. Accessed April 1, 2019. (Note: information is used in Table 1.)
- U.S. Environmental Protection Agency (EPA). 2012b. EPA and NHTSA Set Standards to Reduce Greenhouse Gases and Improve Fuel Economy for Model Years 2017-2025 Cars and Light Trucks. Website: <https://nepis.epa.gov/Exe/ZyNET.exe/P100EZ7C.TXT?ZyActionD=ZyDocument&Client=EPA&Index=2011+Thru+2015&Docs=&Query=&Time=&EndTime=&SearchMethod=1&TocRestrict=n&Toc=&TocEntry=&QField=&QFieldYear=&QFieldMonth=&QFieldDay=&IntQFieldOp=0&ExtQFieldOp=0&XmlQuery=&File=D%3A%5Czyfiles%5CIndex%20Data%5C11thru15%5CTxt%5C00000005%5CP100EZ7C.txt&User=ANONYMOUS&Password=anonymous&SortMethod=h%7C-&MaximumDocuments=1&FuzzyDegree=0&ImageQuality=r75g8/r75g8/x150y150g16/i425&Display=hpfr&DefSeekPage=x&SearchBack=ZyActionL&Back=ZyActionS&BackDesc=Results%20page&MaximumPages=1&ZyEntry=1&SeekPage=x&ZyPURL>. Accessed April 1, 2019.
- U.S. Environmental Protection Agency (EPA). 2013. Federal Register. National Ambient Air Quality Standards for Particulate Matter. Website: <http://www.gpo.gov/fdsys/pkg/FR-2013-01-15/pdf/2012-30946.pdf>. Accessed April 1, 2019.

- U.S. Environmental Protection Agency (EPA). 2014. Clean Air Act Requirements and History. Website: <https://www.epa.gov/clean-air-act-overview/clean-air-act-requirements-and-history>. Accessed April 1, 2019.
- U.S. Environmental Protection Agency (EPA). 2016a. Green Book Nonattainment Areas for Criteria Pollutants as of April 22, 2016. Website: <https://www.epa.gov/green-book>. Accessed: April 1, 2019.
- U.S. Environmental Protection Agency (EPA). 2016b. Final Rule for San Joaquin Valley Determination of Attainment of the 1-Hour Ozone National Ambient Air Quality Standards. Website: <https://www3.epa.gov/region9/air/actions/pdf/ca/sjv/epa-r09-oar-2016-0164-sjv-1hr-o2-determin-attain-factsheet-2016-06-30.pdf>. Accessed: April 1, 2019.
- U.S. Environmental Protection Agency (EPA). 2017. Electric Utility Generating Units: Repealing the Clean Power Plan. Website: <https://www.epa.gov/stationary-sources-air-pollution/electric-utility-generating-units-repealing-clean-power-plan>. Accessed April 1, 2019.
- U.S. Environmental Protection Agency (EPA). 2018. Fact Sheet, Final Rule: Implementation of the 2015 National Ambient Air Quality Standards for Ozone: Nonattainment Area Classification Approach. Website: <https://www.epa.gov/sites/production/files/2018-03/documents/fs-2015-ozone-implementation-03012018.pdf>. Accessed April 1, 2019.
- U.S. Geological Survey. 2011. Van Gosen, B.S., and Clinkenbeard, J.P. California Geological Survey Map Sheet 59. Reported Historic Asbestos Mines, Historic Asbestos Prospects, and Other Natural Occurrences of Asbestos in California. Open-File Report 2011-1188 Website: <http://pubs.usgs.gov/of/2011/1188/>. Accessed April 1, 2019.
- Western Regional Climate Center. 2012. Recent Climate in the West. Website: <http://www.wrcc.dri.edu/>. Accessed April 1, 2019.
- White House, The. Statement by President Trump on the Paris Climate Accord. Website: <https://www.whitehouse.gov/the-press-office/2017/06/01/statement-president-trump-paris-climate-accord>. Accessed April 1, 2019.
- World Resources Institute (WRI). 2014. Annual Report for 2014. Website: <http://www.wri.org/annualreport/2014/#around-the-world>. Accessed April 1, 2019.

Appendix A: CalEEMod Modeling Results

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Appendix A: Modeling Assumptions and Results

Modeling Assumptions for Lennar Tract 6262

		Units		
Townhomes		185		
Construction Schedule				
Grade		10/23/2019		
Ground Up		6/23/2020		
Buildout		6/23/2023		
APN	561-260-10	561-260-17		
Acres (gross/net)		12.5	12.50	
Zoning	R-2			
Density (DU/Acre)		14.8		
PG&E Emission Factor for 2020	MTCO2/MWh			
2020		290		
PG&E Greenhouse Gas Emission Factors: Guidance for PG&E Customers November 2015				
Distance to Downtown Clovis	2.0 Miles			
Dry Cleaner	Club Cleaners 7509 N. Willow		0.5	
Gas Station	Willow and Alluvial		0.5	
Auto Body Shop	Herndon and Minnewawa		0.7	
Architectural Coatings		Percent Use	Weighted Avg	
Flat Coatings after 1/1/ 2012		50	0.75	37.5
Non-Flat Coatings after 2012		100	0.25	25
				62.5
Used 65 to account for uncertainty				65
Rule 4601 Architectural Coatings compliance				

Lennar Tract 6262 Emission Summary

Construction Emissions		ROG	NOX	Tons/Year			
				CO	SO2	PM10	PM2.5
	2019	0.11	1.17	0.73	0.00	0.28	0.16
	2020	0.36	2.89	2.74	0.01	0.31	0.18
	2021	0.80	0.43	0.46	0.00	0.04	0.03
Total		1.28	4.48	3.93	0.01	0.63	0.36
Highest Emissions in Any Year		0.80	2.89	2.74	0.01	0.31	0.18

Unmitigated Operational Emissions		ROG	NOX	Tons/Year			
				CO	SO2	PM10	PM2.5
Area		0.95	0.09	1.41	0.00	0.01	0.01
Energy		0.02	0.15	0.07	0.00	0.01	0.01
Mobile		0.36	1.31	4.09	0.01	0.01	0.32
Total		1.32	1.54	5.56	0.01	0.04	0.34

Mitigated Operational Emissions		ROG	NOX	Tons/Year			
				CO	SO2	PM10	PM2.5
Area		0.85	0.09	1.41	0.00	0.01	0.01
Energy		0.02	0.15	0.07	0.00	0.01	0.01
Mobile		0.35	1.25	3.87	0.01	1.08	0.30
Total		1.22	1.49	5.34	0.01	1.11	0.32

Construction Summer Daily Maximum Daily Emission		ROG	NOX	Pound/Day			
				CO	SO2	PM10	PM2.5
	2019	4.85	54.58	34.10	0.06	10.67	6.71
	2020	2.85	21.97	21.49	0.04	2.37	1.40
	2021	75.58	19.96	20.78	0.04	2.20	1.24
Max Daily any Year		75.58	54.58	34.10	0.06	10.67	6.71

Max ROG emissions from architectural coatings adjusted to reflect a maximum of 3 units being painted simultaneously.

Construction Winter Daily Maximum Daily Emission		ROG	NOX	Pound/Day			
				CO	SO2	PM10	PM2.5
	2019	4.84	54.59	33.99	0.06	10.67	6.71
	2020	2.80	22.06	20.93	0.04	2.37	1.40
	2021	75.58	20.03	20.25	0.04	2.20	1.24
Max Daily Any Year		75.58	54.59	33.99	0.06	10.67	6.71

Max ROG emissions from architectural coatings adjusted to reflect a maximum of 3 units being painted simultaneously.

Operations 2021 Summer Maximum Daily Emissions		ROG	NOX	Pound/Day			
				CO	SO2	PM10	PM2.5
Area		5.03	1.86	16.01	0.01	0.22	0.22
Energy		0.10	0.84	0.36	0.01	0.07	0.07
Mobile		0.18	0.47	1.67	0.00	0.43	0.12
Total		5.31	3.17	18.04	0.02	0.72	0.41

Mobile emissions reduced to count only localized emissions at the site using a 0.5 mile trip length and the default trip length 7.3 mi.

Localized Trip Length Fraction 0.07

Area emissions are from mitigated report to reflect no woodburning devices.

Operations 2021 Winter

Maximum Daily Emissions

	Pound/Day					
	ROG	NOX	CO	SO2	PM10	PM2.5
Area	5.03	1.86	16.01	0.01	0.22	0.22
Energy	0.10	0.84	0.36	0.01	0.07	0.07
Mobile	0.12	0.50	1.52	0.00	0.43	0.12
	5.25	3.20	17.89	0.02	0.72	0.41

Mobile emissions reduced to count only localized emissions at the site using a 0.5 mile trip length and the default trip length 7.3 mi.

Localized Trip Length Fraction 0.068

Area emissions are from mitigated report to reflect no woodburning devices.

Construction GHG Emissions

Year	MTCO2e
2019-2021 Total	496.77
Total	496.77
Amortized over 30 years	16.56

Operational GHG Emissions 2021

	BAU (MTCO2e)	2021 (MTCO2e)	Percent Reduction
Area	139.39	82.92	40.5%
Energy	476.02	313.40	34.2%
Mobile	1,377.96	959.54	30.4%
Waste	42.80	32.10	25.0%
Water	43.22	22.86	47.1%
Total	2,079.39	1,410.81	32.2%
Construction	16.56	16.56	0.0%
Total with Amortized Construction	2,095.95	1,427.37	31.9%

Reduction from BAU **668.58****Operational GHG Emissions 2030**

	BAU (MTCO2e)	2030 (MTCO2e)	Percent Reduction
Area	139.39	82.92	40.5%
Energy	476.02	313.40	34.2%
Mobile	1,377.96	673.34	51.1%
Waste	42.80	32.10	25.0%
Water	43.22	22.86	47.1%
Total	2,079.39	1,124.60	45.9%
Construction	16.56	16.56	0.0%
Total with Amortized Construction	2,095.95	1,141.16	45.6%

Reduction from BAU **954.78**

Mobile sources in 2021 are reduced by 10 percent for the LCFS

Mobile sources in 2030 are reduced by 18 percent for LCFS

Appendix A: CalEEMod Output

CalEEMod Output

Construction and Operations (Annual)

Lennar Tract 6262 Townhomes - Fresno County, Annual

Lennar Tract 6262 Townhomes
Fresno County, Annual**1.0 Project Characteristics**

1.1 Land Usage

Land Uses	Size	Metric	Lot Acreage	Floor Surface Area	Population
Condo/Townhouse	185.00	Dwelling Unit	12.50	185,000.00	529

1.2 Other Project Characteristics

Urbanization	Urban	Wind Speed (m/s)	2.2	Precipitation Freq (Days)	45
Climate Zone	3			Operational Year	2021
Utility Company	Pacific Gas & Electric Company				
CO2 Intensity (lb/MW hr)	290	CH4 Intensity (lb/MW hr)	0.022	N2O Intensity (lb/MW hr)	0.005

1.3 User Entered Comments & Non-Default Data

Lennar Tract 6262 Townhomes - Fresno County, Annual

Project Characteristics - PG&E Intensity Factors

Land Use - Site plan acreage 12.5 ac.

Construction Phase -

Architectural Coating - Rule 4601 Compliant Coatings

Construction Off-road Equipment Mitigation -

Mobile Land Use Mitigation - Clovis Transit Route 10

Area Mitigation - Rule 4601 compliant coatings

Water Mitigation -

Waste Mitigation - Statewide recycling/reuse mandate

Fleet Mix - SJVAPCD Residential Fleet Mix

Lennar Tract 6262 Townhomes - Fresno County, Annual

Table Name	Column Name	Default Value	New Value
tblArchitecturalCoating	EF_Residential_Exterior	150.00	65.00
tblArchitecturalCoating	EF_Residential_Interior	150.00	65.00
tblAreaMitigation	UseLowVOCPaintResidentialExteriorValue	150	65
tblAreaMitigation	UseLowVOCPaintResidentialInteriorValue	150	65
tblFleetMix	HHD	0.12	0.02
tblFleetMix	LDA	0.49	0.53
tblFleetMix	LDT1	0.03	0.20
tblFleetMix	LDT2	0.17	0.17
tblFleetMix	LHD1	0.02	1.3000e-003
tblFleetMix	LHD2	4.7320e-003	9.0000e-004
tblFleetMix	MCY	5.1540e-003	2.5000e-003
tblFleetMix	MDV	0.12	0.05
tblFleetMix	MH	6.2900e-004	1.8000e-003
tblFleetMix	MHD	0.03	8.6000e-003
tblFleetMix	OBUS	2.3660e-003	0.00
tblFleetMix	SBUS	1.0970e-003	7.0000e-004
tblFleetMix	UBUS	1.5900e-003	4.4000e-003
tblLandUse	LotAcreage	11.56	12.50
tblProjectCharacteristics	CH4IntensityFactor	0.029	0.022
tblProjectCharacteristics	CO2IntensityFactor	641.35	290
tblProjectCharacteristics	N2OIntensityFactor	0.006	0.005
tblWoodstoves	NumberCatalytic	12.50	0.00
tblWoodstoves	NumberNoncatalytic	12.50	0.00

2.0 Emissions Summary

Lennar Tract 6262 Townhomes - Fresno County, Annual

2.1 Overall Construction**Unmitigated Construction**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	tons/yr										MT/yr					
2019	0.1100	1.1679	0.7320	1.3700e-003	0.2295	0.0543	0.2838	0.1060	0.0501	0.1561	0.0000	122.6458	122.6458	0.0353	0.0000	123.5277
2020	0.3627	2.8857	2.7433	5.6000e-003	0.1567	0.1490	0.3056	0.0420	0.1401	0.1821	0.0000	494.6232	494.6232	0.0860	0.0000	496.7728
2021	0.8037	0.4256	0.4591	8.8000e-004	0.0201	0.0213	0.0414	5.3900e-003	0.0200	0.0254	0.0000	77.7350	77.7350	0.0158	0.0000	78.1288
Maximum	0.8037	2.8857	2.7433	5.6000e-003	0.2295	0.1490	0.3056	0.1060	0.1401	0.1821	0.0000	494.6232	494.6232	0.0860	0.0000	496.7728

Mitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	tons/yr										MT/yr					
2019	0.1100	1.1679	0.7320	1.3700e-003	0.1083	0.0543	0.1626	0.0491	0.0501	0.0991	0.0000	122.6457	122.6457	0.0353	0.0000	123.5276
2020	0.3627	2.8857	2.7432	5.6000e-003	0.1567	0.1490	0.3056	0.0420	0.1401	0.1821	0.0000	494.6229	494.6229	0.0860	0.0000	496.7725
2021	0.8037	0.4256	0.4591	8.8000e-004	0.0201	0.0213	0.0414	5.3900e-003	0.0200	0.0254	0.0000	77.7349	77.7349	0.0158	0.0000	78.1288
Maximum	0.8037	2.8857	2.7432	5.6000e-003	0.1567	0.1490	0.3056	0.0491	0.1401	0.1821	0.0000	494.6229	494.6229	0.0860	0.0000	496.7725

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	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Percent Reduction	0.00	0.00	0.00	0.00	29.84	0.00	19.22	37.13	0.00	15.67	0.00	0.00	0.00	0.00	0.00	0.00

Quarter	Start Date	End Date	Maximum Unmitigated ROG + NOX (tons/quarter)	Maximum Mitigated ROG + NOX (tons/quarter)
1	10-23-2019	1-22-2020	1.4738	1.4738
2	1-23-2020	4-22-2020	0.8076	0.8076
3	4-23-2020	7-22-2020	0.8065	0.8065
4	7-23-2020	10-22-2020	0.8157	0.8157
5	10-23-2020	1-22-2021	0.7987	0.7987
6	1-23-2021	4-22-2021	1.0595	1.0595
		Highest	1.4738	1.4738

2.2 Overall Operational

Unmitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Area	0.9460	0.0851	1.4061	5.1000e-004		0.0132	0.0132		0.0132	0.0132	0.0000	82.3872	82.3872	3.7100e-003	1.4700e-003	82.9178
Energy	0.0179	0.1532	0.0652	9.8000e-004		0.0124	0.0124		0.0124	0.0124	0.0000	311.4026	311.4026	0.0136	5.5600e-003	313.3994
Mobile	0.3596	1.3061	4.0870	0.0124	1.1488	0.0112	1.1599	0.3075	0.0104	0.3179	0.0000	1,137.7427	1,137.7427	0.0787	0.0000	1,139.7113
Waste						0.0000	0.0000		0.0000	0.0000	17.2745	0.0000	17.2745	1.0209	0.0000	42.7969
Water						0.0000	0.0000		0.0000	0.0000	3.8240	12.0779	15.9019	0.3937	9.4800e-003	28.5696
Total	1.3235	1.5444	5.5583	0.0139	1.1488	0.0367	1.1855	0.3075	0.0360	0.3434	21.0986	1,543.6103	1,564.7089	1.5106	0.0165	1,607.3950

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2.2 Overall Operational**Mitigated Operational**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Area	0.8476	0.0851	1.4061	5.1000e-004		0.0132	0.0132		0.0132	0.0132	0.0000	82.3872	82.3872	3.7100e-003	1.4700e-003	82.9178
Energy	0.0179	0.1532	0.0652	9.8000e-004		0.0124	0.0124		0.0124	0.0124	0.0000	311.4026	311.4026	0.0136	5.5600e-003	313.3994
Mobile	0.3530	1.2536	3.8716	0.0116	1.0695	0.0105	1.0800	0.2862	9.7900e-003	0.2960	0.0000	1,064.2684	1,064.2684	0.0753	0.0000	1,066.1504
Waste						0.0000	0.0000		0.0000	0.0000	12.9559	0.0000	12.9559	0.7657	0.0000	32.0977
Water						0.0000	0.0000		0.0000	0.0000	3.0592	9.6623	12.7215	0.3149	7.5900e-003	22.8557
Total	1.2185	1.4919	5.3429	0.0131	1.0695	0.0360	1.1055	0.2862	0.0354	0.3216	16.0151	1,467.7205	1,483.7356	1.1732	0.0146	1,517.4210

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Percent Reduction	7.93	3.40	3.88	5.76	6.90	1.85	6.74	6.90	1.75	6.36	24.09	4.92	5.17	22.34	11.45	5.60

3.0 Construction Detail**Construction Phase**

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Phase Number	Phase Name	Phase Type	Start Date	End Date	Num Days Week	Num Days	Phase Description
1	Site Preparation	Site Preparation	10/23/2019	11/5/2019	5	10	
2	Grading	Grading	11/6/2019	12/17/2019	5	30	
3	Building Construction	Building Construction	12/18/2019	2/9/2021	5	300	
4	Paving	Paving	2/10/2021	3/9/2021	5	20	
5	Architectural Coating	Architectural Coating	3/10/2021	4/6/2021	5	20	

Acres of Grading (Site Preparation Phase): 0

Acres of Grading (Grading Phase): 75

Acres of Paving: 0

Residential Indoor: 374,625; Residential Outdoor: 124,875; Non-Residential Indoor: 0; Non-Residential Outdoor: 0; Striped Parking Area: 0 (Architectural Coating – sqft)

OffRoad Equipment

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Phase Name	Offroad Equipment Type	Amount	Usage Hours	Horse Power	Load Factor
Architectural Coating	Air Compressors	1	6.00	78	0.48
Grading	Excavators	2	8.00	158	0.38
Building Construction	Cranes	1	7.00	231	0.29
Building Construction	Forklifts	3	8.00	89	0.20
Building Construction	Generator Sets	1	8.00	84	0.74
Paving	Pavers	2	8.00	130	0.42
Paving	Rollers	2	8.00	80	0.38
Grading	Rubber Tired Dozers	1	8.00	247	0.40
Building Construction	Tractors/Loaders/Backhoes	3	7.00	97	0.37
Grading	Graders	1	8.00	187	0.41
Grading	Tractors/Loaders/Backhoes	2	8.00	97	0.37
Paving	Paving Equipment	2	8.00	132	0.36
Site Preparation	Tractors/Loaders/Backhoes	4	8.00	97	0.37
Site Preparation	Rubber Tired Dozers	3	8.00	247	0.40
Grading	Scrapers	2	8.00	367	0.48
Building Construction	Welders	1	8.00	46	0.45

Trips and VMT

Phase Name	Offroad Equipment Count	Worker Trip Number	Vendor Trip Number	Hauling Trip Number	Worker Trip Length	Vendor Trip Length	Hauling Trip Length	Worker Vehicle Class	Vendor Vehicle Class	Hauling Vehicle Class
Site Preparation	7	18.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Grading	8	20.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Building Construction	9	133.00	20.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Paving	6	15.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Architectural Coating	1	27.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT

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3.1 Mitigation Measures Construction

Water Exposed Area

3.2 Site Preparation - 2019**Unmitigated Construction On-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					0.0903	0.0000	0.0903	0.0497	0.0000	0.0497	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	0.0217	0.2279	0.1103	1.9000e-004		0.0120	0.0120		0.0110	0.0110	0.0000	17.0843	17.0843	5.4100e-003	0.0000	17.2195
Total	0.0217	0.2279	0.1103	1.9000e-004	0.0903	0.0120	0.1023	0.0497	0.0110	0.0607	0.0000	17.0843	17.0843	5.4100e-003	0.0000	17.2195

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3.2 Site Preparation - 2019**Unmitigated Construction Off-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	4.3000e-004	2.8000e-004	2.8000e-003	1.0000e-005	7.2000e-004	0.0000	7.2000e-004	1.9000e-004	0.0000	2.0000e-004	0.0000	0.6427	0.6427	2.0000e-005	0.0000	0.6432
Total	4.3000e-004	2.8000e-004	2.8000e-003	1.0000e-005	7.2000e-004	0.0000	7.2000e-004	1.9000e-004	0.0000	2.0000e-004	0.0000	0.6427	0.6427	2.0000e-005	0.0000	0.6432

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					0.0407	0.0000	0.0407	0.0223	0.0000	0.0223	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	0.0217	0.2279	0.1103	1.9000e-004		0.0120	0.0120		0.0110	0.0110	0.0000	17.0843	17.0843	5.4100e-003	0.0000	17.2195
Total	0.0217	0.2279	0.1103	1.9000e-004	0.0407	0.0120	0.0526	0.0223	0.0110	0.0333	0.0000	17.0843	17.0843	5.4100e-003	0.0000	17.2195

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3.2 Site Preparation - 2019**Mitigated Construction Off-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	4.3000e-004	2.8000e-004	2.8000e-003	1.0000e-005	7.2000e-004	0.0000	7.2000e-004	1.9000e-004	0.0000	2.0000e-004	0.0000	0.6427	0.6427	2.0000e-005	0.0000	0.6432
Total	4.3000e-004	2.8000e-004	2.8000e-003	1.0000e-005	7.2000e-004	0.0000	7.2000e-004	1.9000e-004	0.0000	2.0000e-004	0.0000	0.6427	0.6427	2.0000e-005	0.0000	0.6432

3.3 Grading - 2019**Unmitigated Construction On-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					0.1301	0.0000	0.1301	0.0540	0.0000	0.0540	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	0.0711	0.8178	0.5007	9.3000e-004		0.0357	0.0357		0.0329	0.0329	0.0000	83.5520	83.5520	0.0264	0.0000	84.2129
Total	0.0711	0.8178	0.5007	9.3000e-004	0.1301	0.0357	0.1658	0.0540	0.0329	0.0868	0.0000	83.5520	83.5520	0.0264	0.0000	84.2129

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3.3 Grading - 2019**Unmitigated Construction Off-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	1.4200e-003	9.3000e-004	9.3500e-003	2.0000e-005	2.4000e-003	2.0000e-005	2.4100e-003	6.4000e-004	1.0000e-005	6.5000e-004	0.0000	2.1424	2.1424	6.0000e-005	0.0000	2.1440
Total	1.4200e-003	9.3000e-004	9.3500e-003	2.0000e-005	2.4000e-003	2.0000e-005	2.4100e-003	6.4000e-004	1.0000e-005	6.5000e-004	0.0000	2.1424	2.1424	6.0000e-005	0.0000	2.1440

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					0.0586	0.0000	0.0586	0.0243	0.0000	0.0243	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	0.0711	0.8178	0.5007	9.3000e-004		0.0357	0.0357		0.0329	0.0329	0.0000	83.5519	83.5519	0.0264	0.0000	84.2128
Total	0.0711	0.8178	0.5007	9.3000e-004	0.0586	0.0357	0.0943	0.0243	0.0329	0.0572	0.0000	83.5519	83.5519	0.0264	0.0000	84.2128

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3.3 Grading - 2019**Mitigated Construction Off-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	1.4200e-003	9.3000e-004	9.3500e-003	2.0000e-005	2.4000e-003	2.0000e-005	2.4100e-003	6.4000e-004	1.0000e-005	6.5000e-004	0.0000	2.1424	2.1424	6.0000e-005	0.0000	2.1440
Total	1.4200e-003	9.3000e-004	9.3500e-003	2.0000e-005	2.4000e-003	2.0000e-005	2.4100e-003	6.4000e-004	1.0000e-005	6.5000e-004	0.0000	2.1424	2.1424	6.0000e-005	0.0000	2.1440

3.4 Building Construction - 2019**Unmitigated Construction On-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.0118	0.1054	0.0858	1.3000e-004		6.4500e-003	6.4500e-003		6.0600e-003	6.0600e-003	0.0000	11.7552	11.7552	2.8600e-003	0.0000	11.8268
Total	0.0118	0.1054	0.0858	1.3000e-004		6.4500e-003	6.4500e-003		6.0600e-003	6.0600e-003	0.0000	11.7552	11.7552	2.8600e-003	0.0000	11.8268

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3.4 Building Construction - 2019**Unmitigated Construction Off-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	4.6000e-004	0.0135	2.3000e-003	3.0000e-005	6.6000e-004	1.0000e-004	7.6000e-004	1.9000e-004	9.0000e-005	2.9000e-004	0.0000	2.7202	2.7202	3.5000e-004	0.0000	2.7289
Worker	3.1400e-003	2.0700e-003	0.0207	5.0000e-005	5.3200e-003	4.0000e-005	5.3500e-003	1.4100e-003	3.0000e-005	1.4500e-003	0.0000	4.7490	4.7490	1.4000e-004	0.0000	4.7525
Total	3.6000e-003	0.0156	0.0230	8.0000e-005	5.9800e-003	1.4000e-004	6.1100e-003	1.6000e-003	1.2000e-004	1.7400e-003	0.0000	7.4692	7.4692	4.9000e-004	0.0000	7.4814

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.0118	0.1054	0.0858	1.3000e-004		6.4500e-003	6.4500e-003		6.0600e-003	6.0600e-003	0.0000	11.7552	11.7552	2.8600e-003	0.0000	11.8268
Total	0.0118	0.1054	0.0858	1.3000e-004		6.4500e-003	6.4500e-003		6.0600e-003	6.0600e-003	0.0000	11.7552	11.7552	2.8600e-003	0.0000	11.8268

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3.4 Building Construction - 2019**Mitigated Construction Off-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	4.6000e-004	0.0135	2.3000e-003	3.0000e-005	6.6000e-004	1.0000e-004	7.6000e-004	1.9000e-004	9.0000e-005	2.9000e-004	0.0000	2.7202	2.7202	3.5000e-004	0.0000	2.7289
Worker	3.1400e-003	2.0700e-003	0.0207	5.0000e-005	5.3200e-003	4.0000e-005	5.3500e-003	1.4100e-003	3.0000e-005	1.4500e-003	0.0000	4.7490	4.7490	1.4000e-004	0.0000	4.7525
Total	3.6000e-003	0.0156	0.0230	8.0000e-005	5.9800e-003	1.4000e-004	6.1100e-003	1.6000e-003	1.2000e-004	1.7400e-003	0.0000	7.4692	7.4692	4.9000e-004	0.0000	7.4814

3.4 Building Construction - 2020**Unmitigated Construction On-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.2777	2.5134	2.2072	3.5300e-003		0.1463	0.1463		0.1376	0.1376	0.0000	303.4091	303.4091	0.0740	0.0000	305.2596
Total	0.2777	2.5134	2.2072	3.5300e-003		0.1463	0.1463		0.1376	0.1376	0.0000	303.4091	303.4091	0.0740	0.0000	305.2596

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3.4 Building Construction - 2020**Unmitigated Construction Off-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	9.7900e-003	0.3246	0.0518	7.4000e-004	0.0174	1.7200e-003	0.0191	5.0200e-003	1.6500e-003	6.6600e-003	0.0000	70.6577	70.6577	8.7300e-003	0.0000	70.8760
Worker	0.0752	0.0477	0.4843	1.3300e-003	0.1393	9.0000e-004	0.1402	0.0370	8.3000e-004	0.0379	0.0000	120.5565	120.5565	3.2300e-003	0.0000	120.6372
Total	0.0850	0.3724	0.5361	2.0700e-003	0.1567	2.6200e-003	0.1593	0.0420	2.4800e-003	0.0445	0.0000	191.2142	191.2142	0.0120	0.0000	191.5132

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.2777	2.5134	2.2072	3.5300e-003		0.1463	0.1463		0.1376	0.1376	0.0000	303.4087	303.4087	0.0740	0.0000	305.2592
Total	0.2777	2.5134	2.2072	3.5300e-003		0.1463	0.1463		0.1376	0.1376	0.0000	303.4087	303.4087	0.0740	0.0000	305.2592

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3.4 Building Construction - 2020**Mitigated Construction Off-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	9.7900e-003	0.3246	0.0518	7.4000e-004	0.0174	1.7200e-003	0.0191	5.0200e-003	1.6500e-003	6.6600e-003	0.0000	70.6577	70.6577	8.7300e-003	0.0000	70.8760
Worker	0.0752	0.0477	0.4843	1.3300e-003	0.1393	9.0000e-004	0.1402	0.0370	8.3000e-004	0.0379	0.0000	120.5565	120.5565	3.2300e-003	0.0000	120.6372
Total	0.0850	0.3724	0.5361	2.0700e-003	0.1567	2.6200e-003	0.1593	0.0420	2.4800e-003	0.0445	0.0000	191.2142	191.2142	0.0120	0.0000	191.5132

3.4 Building Construction - 2021**Unmitigated Construction On-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.0266	0.2441	0.2321	3.8000e-004		0.0134	0.0134		0.0126	0.0126	0.0000	32.4292	32.4292	7.8200e-003	0.0000	32.6248
Total	0.0266	0.2441	0.2321	3.8000e-004		0.0134	0.0134		0.0126	0.0126	0.0000	32.4292	32.4292	7.8200e-003	0.0000	32.6248

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3.4 Building Construction - 2021**Unmitigated Construction Off-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	8.5000e-004	0.0315	4.8000e-003	8.0000e-005	1.8600e-003	8.0000e-005	1.9400e-003	5.4000e-004	8.0000e-005	6.2000e-004	0.0000	7.4801	7.4801	9.0000e-004	0.0000	7.5027
Worker	7.4300e-003	4.5400e-003	0.0470	1.4000e-004	0.0149	9.0000e-005	0.0150	3.9600e-003	9.0000e-005	4.0400e-003	0.0000	12.4424	12.4424	3.1000e-004	0.0000	12.4501
Total	8.2800e-003	0.0361	0.0518	2.2000e-004	0.0168	1.7000e-004	0.0169	4.5000e-003	1.7000e-004	4.6600e-003	0.0000	19.9225	19.9225	1.2100e-003	0.0000	19.9527

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.0266	0.2441	0.2321	3.8000e-004		0.0134	0.0134		0.0126	0.0126	0.0000	32.4292	32.4292	7.8200e-003	0.0000	32.6248
Total	0.0266	0.2441	0.2321	3.8000e-004		0.0134	0.0134		0.0126	0.0126	0.0000	32.4292	32.4292	7.8200e-003	0.0000	32.6248

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3.4 Building Construction - 2021**Mitigated Construction Off-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	8.5000e-004	0.0315	4.8000e-003	8.0000e-005	1.8600e-003	8.0000e-005	1.9400e-003	5.4000e-004	8.0000e-005	6.2000e-004	0.0000	7.4801	7.4801	9.0000e-004	0.0000	7.5027
Worker	7.4300e-003	4.5400e-003	0.0470	1.4000e-004	0.0149	9.0000e-005	0.0150	3.9600e-003	9.0000e-005	4.0400e-003	0.0000	12.4424	12.4424	3.1000e-004	0.0000	12.4501
Total	8.2800e-003	0.0361	0.0518	2.2000e-004	0.0168	1.7000e-004	0.0169	4.5000e-003	1.7000e-004	4.6600e-003	0.0000	19.9225	19.9225	1.2100e-003	0.0000	19.9527

3.5 Paving - 2021**Unmitigated Construction On-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.0126	0.1292	0.1465	2.3000e-004		6.7800e-003	6.7800e-003		6.2400e-003	6.2400e-003	0.0000	20.0235	20.0235	6.4800e-003	0.0000	20.1854
Paving	0.0000					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Total	0.0126	0.1292	0.1465	2.3000e-004		6.7800e-003	6.7800e-003		6.2400e-003	6.2400e-003	0.0000	20.0235	20.0235	6.4800e-003	0.0000	20.1854

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3.5 Paving - 2021**Unmitigated Construction Off-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	6.0000e-004	3.7000e-004	3.7800e-003	1.0000e-005	1.2000e-003	1.0000e-005	1.2100e-003	3.2000e-004	1.0000e-005	3.3000e-004	0.0000	1.0023	1.0023	2.0000e-005	0.0000	1.0030
Total	6.0000e-004	3.7000e-004	3.7800e-003	1.0000e-005	1.2000e-003	1.0000e-005	1.2100e-003	3.2000e-004	1.0000e-005	3.3000e-004	0.0000	1.0023	1.0023	2.0000e-005	0.0000	1.0030

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.0126	0.1292	0.1465	2.3000e-004		6.7800e-003	6.7800e-003		6.2400e-003	6.2400e-003	0.0000	20.0235	20.0235	6.4800e-003	0.0000	20.1854
Paving	0.0000					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Total	0.0126	0.1292	0.1465	2.3000e-004		6.7800e-003	6.7800e-003		6.2400e-003	6.2400e-003	0.0000	20.0235	20.0235	6.4800e-003	0.0000	20.1854

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3.5 Paving - 2021**Mitigated Construction Off-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	6.0000e-004	3.7000e-004	3.7800e-003	1.0000e-005	1.2000e-003	1.0000e-005	1.2100e-003	3.2000e-004	1.0000e-005	3.3000e-004	0.0000	1.0023	1.0023	2.0000e-005	0.0000	1.0030
Total	6.0000e-004	3.7000e-004	3.7800e-003	1.0000e-005	1.2000e-003	1.0000e-005	1.2100e-003	3.2000e-004	1.0000e-005	3.3000e-004	0.0000	1.0023	1.0023	2.0000e-005	0.0000	1.0030

3.6 Architectural Coating - 2021**Unmitigated Construction On-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Archit. Coating	0.7524					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	2.1900e-003	0.0153	0.0182	3.0000e-005		9.4000e-004	9.4000e-004		9.4000e-004	9.4000e-004	0.0000	2.5533	2.5533	1.8000e-004	0.0000	2.5576
Total	0.7546	0.0153	0.0182	3.0000e-005		9.4000e-004	9.4000e-004		9.4000e-004	9.4000e-004	0.0000	2.5533	2.5533	1.8000e-004	0.0000	2.5576

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3.6 Architectural Coating - 2021**Unmitigated Construction Off-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	1.0800e-003	6.6000e-004	6.8100e-003	2.0000e-005	2.1600e-003	1.0000e-005	2.1700e-003	5.7000e-004	1.0000e-005	5.9000e-004	0.0000	1.8042	1.8042	4.0000e-005	0.0000	1.8053
Total	1.0800e-003	6.6000e-004	6.8100e-003	2.0000e-005	2.1600e-003	1.0000e-005	2.1700e-003	5.7000e-004	1.0000e-005	5.9000e-004	0.0000	1.8042	1.8042	4.0000e-005	0.0000	1.8053

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Archit. Coating	0.7524					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	2.1900e-003	0.0153	0.0182	3.0000e-005		9.4000e-004	9.4000e-004		9.4000e-004	9.4000e-004	0.0000	2.5533	2.5533	1.8000e-004	0.0000	2.5576
Total	0.7546	0.0153	0.0182	3.0000e-005		9.4000e-004	9.4000e-004		9.4000e-004	9.4000e-004	0.0000	2.5533	2.5533	1.8000e-004	0.0000	2.5576

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3.6 Architectural Coating - 2021**Mitigated Construction Off-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	1.0800e-003	6.6000e-004	6.8100e-003	2.0000e-005	2.1600e-003	1.0000e-005	2.1700e-003	5.7000e-004	1.0000e-005	5.9000e-004	0.0000	1.8042	1.8042	4.0000e-005	0.0000	1.8053
Total	1.0800e-003	6.6000e-004	6.8100e-003	2.0000e-005	2.1600e-003	1.0000e-005	2.1700e-003	5.7000e-004	1.0000e-005	5.9000e-004	0.0000	1.8042	1.8042	4.0000e-005	0.0000	1.8053

4.0 Operational Detail - Mobile**4.1 Mitigation Measures Mobile**

Increase Diversity

Improve Destination Accessibility

Increase Transit Accessibility

Improve Pedestrian Network

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	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Mitigated	0.3530	1.2536	3.8716	0.0116	1.0695	0.0105	1.0800	0.2862	9.7900e-003	0.2960	0.0000	1,064.2684	1,064.2684	0.0753	0.0000	1,066.1504
Unmitigated	0.3596	1.3061	4.0870	0.0124	1.1488	0.0112	1.1599	0.3075	0.0104	0.3179	0.0000	1,137.7427	1,137.7427	0.0787	0.0000	1,139.7113

4.2 Trip Summary Information

Land Use	Average Daily Trip Rate			Unmitigated	Mitigated
	Weekday	Saturday	Sunday	Annual VMT	Annual VMT
Condo/Townhouse	1,074.85	1,048.95	895.40	3,063,011	2,851,664
Total	1,074.85	1,048.95	895.40	3,063,011	2,851,664

4.3 Trip Type Information

Land Use	Miles			Trip %			Trip Purpose %		
	H-W or C-W	H-S or C-C	H-O or C-NW	H-W or C-W	H-S or C-C	H-O or C-NW	Primary	Diverted	Pass-by
Condo/Townhouse	10.80	7.30	7.50	48.40	15.90	35.70	86	11	3

4.4 Fleet Mix

Land Use	LDA	LDT1	LDT2	MDV	LHD1	LHD2	MHD	HHD	OBUS	UBUS	MCY	SBUS	MH
Condo/Townhouse	0.534300	0.203000	0.167300	0.054500	0.001300	0.000900	0.008600	0.020700	0.000000	0.004400	0.002500	0.000700	0.001800

5.0 Energy Detail

Historical Energy Use: N

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5.1 Mitigation Measures Energy

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Electricity Mitigated						0.0000	0.0000		0.0000	0.0000	0.0000	134.0409	134.0409	0.0102	2.3100e-003	134.9838
Electricity Unmitigated						0.0000	0.0000		0.0000	0.0000	0.0000	134.0409	134.0409	0.0102	2.3100e-003	134.9838
NaturalGas Mitigated	0.0179	0.1532	0.0652	9.8000e-004		0.0124	0.0124		0.0124	0.0124	0.0000	177.3617	177.3617	3.4000e-003	3.2500e-003	178.4157
NaturalGas Unmitigated	0.0179	0.1532	0.0652	9.8000e-004		0.0124	0.0124		0.0124	0.0124	0.0000	177.3617	177.3617	3.4000e-003	3.2500e-003	178.4157

5.2 Energy by Land Use - NaturalGas

Unmitigated

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	tons/yr										MT/yr					
Condo/Townhouse	3.32363e+006	0.0179	0.1532	0.0652	9.8000e-004		0.0124	0.0124		0.0124	0.0124	0.0000	177.3617	177.3617	3.4000e-003	3.2500e-003	178.4157
Total		0.0179	0.1532	0.0652	9.8000e-004		0.0124	0.0124		0.0124	0.0124	0.0000	177.3617	177.3617	3.4000e-003	3.2500e-003	178.4157

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5.2 Energy by Land Use - NaturalGas**Mitigated**

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	tons/yr										MT/yr					
Condo/Townhouse	3.32363e+006	0.0179	0.1532	0.0652	9.8000e-004		0.0124	0.0124		0.0124	0.0124	0.0000	177.3617	177.3617	3.4000e-003	3.2500e-003	178.4157
Total		0.0179	0.1532	0.0652	9.8000e-004		0.0124	0.0124		0.0124	0.0124	0.0000	177.3617	177.3617	3.4000e-003	3.2500e-003	178.4157

5.3 Energy by Land Use - Electricity**Unmitigated**

	Electricity Use	Total CO2	CH4	N2O	CO2e
Land Use	kWh/yr	MT/yr			
Condo/Townhouse	1.019e+006	134.0409	0.0102	2.3100e-003	134.9838
Total		134.0409	0.0102	2.3100e-003	134.9838

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5.3 Energy by Land Use - Electricity**Mitigated**

	Electricity Use	Total CO2	CH4	N2O	CO2e
Land Use	kWh/yr	MT/yr			
Condo/Townhouse	1.019e+006	134.0409	0.0102	2.3100e-003	134.9838
Total		134.0409	0.0102	2.3100e-003	134.9838

6.0 Area Detail

6.1 Mitigation Measures Area

Use Low VOC Paint - Residential Interior

Use Low VOC Paint - Residential Exterior

Use only Natural Gas Hearths

Lennar Tract 6262 Townhomes - Fresno County, Annual

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Mitigated	0.8476	0.0851	1.4061	5.1000e-004		0.0132	0.0132		0.0132	0.0132	0.0000	82.3872	82.3872	3.7100e-003	1.4700e-003	82.9178
Unmitigated	0.9460	0.0851	1.4061	5.1000e-004		0.0132	0.0132		0.0132	0.0132	0.0000	82.3872	82.3872	3.7100e-003	1.4700e-003	82.9178

6.2 Area by SubCategory

Unmitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	tons/yr										MT/yr					
Architectural Coating	0.1736					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Consumer Products	0.7225					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Hearth	8.1000e-003	0.0692	0.0295	4.4000e-004		5.6000e-003	5.6000e-003		5.6000e-003	5.6000e-003	0.0000	80.1434	80.1434	1.5400e-003	1.4700e-003	80.6196
Landscaping	0.0417	0.0159	1.3766	7.0000e-005		7.5900e-003	7.5900e-003		7.5900e-003	7.5900e-003	0.0000	2.2438	2.2438	2.1700e-003	0.0000	2.2982
Total	0.9460	0.0851	1.4061	5.1000e-004		0.0132	0.0132		0.0132	0.0132	0.0000	82.3872	82.3872	3.7100e-003	1.4700e-003	82.9178

Lennar Tract 6262 Townhomes - Fresno County, Annual

6.2 Area by SubCategory**Mitigated**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	tons/yr										MT/yr					
Architectural Coating	0.0752					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Consumer Products	0.7225					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Hearth	8.1000e-003	0.0692	0.0295	4.4000e-004		5.6000e-003	5.6000e-003		5.6000e-003	5.6000e-003	0.0000	80.1434	80.1434	1.5400e-003	1.4700e-003	80.6196
Landscaping	0.0417	0.0159	1.3766	7.0000e-005		7.5900e-003	7.5900e-003		7.5900e-003	7.5900e-003	0.0000	2.2438	2.2438	2.1700e-003	0.0000	2.2982
Total	0.8476	0.0851	1.4061	5.1000e-004		0.0132	0.0132		0.0132	0.0132	0.0000	82.3872	82.3872	3.7100e-003	1.4700e-003	82.9178

7.0 Water Detail**7.1 Mitigation Measures Water**

Apply Water Conservation Strategy

Lennar Tract 6262 Townhomes - Fresno County, Annual

	Total CO2	CH4	N2O	CO2e
Category	MT/yr			
Mitigated	12.7215	0.3149	7.5900e-003	22.8557
Unmitigated	15.9019	0.3937	9.4800e-003	28.5696

7.2 Water by Land Use**Unmitigated**

	Indoor/Outdoor Use	Total CO2	CH4	N2O	CO2e
Land Use	Mgal	MT/yr			
Condo/Townhouse	12.0535 / 7.59894	15.9019	0.3937	9.4800e-003	28.5696
Total		15.9019	0.3937	9.4800e-003	28.5696

Lennar Tract 6262 Townhomes - Fresno County, Annual

7.2 Water by Land Use**Mitigated**

	Indoor/Outdoor Use	Total CO ₂	CH ₄	N ₂ O	CO ₂ e
Land Use	Mgal	MT/yr			
Condo/Townhouse	9.6428 / 6.07915	12.7215	0.3149	7.5900e-003	22.8557
Total		12.7215	0.3149	7.5900e-003	22.8557

8.0 Waste Detail

8.1 Mitigation Measures Waste

Institute Recycling and Composting Services

Lennar Tract 6262 Townhomes - Fresno County, Annual

Category/Year

	Total CO2	CH4	N2O	CO2e
	MT/yr			
Mitigated	12.9559	0.7657	0.0000	32.0977
Unmitigated	17.2745	1.0209	0.0000	42.7969

8.2 Waste by Land Use**Unmitigated**

	Waste Disposed	Total CO2	CH4	N2O	CO2e
Land Use	tons	MT/yr			
Condo/Townhouse	85.1	17.2745	1.0209	0.0000	42.7969
Total		17.2745	1.0209	0.0000	42.7969

Lennar Tract 6262 Townhomes - Fresno County, Annual

8.2 Waste by Land Use**Mitigated**

	Waste Disposed	Total CO2	CH4	N2O	CO2e
Land Use	tons	MT/yr			
Condo/Townhouse	63.825	12.9559	0.7657	0.0000	32.0977
Total		12.9559	0.7657	0.0000	32.0977

9.0 Operational Offroad

Equipment Type	Number	Hours/Day	Days/Year	Horse Power	Load Factor	Fuel Type
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10.0 Stationary Equipment**Fire Pumps and Emergency Generators**

Equipment Type	Number	Hours/Day	Hours/Year	Horse Power	Load Factor	Fuel Type
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Boilers

Equipment Type	Number	Heat Input/Day	Heat Input/Year	Boiler Rating	Fuel Type
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User Defined Equipment

Equipment Type	Number
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11.0 Vegetation

Lennar Tract 6262 Townhomes - Fresno County, Annual

CalEEMod Output
Construction and Operations
(Summer Daily)

Lennar Tract 6262 Townhomes - Fresno County, Summer

Lennar Tract 6262 Townhomes
Fresno County, Summer**1.0 Project Characteristics**

1.1 Land Usage

Land Uses	Size	Metric	Lot Acreage	Floor Surface Area	Population
Condo/Townhouse	185.00	Dwelling Unit	12.50	185,000.00	529

1.2 Other Project Characteristics

Urbanization	Urban	Wind Speed (m/s)	2.2	Precipitation Freq (Days)	45
Climate Zone	3			Operational Year	2021
Utility Company	Pacific Gas & Electric Company				
CO2 Intensity (lb/MW hr)	290	CH4 Intensity (lb/MW hr)	0.022	N2O Intensity (lb/MW hr)	0.005

1.3 User Entered Comments & Non-Default Data

Lennar Tract 6262 Townhomes - Fresno County, Summer

Project Characteristics - PG&E Intensity Factors

Land Use - Site plan acreage 12.5 ac.

Construction Phase -

Architectural Coating - Rule 4601 Compliant Coatings

Construction Off-road Equipment Mitigation -

Mobile Land Use Mitigation - Clovis Transit Route 10

Area Mitigation - Rule 4601 compliant coatings

Water Mitigation -

Waste Mitigation - Statewide recycling/reuse mandate

Fleet Mix - SJVAPCD Residential Fleet Mix

Lennar Tract 6262 Townhomes - Fresno County, Summer

Table Name	Column Name	Default Value	New Value
tblArchitecturalCoating	EF_Residential_Exterior	150.00	65.00
tblArchitecturalCoating	EF_Residential_Interior	150.00	65.00
tblAreaMitigation	UseLowVOCPaintResidentialExteriorValue	150	65
tblAreaMitigation	UseLowVOCPaintResidentialInteriorValue	150	65
tblFleetMix	HHD	0.12	0.02
tblFleetMix	LDA	0.49	0.53
tblFleetMix	LDT1	0.03	0.20
tblFleetMix	LDT2	0.17	0.17
tblFleetMix	LHD1	0.02	1.3000e-003
tblFleetMix	LHD2	4.7320e-003	9.0000e-004
tblFleetMix	MCY	5.1540e-003	2.5000e-003
tblFleetMix	MDV	0.12	0.05
tblFleetMix	MH	6.2900e-004	1.8000e-003
tblFleetMix	MHD	0.03	8.6000e-003
tblFleetMix	OBUS	2.3660e-003	0.00
tblFleetMix	SBUS	1.0970e-003	7.0000e-004
tblFleetMix	UBUS	1.5900e-003	4.4000e-003
tblLandUse	LotAcreage	11.56	12.50
tblProjectCharacteristics	CH4IntensityFactor	0.029	0.022
tblProjectCharacteristics	CO2IntensityFactor	641.35	290
tblProjectCharacteristics	N2OIntensityFactor	0.006	0.005
tblWoodstoves	NumberCatalytic	12.50	0.00
tblWoodstoves	NumberNoncatalytic	12.50	0.00

2.0 Emissions Summary

Lennar Tract 6262 Townhomes - Fresno County, Summer

2.1 Overall Construction (Maximum Daily Emission)**Unmitigated Construction**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	lb/day										lb/day					
2019	4.8465	54.5781	34.0961	0.0637	18.2141	2.3913	20.6054	9.9699	2.2000	12.1699	0.0000	6,312.675 5	6,312.675 5	1.9478	0.0000	6,361.3711
2020	2.8467	21.9696	21.4920	0.0438	1.2281	1.1369	2.3650	0.3288	1.0691	1.3979	0.0000	4,268.067 9	4,268.067 9	0.7226	0.0000	4,286.131 9
2021	75.5848	19.9593	20.7795	0.0434	1.2281	0.9712	2.1993	0.3288	0.9131	1.2419	0.0000	4,224.560 3	4,224.560 3	0.7169	0.0000	4,242.3116
Maximum	75.5848	54.5781	34.0961	0.0637	18.2141	2.3913	20.6054	9.9699	2.2000	12.1699	0.0000	6,312.675 5	6,312.675 5	1.9478	0.0000	6,361.371 1

Mitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	lb/day										lb/day					
2019	4.8465	54.5781	34.0961	0.0637	8.2777	2.3913	10.6690	4.5080	2.2000	6.7080	0.0000	6,312.675 5	6,312.675 5	1.9478	0.0000	6,361.3711
2020	2.8467	21.9696	21.4920	0.0438	1.2281	1.1369	2.3650	0.3288	1.0691	1.3979	0.0000	4,268.067 9	4,268.067 9	0.7226	0.0000	4,286.131 8
2021	75.5848	19.9593	20.7795	0.0434	1.2281	0.9712	2.1993	0.3288	0.9131	1.2419	0.0000	4,224.560 3	4,224.560 3	0.7169	0.0000	4,242.3116
Maximum	75.5848	54.5781	34.0961	0.0637	8.2777	2.3913	10.6690	4.5080	2.2000	6.7080	0.0000	6,312.675 5	6,312.675 5	1.9478	0.0000	6,361.371 1

Lennar Tract 6262 Townhomes - Fresno County, Summer

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Percent Reduction	0.00	0.00	0.00	0.00	48.07	0.00	39.48	51.39	0.00	36.88	0.00	0.00	0.00	0.00	0.00	0.00

Lennar Tract 6262 Townhomes - Fresno County, Summer

2.2 Overall Operational**Unmitigated Operational**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Area	5.5714	1.8644	16.0141	0.0116		0.2208	0.2208		0.2208	0.2208	0.0000	2,182.188 1	2,182.188 1	0.0679	0.0395	2,195.658 2
Energy	0.0982	0.8392	0.3571	5.3600e-003		0.0679	0.0679		0.0679	0.0679		1,071.275 5	1,071.275 5	0.0205	0.0196	1,077.641 6
Mobile	2.6326	7.1529	25.8924	0.0758	6.6653	0.0629	6.7282	1.7800	0.0588	1.8387		7,658.304 1	7,658.304 1	0.4959		7,670.701 4
Total	8.3022	9.8565	42.2636	0.0927	6.6653	0.3515	7.0168	1.7800	0.3474	2.1273	0.0000	10,911.76 77	10,911.76 77	0.5844	0.0591	10,944.00 12

Mitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Area	5.0323	1.8644	16.0141	0.0116		0.2208	0.2208		0.2208	0.2208	0.0000	2,182.188 1	2,182.188 1	0.0679	0.0395	2,195.658 2
Energy	0.0982	0.8392	0.3571	5.3600e-003		0.0679	0.0679		0.0679	0.0679		1,071.275 5	1,071.275 5	0.0205	0.0196	1,077.641 6
Mobile	2.5923	6.8732	24.4188	0.0708	6.2054	0.0590	6.2644	1.6571	0.0552	1.7123		7,162.427 2	7,162.427 2	0.4730		7,174.253 2
Total	7.7227	9.5768	40.7900	0.0878	6.2054	0.3477	6.5530	1.6571	0.3438	2.0009	0.0000	10,415.89 08	10,415.89 08	0.5615	0.0591	10,447.55 30

Lennar Tract 6262 Townhomes - Fresno County, Summer

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Percent Reduction	6.98	2.84	3.49	5.30	6.90	1.09	6.61	6.90	1.03	5.94	0.00	4.54	4.54	3.91	0.00	4.54

3.0 Construction Detail

Construction Phase

Phase Number	Phase Name	Phase Type	Start Date	End Date	Num Days Week	Num Days	Phase Description
1	Site Preparation	Site Preparation	10/23/2019	11/5/2019	5	10	
2	Grading	Grading	11/6/2019	12/17/2019	5	30	
3	Building Construction	Building Construction	12/18/2019	2/9/2021	5	300	
4	Paving	Paving	2/10/2021	3/9/2021	5	20	
5	Architectural Coating	Architectural Coating	3/10/2021	4/6/2021	5	20	

Acres of Grading (Site Preparation Phase): 0

Acres of Grading (Grading Phase): 75

Acres of Paving: 0

Residential Indoor: 374,625; Residential Outdoor: 124,875; Non-Residential Indoor: 0; Non-Residential Outdoor: 0; Striped Parking Area: 0 (Architectural Coating – sqft)

OffRoad Equipment

Lennar Tract 6262 Townhomes - Fresno County, Summer

Phase Name	Offroad Equipment Type	Amount	Usage Hours	Horse Power	Load Factor
Architectural Coating	Air Compressors	1	6.00	78	0.48
Grading	Excavators	2	8.00	158	0.38
Building Construction	Cranes	1	7.00	231	0.29
Building Construction	Forklifts	3	8.00	89	0.20
Building Construction	Generator Sets	1	8.00	84	0.74
Paving	Pavers	2	8.00	130	0.42
Paving	Rollers	2	8.00	80	0.38
Grading	Rubber Tired Dozers	1	8.00	247	0.40
Building Construction	Tractors/Loaders/Backhoes	3	7.00	97	0.37
Grading	Graders	1	8.00	187	0.41
Grading	Tractors/Loaders/Backhoes	2	8.00	97	0.37
Paving	Paving Equipment	2	8.00	132	0.36
Site Preparation	Tractors/Loaders/Backhoes	4	8.00	97	0.37
Site Preparation	Rubber Tired Dozers	3	8.00	247	0.40
Grading	Scrapers	2	8.00	367	0.48
Building Construction	Welders	1	8.00	46	0.45

Trips and VMT

Phase Name	Offroad Equipment Count	Worker Trip Number	Vendor Trip Number	Hauling Trip Number	Worker Trip Length	Vendor Trip Length	Hauling Trip Length	Worker Vehicle Class	Vendor Vehicle Class	Hauling Vehicle Class
Site Preparation	7	18.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Grading	8	20.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Building Construction	9	133.00	20.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Paving	6	15.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Architectural Coating	1	27.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT

Lennar Tract 6262 Townhomes - Fresno County, Summer

3.1 Mitigation Measures Construction

Water Exposed Area

3.2 Site Preparation - 2019**Unmitigated Construction On-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					18.0663	0.0000	18.0663	9.9307	0.0000	9.9307			0.0000			0.0000
Off-Road	4.3350	45.5727	22.0630	0.0380		2.3904	2.3904		2.1991	2.1991		3,766.4529	3,766.4529	1.1917		3,796.2445
Total	4.3350	45.5727	22.0630	0.0380	18.0663	2.3904	20.4566	9.9307	2.1991	12.1298		3,766.4529	3,766.4529	1.1917		3,796.2445

Lennar Tract 6262 Townhomes - Fresno County, Summer

3.2 Site Preparation - 2019**Unmitigated Construction Off-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0968	0.0521	0.6474	1.5600e-003	0.1479	9.5000e-004	0.1488	0.0392	8.8000e-004	0.0401		155.3904	155.3904	4.6700e-003		155.5072
Total	0.0968	0.0521	0.6474	1.5600e-003	0.1479	9.5000e-004	0.1488	0.0392	8.8000e-004	0.0401		155.3904	155.3904	4.6700e-003		155.5072

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					8.1298	0.0000	8.1298	4.4688	0.0000	4.4688			0.0000			0.0000
Off-Road	4.3350	45.5727	22.0630	0.0380		2.3904	2.3904		2.1991	2.1991	0.0000	3,766.4529	3,766.4529	1.1917		3,796.2445
Total	4.3350	45.5727	22.0630	0.0380	8.1298	2.3904	10.5202	4.4688	2.1991	6.6679	0.0000	3,766.4529	3,766.4529	1.1917		3,796.2445

Lennar Tract 6262 Townhomes - Fresno County, Summer

3.2 Site Preparation - 2019**Mitigated Construction Off-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0968	0.0521	0.6474	1.5600e-003	0.1479	9.5000e-004	0.1488	0.0392	8.8000e-004	0.0401		155.3904	155.3904	4.6700e-003		155.5072
Total	0.0968	0.0521	0.6474	1.5600e-003	0.1479	9.5000e-004	0.1488	0.0392	8.8000e-004	0.0401		155.3904	155.3904	4.6700e-003		155.5072

3.3 Grading - 2019**Unmitigated Construction On-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					8.6733	0.0000	8.6733	3.5965	0.0000	3.5965			0.0000			0.0000
Off-Road	4.7389	54.5202	33.3768	0.0620		2.3827	2.3827		2.1920	2.1920		6,140.0195	6,140.0195	1.9426		6,188.5854
Total	4.7389	54.5202	33.3768	0.0620	8.6733	2.3827	11.0560	3.5965	2.1920	5.7885		6,140.0195	6,140.0195	1.9426		6,188.5854

Lennar Tract 6262 Townhomes - Fresno County, Summer

3.3 Grading - 2019**Unmitigated Construction Off-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.1076	0.0579	0.7194	1.7400e-003	0.1643	1.0600e-003	0.1654	0.0436	9.8000e-004	0.0446		172.6560	172.6560	5.1900e-003		172.7857
Total	0.1076	0.0579	0.7194	1.7400e-003	0.1643	1.0600e-003	0.1654	0.0436	9.8000e-004	0.0446		172.6560	172.6560	5.1900e-003		172.7857

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					3.9030	0.0000	3.9030	1.6184	0.0000	1.6184			0.0000			0.0000
Off-Road	4.7389	54.5202	33.3768	0.0620		2.3827	2.3827		2.1920	2.1920	0.0000	6,140.0195	6,140.0195	1.9426		6,188.5854
Total	4.7389	54.5202	33.3768	0.0620	3.9030	2.3827	6.2857	1.6184	2.1920	3.8105	0.0000	6,140.0195	6,140.0195	1.9426		6,188.5854

Lennar Tract 6262 Townhomes - Fresno County, Summer

3.3 Grading - 2019**Mitigated Construction Off-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.1076	0.0579	0.7194	1.7400e-003	0.1643	1.0600e-003	0.1654	0.0436	9.8000e-004	0.0446		172.6560	172.6560	5.1900e-003		172.7857
Total	0.1076	0.0579	0.7194	1.7400e-003	0.1643	1.0600e-003	0.1654	0.0436	9.8000e-004	0.0446		172.6560	172.6560	5.1900e-003		172.7857

3.4 Building Construction - 2019**Unmitigated Construction On-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	2.3612	21.0788	17.1638	0.0269		1.2899	1.2899		1.2127	1.2127		2,591.5802	2,591.5802	0.6313		2,607.3635
Total	2.3612	21.0788	17.1638	0.0269		1.2899	1.2899		1.2127	1.2127		2,591.5802	2,591.5802	0.6313		2,607.3635

Lennar Tract 6262 Townhomes - Fresno County, Summer

3.4 Building Construction - 2019**Unmitigated Construction Off-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0908	2.6622	0.4290	5.8000e-003	0.1355	0.0195	0.1550	0.0390	0.0186	0.0576		607.6523	607.6523	0.0722		609.4582
Worker	0.7153	0.3849	4.7837	0.0115	1.0926	7.0500e-003	1.0996	0.2898	6.4900e-003	0.2963		1,148.1626	1,148.1626	0.0345		1,149.0250
Total	0.8061	3.0471	5.2126	0.0173	1.2281	0.0265	1.2546	0.3288	0.0251	0.3539		1,755.8148	1,755.8148	0.1067		1,758.4833

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	2.3612	21.0788	17.1638	0.0269		1.2899	1.2899		1.2127	1.2127	0.0000	2,591.5802	2,591.5802	0.6313		2,607.3635
Total	2.3612	21.0788	17.1638	0.0269		1.2899	1.2899		1.2127	1.2127	0.0000	2,591.5802	2,591.5802	0.6313		2,607.3635

Lennar Tract 6262 Townhomes - Fresno County, Summer

3.4 Building Construction - 2019**Mitigated Construction Off-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0908	2.6622	0.4290	5.8000e-003	0.1355	0.0195	0.1550	0.0390	0.0186	0.0576		607.6523	607.6523	0.0722		609.4582
Worker	0.7153	0.3849	4.7837	0.0115	1.0926	7.0500e-003	1.0996	0.2898	6.4900e-003	0.2963		1,148.1626	1,148.1626	0.0345		1,149.0250
Total	0.8061	3.0471	5.2126	0.0173	1.2281	0.0265	1.2546	0.3288	0.0251	0.3539		1,755.8148	1,755.8148	0.1067		1,758.4833

3.4 Building Construction - 2020**Unmitigated Construction On-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	2.1198	19.1860	16.8485	0.0269		1.1171	1.1171		1.0503	1.0503		2,553.0631	2,553.0631	0.6229		2,568.6345
Total	2.1198	19.1860	16.8485	0.0269		1.1171	1.1171		1.0503	1.0503		2,553.0631	2,553.0631	0.6229		2,568.6345

Lennar Tract 6262 Townhomes - Fresno County, Summer

3.4 Building Construction - 2020**Unmitigated Construction Off-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0736	2.4444	0.3664	5.7500e-003	0.1355	0.0130	0.1486	0.0390	0.0125	0.0515		602.4689	602.4689	0.0696		604.2085
Worker	0.6533	0.3392	4.2771	0.0112	1.0926	6.8400e-003	1.0994	0.2898	6.3000e-003	0.2961		1,112.5359	1,112.5359	0.0301		1,113.2888
Total	0.7268	2.7836	4.6435	0.0169	1.2281	0.0199	1.2480	0.3288	0.0188	0.3476		1,715.0049	1,715.0049	0.0997		1,717.4974

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	2.1198	19.1860	16.8485	0.0269		1.1171	1.1171		1.0503	1.0503	0.0000	2,553.0631	2,553.0631	0.6229		2,568.6345
Total	2.1198	19.1860	16.8485	0.0269		1.1171	1.1171		1.0503	1.0503	0.0000	2,553.0631	2,553.0631	0.6229		2,568.6345

Lennar Tract 6262 Townhomes - Fresno County, Summer

3.4 Building Construction - 2020**Mitigated Construction Off-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0736	2.4444	0.3664	5.7500e-003	0.1355	0.0130	0.1486	0.0390	0.0125	0.0515		602.4689	602.4689	0.0696		604.2085
Worker	0.6533	0.3392	4.2771	0.0112	1.0926	6.8400e-003	1.0994	0.2898	6.3000e-003	0.2961		1,112.5359	1,112.5359	0.0301		1,113.2888
Total	0.7268	2.7836	4.6435	0.0169	1.2281	0.0199	1.2480	0.3288	0.0188	0.3476		1,715.0049	1,715.0049	0.0997		1,717.4974

3.4 Building Construction - 2021**Unmitigated Construction On-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	1.9009	17.4321	16.5752	0.0269		0.9586	0.9586		0.9013	0.9013		2,553.3639	2,553.3639	0.6160		2,568.7643
Total	1.9009	17.4321	16.5752	0.0269		0.9586	0.9586		0.9013	0.9013		2,553.3639	2,553.3639	0.6160		2,568.7643

Lennar Tract 6262 Townhomes - Fresno County, Summer

3.4 Building Construction - 2021**Unmitigated Construction Off-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0593	2.2252	0.3159	5.6900e-003	0.1355	5.9400e-003	0.1415	0.0390	5.6900e-003	0.0447		596.8079	596.8079	0.0672		598.4886
Worker	0.6031	0.3020	3.8884	0.0108	1.0926	6.6200e-003	1.0992	0.2898	6.0900e-003	0.2959		1,074.3885	1,074.3885	0.0268		1,075.0588
Total	0.6624	2.5272	4.2043	0.0165	1.2281	0.0126	1.2406	0.3288	0.0118	0.3406		1,671.1964	1,671.1964	0.0940		1,673.5473

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	1.9009	17.4321	16.5752	0.0269		0.9586	0.9586		0.9013	0.9013	0.0000	2,553.3639	2,553.3639	0.6160		2,568.7643
Total	1.9009	17.4321	16.5752	0.0269		0.9586	0.9586		0.9013	0.9013	0.0000	2,553.3639	2,553.3639	0.6160		2,568.7643

Lennar Tract 6262 Townhomes - Fresno County, Summer

3.4 Building Construction - 2021**Mitigated Construction Off-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0593	2.2252	0.3159	5.6900e-003	0.1355	5.9400e-003	0.1415	0.0390	5.6900e-003	0.0447		596.8079	596.8079	0.0672		598.4886
Worker	0.6031	0.3020	3.8884	0.0108	1.0926	6.6200e-003	1.0992	0.2898	6.0900e-003	0.2959		1,074.3885	1,074.3885	0.0268		1,075.0588
Total	0.6624	2.5272	4.2043	0.0165	1.2281	0.0126	1.2406	0.3288	0.0118	0.3406		1,671.1964	1,671.1964	0.0940		1,673.5473

3.5 Paving - 2021**Unmitigated Construction On-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	1.2556	12.9191	14.6532	0.0228		0.6777	0.6777		0.6235	0.6235		2,207.2109	2,207.2109	0.7139		2,225.0573
Paving	0.0000					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Total	1.2556	12.9191	14.6532	0.0228		0.6777	0.6777		0.6235	0.6235		2,207.2109	2,207.2109	0.7139		2,225.0573

Lennar Tract 6262 Townhomes - Fresno County, Summer

3.5 Paving - 2021**Unmitigated Construction Off-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0680	0.0341	0.4385	1.2200e-003	0.1232	7.5000e-004	0.1240	0.0327	6.9000e-004	0.0334		121.1716	121.1716	3.0200e-003		121.2472
Total	0.0680	0.0341	0.4385	1.2200e-003	0.1232	7.5000e-004	0.1240	0.0327	6.9000e-004	0.0334		121.1716	121.1716	3.0200e-003		121.2472

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	1.2556	12.9191	14.6532	0.0228		0.6777	0.6777		0.6235	0.6235	0.0000	2,207.2109	2,207.2109	0.7139		2,225.0573
Paving	0.0000					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Total	1.2556	12.9191	14.6532	0.0228		0.6777	0.6777		0.6235	0.6235	0.0000	2,207.2109	2,207.2109	0.7139		2,225.0573

Lennar Tract 6262 Townhomes - Fresno County, Summer

3.5 Paving - 2021**Mitigated Construction Off-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0680	0.0341	0.4385	1.2200e-003	0.1232	7.5000e-004	0.1240	0.0327	6.9000e-004	0.0334		121.1716	121.1716	3.0200e-003		121.2472
Total	0.0680	0.0341	0.4385	1.2200e-003	0.1232	7.5000e-004	0.1240	0.0327	6.9000e-004	0.0334		121.1716	121.1716	3.0200e-003		121.2472

3.6 Architectural Coating - 2021**Unmitigated Construction On-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Archit. Coating	75.2434					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Off-Road	0.2189	1.5268	1.8176	2.9700e-003		0.0941	0.0941		0.0941	0.0941		281.4481	281.4481	0.0193		281.9309
Total	75.4623	1.5268	1.8176	2.9700e-003		0.0941	0.0941		0.0941	0.0941		281.4481	281.4481	0.0193		281.9309

Lennar Tract 6262 Townhomes - Fresno County, Summer

3.6 Architectural Coating - 2021**Unmitigated Construction Off-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.1224	0.0613	0.7894	2.1900e-003	0.2218	1.3400e-003	0.2231	0.0588	1.2400e-003	0.0601		218.1090	218.1090	5.4400e-003		218.2450
Total	0.1224	0.0613	0.7894	2.1900e-003	0.2218	1.3400e-003	0.2231	0.0588	1.2400e-003	0.0601		218.1090	218.1090	5.4400e-003		218.2450

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Archit. Coating	75.2434					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Off-Road	0.2189	1.5268	1.8176	2.9700e-003		0.0941	0.0941		0.0941	0.0941	0.0000	281.4481	281.4481	0.0193		281.9309
Total	75.4623	1.5268	1.8176	2.9700e-003		0.0941	0.0941		0.0941	0.0941	0.0000	281.4481	281.4481	0.0193		281.9309

Lennar Tract 6262 Townhomes - Fresno County, Summer

3.6 Architectural Coating - 2021**Mitigated Construction Off-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.1224	0.0613	0.7894	2.1900e-003	0.2218	1.3400e-003	0.2231	0.0588	1.2400e-003	0.0601		218.1090	218.1090	5.4400e-003		218.2450
Total	0.1224	0.0613	0.7894	2.1900e-003	0.2218	1.3400e-003	0.2231	0.0588	1.2400e-003	0.0601		218.1090	218.1090	5.4400e-003		218.2450

4.0 Operational Detail - Mobile**4.1 Mitigation Measures Mobile**

Increase Diversity

Improve Destination Accessibility

Increase Transit Accessibility

Improve Pedestrian Network

Lennar Tract 6262 Townhomes - Fresno County, Summer

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Mitigated	2.5923	6.8732	24.4188	0.0708	6.2054	0.0590	6.2644	1.6571	0.0552	1.7123		7,162.427 2	7,162.427 2	0.4730		7,174.253 2
Unmitigated	2.6326	7.1529	25.8924	0.0758	6.6653	0.0629	6.7282	1.7800	0.0588	1.8387		7,658.304 1	7,658.304 1	0.4959		7,670.701 4

4.2 Trip Summary Information

Land Use	Average Daily Trip Rate			Unmitigated	Mitigated
	Weekday	Saturday	Sunday	Annual VMT	Annual VMT
Condo/Townhouse	1,074.85	1,048.95	895.40	3,063,011	2,851,664
Total	1,074.85	1,048.95	895.40	3,063,011	2,851,664

4.3 Trip Type Information

Land Use	Miles			Trip %			Trip Purpose %		
	H-W or C-W	H-S or C-C	H-O or C-NW	H-W or C-W	H-S or C-C	H-O or C-NW	Primary	Diverted	Pass-by
Condo/Townhouse	10.80	7.30	7.50	48.40	15.90	35.70	86	11	3

4.4 Fleet Mix

Land Use	LDA	LDT1	LDT2	MDV	LHD1	LHD2	MHD	HHD	OBUS	UBUS	MCY	SBUS	MH
Condo/Townhouse	0.534300	0.203000	0.167300	0.054500	0.001300	0.000900	0.008600	0.020700	0.000000	0.004400	0.002500	0.000700	0.001800

5.0 Energy Detail

Historical Energy Use: N

Lennar Tract 6262 Townhomes - Fresno County, Summer

5.1 Mitigation Measures Energy

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
NaturalGas Mitigated	0.0982	0.8392	0.3571	5.3600e-003		0.0679	0.0679		0.0679	0.0679		1,071.2755	1,071.2755	0.0205	0.0196	1,077.6416
NaturalGas Unmitigated	0.0982	0.8392	0.3571	5.3600e-003		0.0679	0.0679		0.0679	0.0679		1,071.2755	1,071.2755	0.0205	0.0196	1,077.6416

5.2 Energy by Land Use - NaturalGas**Unmitigated**

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	lb/day										lb/day					
Condo/Townhouse	9105.84	0.0982	0.8392	0.3571	5.3600e-003		0.0679	0.0679		0.0679	0.0679		1,071.2755	1,071.2755	0.0205	0.0196	1,077.6416
Total		0.0982	0.8392	0.3571	5.3600e-003		0.0679	0.0679		0.0679	0.0679		1,071.2755	1,071.2755	0.0205	0.0196	1,077.6416

Lennar Tract 6262 Townhomes - Fresno County, Summer

5.2 Energy by Land Use - NaturalGas**Mitigated**

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	lb/day										lb/day					
Condo/Townhouse	9.10584	0.0982	0.8392	0.3571	5.3600e-003		0.0679	0.0679		0.0679	0.0679		1,071.2755	1,071.2755	0.0205	0.0196	1,077.6416
Total		0.0982	0.8392	0.3571	5.3600e-003		0.0679	0.0679		0.0679	0.0679		1,071.2755	1,071.2755	0.0205	0.0196	1,077.6416

6.0 Area Detail**6.1 Mitigation Measures Area**

Use Low VOC Paint - Residential Interior

Use Low VOC Paint - Residential Exterior

Use only Natural Gas Hearths

Lennar Tract 6262 Townhomes - Fresno County, Summer

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Mitigated	5.0323	1.8644	16.0141	0.0116		0.2208	0.2208		0.2208	0.2208	0.0000	2,182.188 1	2,182.188 1	0.0679	0.0395	2,195.658 2
Unmitigated	5.5714	1.8644	16.0141	0.0116		0.2208	0.2208		0.2208	0.2208	0.0000	2,182.188 1	2,182.188 1	0.0679	0.0395	2,195.658 2

6.2 Area by SubCategory

Unmitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	lb/day										lb/day					
Architectural Coating	0.9514					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Consumer Products	3.9590					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Hearth	0.1975	1.6879	0.7182	0.0108		0.1365	0.1365		0.1365	0.1365	0.0000	2,154.705 9	2,154.705 9	0.0413	0.0395	2,167.510 2
Landscaping	0.4634	0.1766	15.2959	8.1000e-004		0.0843	0.0843		0.0843	0.0843		27.4822	27.4822	0.0266		28.1480
Total	5.5714	1.8644	16.0141	0.0116		0.2208	0.2208		0.2208	0.2208	0.0000	2,182.188 1	2,182.188 1	0.0679	0.0395	2,195.658 2

Lennar Tract 6262 Townhomes - Fresno County, Summer

6.2 Area by SubCategory**Mitigated**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	lb/day										lb/day					
Architectural Coating	0.4123					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Consumer Products	3.9590					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Hearth	0.1975	1.6879	0.7182	0.0108		0.1365	0.1365		0.1365	0.1365	0.0000	2,154.705 9	2,154.705 9	0.0413	0.0395	2,167.510 2
Landscaping	0.4634	0.1766	15.2959	8.1000e-004		0.0843	0.0843		0.0843	0.0843		27.4822	27.4822	0.0266		28.1480
Total	5.0322	1.8644	16.0141	0.0116		0.2208	0.2208		0.2208	0.2208	0.0000	2,182.188 1	2,182.188 1	0.0679	0.0395	2,195.658 2

7.0 Water Detail**7.1 Mitigation Measures Water**

Apply Water Conservation Strategy

8.0 Waste Detail**8.1 Mitigation Measures Waste**

Institute Recycling and Composting Services

9.0 Operational Offroad

Equipment Type	Number	Hours/Day	Days/Year	Horse Power	Load Factor	Fuel Type
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Lennar Tract 6262 Townhomes - Fresno County, Summer

10.0 Stationary Equipment

Fire Pumps and Emergency Generators

Equipment Type	Number	Hours/Day	Hours/Year	Horse Power	Load Factor	Fuel Type
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Boilers

Equipment Type	Number	Heat Input/Day	Heat Input/Year	Boiler Rating	Fuel Type
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User Defined Equipment

Equipment Type	Number
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11.0 Vegetation

CalEEMod Output
Construction and Operations
(Winter Daily)

Lennar Tract 6262 Townhomes - Fresno County, Winter

Lennar Tract 6262 Townhomes
Fresno County, Winter**1.0 Project Characteristics**

1.1 Land Usage

Land Uses	Size	Metric	Lot Acreage	Floor Surface Area	Population
Condo/Townhouse	185.00	Dwelling Unit	12.50	185,000.00	529

1.2 Other Project Characteristics

Urbanization	Urban	Wind Speed (m/s)	2.2	Precipitation Freq (Days)	45
Climate Zone	3			Operational Year	2021
Utility Company	Pacific Gas & Electric Company				
CO2 Intensity (lb/MWhr)	290	CH4 Intensity (lb/MWhr)	0.022	N2O Intensity (lb/MWhr)	0.005

1.3 User Entered Comments & Non-Default Data

Lennar Tract 6262 Townhomes - Fresno County, Winter

Project Characteristics - PG&E Intensity Factors

Land Use - Site plan acreage 12.5 ac.

Construction Phase -

Architectural Coating - Rule 4601 Compliant Coatings

Construction Off-road Equipment Mitigation -

Mobile Land Use Mitigation - Clovis Transit Route 10

Area Mitigation - Rule 4601 compliant coatings

Water Mitigation -

Waste Mitigation - Statewide recycling/reuse mandate

Fleet Mix - SJVAPCD Residential Fleet Mix

Lennar Tract 6262 Townhomes - Fresno County, Winter

Table Name	Column Name	Default Value	New Value
tblArchitecturalCoating	EF_Residential_Exterior	150.00	65.00
tblArchitecturalCoating	EF_Residential_Interior	150.00	65.00
tblAreaMitigation	UseLowVOCPaintResidentialExteriorValue	150	65
tblAreaMitigation	UseLowVOCPaintResidentialInteriorValue	150	65
tblFleetMix	HHD	0.12	0.02
tblFleetMix	LDA	0.49	0.53
tblFleetMix	LDT1	0.03	0.20
tblFleetMix	LDT2	0.17	0.17
tblFleetMix	LHD1	0.02	1.3000e-003
tblFleetMix	LHD2	4.7320e-003	9.0000e-004
tblFleetMix	MCY	5.1540e-003	2.5000e-003
tblFleetMix	MDV	0.12	0.05
tblFleetMix	MH	6.2900e-004	1.8000e-003
tblFleetMix	MHD	0.03	8.6000e-003
tblFleetMix	OBUS	2.3660e-003	0.00
tblFleetMix	SBUS	1.0970e-003	7.0000e-004
tblFleetMix	UBUS	1.5900e-003	4.4000e-003
tblLandUse	LotAcreage	11.56	12.50
tblProjectCharacteristics	CH4IntensityFactor	0.029	0.022
tblProjectCharacteristics	CO2IntensityFactor	641.35	290
tblProjectCharacteristics	N2OIntensityFactor	0.006	0.005
tblWoodstoves	NumberCatalytic	12.50	0.00
tblWoodstoves	NumberNoncatalytic	12.50	0.00

2.0 Emissions Summary

Lennar Tract 6262 Townhomes - Fresno County, Winter

2.1 Overall Construction (Maximum Daily Emission)**Unmitigated Construction**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	lb/day										lb/day					
2019	4.8387	54.5883	33.9925	0.0635	18.2141	2.3913	20.6054	9.9699	2.2000	12.1699	0.0000	6,291.346 5	6,291.346 5	1.9472	0.0000	6,340.027 2
2020	2.8027	22.0574	20.9268	0.0423	1.2281	1.1372	2.3653	0.3288	1.0694	1.3982	0.0000	4,111.7241	4,111.7241	0.7282	0.0000	4,129.929 7
2021	75.5760	20.0309	20.2534	0.0419	1.2281	0.9714	2.1995	0.3288	0.9133	1.2421	0.0000	4,073.108 5	4,073.108 5	0.7165	0.0000	4,091.006 2
Maximum	75.5760	54.5883	33.9925	0.0635	18.2141	2.3913	20.6054	9.9699	2.2000	12.1699	0.0000	6,291.346 5	6,291.346 5	1.9472	0.0000	6,340.027 2

Mitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	lb/day										lb/day					
2019	4.8387	54.5883	33.9925	0.0635	8.2777	2.3913	10.6690	4.5080	2.2000	6.7080	0.0000	6,291.346 5	6,291.346 5	1.9472	0.0000	6,340.027 2
2020	2.8027	22.0574	20.9268	0.0423	1.2281	1.1372	2.3653	0.3288	1.0694	1.3982	0.0000	4,111.7241	4,111.7241	0.7282	0.0000	4,129.929 6
2021	75.5760	20.0309	20.2534	0.0419	1.2281	0.9714	2.1995	0.3288	0.9133	1.2421	0.0000	4,073.108 5	4,073.108 5	0.7165	0.0000	4,091.006 2
Maximum	75.5760	54.5883	33.9925	0.0635	8.2777	2.3913	10.6690	4.5080	2.2000	6.7080	0.0000	6,291.346 5	6,291.346 5	1.9472	0.0000	6,340.027 2

Lennar Tract 6262 Townhomes - Fresno County, Winter

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Percent Reduction	0.00	0.00	0.00	0.00	48.07	0.00	39.48	51.39	0.00	36.88	0.00	0.00	0.00	0.00	0.00	0.00

Lennar Tract 6262 Townhomes - Fresno County, Winter

2.2 Overall Operational**Unmitigated Operational**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Area	5.5714	1.8644	16.0141	0.0116		0.2208	0.2208		0.2208	0.2208	0.0000	2,182.188 1	2,182.188 1	0.0679	0.0395	2,195.658 2
Energy	0.0982	0.8392	0.3571	5.3600e-003		0.0679	0.0679		0.0679	0.0679		1,071.275 5	1,071.275 5	0.0205	0.0196	1,077.641 6
Mobile	1.8444	7.5772	23.2765	0.0677	6.6653	0.0633	6.7286	1.7800	0.0592	1.8391		6,848.655 5	6,848.655 5	0.5011		6,861.182 0
Total	7.5140	10.2808	39.6477	0.0846	6.6653	0.3520	7.0172	1.7800	0.3478	2.1278	0.0000	10,102.11 91	10,102.11 91	0.5895	0.0591	10,134.48 18

Mitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Area	5.0323	1.8644	16.0141	0.0116		0.2208	0.2208		0.2208	0.2208	0.0000	2,182.188 1	2,182.188 1	0.0679	0.0395	2,195.658 2
Energy	0.0982	0.8392	0.3571	5.3600e-003		0.0679	0.0679		0.0679	0.0679		1,071.275 5	1,071.275 5	0.0205	0.0196	1,077.641 6
Mobile	1.8079	7.2661	22.1324	0.0633	6.2054	0.0595	6.2649	1.6571	0.0556	1.7127		6,405.813 7	6,405.813 7	0.4799		6,417.8113
Total	6.9384	9.9696	38.5036	0.0802	6.2054	0.3481	6.5535	1.6571	0.3442	2.0014	0.0000	9,659.277 3	9,659.277 3	0.5684	0.0591	9,691.111 0

Lennar Tract 6262 Townhomes - Fresno County, Winter

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Percent Reduction	7.66	3.03	2.89	5.17	6.90	1.09	6.61	6.90	1.03	5.94	0.00	4.38	4.38	3.59	0.00	4.37

3.0 Construction Detail

Construction Phase

Phase Number	Phase Name	Phase Type	Start Date	End Date	Num Days Week	Num Days	Phase Description
1	Site Preparation	Site Preparation	10/23/2019	11/5/2019	5	10	
2	Grading	Grading	11/6/2019	12/17/2019	5	30	
3	Building Construction	Building Construction	12/18/2019	2/9/2021	5	300	
4	Paving	Paving	2/10/2021	3/9/2021	5	20	
5	Architectural Coating	Architectural Coating	3/10/2021	4/6/2021	5	20	

Acres of Grading (Site Preparation Phase): 0

Acres of Grading (Grading Phase): 75

Acres of Paving: 0

Residential Indoor: 374,625; Residential Outdoor: 124,875; Non-Residential Indoor: 0; Non-Residential Outdoor: 0; Striped Parking Area: 0 (Architectural Coating – sqft)

OffRoad Equipment

Lennar Tract 6262 Townhomes - Fresno County, Winter

Phase Name	Offroad Equipment Type	Amount	Usage Hours	Horse Power	Load Factor
Architectural Coating	Air Compressors	1	6.00	78	0.48
Grading	Excavators	2	8.00	158	0.38
Building Construction	Cranes	1	7.00	231	0.29
Building Construction	Forklifts	3	8.00	89	0.20
Building Construction	Generator Sets	1	8.00	84	0.74
Paving	Pavers	2	8.00	130	0.42
Paving	Rollers	2	8.00	80	0.38
Grading	Rubber Tired Dozers	1	8.00	247	0.40
Building Construction	Tractors/Loaders/Backhoes	3	7.00	97	0.37
Grading	Graders	1	8.00	187	0.41
Grading	Tractors/Loaders/Backhoes	2	8.00	97	0.37
Paving	Paving Equipment	2	8.00	132	0.36
Site Preparation	Tractors/Loaders/Backhoes	4	8.00	97	0.37
Site Preparation	Rubber Tired Dozers	3	8.00	247	0.40
Grading	Scrapers	2	8.00	367	0.48
Building Construction	Welders	1	8.00	46	0.45

Trips and VMT

Phase Name	Offroad Equipment Count	Worker Trip Number	Vendor Trip Number	Hauling Trip Number	Worker Trip Length	Vendor Trip Length	Hauling Trip Length	Worker Vehicle Class	Vendor Vehicle Class	Hauling Vehicle Class
Site Preparation	7	18.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Grading	8	20.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Building Construction	9	133.00	20.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Paving	6	15.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Architectural Coating	1	27.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT

Lennar Tract 6262 Townhomes - Fresno County, Winter

3.1 Mitigation Measures Construction

Water Exposed Area

3.2 Site Preparation - 2019**Unmitigated Construction On-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					18.0663	0.0000	18.0663	9.9307	0.0000	9.9307			0.0000			0.0000
Off-Road	4.3350	45.5727	22.0630	0.0380		2.3904	2.3904		2.1991	2.1991		3,766.4529	3,766.4529	1.1917		3,796.2445
Total	4.3350	45.5727	22.0630	0.0380	18.0663	2.3904	20.4566	9.9307	2.1991	12.1298		3,766.4529	3,766.4529	1.1917		3,796.2445

Lennar Tract 6262 Townhomes - Fresno County, Winter

3.2 Site Preparation - 2019**Unmitigated Construction Off-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0898	0.0613	0.5541	1.3700e-003	0.1479	9.5000e-004	0.1488	0.0392	8.8000e-004	0.0401		136.1943	136.1943	4.1300e-003		136.2976
Total	0.0898	0.0613	0.5541	1.3700e-003	0.1479	9.5000e-004	0.1488	0.0392	8.8000e-004	0.0401		136.1943	136.1943	4.1300e-003		136.2976

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					8.1298	0.0000	8.1298	4.4688	0.0000	4.4688			0.0000			0.0000
Off-Road	4.3350	45.5727	22.0630	0.0380		2.3904	2.3904		2.1991	2.1991	0.0000	3,766.4529	3,766.4529	1.1917		3,796.2445
Total	4.3350	45.5727	22.0630	0.0380	8.1298	2.3904	10.5202	4.4688	2.1991	6.6679	0.0000	3,766.4529	3,766.4529	1.1917		3,796.2445

Lennar Tract 6262 Townhomes - Fresno County, Winter

3.2 Site Preparation - 2019**Mitigated Construction Off-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0898	0.0613	0.5541	1.3700e-003	0.1479	9.5000e-004	0.1488	0.0392	8.8000e-004	0.0401		136.1943	136.1943	4.1300e-003		136.2976
Total	0.0898	0.0613	0.5541	1.3700e-003	0.1479	9.5000e-004	0.1488	0.0392	8.8000e-004	0.0401		136.1943	136.1943	4.1300e-003		136.2976

3.3 Grading - 2019**Unmitigated Construction On-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					8.6733	0.0000	8.6733	3.5965	0.0000	3.5965			0.0000			0.0000
Off-Road	4.7389	54.5202	33.3768	0.0620		2.3827	2.3827		2.1920	2.1920		6,140.0195	6,140.0195	1.9426		6,188.5854
Total	4.7389	54.5202	33.3768	0.0620	8.6733	2.3827	11.0560	3.5965	2.1920	5.7885		6,140.0195	6,140.0195	1.9426		6,188.5854

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3.3 Grading - 2019**Unmitigated Construction Off-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0998	0.0681	0.6157	1.5200e-003	0.1643	1.0600e-003	0.1654	0.0436	9.8000e-004	0.0446		151.3270	151.3270	4.5900e-003		151.4418
Total	0.0998	0.0681	0.6157	1.5200e-003	0.1643	1.0600e-003	0.1654	0.0436	9.8000e-004	0.0446		151.3270	151.3270	4.5900e-003		151.4418

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					3.9030	0.0000	3.9030	1.6184	0.0000	1.6184			0.0000			0.0000
Off-Road	4.7389	54.5202	33.3768	0.0620		2.3827	2.3827		2.1920	2.1920	0.0000	6,140.0195	6,140.0195	1.9426		6,188.5854
Total	4.7389	54.5202	33.3768	0.0620	3.9030	2.3827	6.2857	1.6184	2.1920	3.8105	0.0000	6,140.0195	6,140.0195	1.9426		6,188.5854

Lennar Tract 6262 Townhomes - Fresno County, Winter

3.3 Grading - 2019**Mitigated Construction Off-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0998	0.0681	0.6157	1.5200e-003	0.1643	1.0600e-003	0.1654	0.0436	9.8000e-004	0.0446		151.3270	151.3270	4.5900e-003		151.4418
Total	0.0998	0.0681	0.6157	1.5200e-003	0.1643	1.0600e-003	0.1654	0.0436	9.8000e-004	0.0446		151.3270	151.3270	4.5900e-003		151.4418

3.4 Building Construction - 2019**Unmitigated Construction On-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	2.3612	21.0788	17.1638	0.0269		1.2899	1.2899		1.2127	1.2127		2,591.5802	2,591.5802	0.6313		2,607.3635
Total	2.3612	21.0788	17.1638	0.0269		1.2899	1.2899		1.2127	1.2127		2,591.5802	2,591.5802	0.6313		2,607.3635

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3.4 Building Construction - 2019**Unmitigated Construction Off-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0945	2.6998	0.5054	5.6200e-003	0.1355	0.0198	0.1553	0.0390	0.0190	0.0580		588.7368	588.7368	0.0817		590.7786
Worker	0.6635	0.4530	4.0945	0.0101	1.0926	7.0500e-003	1.0996	0.2898	6.4900e-003	0.2963		1,006.3247	1,006.3247	0.0305		1,007.0881
Total	0.7580	3.1528	4.5998	0.0157	1.2281	0.0269	1.2549	0.3288	0.0255	0.3543		1,595.0615	1,595.0615	0.1122		1,597.8667

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	2.3612	21.0788	17.1638	0.0269		1.2899	1.2899		1.2127	1.2127	0.0000	2,591.5802	2,591.5802	0.6313		2,607.3635
Total	2.3612	21.0788	17.1638	0.0269		1.2899	1.2899		1.2127	1.2127	0.0000	2,591.5802	2,591.5802	0.6313		2,607.3635

Lennar Tract 6262 Townhomes - Fresno County, Winter

3.4 Building Construction - 2019**Mitigated Construction Off-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0945	2.6998	0.5054	5.6200e-003	0.1355	0.0198	0.1553	0.0390	0.0190	0.0580		588.7368	588.7368	0.0817		590.7786
Worker	0.6635	0.4530	4.0945	0.0101	1.0926	7.0500e-003	1.0996	0.2898	6.4900e-003	0.2963		1,006.3247	1,006.3247	0.0305		1,007.0881
Total	0.7580	3.1528	4.5998	0.0157	1.2281	0.0269	1.2549	0.3288	0.0255	0.3543		1,595.0615	1,595.0615	0.1122		1,597.8667

3.4 Building Construction - 2020**Unmitigated Construction On-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	2.1198	19.1860	16.8485	0.0269		1.1171	1.1171		1.0503	1.0503		2,553.0631	2,553.0631	0.6229		2,568.6345
Total	2.1198	19.1860	16.8485	0.0269		1.1171	1.1171		1.0503	1.0503		2,553.0631	2,553.0631	0.6229		2,568.6345

Lennar Tract 6262 Townhomes - Fresno County, Winter

3.4 Building Construction - 2020**Unmitigated Construction Off-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0769	2.4726	0.4355	5.5700e-003	0.1355	0.0133	0.1488	0.0390	0.0127	0.0518		583.6309	583.6309	0.0788		585.6018
Worker	0.6060	0.3989	3.6428	9.7900e-003	1.0926	6.8400e-003	1.0994	0.2898	6.3000e-003	0.2961		975.0301	975.0301	0.0265		975.6934
Total	0.6829	2.8714	4.0783	0.0154	1.2281	0.0202	1.2482	0.3288	0.0190	0.3479		1,558.6610	1,558.6610	0.1054		1,561.2952

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	2.1198	19.1860	16.8485	0.0269		1.1171	1.1171		1.0503	1.0503	0.0000	2,553.0631	2,553.0631	0.6229		2,568.6345
Total	2.1198	19.1860	16.8485	0.0269		1.1171	1.1171		1.0503	1.0503	0.0000	2,553.0631	2,553.0631	0.6229		2,568.6345

Lennar Tract 6262 Townhomes - Fresno County, Winter

3.4 Building Construction - 2020**Mitigated Construction Off-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0769	2.4726	0.4355	5.5700e-003	0.1355	0.0133	0.1488	0.0390	0.0127	0.0518		583.6309	583.6309	0.0788		585.6018
Worker	0.6060	0.3989	3.6428	9.7900e-003	1.0926	6.8400e-003	1.0994	0.2898	6.3000e-003	0.2961		975.0301	975.0301	0.0265		975.6934
Total	0.6829	2.8714	4.0783	0.0154	1.2281	0.0202	1.2482	0.3288	0.0190	0.3479		1,558.6610	1,558.6610	0.1054		1,561.2952

3.4 Building Construction - 2021**Unmitigated Construction On-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	1.9009	17.4321	16.5752	0.0269		0.9586	0.9586		0.9013	0.9013		2,553.3639	2,553.3639	0.6160		2,568.7643
Total	1.9009	17.4321	16.5752	0.0269		0.9586	0.9586		0.9013	0.9013		2,553.3639	2,553.3639	0.6160		2,568.7643

Lennar Tract 6262 Townhomes - Fresno County, Winter

3.4 Building Construction - 2021**Unmitigated Construction Off-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0624	2.2440	0.3795	5.5200e-003	0.1355	6.1800e-003	0.1417	0.0390	5.9100e-003	0.0449		578.1181	578.1181	0.0763		580.0261
Worker	0.5599	0.3548	3.2988	9.4500e-003	1.0926	6.6200e-003	1.0992	0.2898	6.0900e-003	0.2959		941.6265	941.6265	0.0236		942.2159
Total	0.6223	2.5988	3.6782	0.0150	1.2281	0.0128	1.2409	0.3288	0.0120	0.3408		1,519.7446	1,519.7446	0.0999		1,522.2420

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	1.9009	17.4321	16.5752	0.0269		0.9586	0.9586		0.9013	0.9013	0.0000	2,553.3639	2,553.3639	0.6160		2,568.7643
Total	1.9009	17.4321	16.5752	0.0269		0.9586	0.9586		0.9013	0.9013	0.0000	2,553.3639	2,553.3639	0.6160		2,568.7643

Lennar Tract 6262 Townhomes - Fresno County, Winter

3.4 Building Construction - 2021**Mitigated Construction Off-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0624	2.2440	0.3795	5.5200e-003	0.1355	6.1800e-003	0.1417	0.0390	5.9100e-003	0.0449		578.1181	578.1181	0.0763		580.0261
Worker	0.5599	0.3548	3.2988	9.4500e-003	1.0926	6.6200e-003	1.0992	0.2898	6.0900e-003	0.2959		941.6265	941.6265	0.0236		942.2159
Total	0.6223	2.5988	3.6782	0.0150	1.2281	0.0128	1.2409	0.3288	0.0120	0.3408		1,519.7446	1,519.7446	0.0999		1,522.2420

3.5 Paving - 2021**Unmitigated Construction On-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	1.2556	12.9191	14.6532	0.0228		0.6777	0.6777		0.6235	0.6235		2,207.2109	2,207.2109	0.7139		2,225.0573
Paving	0.0000					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Total	1.2556	12.9191	14.6532	0.0228		0.6777	0.6777		0.6235	0.6235		2,207.2109	2,207.2109	0.7139		2,225.0573

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3.5 Paving - 2021**Unmitigated Construction Off-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0632	0.0400	0.3720	1.0700e-003	0.1232	7.5000e-004	0.1240	0.0327	6.9000e-004	0.0334		106.1985	106.1985	2.6600e-003		106.2650
Total	0.0632	0.0400	0.3720	1.0700e-003	0.1232	7.5000e-004	0.1240	0.0327	6.9000e-004	0.0334		106.1985	106.1985	2.6600e-003		106.2650

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	1.2556	12.9191	14.6532	0.0228		0.6777	0.6777		0.6235	0.6235	0.0000	2,207.2109	2,207.2109	0.7139		2,225.0573
Paving	0.0000					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Total	1.2556	12.9191	14.6532	0.0228		0.6777	0.6777		0.6235	0.6235	0.0000	2,207.2109	2,207.2109	0.7139		2,225.0573

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3.5 Paving - 2021**Mitigated Construction Off-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0632	0.0400	0.3720	1.0700e-003	0.1232	7.5000e-004	0.1240	0.0327	6.9000e-004	0.0334		106.1985	106.1985	2.6600e-003		106.2650
Total	0.0632	0.0400	0.3720	1.0700e-003	0.1232	7.5000e-004	0.1240	0.0327	6.9000e-004	0.0334		106.1985	106.1985	2.6600e-003		106.2650

3.6 Architectural Coating - 2021**Unmitigated Construction On-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Archit. Coating	75.2434					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Off-Road	0.2189	1.5268	1.8176	2.9700e-003		0.0941	0.0941		0.0941	0.0941		281.4481	281.4481	0.0193		281.9309
Total	75.4623	1.5268	1.8176	2.9700e-003		0.0941	0.0941		0.0941	0.0941		281.4481	281.4481	0.0193		281.9309

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3.6 Architectural Coating - 2021**Unmitigated Construction Off-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.1137	0.0720	0.6697	1.9200e-003	0.2218	1.3400e-003	0.2231	0.0588	1.2400e-003	0.0601		191.1573	191.1573	4.7900e-003		191.2769
Total	0.1137	0.0720	0.6697	1.9200e-003	0.2218	1.3400e-003	0.2231	0.0588	1.2400e-003	0.0601		191.1573	191.1573	4.7900e-003		191.2769

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Archit. Coating	75.2434					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Off-Road	0.2189	1.5268	1.8176	2.9700e-003		0.0941	0.0941		0.0941	0.0941	0.0000	281.4481	281.4481	0.0193		281.9309
Total	75.4623	1.5268	1.8176	2.9700e-003		0.0941	0.0941		0.0941	0.0941	0.0000	281.4481	281.4481	0.0193		281.9309

Lennar Tract 6262 Townhomes - Fresno County, Winter

3.6 Architectural Coating - 2021**Mitigated Construction Off-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.1137	0.0720	0.6697	1.9200e-003	0.2218	1.3400e-003	0.2231	0.0588	1.2400e-003	0.0601		191.1573	191.1573	4.7900e-003		191.2769
Total	0.1137	0.0720	0.6697	1.9200e-003	0.2218	1.3400e-003	0.2231	0.0588	1.2400e-003	0.0601		191.1573	191.1573	4.7900e-003		191.2769

4.0 Operational Detail - Mobile**4.1 Mitigation Measures Mobile**

Increase Diversity

Improve Destination Accessibility

Increase Transit Accessibility

Improve Pedestrian Network

Lennar Tract 6262 Townhomes - Fresno County, Winter

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Mitigated	1.8079	7.2661	22.1324	0.0633	6.2054	0.0595	6.2649	1.6571	0.0556	1.7127		6,405.8137	6,405.8137	0.4799		6,417.8113
Unmitigated	1.8444	7.5772	23.2765	0.0677	6.6653	0.0633	6.7286	1.7800	0.0592	1.8391		6,848.6555	6,848.6555	0.5011		6,861.1820

4.2 Trip Summary Information

Land Use	Average Daily Trip Rate			Unmitigated	Mitigated
	Weekday	Saturday	Sunday	Annual VMT	Annual VMT
Condo/Townhouse	1,074.85	1,048.95	895.40	3,063,011	2,851,664
Total	1,074.85	1,048.95	895.40	3,063,011	2,851,664

4.3 Trip Type Information

Land Use	Miles			Trip %			Trip Purpose %		
	H-W or C-W	H-S or C-C	H-O or C-NW	H-W or C-W	H-S or C-C	H-O or C-NW	Primary	Diverted	Pass-by
Condo/Townhouse	10.80	7.30	7.50	48.40	15.90	35.70	86	11	3

4.4 Fleet Mix

Land Use	LDA	LDT1	LDT2	MDV	LHD1	LHD2	MHD	HHD	OBUS	UBUS	MCY	SBUS	MH
Condo/Townhouse	0.534300	0.203000	0.167300	0.054500	0.001300	0.000900	0.008600	0.020700	0.000000	0.004400	0.002500	0.000700	0.001800

5.0 Energy Detail

Historical Energy Use: N

Lennar Tract 6262 Townhomes - Fresno County, Winter

5.1 Mitigation Measures Energy

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
NaturalGas Mitigated	0.0982	0.8392	0.3571	5.3600e-003		0.0679	0.0679		0.0679	0.0679		1,071.2755	1,071.2755	0.0205	0.0196	1,077.6416
NaturalGas Unmitigated	0.0982	0.8392	0.3571	5.3600e-003		0.0679	0.0679		0.0679	0.0679		1,071.2755	1,071.2755	0.0205	0.0196	1,077.6416

5.2 Energy by Land Use - NaturalGas**Unmitigated**

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	lb/day										lb/day					
Condo/Townhouse	9105.84	0.0982	0.8392	0.3571	5.3600e-003		0.0679	0.0679		0.0679	0.0679		1,071.2755	1,071.2755	0.0205	0.0196	1,077.6416
Total		0.0982	0.8392	0.3571	5.3600e-003		0.0679	0.0679		0.0679	0.0679		1,071.2755	1,071.2755	0.0205	0.0196	1,077.6416

Lennar Tract 6262 Townhomes - Fresno County, Winter

5.2 Energy by Land Use - NaturalGas**Mitigated**

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	lb/day										lb/day					
Condo/Townhouse	9.10584	0.0982	0.8392	0.3571	5.3600e-003		0.0679	0.0679		0.0679	0.0679		1,071.2755	1,071.2755	0.0205	0.0196	1,077.6416
Total		0.0982	0.8392	0.3571	5.3600e-003		0.0679	0.0679		0.0679	0.0679		1,071.2755	1,071.2755	0.0205	0.0196	1,077.6416

6.0 Area Detail**6.1 Mitigation Measures Area**

Use Low VOC Paint - Residential Interior

Use Low VOC Paint - Residential Exterior

Use only Natural Gas Hearths

Lennar Tract 6262 Townhomes - Fresno County, Winter

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Mitigated	5.0323	1.8644	16.0141	0.0116		0.2208	0.2208		0.2208	0.2208	0.0000	2,182.188 1	2,182.188 1	0.0679	0.0395	2,195.658 2
Unmitigated	5.5714	1.8644	16.0141	0.0116		0.2208	0.2208		0.2208	0.2208	0.0000	2,182.188 1	2,182.188 1	0.0679	0.0395	2,195.658 2

6.2 Area by SubCategory

Unmitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	lb/day										lb/day					
Architectural Coating	0.9514					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Consumer Products	3.9590					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Hearth	0.1975	1.6879	0.7182	0.0108		0.1365	0.1365		0.1365	0.1365	0.0000	2,154.705 9	2,154.705 9	0.0413	0.0395	2,167.510 2
Landscaping	0.4634	0.1766	15.2959	8.1000e-004		0.0843	0.0843		0.0843	0.0843		27.4822	27.4822	0.0266		28.1480
Total	5.5714	1.8644	16.0141	0.0116		0.2208	0.2208		0.2208	0.2208	0.0000	2,182.188 1	2,182.188 1	0.0679	0.0395	2,195.658 2

Lennar Tract 6262 Townhomes - Fresno County, Winter

6.2 Area by SubCategory**Mitigated**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	lb/day										lb/day					
Architectural Coating	0.4123					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Consumer Products	3.9590					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Hearth	0.1975	1.6879	0.7182	0.0108		0.1365	0.1365		0.1365	0.1365	0.0000	2,154.705 9	2,154.705 9	0.0413	0.0395	2,167.510 2
Landscaping	0.4634	0.1766	15.2959	8.1000e-004		0.0843	0.0843		0.0843	0.0843		27.4822	27.4822	0.0266		28.1480
Total	5.0322	1.8644	16.0141	0.0116		0.2208	0.2208		0.2208	0.2208	0.0000	2,182.188 1	2,182.188 1	0.0679	0.0395	2,195.658 2

7.0 Water Detail**7.1 Mitigation Measures Water**

Apply Water Conservation Strategy

8.0 Waste Detail**8.1 Mitigation Measures Waste**

Institute Recycling and Composting Services

9.0 Operational Offroad

Equipment Type	Number	Hours/Day	Days/Year	Horse Power	Load Factor	Fuel Type
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10.0 Stationary Equipment

Fire Pumps and Emergency Generators

Equipment Type	Number	Hours/Day	Hours/Year	Horse Power	Load Factor	Fuel Type
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Boilers

Equipment Type	Number	Heat Input/Day	Heat Input/Year	Boiler Rating	Fuel Type
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User Defined Equipment

Equipment Type	Number
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11.0 Vegetation

CalEEMod Output
GHG Business as Usual

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Lennar Tract 6262 Townhomes GHG BAU

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1.0 Project Characteristics

1.1 Land Usage

Land Uses	Size	Metric	Lot Acreage	Floor Surface Area	Population
Condo/Townhouse	185.00	Dwelling Unit	12.50	185,000.00	529

1.2 Other Project Characteristics

Urbanization	Urban	Wind Speed (m/s)	2.2	Precipitation Freq (Days)	45
Climate Zone	3			Operational Year	2005
Utility Company	Pacific Gas & Electric Company				
CO2 Intensity (lb/MWhr)	641.35	CH4 Intensity (lb/MWhr)	0.029	N2O Intensity (lb/MWhr)	0.006

1.3 User Entered Comments & Non-Default Data

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Project Characteristics - PG&E Intensity Factors

Land Use - Site plan acreage 12.5 ac.

Construction Phase -

Architectural Coating - Rule 4601 Compliant Coatings

Construction Off-road Equipment Mitigation -

Mobile Land Use Mitigation - Clovis Transit Route 10

Area Mitigation - Rule 4601 compliant coatings

Water Mitigation -

Waste Mitigation - Statewide recycling/reuse mandate

Fleet Mix - SJVAPCD Residential Fleet Mix

Woodstoves -

Area Coating - Rule 4601 Architectural Coatings

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Table Name	Column Name	Default Value	New Value
tblAreaCoating	Area_EF_Nonresidential_Exterior	250	150
tblAreaCoating	Area_EF_Nonresidential_Interior	250	150
tblAreaCoating	Area_EF_Parking	150	65
tblAreaCoating	Area_EF_Residential_Exterior	250	65
tblAreaCoating	Area_EF_Residential_Interior	250	150
tblAreaMitigation	UseLowVOCPaintResidentialInteriorValue	150	65
tblFleetMix	HHD	0.11	0.02
tblFleetMix	LDA	0.42	0.53
tblFleetMix	LDT1	0.06	0.20
tblFleetMix	LDT2	0.15	0.17
tblFleetMix	LHD1	0.04	1.3000e-003
tblFleetMix	LHD2	6.9730e-003	9.0000e-004
tblFleetMix	MCY	5.2690e-003	2.5000e-003
tblFleetMix	MDV	0.18	0.05
tblFleetMix	MH	1.5690e-003	1.8000e-003
tblFleetMix	MHD	0.03	8.6000e-003
tblFleetMix	OBUS	2.0990e-003	0.00
tblFleetMix	SBUS	1.2120e-003	7.0000e-004
tblFleetMix	UBUS	1.7870e-003	4.4000e-003
tblLandUse	LotAcreage	11.56	12.50

2.0 Emissions Summary

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2.1 Overall Construction

Unmitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	tons/yr										MT/yr					
2019											0.0000	4.4814	4.4814	2.7000e-004	0.0000	4.4882
Maximum											0.0000	4.4814	4.4814	2.7000e-004	0.0000	4.4882

Mitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	tons/yr										MT/yr					
2019											0.0000	4.4814	4.4814	2.7000e-004	0.0000	4.4882
Maximum											0.0000	4.4814	4.4814	2.7000e-004	0.0000	4.4882

[illegible]

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Quarter	Start Date	End Date	Maximum Unmitigated ROG + NOX (tons/quarter)	Maximum Mitigated ROG + NOX (tons/quarter)
		Highest		

2.2 Overall Operational**Unmitigated Operational**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Area											50.5340	82.3872	132.9212	0.2414	1.4700e-003	139.3932
Energy											0.0000	473.8000	473.8000	0.0168	6.0200e-003	476.0155
Mobile											0.0000	1,372.2075	1,372.2075	0.2301	0.0000	1,377.9596
Waste											17.2745	0.0000	17.2745	1.0209	0.0000	42.7969
Water											3.8240	26.7108	30.5349	0.3940	9.5200e-003	43.2223
Total											71.6326	1,955.1056	2,026.7382	1.9031	0.0170	2,079.3875

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2.2 Overall Operational**Mitigated Operational**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Area											0.0000	82.3872	82.3872	5.1300e-003	1.4700e-003	82.9533
Energy											0.0000	473.8000	473.8000	0.0168	6.0200e-003	476.0155
Mobile											0.0000	1,282.7050	1,282.7050	0.2209	0.0000	1,288.2283
Waste											12.9559	0.0000	12.9559	0.7657	0.0000	32.0977
Water											3.0592	21.3687	24.4279	0.3152	7.6200e-003	34.5778
Total											16.0151	1,860.2609	1,876.2760	1.3237	0.0151	1,913.8726

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Percent Reduction	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	77.64	4.85	7.42	30.45	11.17	7.96

3.0 Construction Detail**Construction Phase**

Phase Number	Phase Name	Phase Type	Start Date	End Date	Num Days Week	Num Days	Phase Description
1	Architectural Coating	Architectural Coating	10/23/2019	11/19/2019	5	20	

Acres of Grading (Site Preparation Phase): 0

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Acres of Grading (Grading Phase): 0**Acres of Paving: 0****Residential Indoor: 374,625; Residential Outdoor: 124,875; Non-Residential Indoor: 0; Non-Residential Outdoor: 0; Striped Parking Area: 0
(Architectural Coating – sqft)****OffRoad Equipment**

Phase Name	Offroad Equipment Type	Amount	Usage Hours	Horse Power	Load Factor
Architectural Coating	Air Compressors	1	6.00	78	0.48

Trips and VMT

Phase Name	Offroad Equipment Count	Worker Trip Number	Vendor Trip Number	Hauling Trip Number	Worker Trip Length	Vendor Trip Length	Hauling Trip Length	Worker Vehicle Class	Vendor Vehicle Class	Hauling Vehicle Class
Architectural Coating	1	27.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT

3.1 Mitigation Measures Construction

Water Exposed Area

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3.2 Architectural Coating - 2019**Unmitigated Construction On-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Archit. Coating											0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road											0.0000	2.5533	2.5533	2.2000e-004	0.0000	2.5587
Total											0.0000	2.5533	2.5533	2.2000e-004	0.0000	2.5587

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling											0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor											0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker											0.0000	1.9282	1.9282	6.0000e-005	0.0000	1.9296
Total											0.0000	1.9282	1.9282	6.0000e-005	0.0000	1.9296

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3.2 Architectural Coating - 2019**Mitigated Construction On-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Archit. Coating											0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road											0.0000	2.5533	2.5533	2.2000e-004	0.0000	2.5586
Total											0.0000	2.5533	2.5533	2.2000e-004	0.0000	2.5586

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling											0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor											0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker											0.0000	1.9282	1.9282	6.0000e-005	0.0000	1.9296
Total											0.0000	1.9282	1.9282	6.0000e-005	0.0000	1.9296

4.0 Operational Detail - Mobile

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4.1 Mitigation Measures Mobile

Increase Diversity

Improve Destination Accessibility

Increase Transit Accessibility

Improve Pedestrian Network

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Mitigated											0.0000	1,282.705 0	1,282.705 0	0.2209	0.0000	1,288.228 3
Unmitigated											0.0000	1,372.207 5	1,372.207 5	0.2301	0.0000	1,377.959 6

4.2 Trip Summary Information

Land Use	Average Daily Trip Rate			Unmitigated	Mitigated
	Weekday	Saturday	Sunday	Annual VMT	Annual VMT
Condo/Townhouse	1,074.85	1,048.95	895.40	3,063,011	2,851,664
Total	1,074.85	1,048.95	895.40	3,063,011	2,851,664

4.3 Trip Type Information

Land Use	Miles			Trip %			Trip Purpose %		
	H-W or C-W	H-S or C-C	H-O or C-NW	H-W or C-W	H-S or C-C	H-O or C-NW	Primary	Diverted	Pass-by
Condo/Townhouse	10.80	7.30	7.50	48.40	15.90	35.70	86	11	3

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4.4 Fleet Mix

Land Use	LDA	LDT1	LDT2	MDV	LHD1	LHD2	MHD	HHD	OBUS	UBUS	MCY	SBUS	MH
Condo/Townhouse	0.534300	0.203000	0.167300	0.054500	0.001300	0.000900	0.008600	0.020700	0.000000	0.004400	0.002500	0.000700	0.001800

5.0 Energy Detail

Historical Energy Use: N

5.1 Mitigation Measures Energy

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Electricity Mitigated											0.0000	296.4384	296.4384	0.0134	2.7700e-003	297.5999
Electricity Unmitigated											0.0000	296.4384	296.4384	0.0134	2.7700e-003	297.5999
NaturalGas Mitigated											0.0000	177.3617	177.3617	3.4000e-003	3.2500e-003	178.4157
NaturalGas Unmitigated											0.0000	177.3617	177.3617	3.4000e-003	3.2500e-003	178.4157

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5.2 Energy by Land Use - NaturalGas**Unmitigated**

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	tons/yr										MT/yr					
Condo/Townhouse	3.32363e+006											0.0000	177.3617	177.3617	3.4000e-003	3.2500e-003	178.4157
Total												0.0000	177.3617	177.3617	3.4000e-003	3.2500e-003	178.4157

Mitigated

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	tons/yr										MT/yr					
Condo/Townhouse	3.32363e+006											0.0000	177.3617	177.3617	3.4000e-003	3.2500e-003	178.4157
Total												0.0000	177.3617	177.3617	3.4000e-003	3.2500e-003	178.4157

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5.3 Energy by Land Use - Electricity**Unmitigated**

	Electricity Use	Total CO2	CH4	N2O	CO2e
Land Use	kWh/yr	MT/yr			
Condo/Townhouse	1.019e+006	296.4384	0.0134	2.7700e-003	297.5999
Total		296.4384	0.0134	2.7700e-003	297.5999

Mitigated

	Electricity Use	Total CO2	CH4	N2O	CO2e
Land Use	kWh/yr	MT/yr			
Condo/Townhouse	1.019e+006	296.4384	0.0134	2.7700e-003	297.5999
Total		296.4384	0.0134	2.7700e-003	297.5999

6.0 Area Detail**6.1 Mitigation Measures Area**

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Use Low VOC Paint - Residential Interior

Use Low VOC Paint - Residential Exterior

Use only Natural Gas Hearths

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Mitigated											0.0000	82.3872	82.3872	5.1300e-003	1.4700e-003	82.9533
Unmitigated											50.5340	82.3872	132.9212	0.2414	1.4700e-003	139.3932

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6.2 Area by SubCategory**Unmitigated**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	tons/yr										MT/yr					
Architectural Coating											0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Consumer Products											0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Hearth											50.5340	80.1434	130.6774	0.2378	1.4700e-003	137.0596
Landscaping											0.0000	2.2438	2.2438	3.5900e-003	0.0000	2.3337
Total											50.5340	82.3872	132.9212	0.2414	1.4700e-003	139.3932

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6.2 Area by SubCategory**Mitigated**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	tons/yr										MT/yr					
Architectural Coating											0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Consumer Products											0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Hearth											0.0000	80.1434	80.1434	1.5400e-003	1.4700e-003	80.6196
Landscaping											0.0000	2.2438	2.2438	3.5900e-003	0.0000	2.3337
Total											0.0000	82.3872	82.3872	5.1300e-003	1.4700e-003	82.9533

7.0 Water Detail**7.1 Mitigation Measures Water**

Apply Water Conservation Strategy

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	Total CO2	CH4	N2O	CO2e
Category	MT/yr			
Mitigated	24.4279	0.3152	7.6200e-003	34.5778
Unmitigated	30.5349	0.3940	9.5200e-003	43.2223

7.2 Water by Land Use

Unmitigated

	Indoor/Outdoor Use	Total CO2	CH4	N2O	CO2e
Land Use	Mgal	MT/yr			
Condo/Townhouse	12.0535 / 7.59894	30.5349	0.3940	9.5200e-003	43.2223
Total		30.5349	0.3940	9.5200e-003	43.2223

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7.2 Water by Land Use**Mitigated**

	Indoor/Outdoor Use	Total CO ₂	CH ₄	N ₂ O	CO ₂ e
Land Use	Mgal	MT/yr			
Condo/Townhouse	9.6428 / 6.07915	24.4279	0.3152	7.6200e-003	34.5778
Total		24.4279	0.3152	7.6200e-003	34.5778

8.0 Waste Detail

8.1 Mitigation Measures Waste

Institute Recycling and Composting Services

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Category/Year

	Total CO2	CH4	N2O	CO2e
	MT/yr			
Mitigated	12.9559	0.7657	0.0000	32.0977
Unmitigated	17.2745	1.0209	0.0000	42.7969

8.2 Waste by Land Use**Unmitigated**

	Waste Disposed	Total CO2	CH4	N2O	CO2e
Land Use	tons	MT/yr			
Condo/Townhouse	85.1	17.2745	1.0209	0.0000	42.7969
Total		17.2745	1.0209	0.0000	42.7969

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8.2 Waste by Land Use**Mitigated**

	Waste Disposed	Total CO2	CH4	N2O	CO2e
Land Use	tons	MT/yr			
Condo/Townhouse	63.825	12.9559	0.7657	0.0000	32.0977
Total		12.9559	0.7657	0.0000	32.0977

9.0 Operational Offroad

Equipment Type	Number	Hours/Day	Days/Year	Horse Power	Load Factor	Fuel Type
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10.0 Stationary Equipment**Fire Pumps and Emergency Generators**

Equipment Type	Number	Hours/Day	Hours/Year	Horse Power	Load Factor	Fuel Type
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Boilers

Equipment Type	Number	Heat Input/Day	Heat Input/Year	Boiler Rating	Fuel Type
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User Defined Equipment

Equipment Type	Number
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11.0 Vegetation

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CalEEMod Output
GHG 2030 Mitigated

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Lennar Tract 6262 Townhomes GHG
Fresno County, Annual**1.0 Project Characteristics**

1.1 Land Usage

Land Uses	Size	Metric	Lot Acreage	Floor Surface Area	Population
Condo/Townhouse	185.00	Dwelling Unit	12.50	185,000.00	529

1.2 Other Project Characteristics

Urbanization	Urban	Wind Speed (m/s)	2.2	Precipitation Freq (Days)	45
Climate Zone	3			Operational Year	2030
Utility Company	Pacific Gas & Electric Company				
CO2 Intensity (lb/MWhr)	290	CH4 Intensity (lb/MWhr)	0.022	N2O Intensity (lb/MWhr)	0.005

1.3 User Entered Comments & Non-Default Data

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Project Characteristics - PG&E Intensity Factors

Land Use - Site plan acreage 12.5 ac.

Construction Phase -

Architectural Coating - Rule 4601 Compliant Coatings

Construction Off-road Equipment Mitigation -

Mobile Land Use Mitigation - Clovis Transit Route 10

Area Mitigation - Rule 4601 compliant coatings

Water Mitigation -

Waste Mitigation - Statewide recycling/reuse mandate

Fleet Mix - SJVAPCD Residential Fleet Mix

Woodstoves -

Area Coating - Rule 4601 Architectural Coatings

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Table Name	Column Name	Default Value	New Value
tblAreaCoating	Area_EF_Parking	150	65
tblAreaCoating	Area_EF_Residential_Exterior	150	65
tblAreaMitigation	UseLowVOCPaintResidentialInteriorValu	150	65
tblFleetMix	HHD	0.13	0.02
tblFleetMix	LDA	0.52	0.53
tblFleetMix	LDT1	0.03	0.20
tblFleetMix	LDT2	0.18	0.17
tblFleetMix	LHD1	9.7000e-003	1.3000e-003
tblFleetMix	LHD2	3.4040e-003	9.0000e-004
tblFleetMix	MCY	4.5630e-003	2.5000e-003
tblFleetMix	MDV	0.09	0.05
tblFleetMix	MH	4.3600e-004	1.8000e-003
tblFleetMix	MHD	0.03	8.6000e-003
tblFleetMix	OBUS	2.3060e-003	0.00
tblFleetMix	SBUS	9.9800e-004	7.0000e-004
tblFleetMix	UBUS	1.1850e-003	4.4000e-003
tblLandUse	LotAcreage	11.56	12.50
tblProjectCharacteristics	CH4IntensityFactor	0.029	0.022
tblProjectCharacteristics	CO2IntensityFactor	641.35	290
tblProjectCharacteristics	N2OIntensityFactor	0.006	0.005

2.0 Emissions Summary

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2.1 Overall Construction

Unmitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	tons/yr										MT/yr					
2021											0.0000	4.3575	4.3575	2.2000e-004	0.0000	4.3630
Maximum											0.0000	4.3575	4.3575	2.2000e-004	0.0000	4.3630

Mitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	tons/yr										MT/yr					
2021											0.0000	4.3575	4.3575	2.2000e-004	0.0000	4.3630
Maximum											0.0000	4.3575	4.3575	2.2000e-004	0.0000	4.3630

[illegible]

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Quarter	Start Date	End Date	Maximum Unmitigated ROG + NOX (tons/quarter)	Maximum Mitigated ROG + NOX (tons/quarter)
		Highest		

2.2 Overall Operational**Unmitigated Operational**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Area											50.5340	82.3872	132.9212	0.2399	1.4700e-003	139.3568
Energy											0.0000	311.4026	311.4026	0.0136	5.5600e-003	313.3994
Mobile											0.0000	876.3423	876.3423	0.0455	0.0000	877.4792
Waste											17.2745	0.0000	17.2745	1.0209	0.0000	42.7969
Water											3.8240	12.0779	15.9019	0.3937	9.4800e-003	28.5696
Total											71.6326	1,282.2099	1,353.8425	1.7135	0.0165	1,401.6020

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2.2 Overall Operational**Mitigated Operational**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Area											0.0000	82.3872	82.3872	3.6700e-003	1.4700e-003	82.9169
Energy											0.0000	311.4026	311.4026	0.0136	5.5600e-003	313.3994
Mobile											0.0000	820.0519	820.0519	0.0435	0.0000	821.1403
Waste											12.9559	0.0000	12.9559	0.7657	0.0000	32.0977
Water											3.0592	9.6623	12.7215	0.3149	7.5900e-003	22.8557
Total											16.0151	1,223.5039	1,239.5190	1.1414	0.0146	1,272.4100

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Percent Reduction	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	77.64	4.58	8.44	33.39	11.45	9.22

3.0 Construction Detail**Construction Phase**

Phase Number	Phase Name	Phase Type	Start Date	End Date	Num Days Week	Num Days	Phase Description
1	Architectural Coating	Architectural Coating	3/10/2021	4/6/2021	5	20	

Acres of Grading (Site Preparation Phase): 0

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Acres of Grading (Grading Phase): 0**Acres of Paving: 0****Residential Indoor: 374,625; Residential Outdoor: 124,875; Non-Residential Indoor: 0; Non-Residential Outdoor: 0; Striped Parking Area: 0
(Architectural Coating – sqft)****OffRoad Equipment**

Phase Name	Offroad Equipment Type	Amount	Usage Hours	Horse Power	Load Factor
Architectural Coating	Air Compressors	1	6.00	78	0.48

Trips and VMT

Phase Name	Offroad Equipment Count	Worker Trip Number	Vendor Trip Number	Hauling Trip Number	Worker Trip Length	Vendor Trip Length	Hauling Trip Length	Worker Vehicle Class	Vendor Vehicle Class	Hauling Vehicle Class
Architectural Coating	1	27.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT

3.1 Mitigation Measures Construction

Water Exposed Area

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3.2 Architectural Coating - 2021**Unmitigated Construction On-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Archit. Coating											0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road											0.0000	2.5533	2.5533	1.8000e-004	0.0000	2.5576
Total											0.0000	2.5533	2.5533	1.8000e-004	0.0000	2.5576

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling											0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor											0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker											0.0000	1.8042	1.8042	4.0000e-005	0.0000	1.8053
Total											0.0000	1.8042	1.8042	4.0000e-005	0.0000	1.8053

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3.2 Architectural Coating - 2021**Mitigated Construction On-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Archit. Coating											0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road											0.0000	2.5533	2.5533	1.8000e-004	0.0000	2.5576
Total											0.0000	2.5533	2.5533	1.8000e-004	0.0000	2.5576

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling											0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor											0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker											0.0000	1.8042	1.8042	4.0000e-005	0.0000	1.8053
Total											0.0000	1.8042	1.8042	4.0000e-005	0.0000	1.8053

4.0 Operational Detail - Mobile

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4.1 Mitigation Measures Mobile

Increase Diversity

Improve Destination Accessibility

Increase Transit Accessibility

Improve Pedestrian Network

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Mitigated											0.0000	820.0519	820.0519	0.0435	0.0000	821.1403
Unmitigated											0.0000	876.3423	876.3423	0.0455	0.0000	877.4792

4.2 Trip Summary Information

Land Use	Average Daily Trip Rate			Unmitigated	Mitigated
	Weekday	Saturday	Sunday	Annual VMT	Annual VMT
Condo/Townhouse	1,074.85	1,048.95	895.40	3,063,011	2,851,664
Total	1,074.85	1,048.95	895.40	3,063,011	2,851,664

4.3 Trip Type Information

Land Use	Miles			Trip %			Trip Purpose %		
	H-W or C-W	H-S or C-C	H-O or C-NW	H-W or C-W	H-S or C-C	H-O or C-NW	Primary	Diverted	Pass-by
Condo/Townhouse	10.80	7.30	7.50	48.40	15.90	35.70	86	11	3

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4.4 Fleet Mix

Land Use	LDA	LDT1	LDT2	MDV	LHD1	LHD2	MHD	HHD	OBUS	UBUS	MCY	SBUS	MH
Condo/Townhouse	0.534300	0.203000	0.167300	0.054500	0.001300	0.000900	0.008600	0.020700	0.000000	0.004400	0.002500	0.000700	0.001800

5.0 Energy Detail

Historical Energy Use: N

5.1 Mitigation Measures Energy

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Electricity Mitigated											0.0000	134.0409	134.0409	0.0102	2.3100e-003	134.9838
Electricity Unmitigated											0.0000	134.0409	134.0409	0.0102	2.3100e-003	134.9838
NaturalGas Mitigated											0.0000	177.3617	177.3617	3.4000e-003	3.2500e-003	178.4157
NaturalGas Unmitigated											0.0000	177.3617	177.3617	3.4000e-003	3.2500e-003	178.4157

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5.2 Energy by Land Use - NaturalGas**Unmitigated**

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	tons/yr										MT/yr					
Condo/Townhouse	3.32363e+006											0.0000	177.3617	177.3617	3.4000e-003	3.2500e-003	178.4157
Total												0.0000	177.3617	177.3617	3.4000e-003	3.2500e-003	178.4157

Mitigated

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	tons/yr										MT/yr					
Condo/Townhouse	3.32363e+006											0.0000	177.3617	177.3617	3.4000e-003	3.2500e-003	178.4157
Total												0.0000	177.3617	177.3617	3.4000e-003	3.2500e-003	178.4157

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5.3 Energy by Land Use - Electricity**Unmitigated**

	Electricity Use	Total CO2	CH4	N2O	CO2e
Land Use	kWh/yr	MT/yr			
Condo/Townhouse	1.019e+006	134.0409	0.0102	2.3100e-003	134.9838
Total		134.0409	0.0102	2.3100e-003	134.9838

Mitigated

	Electricity Use	Total CO2	CH4	N2O	CO2e
Land Use	kWh/yr	MT/yr			
Condo/Townhouse	1.019e+006	134.0409	0.0102	2.3100e-003	134.9838
Total		134.0409	0.0102	2.3100e-003	134.9838

6.0 Area Detail**6.1 Mitigation Measures Area**

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Use Low VOC Paint - Residential Interior

Use Low VOC Paint - Residential Exterior

Use only Natural Gas Hearths

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Mitigated											0.0000	82.3872	82.3872	3.6700e-003	1.4700e-003	82.9169
Unmitigated											50.5340	82.3872	132.9212	0.2399	1.4700e-003	139.3568

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6.2 Area by SubCategory**Unmitigated**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	tons/yr										MT/yr					
Architectural Coating											0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Consumer Products											0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Hearth											50.5340	80.1434	130.6774	0.2378	1.4700e-003	137.0596
Landscaping											0.0000	2.2438	2.2438	2.1400e-003	0.0000	2.2973
Total											50.5340	82.3872	132.9212	0.2399	1.4700e-003	139.3568

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6.2 Area by SubCategory**Mitigated**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	tons/yr										MT/yr					
Architectural Coating											0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Consumer Products											0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Hearth											0.0000	80.1434	80.1434	1.5400e-003	1.4700e-003	80.6196
Landscaping											0.0000	2.2438	2.2438	2.1400e-003	0.0000	2.2973
Total											0.0000	82.3872	82.3872	3.6800e-003	1.4700e-003	82.9169

7.0 Water Detail**7.1 Mitigation Measures Water**

Apply Water Conservation Strategy

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	Total CO2	CH4	N2O	CO2e
Category	MT/yr			
Mitigated	12.7215	0.3149	7.5900e-003	22.8557
Unmitigated	15.9019	0.3937	9.4800e-003	28.5696

7.2 Water by Land Use

Unmitigated

	Indoor/Outdoor Use	Total CO2	CH4	N2O	CO2e
Land Use	Mgal	MT/yr			
Condo/Townhouse	12.0535 / 7.59894	15.9019	0.3937	9.4800e-003	28.5696
Total		15.9019	0.3937	9.4800e-003	28.5696

Lennar Tract 6262 Townhomes GHG - Fresno County, Annual

7.2 Water by Land Use**Mitigated**

	Indoor/Outdoor Use	Total CO2	CH4	N2O	CO2e
Land Use	Mgal	MT/yr			
Condo/Townhouse	9.6428 / 6.07915	12.7215	0.3149	7.5900e-003	22.8557
Total		12.7215	0.3149	7.5900e-003	22.8557

8.0 Waste Detail

8.1 Mitigation Measures Waste

Institute Recycling and Composting Services

Lennar Tract 6262 Townhomes GHG - Fresno County, Annual

Category/Year

	Total CO2	CH4	N2O	CO2e
	MT/yr			
Mitigated	12.9559	0.7657	0.0000	32.0977
Unmitigated	17.2745	1.0209	0.0000	42.7969

8.2 Waste by Land UseUnmitigated

	Waste Disposed	Total CO2	CH4	N2O	CO2e
Land Use	tons	MT/yr			
Condo/Townhouse	85.1	17.2745	1.0209	0.0000	42.7969
Total		17.2745	1.0209	0.0000	42.7969

Lennar Tract 6262 Townhomes GHG - Fresno County, Annual

8.2 Waste by Land Use**Mitigated**

	Waste Disposed	Total CO2	CH4	N2O	CO2e
Land Use	tons	MT/yr			
Condo/Townhouse	63.825	12.9559	0.7657	0.0000	32.0977
Total		12.9559	0.7657	0.0000	32.0977

9.0 Operational Offroad

Equipment Type	Number	Hours/Day	Days/Year	Horse Power	Load Factor	Fuel Type
----------------	--------	-----------	-----------	-------------	-------------	-----------

10.0 Stationary Equipment**Fire Pumps and Emergency Generators**

Equipment Type	Number	Hours/Day	Hours/Year	Horse Power	Load Factor	Fuel Type
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Boilers

Equipment Type	Number	Heat Input/Day	Heat Input/Year	Boiler Rating	Fuel Type
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User Defined Equipment

Equipment Type	Number
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11.0 Vegetation

Lennar Tract 6262 Townhomes GHG - Fresno County, Annual

Appendix B: San Joaquin Valley Air Pollution Control District Amicus Brief on Friant Ranch Supreme Court Decision

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SUPREME COURT COPY

CASE NO. S219783

IN THE SUPREME COURT OF CALIFORNIA

SIERRA CLUB, REVIVE THE SAN JOAQUIN, and
LEAGUE OF WOMEN VOTERS OF FRESNO,
Plaintiffs and Appellants

v.

COUNTY OF FRESNO,
Defendant and Respondent

FRIANT RANCH, L.P.,
Real Party in Interest and Respondent

SUPREME COURT
FILED

APR 13 2015

Frank A. McGuire Clerk
Deputy

After a Decision by the Court of Appeal, filed May 27, 2014
Fifth Appellate District Case No. F066798

Appeal from the Superior Court of California, County of Fresno
Case No. 11CECG00726

**APPLICATION FOR LEAVE TO FILE AMICUS CURIAE BRIEF OF
SAN JOAQUIN VALLEY UNIFIED AIR POLLUTION CONTROL DISTRICT IN
SUPPORT OF DEFENDANT AND RESPONDENT, COUNTY OF FRESNO AND
REAL PARTY IN INTEREST AND RESPONDENT, FRIANT RANCH, L.P.**

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APPLICATION

Pursuant to California Rules of Court 8.520(f)(1), proposed Amicus Curiae San Joaquin Valley Unified Air Pollution Control District hereby requests permission from the Chief Justice to file an amicus brief in support of Defendant and Respondent, County of Fresno, and Defendant and Real Parties in Interest Friant Ranch, L.P. Pursuant to Rule 8.520(f)(5) of the California Rules of Court, the proposed amicus curiae brief is combined with this Application. The brief addresses the following issue certified by this Court for review:

Is an EIR adequate when it identifies the health impacts of air pollution and quantifies a project's expected emissions, or does CEQA further require the EIR to *correlate* a project's air quality emissions to specific health impacts?

As of the date of this filing, the deadline for the final reply brief on the merits was March 5, 2015. Accordingly, under Rule 8.520(f)(2), this application and brief are timely.

1. Background and Interest of San Joaquin Valley Unified Air Pollution Control District

The San Joaquin Valley Unified Air Pollution Control District ("Air District") regulates air quality in the eight counties comprising the San Joaquin Valley ("Central Valley"): Kern, Tulare, Madera, Fresno, Merced, San Joaquin, Stanislaus, and Kings, and is primarily responsible for attaining air quality standards within its jurisdiction. After billions of dollars of investment by Central Valley businesses, pioneering air quality regulations, and consistent efforts by residents, the Central Valley air basin has made historic improvements in air quality.

The Central Valley's geographical, topographical and meteorological features create exceptionally challenging air quality

conditions. For example, it receives air pollution transported from the San Francisco Bay Area and northern Central Valley communities, and the southern portion of the Central Valley includes three mountain ranges (Sierra, Tehachapi, and Coastal) that, under some meteorological conditions, effectively trap air pollution. Central Valley air pollution is only a fraction of what the Bay Area and Los Angeles produce, but these natural conditions result in air quality conditions that are only marginally better than Los Angeles, even though about ten times more pollution is emitted in the Los Angeles region. Bay Area air quality is much better than the Central Valley's, even though the Bay Area produces about six times more pollution. The Central Valley also receives air pollution transported from the Bay Area and northern counties in the Central Valley, including Sacramento, and transboundary anthropogenic ozone from as far away as China.

Notwithstanding these challenges, the Central Valley has reduced emissions at the same or better rate than other areas in California and has achieved unparalleled milestones in protecting public health and the environment:

- In the last decade, the Central Valley became the first air basin classified by the federal government under the Clean Air Act as a “serious nonattainment” area to come into attainment of health-based National Ambient Air Quality Standard (“NAAQS”) for coarse particulate matter (PM₁₀), an achievement made even more notable given the Valley's extensive agricultural sector. Unhealthy levels of particulate matter can cause and exacerbate a range of chronic and acute illnesses.
- In 2013, the Central Valley became the first air basin in the country to improve from a federal designation of “extreme” nonattainment to

actually attain (and quality for an attainment designation) of the 1-hour ozone NAAQS; ozone creates “smog” and, like PM10, causes adverse health impacts.

- The Central Valley also is in full attainment of federal standards for lead, nitrogen dioxide, sulfur dioxide, and carbon monoxide.
- The Central Valley continues to make progress toward compliance with its last two attainment standards, with the number of exceedences for the 8-hour ozone NAAQS reduced by 74% (for the 1997 standard) and 38% (for the 2008 standard) since 1991, and for the small particulate matter (PM2.5) NAAQS reduced by 85% (for the 1997 standard) and 61% (for the 2006 standard).

Sustained improvement in Central Valley air quality requires a rigorous and comprehensive regulatory framework that includes prohibitions (e.g., on wood-burning fireplaces in new residences), mandates (e.g., requiring the installation of best available pollution reduction technologies on new and modified equipment and industrial operations), innovations (e.g., fees assessed against residential development to fund pollution reduction actions to “offset” vehicular emissions associated with new residences), incentive programs (e.g., funding replacements of older, more polluting heavy duty trucks and school buses)¹, ongoing planning for continued air quality improvements, and enforcement of Air District permits and regulations.

The Air District is also an expert air quality agency for the eight counties and cities in the San Joaquin Valley. In that capacity, the Air District has developed air quality emission guidelines for use by the Central

¹ San Joaquin’s incentive program has been so successful that through 2012, it has awarded over \$ 432 million in incentive funds and has achieved 93,349 tons of lifetime emissions reductions. See SAN JOAQUIN VALLEY AIR POLLUTION CONTROL DISTRICT, 2012 PM2.5 PLAN, 6-6 (2012) available at <http://www.valleyair.org/Workshops/postings/2012/12-20-12PM25/FinalVersion/06%20Chapter%206%20Incentives.pdf>.

Valley counties and cities that implement the California Environment Quality Act (CEQA).² In its guidance, the Air District has distinguished between toxic air contaminants and criteria air pollutants.³ Recognizing this distinction, the Air District's CEQA Guidance has adopted distinct thresholds of significance for *criteria* pollutants (i.e., ozone, PM2.5 and their respective precursor pollutants) based upon scientific and factual data which demonstrates the level that can be accommodated on a cumulative basis in the San Joaquin Valley without affecting the attainment of the applicable NAAQS.⁴ For *toxic air* pollutants, the District has adopted different thresholds of significance which scientific and factual data demonstrates has the potential to expose sensitive receptors (i.e., children, the elderly) to levels which may result in localized health impacts.⁵

The Air District's CEQA Guidance was followed by the County of Fresno in its environment review of the Friant Ranch project, for which the Air District also served as a commenting agency. The Court of Appeal's holding, however, requiring correlation between the project's criteria

² See, e.g., SAN JOAQUIN VALLEY AIR POLLUTION CONTROL DISTRICT, PLANNING DIVISION, GUIDE FOR ASSESSING AND MITIGATING AIR QUALITY IMPACTS (2015), available at http://www.valleyair.org/transportation/GAMAQI_3-19-15.pdf ("CEQA Guidance").

³ Toxic air contaminants, also known as hazardous air pollutants, are those pollutants that are known or suspected to cause cancer or other serious health effects, such as birth defects. There are currently 189 toxic air contaminants regulated by the United States Environmental Protection Agency ("EPA") and the states pursuant to the Clean Air Act. 42 U.S.C. § 7412. Common TACs include benzene, perchloroethylene and asbestos. *Id.* at 7412(b).

In contrast, there are only six (6) criteria air pollutants: ozone, particulate matter, carbon monoxide, nitrogen oxides, sulfur dioxide and lead. Although criteria air pollutants can also be harmful to human health, they are distinguishable from toxic air contaminants and are regulated separately. For instance, while criteria pollutants are regulated by numerous sections throughout Title I of the Clean Air Act, the regulation of toxic air contaminants occurs solely under section 112 of the Act. Compare 42 U.S.C. §§ 7407 – 7411 & 7501 – 7515 with 42 U.S.C. § 7411.

⁴ See, e.g., CEQA Guidance at http://www.valleyair.org/transportation/GAMAQI_3-19-15.pdf, pp. 64-66, 80.

⁵ See, e.g., CEQA Guidance at http://www.valleyair.org/transportation/GAMAQI_3-19-15.pdf, pp. 66, 99-101.

pollutants and local health impacts, departs from the Air District's Guidance and approved methodology for assessing criteria pollutants. **A close reading of the administrative record that gave rise to this issue demonstrates that the Court's holding is based on a misunderstanding of the distinction between toxic air contaminants (for which a local health risk assessment is feasible and routinely performed) and criteria air pollutants (for which a local health risk assessment is not feasible and would result in speculative results).**⁶ The Air District has a direct interest in ensuring the lawfulness and consistent application of its CEQA Guidance, and will explain how the Court of Appeal departed from the Air District's long-standing CEQA Guidance in addressing criteria pollutants and toxic air contaminants in this amicus brief.

2. How the Proposed Amicus Curiae Brief Will Assist the Court

As counsel for the proposed amicus curiae, we have reviewed the briefs filed in this action. In addition to serving as a "commentary agency" for CEQA purposes over the Friant Ranch project, the Air District has a strong interest in assuring that CEQA is used for its intended purpose, and believes that this Court would benefit from additional briefing explaining the distinction between criteria pollutants and toxic air contaminants and the different methodologies employed by local air pollution control agencies such as the Air District to analyze these two categories of air pollutants under CEQA. The Air District will also explain how the Court of Appeal's opinion is based upon a fundamental misunderstanding of these two different approaches by requiring the County of Fresno to correlate the project's *criteria* pollution emissions with *local* health impacts. In doing

⁶ CEQA does not require speculation. *See, e.g., Laurel Heights Improvement Ass'n v. Regents of Univ. of Cal.*, 6 Cal. 4th 1112, 1137 (1993) (upholding EIR that failed to evaluate cumulative toxic air emission increases given absence of any acceptable means for doing so).

so, the Air District will provide helpful analysis to support its position that at least insofar as criteria pollutants are concerned, CEQA does not require an EIR to correlate a project's air quality emissions to specific health impacts, because such an analysis is not reasonably feasible.

Rule 8.520 Disclosure

Pursuant to Cal. R. 8.520(f)(4), neither the Plaintiffs nor the Defendant or Real Party In Interest or their respective counsel authored this brief in whole or in part. Neither the Plaintiffs nor the Defendant or Real Party in Interest or their respective counsel made any monetary contribution towards or in support of the preparation of this brief.

CONCLUSION

On behalf of the San Joaquin Valley Unified Air Pollution Control District, we respectfully request that this Court accept the filing of the attached brief.

Dated: April 2, 2015



Annette A. Ballatore-Williamson
District Counsel
Attorney for Proposed Amicus Curiae

SAN JOAQUIN VALLEY UNIFIED
AIR POLLUTION CONTROL
DISTRICT

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TABLE OF AUTHORITIES

CASES

<i>Bakersfield Citizens for Local Control v. City of Bakersfield</i> (2004) 124 Cal.App.4th 1184, 1199, 22 Cal.Rptr.3d 203	15
<i>Citizens for Responsible Equitable Environmental Development</i> <i>v. City of San Diego</i> , (2011) 196 Cal.App.4th 515, 527 129 Cal.Rptr.3d 512, 521	14
<i>Kings County Farm Bureau v. City of Hanford</i> (1990) 221 Cal.App.3d 692, 717 n. 8.	10
<i>Sierra Club v. City of Orange</i> (2008) 163 Cal.App.4 th 523, 535, 78 Cal.Rptr.3d 1, 13	14
<i>Sierra Club v. City of Orange</i> , 163 Cal.App.4 th at 536.....	15
<i>Sierra Club v. County of Fresno</i> (2014) 172 Cal.Rptr.3d 271, 306.....	12
<i>Sierra Club, supra</i> , 172 Cal.Rptr.3d at 303; AR 4554	8

FEDERAL STATUTES

United States Environmental Protection Agency (“EPA”) Clean Air Act. 42 U.S.C. § 7412	1,2,5,6
42 U.S.C. § 7412.....	1
U.S.C. §§ 7407 – 7411.....	1
U.S.C. §§ 7501 – 7515.....	1
42 U.S.C. § 7411.....	1
42 U.S.C. § 7412(b).....	1,2
42 U.S.C. § 7409(b)(1)	2, 6

CALIFORNIA STATUTES

California Environmental Quality Act (“CEQA”).....	<i>passim</i>
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OTHER AUTHORITIES

- United States Environmental Protection Agency,
Ground-level Ozone: Basic Information,
available at: <http://www.epa.gov/airquality/ozonepollution/basic.html>
(visited March 10, 015).....4
- San Joaquin Valley Air Pollution Control District 2007 Ozone Plan*,
Executive Summary p. ES-6, available at:
http://www.valleyair.org/Air_Quality_Plans/docs/AQ_Ozone_2007_Adopted/03%20Executive%20Summary.pdf (visited March 10, 2015).....5
- United States Environmental Protection Agency, *Particulate Matter: Basic Information*, available at:
<http://www.epa.gov/airquality/particulatepollution/basic.html>
(visited March 10, 2015).....5
- United States Environmental Protection Agency, *Table of National Ambient Air Quality Standards*, available at:
<http://www.epa.gov/air/criteria.html#3> (visited March 10, 2015)6
- San Joaquin Valley Unified Air Pollution Control District 2013 Plan for the Revoked 1-Hour Ozone Standard*, Ch. 2 p. 2-16,
available at: http://www.valleyair.org/Air_Quality_Plans/OzoneOneHourPlan2013/02Chapter2ScienceTrendsModeling.pdf (visited March 10, 2015).....6
- Ch. 2 p. 2-19 (visited March 12, 2015); *San Joaquin Valley Unified Air Pollution Control District 2008 PM2.5 Plan*,
Appendix F, pp. F-2 – F-5, available at:
http://www.valleyair.org/Air_Quality_Plans/docs/AQ_Final_Adopted_PM2.5/20%20Appendix%20F.pdf (visited March 19, 2015).....6
- San Joaquin Valley Unified Air Pollution Control District Rule 2201 §§ 2.0; 3.3.9; 4.14.1, available at:
<http://www.valleyair.org/rules/currnrules/Rule22010411.pdf>
(visited March 19, 2015).....7
- San Joaquin Valley Unified Air Pollution Control District Guide to Assessing and Mitigating Air Quality Impacts*, (March 19, 2015) p. 22,
available at:
<http://www.valleyair.org/transportation/CEQA%20Rules/GAMAQI%20Jan%202002%20Rev.pdf> (visited March 30, 2015).....7

San Joaquin Valley Unified Air Pollution Control District Environmental Review Guidelines (Aug. 2000) p. 4-11, available at: http://www.valleyair.org/transportation/CEQA%20Rules/ERG%20Adopted%20_August%202000_.pdf (visited March 12, 2015).....8

San Joaquin Valley Unified Air Pollution Control District 2007 Ozone Plan, Appendix B pp. B-6, B-9, available at: http://www.valleyair.org/Air_Quality_Plans/docs/AQ_Ozone_2007_Adopted/19%20Appendix%20B%20April%202007.pdf (visited March 12, 2015).....9

I. INTRODUCTION.

The San Joaquin Valley Unified Air Pollution Control District (“Air District”) respectfully submits that the Court of Appeal erred when it held that the air quality analysis contained in the Environmental Impact Report (“EIR”) for the Friant Ranch development project was inadequate under the California Environmental Quality Act (“CEQA”) because it did not include an analysis of the correlation between the project’s criteria air pollutants and the potential adverse human health impacts. A close reading of the portion of the administrative record that gave rise to this issue demonstrates that the Court’s holding is based on a misunderstanding of the distinction between toxic air contaminants and criteria air pollutants.

Toxic air contaminants, also known as hazardous air pollutants, are those pollutants that are known or suspected to cause cancer or other serious health effects, such as birth defects. There are currently 189 toxic air contaminants (hereinafter referred to as “TACs”) regulated by the United States Environmental Protection Agency (“EPA”) and the states pursuant to the Clean Air Act. 42 U.S.C. § 7412. Common TACs include benzene, perchloroethylene and asbestos. *Id.* at 7412(b).

In contrast, there are only six (6) criteria air pollutants: ozone, particulate matter, carbon monoxide, nitrogen oxides, sulfur dioxide and lead. Although criteria air pollutants can also be harmful to human health,

they are distinguishable from TACs and are regulated separately. For instance, while criteria pollutants are regulated by numerous sections throughout Title I of the Clean Air Act, the regulation of TACs occurs solely under section 112 of the Act. *Compare* 42 U.S.C. §§ 7407 – 7411 & 7501 – 7515 *with* 42 U.S.C. § 7411.

The most relevant difference between criteria pollutants and TACs for purposes of this case is the manner in which human health impacts are accounted for. While it is common practice to analyze the correlation between an individual facility's TAC emissions and the expected localized human health impacts, such is not the case for criteria pollutants. Instead, the human health impacts associated with criteria air pollutants are analyzed and taken into consideration when EPA sets the national ambient air quality standard ("NAAQS") for each criteria pollutant. 42 U.S.C. § 7409(b)(1). The health impact of a particular criteria pollutant is analyzed on a regional and not a facility level based on how close the area is to complying with (attaining) the NAAQS. Accordingly, while the type of individual facility / health impact analysis that the Court of Appeal has required is a customary practice for TACs, it is not feasible to conduct a similar analysis for criteria air pollutants because currently available computer modeling tools are not equipped for this task.

It is clear from a reading of both the administrative record and the Court of Appeal's decision that the Court did not have the expertise to fully

appreciate the difference between TACs and criteria air pollutants. As a result, the Court has ordered the County of Fresno to conduct an analysis that is not practicable and not likely yield valid information. The Air District respectfully requests that this portion of the Court of Appeal's decision be reversed.

II. THE COURT OF APPEAL ERRED IN FINDING THE FRIANT RANCH EIR INADEQUATE FOR FAILING TO ANALYZE THE SPECIFIC HUMAN HEALTH IMPACTS ASSOCIATED CRITERIA AIR POLLUTANTS.

Although the Air District does not take lightly the amount of air emissions at issue in this case, it submits that the Court of Appeal got it wrong when it required Fresno County to revise the Friant Ranch EIR to include an analysis correlating the criteria air pollutant emissions associated with the project with specific, localized health-impacts. The type of analysis the Court of Appeal has required will not yield reliable information because currently available modeling tools are not well suited for this task.

Further, in reviewing this issue de novo, the Court of Appeal failed to appreciate that it lacked the scientific expertise to appreciate the significant differences between a health risk assessment commonly performed for toxic air contaminants and a similar type of analysis it felt should have been conducted for criteria air pollutants.

///

///

A. Currently Available Modeling Tools are not Equipped to Provide a Meaningful Analysis of the Correlation between an Individual Development Project's Air Emissions and Specific Human Health Impacts.

In order to appreciate the problematic nature of the Court of Appeals' decision requiring a health risk type analysis for criteria air pollutants, it is important to understand how the relevant criteria pollutants (ozone and particulate matter) are formed, dispersed and regulated.

Ground level ozone (smog) is not directly emitted into the air, but is formed when precursor pollutants such as oxides of nitrogen (NO_x) and volatile organic compounds (VOCs) are emitted into the atmosphere and undergo complex chemical reactions in the process of sunlight.¹ Once formed, ozone can be transported long distances by wind.² Because of the complexity of ozone formation, a specific tonnage amount of NO_x or VOCs emitted in a particular area does not equate to a particular concentration of ozone in that area. In fact, even rural areas that have relatively low tonnages of emissions of NO_x or VOCs can have high levels of ozone concentration simply due to wind transport.³ Conversely, the San Francisco Bay Area has six times more NO_x and VOC emissions per square mile than the San Joaquin Valley, but experiences lower

¹ See United States Environmental Protection Agency, *Ground-level Ozone: Basic Information*, available at: <http://www.epa.gov/airquality/ozonepollution/basic.html> (visited March 10, 2015).

² *Id.*

³ *Id.*

concentrations of ozone (and better air quality) simply because sea breezes disperse the emissions.⁴

Particulate matter (“PM”) can be divided into two categories: directly emitted PM and secondary PM.⁵ While directly emitted PM can have a localized impact, the tonnage emitted does not always equate to the local PM concentration because it can be transported long distances by wind.⁶ Secondary PM, like ozone, is formed via complex chemical reactions in the atmosphere between precursor chemicals such as sulfur dioxides (SO_x) and NO_x.⁷ Because of the complexity of secondary PM formation, the tonnage of PM-forming precursor emissions in an area does not necessarily result in an equivalent concentration of secondary PM in that area.

The disconnect between the *tonnage* of precursor pollutants (NO_x, SO_x and VOCs) and the *concentration* of ozone or PM formed is important because it is not necessarily the tonnage of precursor pollutants that causes human health effects, but the concentration of resulting ozone or PM. Indeed, the national ambient air quality standards (“NAAQS”), which are statutorily required to be set by the United States Environmental Protection

⁴ *San Joaquin Valley Air Pollution Control District 2007 Ozone Plan*, Executive Summary p. ES-6, available at: http://www.valleyair.org/Air_Quality_Plans/docs/AQ_Ozone_2007_Adopted/03%20Executive%20Summary.pdf (visited March 10, 2015).

⁵ United States Environmental Protection Agency, *Particulate Matter: Basic Information*, available at: <http://www.epa.gov/airquality/particulatepollution/basic.html> (visited March 10, 2015).

⁶ *Id.*

⁷ *Id.*

Agency (“EPA”) at levels that are “requisite to protect the public health,” 42 U.S.C. § 7409(b)(1), are established as concentrations of ozone or particulate matter and not as tonnages of their precursor pollutants.⁸

Attainment of a particular NAAQS occurs when the concentration of the relevant pollutant remains below a set threshold on a consistent basis throughout a particular region. For example, the San Joaquin Valley attained the 1-hour ozone NAAQS when ozone concentrations remained at or below 0.124 parts per million Valley-wide on 3 or fewer days over a 3-year period.⁹ Because the NAAQS are focused on achieving a particular concentration of pollution region-wide, the Air District’s tools and plans for attaining the NAAQS are regional in nature.

For instance, the computer models used to simulate and predict an attainment date for the ozone or particulate matter NAAQS in the San Joaquin Valley are based on regional inputs, such as regional inventories of precursor pollutants (NO_x, SO_x and VOCs) and the atmospheric chemistry and meteorology of the Valley.¹⁰ At a very basic level, the models simulate future ozone or PM levels based on predicted changes in precursor

⁸ See, e.g., United States Environmental Protection Agency, *Table of National Ambient Air Quality Standards*, available at: <http://www.epa.gov/air/criteria.html#3> (visited March 10, 2015).

⁹ *San Joaquin Valley Unified Air Pollution Control District 2013 Plan for the Revoked 1-Hour Ozone Standard*, Ch. 2 p. 2-16, available at: http://www.valleyair.org/Air_Quality_Plans/OzoneOneHourPlan2013/02Chapter2ScienceTrendsModeling.pdf (visited March 10, 2015).

¹⁰ *Id.* at Ch. 2 p. 2-19 (visited March 12, 2015); *San Joaquin Valley Unified Air Pollution Control District 2008 PM_{2.5} Plan*, Appendix F, pp. F-2 – F-5, available at: http://www.valleyair.org/Air_Quality_Plans/docs/AQ_Final_Adopted_PM2.5/20%20Appendix%20F.pdf (visited March 19, 2015).

emissions Valley wide.¹¹ Because the NAAQS are set levels necessary to protect human health, the closer a region is to attaining a particular NAAQS, the lower the human health impact is from that pollutant.

The goal of these modeling exercises is not to determine whether the emissions generated by a particular factory or development project will affect the date that the Valley attains the NAAQS. Rather, the Air District's modeling and planning strategy is regional in nature and based on the extent to which *all* of the emission-generating sources in the Valley (current and future) must be controlled in order to reach attainment.¹²

Accordingly, the Air District has based its thresholds of significance for CEQA purposes on the levels that scientific and factual data demonstrate that the Valley can accommodate without affecting the attainment date for the NAAQS.¹³ The Air District has tied its CEQA significance thresholds to the level at which stationary pollution sources permitted by the Air District must "offset" their emissions.¹⁴ This "offset"

¹¹ *Id.*

¹² Although the Air District does have a dispersion modeling tool used during its air permitting process that is used to predict whether a particular project's directly emitted PM will either cause an exceedance of the PM NAAQS or contribute to an existing exceedance, this model bases the prediction on a worst case scenario of emissions and meteorology and has no provision for predicting any associated human health impacts. Further, this analysis is only performed for stationary sources (factories, oil refineries, etc.) that are required to obtain a New Source Review permit from the Air District and not for development projects such as Friant Ranch over which the Air District has no preconstruction permitting authority. See San Joaquin Valley Unified Air Pollution Control District Rule 2201 §§ 2.0; 3.3.9; 4.14.1, available at: <http://www.valleyair.org/rules/curnrules/Rule22010411.pdf> (visited March 19, 2015).

¹³ *San Joaquin Valley Unified Air Pollution Control District Guide to Assessing and Mitigating Air Quality Impacts*, (March 19, 2015) p. 22, available at: <http://www.valleyair.org/transportation/CEQA%20Rules/GAMAQI%20Jan%202002%20Rev.pdf> (visited March 30, 2015).

¹⁴ *Id.* at pp. 22, 25.

level allows for growth while keeping the cumulative effects of all new sources at a level that will not impede attainment of the NAAQS.¹⁵ In the Valley, these thresholds are 15 tons per year of PM, and 10 tons of NOx or VOC per year. *Sierra Club, supra*, 172 Cal.Rptr.3d at 303; AR 4554.

Thus, the CEQA air quality analysis for criteria pollutants is not really a localized, project-level impact analysis but one of regional, “cumulative impacts.”

Accordingly, the significance thresholds applied in the Friant Ranch EIR (15 tons per year of PM and 10 tons of NOx or VOCs) are not intended to be indicative of any localized human health impact that the project may have. While the health effects of air pollution are of primary concern to the Air District (indeed, the NAAQS are established to protect human health), the Air District is simply not equipped to analyze whether and to what extent the criteria pollutant emissions of an individual CEQA project directly impact human health in a particular area. This is true even for projects with relatively high levels of emissions of criteria pollutant precursor emissions.

For instance, according to the EIR, the Friant Ranch project is estimated to emit 109.52 tons per year of ROG (VOC), 102.19 tons per year of NOx, and 117.38 tons per year of PM. Although these levels well

¹⁵ ¹⁵ *San Joaquin Valley Unified Air Pollution Control District Environmental Review Guidelines* (Aug. 2000) p. 4-11, available at: http://www.valleyair.org/transportation/CEQA%20Rules/ERG%20Adopted%20August%202000_.pdf (visited March 12, 2015).

exceed the Air District's CEQA significance thresholds, this does not mean that one can easily determine the concentration of ozone or PM that will be created at or near the Friant Ranch site on a particular day or month of the year, or what specific health impacts will occur. Meteorology, the presence of sunlight, and other complex chemical factors all combine to determine the ultimate concentration and location of ozone or PM. This is especially true for a project like Friant Ranch where most of the criteria pollutant emissions derive not from a single "point source," but from area wide sources (consumer products, paint, etc.) or mobile sources (cars and trucks) driving to, from and around the site.

In addition, it would be extremely difficult to model the impact on NAAQS attainment that the emissions from the Friant Ranch project may have. As discussed above, the currently available modeling tools are equipped to model the impact of *all* emission sources in the Valley on attainment. According to the most recent EPA-approved emission inventory, the NO_x inventory for the Valley is for the year 2014 is 458.2 tons per day, or 167,243 tons per year and the VOC (or ROG) inventory is 361.7 tons per day, or 132,020.5 tons per year.¹⁶ Running the photochemical grid model used for predicting ozone attainment with the

¹⁶ *San Joaquin Valley Unified Air Pollution Control District 2007 Ozone Plan*, Appendix B pp. B-6, B-9, available at: http://www.valleyair.org/Air_Quality_Plans/docs/AQ_Ozone_2007_Adopted/19%20Appendix%20B%20April%202007.pdf (visited March 12, 2015).

emissions solely from the Friant Ranch project (which equate to less than one-tenth of one percent of the total NOx and VOC in the Valley) is not likely to yield valid information given the relative scale involved.

Finally, even once a model is developed to accurately ascertain local increases in concentrations of photochemical pollutants like ozone and some particulates, it remains impossible, using today's models, to correlate that increase in concentration to a specific health impact. The reason is the same: such models are designed to determine regional, population-wide health impacts, and simply are not accurate when applied at the local level.

For these reasons, it is not the norm for CEQA practitioners, including the Air District, to conduct an analysis of the localized health impacts associated with a project's criteria air pollutant emissions as part of the EIR process. When the accepted scientific method precludes a certain type of analysis, "the court cannot impose a legal standard to the contrary." *Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 692, 717 n. 8. However, that is exactly what the Court of Appeal has done in this case. Its decision upends the way CEQA air quality analysis of criteria pollutants occurs and should be reversed.

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B. The Court of Appeal Improperly Extrapolated a Request for a Health Risk Assessment for Toxic Air Contaminants into a Requirement that the EIR contain an Analysis of Localized Health Impacts Associated with Criteria Air Pollutants.

The Court of Appeal's error in requiring the new health impact analysis for criteria air pollutants clearly stems from a misunderstanding of terms of art commonly used in the air pollution field. More specifically, the Court of Appeal (and Appellants Sierra Club et al.) appear to have confused the health risk analysis ("HRA") performed to determine the health impacts associated with a project's toxic air contaminants ("TACs"), with an analysis correlating a project's criteria air pollutants (ozone, PM and the like) with specific localized health impacts.

The first type of analysis, the HRA, is commonly performed during the Air District's stationary source permitting process for projects that emit TACs and is, thus, incorporated into the CEQA review process. An HRA is a comprehensive analysis to evaluate and predict the dispersion of TACs emitted by a project and the potential for exposure of human populations. It also assesses and quantifies both the individual and population-wide health risks associated with those levels of exposure. There is no similar analysis conducted for criteria air pollutants. Thus, the second type of analysis (required by the Court of Appeal), is not currently part of the Air District's process because, as outlined above, the health risks associated

with exposure to criteria pollutants are evaluated on a regional level based on the region's attainment of the NAAQS.

The root of this confusion between the types of analyses conducted for TACs versus criteria air pollutants appears to stem from a comment that was presented to Fresno County by the City of Fresno during the administrative process.

In its comments on the draft EIR, the City of Fresno (the only party to raise this issue) stated:

[t]he EIR must disclose the human health related effects of the Project's air pollution impacts. (CEQA Guidelines section 15126.2(a).) The EIR fails completely in this area. The EIR should be revised to disclose and determine the significance of TAC impacts, and of human health risks due to exposure to Project-related air emissions.

(AR 4602.)

In determining that the issue regarding the correlation between the Friant Ranch project's criteria air pollutants and adverse health impacts was adequately exhausted at the administrative level, the Court of Appeal improperly read the first two sentences of the City of Fresno's comment in isolation rather than in the context of the entire comment. *See Sierra Club v. County of Fresno* (2014) 172 Cal.Rptr.3d 271, 306. Although the comment first speaks generally in terms of "human health related effects" and "air pollution," it requests only that the EIR be revised to disclose "the significance of TACs" and the "human health risks due to exposure."

The language of this request in the third sentence of the comment is significant because, to an air pollution practitioner, the language would only have indicated only that a HRA for TACs was requested, and not a separate analysis of the health impacts associated with the project's criteria air pollutants. Fresno County clearly read the comment as a request to perform an HRA for TACs and limited its response accordingly. (AR 4602.)¹⁷ The Air District submits that it would have read the City's comment in the same manner as the County because the City's use of the terms "human health risks" and "TACs" signal that an HRA for TACs is being requested. Indeed, the Air District was also concerned that an HRA be conducted, but understood that it was not possible to conduct such an analysis until the project entered the phase where detailed site specific information, such as the types of emission sources and the proximity of the sources to sensitive receptors became available. (AR 4553.)¹⁸ The City of Fresno was apparently satisfied with the County's discussion of human health risks, as it did not raise the issue again when it commented on the final EIR. (AR 8944 – 8960.)

¹⁷ Appellants do not challenge the manner in which the County addressed TACs in the EIR. (Appellants' Answer Brief p. 28 fn. 7.)

¹⁸ Appellants rely on the testimony of Air District employee, Dan Barber, as support for their position that the County should have conducted an analysis correlating the project's criteria air pollutant emissions with localized health impacts. (Appellants Answer Brief pp. 10-11; 28.) However, Mr. Barber's testimony simply reinforces the Air District's concern that a risk assessment (HRA) be conducted once the actual details of the project become available. (AR 8863.) As to criteria air pollutants, Mr. Barber's comments are aimed at the Air District's concern about the amount of emissions and the fact that the emissions will make it "more difficult for Fresno County and the Valley to reach attainment which means that the health of Valley residents maybe [sic] adversely impacted." Mr. Barber says nothing about conducting a separate analysis of the localized health impacts the project's emissions may have.

The Court of Appeal's holding, which incorrectly extrapolates a request for an HRA for TACs into a new analysis of the localized health impacts of the project's criteria air pollutants, highlights two additional errors in the Court's decision.

First, the Court of Appeal's holding illustrates why the Court should have applied the deferential substantial evidence standard of review to the issue of whether the EIR's air quality analysis was sufficient. The regulation of air pollution is a technical and complex field and the Court of Appeal lacked the expertise to fully appreciate the difference between TACs and criteria air pollutants and tools available for analyzing each type of pollutant.

Second, it illustrates that the Court likely got it wrong when it held that the issue regarding the criteria pollutant / localized health impact analysis was properly exhausted during the administrative process. In order to preserve an issue for the court, '[t]he "exact issue" must have been presented to the administrative agency....' [Citation.] *Citizens for Responsible Equitable Environmental Development v. City of San Diego*, (2011) 196 Cal.App.4th 515, 527 129 Cal.Rptr.3d 512, 521; *Sierra Club v. City of Orange* (2008) 163 Cal.App.4th 523, 535, 78 Cal.Rptr.3d 1, 13. "[T]he objections must be sufficiently specific so that the agency has the

opportunity to evaluate and respond to them.’ [Citation.]” *Sierra Club v. City of Orange*, 163 Cal.App.4th at 536.¹⁹

As discussed above, the City’s comment, while specific enough to request a commonly performed HRA for TACs, provided the County with no notice that it should perform a new type of analysis correlating criteria pollutant tonnages to specific human health effects. Although the parties have not directly addressed the issue of failure to exhaust administrative remedies in their briefs, the Air District submits that the Court should consider how it affects the issues briefed by the parties since “[e]xhaustion of administrative remedies is a jurisdictional prerequisite to maintenance of a CEQA action.” *Bakersfield Citizens for Local Control v. City of Bakersfield* (2004) 124 Cal.App.4th 1184, 1199, 22 Cal.Rptr.3d 203.

III. CONCLUSION

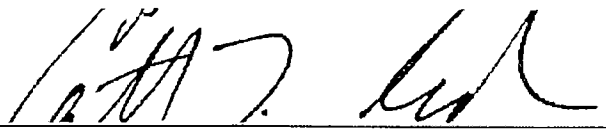
For all of the foregoing reasons, the Air District respectfully requests that the portion of the Court of Appeal’s decision requiring an analysis correlating the localized human health impacts associated with an individual project’s criteria air pollutant emissions be reversed.

¹⁹ *Sierra Club v. City of Orange*, is illustrative here. In that case, the plaintiffs challenged an EIR approved for a large planned community on the basis that the EIR improperly broke up the various environmental impacts by separate project components or “piecemealed” the analysis in violation of CEQA. In evaluating the defense that the plaintiffs had failed to adequately raise the issue at the administrative level, the Court held that comments such as “the use of a single document for both a project-level and a program-level EIR [is] ‘confusing’,” and “[t]he lead agency should identify any potential adverse air quality impacts that could occur from all phases of the project and all air pollutant sources related to the project,” were too vague to fairly raise the argument of piecemealing before the agency. *Sierra Club v. City of Orange*, 163 Cal.App.4th at 537.

correlating the localized human health impacts associated with an individual project's criteria air pollutant emissions be reversed.

Respectfully submitted,

Dated: April 2, 2015

A handwritten signature in black ink, appearing to read 'C. Redmond', is written over a horizontal line.

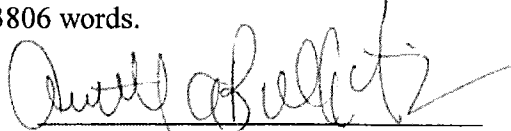
Catherine T. Redmond
Attorney for Proposed Amicus
Curiae

SAN JOAQUIN VALLEY
UNIFIED
AIR POLLUTION CONTROL
DISTRICT

CERTIFICATE OF WORD COUNT

Pursuant to Rule 8.204 of the California Rules of Court, I hereby certify that this document, based on the Word County feature of the Microsoft Word software program used to compose and print this document, contains, exclusive of caption, tables, certificate of word count, signature block and certificate of service, 3806 words.

Dated: April 2, 2015

A handwritten signature in cursive script, appearing to read "Annette A. Ballatore-Williamson", written over a horizontal line.

Annette A. Ballatore-Williamson
District Counsel (SBN 192176)

Sierra Club et al, v. County of Fresno, et al
Supreme Court of California Case No.: S219783
Fifth District Court of Appeal Case No.: F066798
Fresno County Superior Court Case No.: 11CECG00726

PROOF OF SERVICE

I am over the age of 18 years and not a p[arty to the above-captioned action; that my business address is San Joaquin Valley Unified Air Pollution Control District located at 1990 E. Gettysburg Avenue, Fresno, California 93726.

On April 2, 2015, I served the document described below:

**APPLICATION FOR LEAVE TO FILE AMICUS CURIAE BRIEF OF
SAN JOAQUIN VALLEY UNIFIED AIR POLLUTION CONTROL DISTRICT IN
SUPPORT OF DEFENDANT AND RESPONDENT, COUNTY OF FRESNO**

On all parties to this action at the following addresses and in the following manner:

PLEASE SEE ATTACHED SERVICE LIST

- (XX) **(BY MAIL)** I caused a true copy of each document(s) to be laced in a sealed envelope with first-class postage affixed and placed the envelope for collection. Mail is collected daily at my office and placed in a United State Postal Service collection box for pick-up and delivery that same day.
- () **(BY ELECTRONIC MAIL)** I caused a true and correct scanned image (.PDF file) copy to be transmitted via electronic mail transfer system in place at the San Joaquin Valley Unified Air Pollution Control District ("District"), originating from the undersigned at 1990 E. Gettysburg Avenue, Fresno, CA, to the address(es) indicated below.
- () **(BY OVERNIGHT MAIL)** I caused a true and correct copy to be delivered via Federal Express to the following person(s) or their representative at the address(es) listed below.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that I executed this document on April 2, 2015, at Fresno, California.



Esthela Soto

SERVICE LIST

Sierra Club et al, v. County of Fresno, et al

Supreme Court of California Case No.: S219783

Fifth District Court of Appeal Case No.: F066798

Fresno County Superior Court Case No.: 11CECG00726

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APPENDIX B

Biological Analysis Report

Lennar Tract 6262

BIOLOGICAL ANALYSIS REPORT

LENNAR TRACT 6262



MAY 2019



BIOLOGICAL ANALYSIS REPORT

LENNAR TRACT 6262, CLOVIS FRESNO COUNTY, CALIFORNIA

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May 2019

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ACRONYMS AND ABBREVIATIONS

AMSL	above mean sea level
BAR	Biological Analysis Report
BIOS	Biogeography Information and Observation System
BSA	Biological Study Area
CDFW	California Department of Fish and Wildlife
CEQA	California Environmental Quality Act
CESA	California Endangered Species Act
CNDDDB	California Natural Diversity Database
CNPS	California Native Plant Society
CRPR	California Rare Plant Rank
CWHR	California Wildlife Habitat Relationships
FEMA	Federal Emergency Management Agency
FESA	Federal Endangered Species Act
NEPA	National Environmental Policy Act
NHD	National Hydrography Dataset
NRCS	Natural Resources Conservation Service
NWI	National Wetlands Inventory
USFWS	U.S. Fish and Wildlife Service
USGS	U.S. Geological Survey

EXECUTIVE SUMMARY

Quad Knopf, Inc. (QK) prepared this Biological Analysis Report (BAR) to evaluate the potential for special-status biological resources to be impacted by the construction of Tentative Tract 6262 in Clovis, Fresno County, California.

The proposed Project is located within the city of Clovis north of Herndon Avenue between North Peach Avenue and North Willow Avenue and includes the construction of 84 townhomes on approximately 12.5 acres.

A reconnaissance site visit and database review were completed by QK biologists to characterize the existing conditions on-site and determine the potential for special-status biological resources to occur on-site and be impacted by the Project.

The Project site is dominated by Annual Grassland, Barren, and Urban habitats, as defined by the California Department of Fish and Wildlife's California Wildlife Habitat Relationships system. No sensitive natural communities or aquatic resources are present. One special-status species, burrowing owl (*Athene cunicularia*) was determined to have potential to occur on-site. Nesting birds protected by the California Fish and Game Code and Migratory Bird Treaty Act also have the potential to occur on-site. Avoidance and minimization measures are prescribed including preactivity surveys and exclusion plan development and implementation for burrowing owls. With implementation of these measures, impacts to special-status biological resources would be less than significant.

SECTION 1 - INTRODUCTION

Quad Knopf, Inc. (QK) prepared this Biological Analysis Report (BAR) to evaluate the potential for special-status biological resources to be impacted by the construction of Tentative Tract 6262 (Project) in Clovis, Fresno County, California.

1.1 - Project Location

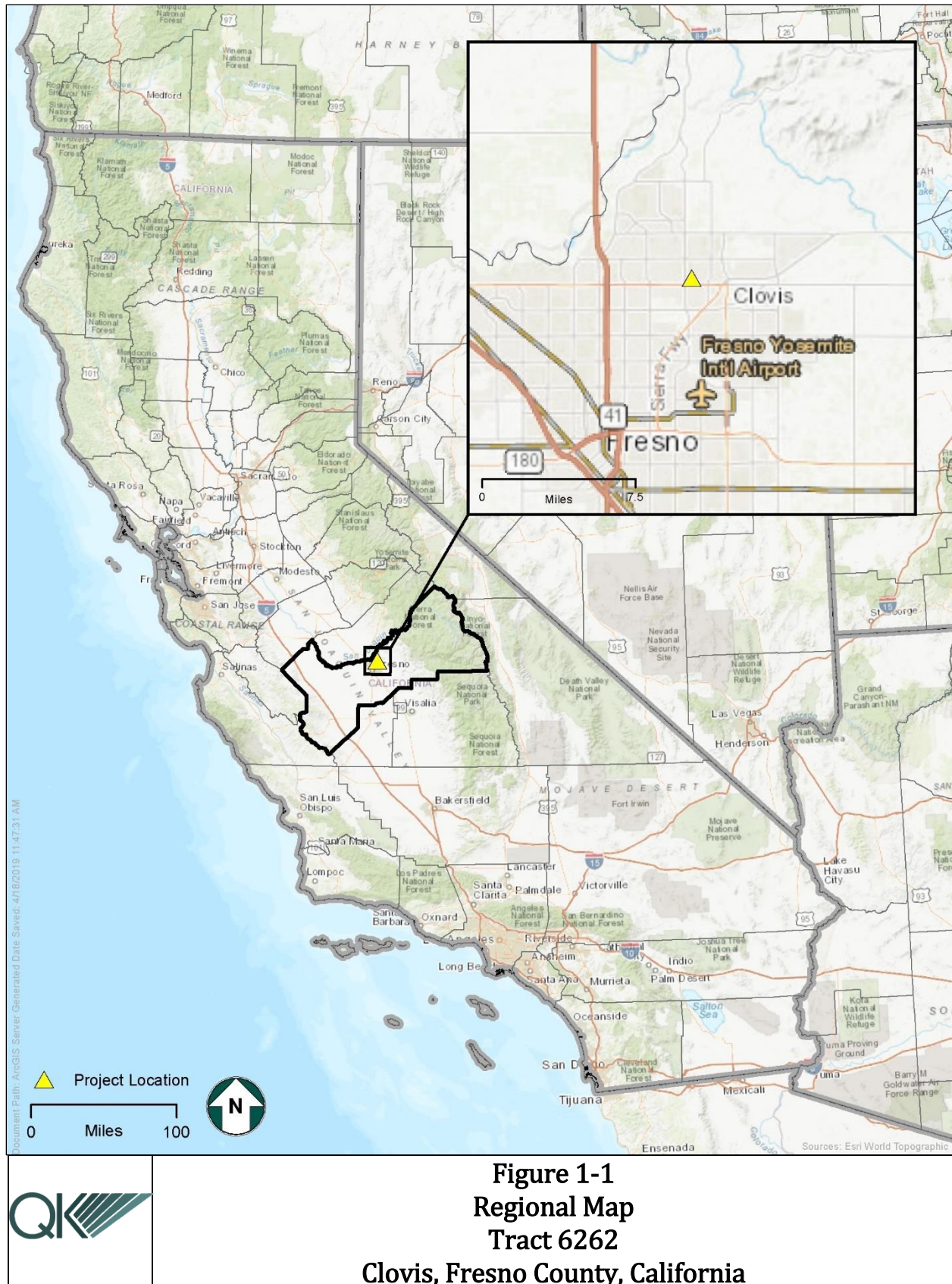
The proposed Project is located within the city of Clovis north of Herndon Avenue between North Peach Avenue and North Willow Avenue (Figures 1-1 and 1-2). The general latitude and longitude for the Project site is 36.840599° and -119.722885°. The Project is in the *Clovis, California* U.S. Geological Survey (USGS) 7.5-minute quadrangle. The proposed Project will be built on Assessor's Parcel Numbers 561-26-10 and 561-26-17, which are zoned as R-2: Low Density Multiple Family Residential, 1 unit per 3,000 square feet.

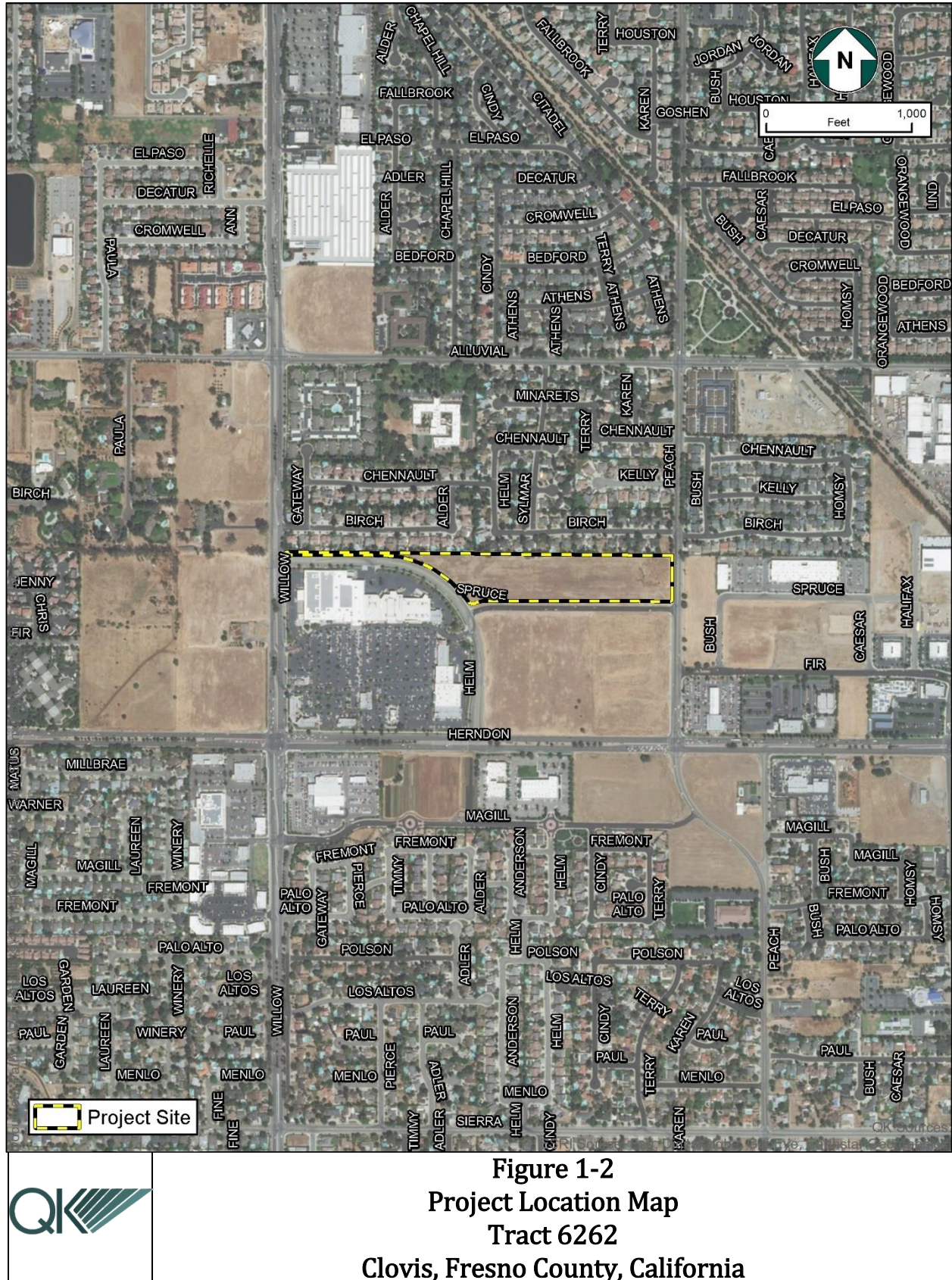
1.2 - Project Description

The Project proposes approval of Vesting Tentative Subdivision Map Tract 6262. With full buildout, the approximately 12.5 acre site would be developed with up to 185 townhomes.

1.3 - Purpose, Goals, and Objectives

The purpose of this BAR is to identify where potential special-status biological resources may occur within the Project site, determine how those resources may be impacted by the proposed Project, and recommend avoidance, minimization, and mitigation measures to reduce the potential for impact to a less than significant level. This BAR has been prepared to support an analysis of biological conditions as required by the California Environmental Quality Act (CEQA) to support regulatory permit applications, if needed.





SECTION 2 - METHODS

2.1 - Definition of Biological Study Area

For the purposes of this report, the Biological Study Area (BSA) is the Project disturbance footprint plus a 250-foot buffer (Figure 2-1).

2.2 - Definition of Special-Status Resources

For the purposes of this report, special-status species include:

- Species listed as threatened or endangered under the Federal Endangered Species Act (FESA); species that are under review may be included if there is a reasonable expectation of listing within the life of the project,
- Species listed as candidate, threatened, or endangered under the California Endangered Species Act (CESA),
- Species designated as Fully Protected, Species of Special Concern, or Watch List by the California Department of Fish and Wildlife (CDFW),
- Plant species with a California Rare Plant Rank (CRPR) in categories 1 or 2, and
- Species designated as locally important by the Local Agency and/or otherwise protected through ordinance or local policy.

The potential for each special-status species to occur in the study area was evaluated according to the following criteria:

- **No.** Habitat on and adjacent to the site is clearly unsuitable to meet the needs of the species (foraging, breeding, cover, substrate, elevation, hydrology, plant community, site history, disturbance regime), and species would have been identifiable on-site if present (e.g., oak trees). Surveys did not detect species.
- **Yes.** Conditions on the site may, in some way, support a portion of the species ecology (foraging, reproduction, movement/migration). Surveys were conducted, but negative results do not exclude the potential for a species to occur.
- **Present.** Species was observed on the site or has been recorded (e.g., CNDDDB, other reports) on the site recently (within the last 5 years).

Other sensitive biological resources evaluated in this report include federal and State wetlands and waters, fisheries resources, migratory corridors and linkages, designated critical habitats, and other resources that must be evaluated to comply with CEQA and NEPA.

2.3 - Literature Review and Database Analysis

The following sources were reviewed for information on special-status biological resources in the Project vicinity:

- CDFW's California Natural Diversity Database (CNDDDB; CDFW 2019a)
- CDFW's Biogeographic Information and Observation System (BIOS; CDFW 2019b)

- CDFW's California Wildlife Habitat Relationships (CWHR) System (Mayer and Laudenslayer 1988)
- California Native Plant Society (CNPS) Inventory of Rare and Endangered Plants of California (CNPS 2019)
- U.S. Fish and Wildlife Service's (USFWS) Information for Planning and Consultation system (USFWS 2019b)
- USFWS Critical Habitat Mapper (USFWS 2019a)
- USFWS National Wetlands Inventory (NWI; USFWS 2019c)
- USGS National Hydrography Dataset (NHD; USGS 2019)
- Federal Emergency Management Agency (FEMA) flood zone maps (FEMA 2019)
- U.S. Department of Agriculture, Natural Resources Conservation Service (NRCS) Web Soil Survey (NRCS 2019a)
- Current and historical aerial imagery (Google LLC 2019)

For each of these data sources, the search was focused on the *Clovis, California* USGS 7.5-minute quadrangle in which the Project is located, plus the surrounding eight (8) quadrangles. For the CNDDDB, a 10-mile search radius was used.

The CNDDDB provides element-specific spatial information on individually documented occurrences of special-status species and sensitive natural communities. Some of the information available for review in the CNDDDB is still undergoing review by the CDFW; these records are identified as unprocessed data. The CNPS database provides similar information as the CNDDDB, but at a much lower spatial resolution. Much of this information in these databases is obtained opportunistically and is often focused on protected lands or on lands where development has been proposed. Neither database represents a comprehensive survey for special-status resources in the region. As such, the absence of recorded occurrences in these databases at any specific location does not preclude the possibility that a special-status species could be present. The NWI and Web Soil Survey provide comprehensive data, but at a low resolution requiring confirmation in the field.

The results of the database inquiries were reviewed to develop a list of special-status resources that may be present within the vicinity of the Project. This list was then evaluated against the existing conditions observed during the reconnaissance site visit of the BSA to determine which special-status resources have the potential to occur, and then the potential for impacts to those resources as a result of implementation of the Project were evaluated.

2.4 - Reconnaissance-Level Field Surveys

A reconnaissance-level site survey of the BSA was conducted to characterize the existing biological conditions of the Project site and the greater BSA. The site visit consisted of a combination of windshield surveys and pedestrian transects. The survey effort resulted in 100% visual coverage of the BSA. All plant and animal species detected were recorded and identified to the lowest taxonomic level necessary to determine rarity. The locations of any special-status biological resources detected were documented using GPS.

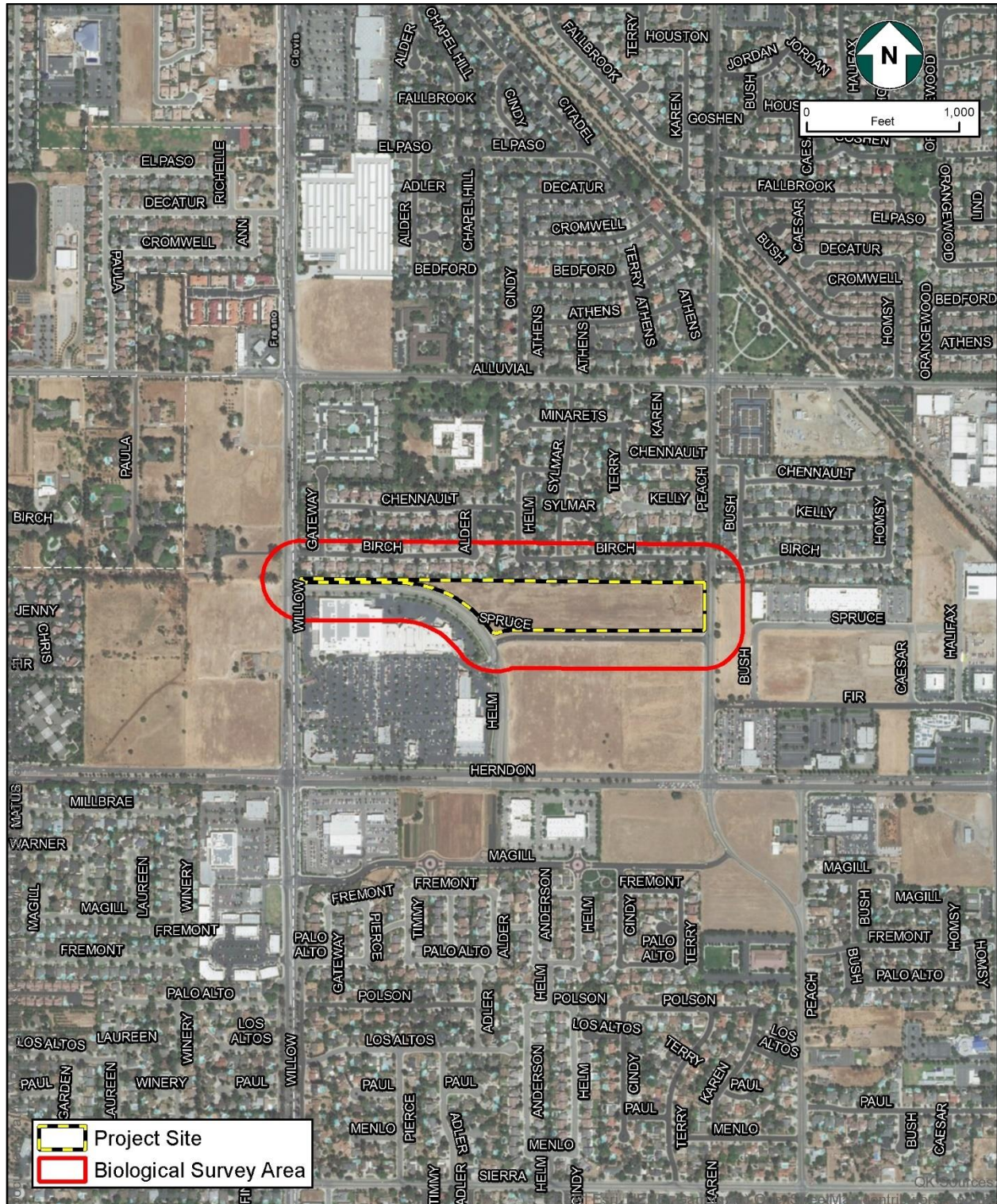


Figure 2-1
Biological Study Area
Tract 6262
Clovis, Fresno County, California

SECTION 3 - REGULATORY SETTING

Special-status resources that were studied and analyzed include special-status plant and animal species, nesting birds and raptors, sensitive plant communities, jurisdictional waters and wetlands, wildlife movement areas, and locally protected resources, such as protected trees. Regulatory authority over biological resources is shared by federal, state, and local authorities. Primary authority for the regulation of general biological resources lies within the land use control and planning authority of local jurisdictions, in this instance, the County of Fresno.

Potential impacts to biological resources were analyzed based on the following list of statutes. Summaries of these statutes are provided in Appendix A.

- CEQA
- FESA
- CESA
- Federal Clean Water Act
- California Fish and Game Code
- Migratory Bird Treaty Act
- The Bald and Golden Eagle Protection Act
- Porter-Cologne Water Quality Control Act
- Clovis General Plan 2014

SECTION 4 - ENVIRONMENTAL SETTING

This section identifies the regional and local environmental setting of the Project and describes existing baseline conditions. The environmental setting of the BSA was documented during a reconnaissance site survey (Table 4-1).

Table 4-1
Field Survey Personnel and Timing.

Date	Personnel	Time	Weather Conditions	Survey Type
4-23-2019	Carie Wingert	9:00 am – 9:50 am	clear; winds 1-2 mph; temps 71°F-73°F	Reconnaissance

4.1 - Physical Characteristics

The BSA is located within the city of Clovis which is dominated by residential and commercial development with few scattered undeveloped parcels remaining.

4.1.1 - TOPOGRAPHY

The BSA is located on the eastern floor of the Central Valley within the city of Clovis (Google LLC 2019). The topography of the BSA is relatively flat with elevational ranges from roughly 359 to 361 feet above mean sea level. There are several old dirt piles located in the eastern portion of the site. Representative photographs of the BSA are included in Appendix B.

4.1.2 - CLIMATE

The Project is located in an area with a Mediterranean climate of hot summers and mild, wet winters. Average high temperatures range from 54°F in January to 98°F in July, with daily temperatures exceeding 100°F several days in the summer (WWRC 2019). Average low temperatures range from 37°F in December to 65°F in July. Precipitation occurs primarily as rain, most of which falls from November to April, with an average of 10.9 inches of rainfall per year. Precipitation may also occur as a dense fog during the winter known as Tule fog. Rain rarely falls during the summer months.

4.1.3 - LAND USE

The Project site has historically been used for agricultural production but has been undeveloped for the past several decades as the city of Clovis grew and the parcel became surrounded by residential developments.

4.1.4 - SOILS

The BSA is underlain by five soil types (Figure 4-1; NRCS 2019).

Hanford coarse sandy loam. Hanford soils are very deep, well drained soils with negligible runoff and moderately rapid permeability (NRCS 2019a). They formed in moderately coarse textured alluvium, predominantly from granite and other quartz. These soils are typically found on stream bottoms, floodplains, and alluvial fans with slopes less than 15% at elevations from ~150 to ~3,500 feet above mean sea level (AMSL). They are used for growing fruits, vegetables, dairies, and urban development. Dominant natural vegetation includes annual grasses and forbs. This is not a hydric soil (NRCS 2019b).

Hanford sandy loam. This soil type is similar to Hanford coarse sandy loam except that the soils are composed of finer particulates.

Hanford fine sandy loam, clay loam substratum. This soil type differs from the other two Hanford soil map units in that it consists of a yet finer soil composition, with higher concentrations of loam and clay.

Tujunga loamy sand, 0 to 3 percent slopes. Tujunga soils are very deep, somewhat excessively drainage soils with negligible to low runoff and high saturation hydraulic conductivity (NRCS 2019a). They rarely flood. They formed in alluvium from granitic sources and are primarily found on floodplains and alluvial fans and are found at elevations from ~6 to ~2,000 feet AMSL. They are used for grazing, orchards, vineyards, and residential and commercial development. Natural vegetation consists primarily of annual grasses and forbs. This soil may be considered a hydric soil under criterion 4 (NRCS 2019b). Criterion 4 includes map unit components that are frequently flooded for long duration or very long duration during the growing season that: a) Based on the range of characteristics for the soil series, will at least in part meet one or more Field Indicators of Hydric Soils in the United States, or b) Show evidence that the soils meet the definition of a hydric soil.

Visalia sandy loam, clay loam substratum, 0 to 3 percent slopes. Visalia soils are well drained soils with low runoff and moderately high permeability that is not prone to flooding or ponding (NRCS 2019a). It is formed of recent alluvium derived from granite at elevations from ~300 to ~400 feet AMSL. It is considered prime farmland if irrigated. This soil may be considered a hydric soil under criteria 2 and 4 (NRCS 2019b). Criterion 2 includes map unit components in Aquic suborders, great groups, or subgroups, Albolls suborder, Historthels great group, Histoturbels great group, or Andic, Cumulic, Pachic, or Vitrandic subgroups that: a) Based on the range of characteristics for the soil series, will at least in part meet one or more Field Indicators of Hydric Soils in the United States, or b) Show evidence that the soil meets the definition of a hydric soil. Criterion 4 includes map unit components that are frequently flooded for long duration or very long duration during the growing season that: a) Based on the range of characteristics for the soil series, will at least in part meet one or more Field Indicators of Hydric Soils in the United States, or b) Show evidence that the soils meet the definition of a hydric soil.

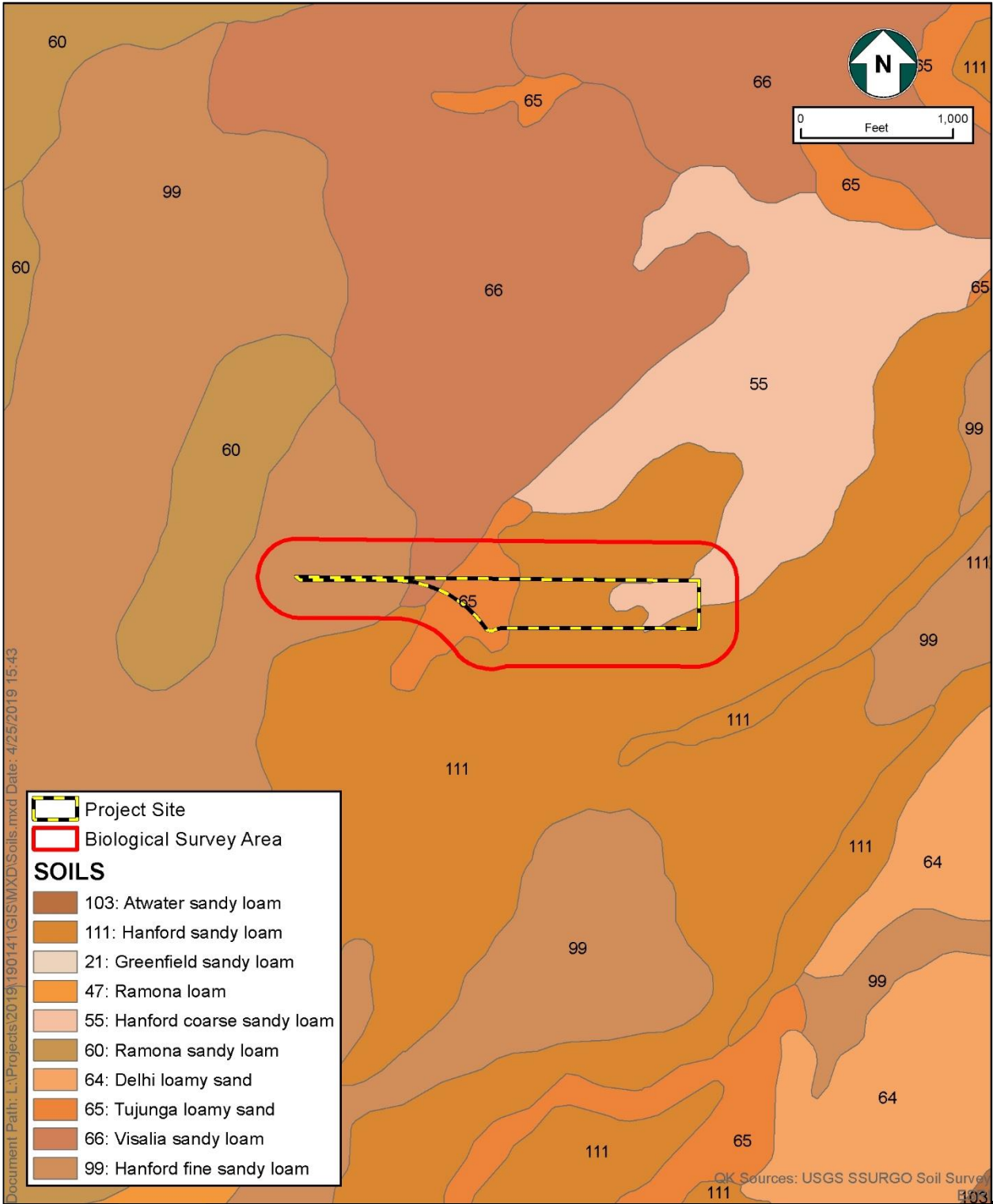


Figure 4-1
Soils
Tract 6262
Clovis, Fresno County, California

4.1.5 - HYDROLOGY

The BSA is located within the James Bypass watershed which drains water from the Sierra Nevada foothills towards the Fresno Slough (USGS 2019). The NHD identifies a blue line drainage along the eastern Project boundary called Helm Colonial Ditch (Figure 4-2). Historical aerial imagery shows this ditch was no longer present as of June 2009, when North Peach Avenue was widened, and a sidewalk was constructed in the location of the ditch. This ditch was not observed during the site visit and has likely been converted into a pipeline. No other drainages or aquatic features were observed.

The western portion of the BSA is within FEMA 0.2% Annual Chance Flood Hazard zones (FEMA 2019; Figure 4-3).

4.2 - Vegetation and Other Land Cover

Three habitat types were observed within the BSA: annual grassland, barren, and urban (Figure 4-4). These habitats are described below in the context of the CWHR (Mayer and Laudenslayer 1988). A complete list of plant species observed is presented in Appendix C.

Annual Grassland. The annual grassland accounted for approximately 9.1 acres within the BSA (1.7 acres within Project boundary) and consisted of annual forbs and grasses. No shrub or trees were present. Dominant plant species included ripgut (*Bromus diandrus*), barley (*Hordeum* spp.), red brome (*B. madritensis*), and fiddleneck (*Amsinckia* spp.). Much of the annual grassland within the BSA has been recently plowed.

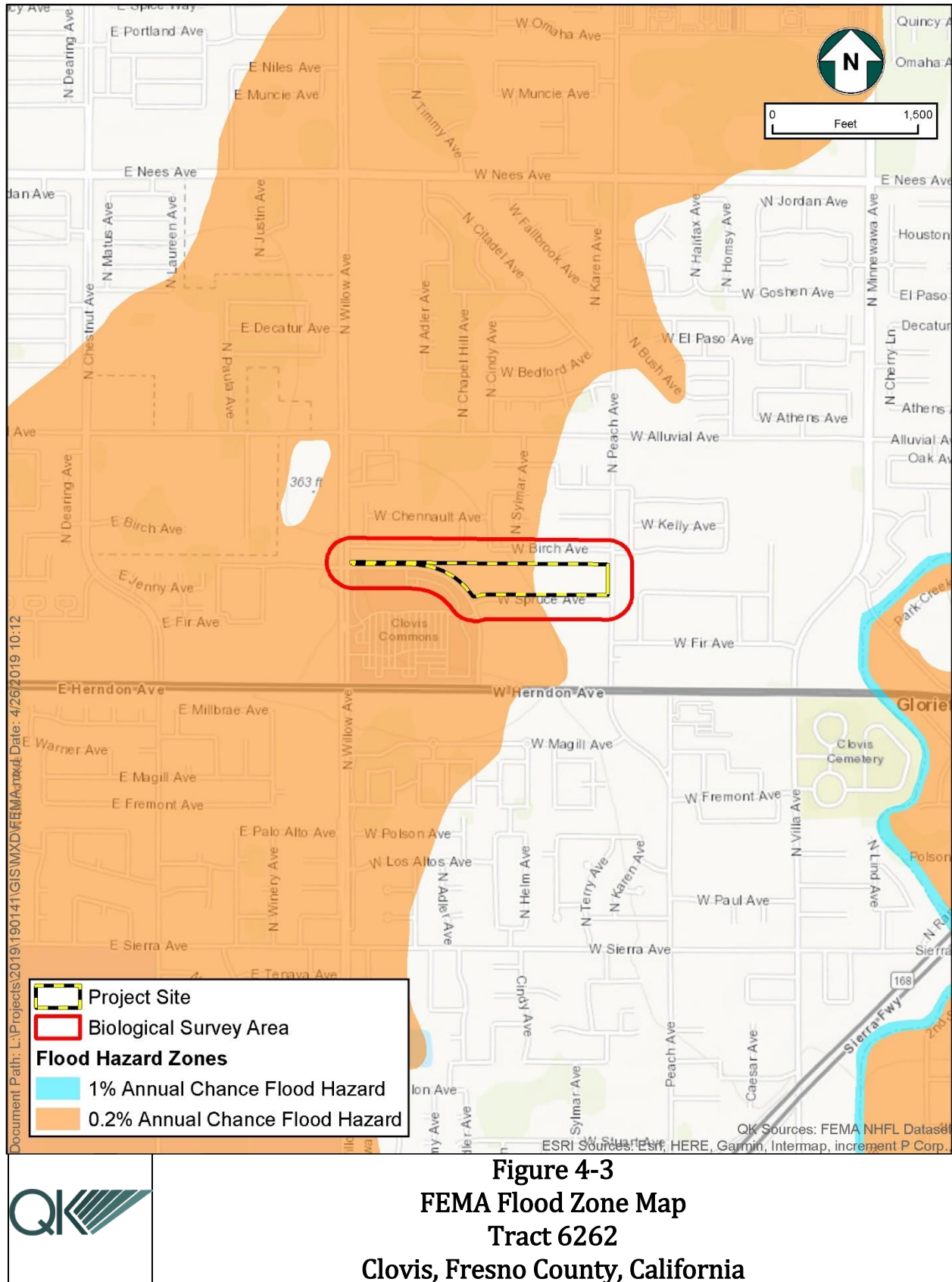
Barren. Barren habitats accounted for approximately 10.6 acres within the BSA (9.8 acres within Project boundary) and consisted of plowed fields with little to no vegetation.

Urban. Urban habitat accounted for approximately 29.26 acres within the BSA (0.6 acres within Project boundary) and included developed areas with landscaped vegetation.

4.3 - General Wildlife Observations

Wildlife activity was low, consistent with urban areas. Animal species detected included California ground squirrels (*Otospermophilus beecheyi*), mourning doves (*Zenaidura macroura*), northern mockingbirds (*Mimus polyglottos*), and house finches (*Haemorhous mexicanus*).







SECTION 5 - SENSITIVE BIOLOGICAL RESOURCES

Local, State, and federal agencies regulate special-status species and other sensitive biological resources and require an assessment of their presence or potential for presence to be on-site prior to the approval of proposed development on a property. This section discusses sensitive biological resources observed on the Project site and evaluates the potential for the Project site to support additional sensitive biological resources. Assessments for the potential occurrence of special-status species are based upon known ranges, habitat preferences for the species, species occurrence records from the CNDDDB and CNPS, species occurrence records from other sites in the vicinity of the survey area, previous reports for the Project site, and the results of surveys of the Project site.

5.1 - Special-Status Species

Table 5-1 presents the list of special-status plant and animal species determined to have a potential to occur on-site and identifies if the Project may affect the species and threaten the viability of the species population. Each species is further discussed in the subsections below. The complete list of species evaluated for this Project is included in Appendix D.

Table 5-1
Special-Status Species with Potential to Occur On-Site

Scientific Name Common Name	Status Fed/State ESA CRPR/CDFW	Potentially Affected by Project? Yes/No	Viability Threat? Yes/No
Birds			
<i>Athene cunicularia</i> burrowing owl	-/- SSC	No	No
SSC	State Species of Special Concern		

5.1.1 - SPECIAL-STATUS PLANT SPECIES

The literature and database review identified 15 special-status plant species known or with potential to occur in the vicinity of the Project (Appendix D). None of these species have the potential to occur on-site due to the lack of suitable habitat conditions or the Project being located outside of the species' known range.

5.1.2 - SPECIAL-STATUS ANIMAL SPECIES

The literature and database review identified 21 special-status animal species known or with potential to occur in the vicinity of the Project (Appendix D). Of those, one (1) was determined to have a potential to occur on-site:

- **Burrowing owl** (*Athene cunicularia*) – state Species of Special Concern

Burrowing Owl***ATHENE CUNICULARIA***

Status: State Species of Special Concern

Burrowing owls are found through much of California, primarily in arid and semi-arid habitats, including deserts (Poulin et al. 2011, Zeiner et al. 1990). Burrowing owls are the only species of owl in North America that use subterranean burrows for nesting and shelter. They prefer open habitats with few scattered shrubs or trees. In California, burrows used by this species are created by other fossorial mammals, especially California ground squirrels (*Otospermophilus beecheyi*). They are also the most diurnally active owl in North America, with peak activity levels during the crepuscular periods (dawn and dusk). Burrowing owls are known to occur in developed habitats, including urban and agricultural habitats, provided there are burrows available in relatively undisturbed areas (e.g., canals, drainage basins, abandoned railroad tracks). They primarily consume small rodents and insects, with rodents being particularly important during the breed season. Their diet will vary based on habitat conditions; the species has been observed hunting bats around parking lot light poles at night (Hoetker and Gobalet 1999). They have also been document traveling a mile or more to forage (Poulin et al. 2011). Primary threats to burrowing owls include habitat loss, degradation, and fragmentation, particularly where burrows are present (Poulin et al. 2011, Zeiner et al. 1988). Use of pesticides to reduce rodent and insect populations may threaten burrowing owls in urban and agricultural habitats caused by secondary poisoning transferred through their prey.

No burrowing owls or diagnostic signs of burrowing owls were observed on the Project site. Ground squirrel burrows were observed on-site and in the surrounding area and it is possible that a burrowing owl could be present on the site at some time in the future. The site could provide foraging opportunities if they are present elsewhere in the vicinity.

5.1.3 - OTHER PROTECTED SPECIES**Nesting Birds**

No nesting birds were observed on the site at the time of the on-site biological examination. Habitat conditions within the BSA could support nesting migratory birds that specialize in ground nesting and could nest in trees at the western end of the Project site or within trees on adjacent parcels.

5.2 - Sensitive Natural Communities**5.2.1 - SENSITIVE PLANT COMMUNITIES**

No sensitive plant communities were present within the BSA.

5.2.2 - CRITICAL HABITATS

No critical habitat is present within the BSA.

5.3 - Jurisdictional Aquatic Resources

The NWI shows an artificial drainage along the east side of the Project site (USFWS 2019c; Figure 4-2). This ditch is no longer present and has likely been converted into a pipeline. No other drainages or aquatic features were observed.

5.4 - Wildlife Movement

Wildlife movement corridors, also referred to as dispersal corridors or landscape linkages, are generally defined as linear features along which animals can travel from one habitat or resource area to another. Wildlife movement corridors can be large tracts of land that connect regionally important habitats that support wildlife in general, such as stop-over habitat that supports migrating birds or large contiguous natural habitats that support animals with very large home ranges (e.g., coyotes [*Canis latrans*], mule deer [*Odocoileus hemionus californicus*]). They can also be small scale movement corridors, such as riparian zones, that provide connectivity and cover to support movement at a local scale.

The Project is not located within an identified wildlife movement corridor and there are no features on site that would lend themselves specifically to wildlife movement (e.g., riparian corridors). The site is surrounded by residential and commercial development which are not conducive to wildlife movement.

5.5 - Resources Protected by Local Policies and Ordinances

There are no resources within the BSA that are protected by city policies for natural resources.

5.6 - Habitat Conservation Plans

The Project is located within an area covered by the PG&E San Joaquin Valley Operation and Maintenance Habitat Conservation Plan (HCP). That HCP only applies to maintenance and operations of PG&E facilities.

SECTION 6 - IMPACT ANALYSIS & AVOIDANCE, MINIMIZATION, MEASURES

This section provides an analysis of the potential for biological resources to be impacted by the proposed Project. The analysis has been developed using the CEQA Appendix G questions, but also provides sufficient information to support NEPA documentation.

For the purposes of this analysis, it is assumed that the entire property will be developed for residential uses.

6.1 - Special-Status Species

The proposed project would have a significant effect on biological resources if it would:

- a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service.*

6.1.1 - PROJECT IMPACTS TO SPECIAL-STATUS PLANT SPECIES

No special-status plant species have potential to occur on-site due to the highly disturbed nature of the Project site from years of agricultural use. The Project will have no impact to special-status plant species.

6.1.2 - PROJECT IMPACTS TO SPECIAL-STATUS ANIMAL SPECIES

Impact Analysis

One special-status species was determined to have a potential to occur on-site: burrowing owl.

Western Burrowing Owl

Ground squirrel burrows suitable for burrowing owls were found during the reconnaissance survey. They were actively in use by ground squirrels and showed no evidence of use by burrowing owls; however, they may be used by burrowing owls at some time in the future. The Barren and Annual Grassland habitats on-site and in the vicinity could support foraging, and burrowing owls have been documented foraging for bats and insects around night lighting at shopping centers (Hoetker and Gobalet 1999). Impacts to burrowing owl would be limited to the loss of potential foraging habitat and possibly injury during construction of the Project if the species enters the Project site.

Nesting Birds

The BSA contains suitable habitat that could support a variety of ground nesting bird species protected under the Migratory Bird Treaty Act and the California Fish and Game Code. Project activities adjacent to nesting birds could result in direct impacts to active nests from

noise and vibration caused by construction activities. The Project could also directly impact active nests if they are located in the trees on-site and if those trees are disturbed by the Project.

Avoidance, Minimization, and Avoidance Measures

The following measures are recommended to avoid, minimize, and reduce impacts to burrowing owls and nesting birds.

BIO- 1 Pre-activity Surveys for Burrowing Owl. Within 14 days of the start of Project activities in any specific area, a pre-activity survey should be conducted by a qualified biologist knowledgeable in the identification of burrowing owls. The surveys should cover the Project site plus a 250-foot buffer and should be phased with construction of the Project. Pedestrian surveys achieving 100% visual coverage should be conducted. Where access to adjacent parcels is not granted, visual inspections from the Project site and public accessways should be conducted. If no burrowing owls are observed, no further action is required. Survey efforts should be documented.

BIO -2 Avoidance and Minimization Measures for Burrowing Owls. If burrowing owls are detected on-site a no-work Environmentally Sensitive Area (ESA) buffer around the occupied burrow should be established in consultation with a qualified biologist. If the burrow is determined to be a nest burrow, the minimum buffer should be 100 feet. Smaller buffers may be utilized if the burrow is not being used as a nest. The ESA buffer should remain in place until the burrowing owl has left on its own. Once the owl has left, the burrow may be monitored using trail cameras. If no owls are detected for a minimum of 3 consecutive days/nights, the burrow may be hand excavated under the direct supervision of the biologist. All burrow tunnels must be hand excavated to their terminus before backfilling to ensure no burrowing owls or other animals are hiding inside.

Alternatively, burrowing owls can be passively excluded from a non-nest burrow through the use of one-way doors. Prior to engaging in passive exclusion activities, an Exclusion Plan should be prepared following the guidance outlined in the CDFW's *Staff Report on Burrowing Owl Mitigation* (2012). The Exclusion Plan should be submitted to the CDFW for review and approval prior to implementation. Once approved, one-way doors may be installed at non-nest burrows. The doors should be monitored for a minimum of three days to ensure the burrowing owls has left the burrow. The burrow may then be excavated as described above. If at any time during excavation a burrowing owl is detected within the burrow, excavation activities should immediately stop, and the one-way door reinstalled and monitored until the owl has left the burrow. Hand excavation may then resume. Exclusion efforts should be documented.

BIO- 3 **Pre-activity Nesting Bird Surveys.** If Project activities must occur during the nesting season (February 15 to August 31), pre-activity nesting bird surveys should be conducted within seven (7) days prior to the start of construction at the construction site plus a 250-foot buffer. The surveys should be phased with construction of the Project. If no active nests are found, no further action is required; however, note that nests may become active at any time throughout the summer, including when construction activities are occurring. If active nests are found during the survey or at any time during construction of the Project, an avoidance buffer ranging from 100 feet to 250 feet may be required, as determined by a qualified biologist. The avoidance buffer will remain in place until the biologist has determined that the young are no longer reliant on the nest. Work may occur within the avoidance buffer under the approval and guidance of the biologist. The biologist should have the ability to stop construction if nesting adults show sign of distress. Survey and monitoring efforts should be documented.

Significance After Mitigation. Implementation of the mitigation measures above will reduce Project impacts to special-status species to a less than significant level.

6.2 - Sensitive Natural Communities and Critical Habitat

The proposed project would have a significant effect on biological resources if it would:

b) Have a substantial adverse impact on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service.

The BSA does not overlap critical habitat and there are no sensitive natural communities present. Therefore, the Project would have no impacts to sensitive natural communities and no measures are warranted.

6.3 - Jurisdictional Aquatic Resources

The proposed project would have a significant effect on biological resources if it would:

c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.

One drainage feature is mapped in the NWI and NHD databases but is no longer present on-site. This drainage has likely been piped under North Peach Avenue and its adjacent sidewalk. There are no other aquatic features on-site. Therefore, no impacts to aquatic resources will occur and no measures are warranted.

6.4 - Wildlife Movement

The proposed project would have a significant effect on biological resources if it would:

- d) Interfere substantially with the movement of any resident or migratory fish or wildlife species or with established resident or migratory wildlife corridors, or impede the use of wildlife nursery sites.*

The Project site does not intersect any regional or local wildlife movement corridors, nor does it support an important wildlife nursery site or any fisheries resources. No impacts to wildlife movements, nursery sites, or fisheries would occur and no measures are warranted.

6.5 - Local Policies and Ordinances

The proposed project would have a significant effect on biological resources if it would:

- e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance*

The City's General Plan includes policies for the preservation of important biological resources. The resources on-site are not important or otherwise significant. Development of the site would not result in impacts biological resources protected by city policy or ordinance and no measures are warranted.

6.6 - Adopted or Approved Plans

The proposed project would have a significant effect on biological resources if it would:

- f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state habitat conservation plan.*

The Project is located within an area covered by the PG&E San Joaquin Valley Operation and Maintenance HCP. This HCP applies only to PG&E's activities and does not apply to the Project.

SECTION 7 - LIMITATIONS, ASSUMPTIONS, AND USE RELIANCE

This Biological Analysis Report has been prepared in accordance with professionally accepted biological investigation practices conducted at this time and in this geographic area. The findings and opinions conveyed in this report are based on findings derived from site reconnaissance, jurisdictional areas, and specified historical and literature sources. The biological investigation is limited by the scope of work performed. Reconnaissance biological surveys for certain taxa may have been conducted as part of this assessment but were not performed during a particular blooming period, nesting period, or particular portion of the season when positive identification would be expected if present, and therefore, cannot be considered definitive. The biological surveys are limited also by the environmental conditions present at the time of the surveys. In addition, general biological (or protocol) surveys do not guarantee that the organisms are not present and will not be discovered in the future within the site. In particular, mobile animal species could occupy the site on a transient basis, or re-establish populations in the future. No other guarantees or warranties, expressed or implied, are provided.

SECTION 8 - REFERENCES

- Calflora. 2019. *Information on wild California plants for conservation, education, and appreciation*. Berkeley, CA. Updated online and accessed via: www.calflora.org.
- California Department of Fish and Wildlife. 2018. *Special Animals List*. Biogeographic Data Branch, California Natural Diversity Database. November 2018.
- _____. 2019a. California Natural Diversity Database (CNDDB) – Commercial version dated April 1, 2019. <https://map.dfg.ca.gov/rarefind/view/RareFind.aspx>.
- _____. 2019b. Biogeographic Information and Observation System (BIOS). Accessed April 2019 from www.wildlife.ca.gov/data/BIOS
- _____. 2019c. *Special Vascular Plants, Bryophytes, and Lichens List*. Biogeographic Data Branch, California Natural Diversity Database. March 2019.
- California Native Plant Society. 2019. Inventory of Rare and Endangered Plants. V.7-08c-Interim 8-22-02. Updated online and accessed via: www.rareplants.cnps.org.
- Clovis, City of. 2014. General Plan. <https://cityofclovis.com/wp-content/uploads/2018/10/Clovis-General-Plan-2014.pdf>
- Federal Emergency Management Agency. 2019. FEMA flood map service center. Tulare County Unincorporated Areas. <https://msc.fema.gov/portal/search#searchresultsanchor>
- Google LLC. 2019. Google Earth Pro.
- Hoetker, G. M. and K. W. Gobalet. 1999. *Predation on Mexican free-tailed bats by burrowing owls in California*. Journal of Raptor Research 33(4):333-335.
- Mayer, K. E., and W. F. Laudenslayer, Jr. 1988. *A guide to wildlife habitat of California*. State of California, Resources Agency, Department of Fish and Wildlife. Sacramento, CA 166 pp.
- Poulin, R. G., L. D. Todd, E. A. Haug, B. A. Millsap, and M. S. Martell. 2011. Burrowing Owl (*Athene cunicularia*), version 2.0. In *The Birds of North America* (A. F. Poole, Editor). Cornell Lab of Ornithology, Ithaca, NY, USA. <https://doi.org/10.2173/bna.61>
- U.S. Geological Survey. 2019. National Hydrography Dataset. <https://www.usgs.gov/core-science-systems/ngp/national-hydrography>
- United States Department of Agricultural, Natural Resources Conservation Service. 2019a. Web Soil Survey. Accessed April 10, 2019. Soil Survey Area: Eastern Fresno County, California (CA654). Soil Survey Tabular Data: Version 10, September 12, 2018. Available at: <https://websoilsurvey.sc.egov.usda.gov/App/HomePage.htm>.
- United States Department of Agriculture, Natural Resources Conservation Service. 2019b. Lists of Hydric Soils. National Cooperative Soil Survey, U.S. Department of Agriculture. Accessed via: <https://www.nrcs.usda.gov/wps/portal/nrcs/main/soils/use/hydric/>

- United States Fish and Wildlife Service (USFWS). 1973. The Endangered Species Act of 1973, as amended (16 U.S.C 1531 et seq.).
- _____. 1998. *Recovery plan for upland species of the San Joaquin Valley, California*. Region 1. Portland, OR. 319 pp.
- _____. 2010. *San Joaquin kit fox (Vulpes macrotis mutica) 5-year review: summary and evaluation*. Sacramento Fish and Wildlife Office, Sacramento, CA. 122 pp.
- _____. 2019a. Critical Habitat Portal. Available at:
<https://ecos.fws.gov/ecp/report/table/critical-habitat.html>
- _____. 2019b. Information for Planning and Consultation online project planning tool.
Available at: <https://ecos.fws.gov/ipac/>
- _____. 2019c. National Wetlands Inventory Wetlands Mapper.
<https://www.fws.gov/wetlands/data/mapper.html>
- Western Regional Climate Center. 2019. Cooperative Climatological Data Summaries, NOAA Cooperative Station Fresno Yosemite Intl AP, California (043257).
<https://wrcc.dri.edu/cgi-bin/cliMAIN.pl?ca3083>
- Zeiner, D., W.F. Laudenslayer, Jr., and K.E. Mayer. 1990. *California's Wildlife. California Statewide Wildlife Habitat Relationship System, Volumes I, II, & III*. California Department of Fish and Wildlife.

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APPENDIX A

REGULATORY SETTING

TRACT 6262, CLOVIS, *FRESNO COUNTY, CALIFORNIA*

Regulatory Setting

Federal Laws and Regulations

Federal Endangered Species Act of 1973 (USC, Title 16, Sections 1531 -1543)

The federal Endangered Species Act (FESA) and subsequent amendments provide guidance for the conservation of endangered and threatened species and the ecosystems upon which they depend. The FESA defines species as threatened or endangered and provides regulatory protection for listed species. The FESA provides a program for the conservation and recovery of threatened and endangered species as well as the protection of designated critical habitat that USFWS determines is required for the survival and recovery of listed species.

Section 9 lists actions that are prohibited under the FESA. Although take of a listed species is prohibited, it is allowed when it is incidental to an otherwise legal activity. Section 9 prohibits take of listed species of fish, wildlife, and plants without special exemption. The definition of “harm” includes significant habitat modification or degradation that results in death or injury to listed species by significantly impairing behavioral patterns related to breeding, feeding, or shelter. “Harass” is defined as actions that create the likelihood of injury to listed species by disrupting normal behavioral patterns related to breeding, feeding, and shelter significantly.

Section 7 of the FESA requires federal agencies, in consultation with and assistance from the Secretary of the Interior or the Secretary of Commerce, as appropriate, to ensure that actions they authorize, fund, or carry out are not likely to jeopardize the continued existence of threatened or endangered species or result in the destruction of adverse modification of critical habitat for these species. The USFWS and National Marine Fisheries Service (NMFS) share responsibilities for administering the FESA. Regulations governing interagency cooperation under Section 7 are found in California Code of Regulations (CCR) Title 50, Part 402. If an activity could result in "take" of a listed species as an incident of an otherwise lawful activity, then a biological opinion can be issued with an incidental take statement that exempts the activity from FESA's take prohibitions.

Section 10 provides a means whereby a nonfederal action with the potential to result in take of a listed species can be allowed under an incidental take permit. Application procedures are found at CFR Title 50, Sections 13 and 17 for species under the jurisdiction of USFWS and CFR, Title 50, Sections 217, 220, and 222 for species under the jurisdiction of NMFS. Section 10 would apply to the Project if take of a species (as defined in Section 9) were determined to occur.

Section 4(a)(3) and (b)(2) of the FESA requires the designation of critical habitat to the maximum extent possible and prudent based on the best available scientific data and after considering the economic impacts of any designations. Critical habitat is defined in section 3(5)(A) of the FESA: 1) areas within the geographic range of a species that are occupied by individuals of that species and contain the primary constituent elements (physical and biological features) essential to the conservation of the species, thus warranting special

management consideration or protection; and 2) areas outside of the geographic range of a species at the time of listing but that are considered essential to the conservation of the species.

Migratory Bird Treaty Act (USC, Title 16, Sections 703 - 711)

The MBTA, first enacted in 1918, is a series of treaties that the United State has with Great Britain (on behalf of Canada), Mexico, Japan, and the former Soviet Union that provide for international migratory bird protection. The MBTA authorizes the Secretary of the Interior to regulate the taking of migratory birds. The act provides that it shall be unlawful, except as permitted by regulations, “to pursue, take, or kill any migratory bird, or any part, nest or egg of any such bird” (U.S. Code Title 16, Section 703). The MBTA currently includes several hundred species and includes all native birds.

BALD AND GOLDEN EAGLE PROTECTION ACT OF 1940 (USC, TITLE 16, SECTION 668)

The Bald and Golden Eagle Protection Act (BGEPA) of 1940 protects bald eagles (*Haliaeetus leucocephalus*) and golden eagle (*Aquila chrysaetos*) by prohibiting the taking, possession, and commerce of these species and established civil penalties for violation of this act. Take of bald and golden eagles includes to “pursue, shoot, shoot at, poison, wound, kill, capture, trap, collect, molest or disturb.” To disturb means to agitate or bother a bald or golden eagle to a degree that causes, or is likely to cause, based on the best scientific information available, 1) injury to an eagle, 2) a decrease in its productivity, by substantially interfering with normal breeding, feeding, or sheltering behavior, or 3) nest abandonment, by substantially interfering with normal breeding, feeding, or sheltering behavior. (Federal Register [FR], volume 72, page 31132; 50 CFR 22.3).

Federal Clean Water Act (USC, Title 33, Sections 1521 - 1376)

The Federal Clean Water Act (CWA) provides guidance for the restoration and maintenance of the chemical, physical, and biological integrity of the nation’s waters. Section 401 requires that a Project applicant that is pursuing a federal license or permit allowing a discharge to waters of the U.S. to obtain State Certification of Water Quality, thereby ensuring that the discharge will comply with provisions of the CWA. The Regional Water Quality Control Board (RWQCB) administers the certification program in California. Section 402 establishes a permitting system for the discharge of any pollutant (except dredged or fill material) into waters of the U.S. Section 404 establishes a permit program administered by the United States Army Corps of Engineers (USACE) that regulates the discharge of the dredged or fill material into waters of the U.S., including wetlands. The USACE implementing regulations are found in CFR, Title 33, Sections 320 and 330. Guidelines for implementation are referred to as the Section 404(b)(1) Guidelines, which were developed by the United States Environmental Protection Agency (EPA) in conjunction with USACE (40 CFR 230). The guidelines allow the discharge of dredged or fill material into the aquatic system only if there is no practicable alternative that would have less adverse impacts.

Applicable State Laws and Regulations

California Environmental Quality Act (California Public Resources Code, Sections 21000 - 21178, and Title 14 CCR, Section 753, and Chapter 3, Sections 15000 - 15387)

The California Environmental Quality Act (CEQA) is California's broadest environmental law. CEQA helps guide the issuance of permits and approval of projects. Courts have interpreted CEQA to afford the fullest protection of the environment within the reasonable scope of the statutes. CEQA applies to all discretionary projects proposed to be conducted or approved by a State, County, or City agency, including private projects requiring discretionary government approval.

The purpose of CEQA is to disclose to the public the significant environmental effects of a proposed discretionary project; prevent or minimize damage to the environment through development of project alternatives, mitigation measures, and mitigation monitoring; disclose to the public the agency decision making process to approve discretionary projects; enhance public participation in the environmental review process; and improve interagency coordination.

State CEQA Guidelines Section 15380(b) provides that a species not listed on the federal or State list of protected species nonetheless may be considered rare or endangered for purposes of CEQA if the species can be shown to meet certain specified criteria. These criteria have been modeled after the definition in FESA and the section of the California Fish and Game Code dealing with rare or endangered plants or animals.

California Endangered Species Act (California Fish and Game Code Section 2050 et seq.)

The California Endangered Species Act (CESA) establishes the policy of the State to conserve, protect, restore, and enhance threatened or endangered species and their habitats. The CESA mandates that State agencies should not approve Projects that would jeopardize the continued existence of threatened or endangered species if reasonable and prudent alternatives are available that would avoid jeopardy. For Projects that would result in take of a species listed under the CESA, a project proponent would need to obtain a take permit under Section 2081(b). Alternatively, the CDFW has the option of issuing a Consistency Determination (Section 2080.1) for Projects that would affect a species listed under both the CESA and the FESA, as long as compliance with the FESA would satisfy the “fully mitigate” standard of CESA, and other applicable conditions.

Porter-Cologne Water Quality Control Act

Under Section 401 of the CWA, the RWQCB must certify that actions receiving authorization under Section 404 of the CWA also meet State water quality standards. The RWQCB regulates waters of the State under the authority of the Porter-Cologne Water Quality Control Act (Porter Cologne Act). The RWQCB requires Projects to avoid impacts to wetlands whenever feasible and requires that Projects do not result in a net loss of wetland acreage or a net loss of wetland function and values. The RWQCB typically requires compensatory mitigation for impacts to wetlands and/or waters of the State. The RWQCB has jurisdiction over waters

deemed ‘isolated’ or not subject to Section 404 jurisdiction under the Solid Waste Agency of Northern Cook County (SWANCC) decision. Dredging, filling, or excavation of isolated waters constitutes a discharge of waste into waters of the State, and such discharges are authorized through an Order of Waste Discharge (or waiver of discharge) from the RWQCB.

Various Sections of the California State and Fish and Game Code

SECTION 460 AND SECTIONS 4000-4003

Chapter 5 of the California Fish and Game Code (FGC) describes regulations concerning the take of furbearing mammals, including defining methods of take, seasons of take, bag and possession limits, and areas of the State where take is allowed. Section 4000-4003 defines furbearing mammals, and the issuance of permits by the Department. Sections 460 and 4000 identifies fisher, marten, river otter, desert kit fox and red fox as furbearing mammals, and Section 460 prohibits take of these species at any time. This section of the California Fish and Game Code (FGC) has historically been interpreted to apply to restriction on furbearer trapping permit but has recently been expanded by CDFW to apply to any forms of take and treated as if these species were listed under CESA.

SECTIONS 1600 THROUGH 1616

Under these sections of the FGC, a Project operator is required to notify CDFW prior to any Project that would divert, obstruct, or change the natural flow, bed, channel, or bank of any river, stream, or lake. Pursuant to the California Code of Regulations, a “stream” is defined as a body of water that flows at least periodically, or intermittently, through a bed or channel having banks and supporting fish or other aquatic life. Based on this definition, a watercourse with surface or subsurface flows that supports or has supported riparian vegetation is a stream and is subject to CDFW jurisdiction. Altered or artificial watercourses valuable to fish and wildlife are subject to CDFW jurisdiction. CDFW also has jurisdiction over dry washes that carry water during storm events. Preliminary notification and Project review generally occur during the environmental process. When an existing fish or wildlife resource may be substantially adversely affected, CDFW is required to propose reasonable Project changes to protect the resource. These modifications are formalized in a Streambed Alteration Agreement.

SECTIONS 3511, 4700, 5050, AND 5515

The protection of fully protected species are described in Sections 3511, 4700, 5050, and 5515 of the FGC. These statutes prohibit take or possession of fully protected species. CDFW is unable to authorize incidental take of fully protected species, except as allowed for in an approved Natural Communities Conservation Plan (NCCP), or through direct legislative action.

SECTIONS 1900 THROUGH 1913 - NATIVE PLANT PROTECTION ACT

California’s Native Plant Protection Act (NPPA) requires all State agencies to use their authority to carry out programs to conserve endangered and rare native plants. Provision of

the NPPA prohibit that taking of listed plants from the wild and require notification of CDFW at least ten days in advance of any change in land use. This allows CDFW to salvage listed plant species that otherwise would be destroyed. A Project proponent is required to conduct botanical inventories and consult with CDFW during Project planning to comply with the provisions of this act and sections of CEQA that apply to rare or endangered plants.

Local and Regional Laws, Regulations, and Policies

Clovis General Plan

Clovis' General Plan Open Space and Conservation Element includes goals, policies, and implementation programs for preservation of natural resources including wetland and riparian areas, fish and wildlife habitat, and vegetation. Goal 2 is specifically aimed at the protection of natural resources.

Table A-1
Open Space and Conservation Element
Clovis General Plan

D. Wetland and Riparian Areas	
Goal 2	Natural, agricultural, and historic resources that are preserved and promoted as key features for civic pride and identity.
Policies	
Policy 2.1	Stewardship. Promote responsible planning and management of land and resources among property owners.
Policy 2.2	New development. Encourage new development to incorporate on-site natural resources and low impact development techniques.
Policy 2.3	Visual resources. Maintain public views of open spaces, parks, and natural features. Enhance views along roadways and trails. Preserve Clovis' viewshed of the surrounding foothills and orient new development to capitalize on views of the Sierra Nevada.
Policy 2.4	Agricultural lands. Preserve the city's agricultural legacy through the Agricultural land use designation, memorialize agricultural history and culture, and facilitate thoughtful conversion of lands to development.
Policy 2.5	Right to farm. Support, encourage, and protect agricultural operations within Clovis and recognize their right to farm.
Policy 2.6	Biological resources. Support the protection of biological resources through the conservation of high quality habitat area.
Policy 2.7	Native plants. Encourage the use of native and climate-appropriate plant species and prohibit the use of plant species known to be invasive.
Policy 2.8	Urban forest. Maintain and enhance a diverse and healthy urban forest on public and private lands

Policy 2.9	National and state historic resources. Preserve historical sites and buildings of state or national significance in accordance with the Secretary of Interior Standards for Historic Rehabilitation.
Policy 2.10	Local historic resources. Encourage property owners to maintain the historic integrity of the site by (listed in order of preference): preservation, adaptive reuse, or memorialization.
Policy 2.11	Old Town. Prioritize the preservation of the historic character and resources of Old Town.
Policy 2.12	Public education. Support public education efforts for residents and visitors about the unique historic, natural, and cultural resources in Clovis.

Source: (Clovis 2014)

Local Ordinances

The City of Clovis municipal code includes tree protection standards (Chapter 9.30) that protects heritage trees, multi-trunk trees, and parkway trees throughout the city.

APPENDIX B

**REPRESENTATIVE PHOTOGRAPHS OF THE
TRACT 6262, CLOVIS, *FRESNO COUNTY, CALIFORNIA***



Photograph 1: View of the Project site along North Peach Avenue.
36.841144°, -119.720350°, looking south from northeast corner
Photograph taken by Carie Wingert on April 23, 2019.



Photograph 2: View of debris piles on Project site.
36.841144°, -119.720350°, looking southwest from northeast corner
Photograph taken by Carie Wingert on April 23, 2019.



Photograph 3: View of Project site along West Spruce Avenue.
36.840218°, -119.720344° looking west from southeast corner
Photograph taken by Carie Wingert on April 23, 2019.



Photograph 4: View of landscaped portion of Project site.
36.841139°, -119.726829° looking west
Photograph taken by Carie Wingert on April 23, 2019.

APPENDIX C

PLANT AND ANIMAL SPECIES OBSERVED WITHIN THE BIOLOGICAL STUDY AREA TRACT 6262, CLOVIS, *FRESNO COUNTY, CALIFORNIA*

Table C-1
Plant Species Observed within the Biological Study Area on April 23, 2019
Tract 6262, Clovis, Fresno County, California

Scientific Name	Common Name	Native/Introduced	Cal-IPC Rating
Herbs			
<i>Amsinckia</i> spp.	fiddleneck	Introduced	None
<i>Anthemis cotula</i>	dog fennel	Introduced	None
<i>Capsella bursa-pastoris</i>	Shepherd's purse	Introduced	None
<i>Erodium botrys</i>	broad leaf filaree	Introduced	Limited
<i>Eschscholzia californica</i>	California poppy	Native	N/A
<i>Malva parviflora</i>	cheeseweed mallow	Introduced	None
<i>Raphanus sativus</i>	wild radish	Introduced	Limited
<i>Salsola tragus</i>	Russian thistle	Introduced	Limited
<i>Sisymbrium orientale</i>	Indian hedge mustard	Introduced	None
Grasses			
<i>Avena barbata</i>	slender oat	Introduced	Moderate
<i>Bromus diandrus</i>	ripgut	Introduced	Moderate
<i>Bromus madritensis</i> ssp. <i>rubens</i>	red brome	Introduced	High
<i>Cynodon dactylon</i>	Bermuda grass	Introduced	Moderate
<i>Hordeum</i> spp.	barley	Introduced	Moderate

*Cal-IPC = California Invasive Plant Council.

Rating system: **High** = several ecological impacts; **Moderate** = substantial but not severe ecological impacts; **Limited** = minor ecological impacts or not enough information to justify higher score; **Alert** = species ranked as High or Moderate with limited distribution, but potential to spread; **Watch** = could pose a high risk of becoming invasive in the future.

Table C-2
Animal Species Detected within the Biological Study Area on April 2, 2019
Tract 6262, Clovis, Fresno County, California

Scientific Name	Common Name	Status	Native or Introduced
Amphibians			
Birds			
<i>Mimus polyglottos</i>	northern mockingbird	None	Native
<i>Zenaida macroura</i>	mourning dove	None	Native
<i>Haemorhous mexicanus</i>	house finch	None	Introduced
Mammals			
<i>Otospermophilus</i>	California ground squirrel	None	Native

APPENDIX D

SPECIAL-STATUS SPECIES DATABASE SEARCH RESULTS FOR THE TRACT 6262, CLOVIS, *FRESNO COUNTY, CALIFORNIA*

Table D-1
Special-Status Plant Species in the Regional Vicinity of the Project Site
Tract 6262, Clovis, Fresno County, California

Scientific Name Common Name	Status Fed/State ESA CRPR/CDFW	Habitat Requirements	Potential to Occur	Rationale
Plants				
<i>Calycadenia hooveri</i> Hoover's calycadenia	-/- 1B.3	Annual herb; blooms July – September; occurs on rocky soils in cismontane woodland and valley and foothill grassland; elevation ~ 215-985 feet; threatened by development; documented primarily in eastern foothills of Central Valley.	No	Habitat is heavily and historically disturbed.
<i>Castilleja campestris</i> var. <i>succulenta</i> succulent owl's clover	T/E 1B.2	Annual herb (hemiparasitic); blooms April – May, sometimes as early as March; occurs vernal pools, swales and some seasonal wetlands, often on acidic soils; elevation ~165-2,460 feet; threatened by urban and agricultural development, flood control, grazing, and trampling; documented primarily on eastern Central Valley floor and foothills from Fresno County north.	No	No suitable aquatic habitat or soils present.
<i>Caulanthus californicus</i> California jewelflower	E/E 1B.1	Annual herb; blooms February to May; occurs in slightly alkaline sandy soils in chenopod scrub, valley and foothill grassland, and pinyon and juniper woodland; elevation ~200 to 3,280 feet; found in San Joaquin Valley, Carrizo Plain, and Cuyama Valley from Fresno County south to Santa Barbara County; many occurrences presumed extirpated; threatened by development, grazing, and competition from non-native plants.	No	No suitable soils or habitat present.
<i>Downingia pusilla</i> dwarf downingia	-/- 2B.2	Annual herb; blooms March-May; occurs in vernal pools and in moist conditions in valley and foothill grasslands; elevation ~3-1460 feet; threatened by development, grazing, non-native plants, vehicles, and industrial forestry; documented primarily on Central Valley floor and foothills from Fresno County north, and in coastal mountains north of the Bay area.	No	No suitable moist conditions present.

Appendix D – Special-Status Database Search Results

Scientific Name Common Name	Status Fed/State ESA CRPR/CDFW	Habitat Requirements	Potential to Occur	Rationale
<i>Eryngium spinosepalum</i> spiny-sepaled button celery	-/- 1B.2	Annual or perennial herb; blooms April-June; occurs in vernal pools and moist areas in valley and foothill grasslands; elevation ~260-3,200 feet; threatened by development, grazing, road maintenance, hydrological alterations, and agriculture; documented primarily in foothills of Sierra Nevada with scattered occurrences on Central Valley floor and western foothills and lower mountains.	No	No suitable moist conditions present.
<i>Imperata brevifolia</i> California satintail	-/- 2B.1	Perennial rhizomatous herb; blooms September-May; occurs in mesic conditions in chaparral, coastal scrub, Mojavean desert scrub, meadows and seeps (often alkali) and riparian scrub; elevation ~sea level to 4,000 feet; threatened by development and agriculture; documented from Butte County south to the Mexican border; some documented occurrences may be escaped ornamental plantings.	No	No suitable habitat present.
<i>Lagophylla dichotoma</i> forked hare-leaf	-/- 1B.1	Annual herb; blooms April-May; occurs in cismontane woodland, and valley and foothill grassland, sometimes on clay soils; elevation ~147 to 1,100 feet; threatened by vehicles and non-native plants; documented primarily on Sierra Nevada foothills and margins of Central Valley floor from Fresno north.	No	No suitable habitat present and site has been historically and heavily disturbed.
<i>Leptosiphon serrulatus</i> Madera leptosiphon	-/- 1B.2	Annual herb; blooms April-May; occurs in cismontane woodland and lower montane coniferous forest; elevation ~985 to 4,265 feet; threatened by road maintenance, exotic plant control, and erosion; documented occurrences from Mariposa County to Kern County, primarily in lower mountains and foothills of western Sierra Nevada; few occurrences on edges of alluvial fans in Madera and Fresno counties.	No	No suitable habitat present.
<i>Orcuttia inaequalis</i> San Joaquin Valley Orcutt grass	T/E 1B.1	Annual herb; blooms April to September; occurs in vernal pools; elevation ~32-2,500 feet; threatened by agricultural, development, overgrazing, channelization, and non-native plants; documented primarily on eastern Central Valley floor and foothills from Visalia north.	No	No vernal pools present.

Appendix D – Special-Status Database Search Results

Scientific Name Common Name	Status Fed/State ESA CRPR/CDFW	Habitat Requirements	Potential to Occur	Rationale
<i>Orcuttia pilosa</i> hairy Orcutt grass	E/E 1B.1	Annual herb; blooms May to September; occurs in vernal pools; often in acidic and saline-alkaline soils; elevation ~150 to 655 feet; threatened by agriculture, urbanization, overgrazing, non-native plants, and trampling; only known from a few locations on the Central Valley floor and lower foothills in Madera, Merced, and Stanislaus counties, and the very northern portion of the valley in Butte, Glenn, and Tehama counties.	No	No vernal pools present.
<i>Pseudobahia bahiifolia</i> Hartweg's golden sunburst	E/E 1B.1	Annual herb; blooms March-April; occurs on clay soils in cismontane woodland and valley and foothill grasslands often in acidic conditions; elevation ~45 to 500 feet; threatened by development, agricultural, overgrazing, and trampling; many occurrences very small; documented primarily in Sierra Nevada foothills and valley floor margins from Fresno County north.	No	No suitable habitat present and site has been heavily and historically disturbed.
<i>Pseudobahia peirsonii</i> San Joaquin adobe sunburst	T/E 1B.1	Annual herb; bloom February-April; occurs on adobe clay in cismontane woodland and valley and foothill grassland; elevation ~295 to 2,625 feet; threatened by agriculture, grazing, development, non-native plants, road construction and maintenance, and flood control activities; documented in eastern San Joaquin Valley primarily on foothills and alluvial fans from Fresno County south to the Tehachapi mountains in Kern County.	No	No adobe clay soils present.
<i>Sagittaria sanfordii</i> Sanford's arrowhead	-/- 1B.2	Perennial rhizomatous herb (emergent); blooms May-October, sometimes into November; occurs in assorted shallow freshwater marshes and swamps, and slow-moving waterways, in sandy loam and clay soils; elevation ~0 to 2,130 feet; threatened by grazing, development, recreational activities, non-native plants, road widening, and channel alteration/maintenance; documented primarily throughout Central Valley on valley floor and surrounding foothills.	No	No suitable aquatic habitat present.
<i>Tropidocarpum capparideum</i> caper-fruited tropidocarpum	-/- 1B.1	Annual herb; blooms March-April; occurs on alkaline hills in valley and foothill grassland; elevation ~3 to 1,500 feet; threatened by grazing, military activities, trampling, and non-native plants; documented in Fresno, San Luis Obispo, and Santa Barbara counties; other documented occurrences in San Francisco Bay area and northward considered extirpated.	No	No suitable alkaline conditions present.

Appendix D – Special-Status Database Search Results

Scientific Name Common Name	Status Fed/State ESA CRPR/CDFW	Habitat Requirements	Potential to Occur	Rationale
<i>Tuctoria greenei</i> Greene's tuctoria	E/R 1B.1	Annual herb; blooms May-July, sometimes September; occurs in small or shallow vernal pools, primarily on Anita clay and Tuscan loam soils; elevation ~100 to 3510 feet; threatened by agriculture, urbanization, overgrazing, and habitat fragmentation; documented on Central Valley floor and surrounding foothills; many occurrences presumed extirpated.	No	No vernal pool habitat present.
Invertebrates				
<i>Branchinecta lynchi</i> vernal pool fairy shrimp	T/-	Occur a variety of vernal pool habitats that range from small, clear pools to large, turbid and alkaline pools; more common in pools less than 0.05 acre, typically as part of larger vernal pool complexes; adults active from early December to early May; pools must hold water for at least 18 days, the minimum to complete the life cycle if temperatures are optimal; eggs laid in spring and persist through dry season as cysts; current California distribution includes the Central Valley and coast ranges; threatened by habitat loss, degradation, and fragmentation, and interference with vernal pool hydrology.	No	No vernal pool habitat present.
<i>Desmocerus californicus dimorphus</i> valley elderberry longhorn beetle	T/- --	Closely associated with elderberry shrubs (<i>Sambucus</i> sp.) for food and reproduction; usually along rivers and streams; eggs laid on bark, and larvae hatch and burrow into the stems; adults each elderberry leaves and flowers; stem diameter must be minimum one inch; exit holes in stems are most common methods for identification; ranges from southern Shasta County to Fresno County.	No	No elderberry shrubs present.
Fish				

Appendix D – Special-Status Database Search Results

Scientific Name Common Name	Status Fed/State ESA CRPR/CDFW	Habitat Requirements	Potential to Occur	Rationale
<i>Mylopharodon conocephalus</i> hardhead	-/- SSC	Found in small to large streams in low- to mid-elevation in relatively undisturbed habitats; also in lakes or reservoirs; found in clear, cool, deep streams with a slow but present flow; bottom feeders that focus on invertebrates and aquatic plant material from stream substrates; spawning typically on gravel and rocky substrates; widely distributed: Sacramento-San Joaquin and Russian River drainages, Pit River in Modoc County to Kern River; in San Joaquin drainage can be found in tributary streams but rarely in valley reaches of the river; absent from Cosumnes River.	No	No aquatic habitat present.
Amphibians				
<i>Ambystoma californiense</i> California tiger salamander	T/T WL	Occurs in ephemeral pools or ponds that mimic them, and that remain inundated for 12 weeks or more; can occupy artificial ponds (ranch stock ponds) if ponds are allowed to go dry in the summer; requires nearby upland habitat containing small mammal burrows or crevices that provide refugia; restricted to grasslands and low foothills; lives underground most of the year.	No	No aquatic habitat present. Old recorded occurrence from 1974 recorded to the northeast and considered extirpated. Dense and growing development in the area precludes species presence.
<i>Anniella pulchra</i> northern California legless lizard	-/- SSC	Secretive fossorial lizard found in many habitats, especially valley and foothill grassland, chaparral, coastal scrub, and coastal dune, most commonly associated with sandy or loose organic soils with leaf litter; elevation from near sea level to 6,000 feet; may hibernate in inland areas with colder winter temperatures; primarily associated with foothill and mountains from Ventura County north to San Joaquin and Contra Costa counties, and in the western Sierra Nevada foothills in Fresno and Tulare counties.	No	Grassland habitat present but has been heavily disturbed through regular plowing.

Appendix D – Special-Status Database Search Results

Scientific Name Common Name	Status Fed/State ESA CRPR/CDFW	Habitat Requirements	Potential to Occur	Rationale
<i>Spea hammondi</i> western spadefoot	-/- SSC	Species relies on vernal pools for breeding where predators cannot become established; open areas with sand or gravelly soils in a variety of habitats: grasslands, coastal scrub, woodlands, chaparral, sandy washes, lowland river floodplains, alkali flats, foothills, and mountains; endemic to California and northern Baja California; distribution from Redding south throughout Central Valley and foothills, throughout South Coast Ranges into coastal southern California to Transverse mountains and Peninsular mountains; elevation from sea level to 4,500 feet.	No	No suitable aquatic habitat present.
Reptiles				
<i>Arizona elegans occidentalis</i> California glossy snake	-/- SSC	Common throughout California, especially in desert habitats but also chaparral, sagebrush, valley and foothill hardwood, pine-juniper woodland, and annual grassland; elevation from below sea level to 6,000 feet; nocturnal; utilize small mammal burrows, rock outcrops, and loose soil for cover; prefer open sandy areas with scattered brush, or rocky areas; ranges from eastern part of San Francisco Bay Area south to northwestern Baja California, but absent from coast; may also be in Tehachapi Mountains and Santa Monica Mountains.	No	No suitable habitat present.
<i>Actinemys [=Emys] marmorata</i> western pond turtle	-/- SSC	Highly aquatic and diurnally active; found in ponds, lakes, rivers, streams, creeks, marshes, and irrigation ditches with vegetation and rocky/muddy bottoms; wide variety of habitats; need basking areas near water (logs, rocks, vegetation mats, banks); may enter brackish water and even seawater; digs nest on land near water; range from north of San Francisco Bay area south, including Central Valley.	No	No suitable habitat present.

Appendix D – Special-Status Database Search Results

Scientific Name Common Name	Status Fed/State ESA CRPR/CDFW	Habitat Requirements	Potential to Occur	Rationale
<i>Phrynosoma blainvillii</i> coast horned lizard	-/- SSC	Prefers sandy/loose soils in grassland, forests, woodlands, and open chaparral; often found along sand washes and dirt roads with scattered shrubs for refuge; specialized in consuming ants; distribution includes coastal California from Baja California north to the Bay Area, southeastern desert regions, southern Central Valley flats and foothills and surrounding mounts on drier, warmer slopes; threatened by habitat loss/fragmentation and spread of invasive ant species displacing native prey; elevation from sea level to 8,000 feet.	No	No suitable habitat present and site has been heavily and historically disturbed and lacks scattered shrubs.
Birds				
<i>Agelaius tricolor</i> tricolored blackbird	-/E	Colonial breeder that prefers freshwater, emergent wetlands with tall, dense cattails or tules, but also thickets of willow, blackberry, wild rose, and tall herbs; breeding colonies are minimum ~50 pairs; forages in pastures, grain fields, and similar habitats near breeding areas.	No	No suitable habitat.
<i>Athene cunicularia</i> burrowing owl	-/- SSC	Occupies variety of open, semi-arid to arid habitats throughout central and southern California, including desert regions; prefers open habitats with few shrubs or trees; most active around sunrise and sunset; utilizes burrows constructed by mammals year-round for shelter and nesting; well documented in urban areas where patches of undeveloped areas are present (e.g., canals, airports, drainage basins), and in areas of dense agricultural development where, particularly where canals provide burrow habitat; forages primarily for rodents and insects within several miles of burrow, usually in open grassy habitats if available; has been observed hunting bats and insects around parking lot lights; threats include development resulting in habitat loss/fragmentation.	Yes	Ground squirrel burrows within BSA. CWHR shows predicted suitable habitat throughout the Fresno/Clovis area.
<i>Coccyzus americanus occidentalis</i> Western yellow-billed cuckoo	T/E --	Nests in open riparian woodlands along broad lower flood bottoms of larger river systems; prefers willows, often mixed with cottonwood, with understory of blackberry, nettles or wild grape; nest most often placed in willows with cottonwoods used extensively for foraging; occasionally nests in orchards adjacent to river bottoms; migratory.	No	No suitable riparian habitat present.

Appendix D – Special-Status Database Search Results

Scientific Name Common Name	Status Fed/State ESA CRPR/CDFW	Habitat Requirements	Potential to Occur	Rationale
<i>Buteo swainsoni</i> Swainson's hawk	-/T --	Occurs in grassland, desert and agricultural landscapes in the Central Valley and Antelope Valley; hawks may be resident or migrant; breeds in stands with few trees in juniper-sage flats, riparian areas, and oak savannah; also observed breeding in large eucalyptus trees along freeways and in trees over rural residences surrounded by agriculture; may nest on ground if no suitable trees are available; nests are platform of sticks, bark, and fresh leaves at or near top of trees; breeds from late March to late August; forages in grassland, open scrub, and grain fields, primarily for rodents.	No	No suitable nesting habitat present.
<i>Vireo bellii pusillus</i> least Bell's vireo	E/E --	Summary resident in dense riparian habitat and lower portions of canyons in San Benito and Monterey counties; also along coast from Santa Barbara south, and along western edge of deserts; usually associated with willow, cottonwood, baccharis, blackberry, or mesquite; nests in willows or other shrub or small tree ~2-3 feet above ground, sometimes lower; winters in Mexico; species may be close to extinction.	No	No suitable riparian habitat present.
<i>Eremophila aspestris actia</i> California horned lark	-/- WL	Year-round resident in California; occurs in grasslands and deserts with open areas and low growing herbaceous vegetation or sometimes scattered low shrubs near seal to open alpine dwarf-shrub habitat above tree line; ground nester; builds grass-lined nest in cup-shaped depression on ground in the open; threatened by pesticide poisoning and habitat loss.	No	Site has been plowed regularly, precluding species from occurring, and much of site lacks vegetation needed for nests.
<i>Phalacrocorax auratus</i> double-crested cormorant	-/- WL	Common throughout North America and are considered winter transients in the Central Valley; winter months they are found near freshwater lakes and rivers, including freshwater, saltwater, and brackish waters; adapted to using poles and towers for nesting sites and foraging areas historically threatened pesticide (DDT) use but population numbers have increased since the DDT ban; threatened by habitat loss, nest site disturbance, and altered hydrology, including sea level rise.	No	No suitable aquatic habitat present.

Appendix D – Special-Status Database Search Results

Scientific Name Common Name	Status Fed/State ESA CRPR/CDFW	Habitat Requirements	Potential to Occur	Rationale
Mammals				
<i>Dipodomys nitratooides exilis</i> Fresno kangaroo rat	E/E -	Occurs on alkali open grassland on bare alkaline clay-based soils; nocturnal species; burrows with tunnels approximately 12 to 15 inches below ground; threatened by predation and disease; historically occurred on the valley floor in Kings, Fresno, Madera, and Merced counties, but may be extirpated.	No	No suitable habitat present.
<i>Taxidea taxus</i> American badger	-/- SSC	Occurs mostly in open, drier stages of shrub, forest, and herbaceous habitats, with friable soils; feeds mostly on fossorial rodents; digs burrows for cover and reproduction; can dig new den each night; litters born mostly in March and April; somewhat tolerant of human activities but avoids cultivated agricultural habitats.	No	No suitable habitat present and no suitable burrows detected on-site.
<i>Antrozous pallidus</i> pallid bat	-/- SSC	Occurs throughout California in wide variety of habitats: grasslands, shrublands, woodlands, forests up through mixed conifer; most common in open, dry habitats with rocky areas for roosting; yearlong resident; feeds mainly on insects and arachnids on the ground or by gleaning; day roosts in caves, crevices, mines, and occasionally hollow trees and buildings, including bridges; night roosts in more open sites; maternity colonies form early April with young flying by July or August; needs water; very sensitive to disturbance of roosting sites.	No	No suitable habitat present.
<i>Eumops perotis californicus</i> western mastiff bat	-/- SSC	Occurs in open, semi-arid to arid habitats throughout southeastern San Joaquin Valley and Coast Ranges from Monterey County southward; also in urban areas; feeds on insects captured in flight; roosts in cliff faces, high buildings, trees, and tunnels; nursery roosts most often in tight rock crevices or crevices in buildings; maternity season begins in March with young flying on their own by September.	No	No suitable habitat present.

Appendix D – Special-Status Database Search Results

Scientific Name Common Name	Status Fed/State ESA CRPR/CDFW	Habitat Requirements	Potential to Occur	Rationale
<i>Vulpes macrotis mutica</i> San Joaquin kit fox	E/T	Endemic to the Central Valley; found primarily in San Joaquin Valley, Carrizo Plain, Salinas Valley, Cuyama Valley, and other small valleys in western foothills; occurs in arid to semi-arid grasslands, open shrublands, savannahs, and grazed lands with loose-textured soils; highly adaptable and documented in urban developed areas; uses burrows year-round for shelter, escape from predators, and rearing young; will use man-made structures, such as pipes, for denning; feeds primarily on small mammals, but will also consume birds, reptiles, insects, and scavenge for human food; intensively-maintained agricultural areas avoided; threatened by habitat loss and fragmentation, vehicle strikes, and disease; current mange outbreak in urban population in Bakersfield and in nearby natural areas.	No	No suitable burrows present. Foxes seen in this part of the Fresno/Clovis area are most likely gray fox and red fox.
<u>CRPR (California Rare Plant Rank):</u>		FE	Federally Endangered	
1A	Presumed Extinct in California	FT	Federally Threatened	
1B	Rare, Threatened, or Endangered in California and elsewhere	FC	Federal Candidate Species	
2A	Plants presumed extirpated in California, but more common elsewhere	FS	Federally Sensitive	
2B	Plants Rare, Threatened, or Endangered in California, but more common elsewhere	SE	State Endangered	
<u>CRPR Threat Code Extension:</u>		ST	State Threatened	
.1	Seriously endangered in California (over 80% of occurrences threatened / high degree and immediacy of threat)	SC	State Candidate	
.2	Fairly endangered in California (20-80% occurrences threatened)	SS	State Sensitive	
.3	Not very endangered in California (<20% of occurrences threatened)	SSC	State Species of Special Concern	
		SFP	State Fully Protected	
		SR	State Rare	
		WL	Watch List	

APPENDIX C

Cultural Resources Technical Memorandum

Lennar Tract 6262



TECHNICAL MEMORANDUM

Date: April 25, 2019

Project: Cultural resources records search for the Lennar Tract 6262 Project, City of Clovis, Fresno County, CA

To: Jaymie Brauer

From: Robert Parr, MS, RPA, Senior Archaeologist

Subject: Cultural Resources Records Search Results (RS#19-154)

Background

The purpose of the search was to determine whether any known cultural resources or previously conducted cultural resource surveys were located on or near the subject property, and whether construction of the project would impact any known or potential cultural resources under the California Environmental Quality Act (CEQA). This analysis is based on information obtained at the Southern San Joaquin Valley Information Center, CSU Bakersfield, as well as a previously adopted Initial Study/Mitigated Negative Declaration and the associated cultural resources study for the nearby Costco Wholesale Warehouse on West Ashland Avenue, prepared for the City (LSA, 2018), and other publicly available documents.

Project Description

The Project proposes approval of Vesting Tentative Subdivision Map Tract 6262. With full buildout, the approximately 12.5-acre site would be developed with up to 185 townhomes.

Location and Surrounding Land Uses

The proposed Tract 6262 is located north of West Herndon Avenue between West Spruce Avenue and North Peach Avenue, in Clovis, Fresno County (Figures 1 and 2). The site is within the southwest ¼ of Section 31, T. 12S, R. 21E (MDBM), and the USGS 7.2-minute topographic map Clovis quad (Figure 3).

There is residential development directly to the north, undeveloped land to the east and south, and a large commercial complex to the west. Clovis has experienced continuing suburbanization in its position within the San Joaquin central valley agricultural and travel corridor with its proximity to the foothills and delta. The Project site itself is an island of undeveloped land in a vicinity of residential and commercial developments that have been established since the late 1950s to early 1960s.



TECHNICAL MEMORANDUM

Methodology

The records search covered an area within one-half mile of Lennar Tract 6262 and included a review of the *National Register of Historic Places*, *California Points of Historical Interest*, *California Registry of Historic Resources*, *California Historical Landmarks*, *California State Historic Resources Inventory*, and a review of cultural resource reports on file.

Results

A cultural resources records search (RS #19-154) was conducted on April 22, 2019, at the Southern San Joaquin Valley Information Center, CSU Bakersfield for the Lennar Tract 6262 in the city of Clovis, Fresno County, California.

The records search indicated that the subject property had never been surveyed for cultural resources and it is not known if any exist there. Eight cultural resource studies have been conducted within a half mile of the property (Baker 1978; Larry Seeman Associates 1981; Granskog 1985; Wren 1988; Holson 2002; Nettles and Baloian 2005; Baloian 2006; Brown & Mills, Inc. n.d.).

No cultural resources have been recorded within the Tract and it is not known if any exist there. Four cultural resource properties have been recorded within a half mile of the subject property. These include two historic period residences, the historic Herndon Orchard complex, and the Helm Colonial ditch. No archaeological resources have been identified in the vicinity of the Project.

A review of the cultural survey report prepared by LSA for the Costco Wholesale Warehouse, approximately 3.6 miles south of the Project, indicates that after a records search, literature review, historic map review, and site survey, LSA did not identify any cultural resources that met the definition of a historical resource or unique archaeological resource under CEQA. They determined that the potential for the Project's construction-related activities to encounter significant subsurface cultural resources during construction is low due to the presence of fill soils and previously extensive degree of ground disturbance related to agricultural use in the project site. Similar to the Costco project site, it is highly unlikely to be any cultural resources found on the site that would meet CEQA criteria.

Additionally, a review of the cultural resources inventory prepared for Caltrans District 6 and 9 for the entire central Valley (Meyer, Jack et al, 2010), the Clovis area is depicted as having a *Very Low Sensitivity* potential for buried archaeological resources. No further investigation of the Project site is warranted.



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Conclusions

Based on the results of cultural records search findings, the lack of historical or archaeological resources previously identified within a 0.5-mile radius of the proposed project, the results of other studies in the vicinity and the Caltrans cultural inventory results, the potential to encounter subsurface cultural resources is considered minimal. The potential to uncover subsurface historical or archaeological deposits is would also be considered unlikely.

However, there is still a possibility that historical or archaeological materials may be exposed during construction or trenching for underground pipes. Grading and trenching, as well as other ground-disturbing actions have the potential to damage or destroy these previously unidentified and potentially significant cultural resources within the project area, including historical or archaeological resources. Disturbance of any deposits that have the potential to provide significant cultural data would be considered a significant impact under CEQA.

Implementation of Mitigation Measure MM CUL-1 and MM CUL-2 would reduce potential impacts on cultural resources, including historical resources, associated with the proposed project to less-than-significant levels. Operation of the proposed project would not result in impacts related to the disturbance of archaeological or historical resources.

Recommended Mitigation Measures

MM CUL-1: If prehistoric or historic-era cultural materials are encountered during construction activities, all work in the immediate vicinity of the find shall halt until a qualified professional archaeologist, meeting the Secretary of the Interior's Professional Qualification Standards for prehistoric and historic archaeologist, can evaluate the significance of the find and make recommendations. Cultural resource materials may include prehistoric resources such as flaked and ground stone tools and debris, shell, bone, ceramics, and fire-affected rock as well as historic resources such as glass, metal, wood, brick, or structural remnants. If the qualified professional archaeologist determines that the discovery represents a potentially significant cultural resource, additional investigations may be required to mitigate adverse impacts from project implementation. These additional studies may include avoidance, testing, and evaluation or data recovery excavation.

If a potentially-eligible resource is encountered, then the qualified professional archaeologist, the Lead Agency, and the project proponent shall arrange for either 1) total avoidance of the resource or 2) test excavations to evaluate eligibility and, if eligible, total data recovery. The determination shall be formally documented in writing and submitted to the Lead Agency as verification that the provisions for managing unanticipated discoveries have been met.

MM CUL-2: If human remains are discovered during construction or operational activities, further excavation or disturbance shall be prohibited pursuant to Section



TECHNICAL MEMORANDUM

7050.5 of the California Health and Safety Code. The specific protocol, guidelines, and channels of communication outlined by the Native American Heritage Commission, in accordance with Section 7050.5 of the Health and Safety Code, Section 5097.98 of the Public Resources Code (Chapter 1492, Statutes of 1982, Senate Bill 297), and Senate Bill 447 (Chapter 44, Statutes of 1987), shall be followed. Section 7050.5(c) shall guide the potential Native American involvement, in the event of discovery of human remains, at the direction of the County coroner. All reports, correspondence, and determinations regarding the discovery of human remains on the project site shall be submitted to the Lead Agency.

References

(Reports on file at the Southern San Joaquin Valley Information Center, California State University, Bakersfield)

Baker, Suzanne

1978 Archaeological Reconnaissance of the Shepherd 230 kV Substation and Transmission Line. Report prepared for Pacific Gas and Electric Co., San Francisco, CA.

Baloian, Randy

2006 Historical Resources Evaluation Report and Archaeological Survey Report for the Herndon Avenue Widening Project between Willow and Minnewawa in Clovis, Fresno County, California. Report prepared for City of Clovis Planning Division.

Brown & Mills, Inc.

n.d. Historical and Cultural Resource Assessment Willow/Herndon, Site No. CV-735-03, 7505 N. Willow Avenue, Fresno, County, California.

Granskog, Jane

1985 Archaeological Survey and Historical Research Report on Two Street Widening Projects (Chestnut Avenue and Bullard Avenue) for the City of Fresno, California. Report prepared for City of Fresno, CA.

Holson, John

2002 Cultural Resource Assessment for Cingular CV-735-02, Willow/Herndon. Report prepared for Shaw Environmental and Infrastructure, Sacramento, CA.

Larry Seeman Associates



TECHNICAL MEMORANDUM

1981 Historical Property Survey Report for the Villa Avenue Improvement Project, Clovis, California. Report prepared for County of Fresno.

LSA

2018 Cultural Resources Study for the Proposed Costco Wholesale Development Project. Report prepared for the City of Clovis Initial Study/Mitigated Negative Declaration (CUP 2017-16).

Meyer, Jack et al..

2010 Cultural Resources Inventory of Caltrans District 6/9: Volume 1- A.
Geoarchaeological Overview and Assessment of Caltrans Districts 6 and 9. Caltrans.

Nettles, Wendy M., and Randy Baloian

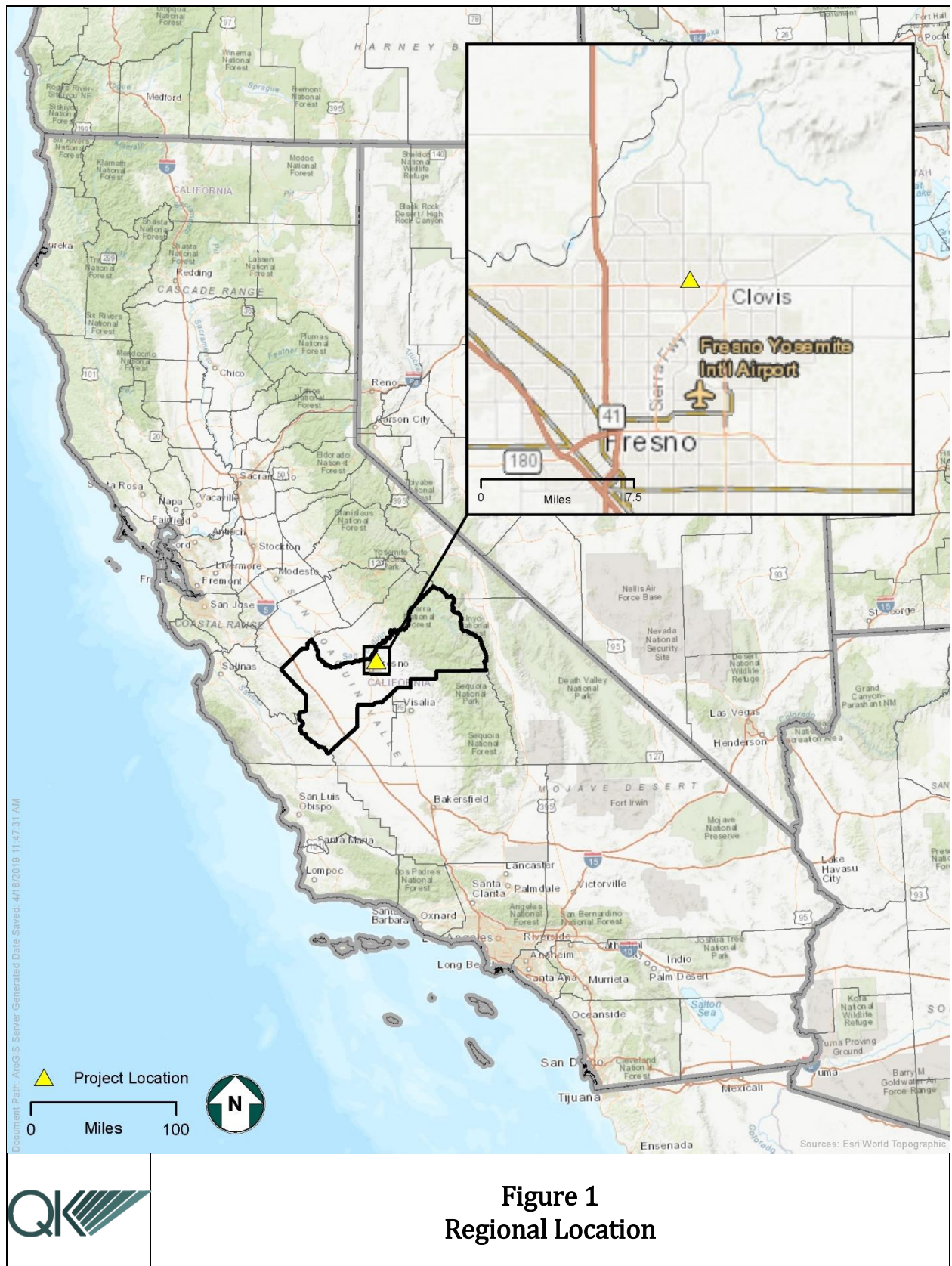
2005 Historic Resources Evaluation Report for the Peach Avenue Couplet, Clovis, California. Report prepared for City of Clovis, CA.

Wren, Donald G.

1988 Chestnut-Willow Avenue Project. Report prepared for City of Fresno, CA.

ATTACHMENT A
PROJECT FIGURES

Lennar Tract 6262 Project



Lennar Tract 6262 Project

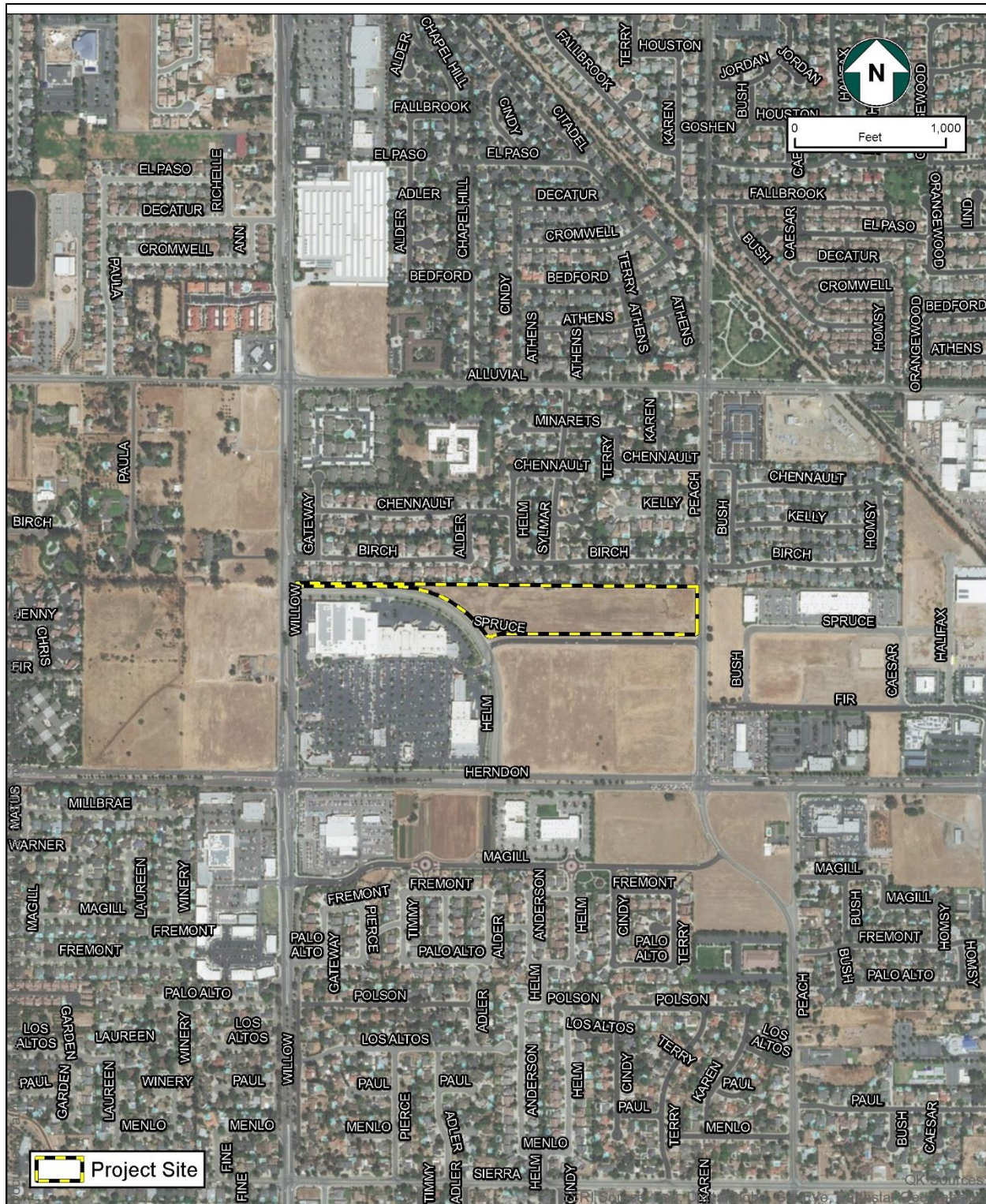
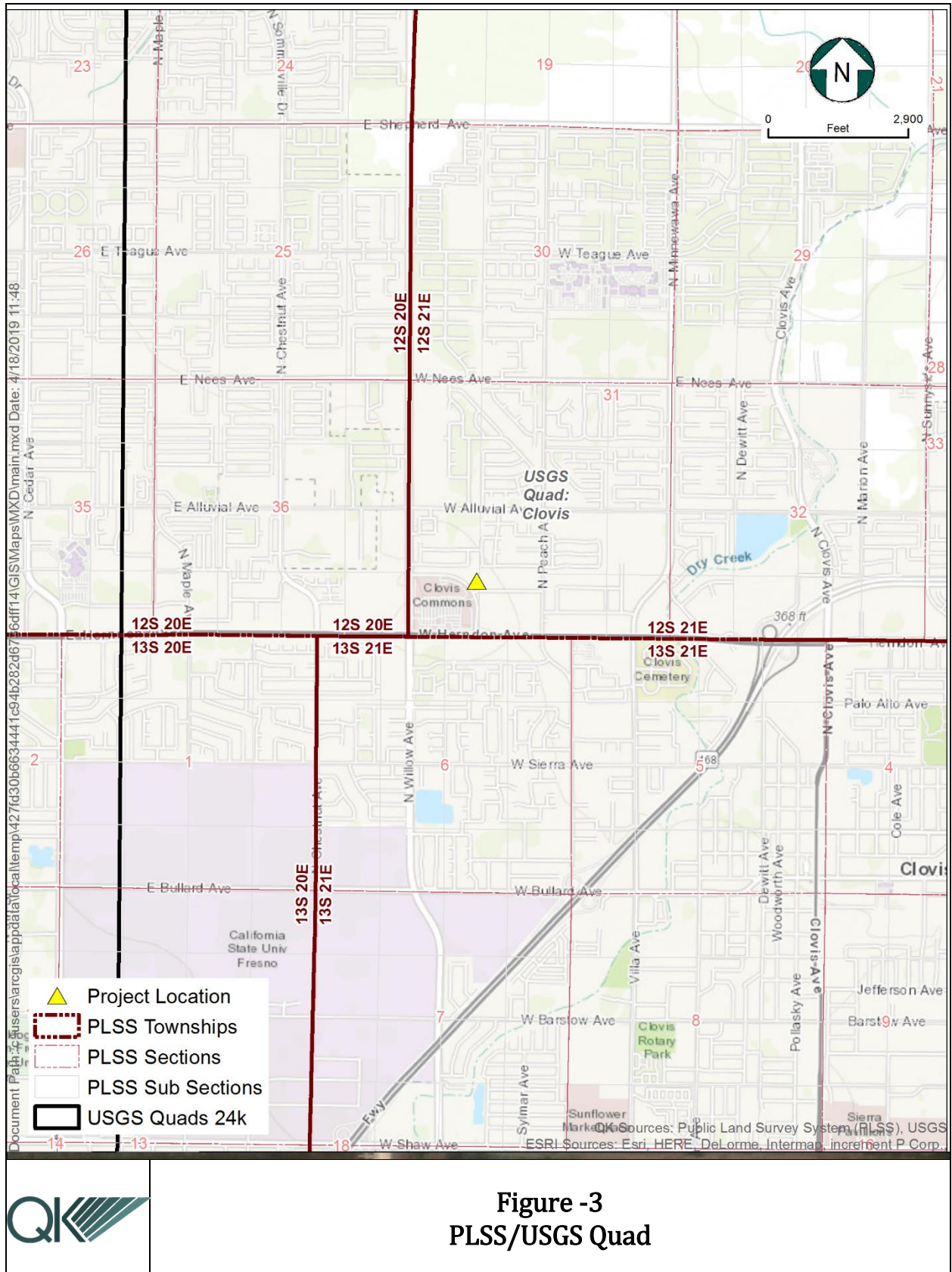


Figure -2
Project Site

Lennar Tract 6262 Project



APPENDIX D

Traffic Impact Study

Lennar Tract 6262

Traffic Impact Study

Proposed Multifamily Residential Development Tentative Tract No. 6262

***Northwest of the Intersection of Peach and Spruce Avenues
Clovis, California***

Prepared For:

Morton & Pitalo, Inc.
7643 North Ingram Avenue, Suite 105
Fresno, California 93711

Date:

May 14, 2019

Job No.:

19-027.01



PETERS ENGINEERING GROUP
A CALIFORNIA CORPORATION



PETERS ENGINEERING GROUP
A CALIFORNIA CORPORATION

Mr. Keith A. Jolly, P.E.
Morton & Pitalo, Inc.
7643 North Ingram Avenue, Suite 105
Fresno, California 93711

May 14, 2019

Subject: Traffic Impact Study
Proposed Multifamily Residential Development - Tentative Tract No. 6262
Northwest of the Intersection of Peach and Spruce Avenues
Clovis, California

Dear Mr. Jolly:

Introduction

This report presents the results of a traffic impact study for the proposed Multifamily Residential Development - Tentative Tract No. 6262 (hereinafter referred to as "Project") in Clovis, California. This analysis focuses on the anticipated effect of vehicle traffic resulting from the Project. The traffic impact study was performed in general conformance with the *City of Clovis Traffic Impact Study Guidelines* approved August 25, 2014.

Project Description

The proposed Tract 6262 will be located on approximately 12.5 acres northwest the intersection of Peach and Spruce Avenues in Clovis, California, extending as far west as the Spruce/Helm Avenue loop road that connects Herndon Avenue and Willow Avenue. The project includes 185 residences with a density of 14.8 dwelling units per acre. Site access will be via two driveways connecting to Spruce Avenue between Helm and Peach Avenues. Lot sizes range from

A site vicinity map is presented in Figure 1 and a site plan is presented in Figure 2. The figures follow the text of this report.

Study Area and Time Period

This report includes analysis of the following intersections:

1. Helm Avenue / Spruce Avenue (including the existing shopping center driveway)
2. Peach Avenue / Spruce Avenue

The study time periods include the weekday a.m. and p.m. peak hours determined between 7:00 and 9:00 a.m. and between 4:00 and 6:00 p.m. The peak hours were analyzed for the following conditions:

- Existing Conditions;
- Existing-Plus-Project Conditions;
- Near-Term With-Project Conditions (Existing Plus Approved and Pending Projects Plus Project); and
- Cumulative Year 2040 With-Project Conditions.

Lane Configurations and Intersection Control

The lane configurations and intersection control at the study intersections are illustrated in Figure 3, Existing Lane Configurations and Intersection Control.

The City of Clovis General Plan identifies Helm Avenue and Peach Avenue as collector streets, which typically consist of one lane in each direction and no median or two-way left-turn lane. Peach Avenue consists of one lane in each direction, a two-way left-turn lane, bike lanes, and shoulders. Helm Avenue (which connects Herndon Avenue to Willow Avenue, and is called Spruce Avenue at Willow Avenue) consists of two lanes in each direction with a painted median and left-turn lanes at intersections. Spruce Avenue along the Project frontage is designated as a local road.

The intersection of Helm and Spruce Avenues is offset approximately 125 feet center-to-center from a driveway that serves the existing Target shopping center. With the proximity of the driveway to the intersection, the entire location tends to operate as a single intersection.

Project Trip Generation

Data provided in the Institute of Transportation Engineers (ITE) *Trip Generation Manual, 10th Edition*, were used to estimate the number of trips anticipated to be generated by the Project. Previous versions of the *Trip Generation Manual* included separate land uses for townhomes, apartments, and single-family residences. The 10th Edition has consolidated residential projects with similar trip generation characteristics (such as apartments and townhomes) into the new “Multifamily” land uses. Based on the proposed density of the Project, lot sizes, anticipated building sizes and number of bedrooms, and the site plan, the ITE data for “Multifamily Housing (Low-Rise)” was utilized to estimate the number of trips to be generated by the Project. Table 1 presents the trip generation information.

Table 1
Project Trip Generation

Land Use	Units	Daily		A.M. Peak Hour					P.M. Peak Hour				
		Rate	Total	Rate	In:Out	In	Out	Total	Rate	In:Out	In	Out	Total
Multifamily Housing (Low-Rise) ITE Code 220	185	7.32	1,356	0.46	23:77	20	66	86	0.56	63:37	66	38	104

Reference: *Trip Generation Manual, 10th Edition*, Institute of Transportation Engineers 2017
Rates are reported in trips per dwelling unit. In:Out are percentages of the total.

Project Trip Distribution and Assignment

The Project trips were distributed to the adjacent road network using engineering judgment considering the distribution of existing traffic volumes, the locations and types of streets in the study area, Peters Engineering Group's familiarity with the Project vicinity, and complementary land uses in the Project vicinity. In addition, the results of a select zone analysis performed for Traffic Analysis Zone 661 using the Fresno County travel model were considered. The percentage distribution of Project trips is presented in Figure 4, Project Trip Distribution Percentages. Project traffic volumes at the study intersections are presented in Figure 5, Peak-Hour Project Traffic Volumes.

Existing Traffic Volumes

Existing traffic volumes were determined by performing manual turning movement counts at the study intersections between 7:00 and 9:00 a.m. and between 4:00 and 6:00 p.m. on a weekday while school was in session. The traffic count data sheets are attached and include the dates the counts were performed. The existing peak-hour turning movement volumes are presented in Figure 6, Existing Peak-Hour Traffic Volumes.

Existing-Plus-Project Traffic Volumes

Existing-Plus-Project traffic volumes are presented in Figure 7, Existing-Plus-Project Peak-Hour Traffic Volumes. The values in Figure 7 were determined by adding the values in Figures 5 and 6.

Pending and Approved Projects

Projects that are currently pending but not yet constructed are included in the analyses to assess cumulative impacts. The following projects are considered in the analyses:

- Shopping Center northwest of the intersection of Willow and Herndon Avenues (139,822 square feet of building area);
- America's Tire Shop southwest of the intersection of Peach and Spruce Avenues (8,192 square feet of building area);
- Heritage Crossing Residential Care Facility on the north side of Alluvial Avenue west of Willow Avenue (78 beds);
- Apartments northwest of the intersection of Willow and Herndon Avenues (296 units, currently 92-percent occupied).

Near-Term With-Project Traffic Volumes (Existing Plus Pending and Approved Projects Plus Project)

Peak-hour existing-plus-pending-and-approved-projects-plus-Project traffic volumes are presented in Figure 8, Near-Term With-Project Peak-Hour Traffic Volumes.

Cumulative Year 2040 Traffic Volumes

Cumulative traffic volumes for the year 2040 were determined using the Fresno Council of Governments' (COG) Fresno County travel model and the *Increment Method* approved by

the COG. The base year and year 2035 travel model output used in the analyses are attached. The traffic volumes were extrapolated to the year 2040.

Future turning movements were projected based on the methods presented in Chapter 8 of the Transportation Research Board National Cooperative Highway Research Program Report 255 entitled “*Highway Traffic Data for Urbanized Area Project Planning and Design.*” The pending and approved projects traffic volumes were included in the resulting turning movements. In addition, trips that will be generated after development of the site immediately south of the Project (approximately 24 acres) have been estimated and included in the future trip projections to provide a comprehensive analysis of the adjacent study intersections. Trip generation calculations are presented in Table 2 assuming a shopping center on the site.

Table 2
Trip Generation – Assumed Shopping Center South of Spruce Avenue

Land Use	Area (sq. ft.)	Daily		A.M. Peak Hour					P.M. Peak Hour				
		Rate	Total	Rate	In:Out	In	Out	Total	Rate	In:Out	In	Out	Total
Shopping Center (820)	207,000	FC1	9,860	FC2	62:38	159	97	256	FC3	48:52	447	484	931
Fast Food w/ Drive Through (934)	8,000	470.95	3,768	40.19	51:49	164	158	322	32.67	52:48	136	126	262
TOTAL	-	-	13,628	-	-	323	255	578	-	-	583	610	1,193

Reference: Trip Generation Manual, 10th Edition, Institute of Transportation Engineers 2017

Units are 1,000 square feet of building area. Rates are reported in trips per 1,000 square feet of building area.

FC1: Fitted curve: $\ln(T) = 0.68\ln(X) + 5.57$

FC2: Fitted curve: $T = 0.50(X) + 151.78$

FC3: Fitted curve: $\ln(T) = 0.74\ln(X) + 2.89$

Cumulative with-Project traffic volumes are presented in Figure 9, Cumulative With-Project Peak-Hour Traffic Volumes.

Significance Criteria

The Transportation Research Board *Highway Capacity Manual*, 2010, (HCM2010) defines level of service (LOS) as, “A quantitative stratification of a performance measure or measures that represent quality of service, measured on an A-F scale, with LOS A representing the best operating conditions from the traveler’s perspective and LOS F the worst.”

Automobile mode LOS characteristics for both unsignalized and signalized intersections are presented in Tables 3 and 4.

Table 3
Level of Service Characteristics for Unsignalized Intersections

Level of Service	Average Vehicle Delay (seconds)
A	0-10
B	>10-15
C	>15-25
D	>25-35
E	>35-50
F	>50

Reference: *Highway Capacity Manual*, Transportation Research Board, 2010

Table 4
Level of Service Characteristics for Signalized Intersections

Level of Service	Description	Average Vehicle Delay (seconds)
A	Volume-to-capacity ratio is low. Progression is exceptionally favorable or the cycle length is very short.	<10
B	Volume-to-capacity ratio is low. Progression is highly favorable or the cycle length is very short.	>10-20
C	Volume-to-capacity ratio is no greater than 1.0. Progression is favorable or cycle length is moderate.	>20-35
D	Volume-to-capacity ratio is high but no greater than 1.0. Progression is ineffective or cycle length is long. Many vehicles stop and individual cycle failures are noticeable.	>35-55
E	Volume-to-capacity ratio is high but no greater than 1.0. Progression is unfavorable and cycle length is long. Individual cycle failures are frequent.	>55-80
F	Volume-to-capacity ratio is greater than 1.0. Progression is very poor and cycle length is long. Most cycles fail to clear the queue.	>80

Reference: *Highway Capacity Manual*, Transportation Research Board, 2010

The City of Clovis General Plan requires a minimum LOS D at intersections under the City's jurisdiction. The *City of Clovis Traffic Impact Study Guidelines* dated August 25, 2014 indicates that an impact is considered significant if the addition of the traffic generated by a proposed project results in any one of the following:

- Triggers an intersection operating at acceptable LOS to operate at unacceptable levels of service;
- Increases the average delay for a study intersection that is already operating at unacceptable LOS.

Intersection Analyses

The intersection levels of service (LOS) were determined using the computer program Synchro 9, which is based on *Highway Capacity Manual* procedures for calculating levels of service. The intersection analysis sheets are attached.

Tables 5 through 8 present the results of the intersection analyses. For non-Project conditions, levels of service below the minimum acceptable level of service are presented in bold type. For Project scenarios, significant impacts are presented in bold type.

Table 5
Intersection Level of Service Summary – Existing Conditions

Intersection	Control	A.M. Peak Hour		P.M. Peak Hour	
		Delay (sec)	LOS	Delay (sec)	LOS
Helm / Spruce	Two-way stop	B	11.6	38.7	E
Peach / Spruce	One-way stop	14.6	B	16.0	C

Table 6
Intersection Level of Service Summary – Existing-Plus-Project Conditions

Intersection	Control	A.M. Peak Hour		P.M. Peak Hour	
		Delay (sec)	LOS	Delay (sec)	LOS
Helm / Spruce	Two-way stop	11.8	B	49.2	E
Peach / Spruce	One-way stop	15.8	C	17.0	C

Table 7
Intersection Level of Service Summary – Near-Term With-Project Conditions

Intersection	Control	A.M. Peak Hour		P.M. Peak Hour	
		Delay (sec)	LOS	Delay (sec)	LOS
Helm / Spruce	Two-way stop	12.4	B	81.8	F
Peach / Spruce	One-way stop	16.4	C	19.0	C

Table 8
Intersection Level of Service Summary – 2040 With-Project Conditions

Intersection	Control	A.M. Peak Hour		P.M. Peak Hour	
		Delay (sec)	LOS	Delay (sec)	LOS
Helm / Spruce	Two-way stop	19.8	C	>300	F
Peach / Spruce	One-way stop	45.3	E	>300	F

The results of the intersection operational analyses also include an estimate of the 95th-percentile queue lengths. The existing storage capacity (where applicable) and the calculated 95th-percentile queue lengths are presented in Table 9. The storage capacities reported in Table 9 are based on measurements from available aerial photographs. Queues that exceed 500 feet are indicated in bold type. A key to descriptors in the tables is presented below.

Key to Table 9

L: Left-turn lane
T: Through lane
R: Right-turn lane
LT: Shared left-turn/through lane
TR: Shared through/right-turn lane
LR: Shared left-turn/right-turn lane
LTR: Shared left-turn/through/right-turn lane
DNS: Does not stop

Table 9
Intersection Queuing Summary

Intersection	Existing Storage Length (feet)	95 th -Percentile Queue Length (feet)							
Approach		Existing		Existing-Plus- Project		Near-Term With-Project		2040 With Project	
		A.M.	P.M.	A.M.	P.M.	A.M.	P.M.	A.M.	P.M.
Helm / Spruce									
Eastbound LT	200*	10	178	10	210	13	280	23	913
Eastbound R	80*	3	8	3	8	3	8	3	10
Westbound LTR	>1,000	8	23	15	45	18	113	55	+
Northbound L	105	3	10	3	10	5	10	5	15
Northbound TR	660	DNS	DNS	DNS	DNS	DNS	DNS	DNS	DNS
Southbound L	100	0	0	0	0	3	3	3	5
Southbound TR	>1,000	DNS	DNS	DNS	DNS	DNS	DNS	DNS	DNS
Peach / Spruce									
Eastbound LR	>1,000	15	70	25	80	30	98	145	>1,000
Northbound L	300**	3	3	5	5	5	8	20	28
Northbound T	830	DNS	DNS	DNS	DNS	DNS	DNS	DNS	DNS
Southbound TR	>1,000	DNS	DNS	DNS	DNS	DNS	DNS	DNS	DNS

* Private driveway

** Two-way left-turn lane that will also serve a driveway and Fir Avenue.

+ Volume exceeds capacity. Queue cannot be calculated.

Discussion of Intersection Analyses

Existing Conditions

The results of the analyses indicate that the intersection of Peach and Spruce Avenues is currently operating at acceptable levels of service with calculated 95th-percentile queues contained within the available storage capacity. The intersection of Helm and Spruce, however, operates at LOS E during the p.m. peak hour, which is below the target LOS of D or better in the City of Clovis. Specifically, the eastbound approach exiting the Target shopping center experiences excessive delays. Delays associated with LOS E or F often correspond to increased driver frustration and willingness to take risks in the form of unsafe movements that can lead to collisions.

Existing-Plus-Project Conditions

The existing-plus-Project conditions analyses represent conditions that would occur after construction of the Project if none of the pending and approved projects were constructed. This scenario isolates the specific impacts of the Project.

The analyses indicate that the intersection of Peach and Spruce Avenues is expected to continue to operate at acceptable levels of service. However, the Project will cause delays at the intersection of Helm and Spruce Avenues to increase by an average of 10.5 seconds per vehicle during the p.m. peak hour on the eastbound approach exiting the Target shopping center that is already operating at LOS E. This is a significant impact based on LOS.

Two potential options to mitigate the significant impact at the intersection of Helm and Spruce Avenues are considered: 1) signalization and 2) construction of a roundabout. The signalization option could be implemented with the existing offset geometry, although the eastbound and westbound approaches would require split phasing that would likely result in long queues extending into the Target shopping center parking lot. The roundabout option is expected to require a slight realignment of Spruce Avenue. The recommended roundabout geometry would include one entry lane on the eastbound and westbound approaches, two entry lanes on Helm Avenue (northbound and southbound), two circulating lanes adjacent to the east and west legs, and one circulating lane adjacent to the north and south legs.

Mitigated conditions are summarized in Tables 10 and 11. Mitigated intersection analysis sheets are attached.

Table 10

Mitigated Intersection LOS Summary – Existing-Plus-Project Conditions

Intersection	Control	A.M. Peak Hour		P.M. Peak Hour	
		Delay (sec)	LOS	Delay (sec)	LOS
Helm / Spruce	Signals	16.5	B	22.8	C
	Roundabout	4.3	A	6.6	A

Table 11
Mitigated Intersection Queuing Summary – Existing-Plus-Project Conditions

Intersection	Storage Length (feet)	95 th -Percentile Queue Length (feet)	
Approach		A.M.	P.M.
Helm / Spruce (Signals)			
Eastbound LT	200*	65	302
Eastbound R	80*	0	7
Westbound LTR	>1,000	78	98
Northbound L	105	89	236
Northbound TR	660	19	22
Southbound L	100	26	30
Southbound TR	>1,000	0	0
Helm / Spruce (Roundabout)			
Eastbound	200*	0	50
Westbound	>1,000	0	0
Northbound LT	600±	0	25
Northbound TR	600±	0	0
Southbound LT	>1,000	0	0
Southbound TR	>1,000	0	0

* Private driveway

** Two-way left-turn lane that will also serve a driveway and Fir Avenue.

Near-Term With-Project Conditions

The near-term with-Project conditions analyses represent conditions that are expected after construction of the Project and other the pending and approved projects. This scenario isolates the near-term cumulative impacts of the Project and other known projects.

The analyses indicate that the intersection of Peach and Spruce Avenues is expected to continue to operate at acceptable levels of service. However, the cumulative near-term projects will cause the eastbound approach to the intersection of Helm and Spruce Avenues to operate at LOS F and the westbound approach to operate at LOS E. This is a significant cumulative near-term impact based on LOS.

Two potential options to mitigate the significant impact at the intersection of Helm and Spruce Avenues are considered: 1) signalization and 2) construction of a roundabout. The signalization option could be implemented with the existing offset geometry, although the eastbound and westbound approaches would require split phasing that would likely result in long queues extending into the Target shopping center parking lot. The roundabout option is expected to require a slight realignment of Spruce Avenue. The recommended roundabout geometry would include one entry lane on the eastbound and westbound approaches, two entry lanes on Helm Avenue (northbound and southbound), two circulating lanes adjacent to the east and west legs, and one circulating lane adjacent to the north and south legs.

Mitigated conditions are summarized in Tables 12 and 13. Mitigated intersection analysis sheets are attached.

Table 12
Mitigated Intersection LOS Summary – Near-Term With-Project Conditions

Intersection	Control	A.M. Peak Hour		P.M. Peak Hour	
		Delay (sec)	LOS	Delay (sec)	LOS
Helm / Spruce	Signals	16.7	B	24.0	C
	Roundabout	4.4	A	6.8	A

Table 13
Mitigated Intersection Queuing Summary – Near-Term With-Project Conditions

Intersection	Storage Length (feet)	95 th -Percentile Queue Length (feet)	
Approach		A.M.	P.M.
Helm / Spruce (Signals)			
Eastbound LT	200*	65	302
Eastbound R	80*	0	7
Westbound LTR	>1,000	86	115
Northbound L	105	89	236
Northbound TR	660	23	27
Southbound L	100	37	56
Southbound TR	>1,000	10	15
Helm / Spruce (Roundabout)			
Eastbound	200*	0	50
Westbound	>1,000	0	25
Northbound LT	600±	0	25
Northbound TR	600±	0	0
Southbound LT	>1,000	0	0
Southbound TR	>1,000	0	0

* Private driveway

** Two-way left-turn lane that will also serve a driveway and Fir Avenue.

Year 2040 With-Project Conditions

The year 2040 With-Project conditions analyses are based on the assumption that the Project site is developed with the proposed Project. The analyses indicate that the study intersections, if maintained in their current configurations, are both expected to operate at LOS F during the p.m. peak hour and the intersection of Peach and Spruce Avenues is expected to operate at LOS E during the a.m. peak hour. These are significant cumulative long-term impacts based on LOS.

Two potential options to mitigate the significant impacts at the intersection of Helm and Spruce Avenues are considered: 1) signalization and 2) construction of a roundabout. The

signalization option could be implemented with the existing offset geometry, although the eastbound and westbound approaches would require split phasing that would likely result in long queues extending into the Target shopping center parking lot. The roundabout option is expected to require a slight realignment of Spruce Avenue. The recommended roundabout geometry would include one entry lane on the eastbound and westbound approaches, two entry lanes on Helm Avenue (northbound and southbound), two circulating lanes adjacent to the east and west legs, and one circulating lane adjacent to the north and south legs.

The intersection of Peach and Spruce Avenues will require signalization to operate at acceptable levels of service in the year 2040 condition. Mitigated conditions are summarized in Tables 14 and 15. Mitigated intersection analysis sheets are attached.

Table 14
Mitigated Intersection LOS Summary – 2040 With-Project Conditions

Intersection	Control	A.M. Peak Hour		P.M. Peak Hour	
		Delay (sec)	LOS	Delay (sec)	LOS
Helm / Spruce	Signals	17.1	B	33.6	C
	Roundabout	5.1	A	9.7	A
Peach / Spruce	Signals	19.2	B	23.2	C

Table 15
Mitigated Intersection Queuing Summary – 2040 With-Project Conditions

Intersection	Storage Length (feet)	95 th -Percentile Queue Length (feet)	
Approach		A.M.	P.M.
Helm / Spruce (Signals)			
Eastbound LT	200*	88	402
Eastbound R	80*	0	24
Westbound LTR	>1,000	159	271
Northbound L	105	87	264
Northbound TR	660	47	85
Southbound L	100	61	77
Southbound TR	>1,000	39	62
Helm / Spruce (Roundabout)			
Eastbound	200*	0	100
Westbound	>1,000	25	50
Northbound LT	600±	0	50
Northbound TR	600±	0	50
Southbound LT	>1,000	0	0
Southbound TR	>1,000	0	25
Peach / Spruce (Signals)			
Eastbound L	>1,000	47	85
Eastbound R	To be designed	49	102
Northbound L	300**	183	222
Northbound T	830	127	268
Southbound T	>1,000	621	273
Southbound R	To be designed	25	38

* Private driveway

** Two-way left-turn lane that will also serve a driveway and Fir Avenue.

Conclusions

Standard traffic engineering principles and methods were employed to establish the existing conditions, to estimate the number of trips expected to be generated by the Project, and to analyze the traffic conditions expected to occur in the future. The conclusions of the study are summarized in the following sections.

Existing Conditions

The intersection of Peach and Spruce Avenues is currently operating at acceptable levels of service with calculated 95th-percentile queues contained within the available storage capacity. The intersection of Helm and Spruce, however, operates at LOS E during the p.m. peak hour, which is below the target LOS of D or better in the City of Clovis. Specifically, the eastbound approach exiting the Target Shopping Center experiences excessive delays. Delays associated with LOS E or F often correspond to increased driver frustration and willingness to take risks in the form of unsafe movements that can lead to collisions.

Existing-Plus-Project Conditions

The intersection of Peach and Spruce Avenues is expected to continue to operate at acceptable levels of service after construction of the Project.

The Project will cause a significant impact at the intersection of Helm and Spruce Avenues by increasing delays on the eastbound approach. Two potential options to mitigate the significant impacts at the intersection of Helm and Spruce Avenues are considered: 1) signalization and 2) construction of a roundabout. The signalization option could be implemented with the existing offset geometry, although the eastbound and westbound approaches would require split phasing that would likely result in long queues extending into the Target shopping center parking lot. The roundabout option is expected to require a slight realignment of Spruce Avenue. The recommended roundabout geometry would include one entry lane on the eastbound and westbound approaches, two entry lanes on Helm Avenue (northbound and southbound), two circulating lanes adjacent to the east and west legs, and one circulating lane adjacent to the north and south legs.

Near-Term With-Project Conditions

The intersection of Peach and Spruce Avenues is expected to continue to operate at acceptable levels of service.

The cumulative near-term projects will cause the eastbound approach to the intersection of Helm and Spruce Avenues to operate at LOS F and the westbound approach to operate at LOS E. This is a significant cumulative near-term impact based on LOS. The potential mitigation measures are identical to those described above for the existing-plus-Project conditions (signalization or a roundabout).

Year 2040 With-Project Conditions

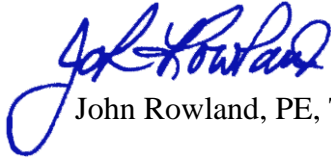
The study intersections, if maintained in their current configurations, are both expected to operate at LOS F during the p.m. peak hour and the intersection of Peach and Spruce Avenues is expected to operate at LOS E during the a.m. peak hour. These are significant cumulative long-term impacts based on LOS.

The potential mitigation measures for the intersection of Helm and Spruce Avenues are identical to those described above for the existing-plus-Project conditions (signalization or a roundabout).

The intersection of Peach and Spruce Avenues will require signalization to operate at acceptable levels of service in the year 2040 condition.

Thank you for the opportunity to perform this traffic impact study. Please feel free to contact me if you have any questions.

PETERS ENGINEERING GROUP



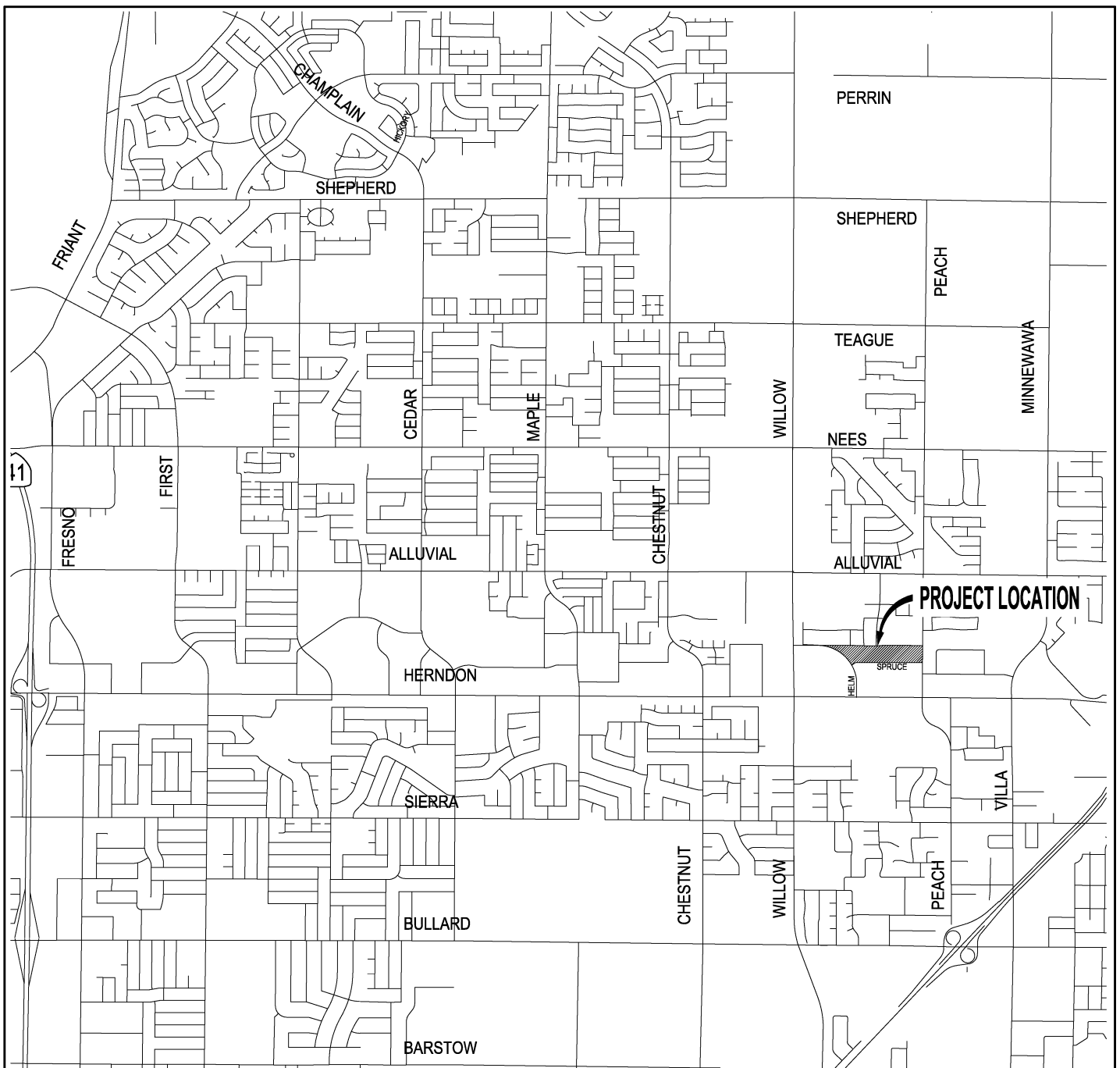
John Rowland, PE, TE



Attachments: Figures 1 through 9
Traffic Count Data Sheets
Fresno County Travel Model Output
Intersection Analyses
Mitigated Intersection Analyses

FIGURES



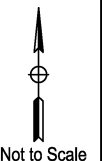


Proposed Multifamily Residential Development - Tentative Tract No. 6262
Clovis, California

VICINITY MAP

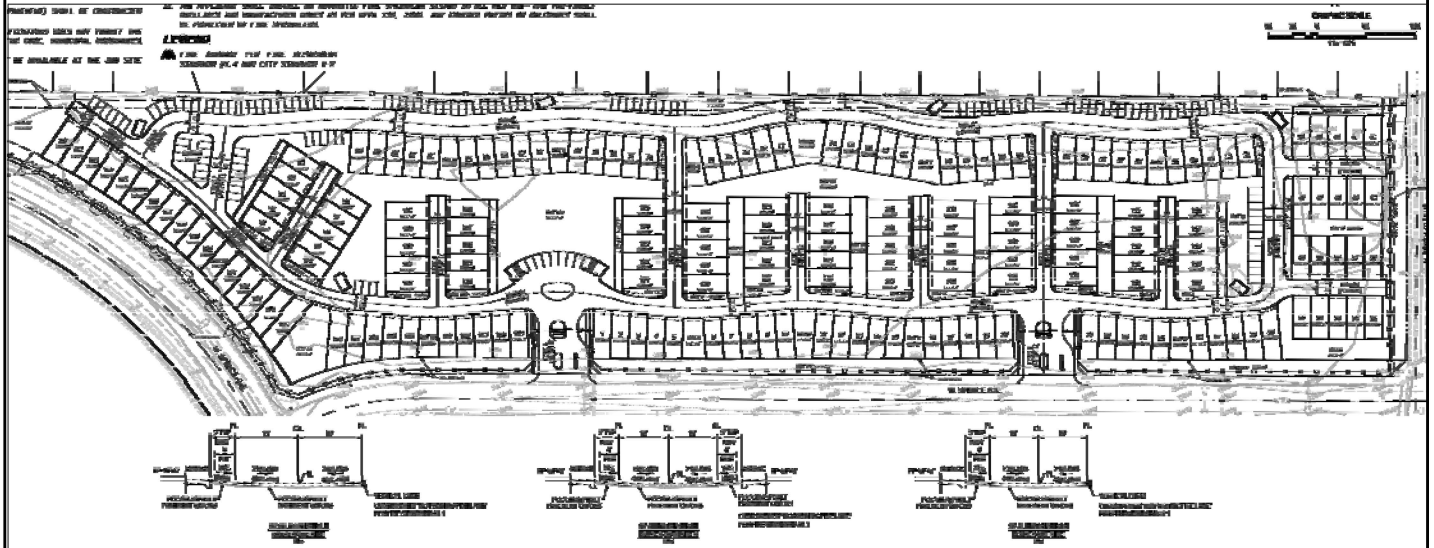


PETERS ENGINEERING GROUP



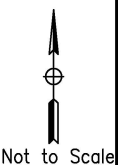
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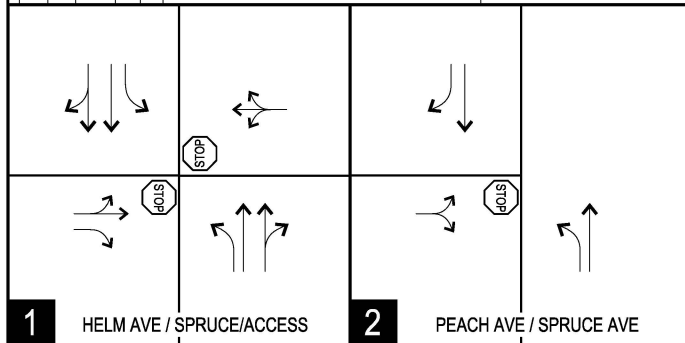
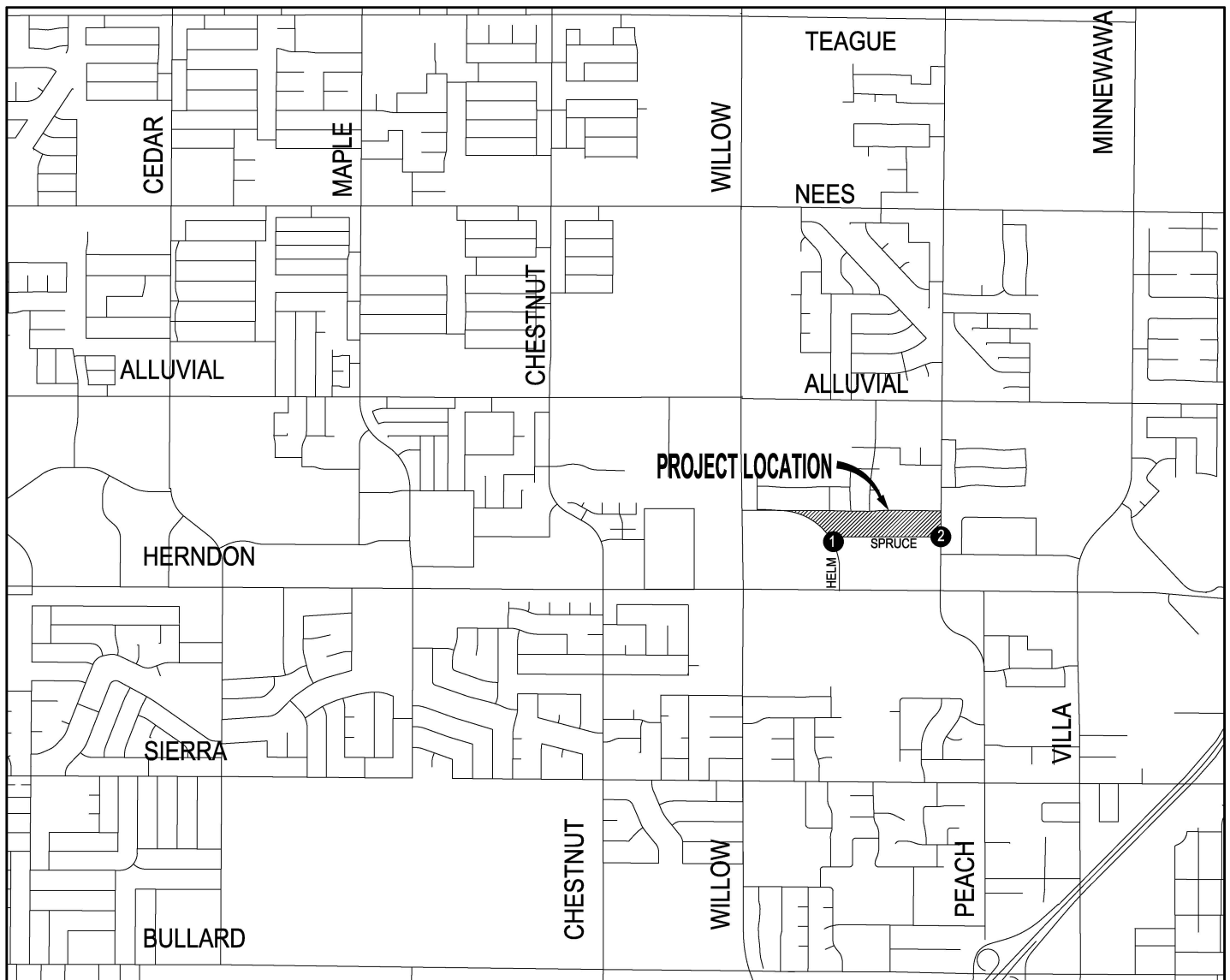
Figure 1



Proposed Multifamily Residential Development - Tentative Tract No. 6262
Clovis, California

SITE PLAN





LEGEND

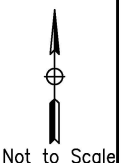
- STUDY AREA INTERSECTIONS
- PROJECT SITE
- SIGNALIZED INTERSECTION
- STOP SIGN
- DIRECTION OF TRAVEL

Proposed Multifamily Residential Development - Tentative Tract No. 6262
Clovis, California

EXISTING LANE CONFIGURATIONS AND INTERSECTION CONTROL

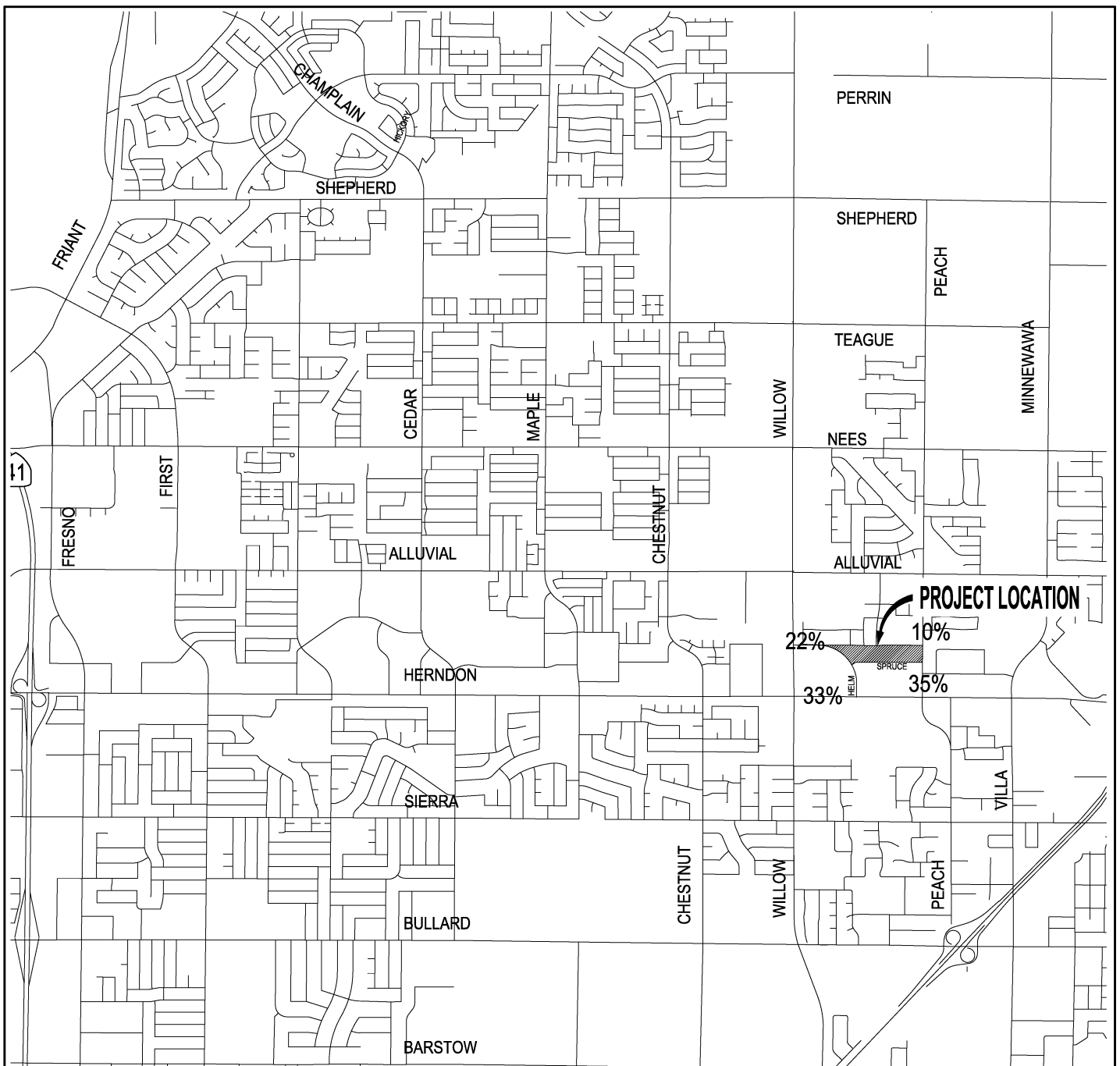


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Not to Scale

Figure 3

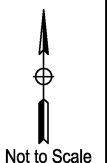


Proposed Multifamily Residential Development - Tentative Tract No. 6262
Clovis, California

PEAK-HOUR PROJECT TRAFFIC DISTRIBUTION PERCENTAGES

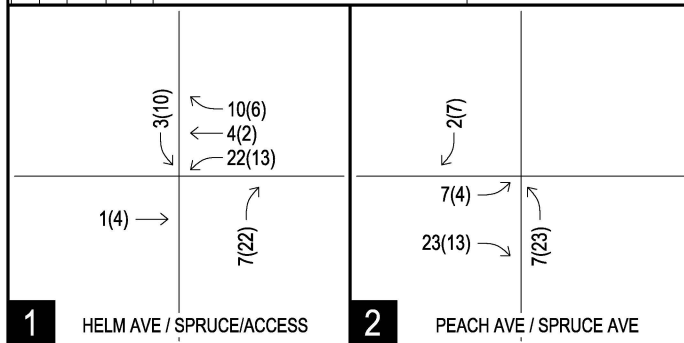
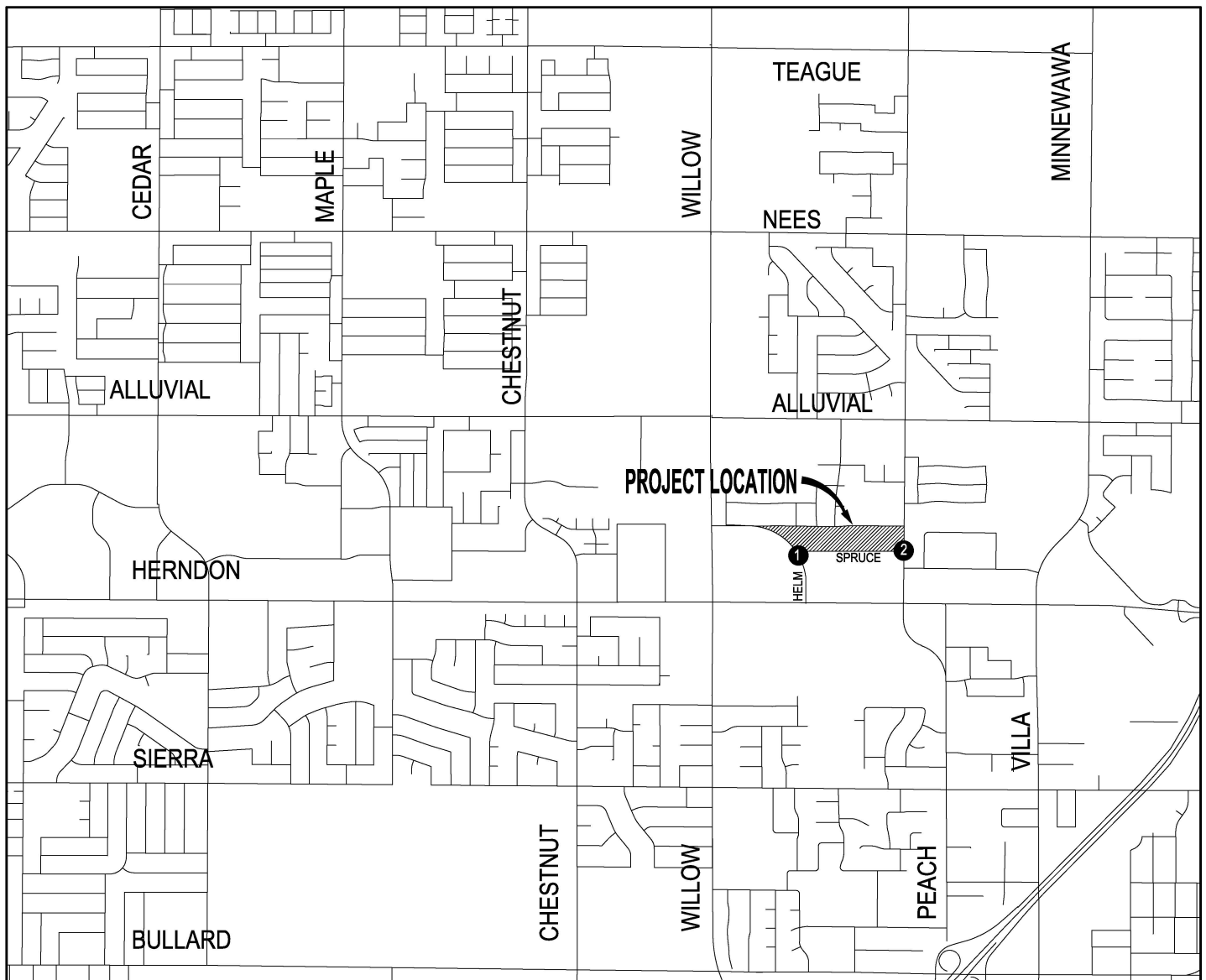


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Figure 4

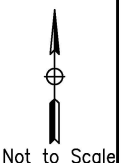


LEGEND

- STUDY AREA INTERSECTIONS
- XX (YY) AM (PM) PEAK HOUR VOLUMES
- ▨ PROJECT SITE

Proposed Multifamily Residential Development - Tentative Tract No. 6262
Clovis, California

PEAK HOUR PROJECT TRAFFIC VOLUMES

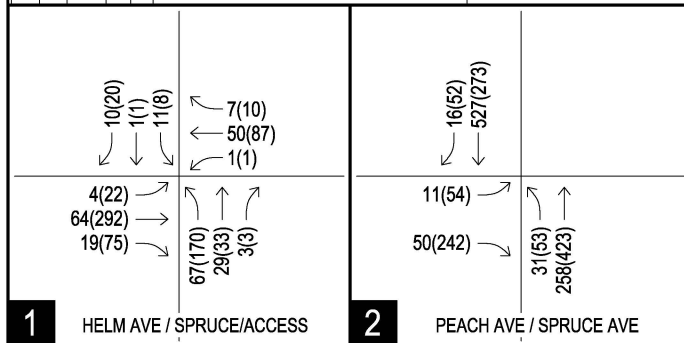
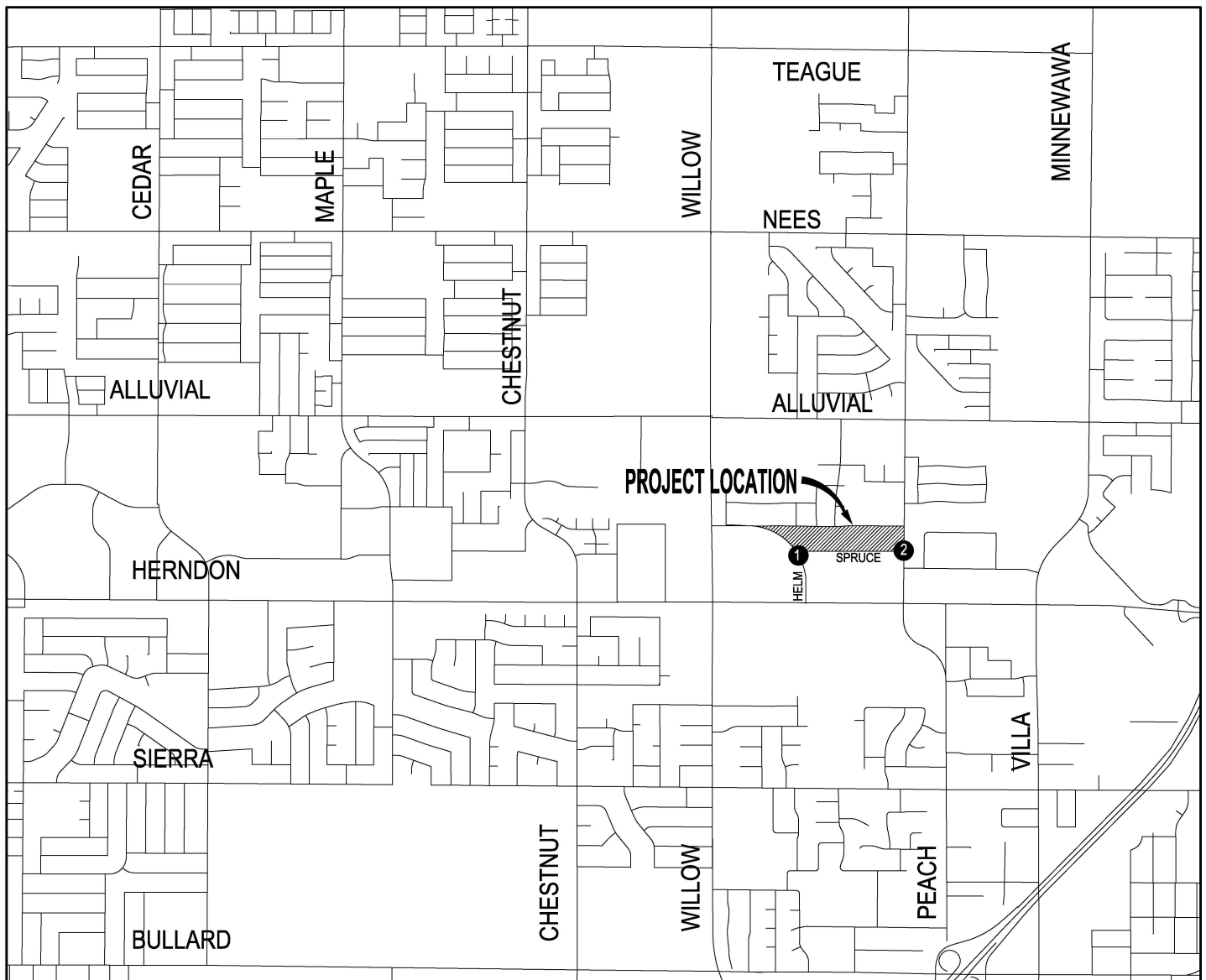


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Figure 5

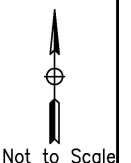


LEGEND

- STUDY AREA INTERSECTIONS
- XX (YY) AM (PM) PEAK HOUR VOLUMES
- ▨ PROJECT SITE

Proposed Multifamily Residential Development - Tentative Tract No. 6262
Clovis, California

EXISTING PEAK HOUR TRAFFIC VOLUMES

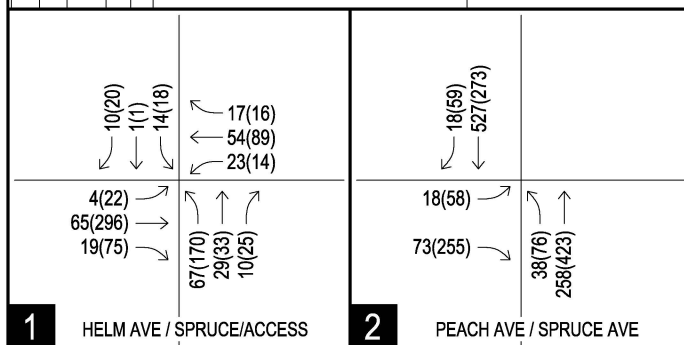
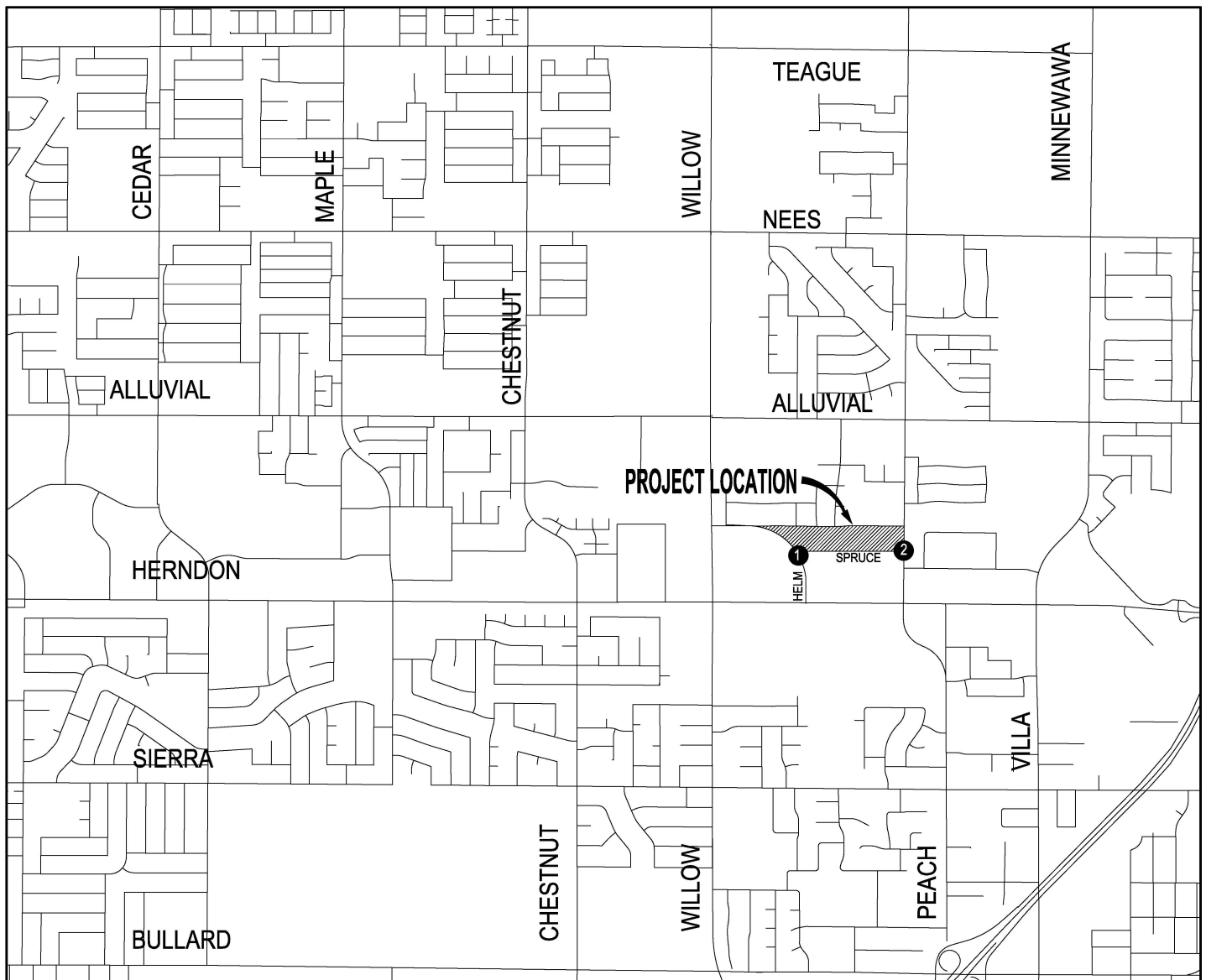


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Figure 6

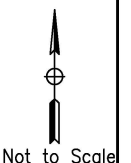


LEGEND

- STUDY AREA INTERSECTIONS
- XX (YY) AM (PM) PEAK HOUR VOLUMES
- ▨ PROJECT SITE

Proposed Multifamily Residential Development - Tentative Tract No. 6262
Clovis, California

EXISTING PLUS PROJECT PEAK HOUR TRAFFIC VOLUMES

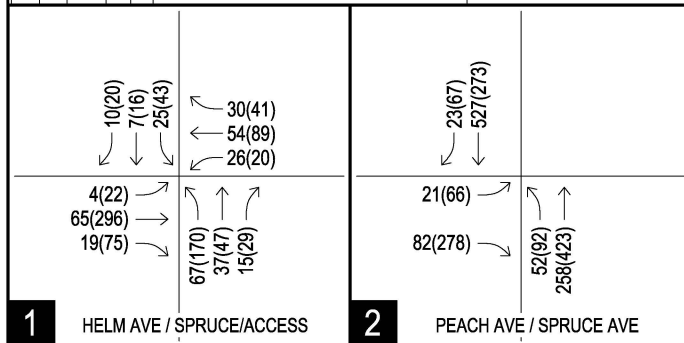
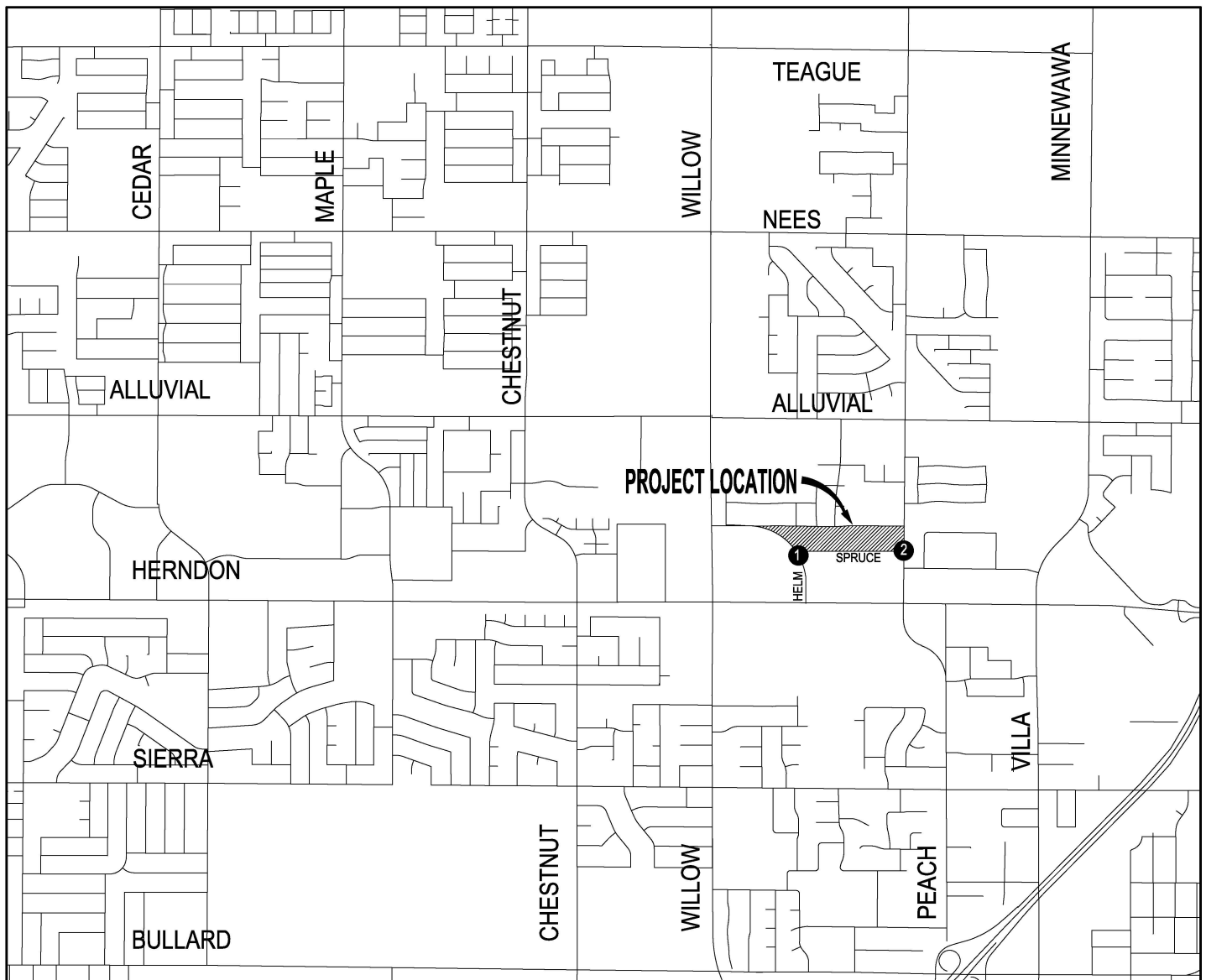


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PETERS ENGINEERING GROUP

Figure 7



LEGEND

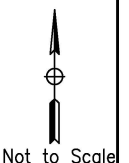
- STUDY AREA INTERSECTIONS
- XX (YY) AM (PM) PEAK HOUR VOLUMES
- PROJECT SITE

Proposed Multifamily Residential Development - Tentative Tract No. 6262
Clovis, California

NEAR-TERM WITH PROJECT PEAK HOUR TRAFFIC VOLUMES

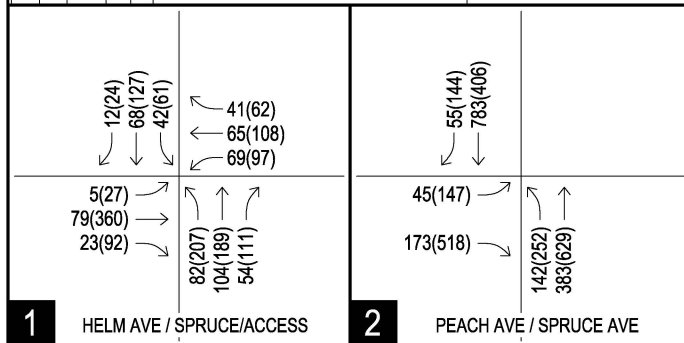
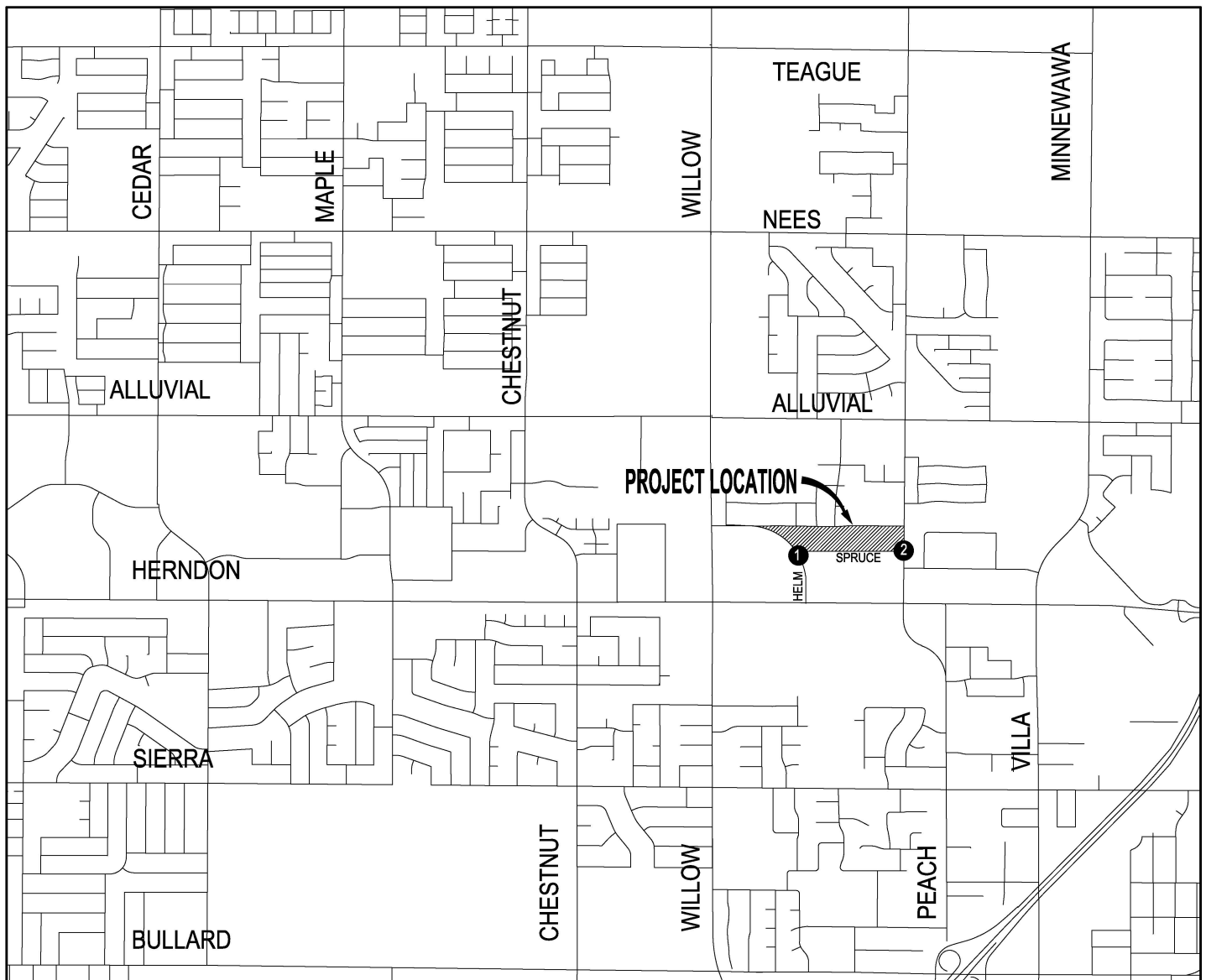


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Figure 8



LEGEND

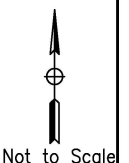
- STUDY AREA INTERSECTIONS
- XX (YY) AM (PM) PEAK HOUR VOLUMES
- PROJECT SITE

Proposed Multifamily Residential Development - Tentative Tract No. 6262
Clovis, California

CUMULATIVE 2040 WITH PROJECT PEAK HOUR TRAFFIC VOLUMES



PETERS ENGINEERING GROUP



Not to Scale

Figure 9

TRAFFIC COUNT DATA SHEETS



Turning Movement Report

Prepared For:

Peters Engineering Group
952 Pollasky Avenue
Clovis, CA 93612

LOCATION	Helm Ave @ Spruce Ave / Shopping Center
COUNTY	Fresno
COLLECTION DATE	Tuesday, April 23, 2019

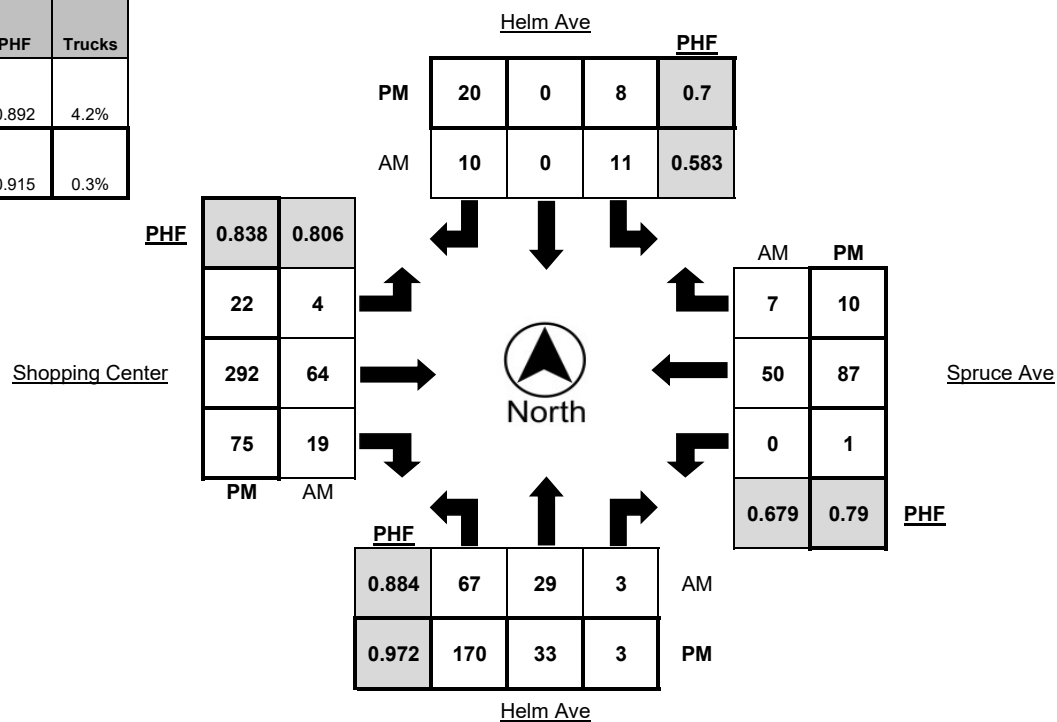
LATITUDE	36.8399
LONGITUDE	-119.7251
WEATHER	Clear

	Northbound				Southbound				Eastbound				Westbound			
Time	Left	Thru	Right	Trucks	Left	Thru	Right	Trucks	Left	Thru	Right	Trucks	Left	Thru	Right	Trucks
7:00 AM - 7:15 AM	5	1	0	0	1	0	0	0	1	8	3	0	0	5	1	0
7:15 AM - 7:30 AM	9	5	0	0	4	0	1	0	0	8	4	0	0	4	3	0
7:30 AM - 7:45 AM	7	9	0	0	1	0	0	0	0	13	5	1	0	10	5	1
7:45 AM - 8:00 AM	16	15	0	0	3	0	0	0	0	14	1	0	0	13	1	0
8:00 AM - 8:15 AM	17	9	0	1	3	0	1	0	1	14	7	2	0	9	2	1
8:15 AM - 8:30 AM	18	10	0	0	6	0	3	2	2	11	3	0	0	18	3	1
8:30 AM - 8:45 AM	15	5	1	1	1	0	4	0	0	17	5	1	0	14	0	1
8:45 AM - 9:00 AM	17	5	2	1	1	0	2	0	1	22	4	0	0	9	2	0
TOTAL	104	59	3	3	20	0	11	2	5	107	32	4	0	82	17	4

	Northbound				Southbound				Eastbound				Westbound			
Time	Left	Thru	Right	Trucks	Left	Thru	Right	Trucks	Left	Thru	Right	Trucks	Left	Thru	Right	Trucks
4:00 PM - 4:15 PM	37	9	3	0	2	0	2	0	8	55	18	0	0	15	1	0
4:15 PM - 4:30 PM	46	8	2	0	5	0	5	0	5	63	16	0	0	16	7	1
4:30 PM - 4:45 PM	43	8	1	0	3	0	8	0	5	54	16	0	1	22	5	0
4:45 PM - 5:00 PM	46	10	4	0	4	0	8	0	9	51	23	1	0	26	3	0
5:00 PM - 5:15 PM	43	9	0	0	4	0	6	0	10	63	17	0	0	29	2	0
5:15 PM - 5:30 PM	45	7	0	1	1	0	0	0	4	70	20	0	0	25	3	0
5:30 PM - 5:45 PM	41	11	1	0	3	0	4	0	4	73	12	0	0	16	1	0
5:45 PM - 6:00 PM	41	6	2	0	0	0	10	0	4	86	26	1	1	17	4	0
TOTAL	342	68	13	1	22	0	43	0	49	515	148	2	2	166	26	1

	Northbound				Southbound				Eastbound				Westbound			
PEAK HOUR	Left	Thru	Right	Trucks	Left	Thru	Right	Trucks	Left	Thru	Right	Trucks	Left	Thru	Right	Trucks
8:00 AM - 9:00 AM	67	29	3	3	11	0	10	2	4	64	19	3	0	50	7	3
5:00 PM - 6:00 PM	170	33	3	1	8	0	20	0	22	292	75	1	1	87	10	0

	PHF	Trucks
AM	0.892	4.2%
PM	0.915	0.3%





Metro Traffic Data Inc.
 310 N. Irwin Street - Suite 20
 Hanford, CA 93230
 800-975-6938 Phone/Fax
 www.metrotrafficdata.com

Turning Movement Report

Prepared For:

Peters Engineering Group
 952 Pollasky Avenue
 Clovis, CA 93612

LOCATION Helm Ave @ Spruce Ave / Shopping Center

LATITUDE 36.8399

COUNTY Fresno

LONGITUDE -119.7251

COLLECTION DATE Tuesday, April 23, 2019

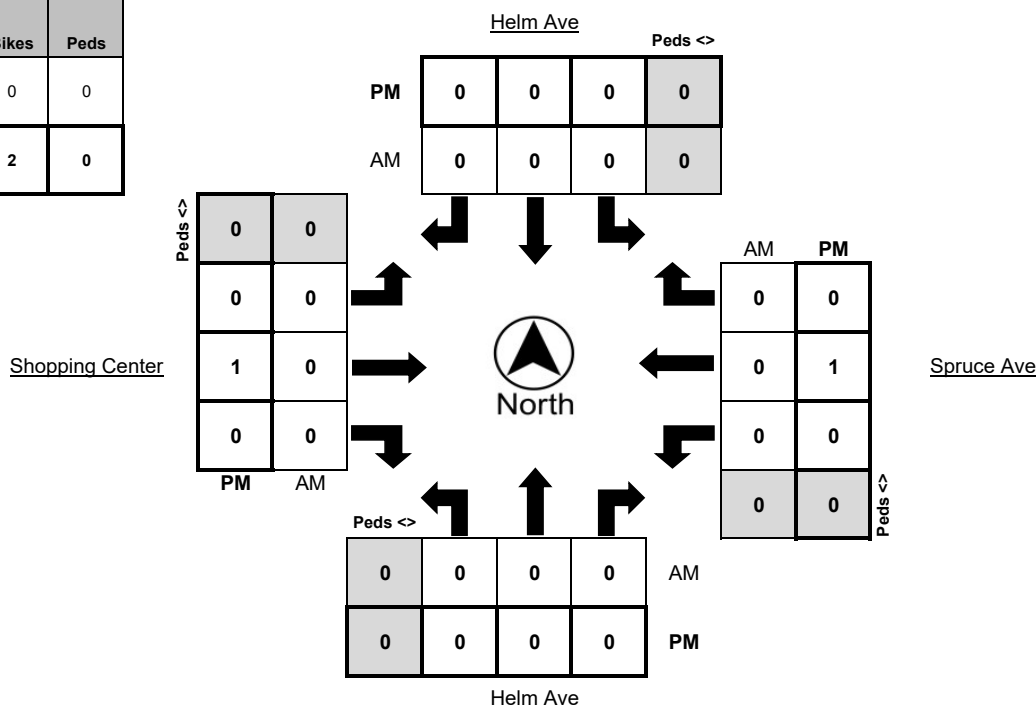
WEATHER Clear

Time	Northbound Bikes			N.Leg Peds	Southbound Bikes			S.Leg Peds	Eastbound Bikes			E.Leg Peds	Westbound Bikes			W.Leg Peds
	Left	Thru	Right		Left	Thru	Right		Left	Thru	Right		Left	Thru	Right	
7:00 AM - 7:15 AM	0	0	0	1	0	0	0	0	0	0	0	0	0	1	0	0
7:15 AM - 7:30 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
7:30 AM - 7:45 AM	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0
7:45 AM - 8:00 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
8:00 AM - 8:15 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
8:15 AM - 8:30 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
8:30 AM - 8:45 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
8:45 AM - 9:00 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL	0	0	0	1	0	0	0	0	0	1	0	0	0	1	0	0

Time	Northbound Bikes			N.Leg Peds	Southbound Bikes			S.Leg Peds	Eastbound Bikes			E.Leg Peds	Westbound Bikes			W.Leg Peds
	Left	Thru	Right		Left	Thru	Right		Left	Thru	Right		Left	Thru	Right	
4:00 PM - 4:15 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
4:15 PM - 4:30 PM	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0
4:30 PM - 4:45 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
4:45 PM - 5:00 PM	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0
5:00 PM - 5:15 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
5:15 PM - 5:30 PM	0	0	0	0	0	0	0	0	0	1	0	0	0	1	0	0
5:30 PM - 5:45 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
5:45 PM - 6:00 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL	0	0	0	0	0	0	0	0	0	3	0	0	0	1	0	0

PEAK HOUR	Northbound Bikes			N.Leg Peds	Southbound Bikes			S.Leg Peds	Eastbound Bikes			E.Leg Peds	Westbound Bikes			W.Leg Peds
	Left	Thru	Right		Left	Thru	Right		Left	Thru	Right		Left	Thru	Right	
8:00 AM - 9:00 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
5:00 PM - 6:00 PM	0	0	0	0	0	0	0	0	0	1	0	0	0	1	0	0

	Bikes	Peds
AM Peak Total	0	0
PM Peak Total	2	0





Metro Traffic Data Inc.
310 N. Irwin Street - Suite 20
Hanford, CA 93230
800-975-6938 Phone/Fax
www.metrotrafficdata.com

Turning Movement Report

Prepared For:

Peters Engineering Group
952 Pollasky Avenue
Clovis, CA 93612

LOCATION Peach Ave @ Spruce Ave

LATITUDE 36.8401

COUNTY Fresno

LONGITUDE -119.7202

COLLECTION DATE Tuesday, April 23, 2019

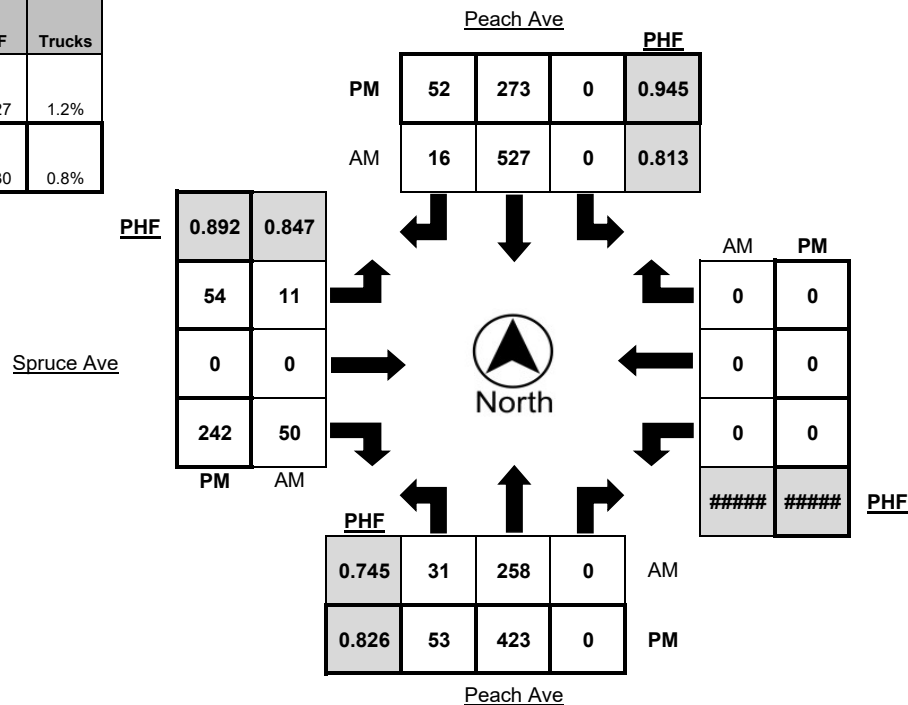
WEATHER Clear

Time	Northbound				Southbound				Eastbound				Westbound			
	Left	Thru	Right	Trucks	Left	Thru	Right	Trucks	Left	Thru	Right	Trucks	Left	Thru	Right	Trucks
7:00 AM - 7:15 AM	1	53	0	3	0	87	5	0	4	0	5	0	0	0	0	0
7:15 AM - 7:30 AM	7	90	0	1	0	119	1	0	3	0	12	0	0	0	0	0
7:30 AM - 7:45 AM	8	78	0	1	0	161	6	1	3	0	14	0	0	0	0	0
7:45 AM - 8:00 AM	9	36	0	2	0	124	5	1	2	0	9	0	0	0	0	0
8:00 AM - 8:15 AM	7	54	0	3	0	123	4	1	3	0	15	1	0	0	0	0
8:15 AM - 8:30 AM	8	44	0	2	0	110	12	1	3	0	12	1	0	0	0	0
8:30 AM - 8:45 AM	5	33	0	1	0	84	10	0	5	0	18	1	0	0	0	0
8:45 AM - 9:00 AM	4	42	0	2	0	67	7	2	3	0	13	0	0	0	0	0
TOTAL	49	430	0	15	0	875	50	6	26	0	98	3	0	0	0	0

Time	Northbound				Southbound				Eastbound				Westbound			
	Left	Thru	Right	Trucks	Left	Thru	Right	Trucks	Left	Thru	Right	Trucks	Left	Thru	Right	Trucks
4:00 PM - 4:15 PM	7	51	0	0	0	65	11	2	9	0	53	0	0	0	0	0
4:15 PM - 4:30 PM	16	85	0	1	0	41	7	0	18	0	46	0	0	0	0	0
4:30 PM - 4:45 PM	11	80	0	1	0	62	18	0	10	0	47	0	0	0	0	0
4:45 PM - 5:00 PM	15	102	0	1	0	68	13	1	15	0	45	0	0	0	0	0
5:00 PM - 5:15 PM	17	127	0	1	0	72	14	1	10	0	55	0	0	0	0	0
5:15 PM - 5:30 PM	15	104	0	0	0	72	12	2	17	0	54	0	0	0	0	0
5:30 PM - 5:45 PM	5	88	0	2	0	68	12	1	9	0	68	0	0	0	0	0
5:45 PM - 6:00 PM	16	104	0	2	0	61	14	0	18	0	65	0	0	0	0	0
TOTAL	102	741	0	8	0	509	101	7	106	0	433	0	0	0	0	0

PEAK HOUR	Northbound				Southbound				Eastbound				Westbound			
	Left	Thru	Right	Trucks	Left	Thru	Right	Trucks	Left	Thru	Right	Trucks	Left	Thru	Right	Trucks
7:15 AM - 8:15 AM	31	258	0	7	0	527	16	3	11	0	50	1	0	0	0	0
5:00 PM - 6:00 PM	53	423	0	5	0	273	52	4	54	0	242	0	0	0	0	0

	PHF	Trucks
AM	0.827	1.2%
PM	0.930	0.8%





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Turning Movement Report

Prepared For:

Peters Engineering Group
 952 Pollasky Avenue
 Clovis, CA 93612

LOCATION Peach Ave @ Spruce Ave
COUNTY Fresno
COLLECTION DATE Tuesday, April 23, 2019

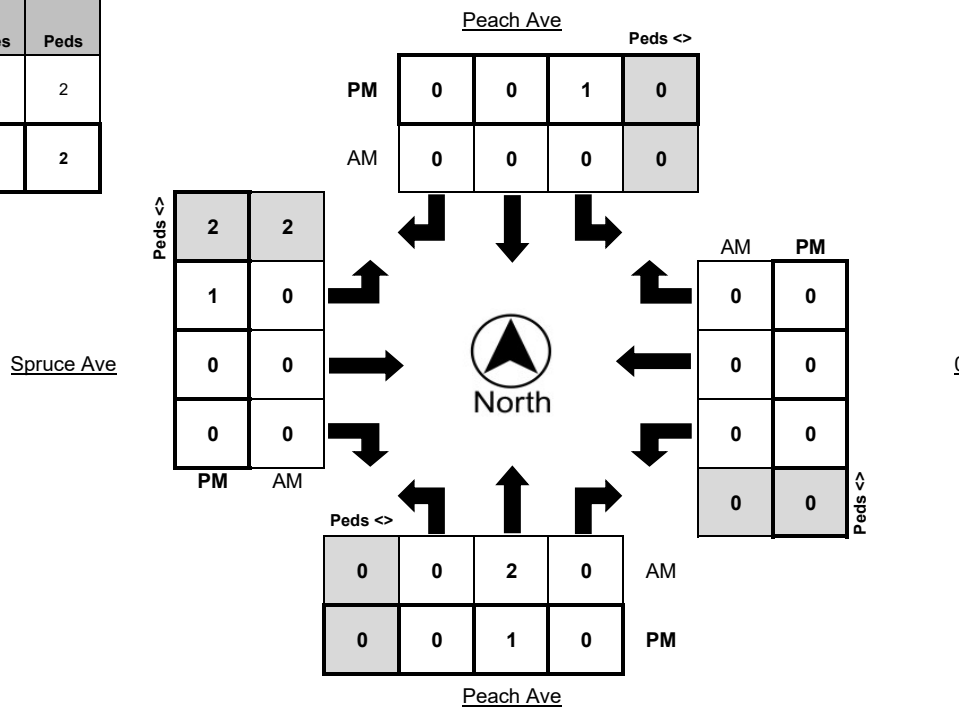
LATITUDE 36.8401
LONGITUDE -119.7202
WEATHER Clear

Time	Northbound Bikes			N.Leg Peds	Southbound Bikes			S.Leg Peds	Eastbound Bikes			E.Leg Peds	Westbound Bikes			W.Leg Peds
	Left	Thru	Right		Left	Thru	Right		Left	Thru	Right		Left	Thru	Right	
7:00 AM - 7:15 AM	0	4	0	0	0	0	0	0	0	0	0	0	0	0	0	1
7:15 AM - 7:30 AM	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	2
7:30 AM - 7:45 AM	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0
7:45 AM - 8:00 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
8:00 AM - 8:15 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
8:15 AM - 8:30 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
8:30 AM - 8:45 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
8:45 AM - 9:00 AM	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL	0	8	0	0	0	0	0	0	0	0	0	0	0	0	0	3

Time	Northbound Bikes			N.Leg Peds	Southbound Bikes			S.Leg Peds	Eastbound Bikes			E.Leg Peds	Westbound Bikes			W.Leg Peds
	Left	Thru	Right		Left	Thru	Right		Left	Thru	Right		Left	Thru	Right	
4:00 PM - 4:15 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
4:15 PM - 4:30 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
4:30 PM - 4:45 PM	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	1
4:45 PM - 5:00 PM	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0
5:00 PM - 5:15 PM	0	1	0	0	1	0	0	0	0	0	0	0	0	0	0	0
5:15 PM - 5:30 PM	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	1
5:30 PM - 5:45 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
5:45 PM - 6:00 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
TOTAL	0	1	0	0	1	0	0	0	3	0	0	0	0	0	0	4

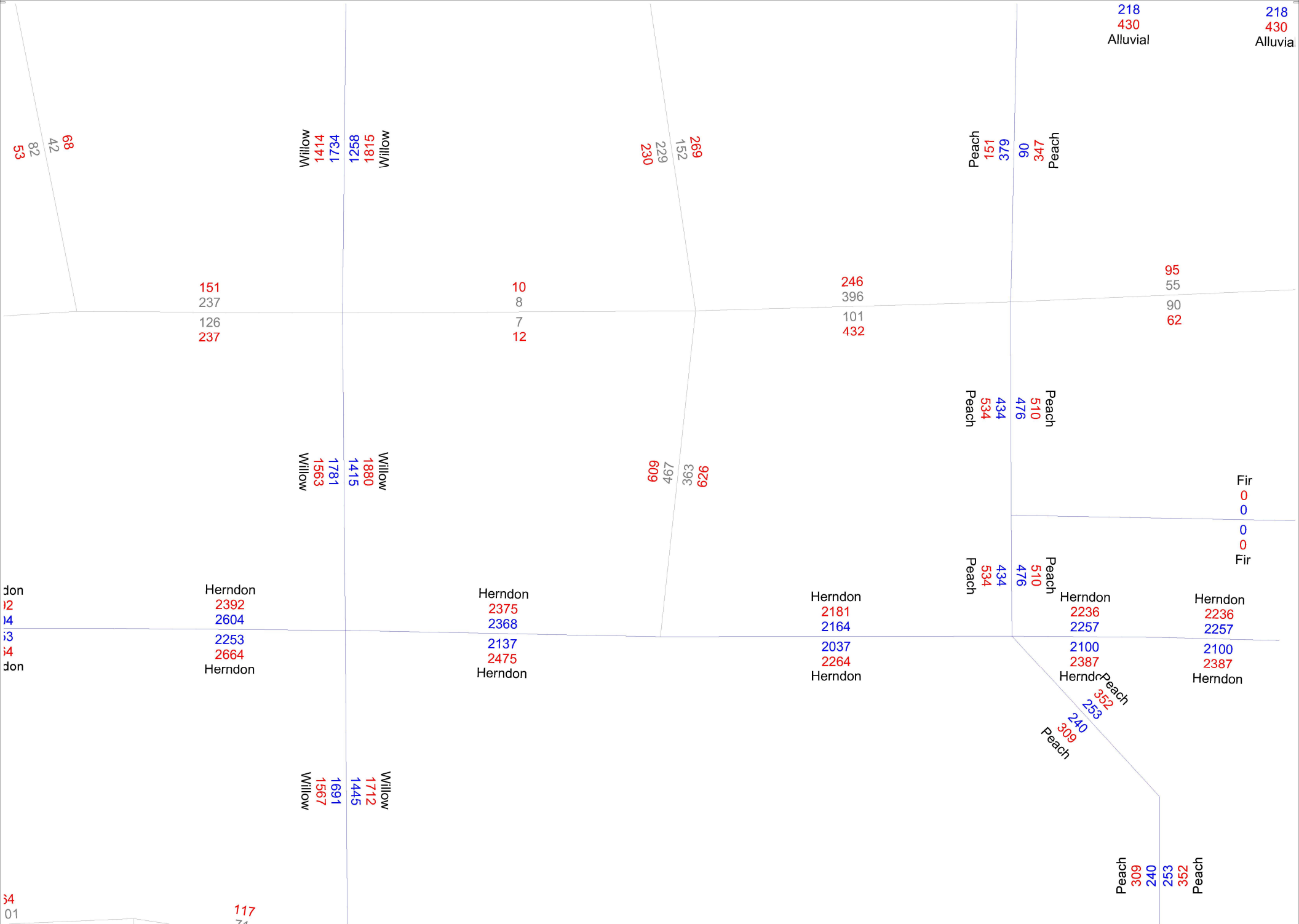
PEAK HOUR	Northbound Bikes			N.Leg Peds	Southbound Bikes			S.Leg Peds	Eastbound Bikes			E.Leg Peds	Westbound Bikes			W.Leg Peds
	Left	Thru	Right		Left	Thru	Right		Left	Thru	Right		Left	Thru	Right	
7:15 AM - 8:15 AM	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0	2
5:00 PM - 6:00 PM	0	1	0	0	1	0	0	0	1	0	0	0	0	0	0	2

	Bikes	Peds
AM Peak Total	2	2
PM Peak Total	3	2



FRESNO COUNTY TRAVEL MODEL OUTPUT





2018 Fresno County Travel Model
AM and PM Peak Hour Traffic Volumes

333
628
Alluvial

333
628
Alluvial

149
423
Alluvial

126	529	Peach
-----	-----	-------

Peach

485
165
370
133

Willow	2045	2204	1713	2291	Willow
--------	------	------	------	------	--------

$$\begin{array}{r} 110 \\ 8 \\ \hline 108 \\ 6 \end{array}$$

91
59

89
70

$$\begin{array}{r} 343 \\ 559 \\ \hline 160 \\ 623 \end{array}$$
$$\begin{array}{r} 40 \\ 94 \\ \hline 19 \\ 279 \end{array}$$
$$\begin{array}{r} 222 \\ 326 \\ \hline 182 \\ 328 \end{array}$$

Peach	638	581
	553	625
Peach		

932
687
608
980

Willow	2367
	1836
	2259
	1989
Willow	

Fir
1
0
0
0
Fir

Peach	638
	581
	553
Peach	624

Herndon
2466
2400
2297
2528
Herndon

Herndon
2685
2716

2534
2795
Herndon

Herndon
2756
2847
2616
2945
Herndon

Herndon
2605
2606

2408
2781
Herndon

HerndrPeach
483
318
386
356
Peach

Peach	356	386	318	483	Peach
-------	-----	-----	-----	-----	-------

170
145

12
29

INTERSECTION ANALYSES



Intersection

Int Delay, s/veh 8.2

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↰	↱		↰	↱	↰	↰↱		↰	↰↱	
Traffic Vol, veh/h	4	64	19	1	50	7	67	29	3	11	1	10
Future Vol, veh/h	4	64	19	1	50	7	67	29	3	11	1	10
Conflicting Peds, #/hr	5	0	5	5	0	5	5	0	5	5	0	5
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	0	-	-	-	105	-	-	100	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	89	89	89	89	89	89	89	89	89	89	89	89
Heavy Vehicles, %	4	4	4	4	4	4	4	4	4	4	4	4
Mvmt Flow	4	72	21	1	56	8	75	33	3	12	1	11






Major/Minor	Minor2		Minor1		Major1		Major2					
Conflicting Flow All	236	227	16	256	231	28	17	0	0	41	0	0
Stage 1	36	36	-	190	190	-	-	-	-	-	-	-
Stage 2	200	191	-	66	41	-	-	-	-	-	-	-
Critical Hdwy	7.58	6.58	6.98	7.58	6.58	6.98	4.18	-	-	4.18	-	-
Critical Hdwy Stg 1	6.58	5.58	-	6.58	5.58	-	-	-	-	-	-	-
Critical Hdwy Stg 2	6.58	5.58	-	6.58	5.58	-	-	-	-	-	-	-
Follow-up Hdwy	3.54	4.04	3.34	3.54	4.04	3.34	2.24	-	-	2.24	-	-
Pot Cap-1 Maneuver	693	667	1053	671	663	1034	1584	-	-	1552	-	-
Stage 1	969	860	-	788	737	-	-	-	-	-	-	-
Stage 2	777	736	-	931	856	-	-	-	-	-	-	-
Platoon blocked, %								-	-		-	-
Mov Cap-1 Maneuver	608	624	1043	569	620	1024	1576	-	-	1545	-	-
Mov Cap-2 Maneuver	608	624	-	569	620	-	-	-	-	-	-	-
Stage 1	919	849	-	747	698	-	-	-	-	-	-	-
Stage 2	672	697	-	824	845	-	-	-	-	-	-	-

Approach	EB		WB		NB		SB	
HCM Control Delay, s	10.9		11.2		5		3.7	
HCM LOS	B		B					

Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn1	EBLn2	WBLn1	SBL	SBT	SBR
Capacity (veh/h)	1576	-	-	623	1043	650	1545	-	-
HCM Lane V/C Ratio	0.048	-	-	0.123	0.02	0.1	0.008	-	-
HCM Control Delay (s)	7.4	-	-	11.6	8.5	11.2	7.3	-	-
HCM Lane LOS	A	-	-	B	A	B	A	-	-
HCM 95th %tile Q(veh)	0.1	-	-	0.4	0.1	0.3	0	-	-

Intersection

Int Delay, s/veh 1.3

Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Vol, veh/h	11	50	31	258	527	16
Future Vol, veh/h	11	50	31	258	527	16
Conflicting Peds, #/hr	5	5	5	0	0	5
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	300	-	-	94
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	83	83	83	83	83	83
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	13	60	37	311	635	19

Major/Minor	Minor2	Major1	Major2
Conflicting Flow All	1030	645	659
Stage 1	640	-	-
Stage 2	390	-	-
Critical Hdwy	6.42	6.22	4.12
Critical Hdwy Stg 1	5.42	-	-
Critical Hdwy Stg 2	5.42	-	-
Follow-up Hdwy	3.518	3.318	2.218
Pot Cap-1 Maneuver	259	472	929
Stage 1	525	-	-
Stage 2	684	-	-
Platoon blocked, %			
Mov Cap-1 Maneuver	246	468	925
Mov Cap-2 Maneuver	371	-	-
Stage 1	501	-	-
Stage 2	681	-	-

Approach	EB	NB	SB
HCM Control Delay, s	14.6	1	0
HCM LOS	B		

Minor Lane/Major Mvmt	NBL	NBT	EBLn1	SBT	SBR
Capacity (veh/h)	925	-	447	-	-
HCM Lane V/C Ratio	0.04	-	0.164	-	-
HCM Control Delay (s)	9.1	-	14.6	-	-
HCM Lane LOS	A	-	B	-	-
HCM 95th %tile Q(veh)	0.1	-	0.6	-	-

Intersection

Int Delay, s/veh 21.7

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↖	↗		↖	↗	↖	↖↗		↖	↖↗	
Traffic Vol, veh/h	22	292	75	1	87	10	170	33	3	8	1	20
Future Vol, veh/h	22	292	75	1	87	10	170	33	3	8	1	20
Conflicting Peds, #/hr	5	0	5	5	0	5	5	0	5	5	0	5
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	0	-	-	-	105	-	-	100	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	92	92	92	92	92	92	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	24	317	82	1	95	11	185	36	3	9	1	22






Major/Minor	Minor2		Minor1		Major1		Major2					
Conflicting Flow All	476	449	22	595	459	30	28	0	0	44	0	0
Stage 1	35	35	-	413	413	-	-	-	-	-	-	-
Stage 2	441	414	-	182	46	-	-	-	-	-	-	-
Critical Hdwy	7.54	6.54	6.94	7.54	6.54	6.94	4.14	-	-	4.14	-	-
Critical Hdwy Stg 1	6.54	5.54	-	6.54	5.54	-	-	-	-	-	-	-
Critical Hdwy Stg 2	6.54	5.54	-	6.54	5.54	-	-	-	-	-	-	-
Follow-up Hdwy	3.52	4.02	3.32	3.52	4.02	3.32	2.22	-	-	2.22	-	-
Pot Cap-1 Maneuver	472	504	1050	388	497	1038	1584	-	-	1563	-	-
Stage 1	976	865	-	587	592	-	-	-	-	-	-	-
Stage 2	565	591	-	802	856	-	-	-	-	-	-	-
Platoon blocked, %								-	-		-	-
Mov Cap-1 Maneuver	350	438	1040	134	432	1028	1576	-	-	1556	-	-
Mov Cap-2 Maneuver	350	438	-	134	432	-	-	-	-	-	-	-
Stage 1	857	855	-	515	520	-	-	-	-	-	-	-
Stage 2	402	519	-	460	847	-	-	-	-	-	-	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	32.9	15.5	6.3	2
HCM LOS	D	C		

Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn1	EBLn2	WBLn1	SBL	SBT	SBR
Capacity (veh/h)	1576	-	-	430	1040	448	1556	-	-
HCM Lane V/C Ratio	0.117	-	-	0.794	0.078	0.238	0.006	-	-
HCM Control Delay (s)	7.6	-	-	38.7	8.8	15.5	7.3	-	-
HCM Lane LOS	A	-	-	E	A	C	A	-	-
HCM 95th %tile Q(veh)	0.4	-	-	7.1	0.3	0.9	0	-	-

Intersection

Int Delay, s/veh 4.7

Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Vol, veh/h	54	242	53	423	273	52
Future Vol, veh/h	54	242	53	423	273	52
Conflicting Peds, #/hr	5	5	5	0	0	5
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	300	-	-	94
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	93	93	93	93	93	93
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	58	260	57	455	294	56

Major/Minor	Minor2	Major1	Major2
Conflicting Flow All	873	304	355
Stage 1	299	-	-
Stage 2	574	-	-
Critical Hdwy	6.42	6.22	4.12
Critical Hdwy Stg 1	5.42	-	-
Critical Hdwy Stg 2	5.42	-	-
Follow-up Hdwy	3.518	3.318	2.218
Pot Cap-1 Maneuver	321	736	1204
Stage 1	752	-	-
Stage 2	563	-	-
Platoon blocked, %			
Mov Cap-1 Maneuver	303	729	1198
Mov Cap-2 Maneuver	421	-	-
Stage 1	712	-	-
Stage 2	560	-	-

Approach	EB	NB	SB
HCM Control Delay, s	16	0.9	0
HCM LOS	C		

Minor Lane/Major Mvmt	NBL	NBT	EBLn1	SBT	SBR
Capacity (veh/h)	1198	-	643	-	-
HCM Lane V/C Ratio	0.048	-	0.495	-	-
HCM Control Delay (s)	8.2	-	16	-	-
HCM Lane LOS	A	-	C	-	-
HCM 95th %tile Q(veh)	0.1	-	2.8	-	-

Intersection






Int Delay, s/veh 8.6

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↱	↱		↱		↱	↱		↱	↱	
Traffic Vol, veh/h	4	65	19	23	54	17	67	29	10	14	1	10
Future Vol, veh/h	4	65	19	23	54	17	67	29	10	14	1	10
Conflicting Peds, #/hr	5	0	5	5	0	5	5	0	5	5	0	5
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	0	-	-	-	105	-	-	100	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	89	89	89	89	89	89	89	89	89	89	89	89
Heavy Vehicles, %	4	4	4	4	4	4	4	4	4	4	4	4
Mvmt Flow	4	73	21	26	61	19	75	33	11	16	1	11

Major/Minor	Minor2		Minor1		Major1		Major2					
Conflicting Flow All	246	243	16	268	243	32	17	0	0	49	0	0
Stage 1	44	44	-	194	194	-	-	-	-	-	-	-
Stage 2	202	199	-	74	49	-	-	-	-	-	-	-
Critical Hdwy	7.58	6.58	6.98	7.58	6.58	6.98	4.18	-	-	4.18	-	-
Critical Hdwy Stg 1	6.58	5.58	-	6.58	5.58	-	-	-	-	-	-	-
Critical Hdwy Stg 2	6.58	5.58	-	6.58	5.58	-	-	-	-	-	-	-
Follow-up Hdwy	3.54	4.04	3.34	3.54	4.04	3.34	2.24	-	-	2.24	-	-
Pot Cap-1 Maneuver	682	653	1053	658	653	1028	1584	-	-	1542	-	-
Stage 1	959	853	-	784	734	-	-	-	-	-	-	-
Stage 2	775	730	-	921	849	-	-	-	-	-	-	-
Platoon blocked, %								-	-		-	-
Mov Cap-1 Maneuver	586	609	1043	555	609	1018	1576	-	-	1535	-	-
Mov Cap-2 Maneuver	586	609	-	555	609	-	-	-	-	-	-	-
Stage 1	909	840	-	743	695	-	-	-	-	-	-	-
Stage 2	658	691	-	811	836	-	-	-	-	-	-	-

Approach	EB		WB		NB		SB	
HCM Control Delay, s	11.1		11.7		4.7		4.1	
HCM LOS	B		B					

Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn1	EBLn2	WBLn1	SBL	SBT	SBR
Capacity (veh/h)	1576	-	-	608	1043	640	1535	-	-
HCM Lane V/C Ratio	0.048	-	-	0.128	0.02	0.165	0.01	-	-
HCM Control Delay (s)	7.4	-	-	11.8	8.5	11.7	7.4	-	-
HCM Lane LOS	A	-	-	B	A	B	A	-	-
HCM 95th %tile Q(veh)	0.1	-	-	0.4	0.1	0.6	0	-	-

Intersection						
Int Delay, s/veh	1.9					
Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Vol, veh/h	18	73	38	258	527	18
Future Vol, veh/h	18	73	38	258	527	18
Conflicting Peds, #/hr	5	5	5	0	0	5
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	300	-	-	94
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	83	83	83	83	83	83
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	22	88	46	311	635	22
Major/Minor	Minor2	Major1		Major2		
Conflicting Flow All	1048	645	662	0	-	0
Stage 1	640	-	-	-	-	-
Stage 2	408	-	-	-	-	-
Critical Hdwy	6.42	6.22	4.12	-	-	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	2.218	-	-	-
Pot Cap-1 Maneuver	252	472	927	-	-	-
Stage 1	525	-	-	-	-	-
Stage 2	671	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	237	468	923	-	-	-
Mov Cap-2 Maneuver	364	-	-	-	-	-
Stage 1	496	-	-	-	-	-
Stage 2	668	-	-	-	-	-
Approach	EB	NB		SB		
HCM Control Delay, s	15.8	1.2		0		
HCM LOS	C					
Minor Lane/Major Mvmt	NBL	NBT	EBLn1	SBT	SBR	
Capacity (veh/h)	923	-	443	-	-	
HCM Lane V/C Ratio	0.05	-	0.247	-	-	
HCM Control Delay (s)	9.1	-	15.8	-	-	
HCM Lane LOS	A	-	C	-	-	
HCM 95th %tile Q(veh)	0.2	-	1	-	-	

Intersection

Int Delay, s/veh 26.3

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↖	↗		↖	↗	↖	↗		↖	↗	
Traffic Vol, veh/h	22	296	75	14	89	16	170	33	25	18	1	20
Future Vol, veh/h	22	296	75	14	89	16	170	33	25	18	1	20
Conflicting Peds, #/hr	5	0	5	5	0	5	5	0	5	5	0	5
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	0	-	-	-	105	-	-	100	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	92	92	92	92	92	92	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	24	322	82	15	97	17	185	36	27	20	1	22






Major/Minor	Minor2		Minor1		Major1		Major2					
Conflicting Flow All	499	495	22	632	493	42	28	0	0	68	0	0
Stage 1	57	57	-	425	425	-	-	-	-	-	-	-
Stage 2	442	438	-	207	68	-	-	-	-	-	-	-
Critical Hdwy	7.54	6.54	6.94	7.54	6.54	6.94	4.14	-	-	4.14	-	-
Critical Hdwy Stg 1	6.54	5.54	-	6.54	5.54	-	-	-	-	-	-	-
Critical Hdwy Stg 2	6.54	5.54	-	6.54	5.54	-	-	-	-	-	-	-
Follow-up Hdwy	3.52	4.02	3.32	3.52	4.02	3.32	2.22	-	-	2.22	-	-
Pot Cap-1 Maneuver	454	474	1050	365	476	1019	1584	-	-	1531	-	-
Stage 1	948	847	-	578	585	-	-	-	-	-	-	-
Stage 2	564	577	-	776	838	-	-	-	-	-	-	-
Platoon blocked, %								-	-		-	-
Mov Cap-1 Maneuver	327	409	1040	107	411	1009	1576	-	-	1524	-	-
Mov Cap-2 Maneuver	327	409	-	107	411	-	-	-	-	-	-	-
Stage 1	832	832	-	507	514	-	-	-	-	-	-	-
Stage 2	395	507	-	431	823	-	-	-	-	-	-	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	41.5	22.9	5.7	3.4
HCM LOS	E	C		

Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn1	EBLn2	WBLn1	SBL	SBT	SBR
Capacity (veh/h)	1576	-	-	402	1040	328	1524	-	-
HCM Lane V/C Ratio	0.117	-	-	0.86	0.078	0.394	0.013	-	-
HCM Control Delay (s)	7.6	-	-	49.2	8.8	22.9	7.4	-	-
HCM Lane LOS	A	-	-	E	A	C	A	-	-
HCM 95th %tile Q(veh)	0.4	-	-	8.4	0.3	1.8	0	-	-

Intersection

Int Delay, s/veh 5.2

Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Vol, veh/h	58	255	76	423	273	59
Future Vol, veh/h	58	255	76	423	273	59
Conflicting Peds, #/hr	5	5	5	0	0	5
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	300	-	-	94
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	93	93	93	93	93	93
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	62	274	82	455	294	63

Major/Minor	Minor2	Major1	Major2
Conflicting Flow All	923	304	362
Stage 1	299	-	-
Stage 2	624	-	-
Critical Hdwy	6.42	6.22	4.12
Critical Hdwy Stg 1	5.42	-	-
Critical Hdwy Stg 2	5.42	-	-
Follow-up Hdwy	3.518	3.318	2.218
Pot Cap-1 Maneuver	299	736	1197
Stage 1	752	-	-
Stage 2	534	-	-
Platoon blocked, %			
Mov Cap-1 Maneuver	276	729	1191
Mov Cap-2 Maneuver	397	-	-
Stage 1	696	-	-
Stage 2	531	-	-

Approach	EB	NB	SB
HCM Control Delay, s	17	1.3	0
HCM LOS	C		

Minor Lane/Major Mvmt	NBL	NBT	EBLn1	SBT	SBR
Capacity (veh/h)	1191	-	631	-	-
HCM Lane V/C Ratio	0.069	-	0.533	-	-
HCM Control Delay (s)	8.2	-	17	-	-
HCM Lane LOS	A	-	C	-	-
HCM 95th %tile Q(veh)	0.2	-	3.2	-	-

Intersection												
Int Delay, s/veh	8.5											
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↰	↱		↰	↱	↰	↱		↰	↱	
Traffic Vol, veh/h	4	65	19	26	54	30	67	37	15	25	7	10
Future Vol, veh/h	4	65	19	26	54	30	67	37	15	25	7	10
Conflicting Peds, #/hr	5	0	5	5	0	5	5	0	5	5	0	5
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	0	-	-	-	105	-	-	100	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	89	89	89	89	89	89	89	89	89	89	89	89
Heavy Vehicles, %	4	4	4	4	4	4	4	4	4	4	4	4
Mvmt Flow	4	73	21	29	61	34	75	42	17	28	8	11






Major/Minor	Minor2		Minor1		Major1		Major2					
Conflicting Flow All	282	289	20	308	286	40	24	0	0	64	0	0
Stage 1	75	75	-	206	206	-	-	-	-	-	-	-
Stage 2	207	214	-	102	80	-	-	-	-	-	-	-
Critical Hdwy	7.58	6.58	6.98	7.58	6.58	6.98	4.18	-	-	4.18	-	-
Critical Hdwy Stg 1	6.58	5.58	-	6.58	5.58	-	-	-	-	-	-	-
Critical Hdwy Stg 2	6.58	5.58	-	6.58	5.58	-	-	-	-	-	-	-
Follow-up Hdwy	3.54	4.04	3.34	3.54	4.04	3.34	2.24	-	-	2.24	-	-
Pot Cap-1 Maneuver	643	615	1046	616	618	1016	1575	-	-	1522	-	-
Stage 1	920	827	-	771	725	-	-	-	-	-	-	-
Stage 2	770	719	-	887	823	-	-	-	-	-	-	-
Platoon blocked, %								-	-		-	-
Mov Cap-1 Maneuver	538	569	1036	513	572	1006	1568	-	-	1515	-	-
Mov Cap-2 Maneuver	538	569	-	513	572	-	-	-	-	-	-	-
Stage 1	872	808	-	731	687	-	-	-	-	-	-	-
Stage 2	643	681	-	772	804	-	-	-	-	-	-	-

Approach	EB		WB		NB		SB	
HCM Control Delay, s	11.6		12.1		4.2		4.4	
HCM LOS	B		B					

Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn1	EBLn2	WBLn1	SBL	SBT	SBR
Capacity (veh/h)	1568	-	-	567	1036	629	1515	-	-
HCM Lane V/C Ratio	0.048	-	-	0.137	0.021	0.196	0.019	-	-
HCM Control Delay (s)	7.4	-	-	12.4	8.5	12.1	7.4	-	-
HCM Lane LOS	A	-	-	B	A	B	A	-	-
HCM 95th %tile Q(veh)	0.2	-	-	0.5	0.1	0.7	0.1	-	-

Intersection

Int Delay, s/veh 2.2

Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Vol, veh/h	21	82	52	258	527	23
Future Vol, veh/h	21	82	52	258	527	23
Conflicting Peds, #/hr	5	5	5	0	0	5
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	300	-	-	94
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	83	83	83	83	83	83
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	25	99	63	311	635	28

Major/Minor	Minor2	Major1	Major2
Conflicting Flow All	1082	645	668
Stage 1	640	-	-
Stage 2	442	-	-
Critical Hdwy	6.42	6.22	4.12
Critical Hdwy Stg 1	5.42	-	-
Critical Hdwy Stg 2	5.42	-	-
Follow-up Hdwy	3.518	3.318	2.218
Pot Cap-1 Maneuver	241	472	922
Stage 1	525	-	-
Stage 2	648	-	-
Platoon blocked, %			
Mov Cap-1 Maneuver	222	468	918
Mov Cap-2 Maneuver	351	-	-
Stage 1	486	-	-
Stage 2	645	-	-

Approach	EB	NB	SB
HCM Control Delay, s	16.4	1.5	0
HCM LOS	C		

Minor Lane/Major Mvmt	NBL	NBT	EBLn1	SBT	SBR
Capacity (veh/h)	918	-	438	-	-
HCM Lane V/C Ratio	0.068	-	0.283	-	-
HCM Control Delay (s)	9.2	-	16.4	-	-
HCM Lane LOS	A	-	C	-	-
HCM 95th %tile Q(veh)	0.2	-	1.2	-	-

Intersection

Int Delay, s/veh 41

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↖	↗		↖	↗	↖	↗		↖	↗	
Traffic Vol, veh/h	22	296	75	20	89	41	170	47	29	43	16	20
Future Vol, veh/h	22	296	75	20	89	41	170	47	29	43	16	20
Conflicting Peds, #/hr	5	0	5	5	0	5	5	0	5	5	0	5
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	0	-	-	-	105	-	-	100	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	92	92	92	92	92	92	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	24	322	82	22	97	45	185	51	32	47	17	22






Major/Minor	Minor2		Minor1		Major1		Major2					
Conflicting Flow All	576	585	30	711	580	52	44	0	0	88	0	0
Stage 1	127	127	-	442	442	-	-	-	-	-	-	-
Stage 2	449	458	-	269	138	-	-	-	-	-	-	-
Critical Hdwy	7.54	6.54	6.94	7.54	6.54	6.94	4.14	-	-	4.14	-	-
Critical Hdwy Stg 1	6.54	5.54	-	6.54	5.54	-	-	-	-	-	-	-
Critical Hdwy Stg 2	6.54	5.54	-	6.54	5.54	-	-	-	-	-	-	-
Follow-up Hdwy	3.52	4.02	3.32	3.52	4.02	3.32	2.22	-	-	2.22	-	-
Pot Cap-1 Maneuver	400	421	1038	320	424	1005	1563	-	-	1506	-	-
Stage 1	863	790	-	564	575	-	-	-	-	-	-	-
Stage 2	559	565	-	713	781	-	-	-	-	-	-	-
Platoon blocked, %								-	-		-	-
Mov Cap-1 Maneuver	267	356	1028	58	358	995	1556	-	-	1499	-	-
Mov Cap-2 Maneuver	267	356	-	58	358	-	-	-	-	-	-	-
Stage 1	757	762	-	495	504	-	-	-	-	-	-	-
Stage 2	378	496	-	366	753	-	-	-	-	-	-	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	67.9	48.6	5.3	4.1
HCM LOS	F	E		

Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn1	EBLn2	WBLn1	SBL	SBT	SBR
Capacity (veh/h)	1556	-	-	348	1028	236	1499	-	-
HCM Lane V/C Ratio	0.119	-	-	0.993	0.079	0.691	0.031	-	-
HCM Control Delay (s)	7.6	-	-	81.8	8.8	48.6	7.5	-	-
HCM Lane LOS	A	-	-	F	A	E	A	-	-
HCM 95th %tile Q(veh)	0.4	-	-	11.2	0.3	4.5	0.1	-	-

Intersection

Int Delay, s/veh 6.1

Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Vol, veh/h	66	278	92	423	273	67
Future Vol, veh/h	66	278	92	423	273	67
Conflicting Peds, #/hr	5	5	5	0	0	5
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	300	-	-	94
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	93	93	93	93	93	93
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	71	299	99	455	294	72








Major/Minor	Minor2	Major1	Major2
Conflicting Flow All	957	304	371
Stage 1	299	-	-
Stage 2	658	-	-
Critical Hdwy	6.42	6.22	4.12
Critical Hdwy Stg 1	5.42	-	-
Critical Hdwy Stg 2	5.42	-	-
Follow-up Hdwy	3.518	3.318	2.218
Pot Cap-1 Maneuver	286	736	1188
Stage 1	752	-	-
Stage 2	515	-	-
Platoon blocked, %			
Mov Cap-1 Maneuver	259	729	1182
Mov Cap-2 Maneuver	381	-	-
Stage 1	685	-	-
Stage 2	512	-	-

Approach	EB	NB	SB
HCM Control Delay, s	19	1.5	0
HCM LOS	C		

Minor Lane/Major Mvmt	NBL	NBT	EBLn1	SBT	SBR
Capacity (veh/h)	1182	-	620	-	-
HCM Lane V/C Ratio	0.084	-	0.597	-	-
HCM Control Delay (s)	8.3	-	19	-	-
HCM Lane LOS	A	-	C	-	-
HCM 95th %tile Q(veh)	0.3	-	3.9	-	-

Intersection

Int Delay, s/veh 9.3

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	5	79	23	69	65	41	82	104	54	42	68	12
Future Vol, veh/h	5	79	23	69	65	41	82	104	54	42	68	12
Conflicting Peds, #/hr	5	0	5	5	0	5	5	0	5	5	0	5
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	0	-	-	-	105	-	-	100	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	92	92	92	92	92	92	92	92	92	92	92	92
Heavy Vehicles, %	4	4	4	4	4	4	4	4	4	4	4	4
Mvmt Flow	5	86	25	75	71	45	89	113	59	46	74	13






Major/Minor	Minor2		Minor1		Major1		Major2					
Conflicting Flow All	453	533	54	503	510	96	92	0	0	177	0	0
Stage 1	178	178	-	326	326	-	-	-	-	-	-	-
Stage 2	275	355	-	177	184	-	-	-	-	-	-	-
Critical Hdwy	7.58	6.58	6.98	7.58	6.58	6.98	4.18	-	-	4.18	-	-
Critical Hdwy Stg 1	6.58	5.58	-	6.58	5.58	-	-	-	-	-	-	-
Critical Hdwy Stg 2	6.58	5.58	-	6.58	5.58	-	-	-	-	-	-	-
Follow-up Hdwy	3.54	4.04	3.34	3.54	4.04	3.34	2.24	-	-	2.24	-	-
Pot Cap-1 Maneuver	486	447	995	447	461	935	1486	-	-	1382	-	-
Stage 1	801	746	-	655	642	-	-	-	-	-	-	-
Stage 2	702	623	-	802	742	-	-	-	-	-	-	-
Platoon blocked, %								-	-	-	-	-
Mov Cap-1 Maneuver	371	402	986	336	415	926	1479	-	-	1375	-	-
Mov Cap-2 Maneuver	371	402	-	336	415	-	-	-	-	-	-	-
Stage 1	749	718	-	612	600	-	-	-	-	-	-	-
Stage 2	551	583	-	662	714	-	-	-	-	-	-	-

Approach	EB		WB		NB		SB	
HCM Control Delay, s	14.9		19.8		2.6		2.7	
HCM LOS	B		C					

Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn1	EBLn2	WBLn1	SBL	SBT	SBR
Capacity (veh/h)	1479	-	-	400	986	431	1375	-	-
HCM Lane V/C Ratio	0.06	-	-	0.228	0.025	0.441	0.033	-	-
HCM Control Delay (s)	7.6	-	-	16.6	8.7	19.8	7.7	-	-
HCM Lane LOS	A	-	-	C	A	C	A	-	-
HCM 95th %tile Q(veh)	0.2	-	-	0.9	0.1	2.2	0.1	-	-

Intersection

Int Delay, s/veh 7.2

Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Vol, veh/h	45	173	142	383	783	55
Future Vol, veh/h	45	173	142	383	783	55
Conflicting Peds, #/hr	5	5	5	0	0	5
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	300	-	-	94
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	49	188	154	416	851	60

Major/Minor	Minor2	Major1	Major2
Conflicting Flow All	1585	861	916
Stage 1	856	-	-
Stage 2	729	-	-
Critical Hdwy	6.42	6.22	4.12
Critical Hdwy Stg 1	5.42	-	-
Critical Hdwy Stg 2	5.42	-	-
Follow-up Hdwy	3.518	3.318	2.218
Pot Cap-1 Maneuver	119	355	745
Stage 1	416	-	-
Stage 2	477	-	-
Platoon blocked, %			
Mov Cap-1 Maneuver	93	352	741
Mov Cap-2 Maneuver	218	-	-
Stage 1	328	-	-
Stage 2	475	-	-

Approach	EB	NB	SB
HCM Control Delay, s	45.3	3	0
HCM LOS	E		

Minor Lane/Major Mvmt	NBL	NBT	EBLn1	SBT	SBR
Capacity (veh/h)	741	-	312	-	-
HCM Lane V/C Ratio	0.208	-	0.759	-	-
HCM Control Delay (s)	11.1	-	45.3	-	-
HCM Lane LOS	B	-	E	-	-
HCM 95th %tile Q(veh)	0.8	-	5.8	-	-

Intersection

Int Delay, s/veh 206.2

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↖	↗		↖		↗	↖		↗	↖	
Traffic Vol, veh/h	27	360	92	97	108	62	207	189	111	61	127	24
Future Vol, veh/h	27	360	92	97	108	62	207	189	111	61	127	24
Conflicting Peds, #/hr	5	0	5	5	0	5	5	0	5	5	0	5
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	0	-	-	-	105	-	-	100	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	92	92	92	92	92	92	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	29	391	100	105	117	67	225	205	121	66	138	26

Major/Minor	Minor2		Minor1		Major1		Major2					
Conflicting Flow All	904	1069	92	1123	1022	173	169	0	0	331	0	0
Stage 1	288	288	-	721	721	-	-	-	-	-	-	-
Stage 2	616	781	-	402	301	-	-	-	-	-	-	-
Critical Hdwy	7.54	6.54	6.94	7.54	6.54	6.94	4.14	-	-	4.14	-	-
Critical Hdwy Stg 1	6.54	5.54	-	6.54	5.54	-	-	-	-	-	-	-
Critical Hdwy Stg 2	6.54	5.54	-	6.54	5.54	-	-	-	-	-	-	-
Follow-up Hdwy	3.52	4.02	3.32	3.52	4.02	3.32	2.22	-	-	2.22	-	-
Pot Cap-1 Maneuver	232	~ 220	947	160	235	840	1406	-	-	1225	-	-
Stage 1	695	672	-	385	430	-	-	-	-	-	-	-
Stage 2	445	403	-	596	664	-	-	-	-	-	-	-
Platoon blocked, %								-	-		-	-
Mov Cap-1 Maneuver	90	~ 173	938	-	185	832	1399	-	-	1219	-	-
Mov Cap-2 Maneuver	90	~ 173	-	-	185	-	-	-	-	-	-	-
Stage 1	580	632	-	321	359	-	-	-	-	-	-	-
Stage 2	230	~ 337	-	191	625	-	-	-	-	-	-	-

Approach	EB	WB	NB	SB
HCM Control Delay, s\$ 626.2			3.3	2.3
HCM LOS	F	-		






Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn1	EBLn2	WBLn1	SBL	SBT	SBR
Capacity (veh/h)	1399	-	-	163	938	-	1219	-	-
HCM Lane V/C Ratio	0.161	-	-	2.581	0.107	-	0.054	-	-
HCM Control Delay (s)	8.1	-	-	\$ 772.8	9.3	-	8.1	-	-
HCM Lane LOS	A	-	-	F	A	-	A	-	-
HCM 95th %tile Q(veh)	0.6	-	-	36.5	0.4	-	0.2	-	-

Notes

~: Volume exceeds capacity \$: Delay exceeds 300s +: Computation Not Defined *: All major volume in platoon

Intersection

Int Delay, s/veh 119.2

Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Vol, veh/h	147	518	252	629	406	144
Future Vol, veh/h	147	518	252	629	406	144
Conflicting Peds, #/hr	5	5	5	0	0	5
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	300	-	-	94
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	93	93	93	93	93	93
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	158	557	271	676	437	155

Major/Minor	Minor2	Major1	Major2
Conflicting Flow All	1665	447	597
Stage 1	442	-	-
Stage 2	1223	-	-
Critical Hdwy	6.42	6.22	4.12
Critical Hdwy Stg 1	5.42	-	-
Critical Hdwy Stg 2	5.42	-	-
Follow-up Hdwy	3.518	3.318	2.218
Pot Cap-1 Maneuver	~ 106	612	980
Stage 1	648	-	-
Stage 2	278	-	-
Platoon blocked, %			
Mov Cap-1 Maneuver	~ 76	606	975
Mov Cap-2 Maneuver	190	-	-
Stage 1	465	-	-
Stage 2	277	-	-

Approach	EB	NB	SB
HCM Control Delay, s\$	371.9	2.9	0
HCM LOS	F		

Minor Lane/Major Mvmt	NBL	NBT EBLn1	SBT	SBR
Capacity (veh/h)	975	- 408	-	-
HCM Lane V/C Ratio	0.278	- 1.753	-	-
HCM Control Delay (s)	10.1	\$ 371.9	-	-
HCM Lane LOS	B	- F	-	-
HCM 95th %tile Q(veh)	1.1	- 44.4	-	-

Notes

~: Volume exceeds capacity \$: Delay exceeds 300s +: Computation Not Defined *: All major volume in platoon




















MITIGATED INTERSECTION ANALYSES



1: Helm Ave & Spruce Ave
HCM 2010 Signalized Intersection Summary

Existing Plus Project-AM-Mitigated








05/14/2019

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	4	65	19	23	54	17	67	29	10	14	1	10
Future Volume (veh/h)	4	65	19	23	54	17	67	29	10	14	1	10
Number	7	4	14	3	8	18	5	2	12	1	6	16
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		0.99	1.00		0.99	1.00		0.99	1.00		0.98
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Adj Sat Flow, veh/h/ln	1900	1827	1827	1900	1827	1900	1827	1827	1900	1827	1827	1900
Adj Flow Rate, veh/h	4	73	21	26	61	19	75	33	11	16	1	11
Adj No. of Lanes	0	1	1	0	1	0	1	2	0	1	2	0
Peak Hour Factor	0.89	0.89	0.89	0.89	0.89	0.89	0.89	0.89	0.89	0.89	0.89	0.89
Percent Heavy Veh, %	4	4	4	4	4	4	4	4	4	4	4	4
Cap, veh/h	9	172	153	44	104	32	130	571	181	36	289	255
Arrive On Green	0.10	0.10	0.10	0.10	0.10	0.10	0.07	0.22	0.22	0.02	0.17	0.17
Sat Flow, veh/h	95	1728	1537	428	1005	313	1740	2589	818	1740	1736	1530
Grp Volume(v), veh/h	77	0	21	106	0	0	75	22	22	16	1	11
Grp Sat Flow(s),veh/h/ln	1822	0	1537	1747	0	0	1740	1736	1672	1740	1736	1530
Q Serve(g_s), s	1.3	0.0	0.4	2.0	0.0	0.0	1.4	0.3	0.4	0.3	0.0	0.2
Cycle Q Clear(g_c), s	1.3	0.0	0.4	2.0	0.0	0.0	1.4	0.3	0.4	0.3	0.0	0.2
Prop In Lane	0.05		1.00	0.25		0.18	1.00		0.49	1.00		1.00
Lane Grp Cap(c), veh/h	182	0	153	181	0	0	130	383	369	36	289	255
V/C Ratio(X)	0.42	0.00	0.14	0.58	0.00	0.00	0.58	0.06	0.06	0.45	0.00	0.04
Avail Cap(c_a), veh/h	974	0	822	934	0	0	310	995	958	310	995	877
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	0.00	1.00	1.00	0.00	0.00	1.00	1.00	1.00	1.00	1.00	1.00
Uniform Delay (d), s/veh	14.3	0.0	13.8	14.4	0.0	0.0	15.1	10.4	10.4	16.3	11.7	11.8
Incr Delay (d2), s/veh	1.6	0.0	0.4	3.0	0.0	0.0	4.0	0.1	0.1	8.4	0.0	0.1
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	0.7	0.0	0.2	1.1	0.0	0.0	0.8	0.2	0.2	0.2	0.0	0.1
LnGrp Delay(d),s/veh	15.8	0.0	14.2	17.4	0.0	0.0	19.0	10.4	10.4	24.7	11.7	11.9
LnGrp LOS	B		B	B			B	B	B	C	B	B
Approach Vol, veh/h	98		106				119			28		
Approach Delay, s/veh	15.5		17.4				15.8			19.2		
Approach LOS	B		B				B			B		
Timer	1	2	3	4	5	6	7	8				
Assigned Phs	1	2			4	5	6	8				
Phs Duration (G+Y+Rc), s	4.7	12.3			8.3	6.5	10.5	8.4				
Change Period (Y+Rc), s	4.0	4.9			4.9	4.0	4.9	4.9				
Max Green Setting (Gmax), s	6.0	19.3			18.0	6.0	19.3	18.0				
Max Q Clear Time (g_c+I1), s	2.3	2.4			3.3	3.4	2.2	4.0				
Green Ext Time (p_c), s	0.0	0.2			0.3	0.0	0.2	0.4				
Intersection Summary												
HCM 2010 Ctrl Delay			16.5									
HCM 2010 LOS			B									

1: Helm Ave & Spruce Ave
Queues

Existing Plus Project-AM-Mitigated

05/14/2019

							
Lane Group	EBT	EBR	WBT	NBL	NBT	SBL	SBT
Lane Group Flow (vph)	77	21	106	75	44	16	12
v/c Ratio	0.20	0.05	0.27	0.27	0.03	0.06	0.01
Control Delay	20.7	0.2	19.3	28.3	13.9	26.8	0.0
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	20.7	0.2	19.3	28.3	13.9	26.8	0.0
Queue Length 50th (ft)	18	0	22	18	3	4	0
Queue Length 95th (ft)	65	0	78	#89	19	26	0
Internal Link Dist (ft)	86		1331		786		621
Turn Bay Length (ft)				105		100	
Base Capacity (vph)	889	819	864	282	1898	282	2011
Starvation Cap Reductn	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0
Reduced v/c Ratio	0.09	0.03	0.12	0.27	0.02	0.06	0.01

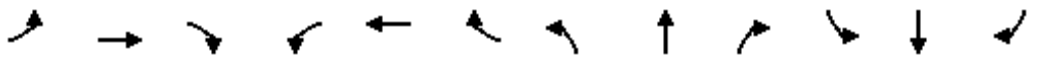
Intersection Summary

95th percentile volume exceeds capacity, queue may be longer.
Queue shown is maximum after two cycles.

1: Helm Ave & Spruce Ave
HCM 2010 Signalized Intersection Summary

Existing Plus Project-PM-Mitigated








05/14/2019

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↩	↩		↩		↩	↩		↩	↩	
Traffic Volume (veh/h)	22	296	75	14	89	16	170	33	25	18	1	20
Future Volume (veh/h)	22	296	75	14	89	16	170	33	25	18	1	20
Number	7	4	14	3	8	18	5	2	12	1	6	16
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		0.99	1.00		0.99	1.00		0.99	1.00		0.98
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Adj Sat Flow, veh/h/ln	1900	1863	1863	1900	1863	1900	1863	1863	1900	1863	1863	1900
Adj Flow Rate, veh/h	24	322	82	15	97	17	185	36	27	20	1	22
Adj No. of Lanes	0	1	1	0	1	0	1	2	0	1	2	0
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Percent Heavy Veh, %	2	2	2	2	2	2	2	2	2	2	2	2
Cap, veh/h	32	427	389	23	146	26	232	463	311	43	217	190
Arrive On Green	0.25	0.25	0.25	0.11	0.11	0.11	0.13	0.23	0.23	0.02	0.12	0.12
Sat Flow, veh/h	129	1728	1574	210	1358	238	1774	2020	1355	1774	1770	1551
Grp Volume(v), veh/h	346	0	82	129	0	0	185	31	32	20	1	22
Grp Sat Flow(s),veh/h/ln	1856	0	1574	1806	0	0	1774	1770	1606	1774	1770	1551
Q Serve(g_s), s	8.2	0.0	2.0	3.3	0.0	0.0	4.8	0.7	0.7	0.5	0.0	0.6
Cycle Q Clear(g_c), s	8.2	0.0	2.0	3.3	0.0	0.0	4.8	0.7	0.7	0.5	0.0	0.6
Prop In Lane	0.07		1.00	0.12		0.13	1.00		0.84	1.00		1.00
Lane Grp Cap(c), veh/h	459	0	389	194	0	0	232	405	368	43	217	190
V/C Ratio(X)	0.75	0.00	0.21	0.66	0.00	0.00	0.80	0.08	0.09	0.46	0.00	0.12
Avail Cap(c_a), veh/h	700	0	594	681	0	0	260	716	650	223	679	595
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	0.00	1.00	1.00	0.00	0.00	1.00	1.00	1.00	1.00	1.00	1.00
Uniform Delay (d), s/veh	16.6	0.0	14.3	20.5	0.0	0.0	20.1	14.4	14.5	23.0	18.4	18.6
Incr Delay (d2), s/veh	2.5	0.0	0.3	3.9	0.0	0.0	14.3	0.1	0.1	7.5	0.0	0.3
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	4.6	0.0	0.9	1.8	0.0	0.0	3.3	0.3	0.3	0.3	0.0	0.3
LnGrp Delay(d),s/veh	19.2	0.0	14.5	24.3	0.0	0.0	34.4	14.5	14.6	30.5	18.4	18.9
LnGrp LOS	B		B	C			C	B	B	C	B	B
Approach Vol, veh/h		428			129			248			43	
Approach Delay, s/veh		18.3			24.3			29.4			24.3	
Approach LOS		B			C			C			C	
Timer	1	2	3	4	5	6	7	8				
Assigned Phs	1	2		4	5	6		8				
Phs Duration (G+Y+Rc), s	5.2	15.8		16.7	10.2	10.7		10.0				
Change Period (Y+Rc), s	4.0	4.9		4.9	4.0	4.9		4.9				
Max Green Setting (Gmax), s	6.0	19.3		18.0	7.0	18.3		18.0				
Max Q Clear Time (g_c+I1), s	2.5	2.7		10.2	6.8	2.6		5.3				
Green Ext Time (p_c), s	0.0	0.3		1.4	0.0	0.3		0.4				
Intersection Summary												
HCM 2010 Ctrl Delay				22.8								
HCM 2010 LOS				C								

1: Helm Ave & Spruce Ave
Queues

Existing Plus Project-PM-Mitigated

05/14/2019

							
Lane Group	EBT	EBR	WBT	NBL	NBT	SBL	SBT
Lane Group Flow (vph)	346	82	129	185	63	20	23
v/c Ratio	0.68	0.15	0.40	0.80	0.06	0.11	0.02
Control Delay	30.0	1.4	26.0	58.6	13.1	30.8	0.0
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	30.0	1.4	26.0	58.6	13.1	30.8	0.0
Queue Length 50th (ft)	102	0	38	63	4	6	0
Queue Length 95th (ft)	#302	7	98	#236	22	30	0
Internal Link Dist (ft)	86		1331		786		621
Turn Bay Length (ft)				105		100	
Base Capacity (vph)	622	618	614	230	1191	197	1484
Starvation Cap Reductn	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0
Reduced v/c Ratio	0.56	0.13	0.21	0.80	0.05	0.10	0.02

Intersection Summary

95th percentile volume exceeds capacity, queue may be longer.
Queue shown is maximum after two cycles.

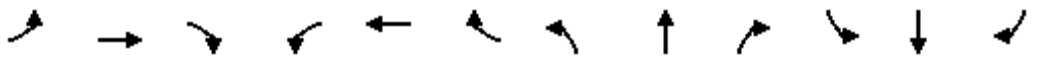
Intersection						
Intersection Delay, s/veh	4.3					
Intersection LOS	A					
Approach	EB	WB	NB		SB	
Entry Lanes	1	1	2		2	
Conflicting Circle Lanes	2	2	2		2	
Adj Approach Flow, veh/h	98	106	119		28	
Demand Flow Rate, veh/h	102	110	123		29	
Vehicles Circulating, veh/h	45	116	97		168	
Vehicles Exiting, veh/h	152	104	50		58	
Follow-Up Headway, s	3.186	3.186	3.186		3.186	
Ped Vol Crossing Leg, #/h	5	5	5		5	
Ped Cap Adj	0.999	0.999	0.995		0.995	
Approach Delay, s/veh	4.2	4.6	4.1		3.9	
Approach LOS	A	A	A		A	
Lane	Left	Left	Left	Right	Left	Right
Designated Moves	LTR	LTR	LT	TR	LT	TR
Assumed Moves	LTR	LTR	L	TR	L	TR
RT Channelized						
Lane Util	1.000	1.000	0.634	0.366	0.586	0.414
Critical Headway, s	4.113	4.113	4.293	4.113	4.293	4.113
Entry Flow, veh/h	102	110	78	45	17	12
Cap Entry Lane, veh/h	1095	1042	1051	1056	996	1005
Entry HV Adj Factor	0.962	0.960	0.962	0.971	0.941	0.997
Flow Entry, veh/h	98	106	75	44	16	12
Cap Entry, veh/h	1052	999	1005	1020	933	996
V/C Ratio	0.093	0.106	0.075	0.043	0.017	0.012
Control Delay, s/veh	4.2	4.6	4.2	3.9	4.0	3.7
LOS	A	A	A	A	A	A
95th %tile Queue, veh	0	0	0	0	0	0

Intersection						
Intersection Delay, s/veh	6.6					
Intersection LOS	A					
Approach	EB	WB	NB		SB	
Entry Lanes	1	1	2		2	
Conflicting Circle Lanes	2	2	2		2	
Adj Approach Flow, veh/h	428	129	248		43	
Demand Flow Rate, veh/h	436	131	254		43	
Vehicles Circulating, veh/h	36	250	372		303	
Vehicles Exiting, veh/h	310	376	100		78	
Follow-Up Headway, s	3.186	3.186	3.186		3.186	
Ped Vol Crossing Leg, #/h	5	5	5		5	
Ped Cap Adj	0.999	0.999	0.996		0.996	
Approach Delay, s/veh	7.5	5.2	6.2		4.2	
Approach LOS	A	A	A		A	
Lane	Left	Left	Left	Right	Left	Right
Designated Moves	LTR	LTR	LT	TR	LT	TR
Assumed Moves	LTR	LTR	L	TR	LT	R
RT Channelized						
Lane Util	1.000	1.000	0.744	0.256	0.488	0.512
Critical Headway, s	4.113	4.113	4.293	4.113	4.293	4.113
Entry Flow, veh/h	436	131	189	65	21	22
Cap Entry Lane, veh/h	1102	949	855	871	900	914
Entry HV Adj Factor	0.981	0.985	0.979	0.973	0.999	1.000
Flow Entry, veh/h	428	129	185	63	21	22
Cap Entry, veh/h	1080	934	833	844	896	910
V/C Ratio	0.396	0.138	0.222	0.075	0.023	0.024
Control Delay, s/veh	7.5	5.2	6.7	5.0	4.2	4.2
LOS	A	A	A	A	A	A
95th %tile Queue, veh	2	0	1	0	0	0

1: Helm Ave & Spruce Ave
HCM 2010 Signalized Intersection Summary

Near-Term With Project-AM-Mitigated








05/14/2019

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↩	↩		↩		↩	↩		↩	↩	
Traffic Volume (veh/h)	4	65	19	26	54	30	67	37	15	25	7	10
Future Volume (veh/h)	4	65	19	26	54	30	67	37	15	25	7	10
Number	7	4	14	3	8	18	5	2	12	1	6	16
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		0.99	1.00		0.99	1.00		0.99	1.00		0.98
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Adj Sat Flow, veh/h/ln	1900	1827	1827	1900	1827	1900	1827	1827	1900	1827	1827	1900
Adj Flow Rate, veh/h	4	73	21	29	61	34	75	42	17	28	8	11
Adj No. of Lanes	0	1	1	0	1	0	1	2	0	1	2	0
Peak Hour Factor	0.89	0.89	0.89	0.89	0.89	0.89	0.89	0.89	0.89	0.89	0.89	0.89
Percent Heavy Veh, %	4	4	4	4	4	4	4	4	4	4	4	4
Cap, veh/h	9	171	153	45	94	53	130	504	191	59	286	252
Arrive On Green	0.10	0.10	0.10	0.11	0.11	0.11	0.07	0.21	0.21	0.03	0.16	0.16
Sat Flow, veh/h	95	1728	1537	402	845	471	1740	2452	932	1740	1736	1529
Grp Volume(v), veh/h	77	0	21	124	0	0	75	29	30	28	8	11
Grp Sat Flow(s),veh/h/ln	1822	0	1537	1718	0	0	1740	1736	1649	1740	1736	1529
Q Serve(g_s), s	1.4	0.0	0.4	2.4	0.0	0.0	1.4	0.5	0.5	0.5	0.1	0.2
Cycle Q Clear(g_c), s	1.4	0.0	0.4	2.4	0.0	0.0	1.4	0.5	0.5	0.5	0.1	0.2
Prop In Lane	0.05		1.00	0.23		0.27	1.00		0.57	1.00		1.00
Lane Grp Cap(c), veh/h	181	0	153	192	0	0	130	356	339	59	286	252
V/C Ratio(X)	0.43	0.00	0.14	0.65	0.00	0.00	0.58	0.08	0.09	0.47	0.03	0.04
Avail Cap(c_a), veh/h	964	0	813	909	0	0	307	984	935	307	984	867
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	0.00	1.00	1.00	0.00	0.00	1.00	1.00	1.00	1.00	1.00	1.00
Uniform Delay (d), s/veh	14.4	0.0	14.0	14.5	0.0	0.0	15.2	10.9	10.9	16.1	11.9	11.9
Incr Delay (d2), s/veh	1.6	0.0	0.4	3.6	0.0	0.0	4.0	0.1	0.1	5.7	0.0	0.1
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	0.8	0.0	0.2	1.3	0.0	0.0	0.8	0.2	0.2	0.4	0.1	0.1
LnGrp Delay(d),s/veh	16.0	0.0	14.4	18.1	0.0	0.0	19.2	11.0	11.1	21.8	12.0	12.0
LnGrp LOS	B		B	B			B	B	B	C	B	B
Approach Vol, veh/h		98			124			134			47	
Approach Delay, s/veh		15.7			18.1			15.6			17.8	
Approach LOS		B			B			B			B	
Timer	1	2	3	4	5	6	7	8				
Assigned Phs	1	2		4	5	6		8				
Phs Duration (G+Y+Rc), s	5.2	11.9		8.3	6.5	10.5		8.7				
Change Period (Y+Rc), s	4.0	4.9		4.9	4.0	4.9		4.9				
Max Green Setting (Gmax), s	6.0	19.3		18.0	6.0	19.3		18.0				
Max Q Clear Time (g_c+I1), s	2.5	2.5		3.4	3.4	2.2		4.4				
Green Ext Time (p_c), s	0.0	0.3		0.3	0.0	0.3		0.5				
Intersection Summary												
HCM 2010 Ctrl Delay				16.7								
HCM 2010 LOS				B								

1: Helm Ave & Spruce Ave
Queues

Near-Term With Project-AM-Mitigated

05/14/2019

							
Lane Group	EBT	EBR	WBT	NBL	NBT	SBL	SBT
Lane Group Flow (vph)	77	21	124	75	59	28	19
v/c Ratio	0.20	0.05	0.31	0.27	0.04	0.10	0.02
Control Delay	20.8	0.2	18.7	28.4	13.2	27.0	15.4
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	20.8	0.2	18.7	28.4	13.2	27.0	15.4
Queue Length 50th (ft)	18	0	24	18	3	7	1
Queue Length 95th (ft)	65	0	86	#89	23	37	10
Internal Link Dist (ft)	86		1331		786		621
Turn Bay Length (ft)				105		100	
Base Capacity (vph)	898	826	864	285	1907	285	1800
Starvation Cap Reductn	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0
Reduced v/c Ratio	0.09	0.03	0.14	0.26	0.03	0.10	0.01




















Intersection Summary

95th percentile volume exceeds capacity, queue may be longer.
Queue shown is maximum after two cycles.

1: Helm Ave & Spruce Ave
HCM 2010 Signalized Intersection Summary

Near-Term With Project-PM-Mitigated








05/14/2019

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	22	296	75	20	89	41	170	47	29	43	16	20
Future Volume (veh/h)	22	296	75	20	89	41	170	47	29	43	16	20
Number	7	4	14	3	8	18	5	2	12	1	6	16
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		0.99	1.00		0.99	1.00		0.99	1.00		0.98
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Adj Sat Flow, veh/h/ln	1900	1863	1863	1900	1863	1900	1863	1863	1900	1863	1863	1900
Adj Flow Rate, veh/h	24	322	82	22	97	45	185	51	32	47	17	22
Adj No. of Lanes	0	1	1	0	1	0	1	2	0	1	2	0
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Percent Heavy Veh, %	2	2	2	2	2	2	2	2	2	2	2	2
Cap, veh/h	31	421	383	32	140	65	231	432	248	85	208	182
Arrive On Green	0.24	0.24	0.24	0.13	0.13	0.13	0.13	0.20	0.20	0.05	0.12	0.12
Sat Flow, veh/h	129	1728	1574	236	1041	483	1774	2159	1237	1774	1770	1550
Grp Volume(v), veh/h	346	0	82	164	0	0	185	41	42	47	17	22
Grp Sat Flow(s),veh/h/ln	1856	0	1574	1759	0	0	1774	1770	1626	1774	1770	1550
Q Serve(g_s), s	8.7	0.0	2.1	4.5	0.0	0.0	5.1	0.9	1.1	1.3	0.4	0.6
Cycle Q Clear(g_c), s	8.7	0.0	2.1	4.5	0.0	0.0	5.1	0.9	1.1	1.3	0.4	0.6
Prop In Lane	0.07		1.00	0.13		0.27	1.00		0.76	1.00		1.00
Lane Grp Cap(c), veh/h	452	0	383	237	0	0	231	354	326	85	208	182
V/C Ratio(X)	0.77	0.00	0.21	0.69	0.00	0.00	0.80	0.12	0.13	0.55	0.08	0.12
Avail Cap(c_a), veh/h	668	0	566	633	0	0	248	683	627	213	647	567
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	0.00	1.00	1.00	0.00	0.00	1.00	1.00	1.00	1.00	1.00	1.00
Uniform Delay (d), s/veh	17.6	0.0	15.1	20.7	0.0	0.0	21.1	16.4	16.4	23.3	19.7	19.7
Incr Delay (d2), s/veh	3.1	0.0	0.3	3.6	0.0	0.0	15.9	0.1	0.2	5.5	0.2	0.3
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	4.8	0.0	0.9	2.4	0.0	0.0	3.5	0.5	0.5	0.8	0.2	0.3
LnGrp Delay(d),s/veh	20.7	0.0	15.4	24.3	0.0	0.0	37.0	16.5	16.6	28.8	19.8	20.0
LnGrp LOS	C		B	C			D	B	B	C	B	C
Approach Vol, veh/h		428			164			268			86	
Approach Delay, s/veh		19.7			24.3			30.6			24.8	
Approach LOS		B			C			C			C	
Timer	1	2	3	4	5	6	7	8				
Assigned Phs	1	2		4	5	6		8				
Phs Duration (G+Y+Rc), s	6.4	14.9		17.1	10.5	10.8		11.6				
Change Period (Y+Rc), s	4.0	4.9		4.9	4.0	4.9		4.9				
Max Green Setting (Gmax), s	6.0	19.3		18.0	7.0	18.3		18.0				
Max Q Clear Time (g_c+I1), s	3.3	3.1		10.7	7.1	2.6		6.5				
Green Ext Time (p_c), s	0.0	0.5		1.3	0.0	0.5		0.6				
Intersection Summary												
HCM 2010 Ctrl Delay			24.0									
HCM 2010 LOS			C									

1: Helm Ave & Spruce Ave
Queues

Near-Term With Project-PM-Mitigated

05/14/2019

							
Lane Group	EBT	EBR	WBT	NBL	NBT	SBL	SBT
Lane Group Flow (vph)	346	82	164	185	83	47	39
v/c Ratio	0.71	0.16	0.50	0.89	0.11	0.27	0.09
Control Delay	32.0	1.4	26.2	72.1	16.5	33.5	15.8
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	32.0	1.4	26.2	72.1	16.5	33.5	15.8
Queue Length 50th (ft)	105	0	46	66	8	16	3
Queue Length 95th (ft)	#302	7	115	#236	27	56	15
Internal Link Dist (ft)	86		1331		786		621
Turn Bay Length (ft)				105		100	
Base Capacity (vph)	566	576	555	209	1098	179	1001
Starvation Cap Reductn	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0
Reduced v/c Ratio	0.61	0.14	0.30	0.89	0.08	0.26	0.04

Intersection Summary

95th percentile volume exceeds capacity, queue may be longer.
Queue shown is maximum after two cycles.




















Intersection						
Intersection Delay, s/veh	4.4					
Intersection LOS	A					
Approach	EB	WB	NB		SB	
Entry Lanes	1	1	2		2	
Conflicting Circle Lanes	2	2	2		2	
Adj Approach Flow, veh/h	98	124	134		47	
Demand Flow Rate, veh/h	102	128	140		48	
Vehicles Circulating, veh/h	67	126	109		171	
Vehicles Exiting, veh/h	152	123	60		83	
Follow-Up Headway, s	3.186	3.186	3.186		3.186	
Ped Vol Crossing Leg, #/h	5	5	5		5	
Ped Cap Adj	0.999	0.999	0.995		0.995	
Approach Delay, s/veh	4.3	4.7	4.2		4.0	
Approach LOS	A	A	A		A	
Lane	Left	Left	Left	Right	Left	Right
Designated Moves	LTR	LTR	LT	TR	LT	TR
Assumed Moves	LTR	LTR	L	TR	L	TR
RT Channelized						
Lane Util	1.000	1.000	0.557	0.443	0.604	0.396
Critical Headway, s	4.113	4.113	4.293	4.113	4.293	4.113
Entry Flow, veh/h	102	128	78	62	29	19
Cap Entry Lane, veh/h	1078	1035	1041	1047	994	1002
Entry HV Adj Factor	0.962	0.965	0.962	0.957	0.966	0.984
Flow Entry, veh/h	98	124	75	59	28	19
Cap Entry, veh/h	1036	998	996	996	955	981
V/C Ratio	0.095	0.124	0.075	0.060	0.029	0.019
Control Delay, s/veh	4.3	4.7	4.3	4.1	4.0	3.8
LOS	A	A	A	A	A	A
95th %tile Queue, veh	0	0	0	0	0	0

Intersection						
Intersection Delay, s/veh	6.8					
Intersection LOS	A					
Approach	EB	WB	NB		SB	
Entry Lanes	1	1	2		2	
Conflicting Circle Lanes	2	2	2		2	
Adj Approach Flow, veh/h	428	164	268		86	
Demand Flow Rate, veh/h	436	167	274		87	
Vehicles Circulating, veh/h	87	265	400		310	
Vehicles Exiting, veh/h	310	409	123		122	
Follow-Up Headway, s	3.186	3.186	3.186		3.186	
Ped Vol Crossing Leg, #/h	5	5	5		5	
Ped Cap Adj	0.999	0.999	0.996		0.996	
Approach Delay, s/veh	7.9	5.6	6.4		4.5	
Approach LOS	A	A	A		A	
Lane	Left	Left	Left	Right	Left	Right
Designated Moves	LTR	LTR	LT	TR	LT	TR
Assumed Moves	LTR	LTR	L	TR	L	TR
RT Channelized						
Lane Util	1.000	1.000	0.690	0.310	0.552	0.448
Critical Headway, s	4.113	4.113	4.293	4.113	4.293	4.113
Entry Flow, veh/h	436	167	189	85	48	39
Cap Entry Lane, veh/h	1063	939	837	854	896	910
Entry HV Adj Factor	0.981	0.982	0.979	0.976	0.979	0.991
Flow Entry, veh/h	428	164	185	83	47	39
Cap Entry, veh/h	1042	921	816	831	873	898
V/C Ratio	0.410	0.178	0.227	0.100	0.054	0.043
Control Delay, s/veh	7.9	5.6	6.8	5.3	4.6	4.4
LOS	A	A	A	A	A	A
95th %tile Queue, veh	2	1	1	0	0	0

1: Helm Ave & Spruce Ave
 HCM 2010 Signalized Intersection Summary

Cumulative 2040 With Project-AM-Mitigated








05/14/2019

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	5	79	23	69	65	41	82	104	54	42	68	12
Future Volume (veh/h)	5	79	23	69	65	41	82	104	54	42	68	12
Number	7	4	14	3	8	18	5	2	12	1	6	16
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		0.99	1.00		0.99	1.00		0.99	1.00		0.98
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Adj Sat Flow, veh/h/ln	1900	1827	1827	1900	1827	1900	1827	1827	1900	1827	1827	1900
Adj Flow Rate, veh/h	5	86	25	75	71	45	89	113	59	46	74	13
Adj No. of Lanes	0	1	1	0	1	0	1	2	0	1	2	0
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Percent Heavy Veh, %	4	4	4	4	4	4	4	4	4	4	4	4
Cap, veh/h	10	173	155	109	103	65	218	492	242	87	424	72
Arrive On Green	0.10	0.10	0.10	0.16	0.16	0.16	0.13	0.22	0.22	0.05	0.14	0.14
Sat Flow, veh/h	100	1722	1534	674	638	405	1740	2251	1107	1740	2957	506
Grp Volume(v), veh/h	91	0	25	191	0	0	89	86	86	46	43	44
Grp Sat Flow(s),veh/h/ln	1822	0	1534	1717	0	0	1740	1736	1623	1740	1736	1727
Q Serve(g_s), s	1.9	0.0	0.6	4.2	0.0	0.0	1.9	1.6	1.8	1.0	0.9	0.9
Cycle Q Clear(g_c), s	1.9	0.0	0.6	4.2	0.0	0.0	1.9	1.6	1.8	1.0	0.9	0.9
Prop In Lane	0.05		1.00	0.39		0.24	1.00		0.68	1.00		0.29
Lane Grp Cap(c), veh/h	184	0	155	278	0	0	218	379	355	87	249	247
V/C Ratio(X)	0.50	0.00	0.16	0.69	0.00	0.00	0.41	0.23	0.24	0.53	0.17	0.18
Avail Cap(c_a), veh/h	827	0	696	822	0	0	829	1440	1346	262	875	870
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	0.00	1.00	1.00	0.00	0.00	1.00	1.00	1.00	1.00	1.00	1.00
Uniform Delay (d), s/veh	17.0	0.0	16.4	15.8	0.0	0.0	16.1	12.8	12.9	18.5	15.0	15.0
Incr Delay (d2), s/veh	2.1	0.0	0.5	3.0	0.0	0.0	1.2	0.3	0.4	4.9	0.3	0.3
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	1.0	0.0	0.3	2.2	0.0	0.0	1.0	0.8	0.8	0.6	0.4	0.5
LnGrp Delay(d),s/veh	19.0	0.0	16.9	18.8	0.0	0.0	17.3	13.1	13.2	23.4	15.3	15.4
LnGrp LOS	B		B	B			B	B	B	C	B	B
Approach Vol, veh/h		116			191			261			133	
Approach Delay, s/veh		18.6			18.8			14.6			18.1	
Approach LOS		B			B			B			B	
Timer	1	2	3	4	5	6	7	8				
Assigned Phs	1	2		4	5	6		8				
Phs Duration (G+Y+Rc), s	6.0	13.6		8.9	9.0	10.6		11.4				
Change Period (Y+Rc), s	4.0	4.9		4.9	4.0	4.9		4.9				
Max Green Setting (Gmax), s	6.0	33.1		18.1	19.0	20.1		19.1				
Max Q Clear Time (g_c+I1), s	3.0	3.8		3.9	3.9	2.9		6.2				
Green Ext Time (p_c), s	0.0	1.5		0.4	0.2	1.2		0.8				
Intersection Summary												
HCM 2010 Ctrl Delay			17.1									
HCM 2010 LOS			B									

1: Helm Ave & Spruce Ave
Queues

Cumulative 2040 With Project-AM-Mitigated













05/14/2019

							
Lane Group	EBT	EBR	WBT	NBL	NBT	SBL	SBT
Lane Group Flow (vph)	91	25	191	89	172	46	87
v/c Ratio	0.26	0.06	0.47	0.27	0.13	0.19	0.15
Control Delay	27.1	0.3	26.0	27.2	13.8	33.0	22.8
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	27.1	0.3	26.0	27.2	13.8	33.0	22.8
Queue Length 50th (ft)	26	0	49	25	16	13	11
Queue Length 95th (ft)	88	0	159	87	47	61	39
Internal Link Dist (ft)	86		1331		786		621
Turn Bay Length (ft)				105		100	
Base Capacity (vph)	774	744	783	774	2132	244	1602
Starvation Cap Reductn	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0
Reduced v/c Ratio	0.12	0.03	0.24	0.11	0.08	0.19	0.05
Intersection Summary							

2: Peach Ave & Spruce Ave HCM 2010 Signalized Intersection Summary

Cumulative 2040 With Project-AM-Mitigated







05/14/2019

								
Movement	EBL	EBR	NBL	NBT	SBT	SBR		
Lane Configurations								
Traffic Volume (veh/h)	45	173	142	383	783	55		
Future Volume (veh/h)	45	173	142	383	783	55		
Number	7	14	5	2	6	16		
Initial Q (Qb), veh	0	0	0	0	0	0		
Ped-Bike Adj(A_pbT)	1.00	1.00	1.00			1.00		
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00		
Adj Sat Flow, veh/h/ln	1863	1863	1863	1863	1863	1863		
Adj Flow Rate, veh/h	49	188	154	416	851	60		
Adj No. of Lanes	1	1	1	1	1	1		
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92		
Percent Heavy Veh, %	2	2	2	2	2	2		
Cap, veh/h	267	238	193	1302	986	834		
Arrive On Green	0.15	0.15	0.11	0.70	0.53	0.53		
Sat Flow, veh/h	1774	1583	1774	1863	1863	1576		
Grp Volume(v), veh/h	49	188	154	416	851	60		
Grp Sat Flow(s),veh/h/ln	1774	1583	1774	1863	1863	1576		
Q Serve(g_s), s	1.6	7.5	5.5	5.6	25.8	1.2		
Cycle Q Clear(g_c), s	1.6	7.5	5.5	5.6	25.8	1.2		
Prop In Lane	1.00	1.00	1.00			1.00		
Lane Grp Cap(c), veh/h	267	238	193	1302	986	834		
V/C Ratio(X)	0.18	0.79	0.80	0.32	0.86	0.07		
Avail Cap(c_a), veh/h	491	438	218	1494	1150	973		
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00		
Upstream Filter(I)	1.00	1.00	1.00	1.00	1.00	1.00		
Uniform Delay (d), s/veh	24.2	26.7	28.3	3.8	13.3	7.5		
Incr Delay (d2), s/veh	0.3	5.8	16.9	0.1	6.2	0.0		
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0		
%ile BackOfQ(50%),veh/ln	0.8	6.7	3.6	2.8	14.7	0.5		
LnGrp Delay(d),s/veh	24.5	32.5	45.2	3.9	19.5	7.5		
LnGrp LOS	C	C	D	A	B	A		
Approach Vol, veh/h	237			570	911			
Approach Delay, s/veh	30.8			15.1	18.7			
Approach LOS	C			B	B			
Timer	1	2	3	4	5	6	7	8
Assigned Phs		2		4	5	6		
Phs Duration (G+Y+Rc), s		50.4		14.7	11.1	39.3		
Change Period (Y+Rc), s		4.9		4.9	4.0	4.9		
Max Green Setting (Gmax), s		52.2		18.0	8.0	40.2		
Max Q Clear Time (g_c+I1), s		7.6		9.5	7.5	27.8		
Green Ext Time (p_c), s		11.5		0.5	0.0	6.7		
Intersection Summary								
HCM 2010 Ctrl Delay			19.2					
HCM 2010 LOS			B					

2: Peach Ave & Spruce Ave Queues

Cumulative 2040 With Project-AM-Mitigated

05/14/2019

						
Lane Group	EBL	EBR	NBL	NBT	SBT	SBR
Lane Group Flow (vph)	49	188	154	416	851	60
v/c Ratio	0.21	0.52	0.72	0.31	0.85	0.07
Control Delay	29.0	10.2	52.7	4.6	24.0	5.4
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	29.0	10.2	52.7	4.6	24.0	5.4
Queue Length 50th (ft)	19	0	64	41	252	5
Queue Length 95th (ft)	47	49	#183	127	#621	25
Internal Link Dist (ft)	1331			870	475	
Turn Bay Length (ft)			300			94
Base Capacity (vph)	481	554	214	1471	1132	944
Starvation Cap Reductn	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0
Reduced v/c Ratio	0.10	0.34	0.72	0.28	0.75	0.06




















Intersection Summary

95th percentile volume exceeds capacity, queue may be longer.
Queue shown is maximum after two cycles.

1: Helm Ave & Spruce Ave
HCM 2010 Signalized Intersection Summary

Cumulative 2040 With Project-PM-Mitigated








05/14/2019

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	27	360	92	97	108	62	207	189	111	61	127	24
Future Volume (veh/h)	27	360	92	97	108	62	207	189	111	61	127	24
Number	7	4	14	3	8	18	5	2	12	1	6	16
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		0.99	1.00		0.99	1.00		0.99	1.00		0.98
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Adj Sat Flow, veh/h/ln	1900	1863	1863	1900	1863	1900	1863	1863	1900	1863	1863	1900
Adj Flow Rate, veh/h	29	391	100	105	117	67	225	205	121	66	138	26
Adj No. of Lanes	0	1	1	0	1	0	1	2	0	1	2	0
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Percent Heavy Veh, %	2	2	2	2	2	2	2	2	2	2	2	2
Cap, veh/h	34	454	413	127	141	81	268	480	271	92	359	66
Arrive On Green	0.26	0.26	0.26	0.20	0.20	0.20	0.15	0.22	0.22	0.05	0.12	0.12
Sat Flow, veh/h	128	1728	1574	638	711	407	1774	2177	1229	1774	2975	547
Grp Volume(v), veh/h	420	0	100	289	0	0	225	165	161	66	81	83
Grp Sat Flow(s),veh/h/ln	1856	0	1574	1755	0	0	1774	1770	1636	1774	1770	1753
Q Serve(g_s), s	15.1	0.0	3.5	11.1	0.0	0.0	8.6	5.6	6.0	2.6	2.9	3.1
Cycle Q Clear(g_c), s	15.1	0.0	3.5	11.1	0.0	0.0	8.6	5.6	6.0	2.6	2.9	3.1
Prop In Lane	0.07		1.00	0.36		0.23	1.00		0.75	1.00		0.31
Lane Grp Cap(c), veh/h	487	0	413	349	0	0	268	390	360	92	214	212
V/C Ratio(X)	0.86	0.00	0.24	0.83	0.00	0.00	0.84	0.42	0.45	0.72	0.38	0.39
Avail Cap(c_a), veh/h	586	0	497	451	0	0	304	586	542	203	485	480
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	0.00	1.00	1.00	0.00	0.00	1.00	1.00	1.00	1.00	1.00	1.00
Uniform Delay (d), s/veh	24.6	0.0	20.3	26.9	0.0	0.0	28.9	23.5	23.6	32.7	28.4	28.4
Incr Delay (d2), s/veh	10.9	0.0	0.3	9.7	0.0	0.0	16.8	0.7	0.9	10.1	1.1	1.2
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	9.2	0.0	1.6	6.3	0.0	0.0	5.4	2.8	2.8	1.5	1.5	1.6
LnGrp Delay(d),s/veh	35.5	0.0	20.6	36.6	0.0	0.0	45.7	24.2	24.5	42.9	29.5	29.6
LnGrp LOS	D		C	D			D	C	C	D	C	C
Approach Vol, veh/h		520			289			551			230	
Approach Delay, s/veh		32.7			36.6			33.1			33.4	
Approach LOS		C			D			C			C	
Timer	1	2	3	4	5	6	7	8				
Assigned Phs	1	2		4	5	6		8				
Phs Duration (G+Y+Rc), s	7.6	20.3		23.3	14.6	13.4		18.8				
Change Period (Y+Rc), s	4.0	4.9		4.9	4.0	4.9		4.9				
Max Green Setting (Gmax), s	8.0	23.2		22.1	12.0	19.2		18.0				
Max Q Clear Time (g_c+I1), s	4.6	8.0		17.1	10.6	5.1		13.1				
Green Ext Time (p_c), s	0.0	2.5		1.3	0.1	2.4		0.7				
Intersection Summary												
HCM 2010 Ctrl Delay			33.6									
HCM 2010 LOS			C									

1: Helm Ave & Spruce Ave
Queues

Cumulative 2040 With Project-PM-Mitigated

05/14/2019

							
Lane Group	EBT	EBR	WBT	NBL	NBT	SBL	SBT
Lane Group Flow (vph)	420	100	289	225	326	66	164
v/c Ratio	0.83	0.19	0.77	0.82	0.40	0.40	0.37
Control Delay	44.3	3.7	44.1	59.2	19.3	43.1	29.6
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	44.3	3.7	44.1	59.2	19.3	43.1	29.6
Queue Length 50th (ft)	194	0	125	110	48	31	35
Queue Length 95th (ft)	#402	24	#271	#264	85	77	62
Internal Link Dist (ft)	86		1331		786		621
Turn Bay Length (ft)				105		100	
Base Capacity (vph)	531	537	422	275	1076	183	871
Starvation Cap Reductn	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0
Reduced v/c Ratio	0.79	0.19	0.68	0.82	0.30	0.36	0.19













Intersection Summary

95th percentile volume exceeds capacity, queue may be longer.
Queue shown is maximum after two cycles.

2: Peach Ave & Spruce Ave HCM 2010 Signalized Intersection Summary

Cumulative 2040 With Project-PM-Mitigated







05/14/2019

								
Movement	EBL	EBR	NBL	NBT	SBT	SBR		
Lane Configurations								
Traffic Volume (veh/h)	147	518	252	629	406	144		
Future Volume (veh/h)	147	518	252	629	406	144		
Number	7	14	5	2	6	16		
Initial Q (Qb), veh	0	0	0	0	0	0		
Ped-Bike Adj(A_pbT)	1.00	1.00	1.00			0.99		
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00		
Adj Sat Flow, veh/h/ln	1863	1863	1863	1863	1863	1863		
Adj Flow Rate, veh/h	158	390	271	676	437	109		
Adj No. of Lanes	1	1	1	1	1	1		
Peak Hour Factor	0.93	0.93	0.93	0.93	0.93	0.93		
Percent Heavy Veh, %	2	2	2	2	2	2		
Cap, veh/h	498	445	315	1016	554	467		
Arrive On Green	0.28	0.28	0.18	0.55	0.30	0.30		
Sat Flow, veh/h	1774	1583	1774	1863	1863	1570		
Grp Volume(v), veh/h	158	390	271	676	437	109		
Grp Sat Flow(s),veh/h/ln	1774	1583	1774	1863	1863	1570		
Q Serve(g_s), s	4.0	13.3	8.4	14.6	12.2	3.0		
Cycle Q Clear(g_c), s	4.0	13.3	8.4	14.6	12.2	3.0		
Prop In Lane	1.00	1.00	1.00			1.00		
Lane Grp Cap(c), veh/h	498	445	315	1016	554	467		
V/C Ratio(X)	0.32	0.88	0.86	0.67	0.79	0.23		
Avail Cap(c_a), veh/h	566	505	315	1063	601	507		
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00		
Upstream Filter(I)	1.00	1.00	1.00	1.00	1.00	1.00		
Uniform Delay (d), s/veh	16.0	19.3	22.5	9.2	18.2	15.0		
Incr Delay (d2), s/veh	0.4	14.6	20.9	1.5	6.5	0.3		
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0		
%ile BackOfQ(50%),veh/ln	2.0	12.3	5.9	7.7	7.2	1.3		
LnGrp Delay(d),s/veh	16.4	34.0	43.4	10.6	24.7	15.2		
LnGrp LOS	B	C	D	B	C	B		
Approach Vol, veh/h	548			947	546			
Approach Delay, s/veh	28.9			20.0	22.8			
Approach LOS	C			C	C			
Timer	1	2	3	4	5	6	7	8
Assigned Phs		2		4	5	6		
Phs Duration (G+Y+Rc), s		35.7		20.7	14.0	21.7		
Change Period (Y+Rc), s		4.9		4.9	4.0	4.9		
Max Green Setting (Gmax), s		32.2		18.0	10.0	18.2		
Max Q Clear Time (g_c+I1), s		16.6		15.3	10.4	14.2		
Green Ext Time (p_c), s		6.6		0.6	0.0	2.5		
Intersection Summary								
HCM 2010 Ctrl Delay			23.2					
HCM 2010 LOS			C					

2: Peach Ave & Spruce Ave Queues

Cumulative 2040 With Project-PM-Mitigated

05/14/2019

						
Lane Group	EBL	EBR	NBL	NBT	SBT	SBR
Lane Group Flow (vph)	158	557	271	676	437	155
v/c Ratio	0.41	0.78	0.77	0.62	0.76	0.27
Control Delay	20.9	12.2	40.8	10.8	27.4	5.3
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	20.9	12.2	40.8	10.8	27.4	5.3
Queue Length 50th (ft)	43	18	80	100	109	2
Queue Length 95th (ft)	85	102	#222	268	#273	38
Internal Link Dist (ft)	1331			870	475	
Turn Bay Length (ft)			300			94
Base Capacity (vph)	635	865	353	1196	676	650
Starvation Cap Reductn	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0
Reduced v/c Ratio	0.25	0.64	0.77	0.57	0.65	0.24

Intersection Summary

95th percentile volume exceeds capacity, queue may be longer.
Queue shown is maximum after two cycles.

Intersection						
Intersection Delay, s/veh	5.1					
Intersection LOS	A					
Approach	EB	WB	NB		SB	
Entry Lanes	1	1	2		2	
Conflicting Circle Lanes	2	2	2		2	
Adj Approach Flow, veh/h	116	191	261		133	
Demand Flow Rate, veh/h	120	199	272		139	
Vehicles Circulating, veh/h	203	216	142		245	
Vehicles Exiting, veh/h	181	198	181		170	
Follow-Up Headway, s	3.186	3.186	3.186		3.186	
Ped Vol Crossing Leg, #/h	5	5	5		5	
Ped Cap Adj	0.999	0.999	0.995		0.995	
Approach Delay, s/veh	5.0	5.9	4.9		4.7	
Approach LOS	A	A	A		A	
Lane	Left	Left	Left	Right	Left	Right
Designated Moves	LTR	LTR	LT	TR	LT	TR
Assumed Moves	LTR	LTR	LT	TR	LT	TR
RT Channelized						
Lane Util	1.000	1.000	0.471	0.529	0.468	0.532
Critical Headway, s	4.113	4.113	4.293	4.113	4.293	4.113
Entry Flow, veh/h	120	199	128	144	65	74
Cap Entry Lane, veh/h	980	971	1016	1023	940	952
Entry HV Adj Factor	0.963	0.961	0.960	0.962	0.962	0.953
Flow Entry, veh/h	116	191	123	139	63	71
Cap Entry, veh/h	943	932	970	979	900	903
V/C Ratio	0.122	0.205	0.127	0.141	0.069	0.078
Control Delay, s/veh	5.0	5.9	4.9	5.0	4.6	4.7
LOS	A	A	A	A	A	A
95th %tile Queue, veh	0	1	0	0	0	0

Intersection						
Intersection Delay, s/veh	9.7					
Intersection LOS	A					
Approach	EB	WB	NB		SB	
Entry Lanes	1	1	2		2	
Conflicting Circle Lanes	2	2	2		2	
Adj Approach Flow, veh/h	520	289	551		230	
Demand Flow Rate, veh/h	531	294	562		235	
Vehicles Circulating, veh/h	315	468	496		455	
Vehicles Exiting, veh/h	375	589	350		307	
Follow-Up Headway, s	3.186	3.186	3.186		3.186	
Ped Vol Crossing Leg, #/h	5	5	5		5	
Ped Cap Adj	0.999	0.999	0.997		0.997	
Approach Delay, s/veh	12.6	8.8	9.0		6.0	
Approach LOS	B	A	A		A	
Lane	Left	Left	Left	Right	Left	Right
Designated Moves	LTR	LTR	LT	TR	LT	TR
Assumed Moves	LTR	LTR	LT	TR	LT	TR
RT Channelized						
Lane Util	1.000	1.000	0.470	0.530	0.468	0.532
Critical Headway, s	4.113	4.113	4.293	4.113	4.293	4.113
Entry Flow, veh/h	531	294	264	298	110	125
Cap Entry Lane, veh/h	906	814	779	798	803	822
Entry HV Adj Factor	0.980	0.982	0.981	0.980	0.984	0.976
Flow Entry, veh/h	520	289	259	292	108	122
Cap Entry, veh/h	887	799	762	780	787	799
V/C Ratio	0.586	0.361	0.340	0.374	0.137	0.153
Control Delay, s/veh	12.6	8.8	8.8	9.2	6.0	6.1
LOS	B	A	A	A	A	A
95th %tile Queue, veh	4	2	2	2	0	1

MITIGATION MONITORING AND REPORTING PROGRAM
R2019-004 / CUP2019-004 / TM6262 / V2019-001/ RSPR2019-003

Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
Biological Resources				
BIO-1	Pre-Activity Surveys for Burrowing Owl. Within 14 days of the start of Project activities in any specific area, a pre-activity survey should be conducted by a qualified biologist knowledgeable in the identification of burrowing owls. The surveys should cover the Project site plus a 250-foot buffer and should be phased with construction of the Project. Pedestrian surveys achieving 100% visual coverage should be conducted. Where access to adjacent parcels is not granted, visual inspections from the Project site and public access ways should be conducted. If no burrowing owls are observed, no further action is required. Survey efforts should be documented.	City of Clovis Planning	<i>Prior to Permits and During Construction</i>	
BIO-2	Avoidance and Minimization Measures for Burrowing Owls. If burrowing owls are detected on-site a no-work Environmentally Sensitive Area (ESA) buffer around the occupied burrow should be established in consultation with a qualified biologist. If the burrow is determined to be a nest burrow, the minimum buffer should be 100 feet. Smaller buffers may be utilized if the burrow is not being used as a nest. The ESA buffer should remain in place until the burrowing owl has left on its own. Once the owl has left, the burrow may be			

Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
	monitored using trail cameras. If no owls are detected for a minimum of 3 consecutive days/nights, the burrow may be hand excavated under the direct supervision of the biologist. All burrow tunnels must be hand excavated to their terminus before backfilling to ensure no burrowing owls or other animals are hiding inside.			
BIO-3	Pre-activity Nesting Bird Surveys. If Project activities must occur during the nesting season (February 15 to August 31), pre-activity nesting bird surveys should be conducted within seven (7) days prior to the start of construction at the construction site plus a 250-foot buffer. The surveys should be phased with construction of the Project. If no active nests are found, no further action is required; however, note that nests may become active at any time throughout the summer, including when construction activities are occurring. If active nests are found during the survey or at any time during construction of the Project, an avoidance buffer ranging from 100 feet to 250 feet may be required, as determined by a qualified biologist. The avoidance buffer will remain in place until the biologist has determined that the young are no longer reliant on the nest. Work may occur within the avoidance buffer under the approval and guidance of the biologist. The biologist should have the ability to stop construction if nesting adults show sign of distress.	City of Clovis Planning	<i>Prior to Permits and During Construction</i>	

Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
	Survey and monitoring efforts should be documented.			
Cultural Resources				
CULT-1	<p>If prehistoric or historic-era cultural or archaeological materials are encountered during construction activities, all work in the immediate vicinity of the find shall halt until a qualified professional archaeologist, meeting the Secretary of the Interior's Professional Qualification Standards for prehistoric and historic archaeologist, can evaluate the significance of the find and make recommendations. Cultural resource materials may include prehistoric resources such as flaked and ground stone tools and debris, shell, bone, ceramics, and fire-affected rock as well as historic resources such as glass, metal, wood, brick, or structural remnants.</p> <p>If the qualified professional archaeologist determines that the discovery represents a potentially significant cultural resource, additional investigations may be required to mitigate adverse impacts from project implementation. These additional studies may include avoidance, testing, and evaluation or data recovery excavation.</p> <p>If a potentially-eligible resource is encountered, then the qualified professional archaeologist, the Lead Agency, and the project proponent shall arrange for either 1) total avoidance of the resource</p>	City of Clovis Planning	<i>Prior to Permits and During Construction</i>	

Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
	or 2) test excavations to evaluate eligibility and, if eligible, total data recovery. The determination shall be formally documented in writing and submitted to the Lead Agency as verification that the provisions for managing unanticipated discoveries have been met.			
CULT-2	If human remains are discovered during construction or operational activities, further excavation or disturbance shall be prohibited pursuant to Section 7050.5 of the California Health and Safety Code. The specific protocol, guidelines, and channels of communication outlined by the Native American Heritage Commission, in accordance with Section 7050.5 of the Health and Safety Code, Section 5097.98 of the Public Resources Code (Chapter 1492, Statutes of 1982, Senate Bill 297), and Senate Bill 447 (Chapter 44, Statutes of 1987), shall be followed. Section 7050.5(c) shall guide the potential Native American involvement, in the event of discovery of human remains, at the direction of the County coroner. All reports, correspondence, and determinations regarding the discovery of human remains on the project site shall be submitted to the Lead Agency.	City of Clovis Planning	<i>Prior to Permits and During Construction</i>	
Geological Resources				

Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
GEO-1	<p>If prehistoric or historic-era cultural materials are encountered during construction activities, all work in the immediate vicinity of the find shall halt until a qualified professional archaeologist and/or paleontologist, meeting the Secretary of the Interior's Professional Qualification Standards for prehistoric and historic archaeologist, can evaluate the significance of the find and make recommendations. Cultural resource materials may include prehistoric resources such as flaked and ground stone tools and debris, shell, bone, ceramics, and fire-affected rock as well as historic resources such as glass, metal, wood, brick, or structural remnants.</p> <p>If the qualified professional determines that the discovery represents a potentially significant cultural resource, additional investigations may be required to mitigate adverse impacts from project implementation. These additional studies may include avoidance, testing, and evaluation or data recovery excavation.</p> <p>If a potentially-eligible resource is encountered, then the qualified professional archaeologist and/or paleontologist, the Lead Agency, and the project proponent shall arrange for either 1) total avoidance of the resource or 2) test excavations to evaluate eligibility and, if eligible, total data recovery. The determination shall be formally documented in writing and submitted to the Lead Agency as</p>	City of Clovis Planning	<i>Prior to Permits and During Construction</i>	

Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
	verification that the provisions for managing unanticipated discoveries have been met.			
Transportation				
TRAF-1	The Project proponent shall pay the fair share cost of the traffic control improvements at Spruce and Helm Avenues prior to issuance of building permits with the option to prorate and/or defer fair share costs to occupancy of each unit and/or building, if approved by the City Engineer. This mitigation measure assumes that installation of a roundabout that includes one entry lane on the eastbound and westbound approaches, two entry lanes on Helm Avenue (northbound and southbound), two circulating lanes adjacent to the east and west legs, and one circulating lane adjacent to the north and south legs will be needed.	City of Clovis Engineering	<i>Prior to Permits</i>	
TRAF-2	The Project proponent and/or applicant shall comply with the requirements of the comment letter provided by the California Department of Transportation (Caltrans), which would require the payment of fair share costs for future improvements to Herndon Avenue. Payment of fair share fees shall be paid to the City of Clovis prior to issuance of building permits with the option to prorate and/or defer fair share costs to occupancy of each unit and/or building, if approved by the City Engineer.	City of Clovis Engineering	<i>Prior to Permits</i>	
Tribal Cultural Resources				

Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
TCR-1	<p>At least five (5) business days prior to any ground-disturbing activities during construction, such as grading and/or installation of utilities, the applicant and/or their contractor, shall notify cultural resources staff at Table Mountain Rancheria to invite them to monitor the site during such ground-disturbance. At the time of this notification, the applicant shall also provide grading plans to Table Mountain Rancheria for review. If prehistoric or historic-era cultural materials are encountered during construction activities, all work in the immediate vicinity of the find shall halt until a qualified professional archaeologist/tribal representative, meeting the Secretary of the Interior's Professional Qualification Standards for prehistoric and historic archaeologist, can evaluate the significance of the find and make recommendations. Cultural resource materials may include prehistoric resources such as flaked and ground stone tools and debris, shell, bone, ceramics, and fire-affected rock as well as historic resources such as glass, metal, wood, brick, or structural remnants.</p> <p>If the qualified professional archaeologist/tribal representative determines that the discovery represents a potentially significant cultural resource, additional investigations may be required to mitigate adverse impacts from project implementation. These additional studies may</p>	City of Clovis Planning	<i>Prior to Permits and During Construction</i>	

Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
	<p>include avoidance, testing, and evaluation or data recovery excavation.</p> <p>If a potentially-eligible resource is encountered, then the qualified professional archaeologist, the Lead Agency, and the project proponent shall arrange for either 1) total avoidance of the resource or 2) test excavations to evaluate eligibility and, if eligible, total data recovery. The determination shall be formally documented in writing and submitted to the Lead Agency as verification that the provisions for managing unanticipated discoveries have been met.</p>			
TCR-2	<p>If human remains are discovered during construction or operational activities, further excavation or disturbance shall be prohibited pursuant to Section 7050.5 of the California Health and Safety Code. The specific protocol, guidelines, and channels of communication outlined by the Native American Heritage Commission, in accordance with Section 7050.5 of the Health and Safety Code, Section 5097.98 of the Public Resources Code (Chapter 1492, Statutes of 1982, Senate Bill 297), and Senate Bill 447 (Chapter 44, Statutes of 1987), shall be followed. Section 7050.5(c) shall guide the potential Native American involvement, in the event of discovery of human remains, at the direction of the County coroner. All reports, correspondence, and determinations</p>	City of Clovis Planning	<i>Prior to Permits and During Construction</i>	

Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
	regarding the discovery of human remains on the project site shall be submitted to the Lead Agency.			

Draft Resolutions and Ordinance

ATTACHMENT 3

**DRAFT
RESOLUTION 19-_____**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLOVIS APPROVING A
MITIGATED NEGATIVE DECLARATION FOR REZONE R2019-004, CONDITIONAL
USE PERMIT CUP2019-004, VESTING TENTATIVE TRACT MAP TM6262,
VARIANCE V2019-001, AND RESIDENTIAL SITE PLAN REVIEW RSPR2019-003,
PURSUANT TO CEQA GUIDELINES**

WHEREAS, Lennar Homes of California, Inc., 8080 N. Palm Avenue, Suite 110, Fresno, CA 93711, has submitted various files including a Rezone R2019-004, Conditional Use Permit CUP2019-004, Vesting Tentative Tract Map TM6262, Variance V2019-001, and Residential Site Plan Review RSPR2019-003, for property located on northwest corner of Spruce and Peach Avenues, currently in the City of Clovis, County of Fresno, California; and

WHEREAS, the City of Clovis ("City") caused to be prepared an Initial Study (hereinafter incorporated by reference) in June 2019, for the Project to evaluate potentially significant adverse environmental impacts and on the basis of that study it was determined that no significant environmental impacts would result from this Project with mitigation measures included; and

WHEREAS, on the basis of this Initial Study, a Mitigated Negative Declaration has been prepared, circulated, and made available for public comment pursuant to the California Environmental Quality Act ("CEQA"), Public Resources Code, section 21000, et seq., and Guidelines for implementation of CEQA, 14 California Code of Regulations, sections 15000, et seq. from June 21, 2019 to July 11, 2019; and

WHEREAS, the City Council has independently reviewed, evaluated, and considered the Initial Study, Mitigated Negative Declaration and all comments, written and oral, received from persons who reviewed the Mitigated Negative Declaration, or otherwise commented on the Project.

NOW, THEREFORE, the City Council of the City of Clovis resolves as follows:

1. Adopts the foregoing recitals as true and correct.
2. Finds that the Initial Study and Mitigated Negative Declaration for the Project are adequate and have been completed in compliance with CEQA and the CEQA Guidelines.
3. Finds and declares that the Initial Study and Mitigated Negative Declaration were presented to the City Council and that the City Council has independently reviewed, evaluated, and considered the Initial Study, Mitigated Negative Declaration and all comments, written and oral,

received from persons who reviewed the Initial Study and Mitigated Negative Declaration, or otherwise commented on the Project prior to approving the Project and adopts the Mitigated Negative Declaration for this project.

4. Approves and adopts the Mitigation Monitoring Program set forth in Attachment "2," including the mitigation measures identified therein and as described in the Mitigated Negative Declaration.
5. Directs that the record of these proceedings be contained in the Department of Planning and Development Services located at 1033 Fifth Street, Clovis, California 93612, and that the custodian of the record be the Deputy City Planner or other person designated by the Planning and Development Services Director.
6. The Planning and Development Services Director, or his/her designee, is authorized to file a Notice of Determination for the Project in accordance with CEQA and to pay any fees required for such filing.

* * * * *

The foregoing resolution was introduced and adopted at a regular meeting of the City Council of the City of Clovis held on August 5, 2019, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Date: August 5, 2019

Mayor

Attest:

City Clerk

**DRAFT
ORDINANCE 19-___**

**AN ORDINANCE AMENDING AND CHANGING THE OFFICIAL ZONE MAP OF
THE CITY OF CLOVIS IN ACCORDANCE WITH SECTIONS 9.08.020 AND
9.86.010 OF THE CLOVIS MUNICIPAL CODE TO RECLASSIFY A PORTION OF
LAND LOCATED AT THE NORTHWEST CORNER OF SPRUCE AND PEACH
AVENUES AND CONFIRMING ENVIRONMENTAL FINDINGS**

LEGAL DESCRIPTION:

See the attached Exhibit "One."

WHEREAS, Lennar Homes of California, Inc., 8080 N. Palm Avenue, Suite 110, Fresno, CA 93711, has applied for a Rezone R2019-004; and

WHEREAS, this is a request to rezone approximately 2.5 acres from the R-A (Single-Family Residential – 24,000 Sq. Ft.) to the R-2 (Low Density Multiple Family Residential) (1 Unit / 3,000 Sq. Ft.) Zone District for a portion property located on the northwest corner of Spruce and Peach avenues, in the City of Clovis, California; and

WHEREAS, the Planning Commission held a noticed Public Hearing on July 11, 2019, to consider the Project Approval, at which time interested persons were given opportunity to comment on the Project; and

WHEREAS, the Planning Commission recommended that the Council approve Rezone R2019-004; and

WHEREAS, the Planning Commission's recommendations were forwarded to the City Council for consideration; and

WHEREAS, the City published Notice of a City Council Public Hearing for August 5, 2019, to consider Rezone R2019-004. A copy of the Notice was delivered to interested parties within 600 feet of the project boundaries and published in The Business Journal; and

WHEREAS, the City Council does approve a Mitigated Negative Declaration pursuant to CEQA guidelines; and

WHEREAS, the City Council held a noticed public hearing on August 5, 2019, to consider the approval of Rezone R2019-004; and

WHEREAS, on August 5, 2019, the City Council considered testimony and information received at the public hearing and the oral and written reports from City staff, as well as other documents contained in the record of proceedings relating to Rezone R2019-004, which are maintained at the offices of the City of Clovis Planning and Development Services Department; and

WHEREAS, the City Council has evaluated and considered all comments, written and oral, received from persons who reviewed Rezone R2019-004, or otherwise commented on the Project; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CLOVIS DOES ORDAIN AS FOLLOWS:

SECTION 1: FINDINGS. The Council finds as follows:

1. That the proposed amendment is consistent with the goals, policies, and actions of the General Plan; and
2. The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or general welfare of the City.
3. The parcel is physically suitable (including absence of physical constraints, access, compatibility with adjoining land uses, and provision of utilities) for the requested zoning designations and anticipated land uses/projects. (§ 2, Ord. 14-13, eff. October 8, 2014)

SECTION 2: The Official Map of the City is amended in accordance with Sections 9.8.020 and 9.86.010 of the Clovis Municipal Code by reclassification of certain land in the City of Clovis, County of Fresno, State of California, to wit:

From Classification R-A to R-2

A portion of property so reclassified is located at the northwest corner of Spruce and Peach Avenues in the City of Clovis, County of Fresno, California, and is more particularly described as shown in "Exhibit One."

SECTION 3: This Ordinance shall go into effect and be in full force from and after thirty (30) days after its final passage and adoption.

SECTION 4: The record of proceedings is contained in the Planning and Development Services Department, located at 1033 Fifth Street, Clovis, California 93612, and the custodian of record is the City Planner.

APPROVED: August 5, 2019

Mayor

* * * * *

City Clerk

* * * * *

The foregoing Ordinance was introduced at a regular meeting of the City Council held on August 5, 2019, and was adopted at a regular meeting of said Council held on _____, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

DATED:

City Clerk

**EXHIBIT ONE
LEGAL DESCRIPTION
R2019-004**

Real property in the City of Clovis, County of Fresno, State of California, described as follows:

That portion of Lots 21, 22, 23, and 24 of Shepherd & Teague Alluvial Tract No. 2, according to the map thereof recorded October 30, 1902, in Book 2, Page 40 of Record of Surveys, Fresno County Records, being more particularly described as follows:

Commencing at the Northwest corner of said Lot 21; thence South $00^{\circ}06'54''$ East, along the West line of said Lot 21, a distance of 30.00 feet; thence South $89^{\circ}46'02''$ East, parallel with and 30.00 feet South of the North line of said Lot 21, a distance of 704.72 feet to the point of curvature of a tangent curve concave southwesterly and having a radius of 742.00 feet; thence Southeasterly along said tangent curve, through a central angle of $64^{\circ}45'13''$, an arc distance of 838.58 feet; thence North $18^{\circ}53'48''$ East, a distance of 28.43 feet to a point on the arc of a non-tangent curve concave Southerly and having a radius of 282.00 feet, a radial to said point bears North $24^{\circ}22'44''$ West; thence Easterly along said non-tangent curve, through a central angle of $24^{\circ}30'55''$, an arc distance of 120.66 feet, thence South $89^{\circ}51'49''$ East, parallel with the south lines of said Lots 23 and 24, a distance of 1229.62 feet to a point on the East line of said Lot 24; thence North $00^{\circ}07'54''$ East, along the East line of said Lot 24, a distance of 400.90 feet to the Northeast corner of said Lot 24; thence North $89^{\circ}46'02''$ West, along the North lines of said lots 24, 23, 22, and 21, a distance of 2731.01 feet to the Point of Beginning.

Excepting therefrom all that portion described in the Grant Deed to the City of Clovis recorded November 28, 2005 as Document No. 2005-0278107, of Official Records.

Also excepting therefrom all that portion described in the Grant Deed to the City of Clovis recorded May 19, 2006 as Document No. 2006-0106251, of Official Records.

Also excepting therefrom all that portion described in the Grant Deed to Edward J. Donaghy and Janis M. Donaghy, trustees of the Edward and Janis Donaghy Living Trust dated December 11, 2009, said Grant Deed recorded December 22, 2009 as Document No. 2009-0172323, of Official Records.

**DRAFT
RESOLUTION 19-_____**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLOVIS APPROVING A
CONDITIONAL USE PERMIT FOR A 185-LOT PLANNED RESIDENTIAL DEVELOPMENT,
PRIVATE STREETS, AND REDUCED SETBACKS FOR PROPERTY LOCATED ON THE
NORTHWEST CORNER OF SPRUCE AND PEACH AVENUES**

The City Council of the City of Clovis resolves as follows:

LEGAL DESCRIPTION:

See Exhibit "One," which is on file with the City Clerk's office.

WHEREAS, Lennar Homes of California, Inc., 8080 N. Palm Avenue, Suite 110, Fresno, CA 93711, has applied for a Conditional Use Permit CUP2019-004; and

WHEREAS, this is a request to approve a conditional use permit to allow for a 185-lot Planned Residential Development with private streets and reduced setbacks for properties located at the northwest corner of Spruce and Peach Avenues, in the City of Clovis; and

WHEREAS, a public notice was sent out to area residents within 600 feet of said property boundaries ten days prior to said hearing; and

WHEREAS, a duly noticed hearing was held on August 5, 2019; and

WHEREAS, the proposed Conditional Use Permit CUP2019-004, was assessed under the provisions of the California Environmental Quality Act (CEQA) and the potential effects on the environment were considered by the City Council, together with comments received and public comments, and the entire public record was reviewed; and

WHEREAS, the City Council does approval of a Mitigated Negative Declaration pursuant to CEQA guidelines; and

WHEREAS, on August 5, 2019, after hearing evidence gathered by itself and on its behalf and after making the following findings, namely:

1. The planned development permit would:
 - a. Be allowed within the subject base zoning district;
 - b. Be consistent with the purpose, intent, goals, policies, actions, and land use designations of the General Plan and any applicable specific plan;
 - c. Be generally in compliance with all of the applicable provisions of this Development Code relating to both on- and off-site improvements that are necessary to accommodate flexibility in site planning and property development and to carry out the purpose, intent, and requirements of this chapter and the subject base zoning district, including prescribed development standards and applicable design guidelines; and
 - d. Ensure compatibility of property uses within the zoning district and general neighborhood of the proposed development.

2. The proposed project would produce a comprehensive development of superior quality (e.g., appropriate variety of structure placement and orientation opportunities, appropriate mix of structure sizes, high quality architectural design, increased amounts of landscaping and open space, improved solutions to the design and placement of parking facilities, incorporation of a program of enhanced amenities, etc.) than which might otherwise occur from more traditional development applications;
3. Proper standards and conditions have been imposed to ensure the protection of the public health, safety, and welfare;
4. Proper on-site traffic circulation and control is designed into the development to ensure protection for fire suppression and police surveillance equal to or better than what would normally be created by compliance with the minimum setback and parcel width standards identified in Division 2 of this title (Zoning Districts, Allowable Land Uses, and Zone-Specific Standards);
5. The subject parcel is adequate in terms of size, shape, topography, and circumstances to accommodate the proposed development;
6. The design, location, operating characteristics, and size of the proposed development would be compatible with the existing and future land uses in the vicinity, in terms of aesthetic values, character, scale, and view protection (§ 2, Ord. 14-13, eff. October 8, 2014);
7. The proposed project has been reviewed in compliance with the provisions of the California Environmental Quality Act (CEQA), and there would be no potential significant negative effects upon environmental quality and natural resources that would not be properly mitigated and monitored, unless findings are made in compliance with CEQA. (§ 2, Ord. 14-13, eff. October 8, 2014); and
8. The City Council does find the project in substantial conformance with the environmental analysis performed for the 2014 General Plan Update and 2014 Development Code Update pursuant to CEQA guidelines.

WHEREAS, on August 5, 2019, Council considered said application and after hearing and receipt of testimony relative thereto and consideration thereof finds and determines that said conditional use permit should be approved on the conditions hereafter provided.

NOW, THEREFORE, BE IT RESOLVED:

1. Conditional Use Permit application CUP2019-004 is hereby approved.
2. Said approval and conditional use permit are conditioned on the compliance by the applicant with each and all of the conditions set forth in Attachment "1," which is on file with the City Clerk's office.
3. City Council makes a finding of consistency that the dedication toward public right-of-way is proportionate to the development being requested.

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The foregoing resolution was introduced and adopted at a regular meeting of the City Council of the City of Clovis held on August 5, 2019, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

DATED: August 5, 2019

Mayor

City Clerk

**EXHIBIT ONE
LEGAL DESCRIPTION
CUP2019-004**

Real property in the City of Clovis, County of Fresno, State of California, described as follows:

That portion of Lots 21, 22, 23, and 24 of Shepherd & Teague Alluvial Tract No. 2, according to the map thereof recorded October 30, 1902, in Book 2, Page 40 of Record of Surveys, Fresno County Records, being more particularly described as follows:

Commencing at the Northwest corner of said Lot 21; thence South 00°06'54" East, along the West line of said Lot 21, a distance of 30.00 feet; thence South 89°46'02" East, parallel with and 30.00 feet South of the North line of said Lot 21, a distance of 704.72 feet to the point of curvature of a tangent curve concave southwesterly and having a radius of 742.00 feet; thence Southeasterly along said tangent curve, through a central angle of 64°45'13", an arc distance of 838.58 feet; thence North 18°53'48" East, a distance of 28.43 feet to a point on the arc of a non-tangent curve concave Southerly and having a radius of 282.00 feet, a radial to said point bears North 24°22'44" West; thence Easterly along said non-tangent curve, through a central angle of 24°30'55", an arc distance of 120.66 feet, thence South 89°51'49" East, parallel with the south lines of said Lots 23 and 24, a distance of 1229.62 feet to a point on the East line of said Lot 24; thence North 00°07'54" East, along the East line of said Lot 24, a distance of 400.90 feet to the Northeast corner of said Lot 24; thence North 89°46'02" West, along the North lines of said lots 24, 23, 22, and 21, a distance of 2731.01 feet to the Point of Beginning.

Excepting therefrom all that portion described in the Grant Deed to the City of Clovis recorded November 28, 2005 as Document No. 2005-0278107, of Official Records.

Also excepting therefrom all that portion described in the Grant Deed to the City of Clovis recorded May 19, 2006 as Document No. 2006-0106251, of Official Records.

APN: 561-260-10 and 561-260-17

**DRAFT
RESOLUTION 19-____**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLOVIS APPROVING A
VESTING TENTATIVE TRACT MAP FOR A 185-LOT PLANNED RESIDENTIAL
DEVELOPMENT ON APPROXIMATELY 12.50 ACRES OF PROPERTY LOCATED AT
THE NORTHWEST CORNER OF SPRUCE AND PEACH AVENUES AND
CONFIRMING ENVIRONMENTAL FINDINGS**

The City Council of the City of Clovis resolves as follows:

WHEREAS, a Vesting Tentative Tract Map TM6262 has been filed with and considered by the City Council of the City of Clovis; and

WHEREAS, the proposed Project was assessed under the provisions of the California Environmental Quality Act (CEQA) and the potential effects on the environment were considered by the City Council, together with comments received and public comments, and the entire public record was reviewed; and

WHEREAS, the Planning Commission has considered said map on July 11, 2019, and adopted its Resolution No. 19-25, approving said tentative map; and

WHEREAS, the City Council does approve a Mitigated Negative Declaration pursuant to CEQA guidelines.

WHEREAS, this Council finds and determines that approval of said map should be conditioned on all conditions recommended by the City staff, as set forth in Attachment "1" which is on file with the City Clerk's office.

NOW, THEREFORE, BE IT RESOLVED as follows:

- a. The proposed map is consistent with applicable general and specific plans;
- b. The design or improvement of the proposed subdivision is consistent with applicable general and specific plans;
- c. The site is physically suitable for the type of development;
- d. The site is physically suitable for the proposed density of development;
- e. The design of the subdivision or the type of improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat;
- f. The design of the subdivision or the type of improvements is not likely to cause serious public health problems; and

- g. The design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through the use of property within the proposed subdivision.
- h. The dedication toward public right-of-way is proportionate to the development being requested.

* * * * *

The foregoing resolution was introduced and adopted at a regular meeting of the City Council of the City of Clovis held on August 5, 2019, by the following vote, to wit:

AYES:
NOES:
ABSENT:
ABSTAIN:

DATED: August 5, 2019

Mayor

City Clerk

**DRAFT
RESOLUTION 19-__**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLOVIS APPROVING A
VARIANCE TO REDUCE THE MINIMUM DRIVE AISLE WIDTH FROM 26 FEET TO 20
FEET FOR PORTIONS OF THE PRIVATE ROADWAY NETWORK FOR PROPERTY
LOCATED AT ASSESSOR PARCEL NUMBERS 561-260-10 AND 561-260-17**

WHEREAS, Lennar Homes of California, Inc., 8080 North Palm Avenue, Suite 110, Fresno, CA 93711, has applied for a Variance V2019-001; and

WHEREAS, this is a request to approve a variance to reduce the minimum drive aisle width from 26 Feet to 20 feet for portions of the private roadway network for property located at assessor parcel numbers 561-260-10 and 561-260-17, in the City of Clovis; County of Fresno, California; and

WHEREAS, a public notice was sent out to area residents within 600 feet of said property boundaries twenty-one days prior to said hearing; and

WHEREAS, a duly noticed hearing was held on August 5, 2019; and

WHEREAS, the Commission, has reviewed and considered the staff report and all written materials submitted in connection with the request including the conditions attached as Attachment 1 to this resolution and incorporated herein by this reference, and hearing and considering the testimony presented during the public hearing; and:

1. That the request does not constitute a use variance and is, therefore, within the scope of State Planning law;
2. There are exceptional or extraordinary circumstances or conditions applicable to the property involved which do not apply generally to other property in the vicinity having the identical zoning classification.
3. Such variance is necessary for the preservation and enjoyment of a substantial property right of the applicant, which right is possessed by other property owners under like conditions in the vicinity having the identical zoning classification.
4. The granting of this variance will not be materially detrimental to the public welfare or injurious to property and improvements in the vicinity in which the property is located; and
5. The granting of such a variance will not be contrary to the objectives of the General Plan.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Clovis City Council does approve V2019-001, subject to the attached conditions labeled Attachment 1.

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The foregoing resolution was introduced and adopted at a regular meeting of the City Council of the City of Clovis held on August 5, 2019, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

DATED: August 5, 2019

Mayor

City Clerk

Vesting Tentative Tract Map TM6262

ATTACHMENT 4

LEGAL DESCRIPTION

REAL PROPERTY IN THE CITY OF CLOVIS, COUNTY OF FRESNO, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

THAT PORTION OF LOTS 21, 22, 23 AND 24 OF SHEPHERD & TEAGUE ALLUVIAL TRACT NO. 2, ACCORDING TO THE MAP THEREOF RECORDED OCTOBER 30, 1902, IN BOOK 2, PAGE 40 OF RECORD OF SURVEYS, FRESNO COUNTY RECORDS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 21; THENCE SOUTH 00°06'54"EAST, ALONG THE WEST LINE OF SAID LOT 21, A DISTANCE OF 30.00 FEET; THENCE SOUTH 89°46'02"EAST, PARALLEL WITH AND 30.00 FEET SOUTH OF THE NORTH LINE OF SAID LOT 21, A DISTANCE OF 704.72 FEET TO THE POINT OF CURVATURE OF A TANGENT CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 742.00 FEET; THENCE SOUTHEASTERLY ALONG SAID TANGENT CURVE, THROUGH A CENTRAL ANGLE OF 64°45'13", AN ARC DISTANCE OF 838.58 FEET; THENCE NORTH 18°53'48"EAST, A DISTANCE OF 28.43 FEET TO A POINT ON THE ARC OF A NON-TANGENT CURVE CONCAVE SOUTHERLY AND HAVING A RADIUS OF 282.00 FEET, A RADIAL TO SAID POINT BEARS NORTH 24°22'44"WEST; THENCE EASTERLY ALONG SAID NON-TANGENT CURVE, THROUGH A CENTRAL ANGLE OF 24°30'55", AN ARC DISTANCE OF 120.66 FEET, THENCE SOUTH 89°51'49"EAST, PARALLEL WITH THE SOUTH LINES OF SAID LOTS 23 AND 24, A DISTANCE OF 1229.62 FEET TO A POINT ON THE EAST LINE OF SAID LOT 24; THENCE NORTH 00°07'54"EAST, ALONG THE EAST LINE OF SAID LOT 24, A DISTANCE OF 400.90 FEET TO THE NORTHEAST CORNER OF SAID LOT 24; THENCE NORTH 89°46'02"WEST, ALONG THE NORTH LINES OF SAID LOTS 24, 23, 22 AND 21, A DISTANCE OF 2731.01 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM ALL THAT PORTION DESCRIBED IN THE GRANT DEED TO THE CITY OF CLOVIS RECORDED NOVEMBER 28, 2005 RS DOCUMENT NO. 2005-0278107, OF OFFICIAL RECORDS.

ALSO EXCEPTING THEREFROM ALL THAT PORTION DESCRIBED IN THE GRANT DEED TO THE CITY OF CLOVIS RECORDED MAY 19, 2006 AS DOCUMENT NO. 2006-0106251, OF OFFICIAL RECORDS.

APN: 561-260-10 & 561-260-17

GENERAL NOTES

1. THE PARCELS ARE VACANT/IDLE
2. EXISTING ZONING IS R-A & R-2.
3. PROPOSED ZONING IS R-2.
4. SOURCE OF WATER SUPPLY SHALL BE THE CITY OF CLOVIS.
5. SOURCE OF SEWER DISPOSAL SHALL BE THE CITY OF CLOVIS.
6. SITE ACREAGE IS 12.9± GROSS ACRES AND 12.5± NET ACRES (GROSS ACREAGE, LESS PRIVATE AND PUBLIC ROADS).
7. THE TRACT IS NOT WITHIN 200' OF ANY RAILROAD, FREEWAY OR EXPRESSWAY.
8. ABANDON SEPTIC SYSTEMS AND WATER WELLS TO CITY STANDARDS.
9. ALL PUBLIC UTILITIES (GAS & ELECTRIC - PG&E, TELEPHONE - AT&T, CABLE TELEVISION - COMCAST, AND CITY OF CLOVIS WATER & SEWER) SHALL BE INSTALLED.
10. ALL IMPROVEMENTS PROPOSED (SEWER, WATER, STORM DRAIN, CURB, GUTTER, STREETLIGHTS, SIDEWALK, AND PERMANENT PAVEMENT) SHALL BE CONSTRUCTED TO CITY STANDARDS.
11. LANDSCAPING SHALL COMPLY WITH THE CITY OF CLOVIS WATER EFFICIENCY ORDINANCE.
12. ALL EXTERIOR SIGNS AND/OR SIGNS ON THE INSIDE OF THE BUILDING WHICH ARE INTENDED TO BE VIEWED FROM THE OUTSIDE SHALL REQUIRE SEPARATE SIGN PERMITS PRIOR TO INSTALLATION.
13. ALL PROPOSED SIGNS ARE SUBJECT TO A SEPARATE SIGN REVIEW AND SHALL CONFORM TO THE MUNICIPAL SIGN ORDINANCE.
14. ALL ON-SITE WATER MAINS SHALL BE IN 15' UTILITY EASEMENTS DEDICATED TO THE CITY.
15. THE APPROVAL OF THESE PLANS AND SPECIFICATIONS DOES NOT PERMIT THE VIOLATION OF ANY SECTION OF THE BUILDING CODE, MUNICIPAL ORDINANCES, OR STATE LAWS.
16. THESE PLANS AND RELATED DOCUMENTS MUST BE AVAILABLE AT THE JOB SITE DURING ANY INSPECTION ACTIVITY.

VESTING TENTATIVE SUBDIVISION MAP TRACT NO. 6262

A MULTI-FAMILY RESIDENTIAL SUBDIVISION
IN THE CITY OF CLOVIS
FRESNO COUNTY, CALIFORNIA

EASEMENTS TO BE ABANDONED

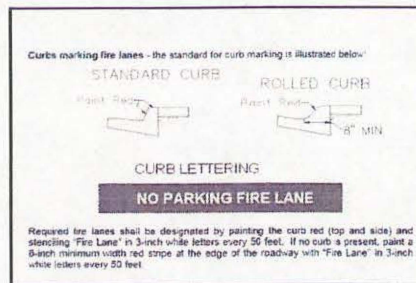
1. 10' WIDE EASEMENT FOR DITCH PER SHEPHERD & TEAGUE ALLUVIAL TRACT NO. 2 RECORDED IN BOOK 2, PAGE 40 OF SURVEYS, F.C.R.
2. EASEMENT FOR CANAL PER WATER AGREEMENT RECORDED APRIL 9, 1902, IN BOOK 34, PAGE 476, O.R.F.C.
3. EASEMENT FOR EXISTING DITCH KNOWN AS BRISCOE DITCH NO. 383, RECORDED APRIL 2, 1941 AS BOOK 1902, PAGE 478, O.R.F.C.
4. EASEMENT FOR SLOPE PURPOSES PER "DEED OF COVENANT SLOPE EASEMENT" RECORDED SEPTEMBER 28, 1989 AS INSTRUMENT NO. 89105412 OF OFFICIAL RECORDS.

FIRE DEPARTMENT COMMENTS

1. FIRE APPARATUS ACCESS WIDTH SHALL BE DETERMINED BY MEASURING FROM "BASE TO CURB" TO "BASE OF CURB" FOR ROADWAYS THAT HAVE CURBS. WHEN ROADWAYS DO NOT HAVE CURBS, THE MEASUREMENTS SHALL BE FROM THE EDGE OF THE ROADWAY SURFACE (APPROVED ALL WEATHER SURFACE).
2. STREET WIDTH FOR SINGLE FAMILY RESIDENCES SHALL COMPLY WITH CLOVIS FIRE STANDARD #1.1
3. ALL ACCESS WAY ROADS CONSTRUCTED SHALL BE DESIGNED WITH A MINIMUM OUTSIDE TURNING RADIUS OF FORTY-FIVE FEET.
4. ALL SECURITY GATES SHALL COMPLY WITH CLOVIS FIRE DEPARTMENT GATES STANDARDS #1.5. PLANS SHALL BE SUBMITTED FOR REVIEW AND PERMITS ISSUED BY FIRE DEPARTMENT PRIOR TO INSTALLATION.
5. THE APPLICANT SHALL INSTALL TEMPORARY STREET SIGNS THAT MEET CITY TEMPORARY STREET SIGN STANDARD #1.9 PRIOR TO ISSUANCE OF BUILDING PERMITS WITHIN A SUBDIVISION.
6. THE APPLICANT SHALL PROVIDE ALL WEATHER ACCESS TO THE SITE DURING ALL PHASES OF CONSTRUCTION TO THE SATISFACTION OF THE APPROVED CLOVIS FIRE DEPARTMENT STANDARD #1.2 OR #1.3.
7. ANY DEVELOPMENT TO THIS PARCEL WILL REQUIRE A MINIMUM OF TWO (2) POINTS OF ACCESS TO BE REVIEWED AND APPROVED BY THE CLOVIS FIRE DEPARTMENT. ALL REQUIRED ACCESS DRIVES SHALL REMAIN ACCESSIBLE DURING ALL PHASES OF CONSTRUCTION WHICH INCLUDES PAVING, CONCRETE WORK, UNDERGROUND WORK, LANDSCAPING, PERIMETER WALLS.
8. THE FIRE LANES SHALL BE POSTED WITH SIGNS AND/OR THE CURBS SHALL BE PAINTED RED AS PER CLOVIS FIRE DEPARTMENT STANDARD #1.1 AND IDENTIFIED ON SITE PLAN. ALL STREETS THROUGHOUT SUBDIVISION SHALL BE RED CURBED AND MARKED FIRE LANE.
9. PRIVATE STREET NAMES SHALL BE CONSISTENT WITH PUBLIC STREET NAMES TO THE NORTH AND SOUTH OR TO THE EAST AND WEST ALIGNMENTS AS APPROVED BY THE FIRE DEPARTMENT.
10. THE APPLICANT SHALL INSTALL 12 4 1/2" X 2 1/2" APPROVED RESIDENTIAL TYPE FIRE HYDRANT(S) AND "BLUE DOT" HYDRANT LOCATORS, PAINT FIRE HYDRANT(S) YELLOW WITH BLUE TOP AND CAPS, AND PAINT THE CURB RED AS SPECIFIED BY THE ADOPTED CLOVIS FIRE DEPARTMENT STANDARD #1.4. PLANS SHALL BE SUBMITTED TO THE CLOVIS FIRE DEPARTMENT FOR REVIEW AND APPROVAL PRIOR TO INSTALLATION. THE HYDRANT(S) SHALL BE CHARGED AND IN OPERATION PRIOR TO ANY FRAMING OR COMBUSTIBLE MATERIAL BEING BROUGHT ONTO THE SITE. HYDRANTS CURB MARKINGS AND BLUE DOTS TO BE COMPLETED PRIOR TO OCCUPANCY OF ANY HOMES.
11. THE APPLICANT SHALL INSTALL APPROVED LOOPED WATER MAIN CAPABLE OF THE NECESSARY FLOW OF WATER FOR ADEQUATE FIRE PROTECTION AND APPROVED BY THE CLOVIS FIRE DEPARTMENT.
12. THE APPLICANT SHALL INSTALL AN AUTOMATIC FIRE SPRINKLER SYSTEM IN ALL NEW ONE- AND TWO-FAMILY DWELLINGS AND MANUFACTURED HOMES AS PER NFPA 13D, 2016. ANY COVERED PATIOS OR BALCONIES SHALL BE PROTECTED BY FIRE SPRINKLERS.

LEGEND

- FIRE HYDRANT PER FIRE DEPARTMENT STANDARD #1.4 AND CITY STANDARD W-2
- FIRE LANE CURB MARKINGS PER FIRE DEPARTMENT STANDARD #1.1

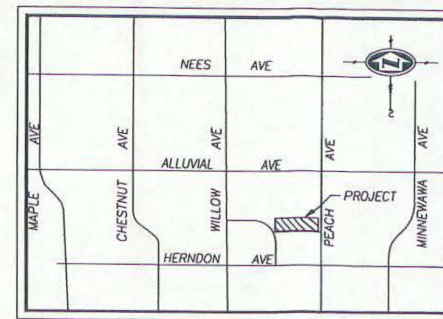


LAND USE STATISTICS:

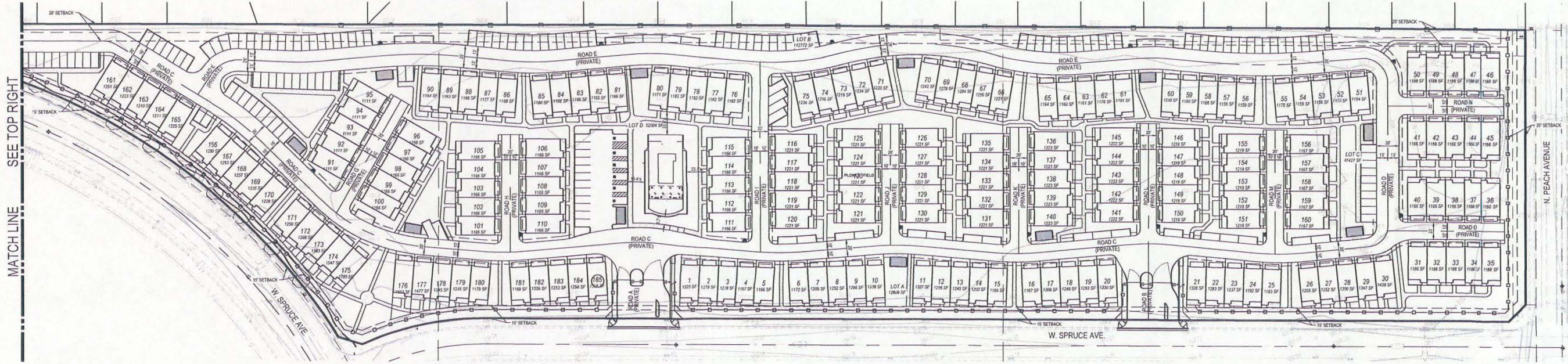
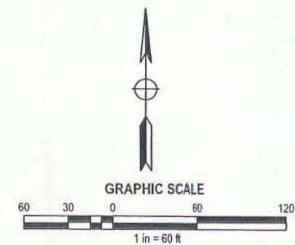
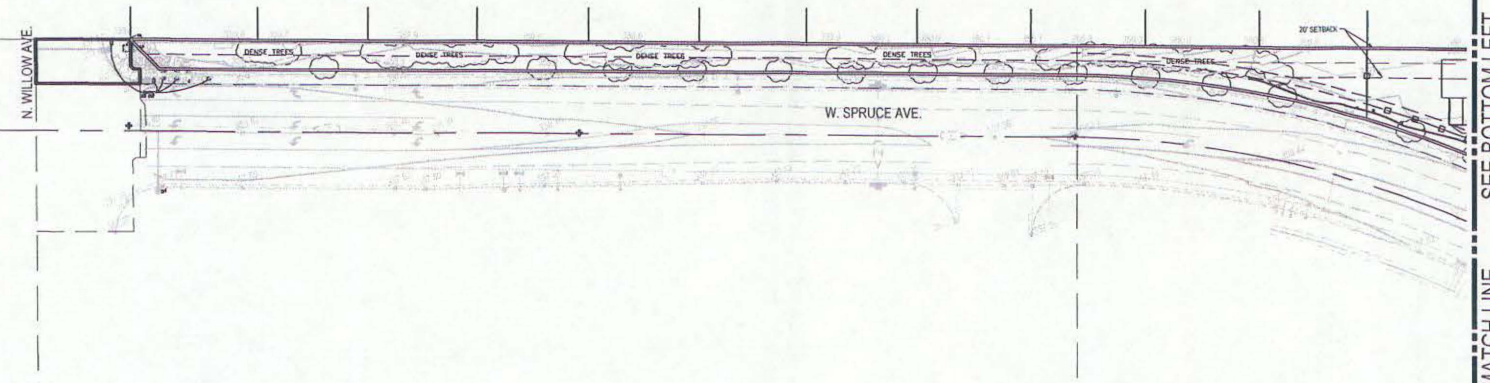
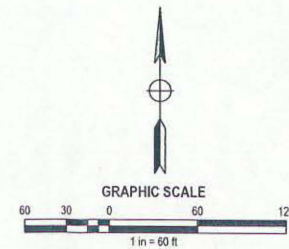
TOTAL NUMBER OF LOTS: 185 NUMBERED, 4 LETTERED
GROSS ACREAGE: 12.5±
NET ACREAGE: 12.5±
DENSITY: 14.8 DU/AC
PROPOSED LAND USE DESIGNATION: MH
PROPOSED ZONING: R-2

OWNER/SUBDIVIDER

LENNAR
8080 N. PALM AVENUE, SUITE 110
FRESNO, CA 93711
(559) 437-4269
CA CONTRACTOR'S LICENSE #728102



VICINITY MAP
N.T.S.



SCALE:	BENCH MARK
HORIZ. 1" = 60'	TBM 4049, CHISELED SQUARE ON CURB, EAST SIDE OF WILLOW, 920' NORTH OF HERNDON ELEV. = 357.304' (NAVD 88)
VERT. 1" = N/A	

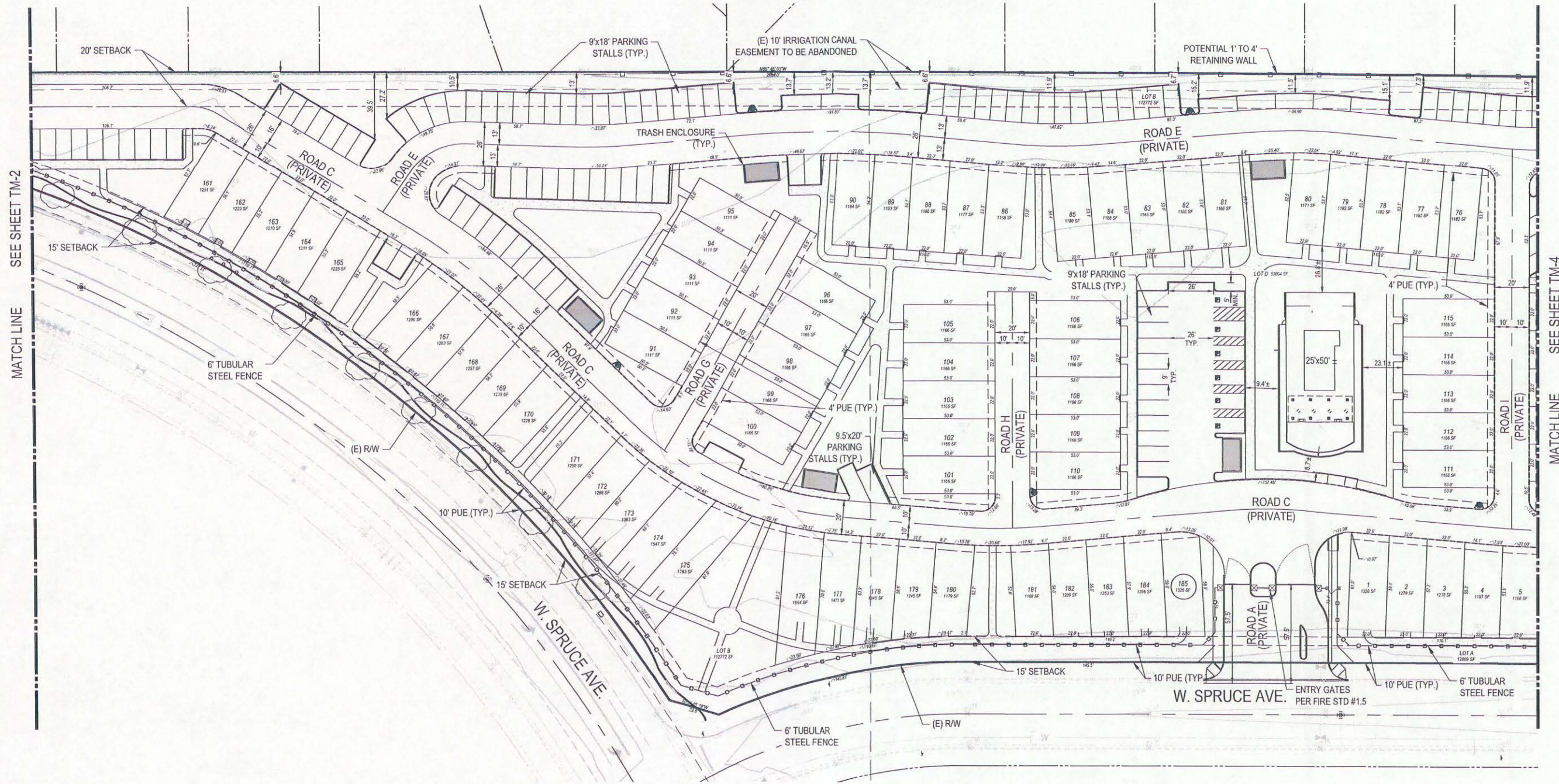
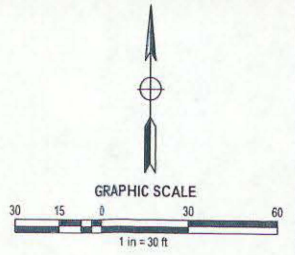
COMPUTED	
DESIGNED	GJB
DRAWN	TMG
PROJ. ENGR.	GJB

mp **MORTON & PITALO, INC.**
CIVIL ENGINEERING • LAND PLANNING • LAND SURVEYING
Folsom • Sacramento • Fresno
7643 North Ingram Avenue, Suite #105
Fresno, CA 93711
phone: (559) 853-4505
survey email: staking@mpengr.com • web: www.mpengr.com

VESTING TENTATIVE SUBDIVISION MAP
FOR
SPRUCE AVENUE & PEACH AVENUE (TRACT NO. 6262)
CITY OF CLOVIS, CALIFORNIA

DATE	JUNE 28, 2019
SHEET	TM-1
OF	4

VESTING TENTATIVE SUBDIVISION MAP TRACT NO. 6262
A MULTI-FAMILY RESIDENTIAL SUBDIVISION
IN THE CITY OF CLOVIS
FRESNO COUNTY, CALIFORNIA



Dwg: 2018-06-28-001-001 (N: PEACH & SPRUCE CLOVIS) DWG: 18005-P01-TM01.DWG | Sheet: 18-0075-00 | Printed: 06-28-19 10:37am KJOLLY | Plot: 06-28-19 10:37am KJOLLY

SCALE:	BENCH MARK
HORIZ. 1" = 30'	TBM 4049, CHISELED SQUARE ON CURB, EAST SIDE OF WILLOW, 920' NORTH OF HERNDON ELEV. = 357.304' (NAVD 88)
VERT. 1" = N/A	
COMPUTED	
DESIGNED GJB	
DRAWN TMG	
PROJ. ENGR. GJB	



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VESTING TENTATIVE SUBDIVISION MAP
FOR
SPRUCE AVENUE & PEACH AVENUE (TRACT NO. 6262)
CITY OF CLOVIS, CALIFORNIA

DATE	JUNE 28, 2019
SHEET	TM-3
OF	4

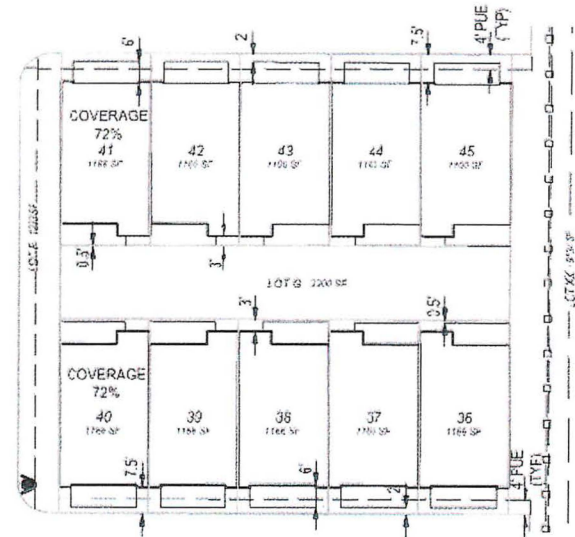
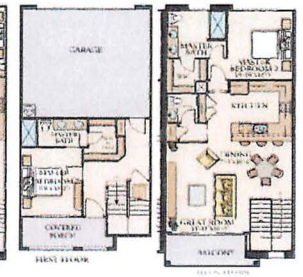
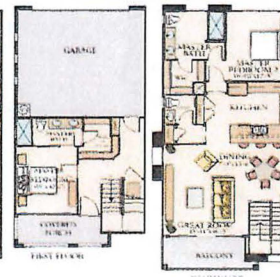
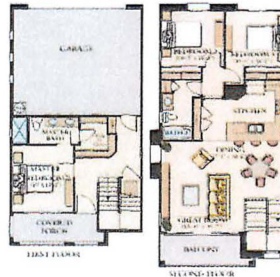
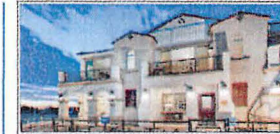
Proposed Development Standards

ATTACHMENT 5

TRACT 6262

Residential Land Use Development Standards

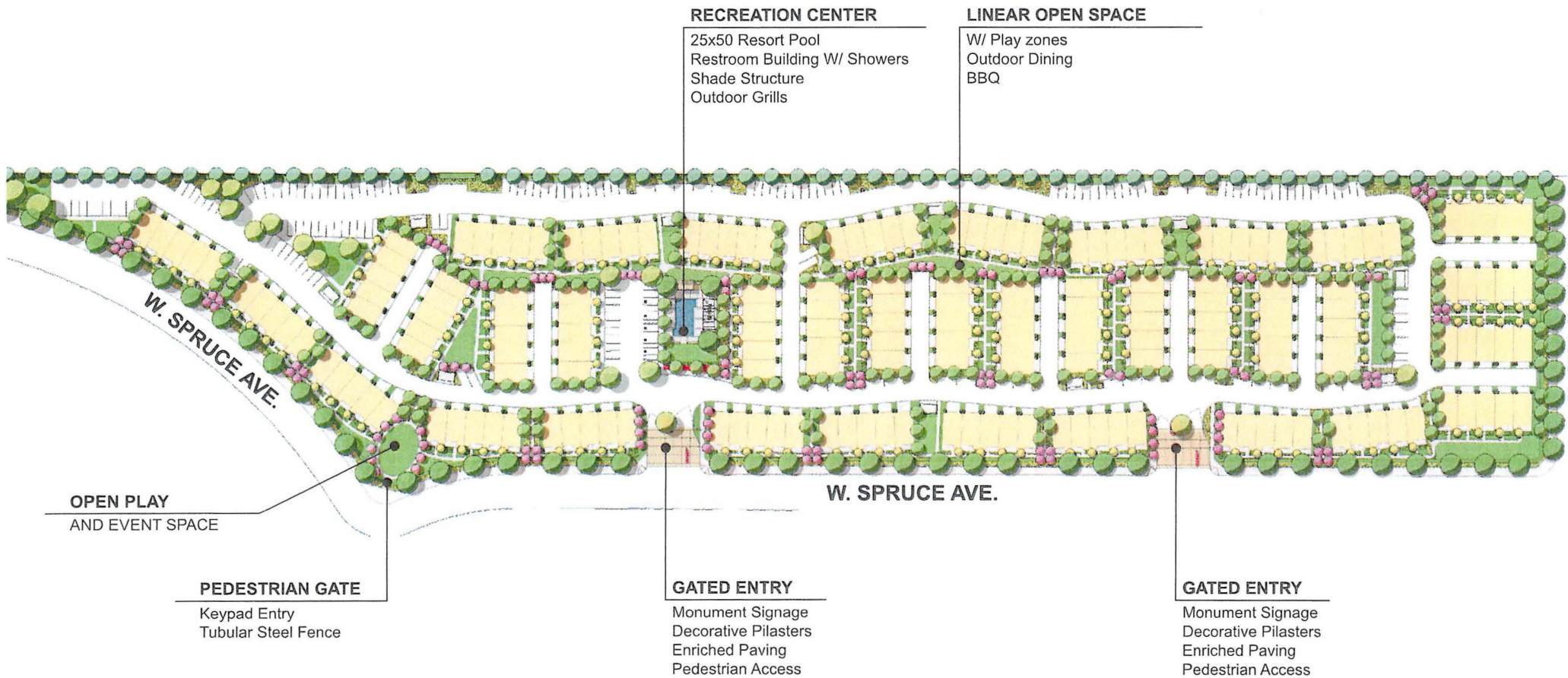
MULTIFAMILY RESIDENTIAL	STANDARD	NOTES
DESIGNATION		
Zone District	R-2, Multifamily Medium-High Density	
GP Density Range	MH - Medium High Density Residential (7.1 - 15.0 DU/Ac)	
Dwelling Units	185	
BUILDING INTENSITY		
Minimum Lot Area	1,000 sq ft	
Minimum Lot Width	20'	
Minimum Lot Depth	50'	
Maximum Coverage	N/A	
Maximum Height	35'	
Curved, Cul-de-Sac or Corner Lot	N/A	
Permitted Density (maximum per lot)		
Residential Density	1 dwelling	
Setbacks (minimum)		
Front	0 ft. from property line	
Side:	0 ft. min. from property line	
Rear	0 ft. min. from property line	6ft. Min. from garage door to alley / property line.
Coverage (maximum)		
Site Coverage	None	Maximum coverage is a function of lot size, required setbacks and usable open space.
Garages / Street / Parking		
Garages / Street / Parking	2-car	20'x20' min. ,
Street (Interior)	20 ft. min.	Curb-to-curb
Parking	1 per Dwelling	1 uncovered space per unit min. 2 car garages
Accessory Uses		
Walls / Fences	4' min. - 8' high max.	
Trellises	12' high max.	
Pools and Spas	3' min	
Equipment	Pool, spa and fountain equipment	
Covered Structures	12' high max.	Covered structure and building additions are allowed subject of review by HOA committee and permitting by the City of Clovis, provided that lot coverage standards are not exceeded and that a rear yard encroachment permit is obtained if encroachment into rear yard occurs.
Accessory Buildings		
5. Building Exterior	Architectural treatment shall be applied to all elevations of a building. At a minimum, all doors, windows and other wall openings shall be trimmed consistent with the architectural style.	



LOT DETAILS

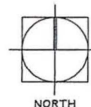
Conceptual Landscape Plan

ATTACHMENT 6



Tract 6262
 Lennar Homes

Conceptual Site Plan



BROUSSARD ASSOCIATES
 landscape architects

Correspondence

ATTACHMENT 7



May 23, 2019

Ricky Caperton
Planning and Development Services Dept.
1033 Fifth St.
Clovis, CA 93612

SUBJECT: R2019-004, CUP2019-004, V2019-001
TM 6262
N. side of W. Spruce Ave, between N. Willow and N. Peach Ave
APN 561-260-10 & 17

Dear Mr. Caperton:

The purpose of this letter is to provide school district information relative to the above-referenced development and to comply with Business and Professions Code section 11010, subdivision (b)(11)(A) regarding the provision of school-related information to the developer/owner and the State Department of Real Estate.

1. Elementary School Information:

- (a) The subject land is presently within the attendance area of the elementary school (grades K-6) listed below:

School Name: *Garfield Elementary*
Address: *1315 N Peach Ave Clovis CA 93619-8342*
Telephone: *(559) 327-6800*
Capacity: *800*
Enrollment: *702 (CBEDS enrollment 2018-19 school year)*

- (b) Because of projected growth in the District and the District's plans for construction of new school facilities, it is possible that (1) adjustment of school attendance areas could occur in the future such that students residing in the project area may be required to attend an elementary school other than the school listed above, and (2) students residing in the project area may attend more than one elementary school within the District during their elementary school years.

Governing Board

Christopher Casado
Steven G. Fogg, M.D.
Susan K. Hatmaker
Brian D. Heryford
Ginny L. Hovseplan
Elizabeth J. Sandoval
Tiffany Stoker Madsen

Administration

Elmear O'Farrell, Ed.D.
Superintendent

Don Ulrich, Ed.D.
Deputy Superintendent

Norm Anderson
Associate Superintendent

Barry S. Jager, Jr.
Associate Superintendent

Michael Johnston
Associate Superintendent

Ricky Caperton
May 23, 2019
Page 2

2. Intermediate School Information:

School Name: *Alta Sierra Intermediate*
Address: *380 W Teague Ave Clovis CA 93619-8332*
Telephone: *(559) 327-3500*
Capacity: *1500*
Enrollment: *1376 (CBEDS enrollment 2018-19 school year)*

3. High School Information:

School Name: *Buchanan High School*
Address: *1560 N Minnewawa Ave Clovis CA 93619-7600*
Telephone: *(559) 327-3000*
Capacity: *3000*
Enrollment: *2726 (CBEDS enrollment 2018-19 school year)*

4. Bus transportation is currently provided for grades K-6 students residing further than one mile from school and for grades 7-12 students residing further than two and one-half miles from school. Transportation will be available for students attending the above-identified elementary, intermediate and high schools in accordance with District standards in effect at the time of enrollment.
5. The District currently levies a school facilities fee of \$4.87 per square foot (as of July 1, 2018) for residential development. The fee is adjusted periodically in accordance with law. New development on the subject property will be subject to the fee in place at the time fee certificates are obtained.

The District hereby requests that the information in this letter be provided by the owner/subdivider to all prospective purchasers of property within the project.

Thank you for the opportunity to comment on the project. Please contact me if you have any questions regarding this letter.

Sincerely,



Michael Johnston
Associate Superintendent
Administrative Services

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



*Making Conservation
a California Way of Life.*

June 10, 2019

FRE-168-6.088
R2019-004, CUP2019-004, TM6262, V2019-001
Lennar Townhomes

Ricky Caperton
Senior Planner
City of Clovis
1033 Fifth Street
Clovis, California 93612

Dear Mx. Caperton:

Caltrans has completed its review of the proposal to construct 185 multi-family residential units on property generally along W Spruce Avenue, between N Willow Ave and N Peach Ave, in Clovis (TM6262, et. al.). Caltrans provides the following comments for your consideration:

The proposed development will add new vehicle trips to the project area. Due to its proximity to the SR168 interchange at Herndon Avenue, it is anticipated the project will impact traffic operations there. Caltrans has identified two infrastructure improvements to manage projected traffic growth.

To mitigate level of service degradation, it is recommended to add lanes to Herndon Avenue: one eastbound through lane, and one right-turn lane to the westbound on-ramp. The total estimated cost of this construction is \$2,208,500. A per trip cost of \$1,500 is known for that portion attributed to the eastbound through lane (\$2,025,500). Utilizing data provided in the Institute of Transportation Engineers (ITE) *Trip Generation, 10th Edition*, it is anticipated the proposed project will generate 185 vehicle trips during the AM Peak Hour (ITE code 220). Using engineering judgement and expected driver behavior as a guide, it is anticipated that 15% of weekday AM peak hour trips would affect the eastbound through lanes on Herndon Avenue (85 trips x 77% = 66 outbound trips only. 66 x 15% = 10 eastbound trips). If assessed a fair share, the project's contribution would be \$15,000 (10 x \$1,500).

Should the applicant and/or lead agency have concern with this estimate, it is recommended the services of a qualified traffic consultant be obtained to prepare an independent traffic analysis. The state is transitioning to a VMT-based assessment of traffic impacts, per SB 743. As such, Caltrans is receptive to the proposal of project specific mitigation measures which would result in reduced VMT.

I can be reached at (559) 488-7307, or Jamaica.Gentry@dot.ca.gov, for questions about these comments.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jamaica Gentry", written over a circular blue stamp.

JAMAICA GENTRY
Associate Transportation Planner
Transportation Planning - North



San Joaquin Valley

AIR POLLUTION CONTROL DISTRICT

MAY 22 2019



Planning Department
City Of Clovis
1033 Fifth Street
Clovis, CA 93612

Re: Air Impact Assessment (AIA) Application Approval
ISR Project Number: C-20190212
Land Use Agency: City of Clovis
Land Use Agency ID Number: Tentative Tract Map 6262

To Whom it May Concern:

The San Joaquin Valley Air Pollution Control District (District) has approved the Air Impact Assessment (AIA) application for the Tract 6262 Spruce Townhomes project, located at East Spruce Avenue in Fresno, California. The District has determined that the mitigated baseline emissions for construction and operation will be less than two tons NO_x per year and two tons PM₁₀ per year. Pursuant to District Rule 9510 Section 4.3, this project is exempt from the requirements of Section 6.0 (General Mitigation Requirements) and Section 7.0 (Off-site Emission Reduction Fee Calculations and Fee Schedules) of the rule. As such, the District has determined that this project complies with the emission reduction requirements of District Rule 9510 and is not subject to payment of off-site fees.

Pursuant to District Rule 9510, Section 8.4, the District is providing you with the following information:

- A notification of AIA approval (this letter)
- A statement of tentative rule compliance (this letter)
- An approved Monitoring and Reporting Schedule
- A copy of the Air Impact Assessment Application

Certain emission mitigation measures proposed by the applicant may be subject to approval or enforcement by the City of Clovis. No provision of District Rule 9510 requires action on the part of the City of Clovis, however, please review the enclosed list of mitigation measures and notify the District if the proposed mitigation measures are inconsistent with your agency's requirements for this project. The District can provide the detailed emissions analysis upon request.

Samir Sheikh
Executive Director/Air Pollution Control Officer

Northern Region
4800 Enterprise Way
Modesto, CA 95356-8718
Tel: (209) 557-6400 FAX: (209) 557-6475

Central Region (Main Office)
1990 E. Gettysburg Avenue
Fresno, CA 93726-0244
Tel: (559) 230-6000 FAX: (559) 230-6061

Southern Region
34946 Flyover Court
Bakersfield, CA 93308-9725
Tel: 661-392-5500 FAX: 661-392-5585

Page 2

If you have any questions, please contact Mr. Eric S McLaughlin at (559) 230-5808.

Sincerely,

Arnaud Marjollet
Director of Permit Services

 Brian Clements
Program Manager

AM: em

Enclosures

Indirect Source Review Complete Project Summary Sheet & Monitoring and Reporting Schedule

5/20/19

9:48 am

Project Name:	TRACT 6262 SPRUCE TOWNHOMES
Applicant Name:	LENNAR CENTRAL VALLEY
Project Location:	EAST SPRUCE AVENUE N HELM AND E SPRUCE AVE APN(s): 561-260-10, 561-260-17
Project Description:	LAND USE: Residential - 185 Dwelling Unit - Condo/Townhouse General Residential - 185 Dwelling Unit - Condo/Townhouse General Residential - 95 Dwelling Unit - Condo/Townhouse General Residential - 95 Dwelling Unit - Condo/Townhouse General Residential - 95 Dwelling Unit - Condo/Townhouse General Residential - 90 Dwelling Unit - Condo/Townhouse General Residential - 90 Dwelling Unit - Condo/Townhouse General Residential - 90 Dwelling Unit - Condo/Townhouse General Residential - 90 Dwelling Unit - Condo/Townhouse General ACREAGE: 12.49
ISR Project ID Number:	C-20190212
Applicant ID Number:	C-302868
Permitting Public Agency:	CITY OF CLOVIS
Public Agency Permit No.	TENTATIVE TRACT MAP 6262

Existing Emission Reduction Measures

Enforcing Agency	Measure	Quantification	Notes
There are no Existing Measures for this project.			

Non-District Enforced Emission Reduction Measures

Enforcing Agency	Measure	Specific Implementation	Source Of Requirements
CITY OF CLOVIS	Increase Diversity	Project located in various land uses	
CITY OF CLOVIS	Improve Walkability Design	266 intersections/square mile	
CITY OF CLOVIS	Improve Destination Accessibility	1.9 miles (distance to downtown or job center)	
CITY OF CLOVIS	Increase Transit Accessibility	1/2 mile or less (distance to transit station or rail station)	
CITY OF CLOVIS	Improve Pedestrian Network	Within Project Site and Connecting Off-Site	

Number of Non-District Enforced Measures: 5

District Enforced Emission Reduction Measures

Enforcing Agency	Measure	Specific Implementation	Measure For Compliance	District Review
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Indirect Source Review Complete Project Summary Sheet & Monitoring and Reporting Schedule

(District Enforced Emission Reduction Measures Continued)

Enforcing Agency	Measure	Specific Implementation	Measure For Compliance	District Review
SJVAPCD	Construction and Operation - Exempt from Off-site Fee	For each project phase, within 30-days of issuance of the first certificate of occupancy, if applicable, submit to the District a summary report of the construction start, and end dates, and the date of issuance of the first certificate of occupancy. Otherwise, submit to the District a summary report of the construction start and end dates within 30-days of the end of each phase of construction.	(Compliance Dept. Review)	Ongoing
SJVAPCD	Construction and Operation - Recordkeeping	For each project phase, all records shall be maintained on site during construction and for a period of ten years following either the end of construction or the issuance of the first certificate of occupancy, whichever is later. Records shall be made available for District inspection upon request.	(Compliance Dept. Review)	Ongoing
SJVAPCD	Construction and Operational Dates	For each project phase, maintain records of (1) the construction start and end dates and (2) the date of issuance of the first certificate of occupancy, if applicable.	(Compliance Dept. Review)	Ongoing
SJVAPCD	Construction Clean Fleet	For each project phase, maintain records of total hours of operation for all construction equipment, greater than 50 horsepower, operated on site. Within 30-days of completing construction of each project phase, submit to the District a summary report of total hours of operation, by equipment type, equipment model year and horsepower.	(Compliance Dept. Review)	Within 30-days of completing construction for each phase

Number of District Enforced Measures: 4



San Joaquin Valley Air Pollution Control District



Indirect Source Review (ISR) - Air Impact Assessment (AIA) Residential/Non-Residential/Mixed-Use Application Form

A. Applicant Information			
Applicant/Business Name: Lennar Central Valley			
Mailing Address: 8080 N. Palm Avenue, Suite 110		City: Fresno	State: CA Zip: 93711
Contact: Ara Chekerdemian		Title: Field Operations Manager	
Is the Applicant a licensed state contractor? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes, please provide State License number:			
Phone: 559.437.4207		Fax: 559.447.3404	Email: ara.chekerdemian@lennar.com
B. Agent Information (if applicable): If an Agent is signing the Air Impact Assessment Application on behalf of the Applicant, a signed letter from the Applicant giving the Agent authorization is required.			
Agent/Business Name: Mitchell Air Quality Consulting			
Mailing Address: 1164 E. Decatur Ave.		City: Fresno	State: CA Zip: 93720
Contact: Dave Mitchell		Title: Owner/Senior Air Quality Scientist	
Phone: 559.246.3732		Fax:	Email: dmitchell@mitchellaq.com
C. Project Information			
Project Name: Tract 6262 Spruce Townhomes		Tract Number(s) (if known): Tract 6262	
Project Location	Street: East Spruce Avenue	City: Fresno	Zip: 93612
Cross Streets: N. Helm Ave and E. Spruce Ave.			County: Fresno
Permitting Agency: City of Clovis		Planner: Bryan Araki	
Mailing Address: 1033 5 th Street		City: Clovis	State: CA Zip: 93612
Permit Type and Number (if known): Tentative Tract Map 6262	Subject to Project-Level Discretionary Approval? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Last Project-Level Discretionary Approval Date: TBD Last Project-Level Ministerial Approval Date: _____		
D. Project Description			
Please briefly describe the project (e.g.: 300 multi family residential units apartments and 35,000 square feet of commercial uses): The project includes the development of 185 townhomes on a 12.5 acres site.			
Please check the box next to each applicable land use below:			Select land use setting below:
<input type="checkbox"/> Commercial / Retail	<input type="checkbox"/> Educational	<input type="checkbox"/> Office	<input type="checkbox"/> Warehouse
<input checked="" type="checkbox"/> Residential	<input type="checkbox"/> Government	<input type="checkbox"/> Industrial	<input type="checkbox"/> Distribution Center
<input type="checkbox"/> Recreational (e.g. park)	<input type="checkbox"/> Medical	<input type="checkbox"/> Manufacturing	<input type="checkbox"/> Other: _____
E. Notice of Violation			F. Voluntary Emission Reduction Agreement
Is this application being submitted as a result of receiving a Notice of Violation (NOV) from the District?			Is this project part of a larger project for which there is a Voluntary Emission Reduction Agreement (VERA) with the District?
<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes, NOV # _____			<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes, VERA # _____
G. Optional Section			
Do you want to receive information about the Healthy Air Living Business Partners Program? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
FOR APCD USE ONLY			

Filing Fee Received: <u>537.00</u> Date Paid: <u>5/16/19</u> Applicant #: <u>C-302868</u>	Check #: <u>1171</u> Project #: <u>C-20190212</u>	Date Stamp: <u> </u> <u> </u> <u> </u> Date Stamp: Permit Received MAY 06 2019 SJVAPCD
--	--	--

H. Parcel and Land Owner Information

	APN (000-000-00 Format)	Gross Acres	Land Owner
1.	561-260-10	2.46	Lennar
2.	561-260-17	10.03	Lennar
3.			
4.			

Additional sheets for listing APN numbers can be found on the District's website at www.valleyair.org.

I. Project Development and Operation

Will the project require demolition of existing structures?	<input type="checkbox"/> Yes, complete I-1	<input checked="" type="checkbox"/> No, complete I-2
---	--	--

I-1. Demolition

Total square feet of building(s) footprint to be demolished:	Number of Building Stories:
Demolition Start Date (Month/Year):	Number of Days for Demolition:

I-2. Timing

Expected number of work days per week during construction? <input checked="" type="checkbox"/> 5 days <input type="checkbox"/> 6 days <input type="checkbox"/> 7 days	Will the project be developed in multiple phases? <input checked="" type="checkbox"/> Yes, complete I-3 <input type="checkbox"/> No, complete I-4
--	--

I-3. Phased Site Development and Building Construction

In addition to the information below the applicant may submit a phase specific activity timeline. The phase specific activity timeline form can be found on the District's website at www.valleyair.org.

1	Start of Construction (Month/Year): Oct 2019	Gross Acres: 12.5
	End of Construction (Month/Year): June 2020	Net Acres (area devoted to buildings/structures): 0
	First Date of Occupation (Month/Year): NA	Paved Parking Area (# of Spaces): NA
	Building Square Footage: 0 -Site Prep Grading Paving	Number of Dwelling Units: 0
2	Start of Construction (Month/Year): June 2020	Gross Acres: 6.42
	End of Construction (Month/Year): Dec 2021	Net Acres (area devoted to buildings/structures): 2.18
	First Date of Occupation (Month/Year): Sep 2020	Paved Parking Area (# of Spaces): NA
	Building Square Footage: 95,000	Number of Dwelling Units: 95
3	Start of Construction (Month/Year): Dec 2021	Gross Acres: 6.08
	End of Construction (Month/Year): Jun 2023	Net Acres (area devoted to buildings/structures): 2.07
	First Date of Occupation (Month/Year): Feb 2022	Paved Parking Area (# of Spaces): NA
	Building Square Footage: 90,000	Number of Dwelling Units: 90
4	Start of Construction (Month/Year):	Gross Acres:
	End of Construction (Month/Year):	Net Acres (area devoted to buildings/structures):
	First Date of Occupation (Month/Year):	Paved Parking Area (# of Spaces):
	Building Square Footage:	Number of Dwelling Units:

Additional sheets for phasing information can be found on the District's website at www.valleyair.org.

I-4. Single Phase Development

Start of Construction (Month/Year):

Gross Acres:

End of Construction (Month/Year):

Net Acres (area devoted to buildings/structures):

First Date of Occupation (Month/Year):

Paved Parking Area (# of Spaces):

Building Square Footage:

Number of Dwelling Units:

J. On-Site Air Pollution Reductions (Mitigation Measures)

Listed below are categories of possible mitigation measures that will reduce a project's impact on air quality. If a category is applicable to the project, check "Yes", and please complete the corresponding page to identify specific mitigation measures within that category. If a category is not applicable to the project, check "No".

1. Construction Clean Fleet (making a commitment to using a construction fleet that will achieve the emission reductions required by District Rule 9510)

☒ Yes, please complete mitigation measure 1☐ No

2. Land Use/Location (e.g. increased density, improve walkability design, increase transit, etc.)

☒ Yes, please complete applicable mitigation measures 2a through 2f☐ No

3. Neighborhood/Site Enhancements (e.g. improve pedestrian network, traffic calming measures, NEV network, etc.)

☒ Yes, please complete applicable mitigation measures 3a through 3c☐ No

4. Parking Policy/Pricing (e.g. parking cost, on-street market pricing, limit parking supply, etc.)

☐ Yes, please complete applicable mitigation measure 4a through 4e☒ No

5. Commute Trip Reduction Programs (e.g. workplace parking charge, employee vanpool/shuttle, ride sharing program, etc.)

☐ Yes, please complete applicable mitigation measures 5a through 5f☒ No

6. Building Design (e.g. woodstoves or fireplaces)

☒ Yes, please complete mitigation measure 6☐ No

7. Building Energy (e.g. exceed title 24, electrical maintenance equipment)

☐ Yes, please complete applicable mitigation measures 7a through 7b☒ No

8. Solar Panels (e.g. incorporate solar panels in the project)

☒ Yes, please complete applicable mitigation measure 8☐ No

9. Electric Vehicle (EV) Charger (e.g. incorporate EV charger(s) in the project)

☐ Yes, please complete applicable mitigation measure 9☒ No**K. Review Period**

You may request a five (5) day period to review a draft of the District's analysis of your project before it is finalized. However, if you choose this option, it will delay the project's finalization by five (5) business days.

☒ I request to review a draft of the District's analysis.

L. Fee Deferral Schedule

If the project's on-site air pollution reductions (mitigation measure) insufficiently reduced air pollution as outlined in Rule 9510, an off-site fee is assessed based on the excess air pollution. The money collected from this fee will be used by the District to reduce air pollution emissions 'off-site' on behalf of the project.

An Applicant may request a deferral of all or part of the 'off-site' fees up to, but not to exceed, the start date of construction. The start of construction is any of the following, whichever occurs first: start of grading, start of demolition, or any other site development activities not mentioned above.

☐ I request a Fee Deferral Schedule, and have enclosed the Fee Deferral Schedule Application.

The Fee Deferral Schedule Application can be found on the District's website at www.valleyair.org.

M. Change of Project Developer

The Applicant assumes all responsibility for ISR compliance for this project. If the project developer changes, the Applicant must notify the Buyer, and both Buyer and Applicant must file a 'Change of Project Developer' form with the District. If there is a change of project developer, and a 'Change of Project Developer' form is not filed with the District, the Applicant will remain liable for ISR compliance.

The Change of Project Developer form can be found on the District's website at www.valleyair.org.

N. Attachments

Required:

- ☒ Tract Map or Project Design Map
- ☒ Vicinity Map
- ☒ Application Filing Fee
\$804.00 for mixed use and non-residential projects OR
\$537.00 for residential projects only

If applicable:

- ☒ Letter from Applicant granting Agent authorization
- ☐ Fee Deferral Schedule Application
- ☐ Monitoring & Reporting Schedule
- ☒ Supporting documentation for selected Mitigation Measures

O. Certification Statement

I certify that I have reviewed and completed the entire application and hereby attest that the information relayed within is true and correct to the best of my knowledge. I commit to implementation of those on-site mitigation measures that I have selected above. I am responsible for notifying the District if I will be unable to implement these mitigation measures. If a committed mitigation measure is not implemented, the project may be re-assessed for air quality impacts.

(An authorized Agent may sign the form in lieu of the Applicant if an authorization letter signed by the Applicant is provided).

Name (printed): David M. Mitchell

Title: Owner/Senior Air Quality Scientist

Signature: David M. Mitchell

Date: May 6, 2019



County of Fresno
DEPARTMENT OF PUBLIC HEALTH

David Pomaville, Director
Dr. Sara Goldgraben, Health Officer

March 7, 2019

LU0019920
2604

Courtney Thongsavath, Planning Intern
City of Clovis
Planning and Development Services Department
1033 Fifth Street
Clovis, CA 93612

Dear Ms. Thongsavath:

PROJECT NUMBER: DRC2019-11

DRC2019-11; Proposed 185 multi-family residential townhomes with private streets.

APN: 561-260-10, -17

ZONING: R-1-AH

ADDRESS: North side West Spruce between North Willow & Peach Avenues

Recommended Conditions of Approval:

- Construction permits for development should be subject to assurance of sewer capacity of the Regional Wastewater Treatment Facility. Concurrence should be obtained from the California Regional Water Quality Control Board (RWQCB). For more information, contact staff at (559) 445-5116.
- Construction permits for the development should be subject to assurance that the City of Clovis community water system has the capacity and quality to serve this project. Concurrence should be obtained from the State Water Resources Control Board, Division of Drinking Water-Southern Branch. For more information call (559) 447-3300.
- The proposed construction project and proximity to an existing thoroughfare has the potential to expose nearby residents and tenants to elevated noise levels. Consideration should be given to your City's municipal code.
- As a measure to protect ground water, all water wells and/or septic systems that exist or have been abandoned within the project area should be properly destroyed by an appropriately licensed contractor.

Prior to destruction of agricultural wells, a sample of the upper most fluid in the water well column should be sampled for lubricating oil. The presence of oil staining around the water well may indicate the use of lubricating oil to maintain the well pump. Should lubricating oil be found in the well, the oil should be removed from the well prior to placement of fill material for destruction. The "oily water" removed from the well must be handled in accordance with federal, state and local government requirements.

Promotion, preservation and protection of the community's health

1221 Fulton Street / P. O. Box 11867, Fresno, CA 93775
(559) 600-3271 • FAX (559) 600-7629

The County of Fresno is an Equal Employment Opportunity Employer
www.co.fresno.ca.us • www.fcdph.org

- Should any underground storage tank(s) be found during the project, the applicant shall apply for and secure an Underground Storage Tank Removal Permit from the Fresno County Department of Public Health, Environmental Health Division. Contact the Certified Unified Program Agency at (559) 600-3271 for more information.

REVIEWED BY:

Kevin Tsuda

Kevin Tsuda, R.E.H.S.
Environmental Health Specialist II

(559) 600-33271

KT

cc: Steven Rhodes- Environmental Health Division (CT. 55.14)
Lennar Homes of California- Applicant (ara.chekerdemian@lennar.com)

Joyce Roach

From: Mollring, Marianne <mmollring@fresnocountyca.gov>
Sent: Thursday, May 23, 2019 9:37 AM
To: Joyce Roach
Subject: R2019-004, CUP2019-004, TM6262, and V2019-001

Good Morning Joyce.

The County has no comment on this project.

Thanks,



Marianne Mollring, MA/MS, AICP, GISP | Senior Planner

Department of Public Works and Planning |

Development Services and Capital Projects Division

2220 Tulare St. 6th Floor Fresno, CA 93721

Main Office: (559) 600-4497 Direct: (559) 600-4569

[Your input matters! Customer Service Survey](#)

Joyce Roach

From: Fey, David <dfey@fresnocountyca.gov>
Sent: Thursday, May 23, 2019 7:35 AM
To: Joyce Roach
Subject: RE: Request for Comments for R2019-004, CUP2019-004, TM6262, and V2019-001

No comment, other than to wish you well moving this through the public hearing process.

DF

From: Joyce Roach <joycer@ci.clovis.ca.us>
Sent: Wednesday, May 22, 2019 4:26 PM
To: Amy Hance <AmyH@ci.clovis.ca.us>; Andrew Haussler <andrewh@ci.clovis.ca.us>; Andrew Nabors <AndrewNabors@clovisusd.k12.ca.us>; Andrew Nabors <andrewnabors@cusd.com>; Anthony Summers <Kristopher.W.Summers@usps.gov>; Jimenez, Bernard <BJimenez@fresnocountyca.gov>; Brian Weldon <bw1987@att.com>; Bryan Araki <BryanA@ci.clovis.ca.us>; Chad Fischer <Chad.Fischer@waterboards.ca.gov>; Chad Fitzgerald <ChadF@ci.clovis.ca.us>; Cherie Clark <Cherie.Clark@valleyair.org>; Motta, Chris <CMotta@fresnocountyca.gov>; Christian A. Esquivias Ramirez <ChristianE@ci.clovis.ca.us>; Monfette, Christina <cmonfette@fresnocountyca.gov>; Curt Fleming <curtf@ci.clovis.ca.us>; Curtis Shurtliff <curtiss@ci.clovis.ca.us>; Fey, David <dfey@fresnocountyca.gov>; Dave Padilla <dave.padilla@dot.ca.gov>; Dave Scott <ds1298@att.com>; David Gonzalez <davidg@ci.clovis.ca.us>; Debbie Campbell <debbiec@fresnofloodcontrol.org>; Sidhu, Sukhdeep <ssidhu@fresnocountyca.gov>; Denise Wade <denisew@fresnofloodcontrol.org>; Denver Stairs <DenverStairs@cusd.com>; Douglas Stawarski <dougs@ci.clovis.ca.us>; Dwight Kroll <DwightK@ci.clovis.ca.us>; Eric Zetz <ericz@ci.clovis.ca.us>; FID <Engr-Review@fresnoirrigation.com>; FMFCD <developmentreview@fresnofloodcontrol.org>; Daniele, Frank <FDaniele@fresnocountyca.gov>; Gary Sawhill <Sawhill@ci.clovis.ca.us>; Gene Abella <genea@ci.clovis.ca.us>; Geneva H. McJunkin <gr7434@att.com>; George Gonzalez <georgeg@ci.clovis.ca.us>; Uc, George <guc@fresnocountyca.gov>; Georgia Stewart <Georgia.Stewart@valleyair.org>; Gerald Conley <geraldc@ci.clovis.ca.us>; Allen, Glenn <glallen@fresnocountyca.gov>; Iri Guerra <IriG@ci.clovis.ca.us>; Jason C. <jasonc@fresnofloodcontrol.org>; Jeff Heidinger <jwhb@pge.com>; John Willow <JohnWi@ci.clovis.ca.us>; Lara, Juan <jlara@fresnocountyca.gov>; Ken Wells <kenw@ci.clovis.ca.us>; Tsuda, Kevin <ktsuda@fresnocountyca.gov>; Lily Cha <lilyc@ci.clovis.ca.us>; Luke Serpa <lukes@ci.clovis.ca.us>; Max Garces <MaxG@ci.clovis.ca.us>; Mel Gonzalez Sanchez <melg@ci.clovis.ca.us>; Michael Maxwell <michaelm@fresnofloodcontrol.org>; Michael Navarro <michael_navarro@dot.ca.gov>; Mike Harrison <mikeh@ci.clovis.ca.us>; Monique Chaidez <MKR4@pge.com>; Nicholas Torstensen <nicholast@ci.clovis.ca.us>; Orlando Ramirez <OrlandoR@ci.clovis.ca.us>; Paul Armendariz <PaulA@ci.clovis.ca.us>; Rick Fultz <rickf@ci.clovis.ca.us>; Ricky Caperton <rcaperton@ci.clovis.ca.us>; Robert J. Howard <R3Hd@pge.com>; Robert Villalobos <robertv@fresnofloodcontrol.org>; Ryan Burnett <RyanB@ci.clovis.ca.us>; Ryan Nelson <ryann@ci.clovis.ca.us>; Sarai Yanovsky <saraiy@ci.clovis.ca.us>; Scott Redelfs <scottr@ci.clovis.ca.us>; Sean Smith <SeanS@ci.clovis.ca.us>; Sharla Yang <Sharla.Yang@valleyair.org>; Shawn Miller <ShawnM@ci.clovis.ca.us>; SJVAPCD <CEQA@valleyair.org>; Rhodes, Steven <srhodes@fresnocountyca.gov>; Tiffany Ljuba <tiffanyl@ci.clovis.ca.us>; Trina Vietty <trina@ci.clovis.ca.us>; Wildlife CEQA <R4CEQA@wildlife.ca.gov>
Cc: Ricky Caperton <rcaperton@ci.clovis.ca.us>; Joyce Roach <joycer@ci.clovis.ca.us>
Subject: Request for Comments for R2019-004, CUP2019-004, TM6262, and V2019-001

CAUTION!!! - EXTERNAL EMAIL - THINK BEFORE YOU CLICK

Good afternoon,

Please see the attached request for comments for entitlements regarding a planned residential multifamily development located on Spruce Avenue, between Willow and Peach Avenues.

Thank you, and have a good day.

Joyce Roach

Planning Assistant

City of Clovis | Department of Planning and Development Services

E. joycer@cityofclovis.com

P. 559.324.2341 | F. 559.324.2844

Mailing: 1033 Fifth Street | Clovis, CA 93612



Public Comments

ATTACHMENT 8

Ricky Caperton

From: sherri geer <sbuddlegeer@comcast.net>
Sent: Thursday, May 23, 2019 7:56 PM
To: Ricky Caperton
Subject: Tentative Lennar Development at Spruce and Peach

Ricky,

Thank you for attending the meeting with Lennar May 15th and also for taking the time to return my call earlier that week regarding the development.

My husband and I purchased our home on Birch about 22 years ago. According to your department, the area to be developed has always been R-2. And according to Lennar, we should be glad that they are proposing the town-homes as it could be so much worse. Twenty two years ago, R-2 did not mean 35' townhouses; and better than something worse is not acceptable – this is Clovis and we have a general plan which wants to “*maintain Clovis’ tradition of responsible planning and well-managed growth to preserve the quality of life in existing neighborhoods and ensure the development of new neighborhoods with an equally high quality of life.*” (page LU-1 of our General Plan) The proximity of garbage containers, private roads and parking stalls next to and within twenty feet of our backyard fences would not have a positive impact on our property. Indeed, problems of privacy, odor and noise along with access to our back fences would impact our outdoor living spaces and our property values. In all fairness, their garbage cans and parking stalls should not be closer to our homes than to theirs.

The General Plan asks for things not shown in the tentative plans of Lennar. It states that in projects greater than 5 acres, “*each development should contribute to a diversity of housing sizes and types within the standards appropriate to the land use designation.*” (page LU-7) The proposed project is just the same townhouse 185 times over and over. How is this diversity? The plan also “*encourages pathways ...in...new development 10 acres or larger*” (page C-7) Environmental Safety Element wants Site and Building Design to “*minimize noise impacts by requiring appropriate site...and sound walls, landscaping and other buffers* (page S-4) There are also sections encouraging “*new construction to incorporate energy efficient building and site design*” (page S-4), “*to incorporate electric charging and alternative fuel stations,*” (page AQ-2), and to “*maintain or plant trees where appropriate to provide shade, absorb carbon, improve oxygenation, slow storm water runoff, and reduce the heat island effect.*” (page AQ-2). If the features were there, they were minimal; some were non-existent (absolutely no solar for example). The General Plan also addresses traffic “*to ensure that streets are compatible with the context of adjacent neighborhoods*” (page C-5); Lennar shows their private streets within feet of our backyard fences. We already get car lights shining into our bedroom at night from vehicles on Spruce; our residence is at one of the forks in the proposed private road, which will greatly increase chances of more light disruption.

There are not many, if any 35' town-homes within Clovis city limits adjacent to existing neighborhoods. It could be because they don't reflect a “small town” atmosphere or the “Clovis Way of Life.” Decisions made by the Planning Commission will have a direct impact upon our property values and how we enjoy our homes and

backyards. We request that the Planning Commission approve a plan which will have a positive impact upon both properties.

We would like to request a maximum of two-stories (preference of one story, especially directly behind our existing homes), a green 20' buffer, and no trash containers or traffic and parking within that buffer. (The minimum distance between the neighborhood west of us and the street is 20.')

The support of the Clovis Planning Commission to address our concerns will be greatly appreciated and we sincerely look forward to your consideration of our position.

Thank you,

Sherri & Clint Geer

Ricky Caperton

From: Katie Seeler <seelerk@yahoo.com>
Sent: Friday, June 7, 2019 11:10 AM
To: Ricky Caperton; ara.chekerdemian@lennar.com
Subject: Resident Feedback Re: Vesting Tentative Tract Map No. 6262 (Peach and Spruce Aves)

We appreciate the City of Clovis and Lennar's recent community meeting regarding the planned development at Peach and Spruce Aves. Although we are not enamored of multi-family residential housing immediately behind us, we are grateful that they will be townhomes for purchase as opposed to apartments for rent.

My family's home is at 428 W Birch Ave (the south corner of Birch and Peach). We are primarily concerned about landscaping, as we have just invested in solar panels that will be installed at the end of the month. We want to make sure that foliage does not block the sun and ruin our expensive investment.

We saw the revised plans that indicate a 1-4' retaining wall and think that is on the short side and would make it easier for someone to climb into people's backyards if they were so inclined. A 6-8' wall would be our preference, as it would be more of a barrier.

We will be interested to see traffic and school boundary reports when they become available.

Regards,

Katie and Aaron Hoskins

Ricky Caperton

From: Laura Rios <lauras_landing@yahoo.com>
Sent: Monday, June 10, 2019 7:18 AM
To: Ricky Caperton
Cc: Jacquie Pronovost
Subject: Lennar development at peach and herndon

Dear Mr. Caperton

I am a home owner deeply concerned with the Lennar development proposed at Peach and Herndon. When I bought my home nearly ten years ago I was very worried about the plans for the lot to the south of us, where the new townhomes are supposed to be built. So concerned that I went to the City of Clovis planning department to see what was to be built. I was told at that time it was to be a Winco grocery store. My husband and I felt we could live with that. It would be similar to the Target shopping center with a high block light wall, occasional truck delivery and some transient added traffic.

I was not expecting a THREE story structure with rows of garbage cans, high volume rush hour traffic and people able to look into back yards. I think this stinks.

First of all Peach Ave cannot handle the increased traffic. It is already too congested and overtaxed. It is one lane each way. Right now the cars back up from the light at Nees Avenue south to the walking trail or beyond while parents try to get their children to school every morning. And then heading south the left hand turn lane is overflowing with cars. The lane backs up into the lane that heads straight and takes 2 or more light cycles to make the turn. The new development would greatly increase these problems.

Second, I'm sure none of the homeowners ever expected a THREE story complex would back up to their backyards. I bought in Clovis for quality of life. I bought in this neighborhood for the large lots and quiet surroundings. I could have easily and probably more cheaply bought in Fresno. We found a home here in Clovis with a large lot where we could have privacy. NO ONE should have to deal with the intrusion and lack of privacy this would cause, having a dozen or more apartments looking into our private spaces. I believe most of us like not feeling like we are being watched.

Third, having an alley that is used for garbage and parking is not acceptable. I am worried about an increase of flies and rodents to the area as well as the stench of large dumpsters and the noise of all of the cars in and out at all hours. Having a shopping center would increase cars but they would be at the front of the store not along the fence line.

Fourth, I believe high density housing areas tend to have more crime. My son bought a house in Fresno in a nice area on Herndon and a large complex was built across the street. They have had their car broken into several times, other neighbors have had mail stolen, there is petty thievery at the residences, and the property owners are fleeing turning their homes into rentals. Nobody takes care of their property like the owner. The neighborhood is just not the same. I'm not saying all apartment dwellers are criminals, I have lived in several, but the chances are greater that crimes will occur with an increase in density especially such a huge increase as this. We already have a new, colossal development built just west of us in Fresno. Please don't be Fresno.

Fifth, the building of this mammoth structure will decrease my property value. It devalues the neighborhood. When people look to buy a home they look for good schools, low crime, convenience to services, location, and as few apartments as possible. We have recently had or am having complexes built just west and north of us in Fresno. These complexes increase traffic and tax our infrastructure and resources, including the schools of the area. We don't need or want any more.

Please consider the affect this complex will have to this neighborhood. We were told that this land was to be used commercially and I want the city to honor that.

Laura rios

Sent from my iPhone

Ricky Caperton

From: Bob Pennell <rpennell@TMR.ORG>
Sent: Friday, June 14, 2019 5:48 PM
To: Ricky Caperton
Cc: Tracy.Pennell@fresnounified.org
Subject: RE: TM6262 AB52
Attachments: 588 W Birch .jpg; Valley Oak.JPG; Ceonothus-Western Redbud-Valley Oak-Coast Live Oak.JPG

Hello Ricky

Very sorry it's taken longer to get back to you than I anticipated, it's been very busy here. I am preparing a response to the AB52 request for consultation and will have that emailed to you by Wednesday. In brief, I will provide documentation and photos of two isolated Native American artifacts in the immediate vicinity and will request some monitoring visits during any early ground disturbance activities associated with this development in the event any buried cultural deposits are present.

Thank you very much as well for following up with me on the Valley Oak we had discussed. All the plantings on the outside perimeter of my back yard are California native plants, most being low or no water species. I have attached an aerial view of our home with the plants along our fence labeled as well as two photos of the oak and surrounding native plantings.. We are particularly concerned with our mature Valley Oak and Western Redbud. Both are over 30 years old and provide considerable shade and screening, especially of the view and noise of the Target Shopping Center. The Valley Oak is approximately 65 feet tall and canopies out over the field behind our house by about 24 feet. Lenar homes has sent out a notice indicating some possible changes to the design including, an expanded landscape setback of a minimum of 6.5 feet along our shared property line, moving the industrial trash bins and a precast concrete wall along the north property similar to the one in place north of the Target store. Do you have any plan changes you can send me at this time?

I am available Wednesday or Friday of next week or anytime the following week if you have any time to meet and discuss the trees and the cultural report. Please advise.

Robert Pennell
Table Mountain Rancheria
Cultural Resources Director
PO Box 410
Friant California 93626

Office (559) 325-0351
Fax (559) 325-0394
Cell (559) 217-9718

From: Ricky Caperton [mailto:rcaperton@ci.clovis.ca.us]
Sent: Monday, May 20, 2019 1:49 PM
To: Bob Pennell
Subject: RE: TM6262 AB52

Hi Bob,

Attached is an AB52 request for consultation for proposed Tract Map 6262/Variance 2019-001/Rezone 2019-004/Conditional Use Permit 2019-004. I've also attached the cultural resources study. Please have a look and let me

know if you have any questions. A hard copy of the letter and study are being mailed today, so you should receive it sometime towards the end of the week.

Also, I'd like to meet sometime so I can have a look where your tree is. I recall you mentioned you'd like to ensure that your tree is protected and I want to be sure I understand the exact location of the tree. I'm happy to facilitate a site visit with representatives of Lennar, if needed.

Thank you and we'll be in touch soon.

-Ricky

Ricky Caperton, AICP

Senior Planner

Direct: (559) 324-2347

Mobile: (559) 593-5176

rcaperton@cityofclovis.com

From: Bob Pennell [mailto:rpennell@TMR.ORG]

Sent: Monday, May 20, 2019 10:19 AM

To: Ricky Caperton <rcaperton@ci.clovis.ca.us>

Subject: Re: TM6262

Thank you Ricky.

Sent from my iPhone

On May 20, 2019, at 8:17 AM, Ricky Caperton <rcaperton@ci.clovis.ca.us> wrote:

Hi Bob,

Nice seeing you last week at the neighborhood meeting for proposed Tract Map 6262. I'll send over a request for consultation under AB52 sometime today, along with the cultural report prepared by the applicant for your review. If you have any other questions about the project, don't hesitate to reach out to me.

Thank you and we'll be in touch shortly.

Ricky Caperton, AICP

Senior Planner

Direct: (559) 324-2347

Mobile: (559) 593-5176

rcaperton@cityofclovis.com

City of Clovis

Planning Division

1033 Fifth Street

Clovis, California 93612

<image001.png>

Ricky Caperton

From: sherri geer <sbuddlegeer@comcast.net>
Sent: Friday, June 28, 2019 2:51 PM
To: Ricky Caperton
Subject: Lennar Development

Hi Ricky,

Rumor has it that Lennar is proposing a 10' fence on our side of the property line, as infill will cause their property to be about 2' higher than ours, thus giving them only an 8' high fence on their side. Are there any properties in Clovis with 10' high fencing that we could look at and get a sense of what living with one would be like?

Do you consider the current elevation as the basis for the 35' height restriction? Or is it going to be infill plus 35'? It doesn't seem fair that it could be determined by anything higher than the current highest elevation of either property involved.

Thank you,

Sherri

Ricky Caperton

From: Trisha Frazier <trishafrazier@comcast.net>
Sent: Tuesday, July 9, 2019 1:21 PM
To: Ricky Caperton; Orlando Ramirez
Subject: Tentative Lennar development Peach and Spruce

Hello Ricky and Orlando,

I live on Birch Ave along the area that is to be rezoned from RA to R2 I attended the neighborhood meeting on May 15th with regards to the Lennar Development at Peach and Spruce. At that time, they did not know what landscaping was planned. It was mentioned this would be addressed at a later date.

Will this be part of the meeting on Thursday, July 11th?

My concern is that I have allergy sensitivity to many types of plants and trees.

When the shopping center was put in behind us, what they originally planned would have prevented me from being able to be in my backyard. They worked with us to make sure what was planted would minimize this impact, while keeping in compliance with the City of Clovis requirements. I would like to make sure we have the same consideration as it looks like this project is being rezoned as part of the Lennar development at Peach and Spruce.

Kindest regards,

Trisha Frazier
559-709-3831

Sent from my iPad

Dear Planning Commission,

I am writing concerning the proposed development of a 185-lot residential development near Peach and Herndon in Clovis, comprising APNs 561-260-10 and 561-260-17.

While I am not completely opposed to the project overall, there are various concerns I have as a property owner who directly touches these parcels in the adjacent neighborhood to the north.

According to the Individual Lot Development Standards of the project, the maximum height of each building is to be "35 feet (2 stories)". Given the many homes that have a normal expectation of privacy in the neighborhoods directly to the north of the proposed development, the majority of which are one-story homes, I request the maximum height be lowered to accommodate only one-story level units. If this is not an option, I request that no windows be allowed to face north during the construction of the townhomes.

Based on current plans, all garbage receptacles and a large amount of parking spaces are proposed to be directly against the adjacent properties to the north. This will cause a multitude of blight, noise, and odor issues for the already existing neighborhood. The garbage receptacles must be moved to the front of the proposed development, allowing for easier access to city services. With the Commission considering a "variance to reduce the minimum drive aisle width from 26 feet to 20 feet for portions of the private roadway network" to accommodate the project overall, it makes no sense to have any receptacles on the far north side of the property as city vehicles would have limited or no access to these areas.

Concerning barriers and walls, the developer has stated a special wall will be built on the western side of the properties in question, specifically APN 561-260-10. If all existing homes are being impacted in similar ways, why would a special wall not be built the entire length of both parcels of the proposed development?

Regarding the residents that would live within the development, the local elementary and other schools are severely impacted and already bus children to different schools of which boundaries they do not reside.

Finally, I have been a lifelong resident of Clovis and do not recall a former or current residential situation where multiple-story townhomes or apartments have been built adjacent to residential homes. I understand the City of Clovis is trying to keep up with the demands of the state of California when it comes to more affordable housing, but given the mix of proposed zoning in such a small area, people will be living on top of each other, crammed in between existing, established neighborhoods and commercial property. One-story units with proper considerations taken into account for privacy and courtesy of the impacted neighborhoods are acceptable, but anything larger simply doesn't belong in this area.

Sincerely,

Ryan McNeil
478 W. Birch Ave
Clovis, CA 93611
559.709.4688

Planning Commission Minutes

ATTACHMENT 9

CLOVIS PLANNING COMMISSION MINUTES
July 11, 2019

A regular meeting of the Clovis Planning Commission was called to order at 6:00 p.m. by Chair Hatcher in the Clovis Council Chamber.

Flag salute led by Chair Hatcher

Present: Commissioners Antuna, Bedsted, Cunningham, Hinkle, Chair Hatcher

Absent: None

Staff: Bryan Araki, City Planner
Orlando Ramirez, Deputy City Planner
Ricky Caperton, Senior Planner
Sean Smith, Supervising Civil Engineer

MINUTES

1. The Commission approved the June 27, 2019, minutes by a vote of 5-0.

COMMISSION SECRETARY

City Planner Bryan Araki informed that this would be his last meeting, as he will be retiring as of Monday, July 15th, and expressed his gratitude to the Commission, staff, and the development community.

PLANNING COMMISSION MEMBERS COMMENTS

Commissioner Antuna expressed her gratitude for City Planner Araki's service, as it has been an amazing experience working with him. His guidance, knowledge, free sharing of knowledge, and love for the City were contagious for her.

Commissioner Cunningham heartily endorsed his fellow commissioner's comments, expressing his appreciation for City Planner Araki's service and help, as well as his wishes for a long and happy retirement.

Commissioner Hinkle expressed his gratitude for all City Planner Araki has done for the Commission in general and for himself in particular, for inspiring him and being one of the reasons for him remaining a part of the Commission.

Commissioner Bedsted expressed his gratitude for City Planner Araki's service and his congratulations on retirement.

Commissioner Hinkle requested staff consider placing a cover over the playground at Treasure Ingmire Park, to increase the appeal for and use of the park by children as well as the appeal of downtown Clovis in general. City Planner Araki informed that there is a CIP project to install a shade structure at that park, and that as there are approved plans for it, the project will happen within the near future.

Commissioner Cunningham inquired as to the nature of the project work being done along the paseo on Clovis Avenue from Alluvial Avenue on north. Supervising Civil Engineer Sean Smith responded that he would get back to the commissioner, as he needs to look up the information.

Chair Hatcher expressed gratitude for working with him for more than ten years, as he has been a great leader and will be sorely missed.

COMMUNICATIONS AND REFERRALS

None.

BUSINESS FROM THE FLOOR

None

CONSENT CALENDAR

None

PUBLIC HEARINGS

2. Consider items associated with approximately 12.50 acres of property located at the northwest corner of Spruce and Peach Avenues. Edward J. and Janis M. Donaghy, owners; Ara Chekerdemanian of Lennar Homes of California, Inc., applicant; Keith Jolly of Morton Pitalo, Inc., representative.
 - a. Consider Approval, Res. 19-22, A request to adopt an environmental finding of a Mitigated Negative Declaration for Rezone R2019-004, Conditional Use Permit CUP2019-004, Vesting Tentative Tract Map TM6262, Variance V2019-001, and Residential Site Plan Review RSPR2019-003.
 - b. Consider Approval, Res. 19-23, **R2019-004**, A request to approve a rezone of a portion of the site from the R-A (Single-Family Residential – 24,000 Sq. Ft.) to the R-2 (Low Density Multiple Family Residential) (1 Unit / 3,000 Sq. Ft.) Zone District.
 - c. Consider Approval, Res. 19-24, **CUP2019-004**, A request to approve a conditional use permit for a 185-lot Planned Residential Development.
 - d. Consider Approval, Res. 19-25, **TM6262**, A request to approve a vesting tentative tract map for a 185-lot Planned Residential Development.
 - e. Consider Approval, Res. 19-26, **V2019-001**, A request to approve a variance to reduce the minimum drive aisle width from 26 feet to 20 feet for portions of the private roadway network to accommodate a 185-unit townhome project for property located at Assessor Parcel Numbers (APNs) 561-260-10 and 561-260-17.

Senior Planner Ricky Caperton presented the staff report.

Commissioner Cunningham inquired as to whether there would be a Home Owners Association with this project. Senior Planner Caperton responded in the affirmative.

Commissioner Cunningham inquired as to whether there would be a condition of approval prohibiting parking on the 20-foot streets. Senior Planner Caperton responded in the affirmative, as such had been a requirement of the Fire Department. He also informed that Fire Department staff were okay with the

reduced width as long as their trucks could make the turn into the facility, which they have indicated they can.

Commissioner Bedsted, in regards to a future roundabout for which the project will provide some funding, inquired as to where the rest of the funding will be coming from and if it will be pre-, during-, or post-buildout. Supervising Civil Engineer Smith responded that it will be a post-project roundabout and provided information on the sources of the remainder of its funding.

Commissioner Bedsted followed up with an inquiry as to whether there were anticipated concerns regarding the absence of the roundabout in the interim period. Supervising Civil Engineer Smith responded in the negative, as while there will be some increased congestion from increased traffic, it will not be enough to install the roundabout, which will be needed instead in the long run.

Commissioner Hinkle sought and received confirmation that at the moment, the roundabout is conceptual. Supervising Civil Engineer Smith confirmed, adding that this is not the only option for that location but rather the most reasonable to date.

Commissioner Hinkle remarked that he goes through that intersection three times a week at least and has trouble visualizing how a roundabout will work there due to several issues. Supervising Civil Engineer Smith confirmed that there are challenges to be worked through, including the issues the commissioner mentioned.

Commissioner Hinkle sought and received confirmation that there will be no parking on the roadways running north and south between the units.

Commissioner Hinkle inquired as to whether there had been any discussion regarding charging stations in relation to this project. Senior Planner Caperton responded in the negative.

Commissioner Hinkle remarked that this is something that will happen and will be forced onto the City. He would like the Planning Department to look into it for this type of development with the amount of parking it has, as you can't charge enough cars in the garages, so we need to have charging stations in the facility. Other developments have gone back and spoken to PG&E, who has a great program, and so it's something that we need to look at and implement in these projects so that we don't have to go back later and bring them up to code. Let's be ahead of Sacramento.

Commissioner Antuna requested clarification and elaboration regarding the Clovis Police Department concerns and conditions. Senior Planner Caperton provided a detailed explanation.

Commissioner Hinkle remarked that the Commission will soon see plans for the commercial development south of the subject site and inquired whether there had been discussion regarding the project HOA implementing a rule prohibiting the residents from parking in that commercial development. He sees it as a potential problem, people parking there then walking across the street and through the gate. Senior Planner Caperton responded that this is something that can be explored and that the applicant may be able to provide more information on the rules they intend for the HOA to implement.

Chair Hatcher inquired as to how many other projects have been approved in recent years with such reductions from the current code development standards, for historical reference. City Planner Araki provided detailed information.

Commissioner Antuna followed up with an inquiry as to whether or not this project counts towards our RHNA numbers. City Planner Araki responded in the affirmative with an explanation.

At this point, the Chair opened the floor to the applicant.

Dirk Poeschel of 923 Van Ness Avenue, Fresno, provided background on the project and offered to answer questions.

Commissioner Hinkle expressed gratitude to the applicant for working with the neighborhood, then inquired as to whether they considered a 'market-rate' project such as this to be 'affordable housing.' Mr. Poeschel responded that it is in a way more affordable, explaining his reasoning.

Commissioner Hinkle remarked that with everything being added to new homes these days, such as solar, 'market-rate' homes are becoming more and more unaffordable, then inquired as to whether the HOA would allow these units to be rented. He has seen a few HOA's lately that have rules against such. Mr. Poeschel responded that there are prohibitions in the law regarding how much you can restrict people renting but that their intention is for these homes to be owner-occupied, and Lennar has some ability to restrict that they intend to exercise.

Commissioner Hinkle remarked that the land in that area appears low, with at least a two-foot grade differential from the neighbors to the north, and inquired as to whether there are plans to bring in soil and bring it up to grade. He has seen as much as a foot or more of standing water on the site. Mr. Poeschel responded that they will be required to submit a grading plan that Flood Control and the City will work on.

Commissioner Cunningham inquired as to whether the applicant feels that the design changes implemented after the neighborhood meetings will mitigate the neighbors' privacy concerns. Mr. Poeschel responded in the affirmative, providing details.

Commissioner Hinkle inquired as to the applicant's willingness to install charging stations in this development. He remarked that for other projects, the installation of charging stations doubled the interest in those projects. He wants to see them in the project and will probably make a motion to include them. Mr. Poeschel responded that the topic will be evaluated as part of the site plan review process, as to his understanding such are mandated. Regardless, he assured that they will consider it as they want to be competitive and attractive.

At this point, the Chair opened the floor to those in favor.

Bill Robinson of 906 N Street, Fresno, representing the current property owner of the project site, stated that the property owners support the project and look forward to changing title, though they have concerns regarding how the proposed signal light/roundabout will affect their property and especially regarding the contributions for that roundabout.

At this point, the Chair opened the floor to those in opposition.

Chris Hubbard of 632 W. Birch Avenue stated that he is not in opposition but had concerns regarding light locations but in particular privacy. He wished to protect his property value and privacy.

Tom Frost of 438 Birch Avenue stated that he had not had much chance to look over the materials mentioned by others, but that he is nonetheless against the project. He sought clarification from Senior Planner Caperton regarding the changes in the site layout involving parking, then complained about the lack of quality in the plans mailed to the neighborhood. This project appears to him to be high density living, and spoke against allowing renting several times, as it takes few bad tenants to ruin an area. In that vein, he also expressed his hope that there would be landscape maintenance rules, to maintain the

living standards of the area, and his confusion that this site could not be used for single-family development. He opposes the use of cinder blocks in the retaining wall on the north side of the property due to lack of durability and is concerned that not only will the parking in that area be noisy but that it will overflow onto their streets. He also reiterated Mr. Hubbard's concerns regarding privacy and property value.

Commissioner Hinkle inquired as to whether Mr. Frost was aware of recent state legislation, in particular AB101. Mr. Frost responded in the negative.

Commissioner Hinkle explained the effects of some of the recent housing-related legislation and recommended considering this project in comparison to the possible alternative allowed by these laws, confirming for Mr. Frost his belief, as someone working in the field of real estate, that this project is closer to the Clovis way of life than the alternative that legislation forces cities to allow. He remarked that there's a law on the books that will allow the attorney general to essentially become the planning designer for any city that fails to meet certain housing goals set by the state.

Mr. Frost stated that he is aware that urban sprawl is an issue in parts of the state but that he has concerns regarding this project. Commissioner Hinkle responded by assuring that the concerns brought up are legitimate and expressing gratitude for bringing them before the Commission.

Laura Rios of 477 W. Birch Avenue expressed concerns regarding overflow parking and the increase in traffic to and from the schools on Peach and Nees Avenues from an increased population of residents, in particular young-family first-time buyers. She is concerned that not only does the existing traffic already lead to congestion but that it is also dangerous, as one neighbor's daughter was hit near Alta Sierra Intermediate School. She concluded by echoing the concern regarding families moving out as they grow and renting the houses, requesting restrictions on renting in this development.

Sherri Greer of 558 W. Birch Avenue echoed Mrs. Rios' concerns regarding the nearby schools, traffic, and the safety of children going to school, as her own son had been in a car accident in that area, this area is too close for bus service to the schools, and these are clearly starter homes, and therefore the residents will primarily be young families.

Ben Navarrette of 448 W. Birch Avenue reiterated previous comments regarding traffic congestion in the area, expressing his concern that three hundred more people, potentially four hundred more cars and no roundabout will worsen the situation. He also expressed concerns with the density, overflow parking, property value, safety, and privacy. The safety concern stems from his son playing in the dirt field and his certainty that adults do as well, leading him to inquire as to whether there will be a gate on the Peach Avenue side of the development. His privacy concern stems from his uncertainty as to what direction the windows of the development will face and the possibility of someone seeing his fourteen-year-old daughter through a window. According to his experience in real estate, condo and town house projects cause property values to drop eventually, and this combined with his other concerns leads him to believe his best option is to sell his house and move.

Chair Hatcher informed that the documents shown in the presentation are available on the City of Clovis website, for anyone interested in seeing the plans.

Monica Gracianos expressed concern regarding school attendance, as she and others bought houses in that neighborhood specifically to be able to send their children to Garfield Elementary School. She is concerned that they might be told to send their children to another school, especially with this project bringing in an unknown number of additional children, and inquired as to whether her child will be sent from Garfield to Cole Elementary School. Chair Hatcher responded that such calculations and decisions

are up to the school districts and advised reaching out to Clovis Unified School District. Senior Planner Caperton further responded that though City staff does not generally receive such information, they do work closely with CUSD, which has been aware for quite some time that this site was planned for this kind of development, and have in theory already accounted for the increase in student numbers.

Tom Frost of 438 W. Birch Avenue spoke again, expressing concern regarding traffic conditions in the area as his cars have been hit twice while parked at his home. He stated his belief that unsafe driving conditions are partially due to flooding caused by improper drainage in the area.

At this point, the Chair reopened the floor to the applicant.

Mr. Poeschel responded by assuring that they had done significant outreach, including to Mrs. Rios who had not returned the contact, and by addressing the concerns brought up by the neighbors who spoke in opposition.

At this point, the Chair closed the public portion.

Commissioner Hinkle pointed out that the proposed buildings are fifty feet from and about three feet lower than the existing fence, and therefore by line-of-sight residents of the project will not be able to look into neighbor properties. The only buildings with that possibility are those on the northeast end of the project.

Chair Hatcher followed up by pointing out that such loss of some privacy would also be a possibility with single-family houses, which are permitted by right to go up to two stories and is therefore not an issue that the Commission is able to address. She remarked that the applicants had designed the lights to keep them from going into the neighbors' backyards and had done a good job in reducing intrusiveness by moving the trash receptacles and parking. She sees no reason to vote against the project.

A member of the public called out comments. Chair Hatcher very briefly rebuked the comments and reminded the speaker that the public portion of the hearing was closed.

Commissioner Antuna stated her opinion that this is a good project and that the applicant had done well in trying to accommodate the requests of the neighbors who had contacted them. There is a need for market-rate, affordable housing for young people who want to live in Clovis but cannot afford a single-family home, as she herself was. She does not believe that rental properties lower property value in an area, and took offence to the implication that renters are not equal to owners, stating that such a stigma is the result of ignorance and there is no research supporting such a stance. She welcomes diversity, young families, university students, and this project.

Commissioner Cunningham echoed his fellow commissioners' remarks. In his opinion, Lennar had done well in interacting with the neighborhood, something the Commission wants to see. The applicant had been receptive to neighbor concerns and gone far in addressing them. As commissioners, they are the same as the members of the public in the audience, with the difference being only that they meet once a month and listen to a variety of concerns, and keep track of laws coming out of Sacramento.

At this point the same member of the public interrupted to call out comments again and was chastised.

Commissioner Cunningham reiterated that awareness of laws affecting housing is important and stated that he will support the project as he believes it to be better for this site than apartments.

Commissioner Hinkle remarked that there is an apartment project on the other side of Willow Avenue, and that the differences when comparing the two are significant.

At this point a motion was made by Chair Hatcher and seconded by Commissioner Bedsted to approve a finding of a Mitigated Negative Declaration for R2019-004, CUP2019-004, TM6262, V2019-001, and RSPR2019-003. The motion was approved by a vote of 5-0.

At this point a motion was made by Chair Hatcher and seconded by Commissioner Bedsted to approve R2019-004. The motion was approved by a vote of 5-0.

At this point a motion was made by Commissioner Hinkle and seconded by Chair Hatcher to approve CUP2019-004 with added consideration for charging stations. The motion was approved by a vote of 5-0.

At this point a motion was made by Chair Hatcher and seconded by Commissioner Bedsted to approve TM6262. The motion was approved by a vote of 5-0.

At this point a motion was made by Commissioner Cunningham and seconded by Chair Hatcher to approve V2019-001. The motion was approved by a vote of 5-0.

City Planner Araki informed the audience that this project is scheduled for consideration by the City Council on August 5th and to keep an eye on the mail for items from staff or the applicant.

OLD BUSINESS

None

NEW BUSINESS

None

ADJOURNMENT AT 7:20 P.M. UNTIL the Planning Commission meeting on July 25, 2019.

Amy Hatcher, Chair



AGENDA ITEM NO: **19**
City Manager: *JA*

CITY of CLOVIS

REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: Community & Economic Development

DATE: August 5, 2019

SUBJECT: Consider Approval - Res. 19-____, Resolution of Necessity to determine that public interest and necessity require acquisition of property for public purposes; and authorizing proceedings in eminent domain for two properties located at the northeast corner of Sunnyside Avenue and Fourth Street. Addresses: 1403 Fourth Street; APN: 491-191-18 and 1421 Fourth Street; APN: 491-191-17. Owners: Flores Living Trust

ATTACHMENTS:

Attachment 1: Property Location Map

Attachment 2: Draft Res. 19-____ Resolution of Necessity-
APN 491-191-18
APN 491-191-17
(A) Legal Description
(B) Map Depicting Property
(C) Notice of Hearing on Resolution of Necessity

Attachment 3: Offer Letter

Attachment 4: Offer Acceptance Letter – Flores Living Trust

CONFLICT OF INTEREST

Mayor Pro-Tem Flores has a financial interest in the property. This requires Mayor Pro-Tem Flores to recuse himself and requires the eminent domain process to be adhered to in order to comply with Government Code Sections 1090-1091.

RECOMMENDATION

For the City Council to hold a public hearing and approve a Resolution of Necessity to determine that public interest and necessity require acquisition of property for public purposes; and authorizing proceedings in eminent domain for two properties located at the northeast corner of Sunnyside Avenue and Fourth Street. Addresses: 1403 Fourth Street; APN: 491-191-18 and 1421 Fourth Street; APN: 491-191-17.

California Code of Civil Procedure Section 1245.240 requires the Resolution of Necessity be approved by a vote of two-thirds of all the members of the City Council, which means at least four votes in favor.

EXECUTIVE SUMMARY

Staff is requesting City Council to hold a public hearing and approve a Resolution of Necessity to determine that public interest and necessity require acquisition of property for public purposes; and authorizing proceedings in eminent domain for two properties located at the northeast corner of Sunnyside Avenue and Fourth Street. Addresses: 1403 Fourth Street; APN: 491-191-18 and 1421 Fourth Street; APN: 491-191-17.

Staff seeks approval to purchase the properties for additional street right-of-way to accommodate street improvements along Sunnyside Avenue and to redevelop the parcels as affordable housing units. Staff has reached an agreement with the representative of the property for price and terms. However, the eminent domain process is required due to Mayor Pro-Tem Flores having a financial interest in the property, in order to comply with California Government Code sections 1090-1091. As a result of Mayor Pro-Tem Flores' recusal, each of the four remaining Councilmembers must approve this Resolution of Necessity in order for it to be approved.

BACKGROUND

Staff is requesting City Council to hold a public hearing and approve a Resolution of Necessity to determine that public interest and necessity require acquisition of property for public purposes; and authorizing proceedings in eminent domain for two properties located at the northeast corner of Sunnyside Avenue and Fourth Street. Addresses: 1403 Fourth Street; APN: 491-191-18 and 1421 Fourth Street; APN: 491-191-17. California Code of Civil Procedure Section 1245.240 requires the Resolution of Necessity be approved by a vote of two-thirds of all the members of the City Council.

Staff seeks approval to purchase the properties for additional street right-of-way to accommodate street improvements along Sunnyside Avenue and to redevelop the parcels as affordable housing units. Sunnyside Avenue is not able to be widened in this area due to lack of right-of-way on this parcel. With this acquisition the needed right-of-way will be available to widen Sunnyside Avenue to improve traffic flow and safety in the area.

The City and the Housing Successor Agency has also been active in acquiring properties in the area to revitalize the neighborhood with affordable units in partnership with several non-profits over the past 30 years. The acquisition would

allow for at least two additional homes to be constructed in the area to be sold to low-income families. Staff will return with a development agreement with a partner non-profit at a future date once the existing structure is demolished and site readied for re-development.

Staff has reached an agreement with the representative of the property for price and terms. Nevertheless, the eminent domain process is required due to Mayor Pro-Tem Flores having a financial interest in the property, in order to comply with California Government Code sections 1090-1091. Mayor Pro-Tem Flores is required to recuse himself from the item and has not interacted with staff on the potential sale/purchase.

Appraisals were completed by Palmer Appraisals at the request of the City and determined the values to be:

1403 Fourth Street:	\$168,000
1421 Fourth Street:	\$ 67,000
Total value:	\$235,000

Under law the owner of the property is entitled to seek an independent appraisal at the City's cost up to \$5,000 per parcel. However, in lieu of independent appraisals for each parcel, the owner requested the additional \$10,000 as compensation for the Property. In addition, the City is obligated to cover all proceeding costs and any customary closing costs. The City made this offer pursuant to Government Code section 7267.2 to the Flores Living Trust on May 2, 2019 (Attachment 3).

The Flores Living Trust accepted the City's \$245,000 offer for the Property (\$173,000 for 1403 Fourth Street, and \$72,000 for 1421 Fourth Street) (Attachment 4).

The property owner has been notified of the public hearing date and was provided a form with which to request to appear and be heard on the Resolution of Necessity.

The findings for the Resolution of Necessity are:

1. Public interest and necessity require the proposed project;
2. The proposed project is planned and located in the manner that will be most compatible with the greatest public good and the least private injury;
3. The property described in the Resolution is necessary for the proposed project;
4. An offer to acquire the real property, pursuant to section 7267.2 of the Government Code, was made to the owners of record as provided by law;
5. The City has complied with all conditions and statutory requirements necessary to exercise the power of eminent domain ("the right to take") to acquire the property described herein.

FISCAL IMPACT

The acquisitions are included in the 2019-2020 Budget.

REASON FOR RECOMMENDATION

The eminent domain action is necessary in order to acquire the necessary right-of-way and allow the improvements to Sunnyside Avenue and the addition of affordable homes in the City of Clovis, and to comply with Government Code sections 1090-1091 due to Mayor Pro-Tem Flores having a financial interest in the property.

ACTIONS FOLLOWING APPROVAL

Staff and the City Attorney will pursue the eminent domain action in the manner required by law.

Recommended by:



Andrew Haussler
Community & Economic Development Director

ATTACHMENT 1
Location Map



ATTACHMENT 2
Resolution of Necessity
**A RESOLUTION DETERMINING THAT PUBLIC INTEREST AND
NECESSITY REQUIRE ACQUISITION OF PROPERTY FOR PUBLIC
PURPOSE AND AUTHORIZING PROCEEDINGS IN EMINENT DOMAIN**

WHEREAS, it appears necessary and desirable that the City of Clovis (hereinafter "City"), acquire fee title to the real property commonly known as 1403 Fourth Street (APN 491-191-18) and 1421 Fourth Street (APN 491-191-17), in the City of Clovis, in the County of Fresno, which is more particularly described as set forth in Exhibit "A" and as depicted in Exhibit "B" hereto (the "Property"); and

WHEREAS, the project for this resolution is the acquisition of fee title to the Property for additional right-of-way to accommodate street improvements along Sunnyside Avenue and to redevelop the parcels as affordable housing units (the "Project"); and

WHEREAS, the Property is owned by the Flores Living Trust ("Trust"), of which City Councilman Jose Flores is a beneficiary, and as a result of Councilman Flores' interest in the Property, Government Code section 1090 prohibits the City from purchasing the Property from the Trust in a typical negotiated purchase and sale agreement, and consequently an eminent domain proceeding must be commenced in order for the City to acquire the Property as authorized by Government Code section 1090; and

WHEREAS, a Notice of Hearing on the Intent of the City Council of the City of Clovis (hereinafter "Council") to Adopt the Resolution of Necessity, which Notice is attached hereto as Exhibit "C," was mailed to the owner of record of the Property in accordance with California Code of Civil Procedure section 1245.235(a) and (b), and said Notice of Hearing advised the owner of his right to be heard on the matters referred to therein on the date and at the time and place stated therein; and

WHEREAS, the hearing set out on the Notice of Hearing was held on July 8, 2019, at the time and place stated therein, and all interested parties were given an opportunity to be heard; and

WHEREAS, the hearing was then closed and the matter considered by the Council, as required by law; and

WHEREAS, this Council has received and considered all relevant facts and evidence, including, but not limited to, the City's staff report and matters referenced therein, facts which are otherwise commonly known, judicially noticeable and matters of public record, and all other relevant and proper evidence offered at the hearing by staff, affected property owners who made timely requests for hearing, and others who appeared and/or were heard.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CLOVIS, BY A VOTE OF NOT LESS THAN 2/3 OF ITS MEMBERS, DECLARES, FINDS, AND RESOLVES AS FOLLOWS:

1. The foregoing recitals are true and correct and, by this reference, incorporated herein as if set forth in full. The staff report on the Resolution of Necessity and all Attachments to this Resolution are incorporated by reference.

2. The City is authorized to acquire the Property for the Project by eminent domain proceedings pursuant to Sections 37350.5 and 40404 of the Government Code of California.

3. The Project is generally located near the northeast corner of the intersection of Fourth Street and Sunnyside Avenue, in the City of Clovis, County of Fresno, State of California. The Property to be taken consists of that certain real property hereinafter described in the legal description attached as Exhibit "A," and depicted in the diagram attached as Exhibit "B."

4. Based on all evidence presented in this matter, the Council specifically finds and determines that:

- a. The public interest and necessity require the proposed Project.
- b. The proposed Project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury.
- c. The Property as described is necessary for the proposed Project.
- d. The offer required by Section 7267.2 of the Government Code has been made to the identified and known owners of record of the Property.
- e. The City has complied with all conditions and statutory requirements necessary to exercise the power of eminent domain ("the right to take") to acquire the Property described herein.

5. The portion or interest in the Property, including any improvements thereon, which are authorized to be acquired by this resolution, is as delineated on the said attached exhibits, being real property completely situated within the territorial boundaries of the City.

6. The City plans that the date of use of the Property for the Project will be within seven years from the date the complaint for eminent domain proceedings is filed.

7. The City Attorney of the City of Clovis is authorized and directed to institute and conduct to conclusion in the name of said City, proceedings in eminent domain. The

proceedings are to be in accordance with the provisions of the Constitution of California and the Code of Civil Procedure in order to acquire in the name of the City a fee simple estate in and to the Property herein described and such other interests as may be necessary for construction and operation of the Project. The City Attorney is authorized to request and obtain prejudgment possession of the Property as soon as the same may be lawfully obtained.

8. The City's Director of Finance is authorized to pay, out of funds authorized or received, for the acquisition of said Property, for prejudgment possession of the Property, and for all other costs and expenses of acquisition, including, but not limited to, final compensation for the take and all fees and costs charged for City services in connection with this litigation.

* * * * *

The foregoing resolution was introduced and adopted at a regular meeting of the City Council of the City of Clovis held on the _____ day of July, 2019, by the following vote, to wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

DATED: _____, 2019.

Mayor

City Clerk

Exhibit "A"

Legal Description of Property

APN: 491-191-18

Lots 1, 2, 3, and 4 in Block 9 of Stanford Addition to Clovis, in the City of Clovis, County of Fresno, State of California, as per Map recorded in [Book 7, Page 56 of Record of Surveys](#), Fresno County Records, Fresno County Records.

APN: 491-191-17

Lots 5 and 6 in Block 9 of Stanford Addition to the Town (now City) of Clovis, in the City of Clovis, County of Fresno, State of California, according to the Map thereof, recorded in [Book 7, Page 56 of Record of Surveys](#), Fresno County Records.

Exhibit "B"

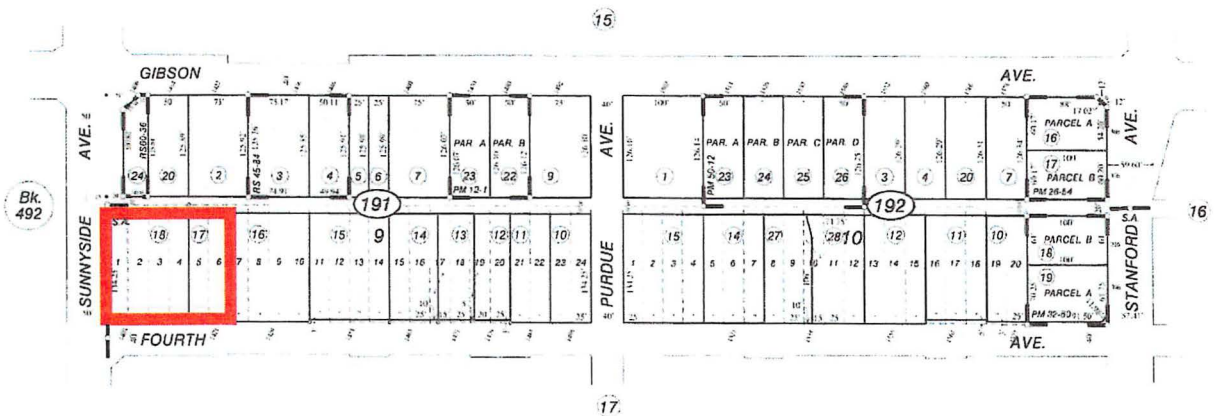
Map Depicting Property

NOTE
This map is for Assessment purposes only
It is not to be construed as portraying
legal ownership or divisions or land for
purposes of zoning or subdivision law.

SUBDIVIDED LAND & POR. SEC. 4, T. 13 S., R. 21 E., M.D.B. & M.

Tax Rate Area
1.000

491-19



Parcel Map No. 53 - Bk. 12, Pg. 1
Parcel Map No. 77-20 - Bk. 26, Pg. 54
Parcel Map No. 79-6 - Bk. 32, Pg. 60
Parcel Map No. 89-7 - Bk. 50, Pg. 12
Record of Survey - Bk. 45, Pg. 84
Record of Survey - Bk. 60, Pg. 36
Stanford Addition - R.S. Bk. 7, Pg. 56

Assessor's Map Bk. 491 - Pg. 19
County of Fresno, Calif.

NOTE - Assessor's Block Numbers Shown in Ellipses.
Assessor's Parcel Numbers Shown in Circles

Exhibit "C"

Notice of Hearing on Resolution of Necessity



CITY of CLOVIS

1033 FIFTH STREET • CLOVIS, CA 93612

NOTICE OF HEARING ON RESOLUTION OF NECESSITY

(Code Civ. Proc., § 1245.235)

June 20, 2019

Flores Living Trust
Xavier Flores, Trustee
2601 Indianapolis Ave.
Clovis, CA 93611

Re: Notice of Proposed Adoption of Resolution of Necessity; APN 491-191-18 and APN 491-191-17 (Fee Title)

Dear Mr. Flores:

The City of Clovis ("City") has previously informed you of its interest in purchasing your properties identified as APN 491-191-18 located at 1403 Fourth Street and APN 491-191-17 located at 1421 Fourth Street ("Property") in Clovis, California for additional right-of-way to accommodate street improvements along Sunnyside Avenue and to redevelop the parcels as affordable housing units ("Project").

As you also know, because your brother, Jose Flores, is a Clovis City Councilman, the City cannot purchase the Property from you in the typical manner of a purchase and sale agreement with an escrow. Instead, the City's acquisition of the Property must be through an eminent domain proceeding to comply with Government Code sections 1090-1091. So, while the City has offered to pay you the full amount of the City's appraised value of the Property, and you have confirmed your agreement with the amount offered, the City intends to move forward with the Project and to initiate the process of acquiring the Property by eminent domain.

Accordingly, notice is hereby given that on Monday, July 8, 2019, at 6:00 p.m. or as soon thereafter as the matter may be heard, at the Clovis City Council chambers, located at 1033 5th Street, Clovis, California, the Clovis City Council will consider for adoption a proposed Resolution of Necessity authorizing condemnation of the Property. The public project is the acquisition of the Property for the City's street improvements along Sunnyside Avenue and to redevelop the parcels as affordable housing units.

City Manager 559.324.2060 • Community Services 559.324.2095 • Engineering 559.324.2350
Finance 559.324.2130 • Fire 559.324.2200 • General Services 559.324.2060 • Personnel/Risk Management 559.324.2726
Planning & Development Services 559.324.2340 • Police 559.324.2400 • Public Utilities 559.324.2600 • TTY: 711

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**WRITTEN REQUEST TO APPEAR AND BE HEARD
ON RESOLUTION OF NECESSITY**

TO: Andrew Haussler
Community & Economic Development Director
City of Clovis
1033 5th Street
Clovis, CA 93612

FROM: Flores Living Trust
Xavier Flores, Trustee

Please consider this my written request to be heard on the Resolution of Necessity item scheduled for Monday, July 8, 2019, at 6:00 p.m. before the Clovis City Council at 1033 5th Street, Clovis, California. I understand you must receive this request no later than 5:00 p.m. on July 5, 2019, at the above address.

I understand that the matters to be heard are:

- a. Whether the public interest and necessity require the project;
- b. Whether the project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury; and
- c. Whether the real property sought to be acquired is necessary for the project.

I further understand that the hearing will not address the issue of what is the fair market value of the property.

DATED: _____, 2019 _____
Property Owner (or Authorized Agent)

[You may mail by first class mail, or certified mail, or you may hand deliver this notice to the City Offices.]

CODE OF CIVIL PROCEDURE

Section 1240.030

The power of eminent domain may be exercised to acquire property for a proposed project only if all of the following are established:

- (a) The public interest and necessity require the project.
- (b) The project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury.
- (c) The property sought to be acquired is necessary for the project.

(Added by Stats. 1975, Ch. 1275.)

Section 1245.230

In addition to other requirements imposed by law, the resolution of necessity shall contain all of the following:

(a) A general statement of the public use for which the property is to be taken and a reference to the statute that authorizes the public entity to acquire the property by eminent domain.

(b) A description of the general location and extent of the property to be taken, with sufficient detail for reasonable identification.

(c) A declaration that the governing body of the public entity has found and determined each of the following:

- (1) The public interest and necessity require the proposed project.
- (2) The proposed project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury.
- (3) The property described in the resolution is necessary for the proposed project.
- (4) That either the offer required by Section 7267.2 of the Government Code has been made to the owner or owners of record, or the offer has not been made because the owner cannot be located with reasonable diligence.

If at the time the governing body of a public entity is requested to adopt a resolution of necessity and the project for which the property is needed has been determined by the public entity to be an emergency project, which project is necessary either to protect or preserve health, safety, welfare, or property, the requirements of Section 7267.2 of the Government Code need not be a prerequisite to the adoption of an authorizing resolution at the time. However, in those cases the provisions of Section 7267.2 of the Government Code shall be implemented by the public entity within a reasonable time thereafter but in any event, not later than 90 days after adoption of the resolution of necessity.

(Amended by Stats. 1983, Ch. 1079, Sec. 1.)

Section 1245.235

(a) The governing body of the public entity may adopt a resolution of necessity only after the governing body has given each person whose property is to be acquired by eminent domain and whose name and address appears on the last equalized county assessment roll notice and a reasonable opportunity to appear and be heard on the matters referred to in Section 1240.030.

(b) The notice required by subdivision (a) shall be sent by first-class mail to each person described in subdivision (a) and shall state all of the following:

(1) The intent of the governing body to adopt the resolution.

(2) The right of such person to appear and be heard on the matters referred to in Section 1240.030.

(3) Failure to file a written request to appear and be heard within 15 days after the notice was mailed will result in waiver of the right to appear and be heard.

(c) The governing body, or a committee of not less than 11 members thereof designated by the governing body if the governing body has more than 40 members, shall hold a hearing at which all persons described in subdivision (a) who filed a written request within the time specified in the notice may appear and be heard on the matters referred to in Section 1240.030. Such a committee shall be reasonably representative of the various geographical areas within the public entity's jurisdiction. The governing body need not give an opportunity to appear and be heard to any person who fails to so file a written request within the time specified in the notice. If a committee is designated by the governing body pursuant to this subdivision to hold the hearing, the committee, subsequent to the hearing, shall provide the governing body and any person described in subdivision (a) who has appeared before the committee with a written summary of the hearing and a written recommendation as to whether to adopt the resolution of necessity. Any person described in subdivision (a) who has appeared before the committee shall also be given an opportunity to appear and be heard before the governing body on the matters referred to in Section 1240.030.

(d) Notwithstanding subdivision (b), the governing body may satisfy the requirements of this section through any other procedure that has given each person described in subdivision (a) reasonable written personal notice and a reasonable opportunity to appear and be heard on the matters referred to in Section 1240.030.

(Amended by Stats. 1986, Ch. 358, Sec. 1.)

ATTACHMENT 3
Offer Letter



CITY of CLOVIS

1033 FIFTH STREET • CLOVIS, CA 93612

Flores Living Trust
Xavier Flores, Trustee
2601 Indianapolis Ave
Clovis, CA 93611

May 2, 2019

Re: **Formal Offer to Purchase Real Property located at: 1403 Fourth Street, Clovis, CA (APN: 491-191-18) and 1421 Fourth Street, Clovis, CA (APN: 491-191-17)**

Dear Mr. Flores,

As you know from our recent telephone conversation, the City of Clovis ("City") is interested in purchasing the two parcels referenced above for additional street right-of-way to accommodate street improvements along Sunnyside Avenue and to redevelop the parcels as affordable housing units. In accordance with California Government Code Section 7267.2, this letter constitutes the City's formal offer to purchase the parcels for the amount the City believes is the just compensation for the property as established in the enclosed Appraisal Reports.

The appraised values for the parcels are as follows:

1403 Fourth Street:	\$168,000
1421 Fourth Street:	\$ 67,000
Total value:	\$235,000

As you also know, because your brother, Jose Flores, is a Clovis City Councilmember, the City cannot purchase the property from you in the typical manner of a purchase and sale agreement with an escrow. Rather, the City's acquisition of the property must be through an eminent domain process in order to comply with California Government Code sections 1090-1091. So, while the City and you can agree on the price to be paid for the property, unfortunately, the formal eminent domain proceeding will still be required. Nevertheless, if an agreement on the price is reached, the eminent domain case can be concluded quickly and the compensation paid to you within a few months.

As the owner of the property, you are entitled to seek an independent appraisal of both

City Manager 559.324.2000 • Community Services 559.324.2155 • Engineering 559.324.2050
Finance 559.324.2126 • Fire 559.324.2200 • General Services 559.324.2000 • Personnel/Risk Management 559.324.2729
Planning & Development Services 559.324.2140 • Police 559.324.2600 • Public Utilities 559.324.2600 • TTY: 711

www.cityofclovis.com

parcels. The City will pay the reasonable costs, not to exceed \$5,000.00 per parcel, for you to obtain an independent appraisal of the parcels, so long as an appraiser licensed by the Office of Real Estate Appraisers conducts the independent appraisal. Please contact me if you wish to obtain an independent appraisal. However, in lieu of conducting the independent appraisal of both parcels and the potential \$10,000 cost to the City associated therewith, the City is willing to include the \$10,000 in its offer for the property and pay a total of \$245,000 for the property (\$173,000 for 1403 Fourth Street, and \$72,000 for 1421 Fourth Street).

Please understand that you are free to accept or reject the City's offer for your property. You are entitled to claim that the fair market value of the property is more than the City is offering and to have the amount of just compensation determined in the eminent domain case in accordance with the laws of the State of California.

For your assistance, this offer is also accompanied by general information about the City's land acquisition procedures and the eminent domain process and your rights.

If you have questions or would like to discuss this matter in further detail, you can contact me at (559) 324-2095 or andrewh@cityofclovis.com

Sincerely,



Andrew Haussler
Community & Economic Development Director

Enclosures: Appraisal Reports
 Information regarding Clovis land acquisitions

ATTACHMENT 4
Offer Acceptance Letter

Flores Living Trust
Xavier Flores, TTE
2601 Indianapolis Ave.
Clovis, CA 93611
June 12, 2019

RE: Formal Offer to Purchase Real Property located at: 1403 Fourth Street, Clovis, CA
(APN: 491-191-18) AND 1421 Fourth Street, Clovis, CA (APN: 491-191-17)

Dear Andrew Haussler:

I hereby formally accept the offer made by the city of Clovis of \$235,000 for the properties of:
1403 Fourth street & 1421 Fourth Street. I will also accept the additional \$10,000 for opting out
of an independent appraisal which brings the total sum to **\$245,000**. As per agreement, the city
of Clovis will cover for all closing costs.

Sincerely,

Xavier Flores, TTE

A handwritten signature in black ink, appearing to read 'Xavier Flores', written over a horizontal line.



CITY *of* CLOVIS

REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: Administration

DATE: August 5, 2019

CORRESPONDENCE – Correspondence is communication addressed to City Council that requests action.

None.

Please direct questions to the City Manager's office at 559-324-2060.



AGENDA ITEM NO: 21
City Manager: CS

CITY of CLOVIS

REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: Administration

DATE: August 5, 2019

SUBJECT: Consider Approval – Land Tenure Agreement with Fresno Wildlife Rehabilitation Service to Construct The Nature Center at David McDonald Park and Authorize City Manager to Execute the Agreement

ATTACHMENTS: (A) Land Tenure Agreement
(B) Draft Site Plan and Building Plans
(C) Fresno Wildlife Rehabilitation Service Business Plan and Documentation Required by Clovis City Council Resolution 08-85

CONFLICT OF INTEREST

None

RECOMMENDATION

That the City Council approve the Land Tenure Agreement with Fresno Wildlife Rehabilitation Service for the construction of The Nature Center at David McDonald Park, and authorize the City Manager to execute the agreement.

EXECUTIVE SUMMARY

Council identified the park now known as David McDonald Park as a location for a Nature Center in 2007 in cooperation with the non-profit organization Fresno Wildlife Rehabilitation Services (FWRS). FWRS has acquired funding for construction of the first phase of the project, which will be identified as The Nature Center. FWRS has submitted a request for land at the park to construct the facility and has complied with all of the City's requirements for this type of partnership with the City. Staff is recommending that Council approve the attached Land Tenure Agreement to provide the land for FWRS to build The Nature Center at David McDonald Park.

BACKGROUND

On November 13, 2007, Council approved Site Plan Review SPR2007-25 for the design and construction of a 16.6-acre nature center at the property currently identified as David McDonald Park. The Nature Center was proposed in conjunction with Fresno Wildlife Rehabilitation, which is now known as FWRS. On May 2, 2011, the Site Plan Review was amended for the design and construction of the Miss Winkles Pet Adoption Center. At that time, the Nature Center was shown as a “future” development. FWRS recently received a large donation for the construction of the first phase of The Nature Center and has requested to enter into the necessary agreements with the City to allow them move forward with construction.

FWRS is requesting to build the first phase of The Nature Center on approximately 0.8 acres of land at David McDonald Park. It should be noted that on March 4, 2019, Council renamed the park to David McDonald Park. Staff has been in discussions with Mr. McDonald’s estate regarding the construction of a playground and picnic shelters at the park in memory of Mr. McDonald. Staff’s contacts at Mr. McDonald’s estate have seen the Draft Site Plan for The Nature Center and are agreeable with the proposal.

As shown on the attached Draft Site Plan (Attachment B), The Nature Center will consist of an approximately 3,300-square-foot building with outdoor flight cages and an associated parking lot. As shown on the Draft Building Plans that are also included in Attachment B, the building will include a Gift Shop and a large Education Center for classes, events, and static displays. It will also include an animal surgery room, recovery rooms, a room to prepare food for the recovering animals, office space, restrooms, storage, and laundry rooms.

The Nature Center will serve the public in two primary ways: First, it will provide public education regarding wildlife through classes, events, static displays, demonstrations, and the ability to observe recovering birds in the outdoor flight cages. Second, it will provide a permanent location for FWRS to continue their mission of rehabilitating injured or orphaned native wildlife that the public brings to them.

On June 16, 2008, Council adopted Resolution 08-85 establishing guidelines for cooperative agreements between the City and community-based, non-profit organizations. FWRS has complied with those guidelines and has submitted all of the information and documentation required by that resolution, which is incorporated into this report as Attachment C.

Staff has reviewed the plans and has found them to be consistent with the intent of the original SPR for a Nature Center that was approved in 2007. Staff has also reviewed the documentation submitted by FWRS and found that it complies with the requirements of Resolution 08-85. Staff developed a Land Tenure Agreement that will provide the land for FWRS to construct The Nature Center while ensuring that the City’s property and interests are protected; the agreement is attached to this report as Attachment A.

The recommended Land Tenure Agreement only provides for what was previously identified as Phase 1 of The Nature Center. Future phases are conceptual only at this time. Should FWRS accumulate funds for future phases, the Agreement will have to be amended.

FISCAL IMPACT

Provided that FWRS operates the site according to the terms and conditions of the agreement, and remains active with adequate funding, there will be no financial impact to the City. However, the City will retain full ownership and financial liability of the facility if the agreement is ever terminated. In that event, the City is not obligated to continue operating The Nature Center and could use the facility for other purposes.

REASON FOR RECOMMENDATION

This park was identified as the location for a Nature Center in 2007. FWRS is at the point where they have funding to begin construction and has satisfied the requirements of Resolution 08-85 that established guidelines for partnerships between the City and community-based, non-profit organizations. The recommended Land Tenure Agreement will provide FWRS with the land needed to proceed with the project.

ACTIONS FOLLOWING APPROVAL

The City Manager will execute the agreement with FWRS. FWRS will then begin the public Site Plan Review (SPR) process. Once the SPR is approved, FWRS will construct and operate The Nature Center in accordance with the Land Tenure Agreement and the SPR

Prepared by: Luke Serpa

Submitted by: Luke Serpa LS

STAFF REPORT ATTACHMENT A

RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO:

(FOR RECORDER'S USE ONLY)

CITY OF CLOVIS
1033 Fifth Street
Clovis, CA 93612

No recording or filing fee required; this document
exempt from fee pursuant to Sections 6103 and
27383 of the California Government Code.

**LAND TENURE AGREEMENT FOR
THE NATURE CENTER AND RELATED FACILITIES AT DAVID
McDONALD PARK,
CITY OF CLOVIS, FRESNO COUNTY, CALIFORNIA**

This Land Tenure Agreement ("Agreement") is entered into effective August 5, 2019 ("Effective Date") between the City of Clovis, a California Municipal Corporation ("City") and Fresno Wildlife Rehabilitation Service, a California Non-profit Corporation ("FWRS"), pursuant to the following recitals which are a substantive part of this Agreement:

RECITALS

- A. City is the owner of certain real property located at the northeast corner of the intersection of Sierra and Temperance Avenues in the City of Clovis, County of Fresno, State of California, identified as David McDonald ("Site").
- B. The Site is planned by City as part of City's community parks and trails system. As of the Effective Date, City has completed substantial park development on the Site.
- C. FWRS desires to construct and operate The Nature Center on approximately 0.8 acres of the Site. The portion of the Site proposed for The Nature Center is more particularly described and depicted in **Exhibit A** attached hereto ("Premises").
- D. City agrees to permit FWRS to develop and operate the Premises according to the terms of this Agreement.

NOW, THEREFORE, City and FWRS agree as follows:

- 1. Attachments. The attachments to this Agreement are incorporated herein by this reference and the terms contained in the attachments shall have the same force and effect as if they were set forth herein.

2. Consideration. Development and operation, including maintenance of the Premises, by FWRS for the purposes set forth in this Agreement and satisfaction by FWRS of the terms of this Agreement shall be consideration for FWRS's use and occupancy of the Premises. Except as otherwise set forth herein, City shall not charge FWRS for use of the Premises during the term of this Agreement.

3. Use of Premises. Upon the Effective Date, FWRS shall be allowed to use the Premises for the construction, operation, and maintenance of The Nature Center in accordance with the terms specified herein. FWRS shall not use the Premises for any purpose except as specifically provided herein.

FWRS shall use the Premises solely and exclusively as The Nature Center, a wildlife rehabilitation and public education center, and related facilities. FWRS shall permit no other uses of the Premises except for incidental or ancillary uses related to promoting, developing, or generating revenue for The Nature Center.

Consistent with the Site Plan discussed below, FWRS, at its sole cost and expense, may construct a building or buildings on the Premises to be used for its offices, wildlife rehabilitation/veterinary service, public education, storage, meetings, gift shop, special events, or any purpose consistent with development of The Nature Center. FWRS may delegate by contract construction to other entities consistent with the terms of this Agreement. The building(s) shall not be used as any person's actual living quarters and there shall be no overnight sleeping on the Premises.

Notwithstanding the foregoing, with the written consent of City, FWRS may allow community non-profit groups to use portions of the building(s) for office use provided that the FWRS shall remain responsible for all of its obligations under this Agreement, including without limitation its indemnification and insurance obligations. Such additional use shall be considered incidental and ancillary to the FWRS's use of the Premises.

Any revenue FWRS generates from its use of the building(s) or Premises shall be used solely for the further development and operation of The Nature Center, Nature Center Facilities, or Premises consistent with FWRS's purpose; except that during any joint fundraising events held on the Premises with other related non-profit organizations, revenue may be shared according to arrangements made between FWRS and the non-profit organization.

The following additional provisions shall apply:

- a. Site Plan Approval; Parking Plan. FWRS shall design, construct, maintain, and operate the Premises in accordance with The Nature Center 2019 Site Plan ("Site Plan") that is to be approved by City for the Premises through the Site Plan Review process. A copy of the approved Site Plan will be attached as **Exhibit B** when the Site Plan Review process is completed, and shall be incorporated herein by reference and shall be deemed a material part of this Agreement. The Site Plan may be amended through ordinary City channels for amending Site Plans and any such amendments shall be deemed incorporated into this Agreement.

As part of the Site Plan, FWRS shall submit for review, modification, and approval by City a parking plan demonstrating how FWRS will address on-site and off-site parking and related traffic issues for fundraising activities and special events held on the Premises.

- b. Business Plan and Operational Rules. As a condition precedent to constructing any improvements on the Premises, the FWRS's business plan, operational budget, and operational rules for the Premises must be reviewed and approved by the City Council as set forth in Section 16. An annual report and budget shall also be provided as set forth in Section 17.
- c. Signage. All Nature Center Facilities' signs shall be in conformance with the Site Plan and City's sign ordinance.
- d. Alcohol Use. FWRS, including any person, business, or organization hired by FWRS, may serve and sell alcohol on the Premises during exclusive FWRS fundraising events provided FWRS, and any person, business, or organization hired by FWRS, complies with all applicable California Alcohol Beverage Control Act rules and regulations. All alcohol consumption shall be confined to the interior of the Premises, and no person shall be allowed to bring alcohol onto the Premises except for the alcohol to be served or sold by FWRS for the fundraising event.

In addition, FWRS shall meet at least fourteen (14) days prior to any event involving the serving of alcohol with the Clovis Police Department and comply with any conditions required of the Department to protect the public health, safety, and welfare, including ensuring that minors have no access to alcohol and that no alcohol or alcohol beverage containers leave the Premises.

- e. Maintenance. FWRS shall be solely responsible for the maintenance of the Premises. The Premises and any associated improvements shall be maintained in a manner fitting for a public venue and consistent with the level of maintenance of City-owned facilities.
4. Liens and Claims. FWRS shall fully pay for all materials joined or affixed to the Premises and pay in full all persons who perform labor thereupon. FWRS shall not suffer any mechanics' or materialmen's liens, or stop notices, of any kind to be enforced against the Premises for any work done or materials furnished at FWRS's request. If any such liens are filed thereon, FWRS shall remove the same at its own expense, and shall pay any judgment that may be entered thereon or thereunder. Should FWRS fail, neglect, or refuse so to do, City shall have the right to pay any amount required to release any such liens, or to defend any action brought thereon, and to pay any judgment entered therein; and FWRS shall be liable to City for all costs, damages, reasonable attorneys' fees, and any amounts expended in defending any proceedings or in the payment of any of said liens or any judgment obtained therefor. City may post and maintain upon the Property notices of non-responsibility as provided by law.

5. Encumbrances. FWRS shall not encumber by deed of trust, mortgage or other security instrument, all or a part of its interest under this Agreement without the advance and express written consent of City, and upon such terms and conditions as City may require. Any encumbrance existing as of the commencement of this Agreement shall be subject to all covenants, conditions, or restrictions set forth in this Agreement and to all rights and interests of City.
6. Compliance with Laws: Required Permits. FWRS shall comply with all statutes, ordinances, regulations and requirements of all governmental entities (including the City of Clovis), relating to FWRS's use and occupancy of the Premises, whether those statutes, ordinances, regulations and requirements are now in force or are subsequently enacted. FWRS shall not use the Premises or permit the Premises, or any portion thereof, to be improved, developed, used or occupied in any manner that is in any way in violation of any valid law, ordinance, or regulation of any federal, state, county, or local governmental agency. FWRS is responsible for obtaining all building and other permits from City and any other governmental agency having jurisdiction over the Premises.
7. License. If any license, permit, or other governmental authorization is required for the lawful use or occupancy of the Premises, FWRS shall procure and maintain it throughout the term of this Agreement.
8. Utilities. FWRS shall make all arrangements for and pay for all utilities and services furnished to the Premises or used by FWRS including, but not limited to, gas, electricity, water, sewer, trash collection, telephone service, cable, internet, and for all connection services.
9. Waste and Nuisance. FWRS shall not use the Premises, or allow the Premises to be used, in any manner that will constitute a waste, nuisance, or unreasonable annoyance (including without limitation, the use of loudspeakers or sound or lights that are reasonably determined to be a nuisance) to the neighborhoods adjacent to the Premises.
10. Applications for Funding. FWRS may actively seek funding for the development and maintenance of the Premises, including funding for development fees. City may jointly apply with FWRS for grant funds to assist in development and maintenance of the Premises. FWRS shall, at its sole time, cost and expense, prepare the required applications. As set forth in Section 25, nothing herein creates an agency or partnership relationship between the City and FWRS.
11. Indemnity and Hold Harmless. FWRS shall indemnify, hold harmless and defend City and its officers, officials, employees, volunteers and agents from and against any and all claims, damages, losses and expenses, including attorneys' fees, arising out of FWRS's use, occupation or control of the Premises, including premises liability, and including the development, maintenance or control of The Nature Center, The Nature Center Facilities, or any improvements on the Premises, except where such claim, damage, loss or expense is caused by the sole negligence of City.

Exhibit C
Insurance Requirements

Exhibit C

Insurance Requirements

i. Commercial General Liability

- a. During construction, Fresno Wildlife Rehabilitation Service (FWRS) shall maintain commercial general liability insurance with coverage at least as broad as Insurance Services Office form CG 00 01, in an amount not less than four million dollars (\$4,000,000) per occurrence for bodily injury, personal injury, and property damage, including without limitation, blanket contractual liability. If a general aggregate limit applies, either the general aggregate limit shall apply separately to this project/location or the general aggregate limit shall be twice the required occurrence limit, whichever is greater. Vendor's general liability policies shall be primary and shall not seek contribution from the City's coverage, and be endorsed using Insurance Services Office form CG 20 10 (or equivalent) to provide that City and its officers, officials, employees, and agents shall be additional insureds under such policies. For construction projects, an endorsement providing completed operations coverage for the additional insured, ISO form CG 20 37 (or equivalent), is also required.
- b. Once construction of the Valley Nature Center is completed, FWRS shall maintain commercial general liability insurance with coverage at least as broad as Insurance Services Office form CG 00 01, in an amount not less than four million dollars (\$2,000,000) per occurrence for bodily injury, personal injury, and property damage, including without limitation, blanket contractual liability. If a general aggregate limit applies, either the general aggregate limit shall apply separately to this project/location or the general aggregate limit shall be twice the required occurrence limit, whichever is greater. Vendor's general liability policies shall be primary and shall not seek contribution from the City's coverage, and be endorsed using Insurance Services Office form CG 20 10 (or equivalent) to provide that City and its officers, officials, employees, and agents shall be additional insureds under such policies
- b. Any failure to comply with reporting provisions of the policies by FWRS shall not affect coverage provided the City.

- c. Coverage shall state that FWRS insurance shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the limits of the insurer's liability.
- d. Coverage shall contain a waiver of subrogation in favor of the City.

ii. Business Automobile Liability

- a. FWRS shall provide auto liability coverage for owned, non-owned, and hired autos using ISO Business Auto Coverage form CA 00 01 (or equivalent) with a limit of no less than four million dollars (\$4,000,000) per accident.

iii. Workers' Compensation and Employers' Liability

- a. FWRS shall maintain Workers' Compensation Insurance (Statutory Limits) and Employer's Liability Insurance with limits of at least one million dollars (\$1,000,000). FWRS shall submit to City, along with the certificate of insurance, a waiver of subrogation endorsement in favor of City, its officers, agents, employees, and volunteers.

iv. All Coverages

- a. Each insurance policy required by the agreement shall be endorsed to state that coverage shall not be suspended, voided, cancelled, or reduced in limits except after thirty (30) days' prior written notice has been given to the City, except that ten (10) days' prior written notice shall apply in the event of cancellation for nonpayment of premium.
- b. All self-insurance, self-insured retentions, and deductibles must be declared and approved by the City.
- c. Evidence of Insurance - Prior to commencement of work, FWRS shall furnish the City with certificates, additional insured endorsements, and waivers of subrogation evidencing compliance with the insurance requirements above. FWRS must agree to provide complete, certified copies of all required insurance policies if requested by the City.

- d. Acceptability of Insurers - Insurance shall be placed with insurers admitted in the State of California and with an A.M. Best rating of A- VII or higher.
- e. Subcontractors and Consultants - A category of risk and the applicable insurance requirements will be determined on a "per subcontractor" or "per consultant" basis, considering the particular work to be done by the subcontractor or consultant and the interrelationship of that work to other work being conducted by FWRS. If the City does not provide particular insurance requirements for a subcontractor or consultant, the insurance requirements shall be the same as required of FWRS.

Exhibit D
Nature Center Operational Rules

The Nature Center Rules of Operation August 2019

The Nature Center follows operational procedures as set forth in the Bylaws of Fresno Wildlife Rehabilitation Service. These govern the composition, election and duties of the Board of Directors, the members of which are responsible for planning and executing the development and activities of the Center.

Specific rules at the Nature Center are minimal:

- All federal, state, and city rules and regulations shall be followed.
- No alcoholic beverages shall be permitted, except during approved events.
- All dogs or pets must be leashed.
- New volunteers shall be supervised or trained by qualified staff or experienced volunteers.
- All visitors must leave the Center at closing time or when asked to do so for schedule or safety reasons.
- Nature Center hours are:
 - OPEN Tuesday through Saturday 9am to 4pm
 - CLOSED Sunday (except by appointment), Monday, New Year's Day, 4th of July, Thanksgiving, Christmas Eve and Christmas Day

12. Insurance Requirements. FWRS shall procure and maintain for the duration of this Agreement insurance against claims for injuries to persons and for damage to property that may arise from or in connection with FWRS's use, occupation or control of the Premises. The cost of such insurance shall be borne by FWRS. The scope and amounts of insurance shall be not less than those set forth in **Exhibit C** attached hereto.

13. Assignment. FWRS may not assign or sublet any rights or obligations under this Agreement or any interest in this Agreement without the prior written consent of City. City shall not unreasonably withhold its consent provided any successor entity assumes the obligations under this Agreement and provides satisfactory evidence to City that it has the resources to perform FWRS's obligations under this Agreement. This section allows FWRS to delegate operational roles to other entities provided the terms of this section are satisfied.

14. Taxes, Assessments, and Fees.

- a. Possessory Interest Tax and Assessments. If FWRS's possessory interest in the Premises created by this Agreement is or becomes subject to property taxation during the term of this Agreement or any extension hereof, FWRS shall be solely responsible for any property taxes arising out of its possessory interest in the Premises. FWRS shall pay before delinquency any and all possessory interest taxes, assessments, and City business license fees that may become due because of FWRS's use of the Premises. On demand by City, FWRS shall furnish City with satisfactory evidence of such payments or exemption from such payments.
- b. Personal Property Tax. FWRS shall pay before delinquency all taxes, assessments, license fees, and other charges that are levied and assessed against FWRS's personal property installed or located in or on the Premises, if any, and that become payable during the term of this Agreement. On demand by City, FWRS shall furnish City with satisfactory evidence of these payments or exemption from such payments.

15. Inspection of Premises. City and its authorized representatives shall have the right to enter and inspect the Premises and any improvement(s) on the Premises at all reasonable times to determine whether the Premises or improvement(s) are in good condition and whether FWRS is complying with its obligations under this Agreement; to do any necessary maintenance; to make restoration to the Premises; and to serve, post, or keep posted any notices required or allowed under the provisions of this Agreement.

16. Operational Rules. Before opening the Premises to the public, and as a condition precedent to constructing any improvements on the Premises, FWRS shall present its operational rules ("Operational Rules") for the Premises to the City Council for review and approval. The approved Operational Rules shall be attached hereto as **Exhibit D** and incorporated herein by reference as though set forth in full. The Operational Rules shall at a minimum address rules of conduct, hours of operation, fees to be charged (if any), when use of the Premises may be limited to special events and fundraising activities, and sponsorship opportunities and signage. The City Council may accept or reject the Operational Rules in its

sole discretion. FWRS shall be responsible for ensuring that the Premises are at all times being operated in accordance with the Operational Rules approved by the City Council. Any changes to the Operational Rules shall be approved by the City Council and become a part of this Agreement.

17. Annual Reporting and Accounting Requirements: Inspection of Books and Records.

a. Accounting Books. FWRS shall maintain accounting books governing the entire operation of the Premises, including but not limited to The Nature Center, The Nature Center Facilities, any buildings that may be constructed, special events, and the gift shop, in accordance with generally accepted accounting principles or other methods approved by the Finance Director or his/her designee. The books shall, at a minimum, contain information in sufficient detail, as determined by the Finance Director or his/her designee, showing revenues and expenses, accounts receivable and payable, and debts incurred by FWRS.

FWRS shall designate a place for maintenance of the books in the City of Clovis. The books should be open for inspection by the Finance Director or his/her designee at that place during regular business hours Monday through Friday, 8 a.m. to 5 p.m., excluding City recognized holidays, and at all other times within a reasonable time upon request. The books and supporting data shall be maintained for not less than a period of five (5) years following the calendar year in which they were generated.

b. Annual Report and Budget. FWRS shall prepare an annual report ("Annual Report") of its activities and an annual budget ("Annual Budget"). The Annual Report and Budget shall be based upon a fiscal year beginning July 1 and ending June 30. The Annual Report and Budget shall be presented to the City Council no later than December 31. The Council may request additional information and details to supplement the Annual Report and Budget and FWRS should provide that information within fourteen (14) days of such request.

18. Term of Agreement and Termination. This Agreement shall be in effect for a period of thirty (30) years from the Effective Date unless sooner terminated as set forth below. FWRS shall have the option to request an extension of the term of this Agreement. Any such extension is subject to approval in writing by City and upon mutually agreeable terms.

a. Termination for Default. This Agreement shall terminate upon a default of either party as set forth in Section 19 of this Agreement.

b. Termination Upon Dissolution or Insolvency. This Agreement shall automatically terminate upon: dissolution or termination of the existence of FWRS; FWRS insolvency; FWRS business failure; appointment of a receiver for any part of FWRS property located on the Premises; FWRS assignment for the benefit of creditors; or the commencement of any proceeding under any bankruptcy or insolvency law by or against FWRS or any guarantor or surety for FWRS.

c. Reduction in Term of Agreement. If FWRS fails to secure funding to complete the improvements identified on the Site Plan by December 31, 2020, the term of this

Agreement shall be reduced to five (5) years. If FWRS fails to complete at least fifty percent (50%) of the improvements identified on the Site Plan by December 31, 2020, the term of this Agreement shall be reduced to five (5) years. FWRS shall demonstrate by satisfactory evidence to City that it meets the thresholds set forth in this subsection.

19. Default

a. Grounds for Default. The following shall be grounds for default:

(i) Breach of Agreement. A failure to cure any material breach of this Agreement by either FWRS or City, including any attachments hereto, within sixty (60) days following written notice thereof. Any time after FWRS commits a default (fails to cure a material breach within 60 days of notice), City may terminate this Agreement or cure the default at FWRS's cost. If City, by reason of FWRS's default, pays any sum or does any act that requires the payment of any sum, the sum paid by City shall be due immediately from FWRS to City at the time the sum is paid, and if paid at a later date, shall bear interest at the rate of ten percent (10%) per annum from the date the sum was paid by City until City is reimbursed by FWRS.

(ii) Violation of Operational Rules. Repeated violations by FWRS of the operational rules. Repeated violation shall mean more than four (4) times in any 365 day period.

b. Notice of Default. Notices of default shall specify the alleged default and the applicable provision of this Agreement, and shall demand that the defaulting party perform the provisions of this Agreement within the applicable period of time. No such notice shall be deemed a forfeiture or termination of this Agreement unless the non-defaulting party so elects in the notice.

20. Consequences of Termination.

a. Use of the Premises. Upon termination, FWRS shall immediately cease any further use of the Premises, and FWRS shall remove any personal property from the Premises.

b. Ownership and Removal of Improvements. Upon termination of this Agreement, ownership and removal of any improvements shall be as follows: Upon receipt of written notice from City, FWRS shall, at its sole cost and expense, remove from the Premises those improvements so directed. Those improvements constructed or installed by FWRS on the Premises that are not directed to be removed by City shall, without compensation to FWRS, become the property of City free and clear of all claims to or against them by FWRS or any third party. Upon termination of this Agreement, any building improvements constructed by FWRS on the Premises shall revert to City and become City's property, and

City shall not be obligated to compensate FWRS, or any FWRS member or sponsor, for any such building improvements. FWRS hereby waives any right to seek compensation or other relief from or against City, including but not limited to injunctive relief and inverse condemnation, for any such building improvements.

c. Use of Premises After Termination. After termination of this Agreement, City may use the Premises in any manner it sees fit consistent with the purposes for which City acquired the Site. City is not required to maintain The Nature Center, The Nature Center Facilities, any of the improvements, or any of the sponsorship signs, displays, plazas, or similar. City may elect to install additional or different improvements.

21. Recording. This Agreement, or a summary memorandum of this Agreement, may be recorded by either party in the Fresno County Recorder's Office.

22. Fundraising Activities and Special Events. The parties' intent in allowing use of the Premises for fundraising activities is to permit the FWRS to generate revenue to maintain the Premises, not create a public forum to be used for religious gatherings or functions, political parties or candidates, or commercial activities. Fundraising activities and special events shall at all times be under the direct control and supervision of FWRS.

23. Notice. Any notice, demand, request, consent, approval, or communication that either party desires or is required to give to the other party or any other person shall be in writing and either served personally or sent by prepaid United States Postal Service mail. Notice shall be deemed communicated when either received personally by the party to whom notice is to be given or five (5) days after mailing when mailed to the address of such party as herein provided.

Notice by mail to FWRS shall be addressed as follows:

Fresno Wildlife Rehabilitation Service
P.O. Box 2605
Clovis, CA 93613

Notice by mail to City shall be addressed as follows:

City Manager
City of Clovis
1033 Fifth Street
Clovis, CA 93612

Either party may designate a different address by notifying the other party of the change of address.

24. Waiver. No delay or omission in the exercise of any right or remedy of City on any default by FWRS shall impair such right or remedy or be construed as a waiver. City's consent to or approval of any act by FWRS requiring City's consent or approval shall not be deemed to

waive or render unnecessary City's consent to or approval of any subsequent act by FWRS. Any waiver by City of any default must be in writing and shall not be a waiver of any other default concerning the same or any other provision of this Agreement.

25. No Partnership or Agency Relationship. City is not, nor shall it become or be deemed to be, a partner or a joint venturer with FWRS by reason of the provisions of this Agreement, nor shall this Agreement be construed to authorize either party to act as the agent for the other. This Agreement shall not create any rights, including without limitation third party beneficiary rights, in any person or entity not a party to this Agreement.

26. Non-Discrimination. FWRS shall be bound by the following non-discrimination and non-segregation clause:

"There shall be no discrimination against or segregation of any person, or group of persons on account of race, color, creed, religion, sex, sexual orientation, marital status, ancestry, national origin, or other class protected under State or federal law, in the use, occupancy, or enjoyment of the Premises, nor shall the FWRS itself or any person claiming under or through the FWRS, establish or permit any such practice or practices of discrimination or segregation."

27. Time of Essence. Time is of the essence of each provision of this Agreement.

28. Successors. This Agreement shall be binding on, and shall inure to the benefit of, the parties and their successors subject to the restrictions against assignment set forth in Section 13, above.

29. Interpretation of Agreement. This Agreement shall be construed and interpreted in accordance with the laws of the State of California.

30. Severability. The unenforceability, invalidity, or illegality of any provision of this Agreement shall not render the other provisions unenforceable, invalid, or illegal.

31. Entire Agreement. This Agreement contains all the agreements of the parties concerning the subject matter of it and cannot be amended or modified except by a subsequent written agreement.

32. Voluntary Agreement. Each party represents and warrants to the other party the following: they have carefully read this Agreement, and in signing this Agreement, they do so with full knowledge of any right which they may have; they have received independent legal advice from their respective legal counsel as to the matters set forth in this Agreement, or have knowingly chosen not to consult legal counsel as to the matters set forth in this Agreement; and, they have freely signed this Agreement without any reliance upon any agreement, promise, statement or representation by or on behalf of the other party, or their respective agents, employees, or attorneys, except as specifically set forth in this Agreement, and without duress or coercion, whether economic or otherwise.

33. Authority to Execute. The signatories to this Agreement represent that they have received authority from their respective governing body to execute this Agreement.

IN WITNESS WHEREOF, the parties have executed this Agreement on the day and year first written above.

FRESNO WILDLIFE
REHABILITATION SERVICE,
A CALIFORNIA NON-PROFIT
CORPORATION

CITY OF CLOVIS, A CALIFORNIA
MUNICIPAL CORPORATION

Signature

Signature

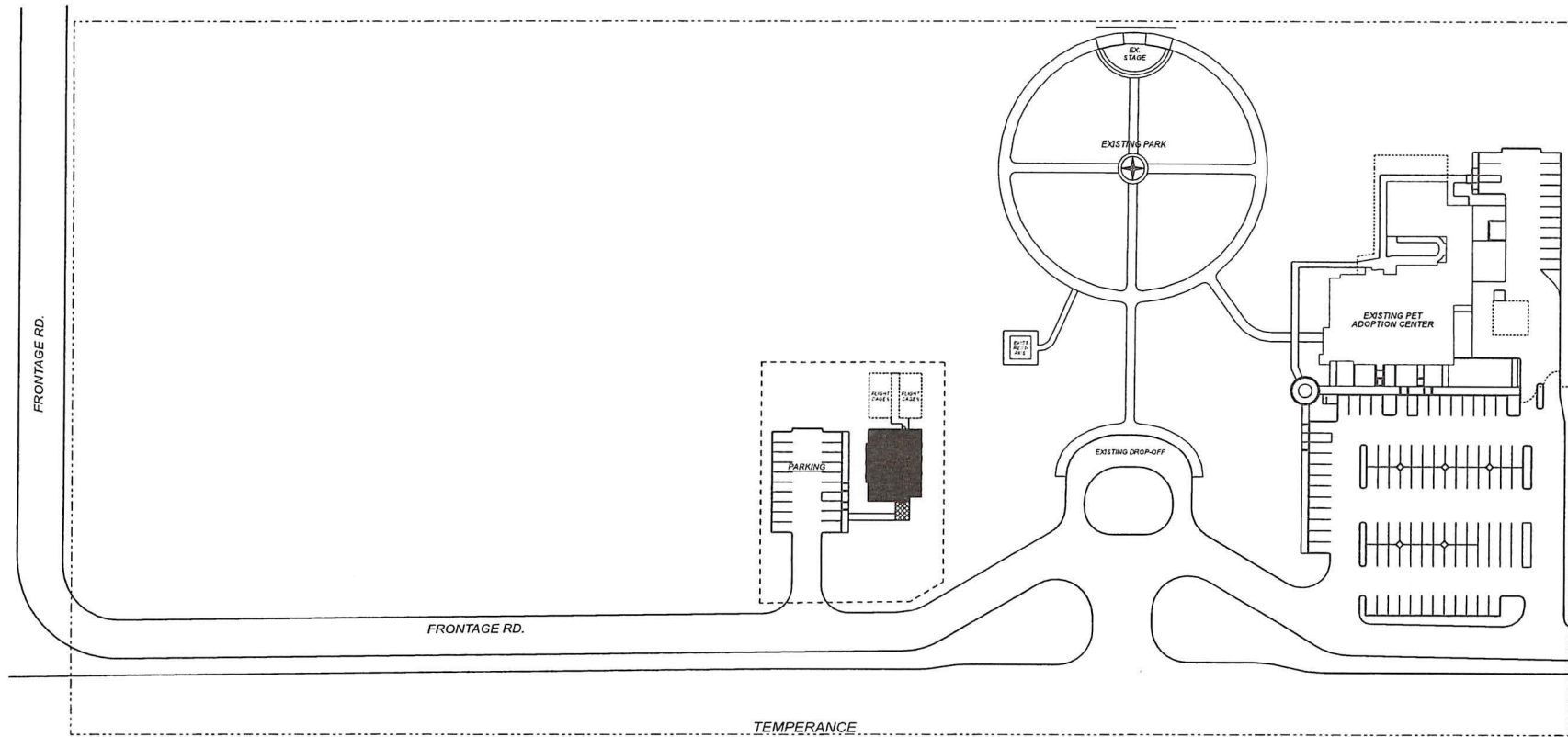
Name

Name

Title

Title

Exhibit A
Draft Site Plan



NATURE CENTER MASTERPLAN

CLOVIS, CALIFORNIA

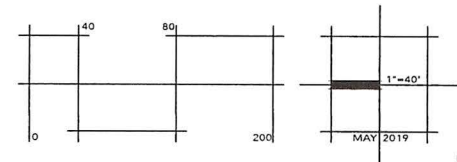
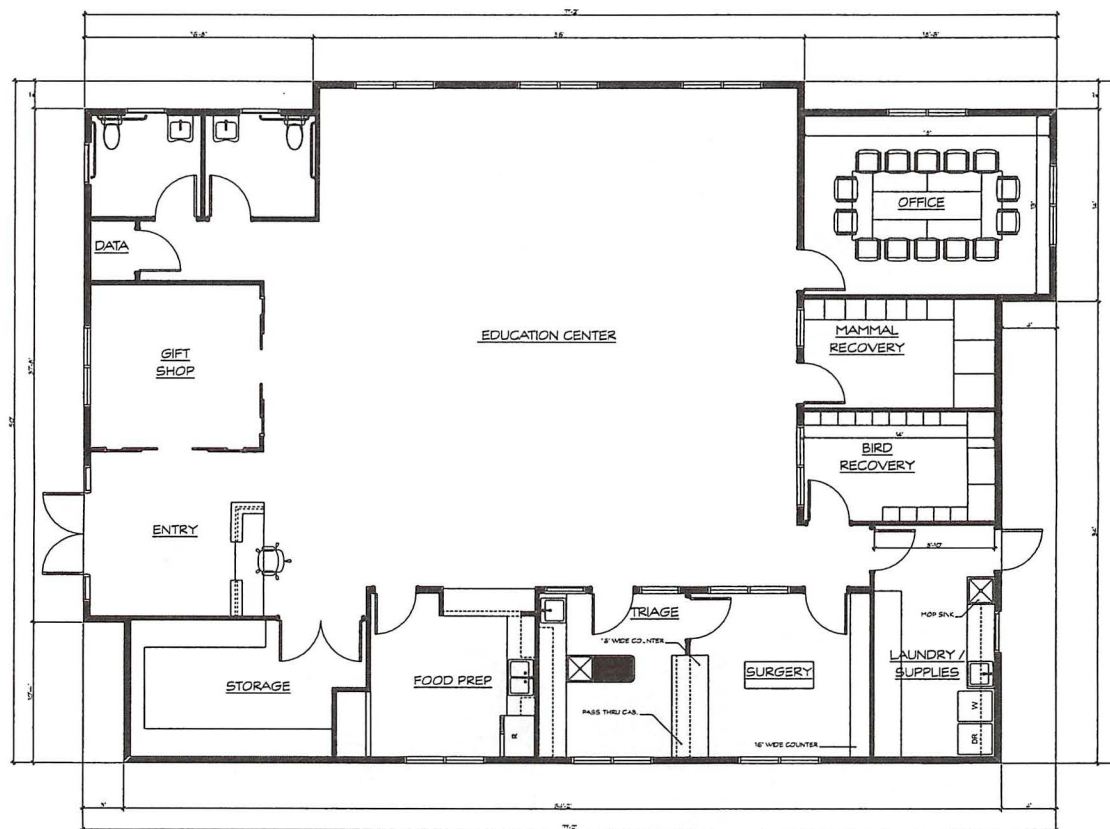


Exhibit B
Approved SPR
(To be added when SPR process is complete)

STAFF REPORT

ATTACHMENT B




FLOOR PLAN
 SCALE: 1/4" = 1'-0" 3,321 SQ. FT.


DESIGN GROUP
 INCORPORATED
 ARCHITECTS



4412 W. FERGUSON
 VISALIA, CA 93291
 (559) 732-9235
 FAX: 732-5593

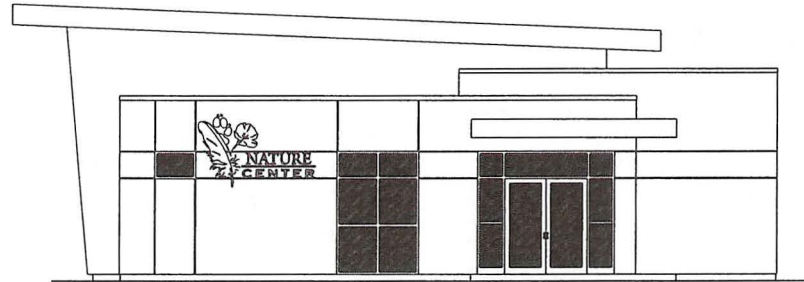
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A NEW EDUCATION &
 REHABILITATION CENTER FOR:
FRESNO WILDLIFE
 CLOVIS, CA

DATE: 7-25-10

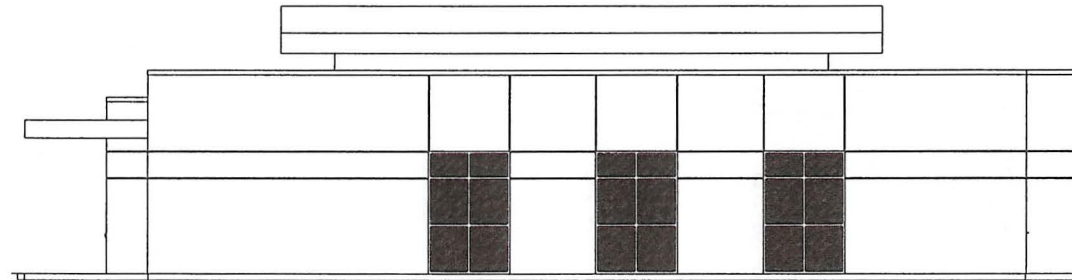
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A-2



WEST ELEVATION

SCALE 1/8" = 1'-0"



SOUTH ELEVATION

SCALE 1/8" = 1'-0"

EBM
DESIGN GROUP
 INCORPORATED
 ARCHITECTS



4412 W. FERGUSON
 VISALIA, CA 93291
 (559) 732-9235
 FAX: 732-5836

SCALE: AS NOTED
 JOB #: 15-0126

A NEW EDUCATION &
 REHABILITATION CENTER FOR:
FRESNO WILDLIFE
 CLOVIS, CA

DATE: 7-2-12

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△ REVISION

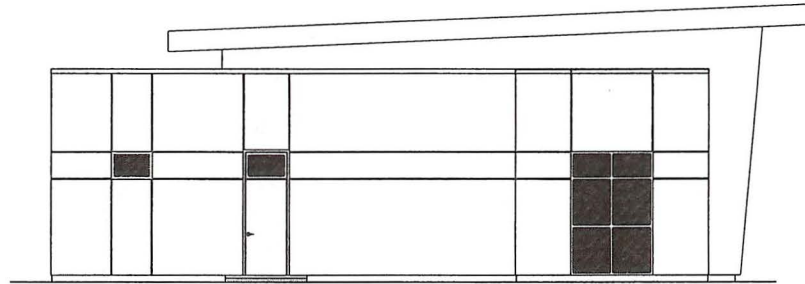
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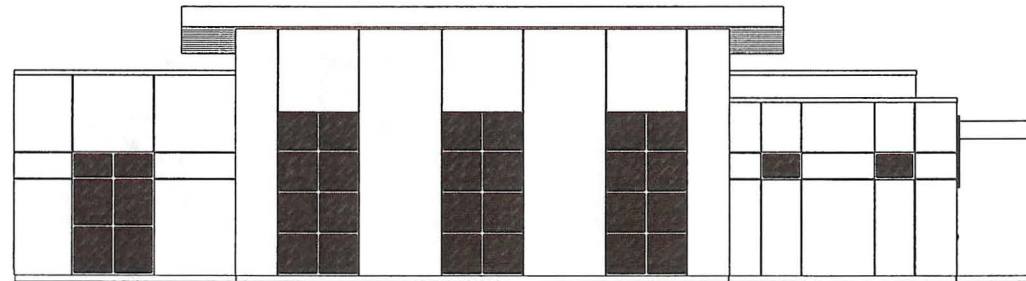
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EAST ELEVATION

SCALE: 1/4" = 1'-0"



NORTH ELEVATION

SCALE: 1/4" = 1'-0"

ERM
DESIGN GROUP
 INCORPORATED
 ARCHITECTS



#41237 FERGUSON
 VISALIA, CA 93291
 (559) 732-9236
 FAX: 732-5636

SCALE: AS NOTED

JOHN: 10-0-08

A NEW EDUCATION &
 REHABILITATION CENTER FOR:
FRESNO WILDLIFE
 CLOVIS, CA

DATE: 7-1-10

- △ REVIEWED
- △ REVISED
- △ DESIGNED
- △ REVISED
- △ REVIEWED

Sheet:

A-4

STAFF REPORT ATTACHMENT C

FRESNO WILDLIFE REHABILITATION SERVICE

BUSINESS PLAN



JULY 2019

Mission Statement

The mission of Fresno Wildlife Rehabilitation Service (FWRS) is to rehabilitate and return native wildlife to their natural habitat and to provide wildlife education to the public. Since its beginning, FWRS has physically cared for more than 45,000 animals and has made presentations to over 20,000 people a year at schools, including Clovis Unified School District, libraries, clubs, senior centers, the Clovis Antique Fair and many other venues.

Approximately 23% of animals dropped off at FWRS are from Clovis – residents, Clovis Police Department or Clovis Animal Control. Between 6/2-22/2019 alone, 18 animals were dropped off from Clovis.

The Role of The Nature Center



A major component of our education goal is to build **THE NATURE EDUCATION AND WILDLIFE REHABILITATION CENTER** (The Nature Center) that will encompass all related natural science education in order to encourage and challenge our visitors to further their nature exploration and appreciation of all living things, flora and fauna. At present, FWRS is the only wildlife rehabilitation organization in the country that is permitted to offer an interactive learning experience where students, grades 6–12, can care for, raise and release Barn Owls. It is called “Barn Owls in the Classroom.”

Mr. Derrel Ridenour has generously donated \$1 million towards the construction of Phase I, a 3400 sq. ft. building at Temperance and Sierra Avenues in Clovis, CA. In addition, our current building fund is \$202,387. We anticipate construction to begin in the fall of 2019.

Plans for Phase I of The Nature Center include:

- Reception desk where volunteers will respond to telephone calls concerning animal care;
- Intake of injured and/or orphaned native animals. The volunteer at the reception desk will explain to the person dropping off the animal how it will be cared for and will gather all pertinent information about the location of the found animal and of the person who found it for federal bookkeeping records;
- Triage of injured animals with one-way glass for public viewing, if appropriate;
- Pickup by caregivers of animals for care in their home;
- Pickup by caregivers of food (donated frozen chicks, etc.), medicine or other supplies for their animals
- A classroom in which to train volunteers
- Opportunities for the public to assist in the rehabilitation of native wildlife
- Teaching facilities for all ages and abilities, including an extensive wildlife book library

- Special instructional materials suited for public and home-school teachers, such as hands-on tables stocked with wildlife skulls, teeth, hair, etc. along with age-appropriate study guides that are aligned to the California State Science Standards (Exhibit 2)
- Specimen library for teachers where they can “check out” mounted specimens such as mountain lions, bears, hummingbirds and everything in between for classroom use
- Retired teachers will find a place where their important skills can be of assistance in tutoring young people. Working with wildlife can motivate students to improve academically
- Family nature workshops
- Barn Owl and other species' nest boxes where students can monitor the bird life inside and assist with cross-fostering orphaned birds
- Public viewing of releases of hummingbirds
- Eagle Scout and Regional Occupation Program (ROP) projects
- Live falconry demonstrations
- Opportunities for adult and child docents to speak in front of groups, thereby creating better self-esteem
- Special story time areas where puppet shows and small plays can take place
- Meeting room
- Fundraising venue
- Film series and guest speakers
- Gift shop
- Rest and refreshment areas

Future Phases will include:

- A natural history, interactive native wildlife museum with live exhibits
- A state-of-the-art wildlife veterinary hospital with teaching capabilities for pre-vet and vet tech students
- One-way glass for viewing the rehabilitation of wildlife
- Interactive capabilities, e.g., students at the surgery window can ask questions of the veterinary staff

Interpretive displays may include:

- How to Build a Barn Owl Nest Box;
- What's Your Wing Span (Exhibit 3 – a banner currently hanging in the office);
- Squirrel Basics;
- Build Your Own Kestrel Net Box
- “I Am a Cougar. We Can Coexist”

We currently have information on our website, www.fresnowildlife.org, about how to temporarily care for deer, birds of prey and small mammals prior to our receiving them, and this information can be made into interpretive signs if appropriate.

The office will be open Monday-Friday from 9A-4P and as pre-arranged for animal drop-off to facilitate immediate care. Currently we have anywhere from 10-35+ visitors per week who drop off animals that they have found, depending on the season. The office is also a critical conduit for educating the community about animal needs via telephone, email, and personal conversations with people who drop by. About 2/3 of the calls

received at the office are requesting information on what to do with an animal the caller has found. Often the answer is to leave it alone and let the mother find it, or take it to the CCSPCA or Clovis Animal Control where our volunteers pick up animals on a daily basis, or bring it to the office where an appropriate volunteer would be assigned to take care of it.

When the Nature Center opens, we anticipate having at least 200 visitors a week who come to participate in activities at the facility, view the interpretive displays and enjoy wildlife presentations. Easy access from Freeway 168 and Temperance Avenue will allow for busloads of school children to visit The Nature Center. We will not have a general admission charge but will accept donations and may charge for special events.

In an effort to provide additional funding for the operation and maintenance of this facility, FWRS will have a capital campaign outreach to members, those on our mailing list, and other outlets that will focus on the building fund.

FWRS' current annual fundraising events include:

- Spring Annual dinner
- Fall Open House
- Annual end-of year raffle
- End-of-year donations
- Baby Shower
- Memberships
- Yard Sale

FWRS will provide unique and meaningful programs for children and adults, building an appreciation for the creatures that live among us here in California. As FWRS morphs into The Nature Center, it plans to offer dynamic and constantly evolving programs that will encourage lifelong learning. As The Nature Center, we will incorporate many methods of learning, since not all of us learn in the exact same way. We will emphasize hands-on experiences that mesh with well-developed lesson plans that align themselves with the New Generation Science Standards for California Public Schools (see Exhibit 2). The unique and very special opportunities that come with having live wildlife on-site will make for unforgettable experiences for all ages. All structured activities will be led by professionals in that field, trained volunteers and credentialed teachers.

Class topics will include:

- Information on raptors
- How to make bird feeders
- Duck and goose interaction with humans
- Hummingbird feeders – What you should know
- Living with urban wildlife

We anticipate having classes once a month, with frequency increasing as we get established. We may have between 5-30 people per class and may charge children and adults, depending on the class and material costs. The programs are designed to help students and the public to become scientifically literate citizens and good stewards of the earth. Instruction is offered to provide insight on wildlife, conservation, natural history and the environment to schools, organizations

and the general public. Educators can find new resources that connect with the Next Generation Science Standards (Exhibit 2).

The primary objective of The Nature Center is to encourage children and adults to be educational ambassadors for wildlife and their environment. The site's wildlife will allow unique opportunities that will create unforgettable experiences for all ages. FWRS will emphasize hands-on experiences that align with the New Generation Science Standards for California Public Schools (Exhibit 2).

We have a long-standing relationship with the Environmental Lab students at CART (Center for Advanced Research and Technology). For years, we have had wildlife projects every spring semester, and currently enrolled CART students will be able to use The Nature Center for their projects. Members of the FWRS Auxiliary Board graduated from CART, and many other CART students are active volunteers.

FWRS does approximately 50-60 classroom presentations a year, at least 14 of which are in Clovis Unified School District. The presenters bring some of our Wildlife Ambassadors for an up-close experience the students would not otherwise be able to receive. Our Wildlife Ambassadors include 23 animals at the present time, including a Red-Tailed Hawk, a Peregrine Falcon and a Great Horned Owl. These Wildlife Ambassadors visit and educate over 20,000 people a year at schools, libraries clubs and senior centers, sharing the wonder of native wildlife with audiences all over the Central Valley. The Wildlife Ambassadors cannot be returned to the wild, either because of permanent injuries, disabilities or because they are non-native species granted to our care by State or Federal agencies. Many of them live out long, rich lives of 10 or even 20 years in our care, and they receive the best food and veterinary attention available.

Without FWRS, injured or orphaned wildlife would have to be euthanized or left to fend for themselves in the wild, people's yards, or city/county streets and property. No other group in the Central San Joaquin Valley has the volunteers, training or organizational structure to provide the wildlife education, rehabilitation and support that FWRS has. FWRS is licensed by the U.S. Dept. of the Interior, Fish and Wildlife Division and California Department of Fish and Wildlife and adheres to strict reporting and oversight regulations.



Orphaned Baby Bobcat

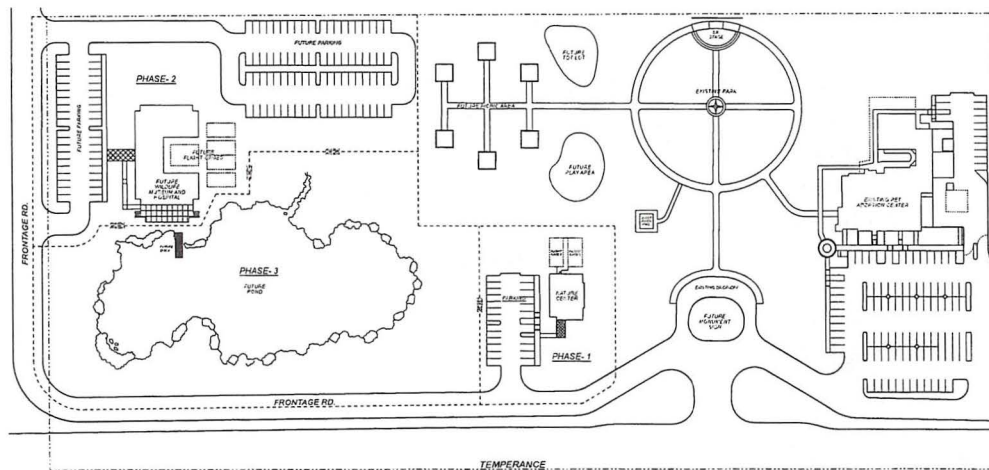
History of Organization

Fresno Wildlife Rehabilitation Service was founded by Cathy and Dave Garner in 1974 to ensure that native wildlife would not have to die for lack of care. Before the Garners started FWRS, similar services were performed by the Chaffee Zoo (then known as Roeding Park Zoo), and wildlife was also being taken to The Discovery Center (then known as the Fresno Junior Museum). Both of those entities decided to discontinue their work with wildlife brought in from the public, which meant that native wildlife was being euthanized for lack of a care facility.

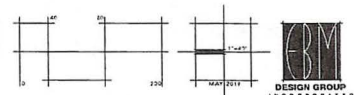
In order to provide care for these animals, FWRS was founded in 1974, and the necessary, required permits/licenses to care for and exhibit wildlife were applied for and received. Since its inception, FWRS has cared for and released thousands of birds and mammals back to their natural habitat. In addition, the organization has utilized many of the non-releasable animals for education programs that have been offered to the public at no charge.

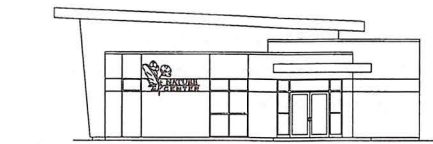
Strategy and Implementation Summary

The architectural firm of EBM Design Group Inc is developing the Nature Center Master Plan (below). Phase I of that plan will be the first Nature Center Building and Flight Cage. FWRS has accumulated \$1,202,387 toward construction of Phase I (below).

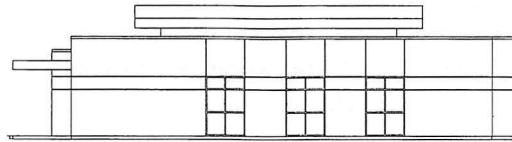


NATURE CENTER MASTERPLAN
CLOVIS, CALIFORNIA

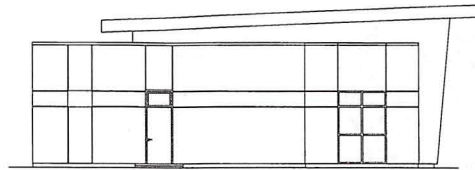
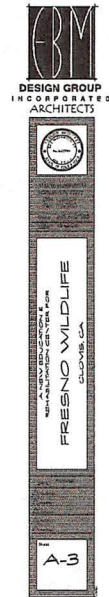




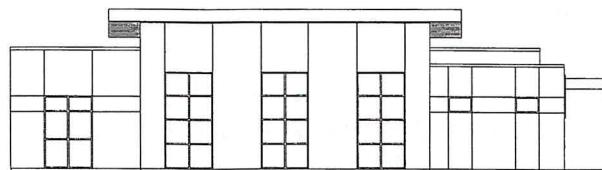
WEST ELEVATION
SCALE: 1/4" = 1'-0"



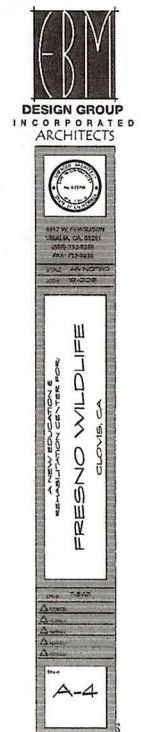
SOUTH ELEVATION
SCALE: 1/4" = 1'-0"



EAST ELEVATION
SCALE: 1/4" = 1'-0"



NORTH ELEVATION
SCALE: 1/4" = 1'-0"



Through our singular focus of enriching lives through nature education, we are positioned as a premier source for this type of education, enrichment and enjoyment for the entire Central Valley of California. Our offerings will include a diverse range of programs and activities on a rotating calendar basis, ensuring a fresh experience for even the most frequent visitors.

Certainly when "baby season" arrives, visitation will grow in earnest as everyone wants to see the baby animals, and many will want to participate in their care. Membership growth, which seems to align itself with baby season, will be a key strategy for The Nature Center. The Auxiliary Board hosts a Baby Shower during baby season that generates funds and donations of materials used for the care of baby animals.

Additional revenue will come from membership, fundraising activities, class fees, and general admission. Targeted advertising and networking throughout a very active community will allow us to focus on continually bringing first time attendees to The Nature Center. An inviting, informative website will support our efforts, while sharing our message with a large audience. Once inside, we will rely upon the dynamic environment, one-of-a-kind opportunities and our staff to spark interest in our programs, events, workshops and hands-on experiences.



*Young orphaned
Pronghorn Antelope*

Strategic Alliances

FWRS has received substantial support from the following organizations:

- **EBM Design Group** provides the architectural work for the entire building site and produced the renderings for presentations.
- **Baker, Manock & Jensen** has provided pro-bono legal assistance and has updated FWRS' bylaws and articles of incorporation.
- The allocation of the land by **the City of Clovis** and their acknowledgement of said parcel in their "City of Clovis Master Plan" indicate their interest in this project. FWRS will work diligently to maintain an excellent working relationship with the City, seeking and sharing cooperation for the benefit of the local community and beyond.

- **Clovis Community Foundation** for its on-going financial support.
- **CART (The Center for Advanced Research and Technology) Environmental teachers/advisors Staci Bynum, Steve Wilson and Ashley Howell** offer students the opportunity to volunteer at various local agencies through the Regional Occupation Program (ROP). In the last 10 years, approximately 80 students have raised and monitored approximately 40 barn owls and other rescued animals for FWRS. FWRS has facilitated CART students' attendance at the International Wildlife Rehabilitation Council's two-day wildlife-care training in Salinas.
- **Carla Montagno and Tim Moore** for their dedication and on-going commitment.
- **Brett Todd**, Vice President of Colliers International, has donated time and resources in finding FWRS suitable office space.
- **U.S. Department of Forestry and California State Parks** utilize FWRS services when employees find/encounter wildlife in need of care. In addition, FWRS Founder Cathy Garner has provided triage and initial-care classes to their employees.
- The following **veterinarians** have provided medical attention to our wildlife, some *pro bono*

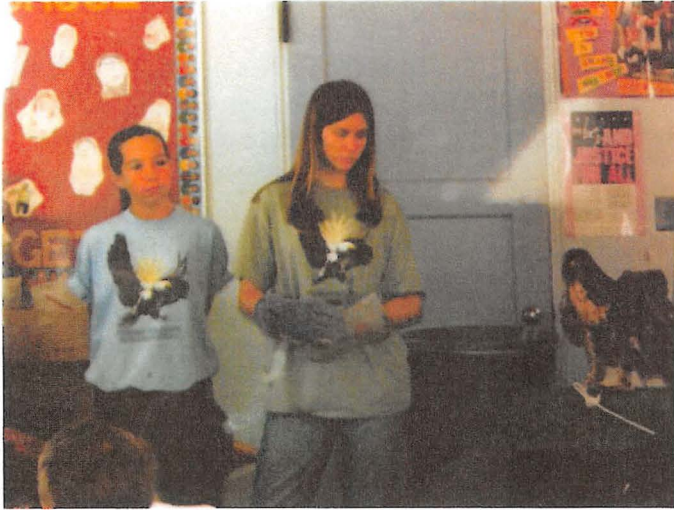
Kristen Wallert, D.V.M., Madera
 Gayle O'Bannon, D.V.M., Reedley
 Raymond Pludow, D.V.M., Coarsegold
 Gary Shahbazian, D.V.M., Fresno
 Sue Lynch, D.V.M., Sanger
 Geoffrey Olsen, D.V.M., Oakley
 Victoria Joseph, D.V.M., Roseville
 Omar Cabrera, D.V.M., Roseville
 Alyx DeBenedetto, D.C., G.T., Clovis

- **Belt Hatchery** for providing wildlife food.
- **Simonian Fruit Company** for the use of their facility for our annual dinner.
- **Valley British Car Club** for annually funding the FWRS booth at the Clovis Antique Fair, a public-outreach and education venue, and for their continued support.
- **ITEX Corporation**, A Virtual Currency Community, for on-going support.
- **California Department of Fish & Wildlife** for issuing permits and referring callers for our services.
- **U.S. Department of the Interior, Fish & Wildlife** for issuing permits.
- **Gary Smith of Erickson LLC**, for on-going support.
- **Dr. Gary Fogg and Dr. Steven G. Fogg** for treating wildlife eye problems at no charge.

FWRS has forged beneficial relationships with the following entities and organizations and will continue establishing others in conjunction with The Nature Center, including:

C.A.R.T. (Center for Advanced Research and Technology)
 Clovis Unified School District
 Fresno Unified School District
 Central Unified School District
 Fresno County Office of Education
 Scout Island

California State University, Fresno
San Joaquin Valley College
Central California S.P.C.A.
San Joaquin River Parkway
Clovis Botanical Garden
Boys and Girls Clubs of Clovis & Fresno
Big Brothers/Big Sisters



*Young volunteers
showing a Red-tailed
Hawk
during a presentation
to Boy Scouts*

Market Analysis Summary

There is no known facility in the Central San Joaquin Valley that offers the unique nature experience provided by FWRS and The Nature Center. The project focuses on nature education, wildlife rehabilitation and creating an exciting site where both can take place. By leveraging our strong ties to local media, farmers/ranchers and educators, we can drive awareness about this wonderful opportunity called The Nature Center. Its uniqueness will spark curiosity and incur attendance.

Our outreach programs have focused primarily on serving children in low- to moderate-income areas of our Valley. We want to attract children from local hospitals as well as preschoolers and those enrolled in day care centers. Many of those children have been forgotten when it comes to science and nature. Children with special needs, such as those in wheelchairs, will be able to participate in many of the activities offered at this site.

For Valley residents and tourists alike, this site will provide an incredible variety of exciting environmental opportunities and experiences. To get those same experiences elsewhere, one would have to drive 180 miles north making The Nature Center a most desirable stop. We believe that individuals, families and schools will recognize the benefit of a place such as The Nature Center with its focus on the life sciences. It will be seen as an opportunity to enrich lives and as a fun place to spend time with family and friends.

Organization Structure and Management

Bylaws

The bylaws establish the manner in which the Board of Directors is elected to oversee the resulting organization and define its duties.

Board of Directors:

President: Has general supervision, direction and control of the business and the officers of the Board. The President presides at all meetings of the general membership and the Board of Directors.

Vice President: In the absence or disability of the President, the VP shall perform all the duties of the President and, when so acting, shall have all the powers of, and be subject to all the restrictions upon the President.

Recording Secretary: Keeps or causes to be kept a book of minutes of all meetings and actions of Directors, Committee of Directors, with the time and place of holding, the names of those present at Directors' meetings or committee meetings, and the proceedings. The secretary shall give or cause to be given notice of all meetings of the Board of Directors and of committees of the Board.

Treasurer: Keeps and maintains, or causes to be kept and maintained, adequate and correct books and records of accounts of the properties and business transactions of this organization, including accounts of its assets, liabilities, receipts, disbursements, gains, losses, capital and retained earnings.

The 2019/20 Board of Directors is listed below:

- Cathy Garner, President of the Board, Founder of FWRS
- Vice President Debi Eldred, California Department of Social Services, Retired
- Recording Secretary Susan Stiltz, Landscape Consultant
- Treasurer Doralie Utecht, Wells Fargo, Retired
- Harry M. Drandell, Attorney at Law
- Dave Garner, U.S. Post Office, Retired, Founder of FWRS
- Brandy Hawkins, Cattle Procurement Accounting Assistant, Cargill Meat Solutions
- Ginny Hovsepian, Member Clovis Unified School District Governing Board
- Eric McConnaughey, Architect
- Christopher Patin, Deputy Chief, California Department of Fish and Wildlife, Retired
- Kristen Wallert, Equine Veterinarian

Auxiliary Board (AB): Established in 2015, this board is open to students and other young adults who want to be involved with FWRS and learn how the organization is run. It operates under the authority of the FWRS Board of Directors, with direct guidance from the President and supervision from CART instructors Staci Bynum and Steve Wilson. Most of the students will have already taken part in the CART ROP (Regional Occupational Programs) where they raised wildlife and learned how to care for them. The Auxiliary Board Bylaws are included in this Business Plan as Exhibit 1.

Examples of AB member responsibilities will include applying for various federal and state permits and organizing at least one fundraiser for FWRS. AB applicants will take a test to gauge their knowledge and interest in wildlife, and after their 1-year commitment to the board, they will be re-tested to see what they've learned. Some sample test questions are:

- What would you say is your primary reason for volunteering with FWRRS?
- Have you ever worked with any animals before? If yes, please explain.
- Which of these mammals are not taken in by FWRS: Beechey Ground Squirrel, Eastern Red Fox Squirrel, Western Gray Squirrel, Beaver, Marmot, Southwest Long-Tailed Weasel?
- Up to how many days will a mother deer come to an area to look for her young offspring?
- What sense/s does an owl use to find food?

2019/20 AB Board Members are:

- Taylor Barnes
- Faith Brearley
- Jaime Carlino
- Liberty Dwyer
- Torin Taylor

Sub-Committees:

Volunteer Coordinator

Membership Coordinator

Fundraising:

- Annual large-scale fundraiser
- Two to three small-scale, more targeted fundraising activities
- The solicitation of individuals, corporations and small businesses
- The writing of proposals to secure grants from foundations and other sources

Marketing and Publicity

- Social media
- Newscasts and morning shows, often featuring live birds and animals
- Radio programs
- School classrooms
- Service-oriented organizations
- Public events including animal showings
- Marketing with the Fresno Convention & Visitors' Bureau
- Expand distribution of FWRS DVD

Education and Training

Community Outreach

Site Maintenance



*Great Horned
Owlets Prior to
Release*

Financial Statements

FRESNO WILDLIFE RESCUE & REHABILITATION SERVICE BALANCE SHEET JUNE 30, 2019 THROUGH 2023

	2019	2020	2021	2022	2023
ASSETS					
<i>Current Assets</i>					
Cash in Bank	\$ 873,898	\$ 255,498	\$ 285,798	\$ 316,098	\$ 346,398
<i>Total Current Assets</i>	873,898	255,498	285,798	316,098	346,398
<i>Property and Equipment</i>					
Land	-	-	-	-	-
Building	-	1,000,000	1,000,000	1,000,000	1,000,000
<i>Total Property and Equipment</i>	-	1,000,000	1,000,000	1,000,000	1,000,000
TOTAL ASSETS	<u>\$ 873,898</u>	<u>\$ 1,255,498</u>	<u>\$ 1,285,798</u>	<u>\$ 1,316,098</u>	<u>\$ 1,346,398</u>
LIABILITIES AND STOCKHOLDERS' EQUITY					
<i>Current Liabilities</i>					
Accounts Payable	\$ -	\$ -	\$ -	\$ -	\$ -
<i>Total Current Liabilities</i>	-	-	-	-	-
<i>Long-Term Debt</i>	-	-	-	-	-
<i>Fund Balance Equity</i>					
Fund Balance	873,898	1,255,498	1,285,798	1,316,098	1,346,398
<i>Total Fund Balance Equity</i>	<u>873,898</u>	<u>1,255,498</u>	<u>1,285,798</u>	<u>1,316,098</u>	<u>1,346,398</u>
TOTAL LIABILITIES AND FUND BALANCE EQUITY	<u>\$ 873,898</u>	<u>\$ 1,255,498</u>	<u>\$ 1,285,798</u>	<u>\$ 1,316,098</u>	<u>\$ 1,346,398</u>

**FRESNO WILDLIFE RESCUE & REHABILITATION SERVICE
NOTES TO STATEMENTS**

- 1 This project is pre-funded, there is no debt from the construction of this building
- 2 The construction costs are based on current market costs of roughly \$300 per square foot.
- 3 Building size is 3,300 square feet at \$300 per square foot equals \$1,000,000 building cost.
- 4 This leaves reserves in the bank of over \$200,000.
- 5 Organization has a history of running on a positive cash flow every year.
- 6 Organizations does not see a change in the positive cash flow every year moving forward.
- 7 Anticipate construction to start in Fall of 2019 with completion July 1, 2020.

FRESNO WILDLIFE RESCUE & REHABILITATION SERVICE
STATEMENT OF CASH FLOWS
FOR THE YEARS ENDED JUNE 31, 2019 THROUGH JUNE 30, 2023

	2019	2020	2021	2022	2023
<i>Revenue</i>					
Fundraising	\$ 56,565	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000
Contributions	47,000	50,000	50,000	50,000	50,000
In-Kind Donations	118,000	118,000	120,000	120,000	120,000
Gifts	750,000	350,000			
Admission and Class Fees		6,000	12,000	12,000	12,000
<i>Total Revenue</i>	<u>971,565</u>	<u>574,000</u>	<u>232,000</u>	<u>232,000</u>	<u>232,000</u>
<i>Facility Costs</i>					
Rent	8,820	4,410			
Utilities		1,800	3,600	3,600	3,600
Insurance	2,608	4,100	4,100	4,100	4,100
Construction Costs	6,864	1,000,000			
Repairs, Maintenance & Supplies			7,500	7,500	7,500
<i>Total Cost of Goods Sold</i>	<u>9,472</u>	<u>1,005,900</u>	<u>15,200</u>	<u>15,200</u>	<u>15,200</u>
<i>Expenses</i>					
Fundraising Costs	16,325	20,000	20,000	20,000	20,000
Miscellaneous	3,468	4,000	4,000	4,000	4,000
Office	4,087	5,000	5,000	5,000	5,000
Vet/Medical Supplies	4,730	7,500	7,500	7,500	7,500
Wildlife Food	140,014	150,000	150,000	150,000	150,000
<i>Total Expenses</i>	<u>168,624</u>	<u>186,500</u>	<u>186,500</u>	<u>186,500</u>	<u>186,500</u>
<i>Net Income</i>	<u>\$ 793,469</u>	<u>\$ (618,400)</u>	<u>\$ 30,300</u>	<u>\$ 30,300</u>	<u>\$ 30,300</u>

Exhibit 1
Fresno Wildlife Rehabilitation Service
Auxiliary Board Bylaws
May 2018

Establishment

The Auxiliary Board is established by the Fresno Wildlife Rehabilitation Service Board of Directors to assist primarily with its fundraising and educational outreach efforts but may be called upon to assist in other areas. The Auxiliary Board may be disbanded or an individual member removed at any time for any reason by a majority vote of the Board of Directors.

Membership

The Auxiliary Board will consist of at least five members, with the option to expand. Members will rotate as secretary, vice president, and president until otherwise decided. Decisions can be voted on in person, by phone call, or by email. Members of the Auxiliary Board are invited to the Board of Directors meeting.

Those being considered as potential Auxiliary Board members must have at least six months of experience with Fresno Wildlife Rehabilitation Service. New members may be added by a majority vote of the Auxiliary Board and ratified by the Board of Directors. New members will have a six-month trial period.

Responsibilities

Auxiliary Board members must comply with all policies, guidelines and rules of Fresno Wildlife Rehabilitation Service. The Auxiliary Board must complete at least one major project per year in the area of fundraising or education. Auxiliary Board meetings will be held quarterly in March, June, September, and December on the 3rd Tuesday of the month at 6:30 pm. If necessary, meetings may be rescheduled to a date in the same quarter. Guests may attend the meetings by invitation only. Auxiliary Board members missing two or more consecutive meetings will result in the Auxiliary Board voting on whether the reason(s) for the missed meeting(s) was substantial and warranted the absence. If the Auxiliary Board votes by majority that the reason was not substantial, the Auxiliary Board member will be placed on one-year probation, during which the probationer must attend all Auxiliary Board meetings as a non-voting member. If all meetings throughout the probation year are attended, the probationer will be reinstated as a voting member. If extenuating circumstances occur during the probation year where the probationer cannot meet the requirements, the matter shall be presented to the Board of Directors for a final decision.

CERTIFICATE OF ADOPTION

I certify that I am the duly appointed and authorized Secretary of FRESNO WILDLIFE REHABILITATION SERVICE, a California nonprofit public benefit corporation, and that the above Auxiliary Board Bylaws, consisting of one (1) page, are approved and ratified by the Board of Directors of this Corporation on May 1, 2018, and that said Bylaws have not been amended or modified since the date thereof.

Executed on May 1, 2018, at Clovis, California.

_____/s/_____
Susan Stiltz, Secretary

Exhibit 2
**NEW GENERATION SCIENCE STANDARDS
 FOR CALIFORNIA PUBLIC SCHOOLS**
Standards by Topic Disciplinary Core Ideas

GRADE	Our Main Topic/s To Cover During Presentations
K	All animals need food in order to live and grow. What kind of food do you think this animal eats, plants or other animals and why?
1	Different animals use their body parts in different ways to see, hear, grasp objects, protect themselves, move from place to place, and seek, find, and take in food, water and air.
2	In many kinds of animals, parents and the offspring themselves engage in behaviors that help the offspring to survive.
2	Plants depend on animals for pollination or to move their seeds around.
3	Reproduction is essential to the continued existence of every kind of organism. Animals have unique and diverse life cycles.
4	Animals have both internal and external structures that serve various functions in growth, survival, behavior and reproduction. Animals are able to use their perceptions and memories to guide their actions.
5	Food provides animals with the materials they need for body repair and growth and the energy they need to maintain body warmth and for motion. The food of almost any kind of animal can be traced back to plants. Organisms are related in food webs in which some animals eat plants for food and other animals eat the animals that eat plants. Some organisms, such as fungi and bacteria, break down dead organisms (both plants or plant parts and animals) and therefore operate as “decomposers.” Decomposition eventually restores (recycles) some materials back to the soil. Organisms can survive only in environments in which their particular needs are met. A healthy ecosystem is one in which multiple species of different types are each able to meet their needs in a relatively stable web of life. Newly introduced species can damage the balance of an ecosystem.
6	All living things are made up of cells, which is are the smallest units that can be said to be alive. An organism may consist of one single cell (unicellular) things. Reducing the level of

climate change and reducing human vulnerability to whatever climate changes do occur depend on the understanding of climate science, engineering capabilities, and other kinds of knowledge, such as understanding of human behavior and on applying that knowledge wisely in decisions and activities. Animals engage in characteristic behaviors that increase the odds of reproduction. In sexually reproducing organisms, each parent contributes half of the genes acquired (at random) by the offspring. Individuals have two of each chromosome and hence two alleles of each gene, one acquired from each parent. These versions may be identical or may differ from each other.

- 7 Examples of behaviors that affect the probability of animal reproduction could include nest building to protect young from cold, herding of animals to protect your animals from predators, and vocalization of animals and colorful plumage to attract mates for breeding. Examples of local environmental conditions could include availability of food, light, space, and water. Examples of genetic factors could include larger deer and species of browse affecting growth.
- 8 Changes (mutations) to genes can result in changes to proteins, which can affect the structures and functions of the organism and thereby change traits.
- 9 through 12 Organisms would have the capacity to produce populations of great size were it not for the fact the environments and resources are finite. This fundamental tension affects the abundance (number of individuals) of species in any given ecosystem.



Birds of a Feather

By Michelle Drow

As thankful as I am for the education I have received throughout high school, there is nothing quite as mundane as showing up to the same classes, listening to the same lectures, and reading from the same textbooks every day for five days a week. For my senior year I decided to do something different and venture outside of my comfort zone by enrolling as a student in the Environmental Lab at the Center for Advanced Research and Technology (CART). Because of CART, I have been given the unique opportunity to do hands-on work on an extensive project with a few of my like-minded peers who have a love for science as deep as I do.

In a nutshell, my group's project is centered on the raising and rehabilitating of releasable wildlife as well as the socializing of non-releasable wildlife that is to be used for education. Due to the great responsibility that comes with working with wild animals, the four other girls in my project and I have been intensively trained under the tutelage of Cathy Garner, a permitted rehabilitator who founded the organization known as Fresno Wildlife Rehabilitation. Cathy has taught us all that we need to know to be successful in our project. She has also taken the time to educate us on why our work with the animals is so valuable.

We have learned from CART and from Cathy that there has been a noticeable pattern over the years of a significant decline in wildlife as human activity causes a change in or a destruction of the environment. By helping the many animals who have been rendered helpless, whether man is to blame or not, we can increase the numbers of some of the species whose populations have shrunk, and we can also maintain the populations of other animals before they ever reach a threatening level. It is important that we do our part in preventing the loss of more species because all organisms play a key role in balancing an ecosystem and keeping it healthy. Additionally, future generations should be given the opportunity to see the same beautiful and diverse wildlife that we have today. Every animal that can be rehabilitated makes a difference.

While returning animals to their natural habitat is the best option, Cathy has explained that some of the animals the organization receives have some injury or characteristic that would make them unable to survive out in nature. Rather than sentencing the animals to certain death by releasing them, they are put under the permanent care of permitted volunteers who work to socialize wildlife so that they are acclimated to being around humans. Once adjusted, the animals are taken to events where they can be shown to the public and used for educational purposes. When people get to learn about a wild animal by seeing it up close and in person, they become more inclined to make an effort in helping with the conservation of that species than they would be otherwise. This is why Fresno Wildlife Rehabilitation makes it one of their main goals to show their non-releasable educational ambassadors to the public.

After learning these points on the significance of rehabilitating and socializing wildlife as well as going into depth on animal care, my CART project group and I got the privilege to finally work with a few animals ourselves. First, we took in Rain, a red-shouldered hawk who suffered a serious wing injury preventing her from flying. Everyone in my

group has been taking turns caring for Rain and exposing her to unfamiliar situations so that she can be better equipped to be an educational animal. Other than just providing the basic care of feeding her and checking her weight to monitor her health, we also spend time holding Rain on a glove so she becomes accustomed to the feeling of being out around people. When asked what she enjoys most about working with Rain, my group member Megan Kutsuris said, "I like having the feeling that you're making her life better and more comfortable, since she can't be in the wild." Working with Rain has been so rewarding, and each and every one of us have learned a lot about her species and a lot about ourselves during the process.

Soon after getting Rain, we also took in three baby barn owls who had fallen from their nest and were too young to fly. It is our responsibility to provide the owls with a safe place to live and plenty of food to eat until they are full grown and are ready to live on their own. When they have reached this point, we will get the chance to be present during the release of the owls into their natural habitat. A single barn owl family can consume thousands of rats and other pests per year, so by rehabilitating them we are not only helping the barn owl species, but the human population as well.

I could not be more grateful for the opportunity I have been given through CART to learn outside of the classroom, gain valuable experiences, and make memories that will last a lifetime. I am so glad that I have been able to work up close and personal with animals that most people never get to see in person, let alone interact with it. My mentor Cathy Garner put it best when she told me, "You'll remember the moments you spent caring for those helpless little beings and the majestic older animals you have held for the rest of your life, and hopefully those memories will help you shape a better tomorrow for all living things." I could not agree more with Cathy's truthful words, and I never could have accomplished all that I did without the wonderful people I have worked with and grown to love, as we are all truly birds of a feather.

4/28/2017

INTO THE WILD

FRESNO WILDLIFE REHABILITATION

CATHY GARNER has been involved with local wildlife for several decades now, educating the community on how important native animals are to the environment. In the early 1970s, Garner was a docent at the local zoo and junior museum, but at one point the zoo deemed that it was too dangerous to bring wildlife onto the campuses due to the threat of diseases. The junior museum also decided to focus on a different area of science rather than native wildlife. Therefore, many young, displaced animals were euthanized because there was nowhere else for them to go. Some of the docents applied for state and federal permits to open a rehabilitation center for wounded animals, and Garner was granted permission to proceed.

She opened the Fresno Wildlife Rehabilitation Service in 1974 and since then has saved thousands of animals, including hummingbirds, predatory mammals, deer and birds of prey. The rehab center cares for 400 to 1,200 animals per year and releases them back into the wild. However, for the severely injured animals that wouldn't survive if released, the federal government requires that they are put to work – if they continue to be in someone else's care, they have to serve a purpose. Therefore, the ambassador program was born.

"We have a bald eagle, a vulture, several owls, hawks and falcons," Garner says, adding that the animal ambassadors work just as hard as their human counterparts educating the community on what their roles are in society.

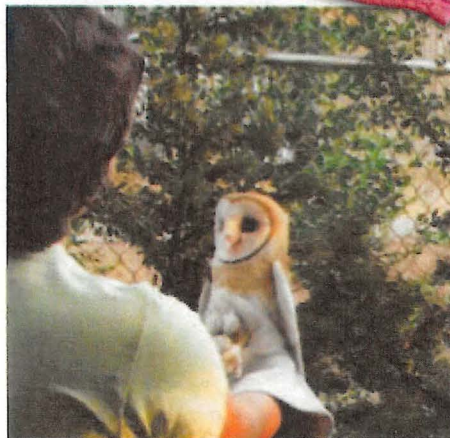
"All of our programs are free, and we are doing our best to keep it that way so all classes have access," Garner says. Since the rehab center does its best to align its demonstrations with the California science education standards, teachers love the program too, and the center caters demonstrations to appropriate age levels.

"When do they pray?" a second-grader asks Garner about a "bird of prey" present during a school presentation. The question prompted Garner to not only teach kids about what birds of prey do, but she also explains the difference between the words "pray" and "prey."

"The initial goal (of the rehab service) was to be an outreach to schools that are underserved. I enjoy going to rural schools and meeting kids who have never had the opportunity to learn about the animals in their area and talk about what makes them unusual and why they deserve our respect," she says.



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Photos courtesy of Fresno Wildlife Rehabilitation

"We're in a big agriculture community, so we talk a lot about the barn owl, the farmer's best friend. Most kids get that because their families work in the field, and we talk about how these animals help their parents do their job. The kids are fascinated with that. I'll make sounds of an American kestrel, and see their little faces light up and say, 'I hear that in my backyard!'" Garner says.

The center has a 90 percent success rate of releasing baby animals back into the wild, but unfortunately during the "injury season," mainly the fall and winter, some come in with severe injuries and can't be released back out into the wild. Along with being ambassadors, the rehab center's owls even helped scientists develop the cochlear implant – a device that helps people with their sense of sound. "We felt good about that. Even though the owls were being sacrificed, they would've been anyway if we couldn't find another place for them to go. So many people have benefited from that apparatus," Garner says.

Springtime is the center's busiest time of the year as the service gets around 40 calls a day from people who've found helpless baby animals.

"Many times, we just have to coax people to put the babies back in the nest," Garner says. "If there's one thing I'd like to undo, it's the old wives' tale that everyone believes that if you touch a baby animal, the mom won't take it back. That couldn't be farther from the truth; mommies always want their babies back. We coach people on that reunification process. Say a baby fell out of a nest in a windstorm. You can take a laundry basket and line it with cloth, then tie it to the tree as high as you can and as close to the nest as possible with the baby in it. Before you know it, the mom is right there using that artificial nest." *

Fresno Wildlife Rehabilitation • www.fresnowildlife.org
80 W. Bullard Street, Suite #103, Clovis • (559) 298-3276
Hours: Monday-Friday, 10 am - 2 pm; open most Saturdays
Find them on Facebook and Instagram



Kayle Anderson is a freelance writer, marketer and action sports enthusiast who grew up wakeboarding on Lake Shasta and learning to ski at Mt. Lassen. She holds a bachelor's degree in journalism from Chico State University and loves to visit her parents in Redding.



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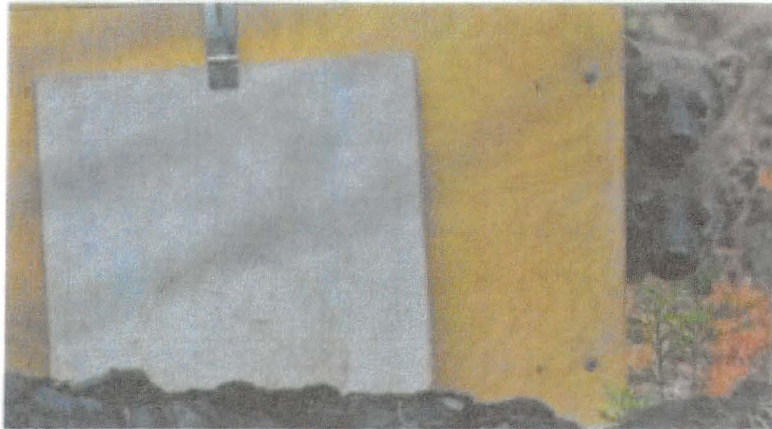
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Trail Mix for Sept. 17: Rescued animals get new home in Yosemite

HIGHLIGHTS

Rescued pairs of orphan siblings released in Yosemite as part of reintroduction effort

Volunteers sought Saturday for seventh annual Great Sierra River Cleanup



Two fishers take a peek before exiting a containment box. Four rescued orphan fishers in all were released Tuesday in Yosemite National Park as part of an effort to reintroduce the animal north of the Merced River. BOB RONEY
NATIONAL PARK SERVICE

By Angel Moreno

Two sets of orphan sibling fisher kits got a new home this week as wildlife officials released the furry animals in Yosemite National Park.

It marked the latest step in a four-month rescue by the National Park Service, U.S. Forest Service Pacific Southwest Research Station, Fresno Chaffee Zoo and the Fresno Wildlife Rehabilitation Foundation, the Park Service announced Wednesday.

The kits – estimated at that time to be 8 weeks old – were rescued by Pacific Southwest researchers Craig Thompson and Laura Van Vranken south of the park, on U.S. Forest Service land, after two radio-collared female fishers were killed by predators.

The animals were cared for at the zoo until they could eat solid food, then transferred to an outdoor facility near Oakhurst where they learned to hunt live prey.

The release of the orphan kits is part of a broader four-year effort to reintroduce the animal north of the Merced River in Yosemite.

FIRST AMENDED AND RESTATED
BYLAWS
OF
FRESNO WILDLIFE REHABILITATION SERVICE
A California Nonprofit Public Benefit Corporation

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**AMENDED BYLAWS
OF
FRESNO WILDLIFE REHABILITATION SERVICE,
A California Nonprofit Public Benefit Corporation**

**ARTICLE I
ORGANIZATION**

1.01 Name.

The name of this Corporation is FRESNO WILDLIFE REHABILITATION SERVICE.

1.02 Purposes and Limitations.

This Corporation is a nonprofit public benefit corporation and is not organized for the private gain of any person. It is organized under the Nonprofit Public Benefit Corporation Law of California for charitable, humane and educational purposes.

(a) Specific Purpose.

The specific purposes of this Corporation are: (1) the rehabilitation of naturally occurring species of wildlife, with the release of such species as the ultimate goal; (2) education, research, and rehabilitation intended to promote the humane treatment of wildlife; (3) technical assistance to individuals and groups holding in custody wildlife in need of medical treatment or other assistance; (4) other programs to promote the preservation of environment, flora, and fauna necessary to insure continued natural populations of wildlife; and (5) to carry out other charitable, humane and educational activities associated with these goals as allowed by law.

(b) Exclusively Charitable Purposes.

This Corporation is organized and operated exclusively for charitable and purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code of 1986, as amended (or the corresponding provision of any future United States Internal Revenue Law).

(c) Limitations.

Notwithstanding any of the above statements of purposes and powers, this Corporation shall not, except to an insubstantial degree, engage in any activities, or exercise any powers that are not in furtherance of the specific and primary purposes of this Corporation and this Corporation shall not carry on any other activities not permitted to be carried on (i) by a corporation exempt from Federal income tax under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended (or the corresponding provision of any future United States Internal Revenue Law); or (ii) by a corporation

contributions to which are deductible under Section 170(c)(2) of the Internal Revenue Code of 1986, as amended (or the corresponding provision of any future United States Internal Revenue Law).

1.03 Dedication of Assets.

The property of this corporation is irrevocably dedicated to educational purposes and no part of the net income or assets of this organization shall ever inure to the benefit of any director, officer, or member thereof or to the benefit of any private individual. Upon the dissolution or winding up of this corporation, the assets remaining after payment, or provision for payment, of all debts and liabilities of this corporation shall be distributed to THE ALEXANDER LINDSAY JUNIOR MUSEUM, 1901 First Street, Walnut Creek, California 94596 if it is then in existence and exempt under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended (or the corresponding provision of any future United States Internal Revenue Law), but if not then in existence or exempt, to another organization which is organized and operated exclusively for educational purposes and which has established its tax exempt status under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended (or the corresponding provision of any future United States Internal Revenue Law). If this corporation holds any assets in trust, or a corporation is formed for charitable purposes, such assets shall be disposed of in such manner as may be directed by decree of the Superior Court of the county in which the Corporation has its principal office, upon petition by the Attorney General or by a person concerned in the liquidation, in a proceeding to which the Attorney General is a party.

ARTICLE II OFFICES

2.01 Principal Office.

The principal office for the transaction of the activities and affairs of the Corporation ("principal executive office") is fixed and located at P.O. Box 2605 Clovis, CA 93613. The Board of Directors may change the principal executive office from one location to another. Any change of this location shall be noted by the Secretary of the Corporation on these Bylaws opposite this section, or this section may be amended to state the new location.

2.02 Other Offices.

The Board of Directors may at any time establish branch or subordinate offices at any place or places, within or without the State of California, where the Corporation is qualified to conduct its activities.

ARTICLE III MEMBERSHIP

3.01 Members.

There shall be one class of members, who shall be the directors of the Corporation.

3.02 Affiliated Persons.

Nothing in this Article III shall limit the right of the Corporation to refer to contributors, advisors, or other persons or entities associated with it as “members” even though those contributors, advisors, or other persons or entities are not members, and no reference shall constitute anyone a member, within the meaning of Section 5056 of the California Corporations Code. The Corporation may confer by amendment of its Articles of Incorporation or of these Bylaws some or all of the rights of a member, as set forth in the California Nonprofit Corporation Law, upon any person or persons who do not have the right to vote for the election of directors or on a disposition of substantially all of the assets of the Corporation or on a merger or on a dissolution or on changes to the Corporation’s Articles of Incorporation or Bylaws, but no such person shall be a member within the meaning of Section 5056 of the California Corporations Code.

ARTICLE IV DIRECTORS

4.01 Powers.

Subject to the provisions and limitations of the California Nonprofit Public Benefit Corporation Law and any other applicable laws, and subject to any limitations in the Articles of Incorporation or these Bylaws, the activities and affairs of the Corporation shall be managed and all corporate powers shall be exercised by, or under the direction of, the Board of Directors. The Board of Directors may delegate the management of the activities of the Corporation to any person or persons, a management company, or management committees however composed, provided that the activities and affairs of the Corporation shall be managed, and all corporate powers shall be exercised, by, or under the ultimate direction of, the Board of Directors.

Without prejudice to these general powers and subject to the same limitations, the Board of Directors, in addition to the other powers enumerated in these Bylaws, shall have the power to:

(a) Appoint and remove, subject to any employment agreement and, at the pleasure of the Board of Directors, all officers, agents, and employees of the Corporation; prescribe powers and duties for them that are consistent with law, with the Articles of Incorporation, and with these Bylaws; fix their compensation (if any); and require from them security for faithful service.

(b) Change the principal executive office in the State of California from one location to another; cause the Corporation to conduct its activities within or without the State of California; and designate any place within or without the State of California for holding any meeting of Directors.

(c) Adopt and use a corporate seal and to alter the form of such seal from time to time, as in their judgment they may deem best, provided such seal shall at all times comply with the provisions of law.

(d) To approve an annual operating budget and capital expenditure budget, to borrow money and incur indebtedness on behalf of the Corporation and cause to be executed and delivered for the Corporation's purposes, in the corporate name, promissory notes, bonds, debentures, deeds of trust, mortgages, pledges, hypothecations, and other evidences of debt and securities.

(e) To conduct, manage and control the affairs and activities of the Corporation and to make such rules and regulations therefore not inconsistent with applicable federal and California law, the Articles of Incorporation or the Bylaws as they may deem best.

(f) Pursuant to authority hereinafter granted, to appoint committees and to delegate to such committees powers and authority of the Board of Directors in the management of the activities and affairs of the Corporation, except the power to adopt, amend or repeal Bylaws or Articles, and except as otherwise set forth herein.

(g) To approve any action which, under the California Corporations Code, would require the approval by a majority of statutory members or approval by statutory members.

4.02 Number and Qualification of Directors.

The authorized number of Directors shall be no more than twenty-five (25) until changed by amendment to this bylaw made pursuant to the provisions of Article X of these Bylaws. Directors need not be residents of the State of California. The number of Director positions to fill shall be at the discretion of the Board of Directors by the majority vote of the members of the Board of Directors then in office.

4.03 Restriction on Interested Persons as Directors.

No more than forty-nine percent (49%) of the persons serving on the Board of Directors may be interested persons. An "interested person" is (a) any person compensated by the Corporation for services rendered to it within the previous twelve (12) months, whether as a full-time or part-time employee, independent contractor, or otherwise, excluding any reasonable compensation paid to a Director as Director; and (b) any brother, sister, ancestor, descendant, spouse, brother-in-law, sister-in-law, son-in-law, daughter-in-law, mother-in-law, or father-in-law of such person. However, any violation of the provisions of this bylaw shall not affect the validity or enforceability of any transaction entered into by the Corporation.

4.04 Election, Designation, and Term of Office of Directors.

All of the Directors for the Corporation shall be elected at an annual meeting of the Directors by the majority vote of the members of the Board of Directors then in office. Each Director shall serve a two-year term.

4.05 Vacancies; Removal; Resignation of Directors.

A vacancy or vacancies on the Board of Directors shall be deemed to exist on the occurrence of any of the following: (a) at the end of a Director's term; (b) the death or resignation of any Director; (c) the declaration by resolution of the Board of Directors of a vacancy in the office of a Director who has been declared of unsound mind by an order of court, convicted of a felony, or found by final order or judgment of any court to have breached a duty under Article 3 of Chapter 2 of the California Nonprofit Public Benefit Corporation Law; (d) the increase of the authorized number of Directors; or (e) the removal of a Director in accordance with these Bylaws.

A Director may be removed, with or without cause, by a two-thirds (2/3) majority vote of all other Directors at the time in office at any regular meeting or special meeting of the Board of Directors. The Board of Directors may set specific attendance guidelines that may cause a Director to be removed for failure to attend Board of Directors' meetings.

Except as provided below, any Director may resign by giving written notice to the President, the Vice President or the Secretary, or the Board of Directors of the Corporation. The resignation shall be effective when the notice is given unless it specifies a later time for the resignation to become effective. If a Director's resignation is effective at a future time, the Board of Directors may elect a successor to take office as of the date when the resignation becomes effective. Except on notice to the Attorney General of State of California, no Director may resign if the Corporation would be left without a duly elected Director or Directors.

Vacancies on the Board of Directors may be filled by a majority of the Directors then in office, whether or not less than a quorum, or by a sole remaining Director.

No reduction of the authorized number of Directors shall have the effect of removing any Director from office before that Director's term of office has expired.

4.06 Place of Directors' Meetings; Meetings By Telephone.

Meetings of the Board shall be held at any place, within or without the State of California, that has been designated by resolution of the Board of Directors or in the notice of the meeting or, if not so designated, at the principal executive office of the Corporation. Any meeting may be held by conference telephone, or similar communication equipment, as long as all Directors participating in the meeting can hear one another. All such Directors shall be deemed to be present in person at such a meeting.

4.07 Annual Meeting of Directors.

The Board of Directors shall hold an annual meeting on the first Tuesday of October at 5:45 p.m. However, if this day falls on a legal holiday, then the meeting shall be held at the same place on the next succeeding full business day. The Board of Directors may change the date, time or location of the annual meeting so long as notice is given to each of the Directors at least 14 days in advance of the meeting. Each such annual meeting shall be held for purposes of organization, the election of Directors and officers, and the transaction of other business. Notice of this meeting shall not be required.

4.08 Other Regular Meetings.

Other regular meetings of the Board of Directors may be held without call quarterly on the first Tuesday of the month, at 5:45 p.m. However, if this day falls on a legal holiday, then the meeting shall be held at the same place on the next succeeding full business day. Notice of all such regular meetings of the Board of Directors is hereby dispensed with. The Board of Directors may change the date, time or location of the regular meetings so long as notice is given to each of the Directors at least 14 days in advance of the meeting.

4.09 Special Meetings.

Special meetings of the Board of Directors for any purpose may be called at any time by the President or by any two directors.

Notice of the time and place of special meetings shall be given to each Director by one of the following methods: (a) by personal delivery of written notice; (b) by first-class mail postage prepaid, (c) by telephone, either directly to the Director or to a person at such Director's office or residence who would reasonably be expected to communicate that notice promptly to such Director; (d) by electronic mail (e-mail), either directly to the Director or to a person at such Director's office or residence who would reasonably be expected to communicate that notice promptly to such Director; or (e) by facsimile, either directly to the Director or to a person at such Director's office or residence who would reasonably be expected to communicate that notice promptly to such Director. All such notices shall be given or sent to the Director's address or telephone number as shown on the records of the Corporation.

Notice sent by first-class mail shall be deposited in the United States mail at least four (4) days before the time set for the meeting. Notices given by personal delivery, telephone, e-mail or fax shall be delivered, telephoned, e-mailed or faxed at least forty-eight (48) hours before the time set for the meeting.

The notice shall state the time of the meeting, and the place if the place is other than the principal executive office of the Corporation. The notice need not specify the purpose of the meeting.

4.10 Waiver of Notice.

Notice of a meeting need not be given to any Director who, either before or after the meeting, signs a waiver of notice, a written consent to the holding of the meeting, or an approval of the minutes of the meeting. The waiver of notice or consent need not specify the purpose of the meeting. All such waivers, consents, and approvals shall be filed with the corporate records or made a part of the minutes of the meetings. Notice of a meeting need not be given to any Director who attends the meeting and does not protest, before or at the commencement of the meeting, the lack of notice to that Director.

4.11 Quorum.

A majority of the authorized number of Directors shall constitute a quorum for the transaction of any business, except to adjourn. Every action taken or decision made by a

majority of the Directors present at a duly held meeting at which a quorum is present shall be the act of the Board of Directors, subject to the provisions of the California Nonprofit Public Benefit Corporation Law, including, without limitation, those provisions relating to (a) approval of contracts or transactions in which a Director has a direct or indirect material financial interest; (b) approval of certain transactions between corporations having common directorships; (c) creation of, and appointments to, committees of the Board of Directors, and (d) indemnification of Directors. A meeting at which a quorum is initially present may continue to transact business, despite the withdrawal of Directors, if any action taken or decision made is approved by at least a majority of the required quorum for that meeting.

4.12 Adjournment.

A majority of the Directors present, whether or not a quorum is present, may adjourn any meeting to another time and place.

4.13 Notice of Adjourned Meeting.

Notice of the time and place of holding an adjourned meeting need not be given unless the original meeting is adjourned for more than twenty-four (24) hours. If the original meeting is adjourned for more than twenty (24) hours, notice of any adjournment to another time and place shall be given, before the time of the adjourned meeting, to the Directors who were not present at the time of the adjournment.

4.14 Action Without a Meeting.

Any action required or permitted to be taken by the Board of Directors may be taken without a meeting if all members of the Board of Directors consent in writing to the action; provided, however, that the consent of any Director who has a material financial interest in a transaction to which the Corporation is a party and who is an "interested director", as defined in Section 5233 of the California Corporations Code, shall not be required for approval of that transaction. Such action by written consent shall have the same force and effect as any other validly approved action of the Board of Directors. All such consents shall be filed with the minutes of the proceedings of the Board of Directors.

4.15 Reimbursement of Directors.

Directors and members of committees may receive such reimbursement of expenses, as may be fixed or determined by resolution of the Board of Directors to be just and reasonable as to the Corporation at the time that such resolution is adopted.

ARTICLE V OFFICERS

5.01 Officers.

The officers of the Corporation shall be a President, a Vice President, a Secretary, a Treasurer and such other officers as may be appointed in accordance with the provisions of Section 5.03 of this Article V. When the duties do not conflict, one person, other than the

President, may hold more than one of these offices. Officers other than the President need not be members of the Board of Directors.

5.02 Appointment of Officers.

The officers of the Corporation, except such officers as may be appointed in accordance with the provisions of Section 5.03 of this Article V, shall be chosen annually by the Board of Directors, or serve until their successors are elected and qualified. Each Officer shall serve at the pleasure of the Board of Directors, subject to the rights, if any, of an officer under any contract of employment.

5.03 Additional Officers.

The Board of Directors may appoint, and may authorize the President or another officer to appoint any other officers that the business of the Corporation may require, each of whom shall have the title, hold office for the period, have the authority, and perform the duties specified in these Bylaws or determined from time to time by the Board of Directors.

5.04 Removal and Resignation of Officers.

Subject to the rights, if any, of an officer under any contract of employment, any officer may be removed, either with or without cause, by the Board of Directors, at any regular or special meeting of the Board of Directors or by unanimous written consent of the Board of Directors, or, except in case of an officer chosen by the Board of Directors, by any officer upon whom such power of removal may be conferred by the Board of Directors.

Any officer may resign at any time by giving written notice to the Corporation. Any resignation shall take effect at the date of the receipt of that notice or at any later time specified in that notice; and, unless otherwise specified in that notice, the acceptance of the resignation shall not be necessary to make it effective. Any resignation is without prejudice to the rights, if any, of the Corporation under any contract to which the officer is a party.

5.05 Vacancies in Offices.

A vacancy in any office because of death, resignation, removal, disqualification or any other cause shall be filled in the manner prescribed in these Bylaws for regular appointments to that office.

5.06 President.

Subject to such supervisory powers, if any, as may be given by the Board of Directors to the President, if there be such an officer, the President shall, subject to the control of the Board of Directors, have general supervision, direction, and control of the business and the officers of the Corporation. The President shall preside at all meetings of the members and Board of Directors. The President shall have the general powers and duties of management usually vested in the office of President of a corporation, and shall have such other powers and duties as may be prescribed by the Board of Directors or these Bylaws.

5.07 Vice President.

In the absence or disability of the President, the Vice President shall perform all the duties of the President, and when so acting shall have all the powers of, and be subject to all the restrictions upon, the President. The Vice President shall have such other powers and perform such other duties as from time to time may be prescribed for them respectively by the Board of Directors or these Bylaws, and the President.

5.08 Secretary.

The Secretary shall keep or cause to be kept, at the principal executive office or such other place as the Board of Directors may direct, a book of minutes, which may be kept electronically, of all meetings and actions of Directors, committees of Directors and shareholders, with the time and place of holding, whether regular or special, and, if special, how authorized, the notice given, the names of those present at Directors' meetings or committee meetings, the number of shares present or represented at shareholders' meetings, and the proceedings. The minutes may be kept and maintained, at the discretion of the Secretary, by means of electronic, digital or computerized media.

The Secretary shall give, or cause to be given, notice of all meetings of the Board of Directors and of committees of the Board of Directors required by these Bylaws to be given. The Secretary shall keep the corporate seal in safe custody and shall have such other powers and perform such other duties as the Board of Directors of these Bylaws may prescribe.

5.09 Treasurer.

The Treasurer shall keep and maintain, or cause to be kept and maintained, adequate and correct books and records of accounts of the properties and business transactions of the Corporation, including accounts of its assets, liabilities, receipts, disbursements, gains, losses, capital, retained earnings, and shares. The books of account shall at all reasonable times be open to inspection by any Director.

The Treasurer shall deposit all monies and other valuables in the name and to the credit of the Corporation with such depositories as may be designated by the Board of Directors. The Treasurer shall disburse the funds of the Corporation as may be ordered by the Board of Directors, shall render to the President and Directors, whenever they request it, an account of all the transactions of the Treasurer as Treasurer of the Corporation and of the financial condition of the Corporation, and shall have other powers and perform such other duties as may be prescribed by the Board of Directors or these Bylaws.

If required by the Board of Directors, the Treasurer shall give the Corporation a bond in the amount and with the surety or sureties specified by the Board of Directors for faithful performance of the duties of the office and for restoration to the Corporation of all its books, papers, vouchers, money, and other property of every kind in the possession or under the control of the Treasurer on the Treasurer's death, resignation, retirement or removal from office.

ARTICLE VI
INDEMNIFICATION OF DIRECTORS, OFFICERS, EMPLOYEES AND
OTHER AGENTS

6.01 Agents, Proceedings, and Expenses.

For the purposes of this Article, “agent” means any person who is or was a Director, officer, employee, or other agent of this Corporation, or is or was serving at the request of this Corporation as a Director, officer, employee or agent of another foreign or domestic corporation, partnership, joint venture, trust or other enterprise, or was a Director, officer, employee, or agent of a foreign or domestic corporation which was a predecessor corporation of this Corporation or of another enterprise at the request of such predecessor corporation; “proceeding” means any threatened, pending or completed action or proceeding, whether civil, criminal, administrative, or investigative; and “expense” includes, without limitation, attorneys’ fees and any expenses of establishing a right to indemnification under Sections 6.04 or 6.05(b) of this Article VII.

6.02 Actions Other Than By the Corporation.

This Corporation shall have the power to indemnify any person who was or is a party, or is threatened to be made a party, to any proceeding (other than an action by, or in the right of, this Corporation to procure a judgment in its favor, an action brought under Section 5233 of the California Corporations Code, or an action brought by the Attorney General or a person granted relator status by the Attorney General for any breach of duty relating to assets held in charitable trust) by reason of the fact that such person is or was an agent of this Corporation, against expenses, judgments, fines, settlements and other amounts actually and reasonably incurred in connection with such proceeding if that person acted in good faith and in a manner that person reasonably believed to be in the best interests of this Corporation and, in the case of a criminal proceeding, had no reasonable cause to believe the conduct of that person was unlawful. The termination of any proceeding by judgment, order, settlement, conviction, or upon a plea of *nolo contendere* or its equivalent shall not, of itself, create a presumption that the person did not act in good faith and in a manner which the person reasonably believed to be in the best interests of this Corporation or that the person had reasonable cause to believe that the person's conduct was unlawful.

6.03 Actions By the Corporation.

This Corporation shall have the power to indemnify any person who was or is a party, or is threatened to be made a party, to any threatened, pending or completed action by, or in the right of, this Corporation, or brought under Section 5233 of the California Corporations Code, or brought by the Attorney General or a person granted relator status by the Attorney General for breach of duty relating to assets held in charitable trust, to procure a judgment in its favor by reason of the fact that person is or was an agent of this Corporation, against expenses actually and reasonably incurred by that person in connection with the defense or settlement of that action if that person acted in good faith, in a manner that person believed to be in the best interests of this Corporation, and with such care, including reasonable inquiry, as an ordinarily

prudent person in a like position would use under similar circumstances. No indemnification shall be made under this Section 6.03 for any of the following reasons:

(a) In respect of any claim, issue or matter as to which that person shall have been adjudged to be liable to this Corporation in the performance of that person's duty to this Corporation, unless, and only to the extent that, the court in which such proceeding is or was pending shall determine upon application that, in view of all the circumstances of the case, that person is fairly and reasonably entitled to indemnity for the expenses and then only to the extent that the court shall determine;

(b) Of amounts paid in settling or otherwise disposing of a threatened or pending action, with or without court approval; or

(c) Of expenses incurred in defending a threatened or pending action which is settled or otherwise disposed of without court approval unless it is settled with the approval of the Attorney General.

6.04 Successful Defense By Agent.

To the extent that an agent of this Corporation has been successful on the merits in defense of any proceeding referred to in Sections 6.02 or 6.03 of this Article VI, or in defense of any claim, issue, or matter therein, the agent shall be indemnified against expenses actually and reasonably incurred by the agent in connection therewith.

6.05 Required Approval.

Except as provided in Section 6.04 of this Article VI, any indemnification under this Article VI shall be made by this Corporation only if authorized in the specific case upon a determination that indemnification of the agent is proper in the circumstances because the agent has met the applicable standard of conduct set forth in Section 6.02 or 6.03 of this Article VI, by any of the following:

(a) A majority vote of a quorum consisting of Directors who are not parties to the proceeding; or

(b) The court in which the proceeding is or was pending, upon application made by this Corporation or the agent or the attorney or other person rendering services in connection with the defense, whether or not such application by the agent, attorney, or other person is opposed by this Corporation.

6.06 Advance of Expenses.

Expenses incurred in defending any proceeding may be advanced by this Corporation before the final disposition of the proceeding upon receipt of an undertaking by, or on behalf of, the agent to repay the amount of the advance unless it shall be determined ultimately that the agent is entitled to be indemnified as authorized in this Article VI.

6.07 Other Contractual Rights.

No provision made by a corporation to indemnify its Directors or officers for the defense of any proceeding, whether contained in the Corporation's Articles of Incorporation or Bylaws, a resolution of the Board of Directors, an agreement or otherwise, shall be valid unless consistent with this Article VI. Nothing contained in this Article VI shall affect any right to indemnification to which persons other than Directors and officers of this Corporation may be entitled by contract or otherwise.

6.08 Limitations.

No indemnification or advance shall be made under this Article VI, except as provided in Sections 6.04 or 6.05(b), in any circumstances where it appears:

(a) That it would be inconsistent with a provision of the Articles of Incorporation, Bylaws, or an agreement in effect at the time of the accrual of the alleged cause of action asserted in the proceeding in which the expenses were incurred or other amounts were paid, which prohibits or otherwise limits indemnification; or

(b) That it would be inconsistent with any condition expressly imposed by a court in approving a settlement.

6.09 Insurance.

Upon and in the event of a determination by the Board of Directors of this Corporation to purchase such insurance, this Corporation shall purchase and maintain insurance on behalf of any agent of the Corporation against any liability asserted against, or incurred by, the agent in such capacity or arising out of the agent's status as such whether or not this Corporation would have the power to indemnify the agent against the liability under the provisions of this Article VI; provided, however, that this Corporation shall have no power to purchase and maintain such insurance to indemnify any agent of the Corporation for a violation of Section 5233 of the California Corporations Code.

ARTICLE VII
RECORDS AND REPORTS

7.01 Records and Reports.

The Corporation shall keep:

(a) Adequate and correct books and records of account; and

(b) Written minutes of the proceedings of its Board of Directors, and committees of the Board of Directors.

7.02 Maintenance and Inspection of Articles and Bylaws.

The Corporation shall keep at its principal executive office the original or a copy of the Articles of Incorporation and Bylaws, as amended to date, which shall be open to inspection by the members of the Board of Directors at all reasonable times during office hours.

7.03 Inspection by Directors.

Every Director shall have the absolute right at any reasonable time to inspect the Corporation's books, records, documents of every kind, physical properties, and the records of each of its subsidiaries. The inspection may be made in person or by the Director's agent or attorney. The right of inspection includes the right to copy and make extracts of documents.

7.04 Annual Report.

The Board shall cause an annual report to be sent to the Directors within one hundred twenty (120) days after the end of the Corporation's fiscal year. That report shall contain the following information, in appropriate detail, for the fiscal year:

- (a) The assets and liabilities, including the trust funds, of the Corporation as of the end of the fiscal year.
- (b) The principal changes in assets and liabilities, including trust funds.
- (c) The revenue or receipts of the Corporation, both unrestricted and restricted to particular purposes.
- (d) The expenses or disbursements of the Corporation for both general and restricted purposes.

The annual report shall be accompanied by any report on it of independent accountants or, if there is no such report, by the certificate of an authorized officer of the Corporation that such statements were prepared without audit from the Corporation's books and records.

This requirement of an annual report shall not apply if the Corporation receives less than Twenty-Five Thousand and No/100 Dollars (\$25,000.00) in gross receipts during the fiscal year, provided, however, that the information specified above for inclusion in an annual report must be furnished annually to all Directors who request it in writing.

7.05 Annual Statement of Certain Transactions and Indemnifications.

As part of the annual report to the Board of Directors of the Corporation, the Corporation shall annually furnish to each Director a statement of any transaction or

indemnification of the following kind within one hundred twenty (120) days after the end of the Corporation's fiscal year: (a) in which the Corporation, its parent, or its subsidiary was a party; (b) in which an "interested person" had a direct or indirect material financial interest; and (c) which involved more than Twenty-Five Thousand and No/100 Dollars (\$25,000.00), or was one of a number of transactions with the same interested person involving, in the aggregate, more than Twenty-Five Thousand and No/100 Dollars (\$25,000.00). For this purpose, an "interested person" is any of the following:

(a) Any Director or officer of the Corporation, its parent, or subsidiary (but mere common directorship shall not be considered such an interest); or

(b) Any holder of more than ten percent (10%) of the voting power of the Corporation, its parent, or its subsidiary. The statement shall include a brief description of the transaction, the names of interested persons involved, their relationship to the Corporation, the nature of their interest in the transaction and, if practicable, the amount of that interest, provided that if the transaction was with a partnership in which the interested person is a partner, only the interest of the partnership need be stated.

(c) Any indemnifications or advances aggregating more than Ten Thousand and No/100 Dollars (\$10,000.00) paid during the fiscal year to any officer or Director of the Corporation under Sections 6.01 through 6.03 of these Bylaws, unless that indemnification has already been approved by the Directors under Section 5238(e)(2) of the California Corporations Code.

ARTICLE VIII

CONFLICTS OF INTERESTS

The Board of Directors shall adopt a Conflict of Interest Policy to govern any actual or potential conflicts of interest, whether direct or indirect, that arises between the Corporation and any director, officer, or member of a committee of the Corporation.

ARTICLE IX

GENERAL CORPORATE MATTERS

9.01 Construction and Definitions.

Unless the context requires otherwise, the general provisions, rules of construction, and definitions in the California Nonprofit Corporation Law shall govern the construction of these Bylaws. Without limiting the generality of the preceding sentence, the masculine gender includes the feminine and neuter, the singular includes the plural, the plural includes the singular, and the term "person" includes both a legal entity and a natural person.

9.02 Amendment by Directors.

New bylaws may be adopted, or these Bylaws may be amended or repealed, by the Board of Directors.

9.03 Authority to Bind Corporation.

The Board of Directors, except as in these Bylaws otherwise provided, may authorize any officer or officers, agent or agents, to enter into any contract or execute any instrument in the name of and on behalf of the Corporation, and such authority may be general or confined to specific instances; and unless so authorized by the Board of Directors no officer, agent or employee shall have any power or authority to bind the Corporation by any contract or engagement, or to pledge its credit, or to render it liable for any purpose in any amount.

9.04 Adoption of Bylaws or Articles.

The Bylaws or Articles of Incorporation of this Corporation will be adopted by the affirmative vote of a majority of the authorized number of Directors on the Board of Directors.

9.05 Amendments of Bylaws or Articles.

The Bylaws or Articles of Incorporation of this Corporation may be amended, repealed or new Bylaws or Articles adopted, by the affirmative vote of a majority of the authorized number of Directors on the Board of Directors.

9.06 Bylaws Review.

These Bylaws shall be reviewed at least annually for the purpose of determining whether any amendments are necessary or appropriate. Such review shall be pursuant to procedures established by the Board of Directors.

9.07 Insurance.

The Corporation shall have the right to purchase and maintain insurance to the full extent permitted by law on behalf of its officers, Directors, employees, and other agents, against any liability asserted against or incurred by any officer, Director, employee, or agent in such capacity or arising out of the officer's, Director's, employee's, or agent's status as such.

CERTIFICATE OF ADOPTION

I certify that I am the duly appointed and authorized Secretary of FRESNO WILDLIFE REHABILITATION SERVICE, a California nonprofit public benefit corporation, and that the above Bylaws, consisting of fifteen (15) pages, are the Bylaws of this Corporation as approved and ratified by the Board of Directors of this Corporation on May 7, 2019, and that said Bylaws have not been amended or modified since the date thereof.

Executed on May 7, 2019, at Clovis, California.


Susan Stiltz, Secretary

FRESNO WILDLIFE RESCUE AND REHABILITATION SERVICE

FINANCIAL STATEMENTS

for the year ended June 30, 2018

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Christopher Hamlin

Certified Public Accountant

INDEPENDENT ACCOUNTANT'S REVIEW REPORT

To the Board of Directors of Fresno Wildlife
Rescue and Rehabilitation Service:

I have reviewed the accompanying financial statements of Fresno Wildlife Rescue and Rehabilitation Service (a nonprofit organization), which comprise the statement of financial position as of June 30, 2018, the related statements of activities, functional expenses and cash flows for the year then ended, and the related notes to the financial statements. A review includes primarily applying analytical procedures to management's financial data and making inquiries of management. A review is substantially less in scope than an audit, the objective of which is the expression of an opinion regarding the financial statements as a whole. Accordingly, I do not express such an opinion.

Management's Responsibility for the Financial Statements

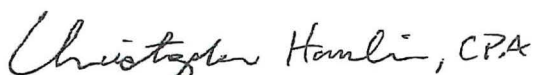
Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement whether due to fraud or error.

Accountant's Responsibility

My responsibility is to conduct the review in accordance with Statements on Standards for Accounting and Review Services promulgated by the Accounting and Review Services Committee of the AICPA. Those standards require me to perform procedures to obtain limited assurance as a basis for reporting whether I am aware of any material modifications that should be made to the financial statements for them to be in accordance with accounting principles generally accepted in the United States of America. I believe that the results of my procedures provide a reasonable basis for my conclusion.

Accountant's Conclusion

Based on my review, I am not aware of any material modifications that should be made to the accompanying financial statements in order for them to be in accordance with accounting principles generally accepted in the United States of America.



Christopher Hamlin, CPA
November 5, 2018

FRESNO WILDLIFE RESCUE AND REHABILITATION SERVICE
STATEMENT OF FINANCIAL POSITION
June 30, 2018

ASSETS

Current assets:

Cash and cash equivalents	\$ 29,174
Temporarily restricted cash and cash equivalents	<u>85,387</u>

Total current assets 114,561

Equipment, net of accumulated depreciation 6,577

Total assets \$ 121,138

LIABILITIES AND NET ASSETS

Net assets:

Unrestricted	\$ 35,751
Temporarily restricted	<u>85,387</u>

Total net assets 121,138

Total liabilities and net assets \$ 121,138

See accompanying notes and independent accountant's review report.

FRESNO WILDLIFE RESCUE AND REHABILITATION SERVICE
STATEMENT OF ACTIVITIES
for the year ended June 30, 2018

	Unrestricted	Temporarily Restricted	Total
Revenues and gains:			
Contributions	\$ 13,222	\$ 5,000	\$ 18,222
Contributions in-kind	118,058	-	118,058
Membership dues	1,891	-	1,891
Fundraising	51,391	-	51,391
Program service fees	3,750	-	3,750
Barter sales	<u>1,200</u>	<u>-</u>	<u>1,200</u>
 Total revenues and gains	 189,512	 5,000	 194,512
Net assets released from restrictions:			
Satisfaction of donor restrictions	<u>-</u>	<u>-</u>	<u>-</u>
	<u>189,512</u>	<u>5,000</u>	<u>194,512</u>
 Expenses:			
Program services	170,059	-	170,059
General and administrative	7,286	-	7,286
Fundraising	<u>16,846</u>	<u>-</u>	<u>16,846</u>
 Total expenses	<u>194,191</u>	<u>-</u>	<u>194,191</u>
 Change in net assets	 (4,679)	 5,000	 321
 Net assets at beginning of year	 <u>40,430</u>	 <u>80,387</u>	 <u>120,817</u>
 Net assets at end of year	 <u>\$ 35,751</u>	 <u>\$ 85,387</u>	 <u>\$ 121,138</u>

See accompanying notes and independent accountant's review report.

FRESNO WILDLIFE RESCUE AND REHABILITATION SERVICE
STATEMENT OF FUNCTIONAL EXPENSES
for the year ended June 30, 2018

	Program Services	General and Administrative	Fundraising	Total
Animal feed	\$ 136,781	\$ -	\$ -	\$ 136,781
Veterinary	7,296	-	-	7,296
Cage supplies	2,557	-	-	2,557
Office expenses	6,887	6,886	-	13,773
Rent expense	8,820	-	-	8,820
Insurance	2,444	-	-	2,444
Professional fees	-	400	-	400
Depreciation	3,363	-	-	3,363
Fundraising	-	-	16,846	16,846
Barter expenses	1,911	-	-	1,911
	<u>1,911</u>	<u>-</u>	<u>-</u>	<u>1,911</u>
Total expenses	<u>\$ 170,059</u>	<u>\$ 7,286</u>	<u>\$ 16,846</u>	<u>\$ 194,191</u>

See accompanying notes and independent accountant's review report.

FRESNO WILDLIFE RESCUE AND REHABILITATION SERVICE
STATEMENT OF CASH FLOWS
for the year ended June 30, 2018

Cash flows from operating activities:	
Change in net assets	\$ 321
Adjustments to reconcile change in net assets to net cash provided by operating activities:	
Depreciation expense	3,363
Net cash provided by operating activities	3,684
Increase in cash and cash equivalents	3,684
Cash and cash equivalents at beginning of year	110,877
Cash and cash equivalents at end of year	<u>\$ 114,561</u>

See accompanying notes and independent accountant's review report.

FRESNO WILDLIFE RESCUE AND REHABILITATION SERVICE
NOTES TO FINANCIAL STATEMENTS

(See Accountant's Review Report)

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES:

Fresno Wildlife Rescue and Rehabilitation Service (the Organization) was incorporated on October 25, 1979 as a nonprofit corporation. The Organization uses volunteers to provide emergency medical and restorative care to native species of California wildlife. The Organization serves the San Joaquin Valley, Bakersfield, Sacramento and the outlying areas that have included San Francisco and San Diego. The Organization is supported primarily by membership dues, fundraising events, and contributions from the community.

a. Accounting basis:

The financial statements of the Corporation have been prepared on the accrual basis of accounting.

The Organization reports information regarding its financial position and activities according to three classes of net assets based on the existence or absence of donor-imposed restrictions: unrestricted net assets, temporarily restricted net assets and permanently restricted net assets. In addition, the Organization presents a Statement of Cash Flows. The net assets of the Organization and changes therein are classified and reported as follows:

Unrestricted net assets – Net assets that are not subject to donor-imposed stipulations.

Temporarily restricted net assets – Net assets received with donor stipulations that limit the use of the donated assets. When a donor restriction expires (that is, when a stipulated time restriction ends or purpose restriction is accomplished), temporarily restricted net assets are reclassified to unrestricted net assets and reported in the Statement of Activities as net assets released from restrictions.

Permanently restricted net assets – Net assets that are held in perpetuity and assets that have been contributed by donors with stipulations that they be invested in perpetuity.

b. Cash and cash equivalents:

For purposes of the Statement of Cash Flows, the Organization considers all highly liquid investments with an initial maturity of three months or less to be cash equivalents.

FRESNO WILDLIFE RESCUE AND REHABILITATION SERVICE
NOTES TO FINANCIAL STATEMENTS, Continued

(See Accountant's Review Report)

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES, continued:

c. Leasehold improvements and equipment:

The Organization follows the practice of capitalizing, at cost, all expenditures for fixed assets in excess of \$500. Depreciation is computed on a straight-line basis over the useful lives of the assets as follows:

Leasehold improvements	10-15 years
Equipment	5-10 years

d. Revenue recognition and donor imposed restrictions:

Contributions received are recorded as unrestricted, temporarily restricted or permanently restricted support, depending on the existence or nature of any donor restrictions. All contributions are available for unrestricted use unless specified by the donor. If a restriction is fulfilled in the same period in which the contribution is received, the Organization reports that support as unrestricted.

e. Donated assets:

Non-cash donations are recorded as contributions at their estimated fair values at the date of donation. The Organization received \$118,058 in the form of non-cash feed donations for the year ended June 30, 2018.

f. Barter transactions:

Barter transactions (revenue and expense) are recognized in the Statement of Activities at fair value of the advertising surrendered. The revenues recorded for barter transactions for the year ended June 30, 2018 was \$1,200. Expenses recognized for advertising barter transactions totaled \$1,911 for the year ended June 30, 2018.

FRESNO WILDLIFE RESCUE AND REHABILITATION SERVICE
NOTES TO FINANCIAL STATEMENTS, Continued

(See Accountant's Review Report)

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES, continued:

g. Tax status:

The Organization is a not-for-profit organization that is exempt from income taxes under Internal Revenue Code Section 501(c)(3) and California Franchise Tax Regulation Section 23701(d) and, therefore, has made no provision for income taxes in the accompanying financial statements.

The Corporation believes that it is more likely than not to be sustained for any tax positions taken, and as such, does not have any uncertain tax positions that are material to the financial statements.

h. Use of estimates:

The preparation of financial statements requires management to make estimates and assumptions that affect the reported amounts and disclosures. Actual results could differ from those estimates.

i. Subsequent events:

The Corporation has evaluated subsequent events through November 5, 2018, the date the financial statements were available to be issued.

2. LEASEHOLD IMPROVEMENTS AND EQUIPMENT:

Leasehold improvements and equipment consisted of the following at June 30, 2018:

Leasehold improvements	\$ 13,366
Equipment	<u>77,188</u>
Property and equipment - Gross	90,554
Less: Accumulated depreciation	<u>(83,977)</u>
Property and equipment - Net	<u>\$ 6,577</u>

Depreciation expense for the year ended June 30, 2018 was \$3,363.

FRESNO WILDLIFE RESCUE AND REHABILITATION SERVICE
NOTES TO FINANCIAL STATEMENTS, Continued

(See Accountant's Review Report)

3. CONCENTRATION OF CREDIT RISK:

The Organization is subject to concentrations of credit risk with respect to funds on deposit with financial institutions. At various times during the year, funds deposited with financial institutions may be in excess of the insured limit.

Internal Revenue Service
District Director

Department of the Treasury

EP/EO:1
SF:EO:81-2490

Date: 30 DEC 1981

Our Letter Dated:
February, 1980
Person to Contact:
EO Desk Officer
Contact Telephone Number:
(415) 556-5353

EIN:94-2628893

▷ Fresno Wildlife Rescue and
Rehabilitation Service
P.O. Box 9032
Fresno, CA 93790

This modifies our letter of the above date in which we stated that you would be treated as an organization which is not a private foundation until the expiration of your advance ruling period.

Based on the information you submitted, we have determined that you are not a private foundation within the meaning of section 509(a) of the Internal Revenue Code, because you are an organization of the type described in section *170(b)(1)(A)(vi). Your exempt status under section 501(c)(3) of the code is still in effect.

Grantors and contributors may rely on this determination until the Internal Revenue Service publishes notice to the contrary. However, a grantor or a contributor may not rely on this determination if he or she was in part responsible for, or was aware of, the act or failure to act that resulted in your loss of section *170(b)(1)(A)(vi) status, or acquired knowledge that the Internal Revenue Service had given notice that you would be removed from classification as a section *170(b)(1)(A)(vi) organization.

Because this letter could help resolve any questions about your private foundation status, please keep it in your permanent records.

If you have any questions, please contact the person whose name and telephone number are shown above.

509(a)(1) and*

Sincerely yours,

Michael Sassi
District Director

Return of Organization Exempt From Income Tax

Under section 501(c), 527, or 4947(a)(1) of the Internal Revenue Code (except private foundations)

Do not enter social security numbers on this form as it may be made public.

Go to www.irs.gov/Form990 for instructions and the latest information.

2017

Open to Public Inspection

Department of the Treasury
Internal Revenue Service

For the 2017 calendar year, or tax year beginning 7/01, 2017, and ending 6/30, 2018

3 Check if applicable: <input type="checkbox"/> Address change <input type="checkbox"/> Name change <input type="checkbox"/> Initial return <input type="checkbox"/> Final return/terminated <input type="checkbox"/> Amended return <input type="checkbox"/> Application pending		C Fresno Wildlife Rescue & Rehabilitation Service PO Box 2605 Clovis, CA 93613-2605		D Employer identification number 94-2628893	
		F Name and address of principal officer: Same As C Above		G Gross receipts \$ 194,512.	
Tax-exempt status <input checked="" type="checkbox"/> 501(c)(3) <input type="checkbox"/> 501(c) () (insert no.) <input type="checkbox"/> 4947(a)(1) or <input type="checkbox"/> 527		H(a) Is this a group return for subordinates? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No H(b) Are all subordinates included? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If 'No,' attach a list. (see instructions)		H(c) Group exemption number ▶	
Website: ▶ N/A		Form of organization: <input checked="" type="checkbox"/> Corporation <input type="checkbox"/> Trust <input type="checkbox"/> Association <input type="checkbox"/> Other ▶		L Year of formation: 1979 M State of legal domicile: CA	

Summary

1 Briefly describe the organization's mission or most significant activities: Fresno Wildlife Rehabilitation Service is an all-volunteer, non-profit, tax-exempt organization dedicated to caring for orphaned and/or injured native wildlife in our Central Valley.		
2 Check this box <input type="checkbox"/> if the organization discontinued its operations or disposed of more than 25% of its net assets.		
3 Number of voting members of the governing body (Part VI, line 1a).....	3	11
4 Number of independent voting members of the governing body (Part VI, line 1b).....	4	0
5 Total number of individuals employed in calendar year 2017 (Part V, line 2a).....	5	0
6 Total number of volunteers (estimate if necessary).....	6	50
7a Total unrelated business revenue from Part VIII, column (C), line 12.....	7a	0.
7b Net unrelated business taxable income from Form 990-T, line 34.....	7b	0.
	Prior Year	Current Year
8 Contributions and grants (Part VIII, line 1h).....	171,052.	137,480.
9 Program service revenue (Part VIII, line 2g).....	5,614.	5,641.
10 Investment income (Part VIII, column (A), lines 3, 4, and 7d).....		
11 Other revenue (Part VIII, column (A), lines 5, 6d, 8c, 9c, 10c, and 11e).....	34,071.	34,545.
12 Total revenue — add lines 8 through 11 (must equal Part VIII, column (A), line 12).....	210,737.	177,666.
13 Grants and similar amounts paid (Part IX, column (A), lines 1-3).....		
14 Benefits paid to or for members (Part IX, column (A), line 4).....		
15 Salaries, other compensation, employee benefits (Part IX, column (A), lines 5-10).....		
16a Professional fundraising fees (Part IX, column (A), line 11e).....		
b Total fundraising expenses (Part IX, column (D), line 25) ▶		
17 Other expenses (Part IX, column (A), lines 11a-11d, 11f-24e).....	203,824.	177,345.
18 Total expenses. Add lines 13-17 (must equal Part IX, column (A), line 25).....	203,824.	177,345.
19 Revenue less expenses. Subtract line 18 from line 12.....	6,913.	321.
	Beginning of Current Year	End of Year
20 Total assets (Part X, line 16).....	120,817.	121,138.
21 Total liabilities (Part X, line 26).....	0.	0.
22 Net assets or fund balances. Subtract line 21 from line 20.....	120,817.	121,138.

Signature Block

Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and a Declaration of preparer (other than officer) is based on all information of which preparer has any knowledge.

Signature of officer Doralie Utecht		Date Treasurer	
Type or print name and title			
Preparer's name Christopher Hamlin	Preparer's signature Christopher Hamlin	Date	Check <input checked="" type="checkbox"/> if PTIN self-employed P01976642
Firm's name Christopher Hamlin, CPA		Firm's EIN ▶	
Firm's address 7341 N First St, Suite 106 Fresno, CA 93720		Phone no. 559-287-9395	

IRS discuss this return with the preparer shown above? (see instructions) ☒ Yes ☐ No

Paperwork Reduction Act Notice, see the separate instructions.

TEEA0113L 08/08/17

Form 990 (2017)



AGENDA ITEM NO: 22
City Manager: IS

CITY of CLOVIS

REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: General Services Department

DATE: August 5, 2019

SUBJECT: Consider Approval – Res. 19-____, Approving the Exception to the 180-Day Wait Period (Government Code Sections 7522.56 & 21224) Pertaining to the Hiring of Bryan Araki as Extra Help for Critical City Planning Projects

ATTACHMENTS: Res. 19-____
(A) Agreement

CONFLICT OF INTEREST

None.

RECOMMENDATION

Consider Approval – Res. 19-____, approving the Exception to the 180-Day Wait Period (Government Code Sections 7522.56 & 21224) pertaining to the hiring of Bryan Araki as extra help for critical City planning projects.

EXECUTIVE SUMMARY

The Planning and Development Services Department requests authority to utilize the exception provided in Government Code section 21224 to hire a retired CalPERS employee for a limited duration, not to exceed six months, to provide oversight and specialized training regarding the Regional Housing Needs Allocation (RHNA) program compliance and train staff in regards to continuing essential City projects and to complete the SB2 housing grant.

BACKGROUND

Recently, the Planning and Development Services Department received Regional Housing Needs Allocation (RHNA) certification by the State of California. This process was the culmination of five years' work by the City Planner and is essential for state compliance in order to continue housing development in Clovis. Although the City's RHNA plan was certified, there are ongoing and continuous requirements to maintain the certification including annual reporting and the start of cycle five.

Non-compliance with RHNA would result in the City's housing plan being de-certified. Without certification, the City would be required to halt all single family development, the City would not be eligible for housing grant funding, and the potential for litigation against the City increases.

The expert in the RHNA program and attaining our compliance is retired City Planner, Bryan Araki. Mr. Araki's RHNA expertise and knowledge are necessary to train the new planner and staff on compliance issues in order to fulfill the State RHNA compliance and to ensure the submission of the application and programming of the SB2 housing planning grant which is due Fall 2019.

The City attempted to hire a new City Planner while Mr. Araki was still actively employed by the City, but due to delays in the hiring process and the withdrawal of the initial candidate selected, the new City Planner did not start until two weeks following Mr. Araki's retirement. Mr. Araki has over 30 years of experience in the Planning profession with the City of Clovis and the transfer of his global history of City planning functions is imperative to the success of the new City Planner. The information and training provided by Mr. Araki will provide the new City Planner with knowledge to complete and maintain compliance with the recent RHNA certification, SB2 grant compliance, local practices and procedures, historical information, and the ability to identify and utilize data of land use entitlements. Current staff lacks the breadth of knowledge and expertise to complete ongoing state compliance until their training by Mr. Araki is complete.

Therefore, the Planning and Development Services Department is requesting Council approval for an exemption to the 180-day waiting period for retired annuitants. Retired annuitant Bryan Araki has the extensive skills, background, and technical knowledge to provide the training necessary to ensure the new planner and other staff fulfill the RHNA compliance and grants as well as other City planning functions. Mr. Araki will not exceed the PERS retired annuitant maximum of 960 work hours per fiscal year.

Government Code Section 7522.56 requires retirees wait 180 days from the retirement date to begin employment with the same, or another, CalPERS agency. Government Code Section 7522.56(f) (1) allows for an exception to the 180 day waiting period when the appointment is necessary to fill a "critically needed" position before 180 days. This exception can be either to a vacant position or as extra help where the work performed is of limited duration and the retiree is to perform tasks such as the completion of limited term, special project work, or to do work in excess of what regular permanent staff can do. In this case, the proposed hiring of retired employee Bryan Araki is to perform extra help for the limited duration for not more than six months to train the planner and staff so that the City can complete the above noted highly technical and specialized projects that can have a detrimental effect on City services as well as the citizens of Clovis if delayed or completed improperly.

FISCAL IMPACT

Due to current vacancies in the Planning and Development Services Department, there is sufficient funding in the FY 2019-20 planning section budget to fund this short term, limited position.

REASON FOR RECOMMENDATION

In adopting this resolution, the City Council will provide for the immediate preservation of City planning operations, to provide oversight and specialized training regarding the Regional Housing Needs Allocation (RHNA) program compliance, complete the SB2 housing grant, and train staff in regards to continuing essential City projects.

ACTIONS FOLLOWING APPROVAL

Execution of an employment contract with retired annuitant, Bryan Araki.

Prepared by: Lori Shively, Personnel/Risk Manager

Submitted by: Shonna Halterman, General Services Director



RESOLUTION 19-__

**RESOLUTION OF THE CITY OF CLOVIS APPROVING
THE EXCEPTION TO THE 180-DAY WAIT PERIOD
Government Code Sections 7522.56 & 21224**

WHEREAS, in compliance with Government Code section 7522.56, the City Council for the City of Clovis must provide CalPERS this certification resolution when hiring a retiree before 180 days have passed since his or her retirement date; and

WHEREAS, Bryan Araki, CalPERS ID 2248803520, retired from the City of Clovis in the position of City Planner, effective July 15, 2019; and

WHEREAS, section 7522.56 requires that post-retirement employment commence no earlier than 180 days after the retirement date, which is January 12, 2020 without this certification resolution; and

WHEREAS, section 7522.56 provides that this exception to the 180-day wait period shall not apply if the retiree accepts any retirement-related incentive; and

WHEREAS, the City Council for the City of Clovis, the City of Clovis and Bryan Araki certify that Bryan Araki has not and will not receive a Golden Handshake or any other retirement-related incentive; and

WHEREAS, Government Code section 7522.56(f) (1) allows for an exception to the 180-day waiting period when the appointment is necessary to fill a "critically needed" position before 180 days either to a vacant position or as extra help where the work performed is of limited duration and the retiree is to perform tasks such as completing large scale projects, limited term special project work, or to do work in excess of what regular permanent staff can do; and

WHEREAS, the City's Planning and Development Services Department is responsible for large projects that include, the implementation and ongoing compliance of the Regional Housing Needs Allocation, application and administration of the SB2 planning grant, and oversight of City-wide planning. The City is currently in the process of several large projects that require skills, expertise and extensive local planning experience in order to properly complete these projects. Improper or delayed completion could have detrimental impacts of overall City funding and operations, and ultimately the citizens of Clovis. Bryan Araki will also provide training on City operations and provide transitional support to the newly hired City Planner; and

WHEREAS, the City Council for the City of Clovis hereby appoints Bryan Araki as an extra help retired annuitant to perform the duties related to City planning, for the City of Clovis under Government Code section 21224 and 7522.56, effective August 7, 2019; and

WHEREAS, the entire employment agreement between Bryan Araki and the City of Clovis has been reviewed by this body and is attached herein as Exhibit A; and

WHEREAS, no matters, issues, terms or conditions related to this employment and appointment have been or will be placed on the consent calendar; and

WHEREAS, the employment shall be limited to 960 hours per fiscal year and limited to six months in duration; and

WHEREAS, the compensation paid to retirees cannot be less than the minimum nor exceed the maximum monthly base salary paid to other employees performing comparable duties, divided by 173.333 to equal the hourly rate; and

WHEREAS, the City recently filled a vacant position of the nature as the work being performed by Bryan Araki. A recruitment was conducted in April 2019; however, a delay was caused by the withdrawal of a top candidate and prevented the ability for Mr. Araki to train the new City Planner. The extra help work proposed to be performed by Bryan Araki could be described as work performed as Specialty Trainer of City planning functions and compliance. The maximum base salary for a position with this expertise is \$12,269 per month and the hourly equivalent is \$70.78. The minimum base salary is \$10,094.00 per month and the hourly equivalent is \$58.23; and

WHEREAS, the hourly rate paid to Bryan Araki will be \$64.00 per hour; and

WHEREAS, Bryan Araki has not and will not receive any other benefit, incentive, compensation in lieu of benefit or other form of compensation in addition to this hourly pay rate.

THEREFORE, BE IT RESOLVED that the City Council for the City of Clovis hereby certifies the nature of the appointment of Bryan Araki as described herein and detailed in the attached employment agreement document and that this appointment is necessary to complete current projects, ensure compliance with the Regional Housing Needs Allocation (RHNA), SB2 housing grant application and oversight, and specialty planning training of new and current staff to ensure a smooth transition. There are no other current City staff with the highly technical skills, historical knowledge, and housing element expertise needed for the position.

* * * * *

The foregoing resolution was introduced and adopted at a regular meeting of the City Council of the City of Clovis held on August 5, 2019, by the following vote to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Dated: August 5, 2019

Mayor

City Clerk

Attachment A

**AT WILL EMPLOYMENT AGREEMENT
Between the City of Clovis and Bryan Araki
August 7, 2019**

The City of Clovis hereinafter referred to as CITY, and **Bryan Araki**, hereinafter referred to as EMPLOYEE, in consideration of the promises made herein, agree as follows:

TERM

The CITY shall employ EMPLOYEE to work in the position of Specialty Trainer with the City of Clovis on an at-will contract basis from August 7, 2019 through December 31, 2019. Except for termination for malfeasance, either the CITY or the EMPLOYEE upon thirty (30) days advance written notice may terminate this agreement.

EMPLOYMENT STATUS AND REPORTING RELATIONSHIP

During the term of the agreement, the EMPLOYEE is Classified as an at-will employee who may be terminated or resign for any reason. During the term of this agreement, EMPLOYEE will work with the Planning and Development Services Department and report to the Director of Planning and Development Services. The EMPLOYEE is not represented by a bargaining unit and this contract does not provide any rights other than those specifically provided in this agreement.

DUTIES

Duties may include but are not limited to the following: directs maintenance of the City Regional Housing Needs Allocation (RHNA); completes and oversees the SB2 planning grant; provides training and historical information regarding processes and programs within the Planning Division; confers with the Assistant Director of Planning and Development Services, the Director of Planning and Development Services, the City Manager, other departments, and various public groups on proposed projects and improvements; provides a relationship bridge between private architects, engineers, and developers and new City staff; provides training related to ordinances and reports for Council, Site Plan Reviews, Parcel Maps, and Sign Reviews; explains policies, procedures, and objectives of the division to staff by written directive and by oral communications; conducts staff and public information meetings; and performs related work as required.

COMPENSATION AND BENEFITS

In exchange for the performance of the above services, CITY agrees to compensate EMPLOYEE during the period of the contract as follows:

Salary: The EMPLOYEE will earn an hourly salary of \$64.00. It is anticipated that EMPLOYEE will work up to 35 hours per week. In the capacity of Specialty Trainer, the EMPLOYEE is classified as exempt for F.L.S.A. purposes and is therefore ineligible for over time compensation.

Retirement: CITY and EMPLOYEE will not pay into the CalPERS program. As a CalPERS retired annuitant, EMPLOYEE will not work more than 960 hours in the fiscal year.

Workers Compensation and other Benefits: The CITY provides workers' compensation benefits as required by law. The CITY and the EMPLOYEE contribute the required percentage for Medicare. The EMPLOYEE pays into State Disability Insurance.

HOLIDAYS

The EMPLOYEE will not be compensated for any holidays observed by the CITY.

VACATION/SICK LEAVE

The EMPLOYEE will not be provided with any paid vacation or sick leave.

GENERAL PROVISIONS

This agreement shall become effective upon execution by all parties and supersedes any and all previous employment agreements between the EMPLOYEE and the CITY. The text herein shall constitute the entire agreement between the parties. It shall be binding upon and inure to the benefit of the heirs at law and executors of the EMPLOYEE.

Venue for any litigation resulting from litigation to enforce any provision of or resulting from this agreement or the at will employment relationship herein established, is specifically agreed and declared by both parties to be in the Superior Court of Fresno County, California, or the United States District Court, Eastern District located in Fresno, California.

This Agreement represents the total and complete understanding of the parties regarding the subjects set forth herein. Any other oral understandings or other prior understandings shall have no force or effect. This Agreement shall supersede any and all prior agreements between the parties regarding the subject of this Agreement.

This Agreement cannot be changed or supplemented orally and may be modified or superseded only by a written instrument executed by both parties.

In the event any term or provision of this Agreement is declared to be invalid or illegal for any reason, this Agreement will remain in full force and effect and will be interpreted as though such invalid or illegal provision was not a part of this Agreement. The remaining provisions will be construed to preserve the intent and purpose of this Agreement and the parties agree to negotiate in good faith to modify any invalidated provisions to preserve each party's anticipated benefits.

CITY

EMPLOYEE

Luke Serpa, City Manager

Bryan Araki, Contract Specialty Trainer

Date

Date



CITY *of* CLOVIS

REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: Administration

DATE: August 5, 2019

CLOSED SESSION - A “closed door” (not public) City Council meeting, allowed by State law, for consideration of pending legal matters and certain matters related to personnel and real estate transactions.

None.

Please direct questions to the City Manager’s office at 559-324-2060.