

**Clovis Dakota Business Park**  
**R2020-003 / PM2020-002**  
Initial Study and Mitigated Negative Declaration

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**June 2020**

**PREPARED BY:**

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**CITY of CLOVIS**  

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**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:** Clovis Dakota Business Park

**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 Planner  
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**PROJECT LOCATION:** NE Corner of Clovis and Dakota Avenues.  
Clovis, CA 93612  
APN(s): Multiple APNs

**PROJECT SPONSOR'S NAME AND ADDRESS:** Nicholas Crawford  
Don Pickett & Associates, Inc.  
7395 N Palm Bluffs Ave, Ste. 101  
Fresno, CA 93711

**LAND USE DESIGNATION:** Mixed Use Village

**ZONING DESIGNATION:** See page 7 of this Initial Study

**PROJECT DESCRIPTION** See page 8 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.

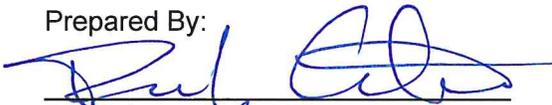
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|--|---|---|
| <input type="checkbox"/> Aesthetics                      | <input type="checkbox"/> Agriculture & Forestry Resources | <input type="checkbox"/> Air Quality                          |
| <input checked="" type="checkbox"/> Biological Resources | <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 checked="" 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 environmental, 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 environmental, 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

6-30-20  
Date

Approved By:



Renee Mathis, Interim Director  
City of Clovis Planning & Development Services

6/30/2020  
Date

**B. PROJECT OVERVIEW**

Don Pickett & Associates, Inc. (applicant) proposes the construction of approximately 390,000 square-foot business park and associated site improvements (i.e. landscape, parking, sidewalks, and utilities infrastructure) on approximately 32 acres of vacant and undeveloped land near the northeast corner of Clovis and Dakota 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 on the north side of Dakota Avenue east of Clovis Avenue and consists of three (3) parcels totaling approximately 32 acres. The Project would occupy either in full or portions of Assessor’s Parcel Numbers (APNs) 495-220-13, 495-220-20, and 495-220-12 (portion of).

**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. A portion of APN 495-220-12 is developed with the Clovis Recreation Center. The Clovis Recreation Center is not part of the Project. The site is generally flat, although some grading would be required for adequate drainage. The Project site also includes a row of sparsely planted trees along the eastern boundary of the site near the northern portion of the property. There is no existing sidewalk or other pedestrian improvements along Dakota Avenue fronting the Project site.

**2. SURROUNDING CONDITIONS**

As shown reference in Table 1 below, and shown on Figure 2, 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, east, and south, as well as a community recreational center to the west. There’s also a water basin east of the site along Dakota Avenue, as well as a community park south of the site.

**Table 1: Surrounding Land Uses**

	Land Use Designation	Existing Zoning*	Existing Land Use
<b>North</b>	Medium Density Residential	County of Fresno	Single Family Residential
<b>East</b>	Medium Density Residential and Water	R-1 and R-A	Single Family Residential and Water Basin
<b>South</b>	Medium Density Residential	R-1 and R-1-PRD	Single Family Residential
<b>West</b>	Mixed Use Village	C-2	Vacant and Community Recreational Center
*R-1-6500 (Single-Family Residential – 6,500 square feet) R-A (Single-Family Residential – 24,000 square feet) R-1-PRD (Single-Family Residential – Planned Residential Development) C-2 (Community Commercial)			

### **3. LAND USE DESIGNATION**

As shown on Figure 3, the Project site has an existing General Plan Land Use designation Mixed Use Village. According to the 2014 Clovis General Plan, all industrial zone districts (except for Heavy Manufacturing (M-2)) are compatible with this land use designation.<sup>1</sup> The site is also within Focus Area 4 of the General Plan. The Mixed Use Village (Focus Area 4) designation allows for a mix of commercial, office, and/or residential uses; however, does not require a specific mix of each use. It is also important to note that while residential uses are allowed up to occupy a maximum of up sixty percent (60%) of the area within Focus Area 4, there is no minimum for residential. Thus, the site's designation allows for up to 100% of non-residential uses.

### **4. ZONING DESIGNATION**

As shown on Figure 4, the Project site is currently comprised of several zone districts, including C-2 (Community Commercial), M-2 (Heavy Industrial), M-1 (Light Industrial), and R-2 (Multifamily Medium-High Density). Each of these zoning districts are described in more detail below.

- The C-2 zone district is applied to areas appropriate to serve the daily shopping needs of the community, including larger, community scale shopping centers, and regional malls, which may be anchored by several department stores or other large scale retail outlets, restaurants, hotels, and entertainment uses.
- The M-2 zone district is applied to areas appropriate for heavy industrial uses engaged in the mechanical or chemical processing of materials or substances into new products, the assembling of component parts, or the blending of materials, including food processing, automobile assembly or recycling, machine shops, and a variety of heavy manufacturing uses, which may require appropriate buffering from adjacent commercial and residential uses.
- The M-1 zone district is applied to areas appropriate for business parks and industrial uses within enclosed structures with limited screened outdoor storage, including warehousing and distribution facilities, mini-warehouse storage, and a variety of light manufacturing uses.
- The R-2 zone district is appropriate for moderately dense residential uses, including multifamily apartments, duplexes, townhouses, and small parcel, attached and detached single-family uses.

### **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. The Project itself would include a parcel map, rezone, and site plan review.

#### **1. PROJECT ENTITLEMENTS**

The Project would include several planning entitlements, such as a parcel map, rezone, and site plan review. The parcel map is required in order to create the individual lots, a rezone would be required to rezone the property from its existing zone districts (C-2, R-2, M-1, and M-2) to the C-M (Commercial and Light Manufacturing) zone district. The site plan review is required to memorialize the design and layout of the buildings.

The C-M zone district is applied to areas appropriate for retail and wholesale sales, light manufacturing, warehousing, distributing, and storage operations, in addition to providing for a close relationship between warehousing, distribution, and retail sales. A complete list of allowed uses in the C-M zone district are located in Table 2-6 in Section 9.14.020 of the Clovis Municipal Code.

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<sup>1</sup> 2014 City of Clovis General Plan, Land Use Element, Table LU-2 and LU-3, Land Use Designations, page LU-11 and LU-13. August 2014.

For informational purposes, the site currently has existing entitlements from a previous approval in 2014 which included a rezone and Conditional Use Permit for construction of 144 multi-family units. As part of the proposed Project, these existing entitlements would be rescinded.

## 2. PROJECT CONSTRUCTION

The Project is anticipated to begin construction summer of 2021 with full buildout by winter of 2027.

## 3. SITE PREPARATION

Site preparation would include typical grading activities to ensure an adequately graded site for drainage purposes. Part of the preparation would include the removal of any vegetation, such as grasses, shrubs, and weeds. Other site preparation activities would include minor excavation for the installation of utility infrastructure, for conveyance of water, sewer, stormwater, and irrigation. There is a small structure on the Project site which would be demolished.

## 4. 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 is a small uninhabited structure (i.e. shed) at the northeastern portion of the site which would need to be demolished.

### CONCEPTUAL SITE LAYOUT AND ELEVATIONS

While this section discusses the general site layout and elevations, it is important to note that the actual site will be reviewed more fully during the City’s Site Plan Review process. As shown in Figure 5, the Project proposes multiple free-standing structures, each on an individual lot. The structures would range in size from approximately 5,000 square feet to 22,000 square feet, with a total square footage at full buildout of approximately 390,000 square feet.

Conceptual elevations are shown in Figure 6. As shown, there would generally be a design for the smaller structures, and one for the larger structures. Under both of the concept elevations, the structures would not exceed 20 feet in maximum height, and would be subject to the C-M zone district development standards shown below in Table 2.

**Table 2: C-M Zone District Development Standards**

	<b>C-M Zone District Standards</b>
Min. Parcel Size	9,000 sq. ft.
Min. Parcel Width	75 ft.
Min. Corner Parcel Width	75 ft.
Min. Reverse Corner Parcel Width	75 ft.
Min. Parcel Depth	120 ft.
Front Setback	10 ft. (1)
Side Setback	None (1)
Street Side Setback	10 ft.
Rear	None (2)(3)
Maximum Parcel Coverage	None
Min. Distance Between Structures on the Same Parcel	3 ft. (without fire wall) (4)
Maximum Height (Main Structure)	75 ft.

Source: City of Clovis Municipal Code, Section 9.14.130, Table 2-7, April 2, 2020.  
 Notes:

- |  |
|--|
| <ol style="list-style-type: none"><li>(1) On any street or highway which is a boundary between an industrial district and any residential district, the minimum setback shall be that of the adjacent residential district.</li><li>(2) On any street or highway which is a boundary between an industrial district and any residential district, the minimum rear yard shall be fifteen feet (15')</li><li>(3) When the rear lot line of a parcel in an industrial district abuts any residential district, the minimum rear yard shall be fifteen feet (15')</li><li>(4) Building separations must comply with building and fire codes</li></ol> |
|--|

### **SITE CIRCULATION AND PARKING**

The Project would be accessed via one (1) point of ingress/egress along Clovis Avenue, and two (2) points along Dakota Avenue, along with individual driveways for each lot. On-site parking would be provided for each parcel. Installation of sidewalks and other pedestrian paths of travel would be required as part of the Project. Although the details have not yet been provided, these features would be per City of Clovis Development Code standards and/or in compliance with Americans with Disabilities Act (ADA) requirements. Further, each parcel would be required to provide sufficient on-site parking consistent with the City's Municipal Code. The final parking calculation is typically reviewed during the City's Site Plan Review process.

### **LANDSCAPE**

The Project would include landscape throughout the business park. Landscaped areas would generally be located along the frontage of each structure where a variety of ornamental shrubs, plants, and trees would be planted, as well as landscape in areas throughout the parking lots. Landscape plans are typically provided during the City's Site Plan Review process 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 commercial 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. 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 which is then supplied to customers by the City of Clovis, 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:

- Parcel Map
- Rezone
- Site Plan Review
- Conditional Use Permit (depending on future uses)
- Grading Permit
- Building Permit
- Sign Permit
- San Joaquin Unified Air Pollution Control District
- Fresno Metropolitan Flood Control District

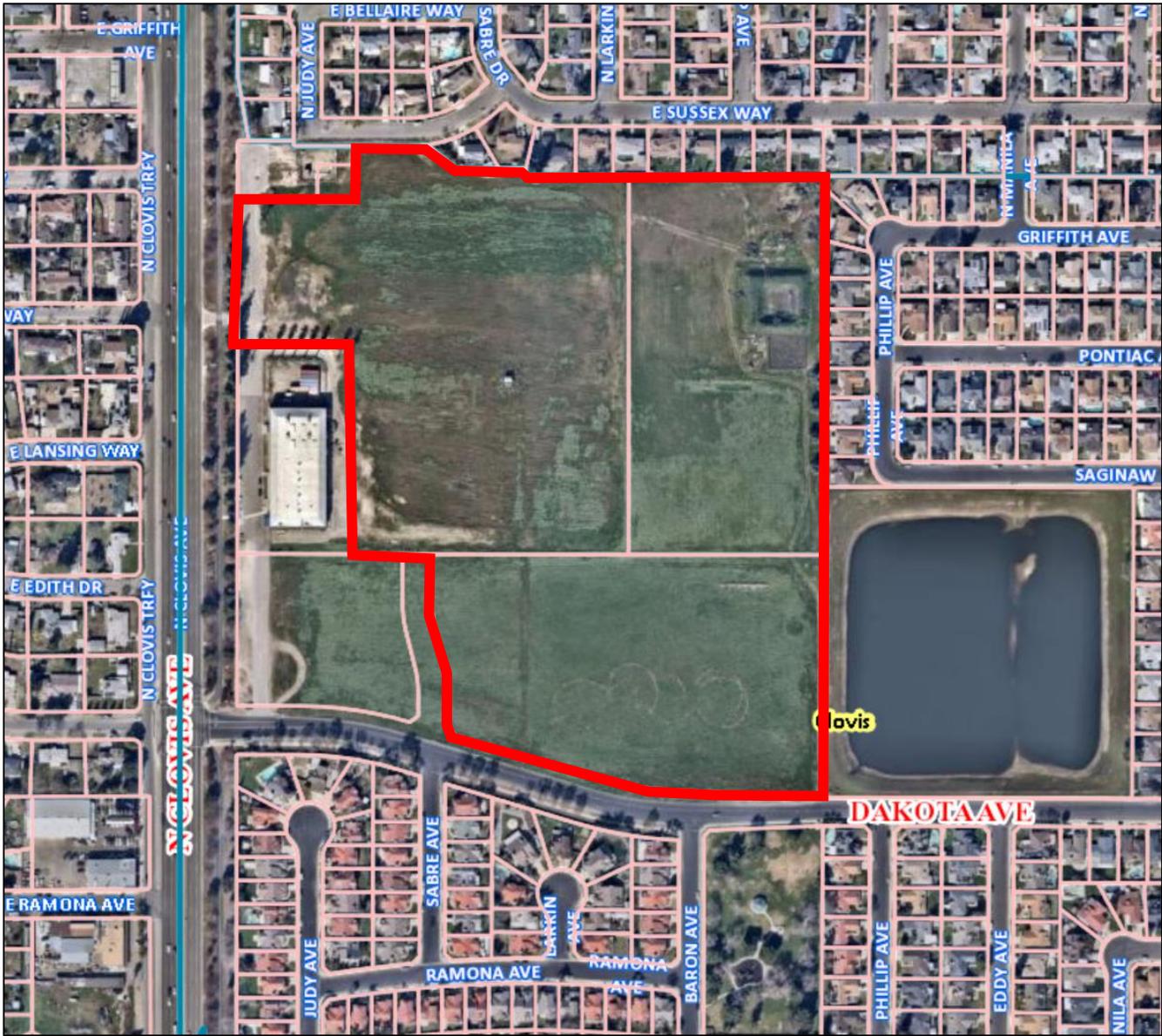
## **G. TECHNICAL STUDIES**

The analysis of the Project throughout this Initial Study relied in part on the technical studies listed below prepared for the Project, as well as other sources, including, but not limited to, the 2014 Clovis General Plan Environmental Impact Report (EIR), departmental staff, California Department of Conservation, and the California Department of Toxic Control Substances.

- **Appendix A:** Air Quality and Greenhouse Gas Analysis Report, October 25, 2019
- **Appendix B:** Biological Habitat Assessment, October 28, 2019
- **Appendix C:** Cultural Resources Assessment, January 2020
- **Appendix D:** Noise Impact Analysis Report, March 13, 2020
- **Appendix E:** Traffic Impact Analysis, January 30, 2020



Figure 2: Aerial of Project Site



 = Proposed Project Site (approximate limits)

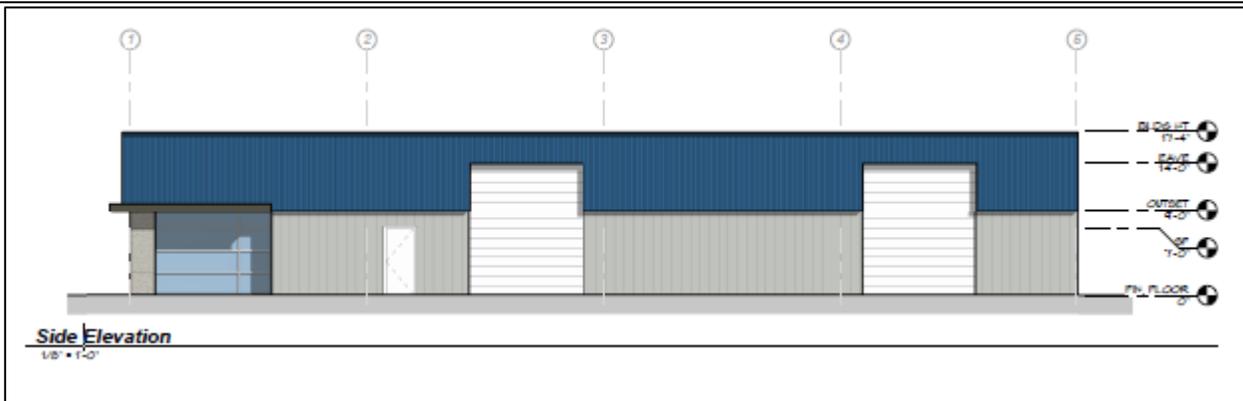








Figure 6: Conceptual Elevations



## H. 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 near the northeast corner of Clovis and Dakota Avenues. In general, the Project site is within an urbanized area of the City surrounded by existing residential to the north, east, south, and west. There is an existing water basin east of the Project site, as well as the Clovis Recreational Center west of the site. 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.

## **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 C-M zone district standards which allows structures to be constructed at a maximum height of 75 feet. Although the maximum height limit is 75 feet for C-M zone district, the Project proposes a maximum height of approximately 20 feet, which is substantially below what is allowed under the development standards. Further, the height proposed by the Project is, in some cases, below the height of existing residential development surrounding the site. Lastly, 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 and/or below with the area, as well as with the C-M Zone District development standards, 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.<sup>2</sup> 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 primarily residential uses. However, immediately west of the Project site is a recreational center, as well as a flood basin to the east. Thus, the area is generally characterized by different types of structures at varying heights, design, and character. Further, the existing site does include portions which were previously planned and zoned for commercial/industrial type uses. Although the Project does include a proposed rezone of existing residentially zoned land to the C-M zone district, these uses would not substantially degrade the existing visual character or quality of public views of the site and its surroundings. Further, as mentioned above, there are no officially designated scenic areas in the City, and none specifically at or surrounding the site itself.

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2 2014 Clovis General Plan EIR, June 2014, Page 5.1-1.

In addition, the Project proposes that the structures would be at a height significantly below the maximum height limit permitted under the C-M zone district. At a proposed maximum height of approximately 20 feet, the Project would be below the height of some of the surrounding residential homes in the area. Thus, the Project is within the scale and character of the area and would not substantially degrade the existing visual character. Lastly, the Project would undergo Site Plan Review (SPR) which would ensure that the overall design and character is consistent and/or complements the surrounding areas. The SPR process will ensure the Project complies with relevant design policies, such as General Plan, and the Clovis Development Code. 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 With Mitigation.** The Project consists of a business park with multiple lots and buildings. As a result of the existing site being vacant and undeveloped, the Project would introduce new sources of light and glare. Light and glare from the Project would be typical of a business park type development, which may include sources such as exterior lighting for safety, and light and glare from vehicles reflecting off of surfaces such as windshields. Other sources of light would be the interior lighting of the buildings at night. These sources of light and glare are not typically associated with causing significant effects on the environment. Further, the site is already surrounded by existing uses, such as residential, which as a result has established existing sources of light and glare. These sources of existing light and glare are comprised of streetlights, exterior and interior light and glare from existing homes, and from vehicles going to and from the neighborhood. Other sources of existing light and glare derive from vehicles travelling along Clovis Avenue.

Although the Project would introduce new sources of light and glare, the SPR process would ensure that the design and placement of lighting is appropriate to minimize potential light and glare impacts to surrounding properties. In addition, compliance with Mitigation Measure AES-1 would ensure that light and glare impacts be **less than significant with mitigation**.

Mitigation Measure AES-1: The Project shall 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.

**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 of the California Resources Agency, to non-agricultural use.			X	

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 along Dakota Avenue, with portions along Clovis Avenue, 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.

**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,<sup>3</sup> 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 not 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 under the 2014 Clovis General Plan. 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.

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<sup>3</sup> 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, the site 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 uses other than farming. 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			X	

affecting a substantial number of people?				
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**ENVIRONMENTAL SETTING**

An Air Quality and Greenhouse Gas Analysis Report (AQ/GHG Report) was prepared by Mitchell Air Quality Consulting on October 25, 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).

***Topography<sup>4</sup>***

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.

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).

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<sup>4</sup> Air Quality and Greenhouse Gas Analysis Report, Mitchell Air Quality Consulting, page 9, October 25, 2019.

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

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 3: Ambient Air Quality Standards**

<b>Pollutant</b>	<b>Averaging Time</b>	<b>Federal Primary Standard</b>	<b>State Standard</b>
Ozone	1-Hour	--	0.09 ppm
	8-Hour	0.07 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	0.03 ppm	--
	24-Hour	0.14 ppm	0.04 ppm
	3-Hour	0.5 ppm	
	1-Hour	0.075 ppm	0.25 ppm

PM <sub>10</sub>	Annual 24-Hour	-- 150 ug/m <sup>3</sup>	20 ug/m <sup>3</sup> 50 ug/m <sup>3</sup>
PM <sub>2.5</sub>	Annual 24-Hour	12 ug/m <sup>3</sup> 35 ug/m <sup>3</sup>	12 ug/m <sup>3</sup> --
Lead	30-Day Avg. 3-Month Avg.	-- 1.5 ug/m <sup>3</sup>	1.5 ug/m <sup>3</sup> --
Notes: ppm = parts per million; ug/m <sup>3</sup> = micrograms per cubic meter. Source: California Air Resources Board, 2008. Ambient Air Quality Standards (4/01/08), <a href="http://www.arb.ca.gov/aqs/aaqs2.pdf">http://www.arb.ca.gov/aqs/aaqs2.pdf</a> .			

### **Attainment Status**

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

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

### **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 PM<sub>10</sub> 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 Project.<sup>5</sup> Further, any impacts related to the construction activities of the Project, such as dust control, would be regulated through the SJVAPCD, which require measures such as frequent watering of the site during construction to minimize dust.

Lastly, the SJVAPCD provided a comment letter, dated March 18, 2020, indicating that the Project would be subject to compliance with the SJVAPCD Rule 9510 (Indirect Source Review) which is intended to mitigate a project’s impact on air quality through project design elements or by payment of in-lieu fees.

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<sup>5</sup> Air Quality and Greenhouse Gas Analysis Report, Mitchell Air Quality Consulting, starting on page 76, October 25, 2019.

Further, the Project would be required to comply with SJVAPCD Rule 9410 (Employer Based Trip Reduction) that encourages employees to reduce single-occupancy vehicle trips. Consequently, compliance with SJVAPCD regulations would ensure that the Project result in a **less-than-significant** impact 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 impact<sup>6</sup> 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 would include a mix of commercial and light industrial type uses, thus, unlikely to produce odors that would be considered to adversely affect a substantial number of people. Although the Project proposes trash enclosures throughout the site, these enclosures would be located as far away from the existing residences as possible, thus, would minimize or eliminate the possibility of odor emitting from the enclosures. Although some odors would be emitted through the construction of the Project, such as diesel fuel and exhaust from construction equipment, these odors would be temporary in nature and last only during construction activities. Further, the types of uses allowed in the C-M zone district are not generally considered to be odor-causing uses that would adversely affect a substantial number of people. Overall, a **less-than-significant** impact would occur.

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<sup>6</sup> Air Quality and Greenhouse Gas Analysis Report, Mitchell Air Quality Consulting, starting on page 89, October 25, 2019.

**4. BIOLOGICAL RESOURCES**

<b>Would the project:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant With Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
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?				X
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**ENVIRONMENTAL SETTING**

A biological resources memorandum (Biological Memo) was prepared by H.T. Harvey & Associates dated October 28, 2019 (see Appendix B). This Biological Memo included a site survey for the presence and potential for special-status biological resources of the site. The existing Project site has been disced and comprises of ruderal grassland, dominated by non-native grasses and shrubs.

**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 Memo, the site has been previously disturbed is surrounded by substantial development.<sup>7</sup> Further, the site comprises primarily of non-native grasses and shrubs, therefore, unlikely to serve as suitable habitat for any special-status species.<sup>8</sup> During field observations, the Biological Memo concluded that there was no evidence of special-status species at the site and that it was not anticipated that impacts would occur on any special-status species. Overall, due to the lack of presence of special-status 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, in efforts to ensure protection of nesting birds, implementation of mitigation measures BIO-1 would ensure that a **less-than-significant impact with mitigation** occurs.

**Mitigation Measure BIO-1: Pre-Activity Surveys for Birds During Nesting Season.** For construction activities during February 15 through August 31, the applicant shall hire a qualified ornithologist to conduct pre-construction surveys for the presence of nesting birds at the Project site. The survey shall be conducted no more than seven (7) days prior to construction activities. The survey shall inspect all potential nesting areas for the presence of nests in or immediately adjacent to the impact areas. If an active nest is found, the applicant shall implement measures recommended by the ornithologist, which could include establishing a construction-free buffer zone around the nest (typically 250 feet for raptors and 50 – 100 feet for other species).

- 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 non-native grassland, and shrubs. There were no riparian habitat or sensitive natural community identified at the site, nor are any identified in local or regional plans.

<sup>7</sup> Biological Memorandum prepared by H.T. Harvey & Associates, October 28, 2019, page 1.  
<sup>8</sup> Biological Memorandum prepared by H.T. Harvey & Associates, October 28, 2019, page 1.

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.** There are no state or federally protected wetlands located on the site, nor were any identified in the Biological Memo prepared for the Project. Although there is a flood basin east of the Project site, it is not considered state or federal jurisdictional waters. 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.** The Biological Memo did not identify the site as a regional or local wildlife movement corridors.<sup>9</sup> Further, wildlife corridors typically serve as areas that wildlife traverse in order to migrate from one habitat to another and because the site is infill and surrounded by urban development, the site is unlikely to serve as any sort of wildlife corridor. 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 2014 General Plan calls for the protection of biological resources, the Biological Memo 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 for any trees that may need to be removed during construction. 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 would be required to comply with the tree protection ordinance, the impact would be **less-than-significant** and no mitigation measures would be required.

- 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?*

**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.

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<sup>9</sup> Biological Memorandum prepared by H.T. Harvey & Associates, October 28, 2019.

**5. CULTURAL RESOURCES**

<b>Would the project:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant With Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
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 contains one small structure (i.e. pump house/shed), and is surrounded by existing residential development. A Cultural Resources Survey (Cultural Survey) was prepared by Table Mountain Rancheria dated January 2020 (see Appendix C). This Cultural Survey was based on information obtained at the Southern San Joaquin Valley Information Center, CSU Bakersfield, as well as review of other surveys conducted in the area. Based on the Cultural Survey, two resources were identified within a ½ mile of the Project site, though not at the site itself. The Cultural Survey also included a site visit by Table Mountain Rancheria cultural resources staff to identify the presence and determine the likelihood of any cultural resources.

**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 is only one small structures on the site which is not identified as a historical resource in the Cultural Survey. 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 previous discing and other ground disturbing activities throughout the years. The Cultural Survey also concluded that there were no historic or tribal cultural resources present at the site.

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 throughout the years. The Cultural Survey prepared for the Project concluded that the lack of historical or archaeological resources detected during the site visit 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**

<b>Would the project:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant With Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
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, primarily residential.

**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 a commercial business park, along with associated landscape, hardscape, and infrastructure (i.e. drive aisles, utilities, etc.). The Project would include construction activities typical of a business park, thus, is not generally considered the type of use or intensity that would result in the unnecessary consumption of energy. Although the end users of each building have not yet been identified, the types of uses would be subject to compliance with the latest energy efficiency standards in effect at the time of development and operation. This would include compliance 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. Conformance to these standards would be reviewed during the City’s site plan review process and during review of building plans.

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**

<b>Would the project:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant With Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
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, subsidence, liquefaction or collapse?			X	
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.<sup>10</sup> 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 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.

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<sup>10</sup> 2014 Clovis General Plan EIR, Chapter 5: Geology and Soils, page 5.6-3.

- 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**

<b>Would the project:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant With Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
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			X	

reducing the emissions of greenhouse gases?				
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**ENVIRONMENTAL SETTING**

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

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

There is international scientific consensus that human-caused increases in GHGs have and will continue to contribute to global warming, although there is uncertainty concerning the magnitude and rate of the warming. Potential global warming impacts in California may include, but are not limited to, loss in snow pack, sea level rise, more extreme heat days per year, more high ozone days, more large forest fires, and more drought years. 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 an approximately 390,000 square foot business park at full buildout. 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 sufficiently reduce emissions versus business as usual scenarios and would not exceed the minimum percentage reduction of emissions required by the State, SJVAPCD, and the Clovis General Plan EIR.<sup>11</sup> 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,<sup>12</sup> 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. Further, although the SJVAPCD has adopted a Climate Action Plan, it does not contain measures that are applicable to development projects. Since there are no other local or regional climate action plans, the Project was assessed for consistency with the Air Resources Board (ARBs) adopted scoping plans. 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**.

<sup>11</sup> Air Quality and Greenhouse Gas Analysis Report, Mitchell Air Quality Consulting, page 107, October 25, 2019.

<sup>12</sup> Air Quality and Greenhouse Gas Analysis Report, Mitchell Air Quality Consulting, page 9, October 25, 2019.

**9. HAZARDS AND HAZARDOUS MATERIALS**

<b>Would the project:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant With Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
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 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?				X
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 Miramonte Elementary School, 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 an approximately 390,000 square-foot business complex under the C-M zone district which supports commercial and light manufacturing businesses, such as warehousing, distributing, storage, and wholesale sales. The type of hazardous materials that would be associated with the Project are those typical of light manufacturing and commercial businesses, such as the use of cleaners, landscape maintenance products, soaps, and potential pesticides (for pest control). Although the specific uses are undetermined at this time, it is not expected that the Project would routinely transport, use, or dispose of hazardous materials other than those typical of those associated with light manufacturing. However, if transported, handled, and disposed of in accordance with regulations, these materials 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 Miramonte 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 to 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.<sup>13</sup> The nearest occurrence was a Leaking Underground Storage Tank (LUST) located slightly north of the Project at Clovis and Ashlan Avenues; however, this LUST cleanup site case was closed after proper remediation on August 2013. 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 located approximately 2 miles northeast of the Fresno Yosemite International Airport and is within Traffic Pattern Zone (TPZ) 6 of the Fresno Council of Governments Airport Land Use Compatibility Plan. According to the Airport Land Use Compatibility, TPZ 6 is considered to be low risk for aircraft accidents. Nevertheless, the Project would be required approval by the Airport Land Use Commission to confirm the Project is compatible with the provisions of the Airport Land Use Compatibility Plan. In general, within the TPZ 6, as long as heights of structures are below 100 feet, it is presumed that no interference with aircraft would occur. Because the Project would be constructed at a height well below that, it is anticipated that no major impacts would occur. Therefore, subject to a determination by the Airport Land Use Commission, **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 be 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.

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<sup>13</sup> California Department of Toxic Substance Control, EnviroStor Database, [https://www.envirostor.dtsc.ca.gov/public/map/?global\\_id=71003467](https://www.envirostor.dtsc.ca.gov/public/map/?global_id=71003467), accessed on June 15, 2020.

- 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**

<b>Would the project:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant With Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
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			X	

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?			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**

In 2014, the Sustainable Groundwater Management Act (SGMA) was signed into law which created the framework for groundwater management within California. As a result, SGMA requires governments and water agencies of high and medium priority basins to halt groundwater overdraft and bring the groundwater basins back to a balance.

The City of Clovis is within the greater Kings Groundwater Subbasin, which is managed by the North Kings Groundwater Sustainability Agency for the area which the City is located, and is considered critically overdrafted. The Kings Basin is a subbasin to the southern part of the San Joaquin Valley Basin and covers 1,530 square miles. Groundwater within the basin is monitored by the City, Fresno Irrigation District (FID), and the Kings River Conservation District.

The City of Clovis provides water through a combination of surface and groundwater sources, including averaging over 20,000 acre-feet per year from the Kings River, as well as several City-managed wells. In 2015, the City delivered approximately 20,030 acre-feet of water to its residents.

### **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 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. The North Kings County GSA adopted a groundwater management plan in 2019. Although the groundwater subbasin which Clovis lies within is considered overdrafted, 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**

<b>Would the project:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant With Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
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, east, and south, as well as commercial and a recreational center to the west. There are currently no residential uses or homes on the Project site itself.

**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 as Mixed Use Village which is intended for a mix of commercial, and office related uses, as well as residential. Further, as part of the Project, new sidewalks would be installed throughout the site, including along Dakota Avenue to facilitate improved and safer connections between the site and adjacent uses.

Consequently, the Project seeks to complement and enhance the connectivity of the area with installation of a new public sidewalks, and by adding roadways to other vacant land that would improve circulation throughout this area. 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, the Project includes a request to rezone the property to the C-M zone district. As a proposed business park Project, this would be consistent the General Plan Land Use Designation.

The Mixed Use Village land use designation supports all industrial districts (i.e. C-M), except for M-2. Since the Project seeks a rezone to the C-M zone district, this would be compatible with the land use designation. 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 with neighboring properties.

Further, the Project includes a rezone which will bring the site's zone district into consistency with the 2014 Clovis General Plan. Overall, with 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

### 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.<sup>14</sup> 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.

<sup>14</sup> 2014 Clovis General Plan EIR, Chapter 5: Mineral Resources, page 5.11-1.

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**

<b>Would the project:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant With Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
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 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?				X

**ENVIRONMENTAL SETTING**

The Project site is located on a vacant and undeveloped site surrounded by existing residential and commercial development. Further, the site is bound by Clovis Avenue to the west, Dakota Avenue to the south. As such, existing ambient noise levels are typical of noises from these types of developments (i.e. commercial shopping centers, roadway networks, and residential).

Included as Appendix D is a Noise Impact Analysis Report (Noise Report) prepared by FirstCarbon Solutions, dated March 13, 2020. The following analysis is based in part on the information provided in this Noise Report. The purpose of the Noise Report was to determine the off-site and on-site noise impacts associated with the Project. As part of the Noise Report, existing ambient noise levels were measured at three (3) different locations around the site to determine the existing levels of noise. Depending on the location of the noise monitoring (see Exhibit 4 on page 25 of the Noise Report for noise monitoring locations), ambient levels ranged from approximately 56.7 decibels to 60.7 decibels. At each location, the dominant source of noise was determined to be traffic from either Clovis Avenue or Dakota Avenue.<sup>15</sup>

<sup>15</sup> Noise Impact Analysis Report, Clovis and Dakota Business Park Project, March 13, 2020, page 21.

## **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 business park, the Noise Report concluded that operation of the Project would still meet City noise standards.<sup>16</sup> According to Table 9 of the Noise Report, although noise would increase slightly primarily attributed to additional traffic at Dakota and Clovis Avenue, the overall decibel level would remain within City standards.

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 property lines where the Project is adjacent to residential uses to serve as a buffer. 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. Further, vehicles would enter and exit along Clovis and/or Dakota Avenue (via Sabre Avenue) which is away from existing residential. As mentioned above, existing ambient noise already exists from vehicles, and while the Project would add to the ambient noise, it would not significantly increase the ambient noise levels beyond City standards.

During operation of the Project, typical noises would include those of vehicles driving at slow speeds to and from their destination, as well as noises such as car doors shutting, and other noises typical of business parks. Most of these activities are anticipated to occur during daytime hours and would be screened by a solid wall between the Project and adjacent residential. Although the end uses are not identified, some uses could result in elevated noise levels depending on the business type and hours of operation; however, Section 9.22.080 establishes noise standards that would need to be adhered to in order to ensure that significant noise disturbance does not occur to neighboring properties. Further, the Project does include an adequate buffer between the structures and neighboring properties, as well as will include some landscaping which will further help to screen noise.

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 a business park on an existing vacant and undeveloped parcel. Therefore, construction equipment typical of the development of commercial buildings would be utilized temporarily. 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 given the distance of residential homes to the site. 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.

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<sup>16</sup> Noise Impact Analysis Report, Clovis and Dakota Business Park Project, March 13, 2020, page 28.

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.** Although the Project is located within the vicinity of Fresno Yosemite International Airport, which is approximately 1 mile southwest of the site, it is located outside of the noise contour map of the airport.<sup>17</sup> Therefore, people working at the business park would not be exposed to excessive noise levels and **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 commercial and residential use in the 2014 Clovis General Plan. However, the site is currently vacant and undeveloped. Although the Project includes proposing to rezone approximately 16 acres of the site from R-2 (Multifamily Medium-High Density) to the C-M (Commercial and Light Manufacturing) Zone District, prior to approval of the Project, the equivalent residential capacity from that rezone would be replaced elsewhere in the City consistent with the provisions of Senate Bill 330 (SB 330).

<sup>17</sup> Fresno Council of Governments, Airport Land Use Compatibility Plan, December 2018, Fresno Yosemite International Airport, Exhibit D2, Noise Contours.

**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 include construction of a business park in an area previously planned for commercial and residential uses. Therefore, the site was previously planned for population growth within this area. While the Project includes increasing the amount of land use for commercial and decreasing the amount of land for residential, the overall area was previously planned for development and is considered an infill site. 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 primary 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. 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?*

**Less-Than-Significant Impact.** The Project site is currently vacant and undeveloped. There are no existing habitable structures, homes, or people currently living on the site, therefore, the Project would not result in the substantial displacement of existing people or housing. Therefore, displacement of existing people or housing would not occur and a **less-than-significant** impact would occur.

**15. PUBLIC SERVICES**

<b>Would the project:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant With Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
<i>Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:</i>				
a. Fire protection?			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 generally 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 #1, located approximately 2.8 miles northwest of the site. The Clovis Police department is located approximately 3.5 miles north 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 new commercial uses 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, 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, 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 new commercial uses 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 approximately 3.5 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. 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.** The Project includes construction of a business park which would not generate students for schools. As part of the review process, CUSD is provided the opportunity to comment and work closely with the City as development is proposed. As such, the CUSD has been aware of the potential for this type 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 new commercial uses. 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. The Project would not generate population given that there is no residential component to the Project, thus, would not necessarily result in the increased usage of other public facilities. 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**

<b>Would the project:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant With Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
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?			X	
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 Westcal II Park, located across the street (Dakota Avenue) to the south of the 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 proposes the construction of a business park which would not generate new residents to the site. Although the Project would not include the construction of homes, it's possible that workers or patrons of the site could utilize the nearby park, although not likely to substantially increase the usage of the park. Further, the Project itself would include landscaped areas along the Project frontages which could be utilized by the business park employees. Overall, the type and use of Project would not likely 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 landscaping in compliance with City standards for commercial development. 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**

<b>Would the project:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant With Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
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 Clovis Avenue to the west, and Dakota Avenue to the south. According to the 2014 Clovis General Plan Circulation Diagram in the Circulation Element (Figure C-1 of the Circulation Element), Clovis Avenue is designated as an arterial street, and Dakota Avenue is classified as a local street. Arterial streets are intended to move large volumes of traffic and are intended to provide a high level of mobility between freeways, expressways, other arterials, and collector roadways. 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 JLB Traffic Engineering on January 30, 2020 (included as Appendix E 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 by the 2014 Clovis General Plan. The site was designated as Mixed Use Village by the 2014 Clovis General Plan and its EIR previously contemplated the potential traffic impacts associated with development with that designation. Although the site would include a rezone from to the C-M Zone District, this district is consistent with the Mixed Use Village Land Use Designation. According to the TIS, the Project would result in 244 trips in the a.m. peak hours of between 7 a.m. and 9 a.m. and 238 trips in the p.m. peak hours between 4 p.m. and 6 p.m., as well as a total of 1,936 daily vehicle trips.

### **Existing Traffic Conditions**

Based on the TIS (page 7), 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, all of the study intersections operated at an acceptable level of service per City standard.<sup>18</sup>

### **Existing-Plus-Project Conditions**

Existing-Plus-Project conditions represent existing conditions plus buildout of the Project. According to the TIS, the intersection of Clovis and Saginaw Avenues would exceed the acceptable LOS standard by the City. 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 consideration of several projects within the vicinity as shown in Table IV of the TIS. 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 2039. As described in the TIS, the two study intersections would 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.

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<sup>18</sup> Traffic Impact Study, Clovis-Dakota Business Park, JLB Traffic Engineering, January 30, 2010, page 7.

Consequently, the Project itself would help to facilitate improved circulation by adding a pedestrian sidewalk along Dakota Avenue, as well as improvements along Clovis Avenue fronting the site which would enhance the overall pedestrian 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 Saginaw and Clovis 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. Overall, with implementation of Mitigation Measure TRAF-1, a **less-than-significant with mitigation** impact would occur.

Mitigation Measure TRAF-1: Saginaw and Clovis Avenues. The Project proponent and/or applicant shall 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 raised median island “worm” be extended across the intersection along the center of Clovis Avenue. With the installation of the traffic “worm,” eastbound left-turns would be redirected to Griffith Way and westbound left-turns would be redirected to Dakota Avenue.

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, the Project is located along the Clovis trail along Clovis Avenue which would encourage alternate modes of transportation. The close proximity of the Project to residential may also provide opportunities for goods and services for the surrounding residential to utilize depending on the ultimate uses within the business park. 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. Clovis Avenue and Dakota 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 point, including one along Clovis Avenue and the other along Sabre Avenue (to be constructed as part of the Project). 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**

<b>Would the project:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant With Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
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 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?		X		

**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 February 27, 2020, 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. No requests for consultation were requested during that time.

A Cultural Resources Survey (Cultural Survey) was prepared by Table Mountain Rancheria dated January 2020 (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. Although no cultural resources were identified at the site, 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: If 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.

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**

<b>Would the project:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant With Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
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 a business park on an infill site. As mentioned above, the site is consistent with the General Plan land use designation 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 commercial uses at this site, the type of development is consistent with the land use designation 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 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. Lastly, the City Engineer reviewed the Project and determined that a water study was not required given the consistency with the 2014 General Plan land use designation. 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 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. Further, during Project review, the City Engineer and outside agencies review and ensure the wastewater conveyance system is adequate for the type of use proposed. 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 Impact.** 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 employee disposal rate of 15.5 pounds per day per employee, meaning that Clovis residents are actually producing less solid waste than the target set by the State.<sup>19</sup> 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	

<sup>19</sup> Calrecycle, City of Clovis, <https://www2.calrecycle.ca.gov/LGCentral/DiversionProgram/JurisdictionDiversionPost2006>, accessed June 22, 2020.

d. 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?			X	
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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 structures 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**

<b>Would the project:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant With Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
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*

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*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 new commercial uses to an existing vacant site, the type of use 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.

## **I. Report Preparation**

### **LEAD AGENCY**

#### ***Ricky Caperton, AICP***

Senior Planner  
City of Clovis  
Planning & Development Services

### **TECHNICAL STUDIES**

#### ***Air Quality and Greenhouse Gas Analysis Report***

Clovis-Dakota Business Park  
Dave Mitchell, Senior Air Quality Scientist  
Mitchell Air Quality Consulting

#### ***Biological Analysis Report***

Clovis and Dakota Business Park  
Ethan Barnes, Project Manager, Senior Plant Ecologist  
H.T. Harvey & Associates, Inc.

#### ***Cultural Resources Technical Memorandum***

Clovis-Dakota Business Park  
Robert Pennell, Tribal Cultural Resources Director  
Cristina Gonzales, Assistant Director  
Sara Lane Barnett, Cultural Resources Assistant  
Vanessa Jimenez, Cultural Resources Assistant  
Ngoc Thuy Kirby, GIS Specialist  
Table Mountain Rancheria

#### ***Noise Impact Analysis Report***

Clovis and Dakota Business Park  
Mary Bean, Project Director  
Philip Ault, Project Manager, Noise and Air Quality Scientist  
FirstCarbon Solutions

#### ***Traffic Impact Study***

Clovis-Dakota Business Park  
Jose Luis Benavides, PE, TE  
JLB Traffic Engineering, Inc.