

FINAL ENVIRONMENTAL IMPACT REPORT

TRACT MAP 6343
CLOVIS, CALIFORNIA



LSA

April 2024

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TRACT MAP 6343 CLOVIS, CALIFORNIA

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April 2024

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LIST OF ABBREVIATIONS AND ACRONYMS

ABM	Activity Based Model
AIA	Air Impact Assessment
APN	Assessor's Parcel Number
ATC	Authority to Construct
BACT	Best Available Control Technology
CALGreen	California Green Building Standards Code
Caltrans	California Department of Transportation
CARB	California Air Resources Board
CBB	Crotch's bumblebee
CDFW	California Department of Fish and Wildlife
CEQA	California Environmental Quality Act
CESA	California Endangered Species Act
CGYM	Clean Green Yard Machines
City	City of Clovis
CNDDDB	California Natural Diversity Database
CO	Carbon Monoxide
CTS	California tiger salamander
Draft EIR	Draft Environmental Impact Report
EV	electric vehicle
FID	Fresno Irrigation District
Final EIR	Final Environmental Impact Report
FMFCD	Fresno Metropolitan Flood Control District

Fresno COG	Fresno Council of Governments
FT/ST	Federal and State threatened
GAMAQI	Guidance for Assessing and Mitigating Air Quality Impacts
GHG	greenhouse gas
ISR	Indirect Source Review
ITP	Incidental Take Permit
MDBM	Mount Diablo Base and Meridian
MMRP	Mitigation Monitoring and Reporting Program
NOA	Notice of Availability
NOD	Notice of Determination
NOP	Notice of Preparation
NO _x	nitrogen oxides
PG&E	Pacific Gas and Electric
PM ₁₀	particulate matter less than 10 microns in diameter
PM _{2.5}	particulate matter less than 2.5 microns in diameter
PTO	Permit to Operate
PV	Photovoltaic
ROG	Reactive Organic Gases
ROW	right-of-way
RTMF	Regional Transportation Mitigation Fee
SB	Senate Bill
SBA	Small Business Assistance
SCE	State candidate endangered
SGMA	Sustainable Groundwater Management Act

SJVAPCD	San Joaquin Valley Air Pollution Control District
SO _x	Sulfur Oxides
SR	State Route
TIA	Transportation Impact Analysis
VMT	vehicle miles travelled
VOC	volatile organic compound

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1.0 INTRODUCTION

1.1 PURPOSE OF THE RESPONSE TO COMMENTS DOCUMENT

This document has been prepared to respond to comments received on the Draft Environmental Impact Report (Draft EIR) prepared for the proposed Tract Map 6343 (herein referred to as the proposed project) for the City of Clovis (City). The Draft EIR identifies the likely environmental consequences associated with development of the proposed project and recommends mitigation measures to reduce potentially significant impacts. This Final Environmental Impact Report (Final EIR) provides responses to comments on the Draft EIR and makes revisions to the Draft EIR, as necessary, resulting from those comments or to clarify material in the Draft EIR. This document, together with the Draft EIR, constitutes the EIR for the proposed project.

1.2 ENVIRONMENTAL REVIEW PROCESS

According to the California Environmental Quality Act (CEQA), lead agencies are required to consult with public agencies having jurisdiction over a proposed project and to provide the general public with an opportunity to comment on the Draft EIR.

On December 19, 2022, the City circulated a Notice of Preparation (NOP) notifying responsible agencies and interested parties that an EIR would be prepared for the proposed project and indicated the environmental topics anticipated to be addressed in the EIR. The NOP was sent to the State Clearinghouse, responsible agencies, interested parties, and organizations likely to be interested in the potential impacts of the proposed project. A scoping session was held on January 13, 2023, to solicit feedback regarding the scope and content of the EIR. Comments received by the City on the NOP were considered during preparation of the Draft EIR.

The Draft EIR was made available for public review on January 12, 2024, and was distributed to local and State responsible and trustee agencies. The Notice of Availability (NOA) for the Draft EIR was submitted to the State Clearinghouse, provided to all individuals and organizations who made a written request for notice, and filed with the Fresno County Clerk.

The public comment period ended on March 4, 2024. The City accepted and responded to all comments received during the 53-day public comment period between January 12, 2024, and March 4, 2024. Copies of all written comments received during the comment period are included in Chapter 3.0, Comments and Responses, of this document.

1.3 DOCUMENT ORGANIZATION

This Final EIR consists of the following chapters:

- **Chapter 1.0: Introduction.** This chapter discusses the purpose and organization of this Final EIR, and summarizes the environmental review process for the project.

- **Chapter 2.0: List of Commenters.** This chapter contains a list of agencies and individuals who submitted written comments during the public review period and comments made at the public hearing on the Draft EIR.
- **Chapter 3.0: Comments and Responses.** This chapter contains reproductions of all comment letters received on the Draft EIR. A written response for each CEQA-related comment received during the public review period is provided. Each response is keyed to the corresponding comment.
- **Chapter 4.0: Draft EIR Text Revisions.** Corrections to the Draft EIR that are necessary in light of the comments received and responses provided, or necessary to amplify or clarify material in the Draft EIR, are contained in this chapter. Double underlined text represents language that has been added to the Draft EIR; text with strikeout has been deleted from the Draft EIR.

2.0 LIST OF COMMENTERS

This chapter presents a list of comment letters received during the public review period and describes the organization of the letters and comments provided in Chapter 3.0, Comments and Responses, of this document.

2.1 ORGANIZATION OF COMMENT LETTERS AND RESPONSES

Chapter 3.0 includes a reproduction of each comment letter received on the Draft EIR. The written comments are grouped by the affiliation of the commenter, as follows: State agencies (A), and local agencies (B).

The comment letters are numbered consecutively following the A and B designations, and follow the format below:

State Agencies	A#-#
Local Agencies	B#-#

The letters are numbered, and comments within each letter are numbered consecutively after the hyphen. For example, Letter A1 represents the first State agency letter, and Comment A1-1 represents the first enumerated comment within that letter.

2.2 LIST OF AGENCIES COMMENTING ON THE DRAFT EIR

Table 2.A provides a list of the State agencies and local agencies that commented on the Draft EIR prior to the close of the public comment period. The comments received have been organized by date received and in a manner that facilitates finding a particular comment or set of comments. Each comment letter received is indexed with a number below.

Table 2.A: List of Comments Received

State Agencies		
A1	California Department of Fish and Wildlife, Julie Vance	February 23, 2024
A2	California Department of Transportation, David Padilla	March 4, 2024
Local Agencies		
B1	Fresno Irrigation District, Laurence Kimura	January 22, 2024
B2	San Joaquin Valley Air Pollution Control District, Tom Jordan	February 29, 2024

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3.0 COMMENTS AND RESPONSES

Written responses to each comment letter received on the Draft EIR are provided in this chapter. All letters received during the public review period on the Draft EIR are provided in their entirety. The letters are immediately followed by responses keyed to the specific comments. The letters are grouped by the affiliation of the commenting entity as follows: State agencies (A), and local agencies (B).

Please note that to the extent text within individual letters has not been numbered, it indicates that the text does not raise substantive environmental issues or relate to the adequacy of the information or analysis within the Draft EIR; therefore, no comment is enumerated, nor is a response required per California Environmental Quality Act (CEQA) Guidelines Sections 15088 and 15132. In addition, when general support or opposition is given for the proposed project, that comment is noted but no further analysis is provided in the response, as the commenter is not questioning the adequacy of the information or analysis within the Draft EIR. However, comments related to the merits of the proposed project will be considered by decision-makers taking action on the proposed project.

Where comments on the Draft EIR concern issues requiring technical expertise, the responses to comments, like the analysis in the Draft EIR, rely on the knowledge and professional analysis of qualified experts.

Where revisions to the Draft EIR text are called for, the page is set forth followed by the appropriate revision. Added text is indicated with double-underlined text, and deleted text is shown in ~~striketrough~~. Text revisions to the Draft EIR are summarized in Chapter 4.0 of this Final EIR.

3.1 COMMENTS AND RESPONSES MATRIX

Table 3.A includes all CEQA-related comments received on the Draft EIR and a response to each comment. The text of each comment has been included in the matrix and includes any grammatical errors included in the original comment letter. Each comment letter is included in its entirety in Appendix K, Public Comment Letters on the Draft EIR.

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Table 3.A: Comments and Responses Matrix

Letter/ Comment Number	Comment	Response
State Agencies		
A1 California Department of Fish and Wildlife (February 23, 2024)		
A1-1	<p>The California Department of Fish and Wildlife (CDFW) received a DEIR from the City of Clovis for the above-referenced Project pursuant to the California Environmental Quality Act (CEQA) and CEQA Guidelines.¹</p> <p>Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, CDFW appreciates the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under Fish and Game Code.</p>	<p>This is an introductory comment. This comment does not address the adequacy or completeness of the Draft EIR; raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. No further response is required.</p>
A1-2	<p>CDFW ROLE</p> <p>CDFW is California’s Trustee Agency for fish and wildlife resources and holds those resources in trust by statute for all the people of the State (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a)). CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species (<i>Id.</i>, § 1802). Similarly, for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.</p> <p>CDFW is also submitting comments as a Responsible Agency under CEQA (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381). CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. As proposed, for example, the Project may be subject to CDFW’s lake and streambed alteration regulatory authority (Fish & G. Code, § 1600 et seq.). Likewise, to the extent implementation of the Project as proposed may result in “take” as defined by State law of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.), related authorization as provided by the Fish and Game Code may be required.</p>	<p>The following comment states that the California Department of Fish and Wildlife (CDFW) is a State Trustee Agency with jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species, and, as such, provides biological expertise during public agency environmental review efforts for projects and related activities that have the potential to adversely affect fish and wildlife resources.</p> <p>The comment also states that as a Responsible Agency under CEQA, the CDFW may exercise regulatory authority over the proposed project under the Fish and Game Code, including enforcement of CDFW’s lake and streambed alteration regulatory authority (Fish & G. Code, § 1600 et seq.), and provision of authorization for “take”, as defined by State law of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.).</p> <p>This comment is noted. The proposed project would comply with all applicable CDFW regulatory requirements, and would implement CDFW recommendations, as applicable, to address any potential adverse effects to fish and wildlife resources.</p>

Table 3.A: Comments and Responses Matrix

Letter/ Comment Number	Comment	Response
A1-3	<p>Nesting Birds: CDFW has jurisdiction over actions with potential to result in the disturbance or destruction of active nest sites or the unauthorized take of birds. Fish and Game Code sections that protect birds, their eggs and nests include, sections 3503 (regarding unlawful take, possession or needless destruction of the nest or eggs of any bird), 3503.5 (regarding the take, possession or destruction of any birds-of-prey or their nests or eggs), and 3513 (regarding unlawful take of any migratory nongame bird).</p>	<p>This comment states that per sections 3503, 3503.5 and 3513 of the Fish and Game Code, the CDFW has jurisdiction over actions with potential to result in the disturbance or destruction of active nest sites or the unauthorized take of birds. This comment is noted but does not address the adequacy or completeness of the Draft EIR; raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. No further response is required.</p>
A1-4	<p>PROJECT DESCRIPTION SUMMARY</p> <p>Proponent: City of Clovis</p> <p>Objective: The Proposed Tract Map 6343 (Project) would consist of the annexation of 246 acres from Fresno County to the City of Clovis, and the development of 590 residential lots within the 71.54-acre Project site constructed in 3 phases. The proposed lots would be developed into single-family residences over time. Sixty-six outlot spaces would be developed into private roads, private parking, pedestrian walkways, landscaping, public utilities, and public park uses.</p> <p>No development is proposed within the remaining 174.46-acre annexation area surrounding the project site. Associated entitlements include Annexation to the City of Clovis and a Planned Development Permit, General Plan Amendment, Prezone, and Tract Map approval to allow for 590 single-family residences. To facilitate the future development of the subject property, the proposed Project will also require dedications and/or acquisitions for public street rights-of-way and utility easements, as well as the construction of public facilities and infrastructure.</p> <p>In addition, development of the Project site would include infrastructure improvements for water services along the East Behymer Avenue frontage and Baron Avenue frontage, as well as stormwater management infrastructure improvements along the Perrin Avenue frontage. The proposed Project would also construct a two-lane, approximately 49-foot-wide and 2,650-foot-long extension of Baron Avenue south of East Behymer Avenue.</p> <p>Location: The Tract Map 6343 Project site is located directly north of the City of Clovis limit line at the southwest corner of the East Behymer Avenue and North Sunnyside Avenue intersection. The Project site is bounded by East</p>	<p>This comment includes a summary of the Project Description for the proposed project, as described in Section 3.0, Project Description, of the Draft EIR. This comment is noted but does not pertain to the analysis or conclusions of the Draft EIR. No further response is required.</p>

Table 3.A: Comments and Responses Matrix

Letter/ Comment Number	Comment	Response
	<p>Behymer Avenue to the north, by the Enterprise Canal to the west and south, and by rural residential, a Fresno Metropolitan Flood Control District (FMFCD) ponding basin, and Tract Map 6200 to the east. The Project site is in the northwest quadrant of Section 20, Township 12 South, Range 21 East, Mount Diablo Base and Meridian (MDBM).</p>	
A1-5	<p>COMMENTS AND RECOMMENDATIONS</p> <p>CDFW offers the following comments and recommendations to assist the City of Clovis in adequately identifying and/or mitigating the Project’s significant, or potentially significant, direct, and indirect impacts on fish and wildlife (biological) resources. Editorial comments or other suggestions may also be included to improve the CEQA document prepared for this Project.</p> <p>There are special status species that may be present at the Project site that were not appropriately evaluated in the DEIR for this Project. CDFW recommends that these resources be evaluated and addressed prior to any approvals that would allow ground-disturbing activities or land use changes. Specifically, CDFW is concerned regarding potential impacts to special-status species including, but not limited to, the Federal and State threatened (FT/ST) California tiger salamander (<i>Ambystoma californiense</i>), and the State candidate endangered (SCE) Crotch’s bumblebee (<i>Bombus crotchii</i>).</p> <p>In order to adequately assess any potential impacts to biological resources, focused biological surveys should be conducted by a qualified biologist during the appropriate survey period(s) in order to determine whether any special-status species or resources may be present within the Project area. Properly conducted biological surveys are also necessary to identify Project-related impacts to biological resources and assist with determining the need for species and resource specific minimization and compensatory mitigation measures. Additionally, adequate biological surveys are necessary to assist with determining the need for the Project to obtain an Incidental Take Permit (ITP), pursuant to Fish and Game Code section 2081 subdivision (b)</p>	<p>This comment indicates that the Draft EIR does not appropriately evaluate potential impacts to special-status species, particularly the California tiger salamander (<i>Ambystoma californiense</i>), Crotch’s bumblebee (<i>Bombus crotchii</i>), and nesting birds; as such, the CDFW has provided comments and recommendations to address the proposed project’s potentially significant impacts on biological resources. These recommendations include the implementation of preconstruction surveys by a qualified biologist to identify project-related impacts to California tiger salamander and Crotch’s bumblebee, and if applicable, implementation of species-and-resource-specific minimization and compensatory mitigation measures. Additionally, the CDFW recommends preconstruction surveys for nesting birds to determine the need for the proposed project to obtain an Incidental Take Permit (ITP), pursuant to Fish and Game Code section 2081 subdivision (b).</p> <p>This comment is noted. As shown in Responses A1-6 and A1-7 below, both California tiger salamander and Crotch’s bumblebee have been sufficiently addressed in the Biological Resource Assessment¹ prepared for the Draft EIR, and no additional mitigation measures are required to address impacts to these species. Further, as shown in Response A1-8, Mitigation Measures BIO-1 has been refined to incorporate CDFW recommendations to address impacts to nesting birds covered under sections 3503, 3503.5 and 3513 of the Fish and Game Code. Implementation of Mitigation Measure BIO-1, as amended in Chapter 4.0 of this Final EIR, would reduce take potential to special-status species to a less-than-significant level. No further response is required.</p>
A1-6	<p>COMMENT 1: California Tiger Salamander</p>	<p>California tiger salamander (CTS) protocol-level surveys are appropriate when there is reasonable evidence, based on a detailed field review, that suitable habitat is</p>

¹ Argonaut Ecological Consulting. 2022. Biological Resources Assessment – Tentative Tract 6343 and City of Clovis Annexation Area. September 26.

Table 3.A: Comments and Responses Matrix

Letter/ Comment Number	Comment	Response
	<p>The DEIR does not include an appropriate evaluation for the California tiger salamander (CTS). CDFW’s Notice of Preparation (NOP) comment letter for the Project, which was sent on January 17, 2023, recommended protocol-level surveys for CTS. As it appears the biological surveys conducted in support of the DEIR did not incorporate CDFW’s survey recommendations, CDFW reiterates the recommendation to conduct the surveys outlined in CDFW’s NOP comment letter, and, if necessary, including the avoidance, mitigation, and minimization measures recommended in the letter.</p>	<p>present within a Study Area and when a review of potential breeding habitat (seasonal wetlands) within a 1.3-mile radius of the Study Area shows the presence of potential breeding habitat within the search radius. The site assessment guidelines² include a site assessment protocol that includes three elements. The assessment results determine whether protocol-level field surveys are warranted. The elements deal with 1) whether the Study Area is within the range of CTS, 2) the regional setting of the Study Area within known CTS habitat (other known occurrences within 3.1-mile radius of the site), and 3) known occurrences of breeding habitat within a 1.24-mile radius of the Study Area.</p> <p>The biological fieldwork conducted for the Draft EIR, and included in the Biological Resource Assessment³ included an evaluation of the project Study Area with respect to the three elements outlined above. The evaluation determined that the Study Area is within the CTS range, however, the Biological Resource Assessment also determined there are 12 known occurrences within the Clovis region and none of these occur within 1.3-mile radius (slightly larger radius than the above-referenced 1.24-mile radius was used). More importantly, the Biological Resource Assessment also reviewed aerial photography to confirm that no unrecorded potential breeding habitats are visible on aerials within the 1.3-mile radius. Neither the Study Area nor the adjacent habitat supports suitable breeding or suitable upland aestivation habitat within a 1.3-mile radius of the breeding habitat.</p> <p>Based on the evaluation described in the Draft EIR, there is no basis to require protocol-level field surveys for CTS within the Study Area for the proposed project because of the lack of suitable habitat and proximity to suitable breeding habitat. CDFW provides a recommendation that is not based on either a habitat assessment or a field survey conducted by CDFW. The City respectfully disagrees with their assumption because CDFW’s recommendation does not apply to areas with demonstrated non-suitable habitats. No further response is required.</p>
A1-7	COMMENT 2: Crotch’s Bumble Bee (CBB)	<p>The Draft EIR did consider the Crotch’s bumblebee (CBB) and concluded that the likelihood of the species being present, based on the project site’s habitat condition</p>

² Interim Guidance on Site Assessment and Field Survey for Determining Presence or Negative Findings of the California Tiger Salamander, October 2003.

³ Argonaut Ecological Consulting. 2022. Biological Resources Assessment – Tentative Tract 6343 and City of Clovis Annexation Area. September 26.

Table 3.A: Comments and Responses Matrix

Letter/ Comment Number	Comment	Response
	<p>The DEIR also does not include any evaluation for Crotch’s bumblebee (CBB) which was included in CDFW’s January 17, 2023, NOP comment letter. Survey recommendations (updated protocol) for CBB have changed from the recommendations in the NOP letter. CDFW continues to recommend that CBB surveys be conducted according to the most recent protocol and the information found from those used to make appropriate conclusions in the DEIR (CDFW 2023).</p> <p>In addition to conducting protocol surveys for CBB, CDFW recommends the DEIR include the following measures:</p> <p>Recommended Mitigation Measure 1: CBB Surveys Prior to Construction</p> <p>CDFW continues to recommend conducting a baseline protocol survey to adequately inform the DEIR and support conclusions drawn therein relative to CBB. In addition to performing the baseline surveys recommended by CDFW during the NOP comment period, CDFW recommends that additional surveys, following the Survey Considerations for California Endangered Species Act Candidate Bumble Bee Species, be repeated the blooming period immediately prior to construction.</p> <p>Recommended Mitigation Measure 2: CBB Avoidance Buffer</p> <p>If surveys cannot be completed, CDFW recommends that all small mammal burrows and thatched/bunch grasses be avoided by a minimum of 50 feet to avoid unauthorized take and potentially significant impacts. If ground-disturbing activities will occur during the overwintering period (October through February), consultation with CDFW is warranted to discuss how to implement Project activities and avoid take. Any detection of CBB prior to or during Project implementation warrants consultation with CDFW to discuss how to avoid take.</p> <p>Recommended Mitigation Measure 3: CBB Take Authorization</p>	<p>(sparsely vegetated and routinely disturbed), is extremely low. This is based on known records and the species habitat preferences. The California Natural Diversity Database (CNDDDB) only includes one record for CBB, which is mapped as a 5-mile radius in the “general vicinity of Fresno”. The record is based on an observation in 1899 and was updated in 2015 within the CNDDDB. Please note that an update is not necessarily based on new records or observations. The CNDDDB also does not include any unprocessed data for CBB in the region. The Bumble Bee Watch Observation database includes several regional CBB records. Two record clusters occur on the east side of Millerton Lake, and another cluster of records occurs along the Kings River, just downstream of Pine Flat Reservoir and surrounding Pine Flat Reservoir. Within the Valley floor, the nearest records are just north of Los Banos in Merced County. Not much is known about CBB habitat preferences; however, CBB are associated with habitats with particular floral associations. The floral associations include genera such as <i>Asclepias</i>, <i>Chaenactis</i>, <i>Lupinus</i>, <i>Medicago</i>, <i>phacelia</i>, and <i>salvia</i>. These floral associations do not necessarily indicate preferences by CBB but instead represent the prevalence of these flowers in landscapes where this species occurs⁴. No species within these genera were observed onsite, except for <i>Medicago</i> sp (alfalfa). CBB is thought to be absent from most of the Central Valley, especially in the center of its historic range.⁵ There is no evidence that the species is potentially present, and conducting baseline surveys does not appear to be supported by the condition of the habitat present, which is sparsely vegetated, disturbed, former agricultural land. Although the presence of this species is theoretically possible, given the historic agricultural land use within the project Study Area, such presence is highly unlikely and not sufficient to arise to the level of a potentially significant impact, or otherwise warrant protocol level survey or other mitigation measures.</p>

⁴ A petition to the State of California Fish and Game Commission to List The Crotch bumble bee (*Bombus crotchii*), Franklin’s bumble bee (*Bombus franklini*), et. al as Endangered under the California endangered Species Act. The Xerces Society for Invertebrate Conservation, Defender of Wildlife, Center for Food Safety, October 2018.

⁵ Ibid.

Table 3.A: Comments and Responses Matrix

Letter/ Comment Number	Comment	Response
	<p>If CBB is identified during surveys, consultation with CDFW is warranted to determine if the Project can avoid take. If take cannot be avoided, take authorization prior to any ground disturbing activities may be warranted. Take authorization would occur through issuance of an ITP by CDFW, pursuant to Fish and Game Code section 2081(b).</p>	
<p>A1-8</p>	<p>COMMENT 3: Nesting Birds Mitigation Measure BIO-1: Nesting Bird Surveys and Active Nest Avoidance states that a qualified biologist shall conduct a nesting bird survey no more than 15 days prior to each phase of clearing activities. CDFW recommends that a qualified biologist conduct a nesting bird survey no more than 10 days prior to each phase of clearing activities.</p>	<p>The following comment includes a recommendation from the CDFW to update Mitigation Measure BIO-1 to state that pre-construction surveys for active nests be conducted no more than 10 days prior to each phase of clearing activities. Therefore, in response to this comment, and as shown in Chapter 4.0 of this Final EIR, Mitigation Measure BIO-1 has been updated as follows:</p> <p>Mitigation Measure BIO-1. Nesting Bird Surveys and Active Nest Avoidance. Any initial ground disturbance or tree pruning, or removal should take place outside of the active nesting bird season (i.e., February 1–September 30), when feasible, to avoid impacts to nesting birds protected under the California Fish and Game Code and Migratory Bird Treaty Act. Should phased construction require tree removal or initial ground disturbance to ruderal areas, a qualified biologist shall conduct a nesting bird survey no more than 15<u>10</u> days prior to each phase of clearing activities. If nesting birds are discovered during preconstruction surveys, the biologist shall identify an appropriate buffer where no clearing, grading, or construction activities with potential to have direct or indirect impacts on the nesting bird(s) are allowed to take place until after the nest is no longer active (e.g., the young birds have fledged), or as otherwise determined by the qualified biologist.</p>
<p>A1-9</p>	<p>II. Editorial Comments and/or Suggestions ENVIRONMENTAL DATA CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations (Pub. Resources Code, § 21003, subd. TM). Accordingly, please report any special-status species and natural communities detected during Project surveys to the CNDDDB. The CNDDDB field survey form can be found at the following link: https://www.wildlife.ca.gov/Data/CNDDDB/Submitting-Data. The completed</p>	<p>This comment requests that any special-status species and natural communities detected during project surveys be uploaded to the California Natural Diversity Database (CNDDDB) to comply with requirements of CEQA and the Public Resources Code, § 21003, subd. TM(e); additionally, this comment provides parameters for the type of information to be reported; as well as instructions for finding and submitting the required field survey forms to the CNDDDB. If applicable, the Project Applicant will coordinate with the qualified biologist performing preconstruction surveys of the project site to ensure that special-status species and natural communities detected during surveys are uploaded to the CNDDDB. As such, this</p>

Table 3.A: Comments and Responses Matrix

Letter/ Comment Number	Comment	Response
	form can be mailed electronically to CNDDDB at the following email address: CNDDDB@wildlife.ca.gov. The types of information reported to CNDDDB can be found at the following link: https://www.wildlife.ca.gov/Data/CNDDDB/Plants-and-Animals .	request will be fulfilled as applicable. This comment is noted, but does not pertain to the analysis or conclusions of the Draft EIR. No further response is required.
A1-10	<p>FILING FEES</p> <p>If it is determined that the Project has the potential to impact biological resources, an assessment of filing fees will be necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the fee is required for the underlying project approval to be operative, vested, and final (Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089).</p>	This comment indicates that, because the proposed project has been determined to result in potential impacts to biological resources, the proposed project would be subject to payment of filing fees to the CDFW upon filing of the Notice of Determination (NOD) by the Lead Agency in order to cover the cost of environmental review by CDFW. The Project Applicant will pay all applicable filing fees to the CDFW upon the Lead Agency's filing of the NOD for the EIR. This comment is noted but does not address the adequacy or completeness of the Draft EIR; raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. No further response is required.
A1-11	<p>CDFW appreciates the opportunity to comment on the Project to assist the City of Clovis Planning Division in identifying and mitigating the Project's impacts on biological resources.</p> <p>More information on survey and monitoring protocols for sensitive species can be found at CDFW's website (https://www.wildlife.ca.gov/Conservation/Survey-Protocols). If you have any questions, please contact Kelley Nelson, Environmental Scientist, at the address provided on this letterhead, or by electronic mail at Kelley.Nelson@wildlife.ca.gov.</p>	This comment provides a closing to the comment letter and does not question the adequacy of the analysis included in the Draft EIR. No further response is required.
A1-12	Attachment #1: California Department of Fish and Wildlife Recommended Mitigation Monitoring and Reporting Program (MMRP)	This comment provides a Mitigation Monitoring and Reporting Program (MMRP) table for the CDFW-recommended measures outlined in Comments A1-6 to A1-8 above. As discussed above, based on the biological evaluation described in the Draft EIR, implementation of recommended measures for CTS and CBB would not be required. As such, these measures will not be incorporated into the EIR or MMRP. However, as shown in Response A1-8, Mitigation Measure BIO-1 has been updated to follow CDFW recommendations, and this updated mitigation measure will be included in the final MMRP. This comment is noted but does not address the adequacy or completeness of the Draft EIR; raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. No further response is required.

Table 3.A: Comments and Responses Matrix

Letter/ Comment Number	Comment	Response
A2 California Department of Transportation (March 4, 2024)		
A2-1	<p>Thank you for the opportunity to review the Draft Environmental Impact Report (DEIR) for Tract™p (TM) 6343 which proposes to develop 71.54 acres into a 590 single-family residential development. The project is located south of Behymer Avenue between Minnewawa Avenue and Sunnyside Avenue, approximately 2.7 miles north of the State Route (SR) 168 and Herndon Avenue interchange.</p> <p>This project was previously reviewed as part of the Transportation Impact Analysis (TIA) and the Scope of Work for a TIA with our office submitting comment letters dated April 14, 2023, and June 22, 2022, respectively.</p> <p>Caltrans provides the following comments consistent with the State’s smart mobility goals that support a vibrant economy and sustainable communities:</p>	<p>This is an introductory comment. This comment summarizes the proposed project, and does not address the adequacy or completeness of the Draft EIR; raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. No further response is required.</p>
A2-2	<p>1. The study lists the Near-Term (2026) without Project Peak Hour Traffic Volume for the eastbound State Route 168 off-ramp right turns to be 903 and the Cumulative (2046) without Project Peak Hour Traffic Volume for the eastbound State Route 168 off-ramp right turns to be 935 (at Intersection 14 northbound right-turns). Given the amount of growth in the area and the amount of the additional land annexed by the City of Clovis (174.46 acres of remaining annexation area surrounding the project site), this traffic volume increase appears underestimated. The forecasted volumes should be confirmed.</p>	<p>This comment is noted. The Near-Term (2026) traffic volumes were developed using existing traffic counts and by adding traffic from approved and pending projects that are anticipated to be completed by the project opening year (2026). The Cumulative (2046) traffic volumes were developed using the (Fresno COG) Activity Based Model (ABM) future scenario. The Fresno COG ABM Future scenario includes all cumulative projects that are anticipated to be built by year 2046. The model future scenario also includes roadway network improvements that are anticipated to be completed by Year 2046. The detailed volume development worksheets are included in the Appendix D of the Transportation Impact Analysis (TIA), which is included as Appendix G of the Draft EIR.</p> <p>This comment does not address the adequacy or completeness of the Draft EIR, raise environmental issues, and does not request the incorporation of additional information relevant to environmental issues. No further response is required.</p>
A2-3	<p>2. The TIA mitigation provided for Intersections 13, 14, 15 was stated as “using signal timing coordination and optimization” and that would “eliminate the queuing issues.” However, signal timing sheets were not provided to substantiate the results. Also, the reduction of control delay for Intersection 15 (Herndon Avenue / Clovis Avenue) from Cumulative Year (2046) with Project - PM Pk Hour to Cumulative Year (2046) with Project</p>	<p>This comment is noted. Signal timing sheets will be provided to Caltrans by the City prior to certification of the EIR.</p> <p>This comment does not address the adequacy or completeness of the Draft EIR, raise environmental issues, and does not request the incorporation of additional information relevant to environmental issues. No further response is required.</p>

Table 3.A: Comments and Responses Matrix

Letter/ Comment Number	Comment	Response
	Mitigation - PM Pk Hour (90 4 seconds to 49.0 seconds) seems optimistic. Signal timing sheets should be provided to corroborate these findings.	

Table 3.A: Comments and Responses Matrix

Letter/ Comment Number	Comment	Response
A2-4	<p>General Comments:</p> <ol style="list-style-type: none"> 1. Caltrans highly recommends that the City consider creating a VMT Mitigation Impact Fee to help reduce potential impacts on the State Highway System. 2. It is recommended that the project contribute to all applicable Impact Fee programs, such as the City’s Development Fee and the Regional Transportation Mitigation Fee (RTMF) program to ensure that the developments contribute to its fair share toward future improvement needs. 3. Caltrans recommends the project proponents consider working with the City to convert a portion of the planned residential units to affordable housing units. 4. Alternative transportation policies should be applied to the development. An assessment of multimodal facilities should be conducted to develop an integrated multimodal transportation system to serve and help alleviate traffic congestion resulting from the project and related development in the area of the City. The assessment should include the following: <ol style="list-style-type: none"> a. Pedestrian walkways should not only be limited to the project’s internal connectivity but be connected to existing walkways and transit facilities outside the project area. b. The project should consider coordinating connections to local and regional bicycle pathways to encourage the use of bicycles for commuter and recreational purposes. c. If transit is not available within 1/4-mile of the project area, transit should be extended to provide services to high-activity centers of the project. 5. As part of the statewide effort to reduce greenhouse gas emissions, Caltrans recommends the project proponents consider the installation of Level 2 Electric Vehicle (EV) and DC Fast Charging EV charging stations into the housing units. 6. Active Transportation Plans and Smart Growth efforts support the state’s 2050 Climate goals. Caltrans supports reducing VMT and GHG emissions in ways that increase the likelihood that people will use and benefit from a multimodal transportation network 	<p>This comment includes general comments to the City regarding the proposed project.</p> <ol style="list-style-type: none"> 1. The City acknowledges Caltrans’ recommendation that the City consider creating a VMT Mitigation Impact Fee to help reduce potential impacts on the State Highway System. 2. The proposed project will contribute to all applicable Impact Fee programs to ensure that the developments contribute to its fair share toward future improvement needs. 3. The City acknowledges Caltrans’ recommendation that the proposed project included affordable housing units. 4. The City acknowledges Caltrans’ recommendation that alternative transportation policies be applied to the proposed project. The Draft EIR, beginning on page 4.5-10, includes an analysis of potential conflicts to programs, plans, ordinances or policies related to transit, bicycle and pedestrian facilities. For each form of alternative transportation, a less-than-significant impact was identified. 5. The City acknowledges Caltrans’ recommendation that Electric Vehicle (EV) charging stations be included in the proposed project. Mitigation Measure GHG-1 requires provision of EV charging capabilities as part of the final project designs. 6. The City acknowledges Caltrans’ support for Active Transportation Plans and Smart Growth efforts in support of the state’s 2050 Climate goals. As discussed on page 4.5-11, the proposed project is consistent with the City’s Active Transportation Plan with respect to development of bicycle facilities. <p>These comments do not address the adequacy or completeness of the Draft EIR; raise environmental issues; and do not request the incorporation of additional information relevant to environmental issues. As such, no further response is required.</p>

Table 3.A: Comments and Responses Matrix

Letter/ Comment Number	Comment	Response
Local Agencies		
B1 Fresno Irrigation District (January 22, 2024)		
B1-1	The Fresno Irrigation District (FID) has reviewed the Notice of Preparation of Draft Environmental Impact Report for the Tract Map 6343 Project proposing the annexation of 246- acres by the City of Clovis, and the development of 590 single-family residential lots with sixty-six outlot spaces that would potentially be developed into private roads, private parking, pedestrian walkways, landscaping, public utilities, and public park uses, APNs: 556-030-14S, 556-040-07S, and 556-040-0BS. FID has the following comments:	This is an introductory comment. This comment summarizes the proposed project, and does not address the adequacy or completeness of the Draft EIR; raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. No further response is required.
B1-2	FID previously reviewed and commented on the subject area on March 8, 2022, as Notice of Preparation of Draft Environmental Impact Report for the Heritage Grove Specific Plan and on April 7, 2023, as Notice of Preparation of Draft Environmental Impact Report for the Tract Map 6343 Project. Those comments and conditions still apply, and a copy of FID’s comments dated April 7, 2023, are attached hereto for your reference. FID has additional comments pertaining to the subject project are as follows:	This comment is noted. The proposed project’s consistency with comments submitted by Fresno Irrigation District (FID) on the Notice of Preparation (NOP) of the Draft EIR on the April 7, 2023 comment letter is discussed in more detail below on Response B1-5. This comment does not raise any significant environmental issues related to the proposed project or the analysis contained in the Draft EIR. No further response is required.
B1-3	1. It is FID’s understanding that a trail is master-planned along the Enterprise canal bank. This project will be subject to the Master Clovis Trails and Right-of-Way Use Agreement executed by and between FID and the City of Clovis effective March 1, 2022.	The proposed project would be subject to requirements and limitations of the Master Clovis Trails and Right-Of-Way Use Agreement between the City and FID, and would not violate the terms of the Agreement. As such, this comment is noted, but does not raise any significant environmental issues related to the proposed project or the analysis contained in the Draft EIR. No further response is required.
B1-4	Thank you for submitting this for our review. We appreciate the opportunity to review and comment on the subject documents for the proposed project. If you have any questions, please feel free to contact Chris Lundeen at (559) 233-7161 extension 7410 or clundeen@fresnoirrigation.com.	This comment provides a closing to the comment letter and does not question the adequacy of the analysis included in the Draft EIR. No further response is required.
B1-5	Attachment #1: Fresno Irrigation District (FID) comment letter on Notice of Preparation of Draft Environmental Impact Report for the Tract Map 6343 Project, dated April 7, 2023.	<p>This comment includes the comment letter submitted by FID on April 7, 2023 in response to the NOP for the Draft EIR. This comment letter includes a series of requirements and recommendations for the proposed project, which would occur in the near vicinity of the Enterprise Canal, an FID facility.</p> <p>The comment discusses FID’s requirements to review and approve any applicable project plans for improvements in the vicinity of the Enterprise Canal and other canal or pipeline facilities belonging to FID, the City and Fresno Metropolitan Flood Control District (FMFCD), as well as any improvements along East Shepherd Avenue, North</p>

Table 3.A: Comments and Responses Matrix

Letter/ Comment Number	Comment	Response
		<p>Sunnyside Avenue, and North Baron Avenue; FID requirements for the proposed project to grant FID an exclusive easement for land underlying and adjacent to the Canal, as applicable, pursuant to FID policy and Water Code Section 22425; FID requirements to establish the Enterprise Canal right-of-way (ROW) to ensure there is a minimum of 20-feet along all points of the Canal, as applicable, measuring from the top hinge of the Canal to the top of the Canal bank; and FID requirements for the Project Applicant to implement applicable improvements to preserve the Enterprise Canal’s urban integrity, including channel stabilization improvements, improvements related to drive banks/maintenance roads for the Enterprise Canal, and encroachments along banks of the Canal.</p> <p>The Project Applicant shall engage FID for review of project improvement plans, including grading and drainage plans, to ensure that project construction would not result in impacts to FID, City, and FMFCD facilities; additionally, the Project Applicant would be subject to payment of applicable fees for review of project plans by the FID.</p> <p>The proposed project would establish and/or preserve required FID easements, ensuring that a minimum distance of 20 feet between the project boundary and the Enterprise Canal is kept. Additionally, if construction of improvements within the Enterprise Canal ROW are required to preserve the Enterprise Canal’s urban integrity, the Project Applicant would coordinate with the FID to ensure that design of proposed improvements and review of all improvement plans is compliant with FID policies and requirements.</p> <p>The comment also outlines FID requirements for trail projects planned under the City’s Parks Master Plan that would occur along the Enterprise Canal. The proposed project does not include construction of any trails planned under the City’s Parks Master Plan. As such, requirements for construction of any trails in the vicinity of the Enterprise Canal are not applicable to the proposed project. However, as applicable, any project improvements occurring in the vicinity of the Enterprise Canal would be subject to FID requirements, restrictions and policies.</p> <p>The comment also mentions that FID would require access to the Enterprise Canal from the future extension of Clovis Avenue. However, the proposed project would</p>

Table 3.A: Comments and Responses Matrix

Letter/ Comment Number	Comment	Response
		<p>not include the construction of the Clovis Avenue extension; as such, stipulations regarding FID access through Clovis Avenue are not applicable to the proposed project.</p> <p>The comment also indicates that the FMFCD’s Hewitt Creek No. 496 traverses the project site, and could be potentially impacted by the proposed project. Hewitt Creek No. 496 is an underground canal that carries stormwater towards FMFCD’s drainage basin BY, located directly east of the project site. The Project Applicant would coordinate with the FMFCD and comply with applicable FMFCD requirements for project construction to ensure that implementation of the proposed project does not conflict with FMFCD operations and facilities.</p> <p>The comment also discusses FID’s concerns regarding the proposed project’s potential impacts to groundwater supply, as well as the proposed project’s ability to aid the City in meeting requirements of the Sustainable Groundwater Management Act (SGMA). As discussed in Appendix A of the Draft EIR, the proposed project would aid groundwater recharge in the City through construction of surface and subsurface drainage infrastructure, per design requirements of the City and FMFCD, internally in the project site, as well as along North Baron Avenue, Perrin Avenue, and Hammel Avenue, to collect and direct stormwater generated in the project site towards FMFCD recharge facilities. Furthermore, per the Water Supply Assessment prepared for the proposed project, also included in Appendix A of the Draft EIR, the City will have sufficient water supplies to provide water to this project. Additionally, the proposed project would comply with requirements of the City’s Urban Water Management Plan, which includes programs and policies to manage water supplies, including groundwater, in the City in compliance with goals and requirements of SGMA. As such, the proposed project would not substantially decrease groundwater supplies or interfere with groundwater management.</p> <p>This comment is noted, but does not raise any significant environmental issues related to the proposed project or the analysis contained in the Draft EIR. No further response is required.</p>
B1-6	Attachment #2: Notice of Preparation	This comment includes the NOP for the proposed project, circulated on December 19, 2022. The comment is noted, but it does not raise any significant environmental

Table 3.A: Comments and Responses Matrix

Letter/ Comment Number	Comment	Response
	of Draft Environmental Impact Report for the Tract Map 6343 Project, dated December 19, 2022.	issues related to the proposed project or the analysis contained in the Draft EIR. No further response is required.
B1-7	Attachment #3: Notice of Availability of a Draft Environmental Impact Report for Tract Map 6343, dated January 12, 2024.	This comment includes the Notice of Availability (NOA) for the Draft EIR, circulated on January 12, 2024. The comment is noted, but it does not raise any significant environmental issues related to the proposed project or the analysis contained in the Draft EIR. No further response is required.
B1-8	Attachment #4: Notice of Availability of a Draft Environmental Impact Report for Tract Map 6343, dated January 19, 2024 (updated comment period).	This comment includes an updated NOA for the Draft EIR circulated on January 19, 2024. The comment is noted, but it does not raise any significant environmental issues related to the proposed project or the analysis contained in the Draft EIR. No further response is required.
B2 San Joaquin Valley Air Pollution Control District (February 29, 2024)		
B2-1	The San Joaquin Valley Air Pollution Control District (District) has reviewed the Draft Environmental Impact Report (DEIR) from the City of Clovis (City) for Tract Map 6343 project. Per the DEIR, the project consists of the annexation of 246 acres for the development of 590 single-family residential lots on 71.54-acres and no development on the remaining 174.46-acres (Project). The Project is located on the southwest corner of East Behymer Avenue and North Sunnyside Avenue, in Clovis, CA. The District offers the following comments at this time regarding the Project:	This comment provides an introduction to the comment letter and does not address the adequacy or completeness of the Draft EIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.
B2-2	<p>1) Project Related Emissions Based on the DEIR, Project specific annual criteria pollutant emissions from construction and operation are not expected to exceed any of the significance thresholds as identified in the District’s Guidance for Assessing and Mitigating Air Quality Impacts (GAMAQI): https://ww2.valleyair.org/media/g4nl3p0g/gamaqi.pdf.</p> <p>1a) Construction Emissions The District recommends, to further reduce impacts from construction related diesel exhaust emissions, the Project should utilize the cleanest available offroad construction equipment.</p>	This comment acknowledges that the proposed project’s construction and operational annual criteria pollutant emissions would not exceed San Joaquin Valley Air Pollution Control District (SVJAPCD) significance thresholds, but encourages the use of the cleanest available offroad construction equipment for the proposed project to further reduce emissions. The air quality analysis in Section 4.2, Air Quality, of the Draft EIR assumed the use of Tier 2 construction equipment as Tier 2 equipment is required by the California Air Resources Board (CARB) In-Use Off-Road Diesel Fueled Fleets Regulation. As such, the proposed project would be required to meet this CARB regulation by using a minimum standard of Tier 2 equipment or better. As demonstrated in Table 4.2.H of the Draft EIR, construction emissions for the proposed project would not exceed the SVJAPCD annual threshold for construction emissions. Additionally, compliance with SVJAPCD Regulation VIII fugitive dust control measures (as required by Regulatory Compliance Measure AIR-2) would further reduce the amount of PM ₁₀ emissions during the construction period. Therefore, the proposed project would result in less-than-significant impacts

Table 3.A: Comments and Responses Matrix

Letter/ Comment Number	Comment	Response
		related to project emissions, and the additional mitigation measures proposed in this comment would not be required. No further response is necessary.
B2-3	<p>2) Clean Lawn and Garden Equipment in the Community Since the Project consists of residential development, gas-powered residential lawn and garden equipment have the potential to result in an increase of NO_x and PM_{2.5} emissions. Utilizing electric lawn care equipment can provide residents with immediate economic, environmental, and health benefits. The District recommends the Project proponent consider the District’s Clean Green Yard Machines (CGYM) program which provides incentive funding for replacement of existing gas powered lawn and garden equipment. More information on the District CGYM program and funding can be found at: https://ww2.valleyair.org/grants/clean-green-yard-machines-residential/ and https://ww2.valleyair.org/grants/zero-emission-landscaping-equipment-voucher-program/.</p>	<p>This comment states that gas-powered residential lawn and garden equipment have the potential to result in an increase of NO_x and PM_{2.5} emissions and recommends the SJVAPCD’s Clean Green Yard Machines (CGYM) program. As demonstrated in Table 4.2.1 of the Draft EIR, the proposed project’s operational emissions would not exceed the significance criteria for annual ROG, NO_x, CO, SO_x, PM₁₀, or PM_{2.5} emissions; therefore, emission reduction strategies, such as requiring electric lawn and garden equipment, would not be required. Further, all residential units would include exterior outlets, as required by Title 24, which would facilitate the use of electric yard equipment if desired by the future home owners.</p>
B2-4	<p>3) On-Site Solar Deployment It is the policy of the State of California that renewable energy resources and zero-carbon resources supply 100% of retail sales of electricity to California end-use customers by December 31, 2045. While various emission control techniques and programs exist to reduce air quality emissions from mobile and stationary sources, the production of solar energy is contributing to improving air quality and public health. The District suggests that the City consider incorporating solar power systems as an emission reduction strategy for the Project.</p>	<p>This comment recommends that the City should consider incorporating solar power systems as an emission reduction strategy for the proposed project. As discussed on page 4.3-25 of the Draft EIR, the proposed project would comply with the California Green Building Standards Code (CALGreen), regarding energy conservation and green building standards. The proposed project would also incorporate sustainable design features, including, but not limited, to installation of energy-efficient light fixtures, high-efficiency plumbing fixtures, and rooftop photovoltaic (PV) systems and solar panels, consistent with the requirements of Title 24. In addition, Pacific Gas and Electric (PG&E) is the private utility that would supply the proposed project’s electricity and natural gas services. In 2022, approximately 40 percent of PG&E’s delivered electricity came from renewable sources, including solar, wind, geothermal, small hydroelectric, and various forms of bioenergy. PG&E reached California’s 2020 renewable energy goal in 2017 and is positioned to meet the State’s 60 percent by 2030 renewable energy mandate set forth in Senate Bill (SB) 100. In addition, PG&E plans to continue to provide reliable service to its customers and upgrade its distribution systems as necessary to meet future demand. Since the proposed project would install rooftop PV systems and solar panels, the proposed project would be consistent with the suggestions included in this comment.</p>
B2-5	<p>4) District Rules and Regulations</p>	<p>This comment provides information on SJVAPCD rules and regulations and states that current District rules can be found online at: www.valleyair.org/rules/1ruleslist.htm.</p>

Table 3.A: Comments and Responses Matrix

Letter/ Comment Number	Comment	Response
	<p>The District issues permits for many types of air pollution sources, and regulates some activities that do not require permits. A project subject to District rules and regulations would reduce its impacts on air quality through compliance with the District’s regulatory framework. In general, a regulation is a collection of individual rules, each of which deals with a specific topic. As an example, Regulation II (Permits) includes District Rule 2010 (Permits Required), Rule 2201 (New and Modified Stationary Source Review), Rule 2520 (Federally Mandated Operating Permits), and several other rules pertaining to District permitting requirements and processes.</p> <p>The list of rules below is neither exhaustive nor exclusive. Current District rules can be found online at: https://ww2.valleyair.org/rules-and-planning/current-district-rules-and-regulations. To identify other District rules or regulations that apply to future projects, or to obtain information about District permit requirements, the project proponents are strongly encouraged to contact the District’s Small Business Assistance (SBA) Office at (559) 230-5888.</p>	<p>To identify other SJVAPCD rules or regulations that apply to future projects, or to obtain information about District permit requirements, the project proponents are strongly encouraged to contact the Small Business Assistance (SBA) Office. This comment is noted. The proposed project would comply with all applicable SJVAPCD rules and regulations.</p>
B2-6	<p>4a) District Rules 2010 and 2201 - Air Quality Permitting for Stationary Sources</p> <p>Stationary Source emissions include any building, structure, facility, or installation which emits or may emit any affected pollutant directly or as a fugitive emission. District Rule 2010 (Permits Required) requires operators of emission sources to obtain an Authority to Construct (ATC) and Permit to Operate (PTO) from the District. District Rule 2201 (New and Modified Stationary Source Review) requires that new and modified stationary sources of emissions mitigate their emissions using Best Available Control Technology (BACT).</p> <p>This Project may be subject to District Rule 2010 (Permits Required) and Rule 2201 (New and Modified Stationary Source Review) and may require District permits. Prior to construction, the Project proponent should submit to the District an application for an ATC. For further information or assistance, the project proponent may contact the District’s SBA Office at (559) 230-5888.</p>	<p>This comment states that the proposed project may be subject to SJVAPCD Rule 2010 (Permits Required) and Rule 2201 (New and Modified Stationary Source Review) and would require SJVAPCD permits. This comment also states that prior to construction, the Project Applicant should submit to the SJVAPCD an application for an Authority to Construct (ATC) and Permit to Operate (PTO). This comment is noted. The proposed project is a residential project and does not propose installation of any new or modified stationary sources. Therefore, SJVAPCD Rules 2010 and 2201 would not be applicable to the proposed project.</p>

Table 3.A: Comments and Responses Matrix

Letter/ Comment Number	Comment	Response
B2-7	<p>4b) District Rule 9510 - Indirect Source Review (ISR) The Project is subject to District Rule 9510 because it will receive a project-level discretionary approval from a public agency and will equal or exceed 50 dwelling units of residential.</p> <p>The purpose of District Rule 9510 is to reduce the growth in both NOx and PM emissions associated with development and transportation projects from mobile and area sources; specifically, the emissions associated with the construction and subsequent operation of development projects. The ISR Rule requires developers to mitigate their NOx and PM emissions by incorporating clean air design elements into their projects. Should the proposed development project clean air design elements be insufficient to meet the required emission reductions, developers must pay a fee that ultimately funds incentive projects to achieve off-site emissions reductions.</p> <p>Per Section 5.0 of the ISR Rule, an Air Impact Assessment (AIA) application is required to be submitted no later than applying for project-level approval from a public agency. As of the date of this letter, the District has not received an AIA application for this Project. Please inform the project proponent to immediately submit an AIA application to the District to comply with District Rule 9510 so that proper mitigation and clean air design under ISR can be incorporated into the Project's design. One AIA application should be submitted for the entire Project.</p> <p>Information about how to comply with District Rule 9510 can be found online at: https://ww2.valleyair.org/permitting/indirect-source-review-rule-overview</p> <p>The AIA application form can be found online at: https://ww2.valleyair.org/permitting/indirect-source-review-rule-overview/forms-and-applications/</p> <p>District staff is available to provide assistance, and can be reached by phone at (559) 230-5900 or by email at ISR@valleyair.org.</p>	<p>This comment states that the project is subject to SJVAPCD Rule 9510 and that an Air Impact Assessment (AIA) application is required to be submitted no later than applying for project-level approval from a public agency. As stated on page 4.2-19 of the Draft EIR, compliance with Rule 9510 is separate from the CEQA process. However, the proposed project is required to comply with Rule 9510 and submit an AIA to the SJVACPD. The information provided in this comment is noted.</p>

Table 3.A: Comments and Responses Matrix

Letter/ Comment Number	Comment	Response
B2-8	<p>4c) District Rule 4002 (National Emissions Standards for Hazardous Air Pollutants) In the event an existing building will be renovated, partially demolished or removed, the Project may be subject to District Rule 4002. This rule requires a thorough inspection for asbestos to be conducted before any regulated facility is demolished or renovated. Information on how to comply with District Rule 4002 can be found online at: https://ww2.valleyair.org/compliance/demolitionrenovation/</p>	<p>This comment states that in the event an existing building would be renovated, partially demolished or removed, the proposed project would be subject to SJVAPCD Rule 4002. The proposed project would include demolition of existing onsite structures; therefore, the proposed project would be required to comply with SJVAPCD Rule 4002.</p>
B2-9	<p>4d) District Rule 4601 (Architectural Coatings) The Project will be subject to District Rule 4601 since it is expected to utilize architectural coatings. Architectural coatings are paints, varnishes, sealers, or stains that are applied to structures, portable buildings, pavements or curbs. The purpose of this rule is to limit VOC emissions from architectural coatings. In addition, this rule specifies architectural coatings storage, cleanup and labeling requirements. Additional information on how to comply with District Rule 4601 requirements can be found online at: https://ww2.valleyair.org/media/tkgjeusd/rule-4601.pdf</p>	<p>This comment states that the proposed project may be subject to SJVAPCD Rule 4601 (Architectural Coatings) since it may utilize architectural coatings. This comment is noted. The proposed project would comply with all required SJVAPCD rules and regulations.</p>
B2-10	<p>4e) District Regulation VIII (Fugitive PM10 Prohibitions) The project proponent may be required to submit a Construction Notification Form or submit and receive approval of a Dust Control Plan prior to commencing any earthmoving activities as described in Regulation VIII, specifically Rule 8021 – Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities.</p> <p>Should the project result in at least 1-acre in size, the project proponent shall provide written notification to the District at least 48 hours prior to the project proponents intent to commence any earthmoving activities pursuant to District Rule 8021 (Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities). Also, should the project result in the disturbance of 5- acres or more, or will include moving, depositing, or relocating more than 2,500 cubic yards per day of bulk materials, the project proponent shall submit to the District a Dust Control Plan pursuant to District Rule 8021 (Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities). For additional information regarding the written</p>	<p>This comment states that the proposed project may be required to submit a Construction Notification Form or submit and receive approval of a Dust Control Plan prior to commencing any earthmoving activities, as described in Regulation VIII, specifically Rule 8021 (Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities). This comment is noted. The proposed project would comply with all applicable SJVAPCD rules and regulations. In addition, as indicated in Section 4.2, Air Quality, of the Draft EIR, the proposed project would be required to be consistent with SJVAPCD Regulation VIII, as required by Regulatory Compliance Measure AIR-2.</p>

Table 3.A: Comments and Responses Matrix

Letter/ Comment Number	Comment	Response
	<p>notification or Dust Control Plan requirements, please contact District Compliance staff at (559) 230-5950.</p> <p>The application for both the Construction Notification and Dust Control Plan can be found online at: https://ww2.valleyair.org/media/fm3jrbsq/dcp-form.docx</p> <p>Information about District Regulation VIII can be found online at: https://ww2.valleyair.org/dustcontrol</p>	
B2-11	<p>4f) District Rule 4901 - Wood Burning Fireplaces and Heaters</p> <p>The purpose of this rule is to limit emissions of carbon monoxide and particulate matter from wood burning fireplaces, wood burning heaters, and outdoor wood burning devices. This rule establishes limitations on the installation of new wood burning fireplaces and wood burning heaters. Specifically, at elevations below 3,000 feet in areas with natural gas service, no person shall install a wood burning fireplace, low mass fireplace, masonry heater, or wood burning heater.</p> <p>Information about District Rule 4901 can be found online at: https://ww2.valleyair.org/compliance/residential-wood-smoke-reduction-program/</p>	<p>This comment describes SJVAPCD Rule 4901, which limits installation of new wood burning fireplaces and heaters. The proposed project would not include any new wood burning fireplaces or heaters. As such, the proposed project would comply with SJVAPC Rule 4901.</p>
B2-12	<p>4g) Other District Rules and Regulations</p> <p>The Project may also be subject to the following District rules: Rule 4102 (Nuisance) and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations).</p>	<p>This comment states that the proposed project may be subject to the following SJVAPCD rules: Rule 4102 (Nuisance) and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations). This comment is noted. The proposed project would comply with all required SJVAPCD rules and regulations.</p>
B2-13	<p>5) District Comment Letter</p> <p>The District recommends that a copy of the District’s comments be provided to the Project proponent.</p> <p>If you have any questions or require further information, please contact Eric McLaughlin by e-mail at eric.mclaughlin@valleyair.org or by phone at (559) 230-5808.</p>	<p>This comment provides a closing to the comment letter and does not address the adequacy or completeness of the Draft EIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. No further response is necessary.</p>

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4.0 DRAFT EIR TEXT REVISIONS

This chapter presents specific changes to the text of the Draft EIR that are being made to clarify any errors, omissions, or misinterpretation of materials in the Draft EIR in response to comments received during the public review period and clarifications that are City-initiated. In no case do these revisions result in a greater number of impacts or impacts of a greater severity than those set forth in the Draft EIR. Further, the clarifications and corrections provided in the following revisions do not constitute significant new information requiring recirculation of the Draft EIR. Where revisions to the main text are called for, the page and paragraph are set forth, followed by the appropriate revision. Added text is indicated with double-underlined text, and deleted text is shown in ~~strikethrough~~ text.

SECTION 4.1, AGRICULTURAL RESOURCES

Mitigation Measure AG-2, on page 4.1-12, is amended as follows:

Mitigation Measure AG-2

Prior to issuance of building permits, the Project Applicant ~~shall~~would need to petition the County of Fresno Board of Supervisors for cancellation of the Williamson Act contract at APN 556-030-014S. The Project Applicant would have to make the required statutory findings a set forth under Government Code Section 51282(a) to cancel the Williamson Act contract. If the County determines the required findings are met, the Project Applicant would be required to pay a cancellation fee equal to 12.5 percent of the unrestricted market value of the parcels to the County of Fresno as set forth under Government Code Section 51283(b). After approval of the cancellation petition by the Fresno County Board of Supervisors, the Williamson Act contract would then be cancelled on APN 556-030-014S, and the Project Applicant would be able to develop uses that comply with the zoning designation of the parcel per the City of Clovis Zoning Code without the proposed development being inconsistent with a Williamson Act contract.

APPENDIX A, NOTICE OF PREPARATION AND INITIAL STUDY

Mitigation Measure BIO-1, on page 3-15 of the Initial Study is amended as follows:

Mitigation Measure BIO-1

Nesting Bird Surveys and Active Nest Avoidance. Any initial ground disturbance or tree pruning, or removal should take place outside of the active nesting bird season (i.e., February 1–September 30), when feasible, to avoid impacts to nesting birds protected under the California Fish and Game Code and Migratory Bird Treaty Act. Should phased construction require tree removal or initial ground disturbance to ruderal areas, a qualified biologist shall conduct a nesting bird survey no more than ~~15~~10 days prior to each phase of

clearing activities. If nesting birds are discovered during preconstruction surveys, the biologist shall identify an appropriate buffer where no clearing, grading, or construction activities with potential to have direct or indirect impacts on the nesting bird(s) are allowed to take place until after the nest is no longer active (e.g., the young birds have fledged), or as otherwise determined by the qualified biologist.

APPENDIX H

PUBLIC COMMENT LETTERS ON THE DRAFT EIR

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State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Central Region
1234 East Shaw Avenue
Fresno, California 93710
(559) 243-4005
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



February 23, 2024

Lily Cha-Haydostian, MPA-Senior Planner
City of Clovis, Planning Division
1033 Fifth Street
Clovis, California 93612
(559) 324-2335
lilyc@ci.clovis.ca.us

**Subject: Tract Map (TM) 6343 Project (Project)
Draft Environmental Impact Report (DEIR)
State Clearinghouse No.: 2022120483**

Dear Lily Cha-Haydostian:

The California Department of Fish and Wildlife (CDFW) received a DEIR from the City of Clovis for the above-referenced Project pursuant to the California Environmental Quality Act (CEQA) and CEQA Guidelines.¹

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, CDFW appreciates the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under Fish and Game Code.

CDFW ROLE

CDFW is California’s **Trustee Agency** for fish and wildlife resources and holds those resources in trust by statute for all the people of the State (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a)). CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species (*Id.*, § 1802). Similarly, for purposes of CEQA, CDFW is charged by law to provide, as available, biological

A1-1

A1-2

¹ CEQA is codified in the California Public Resources Code in section 21000 et seq. The “CEQA Guidelines” are found in Title 14 of the California Code of Regulations, commencing with section 15000.

Lily Cha-Haydostian
City of Clovis
February 23, 2024
Page 2

expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.

CDFW is also submitting comments as a **Responsible Agency** under CEQA (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381). CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. As proposed, for example, the Project may be subject to CDFW’s lake and streambed alteration regulatory authority (Fish & G. Code, § 1600 et seq.). Likewise, to the extent implementation of the Project as proposed may result in “take” as defined by State law of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.), related authorization as provided by the Fish and Game Code may be required.

Nesting Birds: CDFW has jurisdiction over actions with potential to result in the disturbance or destruction of active nest sites or the unauthorized take of birds. Fish and Game Code sections that protect birds, their eggs and nests include, sections 3503 (regarding unlawful take, possession or needless destruction of the nest or eggs of any bird), 3503.5 (regarding the take, possession or destruction of any birds-of-prey or their nests or eggs), and 3513 (regarding unlawful take of any migratory nongame bird).

PROJECT DESCRIPTION SUMMARY

Proponent: City of Clovis

Objective: The Proposed Tract Map 6343 (Project) would consist of the annexation of 246 acres from Fresno County to the City of Clovis, and the development of 590 residential lots within the 71.54-acre Project site constructed in 3 phases. The proposed lots would be developed into single-family residences over time. Sixty-six outlot spaces would be developed into private roads, private parking, pedestrian walkways, landscaping, public utilities, and public park uses.

No development is proposed within the remaining 174.46-acre annexation area surrounding the project site. Associated entitlements include Annexation to the City of Clovis and a Planned Development Permit, General Plan Amendment, Prezone, and Tract Map approval to allow for 590 single-family residences. To facilitate the future development of the subject property, the proposed Project will also require dedications and/or acquisitions for public street rights-of-way and utility easements, as well as the construction of public facilities and infrastructure.

In addition, development of the Project site would include infrastructure improvements for water services along the East Behymer Avenue frontage and Baron Avenue frontage, as well as stormwater management infrastructure improvements along the



A1-2

A1-3

A1-4

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Page 3

Perrin Avenue frontage. The proposed Project would also construct a two-lane, approximately 49-foot-wide and 2,650-foot-long extension of Baron Avenue south of East Behymer Avenue.

Location: The Tract Map 6343 Project site is located directly north of the City of Clovis limit line at the southwest corner of the East Behymer Avenue and North Sunnyside Avenue intersection. The Project site is bounded by East Behymer Avenue to the north, by the Enterprise Canal to the west and south, and by rural residential, a Fresno Metropolitan Flood Control District (FMFCD) ponding basin, and Tract Map 6200 to the east. The Project site is in the northwest quadrant of Section 20, Township 12 South, Range 21 East, Mount Diablo Base and Meridian (MDBM).

COMMENTS AND RECOMMENDATIONS

CDFW offers the following comments and recommendations to assist the City of Clovis in adequately identifying and/or mitigating the Project’s significant, or potentially significant, direct, and indirect impacts on fish and wildlife (biological) resources. Editorial comments or other suggestions may also be included to improve the CEQA document prepared for this Project.

There are special status species that may be present at the Project site that were not appropriately evaluated in the DEIR for this Project. CDFW recommends that these resources be evaluated and addressed prior to any approvals that would allow ground-disturbing activities or land use changes. Specifically, CDFW is concerned regarding potential impacts to special-status species including, but not limited to, the Federal and State threatened (FT/ST) California tiger salamander (*Ambystoma californiense*), and the State candidate endangered (SCE) Crotch’s bumblebee (*Bombus crotchii*).

In order to adequately assess any potential impacts to biological resources, focused biological surveys should be conducted by a qualified biologist during the appropriate survey period(s) in order to determine whether any special-status species or resources may be present within the Project area. Properly conducted biological surveys are also necessary to identify Project-related impacts to biological resources and assist with determining the need for species and resource specific minimization and compensatory mitigation measures. Additionally, adequate biological surveys are necessary to assist with determining the need for the Project to obtain an Incidental Take Permit (ITP), pursuant to Fish and Game Code section 2081 subdivision (b)

COMMENT 1: California Tiger Salamander

The DEIR does not include an appropriate evaluation for the California tiger salamander (CTS). CDFW’s Notice of Preparation (NOP) comment letter for the Project, which was sent on January 17, 2023, recommended protocol-level surveys for CTS. As it appears the biological surveys conducted in support of the DEIR did



A1-4

A1-5

A1-6

Lily Cha-Haydostian
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February 23, 2024
Page 4

not incorporate CDFW’s survey recommendations, CDFW reiterates the recommendation to conduct the surveys outlined in CDFW’s NOP comment letter, and, if necessary, including the avoidance, mitigation, and minimization measures recommended in the letter.

A1-6

COMMENT 2: Crotch’s Bumble Bee (CBB)

The DEIR also does not include any evaluation for Crotch’s bumblebee (CBB) which was included in CDFW’s January 17, 2023, NOP comment letter. Survey recommendations (updated protocol) for CBB have changed from the recommendations in the NOP letter. CDFW continues to recommend that CBB surveys be conducted according to the most recent protocol and the information found from those used to make appropriate conclusions in the DEIR (CDFW 2023).

In addition to conducting protocol surveys for CBB, CDFW recommends the DEIR include the following measures:

Recommended Mitigation Measure 1: CBB Surveys Prior to Construction

CDFW continues to recommend conducting a baseline protocol survey to adequately inform the DEIR and support conclusions drawn therein relative to CBB. In addition to performing the baseline surveys recommended by CDFW during the NOP comment period, CDFW recommends that additional surveys, following the Survey Considerations for California Endangered Species Act Candidate Bumble Bee Species, be repeated the blooming period immediately prior to construction.

A1-7

Recommended Mitigation Measure 2: CBB Avoidance Buffer

If surveys cannot be completed, CDFW recommends that all small mammal burrows and thatched/bunch grasses be avoided by a minimum of 50 feet to avoid unauthorized take and potentially significant impacts. If ground-disturbing activities will occur during the overwintering period (October through February), consultation with CDFW is warranted to discuss how to implement Project activities and avoid take. Any detection of CBB prior to or during Project implementation warrants consultation with CDFW to discuss how to avoid take.

Recommended Mitigation Measure 3: CBB Take Authorization

If CBB is identified during surveys, consultation with CDFW is warranted to determine if the Project can avoid take. If take cannot be avoided, take authorization prior to any ground disturbing activities may be warranted. Take authorization would occur through issuance of an ITP by CDFW, pursuant to Fish and Game Code section 2081(b).

Lily Cha-Haydostian
City of Clovis
February 23, 2024
Page 5

COMMENT 3: Nesting Birds

Mitigation Measure BIO-1: Nesting Bird Surveys and Active Nest Avoidance states that a qualified biologist shall conduct a nesting bird survey no more than 15 days prior to each phase of clearing activities. CDFW recommends that a qualified biologist conduct a nesting bird survey no more than 10 days prior to each phase of clearing activities.

A1-8

II. Editorial Comments and/or Suggestions

ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations (Pub. Resources Code, § 21003, subd. (e)). Accordingly, please report any special-status species and natural communities detected during Project surveys to the CNDDDB. The CNDDDB field survey form can be found at the following link:

A1-9

<https://www.wildlife.ca.gov/Data/CNDDDB/Submitting-Data>. The completed form can be mailed electronically to CNDDDB at the following email address: CNDDDB@wildlife.ca.gov. The types of information reported to CNDDDB can be found at the following link: <https://www.wildlife.ca.gov/Data/CNDDDB/Plants-and-Animals>.

FILING FEES

If it is determined that the Project has the potential to impact biological resources, an assessment of filing fees will be necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the fee is required for the underlying project approval to be operative, vested, and final (Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089).

A1-10

CDFW appreciates the opportunity to comment on the Project to assist the City of Clovis Planning Division in identifying and mitigating the Project’s impacts on biological resources.

A1-11

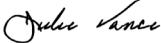


Lily Cha-Haydostian
City of Clovis
February 23, 2024
Page 6

More information on survey and monitoring protocols for sensitive species can be found at CDFW's website (<https://www.wildlife.ca.gov/Conservation/Survey-Protocols>). If you have any questions, please contact Kelley Nelson, Environmental Scientist, at the address provided on this letterhead, or by electronic mail at Kelley.Nelson@wildlife.ca.gov.

A1-11

Sincerely,

DocuSigned by:

FA83F09FE08945A...

Julie A. Vance
Regional Manager

ec: State Clearinghouse
Governor's Office of Planning and Research
State.Clearinghouse@opr.ca.gov

Lily Cha-Haydostian
City of Clovis
February 23, 2024
Page 7

REFERENCES

California Department of Fish and Wildlife. 2023. Survey considerations for California Endangered Species Act Candidate Bumble Bee Species <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=213150&inline>. California Department of Fish and Wildlife, Sacramento, California, USA.

Attachment 1

**CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE
RECOMMENDED MITIGATION MONITORING AND REPORTING PROGRAM
(MMRP)**

PROJECT: Tract Map 6343 Project

SCH No.: 2022120483

RECOMMENDED MITIGATION MEASURE	STATUS/DATE/INITIALS
<i>Before Disturbing Soil or Vegetation</i>	
CBB	
Recommended Mitigation Measure 1: CBB surveys prior to construction	
Recommended Mitigation Measure 3: CBB take authorization	
<i>During Construction</i>	
Recommended Mitigation Measure 2: CBB avoidance buffer	

A1-12

California Department of Transportation



DISTRICT 6 OFFICE
1352 WEST OLIVE AVENUE | P.O. BOX 12616 | FRESNO, CA 93778-2616
(559) 908-7064 | FAX (559) 488-4195 | TTY 711
www.dot.ca.gov

March 4, 2024

FRE-168-R7.361
DEIR – Draft EIR
Draft Environment Impact Report Tract Map 6343
SCH# 2022120483
<https://ld-igr-gts.dot.ca.gov/district/6/report/29548>

SENT VIA EMAIL

Lily Cha-Haydostian, MPA | Senior Planner
Planning and Development Services Department
City of Clovis
1033 Fifth Street
Clovis, CA 93612

Dear Mx. Lily Cha-Haydostian:

Thank you for the opportunity to review the Draft Environmental Impact Report (DEIR) for Tract Map (TM) 6343 which proposes to develop 71.54 acres into a 590 single-family residential development. The project is located south of Behymer Avenue between Minnewawa Avenue and Sunnyside Avenue, approximately 2.7 miles north of the State Route (SR) 168 and Herndon Avenue interchange.

This project was previously reviewed as part of the Transportation Impact Analysis (TIA) and the Scope of Work for a TIA with our office submitting comment letters dated April 14, 2023, and June 22, 2022, respectively.

Caltrans provides the following comments consistent with the State's smart mobility goals that support a vibrant economy and sustainable communities:

Specific Comments:

1. The study lists the Near-Term (2026) without Project Peak Hour Traffic Volume for the eastbound State Route 168 off-ramp right turns to be 903 and the Cumulative (2046) without Project Peak Hour Traffic Volume for the eastbound State Route 168 off-ramp right turns to be 935 (at Intersection 14 northbound right-turns). Given the amount of growth in the area and the amount of the additional land annexed by the City of Clovis (174.46 acres of remaining annexation area surrounding the project site), this traffic volume increase appears underestimated. **The forecasted volumes should be confirmed.**

A2-1

A2-2

Mx. Lily Cha-Haydostian, Draft Environment Impact Report Tract Map 6343
March 4, 2024
Page 2

2. The TIA mitigation provided for Intersections 13, 14, 15 was stated as “using signal timing coordination and optimization” and that would “eliminate the queuing issues.” However, signal timing sheets were not provided to substantiate the results. Also, the reduction of control delay for Intersection 15 (Herndon Avenue / Clovis Avenue) from Cumulative Year (2046) with Project - PM Pk Hour to Cumulative Year (2046) with Project Mitigation - PM Pk Hour (90.4 seconds to 49.0 seconds) seems optimistic. **Signal timing sheets should be provided to corroborate these findings.**

A2-3

General Comments:

1. Caltrans highly recommends that the City consider creating a VMT Mitigation Impact Fee to help reduce potential impacts on the State Highway System.
2. It is recommended that the project contribute to all applicable Impact Fee programs, such as the City's Development Fee and the Regional Transportation Mitigation Fee (RTMF) program to ensure that the developments contribute to its fair share toward future improvement needs.
3. Caltrans recommends the project proponents consider working with the City to convert a portion of the planned residential units to affordable housing units.
4. Alternative transportation policies should be applied to the development. An assessment of multimodal facilities should be conducted to develop an integrated multimodal transportation system to serve and help alleviate traffic congestion resulting from the project and related development in the area of the City. The assessment should include the following:
 - a. Pedestrian walkways should not only be limited to the project's internal connectivity but be connected to existing walkways and transit facilities outside the project area.
 - b. The project should consider coordinating connections to local and regional bicycle pathways to encourage the use of bicycles for commuter and recreational purposes.
 - c. If transit is not available within 1/4-mile of the project area, transit should be extended to provide services to high-activity centers of the project.
5. As part of the statewide effort to reduce greenhouse gas emissions, Caltrans recommends the project proponents consider the installation of Level 2 Electric Vehicle (EV) and DC Fast Charging EV charging stations into the housing units.

A2-4

Mx. Lily Cha-Haydostian, Draft Environment Impact Report Tract Map 6343
March 4, 2024
Page 3

6. Active Transportation Plans and Smart Growth efforts support the state's 2050 Climate goals. Caltrans supports reducing VMT and GHG emissions in ways that increase the likelihood that people will use and benefit from a multimodal transportation network

If you have any other questions, please call or email Christopher Xiong at (559) 908-7064 or Christopher.Xiong@dot.ca.gov.

Sincerely,



DAVID PADILLA, Branch Chief
Transportation Planning – North



A2-4



2907 S. Maple Avenue
Fresno, California 93725-2208
Telephone: (559) 233-7161
Fax: (559) 233-8227

CONVEYANCE. COMMITMENT. CUSTOMER SERVICE.

January 22, 2024

Lily Cha-Haydostian
Planning and Development Services Dept.
City of Clovis
1033 Fifth Street
Clovis, CA 93612

RE: Notice of Availability of a Draft Environmental Impact Report for Tract Map 6343 Project
S/E Behymer and Minnewawa avenues
FID's Enterprise No. 109

Dear Mrs. Cha-Haydostian:

The Fresno Irrigation District (FID) has reviewed the Notice of Preparation of Draft Environmental Impact Report for the Tract Map 6343 Project proposing the annexation of 246-acres by the City of Clovis, and the development of 590 single-family residential lots with sixty-six outlot spaces that would potentially be developed into private roads, private parking, pedestrian walkways, landscaping, public utilities, and public park uses, APNs: 556-030-14S, 556-040-07S, and 556-040-08S. FID has the following comments:

B1-1

FID previously reviewed and commented on the subject area on March 8, 2022, as Notice of Preparation of Draft Environmental Impact Report for the Heritage Grove Specific Plan and on April 7, 2023, as Notice of Preparation of Draft Environmental Impact Report for the Tract Map 6343 Project. Those comments and conditions still apply, and a copy of FID's comments dated April 7, 2023, are attached hereto for your reference. FID has additional comments pertaining to the subject project are as follows:

B1-2

1. It is FID's understanding that a trail is master-planned along the Enterprise canal bank. This project will be subject to the Master Clovis Trials and Right-of-Way Use Agreement executed by and between FID and the City of Clovis effective March 1, 2022.

B1-3

Thank you for submitting this for our review. We appreciate the opportunity to review and comment on the subject documents for the proposed project. If you have any questions, please feel free to contact Chris Lundeen at (559) 233-7161 extension 7410 or clundeen@fresnoirrigation.com.

B1-4

Sincerely,

Laurence Kimura, P.E.
Chief Engineer

Attachment

G:\Agencies\Clovis\EIR\Tract Map 6343\NOA - Draft EIR TM6343 FID Comments.doc



2907 S. Maple Avenue
 Fresno, California 93725-2208
 Telephone: (559) 233-7161
 Fax: (559) 233-8227

CONVEYANCE. COMMITMENT. CUSTOMER SERVICE.

April 7, 2023

Lily Cha
 Planning and Development Services Dept.
 City of Clovis
 1033 Fifth Street
 Clovis, CA 93612

RE: Notice of Preparation of Draft Environmental Impact Report for the Tract Map 6343
 Project
 S/E Behymer and Minnewawa avenues
 FID's Enterprise No. 109

Dear Ms. Cha:

The Fresno Irrigation District (FID) has reviewed the Notice of Preparation of Draft Environmental Impact Report for the Tract Map 6343 Project proposing the annexation of 246-acres by the City of Clovis, and the development of 590 single-family residential lots with sixty-six outlot spaces that would potentially be developed into private roads, private parking, pedestrian walkways, landscaping, public utilities, and public park uses, APNs: 556-030-14S, 556-040-07S, and 556-040-08S. FID has the following comments:

Summary of Requirements:

- Grant of Easement w/ 20-foot full width drive banks
- Canal Bank Improvements
- Channel Improvements
- Drive Approaches per FID Detail No. 1-02
- Existing Encroachments removed and/or relocated if any
- Review and Approval of all Plans
- Execute additional Agreement(s), if necessary
- Project Fees
- No Encroachments (i.e. trees, monuments, fences, PUE, etc.)

FID previously reviewed and commented on the subject area on March 8, 2022, as Notice of Preparation of Draft Environmental Impact Report for the Heritage Grove Specific Plan. Those comments and conditions still apply, and a copy of FID's can be provided upon request. FID additional comments pertaining to the subject project are as follows:

Area of Concern

1. FID's active Enterprise No. 109 Canal runs northwesterly, traversing the west side of the subject property and a portion of the side of the subject property, as shown on the attached FID exhibit map and will be impacted by the future development. FID records

1

G:\Agencies\Clovis\Initial Study Application\ISNOP - Draft EIR TM6343\ISNOP - Draft EIR TM6343 FID Comments.doc

BOARD OF DIRECTORS

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 GEORGE PORTER GREGORY BEBERIAN General Manager BILL STRETCH

B1-5

Lily Cha
 Re: ISNOP – Draft EIR TM6343
 April 7, 2023
 Page 2 of 6

do not show a recorded easement; however, FID does own an easement and the width is as shown on FID's attached Standard Detail Page No. 1-01. Should this project include any street and or utility improvements along Shepherd Avenue, Sunnyside Avenue, Baron Avenue or in the vicinity of the canal, FID requires it review and approve all plans.

2. FID requires that, within the limits of the proposed project [and its remainder], the landowner grant an exclusive easement for the land underlying the canal and associated area along the canal required for maintenance pursuant to Water Code Section 22425 and FID policy. FID's District Canal Right-of-Way Requirements sheet is enclosed for your reference. The proposed easement (width) will depend on several factors including: 1) Width of canal, 2) height of canal banks, 3) final alignment of canal, 4) additional space needed where roads/avenues intersect canal, etc.
3. FID requires that the Engineer/Land Surveyor use the inside top hinge of the canal to define the edge of FID's right-of-way such that FID has a minimum of 20-feet at all points along the top of the canal bank. There are no minimum or suggested numbers of survey shots to take but, there must be enough survey points such that the top inside hinge of the canal bank is properly identified. Before finalizing the Final Maps, the Engineer/Land Surveyor will need to stake both the inside top hinge and the right-of-way/property for FID Staff to field evaluate an adequate width. FID staff must field verify the right-of-way/property boundary and the hinge line edge before signing plans to ensure that there are enough survey points to properly define the canal.
4. Typically, for any type of development that impacts a large open canal or is adjacent to one such as the Enterprise Canal, FID requires the developer to improve the canal with either concrete lining, encasing the canal in a box culvert, or other approved means to protect the canal's integrity for an urban setting. FID does not have sufficient information to determine what kind of improvements will ultimately be required as part of the development. The engineers working on the project and FID's engineering staff must meet to discuss specific requirements as discussed below. In order to meet the "urban" standards for the canal, FID will require the following minimum conditions:
 - a. Channel Stabilization: The proposed plan does not indicate any improvements to the Canal. If the Developer is not willing to concrete line the Canal or place it underground within a box culvert, they must come up with another means acceptable to and approved by FID to protect the Canal's integrity. On similar projects, Developers typically propose the following:
 - i. Surrounding Development – All proposed building pad elevations must be a minimum of 12-inches above the canal's high water, unless separated by a roadway with curb and gutter.
 - ii. Freeboard – FID typically requires between 1.0 to 1.5 feet of freeboard. Because the Canal is used to route stormwaters, and is one of the larger canals used to convey the stormwater, FID will require a minimum of 1.5

B1-5

feet of freeboard and a maximum of 2.0 feet. The Developer will be required to either import or export material to match FID's standards.

- iii. Maintenance – this reach of Canal does have a history of high loads of sediment deposits which requires periodic dredging. FID will typically dredge the Canal and deposit the spoils on top of the banks to dry out. Once the spoil has dried, FID will flatten the spoil as time permits. This reach of Canal also has large volumes of trash, debris, shopping carts that are deposited into the Canal. FID's crews will typically remove the trash at the Shepherd Avenue bridge and another crew will come by to remove the trash. The hauling off of this material may occur several weeks after the trash has been placed on the side of the canal, and the trash may be considered a nuisance (sight and smell). If the Developer and/or City require a different level of maintenance effort, they will need to enter into an agreement for that purpose. The City and/or Developer will be responsible to fund the "higher level" of maintenance.

b. Drive banks/maintenance roads and encroachments (both banks):

- i. Both banks must be of full-width cross section to the outside limits of the canal easement.
- ii. One or both of the drive banks must be sloped a minimum of 2% away from the canal, 4% maximum, with provisions made for rainfall. Drainage will not be accepted into the Canal and must be routed away from FID property/drive banks. Runoff must be conveyed to nearby public streets or drainage system by drainage swales or other FID acceptable alternatives.
- iii. One or both of the drive banks shall be overlaid with 3 inches of Class II aggregate base for all-weather access and for dust suppression.
- iv. Encroachments - All existing trees, bushes, debris, fencing, and other structures must be removed within FID's property/easement.

5. Trail - It is FID's understanding that a trail is master-planned along the Enterprise canal bank. As with other developments with trails proposed along the canals, FID will not allow the trail to encroach/overlap FID's canal easement. The following requirements are intended for trail projects adjacent to FID-owned properties and right-of-ways for open canals:

- a. FID will not allow the trail easement to be in common use with FID-owned property or easements.
- b. FID requires all trail improvements be placed outside of FID-owned properties and easements.

B1-5

Lily Cha
 Re: ISNOP – Draft EIR TM6343
 April 7, 2023
 Page 4 of 6

- c. FID will not allow any portion of a tree canopy to encroach within its properties or easements.
 - d. FID's canals will not accept any drainage from the trail or the canal bank.
 - e. FID may require some improvements be made to the canal depending on the existing canal condition, the proposed trail, and the adjacent development.
6. A Trail fence between Trail and Canal is required unless an agreement is in place between City of Clovis and FID.
 7. If a fence will be installed between the development and open canal, a block/masonry wall shall be required. Chain-link and wood fencing will no longer be accepted for urban developments.
 8. Should a trail or walkway be placed adjacent to the canal, FID will require a minimum 4 feet tall pedestrian barrier for this development, located outside of its right-of-way, on both sides of the canal, for the length of the development. FID is open to suggestions regarding design.
 9. Canal Access – FID will require access from future Clovis Avenue. In order to access the maintenance road with our larger equipment, FID requires a drive approach wide enough to accommodate the equipment. FID proposes a 50-foot wide drive approach narrowing to a 20 feet wide drive bank (See attached "Drive Approach in Urban Areas" Detail No. 1-02). The 50-foot width is defined as starting from the end portion of the bridge/railing outward (away from the bridge). Every road and canal intersection is different and therefore each access will be different. The major factors affecting the proposed width will be the angle of the road intersecting the Canal, grade of canal bank vs. City road, median vs. no median, etc.

B1-5

Fresno Metropolitan Flood Control District

1. FMFCD's Hewitt Creek No. 496 traverses the subject property as shown on the attached FID exhibit map and will be impacted by the proposed project. FID's recommends contacting FMFCD for further comments/requirements.

General Comments

1. FID requires the applicant and or the applicant's engineer contact FID at their earliest convenience to discuss specific requirements.
2. FID requires its easements be shown on all maps/plans with proper recording information, and that FID be made a party to signing the final map.

Lily Cha
 Re: ISNOP – Draft EIR TM6343
 April 7, 2023
 Page 5 of 6

3. FID does not allow FID owned property or easements to be in common use with public utility easements but will in certain instances allow for its property to be in common use with landscape easements and trails if the City of Clovis enters into the appropriate agreement.
4. FID requires the applicant to submit for FID's approval a grading and drainage plan which shows that the proposed development will not endanger the structural integrity of the Canal, or result in drainage patterns that could adversely affect FID.
5. FID requires its review and approval of all improvement plans which affect its property/easements and canal/pipeline facilities including but not limited to Sewer, Water, Fresno Metropolitan Flood Control District (FMFCD), Street, Landscaping, Dry Utilities, and all other utilities.
6. Footings of retaining walls shall not encroach onto FID property/easement areas.
7. FID requires its review and approval of all Private and Public facilities that encroach into FID's property/easement. If FID allows the encroachment, the Public or Private party will be required to enter into the appropriate agreement which will be determined by FID.
8. FID is concerned that the proposed development may negatively impact local groundwater supplies. The area was historically agricultural land and a significant portion of its water supply was imported surface water, supplemented by groundwater pumping. Under current circumstances the project area is experiencing a modest but continuing groundwater overdraft. Should the proposed development result in a conversion from imported surface water to groundwater, this deficit will increase. FID recommends the City of Clovis require the proposed development balance anticipated groundwater use with sufficient recharge of imported surface water in order to preclude increasing the area's existing groundwater overdraft problem.
9. California enacted landmark legislation in 2014 known as the Sustainable Groundwater Management Act (SGMA). The act requires the formation of local groundwater sustainability agencies (GSAs) that must assess conditions in their local water basins and adopt locally-based management plans. FID and the City of Clovis are members of the North Kings Groundwater Sustainability Agency which will manage the groundwater basin within the FID service area. This area is completely reliant on groundwater pumping and SGMA will impact all users of groundwater and those who rely on it. The City of Clovis should consider the impacts of the development on the City's ability to comply with requirements of SGMA.
10. As with developer projects, there will be considerable time and effort required of FID's staff to plan, coordinate, engineer, review plans, prepare agreements, and inspect the project. FID's cost for associated plan review will vary and will be determined at the time of the plan review.

B1-5

Lily Cha
Re: ISNOP – Draft EIR TM6343
April 7, 2023
Page 6 of 6

11. The above comments are not to be construed as the only requests FID will have regarding this project. FID will make additional comments and requests as necessary as the project progresses.

Thank you for submitting this for our review. We appreciate the opportunity to review and comment on the subject documents for the proposed project. If you have any questions, please feel free to contact Chris Lundeen at (559) 233-7161 extension 7410 or clundeen@fresnoirrigation.com.

Sincerely,

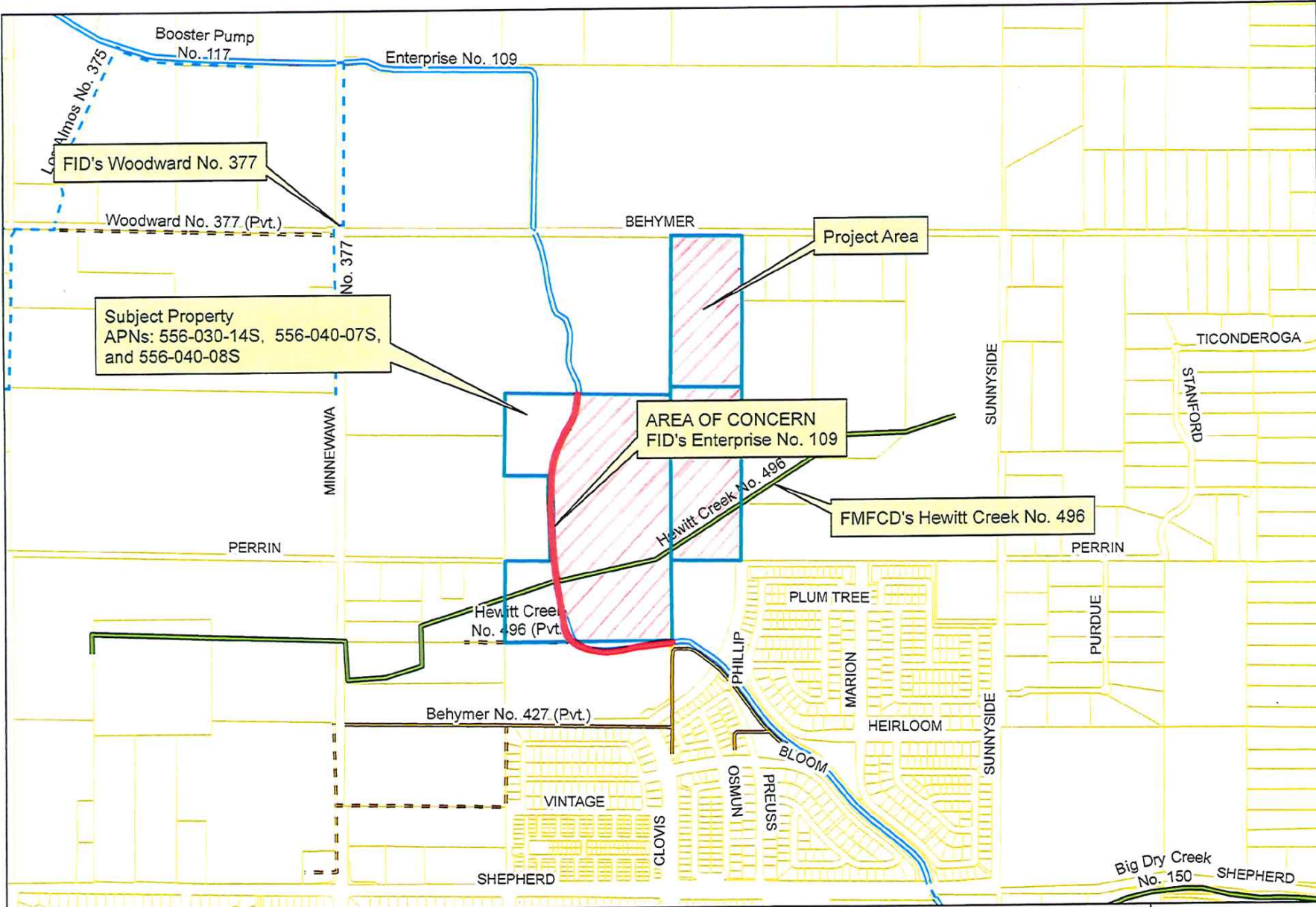


Laurence Kimura, P.E.
Chief Engineer

Attachment



B1-5



B1-5

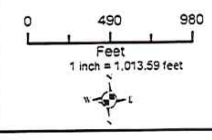


Legend

FID Canal	FID Pipeline	Stream Group	FID Boundary	Parcel
Private Canal	Private Pipeline	Other-Creek/River	Railroad	FMFCD Acquired Basins
Abandoned Canal	Abandoned Pipeline	Other-Pipeline	Streets & Hwys	FMFCD Proposed Basins

This map was produced by the Fresno Irrigation District and is provided for reference and informational purposes only and is not intended to show map scale accuracy or all inclusive map features, nor for legal purposes. FID makes no statements regarding the accuracy of this map as the features shown are in their approximate location. Please contact the FID Engineering Dept. at (559) 233-7161 for further information on FID facilities.

Path: G:\Fidgis\2023\2223 FID Master.mxd
 Spatial Reference
 Name: NAD 1983 StatePlane California IV FIPS 3404





**NOTICE OF PREPARATION
OF A DRAFT ENVIRONMENTAL IMPACT REPORT
FOR THE TRACT MAP 6343 PROJECT**

Date: December 19, 2022

To: Office of Planning and Research, Responsible and Trustee Agencies, Other Public Agencies and Other Interested Parties

Subject: Notice of Preparation of Draft Environmental Impact Report for the Tract Map 6343 Project

Lead Agency: City of Clovis

Project Title: Tract Map 6343

Project Applicant: Wilson Premier Homes, Inc

Contact: Lily Cha, Senior Planner
Planning Division
1033 Fifth Street
Clovis, CA 93612
(559) 324-2335
lilyc@cityofclovis.com

Comment Period: December 19, 2022 to January 17, 2023

PURPOSE OF NOTICE

The City of Clovis (City) is the lead agency responsible for preparation of an Environmental Impact Report (EIR) for the Tract Map 6343 Project (proposed project). Pursuant to provisions of the California Environmental Quality Act (CEQA), the City has prepared this Notice of Preparation (NOP) for the proposed project. Once a decision is made to prepare an EIR, the lead agency must prepare a NOP to inform all responsible and trustee agencies that an EIR will be prepared (CEQA Guidelines Section 15082). The purpose of this NOP is to provide agencies, interested parties, and organizations with sufficient information describing the proposed project and its potential environmental effects to enable meaningful input related to the scope and content of information to be included in the EIR.

B1-6

PUBLIC REVIEW PERIOD

As required by Section 15082 of the CEQA Guidelines, this NOP has been prepared and distributed to solicit comments from interested parties and potential responsible and trustee agencies and other public agencies so that project-related concerns relevant to each agency's statutory responsibilities in connection with the proposed project can be addressed in the EIR, as well as any related issues from interested parties other than potential responsible and trustee agencies, including other agencies and affected members of the public. The EIR will be the environmental document of reference for Responsible and Trustee Agencies when considering subsequent discretionary approvals.

This NOP is being circulated for public review and comment for a period of 30 days beginning December 19, 2022. The City requests that any potential responsible or trustee agencies responding to this NOP reply in a manner consistent with Section 15082(b) of the CEQA Guidelines, which requires submittal of any comments in response to this notice no later than 30 days after receipt of the NOP. Comments in response to this NOP will be accepted through 5:00 p.m., January 17, 2023.

Please send your written comments to Ms. Cha and include your name, address, phone number, and/or email address so that we may contact you for clarification, if necessary.

Copies of the Notice of Preparation may be reviewed at the following locations:

- Clovis Regional Library, 1155 5th Street, Clovis, during library hours;
- City of Clovis, Planning and Development Department, 1033 Fifth Street, Clovis, between 8:00 a.m. and 4:00 p.m.; or
- Online at: <https://cityofclovis.com/planning-and-development/planning/ceqa/>

PROJECT DESCRIPTION

The proposed project would consist of the annexation of 246 acres by the City of Clovis, and the development of 590 residential lots, averaging 3,329 square feet within the 71.54-acre project site. The proposed lots would be developed into single-family residences over time. Sixty-six outlot spaces that would potentially be developed into private roads, private parking, pedestrian walkways, landscaping, public utilities, and public park uses would also be included within the project site.

No development is proposed within the remaining 174.46-acre annexation area surrounding the project site. The proposed project would include annexation of the 246-acre area from Fresno County jurisdiction to the City of Clovis. Any future development occurring within the annexation area would require a separate project-specific analysis.

The proposed project would be developed in three phases.

- **Phase 1.** Phase 1 would include the development of 136 single-family residential units with an average size of 1,514 square feet per unit. Phase 1 would be located on the southern portion of the project site and would be accessed through one ingress and egress driveway located on Perrin Avenue. Phase 1 would include the construction of 44 parking spaces, an 8,745 square-foot community pool and recreation area, a 13,930 square-foot community park, 0.51 acre of landscaped areas, and drainage and pedestrian infrastructure improvements along Perrin

Avenue. The southern extension of North Baron Avenue from East Behymer Avenue and the extension of Perrin and Hammel Avenue within the project site would be constructed during Phase 1.

- **Phase 2.** Phase 2 would include the development of 214 single-family residential units with an average size of 2,168 square feet per unit. Phase 2 would be located on the central portion of the project site and would be accessed through one gated ingress and egress driveway located along the future southern extension of Baron Avenue, and one driveway along Hammel Avenue. Phase 2 would include the construction of an approximately 26-foot-wide drainage channel along Perrin Avenue, approximately 0.35 acre of landscaped areas, as well as storm drainage and pedestrian infrastructure improvements along Perrin Avenue and Hammel Avenue.
- **Phase 3.** Phase 3 of the proposed project would include the development of 240 single-family residential units with an average size of 1,514 square feet per unit. Phase 3 would be located on the northern portion of the project site and would be accessed through two gated ingress and egress driveways located along the future southern extension of Baron Avenue, and through one gated driveway located along the future northern extension of Hammel Avenue. Phase 3 would include the construction of approximately 91 parking spaces, an approximately 9,985 square-foot pool and recreation area, approximately 0.65 acre of landscaped areas, and drainage and pedestrian infrastructure improvements along Baron Avenue.

In addition, development of the project site would include infrastructure improvements for water services along the East Behymer Avenue frontage and Baron Avenue frontage, as well as stormwater management infrastructure improvements along the Perrin Avenue frontage. The proposed project would also construct a two-lane, approximately 49-foot-wide and 2,650-foot long extension of Baron Avenue south of East Behymer Avenue.

ALTERNATIVES TO BE ANALYZED IN THE EIR

In accordance with Section 15126.6 of the CEQA Guidelines, the EIR will assess a range of reasonable alternatives to the proposed project. The range of alternatives to be addressed will include alternatives that are specifically required by CEQA (e.g., the No Project Alternative), as well as other alternatives intended to reduce or eliminate potentially significant impacts, as identified through the coordinated consultation and planning process.

POTENTIAL ENVIRONMENTAL EFFECTS

The EIR will evaluate the potential environmental impacts of the proposed project, after having first established the environmental setting, or baseline, for the environmental analysis. The significance of potential impacts, cumulative impacts, and appropriate mitigation measures associated with the proposed project would be thoroughly discussed in the EIR.

The Initial Study prepared for this EIR evaluated the environmental issue topics required by CEQA. The individual environmental topics evaluated in the Initial Study include the following:

- Aesthetics
- Agriculture and Forestry Resources
- Air Quality
- Biological Resources
- Land Use and Planning
- Mineral Resources
- Noise
- Population and Housing

- Cultural Resources
- Energy
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Public Services
- Recreation
- Transportation and Traffic
- Tribal Cultural Resources
- Utilities and Service Systems
- Wildfire

The Initial Study identified potentially significant environmental issue topics that will be analyzed in more detail in the EIR. The topics include:

- Air Quality
- Greenhouse Gas Emissions
- Noise
- Transportation

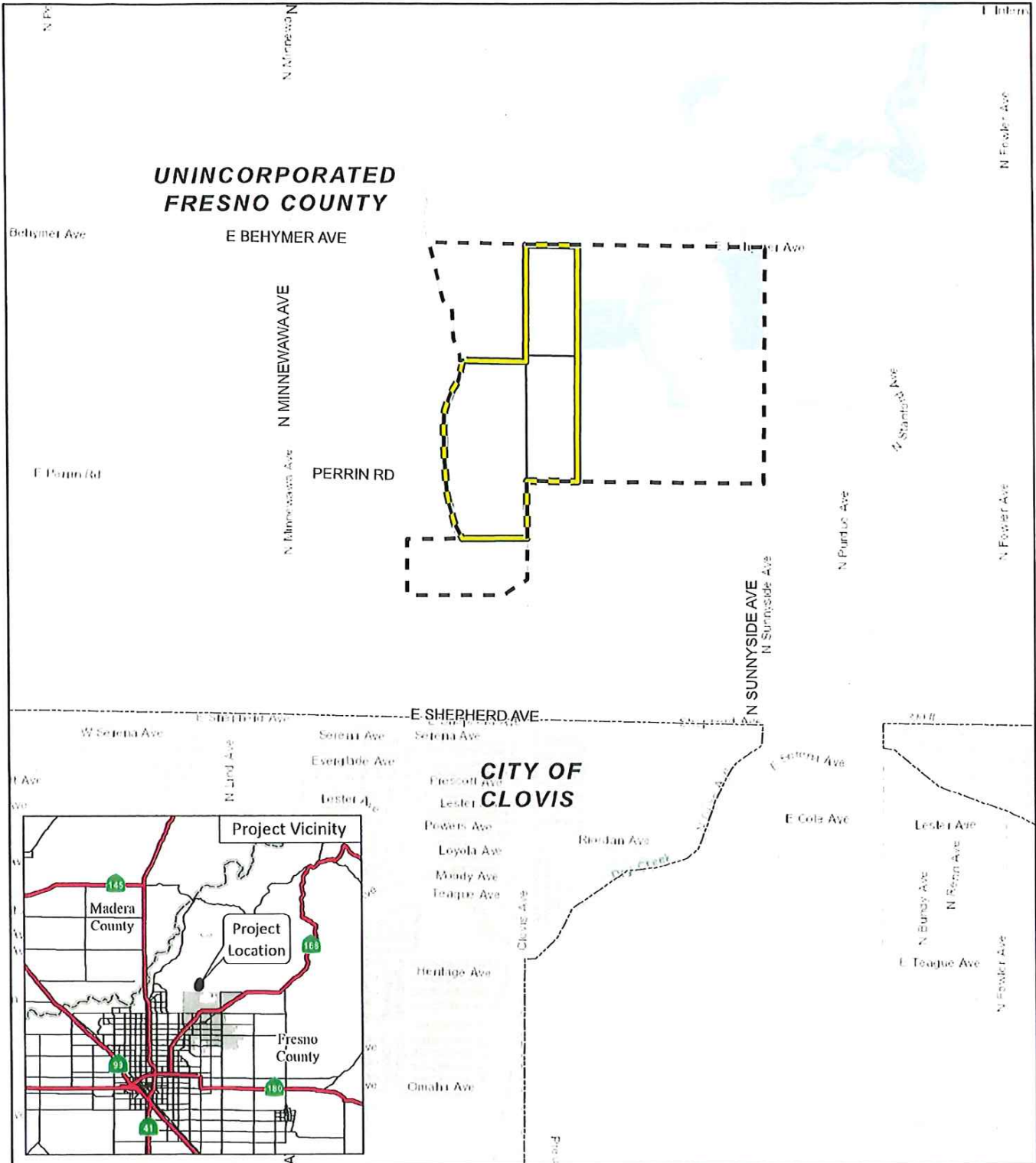
PUBLIC SCOPING MEETING

The City will hold a public scoping meeting to inform interested parties about the proposed project, and to provide agencies and the public with an opportunity to provide comments on the scope and content of the EIR. The meeting time and location is as follows:

City of Clovis Council Chamber
 1033 Fifth Street
 Clovis, CA 93612
 Date: Thursday, January 12, 2023
 Time: 6:00 p.m.



B1-6



B1-6

LSA

LEGEND


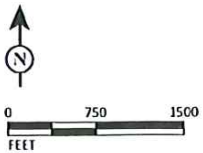
-  Project Location
-  Parcel Boundary
-  Annexation Boundary
-  Clovis City Limit

FIGURE 1-1



SOURCE: Esri Streetmap (2021)

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Tract Map 6343
Regional and Local Context

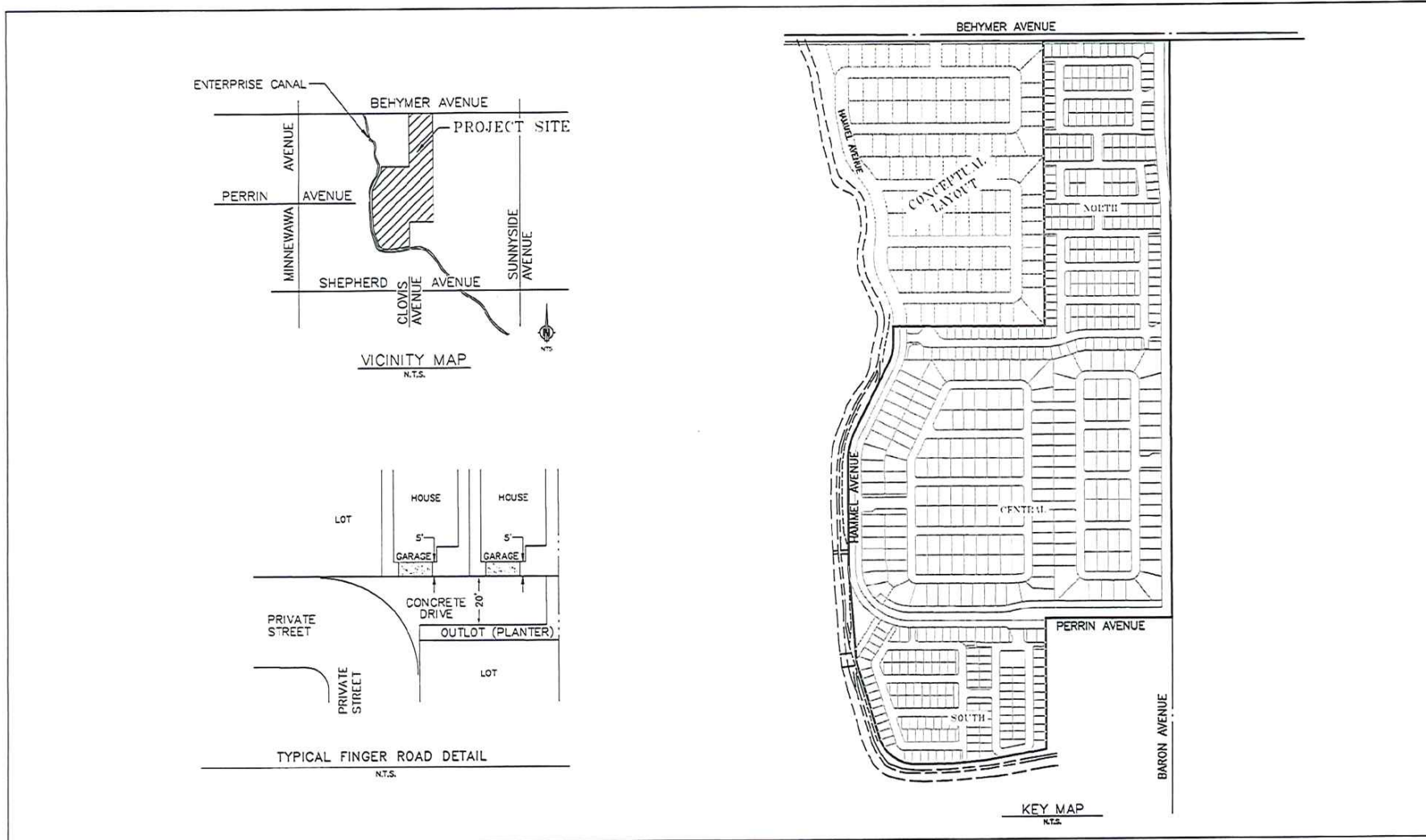


FIGURE 1-3

LSA



NOT TO SCALE

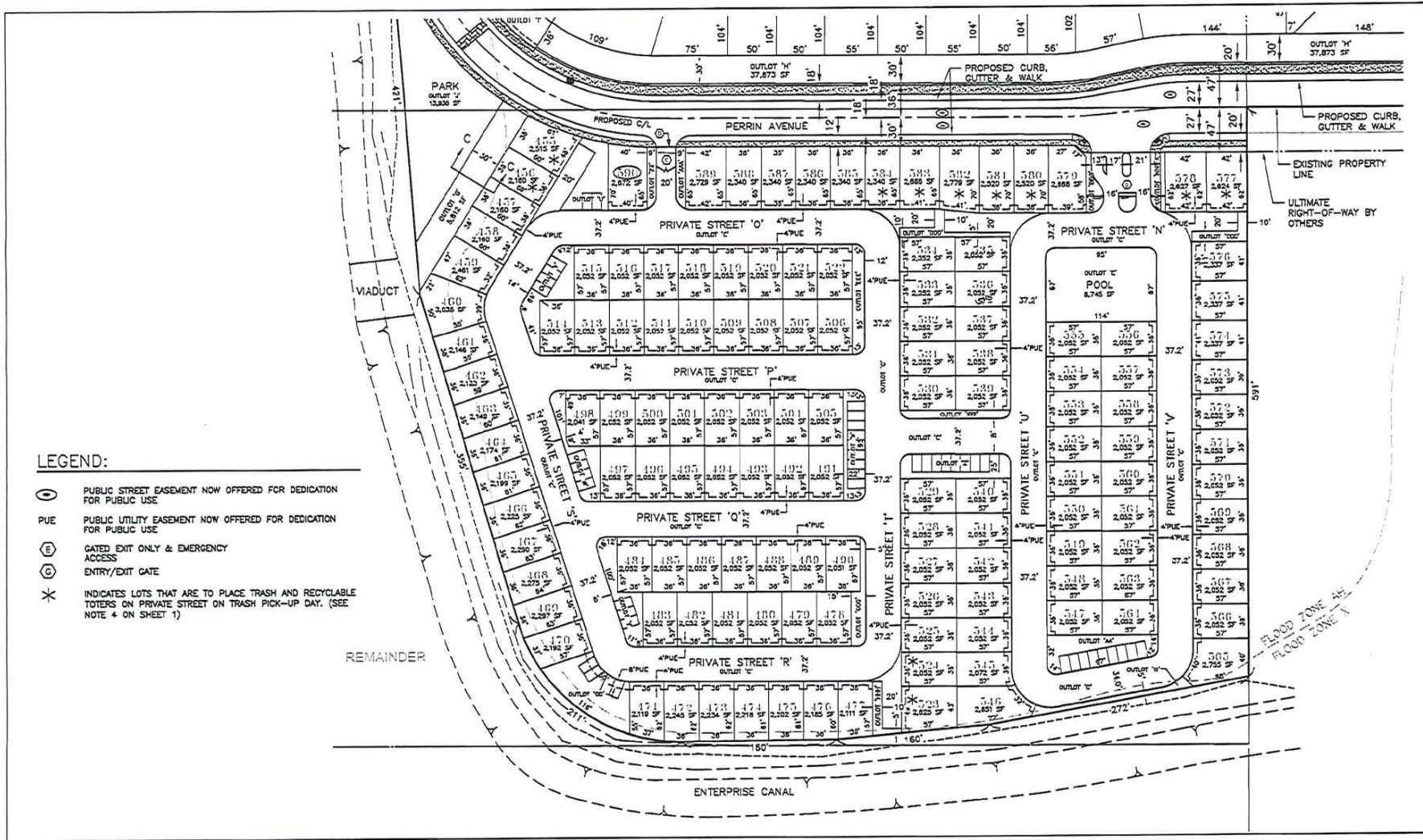
SOURCE: Harbor & Associates, January 2022

\\CIT2201\G\General Site Plan.ai (9/22/2022)

Tract Map 6343
General Site Plan

B1-6



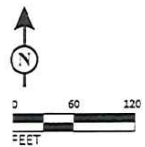


LEGEND:

- ⓪ PUBLIC STREET EASEMENT NOW OFFERED FOR DEDICATION FOR PUBLIC USE
- PUE PUBLIC UTILITY EASEMENT NOW OFFERED FOR DEDICATION FOR PUBLIC USE
- ⓔ GATED EXIT ONLY & EMERGENCY ACCESS
- ⓐ ENTRY/EXIT GATE
- * INDICATES LOTS THAT ARE TO PLACE TRASH AND RECYCLABLE TOTES ON PRIVATE STREET ON TRASH PICK-UP DAY. (SEE NOTE 4 ON SHEET 1)

FIGURE 1-4

LSA



SOURCE: Harbor & Associates, January 2022

\\CIT2201\G\South-Phase 1.ai (9/22/2022)

Tract Map 6343
South: Phase 1

B1-6

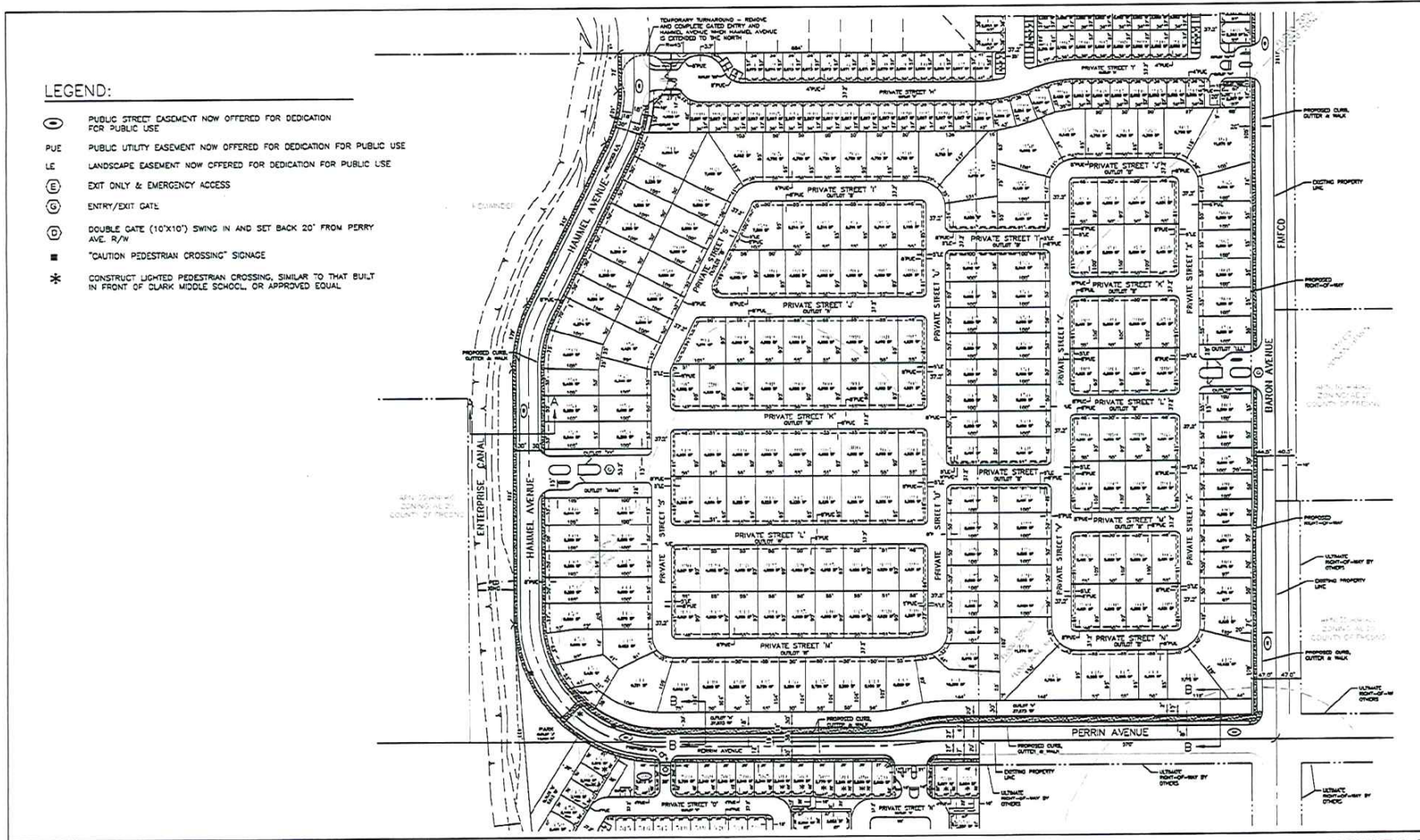
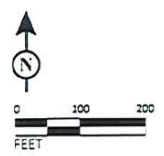


FIGURE 1-5

LSA



B1-6

B1-6



LEGEND:

- INDICATES STREETS PREVIOUSLY DEDICATED FOR PUBLIC USE
- PUBLIC STREET EASEMENT NOW OFFERED FOR DEDICATION FOR PUBLIC USE
- PUE PUBLIC UTILITY EASEMENT NOW OFFERED FOR DEDICATION FOR PUBLIC USE
- EXIT ONLY & EMERGENCY ACCESS
- ENTRY/EXIT GATE
- INDICATES LOTS THAT ARE TO PLACE TRASH AND RECYCLABLE TOTES ON PRIVATE STREET ON TRASH PICK-UP DAY. (SEE NOTE 4 ON SHEET 1)

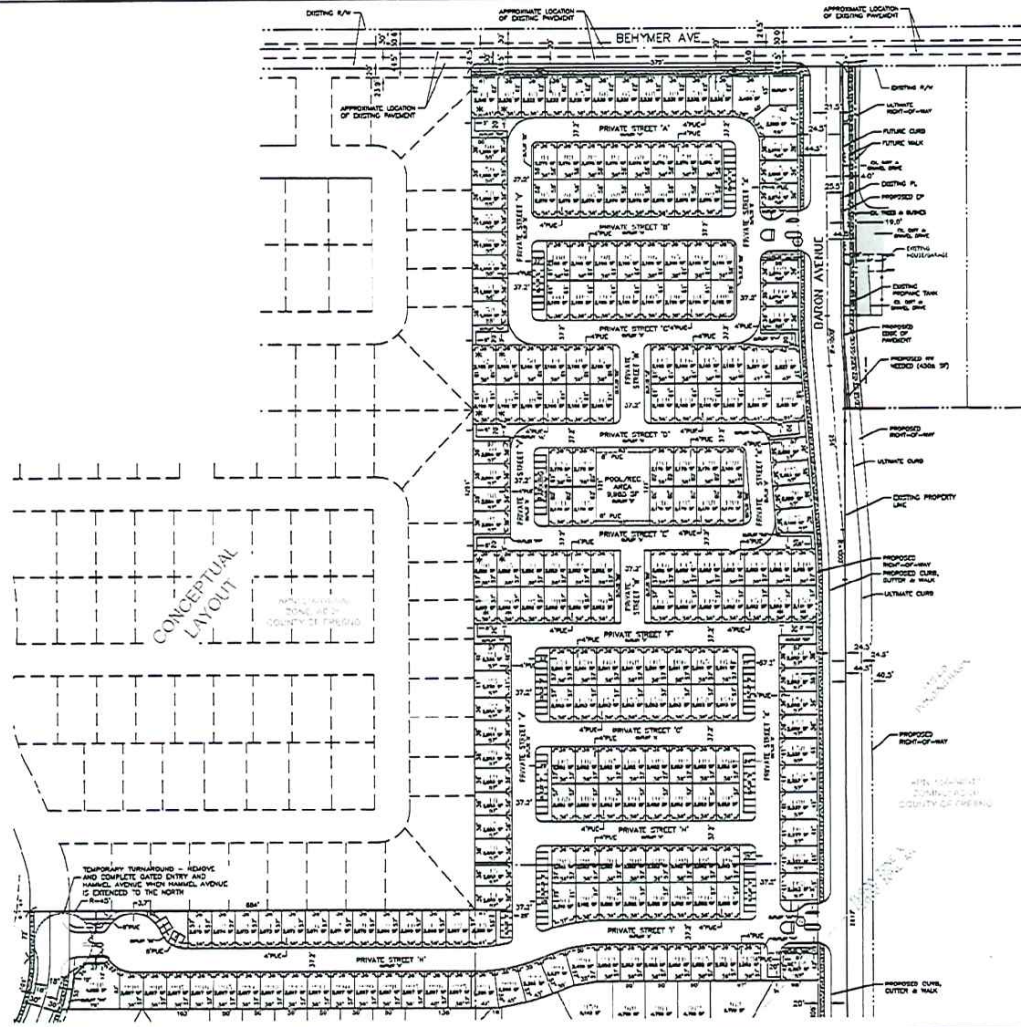
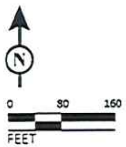


FIGURE 1-6

LSA



SOURCE: Harbor & Associates, January 2022

:\CIT2201\G\North-Phase 3.ai (9/22/2022)

Tract Map 6343
North: Phase 3



Notice of Availability
Tract Map 6343
Draft Environmental Impact Report

E202410000006
FILED
JAN 12 2024
TIME 9:40am
By _____
FRESNO COUNTY CLERK
DEPUTY

DATE: January 12, 2024
To: Office of Planning and Research, Responsible and Trustee Agencies, Other Public Agencies and Other Interested Parties
SUBJECT: Notice of Availability of a Draft Environmental Impact Report for Tract Map 6343
LEAD AGENCY: City of Clovis
Lily Cha-Haydostian, MPA | Senior Planner
City of Clovis | Planning Division
1033 Fifth Street
Clovis, CA 93612
559.324.2335
lilyc@ci.clovis.ca.us
COMMENT PERIOD: January 12, 2024 to February 26, 2024

Notice is hereby given that the City of Clovis (City), as the Lead Agency, has completed the Draft Environmental Impact Report (EIR) for Tract Map 6343, which is being distributed for public review pursuant to the California Environmental Quality Act (CEQA) and the California Public Resources Code.

The City has sent a copy of this Draft EIR to the State Clearinghouse and to those who requested a copy by responding to the Notice of Preparation (NOP). The City has also posted a copy of this Notice of Availability at Clovis City Hall and posted in The Business Journal.

PROJECT LOCATION

The Tract Map 6343 Project (Project) site is located directly north of the City of Clovis limit line at the southwest corner of the East Behymer Avenue and North Sunnyside Avenue intersection. The Project site is bounded by East Behymer Avenue to the north, by the Enterprise Canal to the west and south, and by rural residential, a Fresno Metropolitan Flood Control District (FMFCD) ponding basin, and Tract Map 6200 to the east. The Project site is in the northwest quadrant of Section 20, Township 12 South, Range 21 East, Mount Diablo Base and Meridian (MDBM).

PROJECT DESCRIPTION

The proposed Tract Map 6343 would consist of the annexation of 246 acres from Fresno County to the City of Clovis, and the development of 590 residential lots within the 71.54-acre project site. The proposed lots would be developed into single-family residences over time. Sixty-six outlot spaces would be developed into private roads, private parking, pedestrian walkways, landscaping, public utilities, and public park uses. No development is proposed within the remaining 174.46-acre annexation area surrounding the project site. Associated entitlements include Annexation to the City of Clovis and a Planned Development Permit, General Plan Amendment, Prezone, and Tract Map approval to allow for 590 single-family residences. To facilitate the future development of the subject property, the proposed project will also require dedications and/or acquisitions for public street rights-of-way and utility easements, as well as the construction of public facilities and infrastructure. A detailed project description is provided in the Draft EIR.

B1-7



Notice of Availability of an Environmental Impact Report
Tract Map 6343

E202410000006



SIGNIFICANT ENVIRONMENTAL EFFECTS

The Draft EIR has identified the following environmental issue areas as having significant and unavoidable environmental impacts from implementation of the project: Greenhouse Gas Emissions, Transportation and Cumulative Impacts. All other environmental issues were determined to have no impact, less than significant impacts, or less than significant impacts with mitigation measures incorporated into the Project.

B1-7

Public Review Period

A 46-day public review period for the Draft EIR will commence on January 12, 2024 and end on February 26, 2024. Any written comments on the Draft EIR must be received at the above address within the public review period. Copies of the Draft EIR are available for review at the Attn: Lily Cha-Haydostian, MPA, Senior Planner at the City of Clovis, Planning Division, 1033 Fifth Street, Clovis, CA 93612. The Draft EIR also may be reviewed at the City of Clovis' web site <https://cityofclovis.com/planning-and-development/ceqa/>. If we do not receive a response from your agency or organization, we will presume that your agency or organization has no response to make.



Notice of Availability
Tract Map 6343
Draft Environmental Impact Report

DATE: January 19, 2024

To: Office of Planning and Research, Responsible and Trustee Agencies, Other Public Agencies and Other Interested Parties

SUBJECT: Notice of Availability of a Draft Environmental Impact Report for Tract Map 6343

LEAD AGENCY: City of Clovis
Lily Cha-Haydostian, MPA | Senior Planner
City of Clovis | Planning Division
1033 Fifth Street
Clovis, CA 93612
559.324.2335
lilyc@ci.clovis.ca.us

COMMENT PERIOD: January 19, 2024 to March 4, 2024

Notice is hereby given that the City of Clovis (City), as the Lead Agency, has completed the Draft Environmental Impact Report (EIR) for Tract Map 6343, which is being distributed for public review pursuant to the California Environmental Quality Act (CEQA) and the California Public Resources Code.

The City has sent a copy of this Draft EIR to the State Clearinghouse and to those who requested a copy by responding to the Notice of Preparation (NOP). The City has also posted a copy of this Notice of Availability at Clovis City Hall and posted in The Business Journal.

B1-8

PROJECT LOCATION

The Tract Map 6343 Project (Project) site is located directly north of the City of Clovis limit line at the southwest corner of the East Behymer Avenue and North Sunnyside Avenue intersection. The Project site is bounded by East Behymer Avenue to the north, by the Enterprise Canal to the west and south, and by rural residential, a Fresno Metropolitan Flood Control District (FMFCD) ponding basin, and Tract Map 6200 to the east. The Project site is in the northwest quadrant of Section 20, Township 12 South, Range 21 East, Mount Diablo Base and Meridian (MDBM).

PROJECT DESCRIPTION

The proposed Tract Map 6343 would consist of the annexation of 246 acres from Fresno County to the City of Clovis, and the development of 590 residential lots within the 71.54-acre project site. The proposed lots would be developed into single-family residences over time. Sixty-six outlot spaces would be developed into private roads, private parking, pedestrian walkways, landscaping, public utilities, and public park uses. No development is proposed within the remaining 174.46-acre annexation area surrounding the project site. Associated entitlements include Annexation to the City of Clovis and a Planned Development Permit, General Plan Amendment, Prezone, and Tract Map approval to allow for 590 single-family residences. To facilitate the future development of the subject property, the proposed project will also require dedications and/or acquisitions for public street rights-of-way and utility easements, as well as the construction of public facilities and infrastructure. A detailed project description is provided in the Draft EIR.



SIGNIFICANT ENVIRONMENTAL EFFECTS

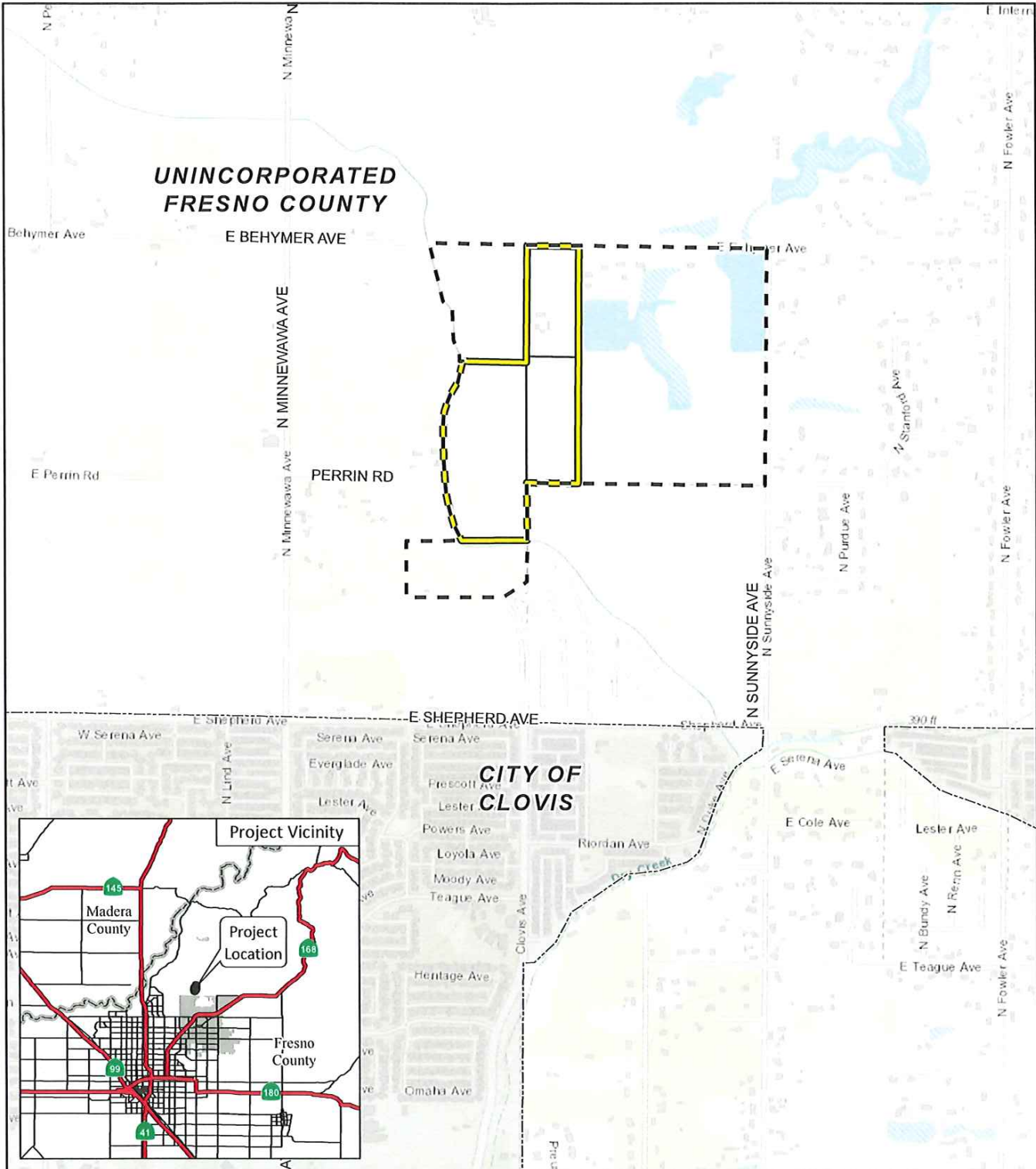
The Draft EIR has identified the following environmental issue areas as having significant and unavoidable environmental impacts from implementation of the project: Greenhouse Gas Emissions, Transportation and Cumulative Impacts. All other environmental issues were determined to have no impact, less than significant impacts, or less than significant impacts with mitigation measures incorporated into the Project.

Public Review Period

A 45-day public review period for the Draft EIR will commence on January 19, 2024 and end on March 4, 2024. Any written comments on the Draft EIR must be received at the above address within the public review period. Copies of the Draft EIR are available for review at the Attn: Lily Cha-Haydostian, MPA, Senior Planner at the City of Clovis, Planning Division, 1033 Fifth Street, Clovis, CA 93612. The Draft EIR also may be reviewed at the City of Clovis' web site <https://cityofclovis.com/planning-and-development/ceqa/>. If we do not receive a response from your agency or organization, we will presume that your agency or organization has no response to make.



B1-8

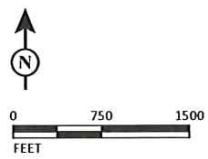


B1-8

FIGURE 3-1

LSA

- LEGEND
- Project Location
 - Parcel Boundary
 - Annexation Boundary
 - Clovis City Limit



SOURCE: Esri Streetmap (2021)
 \\saazfiles.file.core.windows.net\images\CIT2201\GIS\MXD\Regional_Local_Context.mxd (12/6/2022)

Tract Map 6343
 Regional and Local Context



February 29, 2024

Lily Cha-Haydostian
City of Clovis
Planning Division
1033 Fifth Street
Clovis, CA, 93612

Project: Draft Environmental Impact Report for Tract Map 6343

District CEQA Reference No: 20240048

Dear Ms. Cha-Haydostian:

The San Joaquin Valley Air Pollution Control District (District) has reviewed the Draft Environmental Impact Report (DEIR) from the City of Clovis (City) for Tract Map 6343 project. Per the DEIR, the project consists of the annexation of 246 acres for the development of 590 single-family residential lots on 71.54-acres and no development on the remaining 174.46-acres (Project). The Project is located on the southwest corner of East Behymer Avenue and North Sunnyside Avenue, in Clovis, CA.

B2-1

The District offers the following comments at this time regarding the Project:

1) Project Related Emissions

Based on the DEIR, Project specific annual criteria pollutant emissions from construction and operation are not expected to exceed any of the significance thresholds as identified in the District’s Guidance for Assessing and Mitigating Air Quality Impacts (GAMAQI): <https://ww2.valleyair.org/media/g4nl3p0g/gamaqi.pdf>.

B2-2

1a) Construction Emissions

The District recommends, to further reduce impacts from construction-related diesel exhaust emissions, the Project should utilize the cleanest available off-road construction equipment.

Samir Sheikh
Executive Director/Air Pollution Control Officer

Northern Region
4800 Enterprise Way
Modesto, CA 95356-8718
Tel: (209) 557-6400 FAX: (209) 557-6475

Central Region (Main Office)
1990 E. Gettysburg Avenue
Fresno, CA 93726-0244
Tel: (559) 230-6000 FAX: (559) 230-6061

Southern Region
34946 Flyover Court
Bakersfield, CA 93308-9725
Tel: (661) 392-5500 FAX: (661) 392-5585

2) Clean Lawn and Garden Equipment in the Community

Since the Project consists of residential development, gas-powered residential lawn and garden equipment have the potential to result in an increase of NOx and PM2.5 emissions. Utilizing electric lawn care equipment can provide residents with immediate economic, environmental, and health benefits. The District recommends the Project proponent consider the District’s Clean Green Yard Machines (CGYM) program which provides incentive funding for replacement of existing gas powered lawn and garden equipment. More information on the District CGYM program and funding can be found at: <https://ww2.valleyair.org/grants/clean-green-yard-machines-residential/> and <https://ww2.valleyair.org/grants/zero-emission-landscaping-equipment-voucher-program/>.

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3) On-Site Solar Deployment

It is the policy of the State of California that renewable energy resources and zero-carbon resources supply 100% of retail sales of electricity to California end-use customers by December 31, 2045. While various emission control techniques and programs exist to reduce air quality emissions from mobile and stationary sources, the production of solar energy is contributing to improving air quality and public health. The District suggests that the City consider incorporating solar power systems as an emission reduction strategy for the Project.

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4) District Rules and Regulations

The District issues permits for many types of air pollution sources, and regulates some activities that do not require permits. A project subject to District rules and regulations would reduce its impacts on air quality through compliance with the District’s regulatory framework. In general, a regulation is a collection of individual rules, each of which deals with a specific topic. As an example, Regulation II (Permits) includes District Rule 2010 (Permits Required), Rule 2201 (New and Modified Stationary Source Review), Rule 2520 (Federally Mandated Operating Permits), and several other rules pertaining to District permitting requirements and processes.

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The list of rules below is neither exhaustive nor exclusive. Current District rules can be found online at: <https://ww2.valleyair.org/rules-and-planning/current-district-rules-and-regulations>. To identify other District rules or regulations that apply to future projects, or to obtain information about District permit requirements, the project proponents are strongly encouraged to contact the District’s Small Business Assistance (SBA) Office at (559) 230-5888.

4a) District Rules 2010 and 2201 - Air Quality Permitting for Stationary Sources

Stationary Source emissions include any building, structure, facility, or installation which emits or may emit any affected pollutant directly or as a fugitive emission. District Rule 2010 (Permits Required) requires operators of emission sources to obtain an Authority to Construct (ATC) and Permit to Operate (PTO) from the District. District Rule 2201 (New and Modified Stationary Source Review) requires that new and modified stationary sources of emissions mitigate their emissions using Best Available Control Technology (BACT).

This Project may be subject to District Rule 2010 (Permits Required) and Rule 2201 (New and Modified Stationary Source Review) and may require District permits. Prior to construction, the Project proponent should submit to the District an application for an ATC. For further information or assistance, the project proponent may contact the District's SBA Office at (559) 230-5888.

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4b) District Rule 9510 - Indirect Source Review (ISR)

The Project is subject to District Rule 9510 because it will receive a project-level discretionary approval from a public agency and will equal or exceed 50 dwelling units of residential.

The purpose of District Rule 9510 is to reduce the growth in both NOx and PM emissions associated with development and transportation projects from mobile and area sources; specifically, the emissions associated with the construction and subsequent operation of development projects. The ISR Rule requires developers to mitigate their NOx and PM emissions by incorporating clean air design elements into their projects. Should the proposed development project clean air design elements be insufficient to meet the required emission reductions, developers must pay a fee that ultimately funds incentive projects to achieve off-site emissions reductions.

Per Section 5.0 of the ISR Rule, an Air Impact Assessment (AIA) application is required to be submitted no later than applying for project-level approval from a public agency. As of the date of this letter, the District has not received an AIA application for this Project. Please inform the project proponent to immediately submit an AIA application to the District to comply with District Rule 9510 so that proper mitigation and clean air design under ISR can be incorporated into the Project's design. One AIA application should be submitted for the entire Project.

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Information about how to comply with District Rule 9510 can be found online at:
<https://ww2.valleyair.org/permitting/indirect-source-review-rule-overview>

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The AIA application form can be found online at:
<https://ww2.valleyair.org/permitting/indirect-source-review-rule-overview/forms-and-applications/>

District staff is available to provide assistance, and can be reached by phone at (559) 230-5900 or by email at ISR@valleyair.org.

4c) District Rule 4002 (National Emissions Standards for Hazardous Air Pollutants)

In the event an existing building will be renovated, partially demolished or removed, the Project may be subject to District Rule 4002. This rule requires a thorough inspection for asbestos to be conducted before any regulated facility is demolished or renovated. Information on how to comply with District Rule 4002 can be found online at: <https://ww2.valleyair.org/compliance/demolition-renovation/>

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4d) District Rule 4601 (Architectural Coatings)

The Project will be subject to District Rule 4601 since it is expected to utilize architectural coatings. Architectural coatings are paints, varnishes, sealers, or stains that are applied to structures, portable buildings, pavements or curbs. The purpose of this rule is to limit VOC emissions from architectural coatings. In addition, this rule specifies architectural coatings storage, cleanup and labeling requirements. Additional information on how to comply with District Rule 4601 requirements can be found online at: <https://ww2.valleyair.org/media/tkgjeusd/rule-4601.pdf>

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4e) District Regulation VIII (Fugitive PM10 Prohibitions)

The project proponent may be required to submit a Construction Notification Form or submit and receive approval of a Dust Control Plan prior to commencing any earthmoving activities as described in Regulation VIII, specifically Rule 8021 – *Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities*.

Should the project result in at least 1-acre in size, the project proponent shall provide written notification to the District at least 48 hours prior to the project proponents intent to commence any earthmoving activities pursuant to District Rule 8021 (Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities). Also, should the project result in the disturbance of 5-acres or more, or will include moving, depositing, or relocating more than 2,500

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cubic yards per day of bulk materials, the project proponent shall submit to the District a Dust Control Plan pursuant to District Rule 8021 (Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities). For additional information regarding the written notification or Dust Control Plan requirements, please contact District Compliance staff at (559) 230-5950.

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The application for both the Construction Notification and Dust Control Plan can be found online at: <https://ww2.valleyair.org/media/fm3jrbsq/dcp-form.docx>

Information about District Regulation VIII can be found online at: <https://ww2.valleyair.org/dustcontrol>

4f) District Rule 4901 - Wood Burning Fireplaces and Heaters

The purpose of this rule is to limit emissions of carbon monoxide and particulate matter from wood burning fireplaces, wood burning heaters, and outdoor wood burning devices. This rule establishes limitations on the installation of new wood burning fireplaces and wood burning heaters. Specifically, at elevations below 3,000 feet in areas with natural gas service, no person shall install a wood burning fireplace, low mass fireplace, masonry heater, or wood burning heater.

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Information about District Rule 4901 can be found online at: <https://ww2.valleyair.org/compliance/residential-wood-smoke-reduction-program/>

4g) Other District Rules and Regulations

The Project may also be subject to the following District rules: Rule 4102 (Nuisance) and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations).

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5) District Comment Letter

The District recommends that a copy of the District's comments be provided to the Project proponent.

If you have any questions or require further information, please contact Eric McLaughlin by e-mail at eric.mclaughlin@valleyair.org or by phone at (559) 230-5808.

Sincerely,

Tom Jordan
Director of Policy and Government Affairs



Mark Montelongo
Program Manager

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