DRAFT ENVIRONMENTAL IMPACT REPORT

CITY OF SELMA
"ROCKWELL POND COMMERCIAL PROJECT"

SEPTEMBER 9, 2009
SCH NO. 2007061098

PREPARED FOR:

THE CITY OF SELMA COMMUNITY DEVELOPMENT DEPARTMENT

PREPARED BY:

LAND USE ASSOCIATES

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1.0 EXECUTIVE SUMMARY

This Summary provides a description of the proposed Project and its potential environmental consequences. CEQA Guidelines Section 15123 requires that each significant impact is identified, and recommended mitigation measures and alternatives that would minimize or avoid potential significant impacts are presented. This summary also identifies areas of controversy known to the Lead Agency (City of Selma), including issues raised by agencies and the public, and issues to be resolved.

1.1 Summary Project Description and Location

The proposed Project consists of development of the Rockwell Pond Commercial Project, a regional shopping center planned for property located south of Rockwell Pond consisting of about 94 acres. The Project would be developed in two phases. Phase 1 will be initiated as soon as annexation and city entitlements are approved and is anticipated to be complete by 2012. Phase 2 will be initiated about five years following Phase 1 and is anticipated to be completed by 2017. Together, the two phases would result in approximately 973,100 square feet of retail uses. Pre-zoning and annexation of the entire 94 acres would occur with Phase One of the Project.

The Project site is bounded by Floral Avenue to the south, De Wolf Avenue on the west, Rockwell Pond on the north, State Route 99 on the northeast, and existing commercial development (*Wal-Mart, J.C. Penny, Dollar Tree, Big Five, etc.*) to the east. The Project site is located within the Selma Sphere of Influence (SOI) in Fresno County, California and would require annexation to the City. The Project also includes amending the Selma Northwest Specific Plan, which covers the site.

As originally proposed and discussed in the EIR Notice of Preparation, the City envisioned adoption of a specific plan to guide the development of an approximate 257-acre planning area, including the Project site. The triangularly-shaped planning area, bounded by Floral Avenue, De Wolf Avenue, and State Route 99, would have extended to Dinuba Avenue at the northern tip of the planning area, and included Rockwell Pond and approximately 110 acres of agricultural land north of the pond. In this area, approximately 91.61 acres located on the east side of De Wolf Avenue north of and adjacent to Rockwell Pond has been purchased by Fresno County for development of a Center for Agriculture and Food Safety. North of the County-owned property is a 19.4 +/- acre triangular-shaped property designated for Regional Commercial use on the Selma General Plan.

It has been determined through the Draft EIR preparation process that development of these properties north of the Project site will likely occur in the long-term future, but funding sources, development plans, and construction dates are unknown. Under these circumstances, a specific plan would have little benefit to the City or to these properties as land uses, environmental conditions, and implementation strategies are likely to change over time. As a result, the City will process a project-level Draft EIR for the commercial portion of the Project only.

The objectives of the Rockwell Pond Commercial Project are:

- To develop a regional commercial shopping center adjacent to State Route 99 that consists of anchors, shops, a hotel, restaurants, new car sales, and big box retailers that enhances the City's unique character and contributes to a positive City image.

- To contribute a fair share of the expense of constructing a circulation system that contributes to local transportation needs and the improvement of the local roadway system including improvements to Floral Avenue and the Floral Avenue/ Highway 43 interchange.
- To prezone proposed development sites consistent with the adopted land use diagram and annex property to the City of Selma through the LAFCO approval process.
- To increase the range of goods and services available to the citizens of Selma and Fresno County and to provide employment opportunities that otherwise would not exist.
- To implement goals and policies of the Selma General Plan for the orderly development of the City.

1.2 Public Scoping

Notice of Preparation - A Notice of Preparation (NOP) for the DEIR was distributed to the State Clearinghouse (OPR), responsible agencies, interested groups and individuals, and surrounding property owners on June 22, 2007. The 30-day comment period ended on July 12, 2007. Copies of the NOP and mailing list are included in Appendix A of this DEIR. Letters received in response to the NOP are also included in Appendix A.

Public Scoping Meeting - In conjunction with the public noticing of the Notice of Preparation, a public scoping meeting concerning the EIR was held at Selma City Hall on June 28, 2007 to refine the scope and content of issues to be discussed in the EIR. Additional opportunities for public input will be provided at Planning Commission and City Council hearings.

Draft EIR Public Review - This Draft EIR is distributed for a 45-day period of review and comments by the public, responsible agencies, organizations, and other interested parties. Comments or questions related to this DEIR should be addressed to:

Mr. Greg Martin, AICP
City of Selma
Community Development Department
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Selma, CA 93662
Telephone: (559) 891-2265; Fax: (559) 898-0338; email: gregorym@cityofselma.com

The applications and supporting documents for the development are on file and available for public review at the City of Selma Community Development Department, Selma City Hall, 1710 Tucker Street, Selma, California.

1.3 Areas of Controversy

Section 15123 (b)(2) of the *CEQA Guidelines* requires that an EIR Executive Summary identify areas of controversy known to the Lead Agency, including issues raised by other agencies and the public. Areas of potential controversy for the proposed Project are listed below:

- Potential cumulative effects of traffic impacts on local and regional roadways and SR 99;
- Conversion of productive Prime Farmland to urban uses;
- Negative impacts to air quality;

- Potential cumulative impacts to water supply including groundwater recharge.

1.4 Summary of Alternatives

CEQA requires that "an EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effect of the project...." (CEQA Guidelines, Section 15126.6 (a)).

The DEIR examines several alternatives to the proposed Project including No Project, Alternative Site Plan, and Phase 1 Development Only. The impacts of each alternative are compared to impacts identified for the proposed Project and quantified where possible. The alternatives were selected based on their ability to reduce one or more significant impacts of the proposed Project. Below is a summary of the alternatives.

Alternative 1: No Project Alternative: With implementation of the No Project Alternative, the planning area would not be pre-zoned or annexed into the City. The No-Project scenario assumes that the existing zoning designations for the planning area would remain unchanged. Current agricultural and rural residential facilities would remain the same. The No Project Alternative would not result in any new impacts, as the parcels would remain as they currently exist. While the No Project Alternative would avoid or reduce most of the potential impacts that would occur under the proposed Project, this alternative would not achieve the Project objectives.

Alternative 2: Alternative Site Plan: The Alternative Site Plan would consist of annexation and development of the 94-acre Project site, but with an alternative site plan. The alternative site plan represents a slightly less intense use of the site and reduces retail uses by approximately 40,000 square feet but still meets the Project objectives. Only one auto dealership would be developed and the hotel site is shifted to the northeast corner of the site adjacent to SR 99. A multi-screen theater is added in the northern portion of the site. Because all storm drainage is proposed to be accommodated on site as a result of EIR analysis, the Alternative Site Plan proposes a location for the basin adjacent to the movie theater.

Under the Alternative Site Plan, potential significant impacts from the proposed Project would remain nearly identical and recommended mitigation would still be applicable. There are some minor advantages to the Alternative Site Plan in that is designates a storm water basin where the proposed Project site plan does not, slightly reduces the overall square footage of the center, eliminates one of two car dealerships, and provides smoother on-site circulation and interconnection to the adjacent shopping center on the east. The Alternative Site Plan, however, does not resolve potential conflicts with the inner approach zone of the Selma Aerodrome at the northeast corner of Floral and DeWolf Avenues.

Alternative 3: Development of Phase 1 Only: Under this alternative, only Phase 1 of the proposed Project would be developed. The Project site would be reduced to 50.2 acres and only about 572,000 square feet of commercial retail uses would be constructed. This Alternative would generally reduce traffic and air quality impacts, and reduce agricultural land conversion. However, the impacts would not be reduced to less than significant levels. While this alternative would also achieve many of the objectives of the proposed Project, some would not be achieved to the same extent as the proposed Project due to its reduced size, such as enhancing economic vitality of the City through increased property and sales tax revenue and job growth.

1.5 Significant Irreversible Environmental Effects

Implementation of the proposed Project would result in the long-term commitment of resources. The proposed Project would likely result in or contribute to the following irreversible environmental changes:

- Conversion of existing undeveloped agricultural land to urban land uses, thus precluding other alternate land uses in the future.
- Increased ambient noise.
- Irreversible commitment of municipal resources to the provision of services and operations of infrastructure for future urban and suburban development.
- Irreversible consumption of goods and services associated with the future population.
- Increased traffic volumes on existing roadways.
- Degradation of air quality.
- Irreversible consumption of energy and natural resources.
- Possible demand for and use of goods, services, and resources for this Project to the exclusion of Projects in other locations.

1.6 Significant and Unavoidable Environmental Effects

CEQA Guidelines Section 15126.2(b) requires an EIR to discuss unavoidable significant environmental effects, including those that can be mitigated but not reduced to a level of insignificance. In addition, Section 15093(a) of the CEQA Guidelines requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits of a proposed project against its unavoidable environmental risks, and allows the decision-making agency to determine that the benefits of a proposed Project outweigh the unavoidable adverse environmental impacts of implementing the project. The City of Selma can approve a project with unavoidable adverse impacts if it prepares a "Statement of Overriding Considerations" setting forth the specific reasons for making such a judgment. Implementation of the Project would result in significant and unavoidable impacts in the following areas:

Agricultural Resources

The Project would convert Prime Farmland to non-agricultural use. The Project would conflict with existing zoning for agricultural use and has the potential to contribute to a cumulative loss of agricultural lands on adjacent property. See Section 4.0 for analysis and mitigation to reduce impacts to the extent feasible.

Air Quality

The Project would violate air quality standards or contribute substantially to existing or projected air quality violations for ROG and NOx emissions. The Project could generate "Greenhouse" gas emissions that would cumulatively contribute to global warming and climate change. See Section 5.0 for analysis and mitigation measures to reduce impacts to the extent feasible.

Traffic

The conclusion of the traffic analysis prepared for this EIR is that mitigation will be required for both opening day and cumulative conditions. In general, the proposed Project is expected to contribute to the need to widen Floral Avenue to six lanes at many locations and to provide lane additions at the study intersections. At some locations, Floral Avenue will require widening to four lanes in a single direction. If the required mitigation measures are not feasible, the impact would be considered significant and unavoidable. See Section 15.0 for analysis and mitigation measures to reduce impacts to the extent feasible.

1.7 Summary of Impacts and Mitigation Measures

The following list summarizes the various significant environmental impacts associated with the proposed Project; includes the mitigation measures recommended to reduce or avoid the significant environmental impacts; and identifies the level of impact significance after mitigation. The numbering system in this list corresponds to the EIR chapter in which the impact is fully described.

3.0 AESTHETICS

IMPACT: **Have a substantial adverse affect on a scenic vista or substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway.**

Level of Significance: No Impact.

Mitigation: None required.

IMPACT: **Substantially degrade the existing visual character or quality of the site and its surroundings.**

Level of Significance: Less than significant impact.

Mitigation: None required.

IMPACT: **Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area.**

Level of Significance: Less than significant impact.

Mitigation: None required.

4.0 AGRICULTURAL RESOURCES

IMPACT: **Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency to non-agricultural use.**

Level of Significance before Mitigation: Significant unavoidable impact.

Mitigation

4.1 Future development in the Project area that brings about the conversion of Prime Farmland to non-agricultural uses shall be required to mitigate the loss of such agricultural lands in one or more of the following ways:

a. The acquisition of conservation easements on agricultural land located elsewhere in Fresno County.

b. Participation in a "Mitigation Fee" program to offset the impacts of development on agricultural land, if such a program has been implemented by the City of Selma.

c. Contribution of required funds to a nonprofit agricultural land trust whose primary purpose is the preservation of agricultural land, if such an organization has been formed at the time development is proposed.

d. Implementation of appropriate and feasible mitigation recommended in the Farmland Conservation Program administered by Council of Fresno County Governments (COG).

e. Participation in any other conservation program acceptable to the City of Selma including, but not limited to, transferable development credits, and transfer of development rights.

Level of Significance after Mitigation: Even with incorporation of recommended mitigation, this impact remains significant and unavoidable.

IMPACT: Conflict with existing zoning for agricultural use, or a Williamson Act contract.

Level of Significance before Mitigation: Less than significant impact.

Mitigation: None required.

IMPACT: Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to nonagricultural use.

Level of Significance before Mitigation: Significant impact.

Mitigation

4.2 Development on the Project site shall provide a minimum 100-foot buffer/transition area measured from the edge of an adjacent agricultural area. Where new development is separated from agricultural uses by an existing or planned roadway, the roadway may be located within the 100-foot buffer/transitions area.

4.3 All new development within the City shall provide a right-to-farm deed restriction recognizing the right to farm on adjacent agricultural properties.

4.4 Mitigation measure 4.1 shall apply.

Level of Significance after Mitigation: With incorporation of recommended mitigation, impacts will be reduced to a less than significant level.

5.0 AIR QUALITY

IMPACT: **Conflict with or obstruct implementation of the applicable air quality plan, violate any air quality standard, or contribute substantially to an existing or projected air quality violation; or result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors).**

Level of Significance Before Mitigation: Significant and unavoidable impact.

Mitigation

The following energy conservation measures shall be incorporated into Project building plans unless the applicant provides evidence that incorporation of a specific measure is infeasible:

5.1 All construction shall exceed the California Title 24 Energy Code for all relevant applications by 10% for the hotel construction and by 5% for all commercial and industrial construction.

5.2 Passive solar cooling/heating design elements shall be included in building designs where feasible. Design elements that maximize the use of natural lighting shall be utilized where feasible.

5.3 Energy efficient technical and design features in new construction shall be required. New development must include provisions for the installation of energy efficient appliances and lighting.

5.4 Installation of low nitrogen oxide emitting and/or high efficiency water heaters shall be required in new construction. Use of solar or low-emission water heaters (beyond Rule 4902) is recommended.

5.5 To reduce daily ROG, NOX and PM10 emissions during winter days from combined Project sources, only advanced combustion or natural gas fireplaces shall be allowed. The developer is encouraged to install LPG fireplaces, pellet stoves or EPA-Certified wood-burning fireplaces or stoves. (Note: EPA-Certified fireplaces and fireplace inserts are 75 percent effective in reducing emissions from this source, while natural-gas/LPG fireplaces are nearly 100 percent effective in reducing emissions and have virtually no potential for odor or nuisance.)

The primary construction contractor should prepare and submit a dust control plan to the SJVAPCD that incorporates all the provisions of Regulation VIII and the following additional measures:

5.6 The proposed Project shall comply with all applicable Regulations and Rules established by the San Joaquin Valley Air Pollution Control District, including, but not limited to: Regulation IV: Prohibitions; Rule 4901: Wood Burning Fireplaces and Wood Burning Heaters; Regulation IV: Prohibitions; Rule 4902: Residential Water Heaters; and Regulation VIII: Fugitive PM_{10} Prohibitions; as well as the Indirect Source Review (ISR) (Rule 9510) and the Administrative ISR Fee Rule (Rule 3180).

5.7 All material excavated, graded or otherwise disturbed shall be sufficiently watered to prevent fugitive dust emissions. Watering shall occur at least twice daily with complete coverage, preferably in the morning and after work is done for the day, or as necessary. The developer shall be responsible for watering in the event of high winds or watering needs after normal working hours.

5.8 Water trucks or sprinkler systems shall be used during construction to keep all areas of vehicle movement damp enough to prevent dust from leaving the site. The frequency of watering shall be increased when wind speeds exceed 15 miles per hour if soils are not completely wet. If wind speeds increase to the point that the dust control measures cannot prevent dust from leaving the site, construction activities shall be suspended.

5.9 A person or persons shall be designated by the contractor or builder to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite. Such monitoring responsibilities shall include holiday and weekend periods when work may not be in progress. The contractor shall provide the name and telephone number of such person to the SJVAPCD and the City Building Official prior to commencement of construction activities.

5.10 All disturbed areas on the site, including storage piles, which are not being actively utilized for construction purposes, shall be effectively stabilized of dust emissions using water, chemical stabilizer/suppressant, covered with a tarp or other suitable cover or vegetative ground cover.

5.11 All on-site unpaved roads and off-site unpaved access roads shall be effectively stabilized of dust emissions using water at least 3 times daily or chemical stabilizer/suppressant.

5.12 The accumulation of mud or dirt shall be expeditiously removed from adjacent public streets at the end of each workday. The use of dry rotary brushes is expressly prohibited except where preceded or accompanied by sufficient wetting to limit the visible dust emissions. Use of blower devices is expressly forbidden. Within urban areas, track out shall be immediately removed when it extends 50 or more feet from the site.

5.13 Cover all trucks hauling soil, sand and other loose materials or require all trucks to maintain at least two feet of freeboard. Trucks transporting fill material/soil to and from the site shall be tarped from the point of origin. Gravel pads shall be installed at all access points to prevent tracking of mud onto public roads. Utilize wheel washers for all exiting trucks, or wash off all trucks and equipment prior to leaving the site as needed.

5.14 On-site vehicles shall be limited to a speed (15 mph) that does not generate fugitive dust on unpaved roads. Land clearing, grading, earthmoving or excavation activities shall be suspended when winds exceed 20 miles per hour.

5.15 After clearing, grading, earth moving, or excavation is completed, the disturbed area shall be treated by watering, re-vegetating, or by spreading soil binders until the area is paved or otherwise developed so that dust generation will not occur. Soil stockpiled for more than two days shall be covered, kept moist, or treated with soil binders to prevent dust generation.

5.16 The developer shall coordinate with the local transit operator to explore the feasibility of extending transit service to the Project site.

5.17 The development shall contract with construction firms that can demonstrate that construction fleets can meet the emissions reduction requirements set by District Rule 9510 (20% reduction of NOx emissions and 45% reduction of PM10 emissions).

Level of Significance after Mitigation: Implementation of the above measures will reduce impacts from fugitive dust emissions to less than significant levels. Impacts from operational emissions will remain significant and unavoidable.

IMPACT: Expose sensitive receptors to substantial pollutant concentrations.

Level of Significance: Less than significant impact.

Mitigation: None required.

IMPACT: Create objectionable odors affecting a substantial number of people.

Level of Significance: Less than significant impact.

Mitigation: None required.

IMPACT: Generate "Greenhouse" gas emissions that would cumulatively contribute to global warming and climate change.

Level of Significance before Mitigation: Potentially significant impact.

Mitigation

Recommended air quality mitigation measures (see above) are designed to control and/or reduce emission from mobile and stationary sources and consequently help to minimize GHG emissions. In addition the following mitigation measures are recommended to further reduce GHG emissions:

5.18 The Project shall incorporate the following energy conservation measures into Project building plans unless applicants prove that incorporation of a specific measure is infeasible:

- Meet or exceed the California Title 24 Energy Code for all relevant applications, including energy efficient appliances and lighting
- Install heat transfer modules in all furnaces
- Apply light colored, water based paint and roofing materials on all structures
- If feasible, incorporate the use of solar panels for water heating systems and water heater systems that heat water only on demand into the design of all habitable structures
- Include design elements that maximize the use of natural lighting
- Construct parking areas with concrete or other non-polluting materials instead of asphalt
- Include provisions for the installation of energy efficient appliances and lighting
- Utilize landscaping to shade all buildings and parking areas

5.19 Landscape plans shall maximize the use of low-water demand species for ornamental purposes. Project conditions, covenants, and restrictions (CC&Rs) shall include information about drought tolerant plantings and encourage and facilitate use of water-saving species.

5.20 The Project shall, where feasible, utilize reclaimed water for all common area exterior landscaping. If not feasible, applicants shall provide documentation as to the efforts made to procure reclaimed water from purveyors.

5.21 Indoor water use shall be reduced through re-circulating, point-of-use, or on-demand water heaters, low flow toilets, water saving fixtures, including low flow showerheads. Indoor water-conserving measures shall be implemented prior to certificate of occupancy.

5.22 The Project shall minimize GHG emissions. To the extent feasible, the Project shall incorporate transit-oriented activity centers that promote increased walking, bicycling, and use of public transit.

These measures, in addition to measures identified in this chapter may be implemented to avoid or reduce GHG emissions. These measures may be updated, expanded, and refined when applied to specific future projects based on project-specific design and changes in existing conditions, and current local, state, and federal laws.

Level of Significance after Mitigation: Even with incorporation of mitigation, greenhouse gas emissions remain potentially significant and constitute a cumulatively considerable incremental contribution to the significant cumulative impact of global climate change.

6.0 BIOLOGICAL RESOURCES

IMPACT: **Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service.**

Level of Significance before Mitigation: Potentially significant impact.

Mitigation

6.1 Developers of projects on the Project site shall be required to contract with a qualified biologist to conduct a preconstruction survey approximately 30 days prior to ground disturbing activities in and around the Rockwell Pond recharge basin. The survey protocol will follow the USFWS's (1999) guidelines as denoted in Appendix H of the San Joaquin Kit Fox Survey Report by Halstead and Associates. Also, Standard Recommendation #1-1 3 (Appendix H of the San Joaquin Kit Fox Report) are incorporated into the Project and will be implemented to avoid potential impacts to the kit fox. If kit fox are found during the preconstruction survey, the USFWS shall be consulted and the protective and mitigation measures as noted in Appendix H shall be implemented.

6.2 Burrowing Owl was not found on the Project site; to meet CDFG requirements, however, the following avoidance measures are required:

Measure1: If construction activities will occur during the nesting season of February through August, a preconstruction survey shall be conducted by a qualified biologist to determine the existence of Burrowing Owl. The survey shall be conducted within 30 days prior to construction activities. Results of the preconstruction survey shall be prepared in a letter given to CDFG for their review and approval prior to any construction activities.

Measure 2: If nesting sites are found, the CDFG's (1995) guidelines for Burrowing Owl "Staff Report on Burrowing Owl Mitigation" shall be consulted and the Project proponent shall select one of the following measures for implementation by a qualified biologist:

a. Destroy vacant burrows prior to March 1 and/or after August 31.
b. Redesign the Project temporarily or permanently to avoid occupied burrows or nest sites until after the nesting/fledgling season.
c. Delay Project construction activities until after the nesting/fledgling season (March 1 through August 31).
d. Install artificial burrows in open space areas of the Project site and wait for passive relocation of the Burrowing Owl.
e. Active relocation of Burrowing Owl with conditions. The Project proponent shall fund relocation of Burrowing Owl to unoccupied, suitable habitat which is permanently preserved (up to 6.5 acres per nesting pair) in the open space on the Project site or off-site at a recognized Burrowing Owl mitigation bank.

6.3 Nesting Birds (including raptors).

Measure 1: If construction activities will occur during the nesting season of February through August, including tree nest removal, a preconstruction survey shall be conducted by a qualified biologist for nesting birds (which includes migratory birds covered under the Migratory Bird Treaty Act) on the Project site. Also, adjacent lands will be surveyed with emphasis on large trees which have the potential for nesting raptors. Results of the preconstruction survey shall be prepared in a letter and given to the CDFG for their review and approval prior to any construction activities.

Measure 2: If any active nests are observed, the nests shall be designated as an Environmentally Sensitive Area and protected (while occupied) during construction activities. The CDFG shall be contacted, consulted, and avoidance measures, specific to each incident, shall be developed in cooperation with the Project proponent, and a qualified biologist. No birds or their nests (including migratory birds covered under the Migratory Bird Treaty Act) will be impacted and no take will occur.

Level of Significance after Mitigation: With incorporation of recommended mitigation, environmental impacts will be reduced to less than significant levels.

IMPACT: **Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service; or have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act through direct removal, filling, hydrological interruption, or other means.**

Level of Significance before Mitigation: Potentially significant impact.

Mitigation

6.4 Wetlands shall be delineated on the site by the developer and a 50-foot no disturbance buffer maintained around the outer edge of these areas.

Level of Significance after Mitigation: With the incorporation of recommended mitigation, potential environmental impacts will be reduced to less than significant levels.

IMPACT: **Interfere with the movement of native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.**

Level of Significance before Mitigation: Potentially significant impact

Mitigation: Mitigation Measures 6.1, 6.2 and 6.3 shall apply. No additional mitigation is recommended.

Level of Significance after Mitigation: With the incorporation of recommended mitigation, potential environmental impacts will be reduced to less than significant levels.

IMPACT: **Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance; or conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.**

Level of Significance before Mitigation: No impact.

Mitigation: None required.

7.0 CULTURAL RESOURCES

IMPACT: **Cause an adverse change in the significance of an historical resource pursuant to Section 15064.5 of the CEQA Guidelines.**

Level of Significance before Mitigation: Potentially significant

Mitigation:

7.1 In the event any as yet undetected historical resources are encountered in the Project area at a future time, the City of Selma will comply with the requirements of all local, state and federal regulations that protect important historical resources, and notify the Fresno County Planning Department to determine the nature and extent of such resources and the appropriate measures to mitigate potential adverse impacts.

7.2 All structures 50 years of age or greater shall be surveyed prior to development by a certified cultural specialist for potential inclusion on the Local Register of Historic Places. If found to be eligible, the developer shall preserve the structure in place or, in cooperation with the City of Selma, move the structure to a suitable location.

Level of Significance after Mitigation: With incorporation of recommended mitigation, potential impacts will be reduced to less than significant levels.

IMPACT: **Cause an adverse change in the significance of an archaeological or paleontological resource and/or could disturb human remains, including those interred outside of formal cemeteries pursuant to CEQA Section 15064.5 and Section 21083.2 of the Public Resources Code.**

Level of Significance before Mitigation: Potentially significant impact.

Mitigation

7.3 In the event any as yet undetected archaeological or paleontological resources are encountered in the Project area at a future time, the City of Selma will comply with the requirements of all local, state and federal regulations that protect important historical resources.

7.4 The following measures shall be implemented for cultural resources discovered during project implementation activities:

a. In the event that important archaeological or paleontological resources are encountered during Project construction, all earth-moving activity in the specific construction area shall cease until the applicant retains the services of a qualified archaeologist or paleontologist. The archaeologist or paleontologist shall examine the findings, assess their significance, and offer recommendations for procedures deemed appropriate to either further investigate or mitigate adverse impacts on those important archaeological or paleontological resources that have been encountered. No additional work shall take place within the immediate vicinity of the find until the identified appropriate actions have been completed. Project personnel shall not collect or retain artifacts found at the site.

b. If human remains are found during any Project construction on the Project site, all work shall stop in the vicinity of the find and the Fresno County Coroner shall be contacted immediately. If the remains are determined to be Native American, the Coroner shall notify the Native American Heritage Commission. The Native American Heritage Commission shall notify the person considered to be the most likely descendant. The most likely descendant will work with the Project applicant to develop a program for the re-interment of the human remains and any associated artifacts.

Level of Significance after Mitigation: With incorporation of recommended mitigation, potential impacts will be reduced to less than significant levels.

8.0 GEOLOGY, SOILS, AND MINERALS

IMPACT: **Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death, involving; rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault, strong seismic ground shaking, and seismic-related ground failure, including liquefaction or landslides.**

Level of Significance before Mitigation: Less than significant impact.

Mitigation: None required.

IMPACT: **Result in substantial soil erosion or the loss of topsoil.**

Level of Significance before Mitigation: Potentially significant impact.

Mitigation

8.1 Developers shall prepare a grading plan for all proposed development in the Project area that is in compliance with City of Selma construction standards and the International Building Code.

Level of Significance After Mitigation: The recommended mitigation measure will reduce potential impacts to less than significant levels.

IMPACT: **Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on-site or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse; or be located on expansive soil.**

Level of Significance: Less than significant impact.

Mitigation: None required.

IMPACT: **Result in the loss of availability of a known mineral resource or result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan.**

Level of Significance: No impact.

Mitigation: None required.

IMPACT: **Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater.**

Level of Significance: No impact.

Mitigation: None required.

9.0 HAZARDS AND HAZARDOUS MATERIALS

IMPACT: **Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials; or create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.**

Level of Significance: Less than significant impact.

Mitigation: None required.

IMPACT: **Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.**

Level of Significance: No impact.

Mitigation: None required.

IMPACT: **Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.**

Level of Significance: No impact.

Mitigation: None required.

IMPACT: **Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment.**

Level of Significance: No impact.

Mitigation: None required.

IMPACT: **Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands.**

Level of Significance: No impact.

Mitigation: None required.

IMPACT: **For a project located within an airport land use plan or where such plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area.**

Level of Significance before Mitigation: Potentially significant impact.

Mitigation

9.1 The proposed Project shall be referred to the Fresno County Airport Land Use Commission for review and evaluation as to its consistency with the *Fresno County Airports Land Use Policy Plan.* The Project shall be referred to the Commission prior to an action taken by the City of Selma.

9.2 The City shall require a "buyer notification statement" as a requirement for the transfer of title of any property location with the Project site. The statement shall indicate that the buyer is aware of the proximity of an airport, the characteristics of the airport's current and projected activity, and the likelihood of aircraft over flights of the affected property.

Level of Significance after Mitigation: With incorporation of recommended mitigation, potential impacts will be reduced to less than significant levels.

IMPACT: **For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing in the project area.**

Level of Significance: No impact.

Mitigation: None required.

10.0 HYDROLOGY

IMPACT: **Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of preexisting nearby wells would drop to a level that would not support existing land uses or planned uses for which permits have been granted).**

Level of Significance before Mitigation - Potentially significant impact.

Mitigation

10.1 Phases 1 and 2 of the proposed commercial development south of Rockwell Pond shall mitigate potential impacts to groundwater overdraft and recharge by one of the following methods:

a. Payment by the developer of an annual assessment to the Consolidated Irrigation District of $130/per acre foot of additional consumptive use for the 94-acre project (estimated at $18,460 annually).

b. Fund and develop recharge enhancement Project 11 as described in the Engineers Report (July 2007). The developer shall take the lead in contracting the improvements on a schedule satisfactory to the Consolidated Irrigation District.

c. Fund and develop recharge enhancement Project 12 as described in the Engineers Report (July 2007). The developer shall take the lead in contracting the improvements on a schedule satisfactory to the Consolidated Irrigation District.

Level of Significance after Mitigation - With the incorporation of mitigation, potential environmental impacts will be reduced to less than significant levels.

IMPACT: **Violate any water quality standards or waste discharge requirements; substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site; create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff; or otherwise substantially degrade water quality.**

Level of Significance before Mitigation - Potentially significant impact.

Mitigation

10.2 Developers in the Project area shall be required to comply with all local, state and Federal regulations with regards to surface water runoff from construction sites, surface water runoff from new urban development, erosion control, and the protection of domestic water quality. The City of Selma shall require Best Management Practices in construction contracts, consistent with NPDES General Construction Activity Storm Water Permit requirements.

10.3 Developers in the Project area shall be responsible for required improvements to the surface water runoff facilities required to serve proposed project. Capital costs for design and construction of drainage facilities are the responsibility of the developer. If a project is required to construct non-project improvements as part of the drainage plan, related costs will be reimbursed as other development occurs in the area under an agreement with the City of Selma.

10.4 Development south of Rockwell Pond shall discharge all storm water into on-site basins designed to accommodate up to 44.6 acre feet of runoff (26.6 acre feet for Phase 1 and 18.0 acre feet for Phase 2). Basins shall be designed so as not to discharge into facilities of the Consolidated Irrigation District, including but not limited to Rockwell Pond.

10.5 All improvements to facilities of the Consolidated Irrigation District shall be developed in conformance with the Districts Standard Details and Development Standards.

10.6 Fencing of the Rockwell Pond area shall be consistent with fencing criteria acceptable to the Consolidated Irrigation District.

Level of Significance after Mitigation: With incorporation of mitigation, potential environmental impacts will be reduced to less than significant levels.

IMPACT: **Place housing within a 100-year flood hazard area; place within a 100-year flood hazard area structures which would impede or redirect flood flows; expose people or structures to a significant risk of loss, injury or death involving flooding.**

Level of Significance before Mitigation: Less than significant impact.

Mitigation: None required.

IMPACT: **Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam; or inundation by seiche, tsunami, or mudflow.**

Level of Significance before Mitigation: No impact.

Mitigation: None required.

11.0 LAND USE AND PLANNING

IMPACT: **Includes features that could physically divide an established community.**

Level of Significance Before Mitigation: No impact.

Mitigation: None required.

IMPACT: **Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the Project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect.**

Level of Significance Before Mitigation: Potentially significant impact.

Mitigation

11.1 Prior to annexation and development, the Selma City Council shall approve a General Plan Amendment (GPA) to change the present land use designation adopted in the Selma General Plan and the Northwest Specific Plan to Regional Commercial.

Level of Significance after Mitigation: With the incorporation of recommended mitigation, impacts to land use would be reduced to less than significant levels.

IMPACT: **Conflict with any applicable habitat conservation plan or natural community conservation plan.**

Level of Significance Before Mitigation: No impact.

Mitigation: None required.

12.0 NOISE

IMPACT: **Exposure of persons to or generation of noise levels in excess of standards established in the Selma Noise Ordinance (Municipal Code, Title VI, Chapter 17), which specifies that noise in commercial areas is considered excessive if it exceeds 60 dB between 10 pm and 7 am or 65 dB between 7 am and 10 pm.**

Level of Significance Before Mitigation: Less than significant impact.

Mitigation: None required

IMPACT: **Exposure of persons to or generation of excessive ground-borne vibration or ground-borne noise levels; or a substantial permanent, temporary, or periodic increase in ambient noise levels in the Project vicinity above levels existing without the Project, defined as 5 dB.**

Level of Significance Before Mitigation: Less than significant.

Mitigation: None required.

IMPACT: **For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels.**

Level of Significance before Mitigation: Potentially significant impact.

Mitigation

12.1 The proposed Project shall be referred to the Fresno County Airport Land Use Commission for review and evaluation as to its consistency with the *Fresno County Airports Land Use Policy Plan.* The Project shall be referred to the Commission prior to an action taken by the City of Selma.

12.2 The City shall require a "buyer notification statement" as a requirement for the transfer of title of any property location with the Project site. The statement shall indicate that the buyer is aware of the proximity of an airport, the characteristics of the airport's current and projected activity, and the likelihood of aircraft over flights of the affected property.

Level of Significance after Mitigation: With incorporation of recommended mitigation, potential impacts will be reduced to less than significant levels.

13.0 POPULATION AND HOUSING

IMPACT: **Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure).**

Level of Significance Before Mitigation: No impact.

Mitigation: None required.

IMPACT: **Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere, or displace substantial numbers of people, necessitating the construction of replacement housing elsewhere.**

Level of Significance Before Mitigation: Less than significant impact.

Mitigation: None required.

14.0 PUBLIC SERVICES, RECREATION, AND UTILITIES SERVICE SYSTEMS

14.3.1 Fire Protection

IMPACT: **Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered fire protection facilities, need for new or physically altered fire protection facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives.**

Level of Significance before Mitigation: Potentially significant impact

Mitigation

14.1 The developer shall pay Public Facilities Impact Fees for proposed developments as established by the City of Selma in accordance with the requirements of State law.

14.2 All development in the Project area shall comply with applicable, current requirements under the International Building Code, Uniform Fire Codes, and City Standards.

Level of Significance After Mitigation: With incorporation of recommended mitigation, potential environmental effects will be reduced to less than significant levels.

14.4.1 Law Enforcement

IMPACT: **Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered police protection facilities, need for new or physically altered police protection facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives.**

Level of Significance before Mitigation: Potentially significant impact.

Mitigation

14.3 Developers shall pay Public Facilities Impact Fees for proposed developments established by the City in accordance with the requirements of State law.

14.4 To reduce potential service calls to the Project area, the City of Selma Police Department shall be consulted during site planning and design to ensure that adequate provisions for crime prevention are incorporated into the Project design.

Level of Significance After Mitigation: With incorporation of recommended mitigation, potential environmental effects will be reduced to less than significant levels.

14.5.1 Schools

IMPACT: **Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered school facilities, need for new or physically altered school facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives.**

Level of Significance Before Mitigation: Potentially significant impact.

Mitigation

14.5 Prior to the issuance of building permits, the applicant shall be responsible for the payment of school facility impact fees as adopted by the Selma Unified School District.

Level of Significance After Mitigation: With incorporation of recommended mitigation, impacts will be reduced to less than significant levels.

14.6.1 Parks and Recreation

IMPACT: **Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated; or does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?**

Level of Significance Before Mitigation: No impact.

Mitigation: None required.

14.7.1 Sewer Service

IMPACT: **Would the project exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board; require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects; or result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments.**

Level of Significance Before Mitigation: Potentially significant impact.

Mitigation

14.7 The developer shall pay Public Facilities Impact Fees as established by the City in accordance with City land development policies.

14.8 The developer shall pay sewer connection fees at the building permit stage in order to defray the City's investment in trunk lines, pumps, force mains, and the assessment district.

14.9 The developer shall be required to contribute to the extension of necessary infrastructure to the Project site at developer's expense. Near term development projects in the Project area that are required to fund specific improvements beyond the Project's anticipated usage shall be reimbursed by subsequent development proponents that will fund their anticipated share and monies will be returned to the original development proponents who funded the initial improvements.

14.10 For each phase of the Project, a determination shall be required by SKF that there is sufficient capacity in the wastewater treatment plant to serve the proposed development.

Level of Significance after Mitigation: With incorporation of recommended mitigation, potential impacts will be reduced to less than significant levels.

14.8.1 Storm Drainage

IMPACT: Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

Please see Section 10.0, Hydrology, for analysis of storm water drainage and mitigation.

14.9.1 Water Service

IMPACT: Have sufficient water supplies available to service the project from existing entitlements and resources, or are new or expanded entitlements needed.

Level of Significance before Mitigation - Potentially significant impact.

Mitigation

14.11 Developers in the Project area shall be responsible for required improvements to the domestic water system necessary to serve proposed projects. Capital costs for design and construction of the water distribution system, new wells and pumps, transmission lines, storage facilities, distribution system, SCADA, meters, storage and booster pump stations, and so on are the responsibility of the developer, who may also be responsible for per lot assessment fees to cover costs associated with development of new wells in accordance with California Public Utility Commission (CPUC) rules. Developers in the Project area shall be required to prepare a water piping plan for review and approval by Cal Water.

Level of Significance after Mitigation: With incorporation of recommended mitigation, potential environmental impacts will be reduced to less than significant levels.

14.10.1 Solid Waste

IMPACT: Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs, and comply with federal, state, and local statutes and regulations related to solid waste.

Level of Significance Before Mitigation: Less than significant impact.

Mitigation: None required

14.11.1 Electricity and Natural Gas

IMPACT: Increase the demand for electricity and natural gas.

Level of Significance before Mitigation: Potentially significant impact.

Mitigation

14.12 The developer shall work closely with PG&E to ensure that development of electrical and natural gas infrastructure is located and provided concurrently with roadway construction and in accordance with PUC regulations. The developer shall grant all necessary easements for installation of electrical and natural gas facilities, including utility easements along future on-site service roads.

14.13 Implement mitigation measure 5.18 set forth in Section 5.0 of this EIR.

Level of Significance after Mitigation: With incorporation of recommended mitigation, potential environmental impacts will be reduced to less than significant levels.

15.0 TRAFFIC

IMPACT: Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system; or exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways.

Level of Significance before Mitigation: Potentially significant impact.

Mitigation

Existing Plus Project Phase 1 Conditions

In order to mitigate the impacts at the intersection of Rockwell Pond Site Access and Floral Avenue, the intersection will require signalization with the following lane configurations:

- Eastbound: one left-turn lane and one through lane;
- Westbound: one through lane with a shared right turn;
- Northbound: does not exist; and
- Southbound: one left-turn lane and one right-turn lane.

Existing Plus Project Phases 1 and 2 Conditions

In order to mitigate the impacts at the intersection of Rockwell Pond Site Access and Floral Avenue, the intersection will require signalization with the following lane configurations:

- Eastbound: one left-turn lane and one through lane;
- Westbound: one through lane and one right-turn lane;
- Northbound: does not exist; and
- Southbound: two left-turn lanes and one right-turn lane.

In order to mitigate the impacts at the intersection of SR 99 Southbound Off Ramp and Floral Avenue, the intersection will require widening to the following lane configurations:

- Eastbound: three through lanes and one right-turn lane;
- Westbound: one left-turn lane and two through lanes;
- Northbound: one right-turn lane; and
- Southbound: one left-turn lane, one shared left-turn/through lane, and two right-turn lanes.

In order to mitigate the impacts at the intersection of Highland Avenue and Floral Avenue, the intersection will require widening to the following lane configurations:

- Eastbound: two left-turn lanes, three through lanes, and one right-turn lane;
- Westbound: two left-turn lanes, two through lanes, and one right-turn lane;
- Northbound: two left-turn lanes, two through lanes, and one right-turn lane; and
- Southbound: one left-turn lane, two through lanes, and two right-turn lanes.

In order to mitigate the impacts at the intersection of Whitson Street and Floral Avenue, the intersection will require widening to the following lane configurations:

- Eastbound: one left-turn lane, two through lanes, and one right-turn lane;
- Westbound: one left-turn lane and two through lanes, and one right turn;
- Northbound: two left-turn lanes, two through lanes, and one right-turn lane; and
- Southbound: one left-turn lane and two through lanes with a shared right turn.

In order to mitigate the impacts at the intersection of McCall Avenue and Floral Avenue, the intersection will require widening to the following lane configurations:

- Eastbound: one left-turn lane and two through lanes with a shared right turn;
- Westbound: one left-turn lane and two through lanes with a shared right turn;
- Northbound: one left-turn lane and two through lanes with a shared right turn; and
- Southbound: one left-turn lane, one through lane, and one right-turn lane.

Year 2010 With Project Phase 1 Conditions

In order to mitigate the impacts at the intersection of Rockwell Pond Site Access and Floral Avenue, the intersection will require signalization with the following lane configurations:

- Eastbound: one left-turn lane and one through lane;
- Westbound: one through lane and one right-turn lane;
- Northbound: does not exist; and
- Southbound: one left-turn lane and one right-turn lane.

In order to mitigate the impacts at the intersection of SR 99 Southbound Off Ramp and Floral Avenue, the intersection will require widening to the following lane configurations:

- Eastbound: three through lanes and one right-turn lane;
- Westbound: one left-turn lane and two through lanes;
- Northbound: one right-turn lane; and
- Southbound: one left-turn lane, one shared left-turn/through lane, and two right-turn lanes.

In order to mitigate the impacts at the intersection of Highland Avenue and Floral Avenue, the intersection will require widening to the following lane configurations:

- Eastbound: two left-turn lanes, three through lanes, and one right-turn lane;
- Westbound: two left-turn lanes, two through lanes, and one right-turn lane;
- Northbound: two left-turn lanes, two through lanes, and one right-turn lane; and
- Southbound: one left-turn lane, two through lanes, and two right-turn lanes.

It should be noted that the intersection of Highland Avenue and Floral Avenue will operate at LOS D with this configuration. Further mitigations are not considered to be feasible in the year 2010 condition since widening of the freeway bridge would be required. Since most urban areas in central California, most notably the City of Fresno and City of Clovis, accept level of service D, and since the forthcoming Selma General Plan Update includes adoption of level of service D as the City's significance criteria, it is recommended that this condition be considered acceptable, although the impacts would be considered significant and unavoidable.

The Floral Avenue / Highland Avenue / SR 99 interchange was studied in an interchange analysis report dated July 16, 2008 by Peters Engineering Group. The feasibility of the improvements described herein was investigated in the analysis and were deemed to be generally feasible subject to issuance of certain design exceptions and the approval of plans by Caltrans.

In order to mitigate the impacts at the intersection of SR 99 Northbound Off Ramp and Floral Avenue, the intersection will require widening to the following lane configurations:

- Eastbound: three through lanes;
- Westbound: two through lanes;
- Northbound: one left-turn lane and one right-turn lane; and
- Southbound: does not exist.

In order to mitigate the impacts at the intersection of Whitson Street and Floral Avenue, the intersection will require widening to the following lane configurations:

- Eastbound: one left-turn lane, two through lanes, and one right-turn lane;
- Westbound: one left-turn lane and two through lanes, and one right turn;
- Northbound: two left-turn lanes, two through lanes, and one right-turn lane; and
- Southbound: one left-turn lane and two through lanes with a shared right turn.

In order to mitigate the impacts at the intersection of McCall Avenue and Floral Avenue, the intersection will require widening to the following lane configurations:

- Eastbound: one left-turn lane and two through lanes with a shared right turn;
- Westbound: one left-turn lane and two through lanes with a shared right turn;
- Northbound: one left-turn lane and two through lanes with a shared right turn; and
- Southbound: one left-turn lane, one through lane, and one right-turn lane.

In order to mitigate the impacts at the intersection of Golden State Boulevard and Highland Avenue, the intersection will require widening to the following lane configurations:

- Eastbound: one left-turn lane, two through lanes, and one right-turn lane;
- Westbound: one left-turn lane, two through lanes, and one right-turn lane;
- Northbound: one left-turn lane and two through lanes with a shared right turn; and
- Southbound: one shared left-turn/through lane, one through lane, and one right-turn lane.

In order to mitigate the impacts at the intersection of Highland Avenue and the SR 99 southbound ramps, the intersection will require widening to the following lane configurations:

- Eastbound: two right-turn lanes;
- Westbound: does not exist;
- Northbound: two through lanes and one right-turn lane; and
- Southbound: two left-turn lanes and two through lanes.

Year 2015 With Project Phases 1 and 2 Conditions

In order to mitigate the impacts at the intersection of DeWolf and Floral Avenues, the intersection can remain controlled by stop signs on DeWolf Avenue but will require the following lane configurations:

- Eastbound: one left-turn lane and two through lanes with a shared right turn;
- Westbound: one left-turn lane and two through lanes with a shared right turn;
- Northbound: one left-turn lane and one through lane with a shared right turn; and
- Southbound: one left-turn lane and one through lane with a shared right turn.

In order to mitigate the impacts at the intersection of Rockwell Pond Site Access and Floral Avenue, the intersection will require signalization with the following lane configurations:

- Eastbound: one left-turn lane and two through lanes;
- Westbound: two through lanes and one right-turn lane;
- Northbound: does not exist; and
- Southbound: two left-turn lanes and one right-turn lane.

In order to mitigate the impacts at the intersection of SR 99 Southbound Off Ramp / Floral Avenue and Floral Avenue, the intersection will require widening to the following lane configurations:

- Eastbound: four through lanes and one right-turn lane;
- Westbound: two left-turn lanes and three through lanes;
- Northbound: one right-turn lane; and
- Southbound: one left-turn lane, one shared left-turn/through lane, and two right-turn lanes.

In order to mitigate the impacts at the intersection of Highland Avenue and Floral Avenue, the intersection will require widening to the following lane configurations:

- Eastbound: two left-turn lanes, four through lanes, and two right-turn lanes;
- Westbound: two left-turn lanes, four through lanes, and one right-turn lane;
- Northbound: two left-turn lanes, two through lanes, and one right-turn lane; and
- Southbound: two left-turn lanes, two through lanes, and two right-turn lanes.

In order to mitigate the impacts at the intersection of SR 99 Northbound Off Ramp and Floral Avenue, the intersection will require widening to the following lane configurations:

- Eastbound: three through lanes;
- Westbound: three through lanes;
- Northbound: two left-turn lanes and one right-turn lane; and
- Southbound: does not exist.

In order to mitigate the impacts at the intersection of Whitson Street and Floral Avenue, the intersection will require widening to the following lane configurations:

- Eastbound: one left-turn lane, three through lanes, and one right-turn lane;
- Westbound: one left-turn lane and three through lanes with a shared right turn;
- Northbound: two left-turn lanes, two through lanes, and one right-turn lane; and
- Southbound: two left-turn lanes and two through lanes with a shared right turn.

In order to mitigate the impacts at the intersection of McCall Avenue and Floral Avenue, the intersection will require widening to the following lane configurations:

- Eastbound: two left-turn lanes, two through lanes, and one right-turn lane;
- Westbound: one left-turn lane and two through lanes with a shared right turn;
- Northbound: one left-turn lane and two through lanes with a shared right turn; and
- Southbound: one left-turn lane, two through lanes, and one right-turn lane.

In order to mitigate the impacts at the intersection of Golden State Boulevard and Highland Avenue, the intersection will require widening to the following lane configurations:

- Eastbound: one left-turn lane, two through lanes, and one right-turn lane;
- Westbound: one left-turn lane, two through lanes, and one right-turn lane;
- Northbound: one left-turn lane and two through lanes with a shared right turn; and
- Southbound: one shared left-turn/through lane, one through lane, and one right-turn lane.

In order to mitigate the impacts at the intersection of Highland Avenue and the SR 99 southbound ramps, the intersection will require widening to the following lane configurations:

- Eastbound: two right-turn lanes;
- Westbound: does not exist;
- Northbound: two through lanes and one right-turn lane; and
- Southbound: two left-turn lanes and two through lanes.

Cumulative Year 2030 With Project Phases 1 and 2 Conditions

In order to mitigate the impacts at the intersection of DeWolf and Floral Avenues, the intersection should be signalized with the following lane configurations:

- Eastbound: one left-turn lane and two through lanes with a shared right turn;
- Westbound: one left-turn lane and two through lanes with a shared right turn;
- Northbound: one left-turn lane and one through lane with a shared right turn; and
- Southbound: one left-turn lane and one through lane with a shared right turn.

In order to mitigate the impacts at the intersection of Rockwell Pond Site Access and Floral Avenue, the intersection will require signalization with the following lane configurations:

- Eastbound: one left-turn lane and two through lanes;
- Westbound: two through lanes and one right-turn lane;
- Northbound: does not exist; and
- Southbound: two left-turn lanes and one right-turn lane.

In order to mitigate the impacts at the intersection of SR 99 Southbound Off Ramp / Floral Avenue and Floral Avenue, the intersection will require widening to the following lane configurations:

- Eastbound: four through lanes and one right-turn lane;
- Westbound: two left-turn lanes and three through lanes;
- Northbound: one right-turn lane; and
- Southbound: one left-turn lane, one shared left-turn/through lane, and two right-turn lanes.

In order to mitigate the impacts at the intersection of Highland Avenue and Floral Avenue, the intersection will require widening to the following lane configurations:

- Eastbound: two left-turn lanes, four through lanes, and two right-turn lanes;
- Westbound: two left-turn lanes, four through lanes, and one right-turn lane;
- Northbound: two left-turn lanes, two through lanes, and one right-turn lane; and
- Southbound: two left-turn lanes, two through lanes, and two right-turn lanes.

In order to mitigate the impacts at the intersection of SR 99 Northbound Off Ramp and Floral Avenue, the intersection will require widening to the following lane configurations:

- Eastbound: three through lanes;
- Westbound: three through lanes;
- Northbound: two left-turn lanes and one right-turn lane; and
- Southbound: does not exist.

In order to mitigate the impacts at the intersection of Whitson Street and Floral Avenue, the intersection will require widening to the following lane configurations:

- Eastbound: two left-turn lanes, three through lanes, and one right-turn lane;
- Westbound: two left-turn lanes and three through lanes with a shared right turn;
- Northbound: two left-turn lanes, two through lanes, and one right-turn lane; and
- Southbound: two left-turn lanes and two through lanes with a shared right turn.

In order to mitigate the impacts at the intersection of McCall Avenue and Floral Avenue, the intersection will require widening to the following lane configurations:

- Eastbound: two left-turn lanes, two through lanes, and one right-turn lane;
- Westbound: one left-turn lane and two through lanes with a shared right turn;
- Northbound: two left-turn lanes and two through lanes with a shared right turn; and
- Southbound: one left-turn lane, two through lanes, and one right-turn lane.

In order to mitigate the impacts at the intersection of Golden State Boulevard and Highland Avenue, the intersection will require widening to the following lane configurations:

- Eastbound: one left-turn lane, two through lanes, and one right-turn lane;
- Westbound: one left-turn lane, two through lanes, and one right-turn lane;
- Northbound: one left-turn lane and two through lanes with a shared right turn; and
- Southbound: one shared left-turn/through lane, one through lane, and one right-turn lane.

In order to mitigate the impacts at the intersection of Highland Avenue and the SR 99 southbound ramps, the intersection will require widening to the following lane configurations:

- Eastbound: two right-turn lanes;
- Westbound: does not exist;
- Northbound: two through lanes and one right-turn lane; and
- Southbound: two left-turn lanes and two through lanes.

Level of Significance after Mitigation: Generally-accepted traffic engineering principles and methods were employed to estimate the amount of traffic expected to be generated by the Project and to analyze the traffic conditions expected to exist in the future. The conclusion of this study is that mitigation will be required for both opening day and cumulative conditions. In general, the proposed project is expected to contribute to the need to widen Floral Avenue to six lanes at many locations and to provide lane additions at the study intersections. At some locations, Floral Avenue will require widening to four lanes in a single direction. If the required mitigation measures are not feasible, the impact would be considered significant and unavoidable.

IMPACT: Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks.

The Project is located within the traffic pattern of the Selma Aerodrome. Please see Section 9.0, Hazards and Hazardous Materials, for analysis and mitigation concerning airport safety.

IMPACT: Substantially increase hazards due to a design feature or incompatible uses.

Level of Significance before Mitigation: Less than significant.

Mitigation: None required.

IMPACT: Result in Inadequate Emergency Access

Level of Significance before Mitigation: No impact.

Mitigation: None required.

IMPACT: Result in inadequate parking capacity

Level of Significance before Mitigation: No impact.

Mitigation: None required.

IMPACT: Conflict with adopted policies supporting alternative transportation.

Level of Significance before Mitigation: Less than significant impact.

Mitigation: None required.

2.0 PROJECT DESCRIPTION

The City of Selma is the Lead Agency and has the primary responsibility for preparing this Draft Environmental Impact Report (DEIR) in accordance with the California Environmental Quality Act (CEQA) (Public Resource Code, Section 21000, *et. seq.*) and the State Guidelines for implementation of CEQA (Title 14, California Code of Regulations, Section 15000, *et. seq.*).

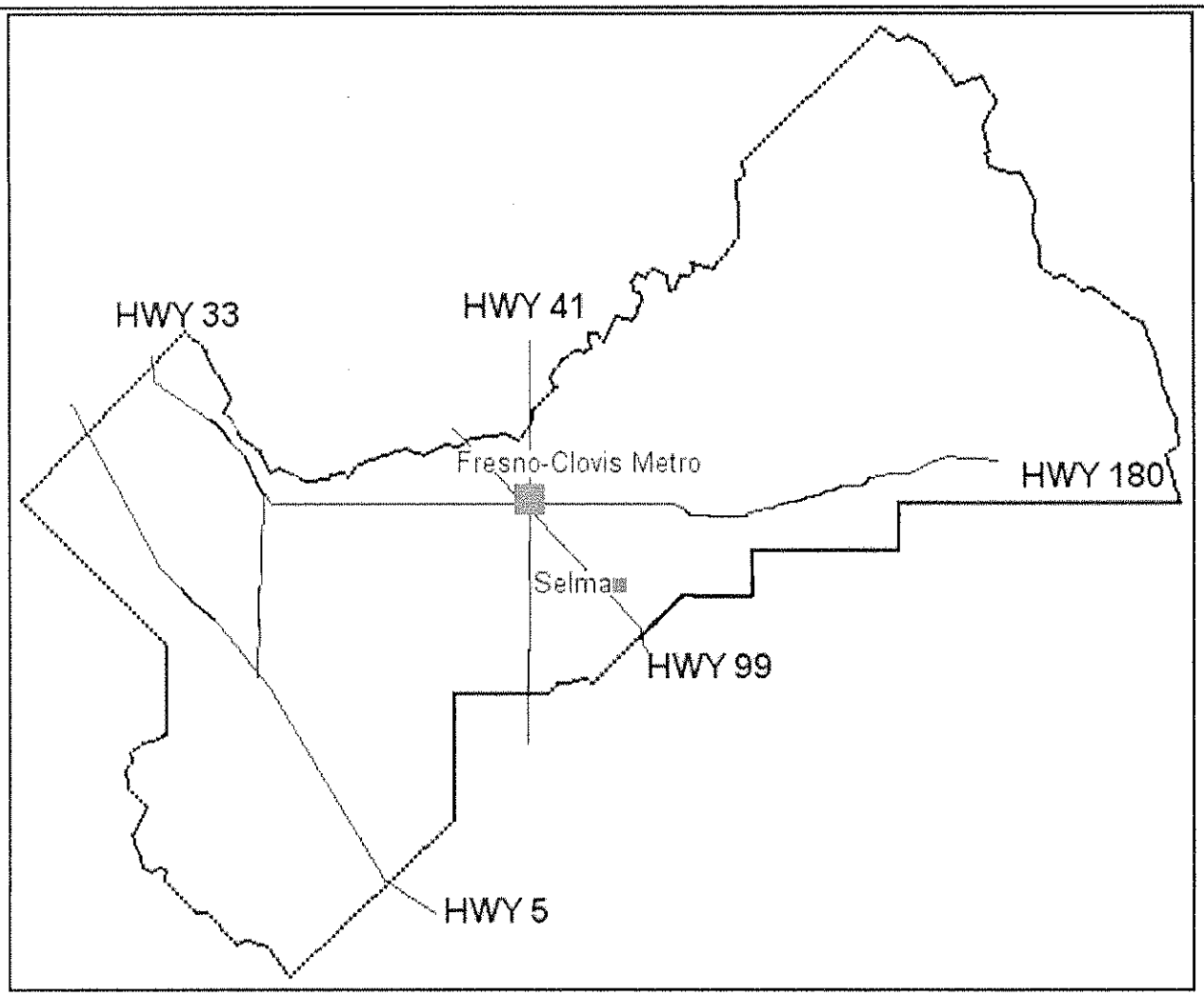
2.1 Project Description and Location

This Draft EIR has been prepared to evaluate the proposed Rockwell Pond Commercial Project, a regional shopping center planned for property located south of Rockwell Pond consisting of about 94 acres. The Project would be developed in two phases. Phase 1 will be initiated as soon as annexation and city entitlements are approved and is anticipated to be complete by 2012. Phase 2 will be initiated about five years following Phase 1 and is anticipated to be completed by 2017. Together, the two phases would result in approximately 973,100 square feet of retail uses. Pre-zoning and annexation of the entire 94 acres would occur with Phase One of the Project.

The Project site is bounded by Floral Avenue to the south, De Wolf Avenue on the west, Rockwell Pond on the north, State Route 99 on the northeast, and existing commercial development (*Wal-Mart, J.C. Penny, Dollar Tree, Big Five, etc.*) to the east. The Project site is located within the Selma Sphere of Influence (SOI) in Fresno County, California and would require annexation to the City. The Project also includes amending the Selma Northwest Specific Plan, which covers the site. Figure 2-1 shows the regional location and Figure 2-2 shows the specific location within the Selma SOI.

As originally proposed and discussed in the EIR Notice of Preparation, the City envisioned adoption of a specific plan to guide the development of an approximate 257-acre planning area, including the Project site. The triangularly-shaped planning area, bounded by Floral Avenue, De Wolf Avenue, and State Route 99, would have extended to Dinuba Avenue at the northern tip of the planning area, and included Rockwell Pond and approximately 110 acres of agricultural land north of the pond. In this area, approximately 91.61 acres located on the east side of De Wolf Avenue north of and adjacent to Rockwell Pond has been purchased by Fresno County for development of a Center for Agriculture and Food Safety. North of the County-owned property is a 19.4 +/- acre triangular-shaped property designated for Regional Commercial use on the Selma General Plan.

It has been determined through the Draft EIR preparation process that development of these properties north of the Project site will likely occur in the long-term future (10-20 years), but funding sources, development plans, and construction dates are unknown. Under these circumstances, a specific plan would have little benefit to the City or to these properties as land uses, environmental conditions, and implementation strategies are likely to change over time. As a result, the City will process a project-level Draft EIR for the commercial portion of the Project only.

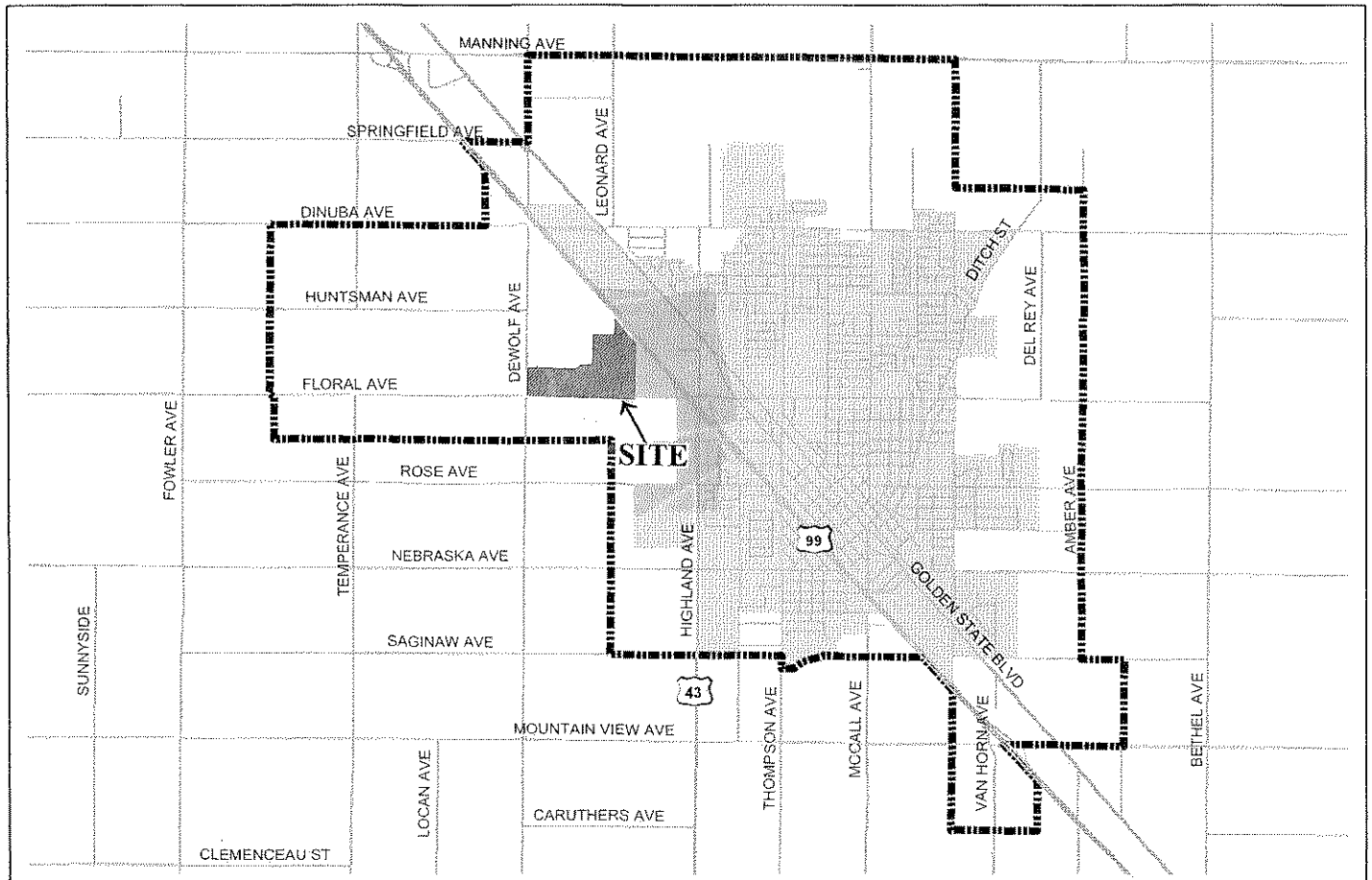


Land Use Associates

NORTH

FIGURE 2-1 – REGIONAL LOCATION MAP
CITY OF SELMA - "ROCKWELL POND COMMERCIAL PROJECT"

FIGURE 2-2 – PROJECT LOCATION MAP



CITY OF SELMA

Incorporated: 1893
SOI Adopted: 6/24/1974
SOI Updated: 7/11/2007
Map Date: October 2008

N
W E
S

0 0.375 0.75 1.5
Miles

Legend
Sphere of Influence
City Limits

FRESNO LOCAL AGENCY FORMATION COMMISSION
CITY OF SELMA SPHERE OF INFLUENCE

Sphere Area 8,289 Acres
City Area 3,243 Acres

The table below presents the proposed land uses for the Project site:

Table 2-1
Rockwell Pond Commercial Project Proposed Mix of Land Uses (Total)

Land Uses	Acres +/- (approximate)	Estimated Sq. ft. (approximate)
Hotel (102 rooms)	3.7	--
Toyota auto dealership	--	44,000 sf
Ford/GM auto dealership	--	33,000 sf
Two Anchor Stores	--	320,000 sf
General Retail	--	174,800 sf
Two Anchor Stores	--	248,000 sf
General Retail	--	153,300 sf
TOTALS (approximate)	**94.0**	**973,100 sf***

The Project site is currently designated as Open Space on the Selma General Plan and the Northwest Specific Plan land use map. Land in the area is designated for agriculture and open space uses on the Fresno County General Plan and zoned AE-20 (Exclusive Agriculture, 20-acre minimum parcel size). Rockwell Pond, a flood control and water recharge area owned by the Consolidated Irrigation District (CID) is located immediately north of the Project site. Rockwell pond is a natural drainage area of approximately 51.7 acres which is planned as both public open space and ponding area.

The Project includes the following actions and approvals:

- Approval of a general plan amendment (GPA) to change the present land use designation of the Selma General Plan and the Northwest Specific Plan from Open Space to Regional Commercial.
- Approval of pre-zoning from Fresno County AE-20 to the City of Selma Zone District C-R. Pre-zoning is required by the Fresno Local Agency Formation Commission (LAFCO) as a prerequisite to annexation. Pre-zoning of the Project site is expected to be considered by the City Council at the time the General Plan amendment is heard.
- Approval of other land use entitlements allowing for the phased development of property on the Project site. Entitlements may include, but are not limited to, tentative and final parcel/ subdivision map(s), conditional use permits, and site plan reviews.
- City authorization to submit applications for annexation to LAFCO and subsequent LAFCO approval of requested annexations;

Project Location - The Project site encompasses approximately 94 acres of unincorporated land located in Fresno County, California. The site lies within the City of Selma's growth corridor along SR 99. The site is bounded by Floral Avenue to the south, De Wolf Avenue on the west, Rockwell Pond on the north, SR 99 on the east/northeast and existing commercial development (Wal-Mart, *et al*) to the east. The Project site is located within the Selma Sphere of Influence (SOI).

The Project site is currently in agricultural use with a number of related rural residential homes. The land is mostly flat with no distinguishing features. Land to the west of De Wolf is in agriculture and Rockwell Pond extends into this area. The Selma Aerodrome is located approximately ½ mile west of De Wolf. Land to the south is in agricultural use. Property to the east is developed with commercial uses.

2.2 Development Phases

Figure 2-3 shows the Project site plan. Phase 1 and Phase 2 of the Project are proposed to be developed in the near term (5-10 years). Phase 1 will be initiated as soon as annexation and city entitlements are approved and it is anticipated to be complete by 2012. Phase 2 of the Project will be initiated about 5 years following Phase 1 and is anticipated to be completed by 2017. Together, the two phases propose approximately 973,100 square feet of retail uses. Pre-zoning and annexation of the entire 94 acres may occur with Phase 1 of the Project. The tables below show the land uses proposed by development phase:

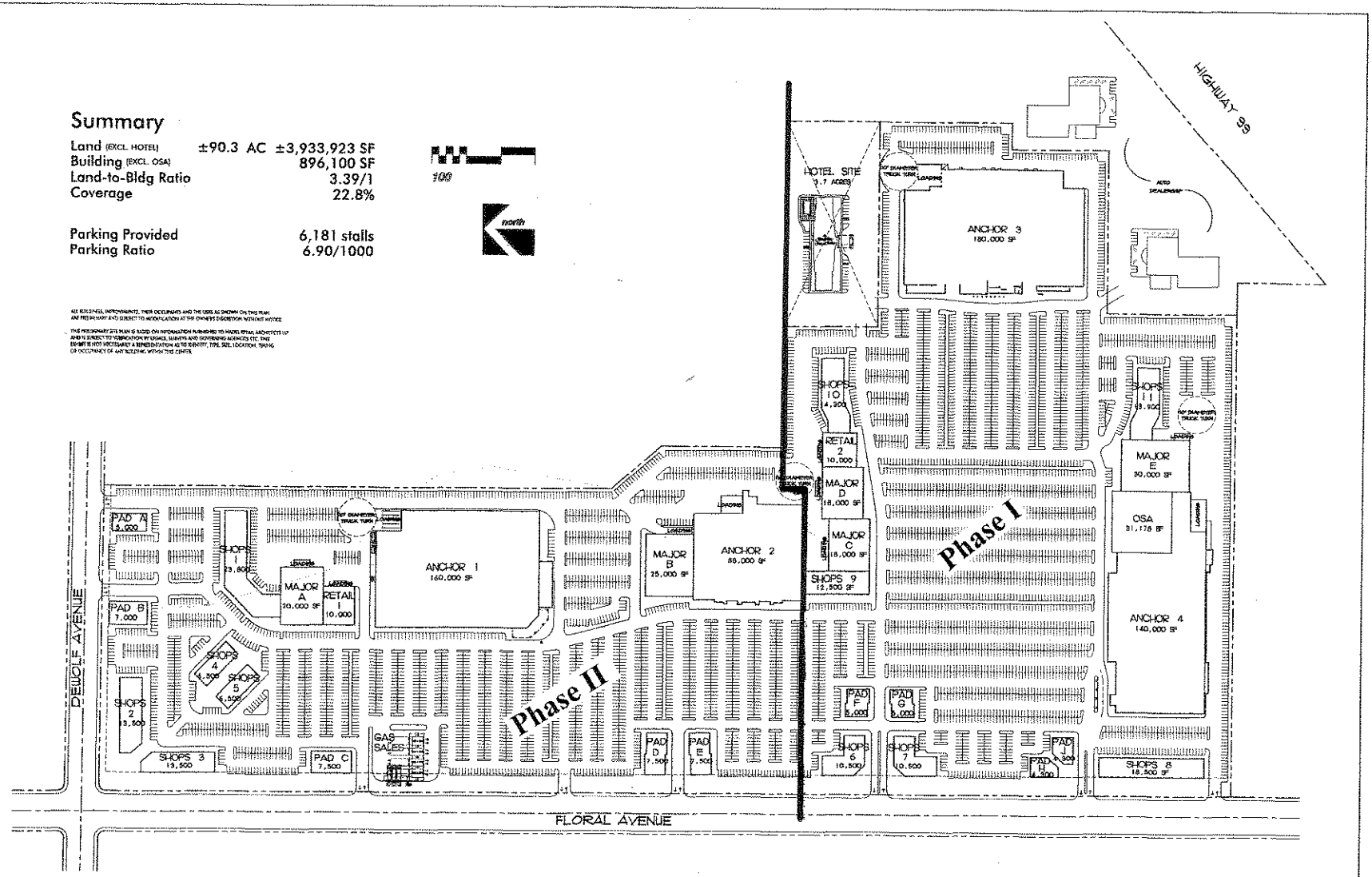
Table 2-2
Phase 1 - Proposed Land Uses

Land Use (Regional Commercial)	**Acres +/-** (approximate – if known)	**Estimated Sq. ft.** (approximate – if known)
Hotel (102 rooms)	3.7	--
Toyota auto dealership	--	44,000 sf
Ford/GM auto dealership	--	33,000 sf
Two Anchor Stores	--	320,000 sf
General Retail	--	174,800 sf
TOTALS (approximate)	**50.2 acres**	**571,800 sf****
*** This total does not include the proposed hotel.*		

Table 2-3
Phase 2 - Proposed Land Uses

Land Use (Regional Commercial)	**Acres +/-** (approximate – if known)	**Estimated Sq. ft.**
Two Anchor Stores	--	248,000 sf
General Retail	--	153,300 sf
TOTALS (approximate)	**43.8 acres**	**401,300 sf**

Annexation. The City will process annexations through the Fresno LAFCO. This process includes the pre-zoning consistent with the adopted land use plan that would only become effective upon annexation. This EIR will be used by LAFCO, acting as a Responsible Agency pursuant to the CEQA Guidelines, in its consideration of the proposed annexations.



PRELIMINARY SITE PLAN - Scheme A1

POWER RETAIL CENTER
SELMA, CA.

DATE: JAN 24, 2007
NADEL JOB#: 05-229

NADEL RETAIL ARCHITECTS, LLP
1999 S. BUNDY DR., FOURTH FLOOR
LOS ANGELES, CA 90025
T 310 826 9700 F 310 826 0182
WWW.NADELARC.COM

NADEL RETAIL

2.3 Project Objectives

The Project has the following objectives:

- To develop a regional commercial shopping center adjacent to State Route 99 that consists of anchors, shops, a hotel, restaurants, new car sales, and big box retailers that enhances the City's unique character and contributes to a positive City image.
- To contribute a fair share of the expense of constructing a circulation system that contributes to local transportation needs and the improvement of the local roadway system including improvements to Floral Avenue and the Floral Avenue/ Highway 43 interchange.
- To prezone proposed development sites consistent with the adopted land use diagram and annex property to the City of Selma through the LAFCO approval process.
- To increase the range of goods and services available to the citizens of Selma and Fresno County and to provide employment opportunities that otherwise would not exist.
- To implement goals and policies of the Selma General Plan for the orderly development of the City.

2.4 Intended Use of the EIR

The City of Selma is the lead agency and has the primary responsibility for preparing this Draft Environmental Impact Report (DEIR). The purpose of a DEIR is to provide objective planning and environmental information to guide and assist decision makers, lead agency staff, responsible and trustee agencies, and the public in their evaluation of the environmental effects that may result from the implementation of a proposed project. A DEIR may be used by the Lead Agency as a basis to modify, approve, or deny a proposed project based on the analysis provided.

The City will use this DEIR when it considers land use entitlements and other permits needed for implementation of development on the Project site. The DEIR will also be used by the Fresno LAFCO as the CEQA document for annexation of territory. Other agencies may use this document to consider various applications, permits and approvals as development is proposed.

2.5 Final EIR, EIR Certification, and Project Approval

Written and oral comments received in response to the Draft EIR will be addressed in the Final EIR. The Final EIR will include comments received on the Draft EIR, responses to comments, any revisions to the Draft EIR, and the Mitigation Monitoring Program (MMP). After reviewing the public record and the Draft EIR, the Selma City Council will consider the FEIR, the Project, staff's recommendations, and public testimony and will decide whether to certify the EIR and approve or deny the Project.

CEQA requires that a Lead Agency neither approve nor carry out a project unless significant environmental effects have been reduced as much as feasible. The Selma City Council must respond to each significant effect identified in the DEIR and is required to certify that it has reviewed and considered the information contained in the Final EIR prior to taking action on the Project.

The Selma City Council will balance the benefits of the proposed Project against its unavoidable environmental risks. If any environmental impacts remain significant and unavoidable, the City Council may still approve the project if it believes that social, economic, or other benefits outweigh the unavoidable impacts. The Council would then be required to make "findings" and state in writing the specific reasons for approving the Project based on information in the FEIR and other information in the public record as a "statement of overriding considerations."

If the City Council certifies the EIR and approves the Project, a Notice of Determination will be filed with the Fresno County Clerk and the State Governor's Office of Planning and Research.

2.6 Analysis Approach

Under CEQA, a significant effect on the environment is defined as a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project, including land use, transportation, air quality, water and sewer, noise, cultural and historical resources, and geology. This Draft EIR discusses mitigation measures that could be implemented by the City to reduce potential adverse impacts to the extent feasible. Each environmental topic area analyzed in this EIR is discussed in the following format:

Introduction: A brief statement containing background information necessary for understanding the topic under evolution.

Environmental Setting: Each chapter contains a description of the environmental setting and/or local conditions as they relate to each environmental topic.

Regulatory Framework: Each chapter identifies applicable policies, plans and regulations that are germane to the Project.

Standards of Significance: The criteria for determining significance are thresholds that can be quantitative (traffic, air quality, noise) or qualitative (aesthetic, cultural resources). Appendix G of the California Environmental Quality Act (CEQA) provides guidance for assessing the significance of potential environmental impacts. Standards for determining levels of significance used to characterize the Project in this EIR are listed below:

- **No Impact**: The impact would cause no change or a minor/insignificant change in the environment. No mitigation is required.

- **Less than Significant:** The impact would cause no substantial change in the environment, or the impact is less than significant as defined by the applicable thresholds of significance. No mitigation is required

- **Potentially Significant:** A potentially significant impact is defined as a significant, or potentially significant, adverse effect on the environment. Mitigation is available to reduce the impact to a less than significant level.

- **Significant and Unavoidable:** An impact is considered to be significant and unavoidable when it results in a substantial adverse effect on the environment for which no mitigation and no alternative has been identified as feasible to reduce the impact to a less than significant level.

Impact Analysis: Each chapter presents discussions that describe potential and actual impacts, causes, and whether or not impacts are considered significant prior to mitigation.

Mitigation Measures: Project-specific mitigation measures are identified to reduce the impact to the degree feasible. Explanatory text is included, as necessary, to describe the effects of each mitigation measure. (CEQA Guidelines Section 15126.4 and 15370).

Impact after Mitigation: A discussion of the level of impact of the proposed Project following the implementation of required or recommended mitigation measures (CEQA Guidelines Sections 15126.2 and 15126.4).

Formulation of Mitigation Measures. The CEQA Guidelines (Section 15370) define mitigation as:

- Avoiding the impact altogether by not taking a certain action or parts of an action;
- Minimizing impacts by limiting the degree of magnitude of the action and its implementation;
- Rectifying the impact by repairing, rehabilitating, or restoring the affected environment;
- Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action; and
- Compensating for the impact by replacing or providing substitute resources or environments.

When potentially significant impacts are identified, feasible mitigation measures are formulated to eliminate or reduce the intensity of the impacts to less-then-significant levels. The effectiveness of a mitigation measure is subsequently determined by evaluating the impact remaining after its application. Any impacts exceeding the impact significance criteria after mitigation are considered residual impacts that remain significant. Implementation of more than one mitigation measure may be needed to reduce an impact to less-then-significant levels or to the greatest extent feasible.

2.7 Mitigation Monitoring

CEQA requires public agencies to set up monitoring or reporting programs for the purpose of ensuring compliance with those mitigation measures adopted or made as a condition of project approval in order to mitigate or avoid significant environmental effects identified in environmental impact reports. A mitigation monitoring program, incorporating the mitigation measures set forth in this document, will be considered and acted upon by the Selma City Council for adoption concurrent with adoption of the required findings and prior to implementation of the proposed Project.

3.0 AESTHETICS

This chapter evaluates potential environmental impacts of the Project on the visual and aesthetic character of the Project site and vicinity. Issues include potential impacts to scenic views and vistas, potential disturbance of rural characteristics, alteration of agricultural uses (from the perspective of aesthetics), and impacts associated with an increase in light sources.

3.1 Environmental Setting

Agriculture and its related activities have been essential to the existence and growth of Selma. Consequently, the Project site is in, and is surrounded by, rural/agricultural uses. The Project site is mostly flat with no distinguishing features. The Project would result in conversion of agricultural, open space and rural residential land to urban uses. The Project site is currently designated Open Space on the Selma General Plan and Northwest Specific Plan land use maps. Even though land to the north, south and west is in agriculture/rural/open space use, the planning area is located adjacent to a major freeway-commercial area located generally at Floral Avenue and SR 99.

3.2 Regulatory Framework

California Scenic Highway Program – Administered by Caltrans, the program was established in 1963 to preserve and enhance California's natural scenic beauty and to protect the social and economic values provided by the State's scenic resources (*see California Streets and Highways Code (Section 260 et seq.*). A primary function of the program is to protect scenic highway corridors from changes that would diminish the aesthetic value of the adjacent land. Caltrans has compiled a list of state highways that are designated as scenic and county highways which are eligible for designation as scenic.

City of Selma - Development of the Project site and vicinity would be primarily regulated by the goals and policies of the Selma general plan, the Selma Zoning Ordinance, and the policies and development standards adopted in the City's *Commercial and Industrial Development Manual.* Adopted policies and development standards that regulate the aesthetic quality of proposed projects are enforced during the City's entitlement process through site plan review and conditional use permit applications.

3.3 Standards of Significance, Impact Analysis, and Mitigation

The CEQA Guidelines define a significant aesthetic impact as one that has a substantial and demonstrable negative aesthetic effects. For purposes of this Draft EIR, the criterion that defines such an impact are the obstruction of important views or project development in a manner inconsistent with adopted community policies and ordinances related to aesthetics.

Appendix G of the CEQA Guidelines provides guidance for assessing the significance of potential environmental impacts. Relative to aesthetics, a project will have a significant effect on the environment if it will:

- Have a substantial adverse affect on a scenic vista;
- Substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway;
- Substantially degrade the existing visual character or quality of the site and its surroundings; or
- Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area.

Impact Analysis and Mitigation Measures

IMPACT: **Have a substantial adverse affect on a scenic vista or substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway.**

A review of the state scenic highways administered by Caltrans and a physical survey of the planning area determined that none of the roadways adjacent to the Project site are designated as state scenic highways. Project development would not result in the obstruction of federal, state or locally classified scenic vistas, or formally classified scenic resources such as a scenic highway, national scenic area, or state scenic area. Project development would not damage scenic resources, including trees, rock outcroppings, and historic buildings within a state scenic highway. Additionally, there are no hiking trails or navigable rivers located near the Project site.

Level of Significance: No Impact.

Mitigation: None required.

IMPACT: **Substantially degrade the existing visual character or quality of the site and its surroundings.**

Implementation of the Project will bring about new development within the Project site, which is located adjacent to Selma's commercial-industrial growth corridor along SR 99. Currently, lands to the north, south and west are in agriculture or rural use. Present views of rural homes, agricultural uses, and vacant land/open space would change over time to that of urban uses.

Public views of the Project site are principally from segments of Floral and De Wolf Avenues, SR 99, existing commercial development to the east, and adjacent privately owned properties. Although these views will be altered by future urban development, new views would be typical of contemporary urban settings found throughout the Central Valley along SR 99.

The City of Selma considers the aesthetic quality of proposed projects during the processing of required development entitlements. Developers are required to comply with all development and design standards and conditions of approval.

Additionally, developers are required to submit detailed site plans and elevations, color renderings and/or a color and materials board, landscaping plan, sign program and all other required plans, and documentation to the City for review and approval before building permits are issued.

While implementation of the Project would ultimately bring new development into the Project area, such development would not substantially degrade the existing visual character or quality of the area or its surroundings. Development of the Project site would be regulated by the goals and policies of the Selma General Plan, the Selma Zoning Ordinance, and the policies and development standards adopted in the City's *Commercial and Industrial Development Manual.* Adopted policies and development standards that regulate the aesthetic quality of proposed projects would be enforced during the City's entitlement process through site plan review and conditional use permit applications. Consequently, the Project would not result in either objectionable or obtrusive structures that would affect the visual character of the area and would not substantially degrade the overall character of the area.

Level of Significance: Less than significant impact.

Mitigation: None required.

IMPACT: Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area.

Urban development brings with it the potential for new light sources from commercial areas, street lights, and parking-lot lighting. Development may include operation of outdoor security lighting in parking areas and on building exteriors. New light may also radiate from within buildings which may be visible from adjacent areas. Lighting associated with new development, however, does not generally create hazards or nuisance effects, but typically provides accent, direction, and security.

New development on the Project site will create ambient light which has the potential to impact the nighttime sky. Light shields, lighting design, and landscaping are commonly used to reduce light pollution by blocking the conveyance of light upwards. The result is that lights are not as visible from above and do not add substantial ambient light to the nighttime sky.

Interior lighting has the potential to create a source of light spillage onto adjacent development and roadways. Proper light shields, lighting design, landscaping and certain building materials can be used to reduce light spillage from new structures, lessening the amount of light spillage that occurs from the interior of buildings.

Light reflecting off surfaces during daylight hours has the potential to create a source of glare in the vicinity of new projects. Glare reducing materials may be required, as necessary, to reduce the impact of glare from reflective surfaces such as windows and other building materials.

Urban light and glare sources in the area are currently generated by SR 99 and development along the highway adjacent to the Project site to the east. Light and glare from new development would be typical of existing and other new urban development and would be regulated through the City's adopted policies and development standards that regulate light and glare from proposed projects.

Developers are required to submit a lighting plan for approval in conjunction with development applications. New lighting is required to be properly shielded and directed downward and away from adjoining properties and rights-of-way. Lighting fixtures are required to be designed to produce the minimum amount of light necessary for safety purposes. Parking lot pole lights and street lights must be hooded to reduce light spillage and glare. Night lighting is limited to that necessary for security, safety, and identification and is required to be screened from adjacent areas. Project designs are required to include the use of glare reducing materials, including non-reflective paints and building materials, to reduce the amount of glare created by new structures.

Development standards that address light and glare would be enforced during the City's entitlement process through the processing of site plan review and conditional use permit applications.

Level of Significance: Less than significant impact.

Mitigation: None required.

4.0 AGRICULTURAL RESOURCES

This chapter examines impacts the Project could have on agricultural resources, including land under Williamson Act contracts.

4.1 Environmental Setting

The City of Selma is largely surrounded by productive agricultural land. The primary land use on the Project site is agriculture with a number of related rural residential homes. Lands west of De Wolf Avenue are in agriculture use, with Rockwell Pond extending into this area. The Selma Aerodrome is located approximately ½ mile west of De Wolf. Property to the south is in agricultural use. Land to the east is developed with commercial uses. SR 99 is located to the east/ northeast.

The Project site is designated as Open Space on the Selma General Plan, and is designated for agriculture and open space uses in the Fresno County General Plan. Implementation of the Project would result in the phased conversion of agricultural, open space and rural residential land to urban uses.

Since the early 1950s, Fresno County has been the leading agricultural county in the United States in the value of farm products. The Fresno County Agriculture Commissioner's *2007 Annual Crop Report* indicated that the gross production value of agricultural products in the County increased from $2.27 billion in 1987 to $5.38 billion in 2007, a 10.35% increase over 2006 and an increase of $3.1 billion in twenty years.

Conversion of agricultural land to urban uses is an important public policy issue in Fresno County. Since most of the county's 15 cities are at least partially surrounded by productive agricultural soils, new growth often brings about the conversion of agricultural land to urban uses. A common issue is the transitional nature of farmland on city fringes.

While California has made the protection of farmland a statewide priority, local government has been given the responsibility to carry out the bulk of such protection. General Plans adopted by most cities in Fresno County typically include goals and policies aimed at balancing the preservation of agricultural land with the increasing demands for housing, economic development, job creation and other types of urban uses.

Planning Area Soils. The Natural Resources Conservation Service (NRCS) within the U.S. Department of Agriculture rates the agricultural suitability of soils in terms of the *Soil Capability Classification* and the *Storie Index Rating System* to determine the agricultural productivity of soils. The Soil Capability Classification System classes range from Class I soils, which have few limitations for agriculture, to Class VIII soils, which are unsuitable for agriculture. A general description of soil classification, as defined by the NRCS, is provided in Table 4-1. The NRCS definitions of the six soil grades as well as the soil index ranges are provided in Table 4-2.

Table 4-1
Soil Capability Classification

CLASS	DEFINITION
I	Soils have few limitations that restrict their use.
II	Soils have moderate limitations that reduce the choice of plants, or that require special conservation practices.
III	Soils have severe limitations that reduce the choice of plants, require conservation practices, or both.
IV	Soils have very severe limitations that reduce the choice of plants, require very careful management, or both.
V	Soils are not likely to erode but have other limitations; impractical to remove that limit their use largely to pasture or range, woodland, or wildlife habitat.
VI	Soils have severe limitations that make them generally unsuited to cultivation and limit their use largely to pasture, or range, woodland, or wildlife habitat.
VII	Soils have very severe limitations that make them unsuited to cultivation and that restrict their use largely to pasture or range, woodland, or wildlife habitat.
VIII	Soils and landforms have limitation that preclude their use for commercial plant production and restrict their use to recreation, wildlife habitat, or water supply, or to aesthetic purposes.

Data Source: USDA Soil Conservation Service, Soil Survey of Sacramento County, April 1993.

Table 4-2
Storie Index Rating System

GRADE	INDEX RATING	DEFINITION
1 Excellent	80 through 100	Soils are well suited to intensive use for growing irrigated crops that are climatically suited to the region.
2 Good	60 through 79	Soils are good agricultural soils, although they may not be so desirable as Grade 1 because of moderately coarse, coarse, or gravelly surface soil texture; somewhat less permeable subsoil; lower plant available water holding capacity, fair fertility; less well drained conditions, or slight to moderate flood hazards, all acting separately or in combination.
3 Fair	40 through 59	Soils are only fairly well suited to general agricultural use and are limited in their use because of moderate slopes; moderate soil depths; less permeable subsoil; fine, moderately fine or gravelly surface soil textures; poor drainage; moderate flood hazards; or fair to poor fertility levels, all acting alone or in combination.
4 Poor	20 through 39	Soils are poorly suited. They are severely limited in their agricultural potential because of shallow soil depths; less permeable subsoil; steeper slope; or more clayey or gravelly surface soil textures than Grade 3 soils, as well as poor drainage; greater flood hazards; hummocky micro-relief; salinity; or fair to poor fertility levels, all acting alone or in combination.
5 Very Poor	10 through 19	Soils are very poorly suited for agriculture, are seldom cultivated and are more commonly used for range, pasture, or woodland.
6 Non-Agricultural	Less than 10	Soils are not suited for agriculture at all due to very severe to extreme physical limitations, or because of urbanization.

Data Source: USDA Soil Conservation Service, Soil Survey of Sacramento County, April 1993.

Site soils on the Project site are shown on Figure 4-1 and Soil Classifications of each soil are shown in Table 4-3. The Project site is considered Prime Farmland.

DhA Delhi loamy sand, 0 to 3% slopes
DhB Delhi loamy sand, 3 to 9% slopes
Hc Hanford Sandy loam
DeA Delhi sand, 0 to 3% slopes
DeB Delhi sand, 3 to 9% slopes

Land Use Associates

NORTH

FIGURE 4-1 – SOILS MAP OF THE PROJECT SITE

CITY OF SELMA - "ROCKWELL POND COMMERCIAL PROJECT"

Table 4-3
Soil Characteristics and Ratings on the Project Site

Map Symbol	Name of Soil	Capability Class (Irrigated)	Story Index	Rating
DhA	*Delhi loamy sand, 0 to 3% slopes*	3-s4	72	Prime
DhB	*Delhi loamy sand, 3 to 9% slopes*	3-s4	68	Prime
Hc	*Hanford sandy loam*	2-s4	95	Prime
DeA	*Delhi sand, 0 to 3% slope*	3-s4	51	Non-Prime
DeB	*Delhi sand, 3 to 9% slope*	3-s4	49	Non-Prime

4.2 Regulatory Framework

State of California

The California Department of Conservation's (DOC) Farmland Mapping and Monitoring Program (FMMP) identifies critical agricultural lands and tracks the conversion of these lands to other uses. Through the Important Farmland maps and related databases, DOC maintains an ongoing inventory of farmland and projects to convert farmland to urban and other uses. The FMMP is a non-regulatory program that provides a consistent analysis of agricultural land use and land use changes throughout California. Agricultural resources are separated into major land categories:

- **Prime Farmland:** Lands with the best combination of physical and chemical features and able to sustain long term production of agricultural crops.
- **Farmland of Statewide Importance:** Lands similar to Prime Farmland but with minor shortcomings such as greater slopes or less ability to store soil moisture.
- **Unique Farmland:** Lands with lesser quality soils used to produce leading agricultural crops. Includes non-irrigated orchards or vineyards.
- **Farmland of Local Importance:** Lands of importance to the local agricultural economy, as determined by each county's board of supervisors and a local advisory committee.
- **Grazing Land:** Lands on which existing vegetation is suited to livestock grazing.

California Land Conservation Act (Williamson Act). The California Land Conservation Act, or Williamson Act, provides tax incentives to landowners who voluntarily enter into a long-term contract with cities or counties to maintain their lands as farmlands. Under the contract, lands are prohibited from being converted to urban uses for ten years. The contract is automatically renewed each year to maintain the 10-year time horizon. To remove land from the contract, a land owner must file a notice of non-renewal.

Once a notice of non-renewal has been processed, the land value assessed is incrementally increased to reach market value ten years from the time the notice is filed, at which time the contract expires. After filing a notice of non-renewal, the owner may also file a request for cancellation. Following review and recommendation from the State Department of Conservation, a public hearing is held at which time the agency must make specific findings to cancel the contract. Cancelation also requires the payment of a fee to the State equal to 12.5% of the market value of the property as determined by the County assessor.

Local Regulations

Fresno County. The Fresno County General Plan contains a number of policies to support the goal of long-term preservation and protection of agricultural resources. For example, Policy LU-A.1 states that new development should be located within existing urban areas. Policies LU-A.12 and LU-A.13 protect agricultural activities from encroachment of incompatible land uses. Policy LU-A.14 enables the County to condition permits for residential development adjacent to agricultural areas by recording a Right-to-Farm Notice. Policies LU-A.15, LU-A.16, LU-A.20 and LU-B.14 also provide direction for the County to consider establishing several agricultural conservation programs, including setting up criteria to determine which lands should receive priority funding for land conservation easements, establishing an agricultural mitigation fee program to help offset development on agricultural lands, and participation in the Agricultural Land Stewardship Program Fund.

The County Agricultural Commissioner's Office utilizes various regulations and procedures to minimize agricultural impacts on adjacent non-agricultural properties, including the issuance of pesticide application permits, providing agricultural land use recommendations on development projects, and sponsoring a range of educational programs and services. The County also enforces a Right-to-Farm Ordinance. This ordinance helps protect farming operations from interruptions due to land use conflicts with adjacent properties. The intent of the ordinance is to allow farmers to conduct normal farming operations (harvest crops, till soil, or spray crops) without interference from nearby land owners. In essence, it allows farmers to conduct their operations as needed.

Local Agency Formation Commission. The Project requires approval of annexation by the Fresno LAFCO. LAFCOs discourage urban sprawl and encourage the preservation of open-space and prime agricultural lands (California Government Code sections 56301, and 56300(a). LAFCO law defines "Prime Agricultural Land" as land currently used for producing an agricultural commodity for commercial purposes, land left fallow under a crop rotational program, or land enrolled in an agricultural subsidy or set-aside program (Cortese\Knox\Hertzberg Local Government Reorganization Act of 2000 - California Government Code sections 56016 and 56064).

Council of Fresno County Governments (COG). In October 2006, the California Partnership for the San Joaquin Valley adopted a Strategic Action Plan that included recommendations for conserving important farmland as a strategy for maintaining agricultural economic viability. In March 2007, the Partnership awarded a $200,000 grant to the Fresno COG to design and implement a Model Farmland Conservation Program (MFCP) to help achieve this goal and serve as an example to other counties in the Valley. Fresno COG was assisted with this project by the American Farmland Trust (AFT). The purpose of the MFCP is to design and implement a coordinated set of local policies and techniques to conserve land and water resources necessary for Fresno County agriculture to remain economically viable.

The Fresno County Model Farmland Ordinance was released for review in December 2008. In general, the report recognizes that agricultural lands within existing SOIs will be developed, but recommends that strategic farmlands outside of existing Spheres of Influence be conserved, and that cities adopt strict policies regulating the expansion of SOIs.

City of Selma. Goals and policies in the 1997 Selma General Plan address the issue of agricultural land preservation. The following goals and policies from the Land Use Element were adopted to lessen the impact of urban growth on surrounding farmland.

GOAL 1.0 **Protect adjacent and nearby agricultural lands within the City Sphere of Influence, while providing for logical growth of the City.**

Policy 1.1 To the maximum extent feasible, prime agricultural lands should not be designated for urban development to preserve the lands as a natural resource, and to provide a buffer between existing and future development in the City and neighboring cities.

Policy 1.2 The premature conversion of producing agricultural lands to urban uses is discouraged. Steps to curb conversion of these lands include the use of Williamson Act contracts and "right to farm" covenants.

Policy 1.4 Support Fresno County General Plan objectives and policies which, protect agricultural lands by maintaining large agricultural parcel sizes and preventing the development of these parcels until it is appropriate to be annexed into the City for development.

Policy 1.5 Support Fresno County General Plan objectives and policies which direct new urban development within the Selma Sphere of Influence to the City.

Policy 1.6 Support agricultural industries within the City, but not in the unincorporated areas of the Selma Sphere of Influence. The City should discourage industry in unincorporated lands as it would blur the City edge and create demand for annexation and City services.

Policy 1.7 Require a "right to farm" covenant to be recorded for all development adjacent to producing agricultural lands, in order to provide notice to future owners and protect the farming activities.

Policy 1.8 New developments in the community should be sequential, and contiguous to existing development, to ensure the orderly extension of municipal services and preservation of a free flowing circulation system.

Policy 1.9 While the City prefers contiguous urban development this may not always be feasible or possible given short-term ownership and development constraints. However, leapfrog development greater than ¼ mile from existing urban uses should be discouraged. Such development should be required to submit an analysis of the fiscal and service impacts the development would have upon the City.

Policy 1.10 The in-fill of existing vacant lands should be encouraged over development on the periphery of the community.

Policy 1.11 Development of peninsulas of urban development into agricultural lands should be discouraged.

Policy 1.12 In cooperation with Fresno County and the Fresno Local Agency Formation Commission, the City should adopt and maintain a Sphere of Influence consistent with this General Plan. The sphere of influence shall serve the mutual interests of the County and City by preserving agriculture uses in a development vulnerable area while protecting the ultimate growth area of the City from potential incompatible or unplanned urban uses.

Policy 1.13 The City should discourage extension of urban services for land which will not be annexed into the City for greater than one year, except when required to eliminate health and safety problems in existing developments.

Policy 1.14 The City shall oppose untimely urban development in the unincorporated areas of the Sphere of Influence.

(The City of Selma is currently updating its General Plan, including Agricultural Preservation goals and policies. The General Plan update had not been adopted when this DEIR was published.)

Mitigating Loss of Agricultural Lands

To stem the tide of agricultural land conversion, state and local governments are employing a number of strategies including prohibitions on development, traditional zoning restrictions, and incentive-based programs that encourage the continuation of traditional agriculture. Some jurisdictions impose specific off-site mitigation. Such mitigation allows for the development of certain agricultural lands in exchange for off-site mitigation. Mitigation usually involves the permanent preservation of existing farmland, which is in some proximity to the land being developed, through conservation easements or deeds of development rights.

Off-site mitigation ideally allows farmland under the greatest development pressure, where long-term agricultural uses are least viable, to be developed as part of a comprehensive pattern of contiguous development. Simultaneously, this mitigation strategy provides for the permanent protection of viable agricultural lands that would otherwise be in the path of development in the future, creating a permanent buffer between developed areas and large areas of farmland.

Potential impacts to "agricultural resources" must be studied as part of the environmental review process under CEQA. Impacts to agricultural resources include the conversion of agricultural land to non-agricultural uses and conflicts with existing zoning for agricultural use or a Williamson Act contract. Where impacts to agricultural resources are found to be significant, any feasible mitigation measure that would avoid or substantially lessen such environmental effects must be adopted. Mitigation might include:

- Avoiding the impact altogether by not taking a certain action or parts of an action.
- Minimizing impacts by limiting the degree or magnitude of the action and its implementation.
- Rectifying the impact by repairing, rehabilitating, or restoring the impacted environment.
- Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action.
- Compensating for the impact by replacing or providing substitute resources or environments.

CEQA does not, however, provide for specific types of mitigation measures that can or should be adopted to mitigate significant impacts on agricultural resources, leaving the determination of how best to mitigate such impacts to the discretion of local agencies.

4.3 Standards of Significance, Impact Analysis, and Mitigation

Appendix G of the CEQA Guidelines provides guidance for assessing the significance of potential environmental impacts. Pursuant to the CEQA Guidelines, development of the Project could have a significant impact on agriculture resources if it results in any of the following:

- Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency to non-agricultural use?
- Conflict with existing zoning for agricultural use, or a Williamson Act contract?
- Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to nonagricultural use?

Impact Analysis and Mitigation

IMPACT: Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency to non-agricultural use.

The goals and policies of the Selma General Plan serve to partially mitigate potential impacts to agriculture lands from new growth and development. Under these goals and policies, adjacent and nearby agricultural lands within the Selma Sphere of Influence are preserved, while providing for logical growth of the City. The premature conversion of producing agricultural lands to urban uses is discouraged. Steps to curb conversion of these lands include the use of Williamson Act contracts and "right to farm" covenants. The goals and policies of the plan support Fresno County General Plan objectives and policies which protect agricultural lands by maintaining large agricultural parcel sizes and preventing the development of these parcels until it is appropriate to be annexed into the City for development.

The City opposes untimely urban development in the unincorporated areas of its Sphere of Influence. The City also requires a "right to farm" covenant to be recorded for all development adjacent to producing agricultural lands, in order to provide notice to future owners and protect farming activities. Leapfrog development is discouraged, and the in-fill of existing vacant lands is encouraged over development on the periphery of the city. Development of peninsulas of urban development into agricultural lands is also discouraged.

Implementation of the Project would result in the conversion of Prime Farmland to non-agricultural uses. The Project would result in designating existing agricultural land with urban land uses and the future rezoning of agricultural land for commercial uses. The loss of productive agricultural land resulting from implementation of the Project will be irreversible. Implementation of the Project would ultimately result in the loss of approximately 94 acres of Prime Farmland at full build-out.

In its consideration of the Project, the Selma City Council will determine if the proposed development is timely and appropriate and if the conversion of agricultural land to urban uses is consistent with the goals and policies of the Selma General Plan and/or other long range policy documents. In making its decision, the City may consider other factors important to the community, such as population growth, economic development, and creation of employment opportunities.

Level of Significance before Mitigation: Significant unavoidable impact.

Mitigation

4.1 Future development in the Project area that brings about the conversion of Prime Farmland to non-agricultural uses shall be required to mitigate the loss of such agricultural lands in one or more of the following ways:

a. The acquisition of conservation easements on agricultural land located elsewhere in Fresno County.

b. Participation in a "Mitigation Fee" program to offset the impacts of development on agricultural land, if such a program has been implemented by the City of Selma.

c. Contribution of required funds to a nonprofit agricultural land trust whose primary purpose is the preservation of agricultural land, if such an organization has been formed at the time development is proposed.

d. Implementation of appropriate and feasible mitigation recommended in the Farmland Conservation Program administered by Council of Fresno County Governments (COG).

e. Participation in any other conservation program acceptable to the City of Selma including, but not limited to, transferable development credits, and transfer of development rights.

Level of Significance after Mitigation: Even with incorporation of recommended mitigation, this impact remains significant and unavoidable.

IMPACT: **Conflict with existing zoning for agricultural use, or a Williamson Act contract.**

There are no lands subject to a Williamson Act Contract on the Project site and Project development would not lead directly to the cancellation of a contract. Future development, however, could take place on lands north of Rockwell Pond where Fresno County has purchased land for the proposed Center for Agriculture and Food Safety. These parcels (APNs 348-130-62s and 348-130-63s) are subject to Agricultural Land Conservation Contracts (Nos. 6772 and 6773). Development of the Rockwell Pond Commercial Project and the associated extension of services and the Selma City boundary in this area could hasten development of the Center for Agriculture and Food Safety and the removal of these parcels from the Williamson Act.

There are no Williamson Act Contracts on the Project site, but contracts do exist north of Rockwell Pond. In the event development is proposed on these parcels, the California Government Code allows for the removal of Williamson Act Contracts under certain specific conditions. Compliance with Government Code provisions will reduce potential impacts of removal of lands from the Williamson Act Contracts to a less than significant level.

Level of Significance before Mitigation: Less than significant impact.

Mitigation: None required.

IMPACT: **Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to nonagricultural use.**

The presence of new urban development could influence the conversion of agricultural lands surrounding the Project site. Conversion of this agricultural land could result from increases in property values leading to the development of urban uses on adjacent agricultural land.

Implementation of the Project would also facilitate development of urban uses adjacent to existing and/or planned agriculture. Farming produces effects that urban residents may find objectionable. Likewise, farmers often incur additional costs associated with living in close proximity to urbanized areas. A number of potential conflicts are likely when urban areas encroach on farmland, including:

- ***Farm Equipment Storage.*** Farmers often accumulate equipment to use for parts, but urban neighbors see the collection of equipment as a junkyard and complain to code enforcement. Similar problems result from dilapidated storage sheds, barns and other structures.
- ***Trespassing and Theft.*** Farmers have greater risk liability when increasing numbers of people are tempted to wander onto farm property. Theft can also have a major impact on a farmer's livelihood.
- ***Pets.*** New residents bring pets that may attack livestock. For example, dog attacks cause livestock stress, which can reduce the number of lambs born in sheep operations or reduce milk production in dairies.
- ***Noise.*** Machinery often operates late into the night during harvest season and other times of the year.
- ***Pesticide Issues.*** The increased proximity of urban populations heightens concern that drifting pesticides will create human health risks and damage property.

Conflicts between farm operations and new urban development can be partially mitigated by using design elements that increase the distance between farmland and residential properties near urban limit lines.

The City of Selma requires developers to execute a Right-to-Farm Covenant which will be made a part of the subdivision development agreement. This legal covenant must be recorded with the final tract map(s). Implementation of a Right-to-Farm covenant requirement would inform residents to be prepared to accept nuisances associated with agricultural activities. Furthermore, a Right to-Farm covenant allows existing agricultural operations to continue so that farmers do not have to alter their operations in accordance with future resident's desires. Right to Farm deed restrictions, however, do not exempt farmers, agricultural processors or others from compliance with relevant laws. Agricultural and agricultural processing operations must comply with all state, federal and local laws and regulations applicable to the operations.

Level of Significance before Mitigation: Significant impact.

Mitigation

4.2 Development on the Project site shall provide a minimum 100-foot buffer/transition area measured from the edge of an adjacent agricultural area. Where new development is separated from agricultural uses by an existing or planned roadway, the roadway may be located within the 100-foot buffer/transitions area.

4.3 All new development within the City shall provide a right-to-farm deed restriction recognizing the right to farm on adjacent agricultural properties.

4.4 Mitigation measure 4.1 shall apply.

Level of Significance after Mitigation: With incorporation of recommended mitigation, impacts will be reduced to a less than significant level.

5.0 AIR QUALITY AND GREENHOUSE GAS EMISSIONS

This chapter addresses Project related impacts on air quality related to mobile source emissions, stationary source emissions, area source emissions, and odors. Federal and state air quality regulations and relevant Selma City and Fresno County General Plan policies are presented. Information contained in this chapter was obtained from the San Joaquin Valley Air Pollution Control District (SJVAPCD), the Selma City and Fresno County general plans, and other background documentation.

5.1 Environment Setting

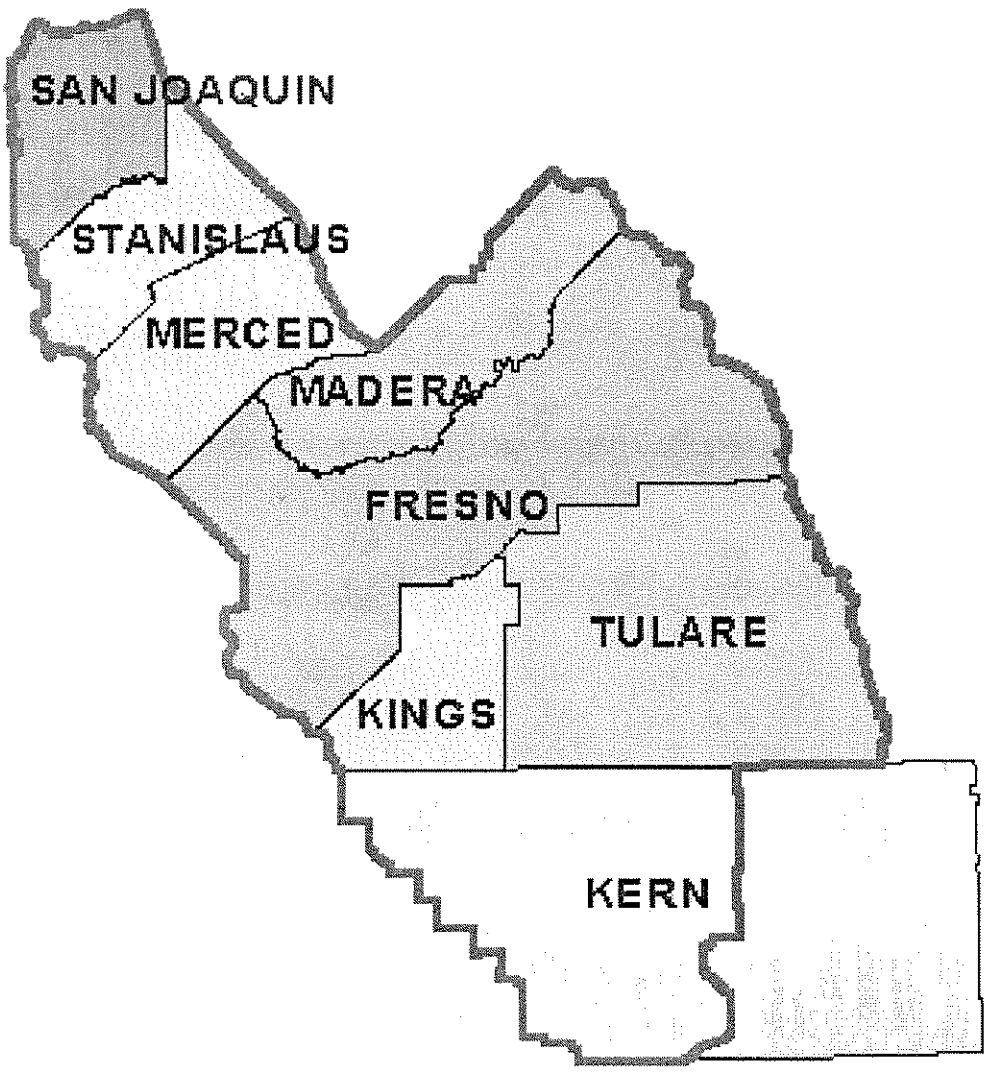
Selma is located in the San Joaquin Valley Air Basin (SJVAB), shown in Figure 5-1, which occupies the southern half of the Central Valley and is approximately 250 miles long and 35 miles wide. The Coast Range serves as the western border of the SJVAB. The Tehachapi Mountains, part of the Sierra Nevada, are located to the south of the SJVAB. The Sierra Nevada extends in a northwesterly direction and forms the eastern boundary of the SJVAB. The ranges to the west and south induce winter storms from the Pacific to release precipitation on their western slopes, producing a partial rain shadow over the valley. In addition, the mountain ranges block the free circulation of air to the east resulting in the entrapment of stable air in the valley for extended periods during cooler months.

Winter in the SJVAB is characterized as mild and humid, while the summer is hot and dry. During summer, a Pacific high-pressure cell is centered over the northeastern Pacific Ocean, resulting in stable meteorological conditions and a steady northwesterly wind flow. In winter, the high-pressure cell weakens and shifts southward, resulting in wind flow offshore and storms. Summer temperatures that often exceed 100 degrees coupled with clear sky conditions are favorable to ozone formation. Winds and unstable atmospheric conditions associated with winter storms result in periods of low air pollution and excellent visibility. However, between winter storms, high pressure and light winds lead to the creation of temperature inversions and stable atmospheric conditions which results in high CO and PM concentrations. Summer wind conditions promote the transport of ozone and its precursors from the Bay Area through the Carquinez Strait, Altamont Pass, and Pacheco Pass.

With respect to Selma, the annual normal precipitation is approximately 11 inches. January temperatures normally range from a low of 34 degrees to a high of 54 degrees. July temperatures normally range from a low of 62 degrees to a high of 97 degrees. The predominant wind direction and speed is from the north-northwest at 8 miles per hour.

5.2 Regulatory Framework

Air quality is regulated by several agencies including the Environmental Protection Agency (EPA), the California Air Resources Board (CARB), and the San Joaquin Valley Air Pollution Control District (SJVAPCD). Each of these agencies develops rules and/or regulations to attain the goals or directives imposed upon them through legislation. Although EPA regulations may not be superseded, both State and local regulations may be more stringent. In general, air quality evaluations are based upon air quality standards developed by the federal government and several State agencies. Emissions limitations are then imposed upon individual sources of air pollutants by local agencies, such as the SJVAPCD. Mobile sources of air pollutants are largely controlled through federal and State agencies, while most stationary sources are regulated by the SJVAPCD.



Land Use Associates NORTH

FIGURE 5-1 – SAN JOAQUIN VALLEY AIR BASIN

"ROCKWELL POND COMMERCIAL PROJECT"

U.S. Environmental Protection Agency

The federal Clean Air Bill first adopted in 1967 and periodically amended since then, established federal ambient air quality standards. A 1987 amendment to the Bill set a deadline for the attainment of these standards. That deadline has since passed. The other federal Clean Air Bill Amendments, passed in 1990, share responsibility with the State in reducing emissions from mobile sources. U.S. Environmental Protection Agency (U.S. EPA) is responsible for enforcing the 1990 amendments.

The Federal Clean Air Act (CAA) and the national ambient air quality standards identify levels of air quality for six "criteria" pollutants, which are considered the maximum levels of ambient air pollutants considered safe, with an adequate margin of safety, to protect public health and welfare. The six criteria pollutants include ozone, CO, nitrogen dioxide, sulfur dioxide, particulate matter 10 microns in size and smaller (PM_{10}), and lead.

The U.S. EPA requires each state to prepare and submit a State Implementation Plan (SIP) that describes how the state will achieve the federal standards by the specified dates, depending on the severity of the air quality within the state or basin. Based on the provisions contained in the 1990 amendment, EPA designated the entire San Joaquin Valley as non-attainment for two pollutants: ozone and particle matter less than 10 microns in size or PM_{10}.

More recently, on April 24, 2004, the EPA reclassified the San Joaquin Valley ozone nonattainment area from its previous severe status to "extreme" at the request of the San Joaquin Air Pollution Control District Board. On December 17, 2004, EPA took action to designate attainment and non-attainment areas under the more protective national air quality standards for fine particles or $PM_{2.5}$.

Fresno County is considered to be in non-attainment of ozone, PM_{10} and $PM_{2.5}$ standards.

California Air Resources Board (CARB)

The California Air Resources Board (ARB) is the agency responsible for coordination and oversight of state and local air pollution control programs in California and for implementing its own air quality legislation called the California Clean Air Act (CCAA), adopted in 1988. The ARB was created in 1967 from the merging of the California Motor Vehicle Pollution Control Board and the Bureau of Air Sanitation and its Laboratory. The ARB has primary responsibility in California to develop and implement air pollution control plans designed to achieve and maintain the NAAQS established by the EPA. Whereas the ARB has primary responsibility and produces a major part of the SIP for pollution sources that are statewide in scope, it relies on the local air districts to provide additional strategies for sources under their jurisdiction. The ARB combines its data with all local district data and submits the completed SIP to the EPA. The SIP consists of the emissions standards for vehicular sources and consumer products set by the ARB, and attainment plans adopted by the APCDs and AQMDs and approved by the ARB.

States may establish their own standards, provided the state standards are at least as stringent as the NAAQS. California has established California Ambient Air Quality Standards (CAAQS) pursuant to California Health and Safety Code (CH&SC) [§39606(b)] and its predecessor statutes. The CH&SC [§39608] requires the ARB to "identify" and "classify" each air basin in the state on a pollutant-by-pollutant basis.

Subsequently, the ARB designated areas in California as nonattainment based on violations of the CAAQSs. Designations and classifications specific to the SJVAB can be found in the next section of this document. Areas in the state were also classified based on severity of air pollution problems. For each nonattainment class, the CCAA specifies air quality management strategies that must be adopted. For all nonattainment categories, attainment plans are required to demonstrate a five-percent-per-year reduction in nonattainment air pollutants or their precursors, averaged every consecutive three-year period, unless an approved alternative measure of progress is developed. In addition, air districts in violation of CAAQS are required to prepare an Air Quality Attainment Plan (AQAP) that lays out a program to attain and maintain the CCAA mandates.

Other ARB duties include monitoring air quality. The ARB has established and maintains, in conjunction with local air pollution control districts (APCDs) and air quality management districts, a network of sampling stations (called the State and Local Air Monitoring [SLAMS] network), that monitor pollutant levels present in the ambient air.

Fresno County is in the CARB-designated, San Joaquin Valley Air Basin (SJVAB). A map of the SJVAB is provided in Figure 5-1. In addition to Fresno County, the SJVAB includes San Joaquin, Kern, Kings, Madera, Merced, Stanislaus, and Tulare Counties.

Federal and State standards for criteria pollutants are provided in Table 5-1.

San Joaquin Valley Air Pollution Control District

The San Joaquin Valley Air Pollution Control District (SJVAPCD or District) is the agency responsible for monitoring and regulating air pollutant emissions from stationary, area, and indirect sources within Fresno County and throughout the SJVAB. The District also has responsibility for monitoring air quality and setting and enforcing limits for source emissions. CARB is the agency with the legal responsibility for regulating mobile source emissions. The District is precluded from such activities under State law.

The District was formed in mid-1991 and prepared and adopted the San Joaquin Valley Air Quality Attainment Plan (AQAP), dated January 30, 1992, in response to the requirements of the State CCAA. The CCAA requires each non-attainment district to reduce pertinent air contaminants by at least five percent (5%) per year until new, more stringent, 1988 State air quality standards are met.

The District is the agency empowered to regulate air pollutant emissions. The District regulates air quality through its permit authority for most types of stationary emission sources and through its planning and review activities for other sources. Table 5-2 contains the ambient air quality classifications for the San Joaquin Valley Air Basin.

Table 5-1: Federal and State Ambient Air Quality Standards

Pollutant	Averaging Time	California Standards [a] Concentration	Federal Standards [b] Primary [c]
Ozone	1 Hour	0.09 ppm (180 µg/m3)	- - -
	8 Hour	0.07 ppm (137 µg/m3)	0.075 ppm (147 g/m3)
Respirable Particulate Matter (PM_{10})	24 Hour	50 µg/m3	150 µg/m3
	Annual Arithmetic Mean	20 µg/m3	- - -
Fine Particulate Matter ($PM_{2.5}$)	24 Hour	No separate standard	35 µg/m3
	Annual Arithmetic Mean	12 µg/m3	15 µg/m3
Carbon Monoxide (CO)	8 Hour	9.0 ppm (10 µg/m3)	9 ppm (10 mg/m3)
	1 Hour	20 ppm (23 mg/m3)	35 ppm (40 mg/m3)
Nitrogen Dioxide (NO2)	Annual Arithmetic Mean	0.030 ppm (56 µg/m3)	0.053 ppm (100 g/m3)
	1 Hour	0.18 ppm (338 µg/m3)	- - -
Sulfur Dioxide (SO2)	Annual Arithmetic Mean	- - -	0.030 ppm (80 g/m3)
	24 Hour	0.04 ppm (105 µg/m3)	0.14 ppm (365 g/m3)
	1 Hour	0.25 ppm (655 µg/m3)	- - -
Lead	30 Day Average	1.5 µg/m3	- - -
	Calendar Quarter	- - -	1.5 µg/m3
Visibility Reducing Particles	8 Hour	- - -	- - -
Sulfates	24 Hour	25 µg/m3	- - -
Hydrogen Sulfide	1 Hour	0.03 ppm (42 µg/m3)	- - -
Vinyl Chloride	24 Hour	0.010 ppm (26 µg/m3)	- - -

a California standards for ozone, carbon monoxide, sulfur dioxide (1 and 24 hour), nitrogen dioxide, suspended particulate matter – PM_{10}, $PM_{2.5}$, and visibility reducing particles, are values not to be exceeded. All others are not to be equaled or exceeded.

b National standards (other than ozone, particulate matter, and those based on annual averages or annual arithmetic mean) are not to be exceeded more than once a year.

c National Primary Standards: The levels of air quality necessary, with an adequate margin of safety, to protect the public health.

Table 5-2: San Joaquin Valley Air Basin – District Attainment Status

Pollutant	Designation/Classification	
	Federal Standards	**State Standards**
Ozone – 1 hour	No Designation	Non-attainment/Severe
Ozone – 8 hour	Non-attainment/Serious	No State Standard
PM_{10}	Attainment	Non-attainment
$PM_{2.5}$	Non-attainment	Non-attainment
Carbon Monoxide	Unclassified/attainment	Attainment
Nitrogen Dioxide	Unclassified/attainment	Attainment
Sulfur Dioxide	Unclassified	Attainment
Lead Particulates	No Designation	Attainment

Source: San Joaquin Valley Air Pollution Control District

Primary air quality regulations of the SJVAPCD include:

Regulation VIII (Fugitive PM10 Prohibitions) Rules 8011-8081 are designed to reduce PM_{10} emissions (predominantly dust/dirt) generated by human activity, including construction and demolition activities, road construction, bulk materials storage, paved and unpaved roads, carryout and track out, landfill operations, etc.

Rule 4002 (National Emission Standards for Hazardous Air Pollutants) In the event that any portion of an existing building will be renovated, partially demolished or removed, the project will be subject to District Rule 4002. Prior to any demolition activity, an asbestos survey of existing structures on the project site may be required to identify the presence of any asbestos containing building material (ACBM). Any identified ACBM having the potential for disturbance must be removed by a certified asbestos contractor in accordance with CAL-OSHA requirements.

Rule 4102 (Nuisance) This rule applies to any source operation that emits or may emit air contaminants or other materials. In the event that the project or construction of the project creates a public nuisance, it could be in violation and be subject to District enforcement action.

Rule 4103 (Open Burning) This rule regulates the use of open burning and specifies the types of materials that may be open burned. Agricultural material shall not be burned when the land use is converting from agriculture to non-agricultural purposes (e.g., commercial, industrial, institutional, or residential uses). Section 5.1 of this rule prohibits the burning of trees and other vegetative (non-agricultural) material whenever the land is being developed for non-agricultural purposes. In the event that the project applicant burned or burns agricultural material, it would be in violation of Rule 4103 and be subject to District enforcement action.

Rule 4601 (Architectural Coatings) This rule limits volatile organic compounds from architectural coatings by specifying architectural coatings storage, clean up and labeling requirements and applies to any person who supplies, sells, offers for sale, applies, or solicits the application of any architectural coating.

Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations) If asphalt paving will be used, then paving operations of this project will be subject to Rule 4641. This rule applies to the manufacture and use of cutback asphalt, slow cure asphalt and emulsified asphalt for paving and maintenance operations.

Rule 4901 (Wood Burning Fireplaces and Wood Burning Heaters) This rule limits PM_{10} and $PM_{2.5}$ emissions from residential development. Construction plans for residential developments may be affected by section 5.3, specifically:

- No person shall install a wood burning fireplace in a new residential development with a density greater than two (2) dwelling units per acre.
- No person shall install more than two (2) EPA Phase II Certified wood burning heaters per acre in any new residential development with a density equal to or greater than three (3) dwelling units per acre.
- No person shall install more than one (1) wood burning fireplace or wood burning heater per dwelling unit in any new residential development with a density equal to or less than two (2) dwelling units per acre.

Rule 9510 (indirect Source Review). As population continues to grow and more vehicles are put on roads, air quality will continue to be an issue due to an increase in emissions. To address this concern, the SJVAPCD adopted Rule 9510 and Rule 3180 to mitigate construction, area, and operational emissions created by development (valleyair.org/ISR/ISROverview.htm).

Any of the following projects require an application to be submitted unless the projects have mitigated emissions of less than two tons per year each of NOX and PM_{10}. Projects that are at least:

- 50 residential units;
- 2,000 square feet of commercial space;
- 9,000 square feet of educational space;
- 10,000 square feet of government space;
- 20,000 square feet of medical office or recreational space;
- 25,000 square feet of light industrial space;
- 39,000 square feet of general office space;
- 100,000 square feet of heavy industrial space;
- Or, 9,000 square feet of any land use not identified above.

Air Quality Plans. The SJVAPCD submitted the 1991 Air Quality Attainment Plan in compliance with the requirements set forth in the CCAA. In addition, the CCAA requires a triennial assessment of the extent of air quality improvements and emission reductions achieved through the use of control measures. As part of this assessment, the attainment plan must be reviewed and, if necessary, revised to correct for deficiencies in progress and to incorporate new data or projections. The CCAA requirement for a first triennial progress report and revisions of the 1991 Air Quality Attainment Plan was first fulfilled with the preparation and adoption of the 1995-1997 Triennial Progress Report and Plan Revision. Triennial reports were also prepared for 1995-1997, 1997-1999, and 1999-2001 in compliance with the CCAA.

In an effort to reach attainment for ozone, the SJVAPCD submitted the 1994 Ozone Attainment Demonstration Plan. This plan stresses ozone attainment and focuses on strategies reducing NOx and ROG air emissions by promoting active public involvement, enforcement of compliance with rules and regulations, public education in both the public and private sectors, development and promotion of transportation and land use programs designed to reduce vehicle miles traveled (VMT) in the region, and implementation of stationary and mobile source control measures.

In addition to the above mentioned items, the SJVAPCD has submitted numerous plans with respect to ozone, PM_{10}, and CO in compliance with the FCAA and CCAA, as listed below:

- 1992 Federal Attainment Plan for Carbon Monoxide;
- Revised 1993 Rate of Progress Plan, November 1994;
- Revised Post-1996 Rate of Progress Plan, September 1995;
- 1997 PM_{10} Attainment Demonstration Plan, May 1997;
- 2000 Ozone Rate of Progress Report, April 2000;
- 2000 PM_{10} Attainment Plan Progress Report, August 2000;
- 2001 Update to Ozone Attainment Plan;
- Amended 2002-2005 Rate of Progress Plan, December 2002;
- 2003 PM_{10} Plan, June 2003, Amended December 2003, Amended May 2005;
- 2004 One-Hour Extreme Ozone Attainment Demonstration Plan, Adopted October 2004, Amended October 2005;
- 2005 Indirect Source Review, Adopted December 2005;
- 2006 PM_{10} Plan, Adopted February 2006;
- 2007 PM_{10} Maintenance Plan, Adopted September 2007.
- 2007 Ozone Plan, Adopted April 2007; and
- 2008 $PM_{2.5}$ Plan, Adopted April 2007

Air Pollution Sources and Current Air Quality

Motor vehicles account for significant portions of regional gaseous and particulate emissions. Local large employers such as industrial plants can also generate substantial regional gaseous and particulate emissions. In addition, construction and agricultural activities can generate significant temporary gaseous and particulate emissions (dust, ash, smoke, etc.). Finally, urban areas upwind from Selma can cause or generate transported emissions from all four-pollutant sources. The principal factors that affect air quality in and around Selma are: (a) the sink effect, climatic subsidence and temperature inversions and low wind speeds; (b) automobile and truck travel and (c) increases in mobile and stationary pollutants generated by local urban growth.

Ozone Emissions

The most severe air quality problem in the SJVAB is the high level of ozone. Ozone can cause eye irritation and impair respiratory functions. Accumulations of ozone depend heavily on weather patterns and thus vary substantially from year to year. Ozone is produced in the atmosphere through photochemical reactions involving reactive organic compounds (ROG) and nitrogen oxides (NOX). Numerous small sources throughout the region are responsible for most of the ROG and NOX emissions in the Basin.

Suspended PM_{10} Emissions

PM_{10} refers to particulate matter less than 10 microns in diameter - those that can be inhaled and cause health effects. Common sources of particulate include demolition, construction activity, agricultural operations, traffic and other localized sources such as fireplaces. Very small particulate of certain substances can cause direct lung damage, or can contain absorbed gases that may be harmful when inhaled. Particulate can also damage materials and reduce visibility.

Fine Particles $PM_{2.5}$

Particles less than 2.5 micrometers in diameter are called "fine" particles. These particles are so small they can be detected only with an electron microscope. Sources of fine particles include all types of combustion, including motor vehicles, power plants, residential wood burning, forest fires, agricultural burning, and some industrial processes.

Carbon Monoxide (CO)

Because CO is emitted primarily by motor vehicles and is non-reactive, ambient CO concentrations normally follow the spatial and temporal distributions of vehicular traffic. CO concentrations are also influenced by meteorological factors such as wind speed and atmospheric mixing. High levels of CO can impair the transport of oxygen in the bloodstream and thereby aggravate cardiovascular disease and cause fatigue, headaches, and dizziness. The California Air Resources Board (CARB) found CO standards in Fresno County in attainment of federal and State standards.

Nitrogen Dioxide (NO2)

The major sources of nitrogen dioxide (NO2), essential to the formation of photochemical smog, are vehicular, residential, and industrial fuel combustion. NO2 is the "whiskey brown" colored gas evident during periods of heavy air pollution. NO2 increases respiratory disease and irritation and may reduce resistance to certain infections. The standards for NO2 are being met in the SJVAB and the District does not expect that the standards will be exceeded in the near future.

Sulfur Dioxide (SO2)

The major source of sulfur dioxide (SO2) is the combustion of high-sulfur fuels for electricity generation, petroleum refining and shipping. In humid atmospheres, sulfur oxides can react with vapor to produce sulfuric acid, a component of acid rain. SO2 can irritate the lungs, damage vegetation and materials and reduce visibility. The standards for SO2 are being met in the SJVAB and the District does not expect that the standards will be exceeded in the near future.

Lead (Pb)

Gasoline-powered automobile engines are a major source of airborne lead, although the use of leaded fuel is being reduced. Lead can cause blood effects such as anemia and the inhibition of enzymes involved in blood synthesis. Lead may also affect the central nervous and reproductive systems. Ambient lead levels have dropped dramatically as the percentage of motor vehicles using unleaded gasoline continues to increase. The standards for lead are being met in the SJVAB and the District does not expect that the standards will be exceeded in the future.

Local Air Monitoring Stations

The closest monitoring station representing an urban location is Fresno's First Street Monitoring Station. The station monitors particulates, ozone, carbon monoxide, and nitrogen dioxide. Monitoring data for the past three years is summarized in Table 5-3.

Table 5-3: Maximum Pollutant Levels at Fresno's 1st Street Monitoring Station

Pollutant	Time Averaging	2006 Maximums	2007 Maximums	2008 Maximums	Standards National	Standards State
Ozone (O_3)	1 hour	0.138 ppm	0.119 ppm	0.157 ppm	0.12 ppm	0.09 ppm
Ozone (O_3)	8 hour	0.113 ppm	0.101 ppm	0.132 ppm	0.08 ppm	- - -
CO	8 hour	3.20 ppm	2.60 ppm	2.34 ppm	9.0 ppm	9.0 ppm
NO_2	1 hour	0.076 ppm	0.086 ppm	0.070 ppm	- - -	0.025 ppm
NO_2	Annual Average	0.017 ppm	0.017 ppm	0.016 ppm	0.053 ppm	- - -
PM_{10}	24 hour	117 mg/m^3	107 mg/m^3	77.7 mg/m^3	150 mg/m^3	50 mg/m^3
PM_{10}	Federal Annual Arithmetic Mean	37.7 mg/m^3	32.0 mg/m^3	34.4 mg/m^3	50 mg/m^3	20 mg/m^3
$PM_{2.5}$	24 hour	71.0 mg/m^3	104.0 mg/m^3	79.5 mg/m^3	65 mg/m^3	- - -
$PM_{2.5}$	Federal Annual Arithmetic Mean	16.8 mg/m^3	18.8 mg/m^3	17.4 mg/m^3	15 mg/m^3	12 mg/m^3

5.3 Standards of Significance, Impact Analysis, and Mitigation Measures

Standards of Significance

Appendix G of the California Environmental Quality Act (CEQA) provides guidance for assessing the significance of potential environmental impacts. Relative to air quality, a project will normally have a significant effect on the environment if it will:

- Conflict with or obstruct implementation of the applicable air quality plan;
- Violate any air quality standard or contribute substantially to an existing or projected air quality violation;
- Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors);
- Expose sensitive receptors to substantial pollutant concentrations; or
- Create objectionable odors affecting a substantial number of people.

While the Regional Air District CEQA guidance manual recognizes that PM_{10} is a major air quality issue in the Air Basin, it has not to date established numerical thresholds for potential impact significance. However, for the purposes of this analysis, a PM_{10} emission of 15 tons per year (82 pounds per day) was used as a significance threshold.

This emission is the Air District threshold level at which new stationary sources requiring permits for the Air District must provide emissions "offsets." This threshold of significance for PM_{10} is consistent with the ROG and NOx thresholds of 10 tons per year, which are also offset thresholds established in Air District Rule 2201 New and Modified Stationary Source Review Rule.

Greenhouse Gas (GHG) emissions may result in a significant impact on the environment. Senate Bill 97 directs the Governor's Office of Planning and Research (OPR) to prepare and develop CEQA guidelines pertaining to GHG emissions. These guidelines are currently in review and expected to be adopted by January 1, 2010. In the interim, OPR advises that each lead agency should develop its own approach to performing an analysis for projects that generate GHG emissions. For purposes of the EIR, GHG emissions are considered significant if they would:

- cumulatively contribute to global warming and climate change.

Impacts and Mitigation Measures

IMPACT: Conflict with or obstruct implementation of the applicable air quality plan, violate any air quality standard, or contribute substantially to an existing or projected air quality violation; or

Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors).

Development of the Project would generate air pollutant emissions from a wide variety of stationary and mobile sources. Stationary source emissions, such as PM_{10}, would be generated by on-site construction activities. Once the proposed Project is complete and occupied, emissions would be generated by stationary sources such as water and space heaters. Mobile source emissions would be generated by motor vehicle travel associated with construction activities and occupancy of the proposed development. This section of the Air Quality Impact Assessment addresses and analyzes the regional or area-wide and the localized air quality impacts associated with the Project. A discussion of significance criteria and an assessment of construction and operational emissions are presented below, based on the methodologies recommended in the District's *Guide for Assessing and Mitigating Air Quality Impacts* (GAMAQI).

Short-Term Emissions

Short-term impacts are mainly related to the construction phase of a project and are recognized to be short in duration. Construction air quality impacts are generally attributable to dust generated by equipment and vehicles. Fugitive dust is emitted both during construction activity and as a result of wind erosion over exposed earth surfaces. Clearing and earth moving activities do comprise major sources of construction dust emissions, but traffic and general disturbances of soil surfaces also generate significant dust emissions. Further, dust generation is dependent on soil type and soil moisture. Adverse effects of construction activities cause increased dust-fall and locally elevated levels of total suspended particulate. Dust-fall can be a nuisance to neighboring properties or previously completed developments surrounding or within the Project area and may require frequent washing during the construction period. Further, asphalt paving materials used during construction will present temporary, minor sources of hydrocarbons that are precursors of ozone.

PM_{10} emissions can result from construction activities of a project. The SJVAPCD requires implementation of effective and comprehensive control measures, rather than a detailed quantification of emissions. The SJVAPCD has determined that compliance with Regulation VIII for all sites and other control measures will constitute sufficient mitigation to reduce PM_{10} impacts to a level considered less-than significant. Ozone precursor emissions are also an impact of construction activities and can be quantified through calculations. Numerous variables factored into estimating total construction emissions include: level of activity, length of construction period, number of pieces and types of equipment in use, site characteristics, weather conditions, number of construction personnel, and amount of materials to be transported onsite or offsite. Additional exhaust emissions would be associated with the transport of workers and materials. Because the specific mix of construction equipment in a multi-year build-out period is not presently known for this project, construction emissions from equipment were estimated using the URBEMIS 2007 model settings. Results of the analysis are shown in Table 5-4.

Table 5-4: Project Construction Emissions

Summary Report	ROG	NO_X	PM_{10}
Total Construction Emissions	11.85 tons	9.84 tons	7.45 tons
Construction Emissions Per Year[1]	2.37 tons	1.97 tons	1.49 tons
SJVAPCD Level of Significance	10 tons/yr	10 tons/yr	N/A
Does Project Exceed Standard?	No	No	---

[1] Construction to be phased over 5 years

The annual emissions from construction of the Project will be less than the applicable SJVAPCD emission thresholds. The construction emissions are therefore considered less than significant with the implementation of Regulation VIII control measures. Although Project emissions are predicted to be insignificant, the Selma area and the San Joaquin Valley are designated non-attainment for particulates for both state and federal standards. Fugitive particle emissions will occur during construction and control measures are required and enforced by the District under Regulation VIII. With the implementation of control measures, short-term emissions are considered less than significant. According to the GAMAQI, the fugitive dust control rules listed below apply to this Project:

- **Rule 8011** Fugitive dust administrative requirements for the control of fine particulate matter.
- **Rule 8021** Fugitive dust requirements for the control of fine particulate matter from construction, demolition, excavation, extraction, and earthmoving activities.
- **Rule 8071** Fugitive dust requirements for the control of fine particulate matter from any unpaved vehicle/equipment traffic area.

Further, the project should include the following local municipal code requirements:

- Water sprays or chemical suppressants must be applied to all unpaved roads to control fugitive emissions.
- All access roads and parking areas must be covered with asphalt-concrete paving.

Compliance with the District's Regulation VIII and the local municipal code would reduce particulate emissions impacts to levels that are considered less than significant.

Long-Term Emissions

Long-Term emissions from the Project are generated by mobile source (vehicle) emissions from the Project site and area sources such as water heaters and lawn maintenance equipment.

Localized Mobile Source Emissions – Ozone. The Selma area is extreme non-attainment for federal air quality standards for ozone and serious non-attainment for particulates. The District has established guidelines for evaluating land use changes and their potential impact on air quality. Nitrogen oxides and reactive organic gases are regulated as ozone precursors. Significance criteria have been established for ROG and NOX at 10 tons per year each. Vehicle emissions have been estimated for the year 2030 using the URBEMIS 2007 model from the California Air Resources Board. URBEMIS 2007 predicts carbon monoxide, reactive organic gases, nitrogen oxides, oxides of sulfur, and particulate matter emissions from motor vehicle traffic associated with new land use. Detailed URBEMIS results are in Appendix A of the complete air quality analysis. Results of the URBEMIS analysis are shown in Table 5-5. Results indicate that Project localized mobile source ozone emissions are considered significant based on the District's levels of significance.

Table 5-5: Project Operational (Vehicle) Emission Estimates (Tons/Yr)

Summary Report	ROG	NO_X	PM_{10}
Operational (Vehicle) Emissions	46.79 tons	48.84 tons	62.29 tons
SJVAPCD Level of Significance	10 tons/yr	10 tons/yr	N/A
Does Project Exceed Standard?	Yes	Yes	---

Area Source Emissions. Commercial developments typically result in area source emissions from natural gas, electricity and consumer product use. Results of the URBEMIS analysis for such commercial uses as consumer product use, natural gas consumption and landscape maintenance is shown in Table 5-6 below. Results indicate that Project operational emissions are not considered significant based on the District's levels of significance.

Table 5-6: Area Source Emission Estimates (Tons/Yr)

Summary Report	ROG	NO_X	PM_{10}
Area Source Emissions	1.23 tons	1.87 tons	0.00 tons
SJVAPCD Level of Significance	10 tons/yr	10 tons/yr	N/A
Does Project Exceed Standard?	No	No	---

Localized Mobile Source Emissions – Carbon Monoxide. The SJVAB is currently in attainment for CO. Despite the success in achieving CO standards, an analysis of localized CO concentrations is warranted to ensure that standards are maintained. Also, an analysis is required to ensure that localized concentrations don't reach potentially unhealthful levels that could affect sensitive receptors (residents, school children, hospital patients, the elderly, etc.).

Typically, high CO concentrations are associated with roadways or intersections operating at an unacceptable Level of Service (LOS). CO "hot spot" modeling is required if a project will reduce the LOS to E or F or if the project will worsen an existing LOS F. To analyze the No Project and Project's "worst case" CO concentrations at deficient intersections, the analysis methodology considered the highest second annual maximum CO concentration reported in 2006, using 3.2 PPM as an estimate of the background concentration for the 8 hour standard (source: CARB annual publications).

Other modeling assumptions include a wind speed of .5 m/s, flat topography, 1,000 meter mixing height, and a 5 degree wind deviation. Traffic forecasts for the year 2030 were used in the CALINE analysis to determine CO concentrations under worse case conditions with and without the project. Results of the CALINE analysis are shown in Table 5-7.

Table 5-7: Local Roadway Air Quality Segment Analysis
Future Plus Project (1 hour and 8 hour CO Concentration)

Receptors		Air Quality Standards				Maximum Modeled Impact 2030		Maximum Modeled Impact 2030	
		Federal		State		No Project		With Project	
#	Description	1hr	8 hr	1 hr	8 hr	1 hr	8 hr	1 hr	8 hr
Background Levels (ppm)						4.0	3.2	4.0	3.2
1	DeWolfe/Floral	35.0	9.0	20.0	9.0	11.1	6.6	8.5	4.5
Exceedance?						No	No	No	No
2	SR 99 SB off-ramp/Floral	35.0	9.0	20.0	9.0	12.8	8.7	12.1	7.3
Exceedance?						No	No	No	No

Source: VRPA Technologies

Results of the CALINE analysis indicate the project is not expected to result in significant localized impacts, such as CO hot spots and is not expected to impact nearby sensitive receptors.

Total Project Emissions. The emissions from the Project are described in terms of operational emissions (mobile source) and area emissions. Total project emissions are shown in Table 5-8. The total emissions from the proposed Project exceed the District's threshold for ROG or NOX. Therefore, the Project is considered individually significant for NOx and ROG.

Table 5-8: Total Project Emission Estimates (Tons/Yr)

Summary Report	ROG	NO_X	PM_{10}
Operational (vehicle) Emissions	46.79 tons	48.84 tons	62.29 tons
Area Source Emissions	1.23 tons	1.87 tons	0.00 tons
Total Project Emissions	48.02 tons	50.71 tons	62.29 tons
SJVAPCD Level of Significance	10 tons/yr	10 tons/yr	N/A
Does Project Exceed Standard?	Yes	Yes	---

Level of Significance Before Mitigation: Significant and unavoidable impact.

Mitigation

The following energy conservation measures shall be incorporated into Project building plans unless the applicant provides evidence that incorporation of a specific measure is infeasible:

5.1. All construction shall exceed the California Title 24 Energy Code for all relevant applications by 10% for the hotel construction and by 5% for all commercial and industrial construction.

5.2. Passive solar cooling/heating design elements shall be included in building designs where feasible. Design elements that maximize the use of natural lighting shall be utilized where feasible.

5.3. Energy efficient technical and design features in new construction shall be required. New development must include provisions for the installation of energy efficient appliances and lighting

5.4. Installation of low nitrogen oxide emitting and/or high efficiency water heaters shall be required in new construction. Use of solar or low-emission water heaters (beyond Rule 4902) is recommended.

5.5. To reduce daily ROG, NOX and PM_{10} emissions during winter days from combined Project sources, only advanced combustion or natural gas fireplaces shall be allowed. The developer is encouraged to install LPG fireplaces, pellet stoves or EPA-Certified wood-burning fireplaces or stoves. (Note: EPA-Certified fireplaces and fireplace inserts are 75 percent effective in reducing emissions from this source, while natural-gas/LPG fireplaces are nearly 100 percent effective in reducing emissions and have virtually no potential for odor or nuisance.)

The following mitigation measures are derived from the URBEMIS-2002 for Windows version 8.7 computer program and from recommendations from the San Joaquin Valley Air Pollution Control District. The primary construction contractor should prepare and submit a dust control plan to the SJVAPCD that incorporates all the provisions of Regulation VIII and the following additional measures:

5.6 The proposed Project shall comply with all applicable Regulations and Rules established by the San Joaquin Valley Air Pollution Control District, including, but not limited to: Regulation IV: Prohibitions; Rule 4901: Wood Burning Fireplaces and Wood Burning Heaters; Regulation IV: Prohibitions; Rule 4902: Residential Water Heaters; and Regulation VIII: Fugitive PM_{10} Prohibitions; as well as the Indirect Source Review (ISR) (Rule 9510) and the Administrative ISR Fee Rule (Rule 3180).

5.7. All material excavated, graded or otherwise disturbed shall be sufficiently watered to prevent fugitive dust emissions. Watering shall occur at least twice daily with complete coverage, preferably in the morning and after work is done for the day, or as necessary. The developer shall be responsible for watering in the event of high winds or watering needs after normal working hours.

5.8. Water trucks or sprinkler systems shall be used during construction to keep all areas of vehicle movement damp enough to prevent dust from leaving the site. The frequency of watering shall be increased when wind speeds exceed 15 miles per hour if soils are not completely wet. If wind speeds increase to the point that the dust control measures cannot prevent dust from leaving the site, construction activities shall be suspended.

5.9. A person or persons shall be designated by the contractor or builder to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite. Such monitoring responsibilities shall include holiday and weekend periods when work may not be in progress. The contractor shall provide the name and telephone number of such person to the SJVAPCD and the City Building Official prior to commencement of construction activities.

5.10. All disturbed areas on the site, including storage piles, which are not being actively utilized for construction purposes, shall be effectively stabilized of dust emissions using water, chemical stabilizer/suppressant, covered with a tarp or other suitable cover or vegetative ground cover.

5.11. All on-site unpaved roads and off-site unpaved access roads shall be effectively stabilized of dust emissions using water at least 3 times daily or chemical stabilizer/suppressant.

5.12. The accumulation of mud or dirt shall be expeditiously removed from adjacent public streets at the end of each workday. The use of dry rotary brushes is expressly prohibited except where preceded or accompanied by sufficient wetting to limit the visible dust emissions. Use of blower devices is expressly forbidden. Within urban areas, track out shall be immediately removed when it extends 50 or more feet from the site.

5.13. Cover all trucks hauling soil, sand and other loose materials or require all trucks to maintain at least two feet of freeboard. Trucks transporting fill material/soil to and from the site shall be tarped from the point of origin. Gravel pads shall be installed at all access points to prevent tracking of mud onto public roads. Utilize wheel washers for all exiting trucks, or wash off all trucks and equipment prior to leaving the site as needed.

5.14. On-site vehicles shall be limited to a speed (15 mph) that does not generate fugitive dust on unpaved roads. Land clearing, grading, earthmoving or excavation activities shall be suspended when winds exceed 20 miles per hour.

5.15. After clearing, grading, earth moving, or excavation is completed, the disturbed area shall be treated by watering, re-vegetating, or by spreading soil binders until the area is paved or otherwise developed so that dust generation will not occur. Soil stockpiled for more than two days shall be covered, kept moist, or treated with soil binders to prevent dust generation.

5.16. The developer shall coordinate with the local transit operator to explore the feasibility of extending transit service to the Project site.

5.17. The development shall contract with construction firms that can demonstrate that construction fleets can meet the emissions reduction requirements set by District Rule 9510 (20% reduction of NOx emissions and 45% reduction of PM10 emissions).

Level of Significance after Mitigation: Implementation of the above measures will reduce impacts from fugitive dust emissions to less than significant levels. Impacts from operational emissions will remain significant and unavoidable.

IMPACT: Expose sensitive receptors to substantial pollutant concentrations.

The air quality impact analysis prepared by VRPA Technologies reviewed all sensitive receptors within a one-mile radius of the Project site for potential cumulative CO and Hazardous Air Pollutant (HAP) impacts. This analysis considers the Project's effects together with the cumulative impacts of growth in the area.

SJVAPCD guidelines indicate that "impacts of local pollutants (CO, HAPs) are cumulatively significant when modeling shows that the combined emissions from the project and other existing and planned projects will exceed air quality standards." A review of surrounding land uses indicates the Project will not cause a cumulative impact in excess of the CAAQS. The surrounding land uses within 1-mile consist mainly of agricultural, commercial, and residential uses. These land uses are not expected to generate HAPs. The Project is not a source of HAP emissions and therefore cannot have a significant impact from HAPs.

Level of Significance: Less than significant impact.

Mitigation: None required.

IMPACT: Create objectionable odors affecting a substantial number of people.

Odors are also an important element of local air quality conditions. Specific activities allowed within many land use categories can raise concerns on the part of nearby neighbors. Major sources of odors include restaurants, manufacturing plants, and agricultural operations, though industrial facilities within the Project vicinity may also produce unacceptable levels of odors. While sources that generate objectionable odors must comply with air quality regulations, the public's sensitivity to locally produced odors often exceeds regulatory thresholds and complaints result.

Though offensive odors from stationary sources rarely cause any physical harm, they still remain unpleasant and can lead to public distress generating citizen complaints to local governments. The occurrence and severity of odor impacts depend on the nature, frequency and intensity of the source; wind speed and direction; and the sensitivity of receptors. Generally, increasing the distance between a receptor and the source to an acceptable level will mitigate odor impacts.

The construction phases of the Project are anticipated to result in the emission of exhaust from the heavy-duty diesel equipment used during localized construction activities. The odors associated with diesel fuel exhaust may occasionally be detected at the single-family homes and non-residential development located near the Project site. However, the use of heavy-duty construction equipment at the Project site would occur over a short period of time and the rapid dissipation of gases in the air would result in a less-than-significant impact on the sensitive receptors located in the Project vicinity.

Level of Significance: Less than significant impact.

Mitigation: None required.

IMPACT: Generate "Greenhouse" gas emissions that would cumulatively contribute to global warming and climate change.

Climate change refers to any significant change in measures of climate (such as temperature, precipitation, or wind) lasting for an extended period (decades or longer). Global climate change means a shift in the climate of the earth as a whole. It does occur naturally as in the case of the ice age. According to CARB, the climate change that is occurring today differs from previous climate changes in both time and scale.

Gases that catch heat in the atmosphere are regularly called greenhouse gases (GHG's). The Earth's surface temperature would be about 61 degrees Fahrenheit colder than it is currently if it were not for the innate heat trapping effect of GHG's. The buildup of these gases in the earth's atmosphere is considered the source of the observed increase in the earth's temperature (global warming). The primary GHG's are carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons and sulfur hexafluoride. These particular gases are significant due to the residence time in the atmosphere from tens of years to more than 100 years. Some greenhouse gases such as carbon dioxide occur naturally in nature and are emitted to the atmosphere through natural processes as well as anthropogenic activities. Other GHG's (e.g., fluorinated gases) are created and emitted solely through human activities. Since the Industrial Revolution (approximately 1750), global concentrations of CO_2 have risen about 36%, chiefly due to the burning of fossil fuels. Questions remain about the amount of warming that will occur, how fast it will occur, and how the warming will affect the rest of the climate system including weather events.

Environmental Setting

California is a significant contributor of global greenhouse gasses. According to the California Energy Commission, "in 2004, California produced 492 million gross metric tons of carbon dioxide-equivalent greenhouse gas emissions, including imported electricity." Climate studies point out that California is expected to see an increase of 5 to 9 degrees Fahrenheit over the next century. Greenhouse gases are global in their effect, which is to increase the earth's capability to absorb heat in the atmosphere. Because the main greenhouse gases have a long lifetime in the atmosphere, they build up over time, and are generally well mixed; their impact on the atmosphere is mostly autonomous of the point of emission.

Regulatory Setting

Federal Regulations

In 1988, the United Nations established the Intergovernmental Panel on Climate Change to assess the impacts of global warming and to develop strategies that nations could apply to curb global climate change. In 1992, the United States joined other countries around the world in signing the United Nations' Framework Convention on Climate Change accord with the goal of controlling greenhouse gas emissions.

The Climate Change Action Plan was developed as a result to address the reduction of greenhouse gases in the United States. The plan is comprised of more than 50 voluntary programs. Additionally, the Montreal Protocol was first signed in 1987 and considerably amended in 1990 and 1992. The Montreal Protocol instructs that the production and consumption of compounds that deplete ozone in the stratosphere--chlorofluorocarbons (CFCs), halons, carbon tetrachloride, and methyl chloroform--were to be phased out by 2000 (2005 for methyl chloroform). Recently, in *Massachusetts v. EPA* (April 2, 2007), the U.S. Supreme Court held that GHG's fall within the Clean Air Act's definition of an "air pollutant"

and directed the EPA to deem whether GHG's are affecting climate change. The EPA must regulate GHG emissions from automobiles under the Clean Air Act if it is determined GHG's do affect climate change. Currently, the EPA has not yet begun rule-making proceedings to judge whether GHG's are contributing to climate change.

In addition, Congress has enlarged the corporate average fuel economy (CAFE') of the U.S. automotive fleet. In December 2007, President Bush signed a bill increasing the minimum average miles per gallon for cars, sport utility vehicles and light trucks to 35 miles per gallon by 2020. This rise in CAFE' standard will result in a significant reduction in GHG emissions from automobiles, which are the largest single emitting GHG group in California. However, there are no approved federal policies, regulations or laws setting a mandatory limit on GHG emissions or establishing what level of GHG emissions may make up a significant impact on the environment.

California Regulations

California Assembly Bill 170 passed in 2003. Ensuing revisions to California Government Code required cities and counties in the San Joaquin Valley to amend appropriate elements of general plans to contain data, analysis, comprehensive goals, policies, and feasible implementation strategies to improve air quality by no later than one year after the first revision of their Housing Elements that occurs after January 1, 2004. Air Quality Guidelines for General Plans (Air Quality Guidelines) is a guidance document and source for cities and counties to use in addressing air quality in their general plans. While reducing greenhouse gases is not specifically addressed, it includes goals, policies, and programs for adoption in general plans to decrease vehicle trips, reduce miles traveled, and improve air quality. Measures that reduce vehicle trips and miles traveled will result in a reduction in fuel combustion and will result in less greenhouse gas emissions.

In September of 2004, the ARB's Board approved regulations to decrease greenhouse gases from new passenger vehicles starting in 2009. These rules were authorized by the 2002 legislation Assembly Bill 1493. The regulations would cut greenhouse gas emissions from California passenger vehicles by about 22 percent by 2012 and about 30 percent by 2016. The regulations have been delayed by automaker lawsuits and the U.S. EPA's rejection of granting California an implementation waiver. California is suing the federal government over the failure to issue the waiver.

In 2005, the Governor issued Executive Order S-3-05, which established the following GHG emission reduction goals: by 2010, reduce GHG emissions to 2000 levels; by 2020, reduce GHG emissions to 1990 levels; and by 2050, reduce GHG emissions to 80 percent below 1990 levels. Executive Order S-3-05 also established the Climate Action Team to meet the state's greenhouse gas reduction goals. The Secretary of CalEPA heads a Climate Action Team made up of 14 agencies, including the Business, Transportation and Housing Agency; the Department of Food and Agriculture; the Resources Agency; the Air Resources Board; the Energy Commission; and the Public Utilities Commission.

The Climate Action Team is tasked with implementing global warming emission reduction programs and monitoring the progress made toward meeting the statewide greenhouse gas goals established in the executive order. Per the Executive Order, the first Climate Action Team report to the Governor and the Legislature was released in March 2006. It will be issued every two years from then on.

Assembly Bill 32 (Global Warming Solutions Act) was passed by the California Legislature on August 31, 2006. It requires the reduction of state global warming emissions to 1990 levels by 2020. The reduction will be achieved through an enforceable statewide limit on global warming emissions that will begin phasing in 2012. An emission inventory prepared by CARB staff suggests 427 million metric tons of carbon dioxide equivalent (MMTCO2e) as the total statewide cumulative greenhouse gas 1990 emissions level and 2020 emissions limit.

In August 2007, the California legislature enacted Senate Bill 97 (SB 97), which directs the Governor's Office of Planning and Research (OPR) to prepare and develop CEQA guidelines pertaining to GHG emissions. On June 19, 2008, OPR published a technical advisory on CEQA and Climate Change. The advisory was a precursor to OPR's later issuance of amendments that it recommended to the Resources Agency to the CEQA Guidelines pursuant to SB 97. In the interim, the technical advisory "offers informal guidance regarding the steps lead agencies should take to address climate change in the their CEQA documents (OPR 2008).

The technical advisory notes that neither CEQA nor the CEQA Guidelines prescribe thresholds of significance or particular methodologies for performing an impact analysis. This is left to the lead agency judgment and discretion, based upon factual data and guidance from regulatory agencies and other sources where available and applicable (OPR 2008). OPR recommends that "the global nature of climate change warrants investigation of a statewide threshold of significance for GHG emissions." Until such a standard is established, OPR advises that each lead agency should develop its own approach to performing an analysis for projects that generate GHG emissions.

OPR recommends a process for evaluating GHG emissions. First, agencies should determine whether GHG emissions may be generated by a proposed project, and if so, quantify or estimate the emissions by type or source. Calculation, modeling or estimation of GHG emissions should include the emissions associated with vehicular traffic, energy consumption, and construction activities (OPR 2008).

The agency should then assess whether the emissions are "cumulatively considerable" even though a project's GHG emission may be individually limited. OPR states: "Although climate change is ultimately a cumulative impact, not every individual project that emits GHGs must necessarily be found to contribute to a significant cumulative impact on the environment." Individual lead agencies may undertake a project by project analysis, consistent with available guidance and current CEQA practice.

Finally, if a lead agency determines emissions are a cumulatively considerable contribution to a significant cumulative impact, the lead agency must investigate and implement ways to mitigate emissions. OPR states, "Mitigation measures will vary with the type of project being contemplated, but may include alternative project designs or locations that conserve energy and water, measures that reduce VMT by fossil-fueled vehicles, measures that contribute to established regional or programmatic mitigation strategies, and measures that sequester carbon to offset the emissions from the project." OPR concludes, " a lead agency is not responsible to wholly eliminating all GHG emissions from a project; the CEQA standard is to mitigate to a level that is less than significant." The technical advisory includes a list of mitigation measures that can be applied on a project by project basis.

Proposed amendments to the CEQA Guidelines have been proposed by OPR and are in the process of being adopted by the Resources Agency. Relevant excerpts of the draft regulations include Section 15064.4 (methods of determining significance of impacts from Greenhouse Gas Emissions) and Section 15126.4.c (Mitigation measures related to Greenhouse Gas Emissions) and Section 15130 (f) (Discussion of Cumulative Impacts), Section 15183.5 (Tiering and Streamlining Analysis of Greenhouse Gas Emissions) and Section 15364.5 (definition of Greenhouse Gas).

There is no present Greenhouse Gas Reduction Plan in place for the City of Selma; however, proposed elements of such a plan are included in the current draft General Plan update.

Global Climate Change Gases

Naturally occurring greenhouse gases include water vapor, carbon dioxide, methane, nitrous oxide, and ozone. Pursuant to AB 32, the major greenhouse gases resulting from human activity that enter and build up in the atmosphere are carbon dioxide, methane, nitrous oxide and fluorinated gases.

Carbon Dioxide (CO2): Carbon dioxide enters the atmosphere from burnt fossil fuels (oil, natural gas, and coal), solid waste, trees and wood products, and as a result of other chemical reactions (e.g., manufacture of cement). Carbon dioxide is removed from the atmosphere when plants absorb it as part of the biological carbon cycle.

Methane (CH4): Methane is emitted during the production and transport of coal, natural gas, and oil. Methane emissions also result from livestock and other agricultural practices and by the decay of organic waste in municipal solid waste landfills.

Nitrous Oxide (N2O): Nitrous oxide is emitted during agricultural and industrial activities, and also during combustion of fossil fuels and solid waste.

Fluorinated Gases: Hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride are anthropogenic greenhouse gases emitted from a variety of industrial processes. Fluorinated gases are often used as alternatives for ozone depleting substances (i.e., CFCs, HCFCs, and halons). Though typically emitted in smaller quantities, these are potent greenhouse gases, and are sometimes referred to as High Global Warming Potential gases ("High GWP gases"). Several gases which do not have direct global warming effects but in some way affect terrestrial and/or solar radiation absorption by influencing the formation or destruction of greenhouse gases, including tropospheric and stratospheric ozone include carbon monoxide, oxides of nitrogen and non-methane volatile organic compounds and aerosols.

A calculation of gas emissions is recommended by OPR and the following estimates are based on methodologies in the California Climate Action Registry (CCAR). GHG emissions associated with the Rockwell Pond Project were estimated using CO_2 emissions as a proxy for all GHG emissions. Calculations of GHG emissions typically focus on CO_2 because it is the most commonly produced GHG in terms of both number of sources and volume generated, and because it is among the easiest GHGs to measure. However, it is important to note that other GHGs have a higher global warming potential than CO_2. For example, 1 lb of methane has an equivalent global warming potential of 21 lb of CO_2 (California Climate Action Registry 2006). Nonetheless, emissions of other GHGs from the Project (and from almost all GHG emissions sources) would be low relative to emissions of CO_2 and would not contribute significantly to the overall generation of GHGs from the project.

Table 5-9
Estimate of Greenhouse Gas Emissions – Rockwell Pond Commercial Project

	CO_2 (metric tons/yr
Electricity Generation Emissions	5.1 tons
Operational Emissions	48.4 tons
Construction Emissions	5.4 tons
Total Project Emissions	58.9 tons/yr

In terms of electrical generation, most of the electricity in the Selma area comes from natural gas fired generation plants. Based on factors in the CCAR, the Project at full buildout would use an estimated 13.9 million kilowatt hours annually and generate an estimated 5.1 metric tons of CO_2.

Based on the traffic report in the EIR, the Project would generate 39,858 total vehicle trips on a daily basis at full buildout (Tables 15-5 and 15-6). Assuming that 95% of these trips are gasoline powered vehicles and 5% are diesel powered vehicles, and based on the factors in CCAR, the Project would generate an estimated 48.4 metric tons per year of CO_2.

Construction emissions were based on heavy diesel powered equipment generating 600 miles per day to and from and on the Project site over a 6-month construction period. Based on the factors in CCAR, the Project would generate an estimated 5.4 metric tons per year of CO_2 during construction.

Total Project GHG emissions are estimated at 58.9 metric tons per year. This should be considered a general estimate providing an indication of the order of magnitude of CO_2 emissions. Numerous factors that can substantially affect the project's CO_2 emissions (structural designs, type of building occupants, hours of operation) will not be known until buildout is complete. In addition, all trips to the Project will not be new to the region. Much of the CO_2 emissions attributed to the Project will be from emissions sources already in the region (existing residents or existing businesses shifting to a new location), not from new emissions sources relative to global climate change.

Not withstanding such uncertainty, the Rockwell Pond Commercial Project is a very large project, which if evaluated at either a local or regional scale, would emit CO_2 and other GHGs at much higher volumes than most other types of development. Therefore, for this analysis, a conservative approach is taken and the Project is considered to potentially make a cumulatively considerable incremental contribution to the significant cumulative impact of global climate change.

Level of Significance before Mitigation: Potentially significant impact.

Mitigation

Recommended air quality mitigation measures (see above) are designed to control and/or reduce emission from mobile and stationary sources and consequently help to minimize GHG emissions. In addition the following mitigation measures are recommended to further reduce GHG emissions:

5.18 The Project shall incorporate the following energy conservation measures into Project building plans unless applicants prove that incorporation of a specific measure is infeasible:

- Meet or exceed the California Title 24 Energy Code for all relevant applications, including energy efficient appliances and lighting
- Install heat transfer modules in all furnaces
- Apply light colored, water based paint and roofing materials on all structures
- If feasible, incorporate the use of solar panels for water heating systems and water heater systems that heat water only on demand into the design of all habitable structures
- Include design elements that maximize the use of natural lighting
- Construct parking areas with concrete or other non-polluting materials instead of asphalt
- Include provisions for the installation of energy efficient appliances and lighting
- Utilize landscaping to shade all buildings and parking areas

5.19 Landscape plans shall maximize the use of low-water demand species for ornamental purposes. Project conditions, covenants, and restrictions (CC&Rs) shall include information about drought tolerant plantings and encourage and facilitate use of water-saving species.

5.20 The Project shall, where feasible, utilize reclaimed water for all common area exterior landscaping. If not feasible, applicants shall provide documentation as to the efforts made to procure reclaimed water.

5.21 Indoor water use shall be reduced through re-circulating, point-of-use, or on-demand water heaters, low flow toilets, water saving fixtures, including low flow showerheads. Indoor water-conserving measures shall be implemented prior to certificate of occupancy.

5.22 The Project shall minimize GHG emissions. To the extent feasible, the Project shall incorporate transit-oriented mixed-use activity centers that promote increased walking, bicycling, and use of public transit.

These measures, in addition to measures identified in this chapter (Air Quality) may be implemented to avoid or reduce GHG emissions. These measures may be updated, expanded, and refined when applied to future phases of the Project based on phase-specific design, changes in existing conditions, and current local, state, and federal laws.

Level of Significance after Mitigation: Even with incorporation of mitigation, greenhouse gas emissions remain potentially significant and constitute a cumulatively considerable incremental contribution to the significant cumulative impact of global climate change.

5.6 Indirect Source Review

Indirect Source Review information is provided by the San Joaquin Valley Air Pollution Control District website. The ISR Rule (Rule 9510) and the Administrative ISR Fee Rule (Rule 3180) are the result of state requirements outlined in the California Health and Safety Code, Section 40604 and the State Implementation Plan (SIP). The purpose of the San Joaquin Valley Air Pollution Control District's Indirect Source Review (ISR) Program is to reduce emissions of NOx and PM_{10} from new development projects. In general, new development contributes to the air-pollution problem in the Valley by increasing the number of vehicles and vehicle miles traveled. In 2005, on-road vehicles generated approximately 200 tons per day of NOx and direct PM_{10} pollution in the Valley.

Although newer, cleaner technology is reducing per-vehicle pollution, the emissions increase from new development putting more vehicles on Valley roads partially offsets the emission reductions gained from technology advances. Utilizing the Emissions Estimator and Fee Estimator worksheets available on the District website, it was determined that the proposed Project's total cost for emission reductions, without a deferral fee schedule, is $2,368,959.84. These fees would be paid by the developer. Should a deferral schedule be used, the fee would increase to $3,532,644.96.

6.0 BIOLOGICAL RESOURCES

This chapter examines biotic resources within the site vicinity, evaluates potential Project impacts to those resources, and proposes mitigation measures. The information presented is based on studies prepared by Halstead & Associates, a biological consulting firm located in Clovis, California. Halstead & Associates conducted several surveys of the area to determine if sensitive wildlife, plants, or habitats occur in the planning area. The complete biotic reports are on file with the City of Selma and included in the Technical Appendices.

6.1 Environmental Setting

The Project site is currently in agricultural use with vineyards, onion and squash fields, fallow fields which are recently pulled vineyards, and a few single-family farm residences. Adjacent lands include vineyards, fallow fields, rural residential residences, and the Rockwell Pond recharge basin.

The present agricultural lands on the Project site provide limited habitat for native wildlife. The annual/periodic disking of the soil for row crops reduces habitat for ground burrowing animals and the application of pesticides may reduce the invertebrate fauna that several types of wildlife depend upon for forage. Agricultural fields may also attract non-native wildlife.

Implementation of the Project would remove agricultural land, existing trees and some areas of fallowed land. Demolition of existing buildings, ground clearing, and construction activities may disturb existing wildlife species by causing direct mortalities, by removing active nests and dens, and by disrupting nesting, breeding and fledging behaviors. Ground clearing and construction activities on fallow fields and along roadways have the potential to cause direct mortalities to burrowing owls and disrupt nesting behaviors of burrowing owls and other migratory birds, which could lead to reproductive failure. Migratory birds may also nest in the agricultural areas. Conversion of this area could result in reproductive failure in migratory birds.

Habitats for sensitive species (such as vernal pools and vernal swales, livestock ponds without fish, alkaline soils, adobe-heavy clay soils, hardpan soils, rocky cliffs, alkali sink scrub habitat, valley saltbush scrub habitat, elderberry bushes, grasslands with rolling hills, large nesting trees, cottonwood forests, riparian habitat, lakes, ponds with thick and lush cattail vegetation, marshes, swamps, creeks, sloughs, or rivers) do not occur in or adjacent to the area, and thus the species do not occur in the planning area.

6.2 Regulatory Framework

To ensure the long-term protection of the environment and natural resources, laws and regulations have been implemented through multiple environmental protection Acts, which include:

- Section 404 of the Clean Water Act (33 U.S.C. 1251-1376);
- Section 10 of the Rivers and Harbors Act (33 U.S.C. 401 *et seq.*);
- Executive Order 11990, Protection of Wetlands (May 24, 1977);
- National Environmental Policy Act (42 U.S.C. 4321 *et seq.*);
- Federal Endangered Species Act (16 U.S.C. 1531-1543);
- Fish and Wildlife Coordination Act (16 U.S.C. 661-666);
- California Environmental Quality Act (P.R.C. 21000 *et seq.*);
- California Endangered Species Act (California Fish and Game Code 2050 *et seq.*);
- Native Plant Protection Act (California Fish and Game Code 1900-1913);
- Fish and Wildlife Protection and Conservation (California Fish and Game Code);
- Migratory Bird Treaty Act of 1918 (16 U.S.C. 703-711);
- Bald and Golden Eagle Protection Act (16 USC 668).

Implementation and regulation of these Acts have been delegated to several state and federal agencies. The following section briefly describes the regulation and which, if any, agency governs.

Wetlands and Other Waters of the United States - Waters of the United States, including wetlands and creek channels, are subject to Federal and State agency regulations in the State of California. The U.S. Army Corps of Engineers (Corps) has jurisdiction over Waters of the United States under Section 404 of the Clean Water Act. Waters of the United States may include interstate lakes, rivers, streams, mudflats, natural ponds, tributaries to Waters of the United States, and adjacent wetlands. Wetlands under Corps' jurisdiction are determined using technical criteria for hydrology, soil, and vegetation described in the Corps' *Wetland Delineation Manual.*

Areas not considered to be jurisdictional waters include non-tidal drainage and irrigation ditches excavated on dry land, artificially-irrigated areas, artificial lakes or ponds used for irrigation or stock watering, small artificial water bodies such as swimming pools and water filled depressions (33 CFR, Part 328). Lands including pasture as defined by the U.S. Resource Conservation Service (NRCS) are subject to regulation under Section 404 if the land use changes from agricultural to some other form such as commercial or residential.

Construction activities within jurisdictional waters are regulated by the Corps. Placement of fill into jurisdictional waters requires issuance of a permit by the Corps as well as state water quality certification pursuant to Section 401 of the Clean Water Act. The Regional Water Quality Control Board is the state agency charged with implementing water quality certification in California. Any Project-related activity with the potential to substantially divert or obstruct the natural flow or substantially change the bed, channel or bank of any river, stream or lake may require issuance of a Streambed Alteration Agreement pursuant to Sections 1600-1616 of the Fish and Game Code.

Special-Status Species - Special-status plant and wildlife species are species that have special recognition and protection by Federal, state, or local resource conservation agencies and organizations. These species are generally considered rare, threatened, or endangered due to declining or limited populations. Special-status species include:

- Plants and animals that are legally protected or proposed for protection under the California Endangered Species Act (CESA) or Federal Endangered Species Act (FESA);
- Plants and animals defined as endangered or rare under the California Environmental Quality Act (CEQA) (Section 15380);

- Animals designated as species of special concern by the U.S. Fish and Wildlife Service (USFWS) or CDFG;
- Animals listed as "fully protected" in the Fish and Game Code of California (Sections 3511, 4700, 5050, and 5515); and
- Plants listed in the California Native Plant Society's (CNPS) Inventory of Rare and Endangered Vascular Plants of California.

Federal Endangered Species Act - The Federal Endangered Species Act of 1973 (Act) recognized that many species of fish, wildlife, and plants are in danger of or threatened with extinction and established a national policy that all federal agencies should work toward conservation of these species. The Secretary of the Interior and the Secretary of Commerce are designated in the Act as responsible for identifying endangered and threatened species and their critical habitats, carrying out programs for the conservation of these species, and rendering opinions regarding the impact of proposed federal actions on endangered species. The Act also specifies civil and criminal penalties for unlawful activities.

Biological assessments are required under Section 7 of the Act if listed species or critical habitat may be present in the area affected by any major construction activity conducted by, or subject to issuance of a permit from, a federal agency as defined in Part 404.02. Under Section 7(a)(3) of the Act, every federal agency is required to consult with the United States Fish and Wildlife Service (USFWS) or National Marine Fisheries Service on a proposed action if the agency determines that its proposed action may affect an endangered or threatened species.

Section 9 of the Endangered Species Act prohibits the "take" of any fish or wildlife species listed under the FESA as endangered or threatened. Take, as defined by the FESA, means "to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such action." However, Section 10 allows for the "incidental take" of endangered and threatened species of wildlife by non-Federal entities. Incidental take is defined by the FESA as take that is "incidental to, and not the purpose of, the carrying out of an otherwise lawful activity." Section 10(a)(2)(A) requires an applicant for an incidental take permit to submit a "conservation plan" that specifies, among other things, the impacts that are likely to result from the taking and the measures the permit applicant will undertake to minimize and mitigate such impacts. Section 10(a)(2)(B) provides statutory criteria that must be satisfied before an incidental take permit can be issued.

Migratory Bird Treaty Act - The Migratory Bird Treaty Act (MBTA) of 1918 (16 U.S.C. 703-711) makes it unlawful to take, possess, buy, sell, purchase, or barter any migratory bird listed in 50 CFR Part 10, including feathers or other parts, nests, eggs, or products, except as allowed by implementing regulations (50 CFR 21).

Bald and Golden Eagle Protection Act - This act specifically protects Bald and Golden Eagles from harm or trade.

California Endangered Species Act - The California Endangered Species Act (Fish and Game Code Sections 2050-2098) established a State policy to conserve, protect, restore, and enhance any endangered species or any threatened species and its habitat. The Fish and Game Commission is charged with establishing a list of endangered and threatened species. State agencies must consult with the Department of Fish and Game to determine if a proposed Project is likely to jeopardize the continued existence of any endangered or threatened species.

Section 2081 of the Fish and Game Code allows the "take" of a species listed as threatened or endangered by the California Endangered Species Act. Take is defined as any act that involves direct mortality or other actions that may result in adverse impacts when attempting to take individuals of a listed species. Under Section 2081, the state Department of Fish and Game may issue a permit to authorize take for scientific, educational or management purposes, or take that is incidental to otherwise lawful activities.

California Fish and Game Code Native Plant Protection Policy - The goals described in Chapter 10 of the California Native Plant Protection Policy are as follows:

- The intent of the Legislature and the purpose of this chapter is to preserve, protect, and enhance endangered or rare plants of this state (Section 1900). For purposes of this Chapter, a "native plant" means a plant that grows in a wild uncultivated state that is normally found native to the plant life of this state (Section 1901).
- The commission may adopt regulations governing the taking, possession, propagation, transportation, exportation, importation, or sale of any endangered or rare native plants. Such regulations may include, but shall not be limited to, requirements for persons who perform any of the foregoing activities to maintain written records and to obtain permits, which may be issued by the department (Section 1907).
- No person shall import into this state, or take, possess, or sell within this state, except as incident to the possession or sale of the real property on which the plant is growing, any native plant, or any part or product thereof, that the commission determines to be an endangered native plant or a rare native plant, except as otherwise provided in this chapter (Section 1908).
- All state departments and agencies shall, in consultation with the department, utilize their authority in furtherance of the purposes of this chapter by carrying out programs for the conservation of endangered or rare native plants. Such programs include, but are not limited to, the identification, delineation, and protection of habitat critical to the continued survival of endangered or rare native plants (Section 1911).

California Fish and Game Code

- Section 3503. It is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by this code or any regulation made pursuant thereto.
- Section 3503.5. Protects all birds-of-prey and their eggs and nests.
- Section 3513. Makes it unlawful to take or possess any migratory non-game bird as designated in the Migratory Bird Treaty Act.

Other Special-Status Species Classifications - Impacts on federal and/or California species of special concern (FSC and CSC) and species included on CNPS lists shall be considered significant if one of the following would result: a) direct mortality; b) permanent loss of existing habitat; c) temporary loss of habitat that may result in increased mortality or lowered reproductive success; or d) avoidance of biologically important habitat for substantial periods that could increase mortality or cause lowered reproductive success (Sec 15065, CEQA/ CDFG Code Sections 1900-1913).

Title 14, California Code of Regulations, Sections 670.2 and 670.5 - Lists animals designated as threatened or endangered in California. California Species of Concern (CSC) is a category designated by CDFG for species considered to be indicators of regional habitat changes, or candidate species for future state listing. CSC does not have special legal status, but are used by CDFG as a management tool when considering the future use of any land parcel.

6.3 Wildlife and Plant Resources in the Planning Area

A biological reconnaissance survey of the Project vicinity was conducted by Halstead & Associates, Environmental/Biological Consultants on May 17, 2007 to assess sensitive species, habitats, and other biological resource issues which might occur in or adjacent to the Project site. The survey included a site visit and a search of the California Department of Fish and Game's (CDFG) California Natural Diversity Data Base (CNDDB) to determine records of sensitive species and habitats in the Project vicinity.

Sensitive habitats are defined by local, State, or Federal agencies as those habitats that support special status species, provide important habitat values for wildlife, represent areas of unusual or regionally restricted habitat types, and/or provide high biological diversity. Special status wildlife species are those that are listed as threatened or endangered by state or federal agencies, those proposed for listing, candidates for listing, as well as those species listed as Species of Special Concern by State and Federal agencies due to declining numbers and/or habitat.

A records search of the California Department of Fish and Game's CNDDB shows that San Joaquin Kit Fox, Swainson's Hawk, Burrowing Owl, and a variety of other sensitive species are known to occur in the general vicinity of the Project site. Within the Rockwell Pond recharge basin, parts of which may meet the criteria of wetland habitat, three potential sensitive wildlife issues were found that required further surveys and study. These involve the San Joaquin Kit Fox, Swainson's Hawk, and Burrowing Owl. Detailed or protocol surveys for each of the three species were conducted to determine if they occur on or forage in the Project vicinity. Additionally, a detailed wetland delineation survey was conducted on the Rockwell Pond recharge basin to determine if wetland habitat exists, and to determine the acreage and quality of wetland habitat potentially impacted by the Project.

The search of the CNDDB showed that a variety of sensitive wildlife, plants, and habitats occur in the vicinity of the Project site (*see Section 10 and Appendices C thru F of the Biological Resonance Survey by Halstead and Associates*). No sensitive species were observed in, adjacent to, or in the vicinity of the Project site during the one-day reconnaissance survey completed by Halstead and Associates. However, the Rockwell Pond does have potential habitat for the Burrowing Owl and San Joaquin Kit Fox. Numerous California Ground Squirrel burrows were observed around and adjacent to the pond which could be inhabited by owl and/or fox.

A nesting record for the Swainson's Hawk was identified approximately three miles south of the Project site near the intersection of Highway 43 and Clarkson Avenue. Detailed or protocol surveys for the San Joaquin Kit Fox, Burrowing Owl, and Swainson's Hawk were conducted to determine if they occur on or forage in the Project vicinity and if they could be impacted by the Project.

6.4 Standards of Significance, Impact Analysis, and Mitigation Measures

Appendix G of the California Environmental Quality Act (CEQA) provides guidance for assessing the significance of potential environmental impacts. Relative to biological resources, a project will normally have a significant effect on the environment if it will:

- Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service;
- Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service;
- Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means;
- Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites;
- Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance; or
- Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

Impact Analysis and Mitigation Measures

IMPACT: **Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service.**

The present agricultural lands on the Project site provide limited habitat for native wildlife. The annual/periodic disking of the soil for row crops reduces habitat for ground burrowing animals and the application of pesticides may reduce the invertebrate fauna that several types of wildlife depend upon for forage. Agricultural fields may also attract non-native wildlife.

Implementation of the Project will include conversion of agricultural land, the removal of existing trees and some areas of fallowed land would be developed. Demolition of existing buildings, ground clearing, and construction activities may disturb existing wildlife species by causing direct mortalities, by removing active nests and dens, and by disrupting nesting, breeding and fledging behaviors. Ground clearing and construction activities on fallow fields and along roadways have the potential to cause direct mortalities to burrowing owls and disrupt nesting behaviors of burrowing owls and other migratory birds, which could lead to reproductive failure. Migratory birds may also nest in the agricultural areas. Conversion of this area could result in reproductive failure in migratory birds.

Waters for the Rockwell Pond include those from the Kings River, which is a navigable river. Wetland vegetation such as rush, bullrush, and willow trees were observed in the Rockwell Pond recharge basin. Besides the Rockwell Pond recharge basin and its issues, sensitive wildlife, plants, or habitats such as riparian vegetation, creeks, streams, or wetlands do not occur in or adjacent to the Project site.

Habitats for sensitive species (such as vernal pools and vernal swales, livestock ponds without fishes, alkaline soils, adobe-heavy clay soils, hardpan soils, rocky cliffs, alkali sink scrub habitat, valley saltbush scrub habitat, elderberry bushes, grasslands with rolling hills, large nesting trees, cottonwood forests, riparian habitat, lakes, ponds with thick and lush cattail vegetation, marshes, swamps, creeks, sloughs, or rivers) do not occur in or adjacent to the area, and thus the species do not occur in the planning area.

Results of Protocol Surveys

San Joaquin Kit Fox. No kit fox were found on the Project site using den and track searches, spotlighting, and scent station survey methods. There was nothing to indicate that kit fox occur on the Project site or use it for foraging. Critical habitat, designated recovery areas, or movement corridors do not occur on the Project site or in its vicinity.

The Project will not cause negative direct, indirect, interrelated, interdependent, or cumulative adverse impacts to the kit fox since it does not occur on the site, forage on the site, or occur adjacent to the site. Thus, take permits and compensation mitigation for impacts are not necessary for the kit fox. As a preventive avoidance measure and to protect and preserve the San Joaquin kit fox, a preconstruction survey is required about 30 days prior to ground disturbing activities in and around the Rockwell Pond recharge basin.

Burrowing Owl, Swainson's Hawk, and Nesting Raptors. Protocol surveys were conducted for raptors, but no sensitive raptors (such as Burrowing Owl or Swainson's Hawk) were found on or adjacent to the site. Two Red-tailed Hawk nests were found near the south border along Floral Avenue. No Burrowing Owls were observed on or adjacent to the Project site during the surveys. No potential burrows on or adjacent to the Project site showed any evidence of use by the Burrowing Owl. No Swainson's Hawks were observed on or adjacent to the Project site. No nests on or adjacent to the Project site showed any evidence of use by the Swainson's Hawk. Thus, these raptors do not inhabit or forage on the Project site. The Project would not be expected to cause negative direct or indirect adverse impacts to them. Preventative avoidance measures are proposed to avoid any impacts to nesting raptors and birds.

Level of Significance before Mitigation: Potentially significant impact.

Mitigation

6.1 Developers of projects on the Project site shall be required to contract with a qualified biologist to conduct a preconstruction survey approximately 30 days prior to ground disturbing activities in and around the Rockwell Pond recharge basin. The survey protocol will follow the USFWS's (1999) guidelines as denoted in Appendix H of the San Joaquin Kit Fox Survey Report by Halstead and Associates. Also, Standard Recommendation #1-1 3 (Appendix H of the San Joaquin Kit Fox Report) are incorporated into the Project and will be implemented to avoid potential impacts to the kit fox. If kit fox are found during the preconstruction survey, the USFWS shall be consulted and the protective and mitigation measures as noted in Appendix H shall be implemented.

6.2 Burrowing Owl was not found on the Project site; to meet CDFG requirements, however, the following avoidance measures are required:

Measure1: If construction activities will occur during the nesting season of February through August, a preconstruction survey shall be conducted by a qualified biologist to determine the existence of Burrowing Owl. The survey shall be conducted within 30 days prior to construction activities. Results of the preconstruction survey shall be prepared in a letter given to CDFG for their review and approval prior to any construction activities.

Measure 2: If nesting sites are found, the CDFG's (1995) guidelines for Burrowing Owl "Staff Report on Burrowing Owl Mitigation" shall be consulted and the Project proponent shall select one of the following measures for implementation by a qualified biologist:

a. Destroy vacant burrows prior to March 1 and/or after August 31.
b. Redesign the Project temporarily or permanently to avoid occupied burrows or nest sites until after the nesting/fledgling season.
c. Delay Project construction activities until after the nesting/fledgling season (March 1 through August 31).
d. Install artificial burrows in open space areas of the Project site and wait for passive relocation of the Burrowing Owl.
e. Active relocation of Burrowing Owl with conditions. The Project proponent shall fund relocation of Burrowing Owl to unoccupied, suitable habitat which is permanently preserved (up to 6.5 acres per nesting pair) in the open space on the Project site or off-site at a recognized Burrowing Owl mitigation bank.

6.3 Nesting Birds (including raptors).

Measure 1: If construction activities will occur during the nesting season of February through August, including tree nest removal, a preconstruction survey shall be conducted by a qualified biologist for nesting birds (which includes migratory birds covered under the Migratory Bird Treaty Act) on the Project site. Also, adjacent lands will be surveyed with emphasis on large trees which have the potential for nesting raptors. Results of the preconstruction survey shall be prepared in a letter and given to the CDFG for their review and approval prior to any construction activities.

Measure 2: If any active nests are observed, the nests shall be designated as an Environmentally Sensitive Area and protected (while occupied) during construction activities. The CDFG shall be contacted, consulted, and avoidance measures, specific to each incident, shall be developed in cooperation with the Project proponent, and a qualified biologist. No birds or their nests (including migratory birds covered under the Migratory Bird Treaty Act) will be impacted and no take will occur.

Level of Significance after Mitigation: With incorporation of recommended mitigation, environmental impacts will be reduced to less than significant levels.

IMPACT: **Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service; or have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act through direct removal, filling, hydrological interruption, or other means.**

Waters for the Rockwell Pond include those from the Kings River, which is a navigable river. Wetland vegetation such as rush, bullrush, and willow trees were observed in the Rockwell Pond recharge basin. Besides the Rockwell Pond recharge basin and its issues, sensitive wildlife, plants, or habitats such as riparian vegetation, creeks, streams, or wetlands do not occur in or adjacent to the Project site.

Halstead & Associates consulted with the U. S. Army Corps of Engineers (Corps) in Sacramento and the California Department of Fish and Game (CDFG) in Fresno regarding potential wetland and discharge issues at Rockwell Pond. On July 21, 2008, Mr. Ramon Aberasturi of the Corps stated that the pond would be considered a non-jurisdictional, isolated, dead-end sump; the Corps would not have jurisdiction, and no permits would be required by them. On August 6, 2008, Ms. Annette Teneboe of CDFG was consulted regarding the Project and discharges of stormwater into the pond. Ms. Teneboe reported that because the pond is not an "historical river channel," they would not have jurisdiction, and no permits would be required by CDFG.

Nevertheless, CDFG recommends delineation of surface waters and wetlands with a minimum 50-foot no disturbance buffer around the outer edge of these areas.

Level of Significance before Mitigation: Potentially significant impact.

Mitigation

6.4 Wetlands shall be delineated on the site by the developer and a 50-foot no disturbance buffer maintained around the outer edge of these areas.

Level of Significance after Mitigation: With the incorporation of recommended mitigation, potential environmental impacts will be reduced to less than significant levels.

IMPACT **Interfere with the movement of native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.**

The San Joaquin Kit Fox, its evidence, or foraging was not found on or adjacent to the site using protocol survey methods of den and track searches, scent stations, and night spotlighting. Halstead and Associates concluded that kit fox do not inhabit or forage on the Project site. No kit fox critical habitat, designated recovery areas, or movement corridors occur on the site. Thus, since kit fox will not be harmed, take permits and compensation mitigation for impacts are not necessary for the kit fox.

The Project site is not within a wildlife movement corridor and will not affect regional wildlife movement. No wildlife breeding or nursery areas are known to exist on the Project site. Construction on the Project site will not affect a significant wildlife breeding area. The proposed Project will have a less than significant impact on the regional movements of terrestrial wildlife.

Level of Significance before Mitigation: Potentially significant impact

Mitigation: Mitigation Measures 6.1, 6.2 and 6.3 shall apply. No additional mitigation is recommended.

Level of Significance after Mitigation: With the incorporation of recommended mitigation, potential environmental impacts will be reduced to less than significant levels.

IMPACT: **Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance; or conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.**

There are no adopted local ordinances protecting biological resources nor are there any adopted Habitat Conservation Plans, Natural Community Conservation Plans, or other approved local, regional, or state habitat conservation plans.

Level of Significance before Mitigation: No impact

Mitigation: None required.

7.0 CULTURAL RESOURCES

This chapter discusses prehistoric, ethnographic and historic context and background for the planning area. An historical records search and field reconnaissance were undertaken for the Project and the documents are included in the appendix.

7.1 Environmental Setting

Ethnographically, the inhabitants of the region were the Southern Valley Yokuts. Tribes consisted of as many as 350 individuals living in one or more villages. According to Latta, the Project area is located between the territory of the Wechikit tribal area to the northeast near Sanger and the Wimilche to the south on the Kings River (1977:163, 171). Mission influences did not extend into the southern San Joaquin Valley directly, but rather through runaway mission Indians who brought with them practices learned at the missions. Once California was annexed by the United States, settlers dispossessed the Southern Valley Yokuts from their lands. The remaining tribes were eventually relocated to reservations near the Tehachapi Mountains and Madera, and ultimately to the Tule River Reservation.

The history of the region is linked to exploration dating back to the eighteenth century. Early 19th century contact with valley Native Americans came about as a result of punitive actions by Spanish soldiers seeking runaway mission Indians and military deserters. During the Mexican Period, several expeditions into the valley resulted in Indians being captured and returned to the missions. During the 1840s, many Mexicans and Anglos settled the region.

Near the Project site and dating back to the 1850s, a road system began to evolve in response to the rush from southern California to the gold fields. The Stockton-Los Angeles Road, also known as the Millerton Road or the Stockton-Visalia Road, went from Centerville to Millerton and then onto all points north. This road became a major throughway for travelers from the south.

The City of Selma. The incorporation of Selma is linked to the Southern Pacific Railroad which ran through the middle of the San Joaquin Valley in the 1870s. J. E. Whitson purchased 160 acres 15 miles south of Fresno which would become the new town site. Land owned by Whitson was given to the railroad and the town of Selma came into existence. By 1892, the town had several general stores, lumberyards, a raisin packing house, blacksmith shops, hotels and livery stables. The main industry in Selma, however, was agriculture. The construction of the Fowler Switch Canal and the Centerville and Kingsburg ditch provided ample opportunities for agriculture to expand around the new town. Selma was incorporated March 6, 1893.

7.2 Regulatory Framework

National Historic Preservation Act. The NHPA protects cultural resources eligible to be listed on the National Register of Historic Places (NRHP). The law sets forth criteria used to evaluate the eligibility of cultural resources. The NRHP is composed of districts, sites, buildings, structures, objects, architecture, archaeology, engineering, and culture that are significant to American History.

Cultural Resources Eligible for the California Register of Historical Resources (Evaluation Criteria). In order to be eligible for inclusion on the California Register of Historical Resources, a cultural resource must be at least 50 years old, possess integrity, including physical, stratigraphic, location, setting, and ambience, and, meet one or more of four criteria (California Public Resources Code Section 5024.1):

- Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
- Is associated with the lives of persons important in our past;
- Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possess high artistic values, and
- Has yielded, or may be likely to yield, information important in prehistory or history.

Native American Heritage Commission. When the existence of, or the probable likelihood, of Native American human remains are identified within a project, a lead agency shall work with the appropriate Native Americans as identified by the State Native American Heritage Commission. The applicant may develop an agreement for treating or disposing of, with appropriate dignity, the human remains and any items associated with Native American burials with the appropriate Native Americans as identified by the Native American Heritage Commission.

Tribal Consultation. Government Code Section 65352.3 requires local governments to consult with tribes prior to the adoption or amendment of a general plan or specific plan.

CEQA. Section 15064.5 of the CEQA Guidelines provides guidance for determining the significance of impacts to archaeological and historical resources. It states that, generally, a resource shall be considered historically significant if it qualifies for the California Register of Historical Resources (see above).

California Health and Safety Code. California Health and Safety Code, Section 7050.5 (b) requires that construction be stopped in the vicinity of discovered human remains until the coroner can determine whether the remains are those of a Native American, in which case, the coroner must contact the California Native American Heritage Commission. The Code also establishes a felony penalty for disinterring or otherwise disturbing human remains, except if preformed by relatives.

California Public Resources Code. Section 5097.9 of the Public Resources Code prohibits interference with or damage to any Native American cemetery, place of worship, religious or ceremonial site or sacred shrine. Sections 21083.2(l) and 21084.1 of the Code require consideration for uniqueness of those cultural resources not otherwise eligible for inclusion on the California Register.

Confidentiality - California Government Code Section 6254.10 exempts archaeological site information from the California Public Records Act, to prevent vandalism, trespassing, and unauthorized artifact acquisition. Locational information is not circulated as part of public documents.

7.3 Standards of Significance, Impact Analysis, and Mitigation

Standards of Significance

Appendix G of the CEQA Guidelines provides guidance for assessing the significance of potential environmental impacts. Relative to cultural resources, a Project will normally have a significant effect on the environment if it will:

- Cause a substantial adverse change in the significance of an historical resource as defined in Section 15064.5 of the CEQA Guidelines;
- Cause a substantial adverse change in the significance of an archaeological resource;
- Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature; or
- Disturb any human remains, including those interred outside of formal cemeteries.

Analysis of Impacts and Mitigation

IMPACT: Cause an adverse change in the significance of an historical resource pursuant to Section 15064.5 of the CEQA Guidelines.

A record search was performed by archaeologist Jon Brady at the Southern San Joaquin Valley Information Center, California State University, Bakersfield, California, on November 13, 2007 (RS #07-383). The results of the records search indicated that no cultural resources of a prehistoric or historic nature have been previously recorded within the Project site. The following information applies to a one-mile radius of the project area:

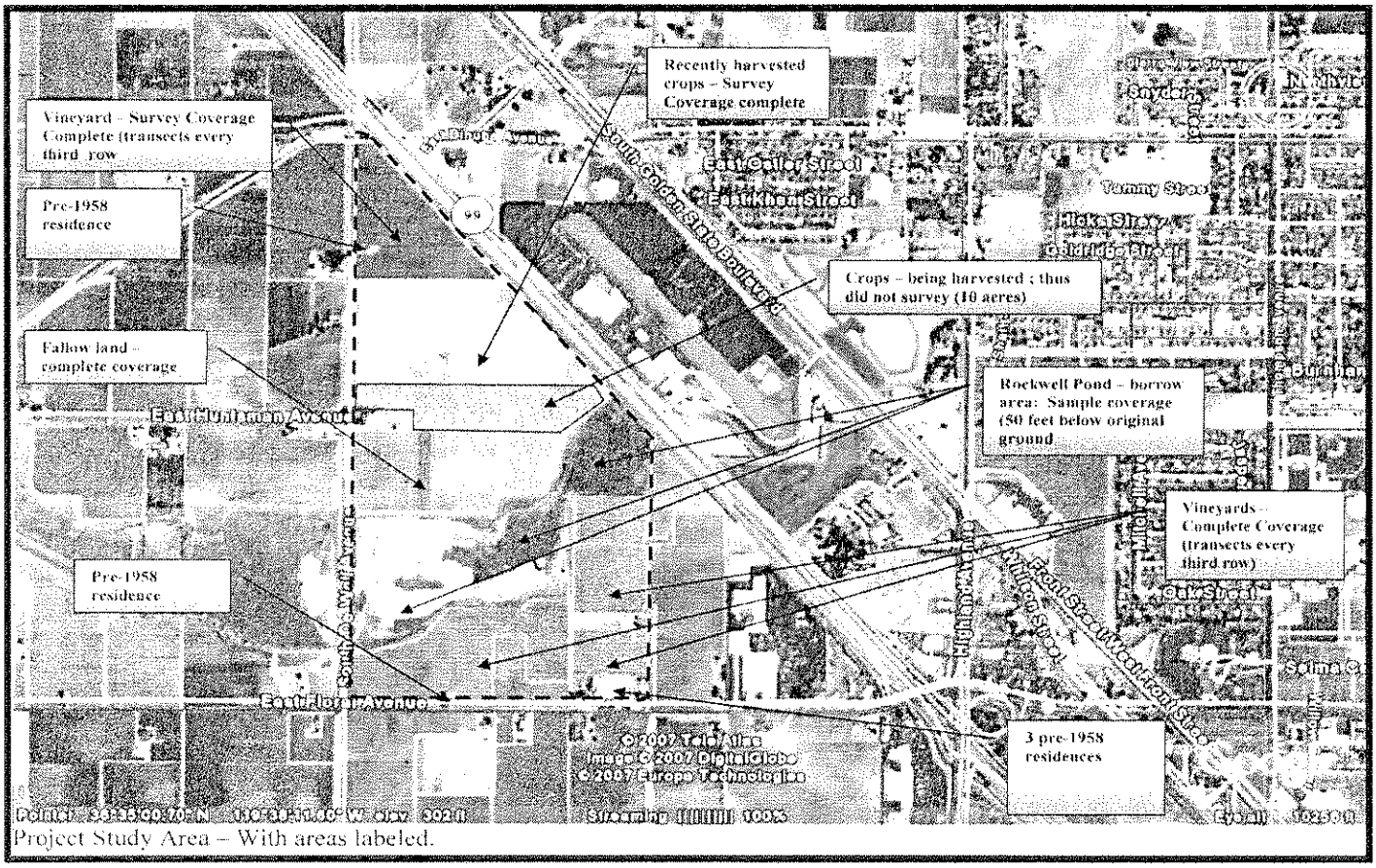
- Archaeological site P-10-002963, a segment of the Fowler Switch Canal, lies on the east side of SR 99, northeast of the Project area.
- A prior survey by Napton (1992) covering 113.6 acres was performed adjacent to the southeast corner of the Project area; no cultural resources were identified.
- No National Register properties are identified.
- No significant California State Historic Resources Inventory properties are noted.
- No California Historical Landmarks exist.
- No California Points of Historical Interest are recorded.

Field Reconnaissance. As part of the scope of work, a thorough surface reconnaissance program entailing an on-foot inspection of the Project site and some surrounding areas was executed on November 18 and 23, 2007 under the direction of Robert Wlodarski, Principal Investigator. The following field observations were made:

- Transects were spaced at no more than five-meter intervals throughout the reconnaissance area where conditions permitted. In areas where row crops were planted, spacing was roughly every third row.
- Ground visibility was good to excellent throughout, and all but 10-acres located in the north central portion of the reconnaissance area (being harvested) was visually inspected for surface signs of cultural resources.
- The northernmost portion of the reconnaissance area contains vineyards, a cleared area where crops were recently harvested, fallow ground, and a pre-1958 structure.
- The middle portion of the reconnaissance area contains 10-acres of crops, fallow land, and the Rockwell Pond area.

- The southern portion of the reconnaissance area contains a portion of the Rockwell Pond area, vineyards, and four pre-1958 residential structures.
- Generally, vineyards account for roughly 40% of the reconnaissance area, with the remaining terrain containing the Rockwell Pond area, row crops, and fallow or recently disked land.
- All of the reconnaissance area has been moderately disturbed due to agricultural activities including cultivation and disking, access road construction, use for vineyards, the construction of residences and associated outbuildings, utility connection to the property and associated disturbances caused by natural drainage and soil erosion, and the construction of associated roads and SR 99.

Figure 7-1: Survey Coverage Map



Project Study Area – With areas labeled.

Figure 7-2: Photographs of Rural Residential Homes in the Project Area

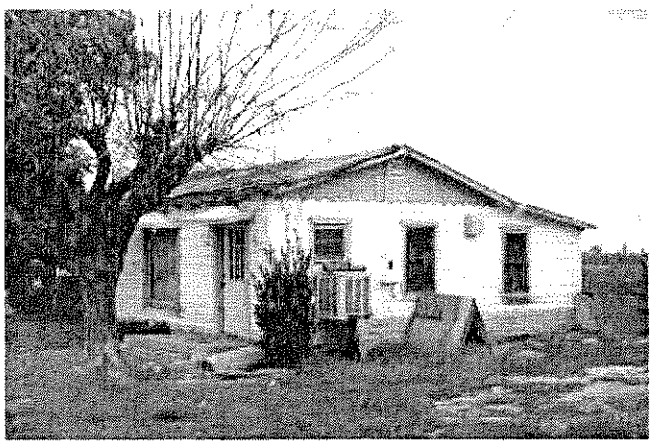


Photo No. 1 - Looking NW toward elevations of worker housing fronting Floral Avenue

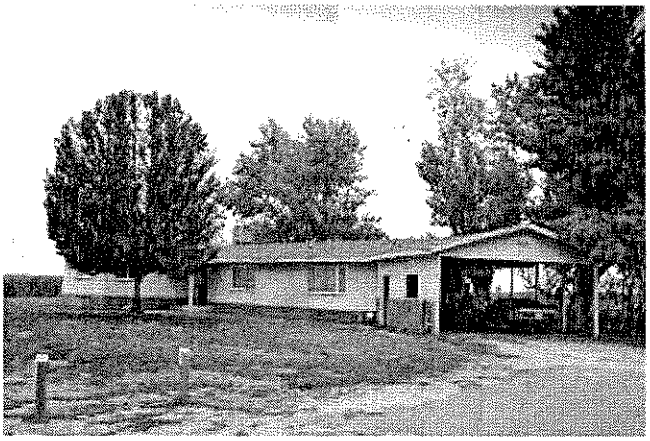


Photo No. 2 - View of unoccupied housing fronting north side of Floral Avenue looking NE

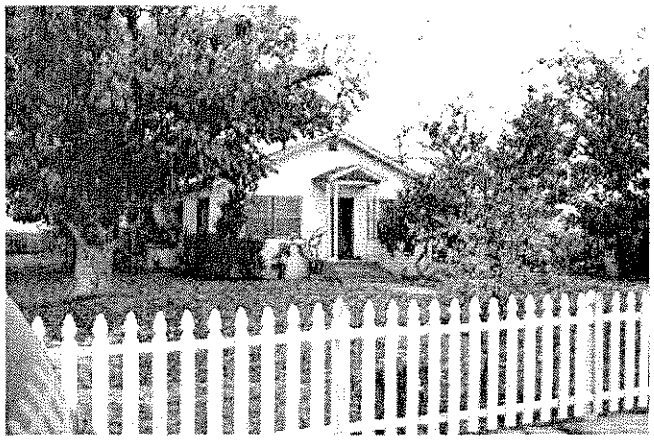


Photo No. 3 - Looking NE toward west elevation of circa 1960 residence fronting Floral Ave

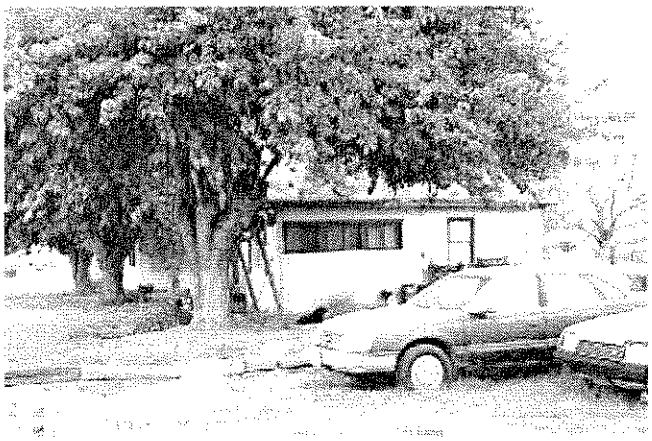


Photo No. 4 - View of circa 1960 residence showing façade and carport on east elevation looking NW

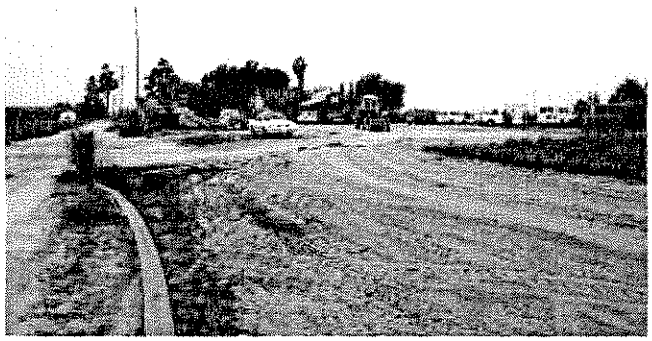


Photo No. 5 - View from DeWolf Avenue toward western edge of recently plowed field with post-1960 Ranch in background

Photo No. 6 - Looking NE at west elevation of circa 1940s cottage fronting Floral Avenue

Cultural Findings. No cultural resources were identified within the Project area pursuant to California PRC Section 21084.1. No prehistoric archaeological remains were encountered within the surveyed area.

Five older structures adjacent to Floral Avenue or DeWolf Avenue dating prior to 1958 were noted. Library and archival research documented and evaluated buildings within the Project area that were at least fifty years old. The properties in question appear to relate to the agricultural development of Selma; therefore, there is a potential that they may be historically significant on a local or regional level. The City was contacted concerning structures in the Project area and none of the existing on-site structures are listed in the Local Register of Historic Places.

The results of the archaeological survey were also negative. Provided that all ground disturbing work is confined to the Project area surveyed as currently defined, no further cultural resources investigation is recommended and the implementation of the Project will not adversely affect any cultural resources.

This being noted, the proposed Project would bring about future urban development that could result in the disturbance, alteration, or destruction of historical resources not previously identified.

Level of Significance before Mitigation: Potentially significant impact.

Mitigation

7.1 In the event any as yet undetected historical resources are encountered in the Project area at a future time, the City of Selma will comply with the requirements of all local, state and federal regulations that protect important historical resources, and notify the Fresno County Planning Department to determine the nature and extent of such resources and the appropriate measures to mitigate potential adverse impacts.

7.2 All structures 50 years of age or more shall be surveyed prior to development of that parcel by a certified cultural specialist for potential inclusion on the Local Register of Historic Places. If found to be eligible, the developer shall preserve the structure in place or, in cooperation with the City of Selma, move the structure to a suitable location.

Level of Significance after Mitigation: With incorporation of recommended mitigation, potential impacts will be reduced to less than significant levels.

IMPACT: Cause an adverse change in the significance of an archaeological or paleontological resource and/or disturb human remains, including those interred outside of formal cemeteries pursuant to CEQA Section 15064.5 and Section 21083.2 of the Public Resources Code.

The Project site has been in agricultural use for many years and no evidence of archaeological or paleontological resources has been reported in the Project area. Research for this environmental assessment did not identify any archaeological or paleontological resources located in the Project area. Consequently, it is not expected that implementation of the Project would disturb archaeological or paleontological resources.

However, the proposed Project would bring about future urban development that could result in the disturbance, alteration, or destruction of archaeological resources not previously identified. Excavation during construction could reveal subsurface archaeological resources. In the event any as yet undetected archeological or paleontological features or remains are encountered in the Project area at a future time, the City of Selma will comply with the requirements of all local, state and federal regulations that protect archeological or paleontological.

Level of Significance before Mitigation: Potentially significant impact.

Mitigation

7.3 In the event any as yet undetected archaeological or paleontological resources are encountered in the Project area at a future time, the City of Selma will comply with the requirements of all local, state and federal regulations that protect important historical resources.

7.4 The following measures shall be implemented for cultural resources discovered during Project implementation activities:

a. In the event that important archaeological or paleontological resources are encountered during Project construction, all earth-moving activity in the specific construction area shall cease until the applicant retains the services of a qualified archaeologist or paleontologist. The archaeologist or paleontologist shall examine the findings, assess their significance, and offer recommendations for procedures deemed appropriate to either further investigate or mitigate adverse impacts on those important archaeological or paleontological resources that have been encountered. No additional work shall take place within the immediate vicinity of the find until the identified appropriate actions have been completed. Project personnel shall not collect or retain artifacts found at the site.

b. If human remains are found during any Project construction on the Project site, all work shall stop in the vicinity of the find and the Fresno County Coroner shall be contacted immediately. If the remains are determined to be Native American, the Coroner shall notify the Native American Heritage Commission. The Native American Heritage Commission shall notify the person considered to be the most likely descendant. The most likely descendant will work with the Project applicant to develop a program for the re-interment of the human remains and any associated artifacts.

Level of Significance after Mitigation: With incorporation of recommended mitigation, potential impacts will be reduced to less than significant levels.

8.0 GEOLOGY, SOILS, AND MINERALS

This chapter examines issues associated with the geological nature of the planning area, surrounding land, and Fresno County generally. The Agricultural Resources section of this EIR discusses potential project impacts on prime agricultural soils and the conversion of agricultural land.

8.1 Environmental Setting

Fresno County is close to the geographic center of California. Most of the County (from approximately Clovis to I-5) lies within the Central Valley geomorphic province, a northwest-trending trough consisting of several thousand feet of marine and non-marine sedimentary rocks. The southern Coast Range, which includes Fresno County west of I-5, has been the most tectonically active of all areas in Fresno County.

There are a number of active and potentially active faults within and adjacent to Fresno County. The California Geological Survey defines a fault as a fracture in the crust of the earth along which rocks on one side have moved relative to those on the other side. An inactive fault is a fault that has not experienced earthquake activity within the last three million years. An active fault is one that has experienced earthquake activity in the past 11,000 years. A fault that has moved within the last three million years, but not proven to have moved within the last 11,000 years, is considered potentially active.

Faults within Fresno County and major active and potentially active faults in the region are described below.

Clovis Fault - The Clovis fault is believed to be located approximately five to six miles east of Clovis, extending from an area just south of the San Joaquin River to a few miles south of Fancher Creek. Fault movement in this area cannot be completely eliminated.

Hartley S-rings Fault, Silver Lake Fault (Parker Lake Fault), Unnamed Faults – These faults are present in the vicinity of Duck Lake a few miles south of Mammoth Lakes.

Unnamed Inferred Fault(s) - Inferred faults occur in an area located a few miles south of Helm, extending southeast to approximately Lanare. The possibility for fault movement in this area cannot be completely eliminated.

Nunez Fault - The Nunez fault, located approximately 6-7 miles northwest of Coalinga, experienced surface rupture during the 1983 Coalinga earthquake and is designated an Earthquake Hazard Zone under the Alquist-Priolo Earthquake Fault Zoning Act.

Ortigalita Fault - The Ortigalita fault zone originates in western Stanislaus County and extends southeast to near Panoche in western Fresno County. Most of the fault is considered active and is designated an Earthquake Hazard Zone under the Alquist-Priolo Earthquake Fault Zoning Act of 1994.

San Andreas Fault - The San Andreas Fault lies approximately 70 miles west of Selma, is considered active, and is of primary concern in evaluating seismic hazards throughout Fresno County.

Sierra Nevada Fault Zone (Owens Valley Fault Zone) – The Owens Valley fault zone is located approximately 12 miles east of Fresno County and is a lengthy and complex system containing active and potentially active faults.

Foothills Fault System - The southern part of the Foothills fault system is located approximately 100 miles north of Selma. Geologic investigations of the Auburn Dam site suggest these faults are potentially active. Therefore, the possibility exists that earthquakes could occur on these faults.

White Wolf Fault - The White Wolf fault is located approximately 100 miles south of Selma. Movement along it generated a series of damaging earthquakes in 1952 in the Bakersfield area.

Coast Range-Sierran Block Boundary - Recent evidence suggests that faults along the western boundary of the Central Valley may be more active than once believed. These faults and folds, which are part of a large system called the Coast Range-Sierran Block Boundary, are similar to the faults/folds identified as the cause of the 1983 Coalinga earthquake.

Although most of Fresno County is situated within a relatively low seismic activity area, fault systems along the boundaries of the County have the potential to produce high-magnitude earthquakes that could cause moderate intensity grounds shaking. The valley portion of Fresno County is located on alluvial deposits which tend to experience greater ground shaking than areas located on hard rock. Therefore, structures in the valley area would tend to suffer greater damage from ground shaking than those located in the foothills and mountain areas.

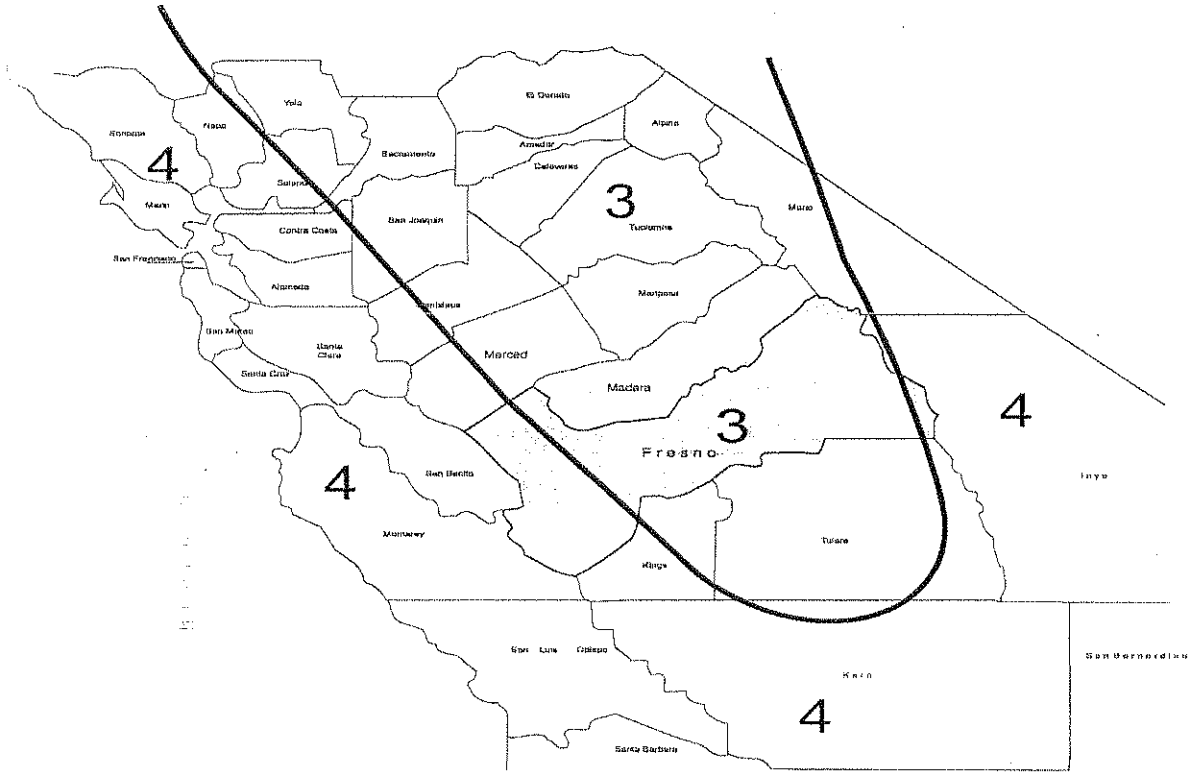
The Richter Scale is most often used to measure the intensity of an earthquake as shown in Table 8-1. A "moderate" earthquake is defined by the United States Geological Survey as an earthquake measuring 6.0 to 6.9 magnitude on the Richter Scale. A magnitude of 6.0 to 6.9 represents an earthquake felt by everyone, causing furniture to move, waves on ponds and moderate damage to reinforced and un-reinforced masonry structures. An earthquake of magnitude 8.5 is considered the maximum credible quake and would most likely result from activity on the San Andreas Fault (USGS).

Table 8-1
Relationship between Earthquake Magnitude and Intensity

Richter Scale Magnitude [M]	Maximum Expected Intensity (MM)[a]	Distance Felt (in approximate miles)
2.0 - 2.9	I – II	0
3.0 - 3.9	II – III	10
4.0 - 4.9	IV – V	70
5.0 - 5.9	VI – VII	90
6.0 - 6.9	VII – VIII	130
7.0 - 7.9	IX – X	240
8.0 - 8.9	XI – XII	360

Source: USGS, 1977. [a] Modified Mercalli Intensity Scale

There are four "seismic zones" in the United States, ranging from zones 1 to 4, with the higher number indicating greater earthquake danger. The Project site is located in Zone 3 (see Figure 8-1) and is subject to seismic activity. Stringent construction standards for buildings in Zones 3 and 4 have been adopted in the California Building Code.



SOURCE: California Code of Regulations, Title 24, Figure 2A-2, 1991; Structural Engineers Association of California, Seismology Committee, Recommended Lateral Force Requirements and Tentative Commentary, 1988, Figure 1A and p. 5-C; EIP Associates, March 1997.

Land Use Associates

NORTH

FIGURE 8-1 – EARTHQUAKE MAP OF CALIFORNIA

CITY OF SELMA
"ROCKWELL POND COMMERCIAL PROJECT"

City of Selma. There are no active or potentially active faults at the surface within the Selma planning area. Additionally, none of the regional faults identified are estimated to pose a ground rupture threat to Selma. Nonetheless, people and structures in Selma are subject to risks from the hazards associated with earthquakes. Seismic activity poses two types of hazards: primary and secondary. Primary hazards include ground rupture, ground shaking, ground displacement, and subsidence and uplift from earth movement.

Primary hazards can induce secondary hazards such as ground failure, liquefaction, movement on nearby faults (sympathetic fault movement), dam failure and fires. Potential seismic hazards affecting the City of Selma would likely involve ground shaking only. The Planning Area is subject to moderate to high ground shaking from a seismic event occurring along regional faults.

Mineral Resources. The California Department of Conservation, Division of Mines and Geology is responsible under the Surface Mining and Reclamation Act to classify and designate areas that contain, or could contain, significant mineral resources. The Project site is characterized by alluvial sand, silt, and bedrock consisting of sandstone or granite. Primary mineral resources in Fresno County include sand and gravel which are mined several miles to the east and north of the of the Project area. According to the Division of Mines and Geology, there are no significant mineral resources in the Selma area.

8.2 Regulatory Framework

State Regulations

California provides minimum standards for building design through the California Building Code (California Code of Regulations (CCR), Title 24), which is based on the 2006 International Building Code (IBC) used widely throughout the U.S. The IBC contains numerous more detailed or stringent regulations relating to earthquake-safe building construction in California.

State regulations and engineering standards related to geology, soils, and seismicity are reflected in the City of Selma building standards. Construction and design would be required to comply with the latest standards at the time of construction, including preparation of a geotechnical study to identify site-specific conditions. Issues addressed include seismic design, site preparation, grading, and foundation design. Earthquake-resistant design and materials are required to meet or exceed the current seismic engineering standards of the IBC Seismic Zone 3 or 4 requirements, depending on the location.

The Alquist-Priolo Earthquake Fault Zoning Act - (Public Resources Code 2621-2630, Division 2, Chapter 7.5) regulates development near active faults so as to mitigate the hazard of surface fault-rupture. Under the Act, the State Geologist is required to delineate special study zones along known active faults. The Act also requires that, prior to approval of a project, a geologic study be conducted to define and delineate any hazards from surface rupture.

Surface Mining and Reclamation Act - The California Surface Mining and Reclamation Act (SMARA) of 1975, was enacted in response to land use conflicts between urban growth and essential mineral production. SMARA requires the State Geologist to classify land according to the presence or absence of significant mineral deposits. Local governments must consider this information before land with important mineral deposits is committed to land uses incompatible with mining. SMARA provides for the evaluation of an area's mineral resources using a system of Mineral Resource Zone (MRZ) classifications that reflect the known or inferred presence and significance of a given mineral resource.

Local Regulations

Selma City General Plan – Safety Element. The intent of the Safety Element is to reduce and minimize the economic, social, and physical disruption created by natural geologic dangers. The City of Selma is currently updating its General Plan. The General Plan Update will include a Safety Element and this Project shall comply with all adopted policies of that element if the General Plan Update is adopted prior to the adoption of this EIR. At this time, the "Five County Seismic Safety Element - Fresno, Kings, Madera, Mariposa and Tulare Counties and their Respective Incorporated Cities" adopted in 1974 is used by the City of Selma to address seismic safety issues.

8.3 Seismic Hazards

Hazards associated with earthquakes include primary hazards, such as ground shaking and surface rupture; and secondary hazards, such as liquefaction, settlement, landslides, tsunamis, and seiches.

Older buildings constructed before building codes were established, and newer buildings constructed before earthquake-resistance provisions were included in codes are most likely to be damaged during an earthquake. Buildings one or two stories high of wood-frame construction are considered to be the most structurally resistant to earthquake damage. The susceptibility of a structure to damage from ground shaking is also related to the underlying foundation material.

Liquefaction - Liquefaction is a process whereby soil is temporarily transformed to a fluid form during intense and prolonged ground shaking. Areas most prone to liquefaction are those where the water table is less than 30 feet below the surface and consist of relatively uniform sands that are loose to medium density. Soil types in Fresno County are not conducive to liquefaction because they are either too coarse or too high in clay content.

Settlement - Settlement can occur in poorly consolidated soils during ground shaking. The only urban area in Fresno County directly affected by settlement is the city of Coalinga.

Expansive Soils - Expansive soils are those that greatly increase in volume when they absorb water and shrink when they dry out. Soils exhibiting a high to moderately high shrink-swell potential generally occur in eastern Fresno County, and along Fresno Slough from Madera County to Kings County.

Grading and Erosion - The primary concern with erosion relates to increased sedimentation in receiving water from construction site runoff and urban development. Building codes utilized by the City of Selma set forth regulations to control excavation, grading, and earthwork construction, including fills and embankments. All grading activities are required to be permitted by the City's Building Official.

8.4 Standards of Significance, Impact Analysis, and Mitigation

Standards of Significance

Significance thresholds have been identified based on Appendix G of the CEQA Guidelines. The Project would have a significant impact related to geology and soils if implementation were to:

- Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death, involving; rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault, strong seismic ground shaking, and seismic-related ground failure, including liquefaction or landslides;
- Result in substantial soil erosion or the loss of topsoil;
- Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on-site or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse;
- Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property; or
- Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater.

For purposes of this EIR, the Project may have a significant adverse impact associated with mineral resources if it would do any of the following:

- Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state.
- Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan.

Impacts and Mitigation Measures

IMPACT: **Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death, involving; rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault, strong seismic ground shaking, and seismic-related ground failure, including liquefaction or landslides.**

Based on the historic seismicity of the region, it is probable that portions of Fresno County would be affected by at least one moderate to large earthquake during a 20-year timeframe. For example, the 1983 Coalinga earthquake was a significant seismic event in western Fresno County. Because of the variety of geologic units and soil types throughout the County, the extent of damage would depend on the specific physical characteristics of the underlying soils, rock types, duration and intensity of shaking, and other factors.

Development of the Project would increase the number of people who could be exposed to seismic hazards. Earthquake-induced ground shaking would be the primary hazard that could result in injury, loss of life, or property damage due to damage or failure of structural and non-structural building components. In addition, utility service could be disrupted due to damage or destruction of infrastructure and emergency response services could be delayed if roadways are damaged.

Recommended measures to reduce the potential for life, safety, and property damage would be identified in site-specific geotechnical studies prepared for new development. Prior to the issuance of building permits, project applicants would be required to demonstrate that the proposed development complies with all required regulations and standards pertaining to seismic hazards. The evaluation of potential seismic hazards and incorporation of appropriate design and construction features and effective land use planning is required by State law.

There are no significant constraints to development related to seismic hazards in the Selma area that cannot be mitigated through implementation of applicable regulations and codes and standard engineering practices. Implementation of applicable IBC and local building code and permitting requirements would minimize the potential for adverse effects on people and property due to seismic activity. Although more people would be exposed to seismic hazards with development of the Project, compliance with all applicable regulations, standards, and codes would reduce potential impacts to a less-than-significant level.

Level of Significance before Mitigation: Less than significant impact.

Mitigation: None required.

IMPACT: Result in substantial soil erosion or the loss of topsoil.

Erosion is frequently accelerated by site preparation activities such as excavation and grading and cuts and fills. Erosion potential can also be enhanced by changing the permeability or runoff characteristics of the soil, or by modifying or creating new pathways for drainage. After development, some areas that are not effectively contoured, compacted, or revegetated may be susceptible to erosion. In addition, potential adverse effects on water quality may occur from increased sediment loads carried in runoff erosion.

Grading associated with individual development project construction could result in erosion and sedimentation impacts. The City will require preparation of a grading plan which incorporates temporary stabilization measures to protect exposed areas during construction activities, watering to control dust, and soil erosion, and sedimentation control measures. Compliance with the City of Selma construction standards and the International Building Code would minimize potential erosion and sediment.

Level of Significance before Mitigation: Potentially significant impact.

Mitigation

8.1 Developers shall prepare a grading plan for all proposed development in the Project area that is in compliance with City of Selma construction standards and the International Building Code.

Level of Significance After Mitigation: The recommended mitigation measure will reduce potential impacts to less than significant levels.

IMPACT: Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on-site or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse; or be located on expansive soil.

The Project site consists of 1) Delhi loamy sand (DhA), 0 to 3% slopes; 2) Delhi loamy sand (DhB), 3 to 9% slopes, 3) Hanford sandy loam (Hc), 4) Delhi sand (DeA), 0 to 3% slope, and 5) Delhi sand (DeB), 3 to 9% slope (see Figure 4-1 and Table 4-3). None of these soils exhibit significant development constraints.

Development would not result in construction of new buildings and structures on expansive soils or on soils conducive to liquefaction. As a rule, soil types in Fresno County are not conducive to liquefaction because they are either too coarse or too high in clay content.

At the discretion of the City Engineer, prior to the issuance of building permits, a site-specific geologic and/or geotechnical study (soils report) may be required for development sites. The report may be required to address the specific subsidence and/or expansive soils potential and specify applicable design criteria. The report may also be required to include test borings, excavations, soil and chemical tests, soil compaction tests and geotechnical analysis of soil conditions and behavior under seismic conditions approved by the City Engineer and/or the City Building Official, and shall include recommendations for corrective measures when necessary. The City will require that structures and infrastructure subject to soil constraints be constructed with properly designed foundations and footings in accordance with the International Building Code. Existing building codes and standards of the City of Selma will reduce potential structural impacts, as a result of soil conditions, to less-than-significant levels.

Level of Significance: Less than significant impact.

Mitigation: None required.

IMPACT: **Result in the loss of availability of a known mineral resource or result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan.**

The Surface Mining and Reclamation Act identifies the following construction aggregate deposits in the Fresno region as being of regional significance:

- Alluvial deposits of the Kings River between Avocado Lake on the northeast and the Southern Pacific Railroad tracks on the southwest.

- Portions of the San Joaquin River floodplain between Friant Dam and Highway 99.

The Kings River deposits are located 5-10 miles to the southeast of the Project site; the San Joaquin River deposits are located 15-20 miles to the northeast. There are no known mineral resources on the Project site or in the Project area. Adoption and implementation of the Project will not result in the loss of a mineral resources designated area, therefore; no impact has been identified.

Level of Significance: No impact.

Mitigation: None required.

IMPACT: **Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater.**

Existing rural residential homes on the Project site are supported by septic systems. All new development in the City of Selma, however, will be served by wastewater treatment facilities of the Selma-Kingsburg-Fowler County Sanitation District. This includes the proposed Project.

Level of Significance: No impact.

Mitigation: None required.

9.0 HAZARDS AND HAZARDOUS MATERIALS

This chapter describes the potential impacts on human health and the environment due to exposure to hazardous materials or conditions that could be encountered as a result of implementation of the Project. Potential effects include those associated with exposure to hazardous materials used, stored, transported, or disposed of during construction activities or project operations.

9.1 Environmental Setting

Much of the Project site is located on property used for agricultural production. Agricultural practices on the site may have included use or storage of chemicals still persistent in the soil. This being noted, there are no known hazardous sites located on the Project site nor are there any Superfund sites located within the Project site or its immediate vicinity.

The term "hazardous material" is defined as any material that because of its quantity, concentration, physical or chemical characteristics, poses a significant present or potential hazard to human health or safety, or to the environment. Once a hazardous material is ready for discharge, it is considered "hazardous waste." Hazardous waste is any hazardous material that is abandoned, discarded, or recycled.

Certain activities pose a risk of exposure to people or the environment due to routine or accidental releases, such as spills, or as a result of possible contamination related to past uses of property. For example, vehicles on city roadways and local highways transport significant amounts of hazardous materials, thereby exposing nearby people and the environment to potentially hazardous situations. Urbanized areas historically experience the greatest problems related to hazardous materials and wastes.

9.2 Regulatory Framework

Resource Conservation and Recovery Act (RCRA) - Under RCRA, individual states may implement their own hazardous waste programs as long as the state program is at least as stringent as federal RCRA requirements. In California, the California Environmental Protection Agency (Cal EPA) and the Department of Toxic Substances Control (DTSC), regulate the generation, transportation, treatment, storage, and disposal of hazardous waste. The EPA approved California's RCRA program, called the Hazardous Waste Control Law (14WCL), in 1992.

CERCLA – The *Comprehensive Environmental Response, Compensation, and Liability Act* (CERCLA) and associated Superfund Amendments and Reauthorization Act provide the U.S. EPA with the authority to identify hazardous sites, to require site remediation, and to recover the costs of site remediation from polluters.

California Code of Regulations, Title 22, Section 66261.20-24 - Soils having contaminants higher than certain acceptable levels must be handled and disposed as hazardous waste when excavated. The California Code of Regulations, Tide 22, Section 66261.20-24 contains technical descriptions of characteristics that would cause a soil to be classified as a hazardous waste.

California Code of Regulations, Section 65962.5 - The California Code of Regulations Section 65962.5 requires that information about the location of hazardous materials be reported on the Hazardous Waste and Substances List or Cortese List. DTSC is responsible for maintaining the list. The Cortese List is similar to the Superfund list regulated by the federal government.

Business Plan Act - The Business Plan Act requires that any business that handles hazardous materials prepare a business plan, which must include the following:

- Details, including floor plans, of the facility and business conducted at the site.
- An inventory of hazardous materials that are handled or stored on site.
- An emergency response plan.
- A safety and emergency response training program for new employees with annual refresher courses.

Unified Program -The Unified Program has six elements: hazardous waste generators and hazardous waste on-site treatment; underground storage tanks; aboveground storage tanks; hazardous materials release response plans and inventories; risk management and prevention programs; and Uniform Fire Code hazardous materials management plans and inventories. The local agency responsible for implementation of the Unified Program is the Fresno County Environmental Health Division.

Hazardous Materials Transportation Regulations (26 CCR) - The State of California regulates the transportation of hazardous waste originating in the state and passing through the state (26 CCR).

California Emergency Services Act - The state has developed an Emergency Response Plan to coordinate emergency services provided by federal, state, and local governmental agencies and private persons. Response to hazardous materials incidents is one part of this plan. The plan is administered by the state Office of Emergency Services (OES).

Fresno County Airport Land Use Commission - The statutory authority for establishment of the Fresno County Airport Land Use Commission and its adoption of procedures and policies is provided by the California Public Resources Code, Sections 21670-21678. Proposals for adoption or amendment of general plans, zoning ordinances, building regulations and airport master plans are referred to the Commission prior to final action being taken by the appropriate governing body. The Commission has adopted policies addressing compatibility with airport noise, airspace protection, safety, and general nuisance impacts.

9.3 Standards of Significance, Impact Analysis, and Mitigation

Standards of Significance

Appendix G of the CEQA Guidelines provides guidance for assessing the significance of potential environmental impacts. Relative to hazards and hazardous materials, a project will normally have a significant effect on the environment if it will:

- Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials;
- Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment;

- Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school;
- Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan;
- Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment; or
- Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands.
- For a project located within an airport land use plan or where such plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area.
- For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing in the project area.

Impacts and Mitigation

IMPACT: Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials; or create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.

Risks on and around the Project site would occur as a result of the development of industrial and commercial uses that use hazardous materials and generate hazardous waste, and through the development of former agricultural sites where hazardous chemicals were used or disposed of. Some increase in household hazardous materials would also be expected to occur.

The demolition or renovation of buildings and structures on the Project site could involve asbestos-containing materials or similar airborne hazards. In addition, continued agricultural operations on neighboring property could involve the use and storage of fertilizers, herbicides, and pesticides, some of which may have harmful effects.

Demolition of buildings or structures where certain hazardous materials (e.g., asbestos and lead) are present must comply with State laws and regulations and local air pollution district notification and monitoring requirements.

While development on the Project site has the potential to create hazards to the public or the environment through upset and accident conditions involving the release of hazardous materials into the environment, such risks would occur with or without the Project as development-related growth occurs in the area.

Moreover, potential increases in commercial use of hazardous materials would be controlled by federal, State and County agencies, as discussed in the following paragraph, which would ensure that hazardous material use and transportation are controlled to minimize hazards. State of California Hazardous Material Transportation Regulations (26 CCR) govern the transportation of hazardous waste originating/passing through the state. Adherence to California Vehicle Code Section 32000 will ensure that every motor carrier related to the Project who transports in excess of 500 pounds of hazardous materials is licensed to do so.

Adherence to the CalARP and the Business Plan Act will prevent the accidental release of regulated substances from businesses that store or handle certain volumes of regulated substances at their facilities within the Project site.

Stringent federal and state regulations pertaining to container packaging and labeling, vehicle signage, and manifesting have been established to protect the public and environment during the transport of hazardous materials and wastes. While development on the Project site could expose an increased number of the public to hazards from the routine transport, use, or disposal of hazardous materials, the risk would be minimal. In the event of release of hazardous materials, the Selma Fire Department would immediately respond in conjunction with Fresno County's Emergency Response Team. The Emergency Response Team is administered by the County's Department of Community Health, Environmental Health System to provide technical oversight and assistance for all emergency situations, including hazardous materials incidents that occur in Fresno County.

The majority of hazardous materials incidents in Fresno County are fuel-spill related. If a hazardous materials incident occurs, an Emergency Response Team is dispatched by the Sheriff's office. When Environmental Health System personnel reach the site, they assist other emergency response personnel in (1) assessing the situation, (2) determining cleanup strategies, (3) overseeing evacuation, if necessary, and (4) certifying that cleanup is complete.

Level of Significance: Less than significant impact.

Mitigation: None required.

IMPACT: Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.

The Project site is served by the Selma Unified School District. The Project does not include any future school sites and the nearest existing school site is located approximately 1½ miles to the southeast on Mitchell Avenue east of Highland. No aspect of the Project is expected to emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within ¼ mile of an existing or proposed school.

Level of Significance: No impact.

Mitigation: None required.

IMPACT: Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.

Fresno County Office of Emergency Services (OES) coordinates the development and maintenance of the Fresno County Operational Area Master Emergency Services Plan. The purpose of this plan is to ensure the most effective and economical use of all resources, material and manpower, for the maximum benefit and protection of effected populations in an emergency/disaster. The Project will not interfere with this Plan as the City of Selma will require that the Project provide infrastructure and adequate access to support emergency response capabilities. The Project will be designed and constructed in a manner that minimizes risks from fire, seismic, and noise hazards; and includes adequate emergency access for fire and emergency vehicles.

A water distribution system will be installed throughout the Project, providing sufficient domestic and fire flow supplies. All commercial facilities will be equipped with fire sprinklers. All buildings within the Project will be built to federal, State and local regulations for seismic and geologic requirements.

The Project will have no impact on emergency preparedness because the development requirements of the City of Selma will ensure compliance with standards of the adopted emergency response plan.

Level of Significance: No impact.

Mitigation: None required.

IMPACT: **Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment.**

The databases, lists, and reports compiled pursuant to Government Code Section 65962.5, were consulted in order to identify any recorded hazardous waste sites within the Project area. No recorded sites were identified. There is one Superfund site in Fresno County located in the City of Selma (Selma Treating Co. 1735 Dockery Avenue). The Project area is approximately 2.5 miles northwest of this business.

Agricultural practices may have included the use or storage of chemicals that are still persistent in the soil. To determine the level of potential contaminants, the City of Selma will require all proposed development projects to prepare a soils report prior to issuance of building permits. Should any soil hazards be identified, proper remediation would be required by the City of Selma.

The Project will also locate people on property previously used for, and in proximity to, existing agriculture. The application of restricted agricultural products on farming operations is regulated and enforced by the Fresno County Department of Agriculture, Weights and Measures in accordance with provisions of the California Department of Food and Agriculture Pesticide Regulation Program.

For lands that have been in agriculture for many years, the presence of persistent pesticides and metals is not unusual. Any land used for agriculture is likely to contain contaminates from pesticides, fertilizers, dumping, and fuel storage, all standard practices for agricultural uses. These potential contaminates need to be identified and, if present, dealt with as required by the various regulatory agencies managing toxic and hazardous substances.

Prior to construction within the Project area, compliance with the EPA, the California Departments of Health Services, Food and Agriculture, Water Resources Control Board, Fish and Game, Resources Agency, Water Resources, Soil Waste Management Board (if dumping has occurred), and Toxic Substances Control shall be required. Compliance with existing regulations will be sufficient to reduce the potential impact of the project with regard to hazardous substances to less than significant levels.

Level of Significance: No impact.

Mitigation: None required.

IMPACT: **Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands.**

In urban areas, wildland fires can occur in grasslands, fallow agricultural areas, and vacant lots. The City of Selma will require a water distribution system to be installed throughout the Project, providing sufficient domestic and fire flow supplies. All commercial facilities will be equipped with fire sprinklers. In addition, the Project will be designed and constructed in a manner that minimizes the risk from fire hazards and meets all applicable State and City fire standards; provides for safe and ready access for fire and other emergency equipment; and provides adequate access for fire and emergency vehicles and equipment.

Wildland fire is considered a minimal risk in the Project area. Project design and construction standards are sufficient to reduce potential impacts and minimize the exposure of people and structures to loss, injury, or death involving wildland fires.

Level of Significance: No impact.

Mitigation: None required.

IMPACT: **For a project located within an airport land use plan or where such plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area.**

The Selma Aerodrome is located at the northwest quadrant of Floral and DeWolf Avenues, approximately ½ mile west of the Project site. The Selma Aerodrome is the only public use airport within two miles of the Project site. Figure 9-1 shows the Selma Aerodrome Air Zones. Policies and standards for airport safety are contained in the *Fresno County Airports Land Use Policy Plan* (please see chapter 12.0-Noise, for a discussion of noise issues related to airport operations). The entire Project site is located within the horizontal zone of the airport. Further, the immediate northeast corner of Floral and DeWolf Avenues on the Project site is located within the inner approach zone.

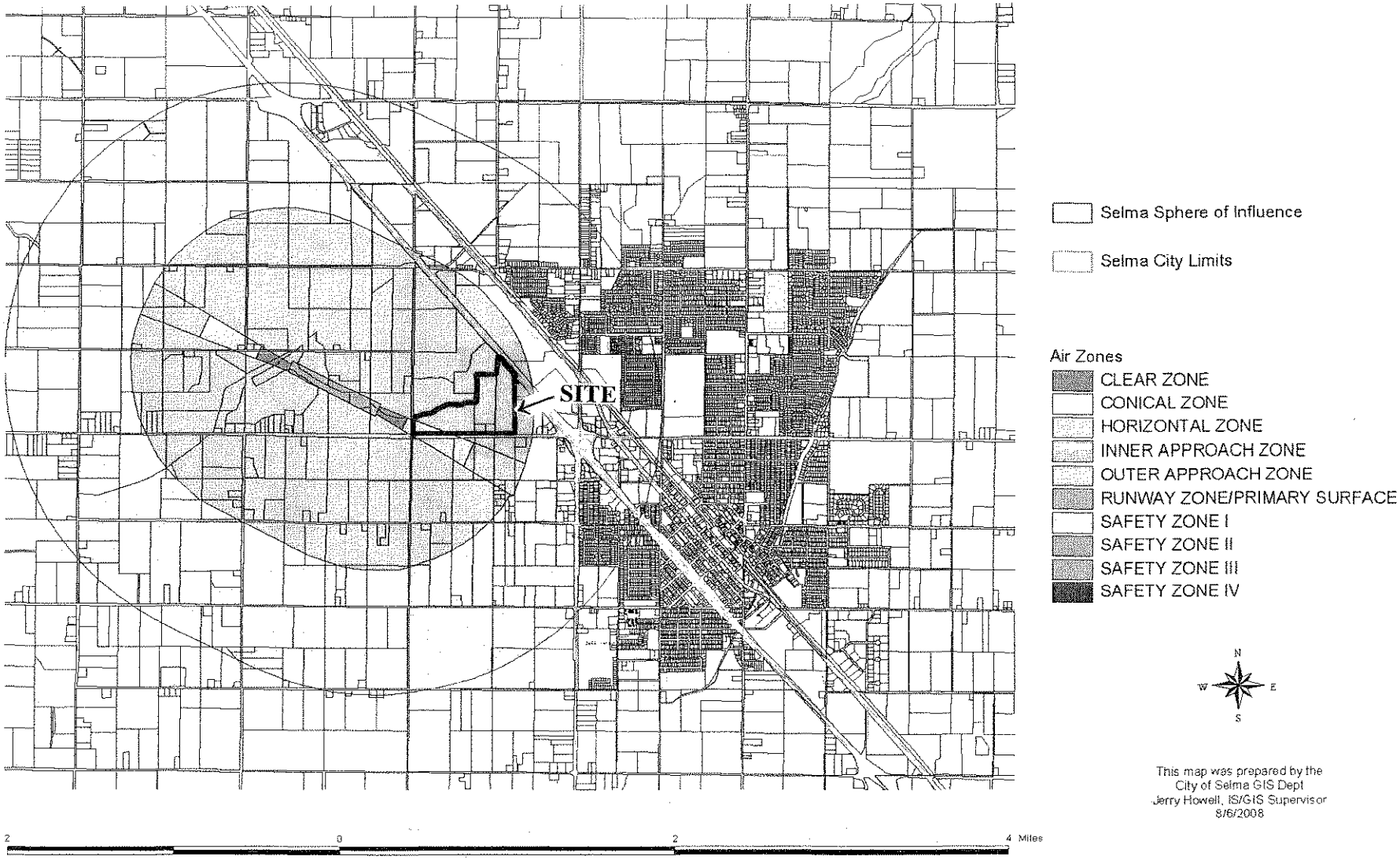
Airspace Protection. In order to ensure airspace protection, building height is governed by Part 77, Subpart C, of the Federal Aviation Regulations (FAR). Within the horizontal zone, building height is generally limited to a maximum of 35 feet.

Airport Safety. Table 3 of the *Fresno County Airports Land Use Policy Plan* establishes compatibility criteria for structures located near airports. Within the horizontal zone, uses other than residential (i.e., retail uses) and other uses not in structures are acceptable, with little or no risks. Within the inner approach zone, retail uses in structures may not include uses that attract more than 10 persons per acre; may not include schools, hospitals, nursing homes or similar uses; and at least 20% of the area must be open, such that a small aircraft could make an emergency landing. For uses outside of structures, no use may attract more than 25 persons per acre.

The site plan on Figure 2-3 shows that the area within the inner approach zone at the northeast corner of Floral and DeWolf Avenues is within Phase 2 and planned for in-line retail shops. This use may not be appropriate within the inner approach zone as it will attract more than 10 persons per acre and does not contain a required open space pattern. Review of the site plan will be required by the Airport Land Use Commission and it is likely that revisions to the site plan will be required to comply with safety criteria.

Level of Significance before Mitigation: Potentially significant impact.

Figure 9-1: Selma Aerodrome Air Zones



Mitigation

9.1 The proposed Project shall be referred to the Fresno County Airport Land Use Commission for review and evaluation as to its consistency with the *Fresno County Airports Land Use Policy Plan.* The Project shall be referred to the Commission prior to an action taken by the City of Selma.

9.2 The City shall require a "buyer notification statement" as a requirement for the transfer of title of any property location with the Project site. The statement shall indicate that the buyer is aware of the proximity of an airport, the characteristics of the airport's current and projected activity, and the likelihood of aircraft over flights of the affected property.

Level of Significance after Mitigation: With incorporation of recommended mitigation, potential impacts will be reduced to less than significant levels.

IMPACT: **For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing in the project area.**

A private air strip operated by the Quinn Company is located on the east side of SR 99 north of Floral Avenue. The private strip is parallel to SR 99 and used only for company operations; the approach areas do not overlap the Project site and no impacts from operation of the Quinn air strip are anticipated.

Level of Significance: No impact.

Mitigation: None required.

10.0 HYDROLOGY

This chapter examines potential impacts associated with the Project on drainage, flooding, and domestic water supply. Impacts that may result from implementation of the Project are identified and mitigation measures to reduce potential impacts are recommended where appropriate.

10.1 Environmental Setting

Drainage - The Project area is in agricultural/open space use with scattered rural residential development. A percentage of natural runoff and irrigation waters in the area drain into Rockwell Pond but there are no formal drainage facilities available.

Flooding –Rockwell Pond is a natural basin that serves as a flood control facility for much of northern Selma. Rockwell Pond is designated Zone A, indicating location within a 100-year flood inundation zone. Property outside of Rockwell Pond proposed for urban development is located outside the 100- year flood plain in Zone X according to the FEMA Flood Insurance Rate Map.

Water Supply – Existing domestic water is supplied by private wells to several rural residential units in the Project area. Following annexation, domestic water will be provided by the California Water Service Company, Selma District. The Project area is located within the Consolidated Irrigation District (CID) and receives surface water for irrigation and also pumps groundwater for agricultural use.

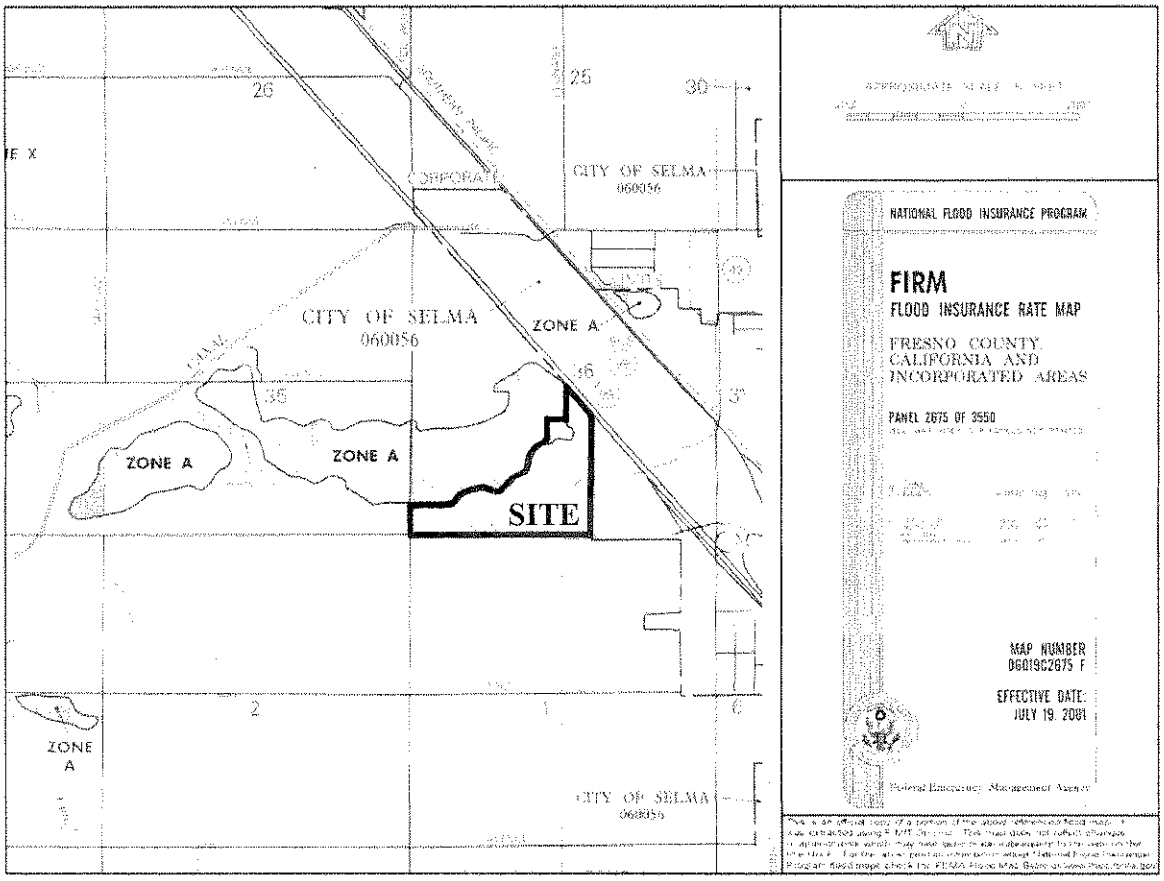
10.2 Regulatory Framework

Federal Laws and Regulations

Federal Emergency Management Agency - The Federal Emergency Management Agency (FEMA) administers the National Flood Insurance Program which publishes maps that identify areas at risk from flooding. Flood hazards are identified for areas subject to flooding from 100 and 500-year storm events.

FEMA maps shown in Figure 10-1 indicate that Rockwell Pond is located in Zone A (inside a 100-500 year flood zone) and that this natural drainage area is subject to annual flooding. Because detailed hydraulic analyses are not performed for such areas, no Base Flood Elevations or depths are shown within this zone. Mandatory flood insurance purchase requirements apply. Figure 10-1 shows that the property designated for urban development in the Project area outside of Rockwell Pond is located in Zone X, outside the 100-year flood plain. This flood insurance rate zone corresponds to areas outside the 1-percent annual chance floodplain. No Base Flood Elevations or depths are shown within this zone. Flood insurance purchase is not required in this zone.

Federal Clean Water Act - The U.S. Environmental Protection Agency (EPA) is responsible for water quality management through the Clean Water Act (CWA). The CWA is administered by the U.S. Army Corps of Engineers' (USACE). Under Section 401 of the CWA, an applicant for a Section 404 permit (to discharge, dredge or fill material into waters of the United States) must first obtain a certificate from the appropriate State agency stating that the activity is consistent with the State's water quality standards and criteria. In California, the authority to either grant water quality certification or waive the requirement is delegated by the State Water Resources Control Board (SWRCB) to the nine regional water quality control boards (RWQCBs).



Land Use Associates

NORTH

FIGURE 10-1 – FEMA MAP FOR THE PROJECT SITE

CITY OF SELMA
"ROCKWELL POND COMMERCIAL PROJECT"

Under Section 303(d) of the CWA, states are required to develop lists of water bodies that would not attain water quality objectives after implementation of required levels of treatment by point-source dischargers (municipalities and industries) Section 303(d) requires states to develop a total maximum daily load (TMDL) for each of the listed pollutants. The TMDL is the amount of loading that the water body can receive and still be in compliance with water quality objectives. The TMDL can also act as a plan to reduce loading of a specific pollutant from various sources to achieve compliance with water quality objectives.

US EPA Storm Water Run-off. The US EPA has promulgated Phase I and Phase II regulations for permitting storm water discharges. Phase I regulations apply to storm water discharges from industrial sites (including construction sites that disturb five acres or more) and from municipal storm systems serving a population of 100,000 or more. EPA Phase II regulations require permits for storm water discharges from small storm systems and from construction sites disturbing between one and five acres. Phase II of the municipal permit system (known as the NPDES General Permit for Small MS4s) requires small municipal areas of less than 100,000 persons to develop stormwater management programs.

Federal regulations allow two permitting options for storm water discharges - individual permits and general permits. The California SWRCB elected to adopt a statewide general permit for small storm sewer systems in order to efficiently regulate numerous storm water discharges under a single permit. Under the General Permit, the Central Valley RWQCB issues permits for such activities as project construction which may cause impacts on surface water and groundwater.

State Laws and Regulations

The SWRCB is responsible for developing statewide water quality policy and exercises the powers delegated by the federal government under the CWA. Other State agencies with jurisdiction over water quality regulation in California include the California Department of Health Services (DHS) (for drinking water regulations), the California Department of Pesticide Regulation, the California Department of Fish and Game (CDFG), and the Office of Environmental Health and Hazard Assessment.

Regional authority for planning, permitting, and enforcement is delegated to the nine RWQCBs. The regional boards are required to formulate and adopt water quality control plans for all areas in the region and establish water quality objectives in the plans.

The Porter-Cologne Water Quality Control Act, 1969 - The Porter-Cologne Water Quality Control Act sets forth the obligations of the SWRCB and RWQCBs to adopt and periodically update water quality control plans (Basin Plans). Basin Plans are the regional water quality control plans required by both the CWA and Porter- Cologne Act in which beneficial uses, water quality objectives and implementation programs are established for each of the nine regions in California.

Storm Water Quality Management Program. Each city in California is required to adopt a *Storm Water Quality Management Program* (SWQMP) to implement a series of Best Management Practices (BMPs) designed to reduce the discharge of pollutants from municipal storm drain systems, to protect water quality, and to satisfy the appropriate water quality requirements of the CWA. Selma's SWQMP provides an NPDES permit for the area within the city's boundaries. Once annexed, the Project site will become part of this permit boundary and, if in compliance with the Program, will be covered by this NPDES permit.

Dischargers whose projects disturb one or more acres of soil or whose projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the General Permit for Discharges of Storm Water Associated with Construction Activity. Construction activities subject to this permit include clearing, grading and disturbances to the ground such as stockpiling, or excavation, but do not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility.

A Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP must list BMPs the discharger will use to protect storm water runoff and the placement of those BMPs. Additionally, the SWPPP must contain a monitoring program.

Urban Water Management Project Act. The California Urban Water Management Project Act requires each urban water supplier providing water to more than 3,000 customers or supplying more than 3,000 acre-feet of water annually, to adopt and update an urban water management plan at least once every five years on or before December 31, in years ending in five and zero. The California Water Company is responsible for the urban water management plan for Selma.

AB 610 and SB 221. AB 610 requires a water supply assessment be prepared for local governments for inclusion in any environmental documentation for certain projects. A partial list includes: a residential development of more than 500 units, a shopping center or business employing more than 1,000 people or having more than 500,000 square feet of floor space, an office building employing more than 1,000 and containing more than 250,000 square feet of floor space, and a mixed use project containing any combination of the above.

Long-term water availability to serve the proposed Project will need to be demonstrated through compliance with AB 610. Water Code Section 10910 details the information required for the water supply assessment, including:

- Projected 20-year water supply during normal, single dry, and multiple dry years.
- Identification and information on existing water supply contracts, entitlements and water rights.
- Copies of the public water system's capital outlay program for financing the delivery of the water supply.
- Permits for construction of necessary infrastructure associated with delivering the water supply.
- Regulatory approvals required to convey or deliver the water.

SB 221 requires water agencies to verify a sufficient water supply to support a residential subdivision (i.e., tentative map) of over 500 dwelling. When approving a qualifying tentative map, a city or county must include a condition requiring a sufficient water supply.

City of Selma

All new development in the Project area will be required to provide adequate storm drainage pursuant to the City of Selma drainage master plan. Drainage facilities are required to be in conformity with the Selma General Plan and the drainage master plan. A drainage fee is required to be paid to the City prior to commencement of development.

California Water Service Company, Selma District

Following annexation, the Project area will receive domestic water from the California Water Service Company, Selma District. Cal Water is the largest investor-owned water utility company in the western United States and the second largest in the country. Cal Water supplies water service to 1.7 million Californians through 435,000 connections. Its 25 separate water systems serve 63 communities from Chico in the North to the Palos Verdes Peninsula in Southern California. Rates and operations for districts located in California are regulated by the California Public Utilities Commission (CPUC) and are set separately for each of the systems. Cal Water has provided water service to Selma since 1962.

The water supply for customers of the Selma District is drawn from groundwater. Cal Water does not currently receive nor have plans for receiving surface water. Groundwater is obtained from company-owned wells and pumped directly into the distribution system and a ground level steel storage tank. Groundwater is extracted from aquifers of the Kings River fan that underlie the service area. Groundwater in the sub-area basin may become over-drafted especially in dry years. Average static groundwater elevations in the Selma District have declined over the past 35 years. Cal Water historically has relied on the Consolidated Irrigation District (CID) for recharge of the aquifer and has paid an annual fee to CID for this recharge activity based on the acreage within the Selma District (this agreement, however, is no longer in effect).

Groundwater Management. In 1914, California created a system of appropriating surface water rights through a permitting process, but groundwater use has never been regulated by the State. Though the regulation of groundwater has been considered on several occasions, the California Legislature has repeatedly held that groundwater management should remain a local responsibility. Although they are treated differently legally, groundwater and surface water are closely interconnected in the hydrologic cycle. Because use of one resource will often affect the other, effective groundwater management considers surface water supplies and uses.

Groundwater management needs are identified at the local water agency level and may be directly resolved at the local level. If groundwater management needs cannot be directly resolved at the local agency level, additional actions such as enactment of ordinances by local governments, passage of laws by the State Legislature or decisions by the courts may be necessary to resolve the issues. Upon implementation, local agencies evaluate program success and identify additional management needs. The State's role is to provide technical assistance to local agencies for their groundwater management efforts.

There are three basic methods available for managing groundwater resources in California: (1) management by local agencies under authority granted in the California Water Code or other applicable State statutes, (2) local government groundwater ordinances or joint powers agreements, and (3) court adjudications. No law requires that any of these forms of management be applied in a basin. Management is often instituted after local agencies or landowners recognize a specific groundwater problem. The level of groundwater management in any basin or sub basin is often dependent on water availability and demand.

Consolidated Irrigation District (CID)

CID was established in September 1921 and manages the groundwater basin from which water for Selma is pumped. The District is located mainly in Fresno County and small portions of Kings and Tulare Counties. The irrigable acreage in the District was 145,000 acres of which 92,000 are capable of receiving surface waters from the Kings River. The balance, 53,000 acres, obtains its water solely from groundwater through approximately 4,500 irrigation wells. CID's average annual deliveries of surface water for irrigation are 238,000 acre feet (ac-ft). CID's water delivery system is comprised of about 350 miles of open channels including ditches, natural drains and sloughs. CID recharges groundwater in the underlying basin through seepage from its channels and through dedicated recharge or spreading basins.

CID has 46 dedicated recharge basins totaling 1,300 acres. Water is delivered to these basins through CID's existing conveyance system. Deliveries to recharge basins are based on runoff conditions and available supplies and typically occur when there are flood releases from the Kings River or the Friant-Kern Canal. In-lieu storage of groundwater is also practiced when irrigators who can irrigate with either surface or groundwater use surface water and thereby "bank" the groundwater.

The incorporated cities of Fowler, Kingsburg, Parlier, Sanger, and Selma (the "Five Cities"), as well as unincorporated urban communities such as Caruthers and Del Rey, are within the boundaries of CID. In recent years the growth rate of these urban areas has increased. Growth projections generated by CID indicate the rate of urban growth in this region will remain high for at least the next 10 to 20 years.

Historically, the District maintained a cooperative relationship with city governments and developers. With lower urban growth rates of the past and relatively small urban areas, CID was able to adapt its operations to accommodate urban growth that did occur. Through cooperative agreements, CID agreed to recharge excess irrigation waters in exchange for payments by the cities in the district as well as by Cal Water on behalf of the City of Selma. Over the past two years, however, CID has raised the issue of urban development's impact on groundwater supplies and operations of the District. CID believes that the cities within the District's boundaries have not adequately participated in ground water recharge activities and have continued urban development in a manner that adversely affects District facilities. The primary impact occurs with conversion of agricultural land that uses surface irrigation water to urban land supported exclusively with groundwater which, without adequate recharge, results in a cumulative impact on groundwater supplies.

The existing cooperative agreements have been canceled and CID entered into discussions with the Five Cities to negotiate a new cooperative agreement to address the District's concerns. As an affected agency, CID has commented through the CEQA public review process that cities should not approve new development without provisions for a long-term sustainable water supply and appropriate mitigation of new development's impact on drainage and other District's facilities. The District also asserts that cumulative impacts from many smaller projects over the years have resulted in difficult operating conditions, strained budget, and increased risk to public safety.

The latest draft of the new cooperative agreement was issued January 15, 2009. In summary, the agreement contains the following major components:

- Each of the Five Cities would pay an annual fee for each acre foot of domestic water pumped – currently stipulated at $130/acre foot. As water supplier for the City of Selma, Cal Water's annual fee is estimated at $764,274 (this fee, to be charged to rate payers, would be phased in over five years).

- Each City would pay an annual fee to discharge storm water into CID facilities and no new connections would be permitted. Because Selma has several connections for storm water discharge to CID facilities, the City's annual fee to CID is calculated at $411,450.
- The Cities shall adopt CID's Standard Details and Development Standards to ensure there are no impacts to Districts canals and other facilities.

The fees assessed for groundwater recharge would be used to purchase additional land and develop recharge facilities, and to purchase surplus surface water supplies when available. The preliminary recharge facilities were identified in a July 2007, *Engineer's Report and Nexus Study* commissioned by CID. According to CID officials, the estimated cost of recharge facilities is $15,000,000, and the overall objective of the program is to recharge an average of 16,000 acre feet per year to offset the overdraft created by urban groundwater pumping.

None of the Five Cities have signed the new cooperative agreement. The City of Selma has proposed an alternative to the cooperative agreement that would have the City purchase additional surface water and pay CID a fee to convey the water in District canals to recharge facilities owned by the City. In addition, the City would initiate a five-year capital improvement program to eliminate discharge of storm water into CID facilities. The District has not responded to the City's proposal.

10.4 Standards of Significance, Impact Analysis, and Mitigation Measures

Appendix G of the CEQA Guidelines provides guidance for assessing the significance of potential environmental impacts. Relative to hydrology (storm water drainage, water supply and quality, and flooding hazards), a Project will normally have a significant effect on the environment if it will:

- Violate any water quality standards or waste discharge requirements;
- Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of preexisting nearby wells would drop to a level that would not support existing land uses or planned uses for which permits have been granted);
- Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site;
- Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff;
- Otherwise substantially degrade water quality;
- Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map;
- Place within a 100-year flood hazard area structures, which would impede or redirect flood flows;
- Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam; or inundation by seiche, tsunami, or mudflow.

IMPACT: **Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of preexisting nearby wells would drop to a level that would not support existing land uses or planned uses for which permits have been granted).**

With the passage of AB610 water agencies providing domestic water are required to provide lead agencies with a detailed assessment of current and future water supplies to serve proposed and related future projects (Water Code Section 10910). The assessment must be considered during the CEQA process. If it is determined that there is insufficient water, the city or county must include that determination in its findings for the project (Water Code Section 10911).

On October 17, 2008, the California Water Service Company (Cal Water) Selma District prepared a Water Supply Assessment Report for the development of the Rockwell Pond project which is contained in Technical Appendix A-4 and summarized herein.

Section 5, Water Code 10910, Paragraph (c) (3) states: *"If the projected water demand associated with the proposed project was not accounted for in the most recently adopted urban water management plan, or the public water supply system has no urban water management plan, the water assessment for the project shall include a discussion with regard to whether the public water supply system's total projected water supplies during normal, single dry, and multiple dry water years during a 20 year projection, will meet the projected water demand associated with the proposed project, in addition to existing and planned for future uses, including agricultural and manufacturing uses."*

In the Guidebook for Implementation of Senate Bill 610 and Senate Bill 221 of 2001 prepared by the California Department of Water Resources (October 8, 2003) on Page 23, Section 5, Step Three: Documenting project demand (Project Demand Analysis) Definitions, 3rd Paragraph, Planned Future Uses, it states that *"Planned future uses may include: projects that are expected to be completed during the same time frame as the proposed project. These include all new demands ranging from an individual single-family home to large-scale developments."*

The Rockwell Pond Commercial Project is not covered in Cal Water's 2006 Urban Water Management Plan (UWMP) for the Selma District; therefore, proposed water requirements and how they are to be met are addressed in this WSA. The Selma District UWMP document provides historic and forecasted water demand and supply data and analyses and can be referenced for more detailed information on water demand by sectors. Cal Water updates its Urban Water Management Plans every three years. In the next update of the UWMP document, water demands for this proposed Project and other developments will be incorporated into the overall demand forecast for the Selma District.

Following is information on projected water demands and a description and assessment of the proposed water supply to meet those demands in accordance with the requirements of SB 610. Based on Table 2-1, the proposed development will have commercial space allocated as follows:

- 2 Auto Dealerships: 77,000 sq ft
- 4 Anchor Stores: 568,000 sq ft
- General Retail: 328,100 sq ft

Total facilities space: 973,100 sq ft

Water Demand Forecast for the Rockwell Pond Project

Most facility space in the Project is for commercial retail, but some smaller amount of space will likely include restaurants, supermarkets and a hotel. For another recent development project in Cal Water's Dominguez District in Torrance, CA, PCR Services Corporation (PCR) using data derived by the County Sanitation Districts of Los Angeles (CSDLA) developed a table of estimated demand for various types of commercial activities. Since there was good agreement between the estimate of residential water usage derived from Cal Water data and those developed by PCR using CSDLA data, estimates of water demand for commercial activities developed by PCR using CSDLA factors are used for the Rockwell Pond Project and are summarized in below.

Table 10-1: Water Use Factors

Commercial Activities Water Use Factors

Category	Average Use gallons/sq ft/day
Retail:	
Shopping Center	0.358
Electronic Superstore	0.110
Home Improvement	0.110
Discount Club	0.110
Home Furnishing	0.110
Office Supplies	0.110
Pet Supply	0.110
Supermarket	0.65
Restaurants:	
High turnover	1.100
Fast Food	1.100
Quality	1.100

No specific designation of commercial activities was provided for the Project; therefore, it is assumed that there will be a mix with the weighting as follows:

90 % retail = 875,790 sq. ft. @ 0.20 g/d/ft^2
10% restaurants = 97,310 sq. ft. @ 1.10 g/d/ft^2

As a result of these analyses, the following factors are used:

- Estimated Average Annual Day Use for the Project at full development: 282,199 gallons/day
- Estimated Maximum Day Demand: 282,199 gallons/day x 1.85 = 522,068 gallons/day.
- Reclaimed Water Demand Forecast: None for the Project

All wastewaters generated in the plan area will be conveyed and treated in the SKF Regional Treatment Plant, approximately six miles south of the City. For reclaimed water to be used for urban irrigation or industrial purposes, additional treatment (i.e. chlorination) would be required. In addition, storage and distribution facilities would be required to convey reclaimed water to urban reuse sites.

Consequently, urban reuse is not considered economically feasible at this time. Use of reclaimed water from the SKF plant by farmers for crop irrigation instead of pumped groundwater may be feasible. Irrigation canals exist near the treatment plant with the potential to supply water to over 10,000 acres of agricultural land (not within Cal Water's service area).

Water Demand Forecast for the Selma District

In the July 11, 2008, South Selma Specific Plan WSA, a combined water demand forecast for the existing City of Selma Sphere of Influence and all of the area in the South Selma SP that lies outside of it was developed. It is summarized below. For the specific data underlying this demand forecast, refer to the South Selma Specific Plan WSA.

Table 10-2
Selma Existing Sphere of Influence 2008
+ Portion of South Selma Specific Plan Area Outside SOI
Average Annual Day Water Demand Forecast

Year	MGD	Acre-ft/year
2008	7.15	8,022
2013	9.14	10,250
2018	11.54	12,930
2023	14.18	15,895
2028	17.09	19,160

The following development schedule is proposed for the Rockwell Pond Project:

Phase 1(next 5 years): 571,800 square feet of development
Phase 2 (next 5 to 10 years): 401,300 square feet of development

Using this schedule and assuming a linear rate of development for each of the phases, the estimated water demand forecast for the Rockwell Pond Project is as follows:

Table 10-3
Rockwell Pond Project
Average Annual Day Water Demand Forecast

Year	MGD	Acre-ft/year
2008	0.0	0
2013	0.169	189
2018	0.282	316

The new total Selma District demand including all known and proposed developments within the SOI and that portion of the South Selma SP outside the SOI and the additional increase in demand for the Rockwell Pond SP is shown below.

Table 10-4
Selma Existing Sphere of Influence 2008 + Portion of South Selma Specific Plan Area Outside SOI + Additional Demand Increase for Rockwell Pond SP
Average Annual Day Water Demand Forecast

Year	MGD	Acre-ft/year
2008	7.15	8,022
2013	9.22	10,345
2018	11.68	13,092
2023	14.37	16,104
2028	17.32	19,417

The combination of all the proposed developments mentioned plus the South Selma SP plus the additional demand of the Rockwell Pond Project represents a more than 10 mgd increase in demand for the next 20 years. The projected maximum day demand in 2028 using a maximum day factor of 1.80 times the annual average day is 31.18 mgd.

Water Supply Assessment

Cal Water, Selma District, Well Capacity. Cal Water currently and for at least the next 25 years anticipates meeting its forecasted demand by using groundwater extracted from the Kings River fan aquifers that underlie the District. The Kings River fan is in the Fresno County sub-area of the Tulare Lake Hydrologic Region. This has been and is the sole source of water furnished to customers in the Selma District.

Groundwater is extracted by 14 active wells located throughout the District service area. Four other wells are currently inactive or non-operational. Based on maximum monthly production of each well between 2000 and 2005, the current production capacity for all operational wells is 12,040 gpm, equivalent to 17.33 mgd. Average pumping rates for the 14 active wells ranges from 400 gpm to 1,090 gpm with the overall average being 860 gpm or 1.24 mgd.

Cal Water has a newly constructed 2,000 gpm well that went into production in 2008, thus bringing the total supply capacity to 14,040 gpm or 20.21 mgd. It plans to construct and put into operation another new well in 2009 with an estimated production capacity of 1,750 gpm. In 2011, it plans on constructing and installing a third new well with an estimated production capacity of 1,750 gpm bringing estimated total well capacity in 2013 to 17,540 gpm or 25.25 mgd.

Cal Water plans on providing additional well capacity as needed so that there is never an insufficiency of supply with respect to meeting maximum day demands. So for the period between 2018 and 2023, based on demands at that time, it would add another 2 wells with an estimated production capacity of 1,750 gpm/well or 3,500 gpm combined resulting in a total system capacity of 21,040 gpm or 30.30 mgd. For the period between 2023 and 2028, based on demands at that time, it would add 2 more wells with a combined capacity of 3,500 gpm for an estimated total of 24,540 gpm or 35.34 mgd.

Cal Water will monitor:

- Increases in actual demand from one year to the next

- Actual increases in new residences and commercial activities as measured by new service connections
- Approved and permitted developments that are under construction
- New permits for construction
- Plans for new development that are going through the City's review and approval process
- Longer term plans submitted to the City for initial consideration

Presently, Cal Water has a new surface storage tank, which provides storage for peak hour demand and thereby reduces the requirement that the wells operate in response to real time demands. Cal Water has other surface storage tanks it plans on constructing as well so that well capacity will need to meet maximum day demand only.

Groundwater Basin Management

The Consolidated Irrigation District CID has 46 dedicated recharge basins totaling 1,300 acres. Water is delivered to these basins through CID's existing conveyance system. The amount of annual recharge varies considerably from year to year. In 1969, it is estimated that 308,000 ac-ft were recharged; whereas, during the drought in 1978, it was estimated to be 180,000 acre-ft. In 1982, it was again about 300,000 ac-ft. CID reports that its long-term recharge rate capability is about 1,400 ac-ft/day with present facilities. So it would take about 214 days or 7 months to infiltrate 300,000 acre-ft.

In CID's *1995 Groundwater Management Plan*, it is reported that groundwater levels in the basin underlying CID have been gradually declining over a period of 50 to 60 years. The estimated annual overdraft is about 53,000 ac-ft/yr. As mentioned, one of CID's major means to reduce over-pumping of groundwater is through a conjunctive use program involving direct use of surface waters, active recharge of groundwater and in-lieu recharge. Although the goal of this program is to achieve a balance of recharge and extraction of groundwater over time, the decline in water levels has continued. One of CID's plans, as a correction to this trend, is to identify lands for purchase that could be used to increase the size and number of spreading basins in order to increase the rate of recharge during the wet months when runoff is high and there is minimal irrigation needs.

Because Cal Water owns and operates the water supply system for Selma, it has paid a fee to CID based on the acreage within its Selma District. This cooperative agreement has now been canceled and a new cooperative agreement is proposed.

Adequacy of Well Capacity

The table below is a comparison of forecasted Total Demand for the District, including all known developments and the additional demand of the Project, with existing and planned additional well capacity.

Table 10-5

Selma Forecasted Water Demand Versus Supply (Normal Hydrologic Conditions)

Year	Total Selma District Annual Ave Demand MGD	Acre-ft/Yr	Max Day Demand MGD	Well Capacity MGD	Capacity - MDD MGD
2005	6.75	7,567	12.49	15.9	3.41
2008	7.15	8,022	12.87	20.22	7.35
2013	9.22	10,345	16.60	25.25	8.65
2018	11.68	13,092	21.02	25.25	4.23
2023	14.37	16,104	25.87	30.30	4.43
2028	17.32	19,417	31.18	35.34	4.16

If the American Water Works Association (AWWA) standard of having the largest well (2,000 gpm or 2.9 mgd) down is applied to the above table, there is more than sufficient capacity to meet maximum day demand (MDD) in every year for the next 20 years as shown in the above table. This additional capacity will not only allow Cal Water to meet MDD with its largest well down (2,000 gpm or 2.88 mgd), but also provide a supply cushion in the event that growth should resume at higher rates such as occurred during the 2004–2006 period.

With respect to the projected average annual day demand, the existing 2008 well capacity of 20.22 mgd would be more than adequate to meet forecasted demand in 2028 if all existing wells remained in operation at current production rates and the largest well were out of operation. Additional storage facilities with booster pumps beyond the newly constructed tank will be added to meet peak hour flow demands. Presently, the District has sufficient groundwater production and storage capacity to meet annual average day and maximum day demand and peak hour flow conditions.

Adequacy of Groundwater Supply

Measurements by Cal Water of static groundwater elevations in Selma district wells show water levels have been relatively constant for the past thirty-five years. However, groundwater levels recorded by CID for all of its wells in its two square mile area for a longer period show a gradual decline in static water levels. In the Selma District, the combination of increased demand due to growth coupled with the late 1980s multi-year drought, which greatly reduced availability of surface water for aquifer recharge, resulted in a 45-foot decline in static groundwater elevation. High levels of rainfall and storm runoff in the early 1990s enabled CID to supply more surface irrigation water and increase the amount of groundwater recharged. As a result, the average static water level in Cal Water's Selma wells rose to within ten feet of pre-drought elevations.

Managing the quantity of water recharged to and extracted from the aquifers in the basin is necessary to maintain adequate groundwater storage and hence supply of this resource. While Cal Water believes that use of groundwater for the next 20 years will provide a reliable supply to meet forecasted demands for Selma, this is only true, however, providing measures are taken to reduce withdrawals and/or increase recharge to the groundwater basin. As previously mentioned, CID conveys flood flows from the Kings River and Friant-Kern Canal via its canal and distribution system to irrigators and pond areas for recharging groundwater.

It appears that due to the gradual decline in the area's groundwater table as demonstrated by CID groundwater well monitoring data that additional surface supplies and infiltration or spreading basins are needed to increase the annual quantity of groundwater recharge. With respect to increasing recharge to the groundwater basin, Cal Water plans to work with the City of Selma and CID to develop plans for additional facilities that will accomplish that objective.

Water Rights to Groundwater Supply

Cal Water owns all the land on which its wells are located and would be located if future wells are to be constructed. Under state law, the use of percolating groundwater in California is governed by the doctrine of correlative rights and reasonable use, which gives the overlying property owner a common right to reasonable, beneficial use of the basin supply on the overlying land until the basin is adjudicated. Aside from the correlative water rights, Cal Water does not have any other existing water supply entitlements or water rights.

It is noted that the District' wells are located in a non-adjudicated groundwater basin. The principal concern for this basin is to manage the groundwater system in order to achieve some overall balance between the rates of extraction (pumping) and recharge.

In July 2008, Cal Water completed the *Selma District Water Supply and Facilities Master Plan* (WSFMP), which included an assessment of groundwater use and management issues. Cal Water plans on working with the City of Selma and CID to develop a plan to ensure long-term sustainability of the groundwater supply. One recommended action in the WSFMP is to conduct a feasibility study of a program to increase groundwater basin storage in the Selma area through recharge of surplus wet weather surface waters via the Kings River, CID canal conveyance system and new recharge areas.

SB 610 Section 10910 Paragraph (d)(2) requires an identification of existing water supply entitlements, water rights, or water service contracts held by the public water system shall be demonstrated by providing information related to all of the following. Information on these topics follows:

(A) *Written contracts or proof of entitlement to an identified water supply.*

Proof of entitlement to use of wells cited as the supply source for the development is demonstrated by Cal Water's ownership of its well properties and the wells and its legal right to use the underlying percolated waters. Aside from the correlative water rights, Cal Water does not have any other existing water supply entitlements, water rights or water service contracts for the property.

(B) *Copies of a capital outlay program for financing the delivery of a water supply system that has been adopted by the public water system.*

The developer of the Project will prepare with Cal Water a preliminary water system facilities plan. Capital costs for design and construction of required water system facilities are the responsibility of the developer. The developer may also be responsible for per lot assessment fees in accordance with California Public Utility Commission (CPUC) rules. Either the developer's or a Cal Water selected contractor will construct the system with Cal Water providing construction oversight.

Cal Water has prepared a Water Supply and Facilities Master Plan for the Selma District. The Plan provides specific recommendations for water system facility or capital improvements over a 20-year period for the Selma District. It is Cal Water's intention to update this plan and recommended capital improvements every three to five years.

(C) *Federal, state, and local permits for construction of necessary infrastructure associated with delivering the water supply.*

Cal Water is required to obtain the following permits including:

1. Water system amendment permit from California Department of Public Health
2. A conditional use permit from the City of Selma Community Development Department
3. Well construction/building permit from the City Building Inspection Departments
4. An air quality permit from the San Joaquin Valley Air Pollution Control District

Cal Water is highly experienced in preparing applications and obtaining the necessary permits as they are needed in order to proceed with design, construction, start up and operation of required water facilities.

Supply Reliability Analysis

SB 610 requires an assessment as to whether the proposed water supply will meet the projected water demand of existing and other anticipated future demands for the next 20 years during: 1) normal, 2) single dry and 3) multiple dry water years.

Normal Hydrologic Conditions. Cal Water's proposed water supply (existing and additional proposed wells) is viewed as adequate to meet forecasted annual average day and maximum day demand for the next 20 years under normal conditions for anticipated growth within the Selma SOI, South Selma Specific Plan and the Project area. An analysis of the existing system has been done to ensure that maximum day demand can be met in all locations within the Selma water system. Cal Water has developed a computerized hydraulic model of the system as part of its Water Supply and Facilities Master Plan to ensure adequacy and reliability of supply to all existing and anticipated future customers.

The table below shows that the supply under normal hydrologic conditions is more than adequate to meet all existing and projected demands within Selma's existing SOI and for build out of the Project.

Table 10-6
Selma Forecasted Water Demand Versus Supply (Normal Hydrologic Conditions)

Year	Total Selma District Annual Ave Demand		Well Capacity	
	MGD	Acre-ft/Yr	MGD	Acre-ft/Yr
2008	7.15	8,022	20.22	22,670
2013	9.22	10,345	25.25	28,310
2018	11.68	13,092	25.25	28,310
2023	14.37	16,104	30.30	33,970
2028	17.32	19,417	35.34	39,620

Single-Dry Year. Cal Water estimates that the availability of groundwater supplies to the Selma District and the Project area will not be affected by a single dry year. The assumption with respect to demand for customers in the Selma District is that it will most likely be higher than a normal year. In the absence of an increased emphasis on water conservation by Cal Water and CID, many customers may increase landscape irrigation due to reduced precipitation offsetting reductions in water use by a smaller number of customers. Since District well capacity is sized to meet maximum day demand with the largest well down, an increase in average annual day demand by 20% would be met by pumping wells for longer durations.

The table below shows that the supply under one dry year hydrologic conditions with a conservative assumption of an increase in demand of 20% over normal is more than adequate to meet all existing and projected demands within Selma's existing SOI and for build out of the South Selma SP.

Table 10-7
Selma Forecasted Water Demand Versus Supply (Single Dry Year)

Year	Total Selma District Annual Ave Demand		Well Capacity	
	MGD	Acre-ft/Yr	MGD	Acre-ft/Yr
2008	8.6	9,626	20.22	22,670
2013	11.0	12,300	25.25	28,310
2018	14.0	15,713	25.25	28,310
2023	17.2	19,332	30.30	33,970
2028	20.8	23,300	35.34	39,620

Multiple-Dry Years. With respect to what would be the effect of continuing to pump groundwater supplies at above average, average or reduced demands during multiple dry years, it is very likely that groundwater levels would temporarily decline when compared to those associated with normal hydrologic conditions – as CID groundwater monitoring records demonstrate in previous droughts, but the quantity of supply would be adequate to meet demands of the Selma District. Prior experience has shown that during ensuing periods of excessive annual precipitation, CID will increase the quantity of recharge to the groundwater basin, which most likely will restore static groundwater levels to near those observed prior to the drought. Cal Water has observed this cycle in hundreds of wells throughout its districts in California over the past 70 years.

However, to ensure a longer term sustainable groundwater supply, Cal Water has initiated discussions with the City and CID on conducting a feasibility study to evaluate a program to increase surface water recharge to the groundwater basin within the Selma area.

The assumption with respect to demand for customers in the Selma District is that it will be 15% less than normal due to strong conservation measures taken by Cal Water. Customers will be requested and/or mandated to reduce landscape irrigation and to apply conservation measures to indoor uses. A reasonable assumption is that a drought induced decrease in groundwater levels will reduce production capacity by 10%. As shown in the table below, supply is forecasted to be more than adequate to meet demand under these assumptions for multiple dry year hydrologic conditions.

Table 10-8
Selma Forecasted Water Demand Versus Supply (Multiple Dry Years Condition)

Year	Total Selma District Annual Ave Demand		Well Capacity	
	MGD	Acre-ft/Yr	MGD	Acre-ft/Yr
2008	6.1	6,819	18.2	20,401
2013	7.8	8,713	22.7	25,476
2018	9.9	11,130	22.7	25,476
2023	12.2	13,693	27.3	30,572
2028	14.7	16,504	31.8	35,657

If needed, to reduce overdrafting of groundwater during critically dry years, Cal Water has in place a four-stage rationing plan, which includes both voluntary and mandatory water use restrictions. Following is a summary of this program:

Stage	Shortage	Demand Reduction Goal	Type of Program
1	5 – 10%	10%	Voluntary
2	10 – 20%	20%	Voluntary or Mandatory
3	20 – 35%	35%	Mandatory
4	35 – 50%	50%	Mandatory

A description of the actions to be taken by Cal Water follows:

Stage 1: On going public information campaign consisting of distribution of literature, speaking engagements, monthly bill inserts, and conservation messages printed in local newspapers. Educational programs in area schools are ongoing.

Stage 2: Cal Water aggressively continues public information and education program. Requests customers to reduce consumption voluntarily 10% to 20%. If decision is to go to mandatory program, seek CPUC approval first. Support passage of drought ordinances by government agencies.

Stage 3: Implement mandatory reductions after receiving CPUC approval. Institute rationing programs through fixed allotments based on percentage cutbacks. Implement rate changes to penalize use over allotment. Maintain rigorous public information campaign explaining water shortage conditions. Implement water use restrictions such as those pertaining to lawn and landscape irrigation, banning the filling of pools and fountains, etc. Monitor production weekly for compliance with reductions. Install flow restriction devices on customers who consistently exceed their allocation.

Stage 4: Intensify all of the steps in Stage 3 and monitor production daily for compliance with necessary reductions.

With respect to demand and supply for multiple dry years, if groundwater level declines impact the yield of wells, users could be required to reduce consumption. Cal Water believes that it could achieve a 10% to 20% reduction based on a voluntary reduction program (Stage 2) and 20% to 35% reduction (Stage 3) if a mandatory program is required. As an example, a 25% reduction in demand for Selma and South Selma Specific Plan in 2020 would amount to a decrease of 3.46 mgd or 3,882 acre-ft/year.

Conclusions

Based on Cal Water's:

- Existing and planned expansion of well production capacity in the Selma District;
- Recommended system and storage improvements set forth in its 2008 Water Supply and Facilities Master Plan;
- Historical experience with being able to provide water to meet demands during single dry year and multiple dry years;
- In-place, ongoing conservation programs and best management practices for reducing customer demand during single and multi-year droughts including implementation of a water rationing program if required;
- Ongoing and planned future collaboration with the City of Selma and CID for developing a program to increase groundwater basin storage in the Selma area through recharge of surplus wet weather surface waters;

Cal Water believes it will have adequate water supplies to meet the projected demands of the Project and all of its existing customers and other anticipated future water users in the Selma District for the 20 year period from 2009 to 2029 under normal, single dry year and multiple dry year conditions. This is only true, however, providing measures are taken to reduce withdrawals and/or increase recharge to the groundwater basin. It appears that additional surface supplies and infiltration or spreading basins are needed to increase the annual quantity of groundwater recharge.

Groundwater Recharge

With respect to increasing recharge to the groundwater basin, Cal Water plans to work with the City of Selma and CID to develop plans for additional facilities that will accomplish that objective. While the Five City negotiations with CID may or may not be proceeding, it is unlikely that the arrangements will be finalized, or a fee adopted, in a time frame consistent with the current EIR process. While Cal Water believes that use of groundwater for the next 20 years will provide a reliable supply to meet forecasted demands for Selma, this is only true, however, providing measures are taken to reduce withdrawals and/or increase recharge to the groundwater basin. Development of the 94-acre commercial site in the absence of a recharge agreement could therefore result in significant impacts to groundwater.

The District's Engineers Report (July 2007), its November 2007 White Paper, and its draft Cooperative Agreement (January 2009) include analysis and principles of mitigation that can be applied to the Project. CID studies suggest that consumptive use of commercial development should be considered equivalent to the net annual impact of 1.51 acre-feet per acre calculated for residential development. Therefore, a net annual consumption of 1.51 acre feet per acre is an appropriate average assumption. Applying this assumption the 94-acre Phase 1 and 2 project would have a total annual impact to groundwater of approximately 142 acre-feet. The January 2009 proposed cooperative agreement stipulates an annual fee of $130 per acre foot pumped to mitigate groundwater pumping.

Applied to the project, the annual fee would be $18,460.

As an alternative, the Draft Engineers Report contains specific recommended facilities for recharge. Recommended improvements No. 11 and No. 12 are as follows:

11. *Recharge pond off Kingsburg Branch Canal north of Huntsman.* A new recharge pond at the right bank of the Kingsburg Branch Canal north of Huntsman Avenue would provide recharge benefits upslope of Selma and Kingsburg. The area of the proposed site is 10 acres. There is an existing depression at the site, but development of a pond would still require land acquisition, grading, and levee construction. A pond at this site would also provide a secondary benefit of capturing operational spills from the Kingsburg Branch Canal.

CID's Urban Impacts White Paper estimates the additional recharge for this project at 200 acre-feet per year. This would provide groundwater mitigation for approximately 2/3 of the project's impacts.

12. *Ward Drainage Canal Capacity Enlargement.* The Ward Drainage Canal begins at Huntsman Avenue, east of Selma, and ends near the Cole Slough branch of the Kings River in Kings County. The canal is located within a natural depression that collects surface drainage and it is not utilized for irrigation deliveries. Recharge deliveries can be made to the Ward Drain through the Kingsburg Branch of the C&K Canal. Portions of the Ward Drain that are open are very sandy and able to rapidly percolate the drainage that is collected. The recharge capacity of the Drain is limited by a series of east-west road crossings east of Selma. Enlarging these road crossings and constructing check structures at three specific locations (above and below Nebraska Avenue and above Mt. View Avenue) would increase both the flow capacity and the volume of water that can be diverted to the Drain for recharge. It is estimated that an additional four acres of the drain could be wetted with these improvements.

CID's Urban Impacts White Paper estimates the additional recharge for this project at 460 acre feet per year. This would provide groundwater mitigation benefits greater than the groundwater pumpage impact of the Project (316 acre feet per year).

Level of Significance before Mitigation - Potentially significant impact.

Mitigation

10.1 Phases 1 and 2 of the proposed commercial development south of Rockwell Pond shall mitigate potential impacts to groundwater overdraft and recharge by one of the following methods:

a. Payment by the developer of an annual assessment to the Consolidated Irrigation District of $130/per acre foot of additional consumptive use for the 94-acre project (estimated at $18,460 annually).

b. Fund and develop recharge enhancement Project 11 as described in the Engineers Report (July 2007). The developer shall take the lead in contracting the improvements on a schedule satisfactory to the Consolidated Irrigation District.

c. Fund and develop recharge enhancement Project 12 as described in the Engineers Report (July 2007). The developer shall take the lead in contracting the improvements on a schedule satisfactory to the Consolidated Irrigation District.

Level of Significance after Mitigation - With the incorporation of mitigation, potential environmental impacts will be reduced to less than significant levels.

IMPACT: **Violate any water quality standards or waste discharge requirements; substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site; create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff; or otherwise substantially degrade water quality.**

Urban development in the Project area will produce storm runoff that must be properly mitigated and discharged. Development will alter the existing agricultural/open space hydrology in the Project area. Changes in absorption will occur as a result of paving of roads, installation of sidewalks, and other impervious surfaces together with building pads and new structures. This urban environment will increase the amount of surface water runoff.

Development projects will alter existing drainage patterns of the area. The potential exists that such alteration of the landscape will result in erosion on and off-site. Surface water runoff (especially storm water) from development projects may contribute to an increase in urban pollutants over the long term. Corresponding increases in roadway contaminants such as heavy metals, oil and grease, as well as nutrients such as fertilizers and other chemicals from landscaped areas will occur. These constituents could result in water quality impacts.

Projects resulting in the grading of one or more acres discharging to surface waters are required to comply with the California Regional Water Quality Control Board's General Permit requirements, including provisions for sediment control and monitoring of the characteristics of the water being discharged. Project developers will be required to comply with the standards set forth by the City Engineer with regard to the design, construction, and operation of surface water run-off facilities. Such facilities will be required to be engineered to prevent any exceedance of the capacity of existing or planned storm water drainage systems.

Standard construction practices and compliance with applicable local ordinances and regulations, the Uniform Building Code, adherence to professional "Best Management Practices," and an engineering design approved by the City Engineer will reduce potential impacts from water run-off and erosion to less than significant levels.

Construction Impacts - During construction periods, soils are exposed and are more susceptible to wind and water erosion which can contribute to the degradation of surface water quality in the short term. As the site develops, the increased pavement and controlled runoff from impervious surfaces may also contribute to an increase in urban pollutants over the long term. This may be particularly true as precipitation during the wet season combines with accumulated pollutants from streets and roadways in the runoff. The Project design will include water quality protection standards pursuant to local, state and federal requirements.

Construction activities have the potential to affect water quality by contributing to localized violations of water quality standards, if storm water runoff from construction sites enters receiving waters. Construction site runoff can contain soil particles and sediments. Spills or leaks from heavy equipment and machinery, staging areas, or building sites can also enter runoff.

Typical pollutants include petroleum products and heavy metals from equipment and products such as paints, solvents, and cleaning agents that could contain hazardous constituents. Sediment from erosion of graded or excavated surface materials could also result in water quality degradation if runoff containing the sediment entered receiving waters in sufficient quantities to exceed water quality standards. Although impacts from construction-related activities are generally of limited duration, impacts from these activities may be considered significant unless adequately mitigated. Compliance with all local, state and Federal regulations will mitigate potential significant impacts to less-than-significant levels.

Prior to commencement of site grading, developers will be required to obtain a General Permit for Discharges of Storm Water Associated with Construction Activity (Construction General Permit), which pertains to pollution from grading and project construction. Compliance with the Permit requires the project applicant to file a Notice of Intent (NOI) with the State Water Resources Control Board (SWRCB) and prepare a Storm Water Pollution Prevention Plan (SWPPP) prior to construction. Developers will be required to submit the SWPPP to the City Engineer and the Central Valley RWQCB. The City of Selma requires Best Management Practices in construction contracts, consistent with NPDES General Construction Activity Storm Water Permit requirements.

As noted previously, the Project area has been in agricultural/ open space use with minimal rural residential development. Currently much of the natural and irrigation waters in the area drain to Rockwell Pond. New development in the Project area during the life of the Project will alter existing drainage patterns. Anticipated changes in absorption resulting from development (paving of roads, installation of sidewalks, and other impervious surfaces together with building pads and new structures) will increase the amount of surface water runoff. Thus, construction of storm drainage facilities will be necessary as urban development occurs.

All new development in the Project area will be required to provide adequate storm drainage. The drainage facilities are required to be in conformity with the Conservation and Public Facilities elements of the Selma General Plan and the drainage master plan. A drainage fee is required to be paid to the City on each parcel of land prior to the commencement of any development.

Construction of required storm water drainage facilities will be a condition of Project approval and will be funded by the developer. Any new upgrades to regional stormwater facilities may also be required and funded by development proponents. The amount of funding required from each developer will be proportional to their anticipated usage of the facilities. It is probable that the first development in the Project area (Phase One) will be required to fund specific improvements beyond the project's anticipated usage. However, subsequent development proponents will fund their share and monies will be returned to the original development proponents who funded the initial improvements.

Prior to site grading, developers of proposed new projects in the Project area will be required to obtain a General Permit for Discharges of Storm Water Associated with Construction Activity (Construction General Permit), which pertains to pollution from grading and project construction. Compliance with the Permit requires the project applicant to file a Notice of Intent (NOI) with the State Water Resources Control Board (SWRCB) and prepare a Storm Water Pollution Prevention Plan (SWPPP) prior to construction.

Developers are required to submit the SWPPP to the Central Valley RWQCB. The SWPPP must identify the activities that may cause pollutant discharge (including sediment) during storms and the appropriate mitigation that will be employed to control pollutant discharge on the project site. The SWPPP must also specify spill prevention and contingency measures, identify the types of materials used for equipment operation, and identify measures to prevent or clean up spills of hazardous materials used for equipment operation and hazardous waste. Emergency procedures for responding to spills must also be identified. The SWPPP is required to incorporate Best Management Practices (BMPs) in order to prevent, or reduce to the greatest extent feasible, adverse impacts to water quality from erosion and sedimentation.

Water Quality - Domestic Water Supply - In its October 2008 Water Supply Assessment Report for the Rockwell Pond Project, Cal Water reported water delivered to customers in the Selma District meets all federal and state drinking water regulations. The quality of the groundwater produced by the District's active wells can vary depending on location. Nitrates and the pesticide DBCP, (Dibromochloropropane - which was used to control nematodes in vineyards) are of concern. Wells with excessive DBCP are either taken out of service or granulated activated carbon treatment facilities are installed at the well-head to remove the contaminant. District wells receive regular monitoring.

Level of Significance before Mitigation - Potentially significant impact.

Mitigation

10.2 Developers in the Project area shall be required to comply with all local, state and Federal regulations with regards to surface water runoff from construction sites, surface water runoff from new urban development, erosion control, and the protection of domestic water quality. The City of Selma shall require Best Management Practices in construction contracts, consistent with NPDES General Construction Activity Storm Water Permit requirements.

10.3 Developers in the Project area shall be responsible for required improvements to the surface water runoff facilities required to serve proposed project. Capital costs for design and construction of drainage facilities are the responsibility of the developer. If a project is required to construct non-project improvements as part of the drainage plan, related costs will be reimbursed as other development occurs in the area under an agreement with the City of Selma.

10.4 Development south of Rockwell Pond shall discharge all storm water into on-site basins designed to accommodate up to 44.6 acre feet of runoff (26.6 acre feet for Phase 1 and 18.0 acre feet for Phase 2 as determined by Yamabe & Horn, Project engineers). Basins shall be designed so as not to discharge into facilities of the Consolidated Irrigation District, including but not limited to Rockwell Pond.

10.5 All improvements to facilities of the Consolidated Irrigation District shall be developed in conformance with the Districts Standard Details and Development Standards.

10.6 Fencing of the Rockwell Pond area shall be consistent with fencing criteria acceptable to the Consolidated Irrigation District.

Level of Significance after Mitigation - With incorporation of mitigation, potential environmental impacts will be reduced to less than significant levels.

IMPACT: **Place housing within a 100-year flood hazard area; place within a 100-year flood hazard area structures which would impede or redirect flood flows; expose people or structures to a significant risk of loss, injury or death involving flooding.**

The National Flood Insurance Program is administered by the Federal Insurance Administration, a component of the Federal Emergency Management Agency (FEMA). The Federal Emergency Management Agency's (FEMA) National Flood Insurance Program published maps that identify areas at risk from potential flooding. Flood hazards are identified for areas subject to flooding from 100 and 500-year storm events. FEMA reports that property to be designated for development in the Project area is located in Zone X, outside the 100 year flood plain (See Figure 10-2). This flood insurance rate zone corresponds to areas outside the 1-percent annual chance floodplain, areas of 1-percent annual chance sheet flow flooding where average depths are less than 1 foot, areas of 1-percent annual chance stream flooding where the contributing drainage area is less than 1 square mile, or areas protected from the 1-percent annual chance flood by levees. No Base Flood Elevations or depths are shown within this zone. Insurance purchase is not required in this zone.

FEMA reports that Rockwell Pond is located in Zone A (inside a 100-500 year flood zone) indicating that this natural drainage area is subject to annual flooding. Zone A is the flood insurance rate zone that corresponds to the 1-percent annual chance floodplains that are determined in the Flood Insurance Study by approximate methods of analysis. Because detailed hydraulic analyses are not performed for such areas, no Base Flood Elevations or depths are shown within this zone. Mandatory flood insurance purchase requirements apply.

Level of Significance before Mitigation: Less than significant impact.

Mitigation: None required.

IMPACT: **Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam; or inundation by seiche, tsunami, or mudflow.**

Although within the potential flood inundation area of Pine Flat Dam on the Kings River, the potential for risk of loss, injury or death as a result of dam failure is considered minimal. The Selma area is not subject to inundation by seiche, tsunami, or mudflow.

Level of Significance before Mitigation: No impact.

Mitigation: None required.

11.0 LAND USE AND PLANNING

This chapter examines the Project's compatibility with existing and planned land uses. Changes in land use patterns that result from new development can affect the character of an area and result in physical impacts to the environment.

11.1 Environmental Setting

The Rockwell Pond Commercial Project (Project) is a proposed development located within the Selma Sphere of Influence (SOI) adjacent to the city limits, and requires annexation to the City. The site size is approximately 94 acres adjacent to northwest Selma. The site is bounded by Floral Avenue to the south, De Wolf Avenue on the west, Rockwell Pond on the north, State Route 99 on the northeast, and existing commercial development (Wal-Mart) to the east. Access to the site is available via Floral Avenue and State Route 99. A conceptual site plan is presented in Figure 2-3.

The Project site lies within the City's growth corridor along SR 99. The area immediately to the west of De Wolf Avenue is in agriculture and Rockwell Pond extends into this area. The Selma Aerodrome is located approximately ½ mile west of DeWolf. Land to the south is in agricultural use. Property to the east is developed with commercial uses. State Route 99 runs (northwest-southeast) along the northeastern boundary of the site. The closest interchange is located at Floral Avenue, southeast of the site.

The Project site is relatively flat with no significant topographic features. Currently, the site is fallow agricultural land.

11.3 Regulatory Framework

Selma General Plan - The Selma General Plan sets forth goals and policies to guide planning and environmental decisions and land use in the City. Land in the Project area is designated for agriculture and open space by the Fresno County General Plan and zoned AE-20 (Exclusive Agriculture, 20-acre minimum parcel size). The area is located within the Selma Sphere of Influence, and the City General Plan Land Use Element and Northwest Specific Plan designate the property for Open Space uses.

Below are specific goals and policies of the Selma General Plan and Northwest Specific Plan that apply to the proposed Rockwell Pond Project:

Selma General Plan - Commercial/ Business Park/ Light Industrial Land Uses

GOAL 8 Provide a full range of commercial activities appropriate to the community

Policy 8.1 The City shall monitor the availability of vacant lands for each commercial land use designation. When the amount of available land is less than required for three years of average growth, the City shall initiate applications, such as zoning and general plan amendments, but excluding annexations, to ensure that at least a three year supply of commercial lands are available for development.

GOAL 11 Commercial areas adjacent to Freeway 99 should present a visually pleasing image to the freeway traveler and potential customer to Selma businesses.

GOAL 20 Provide flexibility in providing public facilities where needed.

Northwest Specific Plan - Objectives for Land Use

- General Objective 2.00 - To encourage and manage urban growth on land within the Specific Plan area when the land has been annexed to the City and can be adequately provided with urban services and facilities by the City, the school district, and other public utilities and service entities.

The City is updating its General Plan, but this update has not been completed as of the date of DEIR publication. The preliminary land use plan designates the Project site for regional commercial uses in a manner consistent with the proposed Rockwell Pond Project.

Other City Policy/ Regulatory Documents

Zoning Ordinance - The City's Zoning Ordinance implements the General Plan and provides regulations regarding permitted land uses, development standards, and the development entitlement process for all land within the City. The site is proposed to be zoned as follows:

Regional Commercial (RC), Zone District C-R - This designation is designed to provide a variety of retail uses that will attract customers from both inside and outside of Selma. To fulfill the role as a regional commercial provider, such development must be close to major transportation links and contain sufficient area to provide adequate facilities and parking. Regional uses have anchor tenants with market areas generally covering at least a fifteen-mile radius such as larger durable good retail stores and vehicle sales. It is anticipated that the regional commercial areas will provide "Big Box" uses, service commercial, restaurants, theaters and specialty shops.

Sign Ordinance – The City of Selma has adopted sign regulations included in its Municipal Code. The Selma Sign Ordinance contains regulations pertaining to signs throughout the City.

Design Critera – In addition to design standards contained in the goals and policies of the Selma General Plan, the City has a "Commercial and Industrial Development Manual" to guide development of these land uses.

Consistency with the Airport Land Use Plan - The Selma Aerodrome is located approximately ½ mile west of De Wolf Avenue adjacent to the western extent of Rockwell Pond. The Fresno County Airport Land Use Commission prepared a comprehensive airport land use plan (ALUP) for Selma's municipal airport addressing the airport and its environs. Section 65302.3 of the ALUP requires that the General Plan, and any applicable specific plan, be consistent with the ALUP.

Potential impacts related to the operation of the Selma Aerodrome are discussed in Section 9.0, Hazards and Hazardous Materials, and in Section 12.0, Noise.

Amendments to a specific plan or general plan affecting the airport planning area must be reviewed by the Airport Land Use Commission and a determination made as to the consistency with the ALUP. If the Commission finds that the amendment is inconsistent and the local legislative body does not concur, the city council may, by a two-thirds vote, overrule the commission's determination pursuant to Public Utility Code Section 21676.

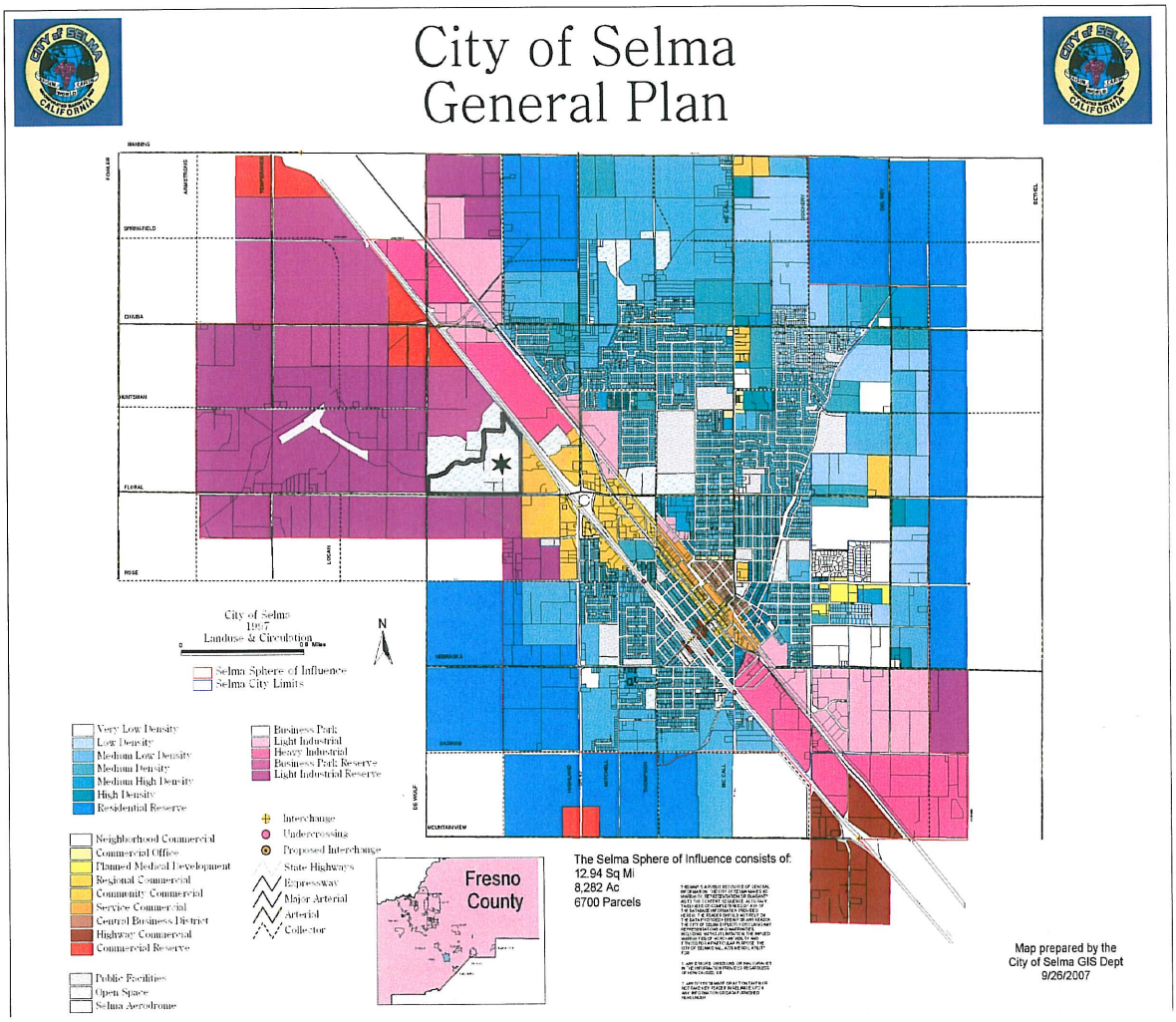


FIGURE 11-1 – SELMA GENERAL PLAN

(✶ PROJECT SITE)

"ROCKWELL POND COMMERCIAL PROJECT"

Fresno LAFCO – The California Government Code requires Local Agency Formation Commissions to consider, among other issues, the consistency of proposals for annexation, detachment, or incorporation with applicable specific plans prior to approval. A prerequisite to annexation of territory to a city is a tax sharing agreement between the city and county. All fifteen incorporated cities within Fresno County have a "Memorandum of Understanding" with Fresno County setting out an agreement for tax sharing. Each agreement includes "Standards for Annexation", which list the agreed-to criteria which each municipality must meet in order to annex territory consistent with the tax sharing agreement. These provisions include measures that assure that annexations are orderly, leapfrog development is avoided, and urban growth is directed to areas within existing cities' boundaries (meaning that annexation takes place prior to development).

11.5 Standards of Significance, Impact Analysis, and Mitigation Measures

Standards of Significance

Appendix G of the California Environmental Quality Act (CEQA) provides guidance for assessing the significance of potential environmental impacts. Relative to land use, a project will normally have a significant effect on the environment if it will:

- Include features that could physically divide an established community.
- Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the Project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect.
- Conflict with any applicable habitat conservation plan or natural community conservation plan.

Impacts and Mitigation Measures

IMPACT: Includes features that could physically divide an established community.

The proposed Project is located on the edge of, but contiguous with, the urbanized area of Selma. It would therefore not physically divide an established community.

Level of Significance Before Mitigation: No impact.

Mitigation: None required.

IMPACT: Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the Project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect.

The Project is not consistent with the Selma General Plan or the Selma Northwest Specific Plan. In order to meet the Project's objectives, a number of actions and approvals must take place as follows:

- Adoption of a General Plan Amendment (GPA) for the Project site by the Selma City Council. Such action would include approval of a land use change from Open Space to Regional Commercial for the Project site in both the Selma General Plan and the Selma Northwest Specific Plan.

- Applications for and approval of pre-zoning from Fresno County Agricultural Zone Districts to the appropriate City of Selma Zone Districts.
- Application(s) for and approval(s) of necessary land use entitlements allowing for the phased development of the Project site. Entitlements may include, but are not limited to, tentative and final parcel/ subdivision map(s), conditional use permits, and site plan reviews.
- City authorization to submit applications for annexations to the Fresno Local Agency Formation Commission (LAFCO) and subsequent LAFCO approval of requested annexations.

Level of Significance Before Mitigation: Potential significant impact.

Mitigation

11.1 Prior to annexation and development, the Selma City Council shall approve a General Plan amendment to change the present land use designation adopted in the Selma General Plan and the Northwest Specific Plan to Regional Commercial.

Level of Significance after Mitigation: With the incorporation of recommended mitigation, impacts to land use would be reduced to less than significant levels.

IMPACT: **Conflict with any applicable habitat conservation plan or natural community conservation plan.**

The proposed Project is not located in an area covered by any such plans.

Level of Significance Before Mitigation: No impact.

Mitigation: None required.

12.0 NOISE

Development anticipated under the Project could cause increased activity and result in existing or future noise sensitive uses being exposed to new noise sources.

12.1 Environmental Setting

Existing noise sources in the planning area include road traffic from surrounding and adjacent roads, traffic on SR 99, agricultural operations, and aircraft at the Selma Aerodrome to the west. In the planning area, roadway noise is expected to be the principal generator of noise. The most severe traffic noise sources tend to be those with heavy truck traffic and/or high proportions of nighttime traffic. Noise generated by aircraft from the Aerodrome is not expected to be significant because air traffic is infrequent and is made up of smaller aircraft.

12.2 Regulatory Framework

Federal, state, and local government each have some responsibility for providing environmental noise control. The Office of Noise Control at the California Department of Health Services published guidelines for evaluating the compatibility of various land uses as a function of community noise exposure and created a model community noise ordinance. State-level noise control regulations apply to new multifamily residential construction through the California State Building Code (Title 24 of the California Code of Regulations), which establishes standards for building design that will limit maximum L_{dn} or CNEL noise levels to 45 dBA in any habitable room.

Other state and federal means of noise control include noise limits for transportation sources in the California Vehicle Code and highway noise abatement criteria from the Federal Highway Administration and the California Department of Transportation. The Federal Aviation Regulation Part 150 Airport Noise Compatibility Program is designed to reduce the effect of airport noise on the surrounding communities as airports expand, and Title 21 of the California Code of Regulations establishes noise standards for airports and sets forth the responsibilities of the regional Airport Land Use Commissions, which prepare land use compatibility plans with thorough evaluation of airport noise.

State of California - The State of California has adopted noise standards in areas of regulation not preempted by the federal government. State standards regulate noise levels of motor vehicles and freeway noise affecting classrooms, set standards for sound transmission control and occupational noise control, and identify noise insulation standards. The state has also developed land use compatibility guidelines for community noise environments.

The State of California General Plan Guidelines, published by the State Office of Planning and Research (OPR), provide guidance for the acceptability of projects within specific CNEL/ Ldn contours. Generally, residential uses are considered to be acceptable in areas where exterior noise levels do not exceed 60 dBA CNEL/Ldn. Residential uses are normally unacceptable in areas exceeding 70 dBA Ldn and conditionally acceptable within 60 to 70 dBA Ldn. Schools, libraries, churches, hospitals, and nursing homes are treated as noise-sensitive land uses, requiring acoustical studies within areas exceeding 60 dBA Ldn. Additionally, a 45 dBA Ldn is prescribed as a suitable interior noise environment for noise-sensitive uses. However, the state stresses that these guidelines can be modified to reflect sensitivities of individual communities to noise.

Noise Element Guidelines prepared by the Office of Noise Control of the State Department of Public Health urge communities to adopt a community noise ordinance in order to carry out policies of the Noise Element and to assure compliance with State requirements for certain other noise control programs.

The City of Selma - The Selma General Plan Noise Element identifies noise sensitive land uses and noise sources, and defines areas of noise impact for the purpose of developing programs to ensure that City of Selma residents will be protected from excessive noise intrusion. The Noise Element quantifies the community noise environment in terms of noise exposure for both near and long-term levels of growth and traffic activity. The Selma Noise Ordinance (Municipal Code, Title VI, Chapter 17) specifies that noise in commercial areas is considered excessive if it exceeds 60 dB between 10 pm and 7 am or 65 dB between 7 am and 10 pm.

Fresno County Airport Land Use Commission - The statutory authority for establishment of the Fresno County Airport Land Use Commission and its adoption of procedures and policies is provided by the California Public Resources Code, Sections 21670-21678. Proposals for adoption or amendment of general plans, zoning ordinances, building regulations and airport master plans are referred to the Commission prior to final action being taken by the appropriate governing body. The Commission has adopted policies addressing compatibility with airport noise, airspace protection, safety, and general nuisance impacts.

12.3 Noise Fundamentals and Terminology

The standard unit of sound amplitude measurement is the decibel (dB). The A-weighted decibel scale (dBA) approximates the sensitivity of the human ear to the audible range of frequencies. Rating scales are available to analyze the adverse effect of community noise on people. Since environmental noise fluctuates over time, these scales consider that the effect of noise upon communities is largely dependent upon the total acoustical energy content of the noise, as well as the time of day when the noise occurs.

- L_{eq}, the equivalent energy noise level, is the average acoustic energy content of noise for a stated period of time. Thus, the L_{eq} of a time-varying noise and that of a steady noise are the same if they deliver the same acoustic energy to the ear during exposure. For evaluating community impacts, this rating scale does not vary, regardless of whether the noise occurs during the day or the night.

- Both the Community Noise Equivalent Level (CNEL) and the day-night average noise level (L_{dn}), are 24-hour average L_{eq}s with an additional "penalty" added to noise occurring during the evening and nighttime hours to account for the greater nocturnal noise sensitivity of people.

- L_n is the value of noise levels that are exceeded "n" percent of the time. This is used to characterize sustained versus un-sustained noise levels. For instance, L_{50} is the noise level that is exceeded 50 percent of the time during a measurement period.

The zero on the decibel scale is based on the lowest sound level that the healthy, unimpaired human ear can detect. Sound levels in decibels are calculated on a logarithmic basis. An increase of 10 decibels represents a ten-fold increase in acoustic energy, while 20 decibels is 100 times more intense, 30 decibels is 1,000 times more intense, etc. Each 10 decibel increase in sound level is perceived as approximately a doubling of loudness over a fairly wide range of intensities. Table 12-1, Typical A-Weighted Sound Levels of Common Noise Sources, illustrates common noise levels associated with various sources.

Because sound levels can vary markedly over a short period of time, a method for describing either the average character of the sound or the statistical behavior of the variations is utilized. Most commonly, environmental sounds are described in terms of an average level that has the same acoustical energy as the summation of all the time varying events. This energy-equivalent sound/noise descriptor is called L_{eq}. The most common averaging period is hourly, but L_{eq} can describe any series of noise events of arbitrary duration.

Since the sensitivity to noise increases during the evening and at night--because excessive noise interferes with the ability to sleep--24-hour descriptors have been developed that incorporate artificial noise penalties added to quiet-time noise events. The Community Noise Equivalent Level, CNEL, is a measure of the cumulative noise exposure in a community, with a 5 dB penalty added to evening (7:00 pm - 10:00 pm) and a 10 dB addition to nocturnal (10:00 pm - 7:00 am) noise levels. The Day/Night Average Sound Level, Ldn, is essentially the same as CNEL, with the exception that the evening time period is dropped and all occurrences during this three-hour period are grouped into the daytime period.

Effects of Noise on People

Hearing Loss - While physical damage to the ear from an intense noise impulse is rare, a degradation of auditory acuity can occur even within a community noise environment. Hearing loss occurs mainly due to chronic exposure to excessive noise, but may be due to a single event such as an explosion. Natural hearing loss associated with aging may also be accelerated from chronic exposure to loud noise. The Occupational Safety and Health Administration (OSHA) adheres to a noise exposure standard which is set at the noise threshold where hearing loss may occur from long-term exposures. The maximum allowable level is 90 dBA averaged over eight hours. If the noise is above 90 dBA, the allowable exposure time is correspondingly shorter.

Sleep and Speech Interference - The thresholds for speech interference indoors are about 45 dBA if the noise is steady and above 55 dBA if the noise is fluctuating. Outdoors the thresholds are about 15 dBA higher. Steady noise of sufficient intensity (above 35 dBA) and fluctuating noise levels above about 45 dBA have been shown to affect sleep. Interior residential standards for multi-family dwellings are set by the State of California at 45 dBA Ldn. Typically, the highest steady traffic noise level during the daytime is about equal to the Ldn and nighttime levels are 10 dBA lower.

The standard is designed for sleep and speech protection and most jurisdictions apply the same criterion for all residential uses. Typical structural attenuation is 12-17 dBA with open windows. With closed windows in good condition, the noise attenuation factor is around 20 dBA for an older structure and 25 dBA for a newer dwelling. Sleep and speech interference is therefore possible when exterior noise levels are about 57-62 dBA Ldn with open windows and 65-70 dBA Ldn if the windows are closed. Levels of 55-60 dBA are common along collector streets and secondary arterials, while 65-70 dBA is a typical value for a primary/major arterial.

Levels of 75-80 dBA are normal noise levels at the first row of development outside a freeway right-of-way. In order to achieve an acceptable interior noise environment, bedrooms facing secondary roadways need to be able to have their windows closed, those facing major roadways and freeways typically need special glass windows.

Table 12-1
Typical Sound Levels

Noise Source (Distance)	*A-Weighted Sound Level (dBA)*	*Subjective Impression*
Civil Defense Siren (100')	130	Pain Threshold
Jet Takeoff (200')	120	
Rock Music Concert (50')	110	
Pile Driver (50')	100	Very Loud
Ambulance Siren (100')	90	
Pneumatic Drill (50')	80	
Freeway (100')	70	Moderately Loud
Vacuum Cleaner (10')	60	
Light Traffic (100')	50	
Large Transformer (200')	40	Quiet
Soft Whisper (5')	0 to 30	Threshold of Hearing

Source: Arnold Peterson and Ervin Gross, 1963; Ogden Environmental, 1992

Annoyance - Attitude surveys are used for measuring the annoyance felt in a community for noises intruding into homes or affecting outdoor activity areas. In these surveys, it was determined that the causes for annoyance include interference with speech, radio and television, house vibrations, and interference with sleep and rest. The Ldn as a measure of noise has been found to provide a valid correlation of noise level and the percentage of people annoyed. People have been asked to judge the annoyance caused by aircraft noise and ground transportation noise. There continues to be disagreement about the relative annoyance of these different sources.

When measuring the percentage of the population highly annoyed, the threshold for ground vehicle noise is about 55 dBA Ldn. At an Ldn of about 60 dBA, approximately 2 percent of the population is highly annoyed. When the Ldn increases to 70 dBA, the percentage of the population highly annoyed increases to about 12 percent of the population. There is, therefore, an increase of about 1 percent per dBA between an Ldn of 60-70 dBA. Between an Ldn of 70-80 dBA, each decibel increase increases by about 2 percent the percentage of the population highly annoyed.

People appear to respond more adversely to aircraft noise. When the Ldn is 60 dBA, approximately 10 percent of the population is believed to be highly annoyed. Each decibel increase to 70 dBA adds about 2 percentage points to the number of people highly annoyed. Above 70 dBA, each decibel increase results in about a 3 percent increase in the percentage of the population highly annoyed.

Noise Mitigation

Local governments, in particular, will often incorporate requirements into their local codes that call on project developers to take measures to reduce predicted noise levels where possible. In such circumstances, common noise mitigation measures associated with construction activities include limiting noisy construction activities between 10 p.m. and 7 a.m.; ensuring that all construction equipment is properly muffled; and using low-pressure steam blows or temporary blowout silencers when appropriate.

With respect to operational noise, common mitigation features include the use of acoustically insulated buildings, the use of silencers, and other appropriate noise control (e.g., duct silencers, acoustical louvers, and acoustical caulking). Some form of monitoring during facility construction and/or operation may also be required. Finally, it may be possible to address certain noise receptors on noise-sensitive properties through noise or non-occupancy easements.

12.4 Standards of Significance, Impact Analysis, and Mitigation Measures

Criteria for determining the significance of noise and vibration impacts were developed based on information contained in the California Environmental Quality Act Guidelines (State CEQA Guidelines). According to those guidelines, a project may have a significant effect on the environment if it will satisfy the following conditions:

- Exposure of persons to or generation of noise levels in excess of standards established in the Selma Noise Ordinance (Municipal Code, Title VI, Chapter 17), which specifies that noise in commercial areas is considered excessive if it exceeds 60 dB between 10 pm and 7 am or 65 dB between 7 am and 10 pm.
- Exposure of persons to or generation of excessive ground-borne vibration or ground-borne noise levels.
- A substantial permanent, temporary, or periodic increase in ambient noise levels in the Project vicinity above levels existing without the Project, defined as 5 dB.
- For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels.
- Exposure of persons residing or working in the project area to excessive noise levels from a private airstrip in the vicinity.

Impacts and Mitigation

IMPACT: Exposure of persons to or generation of noise levels in excess of standards established in the Selma Noise Ordinance (Municipal Code, Title VI, Chapter 17), which specifies that noise in commercial areas is considered excessive if it exceeds 60 dB between 10 pm and 7 am or 65 dB between 7 am and 10 pm.

Overall traffic volumes on adjacent roadways are expected to increase due to development in the Project area. A greater traffic increase on any roadway would cause a greater noise increase, and this increase would be intensified by increases in travel speed or truck traffic caused by development generated by the proposed Project.

A noise study was prepared for the Project by VRPA Technologies, Inc., which is included as Appendix A-5 of Volume 2 of the Technical Appendix. In analyzing noise levels, the Federal Highway Administration's (FHWA) Highway Traffic Noise Prediction methodology was applied. Safety concerns must also be analyzed to determine the need for appropriate mitigation resulting from noise due to increased traffic adjacent to the Project and other evaluations such as the need for noise barriers and other noise abatement improvements. Unless otherwise stated, all sound levels reported are in A-weighted decibels (dBA).

First, existing "baseline" traffic noise levels are established based on previously collected traffic data and using Traffic Noise Model (TNM) Version 2.5. TNM 2.5 is an FHWA Traffic Noise Prediction Program. Once existing levels are established, future levels, based on expected traffic growth, are calculated and compared to both the existing noise level and the maximum allowable noise exposure based on the Selma General Plan. Table 12-2 shows that the Selma General Plan Noise Element identifies a maximum allowable noise exposure level of 65 L_{dn} dB for moderately sensitive land uses.

Existing traffic noise levels were evaluated using the TNM 2.5 Model. Traffic volumes collected from the traffic study prepared for the proposed Project and speeds of 50 miles per hour along Floral Avenue were entered into the model to estimate noise levels at the proposed commercial development.

To assess traffic noise impacts from adjacent roads on the project, the first step is to determine the baseline or the existing noise condition. The second is to then compare the baseline to future level results, based on expected traffic growth, and the maximum allowable noise exposure.

To assess existing noise conditions, current traffic counts and existing geometric conditions were compiled. Noise level measurements within the Project site were collected to evaluate the accuracy of the model in describing traffic noise exposure within the Project site. The noise-monitoring sites are shown on Figure 12-1.

Table 12-2

Maximum Allowable Noise Exposure
City of Selma Noise Ordinance

Land Use Category	Noise Level dBA	
	Time Period	Sound Level
Residential	10:00 pm to 7:00 am	50
Residential	7:00 pm to 10:00 pm	55
Residential	7:00 am to 7:00 pm	60
Commercial	10:00 pm to 7:00 am	60

Source: City of Selma Municipal Code

Noise monitoring equipment consisted of an Extech Type 2 sound level meter datalogger. Noise measurements were conducted in terms of the equivalent energy sound level (L_{eq}). Measured L_{eq} were compared to L_{eq} values calculated (predicted) by the TNM 2.5 Model. Traffic volumes, truck mix and vehicle speeds were used as inputs to the model. The results of this comparison are shown in Table 12-3.

Existing noise measurements were taken at the Project site. The locations of the field receptors are shown in Figure 12-1. Results of the noise analysis are reflected in Table 12-3. Existing noise levels at all receptors is currently above the City's General Plan standards for noise.

Table 12-3
Noise Impacts For Existing And Future Conditions

Receptor	Existing Leq Measured	Existing Leq Predicted	K-Factor	Future No Project Predicted	Future Plus Project Predicted	Noise Increase
Receptor 1	57.1	68.5	11.4	59.6	62.1	2.5
Receptor 2	55.3	68.4	13.1	57.8	60.2	2.4
Receptor 3	46.5	60.2	13.7	52.7	56.3	3.6
Receptor 4	--	--	--	--	37.9	--
Receptor 5	--	--	--	--	34.6	--
Receptor 6	--	--	--	--	40.6	--

Noise levels at the Project site and along adjacent roadways will not exceed standards established in the Selma Noise Ordinance (Municipal Code, Title VI, Chapter 17), which specifies that noise in commercial areas is considered excessive if it exceeds 60 dB between 10 pm and 7 am. Although future noise levels at Receptor site 1 are projected to be 62.1 dBA, this would be considered a day time level and would not be expected to violate the night time standard.

Noise mitigation will not be required on or off the Project site to satisfy City of Selma noise standards. State and federal means of noise control include noise limits for transportation sources in the California Vehicle Code and highway noise abatement criteria from the Federal Highway Administration and the California Department of Transportation. These requirements along with implementation of Selma's General Plan policies would reduce the impact of traffic noise sources to a level that would be less than significant.

Level of Significance Before Mitigation: Less than significant impact.

Mitigation: None required.

Receptor Locations
Legend
Field Receptor Sites
Model Receptor Sites
Figure 12-1
VRPA Technologies, Inc.

IMPACT: **Exposure of persons to or generation of excessive ground-borne vibration or ground-borne noise levels; or a substantial permanent, temporary, or periodic increase in ambient noise levels in the Project vicinity above levels existing without the Project, defined as 5 dB.**

The potential for noise exposure due to fixed noise sources would be expected to increase due with Project construction. Examples of fixed sources include air conditioning and refrigeration equipment, waste and garbage collection equipment, and vehicle movement on private property (e.g., parking lots, truck loading, etc.). The Selma Noise Element identifies noise sensitive land uses and noise sources, and defines areas of noise impact for the purpose of developing programs to ensure that City of Selma residents will be protected from excessive noise intrusion. The Noise Element quantifies the community noise environment in terms of noise exposure for both near and long-term levels of growth and traffic activity. Enforcement of the noise regulations in the Selma Municipal Code and implementation of General Plan policies would reduce the impact of fixed noise sources to a level that would be less than significant.

Construction equipment can generate noise levels of up to 86 dB at 50 feet and 83 dB at 100 feet. The potential for existing or future sensitive uses to be exposed to unacceptable noise levels from construction noise is limited principally because no residential land use designations are being proposed.

Construction noise would be intermittent over the duration of the proposed Project, varying with the time of day and stage of construction. Construction noise impacts would be limited to the immediate vicinity of these improvements, but could result in annoyance or sleep disruption for nearby residences if nighttime operations occurred, or if unusually noisy equipment was used. Construction activities for the Project may result in temporary increases in ground-borne vibration or ground-borne noise levels. This may include earth moving (dozers and trucks), materials handling (concrete mixers), and stationary equipment (pumps and generators).

Noise would also be generated during the construction phase by increased traffic associated with transport of heavy materials and equipment. The noise would be short in duration and would occur primarily during daytime hours. The most prevalent noise source would be engine-powered equipment such as earth-moving, material-handling, and stationary equipment. Mobile equipment operates in a cyclic fashion, while stationary equipment, such as generators and compressors, operate at sound levels fairly constant over time. Since trucks would be present during most phases and would not be confined to the Project site, noise from trucks could affect more receptors. Other noise sources would include impact equipment and tools such as jackhammers and pile drivers.

Contractors would be required to comply with applicable federal, state and local sound control and noise level rules, regulations and ordinances. Because of the localized and temporary nature of these impacts, as well as required compliance with relevant local sound control regulations, impacts would be less than significant.

Level of Significance Before Mitigation: Less than significant.

Mitigation: None required.

IMPACT: **For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels.**

The Selma Aerodrome is located at the northwest quadrant of Floral and DeWolf Avenues, approximately ½ mile west of the Project site; there are no other public air strips within two miles of the Project site. Figure 12-2 shows noise contours associated with the Aerodrome (please see chapter 9.0-Hazards and Hazardous Materials, for a discussion of safety issues related to airport operations). The approximate western half of the Project site is affected by the 55 to 60 LdN contours. The site plan on Figure 2-3 shows that these areas are within Phase 2 of the development and planned for anchor and in-line retail shops. The *Fresno County Airports Land Use Policy Plan* identifies airport/ land use noise compatibility criteria. Table 1 of that document shows that for retail trade:

- A noise level between 50 and 55 LdN is "clearly acceptable" and can be carried out with essentially no interference from the noise exposure.
- For levels between 55 and 60 LdN, retail uses are "normally acceptable" and slight interference with outdoor activity may occur. Conventional construction methods will eliminate most noise intrusion on indoor activities.
- For levels between 60 and 65 LdN – affecting proposed retail uses at the northeast corner of DeWolf and Floral – retail uses are "marginal" with moderate interference with outdoor activities. Uses that fall within this category must be reviewed on a case by case basis by the Airport Land Use Commission. The Commission may determine the land use to be acceptable under conditions where outdoor activities are minimal and construction features provide sufficient noise attenuation.

It is anticipated that limited retail uses will be found compatible under these circumstances. While intermittent aircraft noise will not expose large numbers of people to excessive noise levels, review of that portion of the site plan between 60 and 65 LdN will be required by the Airport Land Use Commission. Developers of proposed projects in the area will be required to comply with State Noise Insulation Standards (California Code of Regulations, Title 24) and Chapter 35 of the Uniform Building Code (UBC) and all other federal, state and local regulations.

Level of Significance before Mitigation: Potentially significant impact.

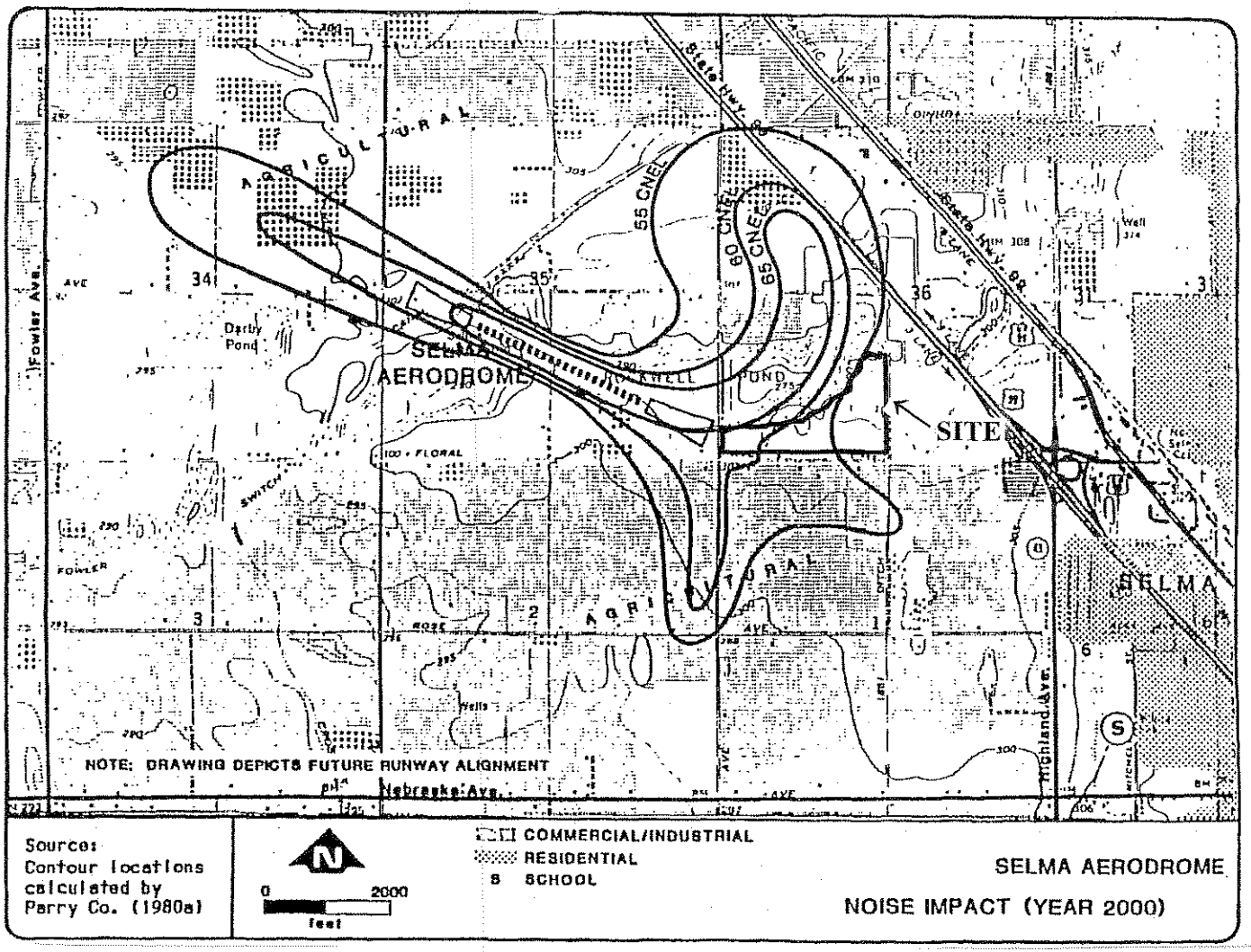
Mitigation

12.1 The proposed Project shall be referred to the Fresno County Airport Land Use Commission for review and evaluation as to its consistency with the *Fresno County Airports Land Use Policy Plan.* The Project shall be referred to the Commission prior to an action taken by the City of Selma.

12.2 The City shall require a "buyer notification statement" as a requirement for the transfer of title of any property location with the Project site. The statement shall indicate that the buyer is aware of the proximity of an airport, the characteristics of the airport's current and projected activity, and the likelihood of aircraft over flights of the affected property.

Level of Significance after Mitigation: With incorporation of recommended mitigation, potential impacts will be reduced to less than significant levels.

Figure 12-3: Selma Aerodrome Noise Impact (*Fresno County Airports Land Use Policy Plan)*



13.0 POPULATION AND HOUSING

Changes in population and housing resulting from the Project are primarily social and economic effects. According to section 15382 of the CEQA Guidelines, an economic or social change is not by itself considered a significant effect on the environment. Though population and housing changes do not necessarily cause direct adverse physical environmental impacts, they can cause indirect effects such as increased traffic and air quality emissions and increases in ambient noise levels. The purpose of this section is to identify and evaluate population and housing changes caused by the Project. The potential environmental effects related to any physical changes caused by the population and housing changes resulting from the Project are evaluated in the applicable sections contained elsewhere in this Draft EIR.

13.1 Environmental Setting

The City of Selma was incorporated in 1883. Selma officially adopted the name "Raisin Capital of the World" in 1963, with 90% of the nation's raisin crop being cultivated within eight miles of the city. In the past decade, Selma has become a regional growth center for the SR 99 corridor south of Fresno.

Selma is the fourth largest of 15 cities in Fresno County with a current estimated population of 23,301. Between 1990 and 2000, Selma grew at an average annual rate of 2.8%. The population at the time of the 2000 U.S. Census was 19,444 and average annual population growth since that time has slowed somewhat to about 2.2%.

Based on statistical information available from the Fresno COG, the following table presents basic population and housing information.

Table 13-1
Selma Population and Housing Characteristics - 2009

Total Population	23,301
Housing Units	6,830
Persons per Household (Avg.)	3.53
Vacancy Rate	3.75%

Source: Fresno COG

Population Forecast

Based on the current population, and using an assumption of 2.5 percent annual growth, Selma's 2020 population is estimated to be 31,340; the 2025 population is estimated at 35,450. This growth rate reflects an increasing percentage of Fresno County's overall population estimate and Selma's increasing role as a south-valley business hub.

Employment Base

The 2000 Census shows that about 7,090 Selma residents were employed. The mean travel time to place of work was 20.5 minutes, indicating that many residents commuted to locations outside the City for employment. A large number of Selma residents work in agriculture (12.1%), manufacturing (16.3%), retail trade (12.5%), and education, health, and social services (17.3%). The breakdown of the Selma employment sector is shown in Table 4.9-2.

The City's economic goal is to create new jobs in the community to increase the number of residents who live in and are employed in the City.

Table 13-2
Employment Categories of Selma Residents -2000

Agriculture, forestry, fishing and hunting, and mining:	12.1%
Construction:	2.6%
Manufacturing:	16.3%
Wholesale:	8.2%
Retail:	13%
Transportation and warehousing, and utilities:	4.3%
Information:	1.6%
Finance, insurance, and real estate:	3.8%
Professional, scientific, administration, and waste management	4.5%
Education, health and social services:	17.3%
Arts, entertainment, recreation, accommodation and food service:	7.7%
Other services (except public administration):	4.1%
Public administration:	5.1%

Source: 2000 U.S. Census

The balance between population and employment is typically measured in two ways. The simplest measure is a ratio of employed residents to jobs, with 1:1 ratio indicating a perfect balance between the two variables. The assumption in this analysis is that the Project would add approximately 973,100 square feet of gross leasable space to the retail inventory in the City. The number of employees per 1,000 square foot of floor area anticipated was taken from traffic studies contained in the San Diego Council of Governments Traffic Generators for various sizes and intensities of retail businesses. Adjustments were made for gross area to reflect typical floor area ratios and development intensities. The estimated number of jobs per 1,000 square feet of retail commercial space is 1.1, or 1,070 jobs for the Project.

13.2 Standards of Significance, Impact Analysis, and Mitigation

The following thresholds of significance are based on Appendix G of the CEQA Guidelines. For purposes of this EIR, the Project may have a significant impact on population and housing if it would do any of the following:

- Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure).
- Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere.
- Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere.

As noted above, according to CEQA, a significant impact on population and housing does nothing itself necessarily to result in significant adverse environmental impacts, but may cause physical changes that result in significant adverse environmental impacts.

Impact Analysis and Mitigation

IMPACT: Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure).

Construction of the Project will add approximately 973,100 square feet of commercial retail space to the City. Based on job production assumptions, the Project will create the potential for 1,070 new jobs. This net increase in new jobs is interpreted as a positive impact from the Project.

The Project is in response to an expanding market created by existing and forecasted new housing. The Project does not in itself create a demand for more housing, but will provide for additional jobs that will support the employment of residents of new housing. The City of Selma's January 1, 2009 population was estimated at 23,301. Applying the assumption of 2.5 percent annual growth, the City's 2020 population is estimated to be 31,340. The City continues to approve new housing projects and the General Plan update anticipates continued population growth over the 20-year planning horizon. The Project would have no impact on creating a demand for additional housing that has not already been considered in the Selma housing market conditions; therefore, there is no impact.

Level of Significance Before Mitigation: No impact.

Mitigation: None required.

IMPACT: Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere, or displace substantial numbers of people, necessitating the construction of replacement housing elsewhere.

Up until the 1980s, land use in the general area was rural residential with large expanses of crops. More recently, commercial development has extended northwest into this portion of Selma. Properties east and southeast of the Project site have been developed with commercial uses, and a major commercial use (Wal Mart) is proposed south of the Project.

The Project site is in vineyard and includes five existing rural residential dwellings, outbuildings, trees, and associated vegetation. The current Selma General Plan and the proposed plan amendment for the Project do not plan for residential development on the Project site or in the general Project vicinity. These plans indicate the area should be developed for commercial and job producing purposes. The Project is consistent with these intentions and would not alter the planned location, distribution, density or growth of population within the area. Although the five residential units located on the Project site and their residents would be displaced by the Project, this limited number of units is not considered substantial and the potential impacts are less than significant.

Level of Significance Before Mitigation: Less than significant impact.

Mitigation: None required.

14.0 PUBLIC SERVICES, RECREATION, AND UTILITIES SERVICE SYSTEMS

This chapter evaluates the effects of the Project on public services by identifying anticipated demands on existing and planned service availability. This section addresses the public facilities in the City of Selma, including fire protection and emergency services, law enforcement, wastewater (sewer) services, solid waste, parks and recreation, schools, and public transit. Impacts to public services may be identified in two general areas: 1) the need for new or expanded services/facilities as a result of project implementation, and 2) the potential reduction of existing and/or future service levels. (*Domestic water services are examined under the "Hydrology" chapter*).

14.1 Environmental Setting

Development of the Project will require the extension of infrastructure and municipal services into the planning area. The following agencies will provide public services and utilities to the Project following annexation to the City of Selma:

- The Selma Fire Department will provide fire protection services.
- The Selma Police Department will provide law enforcement services.
- The Selma-Kingsburg-Fowler County Sanitation District provides wastewater collection.
- The California Water Service Company provides water service.
- The Selma Parks Division provides and maintains public parks and recreational facilities.
- The City of Selma would provide solid waste disposal through its contracted provider, Selma Disposal.

Existing conditions for these public services and utilities are provided in the individual sections that follow.

14.2 Regulatory Framework

AB 939 - California Integrated Waste Management Act - To minimize the amount of solid waste that must be disposed of by transformation and land disposal, the State Legislature passed Assembly Bill 939, the California Integrated Waste Management Act of 1989 (AB 939), effective January 1990. According to AB 939, all cities and counties in California are required to divert 25 percent of all solid waste from landfill or transfer facilities by January 1, 1995, and 50 percent by January 1, 2000.

Solid waste plans are prepared by each jurisdiction to explain how each City's AB 939 plan is integrated with their respective county plan. In order of priority the plans must promote: source reduction, recycling and composting, environmentally safe transformation and land disposal.

Title 24 - California Building Standards Code - Title 24 of the California Code of Regulations, known as the California Building Standards Code or "Title 24," contains the regulations that govern the construction of buildings (both residential and non-residential) in California. Title 24 is composed of 12 "parts." Part 9, the California Fire Code, contains fire-safety-related building standards referenced in other parts of Title 24. This Code is preassembled with the 2000 Uniform Fire Code of the Western Fire Chiefs Association with necessary California amendments.

AB 1327 California Solid Waste Reuse and Recycling Access Act - The Solid Waste Reuse and Recycling Access Act of 1991 requires each jurisdiction to adopt an ordinance by September 1, 1994 requiring each development project to provide an adequate storage area for collection and removal of recyclable materials.

California Public Utilities Commission (CPUC) - The CPUC regulates privately owned telecommunication, electric, natural gas, water, railroad, rail transit and passenger transportation companies. It is the responsibility of the CPUC to: assure California utility customer's safe, reliable utility service at reasonable rates; protect utility customers from fraud; and promote a healthy California economy. The Public Utilities Code, adopted by the legislature, defines the jurisdiction of the CPUC.

14.3 Standards of Significance, Impact Analysis, and Mitigation Measures

Standards of Significance

The following thresholds of significance are based on Appendix G of the CEQA Guidelines. For purposes of this EIR, implementation of the proposed Project may have a significant adverse impact on public services, recreation, and utilities/service systems under the following conditions:

- Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:
    a. Fire protection?
    b. Police protection?
    c. Schools?
    d. Parks?
    e. Other public facilities?
- Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?
- Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?
- Would the project:
    a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?
    b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?
    c. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?
    d. Have sufficient water supplies available to service the project from existing entitlements and resources, or are new or expanded entitlements needed?

e. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?
g. Comply with federal, state, and local statutes and regulations related to solid waste?
h. Increase the demand for electricity and natural gas.

Impacts and Mitigation Measures

14.3.1 Fire Protection

IMPACT: **Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered fire protection facilities, need for new or physically altered fire protection facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives.**

The Selma Fire Department will provide fire protection services to the Project site. The Fire Department operates out of two fire stations that protect a wide range of commercial, business and residential property. The Selma Fire Department is a combination department that strives to minimize loss from fire, hazardous material incidents, natural disasters and other emergency situations while providing emergency medical services at the Emergency Medical Technician – Paramedic (EMT-P) level. Department ambulances cover over 150 square miles in and around Selma.

The Department staffing consists of a full-time fire chief, full-time division chief, 24 full-time firefighting personnel, nine of which are certified paramedics, one fire inspector and one department secretary. The full-time staff is augmented by 15 reserve firefighters. The City's two fire stations are strategically located to provide the most efficient response to the community. Station 54 is located at 2861 A Street and Station 53 is located at 1927 West Front Street. The department responds to over 4,000 calls a year.

Impact fees collected from future development will be required pursuant to the Selma Municipal Code and Government Code section 66000. A portion of these fees may be used to mitigate the impacts of future development on fire protection services and facilities.

In addition to other impact criteria, a potentially significant impact would occur if response time exceeded six minutes from a fire station contracted by the City and no provision to provide adequate fire services from a location within the Project area is included in the Project design.[1] Response time from existing fire stations in the City of Selma to the Project site could be greater than six minutes depending upon existing conditions and the location of the service call within the boundaries of the area.
The ability of the Fire Department to respond in a timely manner has been affected by other development projects in the northwest growth area of the City that have either been approved or are currently proposed. The proposed Project coupled with these other projects increases the urgency to provide enhanced fire protection services to better serve the northwest area of the city.

[1] The Department has a goal of maintaining a response time of four to six minutes for the first crew to arrive at a fire or medical emergency within an assigned district.

Level of Significance before Mitigation: Potentially significant impact

Mitigation

14.1 The developer shall pay Public Facilities Impact Fees for proposed developments as established by the City of Selma in accordance with the requirements of State law.

14.2 All development in the Project area shall comply with applicable, current requirements under the International Building Code, Uniform Fire Codes, and City Standards.

Level of Significance After Mitigation: With incorporation of recommended mitigation, potential environmental effects will be reduced to less than significant levels.

14.4.1 Law Enforcement

IMPACT: **Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered police protection facilities, need for new or physically altered police protection facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives.**

The City of Selma is patrolled on a 24-hour basis by the Selma Police Department. The City also operates under a mutual aid agreement with the Fresno County Sheriff's Department. The Selma Police Department will provide law enforcement services to the Project site. The Selma Police Department is staffed with 37 sworn and 10 non-sworn employees for fiscal year 2009-2010 and operates from a single station located at 1935 E. Front Street.

The Selma City Police Department provides law enforcement services to new areas as annexations and development occur. To maintain adequate law enforcement service additional officers, equipment, and facilities will be needed. Police protective service costs are primarily in the annual operating budget for manpower, vehicles, fuel, etc.

Impact fees collected from future development will be required pursuant to the Selma Municipal Code and Government Code section 66000. A portion of these fees may be used to mitigate the impacts of future development on law enforcement services and facilities.

Generally, law enforcement services are impacted by new development. Service standards used by the City of Selma for planning future police facilities are approximately 2.0 sworn officers per 1,000 population. Thus, as the Project area develops over the life of the plan, demands on the Police Department will incrementally increase. As development occurs, there will be a need for additional police officers to serve the Project area as well as increased demands on the use of vehicles and facilities.

All development projects are required to pay Public Facilities Impact Fees as established by the City in accordance with the requirements of State law.

Level of Significance before Mitigation: Potentially significant impact.

Mitigation

14.3 Developers shall pay Public Facilities Impact Fees for proposed developments established by the City in accordance with the requirements of State law.

14.4 To reduce potential service calls to the Project area, the City of Selma Police Department shall be consulted during site planning and design to ensure that adequate provisions for crime prevention are incorporated into the Project design.

Level of Significance After Mitigation: With incorporation of recommended mitigation, potential environmental effects will be reduced to less than significant levels.

14.5.1 Schools

IMPACT: Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered school facilities, need for new or physically altered school facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives.

The proposed Project does not have a residential component and therefore will not directly generate school children. As a secondary effect, however, the Project could affect school facilities by generating jobs and associated new housing in the community. The Project site is served by the Selma Unified School District. The District administers 11 schools: eight elementary schools, Abraham Lincoln Middle School, Selma High School, and Heartland Continuation High School.

Public schools are regulated by the State of California Constitution and corresponding enacted laws, and particularly the California Education Code (see California Constitution - Article 9 - Education: Sec. 14). Since the State requires each district to provide education services despite any of these factors, a variety of funding mechanisms are available to districts to pay for administration, instruction, and facilities. There has been a long tradition of support and cooperation between the school districts and the community of Selma. The City coordinates with the school districts on the locations of future school sites, the collection of developer impact fees, and joint activities and facilities (i.e., school parks).

State law imposes limitations on the power of local governments to require mitigation of school facilities impacts. In essence, SB 50 (adopted in 1998) completely divests local government of the power to require development fees or other exactions in excess of the statutory maximum amounts to help fund school facilities. In order to clarify the law, subdivision (h) of Government Code Section 65995 declares that the payment of the statutory development fees is "full and complete mitigation of the impacts of any legislative and adjudicative act ... on the provision of adequate school facilities."

Level of Significance Before Mitigation: Potentially significant impact.

Mitigation

14.5 Prior to the issuance of building permits, the applicant shall be responsible for the payment of school facility impact fees as adopted by the Selma Unified School District.

Level of Significance After Mitigation: With incorporation of recommended mitigation, impacts will be reduced to less than significant levels.

14.6.1 Parks and Recreation

IMPACT: **Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated; or does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?**

The Selma Parks Division provides and maintains public parks and recreational facilities in the City. The Division currently maintains approximately 50 acres of parks and landscaped medians. These include Shafer Park, Peter Ringo Park, Salazar Park, Berry Park, Lincoln Park, Brentlinger Park and 28 landscaped islands and medians. The division also maintains 23 city buildings and six park shelters as well as all park recreation facilities and recreational lighting. The Parks Division principal objective is to provide park and recreation areas that are safe, attractive, and inviting for family gatherings and individual use.

The Project will not provide park space or create the need for new park development. As a secondary effect, however, the Project could affect the need for parks by generating jobs and associated new housing in the community. Pursuant to Government Code 66477 (Quimby Act), the City passed Ordinance 1526 which requires the dedication (or fees in lieu thereof) of 5 acres of parkland per 1,000 residents of a development. This Project, however, is exempt from this Ordinance because it does not include a residential component.

Level of Significance Before Mitigation: No impact.

Mitigation: None required.

Level of Significance After Mitigation: With incorporation of recommended mitigation, potential impacts will be reduced to less than significant levels.

14.7.1 Sewer Service

IMPACT: **Would the project exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board; require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects; or result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments.**

The Selma-Kingsburg-Fowler County Sanitation District (SKF) is a local government agency that provides sewer service to southern Fresno County. The District was formed in 1971 by the Fresno County Board of Supervisors. The District's service area is located south of the City of Fresno and encompasses the cities of Selma, Kingsburg, and Fowler. The District currently provides sanitary sewer service to these cities and would serve the Project area as development occurs.

In addition to the three cities, the District also provides wastewater collection and treatment service to certain unincorporated areas with sewer service agreements. The District currently provides sewer service to approximately 7,967 acres (includes developed and undeveloped land), or 12.5 square miles.

District operations, maintenance, laboratory, administration buildings and the wastewater treatment and disposal facilities are sited on 550 acres located off of East Conejo Avenue about 1.5 miles west of Kingsburg. The District collects, treats, and disposes wastewater originating from the residential, commercial, institutional, and industrial dischargers within the service area. The District manages and maintains sanitary sewer lines, spanning 6- to 42-inches in diameter, and 21 lift stations in the sewer system. The majority of the sewer system is owned by the individual cities but is maintained and operated by the District. The larger interceptors are owned and maintained by the District.

Of the approximately 7,967 acres served by the District, residential development generates the greatest demand and accounts for approximately 2,903 acres, or about 36 percent of the total. Commercial and industrial make up approximately 2,216 acres, or 28 percent of the total. Public facilities like schools, government buildings, and hospitals make up approximately 290 acres, or 4 percent. Non-wastewater generating land uses like parks, streets, and railroads account for 2,085 acres, or 26 percent of the total service area. The unincorporated areas served by the District total about 474 acres, or 6 percent of the service area.

The SKF treatment plant has a permitted treatment capacity of 8 mgd. Its highest annual average day flow between 2001 and 2005 was 3.86 mgd, and its highest maximum day flow over the same period was 6.22 mgd. Approximately 1.8 mgd is received from customers in Cal Water's Selma service area. The District's 2006 Master Plan estimated future demand based on each city's General Plan and projected future developments within the projected future service area. At an average annual growth rate of 3.0 percent, at buildout of each city's current General Plan (including County areas receiving service), the District will serve approximately 19,535 acres, or about the current area of the City of Visalia. *(Source: 2006 SKF Master Plan)*

Presently, SKF has a trunk line in Floral Avenue to the edge of the existing commercial development (Wal Mart). Development within the Project site will be required to extend this line into the planning area. All required sanitary sewer facilities necessary to serve new development will be funded by the development proponents. The amount of funding required from each developer will be proportional to their anticipated usage of the facilities.

It is probable that the first development in the Project area (Phase One) will be required to fund specific improvements beyond the Project's anticipated usage. However, subsequent development proponents will fund their anticipated share and monies will be returned to the original development proponents who funded the initial improvements.

Level of Significance Before Mitigation: Potentially significant impact.

Mitigation

14.7 The developer shall pay Public Facilities Impact Fees as established by the City in accordance with City land development policies.

14.8 The developer shall pay sewer connection fees at the building permit stage in order to defray the City's investment in trunk lines, pumps, force mains, and the assessment district.

14.9 The developer shall be required to contribute to the extension of necessary infrastructure to the Project site at developer's expense. Near term development projects in the Project area that are required to fund specific improvements beyond the Project's anticipated usage shall be reimbursed by subsequent development proponents that will fund their anticipated share and monies will be returned to the original development proponents who funded the initial improvements.

14.10 For each phase of the Project, a determination shall be required by SKF that there is sufficient capacity in the wastewater treatment plant to serve the proposed development.

Level of Significance after Mitigation: With incorporation of recommended mitigation, potential impacts will be reduced to less than significant levels.

14.8.1 Storm Drainage

IMPACT: Would the project require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

Please see Section 10.0, Hydrology, for analysis of storm water drainage and mitigation.

14.9.1 Water Service

IMPACT: Have sufficient water supplies available to service the project from existing entitlements and resources, or are new or expanded entitlements needed.

Please see Section 10.0, Hydrology, for analysis of available water supplies and mitigation.

IMPACT: Would the project result in substantial physical impacts associated with the provision of new or physically altered water supply facilities, or the need for new or physically altered water facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, or other performance objectives for water facilities.

Presently, Cal Water has a water main in Floral Avenue at the edge of the existing commercial development (Wal-Mart) immediately adjacent to the Project area. New development in the Project plan area will be required to extend this line into the Project area. As a condition of approval, each proposed development will be responsible for the cost of improvements to the water system that include, but may not limited to, water main extensions, water main upgrades, and connection fees.

The amount of funding required from each developer will be proportional to their anticipated usage of the facilities. It is probable that the first development in the plan area (Phase One) will be required to fund specific improvements beyond the project's anticipated usage. However, subsequent development proponents will fund their fair share and monies will be returned to the original development proponents who funded the initial improvements *(Source: California Water Service Company - 2006 Urban Water Management Plan Selma District).*

Cal Water's Selma District is responsible for providing ongoing operations and maintenance services for its water system. With respect to the system in the Selma District, Cal Water has an ongoing capital improvement program to upgrade and improve the distribution system, replace wells that have reached the end of their useful life, and provide treatment of groundwater due to contaminants. The capital improvement program also provides for new facilities required by growth in demand.

Cal Water reviews all relevant development projects that go through the City's Project review process. Cal Water is familiar with the approvals it must obtain from the City of Selma Community Development and Building Inspection Departments, the California Department of Health Services and the SJVAPCD. The company reviews design drawings and specifications for potable water system facilities for compliance with state standards and Cal Water's standards with respect to storage capacities, pipe sizes, booster pumps, fire flows, equipment, materials, communication and control systems and interconnection with Cal Water's Selma system.

Water system improvements for the Project may include new wells and pumps, transmission lines, storage facilities, distribution system, SCADA, meters, etc. As the developer proceeds with the Project and preliminary design of the proposed development, Cal Water will work with the Project's planner and engineer, the City of Selma, California Department of Health Services (DHS) and other agencies that may be involved on the design and construction of the required water supply facilities. The developer of the Project will be required to prepare a water piping plan for review and approval by Cal Water.

Capital costs for design and construction of the water distribution system, storage and booster pump stations, etc. are the responsibility of the developer, who may also be responsible for per lot assessment fees to cover costs associated with development of new wells in accordance with California Public Utility Commission (CPUC) rules.

For prospective new well sites and other water facilities such as storage tanks and booster pump stations, Cal Water follows a standard procedure in which it establishes interest on the part of a property owner to sell all or a designated piece of its property to Cal Water for a water supply purpose. In the case of a well site, Cal Water first determines its suitability for a production well. This includes conducting a sanitary survey, Phase 1 environmental assessment, a right of entry agreement, design and construction of a test well, testing of the yield and water quality of the test well and evaluation of findings. If a site is determined to be suitable, Cal Water generally purchases the property from the owner. In the case of public properties, it may enter into a long-term lease or obtain a permanent easement.

After a well is constructed and before use, Cal Water is required to demonstrate to California Department of Public Health (DPH) that water from the well complies with all drinking water standards. Cal Water also is required to file the well logs obtained by the driller with the Department of Water Resources.

With respect to the Selma District, Cal Water has an ongoing capital improvement program to upgrade and improve the distribution system, replace wells that have reached the end of their useful life, and provide treatment of groundwater due to contaminants. The capital improvement program also provides for new facilities required by growth in demand. Cal Water's Selma District capital improvement program is separate from and will not include costs associated with the design and construction of water system facilities that may be required for the Project. However, upon complete transfer of ownership of the water system facilities to Cal Water by the developer, those facilities will be incorporated into Cal Water's capital improvement program

Level of Significance before Mitigation - Potentially significant impact.

Mitigation

14.11 Developers in the Project area shall be responsible for required improvements to the domestic water system necessary to serve proposed projects. Capital costs for design and construction of the water distribution system, new wells and pumps, transmission lines, storage facilities, distribution system, SCADA, meters, storage and booster pump stations, and so on are the responsibility of the developer, who may also be responsible for per lot assessment fees to cover costs associated with development of new wells in accordance with California Public Utility Commission (CPUC) rules. Developers in the Project area shall be required to prepare a water piping plan for review and approval by Cal Water.

Level of Significance after Mitigation: With incorporation of recommended mitigation, potential environmental impacts will be reduced to less than significant levels.

14.10.1 Solid Waste

IMPACT: **Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs. Or comply with federal, state, and local statutes and regulations related to solid waste.**

Development within the planning area would be served by the City of Selma solid waste provider, Selma Disposal and Recycling, Inc. The City's solid waste program includes waste disposal collection, a regular recyclables pickup program, and a green waste pickup program.

In 1989, California legislators enacted AB 939 which requires all cities and counties to divert 25 percent of all solid waste from landfill or transfer facilities by January 1, 1995, and 50 percent by January 1, 2000. Accordingly, cities began to develop programs that would encourage residents to recycle. In Selma, citizens were provided blue containers for recycling items and a green container for yard waste. The City of Selma and Selma Disposal and Recycling partnered in order to meet the mandated 50% reduction of waste sent to the local land fill.

Selma's solid waste is transferred to the County owned and operated American Avenue Landfill. The 440-acre waste management facility is located approximately 20 miles northwest of Selma near the City of Kerman. The facility consists of an unlined waste management unit covering 30 acres (Phase I) and a 160-acre composite-lined waste management unit (Phase II). There is a proposal to expand the waste management facility by constructing Phase III (250 acres) upon completion of Phase II. This expansion is necessary to provide service to Fresno County's expanding population base.

It is estimated that the landfill will be able to continue operation until 2031 when it will be full and will have to be closed (City of Fresno website, July 2009). Subsequent to closure of the American Avenue Landfill, the Selma area will most likely be served by a new landfill that will be developed in accordance with all applicable laws and regulations in effect at the time.

New development in the Project area shall be required to comply with all pertinent federal, state and local statutes, regulations and ordinances related to solid waste handling and collection, including recycling and green waste pickup.

Level of Significance Before Mitigation: Less than significant impact.

Mitigation: None required

14.11.1 Electricity and Natural Gas

IMPACT: Increase the demand for electricity and natural gas.

Electricity and natural gas for the Project will be provided by PG&E by extension of existing lines located in Floral Avenue. Extensions of these facilities by PG&E are necessary to provide adequate electrical and natural gas service to support the demands of the Project. PG&E indicates that it has or can develop the necessary capacity to serve the Project site with both electricity and natural gas. When new energy infrastructure is needed, there will be short-term construction impacts. To minimize impacts, development of on-site and off-site electrical infrastructure needs to occur concurrently with major street improvements.

Energy supply is surpassed by energy demand during peak usage times in California. Increased energy efficiency and conservation could reduce the need for additional power plants or other energy facilities that could cause undesirable environmental effects, as well as reducing costs for future homeowners and businesses. Energy efficiency measures may be used in the design of subdivisions and the location and design of commercial and residential properties. Title 24 of the California Code of Regulations addresses required energy efficiency measures for construction. These construction practices can reduce costs to businesses over the long-term.

There are many sources of electrical energy, and it is likely that various sources would be used in the Selma area. According to PG&E's 2004 Generation Portfolio, the company obtains energy from hydroelectric, nuclear, natural gas and fossil facilities.

Level of Significance before Mitigation - Potentially significant impact.

Mitigation

14.12 The developer shall work closely with PG&E to ensure that development of electrical and natural gas infrastructure is located and provided concurrently with roadway construction and in accordance with PUC regulations. The developer shall grant all necessary easements for installation of electrical and natural gas facilities, including utility easements along future on-site service roads.

14.13 Implement mitigation measure 5.18 set forth in Section 5.0 of this EIR.

Level of Significance after Mitigation: With incorporation of recommended mitigation, potential environmental impacts will be reduced to less than significant levels.

15.0 TRAFFIC

This report was prepared by Peters Engineering of Clovis, California. This analysis focuses on the anticipated effect of vehicle traffic resulting from the Rockwell Pond Commercial Project. The purpose of this report is to supplement the analyses presented in a previous report entitled "Rockwell Pond Commercial Development, Selma, Ca, Traffic Impact Analysis," dated April 25, 2008 by VRPA Technologies, Inc. (hereinafter referred to as the "VRPA report").

It is also noted that previous analyses have been performed in the vicinity of the project site and were presented in the following reports:

- "Traffic Impact Study, Proposed Floral Avenue Commercial Developments, Floral Avenue West of State Route 99, Selma, California," dated September 19, 2008 by Peters Engineering Group.
- "Admin Draft, Preliminary Traffic Impact Study for: Wal-Mart Supercenter, Selma, California," dated June 11, 2007 by Dowling Associates, Inc. (hereinafter referred to as the "Dowling report").

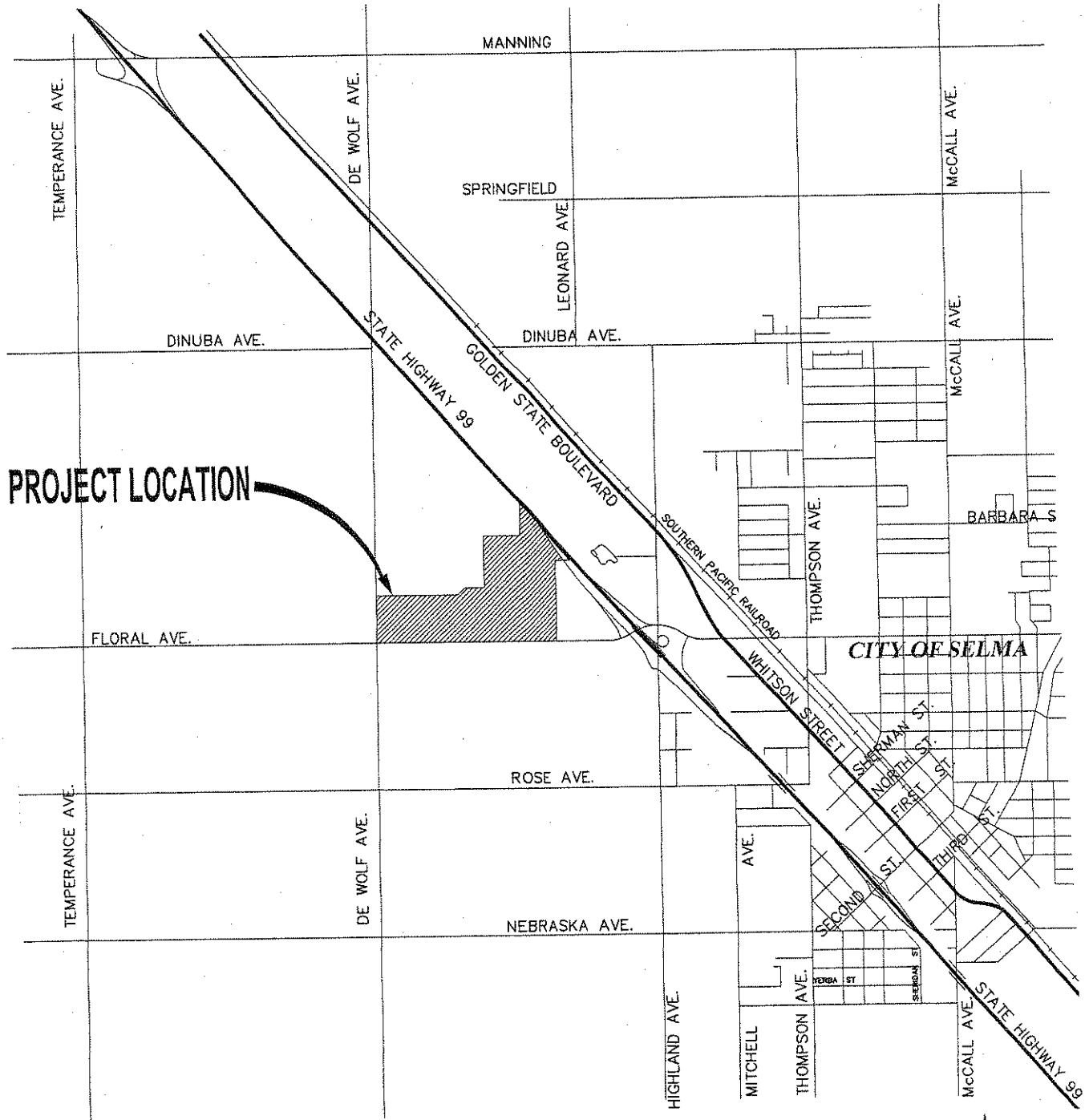
15.1 Existing Setting and Traffic Information

The proposed project is a large shopping center to be located on the north side of Floral Avenue between SR 99 and DeWolf Avenue. The project includes two phases. For purposes of these analyses the first phase is assumed to be constructed by the year 2010 and the second phase is assumed to be constructed by the year 2015. A site vicinity map is presented in Figure 15-1 and the Project site plan is presented in Figure 15-2.

A detailed description of each phase of the project is presented below.

- Rockwell Pond Development Phase 1 located on the north side of Floral Avenue west of SR 99. Three driveways are proposed to connect with Floral Avenue.
    - Anchor 3 – 180,000 square feet
    - Anchor 4 – 140,000 square feet
    - Hotel – 102 rooms
    - Major C – 18,000 square feet
    - Major D – 18,000 square feet
    - Major E – 30,000 square feet
    - Shops 6 – 10,500 square feet
    - Shops 7 – 10,500 square feet
    - Shops 8 – 18,500 square feet
    - Shops 9 – 12,500 square feet
    - Shops 10 – 14,300 square feet
    - Shops 11 – 13,900 square feet
    - Pad F – 5,000 square feet
    - Pad G – 5,000 square feet
    - Pad H – 4,300 square feet
    - Pad J – 4,300 square feet
    - Retail – 10,000 square feet
    - OSA – 31,178 square feet
    - Unnamed – 29,030 square feet
    - Unnamed – 37,131 square feet.
- Rockwell Pond Development Phase 2 located northeast of the intersection of Floral and DeWolf Avenues. Three driveways are proposed to connect with Floral Avenue and two driveways are proposed to connect to DeWolf Avenue.

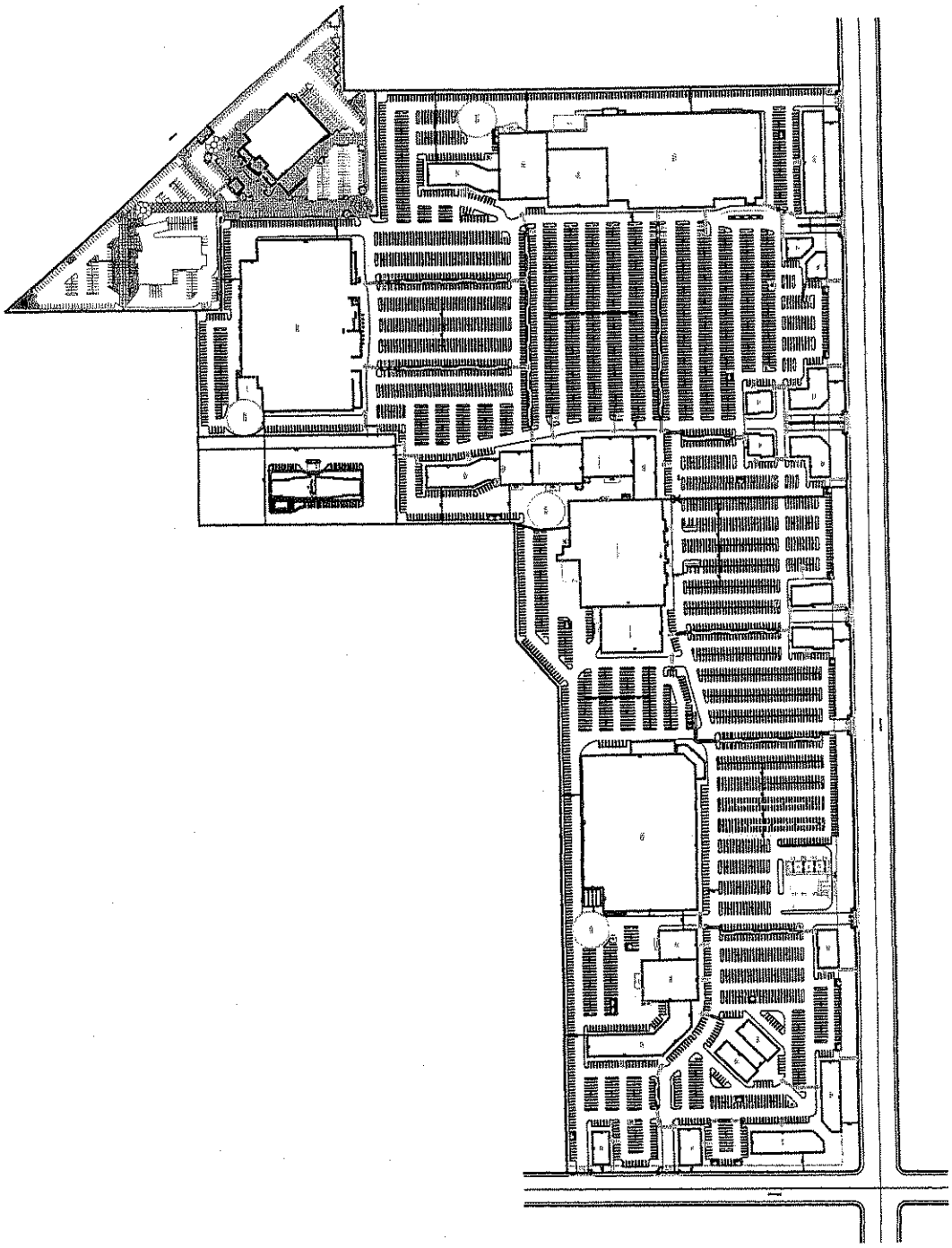
Figure 15-1: Site Vicinity Map



SITE VICINITY MAP
Proposed Rockwell Pond Development
Selma, California

Not to Scale

Figure 15-2: Site Plan



SITE PLAN
Proposed Rockwell Pond Development
Selma, California

Not to Scale

- Anchor 1 – 160,000 square feet with gas station
- Anchor 2 – 88,000 square feet
- Major A – 20,000 square feet
- Major B – 25,000 square feet
- Shops 1 – 23,800 square feet
- Shops 2 – 13,500 square feet
- Shops 3 – 13,500 square feet
- Shops 4 – 6,500 square feet
- Shops 5 – 6,500 square feet
- Pad A – 5,000 square feet
- Pad B – 7,000 square feet
- Pad C – 7,500 square feet
- Pad D – 7,500 square feet
- Pad E – 7,500 square feet
- Retail – 10,000 square feet

When the Project is complete, the cumulative total of Phases 1 and 2 will be 993,439 square feet plus the hotel and gas station, along with six driveways connecting to Floral Avenue and two driveways connecting to DeWolf Avenue.

Study Area and Time Period

This report includes analysis of the following intersections:

1. DeWolf Avenue / Floral Avenue;
2. Rockwell Pond Access / Floral Avenue;
3. SR 99 Southbound (SB) Off-Ramp / Floral Avenue;
4. Highland Avenue / Floral Avenue;
5. SR 99 Northbound (NB) Off-Ramp / Floral Avenue;
6. Whitson Street / Floral Avenue;
7. McCall Avenue / Floral Avenue;
8. Golden State Boulevard / Highland Avenue; and
9. Highland Avenue / SR 99 Ramps.

The location of the Rockwell Pond Access driveway that was analyzed is noted in Figure 15-2.

Road segments were not analyzed because intersection analyses govern the required number of through lanes for closely-spaced intersections (i.e., less than ½ mile). Therefore, the intersection analyses for the study intersections listed above will provide the required number of through lanes on the road segments between them.

The study time periods include the weekday a.m. and p.m. peak hours determined between 7:00 and 9:00 a.m. and between 4:00 and 6:00 p.m. The peak hours were to be analyzed for the following conditions:

- Existing Conditions;
- Existing Plus Project Phase 1 Conditions;
- Existing Plus Project Phases 1 and 2 Conditions
- Year 2010 No-Project Conditions;
- Year 2010 With Project Phase 1 Conditions;
- Year 2015 No-Project Conditions;
- Year 2015 With-Project Phases 1 and 2 Conditions;
- Cumulative Year 2030 No-Project Conditions; and
- Cumulative Year 2030 With Project Phases 1 and 2 Conditions.

Lane Configurations and Intersection Control

The lane configurations and intersection control are presented in the following figures:

Figure 15-3 - Existing Conditions;

Figure 15-4 - Existing Plus Project Phase 1 Conditions;

Figure 15-5 - Existing Plus Project Phases 1 and 2 Conditions;

Figure 15-6 - Year 2010 No-Project Conditions;

Figure 15-7 - Year 2010 With Project Phase 1 Conditions;

Figure 15-8 - Year 2015 No-Project Conditions;

Figure 15-9 - Year 2015 With-Project Phases 1 and 2 Conditions;

Figure 15-10 - Cumulative Year 2030 No-Project Conditions; and

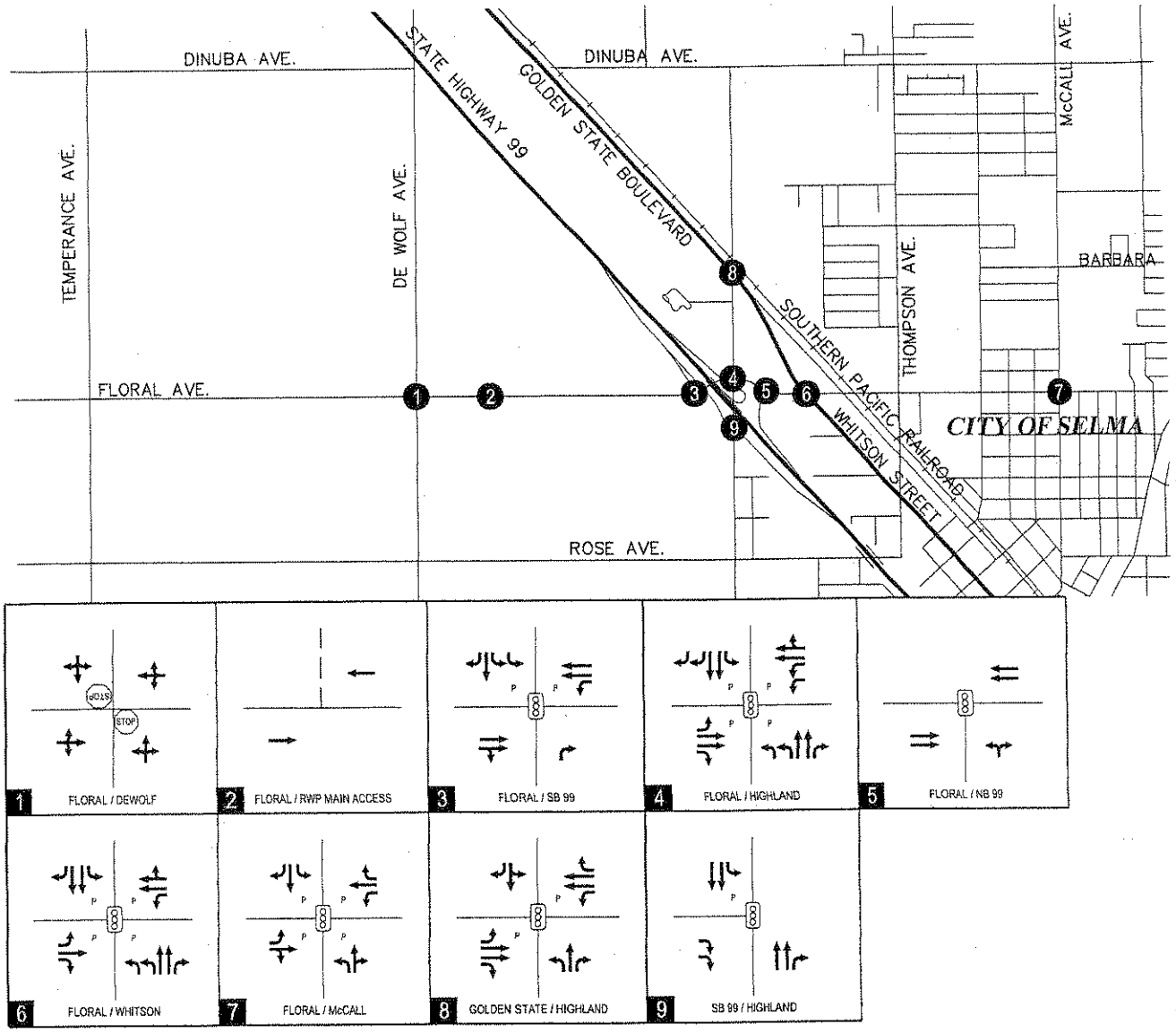
Figure 15-11 - Cumulative Year 2030 With Project Phases 1 and 2 Conditions.

Trip Generation

Data provided in the Institute of Transportation Engineers (ITE) *Trip Generation, 7th Edition*, were used to estimate the number of trips anticipated to be generated by the Project. Tables 15-1 and 15-2 present the trip generation information.

Data presented in the ITE *Trip Generation Handbook* (TGH) dated June 2004 suggest that captured-trip reductions are applicable to the proposed project. Captured-trip reductions are applied to account for the interaction between the various individual land uses assumed for the trip generation calculations. A common example of a captured trip occurs in a multi-use development containing both offices and shops. Trips made by office workers to shops within the site are defined as internal to (i.e., "captured") within the multi-use site. A more complete description of captured trips is presented in the TGH. Captured-trip reductions were calculated as described by ITE and the calculations are included in the complete traffic report contained in the Technical Appendix. Tables 15-3 and 15-4 present the results of the captured-trip analyses. Captured-trip reductions are presented as negative numbers because they are deducted from the total number of trips calculated in Tables 15-1 and 15-2.

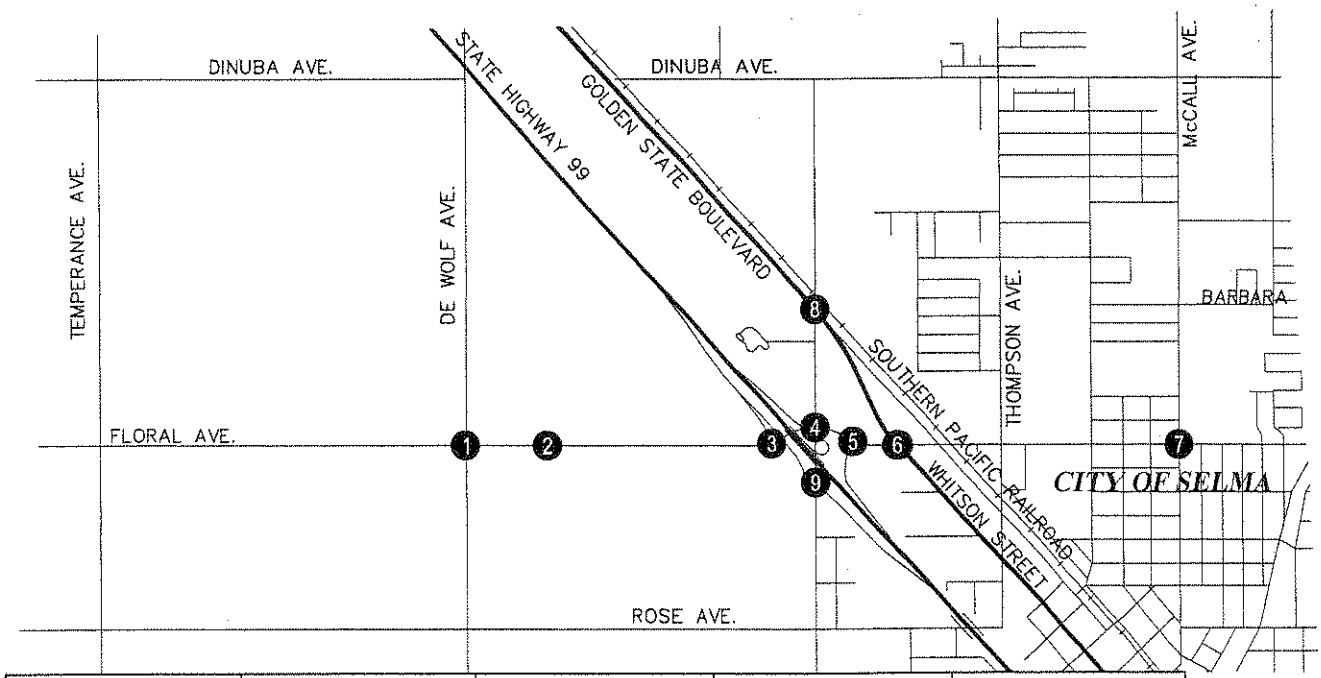
Figure 15-3 - Existing Conditions

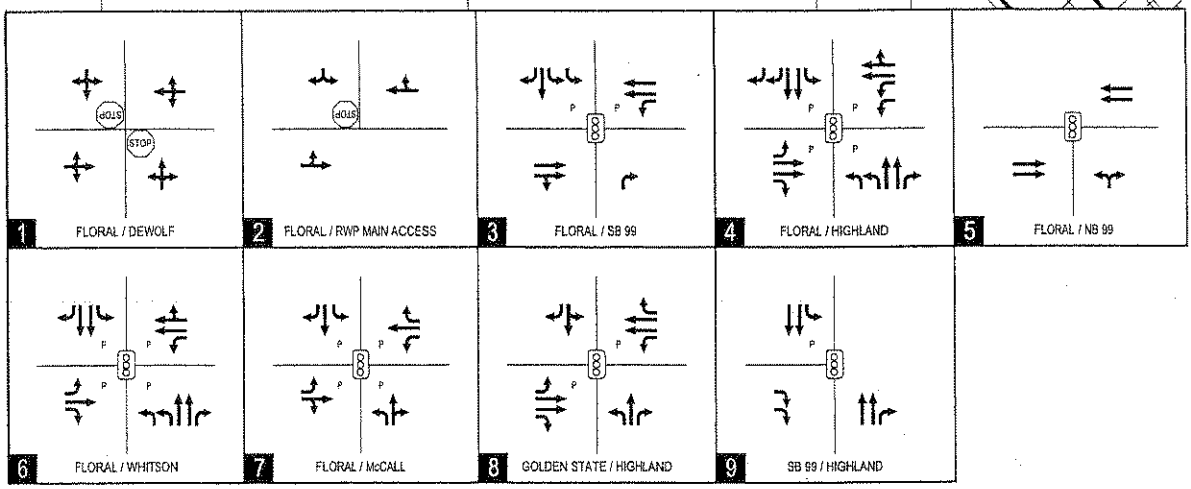


EXISTING CONDITIONS
LANE CONFIGURATIONS AND INTERSECTION CONTROL
Proposed Rockwell Pond Development
Selma, California

Not to Scale

Figure 15-4 - Existing Plus Project Phase 1 Conditions





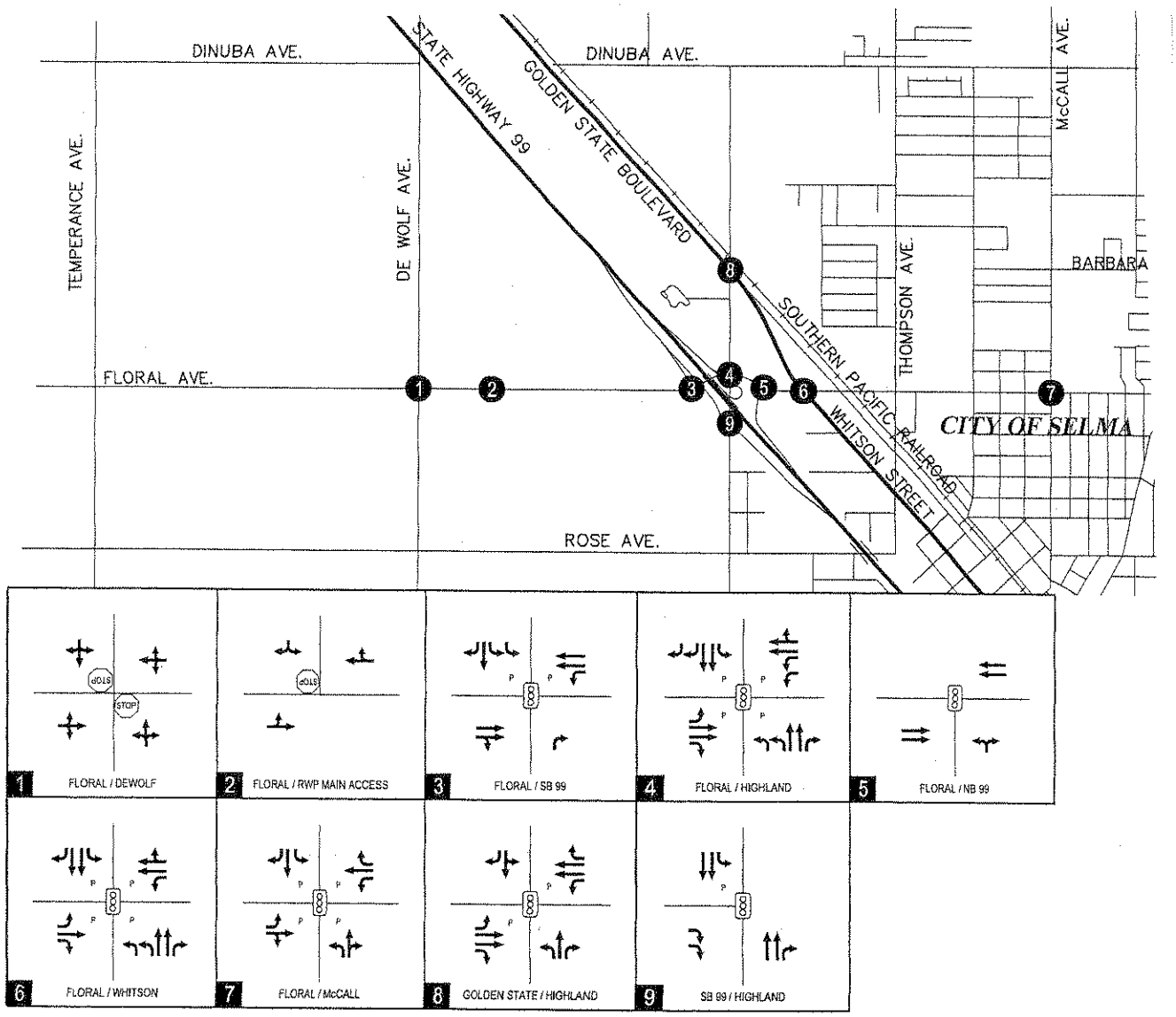
LEGEND

- SIGNALIZED INTERSECTION
- STOP SIGN
- DIRECTION OF TRAVEL
- P PROTECTED LEFT-TURN PHASE

EXISTING PLUS PHASES 1 AND 2 PROJECT CONDITIONS
LANE CONFIGURATIONS AND INTERSECTION CONTROL
Proposed Rockwell Pond Development
Selma, California

Not to Scale

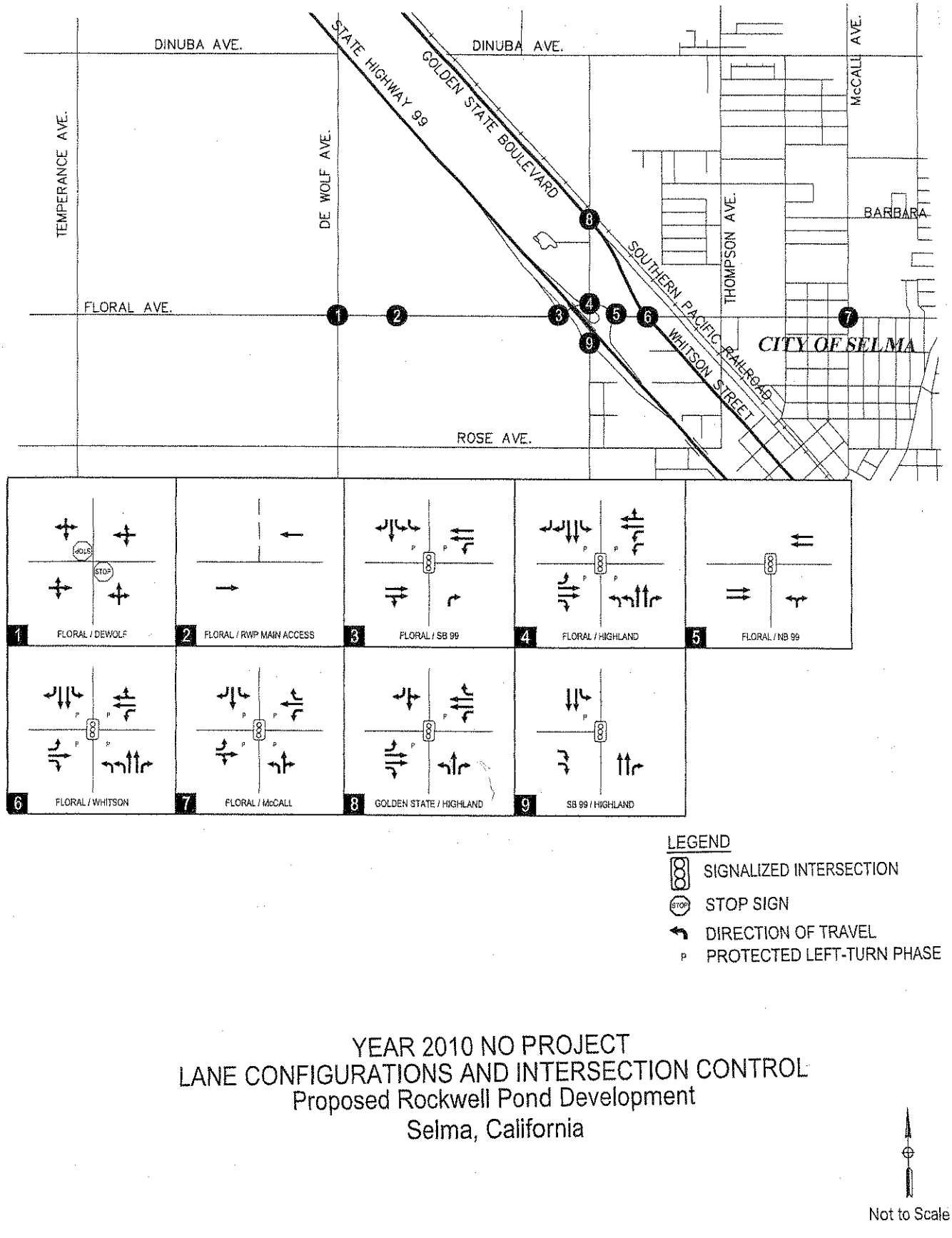
Figure 15-5 - Existing Plus Project Phases 1 and 2 Conditions



EXISTING PLUS PHASE 1 PROJECT CONDITIONS
LANE CONFIGURATIONS AND INTERSECTION CONTROL
Proposed Rockwell Pond Development
Selma, California

Not to Scale

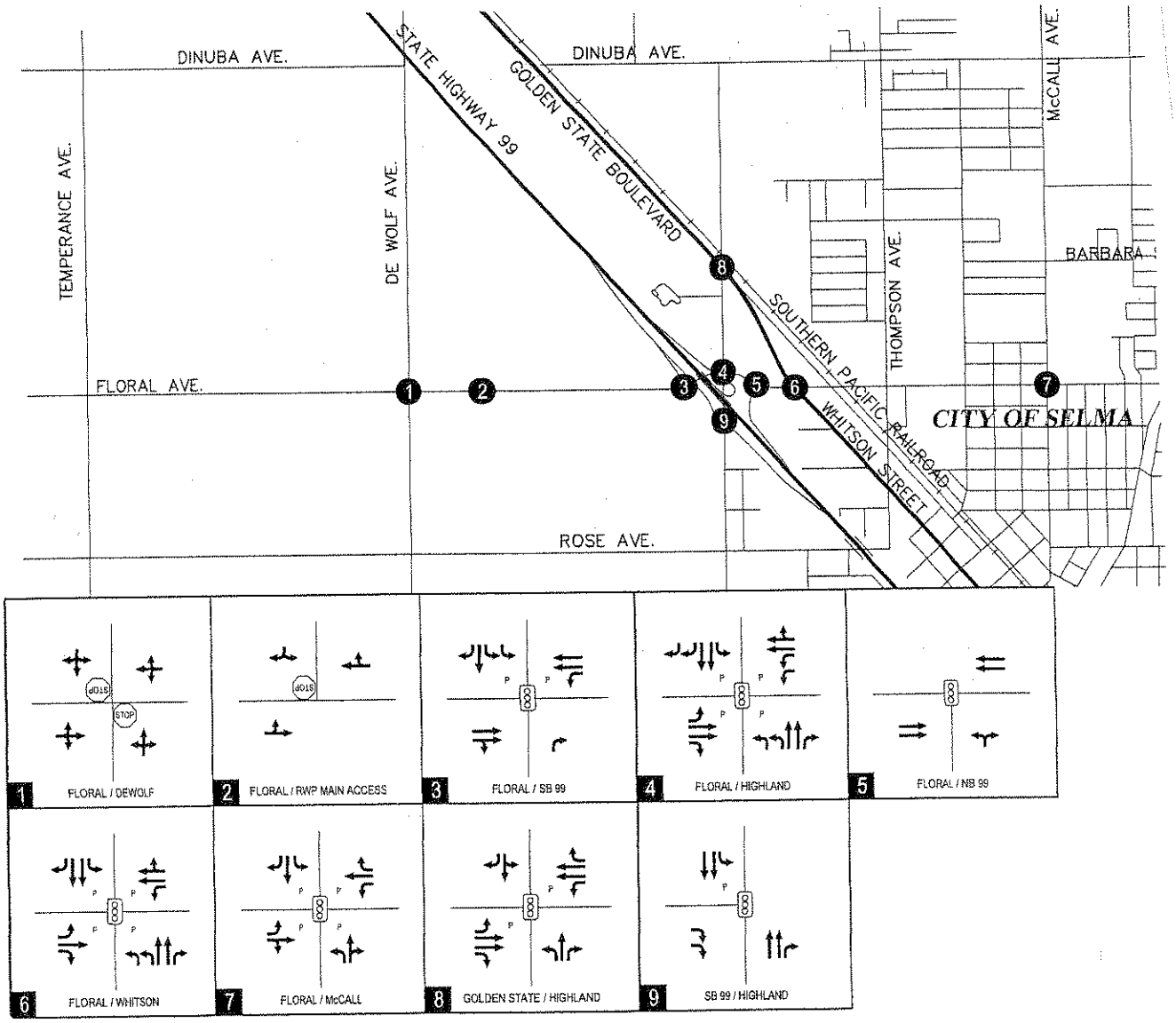
Figure 15-6 - Year 2010 No-Project Conditions



YEAR 2010 NO PROJECT
LANE CONFIGURATIONS AND INTERSECTION CONTROL
Proposed Rockwell Pond Development
Selma, California

Not to Scale

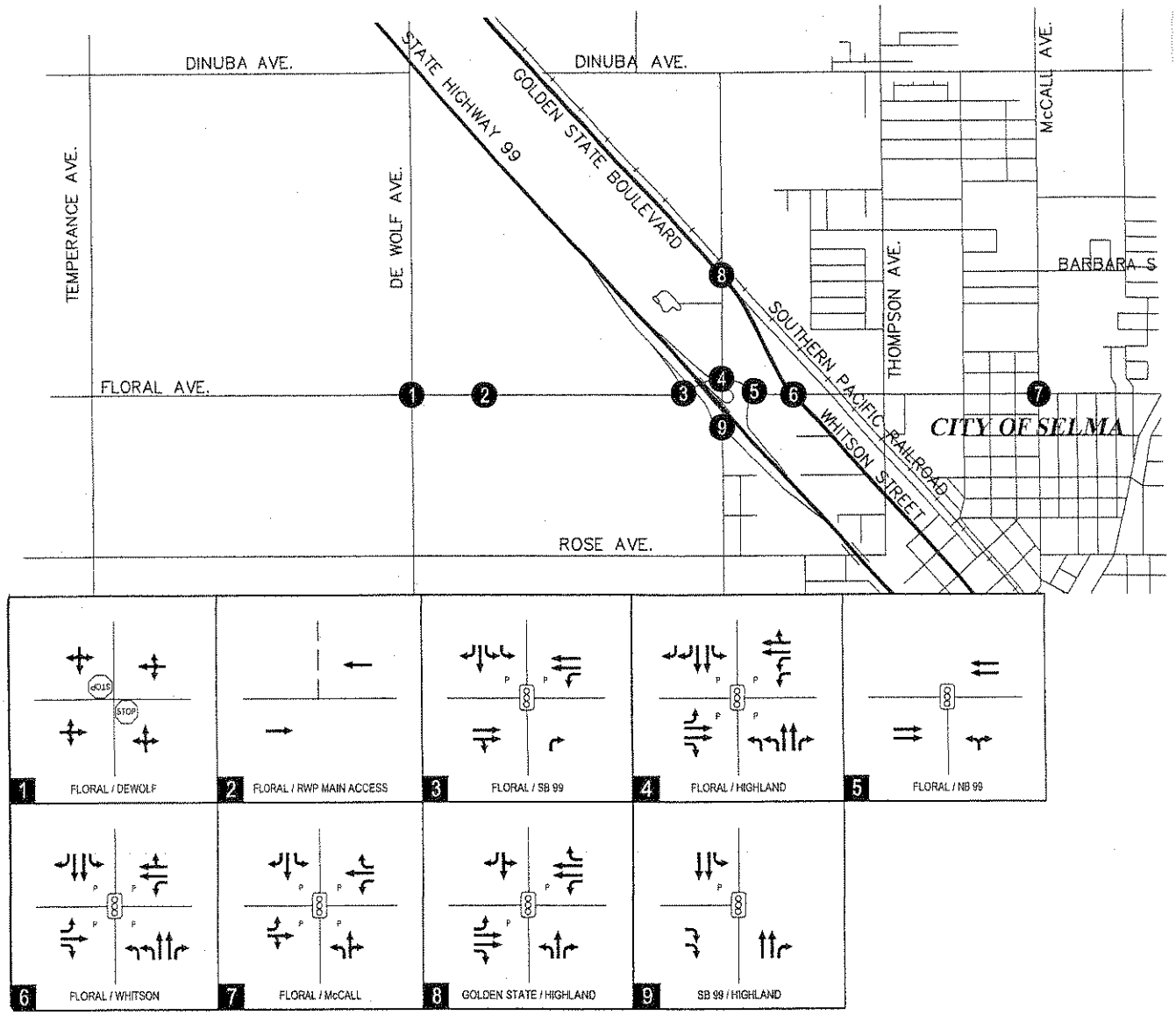
Figure 15-7 - Year 2010 With Project Phase 1 Conditions



YEAR 2010 WITH PROJECT PHASE 1
LANE CONFIGURATIONS AND INTERSECTION CONTROL
Proposed Rockwell Pond Development
Selma, California

Not to Scale

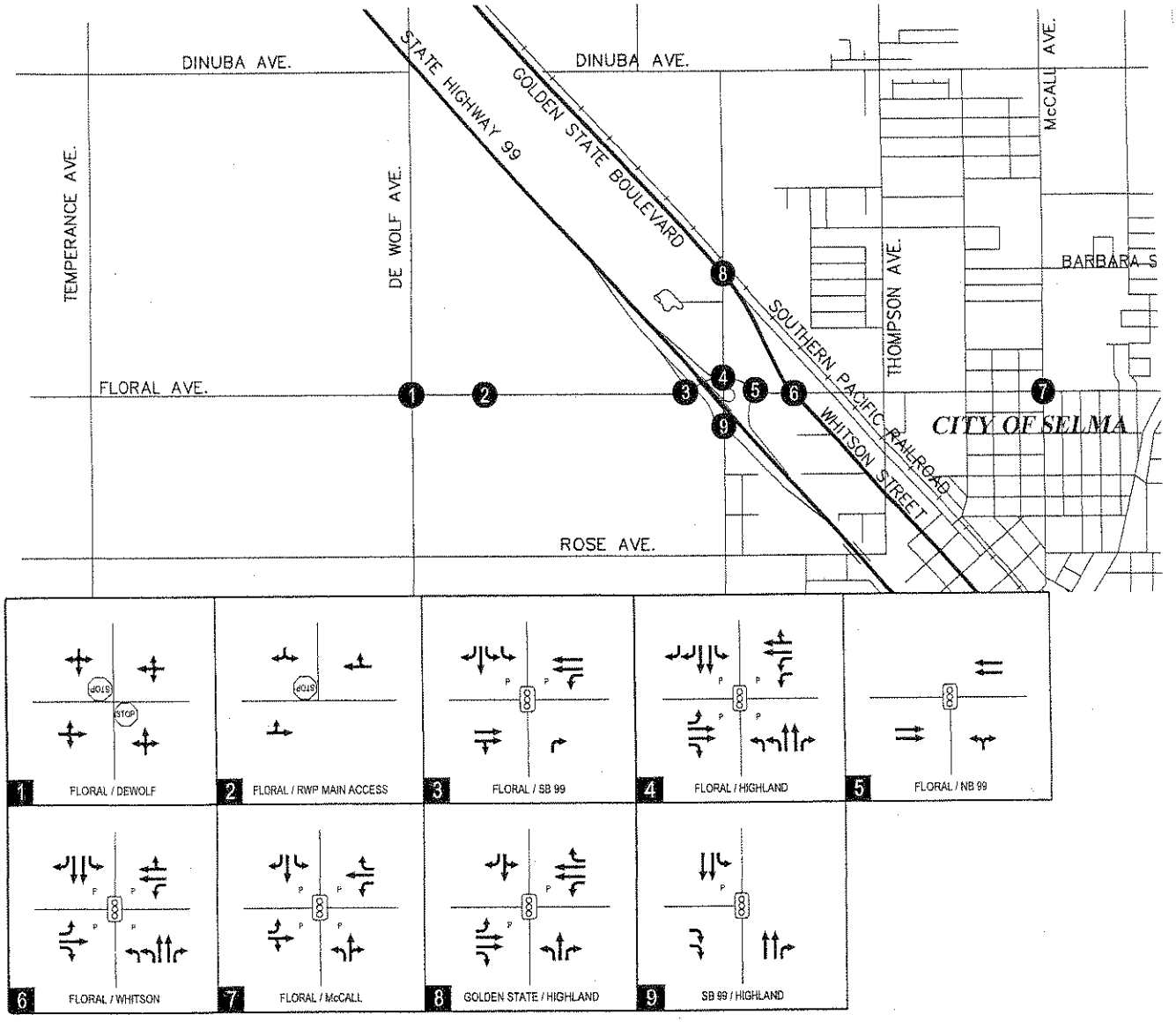
Figure 15-8 - Year 2015 No-Project Conditions



YEAR 2015 NO PROJECT
LANE CONFIGURATIONS AND INTERSECTION CONTROL
Proposed Rockwell Pond Development
Selma, California

Not to Scale

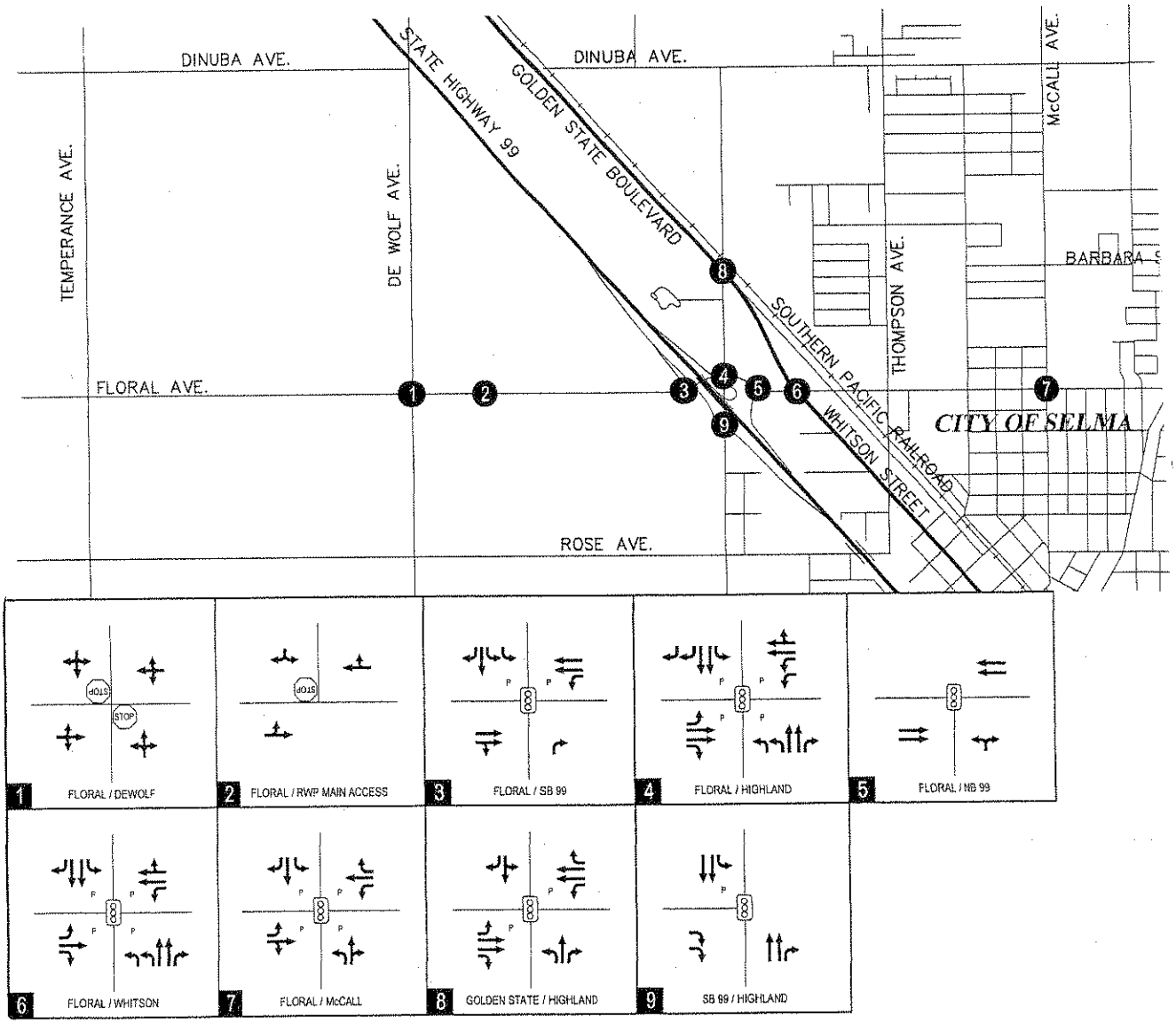
Figure 15-11 - Cumulative Year 2030 With Project Phases 1 and 2 Conditions



CUMULATIVE 2030 WITH PROJECT
LANE CONFIGURATIONS AND INTERSECTION CONTROL
Proposed Rockwell Pond Development
Selma, California

Not to Scale

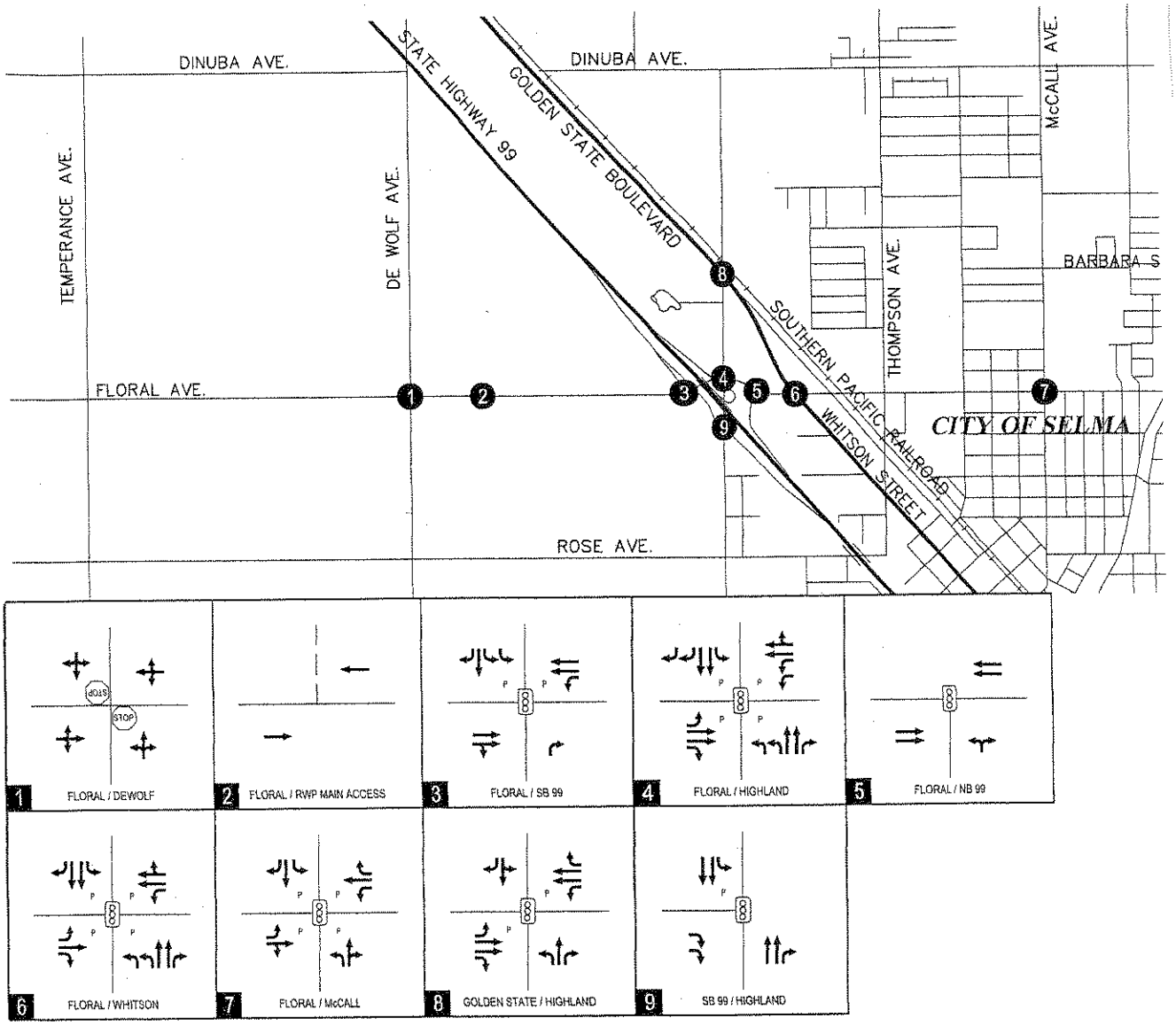
Figure 15-9 - Year 2015 With-Project Phases 1 and 2 Conditions



YEAR 2015 WITH PROJECT
LANE CONFIGURATIONS AND INTERSECTION CONTROL
Proposed Rockwell Pond Development
Selma, California

Not to Scale

Figure 15-10 - Cumulative Year 2030 No-Project Conditions



CUMULATIVE 2030 NO PROJECT
LANE CONFIGURATIONS AND INTERSECTION CONTROL
Proposed Rockwell Pond Development
Selma, California

Not to Scale

Table 15-1
Project Trip Generation – Rockwell Pond Phase 1

Land Use	ITE Code	Units	A.M. Peak Hour Traffic Volumes			P.M. Peak Hour Traffic Volumes			Weekday Traffic Volumes	
			Rate Split	Enter	Exit	Rate Split	Enter	Exit	Rate	Total
Shopping Center	820	354,800 sq. ft.	1.03 61/39	223	143	3.75 48/52	639	692	42.94	15,236
Home Improvement Superstore	862	171,178 sq. ft.	1.20 54/46	111	95	2.45 47/53	197	223	29.80	5,102
New Car Sales	841	77,000 Sq. ft.	2.05 74/26	117	41	2.64 39/61	80	124	33.34	2,568
Hotel	310	102 rooms	0.67 58/42	40	29	0.70 49/51	35	37	8.92	910
TOTAL			-	**491**	**308**	-	**951**	**1,076**	-	**23,816**

Reference: *Trip Generation, 7th Edition,* Institute of Transportation Engineers 2003

Rates are reported in trips per room or per 1,000 square feet as applicable

Splits are reported as Entering/Exiting as a percentage of the total

Table 15-2
Project Trip Generation – Rockwell Pond Phase 2

Land Use	ITE Code	Units	A.M. Peak Hour Traffic Volumes			P.M. Peak Hour Traffic Volumes			Weekday Traffic Volumes	
			Rate Split	Enter	Exit	Rate Split	Enter	Exit	Rate	Total
Discount Club	861	160,000 sq. ft.	0.56 71/29	64	26	4.24 50/50	340	339	41.80	6,688
Shopping Center	820	241,300 sq. ft.	1.03 61/39	152	97	3.75 48/52	434	471	42.94	10,362
Gasoline / Service Station	944	16 fueling positions	12.07 50/50	97	97	13.86 50/50	111	111	168.56	2,697
TOTAL			-	**313**	**220**	-	**885**	**921**	-	**19,747**

Reference: *Trip Generation, 7th Edition,* Institute of Transportation Engineers 2003

Rates are reported in trips per fueling position or per 1,000 square feet as applicable

Splits are reported as Entering/Exiting as a percentage of the total

Table 15-3
Captured-Trip Reductions – Rockwell Pond Phase 1

Time Period	Trips Entering Site	Trips Exiting Site
Weekday	-510	-510
Weekday A.M. Peak Hour	-10	-10
Weekday P.M. Peak Hour	-40	-40

Table 15-4
Captured-Trip Reductions – Rockwell Pond Phase 2

Time Period	Trips Entering Site	Trips Exiting Site
Weekday	-1,343	-1,343
Weekday A.M. Peak Hour	-19	-19
Weekday P.M. Peak Hour	-123	-123

The project traffic volumes with captured-trip reductions applied are presented in Tables 15-5 and 15-6.

Table 15-5
Project Traffic With Captured-Trip Reductions – Rockwell Pond Phase 1

Time Period	Trips Entering Site	Trips Exiting Site
Weekday	11,398	11,398
Weekday A.M. Peak Hour	481	298
Weekday P.M. Peak Hour	909	1,034

Table 15-6
Project Traffic With Captured-Trip Reductions – Rockwell Pond Phase 2

Time Period	Trips Entering Site	Trips Exiting Site
Weekday	8,531	8,531
Weekday A.M. Peak Hour	294	201
Weekday P.M. Peak Hour	762	798

The project traffic volumes are presented in the following figures:

Figure 15-12 – Rockwell Pond Phase 1 Project Traffic Volumes;

Figure 15-13 – Rockwell Pond Phase 2 Project Traffic Volumes.

The projected distribution of the project traffic volumes to the adjacent road network was performed manually and was generally based on distributions presented in the VRPA report and the Dowling report. The manual distribution of project traffic volumes was also based on engineering judgment considering the existing and planned road network, traffic patterns, complementary land uses, and anticipated driver behavior.

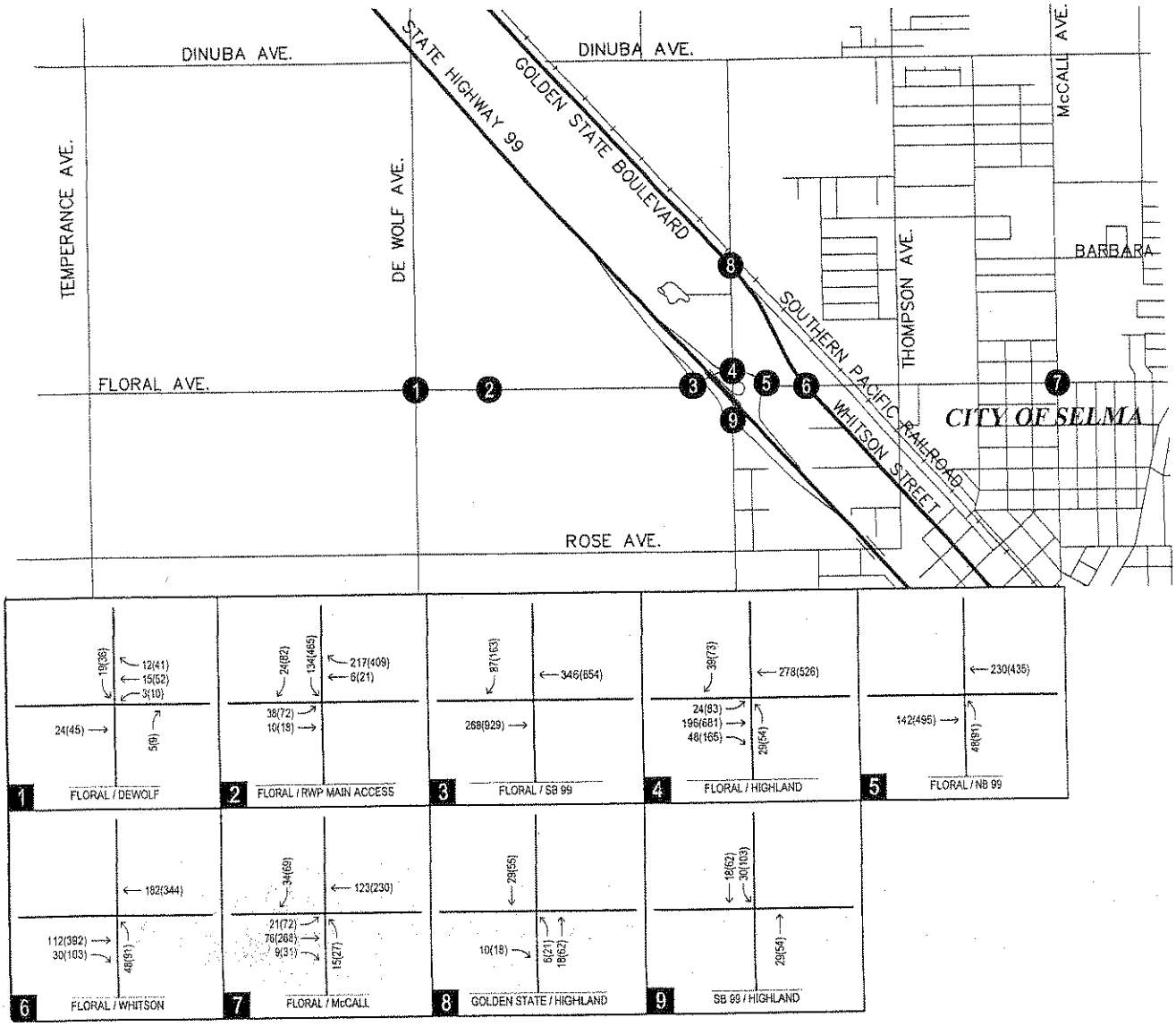
Data presented in the TGH suggest that pass-by reductions are applicable to the proposed projects. The TGH states: "There are instances, however, when the total number of trips generated by a site is different from the amount of new traffic added to the street system by the generator. For example, retail-oriented developments such as shopping centers...are often located adjacent to busy streets in order to attract the motorists already on the street. These sites attract a portion of their trips from traffic passing the site... These retail trips may not add new traffic to the adjacent street system."

Data provided in the TGH suggest that pass-by reductions on the order of five percent are very conservative for the proposed uses. A pass-by reduction of five percent was applied using procedures similar to those outlined in the TGH. This value was chosen because it represents a reasonable percentage of the background traffic on the adjacent streets. Since the proposed project generates a high volume of traffic, a greater pass-by reduction would represent an unreasonably high percentage of the background traffic. The pass-by reductions are indicated as negative numbers in Figure 15-14. Figure 15-15 presents the Phase 1 and Phase 2 combined project traffic volumes with captured-trip and pass-by reductions applied.

Pending Projects

The year 2010, 2015, and 2030 analyses consider the effects of traffic expected to be generated by pending projects in the vicinity of the Project site. Table 15-7 presents a summary of the pending projects.

Figure 15-12 – Rockwell Pond Phase 1 Project Traffic Volumes



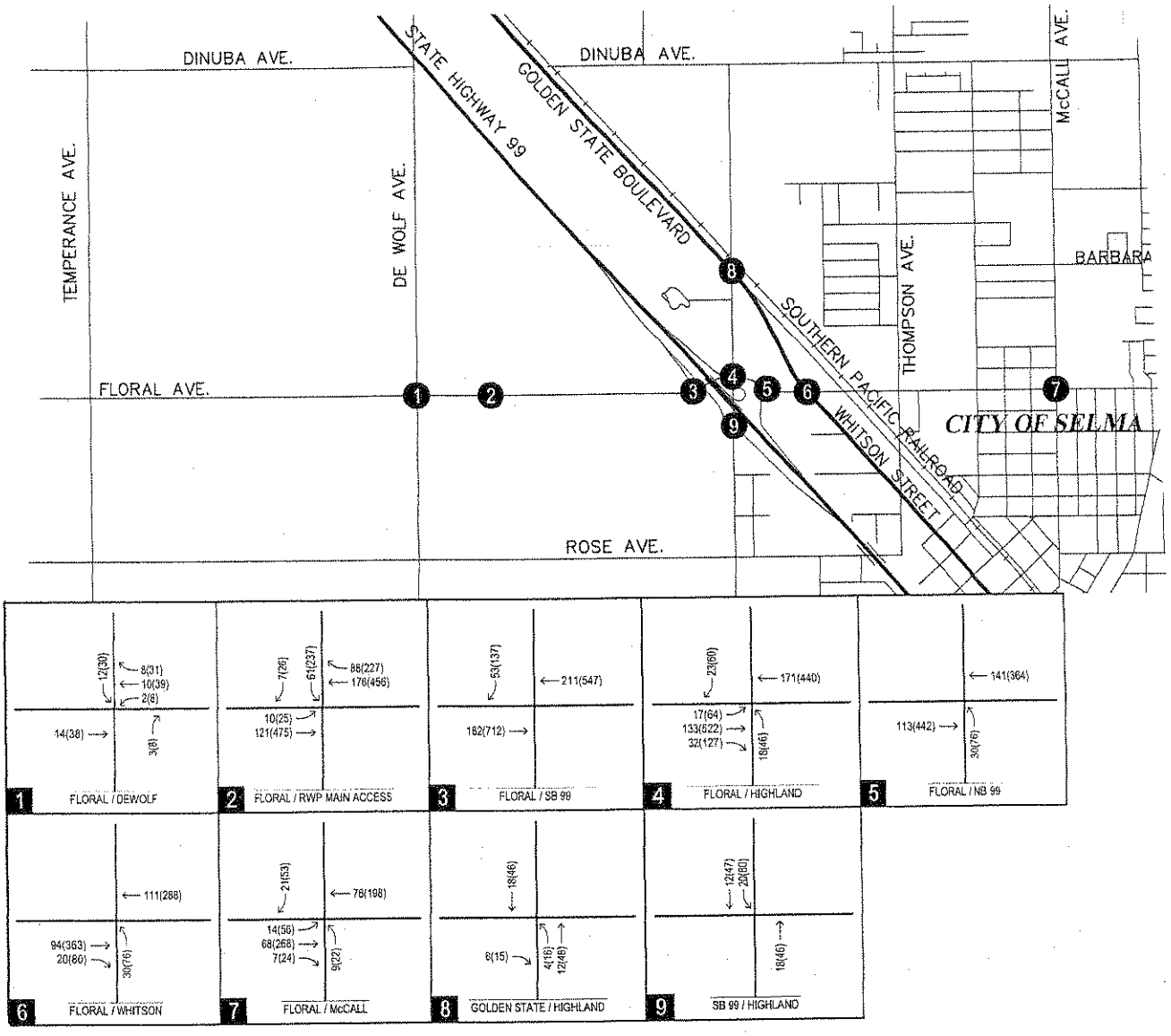
LEGEND

20-AM Peak Hour Volumes
(20)-PM Peak Hour Volumes

PHASE 1 PROJECT TRAFFIC VOLUMES
Proposed Rockwell Pond Development
Selma, California

Not to Scale

Figure 15-13 – Rockwell Pond Phase 2 Project Traffic Volumes



LEGEND

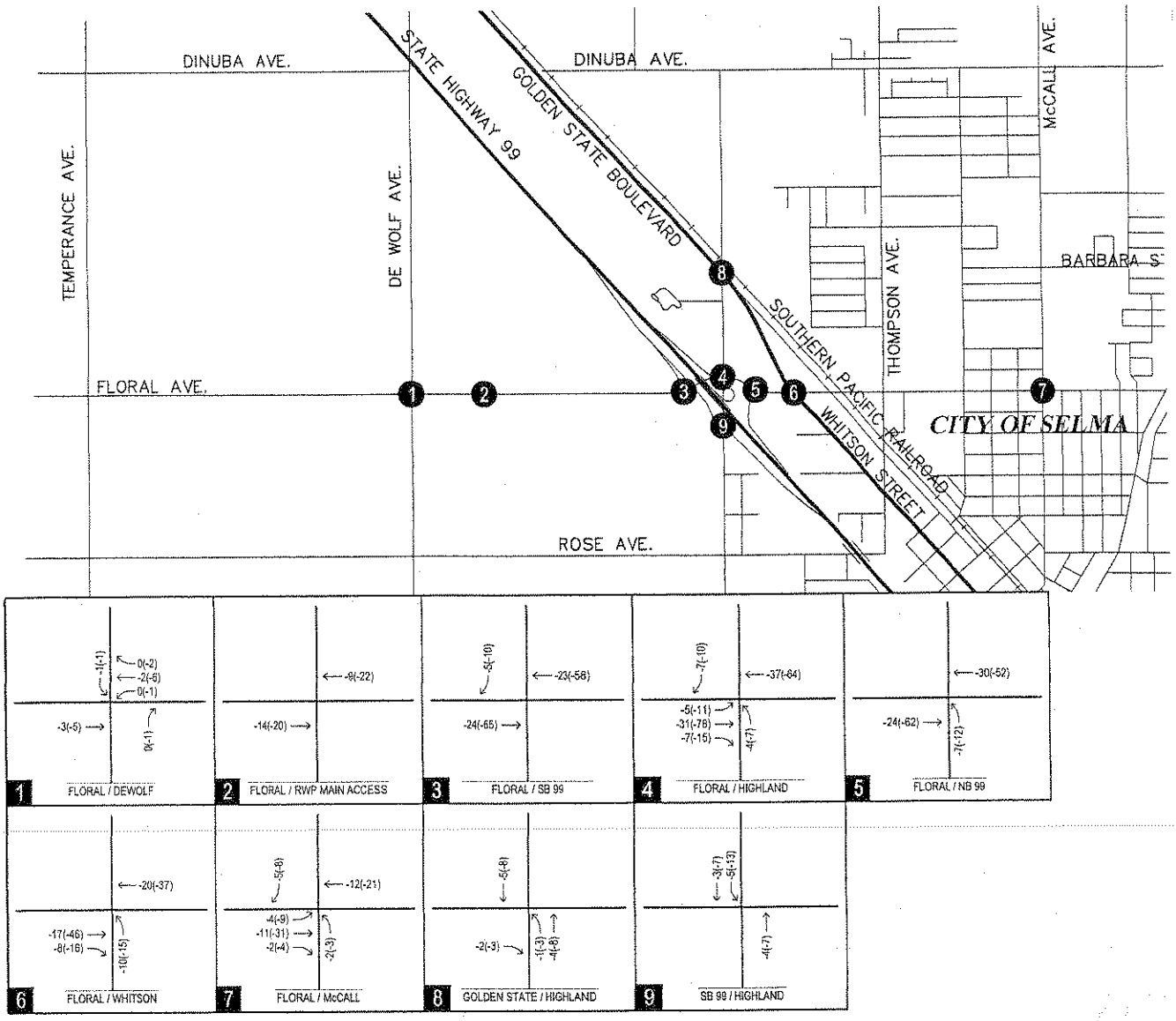
20-AM Peak Hour Volumes

(20)-PM Peak Hour Volumes

PHASE 2 PROJECT TRAFFIC VOLUMES
Proposed Rockwell Pond Development
Selma, California

Not to Scale

Figure 15-14: Pass-By Reduction Traffic Volumes



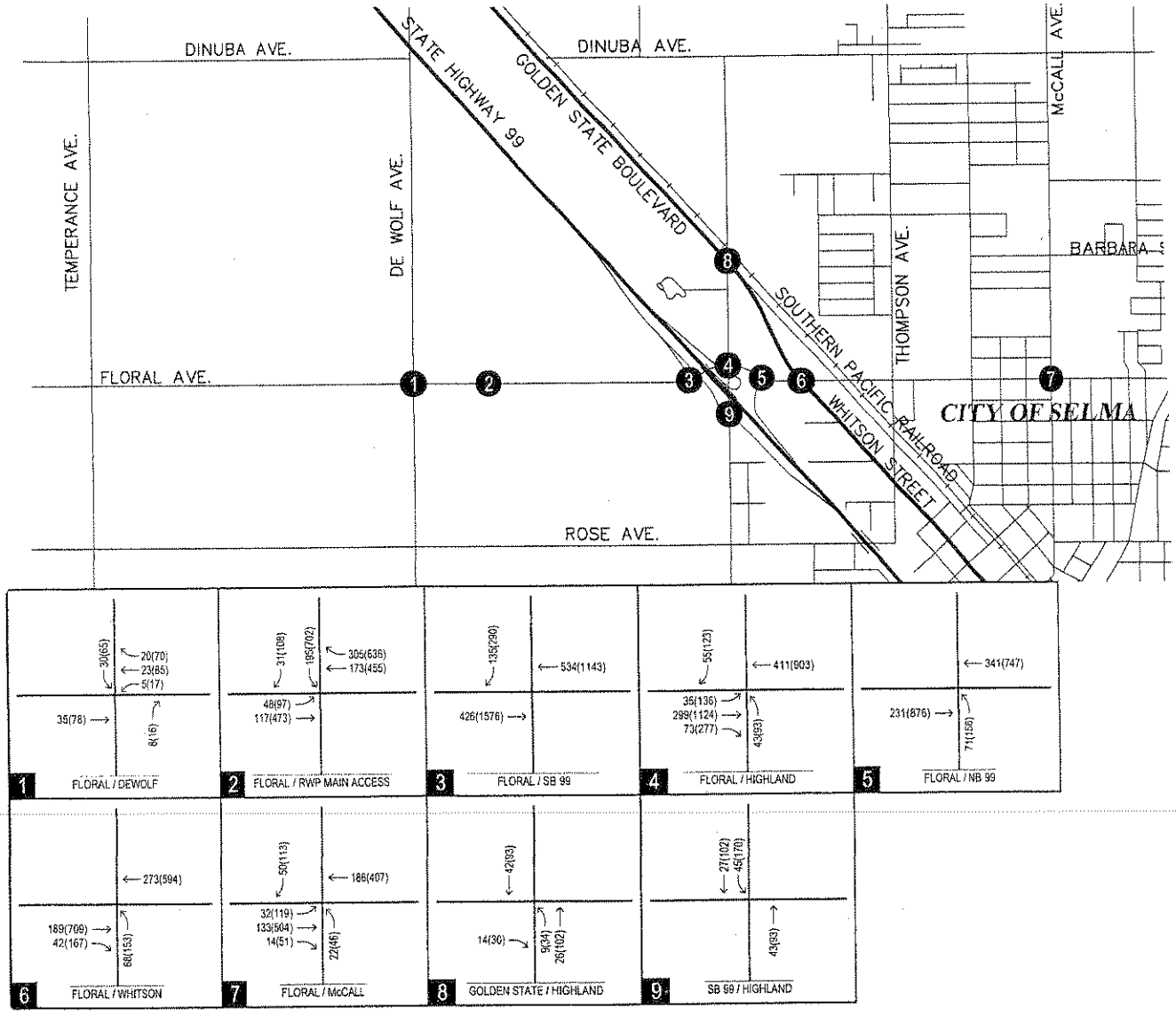
LEGEND

20-AM Peak Hour Volumes
(20)-PM Peak Hour Volumes

PASS-BY REDUCTION TRAFFIC VOLUMES
Proposed Rockwell Pond Development
Selma, California

Not to Scale

Figure 15-15: Phase 1 And Phase 2 Combined Project Traffic Volumes With Captured-Trip And Pass-By Reductions



LEGEND

20-AM Peak Hour Volumes

(20)-PM Peak Hour Volumes

TOTAL PROJECT TRAFFIC VOLUMES
AFTER PASS-BY AND CAPTURED TRIP REDUTIONS
Proposed Rockwell Pond Development
Selma, California

Not to Scale

Table 15-7

Pending Projects

Project	Location
Wal-Mart Supercenter*	South side of Floral, west of SR 99
Gill Motel and Commercial***	North of Floral, west of SR 99 SB off ramp
Bratton single-family residential***	South of Rose, west of Highland
Comfort Suites***	West of Whitson, north of Stillman
Raven Map 5296*	South of Dinuba, east of Dockery
Valley View Map 5303***	South of Valley View between Thompson and McCall
Canales Map 5217***	East of Highland, south of Nebraska
Eye Q II***	West of Whitson, north of Stillman
Graham Commercial*	North of Rose, west of SR 99
Raven Commercial**	Manning east of McCall
Amberwood Commercial**	East of Orange Avenue between Floral and Dinuba
3-MD Industrial Park**	Nebraska Avenue east of Dockery
Golden State Industrial Park**	Park Street east of SR 99
Selma Crossings*	Mountain View Avenue / SR 99
Brandywine*	Southwest of Manning and McCall
Other Residential**	Various locations – Cambridge, Country Rose, Heritage, Synergy, R.J. Hill, Amberwood, Hinesley, Merigian

* Source: Peters Engineering Group
** Source: VRPA Report
*** Source: Dowling Report

Existing Traffic Volumes

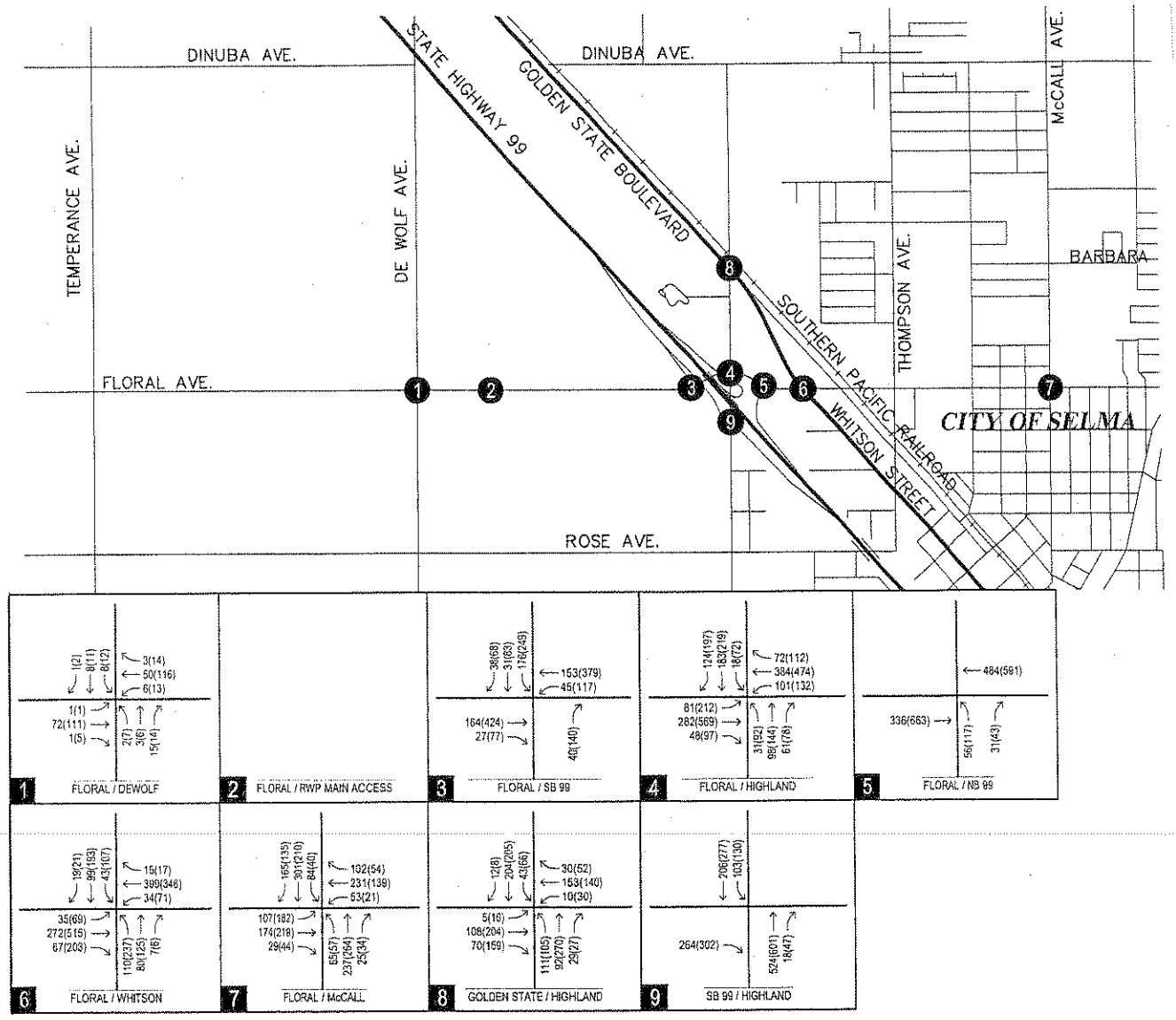
Existing peak-hour traffic volumes were obtained from the VRPA report. The existing peak-hour turning movement volumes are presented in Figure 15-16.

Existing Plus Project, Year 2010, and Year 2015 Traffic Volumes

Existing-plus-Phase 1 Project traffic volumes are presented in Figure 15-17. Existing-plus-Project (Phases 1 and 2) traffic volumes are presented in Figure 15-18. This scenario is unlikely to occur since it assumes instantaneous buildout of the project and no other development.

Year 2010 no-Project traffic volumes are presented in Figure 15-19 and are the result of adding the existing traffic volumes and the pending project traffic volumes. Year 2010 with Phase 1 Project traffic volumes are presented in Figure 15-20. Year 2015 no-Project traffic volumes are presented in Figure 15-21 and are the result of adding the existing traffic volumes (with an increase of one percent per year between 2008 and 2015 to account for background growth) and the pending project traffic volumes. Year 2015 with Project traffic volumes are presented in Figure 15-22.

Figure 15-16: Existing Peak Hour Turn Movements



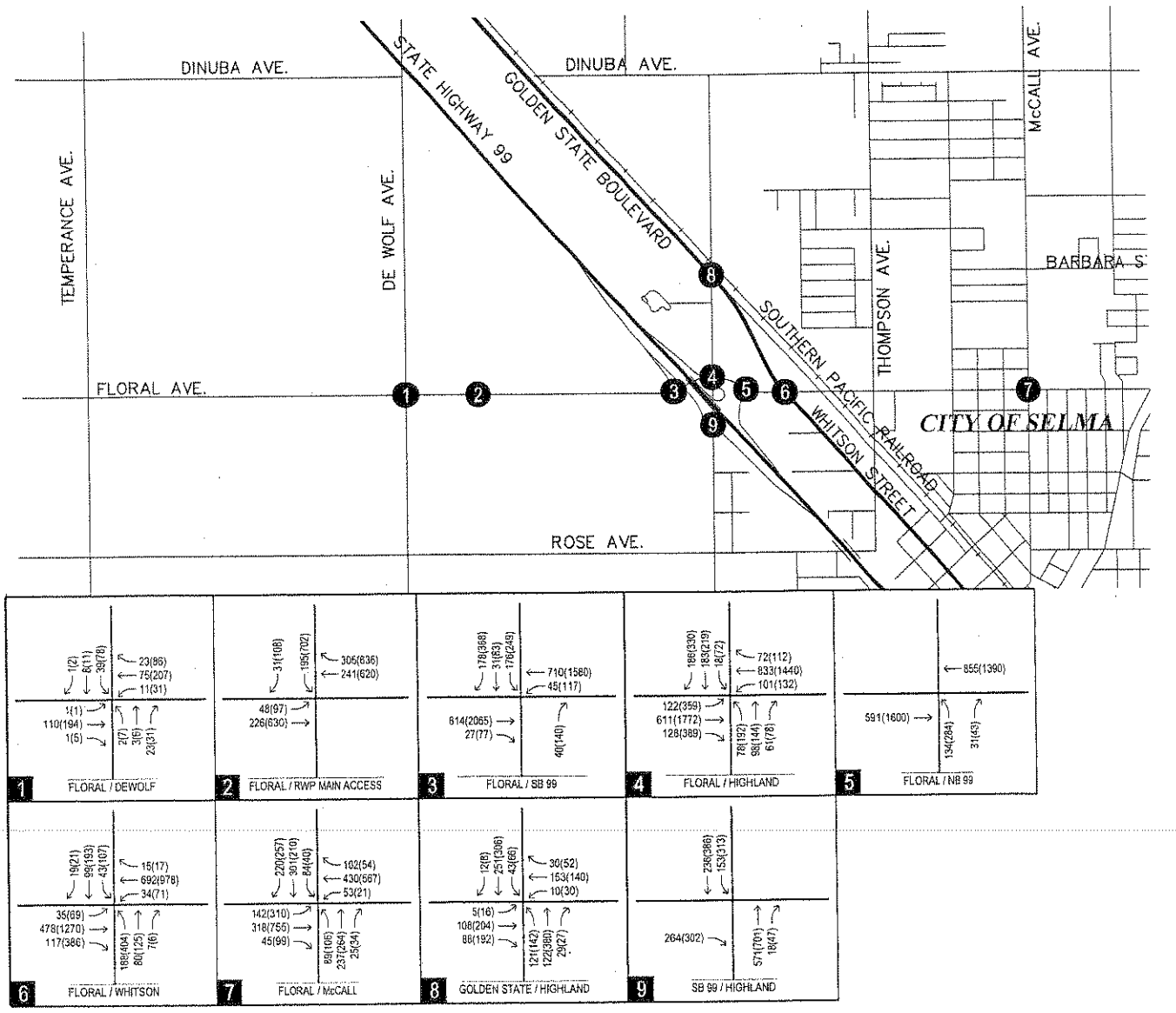
LEGEND

20-AM Peak Hour Volumes
(20)-PM Peak Hour Volumes

EXISTING TRAFFIC VOLUMES
Proposed Rockwell Pond Development
Selma, California

Not to Scale

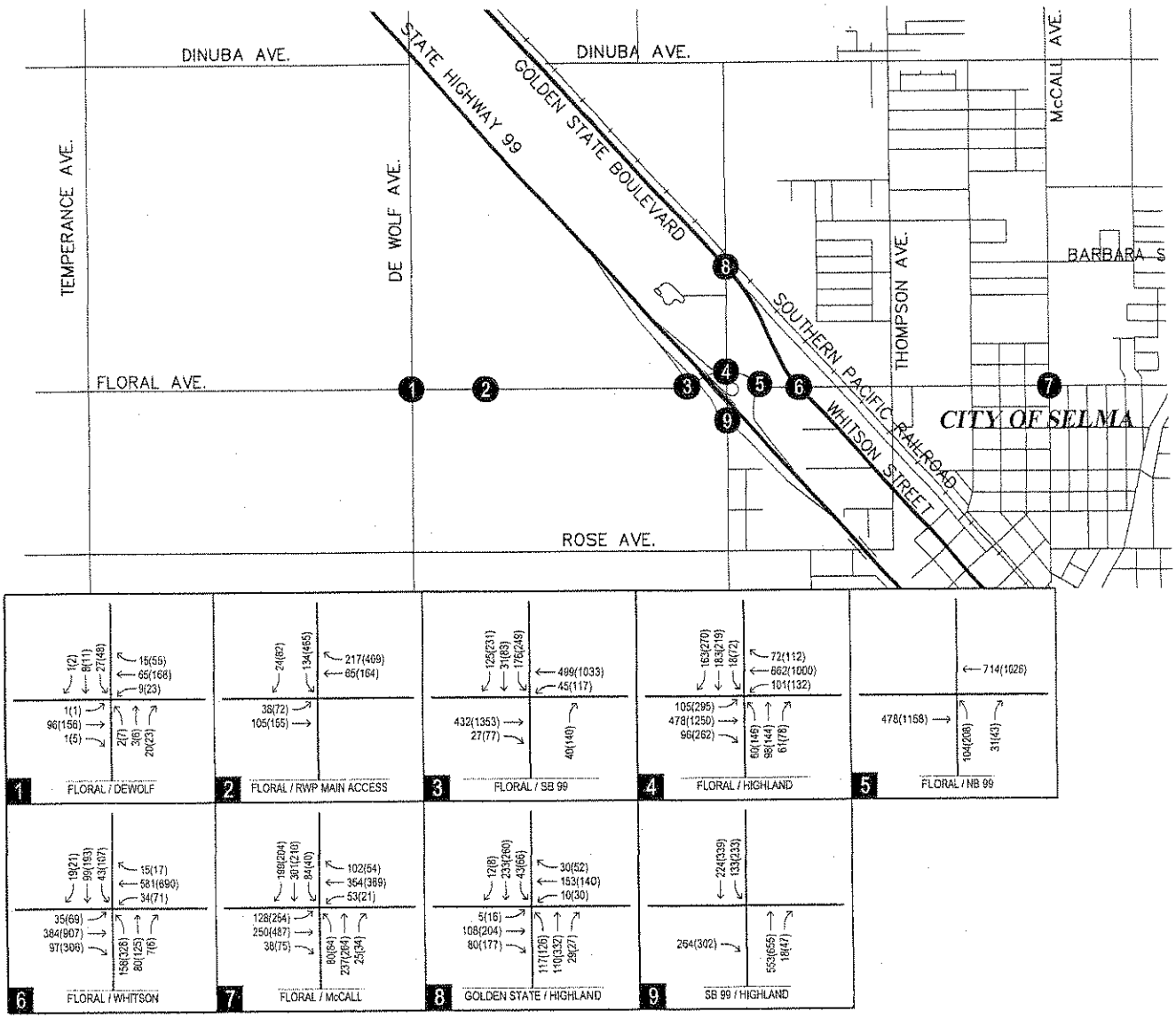
Figure 15-17: Existing Plus Phases 1 and 2 Peak Hour Turn Movements



EXISTING PLUS PHASES 1 AND 2 PROJECT TRAFFIC VOLUMES
Proposed Rockwell Pond Development
Selma, California

Not to Scale

Figure 15-18: Existing-Plus-Project (Phases 1 And 2) Traffic Volumes



LEGEND

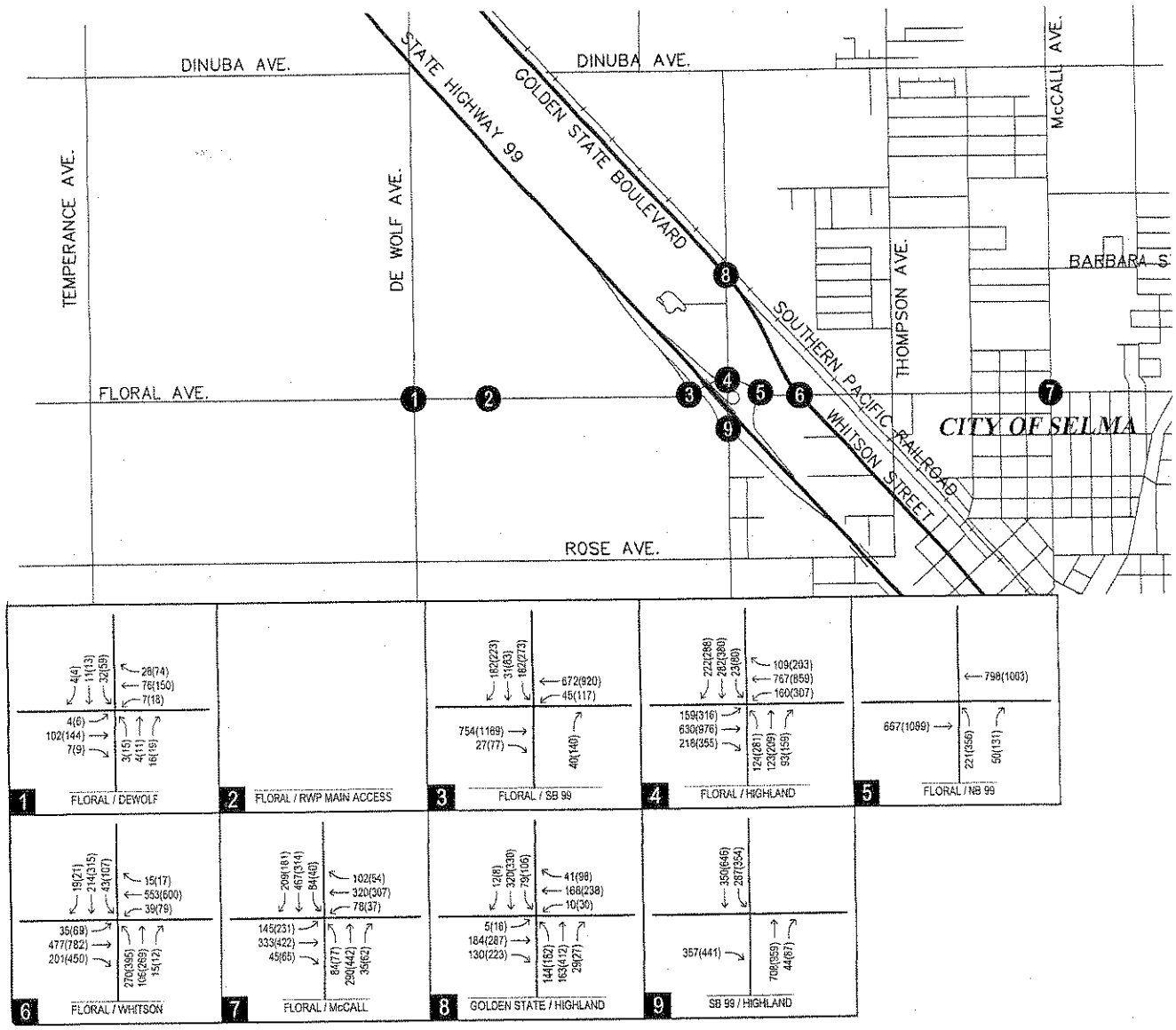
20-AM Peak Hour Volumes

(20)-PM Peak Hour Volumes

EXISTING PLUS PHASE 1 PROJECT TRAFFIC VOLUMES
Proposed Rockwell Pond Development
Selma, California

Not to Scale

Figure 15-19: Year 2010 No-Project Traffic Volumes



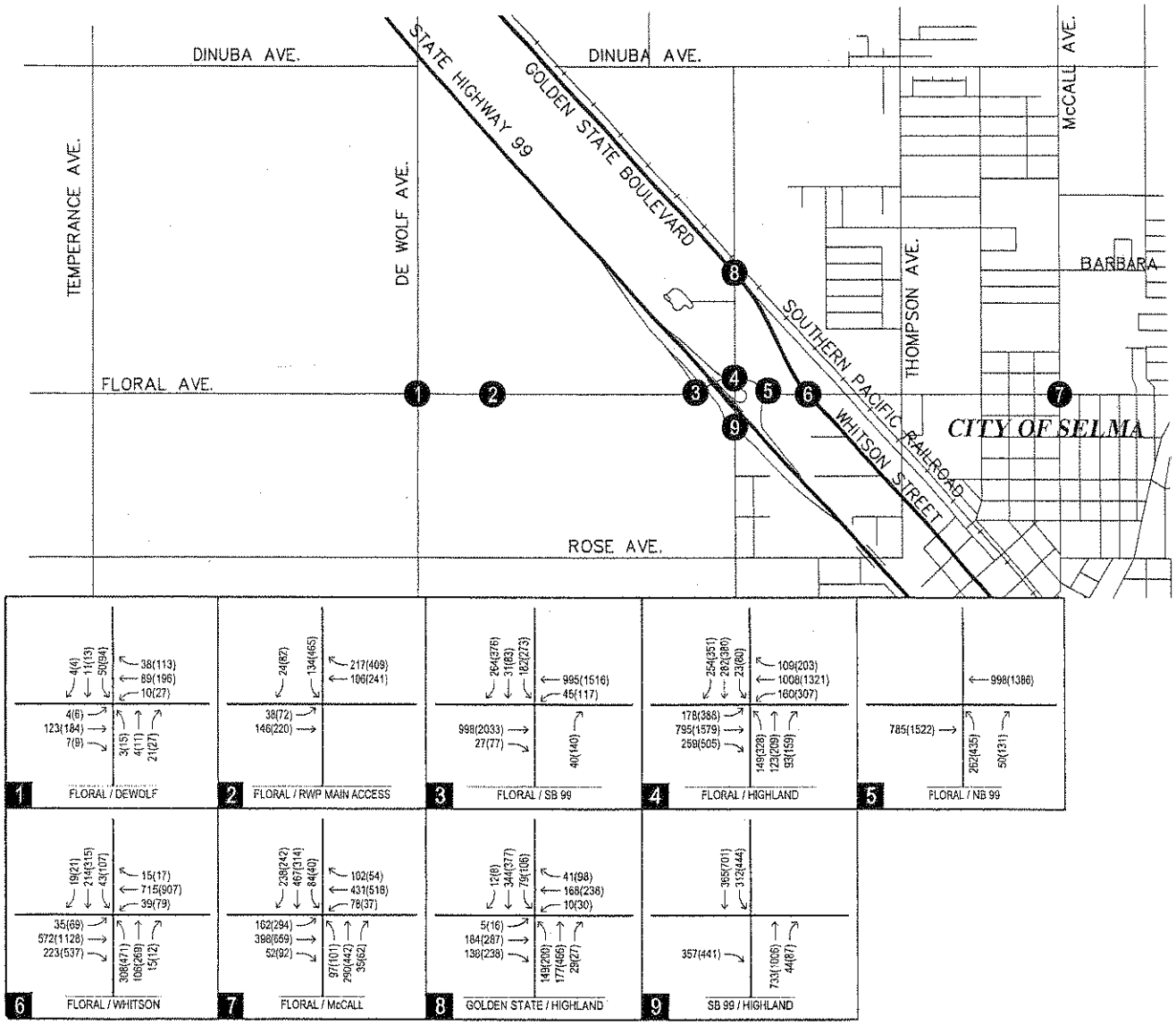
LEGEND

20-AM Peak Hour Volumes
(20)-PM Peak Hour Volumes

YEAR 2010 NO TRAFFIC VOLUMES
Proposed Rockwell Pond Development
Selma, California

Not to Scale

Figure 15-20: Year 2010 With Phase 1 Project Traffic Volumes



LEGEND

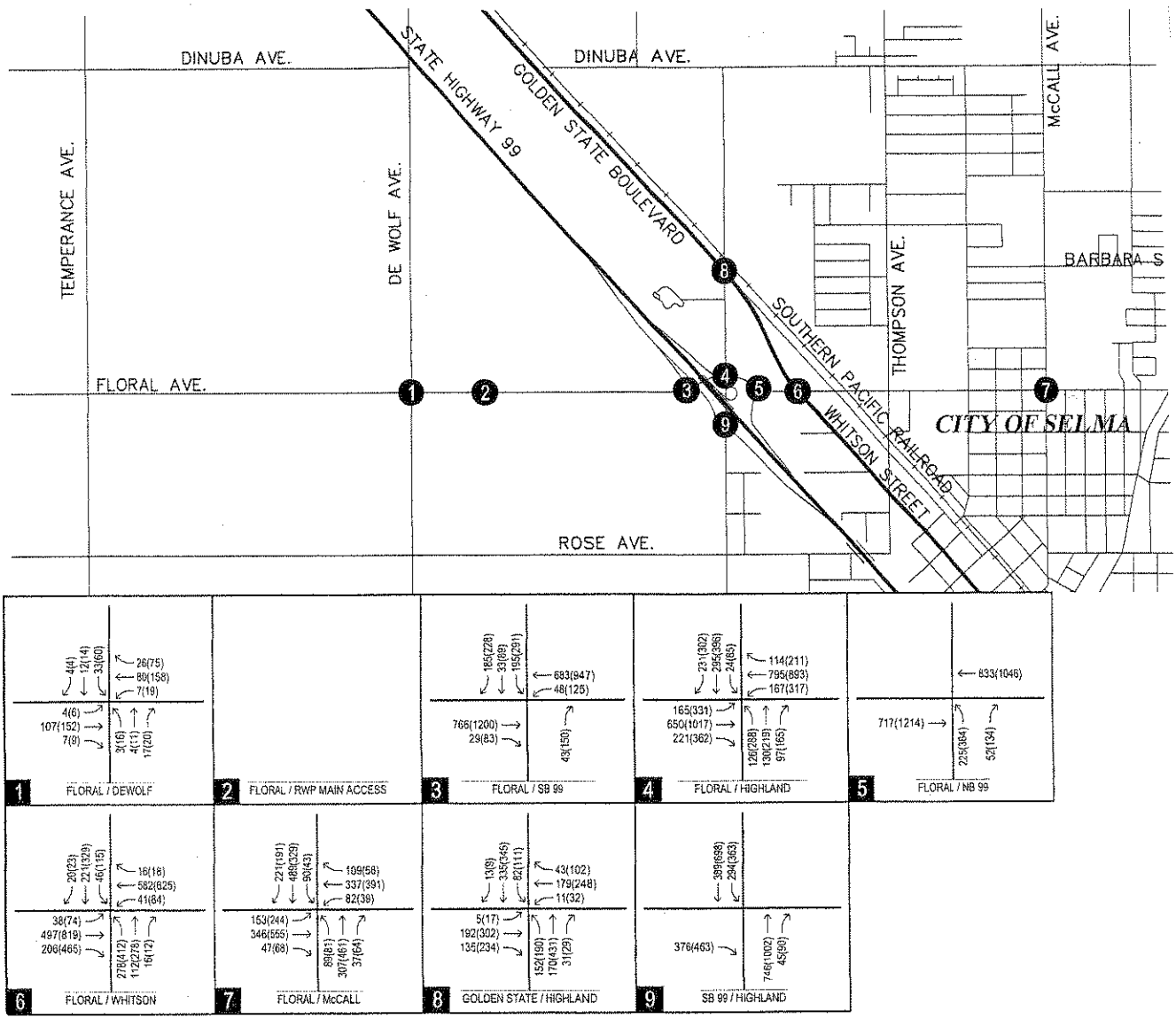
20-AM Peak Hour Volumes

(20)-PM Peak Hour Volumes

YEAR 2010 WITH PHASE 1 PROJECT TRAFFIC VOLUMES
Proposed Rockwell Pond Development
Selma, California

Not to Scale

Figure 15-21: Year 2015 No-Project Traffic Volumes



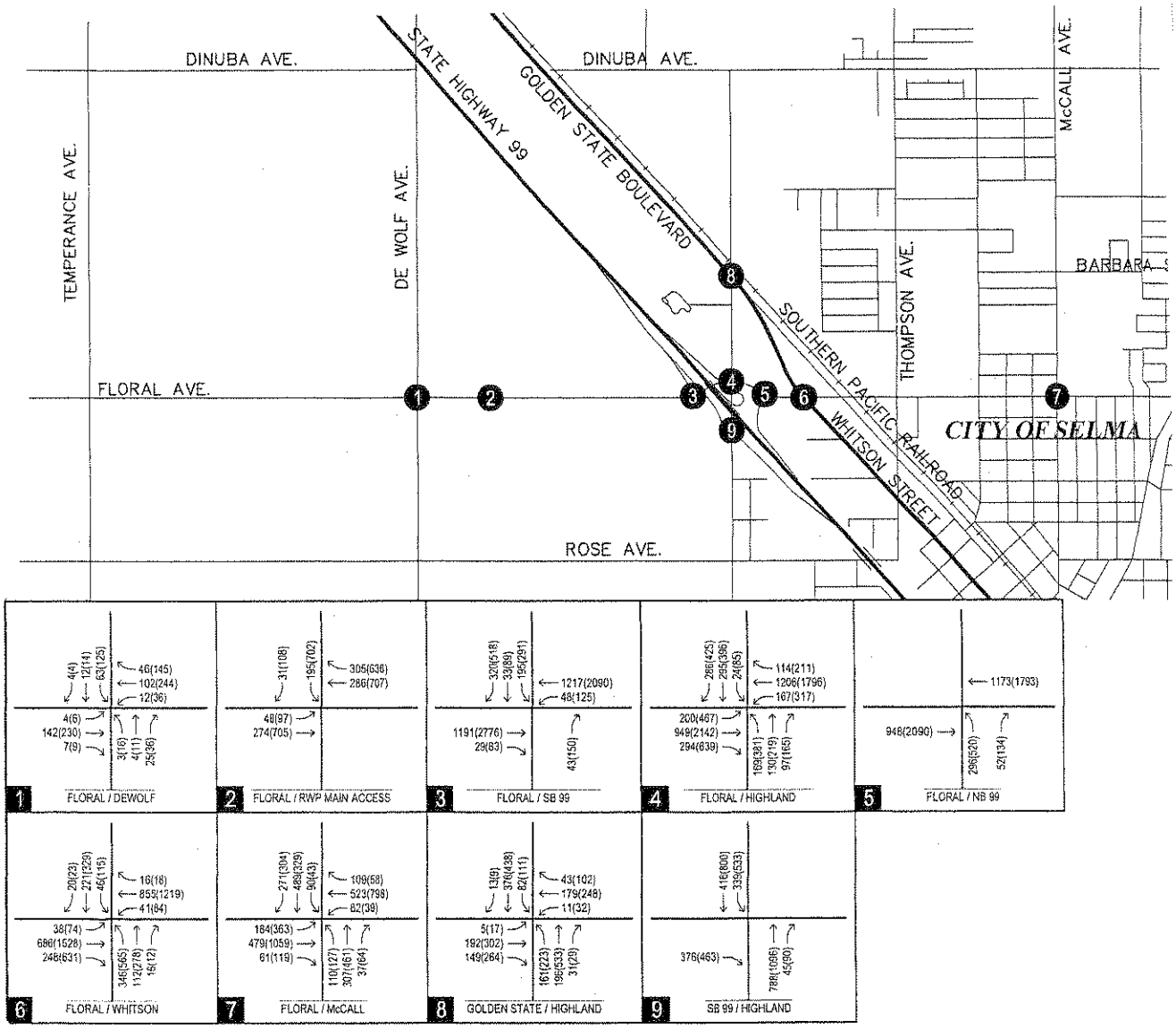
LEGEND

20-AM Peak Hour Volumes
(20)-PM Peak Hour Volumes

YEAR 2015 NO TRAFFIC VOLUMES
Proposed Rockwell Pond Development
Selma, California

Not to Scale

Figure 15-22: Year 2015 With Project Traffic Volumes



LEGEND

20-AM Peak Hour Volumes

(20)-PM Peak Hour Volumes

YEAR 2015 WITH PROJECT TRAFFIC VOLUMES
Proposed Rockwell Pond Development
Selma, California

Not to Scale

Cumulative Year 2030 Traffic Volumes

The Council of Fresno County Governments (COG) maintains a travel model that is typically used to estimate cumulative future traffic volumes. Cumulative traffic volumes without the Project for the year 2030 were determined using the COG Increment Method, which is described in a document available from the COG entitled *"Model Steering Committee Recommended Procedures for Using Traffic Projections from the Fresno COG Travel Model dated December 2002"*. In general, the Increment Method projects future traffic volumes by determining the growth projected by the model between the base year and the horizon year. This growth is then added to the existing traffic volumes. The COG's 2025 model was utilized and the results were extrapolated to arrive at projected year 2030 volumes.

Cumulative turning movements were projected based on the methods presented in Chapter 8 of the Transportation Research Board National Cooperative Highway Research Program Report 255 entitled *"Highway Traffic Data for Urbanized Area Project Planning and Design."* The cumulative no-Project traffic volumes are presented in Figure 15-23. These volumes assume buildout of the project site in accordance with the current City of Selma General Plan. The cumulative with-Project traffic volumes are presented in Figure 15-24. The COG travel model data output is included in the complete traffic report contained in the Technical Appendix.

15.2 Standards of Significance, Impact Analysis, and Mitigation

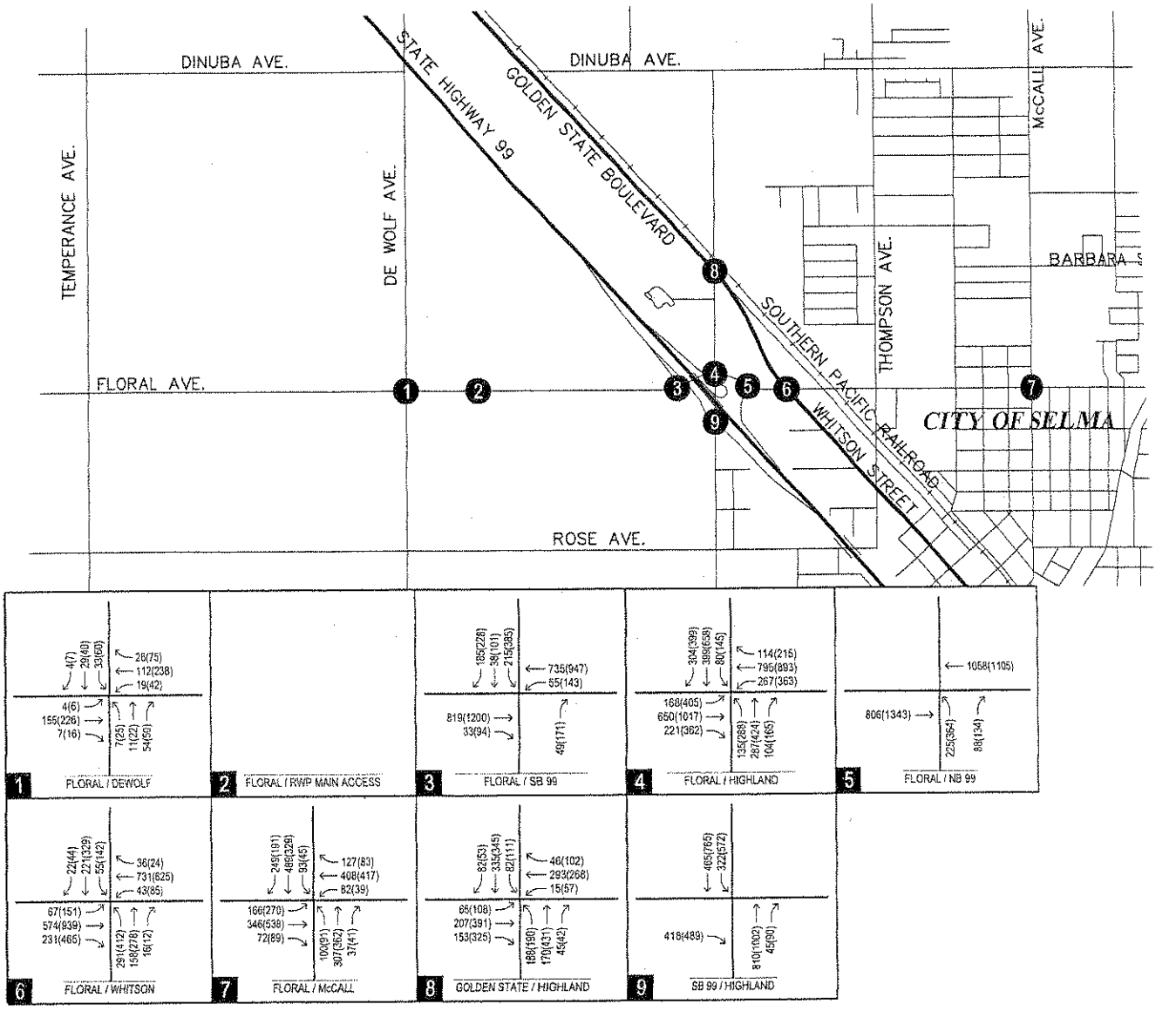
Appendix G of the CEQA Guidelines provides guidance for assessing the significance of potential environmental impacts. Relative to traffic, a project will have a significant effect on the environment if it will:

- Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system?
- Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?
- Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?
- Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?
- Result in inadequate emergency access?
- Result in inadequate parking capacity?
- Conflict with adopted policies supporting alternative transportation (e.g. buses, bicycles)?

Impact Analysis and Mitigation Measures

IMPACT: Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system; or exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways.

Figure 15-23: Cumulative No-Project Traffic Volumes



LEGEND

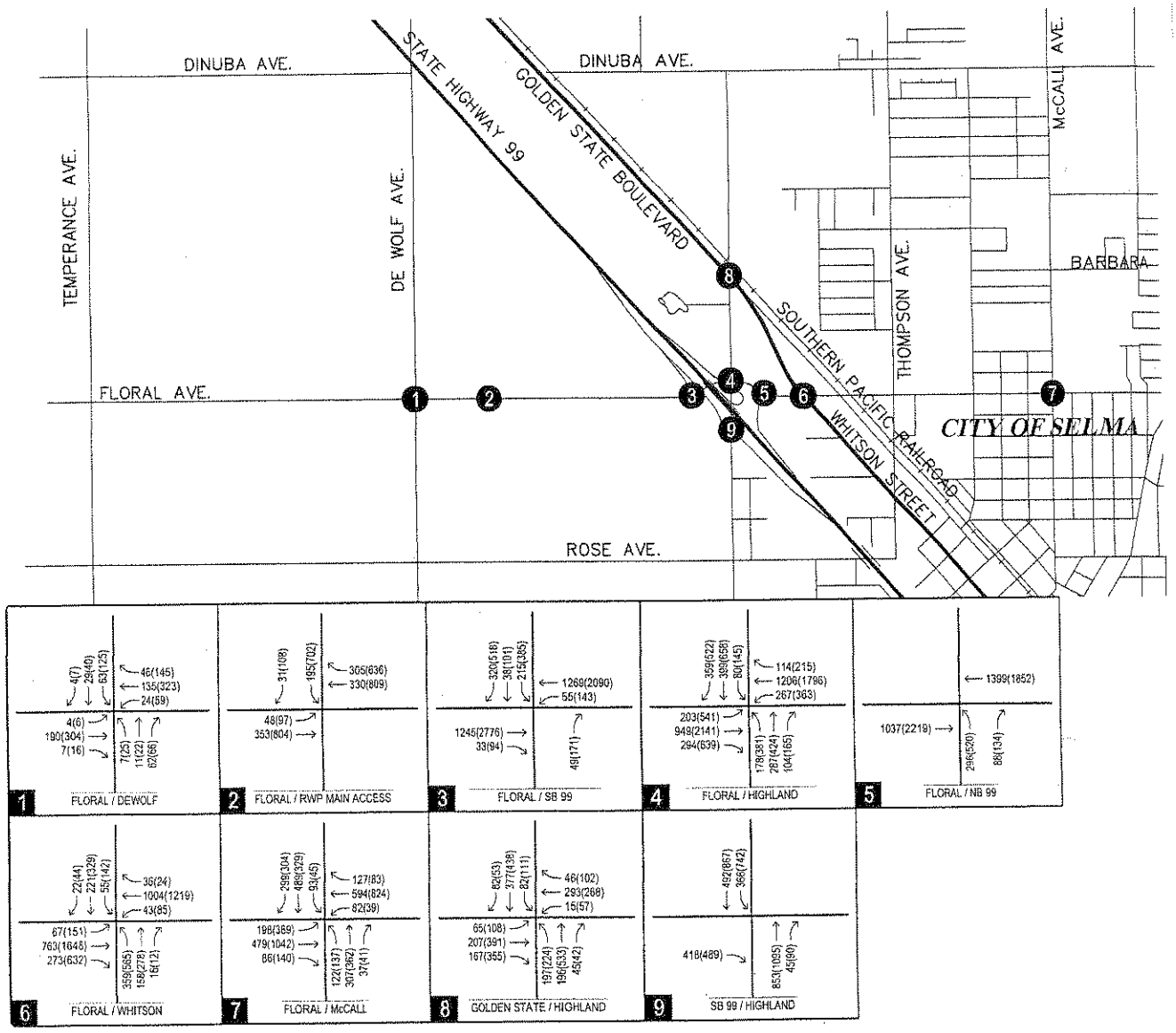
20-AM Peak Hour Volumes

(20)-PM Peak Hour Volumes

CUMULATIVE 2030 NO TRAFFIC VOLUMES
Proposed Rockwell Pond Development
Selma, California

Not to Scale

Figure 15-24: Cumulative With-Project Traffic Volumes



LEGEND

20-AM Peak Hour Volumes

(20)-PM Peak Hour Volumes

CUMULATIVE 2030 WITH PROJECT TRAFFIC VOLUMES
Proposed Rockwell Pond Development
Selma, California

Not to Scale

The Transportation Research Board *Highway Capacity Manual,* 2000, (HCM) defines level of service (LOS) as a qualitative measure describing operational characteristics within a traffic stream, based on service measures such as speed and travel time, freedom to maneuver, traffic interruptions, comfort, and convenience. LOS characteristics for both unsignalized and signalized intersections are presented in Tables 15-8 and 15-9.

Table 15-8
Level of Service Characteristics for Unsignalized Intersections

Level of Service	Description	Average Vehicle Delay (seconds)
A	Little or no delay.	0-10
B	Short delays.	>10-15
C	Average delays.	>15-25
D	Long delays.	>25-35
E	Very long delays.	>35-50
F	Extremely long delays.	>50

Reference: *Highway Capacity Manual,* Transportation Research Board

Table 15-9

Level of Service Characteristics for Signalized Intersections

Level of Service	Description	Average Vehicle Delay (seconds)
A	Extremely favorable progression. Most vehicles arrive during green phase. Many vehicles do not stop.	≤10
B	Good progression.	>10-20
C	Fair progression. Significant number of vehicles stopped. Some queues do not clear.	>20-35
D	Noticeable congestion. Many vehicles stop. Individual cycle failures are noticeable. Queues often do not clear.	>35-55
E	Poor progression. Individual cycle failures are frequent. Queues frequently do not clear.	>55-80
F	Poor progression. Oversaturation. Many individual cycle failures and queues not cleared.	>80

Reference: *Highway Capacity Manual,* Transportation Research Board

The City of Selma and Caltrans require that a LOS C or better be maintained. A traffic impact is identified if a proposed project will decrease the LOS below C or if a project will exacerbate delays at an intersection already operating at LOS D, E, or F. At unsignalized intersections, a traffic impact would be considered "less than significant" if the LOS standard is exceeded but the projected traffic volume does not satisfy traffic signal warrants. Under these conditions, the only means to completely alleviate delays to stop-controlled vehicles may be to install a traffic signal. However, the unsatisfied signal warrants imply that the reduction in delay for the stop-controlled vehicles may not justify the new delays that would be incurred by the major street traffic (which at two-way stop-controlled intersections is not currently required to stop).

Under these circumstances, installation of traffic signals would not be recommended and the substandard LOS for stop-controlled vehicles would be considered a "less than significant" impact.

Intersection Analyses

The levels of service at the study intersections were determined using the computer program Synchro 6 (Build 614), which is based on the HCM procedures for calculating levels of service. The intersection analysis sheets are included in the complete traffic report contained in the Technical Appendix.

Peak-hour factors (PHF) for the existing-conditions analyses were determined based on the existing traffic volumes. The HCM suggests that a PHF of 0.92 in urban areas and 0.88 in rural areas may be used in the absence of field data. For purposes of the existing-plus-project, year 2010, year 2015, and cumulative year 2030 analyses performed for this study, in which a significant volume of projected traffic is added and field data is not available, a PHF of 0.92 is used unless the existing PHF is greater than 0.92.

The State of California Department of Transportation *California Manual on Uniform Traffic Control Devices for Streets and Highways* dated September 26, 2006 (CMUTCD) presents various warrant analyses to assist in evaluating the need for traffic signals at an intersection. Figure 4C-4, Warrant 3, Peak Hour (70% Factor) as presented in the CMUTCD was utilized to evaluate the possibility that traffic signals may be warranted at impacted unsignalized study intersections. Peak-hour traffic signal warrant studies are performed only for cases in which the unsignalized intersection operates at LOS D or worse. The warrant analysis sheets are included in the complete traffic report found in the Technical Appendix. It should be noted that the proposed Wal-Mart driveways align with existing driveways on the north side of Floral Avenue; therefore, the Wal-Mart intersections are also included in the no-Project scenario analyses but do not include the south leg of the intersection in the no-Project scenarios.

The results of the intersection operational analyses and peak-hour warrant studies are presented in Tables 15-10 through 15-18. Substandard levels of service and delays are highlighted in bold type. A key to descriptors in the tables is presented below.

Key to Tables 15-10 through 15-18

AWS:	All-way stop control	DNE:	Intersection does not exist
TWS:	Two-way stop control	n/r:	Analysis not required
OWS:	One-way stop control	*	Excessive delays not reported

2/1: Traffic signal warrants satisfied for the case in which the major street has two lanes per approach and the minor street has one lane per approach.

2/2: Traffic signal warrants satisfied for the case in which the major street and the minor street each have at least two lanes per approach.

Table 15-14
Intersection Analysis Summary – Year 2010 With Phase 1 Project Conditions

Intersection	Control Type	A.M. Peak Hour			P.M. Peak Hour		
		Delay (sec)	LOS	Peak Hour Warrant	Delay (sec)	LOS	Peak Hour Warrant
DeWolf / Floral	TWS	11.6	B	n/r	18.9	C	n/r
Rockwell Pond / Floral	OWS	14.5	B	Not met	**653.5**	**F**	2/2
SR 99 SB Off-Ramp / Floral	Signal	16.1	B	n/r	**121.1**	**F**	n/r
Highland / Floral	Signal	29.7	C	n/r	**124.6**	**F**	n/r
SR 99 NB Off-Ramp / Floral	Signal	11.9	B	n/r	**83.5**	**F**	n/r
Whitson / Floral	Signal	24.5	C	n/r	**54.4**	**D**	n/r
McCall / Floral	Signal	**37.6**	**D**	n/r	**57.5**	**E**	n/r
Golden State / Highland	Signal	24.2	C	n/r	**40.2**	**D**	n/r
Highland / SR 99 SB Ramps	Signal	21.9	C	n/r	**48.4**	**D**	n/r

Table 15-15
Intersection Analysis Summary – Year 2015 No-Project Conditions

Intersection	Control Type	A.M. Peak Hour			P.M. Peak Hour		
		Delay (sec)	LOS	Peak Hour Warrant	Delay (sec)	LOS	Peak Hour Warrant
DeWolf / Floral	TWS	10.9	B	n/r	14.3	B	n/r
Rockwell Pond / Floral	DNE	-	-	-	-	-	-
SR 99 SB Off-Ramp / Floral	Signal	12.3	B	n/r	30.1	C	n/r
Highland / Floral	Signal	24.7	C	n/r	**45.7**	**D**	n/r
SR 99 NB Off-Ramp / Floral	Signal	10.8	B	n/r	18.6	B	n/r
Whitson / Floral	Signal	23.4	C	n/r	**37.0**	**D**	n/r
McCall / Floral	Signal	**35.0**	**D**	n/r	**42.7**	**D**	n/r
Golden State / Highland	Signal	24.1	C	n/r	**37.0**	**D**	n/r
Highland / SR 99 SB Ramps	Signal	20.7	C	n/r	**37.2**	**D**	n/r

Table 15-10
Intersection Analysis Summary - Existing Conditions

Intersection	Control Type	A.M. Peak Hour			P.M. Peak Hour		
		Delay (sec)	LOS	Peak Hour Warrant	Delay (sec)	LOS	Peak Hour Warrant
DeWolf / Floral	TWS	9.9	A	n/r	11.0	B	n/r
Rockwell Pond / Floral	DNE	-	-	-	-	-	-
SR 99 SB Off-Ramp / Floral	Signal	10.2	B	n/r	12.0	B	n/r
Highland / Floral	Signal	16.8	B	n/r	23.2	C	n/r
SR 99 NB Off-Ramp / Floral	Signal	7.9	A	n/r	9.0	A	n/r
Whitson / Floral	Signal	17.7	B	n/r	24.2	C	n/r
McCall / Floral	Signal	25.3	C	n/r	23.5	C	n/r
Golden State / Highland	Signal	20.4	C	n/r	20.0	B	n/r
Highland / SR 99 SB Ramps	Signal	12.4	B	n/r	13.1	B	n/r

Table 15-11
Intersection Analysis Summary - Existing Plus Phase 1 Project Conditions

Intersection	Control Type	A.M. Peak Hour			P.M. Peak Hour		
		Delay (sec)	LOS	Peak Hour Warrant	Delay (sec)	LOS	Peak Hour Warrant
DeWolf / Floral	TWS	10.5	B	n/r	13.9	B	n/r
Rockwell Pond / Floral	OWS	12.9	B	n/r	**282.5**	**F**	2/2
SR 99 SB Off-Ramp / Floral	Signal	10.6	B	n/r	21.8	C	n/r
Highland / Floral	Signal	20.4	C	n/r	34.0	C	n/r
SR 99 NB Off-Ramp / Floral	Signal	8.9	A	n/r	12.1	B	n/r
Whitson / Floral	Signal	19.9	B	n/r	30.8	C	n/r
McCall / Floral	Signal	30.3	C	n/r	34.9	C	n/r
Golden State / Highland	Signal	21.1	C	n/r	22.3	C	n/r
Highland / SR 99 SB Ramps	Signal	13.7	B	n/r	18.0	B	n/r

Table 15-12
Intersection Analysis Summary - Existing Plus Project Phases 1 and 2 Conditions

Intersection	Control Type	A.M. Peak Hour			P.M. Peak Hour		
		Delay (sec)	LOS	Peak Hour Warrant	Delay (sec)	LOS	Peak Hour Warrant
DeWolf / Floral	TWS	11.0	B	n/r	18.0	C	n/r
Rockwell Pond / Floral	OWS	**32.3**	**D**	Not met	*	**F**	2/2
SR 99 SB Off-Ramp / Floral	Signal	11.9	B	n/r	**89.5**	**F**	n/r
Highland / Floral	Signal	23.4	C	n/r	**113.0**	**F**	n/r
SR 99 NB Off-Ramp / Floral	Signal	9.6	A	n/r	19.0	B	n/r
Whitson / Floral	Signal	20.7	C	n/r	**44.5**	**D**	n/r
McCall / Floral	Signal	**35.3**	**D**	n/r	**51.1**	**D**	n/r
Golden State / Highland	Signal	21.6	C	n/r	25.8	C	n/r
Highland / SR 99 SB Ramps	Signal	15.5	B	n/r	21.0	C	n/r

Table 15-13
Intersection Analysis Summary – Year 2010 No-Project Conditions

Intersection	Control Type	A.M. Peak Hour			P.M. Peak Hour		
		Delay (sec)	LOS	Peak Hour Warrant	Delay (sec)	LOS	Peak Hour Warrant
DeWolf / Floral	TWS	10.8	B	n/r	13.8	B	n/r
Rockwell Pond / Floral	DNE	-	-	-	-	-	-
SR 99 SB Off-Ramp / Floral	Signal	12.1	B	n/r	25.1	C	n/r
Highland / Floral	Signal	24.1	C	n/r	**40.8**	**D**	n/r
SR 99 NB Off-Ramp / Floral	Signal	10.6	B	n/r	16.9	B	n/r
Whitson / Floral	Signal	22.0	C	n/r	34.9	C	n/r
McCall / Floral	Signal	33.5	C	n/r	**37.9**	**D**	n/r
Golden State / Highland	Signal	23.6	C	n/r	**35.5**	**D**	n/r
Highland / SR 99 SB Ramps	Signal	20.9	C	n/r	32.6	C	n/r

Table 15-16
Intersection Analysis Summary – Year 2015 With Project Phases 1 and 2 Conditions

Intersection	Control Type	A.M. Peak Hour			P.M. Peak Hour		
		Delay (sec)	LOS	Peak Hour Warrant	Delay (sec)	LOS	Peak Hour Warrant
DeWolf / Floral	TWS	12.5	B	Not met	**31.6**	**D**	Not met
Rockwell Pond / Floral	OWS	**79.5**	**F**	2/2	*	**F**	2/2
SR 99 SB Off-Ramp / Floral	Signal	30.0	C	n/r	**242.6**	**F**	n/r
Highland / Floral	Signal	**35.7**	**D**	n/r	**244.7**	**F**	n/r
SR 99 NB Off-Ramp / Floral	Signal	13.8	B	n/r	**278.1**	**F**	n/r
Whitson / Floral	Signal	26.9	C	n/r	**133.4**	**F**	n/r
McCall / Floral	Signal	**49.6**	**D**	n/r	**131.1**	**F**	n/r
Golden State / Highland	Signal	25.5	C	n/r	**53.2**	**D**	n/r
Highland / SR 99 SB Ramps	Signal	23.3	C	n/r	**78.7**	**E**	n/r

Table 15-17
Intersection Analysis Summary – Cumulative 2030 No Project Conditions

Intersection	Control Type	A.M. Peak Hour			P.M. Peak Hour		
		Delay (sec)	LOS	Peak Hour Warrant	Delay (sec)	LOS	Peak Hour Warrant
DeWolf / Floral	TWS	13.1	B	n/r	**25.3**	**D**	Not met
Rockwell Pond / Floral	DNE	-	-	-	-	-	-
SR 99 SB Off-Ramp / Floral	Signal	13.0	B	n/r	**35.6**	**D**	n/r
Highland / Floral	Signal	27.3	C	n/r	**69.3**	**E**	n/r
SR 99 NB Off-Ramp / Floral	Signal	12.0	B	n/r	20.4	C	n/r
Whitson / Floral	Signal	25.7	C	n/r	**45.0**	**D**	n/r
McCall / Floral	Signal	**37.5**	**D**	n/r	**45.4**	**D**	n/r
Golden State / Highland	Signal	29.5	C	n/r	**45.3**	**D**	n/r
Highland / SR 99 SB Ramps	Signal	22.3	C	n/r	**70.4**	**E**	n/r

Table 15-18
Intersection Analysis Summary
Cumulative 2030 With Project Phases 1 and 2 Conditions

Intersection	Control Type	A.M. Peak Hour			P.M. Peak Hour		
		Delay (sec)	LOS	Peak Hour Warrant	Delay (sec)	LOS	Peak Hour Warrant
DeWolf / Floral	TWS	16.2	C	Not met	**143.2**	**F**	2/1
Rockwell Pond / Floral	OWS	**163.6**	**F**	2/2	*	**F**	2/2
SR 99 SB Off-Ramp / Floral	Signal	**38.7**	**D**	n/r	**240.9**	**F**	n/r
Highland / Floral	Signal	**42.5**	**D**	n/r	**274.1**	**F**	n/r
SR 99 NB Off-Ramp / Floral	Signal	17.6	B	n/r	**204.8**	**F**	n/r
Whitson / Floral	Signal	29.6	C	n/r	**151.6**	**F**	n/r
McCall / Floral	Signal	**55.4**	**E**	n/r	**120.9**	**F**	n/r
Golden State / Highland	Signal	32.2	C	n/r	**61.8**	**E**	n/r
Highland / SR 99 SB Ramps	Signal	25.9	C	n/r	**125.1**	**F**	n/r

Level of Significance before Mitigation: Potentially significant impact.

Mitigation

Existing Conditions

The results of the existing-conditions analyses indicate that the study intersections are currently operating at acceptable levels of service.

Existing Plus Project Phase 1 Conditions

The existing plus Phase 1 Project conditions represent the anticipated conditions upon build-out of Phase 1 of the Rockwell Pond site without consideration of other pending projects. The results of the existing plus Phase 1 Project conditions analyses indicate that the intersection of the Rockwell Pond Site Access and Floral Avenue is expected to operate at substandard levels of service. Peak hour traffic signal warrants are expected to be satisfied at the intersection.

In order to mitigate the impacts at the intersection of Rockwell Pond Site Access and Floral Avenue, the intersection will require signalization with the following lane configurations:

Eastbound: one left-turn lane and one through lane;

Westbound: one through lane with a shared right turn;

Northbound: does not exist; and

Southbound: one left-turn lane and one right-turn lane.

The mitigated intersection analysis sheets are included in the complete traffic report contained in the Technical Appendix. Table 15-19 presents a summary of the mitigated analyses.

Table 15-19
Mitigated Intersection Analysis Summary - Existing Plus Phase 1 Project Conditions

Intersection	Control Type	A.M. Peak Hour			P.M. Peak Hour		
		Delay (sec)	LOS	Peak Hour Warrant	Delay (sec)	LOS	Peak Hour Warrant
Rockwell Pond / Floral	Signal	8.4	A	n/r	24.1	C	2/2

Existing Plus Project Phases 1 and 2 Conditions

The existing plus Project Phases 1 and 2 conditions represent the anticipated conditions upon build-out of the entire Rockwell Pond project without consideration of other pending projects. The results of the existing plus Project Phases 1 and 2 conditions analyses indicate that the following study intersections are expected to operate at substandard levels of service:

- Rockwell Pond Site Access / Floral Avenue (peak hour signal warrants satisfied);
- SR 99 Southbound Off Ramp / Floral Avenue;
- Highland Avenue / Floral Avenue;
- Whitson Street / Floral Avenue; and
- McCall Avenue / Floral Avenue.

In order to mitigate the impacts at the intersection of Rockwell Pond Site Access and Floral Avenue, the intersection will require signalization with the following lane configurations:

Eastbound: one left-turn lane and one through lane;

Westbound: one through lane and one right-turn lane;

Northbound: does not exist; and

Southbound: two left-turn lanes and one right-turn lane.

In order to mitigate the impacts at the intersection of SR 99 Southbound Off Ramp and Floral Avenue, the intersection will require widening to the following lane configurations:

Eastbound: three through lanes and one right-turn lane;

Westbound: one left-turn lane and two through lanes;

Northbound: one right-turn lane; and

Southbound: one left-turn lane, one shared left-turn/through lane, and two right-turn lanes.

In order to mitigate the impacts at the intersection of Highland Avenue and Floral Avenue, the intersection will require widening to the following lane configurations:

Eastbound: two left-turn lanes, three through lanes, and one right-turn lane;

Westbound: two left-turn lanes, two through lanes, and one right-turn lane;

Northbound: two left-turn lanes, two through lanes, and one right-turn lane; and

Southbound: one left-turn lane, two through lanes, and two right-turn lanes.

In order to mitigate the impacts at the intersection of Whitson Street and Floral Avenue, the intersection will require widening to the following lane configurations:

Eastbound: one left-turn lane, two through lanes, and one right-turn lane;

Westbound: one left-turn lane and two through lanes, and one right turn;

Northbound: two left-turn lanes, two through lanes, and one right-turn lane; and

Southbound: one left-turn lane and two through lanes with a shared right turn.

In order to mitigate the impacts at the intersection of McCall Avenue and Floral Avenue, the intersection will require widening to the following lane configurations:

Eastbound: one left-turn lane and two through lanes with a shared right turn;

Westbound: one left-turn lane and two through lanes with a shared right turn;

Northbound: one left-turn lane and two through lanes with a shared right turn; and

Southbound: one left-turn lane, one through lane, and one right-turn lane.

The mitigated intersection analysis sheets are included in the complete traffic report contained in the Technical Appendix. Table 15-20 presents a summary of the mitigated analyses.

Table 15-20
Mitigated Intersection Analysis Summary
Existing Plus Project Phases 1 and 2 Conditions

Intersection	Control Type	A.M. Peak Hour			P.M. Peak Hour		
		Delay (sec)	LOS	Peak Hour Warrant	Delay (sec)	LOS	Peak Hour Warrant
Rockwell Pond / Floral	Signal	9.6	A	n/r	19.8	B	2/2
SR 99 SB Off-Ramp / Floral	Signal	10.9	B	n/r	24.0	C	n/r
Highland / Floral	Signal	17.8	B	n/r	29.5	C	n/r
Whitson / Floral	Signal	19.3	B	n/r	30.2	C	n/r
McCall / Floral	Signal	24.7	C	n/r	32.5	C	n/r

Year 2010 No-Project Conditions

The year 2010 no-Project conditions represent the anticipated conditions upon build out of the pending projects in the vicinity of the site. The results of the year 2010 no-Project conditions analyses indicate that the following study intersections are expected to operate at substandard levels of service:

- Highland Avenue / Floral Avenue;
- McCall Avenue / Floral Avenue; and
- Golden State Boulevard / Highland Avenue.

Year 2010 With Project Phase 1 Conditions

The year 2010 with Phase 1 Project conditions represent the anticipated conditions upon build out of the pending projects in the vicinity of the site and Phase 1 of the proposed project. The results of the year 2010 with Phase 1 Project conditions analyses indicate that the following study intersections are expected to operate at substandard levels of service:

- Rockwell Pond Site Access / Floral Avenue (peak hour signal warrants satisfied);
- SR 99 Southbound Off Ramp / Floral Avenue;
- Highland Avenue / Floral Avenue;
- SR 99 Northbound Off Ramp / Floral Avenue;
- Whitson Street / Floral Avenue;
- McCall Avenue / Floral Avenue;
- Golden State Boulevard / Highland Avenue; and
- Highland Avenue / SR 99 Southbound Ramps.

In order to mitigate the impacts at the intersection of Rockwell Pond Site Access and Floral Avenue, the intersection will require signalization with the following lane configurations:

Eastbound: one left-turn lane and one through lane;

Westbound: one through lane and one right-turn lane;

Northbound: does not exist; and

Southbound: one left-turn lane and one right-turn lane.

In order to mitigate the impacts at the intersection of SR 99 Southbound Off Ramp and Floral Avenue, the intersection will require widening to the following lane configurations:

Eastbound: three through lanes and one right-turn lane;

Westbound: one left-turn lane and two through lanes;

Northbound: one right-turn lane; and

Southbound: one left-turn lane, one shared left-turn/through lane, and two right-turn lanes.

In order to mitigate the impacts at the intersection of Highland Avenue and Floral Avenue, the intersection will require widening to the following lane configurations:

Eastbound: two left-turn lanes, three through lanes, and one right-turn lane;

Westbound: two left-turn lanes, two through lanes, and one right-turn lane;

Northbound: two left-turn lanes, two through lanes, and one right-turn lane; and

Southbound: one left-turn lane, two through lanes, and two right-turn lanes.

It should be noted that the intersection of Highland Avenue and Floral Avenue will operate at LOS D with this configuration. Further mitigations are not considered to be feasible in the year 2010 condition since widening of the freeway bridge would be required. Since most urban areas in central California, most notably the City of Fresno and City of Clovis, accept level of service D, and since the forthcoming Selma General Plan Update includes adoption of level of service D as the City's significance criteria, it is recommended that this condition be considered acceptable, although the impacts would be considered significant and unavoidable.

The Floral Avenue / Highland Avenue / SR 99 interchange was studied in an interchange analysis report dated July 16, 2008 by Peters Engineering Group. The feasibility of the improvements described herein was investigated in the analysis and were deemed to be generally feasible subject to issuance of certain design exceptions and the approval of plans by Caltrans.

In order to mitigate the impacts at the intersection of SR 99 Northbound Off Ramp and Floral Avenue, the intersection will require widening to the following lane configurations:

Eastbound: three through lanes;

Westbound: two through lanes;

Northbound: one left-turn lane and one right-turn lane; and

Southbound: does not exist.

In order to mitigate the impacts at the intersection of Whitson Street and Floral Avenue, the intersection will require widening to the following lane configurations:

Eastbound: one left-turn lane, two through lanes, and one right-turn lane;

Westbound: one left-turn lane and two through lanes, and one right turn;

Northbound: two left-turn lanes, two through lanes, and one right-turn lane; and

Southbound: one left-turn lane and two through lanes with a shared right turn.

In order to mitigate the impacts at the intersection of McCall Avenue and Floral Avenue, the intersection will require widening to the following lane configurations:

Eastbound: one left-turn lane and two through lanes with a shared right turn;

Westbound: one left-turn lane and two through lanes with a shared right turn;

Northbound: one left-turn lane and two through lanes with a shared right turn; and

Southbound: one left-turn lane, one through lane, and one right-turn lane.

In order to mitigate the impacts at the intersection of Golden State Boulevard and Highland Avenue, the intersection will require widening to the following lane configurations:

Eastbound: one left-turn lane, two through lanes, and one right-turn lane;

Westbound: one left-turn lane, two through lanes, and one right-turn lane;

Northbound: one left-turn lane and two through lanes with a shared right turn; and

Southbound: one shared left-turn/through lane, one through lane, and one right-turn lane.

In order to mitigate the impacts at the intersection of Highland Avenue and the SR 99 southbound ramps, the intersection will require widening to the following lane configurations:

Eastbound: two right-turn lanes;

Westbound: does not exist;

Northbound: two through lanes and one right-turn lane; and

Southbound: two left-turn lanes and two through lanes.

The mitigated intersection analysis sheets are included in the complete traffic report contained in the Technical Appendix. Table 15-21 presents a summary of the mitigated analyses.

Table 15-21
Mitigated Intersection Analysis Summary – Year 2010 With Phase 1 Project Conditions

Intersection	Control Type	A.M. Peak Hour			P.M. Peak Hour		
		Delay (sec)	LOS	Peak Hour Warrant	Delay (sec)	LOS	Peak Hour Warrant
Rockwell Pond / Floral	Signal	8.4	A	n/r	15.0	B	2/2
SR 99 SB Off-Ramp / Floral	Signal	9.6	A	n/r	17.8	B	n/r
Highland / Floral	Signal	20.4	C	n/r	40.1	D	n/r
SR 99 NB Off-Ramp / Floral	Signal	9.8	A	n/r	14.4	B	n/r
Whitson / Floral	Signal	21.4	C	n/r	32.3	C	n/r
McCall / Floral	Signal	30.2	C	n/r	34.1	C	n/r
Golden State / Highland	Signal	18.7	B	n/r	23.1	C	n/r
Highland / SR 99 SB Ramps	Signal	12.1	B	n/r	16.7	B	n/r

Year 2015 No-Project Conditions

The results of the year 2015 no-Project conditions analyses indicate that the following study intersections are expected to operate at substandard levels of service:

- Highland Avenue / Floral Avenue;
- Whitson Street / Floral Avenue;
- McCall Avenue / Floral Avenue;
- Golden State Boulevard / Highland Avenue; and
- Highland Avenue / SR 99 Southbound Ramps.

Year 2015 With Project Phases 1 and 2 Conditions

The year 2015 with Project conditions analyses indicate that all of the study intersections are expected to operate at substandard levels of service. Peak hour traffic signal warrants are expected to be satisfied at the intersection of the Rockwell Pond Site Access and Floral Avenue. Peak hour traffic signal warrants are not expected to be satisfied at the intersection of DeWolf Avenue and Floral Avenue.

In order to mitigate the impacts at the intersection of DeWolf and Floral Avenues, the intersection can remain controlled by stop signs on DeWolf Avenue but will require the following lane configurations:

Eastbound: one left-turn lane and two through lanes with a shared right turn;

Westbound: one left-turn lane and two through lanes with a shared right turn;

Northbound: one left-turn lane and one through lane with a shared right turn; and

Southbound: one left-turn lane and one through lane with a shared right turn.

In order to mitigate the impacts at the intersection of Rockwell Pond Site Access and Floral Avenue, the intersection will require signalization with the following lane configurations:

Eastbound: one left-turn lane and two through lanes;

Westbound: two through lanes and one right-turn lane;

Northbound: does not exist; and

Southbound: two left-turn lanes and one right-turn lane.

In order to mitigate the impacts at the intersection of SR 99 Southbound Off Ramp / Floral Avenue and Floral Avenue, the intersection will require widening to the following lane configurations:

Eastbound: four through lanes and one right-turn lane;

Westbound: two left-turn lanes and three through lanes;

Northbound: one right-turn lane; and

Southbound: one left-turn lane, one shared left-turn/through lane, and two right-turn lanes.

In order to mitigate the impacts at the intersection of Highland Avenue and Floral Avenue, the intersection will require widening to the following lane configurations:

Eastbound: two left-turn lanes, four through lanes, and two right-turn lanes;

Westbound: two left-turn lanes, four through lanes, and one right-turn lane;

Northbound: two left-turn lanes, two through lanes, and one right-turn lane; and

Southbound: two left-turn lanes, two through lanes, and two right-turn lanes.

In order to mitigate the impacts at the intersection of SR 99 Northbound Off Ramp and Floral Avenue, the intersection will require widening to the following lane configurations:

Eastbound: three through lanes;

Westbound: three through lanes;

Northbound: two left-turn lanes and one right-turn lane; and

Southbound: does not exist.

In order to mitigate the impacts at the intersection of Whitson Street and Floral Avenue, the intersection will require widening to the following lane configurations:

Eastbound: one left-turn lane, three through lanes, and one right-turn lane;

Westbound: one left-turn lane and three through lanes with a shared right turn;

Northbound: two left-turn lanes, two through lanes, and one right-turn lane; and

Southbound: two left-turn lanes and two through lanes with a shared right turn.

In order to mitigate the impacts at the intersection of McCall Avenue and Floral Avenue, the intersection will require widening to the following lane configurations:

Eastbound: two left-turn lanes, two through lanes, and one right-turn lane;

Westbound: one left-turn lane and two through lanes with a shared right turn;

Northbound: one left-turn lane and two through lanes with a shared right turn; and

Southbound: one left-turn lane, two through lanes, and one right-turn lane.

In order to mitigate the impacts at the intersection of Golden State Boulevard and Highland Avenue, the intersection will require widening to the following lane configurations:

Eastbound: one left-turn lane, two through lanes, and one right-turn lane;

Westbound: one left-turn lane, two through lanes, and one right-turn lane;

Northbound: one left-turn lane and two through lanes with a shared right turn; and

Southbound: one shared left-turn/through lane, one through lane, and one right-turn lane.

In order to mitigate the impacts at the intersection of Highland Avenue and the SR 99 southbound ramps, the intersection will require widening to the following lane configurations:

Eastbound: two right-turn lanes;

Westbound: does not exist;

Northbound: two through lanes and one right-turn lane; and

Southbound: two left-turn lanes and two through lanes.

The mitigated intersection analysis sheets are included in the complete traffic report contained in the Technical Appendix. Table 15-22 presents a summary of the mitigated analyses.

Table 15-22
Mitigated Intersection Analysis Summary
Year 2015 With Project Phases 1 and 2 Conditions

Intersection	Control Type	A.M. Peak Hour			P.M. Peak Hour		
		Delay (sec)	LOS	Peak Hour Warrant	Delay (sec)	LOS	Peak Hour Warrant
DeWolf / Floral	TWS	11.7	B	Not met	24.2	C	Not met
Rockwell Pond / Floral	Signal	8.7	A	2/2	14.5	B	2/2
SR 99 SB Off-Ramp / Floral	Signal	10.3	B	n/r	22.0	C	n/r
Highland / Floral	Signal	19.3	B	n/r	33.5	C	n/r
SR 99 NB Off-Ramp / Floral	Signal	7.5	A	n/r	12.6	B	n/r
Whitson / Floral	Signal	20.2	C	n/r	33.3	C	n/r
McCall / Floral	Signal	24.3	C	n/r	29.7	C	n/r
Golden State / Highland	Signal	19.0	B	n/r	25.1	C	n/r
Highland / SR 99 SB Ramps	Signal	12.5	B	n/r	19.3	B	n/r

Cumulative Year 2030 No-Project Conditions

The cumulative year 2030 no-Project conditions analyses indicate that the following study intersections are expected to operate at substandard levels of service:

- DeWolf Avenue / Floral Avenue (peak hour signal warrants not satisfied);
- SR 99 Southbound Off Ramp / Floral Avenue;
- Highland Avenue / Floral Avenue;
- Whitson Street / Floral Avenue;
- McCall Avenue / Floral Avenue;
- Golden State Boulevard / Highland Avenue; and
- Highland Avenue / SR 99 Southbound Ramps.

Cumulative Year 2030 With Project Phases 1 and 2 Conditions

The year 2030 with Project conditions analyses indicate that all of the study intersections are expected to operate at substandard levels of service. Peak hour traffic signal warrants are expected to be satisfied at the unsignalized intersections.

In order to mitigate the impacts at the intersection of DeWolf and Floral Avenues, the intersection should be signalized with the following lane configurations:

Eastbound: one left-turn lane and two through lanes with a shared right turn;

Westbound: one left-turn lane and two through lanes with a shared right turn;

Northbound: one left-turn lane and one through lane with a shared right turn; and

Southbound: one left-turn lane and one through lane with a shared right turn.

In order to mitigate the impacts at the intersection of Rockwell Pond Site Access and Floral Avenue, the intersection will require signalization with the following lane configurations:

Eastbound: one left-turn lane and two through lanes;

Westbound: two through lanes and one right-turn lane;

Northbound: does not exist; and

Southbound: two left-turn lanes and one right-turn lane.

In order to mitigate the impacts at the intersection of SR 99 Southbound Off Ramp / Floral Avenue and Floral Avenue, the intersection will require widening to the following lane configurations:

Eastbound: four through lanes and one right-turn lane;

Westbound: two left-turn lanes and three through lanes;

Northbound: one right-turn lane; and

Southbound: one left-turn lane, one shared left-turn/through lane, and two right-turn lanes.

In order to mitigate the impacts at the intersection of Highland Avenue and Floral Avenue, the intersection will require widening to the following lane configurations:

Eastbound: two left-turn lanes, four through lanes, and two right-turn lanes;

Westbound: two left-turn lanes, four through lanes, and one right-turn lane;

Northbound: two left-turn lanes, two through lanes, and one right-turn lane; and

Southbound: two left-turn lanes, two through lanes, and two right-turn lanes.

In order to mitigate the impacts at the intersection of SR 99 Northbound Off Ramp and Floral Avenue, the intersection will require widening to the following lane configurations:

Eastbound: three through lanes;

Westbound: three through lanes;

Northbound: two left-turn lanes and one right-turn lane; and

Southbound: does not exist.

In order to mitigate the impacts at the intersection of Whitson Street and Floral Avenue, the intersection will require widening to the following lane configurations:

Eastbound: two left-turn lanes, three through lanes, and one right-turn lane;

Westbound: two left-turn lanes and three through lanes with a shared right turn;

Northbound: two left-turn lanes, two through lanes, and one right-turn lane; and

Southbound: two left-turn lanes and two through lanes with a shared right turn.

In order to mitigate the impacts at the intersection of McCall Avenue and Floral Avenue, the intersection will require widening to the following lane configurations:

Eastbound: two left-turn lanes, two through lanes, and one right-turn lane;

Westbound: one left-turn lane and two through lanes with a shared right turn;

Northbound: two left-turn lanes and two through lanes with a shared right turn; and

Southbound: one left-turn lane, two through lanes, and one right-turn lane.

In order to mitigate the impacts at the intersection of Golden State Boulevard and Highland Avenue, the intersection will require widening to the following lane configurations:

Eastbound: one left-turn lane, two through lanes, and one right-turn lane;

Westbound: one left-turn lane, two through lanes, and one right-turn lane;

Northbound: one left-turn lane and two through lanes with a shared right turn; and

Southbound: one shared left-turn/through lane, one through lane, and one right-turn lane.

In order to mitigate the impacts at the intersection of Highland Avenue and the SR 99 southbound ramps, the intersection will require widening to the following lane configurations:

Eastbound: two right-turn lanes;

Westbound: does not exist;

Northbound: two through lanes and one right-turn lane; and

Southbound: two left-turn lanes and two through lanes.

The mitigated intersection analysis sheets are included in the complete traffic report contained in the Technical Appendix. Table 15-23 presents a summary of the mitigated analyses.

Table 15-23
Mitigated Intersection Analysis Summary
Cumulative 2030 With Project Phases 1 and 2 Conditions

Intersection	Control Type	A.M. Peak Hour			P.M. Peak Hour		
		Delay (sec)	LOS	Peak Hour Warrant	Delay (sec)	LOS	Peak Hour Warrant
DeWolf / Floral	Signal	13.2	B	Not met	17.9	B	2/1
Rockwell Pond / Floral	Signal	8.8	A	2/2	15.1	B	2/2
SR 99 SB Off-Ramp / Floral	Signal	10.5	B	n/r	27.9	C	n/r
Highland / Floral	Signal	23.5	C	n/r	42.3	D	n/r
SR 99 NB Off-Ramp / Floral	Signal	7.6	A	n/r	13.5	B	n/r
Whitson / Floral	Signal	22.1	C	n/r	34.6	C	n/r
McCall / Floral	Signal	24.5	C	n/r	27.6	C	n/r
Golden State / Highland	Signal	23.5	C	n/r	29.5	C	n/r
Highland / SR 99 SB Ramps	Signal	13.3	B	n/r	27.7	C	n/r

Level of Significance after Mitigation: Generally-accepted traffic engineering principles and methods were employed to estimate the amount of traffic expected to be generated by the Project and to analyze the traffic conditions expected to exist in the future. The conclusion of this study is that mitigation will be required for both opening day and cumulative conditions. In general, the proposed Project is expected to contribute to the need to widen Floral Avenue to six lanes at many locations and to provide lane additions at the study intersections. At some locations, Floral Avenue will require widening to four lanes in a single direction. If the required mitigation measures are not feasible, the impact would be considered significant and unavoidable.

IMPACT: **Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks.**

The Project is located within the traffic pattern of the Selma Aerodrome. Please see Section 9.0, Hazards and Hazardous Materials, for analysis and mitigation concerning airport safety.

IMPACT: **Substantially increase hazards due to a design feature or incompatible uses.**

Exterior streets and highways will be designed in accordance with the City of Selma and Caltran's design standards. The Project has been designed to provide for multiple point of access to Floral Avenue, an interconnected internal circulation system, and potential future transit stops. The transit stops will also be utilized for shuttle buses or alternative modes of transportation.

Compliance with policies of the Selma General Plan and adherence to the City and Caltran's design standards are sufficient to ensure that the impact is less than significant.

Level of Significance before Mitigation: Less than significant.

Mitigation: None required.

IMPACT: Result in Inadequate Emergency Access

The Project will not result in inadequate emergency access. There are no limitations to the access of emergency vehicles to any portion of the proposed Project site. The improvement standards adopted by the City of Selma provide adequate street width and requirements for secondary access to ensure that future development makes adequate provision for emergency vehicle access.

Level of Significance before Mitigation: No impact.

Mitigation: None required.

IMPACT: Result in inadequate parking capacity

Future development will be subject to the parking requirements of the Selma Zoning Ordinance. Such standards are sufficient to ensure that adequate on-site parking is available. Compliance with the Zoning Ordinance will ensure that new development provides adequate parking on the Project site.

Level of Significance before Mitigation: No impact.

Mitigation: None required.

IMPACT: Conflict with adopted policies supporting alternative transportation.

Transit services to the Project site would be provided by Selma Transit, which is operated by the Fresno County Economic Opportunity Commission under contract with the Fresno County Rural Transit Agency (FCRTA). Currently, Selma Transit operates Monday through Friday from 7:00 a.m. to 5:30 p.m. and on Saturdays from 8:00 a.m. to 5:00 p.m. on an on-call basis, picking up and dropping off at requested destinations within Selma's Sphere of Influence. Selma Transit also provides a fixed route service starting at the Selma Senior Center and moving through the Central Downtown Business District to larger shopping centers throughout Selma.

As the Project site develops, new development will likely create a need for the extension of transit services. Consequently, developers will be required to design proposed projects to facilitate the use of transit, transit stops and shelters, linkage of transit to the internal pedestrian access systems, and may be required to contribute funding for future transit improvements consistent with City of Selma goals, policies and standards.

Level of Significance before Mitigation: Less than significant impact.

Mitigation: None required.

16.0 ENVIRONMENTAL ANALYSIS

16.1 ALTERNATIVES TO THE PROPOSED PROJECT

In accordance with Section 15126.6 of the CEQA Guidelines, the EIR must analyze a range of reasonable alternatives to the proposed Project. Alternatives are considered in an EIR to assist the public and decision-makers in considering the environmental consequences of a proposed Project. The purpose of the alternatives analysis is to consider reasonable feasible options to reduce or avoid the significant impacts of a Project. The range of alternatives considered in an EIR is governed by the rule of reason. CEQA Guidelines, Section 15126(d) states: "Alternatives to the Proposed Action. Describe a range of reasonable alternatives to the Project, or to the location of the Project, which could feasibly attain the basic objectives of the Project and evaluate the comparative merits of the alternatives."

CEQA Guidelines Section 15126(d)(2) states that "the range of potential alternatives to the Project shall include those that could feasibly accomplish most of the basic purposes of the Project and could avoid or substantially lessen one or more of the significant effects. The EIR should briefly describe the rationale for selecting the alternatives to be discussed. The EIR should also identify any alternatives that were considered by the lead agency but were rejected as infeasible during the scoping process and briefly explain the reasons underlying the lead agency's determination."

Further, section 15126(d)(3) states: "The discussion of alternatives shall focus on alternatives capable of eliminating any significant adverse environmental impacts or reducing them to a level of insignificance, even if these alternatives would impede to some degree the attainment of the Project objectives, or would be more costly."

The CEQA Guidelines provide the following direction for the analysis of alternatives:

- The EIR must consider a reasonable range of potentially feasible alternatives that will foster informed decision making and public participation. An EIR is not required to consider alternatives which are infeasible.
- Describe a range of reasonable alternatives to the Project, or to the location of the Project that would be feasible to attain most of the basic objectives of the Project but avoid or substantially lessen significant effects.
- Evaluate the comparative merits of the alternatives.
- The specific alternative of "No Project" shall be evaluated along with its impact.
- If the environmentally superior alternative is the "No Project" alternative, identify an environmentally superior alternative among the other alternatives.

Assumptions and Methodology

The anticipated means for implementation of the alternatives can influence the assessment and/or probability of impacts for those alternatives. For example, a project may have the potential to generate significant impacts, but considerations in project design may also afford the opportunity to avoid or reduce such impacts.

The alternatives analysis is presented as a comparative analysis to the proposed Project and assumes that all applicable mitigation measures proposed for the Project would apply to each alternative. The following alternatives analysis compares the potential significant environmental impacts of three alternatives with those of the proposed Project for each of the environmental topics analyzed in detail in the DEIR.

Project Objectives

The Project has the following objectives:

- To develop a regional commercial shopping center adjacent to State Route 99 that consists of anchors, shops, a hotel, restaurants, new car sales, and big box retailers that enhances the City's unique character and contributes to a positive City image.
- To contribute a fair share of the expense of constructing a circulation system that contributes to local transportation needs and the improvement of the local roadway system including improvements to Floral Avenue and the Floral Avenue/ Highway 43 interchange.
- To prezone proposed development sites consistent with the adopted land use diagram and annex property to the City of Selma through the LAFCO approval process.
- To increase the range of goods and services available to the citizens of Selma and Fresno County and to provide employment opportunities that otherwise would not exist.
- To implement goals and policies of the Selma General Plan for the orderly development of the City.

ALTERNATIVES ANALYSIS

This section identifies several alternatives to the proposed Project including No Project, Alternative Site Plan, and Development of Phase 1 Only. The impacts of each alternative are compared to impacts identified for the proposed Project and quantified where possible. The alternatives were selected based on their ability to reduce one or more significant impacts of the proposed Project.

ALTERNATIVE 1: NO PROJECT ALTERNATIVE

The purpose of describing and analyzing a No Project Alternative is to allow decision makers to compare the impacts of approving the proposed Project with the impacts of not approving the proposed Project. The No Project alternative analysis is not the baseline for determining whether the proposed Project's environmental impacts may be significant, unless it is identical to the existing environmental setting analysis which does establish that baseline (CEQA Guidelines Section 15125).

The No Project analysis discusses existing conditions at the time the notice of preparation is published, as well as what would be reasonably expected to occur in the foreseeable future if the Project were not approved, based on current plans and consistent with available infrastructure and community services.

If the Project is other than a land use or regulatory plan, for example a development Project on identifiable property, the "No Project" alternative is the circumstance under which the Project does not proceed. Here the discussion compares the environmental effects of the property remaining in its existing state against environmental effects which would occur if the Project is approved. If disapproval of the Project under consideration would result in predictable actions by others, such as the proposal of some other Project, this No Project consequence should be discussed.

In certain instances, the No Project alternative means "no build" wherein the existing environmental setting is maintained. However, where failure to proceed with the Project will not result in preservation of existing environmental conditions, the analysis should identify the practical result of the Project's non-approval and not create and analyze a set of artificial assumptions that would be required to preserve the existing physical environment.

The No Project Alternative assumes that the proposed Project would not be implemented and the Project site would not be pre-zoned or annexed to the City. The No Project scenario assumes that existing zoning designations for the Project site would remain unchanged. Current agricultural and rural residential uses would remain the same. The impacts of the No-Project Alternative as compared to the proposed Project are discussed below.

Evaluation of the No Project Alternative

Aesthetics. Under the No Project Alternative, the site would remain in agricultural uses and no grading, tree and vegetation removal, demolition or new development would occur on the Project site and the existing aesthetic characteristics would remain unchanged. There would be no impacts to visual character and no new sources of light and glare on the site. Under the No Project Alternative the existing visual character of the site would not change substantially. Neither the proposed Project nor this alternative would result in significant impacts to views or visual resources within a scenic highway. Under this alternative, the general appearance of the area would not change and the existing landforms would not be altered except as different crops are planted within the agricultural fields.

Agricultural Resources. Under the No Project Alternative, there would not be any construction or the introduction of new land uses on the Project site. All the significant land use impacts that are identified in the Land Use and Agriculture sections would not occur under this alternative. Under this alternative, agricultural lands would not be replaced by urban uses. The productive agricultural land on the Project site would potentially remain in agricultural production. Under this alternative it is likely that the conversion of agricultural land would continue over time, as land in this area is designated for urbanization.

Air Quality. Under the No Project Alternative, no demolition, grading, or construction would occur at the Project site. Thus, this Alternative would not generate fugitive dust or other pollutant emissions associated with construction activities. Under the No Project Alternative, no new commercial development would occur on the site, and no new traffic trips would be generated. As such, this Alternative would eliminate the Project's significant air quality impacts associated with long-term operation of the Project. Notwithstanding, existing agricultural uses on the Project site would continue to generate impacts through the creation of dust and spraying of chemicals.

Biological Resources. Even though no development would occur with the No Project Alternative, this alternative would retain agricultural uses and biological impacts will continue to occur as a result of agricultural operations. Accordingly, the No Project alternative does not reduce impacts to biological resources to the level of "no impact."

Cultural Resources. Under the No Project Alternative, grading and construction activities would not occur and existing rural residential units would not be removed. The EIR concluded that project impacts related to archaeological, paleontological, and historical resources could potentially be significant; however, with mitigation, these impacts would be less than significant. Under the No Project Alternative, continued farming operations could impact as yet unidentified subsurface resources.

Geology, Soils, and Mineral Resources. Under the No Project Alternative, no grading or construction of new structures and infrastructure would occur at the Project site. This EIR concluded that Project impacts related to seismic ground shaking, ground failure, and expansive soils could be significant; however, with implementation of mitigation, these impacts would be less than significant. Under the No Project Alternative, the Project site would still be susceptible to seismic ground shaking and differential compaction, as are identified under the proposed Project. However, given that the Project site would continue in agriculture, fewer residents and workers would be exposed to potential seismic ground shaking. Under the No Project Alternative, soil erosion and unchecked storm water run-off will continue to occur. This alternative, like the proposed Project, would have no impact on Mineral Resources.

Hazards and Hazardous Materials. Implementation of the No Project Alternative would keep the site in its existing condition. As such, it would not create new hazards to the public or the environment through the routine transport, use, or disposal of hazardous materials. Although impacts from hazardous materials would be reduced, the potential use of hazardous materials would still exist since agricultural operations utilize a number of chemicals and pesticides.

Hydrology and Water Quality. It is assumed that the No Project Alternative will have a similar effect on the aquifer compared to the proposed Project. Since the site would not be annexed to the City of Selma, water would have to be supplied from on-site wells. Existing rural residential homes would continue to use septic systems for wastewater.

Drainage patterns would be unchanged under this alternative. Under the No Project Alternative, no grading, construction of new structures and infrastructure, or drainage improvements would occur at the Project site. Project impacts related to alteration of existing drainage patterns, runoff and water quality could be significant; however, with implementation of mitigation, these impacts would be less than significant. Under the No Project Alternative, because no development would occur, no improvements to water quality or drainage patterns would occur. Under this alternative, impacts on hydrology and water quality may be greater than under the proposed Project. Rockwell Pond will continue to serve as both a storm water and recharge facility.

Land Use and Planning. Under the No Project Alternative, existing farmland would remain undeveloped and would not be converted to urban uses. Existing agricultural land uses would remain a constraint on future incremental development in the area, as agricultural operations would create land use compatibility problems such as odors, dust generation, and vandalism. Unified planning and planned phased development would not occur. Land uses that support the growth of the Selma Aerodrome would not be adopted. The proposed Fresno County Center for Agriculture and Food Safety, however, could still be developed in the area.

Noise. Under the No Project Alternative, no construction or development would occur on the Project site. This EIR concluded that Project impacts related to substantial temporary or periodic increases in noise associated with construction could be significant; however, with implementation of mitigation measures, these impacts would be reduced to a less than significant level. Because, under this alternative, no construction would occur and no urban development would be constructed, Project impacts from noise would be eliminated. This EIR also concluded that Project impacts related to substantial permanent increases in noise would be less than significant with mitigation. The No Project Alternative would generate less traffic than the proposed Project and lead to correspondingly lower noise levels.

Population and Housing. The No Project Alternative would generate no new employment nor would it extend services that might be used by other development. Therefore, there would be no population growth in the community directly resulting from the Project. Existing rural residential uses on the site would remain and there would be no displacement of housing or persons.

Public Services, Recreation, and Utilities Service Systems. Under the No Project Alternative the Project site would not be annexed into the city and would remain under the jurisdiction of Fresno County. Water supply and wastewater treatment would be handled on site instead of being provided through extension of water and sewer lines. Because the No Project Alternative would not result in development of urban land uses on the Project site, this alternative would not result in an increased demand for domestic water, wastewater services, landfill capacity, police protection services, fire protection services, school services, or parks and recreation services. Under this alternative, public services/utilities impacts are less than under the proposed Project.

Traffic. The No Project Alternative would not affect existing traffic conditions because no new commercial development would occur. The No Project Alternative would generate significantly fewer vehicle trips than the proposed Project and would have none of the traffic-related impacts of the proposed Project. No short-term (construction) traffic trips would be generated under this alternative.

Conclusions

The No Project Alternative would avoid or reduce most of the potential impacts that would occur under the proposed Project. Existing agricultural uses on the Project site would continue, although given the amount of commercial development existing and planned in the vicinity, it is likely that pressures to urbanize the Project site would continue (for example, the site is designated for commercial uses on the proposed Selma General Plan update). Economic development opportunities for the City of Selma would not be realized with the No Project Alternative, including the creation of new jobs, improvements to transportation systems, and generation of sales tax.

As a result, the No Project alternative is not considered feasible in the long-term. Under the No Project alternative, some site-specific impacts to the environment (i.e., PM_{10} due to continued agricultural operations) would be greater than the proposed Project.

Relationship to Project Objectives

This alternative would not achieve any of the Project objectives.

ALTERNATIVE 2: ALTERNATIVE SITE PLAN

The Alternative Site Plan Alternative would consist of annexation and development of the 94-acre Project site, but with an alternative site plan as shown in Figure 16-1. The alternative site plan represents a slightly less intense use of the site and reduces retail uses by approximately 40,000 square feet. Only one auto dealership would be developed and the hotel site is shifted to the northeast corner of the site adjacent to SR 99. A multi-screen theater is added in the northern portion of the site. Because all storm drainage is proposed to be accommodated on site as a result of EIR analysis, the Alternative Site Plan proposes a location for the basin adjacent to the movie theater. Near the corner of Floral and DeWolf Avenues where potential conflicts with flight operations of the Selma Aerodrome have been identified, gasoline sales and parking are proposed to replace in-line retail shops. It is assumed that the Project would be constructed in two phases similar in proportion of development to the proposed Project.

Evaluation of the Alternative Site Plan

Aesthetics. The Alternative Site Plan would impact site aesthetics in a fashion similar to the proposed Project because both represent large commercial retail development. The view shed of both the proposed Project and the Alternative Site Plan (for example, from SR 99 and Floral Avenue) would be very similar and barely discernible.

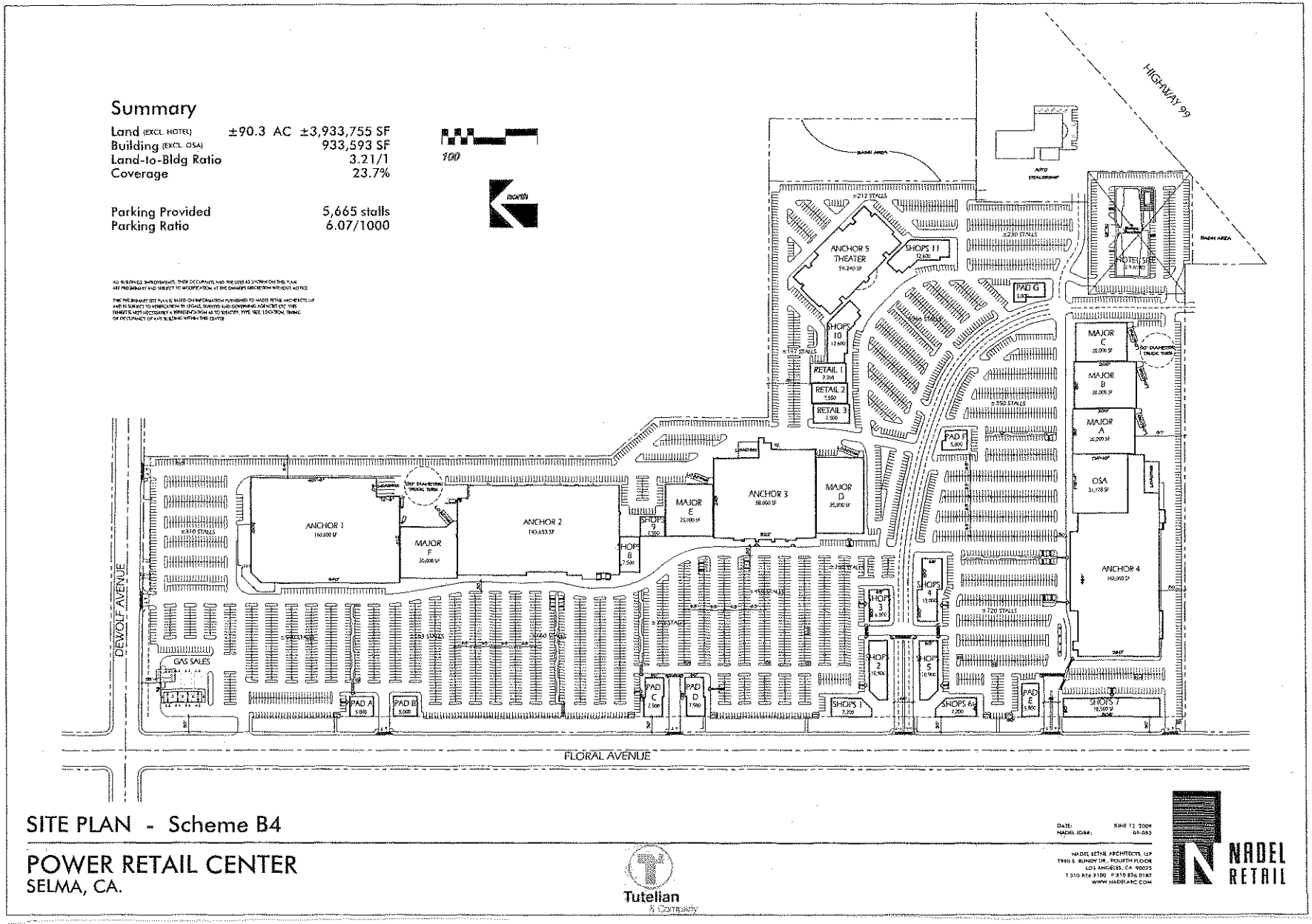
Agriculture. Under the Alternative Site Plan, impacts to agricultural resources would be much the same as those generated by the Project. Under this alternative, there would still be land use conflicts associated with placing urban uses immediately adjacent to active agricultural uses. However, these conflicts could be reduced with implementation of the identified mitigation measures. Long-term impacts to agricultural land would be similar to the proposed Project since the entire Project site would be urbanized. In addition, Fresno County intends to develop the Center for Agriculture and Food Safety on approximately 91.61 acres located north of Rockwell Pond. This facility would convert existing productive agricultural land to a light industrial/ Business Park use regardless of which development alternative is selected for the Project site. With the Alternative Site Plan, pressure to convert agricultural land in this area is likely to continue.

Air Quality. Under the Alternative Site Plan, construction related air impacts would be similar to the proposed Project, and mitigation measures identified for construction related dust, exhaust, and organic emissions would reduce the potential construction related air quality impact to a less than significant level. Emissions that would be generated from trips associated with the proposed Project would be slightly reduced under this alternative as overall commercial square coverage is slightly reduced.

Near-term and long-term impacts to air quality would be comparable with the proposed Project. There would be little appreciable change to the air quality impacts from a cumulative perspective, and impacts would still be considered significant and unavoidable.

Biological Resources. Impacts to habitat on the Project site and surrounding land would remain nearly the same with the Alternative Site Plan. All land on the Project site has been cultivated for a number of years and the natural setting has been irreversibly altered. Consequently, the Alternative Site Plan would both urbanize a portion of the Project site and, with development in phases, allow existing farming operations to continue in the short term, thus reducing the viability of this site to support native plant and animal life.

Figure 16-1: Alternative Site Plan



Cultural Resources. The potential for disturbance of cultural resources during construction under the Alternative Site Plan would be essentially the same as with the proposed Project. Because construction activities would occur on the entire Project site, subsurface archaeological, paleontological, and Native American resources that may occur could be disturbed. Mitigation measures pertaining to cultural resources outlined in the Cultural Resources section of this EIR would reduce the potential impact to a less than significant level. Development under the Alternative Site Plan would have similar impacts to potential historical resources as all existing rural residential units would be removed. Assessment of these units for historical significance would still occur with the Alternative Site Plan and impacts would be reduced to a less than significant level.

Geology, Soils, and Mineral Resources. Under the Alternative Site Plan, retail uses would be developed and structures would be exposed to seismic ground shaking which could potentially impact proposed developments. However, as with the proposed Project, these potential impacts would be reduced to a less than significant level with mitigation measures. Impacts on soils would be similar to the proposed Project as the same areas would be graded for development. Potential grading and erosion impacts would be reduced to less than significant levels by mitigation requirements of the EIR. This alternative, like the proposed Project, would have no impact on Mineral Resources.

Hazards and Hazardous Materials. Under the Alternative Site Plan, hazards would be similar to the proposed Project. Implementation of mitigation measures outlined in the EIR would reduce the potential impact to a less-than-significant level.

The area at the northeast corner of Floral and DeWolf Avenues is within the inner approach zone of the Selma Aerodrome. The proposed Project site plan shows that area within Phase 2 of the development and planned for in-line retail shops. The Alternative Site Plan shows the area designated for gasoline sales. Neither use may be appropriate within the inner approach zone as they will attract more than 10 persons per acre and do not contain a required open space pattern. The Alternative Site Plan is less intense than the proposed Project for this area, reduces the potential for gathering of large groups of people, and contains more open space in the form of parking lots. Gasoline sales, however, may be more hazardous in the event of an emergency landing. Review of the site plan will be required by the Airport Land Use Commission and it is likely that revisions to the Alternative Site Plan will be required to comply with safety criteria.

Hydrology and Water Quality. The Alternative Site Plan would result in the construction of about 94 acres of retail use on the Project site, and an associated increase in impervious surface. Construction activities could result in the degradation of water quality. However, these impacts could be reduced to a less-than-significant level with implementation of the mitigation measures discussed in the Hydrology Section of this EIR. The Alternative Site Plan contains a location for a proposed storm water basin and the basin would be required to be engineered to eliminate all discharge to facilities of CID.

Long term impacts to hydrology would be similar to the proposed Project. Issues related to the provision of domestic water, water quality and groundwater recharge would be nearly the same and mitigation would be required to reduce impacts to a less than significant level.

Land Use. The Alternative Site Plan would be similar to the proposed Project as the land use plan for this scenario still includes retail development of the site.

Noise. The impacts under the Alternative Site Plan from noise would be comparable to the proposed Project and would be expected to be less than significant with implementation of the construction related mitigation measures. Noise currently generated on the Project site, such as noise from agricultural equipment, would still exist under this alternative until complete development of the Project site takes place.

Population and Housing. Development under the Alternative Site Plan would generate only slightly fewer jobs than the proposed Project and impacts to population growth would be similar. Site development would still remove the five rural residential units from the site, but this does not represent a substantial displacement of housing or persons.

Public Services, Recreation, and Utilities Service Systems. Impacts to public services and utilities would be comparable with the proposed Project because a retail center would still be developed on the Project site. Issues related to the extension of water and sewer lines and the provision of these services would remain nearly the same. Under the Alternative Site Plan, impacts to recreation and recreational facilities would be comparable to the proposed Project and would be expected to be less-than-significant.

Traffic. Impacts to traffic and transportation facilities would be comparable with the proposed Project because a large retail shopping center would still be developed. Issues related to improvement to the Floral/Highway 43 interchange and other nearby transportation systems would remain the same. There are minor improvements to overall traffic flow with the Alterative Site Plan, however, especially in the early phase of the Project. A major entrance road is proposed from Floral Avenue which would loop to the east, connecting to an existing service road within the adjacent shopping center on the east. Traffic between the two centers would flow more smoothly and not be required to access Floral Avenue for these internal movements. The movie theater of 54,240 square feet replaces a similar square footage of retail and has the potential to slightly reduce pm peak hour trips.

Conclusions

The Alternative Site Plan would reduce some impacts that would occur under the proposed Project, but does not result in a substantial reduction to significant impacts of agricultural land conversion and air quality. This is because the entire Project site would still be developed with a commercial shopping center and there would be only a minor reduction in overall traffic.

Relationship to Project Objectives

This alternative would achieve the Project objectives.

ALTERNATIVE 3: DEVELOPMENT OF PHASE 1 ONLY

Under Alternative 3, only Phase 1 of the commercial project would be developed. The Project site would be reduced to 50.2 acres and about 572,000 square feet of commercial/ retail uses would be constructed. This Alternative is primarily focused on reducing traffic and air quality impacts associated with the proposed Project.

Evaluation of Development of Phase 1 Only Alternative

Aesthetics. There are no significant visual impacts as a result of the proposed Project; therefore, there will be no impacts as a result of the reduced alternative.

Agriculture. Under this Alternative, impacts to agriculture would be lesser than the proposed Project because only Phase 1 would be developed. The conversion of agricultural land, however, would remain a significant unavoidable impact under this Alternative, even with recommended mitigation. Development of Phase 1 only would place strong pressure on the development of land remaining on the Project site to develop in like fashion.

Air Quality. Impacts under this Alternative to air quality would be less than the proposed Project because only Phase 1 would be developed. This Alternative would require less excavation and the area disturbed would be smaller which would result in a shorter construction period. Therefore, emissions from construction would be less than the proposed Project. Impacts to air quality would be less than the proposed Project, but would still exceed thresholds of the SJVAPCD and could not likely be reduced to less than significant levels.

Biological Resources. Development under the Reduced Project Alternative could have fewer impacts to biological resources since less land would be disturbed. Continued farming operations, however, on the balance of the Project site would continue to affect wildlife habitat.

Cultural Resources. This alternative would not require excavations as extensive as the proposed Project because a large portion of the proposed planning area would remain undeveloped. Consequently, the potential for encountering buried cultural resources would be reduced. However, excavation during construction of this alternative could still uncover buried cultural resources. This alternative would result in fewer potentially significant impacts than the proposed Project. The same mitigation measures would still be required for this alternative.

Geology, Soils, and Mineral Resources. Under the Reduced Project Alternative, retail uses would be reduced in scope, thus reducing exposure to seismic ground shaking. However, as with the proposed Project, potential impacts would be reduced to a less than significant level with mitigation measures. Impacts on soils would be reduced compared to the proposed Project as only approximately ½ the Project site would be graded for development. Potential grading and erosion impacts would be reduced to less than significant levels by mitigation requirements of the EIR. This alternative, like the proposed Project, would have no impact on Mineral Resources.

Hazards/Hazardous Materials. There would be no significant Hazardous Materials impacts as a result of the proposed Project. Similarly, there would be no significant impacts as a result of this project Alternative. Neither alternative would result in the use, storage, or transportation of a significant quantity of hazardous materials. The northeast corner of Floral and DeWolf Avenues, which is located in the inner approach zone of the Selma Aerodrome, would not be developed with this alternative, and potential impacts would be eliminated.

Hydrology and Water Quality. The Reduced Project Alternative would result in the development of approximately ½ the Project site with an associated reduction in impervious surface. Construction activities could result in the degradation of water quality. However, these impacts could be reduced to a less-than-significant level with implementation of the mitigation measures discussed in the Hydrology Section of this EIR. Long term impacts to hydrology would be reduced compared to the proposed Project. Issues related to the provision of domestic water, water quality and groundwater recharge would require mitigation would be required to reduce impacts to a less than significant level.

Land Use. There would be no significant impacts to land use/planning as a result of the proposed Project. There would also be no significant impacts as a result of this Alternative scenario.

Noise. The impacts under this Alternative from noise and vibration would be reduced compared to the proposed Project and would be expected to be less than significant.

Population and Housing. Under this Alternative impacts to population and housing would be comparable to the proposed Project and would be expected to be less than significant.

Public Services, Recreation, and Utilities Service Systems. Near term impacts to public services and utilities would be comparable with the proposed Project because Phase 1 would still be developed. Long term impacts to public services and utilities would be reduced as more than 400,000 square feet of retail uses would not be developed in Phase 2. Issues related to the extension of water and sewer lines and the provision of these services would remain nearly the same. Under this Alternative, impacts to recreation and recreational facilities would be comparable to the proposed Project and would be expected to be less-than-significant.

Traffic. By reducing the project size to 572,000 square feet of commercial retail uses, impacts from traffic would be less than the proposed Project. However, issues related to improvements to the Floral/Highway 43 interchange and other nearby transportation systems would remain nearly the same.

Conclusions

This alternative would generally reduce traffic and air quality impacts; however, the impacts would not be reduced to less than significant levels. Less agricultural land would be converted, and overall water use and wastewater generation would be reduced. Potential significant impacts from this Alternative would largely remain the same, however, and recommended mitigation would still be applicable.

Relationship to Project Objectives

This alternative would achieve the objectives of the proposed Project, but not to the same extent as the proposed Project due to its reduced size, such as enhancing economic vitality of the City through increased property and sales tax revenue and job growth.

Increased Pressure on Land Use Intensification. The proposed Project would result in the construction of regional commercial uses on the Project site. Nearby properties are not developed in established uses, and could be subject to increased development pressures as a result of the implementation of the proposed Project. It is possible that the development of this Project could increase the pressure on the City to intensify the land use designations and zoning on adjacent or nearby properties.

Conclusions

The proposed Project could induce growth through the extension of infrastructure (water, wastewater, electricity and natural gas, roadways, storm drainage) to an area that has limited facilities. The proposed Project may indirectly induce population growth by extending sewer and water lines closer to other undeveloped areas, thereby potentially facilitating their future development. In addition, transportation improvements may induce population growth by making the area more easily accessible, and the Project could have additional growth-inducing effects related to increased demand on secondary markets and increased pressure on land use intensification.

Mitigation measures are presented in this EIR that reduce the Growth Inducing effects of the Proposed Project to the extent feasible. No additional mitigation is recommended.

16.3 SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL EFFECTS

CEQA Sections 21100(b)(2) and 21100.1(a) require that EIRs prepared for the adoption of plan, policy, or ordinance of a public agency must include a discussion of significant irreversible environmental changes of Project implementation. In addition, CEQA Guidelines Section 15126.2(c) describes irreversible environmental changes as:

> *Uses of nonrenewable resources during the initial and continued phases of the Project may be irreversible since a large commitment of such resources makes removal or nonuse thereafter unlikely. Primary impacts and, particularly, secondary impacts (such as highway improvement which provides access to a previously inaccessible area) generally commit future generations to similar uses. Also irreversible damage can result from environmental accidents associated with the Project. Irretrievable commitments of resources should be evaluated to assure that such current consumption is justified.*

Implementation of the proposed Project would result in the long-term commitment of resources of the Project site to urban land use. The proposed Project would likely result in or contribute to the following irreversible environmental changes:

- Conversion of existing undeveloped agricultural land to urban land uses, thus precluding other alternate land uses in the future.
- Increased ambient noise.
- Irreversible commitment of municipal resources to the provision of services and operations of infrastructure for future urban and suburban development.
- Irreversible consumption of goods and services associated with the future population.
- Increased traffic volumes on existing roadways.
- Degradation of air quality.
- Irreversible consumption of energy and natural resources.

Summary of Alternatives

Table 16-1
Summary of Alternatives

Issue	No Project	Alternative Site Plan	Phase 1 Only
Aesthetics	--	o	o
Agricultural	--	o	--
Air Quality	--	o	--
Biological	--	o	--
Cultural Resources	--	o	--
Geology, Soils, & Mining	--	o	o
Hazards	--	o	--
Hydrology	--	--	--
Land Use	--	o	o
Noise	--	o	--
Population & Housing	--	o	o
Public Services & Util.	--	--	--
Traffic	--	--	--
o = Similar impact to proposed Project + = Greater impact than proposed Project -- = Less impact than proposed Project			

Environmentally Superior Alternative

Of the alternatives, the No Project, No Development Alternative (Alternative 1) would be the environmentally preferred alternative. Alternative 1 would avoid all significant impacts of the Project. This alternative would not, however, meet any of the Project Objectives.

When the Environmentally Superior Alternative is the No Project alternative, CEQA requires that a selection be made among the remaining alternatives. Among the other alternatives, Alternative 3 – Development of Phase 1 only, would be preferred. This alternative meets Project objectives while reducing environmental impacts of the proposed Project. Due to the reduction in vehicle trips associated with Alternative 3, it would also reduce air quality impacts. Impacts associated with cultural resources would be the reduced due to the decreased extent of grading. Biological resource impacts would likewise be reduced due to the smaller project site and decreased amount of grading required. The volume of stormwater would be reduced with this alternative as would the demand for public services and utilities. Impacts to Noise and Public Services, Recreation, and Utilities/Service Systems would also be reduced.

Alternative 3 reduces many of the impacts identified with the proposed Project and would not result in any new or previously unidentified impact.

16.2 GROWTH-INDUCING IMPACTS

The California Environmental Quality Act (CEQA) Guidelines Section 15126.2(d) requires that an Environmental Impact Report (EIR) evaluate the growth-inducing impacts of a proposed action. A growth-inducing impact is defined by the CEQA Guidelines as:

> *The way in which a proposed Project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment. Included in this are Projects which would remove obstacles to population growth...It is not assumed that growth in an area is necessarily beneficial, detrimental, or of little significance to the environment.*

A Project can have direct and/or indirect growth inducement potential. Direct growth inducement would result if a Project, for example, involved construction of new housing. A Project would have indirect growth inducement potential if it established substantial new permanent employment opportunities (e.g., commercial, industrial or governmental enterprises) or if it would involve a construction effort with substantial short-term employment opportunities that would indirectly stimulate the need for additional housing and services to support the new employment demand. Similarly, a Project would indirectly induce growth if it would remove an obstacle to additional growth and development, such as removing a constraint on a required public service. A Project providing an increased water supply in an area where water service historically limited growth could be considered growth inducing.

The CEQA Guidelines further explain that the environmental effects of induced growth are considered indirect impacts of the proposed action. These indirect impacts or secondary effects of growth may result in significant, adverse environmental impacts. Potential secondary effects of growth include increased demand on other community and public services and infrastructure, increased traffic and noise, and adverse environmental impacts such as degradation of air and water quality, degradation or loss of plant and animal habitat, and conversion of agricultural and open space land to developed uses.

Growth inducement may constitute an adverse impact if the growth is not consistent with or accommodated by the land use plans and growth management plans and policies for the area affected. Local land use plans provide for land use development patterns and growth policies that allow for the orderly expansion of urban development supported by adequate urban public services, such as water supply, roadway infrastructure, sewer service, and solid waste service. A project that would induce "disorderly" growth (conflict with the local land use plans) could indirectly cause additional adverse environmental impacts and other public service impacts.

Thus, to assess whether a growth-inducing Project will result in adverse secondary effects, it is important to assess the degree to which the growth accommodated by a Project would or would not be consistent with applicable land use plans.

The timing, magnitude, and location of land development and population growth in a community or region are based on various interrelated land use and economic variables. Key variables include regional economic trends, market demand for urban uses, land availability and cost, the availability and quality of transportation facilities and public services, proximity to employment centers, the supply and cost of housing, and regulatory policies or conditions. Since the general plan of a community defines the location, type and intensity of growth, it is the primary means of regulating development and growth in California.

Elimination of Obstacles to Growth. The elimination of either physical or regulatory obstacles to growth is considered to be a growth inducing effect. A physical obstacle to growth typically involves the lack of public service infrastructure. The extension of public service infrastructure, including roadways, water mains, and sewer lines, into areas that are not currently provided with these services would be expected to support new development. Similarly, the elimination or change to a regulatory obstacle, including existing growth and development policies, could result in new growth. In the case of the Project, all utilities extended or constructed as part of the Project would be designed to serve only the Project area and any expansions of existing utilities would be only for the pro-rata incremental need of the Project.

Economic Effects - Increased Demand on Secondary Markets. Development such as employment-generating uses typically generates a secondary or indirect demand for other goods and services. The secondary or economic change can be quantified by an economic multiplier, which is an economic term used to describe interrelationships among various sectors of the economy. One aspect of the multiplier effect is the potential catalytic force a project can have on satellite or follow-up development because it creates a demand or market to be served (e.g., neighborhood commercial development around residential development).

Increased Pressure on Land Use Intensification. Unforeseen future development can be spurred by the construction of certain projects that have the effect of creating unique and currently unmet market demands, or by creating economic incentive for future projects by substantially increasing surrounding property values. These types of impacts are most often identified for Projects developed in areas that are currently lacking a full spectrum of economic activity. For example, newly developing office areas may be lacking in a full range of support commercial uses; this support commercial demand can cause increased pressure for rezones or general plan amendments aimed at providing adequate land to accommodate businesses seeking to serve the unmet demand.

Growth-Inducing Effects of the Proposed Project. The construction of the proposed Project would eliminate some existing obstacles to growth. The standard scenario for eliminating an obstacle to growth involves the extension or provision of utility or service to an area that was not previously served. For example, the extension of a water main into an area where growth has been prohibited because of lack of domestic water service may be considered growth inducing if there is excess capacity in the water main to serve more than planned growth. Limited utilities distribution and collection infrastructure currently exists in the Project area. Implementation of the proposed Project would include the extension of new and/or additional water, electrical and natural gas distribution infrastructure, and wastewater and storm drainage collection infrastructure.

Increased Demand on Secondary Markets. The proposed Project could generate new residential, business, commercial and recreational uses in the City of Selma. These uses would bring residents and employees to the area and could create an economic incentive for future Projects by substantially increasing surrounding property values. In general, an additional dollar spent in the county for these goods and services is re-spent on additional goods and services (due to the "multiplier" effect). Therefore, the anticipated increase in spending on secondary and support services could increase growth pressures in the region.

- Possible demand for and use of goods, services, and resources for this Project to the exclusion of Projects in other locations.

Additionally, the proposed Project would likely result in or contribute to the following irreversible environmental changes in the following specific areas:

Agricultural Resources. Implementation of the Project would result in the conversion of Prime Farmland to non-agricultural uses. The Project would result in designating existing agricultural land with urban land uses. The loss of productive agricultural land resulting from implementation of the Project will be irreversible. This is a significant unavoidable impact.

Air Quality. Implementation of the proposed Project would contribute to an increased number of trips in the vicinity of the Project site. Operation of construction equipment and increased vehicular traffic would contribute particulate matter from vehicle emissions, which is the main contaminant of concern in the San Joaquin Valley air basin. As a result, air quality will be significantly and irreversibly altered from conditions that currently exist.

Transportation/Traffic. Implementation of the proposed Project would result in an increase in traffic surrounding the Project site as well as contributing to a reduction in the overall level of service on local roadways. There are no applicable mitigation measures that will fully mitigate the overall impact of the Project on local roadways. Mitigation measures have been proposed in order to maintain current levels of service for identified roadways within the vicinity of the Project area. The remaining factors constitute an irreversible environmental change from what currently exists at the site and in its general vicinity.

16.4 SIGNIFICANT AND UNAVOIDABLE ENVIRONMENTAL EFFECTS

CEQA Guidelines Section 15126.2(b) requires an EIR to discuss unavoidable significant environmental effects, including those that can be mitigated but not reduced to a level of insignificance. In addition, Section 15093(a) of the CEQA Guidelines allows the decision-making agency to determine if the benefits of a proposed project outweigh the unavoidable adverse environmental impacts of implementing the project. The City of Selma can approve a project with unavoidable adverse impacts if it prepares a "Statement of Overriding Considerations" setting forth the specific reasons for making such a judgment. The following is a listing of significant and unavoidable impacts.

Agricultural Resources

The Project would convert Prime Farmland to non-agricultural use. The Project would conflict with existing zoning for agricultural use and has the potential to contribute to a cumulative loss of agricultural lands on adjacent property. See Section 4.0 for analysis and mitigation to reduce impacts to the extent feasible.

Air Quality

The Project would violate air quality standards or contribute substantially to existing or projected air quality violations for ROG and NOx emissions. The Project could generate "Greenhouse" gas emissions that would cumulatively contribute to global warming and climate change. See Section 5.0 for analysis and mitigation measures to reduce impacts to the extent feasible.

Traffic

The conclusion of the traffic analysis prepared for this EIR is that mitigation will be required for both opening day and cumulative conditions. In general, the proposed Project is expected to contribute to the need to widen Floral Avenue at many locations and to provide lane additions at the study intersections. If the required mitigation measures are not feasible, the impact would be considered significant and unavoidable. See Section 15.0 for analysis and mitigation measures to reduce impacts to the extent feasible.

16.5 CUMULATIVE IMPACTS

CEQA requires that an EIR examine cumulative impacts associated with a project. The range of projects to be included in the cumulative analysis encompasses "past, present, and reasonably anticipated future projects producing related or cumulative impacts, including those outside of the control of the agency." CEQA Guidelines Section 15130 requires cumulative impacts to be discussed "where they are significant." A cumulative effect is deemed significant if the project's incremental contribution to a cumulative impact is "considerable." A cumulative impact is not considered significant if the impact can be mitigated to below the level of significance through mitigation, including providing improvements and/or contributing funds through fee-payment programs. The EIR must examine "reasonable options for mitigating or avoiding any significant cumulative effects of a proposed project" (CEQA, Section 15130). The CEQA Guidelines allow for the use of two alternative methods to determine the scope of projects for the cumulative impact analysis: the List Method and the General Plan Method.

Although the List Method was selected to conduct the cumulative impact analysis for this EIR, it is important to note that certain cumulative impacts such as effects of the proposed Project on air quality (regional air basin), global climate change (worldwide) and energy usage (remote location energy production and conveyance) must consider a much larger geographic area than the area comprised of the projects constituting the "list" of projects in the general vicinity of the proposed Project.

Table 16-2 summarizes projects in the vicinity of the proposed Project. The analysis that follows is arranged by impact issues and discusses impacts of the proposed Project combined with potential impacts from those projects listed in the table.

AESTHETICS

The landscape on the fringes of Selma has been changing over the years from one of predominately agriculture to urban uses. The City has been rapidly growing to the northeast and northwest, contributing to the landscape change. Although the urban environment that is ultimately built could be aesthetically pleasing to many, these cumulative changes will significantly degrade the existing visual character and quality of the area. Based on the standards of significance, the proposed Project individually would have a less than significant aesthetic impact as concluded in Section 3.0 of this DEIR.

However, ultimate impacts of the proposed Project in combination with other projects identified in this section are significant, and the project's incremental contribution to this impact is itself cumulatively considerable and thus significant. This impact cannot be mitigated to a less than cumulatively considerable level and is unavoidable.

Table 16-2
Pending Projects

Project	Location
Wal-Mart Supercenter	South side of Floral, west of SR 99
Gill Motel and Commercial	North of Floral, west of SR 99 SB off ramp
Bratton single-family residential	South of Rose, west of Highland
Comfort Suites	West of Whitson, north of Stillman
Raven Map 5296	South of Dinuba, east of Dockery
Valley View Map 5303	South of Valley View between Thompson and McCall
Canales Map 5217	East of Highland, south of Nebraska
Eye Q II	West of Whitson, north of Stillman
Graham Commercial	North of Rose, west of SR 99
Raven Commercial	Manning east of McCall
Amberwood Commercial	East of Orange Avenue between Floral and Dinuba
3-MD Industrial Park	Nebraska Avenue east of Dockery
Golden State Industrial Park	Park Street east of SR 99
Selma Crossings	Mountain View Avenue / SR 99
Brandywine	Southwest of Manning and McCall
Other Residential	Various locations – Cambridge, Country Rose, Heritage, Synergy, R.J. Hill, Amberwood, Hinesley, Merigian

Source: City of Selma

AGRICULTURAL RESOURCES

The California Department of Finance Demographic Research Unit forecasts that the Central Valley's population will more than double by the year 2040 to almost 10 million people. According to the American Farmland Trust, if current land use trends continue, nearly 900,000 acres of Central Valley farmland would be converted to urban uses and ranchette development, most of it high quality farmland. As noted in Section 4.0, the proposed Project would result in the loss of approximately 94 acres of prime farm land. The cumulative loss of farm land, together with other foreseeable regional development that results in loss of farmland, would be significant and unavoidable, and the Project's contribution would be cumulatively considerable.

AIR QUALITY

As growth continues in the San Joaquin Valley, even though overall air quality has improved, attainment of air quality standards will become more difficult. Proposed cumulative development planned in the Selma area will result in thousands of new homes and millions of square feet of new retail uses. The amount of mobile and stationary emissions would be substantially greater than what would be generated under existing conditions, or future conditions if the Project site were to remain rural. As identified in Section 5.0 of the EIR, the Project would contribute to air quality degradation and impede the region's ability to attain air quality standards. The cumulative air quality impacts of the Project, together with other foreseeable development throughout the San Joaquin Valley air basin would be cumulatively considerable and as such significant and unavoidable.

Cumulative impact emission totals are identified below.

Table 16-3
Cumulative Impact Emission Totals

SUMMARY REPORT	ROG	NO_X	PM_{10}
Operational (Vehicle) Emissions	44.71	51.46	49.95
Area Source Emissions	0.92	1.36	0.00
CUMULATIVE TOTAL EMISSIONS	**45.63**	**52.82**	**49.95**

Source: *VRPA Technologies, Inc. 2008*

The Project represents 48.5% of the area ROG emissions and 49.1% of NO_X emissions from the surrounding area. According to 2005 annual emission reporting data from the ARB, the San Joaquin Valley Air Basin has ROG and NO_X emissions of 143,635 tons and 179,690 tons, respectively, form all sources. The Project represents .03% of all ROG emissions and .03% of all NO_X emissions.

Greenhouse Gas Emissions and Global Climate Change

As described above in the Section 5.0, the cumulative increase in Greenhouse Gas (GHG) concentrations in the atmosphere has resulted in and will continue to result in increases in global average temperature and associated shifts in climatic and environmental conditions. The Project would contribute to greenhouse gas emissions by allowing for substantially greater development in the Project area than currently exists. The amount of emissions would be substantially greater than what would be generated under existing conditions, or future conditions if the Project area were to remain rural. The cumulative greenhouse gas emission and global climate change impacts of the Project, together with other foreseeable worldwide development, would be cumulatively considerable and as such significant and unavoidable.

BIOLOGICAL RESOURCES

The possible presence of special status animal species on the past, present and probable future projects listed above has either been documented in environmental documents prepared for the Project, or was inferred from the type of habitats present, California Natural Diversity Database records (CNDDB), and other information gleaned from planning documents and studies completed in the area.

Special status animal species have the potential to use all of the project sites listed in the cumulative analysis, as well as the larger Selma community. These include various raptor species (hawks and owls) that may forage on the sites, other migratory birds that may pass over these sites from time to time, and various bat species that may forage in the airspace over these sites. It is not known what effect the development of these sites will have on these special status species. Many will continue to move through (or over) these sites even after the proposed projects have been built. Species that forage in the airspace over the sites for insects or small birds may also continue to do so after these projects have been built. It is unlikely that cumulative development would result in a significant cumulative effect on these special status animal species.

CULTURAL RESOURCES

According to Section 7.0, it is unlikely that development of the Project site will have an effect on significant archaeological or other cultural resources in the vicinity. While grading and other construction activities have the potential to impact cultural resources on the Project site, compliance with recommended mitigation reduces the Project-specific impact to a less than significant level. Regional development could also affect cultural resources located in other parts of the Selma area. However, development in these areas would also be subject to appropriate mitigation and federal and State laws protecting cultural resources. Because build out of the Project site will include mitigation and compliance with federal and State laws to ensure protection and preservation of archaeological and cultural resources, no significant cumulative impact would occur.

GEOLOGY, SOILS, AND MINERAL RESOURCES

Significance criteria for geology and soils impacts are based on potential for damage caused by seismic or geologic hazards. There are no mineral resources on the Project site or in the Selma area. New developments would be affected to varying degrees by geologic and soil related hazards. However, both geologic and soil-related hazards are site-specific. Development in the Selma area will continue to expose people and property to seismic hazards and adverse soil conditions. Compliance with federal, State and local regulations addressing building construction would reduce the Project-level impacts associated with geology and soils to a less than significant level. Cumulative development projects would also be subject to local planning, building and engineering regulations. Review and permitting of specific development projects would involve implementation of individual project mitigation where needed. As a result, seismic and soils hazards and effects to mineral resources would be a less than significant cumulative impact.

HAZARDS AND HAZARDOUS MATERIALS

As discussed in Section 9.0 of the EIR, while there would be an increase in local population and employment, the proposed Project would not result in a significant impact related to hazards and hazardous materials due to local, regional, State and federal regulations. Similarly, as growth occurs in the City, additional people would be exposed to the risk of hazardous materials, wastes and wildland fires. However, regional, State and federal regulations would apply to development countywide, thereby reducing the potential for cumulative impacts associated with hazards and hazardous materials to a less than significant level.

HYDROLOGY AND WATER QUALITY

As development proceeds within the proposed Project area, an increase in storm water runoff will result in potential impact to surface and groundwater quality. However, as discussed in Section 10.0 of the EIR, Project-level water quality and flooding impacts would be reduced to a less than significant level through compliance with existing regulations and proposed mitigation contained within the EIR. Other cumulative development would also result in additional storm water runoff. This regional development would also be required to comply with regional, State and federal regulations designed to appropriately manage and control storm water runoff, water quality and flooding. Compliance with these regulations will reduce the potential for cumulative hydrological and water quality impacts to less than significant and the proposed Project would, therefore, result in a less than significant cumulative impact.

- Inadequate emergency access. Roads surrounding the Project site will be improved to provide for adequate emergency access.
- Rail or waterborne impacts. There are no rail or waterborne facilities in the Project vicinity.
- Energy and mineral resources. There are no energy or mineral resources located on the Project site.
- Possible interference with an emergency response plan or emergency evacuation plan. There are no known emergency response or evacuation plans in the site vicinity which the Project would affect.
- Communication systems. Communication systems will be extended to the site as development occurs. No adverse impacts are expected.

16.7 MANDATOREY FINDINGS OF SIGNIFICANCE

The following topic areas are taken from Appendix G of the CEQA Guidelines.

a. *Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?*

As discussed in Section 16.4, Significant And Unavoidable Environmental Effects, implementation of the Project would result in significant and unavoidable impacts in the areas of conversion of Prime Farmland to non-agricultural use; violation of air quality standards; and traffic impacts should mitigation measures not be feasible. These significant and unavoidable impacts will degrade the quality of the environment on the Project site and in this portion of the Selma community.

Analysis in Section 6.0, Biological Resources, did not determine that the Project would substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, or reduce the number or restrict the range of a rare or endangered plant or animal. With mitigation, potential impacts to biological resources can be reduced to less than significant levels.

Analysis in Section 7.0, Historical Resources, did not determine that the Project would eliminate important examples of the major periods of California history or prehistory. With mitigation, potential impacts to cultural resources can be reduced to less than significant levels.

b. *Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?*

Analysis in Section 16.6, Cumulative Impacts, determined that the following impacts as a result of the Project are cumulatively considerable:

Planned development in the Selma area will generate additional cumulative demand for water, which will be provided through groundwater sources as well as surface water recharge. As discussed in Section 10.0 of the EIR, the proposed Project would not result in depletion of groundwater supplies with mitigation for groundwater recharge. Because the Project will use groundwater, it will contribute to cumulative groundwater impacts resulting from new development throughout the region. The Project-specific analysis in Section 10.0 of this Draft EIR concluded that construction of new and expanded water facilities to serve the proposed Project would result in a less than significant impact at the Project level. In consideration of required mitigation, the Project's contribution to cumulative water impacts is considered to be less than cumulatively considerable.

Based upon the analysis in the Water Supply Assessment for the Project prepared by Cal Water, there is sufficient water to supply the proposed Project through 2030. Regardless, it is widely recognized that water is a finite resource, especially in the West. Water supplies in the future may be affected by the effects of global climate change. It is anticipated that the winter snow season would be shortened if the temperature of the ocean warms, thereby affecting snowpack in the Sierra Nevada. According to a California Climate Change Center report (*Our Changing Climate: Assessing the Risks to California*), the snowpack portion of water supply could potentially decline by 70 to 90% by the end of the 21st century. This phenomenon could lead to changes in the amount of surface and ground water and could result in significant challenges to securing an adequate water supply. Potential impacts specific to the Selma area water supply sources are not known at this time.

With conservation, implementation of smart growth techniques and reclamation/recycling measures in place to reduce demands on this finite resource, cumulative impacts of the Project and related projects are considered less than cumulatively considerable in the context of global warming.

LAND USE

The land use analysis of the proposed Project in Section 11.0 found that the Project would not conflict with established land uses or conflict with adopted land use or habitat plans or policies. Since the Project would not result in a land use impact, the Project would also not contribute to a cumulative land use impact.

NOISE

Noise levels from the Project are not expected to exceed standards of the Selma Noise Element or Noise Ordinance. This is a less than significant Project impact and, therefore, the Project would contribute to less than significant cumulative impacts.

POPULATION AND HOUSING

The proposed Project would provide employment for a growing population but would not induce growth in and of itself. As a result, there would not be a significant or unavoidable Project-level impact. Growth will also occur elsewhere in Selma as well as in other nearby cities and unincorporated communities in Fresno County. The City of Selma is required by State law to use the General Plan process, as well as other planning processes such as utility master plans, to plan for and control future growth. As a result, there would not be a cumulative impact associated with unplanned growth and the proposed Project would not contribute to a significant cumulative impact.

PUBLIC SERVICES, RECREATION, AND UTILITIES SERVICE SYSTEMS

Police and fire protection services, educational, and park and recreational services and facilities already exist or are provided in the Selma area. The proposed Project includes mitigation for the provision of adequate fire protection, law enforcement, educational facilities, and park and recreational services and facilities to off-set Project impacts. Therefore, no cumulative impacts are anticipated.

Demands for wastewater collection, treatment, and disposal that will arise from the approval of the proposed Project, in addition to the demands for these services from other proposed and/or approved projects, would have a cumulative impact upon the Selma Kingsburg Fowler County Sanitation District. In the context of cumulative development, wastewater collection, treatment, and disposal facilities would require expansion, improvements, and modifications by SKF for increased flows above current permitted flow limits. Based on the standards of significance, the cumulative impacts of the Project and related projects are potentially significant. Implementation of the Project would contribute to impacts which are cumulatively considerable.

As discussed in Section 14.0 of the EIR, the American Avenue landfill has capacity until at least 2031, and is planning for additional expansions to meet the regional demand for solid waste disposal. The cumulative population growth within the County was considered when evaluating the lifespan of the facility and planning for future expansions. Accordingly, the Project's contribution to cumulative solid waste impacts is considered to be less than cumulatively considerable.

As discussed in Section 14.0, the Project would avoid a significant Project-level impact associated with the wasteful use of energy by complying with State regulations. Similarly, other jurisdictions in Fresno County are required to meet State regulations in regard to energy conservation, such as required by Title 24. As a result, the Project's contribution to cumulative impacts related to the use and transmission of electricity and natural gas is considered to be less than cumulatively considerable.

TRAFFIC

The Project would generate an increase in traffic that will affect circulation conditions on local and regional roadways. Refer to Section 15.0 for a discussion of impacts and mitigation measures related to cumulative traffic impacts. This section identifies Cumulative Year 2030 With-Project conditions. A significant impact occurs if the additional traffic generation from the Project results in a Level of Service above established thresholds. After implementation of mitigation measures, several intersections and roadway segments remain significantly impacted. The cumulative increase in traffic generation, together with other foreseeable regional development that results in additional traffic generation, would be significant and unavoidable, and the Project's contribution would be cumulatively considerable.

16.6 EFFECTS NOT FOUND TO BE SIGNIFICANT

Based on Project analysis by City staff and responses to the Notice of Preparation, the potential impacts of the Project on the following impact areas were considered not to be significant as a result of Project implementation:

- Displace existing housing, especially affordable housing. The Project is to be located on land currently in agricultural production or fallow land. Although limited rural residential units would be displaced, the impact is not substantial.

- Aesthetics
- Agricultural resources
- Air Quality and Greenhouse Gas emissions
- Wastewater treatment
- Traffic

c. *Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?*

Analysis in the EIR did not find that substantial adverse effects on human beings, either directly or indirectly will occur with Project implementation.

17.0 SOURCES CONSULTED

Alternatives Growth Alliance, *A Landscape of Choice*, 1998

California Climate Action Registry *website*

California Water Service Company, *Selma Metropolitan Water Resources Management Plan*, 2006

City of Selma, 1997 *General Plan and Final EIR*

City of Selma, *Selma General Plan Update- Draft*

City of Selma, *Selma Zoning Ordinance*

City of Selma, *Northwest Specific Plan*

Council of Fresno County Governments, *Fresno County Model Farmland Ordinance*

PG&E, *Information Report on the Pacific Gas and Electric Company*

San Joaquin Valley Air Pollution Control District, *Air Quality Guidelines for General Plans*

United States Department of Agriculture, *Soil Survey Eastern Fresno Area*

Mike Gaston, Director, City of Selma Community Development Department

Greg Martin, Associate Planner, City of Selma Community Development Department

Sheri Clark, Fresno County Environmental Health Division

Appendix A

Notice of Preparation (NOP)
Letters Received in Response to the NOP

CITY OF SELMA, CALIFORNIA

NOTICE OF PREPARATION

TO PREPARE AN Environmental Impact Report (EIR)

Issue Date: June 22, 2007

To: **State Agencies**
Responsible Agencies
Local and Public Agencies
Trustee Agencies
Interested Parties

From: **City of Selma, Lead Agency**
Community Development Dept.
1710 Tucker Street
Selma, CA 93662

SUBJECT: **NOTICE OF PREPARATION (NOP) - City of Selma "*Rockwell Pond Specific Plan*" EIR Pursuant to the Requirements of the California Environmental Quality Act (CEQA).**

Please be advised that the City of Selma will be Lead Agency and prepare an EIR for the Project described herein. In compliance with the CEQA Guidelines, an Initial Study was not prepared in view of the fact that the City resolved to require an EIR during its preliminary review of the project.

Responding to the NOP. Within 30 days after receiving the NOP, each responsible and trustee agency, the Office of Planning and Research, and individuals are requested to provide specific details about the scope and content of the environmental information that should be included in the EIR. Your response should identify significant environmental issues and if your agency will be a responsible agency or trustee agency for the project. A generalized list of concerns not related to the specific project shall not meet the requirements of this section for a response. Please be advised that your agency may need to use the EIR when considering a permit or other approval for the project.

The NOP comment period on the scope of the EIR will extend for 30 days from receipt of this notice. Therefore your responses need to be submitted by no later than **5:00 PM on July 23, 2007**. Files related to the Project will be maintained at the address listed above and may be viewed by appointment Monday through Friday during regular business hours. Please be advised that if no comments are received by the end of the comment period, the Lead Agency may presume that you do not have a response to make. All agencies and individuals responding to the NOP are welcome to suggest additional environmental impacts that should be included in the EIR.

Where to Respond: Please send your comments to Mr. Michael Gaston, AICP, Community Development Director, City of Selma, at the address shown above.

Public Scoping Meeting: A scoping meeting on the EIR will be held at Selma City Hall, 1710 Tucker Street, on June 28, 2007, at 3:30 PM to refine the scope and content of issues to be discussed in the EIR.

Date: 6-19-07 **Signature:** Michael S. Gaston

Mr. Michael Gaston, AICP
City of Selma
Community Development Director
Telephone: (559) 891-2265
Fax: (559) 898-0338

I. PROJECT DESCRIPTION AND LOCATION

The proposed Project is the "Rockwell Pond Specific Plan" for the development of approximately 229 acres adjacent to northwest Selma. The triangularly-shaped site is bounded by Floral Avenue to the south, De Wolf Avenue on the west, State Route 99 on the northeast, and existing commercial development (Wal-Mart) to the east. Dinuba Avenue is located at the northern tip of the area. The site is located within the Selma Sphere of Influence (SOI) in Fresno County, California (see Figure 1) and would require annexation to the City.

A specific plan is proposed to provide for development of regional commercial, specialty commercial, business park, residential, and open space land uses. The Project site incorporates Rockwell Pond, a flood control and water recharge area owned by the Consolidated Irrigation District (CID). Public recreational facilities are proposed adjacent to Rockwell Pond, including linear parks, pedestrian and bicycle trails, and passive open space areas. Table 1 shows the proposed mix of land uses:

Table 1
Proposed Mix of Land Uses – Rockwell Pond Specific Plan

Land Use	Acres +/- (approximate)	Estimated Sq. ft. /units
Regional Commercial	116.3	1,053,853 sf
Light Industrial/Business Park	44.9	430,000 sf
Medium Density Residential	16.0	60-120 units
Public Open Space	20.0	n/a
Rockwell Pond	31.7	n/a
TOTALS (approximate)	**228.9 acres**	**1,326,100 sf 60-120 units**

A conceptual land use plan is presented in Figure 2 and will be refined as the specific plan is completed.

Most of the Project site is in agricultural use and planted to vineyard. Rockwell pond is a natural drainage area of approximately 51.7 acres which is planned as both public open space and ponding area in the table above. Aside from the ponding area, the land is flat with no distinguishing features. Land to the west of De Wolf is in agriculture and Rockwell Pond extends into this area. The Selma airport is located approximately ½ mile west of De Wolf. Land to the south is in agricultural use. Property to the east is developed with commercial uses. State Route 99 is located to the north east.

The Project site is designated as Open Space, Business Park Reserve, and Commercial Reserve on the Selma General Plan. The site is designated for agriculture and open space by the Fresno County General Plan and zoned AE-20 (Exclusive Agriculture, 20-acre minimum parcel size).

The first phase of the development includes specific applications for property located south of Rockwell Pond. The developer/applicant (Mr. Cliff Tutelian) has submitted applications for a general plan amendment, zone change (pre-zoning), site plan review, and annexation for approximately 94 acres. Proposed development includes a regional retail center, a multi-story hotel, a sit-down restaurant, and new car sales. The proposal constitutes approximately 896,100 square feet.

The remainder of the Project area will develop in the future under policies of the specific plan. As areas develop, the City will process annexations/reorganizations through Fresno LAFCO. This process includes the prezoning of proposed development sites consistent with the adopted land use element that would only become effective upon annexation. Future projects may require the processing of tentative tract maps and/or tentative parcel maps, site plan reviews, and/or conditional use permits to implement other phases of development in the area.

II. PREPARATION OF THE SPECIFIC PLAN

Government Code Sections 65450-65457 provide that the City of Selma has the authority to initiate the preparation of a specific plan. The proposed plan will incorporate land uses and zoning regulations, development standards, infrastructure plans, and development approval processes for commercial, business park, residential, and open space uses. The specific plan will include text, maps, tables and diagrams and be developed as a cooperative effort between the City and property owners.

The land use element will propose the general distribution of land uses, including standards for population density and building intensity. In addition, the land use element will contain a zoning consistency matrix, outlining existing and proposed zone districts. The circulation element will identify major and minor on-site roadways as well as project entrances and other access issues. A key issue is internal circulation within the study area, including a possible bridge structure across Rockwell Pond. The infrastructure plan will identify the location of major public facilities and discuss financing alternatives. The plan will also include design guidelines for all structures, site plans, and landscaping. An administrative draft specific plan will be prepared for City review as the basis for EIR preparation and public presentations.

III. PREPARATION OF THE DRAFT AND FINAL EIR

The EIR would be prepared at a "project" level for the proposed Tutelian applications and at a "program" level for the specific plan area in general. As specific development projects are submitted in the balance of the specific plan area, additional project specific environmental documentation may be required.

POTENTIAL ENVIRONMENTAL EFFECTS OF THE PROJECT

During review of the proposed Project, certain probable environmental effects of the project were identified that could generate potentially significant impacts as discussed below.

Agricultural Resources. The EIR will examine:

- Potential impacts to Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency.
- If the proposed project is incompatible with adjacent agricultural land uses or would cause a potentially substantial adverse change in the type or intensity of existing land use.
- Impacts related to the conversion of prime agricultural land to non-agricultural use and the potential for the project to contribute to a cumulative loss of agricultural lands.
- If the project would bring about the cancellation of a Williamson Act contract.

Air Quality. The EIR will examine:

- Potential impacts of project traffic and other potential on-site emissions on regional air quality;
- Existing air quality conditions in the local air basin, regionally, and in Fresno County;
- Local, state and national standards, including a discussion of the Air Quality Attainment Plan of the San Joaquin Valley Air Pollution Control District;
- Project emissions generation pursuant to the SJVAPCD model.

To assess potential air quality impacts from the Project, daily and annual emissions of several air pollutants will be quantified. To determine the significance of Project impacts, these emissions will be compared with thresholds of significance established by the San Joaquin Valley Air Pollution Control District.

Geology and Soils. The EIR will examine:

- The potential for erosion and sedimentation during construction, erosion hazards, and the soil characteristics for accommodating drainage.
- Erosion and sedimentation impacts;
- The effect on Rockwell Pond. Flood plain conditions and the potential for flood hazards;
- The suitability of the site for the proposed disposal of storm water.

Land Use. The EIR will examine:

- The Project's compatibility with existing and planned land uses in the area.
- The environmental affects of the project on other properties, including incorporated areas of the City of Selma;
- Compliance with and the affect on the City general plan policies and LAFCO annexation issues;
- Potential conflicts with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (adopted for the purpose of avoiding or mitigating an environmental effect).

Public Services. The EIR will examine:

- Service capabilities and the effects of the Project on public services by identifying anticipated demands on existing and planned service availability.
- Project plans and impacts on community water, including adequate quantity, quality, and fire flow;
- The adequacy of long-term water supply;
- Project plans and impacts on wastewater collection and treatment;
- Solid waste generation and disposal;
- Impacts on city police and fire services;
- Impacts to energy resources;
- Impacts to public schools.

The EIR will include a SB 610 analysis. Major topics to be addressed include hydro-geologic conditions, groundwater conditions, groundwater recharge areas, water budget; and future groundwater supply sufficiency, including analysis of historical and future pumping effects and an estimated level of total pumpage for the Project area

Transportation/ Traffic. The EIR will examine:

- Potential impacts on City, County, and State road systems.
- Traffic generation, distribution, and type of vehicles;
- All intersections in the vicinity that may be impacted by the proposed development;
- Capacities and levels of service for existing and planned roads and intersections impacted without the project, with the project, and with cumulative projects;
- Proposed or warranted improvements generated by the project;
- Other traffic concerns including impacts to Highway 99 and the Floral Avenue interchange.
- Analysis of the proposed Highway 99/Dinuba Avenue interchange and Highway 43 Bypass.

The traffic report would be scoped with the City, Fresno County, and Caltrans and be prepared consistent with the Caltrans' *Guide to Traffic Studies*. The project will be required to participate in mitigating cumulative impacts to the transportation system. This will likely involve the completion of physical improvements together with the payment of a fair share mitigation fee. The potential for a benefit assessment district to be formed for this area to finance required improvements has been discussed, although no specific strategy has been developed.

Aesthetics – The EIR will examine existing visual resources at the proposed project site and describe whether implementation of the proposed project would cause a substantial adverse change in the significance of a visual resource, including views, or result in a significant increase in light or glare.

Biological Resources – Although the Project site has been farmed in the past, its open nature and riparian areas within and adjacent to Rockwell Pond presents the possibility for impacts to biological resources. The California Natural Diversity Data Base will be consulted for possible species of concern and field surveys will be undertaken. It is also proposed that portions of Rockwell Pond be filled to provide additional development area, including retail space near DeWolf Avenue and improved park space in the center of the project. Such fill will be subject to permitting requirements of regulatory agencies, including the California Department of Fish and Game, the Regional Water Quality Control Board, and the U.S. Army Corps of Engineers.

Cultural Resources – A record search will be initiated and field reconnaissance undertaken to determine the project impacts on cultural and historical resources.

Hazards and Hazardous Materials – Potential effects include those associated with exposure to hazardous materials used, stored, transported, or disposed of during construction activities or project operations.

Hydrology and Water Quality – The EIR will examine the potential impacts of the proposed Project on water supply and drainage by identifying anticipated demands on existing and planned service availability, including facilities of CID. Impacts to water supply and drainage facilities may be identified in two general areas: 1) the need for new or expanded services/facilities as a result of project implementation, and 2) the potential reduction of existing and/or future service levels.

Noise – The EIR will examine noise sources including those from traffic, SR 99, and the Selma airport. A study will be prepared using noise monitoring equipment to identify the existing noise environment and noise modeling to determine potential impacts.

Utilities and Public Service Systems – The EIR will examine the potential impacts of the proposed Project on public utilities, including electricity, natural gas, and telephone.

Project Alternatives - Pursuant to Section 15126.6 of the CEQA Guidelines, the EIR will consider a reasonable range of alternatives to the proposed Project and how these alternatives are consistent with the stated objectives of the Project. Alternatives should be considered that reduce or eliminate significant environmental affects. The following alternatives may be considered in the EIR:

- **No Project Alternative:** Under this alternative, the project site would not be developed with the proposed use. The site would continue in agriculture and open space uses. It is anticipated that this scenario would have the least environmental impacts to the environment.
- **Reduced Intensity Project:** In this scenario, urban development of the project site would occur, but at reduced intensities.
- **Alternative Location:** Development within the existing City or another suitable site may be reviewed.

Impact Overview. CEQA-mandated sections will be included to discuss short versus long-term impacts, significant unavoidable impacts, and growth inducement. The EIR will address cumulative impacts with respect to Section 15130 of the CEQA Guidelines. The cumulative analysis will include a discussion of greenhouse gas emissions and the project's potential contribution to climate change.

Streamlined Environmental Review for Subsequent Projects

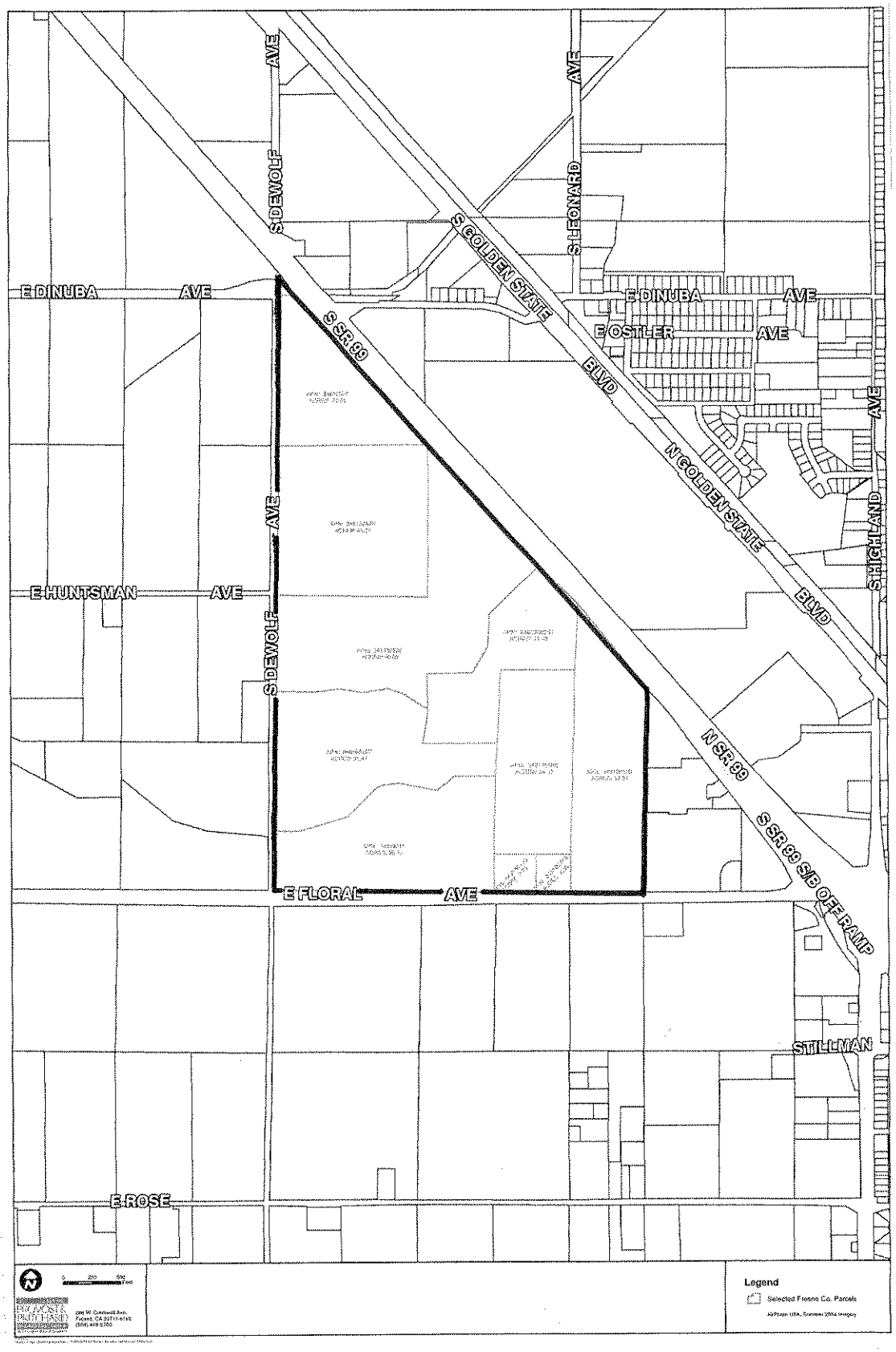
The Lead Agency intends to streamline the CEQA process for subsequent projects found to be consistent with the "Rockwell Pond Specific Plan" EIR. The EIR will propose the "incorporation by reference" of environmental analysis as defined in Section 15150 of the CEQA Guidelines. At the earliest opportunity, the most appropriate type of document to be prepared for subsequent projects will be determined. Your advice and input are invited at this time as to the appropriate type of EIR format.

IV. REQUESTS FOR ADDITIONAL INFORMATION

If you need additional information about the "Rockwell Pond Specific Plan Project", please contact Mr. Michael Gaston, AICP, City of Selma Community Development Director at (559) 891-2265.

DRAFT – SUBJECT TO REVISION – FOR DISCUSSION PURPOSES ONLY

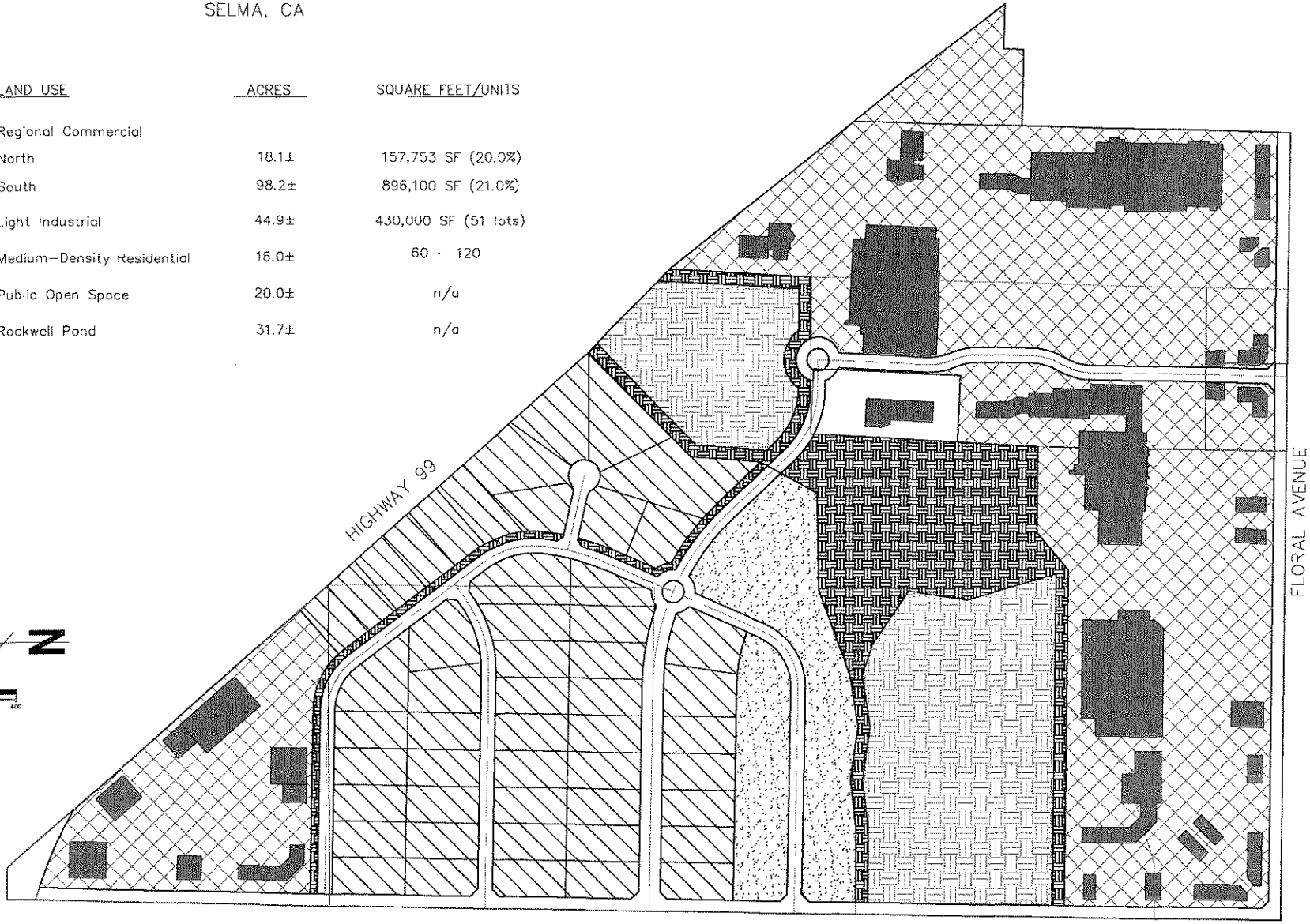
FIGURE 1 – PROJECT SITE LOCATION MAP



ROCKWELL POND SPECIFIC PLAN AREA

SELMA, CA

LAND USE	ACRES	SQUARE FEET/UNITS
Regional Commercial		
North	18.1±	157,753 SF (20.0%)
South	98.2±	896,100 SF (21.0%)
Light Industrial	44.9±	430,000 SF (51 lots)
Medium-Density Residential	16.0±	60 – 120
Public Open Space	20.0±	n/a
Rockwell Pond	31.7±	n/a



CLIFF TUTELIAN
CITY OF SELMA
FRESNO COUNTY, CALIFORNIA

ROCKWELL POND PLAN AREA

DESIGN ENGINEER:
LICENSE NO:
DRAFTED BY: JNG
CHECKED BY:
SCALE: AS SHOWN
DATE: 6/20/2007
JOB NO: 1097030
DWG. NO:
SHEET
1 OF 1

6/20/2007 10:45 AM G:\Clients\Land Dev Assoc - 1097\Selma\Pond # 99 Site Plan.dwg - Jeff O'Neal

County of Fresno
Department of Community Health
Edward L. Moreno, M.D., M.P.H., Director-Health Officer

July 5, 2007

999999999
LU0013953
PE 2600

Michael Gatson, Community Development Director
City of Selma Community Development Department
1700 Tucker Street
Selma, CA 93662

Dear Mr. Gatson:

SUBJECT: Rockwell Pond Specific Plan, Notice of Intent for Preparation of an EIR
LOCATION: 229-acres northwest of the City of Selma

The Fresno County Department of Community Health, Environmental Health Division has reviewed the subject project and offers the following comments:

- The Fresno County Department of Community Health is concerned that abandoned water wells are not being properly destroyed, particularly with respect to new development projects. As city boundaries expand, community services are provided to areas originally served only by individual domestic and agricultural wells. Improper abandonment of such wells presents a significant risk of contaminating the city's community water supply. For this reason, when development occurs, it is extremely important to ensure the safe and proper destruction of all abandoned water wells.

  Prior to destruction of any existing agricultural well(s), a sample of the upper most fluid in the well column should be sampled for lubricating oil. The presence of oil staining around the well may indicate the use of lubricating oil to maintain the well pump. Should lubricating oil be found in the well, the oil should be removed from the well prior to placement of fill material for destruction. The "oily water" removed from the well must be handled in accordance with federal, state and local government requirements. Transportation of these materials on public roadways may require special permits and licensure.

  The Department of Community Health is available to provide consultation in cooperation with your city in order to encourage the proper destruction of wells and safeguard our water quality. City staff may contact Ed Yamamoto, Environmental Health Specialist, Water Surveillance Program, at (559) 445-3357 for more information.

- This Department recommends that any existing rural residential parcel(s) be required to connect to the City of Selma sewer system (SKF) or an alternate system that is proposed for evaluation in the EIR in the event of a failure of the existing sewage system(s), and that no building permits be issued for repair of such a system whether or not the mandatory three (3) year connection requirement has expired.

- Although this Department's records do not indicate the use or storage of hazardous materials on the project site, it appears that the site has been used for agricultural purposes. Therefore this Department recommends that a Phase One site assessment be performed. This is in agreement with Department of Toxic Substances Control recommendations' for additional research to be conducted to determine if and where storage, mixing, rinsing, and disposal of pesticides may have occurred and whether contamination exists.

- This Department concurs with the proposal to conduct an acoustical analysis in order to identify the potential noise impacts and offer mitigation alternatives, consideration should be given to conformance with the applicable standards of the Noise Element of the City of Selma General Plan.

If I can be of further assistance, please contact me at (559) 445-3357.

Sincerely,

Glenn Allen, R.E.H.S.
Environmental Health Specialist III
Environmental Health Division

ga

cc: Ed Yamamoto, Environmental Health Division

STATE OF CALIFORNIA Arnold Schwarzenegger, Governor

NATIVE AMERICAN HERITAGE COMMISSION
915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-6251
Fax (916) 657-5390
www.nahc.ca.gov
ds_nahc@pacbell.net

CITY OF SELMA
ANNEX

JUL 12 2007

COMMUNITY DEVELOPMENT
RECEIVED

July 9, 2007

Mr. Michael Gaston
City of Selma
1710 Tucker Street
Selma, CA 93662

Re: SCH# 2007061098; CEQA Notice of Preparation (NOP) draft Environmental Impact Report (DEIR) for Rockwell Specific Plan; City of Selma; Fresno County, California

Dear Mr. Gaston:

Thank you for the opportunity to comment on the above-referenced document. The California Environmental Quality Act (CEQA) requires that any project that causes a substantial adverse change in the significance of an historical resource, that includes archeological resources, is a 'significant effect' requiring the preparation of an Environmental Impact Report (EIR per CEQA guidelines § 15064.5(b)(c). In order to comply with this provision, the lead agency is required to assess whether the project will have an adverse impact on these resources within the 'area of potential effect (APE),' and if so, to mitigate that effect. To adequately assess the project-related impacts on historical resources, the Commission recommends the following action:

√ Contact the appropriate California Historic Resources Information Center (CHRIS). Contact information for the 'Information Center' nearest you is available from the State Office of Historic Preservation in Sacramento (916/653-7278). The record search will determine:

- If a part or the entire (APE) has been previously surveyed for cultural resources.
- If any known cultural resources have already been recorded in or adjacent to the APE.
- If the probability is low, moderate, or high that cultural resources are located in the APE.
- If a survey is required to determine whether previously unrecorded cultural resources are present.

√ If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.

- The final report containing site forms, site significance, and mitigation measurers should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for pubic disclosure.
- The final written report should be submitted within 3 months after work has been completed to the appropriate regional archaeological Information Center.

√ Contact the Native American Heritage Commission (NAHC) for:

- A Sacred Lands File (SLF) search of the project area and information on tribal contacts in the project vicinity who may have information on cultural resources in or near the APE. Please provide us site identification as follows: USGS 7.5-minute quadrangle citation with name, township, range and section. This will assist us with the SLF.
- Also, we recommend that you contact the Native American contacts on the attached list to get their input on the effect of potential project (e.g. APE) Impact.

√ Lack of surface evidence of archeological resources does not preclude their subsurface existence.

- Lead agencies should include in their mitigation plan provisions for the identification and evaluation of accidentally discovered archeological resources, per California Environmental Quality Act (CEQA) §15064.5 (f). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American, with knowledge in cultural resources, should monitor all ground-disturbing activities.
- Lead agencies should include in their mitigation plan provisions for the disposition of recovered artifacts, in consultation with culturally affiliated Native Americans.

√ Lead agencies should include provisions for discovery of Native American human remains or unmarked cemeteries in their mitigation plans.

- CEQA Guidelines, Section 15064.5(d) requires the lead agency to work with the Native Americans identified by this Commission if the initial Study identifies the presence or likely presence of Native American human remains within the APE. CEQA Guidelines provide for agreements with Native American, identified by the NAHC, to assure the appropriate and dignified treatment of Native American human remains and any associated grave liens.

√ Health and Safety Code §7050.5, Public Resources Code §5097.98 and Sec. §15064.5 (d) of the CEQA Guidelines mandate procedures to be followed in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery.

√ Lead agencies should consider avoidance, as defined in § 15370 of the CEQA Guidelines, when significant cultural resources are discovered during the course of project planning.

Please feel free to contact me at (916) 653-6251 if you have any questions.

Sincerely,

Dave Singleton
Program Analyst

Cc: State Clearinghouse

Attachment: List of Native American Contacts

Native American Contacts
Fresno County
July 9, 2007

Big Sandy Rancheria of Mono Indians
Connie Lewis, Chairperson
P.O. Box 337 / 7302 Rancheria Western Mono
Auberry , CA 93602
cl@bigsandyrancheria.com
(559) 855-4003
(559) 855-4129 Fax

Dumna Tribal Government
Karin Wilson Kirkendal, Chairperson
1003 S. 9th St. Dumna/Foothill
Fresno , CA 93702 Choinumni
559-681-7354

Santa Rosa Rancheria
Clarence Atwell, Chairperson
P.O. Box 8 Tache
Lemoore , CA 93245 Tachi
(559) 924-1278 Yokut
(559) 924-3583 Fax

Traditional Choinumni Tribe
Angie Osborne
2787 N Piedra Road Choinumni/Foothill
Sanger , CA 93657
(559) 787-2434

Table Mountain Rancheria
Lee Ann Walker Grant, Chairperson
P.O. Box 410 Yokuts
Friant , CA 93626-0177
(559) 822-2587
(559) 822-2693 FAX

Sierra Nevada Native American Coalition
Lawrence Bill, Interim Chairperson
P.O. 125 Mono
Dunlap , CA 93621 Foothill Yokuts
lb2354@yahoo.com
(559) 338-2354

Dunlap Band of Mono Indians
Florence Dick, Tribal Secretary
P.O. Box 344 Mono
Dunlap , CA 93621
tribecouncil@dunlapmono.org
(209) 338-2329

Kenneth Woodrow
1179 Rock Haven Ct. Foothill Yokuts
Salinas , CA 93906 Mono
831-443-9702

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native American with regard to cultural resources for the proposed SCH#2007061098; CEQA Notice of Preparation (NOP) draft Environmental Impact Report (DEIR) for Rockwell Specific Plan; City of Selma; Fresno County, California.

Native American Contacts
Fresno County
July 9, 2007

Dumna Tribal Government
Jim Redmoon - Cultural Resources Representative
535 W. Dayton Dumna/Foothill
Fresno , CA 93705 Choinumni
559-241-0226

Carol Bill - Tribal Administrator
Cold Springs Rancheria of Mono Indians
P.O. Box 209 Mono
Tollhouse , CA 93667
(559) 855-5043
(559) 855-4445 - FAX
coldsprgstribe@netpt

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native American with regard to cultural resources for the proposed SCH#2007061096; CEQA Notice of Preparation (NOP) draft Environmental Impact Report (DEIR) for Rockwell Specific Plan; City of Selma; Fresno County, California.

CONSOLIDATED IRRIGATION DISTRICT

OFFICERS
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MARK A. GILKEY, Manager/Treasurer
MARGARET MACIAS, Secretary
ZOELLEN S. TAYLOR, Assessor Collector
J.B. SUMMERS, Consultant Engineer

2255 Chandler Street- PO Box 209 - Selma, California 93662
Phone (559) 896-1660 - Fax (559) 896-8488

DIRECTORS
THOMAS E. PEAVER, FOWLER
LARRY S. CRIPE, SELMA
STEVE FRAUENHEIM, SANGER
BOB PETERSEN, KINGSBURG
ROBERT NIELSEN JR., CARUTHERS

July 23, 2007

JUL 23 2007

Michael Gaston
City of Selma
Community Development Department
1710 Tucker Street
Selma, CA 93662

SUBJECT: Notice of Preparation for Rockwell Pond Specific Plan EIR

Dear Mr. Gaston:

Thank you for notifying the District with respect to the above project so that we may have input into the development process at an early stage. Consolidated Irrigation District (CID) has reviewed the Notice of Preparation of an Environmental Impact Report (EIR) for this project and anticipates that the project will have substantial impacts on the District, its facilities, and the water resources that the District is entrusted to manage. As an affected agency, CID has the following comments.

- **Impacts of Agricultural Land Conversion**: CID has determined through the preparation of an Urban Impacts Study and a Groundwater Impacts Analysis that conversion of the land from agriculture irrigated with imported surface water to commercial and residential urban use has the following impacts on CID. The project EIR should address these impacts and the mitigation thereof.

  - The change in water service to the land from surface water and groundwater to groundwater only reduces the assessment rate on the land and CID's annual revenue.

ASSOCIATION OF CALIFORNIA WATER AGENCIES

- As indicated in the District's Urban Impacts Study and Groundwater Analysis, the change in water service increases the average annual net consumption of groundwater by approximately 1.65 acre-feet per acre. This increase in net consumption compounds the existing groundwater overdraft in the District, which results primarily from urban groundwater demands without imported supplies. Mitigation of increased groundwater overdraft should include importation of additional surface water supplies and new recharge facilities.

- The analysis should not assume that CID will continue to deliver the same volume of imported surface water previously used on the converted land to the remaining agricultural lands adjacent to the development

- The change from rural agricultural land use to an urban environment restricts CID's access to its facilities, increases vandalism and trash in CID's facilities, and reduces the efficiency of the District's operation and maintenance activities.

- The proposed development is in close proximity to the Fowler Switch Canal, 84 Canal, and Rockwell Pond. In addition, there are two lateral lines (Woodward 24 inch and Rowel 30 inch) that serve and deliver surface water to users in the area. There are at least three spills into Rockwell pond, some joint use and one state owned by Caltrans. All of which could have potential waste water management and water quality concerns. These concerns need to be further studied.

- The change in land use results in a substantial increase of impervious surfaces and subsequent storm water drainage. Discharge of additional urban storm water into CID's system of canals and recharge ponds impacts District operations and maintenance. The developed urban land benefits from the District's disposal of the storm water without any compensation to the District or investment in the District's infrastructure that is utilized to dispose of the storm water.

- The change in land use brings a greater population in closer proximity to existing District facilities that are in need of improvements to address issues of public safety and District operating efficiency. Specific CID facilities in the Selma area that are in need of improvements due to urban development include the 84 Ditch along Highland Avenue and the Selma Branch Ditch east of McCall Avenue. Mitigation of the impacts development has on these facilities is formulated on a per acre basis of new development in our Urban Impacts Study.

- Use of the Rockwell Pond to retain urban storm water will not mitigate the groundwater impacts that CID has identified. There would be no net increase in groundwater recharge since the undeveloped project land currently can percolate the majority of local precipitation. If anything, diverting new storm water into Rockwell Pond would occupy space that might otherwise be used to recharge imported water, and this would reduce the pond's total recharge capacity.

- **Direct Impacts of Rockwell Pond:** The proposed development will have major impacts to CID's Rockwell Pond. Although CID was aware of conceptual plans for possible development in the vicinity of Rockwell Pond, the City has made no substantive attempt to coordinate with CID or formulate an agreement between CID and the City that addresses the impacts to the District. Without such discussions or agreement, preparation of an EIR is premature and will result in an incomplete document that does not adequately address the mitigation options.

    - The City may not legally do anything within the CID property of Rockwell Pond without CID's written agreement. Consequently, CID is a responsible agency under Section 15381 of the Guidelines with discretionary approval authority over significant aspects of the project.

    - Development along the perimeter of Rockwell Pond will limit the District's access to the pond for periodic grading and ripping of the soils. The suggested bridge structure across the pond would also limit access for these activities.

    - Improvements within the wetted area of the pond may reduce the total recharge capacity of the pond. The suggested backfilling of the pond to increase the developable area will reduce the recharge capacity of the pond.

    - The project will place a greater population in closer proximity to Rockwell Pond and this will increase CID's risk and potential liability.

    - Recreational use adjacent to and/or within the pond could result in future public petitions to regulate the pond's use for recreational benefits versus groundwater recharge benefits. This could ultimately reduce the recharge capacity of the pond by limiting when and how water is delivered into the pond. A conceptual agreement between CID and the City should address this type of issue prior to project planning.

- **Cumulative Impacts:** The EIR's analysis of water supplies and groundwater consumption should not be limited to the site specific groundwater impacts relative to the total overdraft in the region. It should consider the cumulative impacts from this development and other developments that have recently been built, recently approved or that have filed applications with the City.

- **SB610 Report:** CID would also request the opportunity to review and comment on the SB610 report being prepared in connection with the project. Please consider all of the groundwater issues raised in this letter as also being addressed to the scope of the SB 610 report. The SB610 report and this EIR should incorporate the findings of the WRIMES Groundwater Impact Analysis, a copy of which is attached.

- **Proposed Mitigation Measures:**

  - Provide a new water supply for the needs of the project. With the existing overdraft condition to the basin, new development will only further burden the circumstance. Other jurisdictions obtain their own contracts (Federal or State) to bring water into city limits to help balance these shortfalls. Require this development to do the same and mitigate any groundwater impacts it may cause.
  - CID has proposed an urban groundwater impact fee for additional recharge efforts. These recharge efforts would be in addition to what is currently being done. Estimated water consumption needs to be determined to truly mitigate ground water use by this development. This is information needed to accurately comment on effects and impacts to the environment.

  - A Mitigation measure that should be considered as part of the EIR is for of the City to provide a new recharge pond site *and* continuing to utilize Rockwell Pond for recharge, albeit under more limited conditions. This mitigation measure could address the limitations of the continued use of Rockwell Pond for recharge and it would address *part* of the groundwater impacts of the development. An additional water supply would need to be secured to offset the increased groundwater consumption caused by the development.

Please continue to notify us of future environmental documents regarding any aspect of this project and notify us at least 10 days prior to any City hearing discussing the environmental documents and/or the project. We would also expect to be treated with all of the rights of a responsible agency under CEQA with respect to this project. In particular, we would like the opportunity to discuss our concerns with the EIR consultant in a meeting prior to completion of the Draft EIR.

Very truly yours,

Mark Gilkey
General Manager