

**City of Fowler  
Housing Element  
2015-2023**



**Initial Study  
Mitigated Negative Declaration**

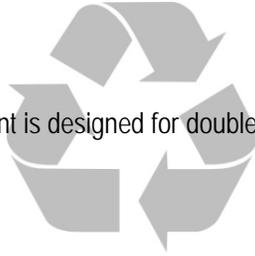


**Lead Agency**  
City of Fowler  
128 South 5<sup>th</sup> Street  
Fowler, California 93625

**Consultant**  
MIG  
537 South Raymond Avenue  
Pasadena, California 91101

December 2015

This document is designed for double-sided printing



# Table of Contents

<b>1</b>	<b>PURPOSE AND AUTHORITY .....</b>	<b>1</b>
	CONTENTS .....	1
	TIERING .....	1
	ANALYTICAL APPROACH.....	3
<b>2</b>	<b>PROJECT DESCRIPTION.....</b>	<b>5</b>
	PROJECT TITLE .....	5
	LEAD AGENCY/PROJECT SPONSOR NAME AND ADDRESS .....	5
	CONTACT PERSON AND PHONE NUMBER .....	5
	PROJECT LOCATION .....	5
	GENERAL PLAN DESIGNATIONS.....	5
	CHARACTERISTICS OF THE HOUSING ELEMENT .....	6
	SURROUNDING LAND USES.....	11
	ENVIRONMENTAL SETTING .....	11
	REQUIRED COUNTY/CITY APPROVALS .....	12
	OTHER AGENCY APPROVALS .....	12
<b>3</b>	<b>DETERMINATION.....</b>	<b>17</b>
	ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED.....	17
	DETERMINATION.....	17
<b>4</b>	<b>EVALUATION OF ENVIRONMENTAL IMPACTS.....</b>	<b>19</b>
	1. AESTHETICS .....	19
	2. AGRICULTURAL RESOURCES.....	21
	3. AIR QUALITY .....	23
	4. BIOLOGICAL RESOURCES .....	25
	5. CULTURAL RESOURCES.....	27
	6. GEOLOGY AND SOILS .....	29
	7. GREENHOUSE GAS EMISSIONS .....	31
	8. HAZARDS AND HAZARDOUS MATERIALS.....	33
	9. HYDROLOGY AND WATER QUALITY.....	36
	10. LAND USE AND PLANNING.....	39
	11. MINERAL RESOURCES.....	40
	12. NOISE .....	41
	13. POPULATION AND HOUSING .....	44
	14. PUBLIC SERVICES .....	45
	15. RECREATION .....	47
	16. TRANSPORTATION AND TRAFFIC.....	48
	17. UTILITIES AND SERVICE SYSTEMS .....	50
	18. MANDATORY FINDINGS OF SIGNIFICANCE .....	52
<b>5</b>	<b>LIST OF PREPARERS .....</b>	<b>53</b>
	LEAD AGENCY.....	53
	ENVIRONMENTAL ANALYSTS.....	53

## List of Tables

TABLE 1 RESIDENTIAL AND MIXED-USE LAND USES .....	5
TABLE 2 RESIDENTIAL ZONING DISTRICTS .....	6
TABLE 3 RHNA CREDITS AND REMAINING NEED.....	8
TABLE 4 FOURTH CYCLE CARRY-OVER ANALYSIS SUMMARY .....	8
TABLE 5 VACANT LAND INVENTORY .....	9
TABLE 6 REGIONAL HOUSING NEEDS ASSESSMENT ALLOCATION .....	9
TABLE 7 PLANNED OR APPROVED PROJECTS.....	10

TABLE 8 RHNA SUMMARY.....	10
TABLE 9 HUMAN REACTION TO VIBRATION.....	42
TABLE 10 COMMON CONSTRUCTION VIBRATION .....	43

## List of Figures

No table of figures entries found.

## List of Exhibits

EXHIBIT 1 REGIONAL CONTEXT AND VICINITY MAP .....	13
EXHIBIT 2 INVENTORY SITES.....	15

# 1 PURPOSE AND AUTHORITY

---

The purpose of this Initial Study is to identify and assess the significance of the physical effects on the environment due to potential future development guided by the goals and policies of the City of Fowler portion of the 2015-2023 Housing Element. Pursuant to the California Environmental Quality Act (CEQA), the proposed Housing Element is considered a "Project" and thus requires analysis and determination of environmental effects prior to approval.

This Initial Study has been prepared in accordance with the California Environmental Quality Act (CEQA) Statutes and Guidelines and the City of Fowler local rules and regulations. The proposed project requires discretionary approval by the City of Fowler and review by the California Department of Housing and Community Development (HCD). As the project initiator and because of the legislative approvals involved, the City of Fowler is the Lead Agency with respect to this Initial Study pursuant to §15367 of the CEQA Guidelines. Specifically, the Project requires City of Fowler approval of a General Plan Amendment and subsequent zoning changes, if necessary. No other governmental agencies have discretionary permitting authority with respect to approval of the proposed project, and no Trustee Agencies, as defined in §21070 of the CEQA Statutes, has jurisdiction over resources such that Trustee agency approval is required for entitlement approval.

Pursuant to §15074 of the CEQA Guidelines, prior to approving the Project, the City of Fowler is obligated to consider the findings of this Initial Study and to either adopt a Negative Declaration (ND) or a Mitigated Negative Declaration (MND), or determine that an Environmental Impact Report (EIR) is required due to potentially significant, unavoidable environmental impacts. The findings of this Initial Study support adoption of an MND, as discussed in Section 4. Either of these determinations indicate that the environmental impacts of the programs for accommodating housing pursuant to the Housing Element, in accordance with the governing land use planning policies and zoning standards, will be less than significant and that an EIR is not required.

## ***CONTENTS***

This document has been prepared to comply with Section 15063 of the State CEQA Guidelines that sets forth the required contents of an Initial Study. These include:

- A description of the project, including the location of the project (see Section 2)
- Identification of the environmental setting (see Section 2.11)
- Identification of environmental effects by use of a checklist, matrix, or other methods, provided that entries on the checklist or other form are briefly explained to indicate that there is some evidence to support the entries (see Section 3)
- Examination of whether the project is compatible with existing zoning, plans, and other applicable land use controls (see Sections 2.6 and 2.7)
- The name(s) of the person(s) who prepared or participated in the preparation of the Initial Study (see Section 5.1)

## ***TIERING***

Section 15152 et al of the CEQA Guidelines describes "tiering" as a streamlining tool as follows:

- (a) "Tiering" refers to using the analysis of general matters contained in a broader EIR (such as one prepared for a general plan or policy statement) with later EIRs and negative declarations on narrower projects; incorporating by reference the general discussions from the broader EIR; and concentrating the later EIR or negative declaration solely on the issues specific to the later project.*
- (b) Agencies are encouraged to tier the environmental analyses which they prepare for separate but related projects including general plans, zoning changes, and development projects. This approach can eliminate repetitive discussions of the same issues and focus the later EIR or negative declaration on the actual issues ripe for decision at each level of environmental review. Tiering is appropriate when the sequence of analysis is from an EIR prepared for a general plan,

policy, or program to an EIR or negative declaration for another plan, policy, or program of lesser scope, or to a site-specific EIR or negative declaration. Tiering does not excuse the lead agency from adequately analyzing reasonably foreseeable significant environmental effects of the project and does not justify deferring such analysis to a later tier EIR or negative declaration. However, the level of detail contained in a first tier EIR need not be greater than that of the program, plan, policy, or ordinance being analyzed.

- (c) Where a lead agency is using the tiering process in connection with an EIR for a large-scale planning approval, such as a general plan or component thereof (e.g., an area plan or community plan), the development of detailed, site-specific information may not be feasible but can be deferred, in many instances, until such time as the lead agency prepares a future environmental document in connection with a project of a more limited geographical scale, as long as deferral does not prevent adequate identification of significant effects of the planning approval at hand.
- (d) Where an EIR has been prepared and certified for a program, plan, policy, or ordinance consistent with the requirements of this section, any lead agency for a later project pursuant to or consistent with the program, plan, policy, or ordinance should limit the EIR or negative declaration on the later project to affects which:
  - (1) Were not examined as significant effects on the environment in the prior EIR; or
  - (2) *Are susceptible to substantial reduction or avoidance by the choice of specific revisions in the project, by the imposition of conditions, or other means.*
- (e) *Tiering under this section shall be limited to situations where the project is consistent with the general plan and zoning of the city or county in which the project is located, except that a project requiring a rezone to achieve or maintain conformity with a general plan may be subject to tiering.*
- (f) *A later EIR shall be required when the initial study or other analysis finds that the later project may cause significant effects on the environment that were not adequately addressed in the prior EIR. A negative declaration shall be required when the provisions of Section 15070 are met.*
  - (1) *Where a lead agency determines that a cumulative effect has been adequately addressed in the prior EIR that effect is not treated as significant for purposes of the later EIR or negative declaration, and need not be discussed in detail.*
  - (2) *When assessing whether there is a new significant cumulative effect, the lead agency shall consider whether the incremental effects of the project would be considerable when viewed in the context of past, present, and probable future projects. At this point, the question is not whether there is a significant cumulative impact, but whether the effects of the project are cumulatively considerable. For a discussion on how to assess whether project impacts are cumulatively considerable, see Section 15064(i).*
  - (3) *Significant environmental effects have been "adequately addressed" if the lead agency determines that:*
    - (A) *they have been mitigated or avoided as a result of the prior environmental impact report and findings adopted in connection with that prior environmental report; or*
    - (B) *they have been examined at a sufficient level of detail in the prior environmental impact report to enable those effects to be mitigated or avoided by site specific revisions, the imposition of conditions, or by other means in connection with the approval of the later project.*
- (g) *When tiering is used, the later EIRs or negative declarations shall refer to the prior EIR and state where a copy of the prior EIR may be examined. The later EIR or negative declaration should state that the lead agency is using the tiering concept and that it is being tiered with the earlier EIR.*

(h) *There are various types of EIRs that may be used in a tiering situation. These include, but are not limited to, the following:*

*(1) General Plan EIR (Section 15166)*

*(2) Staged EIR (Section 15167)*

*(3) Program EIR (Section 15168)*

*(4) Master EIR (Section 15175)*

*(5) Multiple-family residential development/residential and commercial or retail mixed-use development (Section 15179.5)*

*(6) Redevelopment project (Section 15180)*

*(7) Projects consistent with community plan, general plan, or zoning (Section 15183)*

This Initial Study for the 2015-2023 Housing Element has been prepared to tier from the General Plan EIR of the City of Fowler, as amended or otherwise supplemented. For the City of Fowler, documents from which this analysis has been tiered are available for public review at:

City of Fowler  
128 South 5<sup>th</sup> Street  
Fowler, California 93625

## ***ANALYTICAL APPROACH***

The environmental analysis contained in this Initial Study is based on the following assumptions:

**General Plan Consistency:** As the General Plan is updated and/or amended, the City of Fowler will ensure that such updates and amendments do not prevent implementation of the policies contained in the update Housing Element.

**Categorical Exemptions:** Smaller-scale ministerial projects that require issuance of building permits without need for discretionary action are generally exempt from environmental review pursuant to CEQA in the absence of compelling evidence that the project is unique in that it may result in significant individual and/or cumulative impacts. Smaller-scale projects may be exempt from CEQA and require no further analysis. Exempt projects are considered to have no significant impact on the environment, as defined in Section 15300 of the CEQA Guidelines.

**Project Specific Environmental Review:** Future development proposals not exempt from CEQA will be subject to the environmental review process to identify potential impacts and impose appropriate mitigation measures, if needed, to avoid significant impacts.

**Purpose of Environmental Review:** The proposed Housing Element does not authorize any plan for construction of new homes or other uses or the redevelopment of any properties within the local jurisdiction. No direct environmental impacts, therefore, will occur as a result of adoption of the Housing Element. This Initial Study assesses the potential environmental impacts resulting from potential development facilitated by the Housing Element in accordance with the Lead agency's existing land use policies. No changes the use, density or intensity, or other land use policies of the General Plan are proposed in the Housing Element; however, changes to the Zoning Code / will be required due to existing inconsistencies between the

General Plan and the Zoning Code. These zone changes are described herein and are covered by the analysis documented in this Initial Study.

The purpose of the environmental analysis conducted for the Housing Element, as documented herein, is to determine general impacts that could result from implementation of the Housing Element. The analysis is based on a hypothetical development scenario for the Inventory Sites identified in the Housing Element and how construction and operation of those sites may result in impacts to the environment. Because this is a program-level analysis, some measure of forecast and assumption is necessary in order to characterize potential development scenarios and should not be construed as speculative or unreasonable. Therefore, the program-level analysis of the potential impacts of the Housing Element is inherently broad and typically qualitative due to the lack of project-level information.

## 2 PROJECT DESCRIPTION

### ***PROJECT TITLE***

City of Fowler 2015-2023 Housing Element

### ***LEAD AGENCY/PROJECT SPONSOR NAME AND ADDRESS***

City of Fowler  
128 South 5<sup>th</sup> Street  
Fowler, California 93625

### ***CONTACT PERSON AND PHONE NUMBER***

Bruce O'Neal, Planner  
Community Development Department  
(559) 256-4250

### ***PROJECT LOCATION***

The 2015-2023 Housing Element applies to all proposed and existing residential General Plan land use designations and zoning districts that support residential development within the municipal boundaries of the City of Fowler. The City of Fowler is located in the County of Fresno on State Route 99 and is seven miles southeast of Fresno, five miles northwest of Selma, and eight miles west of Parlier. The Planning Area, for purposes of this environmental analysis, encompasses the entirety of the municipal boundaries of the City of Fowler. The Planning Area is approximately 1,603 acres, representing approximately 0.04 percent of the land area of the County of Fresno. The Inventory Sites identified in the Housing Element are located throughout the planning area. Exhibit 1 (Regional Location and Vicinity Map) illustrates the City's location within the County of Fresno and its local context in terms of roadways, other transportation infrastructure, and important landmarks.

### ***GENERAL PLAN DESIGNATIONS***

The existing residential and mixed-use General Plan land use designations that support housing development within the City of Fowler are summarized in Table 1 (Residential and Mixed-Use Land Uses).<sup>1 2</sup> The proposed Housing Element does not include the adoption of any new land use designation within the community.

Table 1  
Residential and Mixed-Use Land Uses

Land Use Designation	Supported Uses	Maximum Density (DU/AC)
Low Density	Single-Family Residential	0.0-3.6 DU/AC
Medium-Low Density	Single-Family Residential	3.7-5.5 DU/AC
Medium Density	Single/Multi-Family Residential	5.6-13.5 DU/AC
High Density	Multi-Family Residential	13.6-21.8 DU/AC
Community Commercial	Multi-Family Residential	13.6-21.8 DU/AC

Source: City of Fowler 2015

<sup>1</sup> City of Fowler. General Plan. Land Use Element. May, 2015.

<sup>2</sup> City of Fowler. General Plan Update Environmental Impact Report. July, 2010.

## ZONING DISTRICTS

Existing zoning districts that support residential development are listed in Table 2 (Residential Zoning Districts) and include a summary of key development standards.

Table 2  
Residential Zoning Districts

Zone	Permitted Residential Uses	Maximum Height (FT)	Minimum Lot Area (SF)	Maximum Lot Coverage (Percent)
R-1-5	Single-Family Residential	2 Stories, 35 FT	5,000 SF	40%
R-1-6	Single-Family Residential	2 Stories, 35 FT	6,000 SF	40%
R-1-7	Single-Family Residential	2 Stories, 35 FT	7,000 SF	40%
R-1-8.5	Single-Family Residential	2 Stories, 35 FT	8,500 SF	40%
R-1-10	Single-Family Residential	2 Stories, 35 FT	10,000 SF	40%
R-1-12	Single-Family Residential	2 Stories, 35 FT	12,000 SF	40%
RM-2-A	Multi-Family Residential	35 FT	7,000 SF	55%
RM-2	Multi-Family Residential	35 FT	7,000 SF	55%
RM-3-A	Multi-Family Residential	35 FT	7,000 SF	55%
RM-3	Multi-Family Residential	35 FT	7,000 SF	55%

Source: City of Fowler, 2015

### CHARACTERISTICS OF THE HOUSING ELEMENT

The proposed project is the adoption and implementation of the City of Fowler 2015-2023 Housing Element (Project). California Housing Element law requires every jurisdiction in the state to prepare and adopt a housing element as part of its general plan. It is typical for each city or county to prepare and maintain its own separate general plan and housing element; however, the Fresno Council of Governments (COG) is coordinating the County of Fresno and twelve of its 15 incorporated cities in preparing a housing element for the fifth round of housing element updates. The Project provides an opportunity for countywide housing issues and needs to be more effectively addressed comprehensively at the regional level as opposed to individually, and without coordination, at the local level. This approach provides the opportunity for the local governments and the County to work together in accommodating the Regional Housing Needs Allocation (RHNA) assigned to the Fresno County region. The Housing Element for the City has been prepared using the information and collaboration developed through this multi-jurisdictional effort.

### HOUSING ELEMENT

A Housing Element is one of seven required elements of a jurisdiction’s General Plan. It addresses the existing and future housing needs of persons from all economic backgrounds and serves as a tool for decision-makers and the public in understanding and meeting housing needs in the local jurisdiction. The law does not require local governments to construct housing to meet those needs. State law mandates that the community address housing needs in its discretionary planning actions by creating opportunities for housing and facilitating balanced housing development through policy.

## HOUSING NEEDS

Several factors influence the demand for housing in the County of Fresno and the 15 cities in the County that includes 1) housing needs resulting from population growth, 2) housing needs resulting from the overcrowding of existing housing units, 3) housing needs that result when households are paying more than they can afford for housing, and 4) housing needs of "special needs groups" that include the elderly, large families, female-headed households, households with a physically or developmentally disabled person, farm workers, and the homeless.

The 2015-2023 Housing Element examines the housing needs of different groups of people based on demographic metrics that include owners versus renters, lower-income households, overcrowded households, elderly households, special needs groups, and homeless persons. This information is detailed in the Housing Element.

California housing element law requires that each city and county develop local housing programs designed to meet its "fair share" of housing needs for all income groups, based on projected population growth. The HCD Housing Policy Division develops Regional Housing Needs Assessments (RHNA) for each region of the state represented by councils of governments. Fresno COG determines the housing allocation amongst the 15 cities and unincorporated County areas in which the City of Fowler is located.

## STATUTORY REQUIREMENTS

State law requires that all housing elements address four key topics: 1) housing needs, 2) constraints to housing development, 3) housing resources, and 4) a preparation of a housing plan. Analysis of these topics provides the foundation for the preparation of a housing element. Article 10.6, Section 65580 – 65589.8, Chapter 3 of Division 1 of Title 7 of the California Government Code establishes the legal requirements for a housing element and encourages the provision of affordable and decent housing, in suitable living environments, in all communities, in working to statewide goals. The 2015-2023 Housing Element will become the policy document in the City of Fowler that will address current and projected housing needs within its jurisdiction, in relationship to the other participating jurisdictions. The Element identifies housing goals and policies to meet the broad, diverse housing needs at the regional level coupled with the programs and availability of land at the local level to implement the plan and reach those goals.

## FOURTH CYCLE HOUSING ELEMENT CARRY-OVER ANALYSIS

In the previous planning period, the RHNA assigned to the City of Fowler was 551 units (132 very low-income, 96 low-income, 105 moderate-income, and 218 above moderate-income units). The previous RHNA period covered January 1, 2006 through June 30, 2013 (extended through December 31, 2015 by legislation). The potential AB 1233 penalty will be equal to the portion of RHNA not accommodated either through actual housing production or land made available for residential development within each income category. To determine any potential penalty, the analysis in this Housing Element uses the following approach outlined by HCD:

- Step 1: Subtracting the number of housing units constructed, under construction, permitted, or approved since January 1, 2006 by income/affordability level; and
- Step 2: Subtracting the number of units that could be accommodated on any appropriately zoned sites available in the city during the RHNA cycle.

### *Units Built or Under Construction*

Since January 1, 2006, the City issued building permits for 237 new residential units, all single family homes. Based on the building valuation, the majority of the units were affordable only to above moderate-income households. The 237 new units exceed the City's RHNA for above moderate-income housing. Therefore, the City must demonstrate adequate sites for the remaining 132 very low, 96 low, and 105 moderate-income units, for a total of 333 units from the prior RHNA planning period. The distribution of credited housing units and the allocation of this remaining housing need is summarized in Table 3 (RHNA Credits and Remaining Need).

**Table 3  
RHNA Credits and Remaining Need**

	Units by Income Level				Total
	Very Low-Income	Low-Income	Moderate Income	Above Moderate Income	
<i>Assigned</i>	132	96	105	218	551
<i>Constructed/Entitled</i>	0	0	0	237	237
<i>Remaining Need</i>	132	96	105	0	333
Source: City of Fowler, 2015					

**Fourth Cycle Carry-Over Analysis Summary**

Combined, the C-1, C-2, DTWN, and RM-3 zones have the ability to accommodate 502 multi-family units at 21.8 units per acre, which is adequate to address the City's lower-income RHNA of 228 units from the previous RHNA planning period. Vacant land designated as RM-2 has capacity to accommodate 167 potential new units, which is adequate to accommodate the moderate-income RHNA. Therefore, as shown in Table 4 (Fourth Cycle Carry-Over Analysis Summary), there is no remaining RHNA need that carries over from the Fourth Cycle.

**Table 4  
Fourth Cycle Carry-Over Analysis Summary**

Project	Units by Income Level					Total Units
	ELI	VLI	LI	MI	AMI	
<b>Fourth Cycle RHNA</b>	--	132	96	105	218	551
Permits Issued, Approved, or in Dev., 2006-2014			0	0	237	237
Vacant Sites Available			502	167	0	395
<b>Unaccommodated Need from 4<sup>th</sup> Cycle</b>			0	0	0	0
Source: City of Fowler, 2014						

**HOUSING OPPORTUNITY AREAS**

State law requires that jurisdictions demonstrate in the Housing Element that there is land inventory available and adequate in accommodating that jurisdiction's RHNA allocation. The City of Fowler has identified vacant residential and community commercial sites that are sufficient in accommodating the remaining needs allocation target of 524 units. No constraints have been identified on in regards to these Inventory Sites that will prevent development, redevelopment, or reuse during the Housing Element period. Table 5 (Vacant Land Inventory) below summarizes the amount of vacant land available as of December 2014. The locations of these sites are shown in Exhibit 1 (Fowler Sites Inventory).

**Vacant Sites Available**

In assessing if the City would incur any RHNA penalty from the previous planning period, this section examines the amount of vacant land available in the city with the potential for residential development. Table 5 (Vacant Land Inventory) below summarizes the amount of vacant land available as of December 2014. The sites inventory uses the following assumptions:

- **Relation of density to income categories.** The following assumptions were used to determine the income categories according to the allowed densities for each site:
  - **Lower-income Sites.** Sites that allow at least 16 units per acre were inventoried as feasible for lower-income (low- and very low-income) residential development in accordance with the market-based analysis included in this housing element. This includes sites with the following zoning:

- Sites that are Multi-Family Residential (RM-3, RM-3-A) (up to 21.8 units per acre);
  - Sites that are zoned Neighborhood Commercial (C-1) and Community Commercial (C-2) (up to 21.8 units per acre); and
  - Sites that are zoned Form Based Code Area (DTWN) (up to 21.8 units per acre).
- **Moderate-Income Sites.** Sites that are zoned Residential Medium allow for a density range of 5.6 to 13.5 dwelling units per net acre. Typical dwelling units include small apartments and other attached units. These areas were inventoried as feasible for moderate-income residential development.
  - **Above Moderate-Income Sites.** All other sites, which allow only single family homes at lower densities, were inventoried as above moderate-income units.
- **Realistic Development Potential.** The inventory assumes build-out of 80 percent of the maximum permitted density for all sites.

**Table 5**  
**Vacant Land Inventory**

Zoning	Acres	No. of Parcels	Max Units/ Acre	Average Units/ Acre	DU Capacity
R-1-10	2.5	9	4.4	3.5	27
R-1-7	3.9	19	6.2	5.0	19
R-1-6	8.3	22	7.3	5.8	47
RM-2	16.7	5	12.4	10.0	167
RM-3	1.3	1	21.8	17.4	23
C-1	7.4	5	21.8	17.4	129
C-2	16.7	7	21.8	17.4	289
DTWN	3.6	14	21.8	17.4	61
<b>TOTAL</b>	<b>60.4</b>	<b>82</b>	--	--	<b>762</b>

*Source: City of Fowler, 2015*

## FIFTH CYCLE HOUSING ELEMENT

For the fifth Housing Element update, Fowler has been assigned a RHNA of 534 units, including 123 very low-income units, 83 low-income units, 85 moderate-income units, and 243 above moderate-income units. Table 6 (Regional Housing Needs Assessment Allocation) identifies the projected housing needs for the 2015-2023 cycle.

**Table 6**  
**Regional Housing Needs Assessment Allocation**

Income Group	Total Allocation (DU)	Income Group Ratio (%)
Extremely Low/Very Low	123	23.03
Low	83	15.54
Moderate	85	15.92
Above Moderate	243	45.51
<b>Total</b>	<b>534</b>	<b>100.00</b>

*Source: City of Fowler, 2015*

**Units Built or Under Construction**

Since the RHNA projection period for the fifth cycle Housing Element runs from January 1, 2013, to December 31, 2023, the City of Fowler’s RHNA can be reduced by the number of units built or under construction since January 1, 2013. According to building permit data, the City issued building permits for 42 new single family residential units. These units are assumed to be affordable to above moderate-income households.

**Planned or Approved Projects**

The City’s RHNA can also be reduced by the number of new units in projects that are planned or approved. Table 7 (Planned or Approved Projects) shows an inventory of residential projects that are (as of December 2014) approved or in the planning process and scheduled to be built by the end of the current Housing Element planning period (December 31, 2023). For each project the table shows the name of the development, number of units by income category, and the current status of the project. These new developments will provide a total of 523 new units in Fowler on single family lots and an additional 46 new units of multifamily housing. The 171-lot development will provide 60 percent of the units on small lots, potentially moderating the prices for these homes; however, for the purposes of the inventory, all units are assumed to be affordable to above moderate-income households.

**Table 7  
Planned or Approved Projects**

Project	Units by Income Level					Total Units	Status
	ELI	VLI	LI	MI	AMI		
TTM 5292 – RJ Hill APN 345-100-19s	--	--	--	--	171	171	Tentative Tract Map
Site Plan Review 15-01	--	--	40	--	--	40	Proposed
Site Plan Review 15-02	--	--	6	--	--	6	Proposed
TTM 5834 – RJ Hill APN 343-040-68	--	--	--	--	57	57	Final Map
TTM 5834 Phase 2	--	--	--	--	75	75	Final Map
TTM 5090 Phase 2	--	--	--	--	55	55	Final Map
TTM 5090 Phase 3	--	--	--	--	55	55	Tentative Tract Map
TTM 5623	--	--	--	--	53	53	Tentative Tract Map
TTM 5785	--	--	--	--	57	57	Tentative Tract Map
<b>Total</b>	--	--	<b>46</b>	--	<b>523</b>	<b>569</b>	

*Source: City of Fowler, GIS Division, 2015*

**RHNA Summary**

Table 8 (RHNA Summary) provides a summary of Fowler’s ability to meet the 2013-2023 RHNA. The total RHNA for the 2013-2023 RHNA is 524 units, including 206 lower-income units, 85 moderate-income units, and 243 above moderate-income units. After accounting for units built or under construction, planned and approved projects, and capacity on vacant sites, Fowler has a surplus capacity of 839 units.

**Table 8  
RHNA Summary**

Project	Units by Income Level					Total Units
	ELI	VLI	LI	MI	AMI	
Unaccommodated Need from 2006-2015 RHNA			0	0	0	0
2013-2023 RHNA	--	123	83	85	243	534
<b>Total RHNA</b>			<b>206</b>	<b>85</b>	<b>243</b>	<b>534</b>
<i>Units Built or Under Construction</i>					42	42
Planned or Approved Projects			46		523	569
Capacity on Vacant Sites			502	167	93	762
<b>Remaining Surplus<sup>1</sup></b>			<b>342</b>	<b>82</b>	<b>415</b>	<b>839</b>

Note 1: Remaining Need is calculated by subtracting planned projects and capacity on vacant and underutilized sites from total RHNA.  
*Source: City of Fowler, 2014*

## PUBLIC AND UTILITY SERVICES

Future housing development will require the support of public services including fire, police, schools, and parks and recreation in addition to necessary utility services including water, sewer, and storm drainage. Public services and utilities serving the City of Fowler are summarized herein.

- **Fire Services:** The Fowler Fire Department provides fire protection services to the planning area. The Fire Department is located at 128 South 5<sup>th</sup> Street.
- **Police Services:** The Fowler Police Department provides police protection services to the planning area. The Police Department is located at 128 South 5<sup>th</sup> Street.
- **Schools:** Fowler Unified School District provides K-12 school services to the planning area. The District includes one high school, one middle school, three elementary schools, and a continuation school.
- **Parks and Recreation:** The City of Fowler Recreation Department provides parks and recreation services to the planning area.
- **Water:** The City of Fowler Public Works Department provides water services to the planning area. The City extracts its water supply from groundwater aquifers via a series of wells scattered throughout the City. The City's existing system includes six well sites, pumps, water lines, meters, and storage tanks.
- **Wastewater:** Wastewater services in the City are provided by the Selma-Kingsburg-Fowler County Sanitation District (SKFCSD). The purpose of the District is to provide for the collection, treatment, and disposal of wastewater within the service area. SKFCSD's wastewater treatment and disposal facilities are located on a 550-acre site, 1.5 miles west of Kingsburg.<sup>3</sup> The District collects, treats, and disposes of over a billion gallons of wastewater annually<sup>4</sup>
- **Storm Drainage:** The Fowler Public Works Department maintains and repairs storm drains, including drain inlets, catch basins, storm drain lift stations, and retention ponds.

## *SURROUNDING LAND USES*

The Inventory Sites identified in Exhibit 2 (Fowler Sites Inventory) are located throughout the City and are primarily surrounded by urban uses.

## *ENVIRONMENTAL SETTING*

The City of Fowler is located in south-central Fresno County, the current City limits contain 2.5 square miles (1,603 acres), of which approximately 70% is urbanized. The Fowler area is typical of the San Joaquin Valley. The terrain is relatively flat with elevations ranging from 295 feet to 300 feet. Outside of the developed areas of the City, the dominant land use is agriculture. The climate of the project area is typical of inland valleys of California, with hot, dry summers and cool, mild winters. Daytime temperatures in the summer often exceed 100 degrees, with lows in the 60s. In winter, daytime temperatures are usually in the 50s, with lows around 35 degrees. Radiation (Tule) fog is common in the winter, and may persist for days. Winds are predominately up-valley (from the north) in all seasons, but more so in the summer and spring months. Winds in the fall and winter are generally lighter and more variable in direction but generally blow towards the south and southeast.

Fowler is located in the San Joaquin Valley Air Basin, which is bounded by the Sierra Nevada to the east, the Coast Ranges to the west, and the Tehachapi Mountains to the south. The Air Basin is comprised of San Joaquin, Stanislaus, Merced, Madera, Fresno, Kings, and Tulare Counties and the valley portion of Kern County,. Because of the Valley's unique physical characteristics, its pollution potential is very high. Surrounding elevated terrain, in conjunction with temperature inversions, frequently restricts lateral and vertical dilution of pollutants. Abundant sunshine and warm temperatures in summer are ideal conditions for the formation of photochemical oxidants, and the Valley frequently exceeds ozone standards. .

<sup>3</sup> Selma-Kingsburg-Fowler County Sanitation District. *District Website: About Us*. <http://skfcsd.org/about-us/> [Accessed December 11, 2015].

<sup>4</sup> Selma-Kingsburg-Fowler County Sanitation District. *District Website: Operations*. <http://skfcsd.org/departments/operations/> [Accessed December 11, 2015].

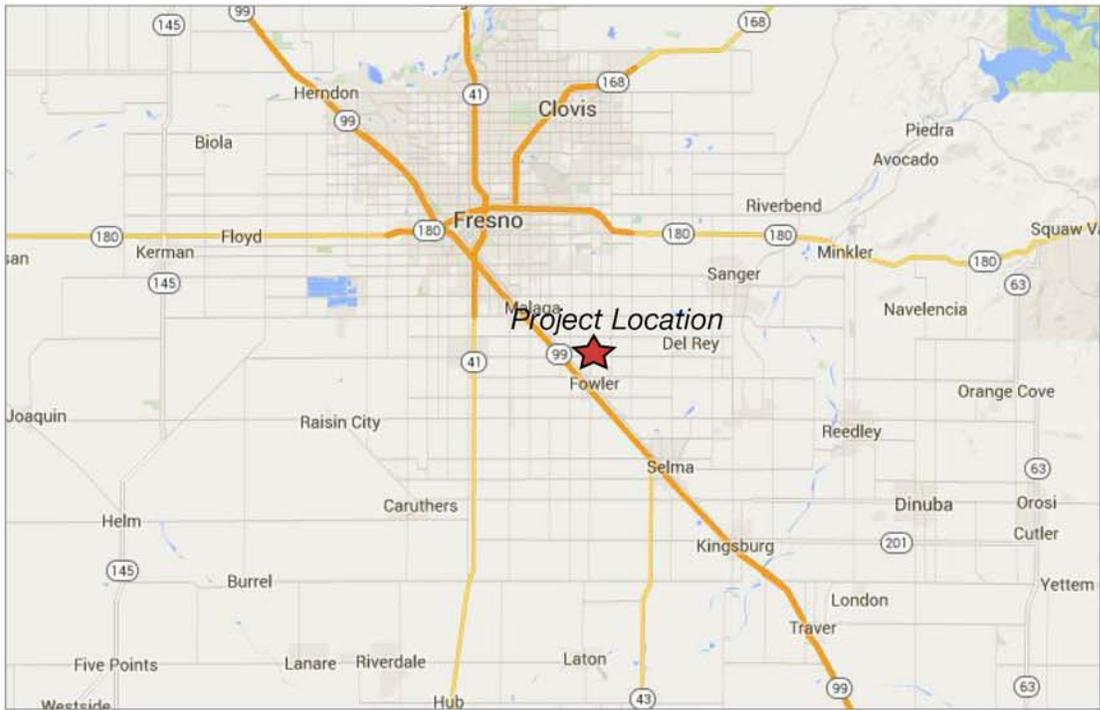
Air pollution transported from the San Francisco Bay and Sacramento areas is believed to account for 11 percent of measured ozone levels in Fresno, Tulare, Madera, and Kings Counties, with the balance coming from local direct and indirect sources.

***REQUIRED COUNTY/CITY APPROVALS***

The City Council must approve a General Plan Amendment to incorporate the 2015-2023 Housing Element into the General Plan.

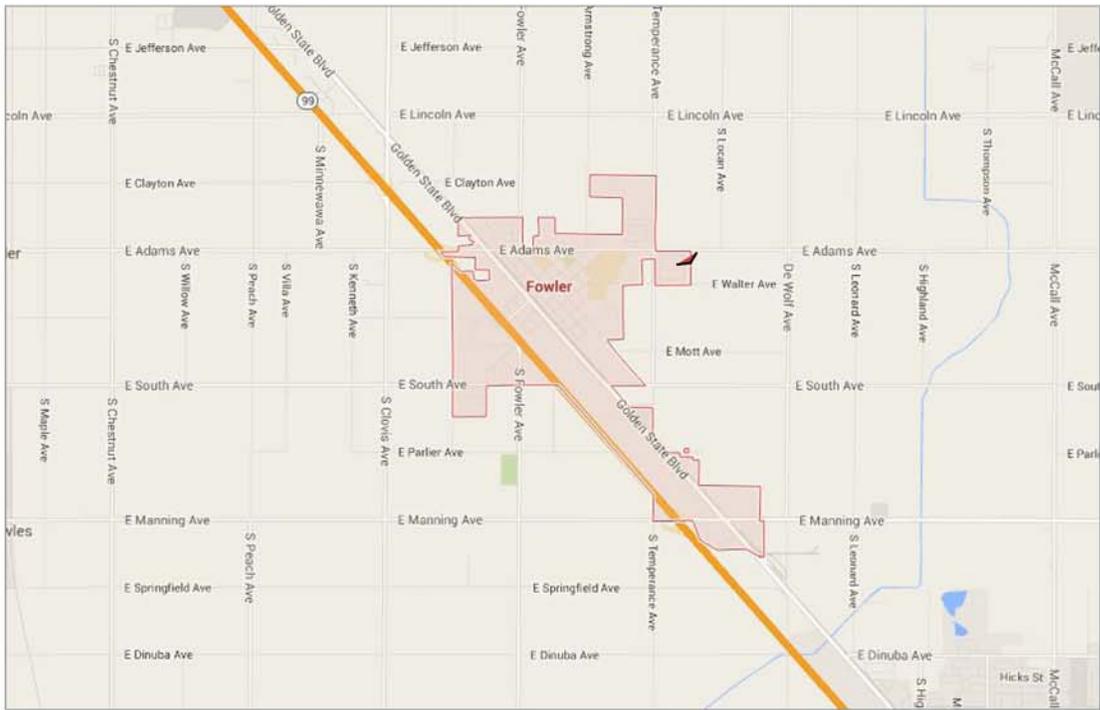
***OTHER AGENCY APPROVALS***

The State of California, Department of Housing and Community Development (HCD) is required to review the Housing Element for compliance with State law (Article 10.6 of the California Government Code) but does not have actual approval authority over the Project. No other jurisdiction has approval authority over any part of the Housing Element.



Source: Google Maps

Regional



Source: Google Maps

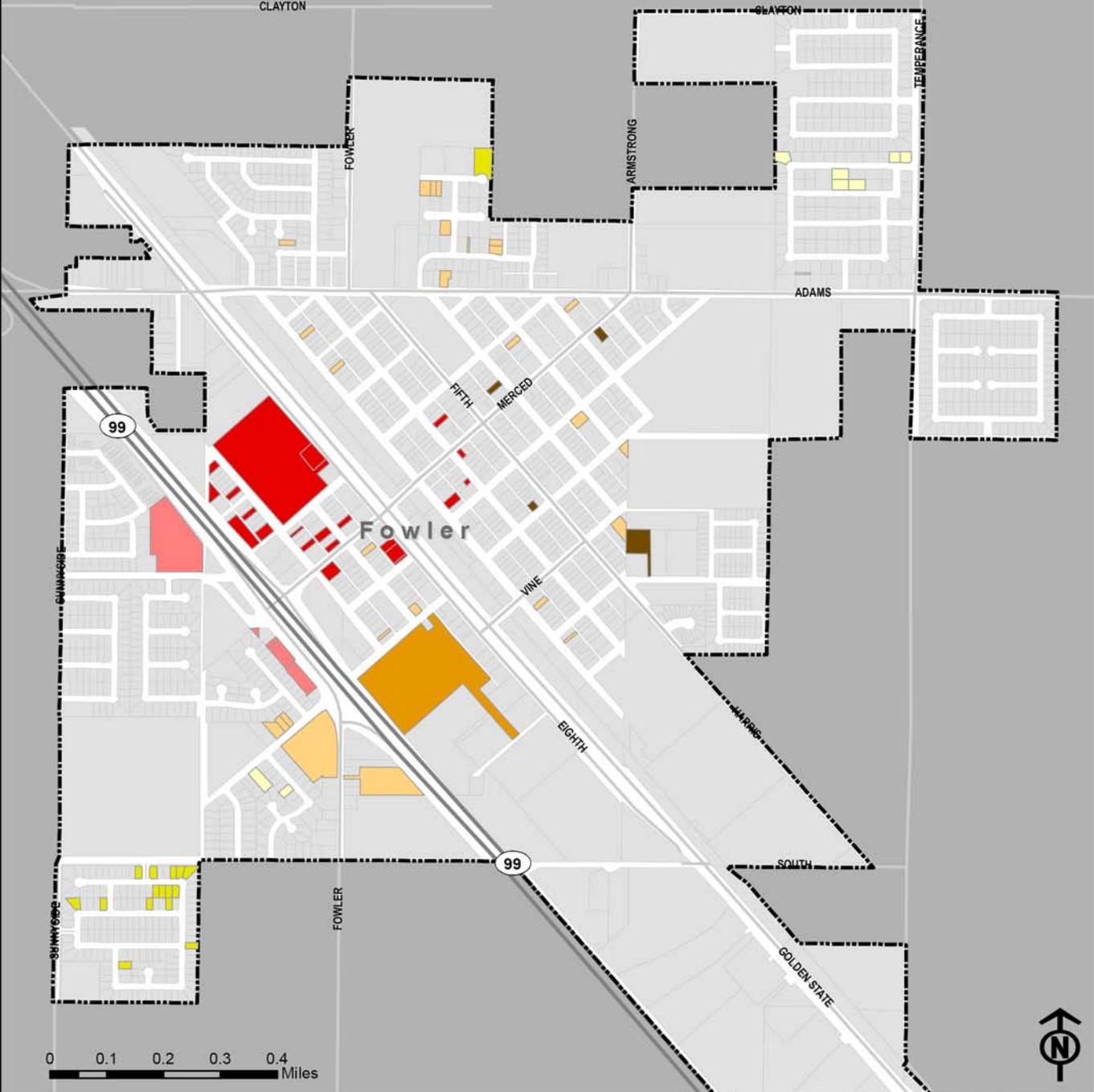
Vicinity

## Exhibit 1 Regional Context and Vicinity Map

2015-2023 Multi-Jurisdictional Housing Element  
Fowler, California



# Fresno County Multi-Jurisdictional Housing Element Figure 2D-1: Fowler Sites Inventory



City Limits	<b>Vacant Parcels</b>	Residential, Medium[C1]
Highways	Residential, Low	Residential, High
	Residential, Medium Low	Commercial, Neighborhood
	Residential, Medium	Commercial, Community





### 3 DETERMINATION

***ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED***

<input type="checkbox"/> Aesthetics	<input type="checkbox"/> Agriculture Resources	<input type="checkbox"/> Air Quality
<input type="checkbox"/> Biological Resources	<input type="checkbox"/> Cultural Resources	<input type="checkbox"/> Geology /Soils
<input type="checkbox"/> Hazards & Hazardous Materials	<input type="checkbox"/> Hydrology / Water Quality	<input type="checkbox"/> Land Use / Planning
<input type="checkbox"/> Mineral Resources	<input type="checkbox"/> Noise	<input type="checkbox"/> Population / Housing
<input type="checkbox"/> Public Services	<input type="checkbox"/> Recreation	<input type="checkbox"/> Transportation/Traffic
<input type="checkbox"/> Utilities / Service Systems	<input type="checkbox"/> Mandatory Findings of Significance	

***DETERMINATION***

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION would be prepared.
- I find that although the proposed project could have a significant effect on the environment, there would not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION would be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

---

Bruce O'Neal, Planner  
City of Fowler

December 16, 2015

---

Date



## 4 EVALUATION OF ENVIRONMENTAL IMPACTS

### 1. AESTHETICS

Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
A) Have a substantial adverse effect on a scenic vista or scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
B) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
C) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
D) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

A) **No Impact.** According to the City of Fowler General Plan Environmental Impact Report (EIR), there are no designated or otherwise defined scenic vistas located within the Planning Area or visible from within the Planning Area. There are no designated or eligible scenic highways within or in the vicinity of the Planning Area; therefore, no impacts to scenic vistas or scenic highways could occur.

B) **No Impact.** There are no scenic vistas located on any of the Inventory Sites identified in the Housing Element; therefore, development of the Opportunity Sites could not impact any scenic resources.

C) **Less than Significant Impact.** Future development implemented through the policies of the Housing Element will have the effect of changing the visual character of each Inventory Site by introducing a new element to each location. If the change in the visual character or quality of an Inventory Site, in context of the existing visual character and quality of the surroundings, can be perceived as 'degrading', then the effect of the project may result in potentially significant impacts. Similar to the impacts resulting from adverse changes to scenic values of vistas and isolated resources, adverse changes to the visual character of an area can reduce the quality of life for occupants and visitors of the area, reduce the uniqueness or singularity of the viewing experience, and/or reduce the historical and/or communal value of the visual setting.

There is no widely recognized threshold for determining when the effects of a project 'degrade' visual character or quality to the point that potentially significant environmental impacts could occur. Generally, if a development proposal is found to be inconsistent with the design and character of the surrounding neighborhood then the direct change in visual character on the project site and the indirect change to the neighborhood are considered potentially significant. Future development on the Inventory Sites will be subject to applicable design guidelines that indicate requirements related to height, mass and scale, architectural style, materials, landscaping, and a variety of other standards that will ensure future housing development is consistent with the visual character intended for the area. Impacts due to changes to visual character or quality will be less than significant with implementation of existing regulations.

d) **Less than Significant Impact.** Future development guided by the implementation of the proposed Housing Element will result in new sources of light and glare. Outdoor lighting will be required in parking lots and pedestrian pathways for security

purposes. Indoor lighting will also likely be visible through windows. Lighting associated with vehicle travel will also be generated. Outdoor lighting when viewed at night can result in glare that is excessive. Glare can also occur during the day due to light reflecting off building materials such as highly polished metal and reflective glass.. The effects of excessive light and glare can result in nuisance impacts such as viewer annoyance or an inability to see features in the night sky to health and safety impacts such as temporary blindness while operating a motor vehicle.

Typical thresholds for determining if the effects of lighting and glare will impact surrounding properties is commonly stated as a maximum illumination level at a project's property line, such as a maximum 0.5 footcandle at the any property line adjacent to a residential property. The General Plan EIR uses a similar threshold of continue by summarizing the threshold. Thresholds for glare are rare, tend to be presented qualitatively, and assumed to be mitigated concurrently with restrictions on lighting. The General Plan EIR does not include a threshold for glare and the City has no adopted threshold or standard specifically to mitigate impacts due to glare; therefore, for purposes of this Initial Study, potential glare impacts during the night will be considered less than significant with implementation of lighting standards, particularly in regards to shielding, and potential daytime impacts will be considered less than significant if, in the case of reflective materials, that the materials do not have a reflectivity index of 0.5 or higher for materials with surface area sufficient to reflect glare onto adjacent properties or streets. Future housing developed to meet local and regional housing needs will be subject to zoning ordinance regulations and project conditions of approval regarding the installation and operation of lighting. Impacts to daytime and nighttime views will be less than significant with implementation of exiting regulatory requirements.

## 2. AGRICULTURAL RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the State's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project, as well as forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
A) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
B) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
C) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104 (g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
D) Result in loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
E) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

A) **Less than Significant Impact.** According to the state Farmland Mapping and Monitoring Program (FMMP), the City of Fowler includes approximately 940 acres of important farmland within its boundaries.<sup>5</sup> However, none of the InventorySite identified in the proposed Housing Element update is considered suitable for agricultural operations. Sites have either already been converted to a different land use which will in turn be redeveloped for housing in the future, or otherwise will not result in any significant loss such as changes in soil conditions since preparation of the last FMMP map. All of the land within Fowler's City limits is designated for urban uses in the General Plan. Moreover, General Plan policies have been adopted that provide for the long-term preservation and orderly conversion of farmland within the planning area. Impacts related to the conversion of important farmland will be less than significant. Impacts related to the conversion of important farmland will be less than significant.

<sup>5</sup> California Department of Conservation. Farmland Mapping and Monitoring Program: Fresno County. [ftp://ftp.consrv.ca.gov/pub/dlrp/FMMP/pdf/2012/fre12\\_e.pdf](ftp://ftp.consrv.ca.gov/pub/dlrp/FMMP/pdf/2012/fre12_e.pdf) [Accessed December 13, 2015].

B) **Less than Significant Impact.** According to the state Williamson Act Map, none of the Inventory Sites identified in the proposed Housing Element update are currently subject to a Williamson Act contract.<sup>6</sup> Impacts related to the loss of land under Williamson Act contract will be less than significant.

C) **No Impact.** Public Resources Code Section 12220(g) identifies forest land as 'land that can support 10-percent native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits.' None of the Inventory Sites includes forest land or timberland. No impact will occur.

D) **No Impact.** There is no forest land located on or in the vicinity of Fowler. Considering that the proposed Housing Element will not result in direct loss or substantial changes to the National Forest of Forests, no impact will occur.

E) **Less than Significant Impact.** As discussed above, agricultural land, including Williamson Act contracted properties, are located within or in the vicinity of the Planning Area. As such, implementation of the proposed Housing Element update could result in the development of potentially incompatible urban uses next to farms, creating circumstances that impair the productivity and profitability of agricultural operations, and could eventually lead farmers to take their land out of production. The City of Fowler, however, requires as a condition of approval that "right to farm" covenants are filed on properties subject to development. Considering that the proposed Housing Element will not result in the indirect conversion of agricultural or forest land to non-agricultural or non-forest uses, impacts will be less than significant.

---

<sup>6</sup> California Department of Conservation. Fresno County Williamson Act FY 2012/2013.

### 3. AIR QUALITY

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
A) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
B) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
C) 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 which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
D) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
E) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

A-C) **Less than Significant Impact.** The City of Fowler is located within the San Joaquin Valley Air Basin (Basin) managed by the San Joaquin Valley Air Pollution Control District (SJVAPCD).<sup>7</sup> The SJVAPCD is comprised of the Counties of San Joaquin, Stanislaus, Merced, Madera, Fresno, Kings, and Tulare, and the San Joaquin Valley Air Basin portion of Kern County. Due to meteorological, geographical, and topographical conditions, the Basin exhibits air pollution levels comparable to that of the South Coast Air Basin despite a significantly smaller population, demonstrating the unique air quality challenges faced by the SJVAPCD. Future housing developed in accordance with the goals and policies of the Housing Element will contribute incrementally to the mobile, energy, and area sources that cumulatively contribute to criteria pollutant levels and associated air pollution in the Basin. The SJVAPCD is responsible for preparing the various pollution control Plans and Maintenance Plans that comprise the Air Quality Management Plan (AQMP) for the Basin. The AQMP includes strategies and control measures to reduce and/or maintain the effects that construction and operation of various uses within the Basin have on regional air quality. The effects of future housing development on regional air quality could result in potentially significant impacts on the health of residents if it is determined that a project's contribution to cumulative air pollution levels is considerable by exceeding the annual emissions thresholds established by the SJVAPCD in its *Guidance for Assessing and Mitigating Air Quality Impacts* and, furthermore, would be determined to potentially conflict with implementation of the AQMP.<sup>8</sup> Criteria pollutants can directly damage the environment, both natural and man-made. Impacts to human health include a variety of acute and chronic respiratory illnesses.

The SJVAPCD *Guidance* identifies procedures for evaluating projects through a screening process that eliminates full air quality review where projects meeting certain criterion are determined to not have a substantial effect on air quality. The SJVAPCD *Small Project Analysis Level* (SPAL) guidelines identify screening thresholds for single-family, multi-family,

<sup>7</sup> San Joaquin Valley Air Pollution Control District. About the District. [http://www.valleyair.org/General\\_info/aboutdist.htm](http://www.valleyair.org/General_info/aboutdist.htm) [Accessed November 16, 2015].

<sup>8</sup> San Joaquin Valley Air Pollution Control District. *Guidance for Assessing and Mitigating Air Quality Impacts*. March 2015

retirement community, and manufactured housing projects based on traffic generation and number of dwelling units. The daily residential traffic generation screening threshold is 1,453 daily trips. Dwelling unit thresholds range from 152 units for single-family projects to 460 units for retirement communities. Projects not meeting the SPAL screening threshold are then subject to the Cursory Analysis Level (CAL) procedure that requires project-specific, quantitative emissions modeling. Included are construction and operational criteria pollutant emissions, carbon monoxide hotspot screening, and assessment of hazardous air pollutant emissions. As appropriate, mitigation is required. The CAL process is generally applicable to projects that do not require an EIR and are not subject to the Full Analysis Level (FAL) process.

Future housing proposals will be subject to environmental evaluation for pursuant to CEQA upon application for entitlement permits. Projects found to be exempt from CEQA will not have a significant impact on the environment as declared by state legislation. Other projects will be subject to standard analysis and mitigation if required. Considering that many of the Inventory Sites will be exempt from CEQA and/or most of the Sites will not require extensive evaluation, impacts due to individual contribution to cumulative effects on air quality will not be considerable, thus impacts will be less than significant.

D) **Less than Significant Impact.** Common sensitive receptors include children under age 14, the elderly over age 65, athletes, and people with cardiovascular and chronic respiratory diseases. Future housing projects are not considered uses that emit substantial levels of hazardous air pollutants that could have an effect on the environment such that potentially significant impacts would occur. Existing Federal, State and County regulations pertaining to the siting of sensitive receptors are in place. Moreover, future housing projects will be subject to analysis of sensitive receptors pursuant to CEQA. With implementation of existing regulatory requirements (or mitigation if required), impacts to sensitive receptors will be less than significant.

E) **No Impact.** Residential land uses do not generate objectionable odors; therefore, future housing development will not result in effects related to odors that could impact a substantial number of people. There are no sources of objectionable odors located in the vicinity of any Inventory Site identified in the proposed Housing Element. No impacts will occur.

#### 4. BIOLOGICAL RESOURCES

Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
A) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
B) 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 US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
C) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
D) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
E) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
F) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

A) **Less than Significant Impact.** According to the California Natural Diversity Database, there have been four recorded occurrences of sensitive plant and animal species within the planning area.<sup>9</sup> The proposed Housing Element update identifies approximately 60 acres of vacant land as Inventory Sites for development. Construction of future housing on the vacant Inventory Sites could have the effect of removing or disturbing habitat, potentially resulting in harm to sensitive species during its removal or indirectly if the habitat is used for foraging or for other means of sustenance. Occupancy of the homes can result in effects on sensitive species and habitat by introducing human activities and domestic animals that can result in harm also result in habitat loss.

The proposed Housing Element update does not include any changes to the land use designations of the Inventory Sites; thus, impacts associated with potential development of the Inventory Sites will remain within the scope of analysis certified in

<sup>9</sup> California Department of Fish and Wildlife. California Natural Diversity Database: Selma Quadrangle. <https://map.dfg.ca.gov/bios/?tool=cnddbQuick> [Accessed December 13, 2015].

the General Plan EIR. Future development of the Inventory Sites will be subject to project-specific environmental review pursuant CEQA, as applicable. Considering that: 1) the General Plan EIR analyzed impacts to sensitive species and impacts were found to be less than significant, and 2) development of the Inventory Sites will be subject to analysis of project-specific impacts with incorporation of mitigation as necessary, impacts will be less than significant.

**B-C) No Impact.** According to the National Wetlands Inventory, there are no creeks, riparian woodland, and/or wetlands that occur within or are in the vicinity of and identified Inventory Sites. As such, future development of these sites would not result in direct effects to these resources through habitat removal or the disruption of the resources natural function or indirectly by generating noise, lighting, urban runoff, and other activities that could result in effects on how the resource is used by species. No impact will occur.

**D) Less than Significant Impact.** There are no wildlife nursery sites located within the City; therefore, no impacts could occur as a result of development of any Inventory Site. There are no designated wildlife corridors located within the Planning Area; As discussed in Issue 4.B-C, future development of Inventory Sites will not result in significant impacts to any creeks, rivers, or other water bodies Impacts will be less than significant.

**E) Less than Significant Impact.** Implementation of the proposed Housing Element and other General Plan policies will ensure compliance with Countywide policies or ordinances protecting biological resources. Impacts will be less than significant.

**F) Less than Significant Impact.** There are no applicable or pertinent habitat conservation plans or natural community preservation plans affecting the planning area. There is a Recovery Plan for Upland Species of the San Joaquin Valley (USFWS 1997) as well as a Draft Recovery Plan for Vernal Pool Ecosystems of California and Southern Oregon (USFWS 2004). Both of these recovery plans cover special-status species that have the potential to occur in the planning area. However, the policies, goals, and objectives of the proposed Housing Element do not conflict with the provisions of the Recovery Plans. Therefore the impacts on habitat conservation plans or other plans affecting the planning area are less than significant.

5. CULTURAL RESOURCES

Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
A) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
B) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
C) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
D) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

A) **No Impact.** According to the General Plan, Land Use, Economic Development and Circulation Elements, the Planning Area contains no significant historical resources<sup>10</sup>. The Opportunity Sites are either vacant or are located in urbanized areas that have been previously disturbed by past activities and no known historically and/or culturally significant resources including, but not limited to, structures, buildings, features, and/or objects have been located or previously recorded within the Opportunity Site locations. The City's General Plan does not contain a list of historic properties; thus the Opportunity Sites are not listed on a historic properties list.<sup>11</sup> Consequently, the Opportunity Sites would not cause an adverse change in the significance of a historical resource, and impacts to historic resources are not anticipated. No Impact will occur.

B) **Less than Significant Impact with Mitigation Incorporated.** According to the General Plan, Land Use, Economic Development and Circulation Elements, There are no sites identified as archaeologically significant listed by the California Historic Information Resource System; Archaeological/Cultural Resource Center California State University, Bakersfield as being located within the City's Opportunity Site locations.<sup>12</sup>

Potential impacts resulting from the effects of future housing development on archaeological resources can result in the loss of information important to the history (and potentially the pre-history) of California and the people who created and/or used the materials. The potential for uncovering significant resources at Opportunity Sites locations during construction activities is unknown given that no such resources have been discovered and/or recorded previously. In the unlikely event that archaeological resources are uncovered, Mitigation Measures C-1 are incorporated to ensure that uncovered resources are recorded, evaluated, left in place if possible, and/or curated as recommended by a qualified professional archaeologist who meets the U.S. Secretary of the Interior's Qualifications and Standards. Impacts to buried archaeological resources will be less than significant with mitigation measures incorporated.

<sup>10</sup> City of Fowler. General Plan Land Use, Economic Development and Circulation Elements. 2004.

<sup>11</sup> City of Fowler. General Plan Land Use, Economic Development and Circulation Elements. 2004.

<sup>12</sup> City of Fowler. General Plan: Land Use, Economic Development and Circulation Elements. 2004.

### Mitigation Measures

C-1 Cease ground-disturbing activities and implement a treatment plan if archaeological resources are encountered. In the event that archaeological resources are unearthed during ground-disturbing activities, ground-disturbing activities shall be halted or diverted away from the vicinity of the find so that the find can be evaluated. A buffer area of at least 25 feet shall be established around the find where construction activities shall not be allowed to continue until a qualified archaeologist has examined the newly discovered artifact(s) and has evaluated the area of the find. Work shall be allowed to continue outside of the buffer area. All archaeological resources unearthed by project construction activities shall be evaluated by a qualified professional archaeologist, who meets the U.S. Secretary of the Interior's Professional Qualifications and Standards. Should the newly discovered artifacts be determined to be prehistoric, Native American Tribes/Individuals should be contacted and consulted and Native American construction monitoring should be initiated. The Applicant and City shall coordinate with the archaeologist to develop an appropriate treatment plan for the resources. The plan may include implementation of archaeological data recovery excavations to address treatment of the resource along with subsequent laboratory processing and analysis.

C) **Less than Significant Impact with Mitigation Incorporated.** According to the General Plan, Land Use, Economic Development and Circulation Elements, there are no known geological resources and/or unique geological features identified within the Opportunity Sites. The potential for uncovering significant paleontological resources at the Opportunity Sites during construction activities is considered remote given that no such resources have been previously discovered and/or recorded. In the unlikely event that paleontological resources are uncovered, Mitigation Measures C-2 is incorporated to ensure that uncovered paleontological resources are evaluated, salvaged, and curated as recommended by a qualified professional paleontologist who meets the qualifications set forth by the Society of Vertebrate Paleontology. Impacts to buried paleontological resources will be less than significant with mitigation measure incorporated.

### Mitigation Measure

C-2: Cease ground-disturbing activities and implement a treatment plan if paleontological resources are encountered. In the event that paleontological resources and or unique geological features are unearthed during ground-disturbing activities, ground-disturbing activities shall be halted or diverted away from the vicinity of the find so that the find can be evaluated. A buffer area of at least 25 feet shall be established around the find where construction activities shall not be allowed to continue until appropriate paleontological treatment plan has been approved by the Applicant and the City. Work shall be allowed to continue outside of the buffer area. The Applicant and City shall coordinate with a professional paleontologist, who meets the qualifications set forth by the Society of Vertebrate Paleontology, to develop an appropriate treatment plan for the resources. Treatment may include implementation of paleontological salvage excavations to remove the resource along with subsequent laboratory processing and analysis or preservation in place. At the paleontologist's discretion and to reduce construction delay, the grading and excavation contractor shall assist in removing rock samples for initial processing.

D) **Less than Significant Impact.** Future development of the proposed Opportunity Sites that require site preparation and earthmoving activities have the unlikely potential to uncover buried or surficial human remains outside of a recognized cemetery or other burial location. Construction activities that result in the effect of disturbing or destroying human remains could result in impacts to our knowledge of the burial practices of the people who were buried, the people who buried the remains, and the pre-historic or historic context and circumstances under which the buried became deceased. Should human remains be discovered, the contractor is required to comply with State Health and Safety Code §7050.5. This requires halting work in the immediate area of the find and notifying the County Coroner, who must then determine whether the remains are of forensic interest. If the Coroner, with the aid of a supervising archaeologist, determines that the remains are or appear to be of a Native American, the Coroner is required to contact the Native American Heritage Commission for further investigations and proper recovery of such remains, if necessary. Implementation of existing regulations will ensure that any discovered remains are appropriately collected and examined for which any significant information can be elicited. Potential impacts due to effects on human remains will be less than significant with implementation of existing regulations.

6. **GEOLOGY AND SOILS**

Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
A) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
B) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
C) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
D) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1997), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
E) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

A, C-D) **Less than Significant Impact.**, Potentially hazardous geological and soils conditions that occur in the Planning Area are limited to seismic ground shaking. Other potential hazards such as fault rupture, liquefaction, subsidence, collapse, lateral spreading, and landslides are not present due the distance to active faults, soil conditions, and the flat terrain.

^ Most of Fresno County east of Interstate 5 is located in Seismic Zone 3 pursuant to the California Building Code. Areas in the Coast Range and foothills and an area along the Fresno County-Inyo County boundary are located in Seismic Zone 4. Groundshaking is the primary seismic hazard in Fresno County, because of the seismic setting and record of historical activity. Urbanized locations in the East Valley, West Valley, and Sierra Nevada Foothills are subject to less intense seismic effects than locations in the Coast Range Foothills and Sierra Nevada Mountains.

^

Potential impacts of seismic ground shaking to properties include property destruction, injury, and loss of life depending on the severity of the event.

Future housing developed pursuant to the policies of the proposed Housing Element will be subject to the requirements of the California Building Code (CBC) as adopted by the City, including preparation of a soils report as required by the City Engineer. The CBC requires analysis of soils and application of engineering standards to ensure projects sites are made suitable for building construction, particularly in regards to foundation design. Impacts due to geological and soils hazards will be less than significant.

NOTE: The City of San Joaquin is also subject to subsidence and that discussion should be included for San Joaquin only.

**B) Less than Significant Impact.** Erosion poses environmental hazards through the effect of removing soils that can undermine roads and buildings and destabilize slopes. Erosion can also result in environmental damage by depositing soils in drainage structures. Within the Valley, erosion is generally not problematic. Compliance with Federal and State regulations limiting erosion pursuant to NPDES requirements, SJVAPCD dust control rules, and local implementation requirements associated with these regulations will reduce potential impacts to less than significant.

**E) Less than Significant Impact.** Future residential projects within the City of Fowler associated with implementation of the Housing Element will not use septic tanks and will be required to connect to the City's sewer system.. Impacts will be less than significant with adherence to existing regulations.

## 7. GREENHOUSE GAS EMISSIONS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
A) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
B) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

A-B) **Less than Significant Impact.** Natural changes in climate can be caused by indirect processes such as changes in the Earth's orbit or direct changes within the climate system itself (i.e. changes in ocean circulation). Human activities can affect the atmosphere through emissions of greenhouse gases (GHG) and changes to the planet's surface. Human activities that produce GHGs are the burning of fossil fuels (coal, oil and natural gas for heating and electricity, gasoline and diesel for transportation); methane from landfill wastes and raising livestock, deforestation activities; and some agricultural practices.<sup>13</sup>

Greenhouse gases differ from other emissions in that they contribute to the "greenhouse effect," a natural occurrence that helps regulate the temperature of the planet. This process is essential to supporting life on Earth because it warms the planet by approximately 60° Fahrenheit. Emissions from human activities since the beginning of the industrial revolution (approximately 250 years ago) are adding to the natural greenhouse effect by increasing the gases in the atmosphere that trap heat, thereby contributing to an average increase in the Earth's temperature. Greenhouse gases occur naturally and from human activities. Greenhouse gases produced by human activities include carbon dioxide (CO<sub>2</sub>), methane (CH<sub>4</sub>), nitrous oxide (N<sub>2</sub>O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF<sub>6</sub>). Since 1750, it is estimated that the concentrations of carbon dioxide, methane, and nitrous oxide in the atmosphere have increased over 36 percent, 148 percent, and 18 percent, respectively, primarily due to human activity. Emissions of greenhouse gases affect the atmosphere directly by changing its chemical composition while changes to the land surface indirectly affect the atmosphere by changing the way the Earth absorbs gases from the atmosphere.

In August 2008, the SJVAPCD adopted the Climate Change Action Plan (CCAP). The CCAP required the development of guidance to assist Lead Agencies, project proponents, permit applicants, and interested parties in assessing and reducing project-specific contributions of greenhouse gas (GHG) emissions and resulting cumulative impacts due global climate change.<sup>14</sup> On December 17, 2009, the SJVAPCD adopted the *Guidance for Valley Land-use Agencies in Addressing GHG Emission Impacts for New Projects under CEQA*. The guidance relies on the use of performance based standards, otherwise known as Best Performance Standards (BPS), to normalize the effects resulting from project-specific greenhouse gas emissions that contribute to global climate change during the environmental review process, as required by CEQA.

Use of the BPS method is designed to streamline the CEQA process for determining significance and is not a mandated emissions reduction program as promulgated by the SJVAPCD. Projects for which the BPS method has been used can be determined to have less than cumulatively significant impacts related to climate change as supported by evidence documented by the SJVAPCD. Otherwise, demonstration of a 29 percent reduction in GHG emissions as compared to future conditions under which the project is operated without GHG reduction methods (known as the Business-as-Usual, or BAU, baseline) is required to find that a project would contribute inconsiderably to cumulative global climate change conditions and

<sup>13</sup> United States Environmental Protection Agency. *Frequently Asked Questions About Global Warming and Climate Change. Back to Basics*. April 2009.

<sup>14</sup> San Joaquin Valley Air Pollution Control District. Climate Change Action Plan. [http://www.valleyair.org/Programs/CCAP/CCAP\\_menu.htm](http://www.valleyair.org/Programs/CCAP/CCAP_menu.htm) [Accessed November 17, 2015].

the resulting impacts to the environment. The guidance does not limit a lead agency's authority to establish its own process for determining the significance of impacts resulting from global climate change or the projects contribution to those impacts.

### **CONSTRUCTION EMISSIONS**

Future development of proposed Opportunity Areas will result in short-term greenhouse gas emissions from construction. Greenhouse gas emissions will be released by equipment used for demolition, grading, paving, and other building construction activities.. Construction activities are short term and cease to emit greenhouse gases upon completion, unlike operational emissions that are continuous. In recognition of the temporary character of GHG emissions from construction activities, the SJVAPCD *Guidance* does not require construction-related GHG emissions to be included in analysis of project-specific climate change impacts.

### **LONG-TERM EMISSIONS**

Future development projects will result in continuous GHG emissions from mobile, area, and other operational sources. Mobile sources, including vehicle trips, will result primarily in emissions of CO<sub>2</sub>, with minor emissions of CH<sub>4</sub> and N<sub>2</sub>O. The most significant GHG emission from natural gas usage will be methane. Electricity usage by future development will result primarily in emissions of carbon dioxide. Disposal of solid waste will result in emissions of methane from the decomposition of waste at landfills coupled with CO<sub>2</sub> emission from the handling and transport of solid waste. These sources combine to define the long-term greenhouse gas inventory for typical development projects.

Future housing will be constructed on undeveloped and underutilized properties. GHG emissions will be evaluated during the City's standard environmental review process as required by CEQA using the BPS method promulgated by the SJVAPCD. Applicable measures will be incorporated into future projects, ensuring GHG emissions are reduced to levels that will not be considered cumulatively considerable in context of global climate change and resulting impacts. Some projects may be required to identify a GHG emissions inventory using regulatory and industry standard methodologies and measures to reduce emissions by 29 percent from BAU levels. GHG reduction measures identified in the *Guidance* documentation are categorized bicycle/pedestrian/transit, parking, site design, mixed-use, building component, transportation demand, and miscellaneous, each addressing the various operational sources of GHG emissions generated by development. Incorporation of BPS will ensure compliance with the regional CCAP and by extension the targets identified in the state Scoping Plan for reduction of GHG emissions. Impacts will be less than significant.

**8. HAZARDS AND HAZARDOUS MATERIALS**

Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
A) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
B) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
C) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
D) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
E) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
F) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
G) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
H) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

A-D) **Less than Significant Impact.** Residential and mixed-use housing development do not typically involve the use, transport, or disposal of appreciable amounts of hazardous materials or wastes. Residential uses are characterized by the use of common, widely available hazardous materials including paints and other solvents, cleaners, and pesticides. Considering that consumer-level household hazardous materials and wastes are not subject to federal or state permitting by the consumer and that their use is at such levels as to not have the potential to result in risk of upset or accident that could harm a

substantial number of people, or have a substantial effect on the functions of the local or regional ecosystem, effects would be less than significant.

Future developments associated with buildout of the Housing Element will be subject to environmental review pursuant to CEQA. If any *Cortese List* sites are located on or within an Opportunity Site or Area, preparation of a Phase 1 ESA will be required to determine the potential presence of hazardous material or wastes and the resulting need for Phase 2 and Phase 3 studies and remediation, if necessary. With adherence to existing standards and regulations, implementation of the proposed Housing Element update will result in less than significant impacts.

The General Plan includes the Circulation Element Truck Route Map (Figure 5-2 of the General Plan). These routes include Golden State Boulevard, Manning Avenue, 5<sup>th</sup> Street (South of Fresno), 7<sup>th</sup> Street, 8<sup>th</sup> Street, Temperance Avenue, and Adams Avenue (west of 7<sup>th</sup>). Through-truck traffic is encouraged to use these routes, but trucks may use any local street for direct delivery. Future housing located along truck routes could have the potential to expose residents to toxic emissions. Residents would also be exposed to the possibility of accidental spills on roadways adjacent to housing located along these designated truck routes. However, under upset and accident conditions, it is reasonably foreseeable that most potential spills will be contained within the right-of-way with minimal chance of materials or wastes reaching adjacent homes. Materials and waste transport is subject to federal and state regulations regarding the packaging of substances for transport and driver certification in DOT transport and handling requirements. Transport accidents are subject to federal and state containment and cleanup procedures typically implemented by local fire departments and the Fresno County Haz-Mat team. These measures are sufficient in ensuring that impacts resulting from the effects of materials or wastes spills on humans and the environment are less than significant.

According to the General Plan EIR, hazardous materials pass through the City on State Route 99, regional rail lines, and the surface street system. While train derailment can occur at any time, it is during an earthquake that a derailment and hazardous materials release would pose the greatest risk of hazards. It is reasonably foreseeable that train future derailments could result in extensive impacts to adjacent residents as it is possible for multiple train cars to leave the tracks and violently careen into adjacent urban areas. Transportation of hazardous materials and wastes by truck and rail is regulated by the U.S. Department of Transportation (DOT). DOT regulations establish criteria for safe handling procedures. Federal safety standards are also included in the California Administrative Code. The California Health Services Department also regulates the haulers of hazardous waste, but does not regulate all hazardous materials. Although there is some reasonably foreseeable potential for exposure of future residents to hazardous materials and wastes under upset and accident conditions, federal and state regulations are in place with a focus on prevention of accidental releases and measures for appropriate containment and cleanup when accidents occur.

According to the EPA, approximately 8 small quantity generators (SQG) and 1 large quantity generator (LQG) of hazardous wastes operate within and adjacent to the Planning Area. SQG generate more than 100 kilogram of hazardous waste and less than 1,000. Both the federal government and the State of California require all businesses that handle hazardous materials or extremely hazardous materials to submit a business risk management plan to its local Certified Unified Program Agency (CUPA). The business risk management plan must include an inventory of the hazardous materials and emergency response plans to be used in the event of a significant release of a hazardous material. Implementation of federal and state requirements for the operation of these types of facilities will ensure that exposure to residential uses will be minimized or avoided.

Considering the preceding analysis, the proposed Housing Element will not result in effects from the use, transport, or disposal of hazardous or acutely hazardous materials or wastes, under normal or upset and accident conditions, which could impact human health or the environment. With implementation of existing regulations and standards, impacts will be less than significant.

E-F) **Less than Significant Impact.** There are nine public and private airports within Fresno County.<sup>15</sup> The public airports are Fresno-Yosemite International Airport, Fresno Chandler Downtown Airport, Coalinga Airport, Firebaugh Municipal Airport, Mendota Municipal Airport, and Reedley Municipal Airport. The private airports are Harris Ranch Airport, Selma Aerodrome, and Sierra Sky Park Airport. Specific land use policy plans have been developed for Fresno-Yosemite International, Fresno Chandler Downtown, Coalinga, Harris Ranch, and Sierra Sky Park Airports. A single land use policy plan has been prepared for Firebaugh, Mendota, Reedley, and Selma Aerodrome.

Airport safety issues and their connection with land use planning are generally associated with hazards posed by departing and landing aircraft. Development within the approach and departure zones of an airport are subject to the effects of potentially widespread, although rare, aircraft crashes; therefore, the denser the development and population within these zones, the greater risk of impacts to human health. Development within the vicinity of an airport can result in increased potential for impact due to height, glare, and electronic interference that can disrupt the flight patterns and pilots operating out of the airport.

The Airport Land Use Commission (ALUC) is responsible for ensuring that development within the vicinity of an airport does not cause undue risk to airport operations or the safety of persons on the ground. The ALUC must review the general plans of local jurisdictions for consistency with the county's airport comprehensive land use plan (CLUP). Primary and Secondary Review Areas must be identified for each facility. Projects proposed within the geographic boundaries of the Primary Review Area are referred to the ALUC for review and evaluation. Within the Secondary Review Area, only those projects involving a structure or other object with a height that will exceed that permitted under adopted land use zoning will be referred to the ALUC for review. There are no Opportunity ??Sites within Fowler located within a CLUP of any of the nine airports in Fresno County.

Considering the proposed Housing Element will not subject future development or persons to undue harm from airport operations consistent with the CLUP, impacts will be less than significant.

G) **No Impact.** The City is part of the multi-jurisdictional Multi-Hazard Mitigation Plan (MHMP) prepared for the County. The MHMP serves as an extension of the California Emergency Plan and the Emergency Resource Management Plan. The purpose of the MHMP is to respond to emergency situations with a coordinated system of emergency service providers and facilities. The Multi-hazard Emergency Plan addresses the City's planned response to extraordinary emergency situations associated with natural disasters, technological incidents, terrorist activities, and war-related operations. The Plan also addresses evacuation and movement of people in the event of an emergency. The proposed Housing Element does not include any land use, circulation, or safety changes that could conflict with implementation of the MHMP or other emergency response programs. No impact will occur.

H) **Less than Significant Impact.** Fresno County is most prominently subject to wildland fires west of Interstate 5 and east of Clovis and Sanger in the Sierra Nevada foothills.<sup>16</sup> According to the Cal Fire Local Responsibility Area for the Fire Hazard Severity Maps, the City of Fowler is not subject to wildland fires,. Impacts will be less than significant .

---

<sup>15</sup> Fresno County. General Plan Update Draft Environmental Impact Report. February 2000

<sup>16</sup> California Department of Forestry and Fire. Fire Hazard Severity Zone Map. 2007/2008.

9. **HYDROLOGY AND WATER QUALITY**

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
A) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
B) 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 pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
C) 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 that would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
D) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
E) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
F) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
G) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
H) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
I) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
J) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

A) **Less than Significant Impact.** The County and the City of Clovis, along with the City of Fresno, California State University, Fresno, and the Fresno Metropolitan Flood Control District are joint-permittees for dischargers to the waters of the United States through the area-wide municipal separate storm sewer system (MS4) under permit issued by the Central Valley

Regional Water Quality Control Board (RWQCB) as amended Waste Discharge Requirements Order R5-2013-0080-1 and National Pollution Discharge Elimination System (NPDES) Permit CA0083500. The Order prohibits polluted storm water and non-storm water discharges into the storm drain system, identifies receiving water limitations on constituent loading, and requires preparation of a Storm Water Quality Management Plan (SWQMP). The SWQMP is required for all MS4 permits to address prohibited discharges from construction, industrial and commercial, municipal operations through structural mechanisms and programs addressing illicit connections and discharges, public outreach and education, and land use planning to be measured against performance and effectiveness indicators during the mandatory annual review.

Housing is a common type of urban development and is addressed in the City waste discharge requirements for construction and operational sources of pollutants that can affect downstream surface water bodies by discharge into the local storm drain system. Discharge of pollutants into water bodies can result in effects on the beneficial uses of the water body. Beneficial uses include water for agricultural uses, special areas for biological resources, and areas of artificial or natural groundwater recharge, .<sup>17</sup> The proposed Housing Element does not include any policies or programs that will conflict with implementation of the NPDES program such that future residential development could result in exceedance of the MS4 permit waste discharge requirements and thus will not substantially impact downstream water quality. Furthermore, future housing development will be subject to environmental inquiry and potential review pursuant to CEQA. Impacts related to violation of water quality standards and waste discharge requirements will be less than significant with implementation of existing permit regulations.

**B) Less than Significant Impact.** The proposed Housing Element can accommodate projected housing demand over the next eight years which will require potable water for domestic use as well as water for landscape irrigation., As a result, future housing will contribute to cumulative, long-term increases in demand for groundwater and other water resources. The City is situated above the Kings Basin where much of the groundwater supply is generated through recharge of the Basin via the Kings River. No imported water source is available and water supplies are limited to those within the watershed. The dependence on groundwater and the growth in water demand by urban and agricultural users has depleted groundwater resources in the Central Valley. Despite efforts to balance supply and demand, increased pumping during the irrigation season has resulted in seasonal and long-term declines in groundwater levels in some parts of the County. Beyond the potential loss of water for potable and non-potable uses, declines in groundwater can result in effects on the operation of water wells. Declining groundwater levels can cause the water table to descend below a water well's pump intake, rendering the well incapable of drawing water. This can result in temporary water shortages and require the creation of new water wells and abandonment of the existing well,

The proposed Housing Element update does not include any changes to the land use designations of the Inventory Sites; Future development of the Inventory Sites will be subject to project-specific environmental review pursuant to CEQA. The City will continually monitor municipal water well capacities and plan and install additional wells to serve projected growth; as a result, no impacts to the City's water sytem are expected.

In 2010, the City entered into a cooperative agreement with the Consolidated Irrigation District for groundwater recharge. Under terms of the agreement, the City will pay an annual fee which will be used to purchase land and construct groundwater recharge basins for delivery of excess surface water by CID. The cooperative agreement and the resulting groundwater recharge program will reduce potential impacts to groundwater to a less than significant level.

**C-E) Less than Significant Impact.** Future development of housing will occur on currently or previously developed sites and undeveloped sites. Development on currently or previously developed sites is unlikely to change hydrological conditions of the site that was graded and engineered to convey flows to local storm drains in accordance with the City standard requirements. Development on undeveloped sites may result in more substantial changes to site topography and drainage conditions as grading activity occurs. The concern with changes in on-site drainage is the potential to result in adverse effects from

---

<sup>17</sup> Central Valley Regional Water Quality Control District. Water Quality Control Plan for the Sacramento and San Joaquin River Basins. 4<sup>th</sup> ed. September 1998

flooding, erosion, , , and exceedance of storm drain capacity . However, impacts due to the effects of changes in drainage patterns will be less than significant with implementation of existing regulations.

F) **No Impact.** No other potential impacts related to hydrology and water quality were identified in this analysis. No impact will occur.

G-H) **No Impact.** None of the identified Inventory Sites will be located within any 100-year flood hazard zone. No impact will occur.

I) **Less than Significant Impact.** According to the General Plan EIR, the City of Fowler is located within the dam inundation zone of Pine Flat Dam. However, the risk of dam inundation is low and annual inspection of the dam is conducted by the U.S. Army Corps of Engineers (ACOE). However, dam failure and inundation can occur due to unforeseen events, which could result in severe flooding throughout the City. Government Code §65032(g) requires that jurisdictions include measures to reduce the risk of loss of life and property when the potential for dam inundation exists.

Although the potential for flooding and inundation in the City is potentially significant, adherence to existing regulations will reduce the flood hazard potential in the City. Considering the extensive regulations and requirements associated with the construction and maintenance of dams, potential impacts resulting from the effects of dam or levee failure will be less than significant.

J) **Less than Significant Impact.** *Seiche* is the process by which water sloshes outside its containing boundaries, generally due to an earthquake. The Planning Area does not contain any open reservoirs, lakes, or other large bodies of water; therefore, significant impacts resulting from the effects of seiche will not occur.

The Planning Area is not subject to impacts from the effects of a tsunami because it is located over 100 miles inland of the Pacific Ocean.

A *mudflow* (or debris flow) is a rapidly moving slurry of water, mud, rock, vegetation and debris. The Planning Area is flat and therefore, not susceptible to debris flows.

**10. LAND USE AND PLANNING**

Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

A) **No Impact.** The planning area is relatively small and forms a single compact community. There are no other distinct communities located within the planning area. None of the identified Inventory Sites will physically divide the community and no impact will occur.

B) **No Impact.** The Housing Element update sets forth policies to encourage housing development consistent with adopted land use policies established in the General Plan. No changes in land use or development intensities are proposed. The Housing Element does not include any goals, policies, or programs that would conflict with adopted General Plan goals and policies to mitigate impacts generated by development within the Planning Area. No impact will occur.

C) **No Impact.** There are currently no locally or State-established habitat or natural community conservation plans applicable to the City of Fowler. No impact will occur.

### 11. MINERAL RESOURCES

Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
A) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
B) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

A-B) **No Impact.** Fresno County has a wide variety of mineral resources.<sup>18</sup> Extracted resources include aggregate products (, fossil fuels, metals and other minerals used in construction or industrial applications ( . A review of the Fresno County General Plan Background Report, USGS Mineral Information, the California Geological Survey, and the California Division of Oil, Gas, and Geothermal Resources databases indicates there are no known mineral resources in the Fowler Planning Area. No impact will occur.

<sup>18</sup> Fresno County. General Plan Update Draft Environmental Impact Report. February 2000

## 12. NOISE

Would the project result in:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
A) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
B) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
C) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
D) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
E) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
F) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

A) **Less than Significant Impact.** To ensure that noise producers do not adversely affect sensitive receptors, the City identifies land use compatibility standards within the General Plan to use when planning and making development decisions. According to the General Plan EIR, build out under the General Plan would result in less than significant impacts with implementation of General Plan Goals and Policies. Moreover, the General Plan Noise Element includes standards, criteria, programs, diagrams, action items, and maps related to protecting public health and welfare from excessive noise exposure. These standards and criteria are incorporated into the land use planning process to reduce noise and land use incompatibilities.

### CONSTRUCTION NOISE

The General Plan EIR found that build out of the General Plan would result in less than significant impacts with adherence to Municipal Code Section 5-19.01 (Unlawful Noise) as well as General Plan mitigation measures.

### OPERATIONAL NOISE

The proposed Housing Element update does not include any changes to the land use designations of the Inventory Sites; thus, impacts associated with potential development of the Inventory Sites would remain within the scope of analysis in the General Plan EIR. Future Housing Development will be subject to environmental review pursuant to CEQA at which time all environmental issues will be vetted and appropriate mitigation incorporated, if needed, should noise impacts be identified.

Operational noise associated with housing development is considered to be negligible. Potential impacts will be less than significant with implementation of existing standards and regulations.

**B) Less than Significant Impact.** Vibration is sound radiated through the ground. The rumbling sound caused by the vibration of room surfaces is called groundborne noise. The ground motion caused by vibration is measured as particle velocity in inches per second, and in the U.S. is referenced as vibration decibels (VdB).

The background vibration velocity level in residential and educational areas is usually around 50 VdB. The vibration velocity level threshold of perception for humans is approximately 65 VdB. A vibration velocity level of 75 VdB is the approximately dividing line between barely perceptible and distinctly perceptible levels for many people. Typical outdoor sources of perceptible groundborne vibration are construction equipment, steel-wheeled trains, and traffic on rough roads. The range of interest is from approximately 50 VdB, which is the typical background vibration velocity level, and 100 VdB, which is the general threshold where minor damage can occur in fragile buildings.

The general human response to different levels of groundborne vibration velocity levels is described in Table 9 (Human Reaction to Vibration).

**Table 9  
Human Reaction to Vibration**

Vibration Velocity Level	Human Reaction
65 VdB	Approximate threshold of perception for many people.
75 VdB	Approximate dividing line between barely perceptible and distinctly perceptible. Many people find that transportation-related vibration at this level is unacceptable.
85 VdB	Vibration acceptable only if there are an infrequent number of events per day.
<i>Source: Federal Transit Administration, Transit Noise and Vibration Impact Assessment, May 2006</i>	

Groundborne vibration can result in impacts from minor annoyances to people to major shaking that damages buildings. The primary source of groundborne vibration within the City would be railroad and heavy construction activities. According to the Caltrans *Transportation- and Construction-Induced Vibration Guidance Manual*, transportation sources are not a significant source of vibration and therefore are not discussed below.

Table 10 (Common Construction Vibration) summarizes vibration levels from common construction equipment. Impacts to structures can occur from 0.08 PPV to 2.00 PPV depending on the duration of the vibration and the age of the structure. Similarly, human annoyance to vibration can occur from 0.01 PPV to 2.00 PPV depending on the duration.

**Table 10**  
**Common Construction Vibration**

<b>Equipment</b>	<b>PPV (in/sec at 25 ft.)</b>
Crack-and-Seat Operations	2.400
Vibratory Roller	0.210
Large Bulldozer	0.089
Caisson Drilling	0.089
Loaded Trucks	0.076
Jackhammer	0.035
Small Bulldozer	0.003
<i>Source: California Department of Transportation 2004</i>	

Vibration impacts related to construction are temporary and rare except in cases where large equipment is used near existing, occupied development. Construction noise and associated vibration would be controlled through restrictions currently established in the City's General Plan, as shown above. These restrictions would minimize potential annoyance from vibration impacts to nearby residential development during sensitive evening hours. Moreover, development of housing would not introduce new sources of significant ground-borne vibration, as such impacts are not characteristic of residential development of the type associated with build out of the proposed Housing Element.

Impacts to new development could result from railroad operations if vibration-sensitive development such as residential land uses are proposed within 100 feet of a railroad track. With regard to railroad operations, noise and vibration impacts would be evaluated on a project-by-project basis pursuant to CEQA and the City's local implementation procedures. As mentioned in the General Plan EIR, according to the Union Pacific Railroad, no change to train service or schedules has been identified to occur in the foreseeable future; therefore, noise levels generated by trains would remain the same as under existing conditions where land uses within 250 feet of the train tracks may experience noise levels in excess of 65 dB.

No impacts would be associated with vibration as no policy changes, developments, or infrastructure improvements are proposed as part of the Housing Element update.

**C) Less than Significant Impact.** Residential land uses typically do not produce excessive noise that could substantially increase ambient noise levels. The future development of the Inventory Sites could increase ambient noise levels due to increased traffic generation. Thus, development of the Inventory Sites would partially contribute to the noise volumes identified in the General Plan EIR. The proposed Housing Element does not include changes to land uses and intensities designated in the General Plan and analyzed in the EIR. The Housing Element does not propose any specific development or any land use changes that would invalidate this prior finding or further increase traffic levels beyond those analyzed in the General Plan EIR. Project-specific increases in ambient noise levels due to future development on each Inventory Site would be evaluated as development is proposed pursuant to existing policies and procedures. With these existing policies and procedures in place, impacts related to increases in ambient noise levels would be less than significant.

**D) Less than Significant Impact.** Temporary increases in local noise levels would be associated with construction activities. Construction noise would be controlled through the time restrictions established in the Municipal Code. Continued enforcement of the City's noise restrictions would reduce temporary noise impacts to less-than-significant levels.

**E-F) Less than Significant Impact.** None of the Inventory Sites identified in the proposed Housing Element are located within an Airport Land Use Plan. ; impacts would be less than significant.

### 13. POPULATION AND HOUSING

Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
A) 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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
B) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
C) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

A) **No Impact.** Adoption and implementation of the Housing Element will not, in and of itself, directly result in population growth. The proposed Housing Element update is designed to guide and accommodate the City's share of the projected regional population growth and associated housing over the next eight years. Pursuant to Government Code 65584, the California Department of Housing and Community Development (HCD) is required to determine the Regional Housing Needs Allocation (RHNA), by income category, for Council of Governments (COGs) throughout the State. The RHNA is based on the California Department of Finance population projections and regional population forecasts used in preparing regional transportation plans. COGs are required to allocate to each locality a share of housing need totaling the RHNA for each income category. The proposed Housing Element and Inventory Sites are projected to meet the City's housing demand as identified in the RHNA. Considering the Housing Element identifies adequate land and planning mechanisms to accommodate the future housing needs of the growing population, the proposed housing Element does not induce population growth. No impact will occur

B-C) **No Impact.** The proposed Housing Element update is intended to encourage and facilitate housing development and preserve and enhance the existing housing stock. The availability of residential units in response to increases in population is supported by the Housing Element. Considering residential units will increase as guided by the goals and policies of the proposed Housing Element, no impacts related to the displacement of housing or people will occur.

## 14. PUBLIC SERVICES

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:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
A) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
B) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
C) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
D) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
E) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

A) **Less than Significant Impact.** The Fowler Fire Department provides fire protection services to the City. The City has approved the construction of a new fire station adjacent to City Hall. The effects of constructing and operating the new fire station were assessed in accordance with CEQA and NEPA. It was determined that potential impacts resulting from the effects of constructing and operating the fire station will be less than significant with implementation of existing regulations.

B) **Less than Significant Impact.** The Fowler Police Department provides police protection services to the City. According to the General Plan EIR, the Police Department does not estimate needing to construct any new stations upon build-out of the Planning Area. Construction and operation of any new substation would be subject to preliminary environmental review pursuant to CEQA at which time all environmental issues will be vetted and appropriate mitigation incorporated, if needed. Potential impacts resulting from the effects of constructing and operating future police facilities will be less than significant with implementation of existing regulations.

C) **Less than Significant Impact.** Fowler Unified School District provides K-12 school services to the planning area. The District includes one high school, one middle school, three elementary schools, and a continuation school. The effects of schools that can result in environmental impacts are specific and include peak traffic levels occurring in the morning and early afternoon, playground noise, and field lighting. The financing of future school sites is considered fully mitigated through the payment of development impact fees pursuant to the Leroy F. Green School Facilities Act; therefore, pursuant to State law and the payment of development impact fees, such impacts will be less than significant. Effects of the construction and operation of schools that can result in environmental impacts are specific and include peak traffic levels occurring in the morning and early afternoon, playground noise, and field lighting. The school district will be required to prepare a CEQA analysis should any school be proposed in order to mitigate potential impacts of such construction and operation on surrounding neighborhoods.

D) **Less than Significant Impact.** Pursuant to State law, the City imposes parkland dedication or in-lieu fees on new development. The proposed Housing Element will generate new or relocated residents that will require park and recreation facilities and associated programs, either through expansion of existing facilities or construction of new facilities. Construction or expansion of parks can result in nominal effects such as pollutant emissions from construction and operational trip generation potentially resulting in similarly nominal impacts to the environment. The City will continue to collect in-lieu fees or require construction of new or expanded parks from new housing development to compensate for incremental increases in parks and recreation service demand. Construction and operation of new or expanded parks and recreation facilities will be subject to preliminary environmental review pursuant to CEQA at which time all environmental issues will be vetted and

appropriate mitigation incorporated, if needed. Potential impacts resulting from the effects of constructing and operating future parks and recreation facilities will be less than significant with implementation of existing regulations.

E) **Less than Significant Impact.** New or relocated residents generated by new housing guided by the goals and policies of the Housing Element will generate the incremental need for a variety of public and quasi-public services including libraries, medical clinics, urgent care facilities, hospitals, social service centers, senior centers, and other facilities. Construction and operation of new or expanded public service facilities will be subject to preliminary environmental review pursuant to CEQA at which time all environmental issues will be vetted and appropriate mitigation incorporated, if needed. Potential impacts resulting from the effects of constructing and operating future public service facilities will be less than significant with implementation of existing regulations.

15. RECREATION

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
A) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
B) Does the project include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

A-B) **Less than Significant Impact.** Pursuant to State law, the City imposes parkland dedication or in-lieu fees on new development. The proposed Housing Element will generate new or relocated residents that will require park and recreation facilities and associated programs, either through expansion of existing facilities or construction of new facilities. Construction or expansion of parks can result in nominal effects such as pollutant emissions from construction and operational trip generation potentially resulting in similarly nominal impacts to the environment. The City will continue to collect in-lieu fees or require construction of new or expanded parks from new housing development to compensate for incremental increases in parks and recreation service demand, thus providing adequate, per-capita facilities for future residents. Construction and operation of new or expanded parks and recreation facilities will be subject to preliminary environmental review pursuant to CEQA at which time all environmental issues will be vetted and appropriate mitigation incorporated, if needed. Potential impacts resulting from the effects of constructing and operating future parks and recreation facilities will be less than significant with implementation of existing regulations.

**16. TRANSPORTATION AND TRAFFIC**

Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
A) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
B) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
C) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
D) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
E) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
F) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

A-B) **Less than Significant Impact.** The City is served by local and regional transportation facilities including streets, freeways, railways, and bus routes in addition to non-motorized transportation facilities such as sidewalks, trails, and bikeways. These facilities and modes of travel comprise the circulation system for the City and the broader system designed with the goals of efficiently moving people and goods throughout the region by providing ease of access to multiple modes of travel.

Future housing development will primarily generate vehicle trips that will disperse during the morning as residents drive primarily for work and school. Some residents may simply walk to their destination or use other transit options. Afternoon trips have a higher likelihood of a portion of the trip being dedicated to accessing shopping, entertainment, or other uses. According to the Institute of Transportation Engineers (ITE) *Trip Generation Manual*, single-family homes generate 9.52 daily trips per dwelling unit, with 7.6 percent of those trips occurring during morning peak hours and 10.5 percent occurring during afternoon

peak hours.<sup>19</sup> Apartments generate 6.65 daily trips per dwelling unit with 7.7 percent occurring during morning peak hours and 9.3 percent occurring during the afternoon peak hour. The concern regarding transportation facilities and their counterpart modes of travel is excessive use throughout the day or during morning and/or afternoon peak hours and the resulting effects on the performance of the facilities ability to move people and goods. Direct failure or accelerated deterioration of circulation system facilities can occur if the facility was not designed to function under increased loading.

Three planning efforts guide the long-term improvement of the circulation system at the regional and local levels. The Regional Transportation Plan and Sustainable Communities Strategy (RTP/SCS) is administered by the Fresno Council of Governments (COG) as a comprehensive assessment of all travel modes in Fresno County and the needs of travel and goods movement through the year 2040.<sup>20</sup> The Congestion Management Process (CMP) is also administered by Fresno COG and provides for safe and effective management and operation of existing and future transportation facilities through demand reduction and operations strategies. The CMP relies on local jurisdiction standards in determining the performance of the CMP network; Fowler has adopted the Level of Service (LOS) C standard. The COG is currently in the process of updating the CMP. The final effort is the City's General Plan Circulation Element that identifies long-term transportation improvements for local facilities.

Local and regional planning efforts are designed to reduce the direct and indirect effects of travel so as to minimize or avoid resulting impacts on human health and the environment. The proposed Housing Element is consistent with the growth assumptions used in the development of the RTP/SCS and CMP and the does not include any land use changes to the General Plan; therefore, the Housing Element would not conflict with the goals of transportation planning efforts of the City or the COG. Impacts to the local roadway system will be less than significant.

Based on this preceding analysis, future Housing development will not impede local or regional efforts to ensure an efficient circulation system. Future Housing Development will be subject to environmental review pursuant to CEQA at which time all environmental issues will be vetted and appropriate mitigation incorporated, if needed, should transportation impacts be identified that are not covered under existing development impact fees. Potential impacts resulting from conflicts with local and regional transportation plans and performance requirements will be less than significant with implementation of existing standards and regulations.

C) **No Impact.** The updated Housing Element is focused on achieving local housing objectives and does not authorize any construction or permit increases in residential heights that would result in the need to redirect or otherwise alter air traffic patterns. No impacts will occur.

D) **No Impact.** The Housing Element update does not authorize the construction of any roadway and will result in no effects on the design of existing or future streets. No impacts will occur.

E) **Less than Significant Impact.** The project does not involve any road construction or any development activity and thus would not obstruct or restrict emergency access. Future housing development facilitated by implementation of Housing Element policies will be subject to site plan review and approval during entitlement review and/or application for building permits. The Fire Department reviews all plans to ensure compliance with all applicable emergency access and safety requirements. Impacts involving emergency access will be less than significant with continued implementation of development review procedures.

F) **No Impact.** The project includes programs and policies in support of the development of new housing units to meet the City's regional fair share of housing, as required by State law. The Housing Element is consistent with regional and local transportation plans that promote a transportation system that embodies all modes of travel; therefore, the Housing Element will not conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities. No impacts will occur.

---

<sup>19</sup> Institute of Transportation Engineers. Trip General Manual. 9<sup>th</sup> Ed. 2012

<sup>20</sup> Fresno Council of Governments. Regional Transportation Plan and Sustainable Communities Strategy. June 2014

**17. UTILITIES AND SERVICE SYSTEMS**

Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
A) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
C) Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
D) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
F) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
G) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

A) **No Impact.** Future housing will generate wastewater that will be conveyed via the sewer collection system. Wastewater from the planning area is conveyed to and treated at the Selma-Kingsburg-Fowler Sanitation District's (SKFSD) Wastewater Treatment Plant (WWTP). The Central Valley Regional Water Quality Control Board (RWQCB) issued wastewater treatment requirements for the WWTP in Order 05-01-255. A violation of the WWTP permit requirements will occur if effluent discharges exceed adopted limits for one or more pollutants or if the daily maximum permitted treatment volume is exceeded and excess discharge is released into downstream water bodies. Total facility capacity is 6.5-8.0 million gallons of wastewater per day (mgd) annually with the facility treating an annual average of between 2.9 and 5.4 mgd.<sup>21</sup> Future housing development, consistent with current General Plan land use policy, will result in typical wastewater discharges and will not require new methods or equipment for treatment that are not currently permitted for the existing treatment facility. The Housing Element and future housing development will not affect compliance with RWQCB treatment requirements. No impact will occur.

B, D-E) **No Impact.** The SKFSD Wastewater Treatment plant has a design capacity is 6.5-8.0 million gallons of wastewater per day (mgd) annually with the facility treating an annual average of between 2.9 and 5.4 mgd. The Housing Element is

<sup>21</sup> California Water Service Company. 2010 Urban Water Management Plan: Selma District. [https://www.calwater.com/docs/uwmp/sel/2010\\_Urban\\_Water\\_Management\\_Plan\\_%28SEL%29.pdf](https://www.calwater.com/docs/uwmp/sel/2010_Urban_Water_Management_Plan_%28SEL%29.pdf) [Accessed December 12, 2015].

consistent with the master planning efforts of the SKFSD to ensure adequate treatment capacity and technologies to serve existing plus future residents. Similarly, the City of Fowler has adequate water well capacity which greatly exceeds the projected water demand throughout the planning horizon of the Housing Element. Considering adequate water supply and wastewater treatment capacity has been demonstrated over the next eight to ten years, new water or wastewater treatment facilities will not be required solely to serve the project. Considering no new facilities will be required to be constructed or supply to be acquired, no impacts will occur.

C) **No Impact.** Current National Pollution Discharge Elimination System (NPDES) regulations focus on low impact development standards in addition to the standard “no net increase in runoff into the storm drain system”. Any incremental increases in urban runoff generated from future housing development will be required to be retained or otherwise stored in City owned and maintained ponding basins; any new ponding basin will be subject to environmental review pursuant to CEQA at which time all environmental issues will be vetted and appropriate mitigation incorporated, if needed,. No impacts will occur.

F) **Less than Significant Impact.** Waste Management provides solid waste collection services to the City. Solid waste that is not diverted due to recycling is disposed of at the American Avenue Disposal Site.<sup>22</sup> According to the *Remaining Lifetime Landfill Capacity Data Sheet* prepared by the California Department of Resources Recycling and Recovery (CalRecycle) for Fresno County, there is sufficient landfill capacity to serve the County and any future housing development over the life of the Housing Element. Impacts will be less than significant.

G) **No Impact.** All new development will be required to comply with State mandates and City regulations regarding reduction/recycling of household waste. None of the proposed housing strategies in the proposed Housing Element update will have any effect upon or result in any conflicts with solid waste disposal regulations, as the scope of these revisions does not increase development capacity. No impact will occur.

---

<sup>22</sup> California Department of Resources Recycling and Recovery. Disposal Reporting System: Jurisdiction Profile: Fresno – Fresno. <http://www.calrecycle.ca.gov/LGCentral/Reports/Viewer.aspx?P=ReportYear%3d2014%26ReportName%3dReportEDRSJurisDisposalByFacility%26OriginJurisdictionIDs%3d168> [December 3, 2015]

**18. MANDATORY FINDINGS OF SIGNIFICANCE**

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects which would cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

A) **Less than Significant Impact.** The results of the preceding analysis indicate that the proposed project will have less-than-significant impacts with respect to sensitive biological, historical, archaeological, and paleontological resources. Impacts to scenic vistas and visual character and resources will be less than significant. Considering the project will not authorize any development plan, redevelopment of any existing sites, or construction of new infrastructure, and will not change existing City land use policy regarding locations or intensities of development, it will not result in any effects that will degrade the quality of the environment. The City finds that impacts related to degradation of the environment will be less than significant.

B) **Less than Significant Impact.** Cumulative effects resulting from full implementation of City land use policies were evaluated in the General Plan EIR. The proposed Housing Element update will not change any of these policies and does not propose any specific development or redevelopment project that could contribute to short-term or long-term cumulative impacts that were not addressed sufficiently in the General Plan EIR. The proposed project does not include any changes to land use designations and thus is consistent with the project analyzed in the General Plan EIR. The City hereby finds that the proposed Housing Elements individual contribution to potentially significant cumulative impacts is not considerable.

C) **Less than Significant Impact.** As supported by the preceding environmental evaluation, the project will not result in substantial adverse effects on human beings. It has been determined through quantitative and qualitative analysis supported by substantial evidence that the proposed Housing Element has been determined to have little or no adverse impacts on people or the environment. The City hereby finds that direct and indirect impacts on human beings will be less than significant.

### *LEAD AGENCY*

City of Fowler  
Community Development Department  
128 South 5<sup>th</sup> Street  
Fowler, California 93625  
(559) 834-3113, ext. 122

Bruce O'Neal, Planner

### *ENVIRONMENTAL ANALYSTS*

MIG 92507  
1500 Iowa Avenue, Suite 110  
Riverside, California 925079222  
951-787-9222

Christopher Brown, Director of Environmental Services  
Cameron Hile, Associate Analyst  
Amanda North, Technician

