

As noted under Impact 15.1, Roeding Regional Park, the Fresno Chaffee Zoo and Rotary Storyland and Playland have had substantial success in implementing City programs geared toward reducing the volume of solid waste sent to landfill facilities and will continue to comply with State and local waste reduction regulations, policies and programs related to solid waste. Implementation of the Master Plans Project will not prevent or inhibit the City's efforts to comply with the mandated diversion goals. This impact is *less than significant*. (RDEIR p. 15-3.)

Cumulative Solid Waste Impacts. As described in Recirculated Draft EIR Chapter 15, Solid Waste, the Master Plans Project would have a less than significant impact with respect to increasing local demand for landfill space. GPMEIR policies ensure that adequate capacity can be provided for all utility and service systems and GPMEIR cumulative impacts are less than significant. Therefore, the project's effects with respect to solid waste is *less than cumulatively considerable*. (RDEIR pp. 22-16 – 22-17.)

b. Finding

The City Council finds, based on the Final EIR and the whole record, that the Project will result in *less-than-significant* impacts to public services and utilities – solid waste with respect to demand for local landfill space, compliance with federal, state, and local statutes and regulations related to solid waste, and cumulative solid waste impacts.

14. Energy

a. Impacts

Impact 16.1: The Master Plans Project would not consume energy resources in a wasteful, inefficient and unnecessary manner. The Master Plans Project would use energy resources – electricity, natural gas, and petroleum products (gasoline, diesel fuel, lubricants, and asphalt) – during its construction (short-term) and operational phases (long-term). Project construction is scheduled to begin as early as January 2012 and be completed within 3 to 10 years, depending on various funding factors. During construction activities, fuel consumption is the largest component of energy use. Based on assumptions that were used within the Recirculated Draft EIR's Air Quality Impact Assessment in Appendix E, the total on-road vehicle miles traveled during construction activities estimated to be 3,800 miles. Based on a general estimate of 10 miles per gallon of fuel, the on-road truck fuel consumption during project construction activities would be approximately 380 gallons of fuel. Also based on information in the Air Quality Impact Assessment in Appendix E, the total number of construction equipment hours is estimated to be 16,542 hours. Based on a general construction equipment fuel consumption of 9 gallons per hour, the total amount of fuel that would be consumed by construction equipment is estimated to be approximately 150,000 gallons of fuel. Therefore, the total amount of fuel that would be consumed by on-road trucks and construction equipment is estimate to be approximately 150,380 gallons of fuel. There are no unusual project characteristics that would necessitate the use of construction equipment that would be less energy-efficient than at comparable construction sites in other parts of the State. Therefore, it is

expected that construction fuel consumption associated with the proposed project would not be any more inefficient, wasteful, or unnecessary than at other construction sites in the region.

With regard to operational impacts, the Master Plans Project is estimated to generate 22,674 vehicle miles traveled per year Based on assumptions that were used within the Air Quality Impact Assessment in Appendix E. Based on an average of 27.5 miles per gallon of fuel, the total amount of fuel consumption is estimated to be approximately 824 gallons of fuel per year. The proposed project would primarily provide recreational and employment opportunities for Fresno area residents. The proposed project is anticipated to primarily employ local residents. Therefore, it would not be expected that project employees would be making longer than average trip lengths to get to work.

With regards to building energy demand Recirculated Draft EIR Table 16-3 and Table 16-4 provide an estimate of the annual electricity and natural gas consumption by the proposed improvements associated with the Fresno Chaffee Zoo, Rotary Playland and Storyland respectively. The relocation of the PARCS Maintenance Yard is not expected to alter the current amount of electricity and natural gas use. As indicated in Tables 16-3 and 16-4, implementation of the Master Plans Project will increase electricity and natural gas usage. The Master Plans Project includes various project design features that would reduce energy consumption which are set forth in the Recirculated Draft EIR, Chapter 16. Through the implementation of the project design features and mitigation measures identified in Chapter 8, Transportation and Traffic, and Chapter 10, Air Quality, the Master Plans Project would not result in the inefficient, wasteful, or unnecessary consumption of energy, and therefore, the project will not create a significant impact on energy resources. Thus, this impact is *less than significant*. (RDEIR 16-6 – 16-9.)

Cumulative impact on energy resources. As described in RDEIR Chapter 16, Energy Resources, the Master Plans Project would have a less than significant impact on energy resources. GPMEIR policies ensure that adequate capacity can be provided for all utility and service systems and GPMEIR cumulative impacts are less than significant. Therefore, the project's effects with respect to solid waste and energy are less than cumulatively considerable. (RDEIR pp. 22-16 – 22-17.)

b. Finding

The City Council finds, based on the Final EIR and the whole record, that the Project will result in *less-than-significant* impacts to energy resources and cumulative energy resources.

15. Law Enforcement

a. Impact

Impact 17.1: The Master Plans Project would not result in substantial adverse physical impacts associated with the provision or need of new or physically altered law enforcement services. The Master Plans Project is subject to the City of Fresno's conditional use permit process. As a condition of approval of the proposed use permit, the City will require that the

Fresno Chaffee Zoo and Rotary Playland and Storyland comply with standard conditions of approval, including providing adequate emergency access points with pass key boxes, and adequate lighting of which the design and locations are subject to review by the Fresno Police Department. Furthermore, the Lease Agreement between the City of Fresno and Fresno's Chaffee Zoo Corporation (November 20, 2005) specifies in Section 7 (Use of Leased Premises), that the Fresno Chaffee Zoo Corporation shall, "Provide adequate security at its own expense."

The Master Plans Project would promote increased use of Roeding Regional Park, the Fresno Chaffee Zoo, and Rotary Playland and Storyland. According to Fresno Police Department personnel, the park and other facilities currently have no special law enforcement issues or needs. The FPD will continue to provide additional resources to service special functions at the park (e.g., mother's day, father's day, and Easter), including motorcycle officers, reserves, volunteers, and mounted patrol, as needed. FPD reports that the increased use of the park and zoo caused by the project would not result in a need for additional patrols. In summary, compliance with standard conditions of approval, as well as the existing lease provisions, will ensure that approval of the project will not require substantial increase in law enforcement activity at the site. Accordingly, the project will not result in any or new or physically altered law enforcement facilities in order to maintain acceptable service ratios, response times or other performance objectives. Therefore, the impact is considered *less than significant*. (RDEIR pp. 17-2 – 17-3.)

Cumulative Impacts on Law Enforcement. As described in Chapter 17 (Law Enforcement), the Master Plans Project would have less than significant impacts on the City of Fresno's law enforcement services. City policies ensure the provisions of adequate police services and there are no GPMEIR cumulative impacts identified. Therefore, the project's effects with respect to law enforcement and fire protection are *less than cumulatively considerable*. (RDEIR, p. 22-17.)

b. Finding

The City Council finds, based on the Final EIR and the whole record, that the Project will result in *less-than-significant* impacts to law enforcement services and cumulative law enforcement services.

16. Public Services and Utilities – Natural Gas

a. Impact

Impact 18.1: The Master Plans Project would not result in substantial adverse physical impacts associated with the provision or need of new or physically altered fire protection services. The Master Plans Project is subject to the City of Fresno's conditional use permit process. As a condition of approval of the proposed use permit, the City will require that the Fresno Chaffee Zoo and Rotary Playland and Storyland comply with standard conditions of approval, including providing adequate emergency access points with pass key boxes, the design and locations of which are subject to review by the Fresno Fire Department. Furthermore, the

Lease Agreement between the City of Fresno and Fresno's Chaffee Zoo Corporation, specifies in Section 5.D that the Fresno Chaffee Zoo "corporation shall obtain and pay for all permits for cooking facilities including grills; fire extinguishers; fire sprinklers; and other equipment subject to permit requirements. Corporation may contract with City or private vendors to perform required equipment inspections. Corporation shall provide and pay for "Knox box" storage for keys to City's Fire Department satisfaction." The Master Plans Project would also be subject to various ministerial permits issued by the City of Fresno or other responsible agencies. Ministerial permits require compliance with applicable development standards established by the City. The Master Plans Project would be required to obtain building permits that would assure that all designs and improvements meet all current Uniform Building Code requirements regarding fire protection standards including but not limited to the building design, building materials, the installation of fire sprinklers, fire hydrants, fire detection and fire reporting devices. The review and approval of all improvement and building plans through this permit process would assure the project complies with the state and local fire protection standards.

The Master Plans Project would promote increased use of Roeding Regional Park, the Fresno Chaffee Zoo, and Rotary Playland and Storyland, and would result in an increased number of buildings and structures, particularly within the zoo. The increased number of buildings and structures would support an incrementally higher intensity of use, thereby increasing the demand on the Fresno Fire Department. According to the Fresno Fire Department, the park and other facilities currently have no special fire-related issues or needs. Calls for fire service in the park and zoo have historically been low. While the project would expand the zoo within the park, none of the uses or structures proposed as part of the project would create any special demand for fire-protection services, other than that of the current uses. Other than a potentially slight increase in overall demand for fire-protection services as a result of the increased use and number of buildings, the project will not result in any new fire-related issues. The implementation of the proposed project, which includes a Water System Master Plan (see Recirculated Draft EIR Figure 2-8), would not result in the need for additional Fresno Fire Department staff or equipment, which would necessitate the need for new or physically altered Fire Department facilities. The proposed Water System Master Plan also includes the location of fire hydrants that would adequately serve the Master Plans Project. Compliance with the California Building Code, standard conditions of approval, as well as the existing lease provisions, will ensure that approval of the project will not require substantial increase in fire-protection issues at the site. Accordingly, the project will not result in the need for or construction of any new or physically altered fire service facilities in order to maintain acceptable service ratios, response times or other performance objectives. Therefore, the impact is considered *less than significant*. (RDEIR pp. 18-2 – 18-3.)

Cumulative Impacts to Fire Protection Services. As described in Chapter 18 (Fire Protection), the Master Plans Project would have less than significant impacts on the City of Fresno's fire protection services. City policies ensure the provisions of adequate fire services and there are no GPMEIR cumulative impacts identified. Therefore, the project's effects with respect to fire protection are less than cumulatively considerable. (RDEIR pp. 22-17.)

b. Finding

The City Council finds, based on the Final EIR and the whole record, that the Project will result in *less-than-significant* impacts to fire protection services and cumulative fire protection services.

17. Hazards and Hazardous Materials

a. Impact

Impact 19.2: Hazardous materials will be relocated with the relocation of the Park Maintenance Facility. This relocation could result in the release of hazardous materials into the environment. The proposed Master Plans Project will result in the relocation of the Park Maintenance Facility, which includes the building and yard to the northwest portion of the project site. This relocation will result in the removal of a 2,500 gallon diesel underground storage tank, a 2,000 gallon gasoline above ground storage tank, a 250 gallon above ground storage tank, several 55-gallon drums of used motor oil, and pesticides and herbicides. It is anticipated that these tanks, drums and other containers will be relocated to the proposed location of the Park Maintenance Facility. The removal of the old tanks as well as the placement of new tanks will require a standard approval process through the FCEHD. Compliance with this required process will result in *less than significant* health impacts associated with the relocation of the onsite hazardous materials. (RDEIR p. 19-8.)

Impact 19.3: Construction and operation of the proposed project would not create a significant hazardous waste hazard to construction workers, employees, or the public. Three recognized environmental conditions have been identified within Roeding Regional Park, all of which involve removal of underground storage tanks. Contamination associated with hazardous materials has been identified at each of the site. However, since the identification of contamination, either the FCEHD or SWRCB has confirmed the completion of a site investigation and/or remedial action with regard to a release of hazardous substances. As a result, these sites no longer exceed regulatory standards related to contaminated sites and would have a *less than significant* impact on the proposed Master Plans Project.

In addition, there were seven sites in the immediate vicinity of the project site that revealed evidence of recognized environmental conditions. The FCEHD or SWRCB confirmed the completion of a site investigation and/or remedial action with regard to a release of hazardous substances for all seven sites. As a result, these sites no longer exceed regulatory standards related to contaminated sites and would have a *less than significant* impact on the proposed Master Plans Project.

There are no sites located within Roeding Regional Park or in the immediate vicinity that are included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. Therefore, no significant hazards related to hazardous materials compiled pursuant to Government Code Section 65962.5 would occur. (RDEIR p. 19-8.)

Impact 19.4: The Master Plans Project would involve the transport, use, and disposal of hazardous materials for the operation and maintenance of facilities, pest control, landscaping, and pool disinfection. Operations and maintenance activities conducted by PARCS, the Fresno Chaffee Zoo, and Rotary Playland and Storyland currently involves the transport, use, and disposal of potentially hazardous materials, such as pesticides for insect and rodent control, paints and cleaning fluids for building maintenance, herbicides and fertilizer for landscaping, chemicals for science and veterinary facilities. Chemicals are also used to maintain the pools and water features used in the various animal exhibits in the zoo. Due to the quantity of hazardous material that is associated with Roeding Regional Park, there is a Hazardous Materials Business Plan that has been prepared in compliance with California Health and Safety Code Section 25503.5. The transport, use, and disposal of hazardous materials identified in the Hazardous Materials Business Plan is required to comply with the requirements set forth in the California Health and Safety Code, Chapter 6.5. The proposed Master Plans Project will continue to use these potentially hazardous materials and may increase the use due to the intensification of the uses on the project site. As modifications occur with the transport, use and disposal of hazardous materials associated with the Master Plans Project, the Hazardous Materials Business Plan will be modified. Compliance with California Health and Safety Code Section 25503.5 and Chapter 6.5 will result in *less than significant* health impacts associated with the transport, use, and disposal of hazardous materials. (RDEIR pp. 19-8 – 19-9.)

Impact 19.5: The Master Plans Project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or wastes within one-quarter mile of an existing or proposed school. The proposed project is located within one-quarter mile of the Kenya's Little Ark Preschool, which is located approximately 0.2 mile east of the project site. The structures within the existing park maintenance area are the nearest structures that could emit hazardous emissions during demolition activities. Since these structures are approximately 0.4 mile from the Kenya's Little Ark Preschool, the potential emissions of hazardous materials during demolition activities associated with these structures as well as other structures within the project site would result in *less than significant* hazard impacts to schools because airborne emissions of hazardous materials are not expected to travel more than 0.25 mile. (RDEIR p. 19-9.)

Impact 19-6: The proposed Master Plans Project would expand zoo exhibit areas and number of wildlife. This expansion would result in a less than significant increase in the risk of wildlife causing harm to visitors and employees. The Fresno Chaffee Zoo currently keeps, studies, breeds, and exhibits animals that could be dangerous to humans. As required for all zoos that are accredited by the Association of Zoos and Aquarium (AZA), compliance with safety and security standards and policies are required. In accordance with the AZA requirements, the Fresno Chaffee Zoo maintains an emergency protocols plan, which contains an "Animal Escape Procedure." For security reasons, the Fresno Chaffee Zoo emergency protocols plan is not available for public review; however, the AZA requirements to become an accredited zoo is provided in The Accreditation Standards and Related Policies, 2010 Edition prepared by the Association of Zoos and Aquariums. In addition, Fresno Chaffee Zoo is regulated under the Animal Welfare Act (AWA). The AWA is federal legislation administered by the Animal and

Plant Health Inspection Service of the U.S. Department of Agriculture. The AWA ensures minimum standards through licensing requirements, education, and unannounced inspections for the humane care and treatment of most warm-blooded animals exhibited to the public. The implementation of the Master Plans Project will result in the expansion of the Zoo and increase in the number of potentially dangerous animals. Similar to the existing operations, the proposed expansion areas will be required to comply with the AZA safety and security standards and policies. In addition, the expanded zoo areas will be regulated under the AWA. Since the Zoo will be required to comply with the AZA safety and security standards and policies and will be regulated under the AWA, the potential risk of wildlife causing harm to visitors and employees is considered *less than significant*. (RDEIR pp. 19-9 – 19-10.)

Cumulative Hazards and Hazardous Materials Impacts. As described in Recirculated Draft EIR Chapter 19 (Hazards and Hazardous Material), the Master Plans Project could have significant hazards-related impacts because of the potential presence of hazardous materials in buildings to be demolished or renovated. Since these impacts can be rendered less than significant by the project-specific mitigation measures and since there are no significant direct or cumulative impacts identified by the GPMEIR, the project's effects with respect to hazards and hazardous materials are *less than cumulatively considerable*. (RDEIR pp. 22-18 – 22-19.)

b. Finding

The City Council finds, based on the Final EIR and the whole record, that the Project will result in *less-than-significant* impacts to hazards and hazardous materials with respect to: hazardous materials relocation and potential release of hazardous materials; hazardous waste hazards to construction workers, employees, or the public; transport and disposal of hazardous materials used in the operation of the Project; hazardous materials within one-quarter mile of an existing or proposed school; hazards from the risk of wildlife causing harm to visitors and employees; and cumulative hazards and hazardous materials impacts.

C. Less-Than-Significant Impacts With Mitigation Incorporated

The Final EIR determined that the Project has potentially significant environmental impacts in the areas discussed below. The Final EIR identified feasible mitigation measures to avoid or substantially reduce some or all of the environmental impacts in these areas. Based on the information and analyses set forth in the Final EIR, the Project impacts will be *less-than-significant* with identified feasible mitigation measures and design standards incorporated into the Project.

1. Cultural Resources

a. Impact 4.1.

(1) Impacts and Mitigation

The Master Plans Project would result in the demolition of six contributing landscape features of the potential Roeding Regional Park Historic District. Mitigation Measures 4.1(a), 4.1(b), and 4.1(c) address this potential impact and are:

MM 4.1(a): Maintain the public recreational uses associated with the ponds by introducing a new pond feature in accordance with Mitigation Measure 4.8(a), which states that historic preservation design guidelines shall be developed that address new design in the context of the contributing architectural and landscape features of the potential historic district. A new pond feature shall be located near the Golden State Boulevard entry to the park, such that the pond feature is at least visible and as accessible as they are in their current location. Historic American Landscape Survey (HALS) documentation of the ponds shall be prepared by a qualified historic preservation professional prior to the demolition of the ponds. The Zoo will City of Fresno Roeding Regional Park and Fresno Chaffee Zoo Facility Master Plans consult with the California Department of Fish and Game (CDFG) and will stock the pond feature with fish species recommended by CDFG. The Zoo will also consult with a qualified biologist concerning the design of the new ponds. The Zoo will incorporate design elements recommended by the biologist into the ponds (potentially including but not limited to foraging areas, access to the ponds, and other features) in order to create migratory bird habitat of comparable value to that provided by the existing ponds.

MM 4.1(b): Prior to the completion of the improvements scheduled for 2014 or before, Fresno Chaffee Zoo shall rehabilitate the Pergola according to the Secretary of the Interior's Standards for Rehabilitation.

MM 4.1(c): Prior to the completion of the improvements scheduled for 2014 or before, the Fresno Chaffee Zoo shall perform a structural analysis of the Lisenby Bandstand and obtain an estimate for the rehabilitation of this feature. After the Zoo obtains an estimate for the rehabilitation of the Lisenby Bandstand, the Zoo shall seek funding for the rehabilitation through grant applications. If feasible, the Lisenby Bandstand will be accessible to the public.

(Recirculated Draft EIR, pp. 4-19 – 4-21; Final EIR pp. 4-2 – 4-3.)

(2) Finding

“Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.” (CEQA Guidelines, § 15091, subd. (a)(1).) Mitigation Measures 4.1(a), 4.1(b), and 4.1(c), which have been required in or incorporated into the Project, will reduce the significant environmental impact to a *less-than-significant* level.

(3) Facts in Support of Finding

The following facts indicate that the identified impact will be reduced to a *less-than-significant* level. These facts are a summary of the facts contained in the administrative record as a whole and are not an exclusive recitation of the facts supporting the finding.

The historic character of the ponds includes a mature tree canopy, ample lawn area surrounding the ponds for picnicking, the meandering and irregular shape of the ponds, configuration of the ponds in a group of interrelated pools connected by footbridges, and location of the ponds in a visible and accessible area of the park. In order to ensure that the significant characteristics of the ponds in the southeastern edge of the park are preserved, these uses shall be relocated near the Golden State Boulevard entry to the park, such that the ponds are at least as visible and as accessible as they are in their current location. Vegetation shall be installed around the ponds to recreate the existing character of the ponds, including lawn area for picnicking, and a mature tree canopy. By re-introducing both the historic character and use of a water feature (ponds) in another visible, easily accessible area of the park, the public benefit associated with the historic use of these features will be maintained. Similarly, rehabilitation of the Pergola, in accordance with the Secretary of the Interior's Standards for Rehabilitation, will ensure that the historic character of this contributing feature is retained. Accordingly, the impact to the historic district will be avoided resulting in a *less than significant* impact.

(RDEIR, pp. 4-20 – 4-21.)

b. Impact 4.2

(1) Impacts and Mitigation

The Master Plans Project would result in the demolition of one contributing architectural feature of the potential Roeding Regional Park Historic District. Mitigation Measure 4.2 addresses this potential impact and is:

MM 4.2: Relocate the Fresno Chaffee Zoo Administration Office within the boundaries of the potential historic district that is consistent with its historic setting. Consistency with the historic setting shall be determined by a city-approved historian. Historian American Building Survey (HABS) documentation shall be prepared for the Administration Office by a qualified historic preservation professional prior to relocation.

(RDEIR, pp. 4-21 – 4-22; FEIR p. 4-3.)

(2) Finding

“Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.” (CEQA Guidelines, § 15091, subd. (a)(1).) Mitigation Measure 4.2, which has been required in

or incorporated into the Project, will reduce the significant environmental impact to a *less-than-significant* level.

(3) Facts in Support of Finding

The following facts indicate that the identified impact will be reduced to a *less-than-significant* level. These facts are a summary of the facts contained in the administrative record as a whole and are not an exclusive recitation of the facts supporting the finding.

The Fresno Chaffee Zoo Administration Building, a contributing feature of the potential Roeding Regional Park Historic District, shall be relocated as part of the Master Plans Project. In order to avoid demolition of this contributing feature, and reduce adverse effects to the potential historic district, the Fresno Chaffee Zoo Administration Office shall be relocated to an area within the potential historic district that is consistent with its historic setting.

The location and setting of the Fresno Chaffee Zoo Administration Office is an important aspect of the historic character of this contributing feature. The building was originally designed and sited in its location near the Belmont Avenue entrance to serve as the administration office for the park and was later converted into office space for the zoo. Relocation of the Fresno Chaffee Zoo Administration Office should occur within the boundaries of the potential historic district and should attempt to recreate the open, vegetated character of the building's current setting within the park. A number of sites may be appropriate, including relocation within the park maintenance facility planned for relocation to the northwest corner of the park.

The one-story wood frame building appears to sit on a slab-on-grade foundation and would be relatively easy to relocate to a new site within Roeding Regional Park. The building was originally constructed in circa 1937 and an addition was added to the north side of the building in 1973. This addition will not be relocated as part of this effort, as this addition has not achieved significance in its own right and detracts from the historic appearance and understanding of the original building. Thus, this impact is less-than-significant. (RDEIR, pp. 4-21 – 4-22; FEIR p. 4-3.)

c. Impact 4.3

(1) Impacts and Mitigation

The Master Plans Project would include the extension of the existing perimeter security fencing around the boundary of the Fresno Chaffee Zoo, which would result in the introduction of a physical and visual barrier at the southeastern edge of the potential Roeding Regional Park Historic District. Mitigation Measure 4.3 addresses this potential impact and is:

MM 4.3: Maintain the open, landscaped character of the southeastern boundary of the potential Roeding Regional Park Historic District. The design of the new zoo expansion perimeter fence shall comply with the Secretary of the Interior's Standards for the Treatment of Historic Properties and integrate the overall historic character of the existing boundary of the

potential historic district. In keeping with the historic character of the park landscape, in areas where the new zoo fencing is located in close proximity to the park perimeter, the fencing shall not be higher than required by AZA and USDA standards. Prior to issuance of any permits required for the construction of the expanded fence, the applicant shall submit a landscaping and materials plan to the City for review and approval. The plan shall incorporate building materials and colors that are consistent with the park's historic character. To the extent that such materials or colors are not consistent with AZA and USDA requirements, these materials and colors shall only be required for the exterior portion of the fence. In these areas and in areas where fencing is close to public roads, special care should be given to maintaining a sense of openness and avoid creation of a barrier around the zoo so that the park experience is not visually interrupted by a "continuous solid wall" effect. The fence shall be designed and constructed in an informal manner that is aesthetically pleasing and generally follows the form of the existing trees, shrubs and ponds. The landscaping and materials plan shall use screening vegetation of species drawn from the existing vegetation palette of the park (not introducing a different plant palette) in various locations. Where landscaping is introduced for visual screening purposes along the park perimeter, plantings shall be varied in scale, materials, and density. Landscaping shall be designed to be generally perceived as part of the landscape of the park and not as part of the fence. Overall, the perimeter of the site shall feel like an element of the park. (RDEIR pp. 4-24 – 4-24.)

(2) Finding

"Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR." (CEQA Guidelines, § 15091, subd. (a)(1).) Mitigation Measure 4.3, which has been required in or incorporated into the Project, will reduce the significant environmental impact to a *less-than-significant* level.

(3) Facts in Support of Finding

The implementation of mitigation measure 4.3 will maintain the open, landscape character of the southeastern boundary of Roeding Regional Park by incorporating materials and color consistent with the park's historic character. The measure will also avoid the creation of a continuous solid wall through the use of landscaping with varied scale, materials, and density. As a result, this impact will be *less than significant*. (RDEIR pp. 4-23 – 4-24.)

d. Impact 4.4

(1) Impacts and Mitigation

Project construction activities could result in impacts to significant subsurface cultural and/or paleontological resources. Mitigation Measures 4.4(a), 4.4(b), and 4.4(c) address this potential impact and are:

MM 4.4(a): All contractors and subcontractors for the project shall be informed, in writing, of the possibility that cultural and/or paleontological resources or human remains may be discovered during project activities. If any cultural resources, paleontological resources, and/or human remains, are uncovered during project-related activities, all project-related activity in the area or in any area reasonably suspected to overlie the resources shall halt until a evaluation and/or data recovery excavation can be planned and implemented by a professional archaeologist or a professional paleontologist. Appropriate measures, as recommended by the archaeologist or paleontologist, to protect uncovered remains from accidents, looting, and vandalism shall be implemented immediately.

MM 4.4(b): After any such cultural or paleontological resources have been professionally recorded in their place of discovery, the finds shall be transferred to an appropriate regional repository for preservation, research, and/or use in interpretive exhibits. Project-related activities in the affected area may only resume with the approval of the archaeologist.

MM 4.4(c): If human remains are discovered, all project-related activity in the area or any area reasonably suspected to overlie the resources shall halt and the Fresno County Coroner shall be notified immediately. The Coroner has two working days to examine the remains and 24 hours to notify the Native American Heritage Commission (NAHC) if the remains are Native American (Health and Safety Code Section 7050.5). Once the NAHC is notified, the procedures set forth in CEQA Guidelines Section 15064.5(d) and Public Resources Code Section 5097.98 shall be followed. (RDEIR pp. 4-24 – 4-25.)

(2) Finding

“Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.” (CEQA Guidelines, § 15091, subd. (a)(1).) Mitigation Measures 4.4(a), 4.4(b), and 4.4(c), which have been required in or incorporated into the Project, will reduce the significant environmental impact to a *less-than-significant* level.

(3) Facts in Support of Finding

Mitigation Measures 4.4(a), 4.4(b), and 4.4(c) provide steps if construction personnel uncover unknown cultural and/or paleontological resources or human remains. These steps will protect unknown resources and will result in a *less than significant* impact. (RDEIR p. 4-25.)

e. Impact 4.8

(1) Impacts and Mitigation

The Master Plans Project would result in the construction of new non-contributing features within the potential Roeding Regional Park Historic District. Though this impact is considered less than significant without mitigation, the City wishes to minimize this impact and, thus, adopts Mitigation Measures 4.8(a) and 4.8(b) which are:

MM 4.8(a): Prior to the approval of grading plans to construct new non-contributing features within the potential Roeding Park Historic District, develop historic preservation design guidelines that address new design in the context of the contributing architectural and landscape features of the potential historic district. The historic preservation design guidelines shall be prepared by a qualified historic preservation professional.

MM 4.8(b): Prior to the approval of landscape plans, the historic plant palette and theme shall be utilized for the introduction of new landscape elements.

(RDEIR pp. 4-26 – 4-28; FEIR pp. 4-4 – 4-4.)

(2) Finding

Technically, no mitigation is required because the impact is *less than significant* without mitigation. However, the City wishes to minimize the impact on the potential historic district and, therefore, adopts Mitigation Measures 4.8(a) and 4.8(b) to further reduce this impact.

(3) Facts in Support of Finding

No mitigation is legally required because this impact on the potential historic district is less than significant without mitigation. Furthermore, the master plans reference the retention of existing park horticultural and architectural themes where possible. The City of Fresno Master Plans Project includes a Campus Ecology Strategies section, outlined on page 18 of the Roeding Regional Park Facility Master Plan. These strategies include provisions for the development of “a comprehensive landscape plan that, wherever possible, seamlessly incorporates existing park and zoo trees and features into the landscape design for the campus.” This strategy is open ended and further detail should be included to provide guidance for the treatment of all contributing features of the historic district (landscape and architectural) to ensure minimal impact of new construction upon the historic district. These Campus Ecology Strategies should serve as a guide for all new construction to ensure minimal impact to the contributing features of the potential historic district and implementation of these strategies for the entire Master Plans Project. The master plans preserve in place the two contributing features within the Zoo, the Lisenby Bandstand, and the Zookeeper’s House. Based on discussions with the National Trust for Historic Preservation and California Preservation Foundation, Chaffee Zoo Corporation will also rehabilitate the Zookeeper’s House in conformance with the Secretary of Interior Standards for Rehabilitation. The Chaffee Zoo Corporation will also perform a structural analysis of the Lisenby Bandstand and obtain an estimate for the rehabilitation of this feature. After the Zoo Corporation obtains an estimate for the rehabilitation of the Lisenby Bandstand, the Zoo Corporation will seek funding for the rehabilitation through grant applications.

Furthermore, all new construction within the park and rehabilitation of existing contributing features, including those existing contributing features within the Zoo, will utilize, to the extent possible, historic palettes and landscaping. The historic plant palette—including ash, redwood, pine, eucalyptus, maple trees, and others—should be followed wherever possible for areas where new vegetation will be introduced or replaced. It is recognized that vegetation

within the zoo will vary depending upon the individual animal exhibits and Fresno Chaffee Zoo areas; however, for public areas within the zoo, consideration should be given to designs that follow the overall park landscape palette. Additionally, existing documentation on the park's landscape, including the Arbor Pro tree survey, should be analyzed to determine relative age and significance of individual historic landscape elements within the park to guide park maintenance and inform park planning decisions. Mature plantings are significant contributing features of Roeding Regional Park and it is important to introduce new compatible plantings well before existing plant materials reach their life expectancy to assure the preservation of these landscape features. Non-contributing features within the zoo are not subject to this mitigation measure. (RDEIR pp. 4-27 – 4-28; FEIR pp. 4-3 – 4-4.)

2. Aesthetics

a. Impact 5.1

(1) Impact and Mitigation

The Master Plans would degrade the existing scenic resources of the project site. Mitigation Measures 5.1(a) – 5.1(f) address this potential impact and are:

MM 5.1(a): Prior to the removal of any trees, shrubs, turf, street furniture or other elements of the existing landscape for any project phase; and prior to any grading activities for any project phase, a licensed landscape architect shall prepare a comprehensive landscape and irrigation plan (hereinafter landscape plan). Said landscape plan shall:

- (1) Identify trees, shrubs, turf, street furniture and other components to be used within the project to ensure the project's landscape is consistent with existing landscape them of the Park and Zoo.
- (2) Optimize open space by clustering park facilities and attractions near or adjacent to roadways and pedestrian pathways.
- (3) Identify the location and protect existing landscape materials, street furniture, monuments, structures and other features of the Park that will be incorporated into the new project's landscape plan.
- (4) Define protocols and standards for landscape maintenance and removal of dead or damaged landscape materials including recommendations for replacement to maintain and enhance the Park and the Zoo's theme.

MM 5.1(b): New improvements outside the Fresno Chaffee Zoo and Rotary Playland and Storyland, including walkways, driveways, lighting, and street furniture shall be of a type, style and material substantially consistent with the historical character of Roeding Regional Park, as defined in Chapter 4, Cultural Resources.

MM 5.1(c): Mitigation Measures 5.1(a) and 5.1(b) shall apply to the Roeding Regional Park areas described in Impact 5.2(b).

MM 5.1(d): The design of the new PARCS maintenance yard shall be compatible with the predominant architectural style within Roeding Regional Park.

MM 5.1(e): The trees located north of the proposed maintenance yard site shall be retained, provided they are healthy. If the trees cannot be retained, a row or grove of trees, consistent with the project landscaping, shall be planted along the north park boundary in this area to provide landscape screening.

MM 5.1(f): The design and construction of the zoo expansion perimeter fence shall comply with the following requirements:

- (1) The fence shall comply with United State Department of Agriculture and American Zoo Association (AZA) requirements for Zoo perimeter fences. In keeping with these requirements, the location and design of the fence shall not jeopardize the safety of animals within the Fresno Chaffee Zoo.
- (2) The fence shall comply with the Secretary of the Interior's Standards for the Treatment of Historic Properties and integrate the overall historic character of the existing boundary of the historic district. In keeping with the historic character of the park landscape, in areas where the new zoo fencing is located in close proximity to the park perimeter, the fencing shall not be higher than required by AZA and USDA standards.
- (3) Prior to issuance of any permits required for the construction of the zoo expansion perimeter fence, the applicant shall submit a landscaping and materials plan to the City of Fresno Development and Resources Management Department for review and approval. The plan shall incorporate building materials and colors that are consistent with the park's historic character. To the extent that such materials or colors are not consistent with AZA and USDA requirements, these materials and colors shall only be required for the exterior portion of the fence.
- (4) The zoo expansion perimeter fence shall be designed to maintain a sense of openness and to avoid the appearance a barrier around the zoo so that the park experience is not visually interrupted by a "continuous solid wall" effect.
- (5) The landscaping and materials plan for the zoo expansion perimeter fence shall use screening vegetation of species drawn from the existing vegetation palette of the park (not introducing a different plant palette) in various locations. Where landscaping is introduced for visual screening purposes along the park perimeter, plantings shall be varied in scale, materials, and density. The landscaping shall be designed in such a way so as to be generally perceived as part of the landscape of the park and not as part of the

fence. Overall, the perimeter of the site should still feel, in the judgment of the City, like an element of the park.

(6) The zoo expansion fence shall be aligned to avoid removing existing healthy trees with a breast height diameter greater than 6 inches. Removal of any trees shall be subject to the requirements of Mitigation Measure 5.1.1(a).

(7) The visual impact of the zoo expansion perimeter fence may be reduced by lowering the grade of the land where the fence is located or the grade elevation of the land within the exhibit area, provided this does not result in the removal of any existing significant vegetation, including trees with a breast height diameter greater than 6 inches.

(RDEIR pp. 5-17 – 5-20.)

(2) Finding

“Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.” (CEQA Guidelines, § 15091, subd. (a)(1).) Mitigation Measures 5.1(a) – 5.1(f), which have been required in or incorporated into the Project, will reduce the significant environmental impact to a *less-than-significant* level.

(3) Facts in Support of Finding

An objective of the Master Plans Project is to improve the visual character of the park, zoo, and Rotary facilities. The visual changes are a major component of the overall changes that must be implemented to achieve the objectives sought by the plans, such as to make the zoo and park a “destination attraction” and “create memorable, whole family experiences and special encounters” as stated in the Zoo Master Plan. The Master Plans include objectives that will provide for the preservation of existing valuable trees, development of a reforestation plan, improvement of botanical displays, and the creation of an organized horticultural plan. Mitigation Measures 5.1(a) through 5.1(f) will contribute to the visual qualities of the Roeding Regional Park lands outside the proposed Fresno Chaffee Zoo expansion area and the new main entrance road alignment, and ensure that the changes proposed as part of the Master Plans Project will be *less than significant* from a scenic resources standpoint. (RDEIR p. 5-20.)

b. Impact 5.2

(1) Impact and Mitigation

The Master Plans Project has the potential to substantially degrade the existing visual character or quality of the site resulting from the loss of trees. Mitigation Measures 5.2(a) – 5.2(e) address this potential impact and are:

MM 5.2(a): Any tree within the area of Roeding Regional Park affected by the Master Plans Project and is not currently dead or severely diseased (i.e., currently estimated at 710 trees), shall be (1) preserved at its present location; (2) relocated to another location within Roeding Regional Park; or (3) replaced by the same species of tree at a ratio of between 1.0 to 5.0 trees per tree lost, depending on the size of the tree, as identified in Recirculated Draft EIR Table 5-4.

In addition, any tree within the area of Roeding Regional Park affected by the Master Plans Project and is currently dead or severely diseased (i.e., currently estimated at 101 trees), shall be replaced by the same species of tree at a ratio of between 1.0 to 5.0 trees per tree lost, depending on the size of the tree, as identified in Recirculated Draft EIR Table 5-4.

A landscape plan shall be prepared in consultation with a certified arborist. The size of the replacement trees will be determined by the landscape architect and approved by the Development and Resources Management Department. After installation of the relocated and replacement trees, periodic monitoring shall occur to ensure the survival of the trees. For trees that are relocated and do not survive within the first two years of replacement, these trees shall be replaced by the same species of tree at the ratio shown in Table 5-4. For replacement trees that do not survive within the first two years of replacement, these trees shall be replaced by the same species of tree.

Subsequent to the first two years of replacement or relocation, there shall be a periodic maintenance of the trees. A maintenance plan shall be prepared by a certified arborist and include pruning, fertilization, irrigation, and pest management to maintain the health of the trees.

MM 5.2(b): The Master Plans Project shall not result in the removal of more than 30% of trees identified in Recirculated Draft EIR Table 5-3 that have a breast height diameter of greater than six inches, excluding trees that are currently dead or severely diseased.

MM 5.2(c): All new trees planted under the Master Plans Project shall be planted at the earliest possible time after the location of any such trees is determined, to the extent such replanting can occur without interfering with construction, and to the extent construction activities would not damage the new trees. In addition, any trees with over 12 inches diameter at breast height that cannot be relocated shall not be removed until prior to the initiation of construction on the phase of the Master Plans Project that will result in the removal of the tree.

MM 5.2(d): The palm trees within the Palm Point Grove (i.e., *Washingtonia robusta*, *Washingtonia filifera*, and *Phoenix canariensis* trees) shall all either be (1) maintained in their present location or (2) relocated to another location within Roeding Regional Park. If the palm trees within the Palm Point Grove are relocated to another location in Roeding Regional Park, the design of the relocated grove area(s) shall reflect the current landscaping and natural setting of the existing grove area(s).

MM 5.2(e): The *Melia azedarach* and *Melia azedarach* 'umbraculiformis' trees within the Umbrella Grove shall all either be (1) maintained in their present location or (2) relocated to

another location within Roeding Regional Park. If the *Melia azedarach* and *Melia azedarach* ‘umbraculiformis’ trees within the Umbrella Grove are relocated to another location in Roeding Regional Park, the design of the relocated grove area(s) shall reflect the current landscaping and natural setting of the existing grove area(s).

(Recirculated Draft EIR, pp. 5-21 – 5-27; FEIR pp. 4-4 – 4-5.)

(2) Finding

“Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.” (CEQA Guidelines, § 15091, subd. (a)(1).) Mitigation Measures 5.2(a) through 5.2(e), which have been required in or incorporated into the Project, will reduce the significant environmental impact to a *less-than-significant* level.

(3) Facts in Support of Finding

The Fresno Chaffee Zoo has committed to “no net loss” of trees within the zoo portion of the Master Plans Project. In other words, the Zoo has committed to preserve, relocate, or replant any trees affected by the zoo expansion (367 trees within the present boundaries of the zoo, and 203 trees within the expansion area). Implementation of the Roeding Regional Park Facility Master Plan would also result in the removal of 212 trees (218 trees within Roeding Regional Park parkland; 14 within Rotary Storyland; 6 within Rotary Playland; and 3 within the Rotary Storyland and Playland expansion area). The Roeding Regional Park Facility Master Plan does not contain a similar policy; however, Mitigation Measure 5.2(a) applies to both the Fresno Chaffee Zoo and Roeding Regional Park.

The replanting of trees would benefit the aesthetic environment of the park, in addition to the health of trees, in the long-term. Maintaining age diversity among tree species is a key component of successfully managing and sustaining an urban forest. Because many of the groves within the Roeding Regional Park were planted at the same time, the trees within the particular groves in their present state would decline and reach the end of their life cycle at the same time. Preventing concurrent decline and death in the tree population at Roeding Regional Park through replanting would benefit the aesthetic qualities of the park. Maintaining age diversity within Roeding Regional Park also contributes to species richness, as well as more natural, aesthetically pleasing views associated with a mature urban forest.

Moreover, many of the trees at the park, including many of the palm trees and umbrella trees, are approaching the end of their lifespan. Replacing old trees that are approaching the end of their lifespan with newer trees would help ensure that the parkland areas of Roeding Regional Park maintain an aesthetically pleasing natural setting for many years to come.

Notwithstanding such aesthetic benefits, the replanting of trees would cause a temporary loss of tree canopy resulting from replacing mature trees with new trees. Depending on the species, trees oftentimes take many years to reach maturity. Many people consider mature trees

to be more aesthetically pleasing than younger trees. In addition, mature trees are larger, and provide a greater canopy area than younger trees.

As such, Mitigation Measure 5.2(a) imposes a requirement that every affected tree within the project area, with the exception of trees that are currently dead or severely diseased, shall be (1) preserved at its present location; (2) relocated to another location within Roeding Regional Park; or (3) replaced by the same species of tree at a ratio of between 1.0 to 5.0 trees per tree lost, depending on the size of the tree. Mitigation Measure 5.2(a) also imposes a requirement that all affected trees that are currently dead or severely diseased shall be replaced by the same species of tree at a ratio of between 1.0 to 5.0 trees per tree lost, depending on the size of the tree.

To reduce the number of trees that are either removed or relocated, Mitigation Measure 5.2(b) provides that the Master Plans Project shall not result in the removal of more than 30% of trees identified in Recirculated Draft EIR Table 5-3 that have a breast height diameter of greater than six inches, excluding trees that are currently dead or severely diseased.

In addition, Mitigation Measure 5.2(c) provides that all new trees planted under the Master Plans Project shall be planted at the earliest possible time after the location of any such trees is determined, to the extent such replanting can occur without interfering with construction, and to the extent construction activities would not damage the new trees. In addition, any trees with over 12 inches diameter at breast height that cannot be relocated shall not be removed until prior to the initiation of construction on the phase of the Master Plans Project that will result in the removal of the tree. This mitigation measure will help stagger the planting of new trees and the removal of mature trees. The mitigation measure will also help ensure new trees within the initial phases of the Master Plans Project will reach maturity at the earliest possible time, while mature trees within subsequent phases of the Master Plans Project will remain in their present location prior to the initiation of those phases of construction.

Mitigation Measures 5.2(d) and 5.3(e) minimize potential impacts to the Palm Point Grove and the Umbrella Grove by requiring that the applicants either (1) maintain all contributing trees within each grove (the *Washingtonia robusta*, *Washingtonia filifera*, and *Phoenix canariensis* in the Palm Point Grove; and the *Melia azedarach* and *Melia azedarach* 'umbraculiformis' in the Umbrella Grove) in their present location; or (2) relocate the contributing trees within each grove to another location in Roeding Regional Park. If the contributing trees are relocated to another location in Roeding Regional Park, the design of the relocated grove area(s) shall reflect the current landscaping and design of the existing grove area(s).

The application of the above will reduce this impact to *less than significant*.
(Recirculated Draft EIR, pp. 5-28 – 5-29.)

c. Impact 5.3

(1) Impact and Mitigation

The proposed Master Plan Project could substantially degrade the existing visual character or quality of the southern portion of the site and its surroundings. Mitigation Measure 4.2 addresses this potential impact and is described above. (RDEIR 5-29 – 5-30.)

(2) Finding

“Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.” (CEQA Guidelines, § 15091, subd. (a)(1).) Mitigation Measure 4.2, which has been required in or incorporated into the Project, will reduce the significant environmental impact to a *less-than-significant* level.

(3) Facts in Support of Finding

The implementation of relocating the Administration Office as identified in Mitigation Measure 4.2 will avoid demolition of the structure. Relocating the structure could retain its visual characteristic and quality. Therefore, implementation of Mitigation Measure 4.2 would reduce the project’s impact to less than significant. (RDEIR p. 5-30.)

d. Impact 5.4

(1) Impact and Mitigation

The presence of construction staging areas and construction activities will temporarily degrade the visual character of Roeding Regional Park, the Fresno Chaffee Zoo, and Rotary Storyland and Playland. Mitigation Measures 5.4(a) through 5.4(b) address this potential impact and are:

MM 5.4(a): Construction staging areas shall be surrounded by a solid wall or fence at least six feet in height. A chain-link fence draped with a heavy plastic cover, slats, or similar material for visual screening shall be considered a solid fence under this mitigation measure.

MM 5.4(b): Construction sites shall be kept clean and free from rubbish and debris. Rubbish and debris shall be removed the day it appears.

MM 5.4(c): Public roads and private properties near Roeding Regional Park shall be kept free from construction-related rubbish and debris. Rubbish and debris shall be removed the day it appears.

MM 5.4(d): Construction equipment and supplies shall be stored inside construction staging areas.

MM 5.4(e): Portable restrooms shall be located inside construction staging areas.

MM 5.4(f): Construction materials and equipment shall be removed from construction sites as soon as they are no longer necessary.

MM 5.4(g): With the exception of cut-and-fill materials or stockpiles, excess excavated material shall be removed from construction sites immediately or shielded visually until such material can be removed.

MM 5.4(h): Graffiti on construction staging area fences or walls or elsewhere on construction sites shall be removed the day it appears.

Additionally, standard, mandatory conditions of approval placed on all City grading and building permits will further reduce potential construction impacts. (RDEIR pp. 5-29 – 5-31.)

(2) Finding

“Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.” (CEQA Guidelines, § 15091, subd. (a)(1).) Mitigation Measures 5.4(a) through 5.4(h), which have been required in or incorporated into the Project, will reduce the significant environmental impact to a *less-than-significant* level.

(3) Facts in Support of Finding

Implementation of the above mitigation measures would reduce potential adverse impacts on the visual character of the site because views of construction equipment and material would be minimized. Therefore, after mitigation, the construction staging areas would result in a *less than significant* impact on the site’s visual character. (RDEIR p. 5-31.)

e. Impact 5.5

(1) Impact and Mitigation

The Master Plans Project will increase the level of illumination within Roeding Regional Park and may increase the extent of direct glare. Mitigation Measures 5.5(a) through 5.5(e) address this potential impact and are:

MM 5.5(a): New parking lot lighting shall employ full cut-off type fixtures. A full cut-off type fixture is a luminaire or light fixture that, by design of the housing, does not allow any light dispersion or direct glare to shine above a 90 degree horizontal plane from the base of the fixture. Full cut-off type fixtures must be installed in a horizontal position as designed.

MM 5.5(b): All external signs, street lighting, and security lighting shall be lit from the top and shine downward except where uplighting is required for safety or security purposes. The

lighting shall be shielded to prevent direct glare and/or light trespass. The lighting shall also be, as much as physically possible, contained to the target area.

MM 5.5(c): Exterior building lighting shall be full cut-off or a shielded type designed to minimize any upward distribution of light.

MM 5.5(d): Non-essential lighting shall be turned off by 10:00 p.m.

MM 5.5(e): Exterior lighting originating on the project site shall be limited to a maximum of 0.5 footcandle at a distance of 25 feet beyond the property lines. A photometric analysis shall be provided to the City of Fresno Development and Resource Management Department for review to determine compliance with the above footcandle criteria.

(RDEIR p. 5-32.)

(2) Finding

“Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.” (CEQA Guidelines, § 15091, subd. (a)(1).) Mitigation Measures 5.5(a) through 5.5(e), which have been required in or incorporated into the Project, will reduce the significant environmental impact to a less-than-significant level.

(3) Facts in Support of Finding

Implementation of the above measures would reduce nighttime illumination from project facilities on and off the project site. Mitigation Measures 5.5(a) through 5.5(d) would reduce lighting generated from the onsite facilities while Mitigation Measure 5.5(c) ensures that lighting generated onsite and spilling off the project site would be minimized. The reduction in lighting from the implementation of the above mitigation measures would result in a *less than significant* light and glare impact. (RDEIR pp. 5-32 – 5-33.)

3. Biological Resources

a. Impact 6.1

(1) Impact and Mitigation

Master Plans Project construction or tree removal may disrupt active nests and lead to nest abandonment and mortality of juvenile birds during the breeding season. Mitigation Measures 6.1(a) through 6.1(c) address this potential impact and are:

MM 6.1(a): If tree removal, brushing, grading, or construction under the Master Plans Project is to occur during the breeding season (February 1 to August 31) a qualified ornithologist or biologist approved by the City PARCS Department shall conduct a protocol-level, pre-

construction survey for nesting birds and raptors (including both tree- and ground-nesting species) onsite within 30 days before the onset of ground disturbance or tree removal.

MM 6.1(b): If an active raptor or migratory bird nest is detected on-site, an appropriate construction-free buffer shall be established by the ornithologist or biologist, in consultation with the California Department of Fish and Game. The size of the buffer and the restrictions on activity within the buffer will be determined by the ornithologist or biologist, and depend on species, topography, and the type of construction activity that would occur in the vicinity of the nest and will remain in place until all young have fledged.

MM 6.1(c): The ornithologist or biologist will determine during regularly scheduled field visits when all young have fledged, so that Master Plans Project construction activity within the buffer zone area can move forward.

(RDEIR p. 6-10.)

(2) Finding

“Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.” (CEQA Guidelines, § 15091, subd. (a)(1).) Mitigation Measures 6.1(a) through 6.1(c), which have been required in or incorporated into the Project, will reduce the significant environmental impact to a *less-than-significant* level.

(3) Facts in Support of Finding

The implementation of the above mitigation measures would reduce the potential impacts to active raptor and migratory bird nests because no active nest removal would be allowed during the breeding season. If construction activities are proposed during the breeding season and there are active nests, a construction-free buffer would be established so that the nesting birds are not significantly affected. The determination of potential significant impacts on a nesting bird would be determined through observance of the bird activity by an ornithologist or biologist. Thus, this impact would be *less than significant*. (RDEIR pp. 6-10 – 6-11.)

b. Impact 6.2

(1) Impact and Mitigation

Restoration of the existing bandstand located within the Fresno Chaffee Zoo may result in the disruption or potential mortality to pallid bat and Townsend’s big-eared bat. Mitigation Measure 6.2(a), addresses this potential impact and is:

MM 6.2(a): Within 30 days prior to the commencement of restoration work on the bandstand, a qualified bat biologist shall conduct a habitat assessment and daytime survey of the bandstand. If no evidence of current bat habitation by the pallid bat or the Townsend’s big-eared

bat is found, no further action is required. If bat use is noted, then a qualified biologist shall prepare a report that makes recommendations for appropriate measures that will prevent harm to sensitive species of bats. These measures may include exclusion and humane eviction of bats roosting within the structure, partial dismantling of the structure to induce abandonment by bats, or other appropriate measures in coordination with and as approved by CDFG. If the measures are planned to be implemented between September 1 and September 30, no further action is required. If the measures are planned to be implemented during the breeding season (October 1 through August 31), coordination and approval by CDFG is required. The recommended measures shall be incorporated into and implemented as part of the bandstand restoration. (RDEIR p. 6-11; FEIR 4-5 – 4-6.)

(2) Finding

“Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.” (CEQA Guidelines, § 15091, subd. (a)(1).) Mitigation Measure 6.2(a), which has been required in or incorporated into the Project, will reduce the significant environmental impact to a *less-than-significant* level.

(3) Facts in Support of Finding

The implementation of the above mitigation measure would ensure that no construction activity on the bandstand would occur if it is being used for roosting or breeding by the pallid bat or the Townsend’s big-eared bat, resulting in a less than significant impact. (RDEIR p. 6-11.)

c. Impact 6.3

(1) Impact and Mitigation

The Master Plans Project may result in the loss of common, non-native fish species that provide a food source for migratory birds, and disturbance of the bed or banks of ponds that provide habitat for migratory birds and other wildlife. Implementation of Mitigation Measures 4.1(a), 4.8(b), 6.1(a), 6.1(b), and 6.1(c), which are all described above are required and will address this impact. (RDEIR p. 6-12.)

(2) Finding

“Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.” (CEQA Guidelines, § 15091, subd. (a)(1).) Mitigation Measures 4.1(a), 4.8(b), 6.1(b), and 6.1(c), which have been required in or incorporated into the Project, will reduce the significant environmental impact to a *less-than-significant* level.

(3) Facts in Support of Finding

Implementation of Mitigation Measure 4.1 related to the relocation of the ponds along with the associated tree canopy and vegetation would reduce the potential impact to migratory birds to less than significant because the habitat and foraging areas would be replaced at a value comparable to the habitat and foraging areas near the existing ponds, pursuant to the recommendations of CDFG and a qualified biologist. Mitigation Measure 4.8(b) would ensure that the replacement landscaping is consistent with the historic plan palette and theme. Mitigation Measures 6.1(a), 6.1(b), and 6.1(c) would protect active nests that could be associated with migratory birds. Thus, this impact would be *less than significant*. (RDEIR p. 6-12.)

4. Land Use and Public Land Use Policy

a. Impact 7.1

(1) Impact and Mitigation

The Proposed Master Plans could contribute to impacts on applicable City policies without the implementation of recommended mitigation measures. Mitigation Measures 4.1, 4.2, 4.3, 4.4(a) through 4.4(c), 4.8(a) and 4.8(b), 5.1(a) through 5.1(f), 5.2(a) through 5.2(e), 5.4(a) through 5.4(h), 5.5(a) through 5.5(e), 8.3(a), 8.4(a), 22.2(a), and 22.2(a), which are described both above and below and which have been required in or incorporated into the Project, will reduce the significant environmental impact to a *less-than-significant* level.

(2) Finding

“Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.” (CEQA Guidelines, § 15091, subd. (a)(1).) Mitigation Measures 4.1, 4.2, 4.3, 4.4(a) through 4.4(c), 5.1(a) through 5.1(f), 5.2(a) through 5.2(e), 5.4(a) through 5.4(h), 5.5(a) through 5.5(e), 8.3(a), 8.4(a), 22.2(a), and 22.2(a), which have been required in or incorporated into the Project, will reduce the significant environmental impact to a *less-than-significant* level.

(3) Facts in Support of Finding

The implementation of Mitigation Measures 4.1, 4.2, 4.3, 4.4(a) through 4.4(c), and 4.8(a) and 4.8(b), will reduce potential impacts on historic resources to less than significant. Mitigation Measures 5.1(a) through 5.1(f), 5.2(a) through 5.2(e), 5.4(a) through 5.4(h), 5.5(a) through 5.5(e) will reduce aesthetics, visual compatibility and lighting impacts to less than significant. Mitigation Measures 8.3(a) and 8.4(a) will reduce potential safety impacts to less than significant. Finally, Mitigation Measures 22.2(a) and 22.2(b) will reduce potential noise impacts to less than significant. (RDEIR pp. 7-42 – 7-43.)

5. Transportation and Traffic

a. Impact 8.1

(1) Impact and Mitigation

The project would have a potentially significant impact on intersections in 2014. As shown in Recirculated Draft EIR Table 8-12, there are two intersections under Caltrans jurisdiction that will be significantly impacted in 2014 when project generated traffic is added. These intersections are the following:

- Belmont/99 SB (Morning peak hours degrade from LOS D, 29.9 to LOS E, 36.6; Evening peak hours degrade from LOS E, 36.1 to LOS E, 43.6; Weekend peak hours degrade from LOS D, 33.9 to LOS F, 60.8)
- Belmont/99 NB (Morning peak hours degrade from LOS E, 47.3 to LOS F, 52.3; Evening peak hours degrade from LOS F, 89.9 to LOS F, 98.0; Weekend peak hours degrade from LOS D, 27.9 to LOS D, 33.3)

Mitigation Measure 8.1(a) addresses this potential impact and is:

MM 8.1(a): Prior to the issuance of building permits, the project applicant shall participate in the Traffic Signal Mitigation Impact (TSMI) program, paying the approved fixed fee for the proposed project. Following are the TSMI program improvements that are required to be implemented. The timing of implementing these improvements is estimated to be in or before 2014; however, the improvements shall be completed as the significance thresholds are reached.

- Belmont Avenue and SR 99 SB – Signal Installation
- Belmont Avenue and SR 99 NB – Signal Installation

(RDEIR, pp. 8-18 – 8-19.)

(2) Finding

“Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.” (CEQA Guidelines, § 15091, subd. (a)(1).) Mitigation Measure 8.1(a), which has been required in or incorporated into the Project, will reduce the significant environmental impact to a *less-than-significant* level.

(3) Facts in Support of Finding

The installation of traffic signals at the above intersections will result in the operation of these two intersections at LOS A during the study peak hours. The level of service at the

Belmont Avenue and SR 99 NB ramps will improve during the morning peak hours from LOS E to LOS A, during the evening peak hours from LOS E to LOS A, and during the weekend peak hours from LOS F to LOS A. The level of service at the Belmont Avenue and SR 99 SB ramps will improve during the morning peak hours from LOS F to LOS A, during the evening peak hours from LOS F to LOS A, and during the weekend peak hours from LOS D to LOS A. Therefore, the traffic signals will reduce the project's impact to *less than significant*. (RDEIR p. 8-20.)

b. Impact 8.3

(1) Impact and Mitigation

The Master Plans project may substantially increase hazards due to the location of onsite pedestrian crosswalks. Mitigation Measure 8.3(a) addresses this potential impact and is:

MM 8.3(a): Pedestrian crossings on Park Boulevard shall be provided with appropriate signage and traffic controls, consistent with the most recent version of the California Manual on Uniform Traffic Control Devices, in order to alert motorists and pedestrians to the presence of the crossings. Sight distances for pedestrians and motorists shall be verified by the City Engineer (or his or her designee), as consistent with the most recent edition of the Caltrans Highway Design Manual and City of Fresno standard practices during the project design phase. (RDEIR pp. 8-22 – 8-23.)

(2) Finding

“Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.” (CEQA Guidelines, § 15091, subd. (a)(1).) Mitigation Measures 8.3(a), which has been required in or incorporated into the Project, will reduce the significant environmental impact to a *less-than-significant* level.

(3) Facts in Support of Finding

The implementation of the above mitigation measure will ensure adequate sight distance for pedestrians and motorists and will reduce potential pedestrian hazards related to crosswalks to less than significant ensuring that this impact is *less than significant*. (RDEIR p. 8-23.)

c. Impact 8.4

(1) Impact and Mitigation

The Master Plans project may substantially increase hazards to visitors/pedestrians due to the design of the Golden State Boulevard site access. Mitigation Measures 8.4(a) through 8.4(c) address this potential impact and are:

MM 8.4(a): The project applicant shall construct a vandal resistant fence along the east side of Golden State Boulevard from Olive Avenue to Belmont Avenue undercrossing, within the right-of-way, to prevent pedestrians from crossing the railroad tracks at mid-block locations.

MM 8.4(b): The project applicant shall install a sidewalk on the south and north sides of the Olive Avenue at-grade railroad crossing consistent with the requirements of General Order 88-B and any other applicable CPUC requirements.

MM 8.4(c): The project applicant shall install a Standard 8 warning device (flashing lights without a gate) in the off-quadrant due to the skewed track configuration of the crossing.

(RDEIR p. 8-23; FEIR p. 4-6.)

(2) Finding

“Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.” (CEQA Guidelines, § 15091, subd. (a)(1).) Mitigation Measures 8.4(a) through 8.4(c), which have been required in or incorporated into the Project, will reduce the significant environmental impact to a *less-than-significant* level.

(3) Facts in Support of Finding

The implementation of the above mitigation measures will prevent pedestrians from crossing the railroad tracks at mid-block locations, and thereby, reduce potential pedestrian hazards related to crossing the railroad tracks to *less than significant*. (RDEIR p. 8-23; FEIR p. 4-6.)

6. Air Quality

a. Impact 10.1

(1) Impact and Mitigation

The project would generate greenhouse gas emissions and could conflict with applicable plans, policies or regulations of an agency adopted for the purpose of reducing the emissions of greenhouse gases. Mitigation Measures 10.1(a) through 10.1(e) address this potential impact and are:

MM 10.1(a): The following greenhouse gas reduction measures shall be included in the project that will reduce emissions related to energy and/or natural gas use:

- Provide shade (within five years) and/or use light-colored/high-albedo materials (reflectance of at least 0.3) and/or open grid pavement for at least 30 percent of the site’s non-roof impervious surfaces, including parking lots, walkways and plazas; OR place a minimum of 50 percent of parking spaces underground or

covered by structured parking; OR use an open-grid pavement system (less than 50 percent impervious) for a minimum of 50 percent of the parking lot area. Unshaded paved areas shall have a minimum albedo of 0.3 or greater.

- Install efficient lighting and lighting control systems where new lighting is being installed. Daylight shall be used as an integral part of lighting systems, where feasible.
- Install Energy Star labeled roof materials on new buildings, unless the roof has solar panels installed. As an alternative to Energy Star roofing materials, a vegetated roof that covers at least 50 percent of the roof area can be installed.
- Install energy efficient heating and cooling systems, appliances and equipment, and control systems.
- Install a solar power system in at least one onsite location. The system shall be a demonstration to the public on how solar or wind power works to generate electricity.
- Install solar and/or tankless hot water heaters where new water heaters are being installed as part of the project, unless to do so would be infeasible (such as for food service water heaters, which may require different specifications).
- Proposed onsite structures shall be designed to exceed California Title 24 energy conservation requirements by a minimum of 20 percent; OR become LEED certified.

MM 10.1(b): The following greenhouse gas reduction measures shall be included in the project as they will reduce emissions related to water transport and treatment:

- Install water-efficient irrigation systems and devices, such as soil moisture-based irrigation controls. Micro-irrigation systems shall be utilized to the extent practical.
- Use reclaimed/recycled water for landscape irrigation when the water is available for use.
- Install low-flow, ultra-low flow, and/or waterless toilets and urinals where new ones are being installed.
- Restrict watering methods (e.g., prohibit systems that apply water to nonvegetated surfaces) and control runoff.
- Implement low-impact development practices that maintain the existing hydrologic character of the site to manage storm water and protect the

environment. (Retaining storm water runoff on-site can drastically reduce the need for energy-intensive imported water at the site.)

MM 10.1(c): The following greenhouse gas reduction measures shall be included in the project as they will reduce emissions related to waste generation:

- Reuse and/or recycle a minimum of 50 percent of construction and demolition waste (including, but not limited to, soil, vegetation, concrete, lumber, metal, and cardboard).
- New food service areas shall provide the customers with reusable, recyclable, and/or compostable dishes and drinking containers (with compost bins located throughout the park/zoo). Wedding and catering facilities shall have reusable dishes and drinking containers available.
- Yard waste shall be reused or composted either onsite or offsite.

MM 10.1(d): The following greenhouse gas reduction measures shall be included in the project as they will reduce emissions related to motor vehicles:

- Purchase low or zero-emission vehicles for use onsite when the need arises for new vehicles.
- Include internal pedestrian and bicycle routes that connect to adjacent pedestrian and bicycle routes located along Belmont Avenue, Olive Avenue and Golden State Boulevard; as well as transit stops located either onsite or along adjacent roadways. Create travel routes that ensure that destinations may be reached conveniently by public transportation, bicycling or walking.
- Site design and building placement minimize barriers to pedestrian access and connectivity. This measure is not meant to prevent the limited use of barriers to ensure public safety by prohibiting access to restricted areas.
- Incorporate onsite transit facility improvements (e.g., pedestrian shelters, route information, benches, lighting) to coincide with existing or planned transit service.
- Daily charge for parking must be equal to or greater than the cost of a local transit pass plus 20 percent.
- Provide onsite bicycle storage for employees who bike to work.

MM 10.1(e): To reduce emissions associated with refrigerants, the average refrigerant global warming potential used in air conditioning units in new buildings shall be less than 500. (RDEIR pp. 10-25 – 10-30.)

(2) Finding

“Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.” (CEQA Guidelines, § 15091, subd. (a)(1).) Mitigation Measures 10.1(a) through 10.1(e), which have been required in or incorporated into the Project, will reduce the significant environmental impact to a *less-than-significant* level.

(3) Facts in Support of Finding

As demonstrated in Recirculated Draft EIR Table 10-9 the adoption/implementation of mitigation, project design features, and regulations will reduce emissions 30 percent below business as usual in 2020. The reductions are estimated based on the combined effect of all the mitigation measures, project design features, and regulations. Identification of a reduction based on each separate feature or measure is not possible; however, the Air Quality Analysis Report (see Recirculated Draft EIR Appendix E) contains a mitigation measure and project design feature matrix with combined reduction percentages. Greenhouse gas emissions are less than significant because the project goes above and beyond the SJVAPCD recommended 29 percent reduction from business as usual in 2020. Although emission reductions in 2030 are only 28 percent from business as usual, emissions are still *less than significant* because the SJVAPCD threshold pertains to 2020 emissions only.

7. Noise

a. Impact 11.1

(1) Impact and Mitigation

Noise generated by new or expanded uses could result in a substantial increase in stationary source noise levels that would exceed applicable City of Fresno noise standards at nearby receptors. Mitigation Measures 11.1(a) to 11.1(f):

MM 11.1(a): Except in the case of emergency work, as defined in Fresno Municipal Code, § 10-102(d), the use of noise-generating activities at maintenance facilities shall only occur within the maintenance yard building, and only between the daytime hours of 7 a.m. and 10 p.m. To the extent practical, noise-generating maintenance activities shall be conducted with exterior doors closed.

MM 11.1(b): The proposed park maintenance building shall be maintained, designed, and constructed of materials sufficient to achieve applicable City of Fresno noise standard for stationary noise sources, or applicable measures adopted at the time of construction. Based on currently adopted standards, the proposed park maintenance building shall be designed to achieve operational noise levels of less than 61 dBA Leq, measured at the nearest residential property line. Based on the analysis conducted for this project, the proposed park maintenance building should be designed and constructed sufficient to achieve an interior-to-exterior noise

reduction of 28 dBA, or greater. At a minimum, the following measures shall be implemented: (1) Building vents, doors, and windows shall be prohibited along the northern building façade of the maintenance building. (2) Roof vents shall be prohibited on areas located within line-of-sight of the nearest residential land use. (3) All exterior building vent/utility openings shall be sealed. Additional measures may be required, at the time of construction, sufficient to achieve City of Fresno noise standards.

MM 11.1(c): The proposed maintenance building shall be oriented in a south-facing direction, so that the entrances to the building are located along the southern façade of the building.

MM 11.1(d): A six-foot tall solid masonry wall shall be constructed along the southern property line of the nearest residential dwelling located north of the proposed park maintenance facility. The barrier shall be constructed prior to beginning construction of the proposed park maintenance facility.

MM 11.1(e): The proposed maintenance facility shall be designed so that the exterior equipment maintenance yard is located along the southern façade of the proposed park maintenance building. The proposed building shall be oriented so that it provides a break in the line-of-sight between the exterior equipment yard and the nearest residential use property line.

MM 11.1(f): Noise-generating equipment located at the proposed park maintenance facility (e.g., air compressors, generators, etc.) shall be placed within the building interior and/or sufficiently shielded to achieve an exterior noise standard of 61 dBA Leq, or less, measured at the nearest residential-use property line, per applicable City of Fresno noise standards. (RDEIR 11-17 – 11-24.)

(2) Finding

“Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.” (CEQA Guidelines, § 15091, subd. (a)(1).) Mitigation Measures 11.1(a) through 11.1(f), which have been required in or incorporated into the Project, will reduce the significant environmental impact to a *less-than-significant* level.

(3) Facts in Support of Finding

Implementation of Mitigation Measures 11.1 (a) – (f), would limit noise-generating activities associated with maintenance facilities and activities. Mitigation Measure 11.1 (b) would require incorporation of facility design features and noise reduction measures sufficient to achieve applicable City of Fresno noise standards associated with the operation of the proposed park maintenance facility. With implementation of the above mitigation measures, this impact would be considered *less than significant*. (RDEIR p. 11-24.)

b. Cumulative Noise impacts

(1) Impact and Mitigation

Under Year 2030 conditions, cumulative traffic noise levels along affected roadways would be significant. Mitigation Measures 22.2(a) and 22.2(b) address this impact and are:

MM 22.2(a): A sound barrier shall be constructed at 919 W. Belmont Avenue sufficient to shield the outdoor activity area of the onsite residential land use from line-of-sight of W. Belmont Avenue. The sound barrier shall be constructed of solid material, such as masonry block or material of similar density, with no visible air gaps between the single family home or at the base of the structure. The barrier shall be constructed to a minimum height of 6 feet above ground elevation. A driveway shall be constructed off of North Durant Avenue along the southern boundary of the property line and a gate shall be installed at the existing wood side yard fence to allow access to the southern portion of the property. Construction of the sound barrier, driveway, and gate shall occur when noise levels exceed the City's exterior noise standards (i.e., projected to be prior to year 2030) and approved by the property owner. An engineer with expertise in the design of sound barriers shall be consulted, prior to construction, to ensure that adequate noise reductions are achieved.

MM 22.2(b): A sound barrier shall be constructed at 461 N. Delno Avenue sufficient to shield the outdoor activity area of the onsite residential land use from line-of-sight of W. Belmont Avenue. The sound barrier shall be constructed of solid material, such as masonry block or material of similar density, with no visible air gaps between building components or at the base of the structure. The barrier shall be constructed to a minimum height of 6 feet above ground elevation. Construction of the sound barrier shall occur when noise levels exceed the City's exterior noise standards (i.e., projected to be prior to year 2030) and approved by the property owner. An engineer with expertise in the design of sound barriers shall be consulted, prior to construction, to ensure that adequate noise reductions are achieved. (RDEIR pp. 22-11 – 22-16.)

(2) Finding

“Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.” (CEQA Guidelines, § 15091, subd. (a)(1).) Mitigation Measures 11.1(a) through 11.1(f), which have been required in or incorporated into the Project, will reduce the significant environmental impact to a *less than significant* level.

(3) Facts in Support of Finding

Predicted future cumulative traffic noise levels at two of the four residential dwellings would be considered less than significant. Implementation of the above mitigation measures would reduce traffic noise levels within outdoor activity areas by an average of approximately 5 dBA. This reduction in noise level in 2030 would reduce the existing noise levels within the

outdoor activity areas at the two residential dwellings. Therefore, the implementation of the mitigation measures would eliminate any permanent increase in traffic noise levels within the outdoor activity areas of the two residential dwellings. As a result, the implementation of the two above mitigation measures would reduce potential traffic noise impacts at 919 W. Belmont Avenue and 461 N. Delno Avenue to *less than significant*. (RDEIR pp. 22-15 – 22-16.)

8. Hydrology and Water Quality

a. Impact 14.1

(1) Impact and Mitigation

The proposed project could violate water quality standards or waste discharge requirements. Mitigation Measures 14.1(a) and 14.1(b) address this potential impact and are:

MM 14.1(a): Prior to the issuance of a grading permit, the project applicant shall prepare a Stormwater Pollution Prevention Plan (SWPPP) to be submitted to the City of Fresno for review and approval. The SWPPP shall include a specific list of Best Management Practices (BMPs) that will be used to prevent construction pollutants from contacting stormwater and prevent all products of erosion from moving off site into receiving waters. Furthermore, the project applicant shall provide evidence that the Notice of Intent (NOI) was filed with the State Water Resources Control Board. The NOI is a mechanism to establish responsible parties, dischargers, and scope of the proposed operations. The BMPs that will be included, but will be finalized with the preparation of the SWPPP, include the following.

Soil Stabilization

- Upon completion of grading, permanent seeding will be performed in all areas identified in the landscape plans
- The seed mix will consist of native plants that include fast-germinating and fast growing plants as well as plant cover that requires more time to become established.
- Mulching of seeded areas will be performed to prevent loss of weeds and soil. Natural germination, as opposed to watering is recommended. Watering or irrigation of seeded areas usually results in early germination and die-off without plant-establishment.
- Perimeter controls such as silt fences and berms will be installed to commencement of grading, and will be maintained through completion of construction.
- The proposed storm drainage basin will be constructed at the commencement of grading. As grading operations progress, temporary sediment traps and sediment

basins shall be constructed at strategic locations until such time as improvements are completed.

Slope Stabilization

- Grading of the project site could result in cut and fill slopes. Slopes will be stabilized using techniques that, along with re-vegetation, include products to minimize storm water velocity as wattles, compost tubes, and compost blankets.

Dust Control/Dust Suppressants

- Implementation of dust control or dust suppressants in compliance with the San Joaquin Valley Air Pollution Control District Regulation VIII (Rules 8011-8081) and Rule 9510 are required.

Containment of Fuels, Lubricants, and Other Possible Sources of Pollution

- Special care will be taken during fueling of construction vehicles. Accidental spills will be contained and disposed of, including removal of contaminated soil. Chemicals, paints, solvents, fertilizers, toxic materials or potential pollutants will be stored in watertight containers.

Construction Water

- Water used in construction will not contain pollutants.

Sanitary Facilities

- Temporary sanitary facilities will be provided throughout the construction area.

Solid Waste Disposal

- Solid waste will not be allowed to discharge from the construction area via storm water. Solid waste will be collected, contained, and hauled away.

MM 14.1(b): Prior to the issuance of building permits, the project applicant shall submit a stormwater management plan to the City of Fresno for review and approval. The stormwater management plan shall identify pollution prevention measures and practices to prevent polluted runoff from leaving the project site. Examples of stormwater pollution prevention measures and practices to be contained in the plan include but are not limited to:

- Bioswales and landscaped areas that promote percolation of runoff
- Pervious pavement

- Roof drains that discharge to landscaped areas
- Trash enclosures with screen walls and roofs
- Curb cuts in parking areas to allow runoff to enter landscaped areas
- Rock-lined areas along landscaped areas in parking lots
- Catch basins
- Regular sweeping of parking areas and cleaning of storm drainage facilities
- Employee training to inform personnel of stormwater pollution prevention measures

(RDEIR, pp. 14-6 -14-9.)

(2) Finding

“Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.” (CEQA Guidelines, § 15091, subd. (a)(1).) Mitigation Measures 14.1(a) and 14.1(b), which have been required in or incorporated into the Project, will reduce the significant environmental impact to a *less-than-significant* level.

(3) Facts in Support of Finding

As required by the City for all development projects, a SWPPP is required to conform to the SWRCB NPDES Permit, in which the City of Fresno is a co-permittee. The above mitigation measure identifies a preliminary list of BMPs that will be included in the SWPPP; however, the specific list of BMPs will be finalized with the preparation of the SWPPP. The SWPPP is required to include BMPs to prevent construction-related pollutants from reaching stormwater and all products of erosion from moving offsite. As with all construction activities, the City of Fresno reviews the SWPPP to ensure conformance with the SWRCB NPDES Permit and then provides approval. Conformance with the NPDES Permit prevents violations of water quality standards or water discharge requirements set by the SWRCB. Therefore, the implementation of this mitigation measures would prevent a violation of water quality standards or waste discharge requirements. Therefore, the implementation of this Mitigation Measure 14.1(a) would reduce the short-term construction impacts associated with the proposed Master Plans to be *less than significant*.

The implementation of Mitigation Measure 14.1(b) is required for developments within the City of Fresno to prevent polluted runoff from leaving the project site. The implementation of a stormwater management plan along with the preliminary storm drain system that includes a

storm drainage basin would reduce long-term surface water quality impacts to *less than significant*.

b. Impact 14.2

(1) Impact and Mitigation

The Master Plans Project would increase impervious surface coverage and may create the potential for downstream flooding due to inadequate drainage facilities. Mitigation Measures 14.2(a) and 14.2(b), address this potential impact and are:

MM 14.2(a): The design of the proposed storm drainage system shall comply with the standards of the City of Fresno. These standards ensure that the storm drain system will have adequate capacity accommodate stormwater flows associated with the proposed Master Plans Project. The storm drainage system shall be subject to the approval of the City’s Director of Public Works.

MM 14.2(b): The Fresno Chaffee Zoo shall coordinate with the City and the Fresno Metropolitan Flood Control District to implement a relief system for the proposed storm drainage facility. The proposed relief system shall include a pump if the proposed basin is deeper than four-feet. The relief system would include connection to an existing siphon at the southeast corner of the proposed basin (i.e., at the intersection of Franklin Avenue and Pacific Avenue) and installation of approximately 500 feet of pipeline in the Franklin Avenue right-of-way to the existing Fresno Metropolitan Flood Control District (FMFCD) pipeline located at the intersection of Franklin Avenue and Humboldt Avenue. This underground pipeline is connected to the FMFCD retention Basin RR-2. The proposed relief system would be used if there is a storm that exceeds the FMFCD’s retention basin design requirements (i.e., runoff from 6 inches of rainfall over 10 days). The relief system shall be subject to approval by the FMFCD. (RDEIR p. 14-10; FEIR p. 4-7.)

(2) Finding

“Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.” (CEQA Guidelines, § 15091, subd. (a)(1).) Mitigation Measures 14.2(a) and 14.2(b), which have been required in or incorporated into the Project, will reduce the significant environmental impact to a *less-than-significant* level.

(3) Facts in Support of Finding

The incorporation of the above mitigation measures will ensure that the proposed storm drain system can adequately accommodate stormwater flows generated by the proposed The Master Plans Project, as designed, will lessen impacts associated with drainage to *less than significant*.

9. Hazards and Hazardous Materials

a. Impact 19.1

(1) Impact and Mitigation

Hazardous materials may be present in existing buildings and structures subject to demolition or renovation. Mitigation Measures 19.1(a) and 19.1(b) address this potential impact and are:

MM 19.1(a): Prior to the issuance of any demolition permit or building permit for any renovation or relocation of any structure within Project area, a risk survey shall be performed to determine the presence of lead-based paint, asbestos-containing materials, polychlorinated biphenyls in electrical equipment, mercury switches, heating/cooling systems, or other hazardous materials in the buildings.

MM 19.1(b): Prior to the issuance of any demolition permit or building permit for any renovation or relocation of any structure within the Project area, which work may disturb identified asbestos-containing materials, lead-based paint, polychlorinated biphenyls in electrical equipment, mercury switches, heating/cooling systems, or other hazardous materials, a licensed contractor, certified for handling and disposing of hazardous building materials, shall remove and properly dispose of the hazardous material(s).

(RDEIR p. 19-7.)

(2) Finding

“Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.” (CEQA Guidelines, § 15091, subd. (a)(1).) Mitigation Measures 19.1(a) and 19.1(b), which have been required in or incorporated into the Project, will reduce the significant environmental impact to a *less-than-significant* level.

(3) Facts in Support of Finding

Implementation of the above measures will result in a survey and disposal of lead-based paint, asbestos-containing material, polychlorinated biphenyls in electrical equipment, mercury switches, heating/cooling systems, or other hazardous materials in the onsite buildings proposed for demolition or renovation. These measures will reduce potential hazardous waste impacts to *less than significant*. (RDEIR p. 19-7.)

10. Land Use and Planning

a. Impact 20.25

(1) Impact and Mitigation

The proposed project will not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project.

This impact issue was not originally screened out of the EIR during the NOP process, however, after an extensive evaluation of local plans, policies, objectives, and goals in Chapter 7, Land Use and Public Land Use Policy, the proposed Master Plans will have no impacts to local plans, policies, objectives, and goals after the implementation of the mitigation measures identified in Chapter 4, Cultural Resources; visual compatibility and lighting in Chapter 5, Aesthetics; safety in Chapter 8, Transportation and Traffic; and noise in Chapter 22, Cumulative Impacts.

(2) Finding

“Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.” (CEQA Guidelines, § 15091, subd. (a)(1).) Mitigation Measures 4.3, 4.4, 4.8, 5.1, 5.2, 8.1, 8.2, and 22.2, which have been required in or incorporated into the Project, will reduce the environmental impact to a *less-than-significant* level.

(3) Facts in Support of Finding

Implementation of the above identified measures will result in changes to the development of the Master Plan Project that will ensure the Project maintains consistency with existing goals and policies in the Fresno 2025 General Plan, including but not limited to improvement and restoration of habitat resources (Objective G-12); provide quality open space, park and recreation facilities (Open Space Goal 10); pursue and open space standard of 3.0 acres per 1,000 persons (Policy F-1-f); pursue development of regional parks (Policy F-2-a); preserve resources that reflect important cultural and architectural features (Objective G-11); remove or preserve historic resources at development sites (Policy G-11-e); establish historic districts (Policy G-11-f); and the use of noise barriers (Policy H-1-m).

D. Significant Environmental Impacts That Cannot be Mitigated to a Less-than-Significant Level

The following significant impacts would not be mitigated to a less-than-significant level, even with the implementation of the identified mitigation measures set forth herein. No mitigation is feasible that would mitigate these impacts to a less-than-significant level. The City has determined that the impacts identified below are acceptable because of overriding economic, social or other considerations, as described in the Statement of Overriding Considerations. As

required by CEQA, a Statement of Overriding Considerations is presented in Section X below in addition to these findings.

1. Cultural Resources

a. Cumulative Cultural Resources Impact

(1) Impact and Mitigation

The Master Plans Project will adversely affect a number of contributing features of the potential Roeding Regional Park Historic District. Project mitigation measures requiring the reintroduction, relocation, and protection of these features on site will reduce the project's impact to a less than significant level. No impact would remain that could contribute to a cumulative impact associated with other development contemplated in the General Plan; however, depending on the alignment selected by CHSRA, the Master Plans Project could have a cumulative impact on contributing features within the Historic District. Certain alignments of HSR that would physically encroach upon Roeding Regional Park could result in an additional loss or degradation of contributing features. Importantly, this impact would only occur in the event that CHSRA adopts an alignment that encroaches upon Roeding Regional Park. If such an alignment were adopted, mitigation measures proposed to reduce the Master Plans Project's direct impacts would operate to also minimize this cumulative impact. For example, maintaining public recreational uses associated with the ponds by introducing a new pond feature (Mitigation Measure 4.1(a)), compliance with the Secretary's Guidelines for perimeter fencing (Mitigation Measure 4.3), and development of historic preservation design guidelines and a historic plant palette (Mitigation Measure 4.8(b)) will minimize the Master Plans Project's contribution to the loss or degradation of the contributing features. However, due to the unknowns regarding the High Speed Rail's encroachment—if any—on the Park, the timing of construction, and precise timing of the Master Plans Project development, the project mitigation measures will minimize the potential significant cumulative impact to historical resources, but not necessarily to a less-than-significant level. There are no other feasible mitigation measures that are capable of avoiding the impact or minimizing the impact to a less-than-significant level.

(2) Finding.

There are no additional feasible mitigation measures that would substantially lessen the severity of the significant effect or reduce that effect to a less-than-significant level. Therefore, the impact would remain significant and unavoidable.

(3) Facts in Support of Finding

Certain alignments of HSR that would physically encroach upon Roeding Regional Park could result in an additional loss or degradation of contributing features. Importantly, this impact would only occur in the event that CHSRA adopts an alignment that encroaches upon Roeding Regional Park. If such an alignment were adopted, mitigation measures proposed to reduce the Master Plans Project's direct impacts would operate to also minimize this cumulative impact. For

example, maintaining public recreational uses associated with the ponds by introducing a new pond feature (Mitigation Measure 4.1(a)), compliance with the Secretary’s Guidelines for perimeter fencing (Mitigation Measure 4.3), and development of historic preservation design guidelines and a historic plant palette (Mitigation Measure 4.8(b)) will minimize the Master Plans Project’s contribution to the loss or degradation of the contributing features. However, given the unknowns regarding the degree of HSR’s encroachment, if any, on the Park, the timing of HSR construction, and the precise timing of the Master Plans Project development, these measures will minimize the impact, but not necessarily to a less-than-significant level. Therefore, this impact is considered *significant and unavoidable*.

(4) Statement of Overriding Considerations

The City Council has found that the Project benefits outweigh the significant unavoidable impacts of the Project. The full discussion can be found in the “Statement of Overriding Considerations” (Section X).

2. Transportation and Traffic

a. Impact 8.2

(1) Impact and Mitigation

The project would have a potentially significant impact on intersections in 2030. As shown in Recirculated Draft EIR Table 8-13, there is one intersection, under Caltrans jurisdiction, and there are two City of Fresno intersections that will be significantly impacted in 2030 when project generated traffic is added. These intersections are the following:

- Belmont/99 SB (Evening peak hours degrade from LOS F, 83.6 to LOS F, 94.4)
- Olive/Site (Morning peak hours degrade from LOS D, 27.7 to LOS E, 35.2; Weekend peak hours degrade from LOS F, 87.7 to LOS F, 372.5)
- Golden State/Site (Weekend peak hours degrades to LOS E, 42.9).

Mitigation Measures 8.2(a) and 8.2(b) address this impact and are:

MM 8.2(a): Prior to the issuance of building permits, the project applicant shall install traffic signals at the following intersections. The timing of implementing these improvements is estimated to be prior to 2030; however, the improvements shall be completed as the significance thresholds are reached. Because the improvements are estimated to be needed in the future, the applicant shall provide the City of Fresno the funding to install the improvements, prior to or at the time the significance thresholds are reached, so that when the significance thresholds are reached, the City can fund the improvements.

- Olive Avenue and Site Access – Signal Installation

- Golden State Boulevard and Site Access – Signal Installation

MM 8.2(b): Prior to the issuance of building permits, the project applicant shall pay the proportionate share to accommodate dedicated left-turn storage lanes on Belmont Avenue for each on-ramp. This improvement is not currently part of a fee program and would likely require widening of the overcrossing structure and reconstruction of much of the interchange. At the time of publication of this Recirculated Draft EIR, the estimated proportionate share is 7.5 percent; however, the final proportionate share shall be determined by the City Engineer (or his/her designer) at the time building permits are requested. Because the improvements are estimated to be needed in the future, the applicant shall provide the City of Fresno the funding to install the improvements, prior to or at the time the significance thresholds are reached, so that when the significance thresholds are reached, the City can fund the improvements.

Though Mitigation Measures 8.2(a) and 8.2(b) would reduce this impact, the impact would not be reduced to a less than significant level. There are no additional feasible mitigation measures that would reduce this impact to a level of less-than-significant. (RDEIR pp. 8-20 – 8-22.)

(2) Finding

There are no additional feasible mitigation measures that would substantially lessen the severity of the significant effect or reduce that effect to a less-than-significant level. Therefore, the impact would remain significant and unavoidable.

(3) Facts in Support of Finding

The implementation of the above mitigation measure will improve the operation of the three intersections to LOS C or better. The level of service at the Belmont Avenue and SR 99 SB ramps during the evening peak hours will improve from LOS F to LOS C. The mitigation measure to improve the level of service at the ramp in 2030 requires an improvement to the interchange. This improvement would be under the jurisdiction of Caltrans. Currently, Caltrans does not have a program in place to collect impact fees for future interchange widenings. Due to the uncertainty of the timing of implementation of an improvement to the interchange, this potential impact is considered *significant and unavoidable*. The level of service at the Olive Avenue and Site Access during the morning peak hours will improve from LOS E to LOS A and during the weekend peak hours from LOS F to LOS B. The level of service at the Golden State Boulevard and Site Access during the weekend peak hours will improve from LOS E to LOS B. Although the traffic improvements will reduce the project's impact to less than significant, due to the uncertainty of the timing of implementation of an improvement to the Belmont Avenue interchange, this potential impact is considered *significant and unavoidable*. (RDEIR p. 8-22.)

(4) Statement of Overriding Considerations

The City Council has found that the Project benefits outweigh the significant unavoidable impacts of the Project. The full discussion can be found in the “Statement of Overriding Considerations” (Section X).

b. Cumulative Transportation and Traffic Impacts

Cumulative impacts are determined by comparing the 2014 with-Project conditions and the 2030 with-Project conditions to the existing conditions to determine if the combined effect of the cumulative projects and the proposed Project results in a substandard LOS or exacerbation of a substandard LOS. Depending on the alternative alignment selected, the HSR project could impact internal circulation, including the Park entrance, as well as City streets and intersections in the vicinity. However, because the selection of the HSR alignment unknown, it is likewise unknown how the City and California Department of Transportation would need to modify their respective improvements and facilities in response to the approved HSR alternative (e.g., realignment of City streets, additional rights-of-way, new signalization and intersection geometry). Analysis of these traffic impacts, therefore, would be too speculative, and such analysis is not required by CEQA. For the remaining cumulative impacts, the cumulative impact analysis for each study scenario is presented below with recommended mitigations.

(1) Impact and Mitigation

The Master Plans Project would result in cumulative traffic impacts to intersections in 2014 and intersections and roadways in 2030. Mitigation Measures 8.1(a), 8.2(a), and 8.2(b), discussed above will successfully mitigate impacts to 2014 and 2030 intersections, as well as the fair share portion for the following improvements. Mitigation measures 22.1(a) and 22.2(b) will address the remaining cumulative impacts and are:

MM 22.1(a): Prior to the issuance of building permits, the project shall pay their fair share to the City for the following improvements:

- Olive and SR 99 – Interchange Widening Improvements – 2.0% fair share
- Belmont and SR 99 – Interchange Widening Improvements – 7.5% fair share
- Belmont and H Street – Intersection Improvements – 1.8% fair share
- Olive and Weber – Intersection Improvements – 0.9% fair share

The required widening improvements at the Olive and SR 99 interchange and the Belmont and SR 99 interchange would be under the jurisdiction of Caltrans. Currently, Caltrans does not have a program in place to collect impact fees from project applicants for future interchange widenings. Due to the uncertainty of when the interchange would be widened by Caltrans, the project’s contribution to the potential significant cumulative impact is considered to

remain significant. The project applicant will provide the City of Fresno its proportionate share of the funding toward the proposed interchange improvements. The City will retain the funding until the Year 2030. If Caltrans has not, at a minimum, begun the planning for the widening improvements by the Year 2030, the City shall refund the proportionate share funding back to the applicant.

MM 22.1(b): Prior to the issuance of building permits, the project shall pay the fair share towards improvements that are cumulatively considerable. Improvements and fair share are:

The one-lane portions of Belmont Avenue are expected to operate at LOS F with or without the Project as a result of the cumulative significant impact. To operate at acceptable levels of service, the one-lane portions of Belmont Avenue would require widening to two lanes, which would require modification of the Belmont Circle. With implementation of the widening the westbound road segment would operate at LOS C and the eastbound road segment would operate at LOS D. The project's fair share for this improvement are as follows:

- Belmont Avenue eastbound (Fruit to Golden State) – 3.6%
- Belmont Avenue westbound (Weber to Golden State) – 0.5%

Though Mitigation Measures 22.1(a) and 22.1(b) could reduce the significant cumulative impact, because the implementation of these impacts is uncertain, the City cannot rely on these measures to feasibly mitigate the Project's impacts. There are no feasible mitigation measures that would reduce this impact to a level of less-than-significant. (RDEIR, pp. 22-6 – 22-8.)

(2) Finding

There are no feasible mitigation measures that would substantially lessen the severity of the significant effect or reduce that effect to a less-than-significant level. Therefore, the impact would remain significant and unavoidable.

(3) Facts in Support of Finding

Recirculated Draft EIR Chapter 8, Traffic/Transportation, describes the potential impacts of the project under cumulative conditions in 2014 and 2030, which is the analysis time frame of the 2025 Fresno General Plan. Except for the impacts at the Belmont Avenue and SR 99 Ramps and the Olive Avenue and SR 99 Ramps, project impacts under the 2014 and 2030 cumulative scenario can be mitigated to the less than significant level through the payment of mitigation fees and provision of a proportionate share to improvements proposed to reduce cumulative impacts to less than significant. With the implementation of the above mitigation measures, the following intersections and roadways segments will be improved to acceptable levels of service in 2014 and 2030 as described below.

2014

- Belmont Avenue and SR 99 NB Ramps - The level of service will improve during the morning peak hours from LOS E to LOS A, during the evening peak hours from LOS E to LOS A, and during the weekend peak hours from LOS F to LOS A.
- Belmont Avenue and SR 99 SB Ramps – The level of service will improve during the morning peak hours from LOS F to LOS A, during the evening peak hours from LOS F to LOS A, and during the weekend peak hours from LOS D to LOS A.

2030

- Olive Avenue and Site Access – The level of service will improve during the morning peak hours from LOS E to LOS A and during the weekend peak hours from LOS F to LOS B.
- Golden State Boulevard and Site Access – The level of service during the weekend from LOS E to LOS B.
- Belmont Avenue and SR 99 SB Ramps – The level of service will improve during the evening peak hours from LOS F to LOS C.
- Olive Avenue and SR 99 NB Ramps – The level of service will improve during the evening peak hours from LOS D to LOS C.
- Belmont Avenue and H Street – The level of service will improve during the evening peak hours from LOS F to LOS C.
- Olive Avenue and Weber Street – The level of service will improve during the evening peak hours from LOS F to LOS D.
- Belmont Avenue Eastbound: Weber Street to Golden State Boulevard – The level of service will improve during the morning peak hours from LOS F to LOS D and during the evening peak hours from LOS F to LOS D.
- Belmont Avenue Westbound: Weber Street to Golden State Boulevard – The level of service will improve during the evening peak hours from LOS F to LOS C.

As stated above, the required widening improvements at the Belmont Avenue and SR interchange and Olive and SR 99 interchange would be under the jurisdiction of Caltrans. Currently, Caltrans does not have a program in place to collect impact fees for future interchange widenings. Due to the uncertainty of when the interchange would be widened by Caltrans, the project's contribution to the potential significant cumulative impact is considered to remain significant. The project applicant will provide the City its proportionate share of the funding

toward the proposed interchange improvements. The City will retain the funding until the Year 2030. If Caltrans has not, at a minimum, begun the planning for the widening improvements by the Year 2030, the City shall refund the proportionate share funding back to the applicant. Therefore, the project's contribution to this significant cumulative impact will be considered *significant and unavoidable*.

(4) Statement of Overriding Considerations

The City Council has found that the Project benefits outweigh the significant unavoidable impacts of the Project. The full discussion can be found in the "Statement of Overriding Considerations" (Section X).

3. Noise

a. Cumulative Noise Impact

(1) Impact and Mitigation

The cumulative impact of the Master Plans Project in conjunction with the High Speed Rail Project could exceed the 1.5-5 dBA threshold increase. The proposed Mitigation Measures 22.1(a) and (b) will help to reduce this impact, but without specific information regarding design elements and proposed mitigation for the High Speed Rail Project, it cannot be said with certainty that the impact would be reduced to a less than significant level. Therefore, the cumulative impact is considered significant. Implementation of Mitigation Measures 22.1(a) and 22.1(b) would address this issue.

(2) Finding

There are no feasible mitigation measures that would substantially lessen the severity of the significant effect or reduce that effect to a less-than-significant level. Therefore, the impact would remain significant and unavoidable.

(3) Facts in Support of Finding

As noted above, predicted future cumulative traffic noise levels at two of the four residential dwellings would be considered less than significant. Implementation of the above mitigation measures would reduce traffic noise levels within outdoor activity areas by an average of approximately 5 dBA. This reduction in noise level in 2030 would reduce the existing noise levels within the outdoor activity areas at the two residential dwellings. Therefore, the implementation of the mitigation measures would eliminate any permanent increase in traffic noise levels within the outdoor activity areas of the two residential dwellings. It is not clear, however, whether the mitigation would reduce the cumulative impacts of HSR, which cannot be determined with certainty until the design elements and proposed mitigation for HSR's direct impacts are known. Accordingly, for the purposes of this CEQA analysis, the cumulative impact would be considered *significant and unavoidable*.

(4) Statement of Overriding Considerations

The City Council has found that the Project benefits outweigh the significant unavoidable impacts of the Project. The full discussion can be found in the “Statement of Overriding Considerations” (Section X).

VIII. FINDINGS REGARDING ALTERNATIVES

Public Resources Code Section 21002, a key provision of CEQA, provides that “public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects[.]” The same statute states that the procedures required by CEQA “are intended to assist public agencies in systematically identifying both the significant effects of proposed projects and the feasible alternatives or feasible mitigation measures which will avoid or substantially lessen such significant effects.”

Where a lead agency has determined that, even after the adoption of all feasible mitigation measures, a project as proposed will still cause one or more significant environmental effects that cannot be substantially lessened or avoided, the agency, prior to approving the project as mitigated, must first determine whether, with respect to such impacts, there remain any project alternatives that are both environmentally superior and feasible within the meaning of CEQA. Although an EIR must evaluate this range of *potentially* feasible alternatives, an alternative may ultimately be deemed by the lead agency to be “infeasible” if it fails to fully promote the lead agency’s underlying goals and objectives with respect to the project. (*City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 410, 417.) “[F]easibility’ under CEQA encompasses ‘desirability’ to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, and technological factors.” (*Ibid.*; see also *Sequoyah Hills Homeowners Assn. v. City of Oakland* (1993) 23 Cal.App.4th 704, 715.) Thus, even if a project alternative will avoid or substantially lessen any of the significant environmental effects of the project, the decision-makers may reject the alternative if they determine that specific considerations make the alternative infeasible.

Chapter 24 of the Recirculated Draft EIR discussed several alternatives to the Project in order to present a reasonable range of options. Certain alternatives were considered, but rejected and not analyzed in detail. Among these were alternative locations for the project. Alternative locations were considered infeasible and rejected because an alternative location would be incapable of utilizing Measure Z funds, a primary impetus for the project. Furthermore, even if an alternative site could accommodate a zoo of the size proposed, the project proponent (Zoo Corporation) already has an existing lease for the Roeding Park site. As the proponent does not currently own other sites capable of accommodating the project, the proponent cannot reasonably be expected to acquire the necessary property interests in another site. (See CEQA Guidelines, § 15126.6(f)(1).) An alternative site would also require the City and Zoo Corporation to forgo capital investments made at the Roeding Park site, thereby limiting the development that could be accomplished at an alternative site. Accordingly, the City Council finds that there are no alternative locations for the Master Plans Project.

The alternatives evaluated in the EIR include:

- Alternative 1: No Project/No Development
- Alternative 2: Renovation with No Expansion
- Alternative 3: Limited Zoo and Rotary Storyland and Playland Expansion and Renovation

The City Council finds that a good faith effort was made to evaluate all feasible alternatives in the EIR that are reasonable alternatives to the Project and could feasibly obtain the basic objectives of the Project, even when the alternatives might impede the attainment of the Project objectives and might be more costly. As a result, the scope of alternatives analyzed in the EIR is not unduly limited or narrow. The City Council also finds that all reasonable alternatives were reviewed, analyzed and discussed in the review process of the EIR and the ultimate decision on the Project. (See Recirculated Draft EIR, Chapter 24.)

A. Significant and Unavoidable Impacts of the Project

The EIR summarized the significant and unavoidable impacts of the Project. Significant effects related to traffic impacts and cumulative traffic impacts that cannot be avoided would occur.

B. Project Objectives

The Project objectives are set forth in part II.B. above.

C. Analysis of Alternatives

1. The No Project Alternative

a. Description of the Alternative

The existing Roeding Regional Park, Fresno Chaffee Zoo, and Rotary Playland and Storyland land uses and acreages would not change. Within their existing footprints, zoo and Rotary facilities could be renovated and some new facilities could be added. Most of the improvements proposed under the Roeding Regional Park Master Plan would be implemented. Access to Roeding Regional Park and circulation within the park would be substantially similar, but not the same, as proposed under the Master Plans Project. The new Golden State Boulevard access and new Park Boulevard proposed under the project would be developed. However, access would still be allowed to Belmont Avenue and the main road to the east of the existing zoo would remain and T-intersect into the new Park Boulevard (see Recirculated Draft EIR Figure 24-1). Park circulation to the east of the zoo would remain as it is now. The number of parking spaces would be the substantially similar as under the Master Plans Project. The water,

sewer, and storm drainage system within Roeding Regional Park would be modified as necessary to serve the renovated zoo and Rotary and park facilities. (RDEIR, pp. 24-12 – 24-13.)

b. Comparison to the Project

Under the No Project Alternative the following project objectives could be achieved:

The No Project Alternative would not fully attain most of the project objectives because the project would not be implemented. According to the Fresno's Chaffee Zoo Corporation, under the No Project Alternative:

With no changes or improvements to the zoo there would be loss of visitor or community support. Unable to meet the codified objectives of Measure Z, it is quite possible the sales tax would expire or be repealed with little or no hope of renewal.

The Zoo's current operating budget is \$7,000,000 of which \$3.5-4,000,000 is provided through Measure Z funds. Without this funding source, the Zoo would have to reduce its operating budget by at least 50%. A reduction of this magnitude would severely impact the ability to perform "normal maintenance and repairs" and would precipitate further declines in attendance and earned revenue.

Under the lease agreement between the City of Fresno and the Fresno's Chaffee Zoo Corporation (FCZC), FCZC is required to maintain accreditation with the Association of Zoos and Aquariums (AZA). Under this scenario, the Zoo would likely lose its accreditation since the criteria includes facility maintenance and solid financial status. Loss of accreditation would result in returning or relocating many of the animals the Zoo currently manages to other accredited zoos. Losing accreditation would also mean the exodus of many staff members who expect to work for a zoo that is accredited. According to the City/FCZC lease agreement loss of accreditation would turn the operation of the Zoo back over to the City whose funding of the Zoo ceases in 2010.

The results of this scenario would be that the Zoo would become a "Road-side" zoo that would not be accredited, with few if any large mammals and inadequate visitor services. Such a facility would have limited visitor appeal and would likely close due to lack of support.

Under the No Project Alternative, only a small handful of the Project Objectives would be partially attained. Specifically, although the No Project Alternative would result in the preservation of existing valuable trees, Roeding Regional Park Facility Master Plan Project Objective (Roeding Regional Park Objective) No. 2.1 and Fresno Chaffee Zoo Facility Master Plan Project Objective (Zoo Objective) No. 2.2 would only be partially attained because it would not result in the reforestation plan contemplated under the Master Plans Project. In addition, the No Project Alternative would only partially attain Roeding Regional Park Objective 5.2, because the alternative would lessen the City's ability to provide stewardship of public open space and recreational areas within the existing park, due to diminished public use, public awareness, and the prioritization of limited City resources.

The No Project Alternative would result in the attainment of Zoo Objective F, and Rotary Storyland and Playland Project Objective (Playland/Storyland Objective) 2.1. No other project objectives would be attained under the No Project Alternative.

Alternative 1 would result in similar impacts as the proposed Project to land use and cumulative traffic impacts. Alternative 1 would likely substantially lessen all of the Project's other significant impacts. The No Project Alternative would not cause significant effects in addition to those that would be caused by the project, except for the potential creation of a rundown and blighted area within Roeding Regional Park should the zoo close or not have the ability to perform normal maintenance and repairs due to the factors noted above. These factors include the likely loss of AZA accreditation, loss of animals and staff, lack of funding, and diminished attendance and community support. (RDEIR 24-7 – 24-12.)

c. Finding

The City rejects this alternative for the following reasons (CEQA Guidelines, § 15091, subd. (a)(3)):

The No Project Alternative would not attain most of the project objectives, as the project would not be implemented. Under the No Project Alternative, only a small handful of the project objectives would be partially attained. Specifically, although the No Project Alternative would result in the preservation of existing trees, Roeding Regional Park Facility Master Plan Project Objective (Roeding Regional Park Objective) No. 2.1 and Fresno Chaffee Zoo Facility Master Plan Project Objective (Zoo Objective) No. 2.2 would only be partially attained because the No Project Alternative could not result in the reforestation plan contemplated under the Master Plans Project. In addition, the No Project Alternative would only partially attain Roeding Regional Park Objective 5.2, because the alternative would lessen the City's ability to provide stewardship of public open space and recreational areas within the existing park, due to diminished public use, public awareness, and the prioritization of limited City resources. The No Project Alternative would result in the attainment of Zoo Objective F, and Rotary Storyland and Playland Project Objective (Playland/Storyland Objective) 2.1. No other project objectives would be attained under the No Project Alternative. Further, with no changes or improvements to the zoo there could be loss of visitor or community support, and/or forced to reduce its operating budget.

Finally, the No Project Alternative would require the City to forego Project benefits. (See generally Section X.D below for a discussion of Project benefits.) Under the No Project Alternative, it is uncertain whether the City would receive the additional tax revenue from the Project and the public improvements associated with the Project would not be constructed.

2. Renovation with No Expansion Alternative

a. Description of the Alternative

The existing Roeding Regional Park, Fresno Chaffee Zoo, and Rotary Playland and Storyland land uses and acreages would not change. Within their existing footprints, zoo and

Rotary facilities could be renovated and some new facilities could be added. Most of the improvements proposed under the Roeding Regional Park Master Plan would be implemented. Access to Roeding Regional Park and circulation within the park would be substantially similar, but not the same, as proposed under the Master Plans Project. The new Golden State Boulevard access and new Park Boulevard proposed under the project would be developed. However, access would still be allowed to Belmont Avenue and the main road to the east of the existing zoo would remain and T-intersect into the new Park Boulevard (see Recirculated Draft EIR Figure 24-1). Park circulation to the east of the zoo would remain as it is now. The number of parking spaces would be the substantially similar as under the Master Plans Project. The water, sewer, and storm drainage system within Roeding Regional Park would be modified as necessary to serve the renovated zoo and Rotary and park facilities. (RDEIR pp. 24-12 – 24-13.)

b. Comparison to the Project

Roeding Regional Park Objectives. Twelve of the nineteen Roeding Regional Park Facility Master Plan objectives could be fully achieved under this alternative (specifically, Roeding Regional Park Objectives 1.2; 1.3; 2.1; 2.2; 3.1; 3.2; 3.3; 3.4; 4.1; 4.2; 5.2; and 5.3). Some of the Roeding Regional Park Objectives would only be partially achieved. Roeding Regional Park Objective 1.1 would be largely achieved, but some redundant roads and paths would remain. Roeding Regional Park Objectives 4.3 and 5.4 would only be partially achieved because Alternative 2 would result in a fewer number of attractions and unique experiences than the Master Plans Project would offer. Moreover, the Primary Objective of providing a comprehensive roadmap for development of the Roeding Regional Park, including Rotary Playland and Rotary Storyland would be partially achieved, because a roadmap would be created; however, because attendance at Rotary Playland and Rotary Storyland is dependent to a large extent on their proximity to the Fresno Chaffee Zoo, the smaller zoo contemplated under

Alternative 2 likely would not benefit either attraction as much as the larger zoo contemplated under the Master Plans Project. In addition, Roeding Park Objectives 2.3 and 5.5 would not be achieved under Alternative 2. It would also be very difficult to achieve Roeding Regional Park Objective 5.1 (becoming a destination attraction for the City of Fresno) without the full expansion of the Fresno Chaffee Zoo.

Zoo Objectives. Only twelve of the thirty objectives of the Fresno Chaffee Zoo Facility Master Plan would be fully achieved under Alternative 2 (specifically, Zoo Objectives F; 1.2; 1.3; 2.2; 2.3; 3.1; 3.2; 3.3; 3.2; 4.1; 4.3; and 7.3).

Some of the Zoo Objectives would only be partially achieved. Specifically, Zoo Objective 1.1 would be largely achieved, but some redundant roads and paths would remain. Zoo Objective 4.2 would also only be partially achieved, because the limited footprint of the zoo would likewise limit additional opportunities to provide new facilities designed to enhance visitor services. It would also be more difficult to achieve Zoo Objective 7.2 (becoming a destination attraction for the City of Fresno) without the full expansion of the Fresno Chaffee Zoo.

Fifteen of the thirty Zoo Objectives would not be attained under Alternative 2. Many of the Zoo Objectives that could not be met are in the categories of “Exhibits and 24-14 Attractions” and “Collection Plan and Animal Health” (Zoo Objectives 5.1; 5.2; 5.3; 5.4; 6.1; 6.2; 6.3). Essentially, the planned exhibits and attractions would be not be feasible without expansion of the Zoo (such as doubling the existing exhibit area land use and testing larger, more flexible habitat zones). Regarding the Collection Plan and Animal Health category, the addition of more species would be greatly inhibited by the lack of expansion and there would be no room for an expanded vet hospital, quarantine and propagation facilities. As explained by the Fresno’s Chaffee Zoo Corporation, under the Renovation with No Expansion Alternative: By not being able to enlarge the Zoo from the current 18 acres, many important and popular species would not return to the Fresno Chaffee Zoo. Thirty to forty years ago the Zoo housed species such as lions, gorillas, hippos, and rhinos. They were exhibited in habitats that were considered appropriate for the time. However, modern husbandry practices require more space than the Zoo currently has. This scenario would not allow maintenance, animal quarantine, and administrative services which are currently inadequate to be improved. Several elements, (i.e. Children’s Zone, café, group and special events areas, and show amphitheater) are incorporated into the Zoo’s proposed master plan intended to be revenue generators would not be possible in this scenario.

In addition, Alternative 2 would not achieve five of the six primary objectives (Zoo Objectives A-E), primarily because the achievement of these objectives rely upon the expansion of the zoo.

Storyland/Playland Objectives. Seven of the fifteen Rotary Playland/Storyland objectives could be achieved under this alternative (Storyland/Playland Objectives 1.1; 1.2; 2.1; 3.2; 3.3; 4.1; 4.2).

Several of the objectives would only partially be obtained. Specifically, without the expansion of Storyland and Playland, the objectives related to the introduction of new visitor amenities and the cultivation of a new identity for the facilities would be more difficult to achieve (Storyland/Playland Objectives 5.2; 5.3; 5.4). Moreover, because attendance at Rotary Playland and Rotary Storyland is dependent to a large extent on their proximity to the Fresno Chaffee Zoo, the smaller zoo contemplated under Alternative 2 likely would not benefit either attraction as much as the larger zoo contemplated under the Master Plans Project. As such, Alternative 2 could make it more difficult to achieve Storyland/Playland’s Primary Objective (Continue to provide affordable entertainment to children and families throughout the Central Valley).

Alternative 2 would result in similar impacts as the proposed Project to land use, cumulative traffic impacts, and hazards and hazardous materials. Alternative 1 would likely substantially lessen all of the Project’s other significant impacts. (RDEIR 24-13 – 24-19.)

c. Finding

The City rejects this alternative for the following reasons (CEQA Guidelines, § 15091, subd. (a)(3)):

Many of the Roeding Regional Park Objectives would only be partially achieved under Alternative 2. Roeding Regional Park Objective 1.1 would be largely achieved, but some redundant roads and paths would remain. Roeding Regional Park Objectives 4.3 and 5.4 would only be partially achieved because Alternative 2 would result in a fewer number of attractions and unique experiences than the Master Plans Project would offer. Moreover, the Primary Objective of providing a comprehensive roadmap for development of the Roeding Regional Park, including Rotary Playland and Rotary Storyland would only be partially achieved, because while a roadmap would be created, attendance at Rotary Playland and Rotary Storyland is dependent to a large extent on their proximity to the Fresno Chaffee Zoo. The smaller zoo contemplated under Alternative 2 likely would not benefit either attraction to the degree contemplated by the Master Plans Project. In addition, Roeding Park Objectives 2.3 and 5.5 would not be achieved under Alternative 2. It would also be very difficult to achieve Roeding Regional Park Objective 5.1 (becoming a destination attraction for the City of Fresno) without the full expansion of the Fresno Chaffee Zoo. Only twelve of the thirty objectives of the Fresno Chaffee Zoo Facility Master Plan could be achieved under Alternative 2 (specifically, Zoo Objectives F; 1.2; 1.3; 2.2; 2.3; 3.1; 3.2; 3.3; 3.2; 4.1; 4.3; and 7.3). Many of the Zoo Objectives would only be partially achieved. Specifically, Zoo Objective 1.1 would be largely achieved, but some redundant roads and paths would remain. Zoo Objective 4.2 would also only be partially achieved, because the limited footprint of the zoo would likewise limit additional opportunities to provide new facilities designed to enhance visitor services. It would also be more difficult to achieve Zoo Objective 7.2 (becoming a destination attraction for the City of Fresno) without the full expansion of the Fresno Chaffee Zoo. Half of the Zoo Objectives would not be attained under Alternative 2. Many of the Zoo Objectives that could not be met are in the categories of "Exhibits and Attractions" and "Collection Plan and Animal Health" (Zoo Objectives 5.1; 5.2; 5.3; 5.4; 6.1; 6.2; 6.3). Essentially, the planned exhibits and attractions would not be feasible without expansion of the Zoo (such as doubling the existing exhibit area land use and testing larger, more flexible habitat zones). Regarding the Collection Plan and Animal Health category, the addition of more species would be greatly inhibited by the lack of expansion and there would be no room for an expanded vet hospital, quarantine and propagation facilities. Further, without expansion of the Zoo, many important and popular species would not return to the Fresno Chaffee Zoo. Thirty to forty years ago the Zoo housed species such as lions, gorillas, hippos, and rhinos. They were exhibited in habitats that were considered appropriate for the time. However, modern husbandry practices require more space than the Zoo currently has. Several elements, (i.e. Children's Zone, café, group and special events areas, and show amphitheater) are incorporated into the Zoo's proposed master plan intended to be revenue generators would not be possible in this scenario. Several of the Storyland/Playland Objectives would only partially be achieved. Specifically, without the expansion of Storyland and Playland, the objectives related to the introduction of new visitor amenities and the cultivation of a new identity for the facilities would be more difficult to achieve (Storyland/Playland Objectives 5.2; 5.3; 5.4). Moreover, because attendance at Rotary Playland and Rotary Storyland is dependent to a large extent on their proximity to the Fresno Chaffee Zoo, the smaller zoo contemplated under Alternative 2 likely would not benefit either attraction as much as the larger zoo contemplated under the Master Plans Project. As such, Alternative 2 could make it more difficult to achieve

Storyland/Playland's Primary Objective (Continue to provide affordable entertainment to children and families throughout the Central Valley).

Finally, the No Project Alternative would require the City to forego Project benefits. (See generally Section X.D below for a discussion of Project benefits.) Under the No Project Alternative, it is uncertain whether the City would receive the additional tax revenue from the Project and the public improvements associated with the Project would not be constructed.

3. Limited Zoo and Rotary Storyland and Playland Expansion and Renovation Alternative

a. Description of the Alternative

Under this alternative, the Fresno Chaffee Zoo would expand and be redeveloped as proposed under the Fresno Chaffee Zoo Facility Master Plan with the exception that eastern approximately 9 acres of the proposed 21-acre Zoo expansion area would be maintained in its present park configuration (see Recirculated Draft EIR Figure 24-2). All of the features of the Roeding Regional Park Facility Master Plan would be implemented and Rotary Playland and Storyland would expand and be redeveloped as shown on the Master Plans. Access to Roeding Regional Park and circulation within the park would be as proposed under the Master Plans Project. The Golden State Boulevard access and new Park Boulevard proposed under the project would be developed. The number of parking spaces would be the same as under the Master Plans Project. The water, sewer, and storm drainage systems within Roeding Regional Park would be redeveloped as proposed for the Master Plans Project. (RDEIR p. 24-19.)

b. Comparison to the Project

Roeding Regional Park Objectives. Eighteen of the nineteen Roeding Regional Park Facility Master Plan objectives could be achieved under this alternative. The objective that could not be met refers to redeveloping an expanded 39-acre Zoo campus. This alternative would allow for Zoo expansion from 18 to 30 acres, and therefore, would not meet the objective.

Zoo Objectives. Three to ten of the 30 objectives of the Fresno Chaffee Zoo Facility Master Plan may not be achieved under this alternative (seven objectives would potentially be possible to achieve but would be more difficult than under the Master Plans Project). Most of the "Exhibits and Attractions" objectives could possibly be achieved, although more challenging because there would be less space to work with. This is also the case with Collection Plan and Animal Health objectives and the Mission Drivers 7.1 and 7.2.

Storyland/Playland Objectives. All of the objectives listed could be achieved under this alternative.

Alternative 3 would result in similar impacts as the proposed Project to cultural resources, aesthetics, land use, cumulative traffic impacts, and hazards and hazardous materials. Alternative 1 would likely substantially lessen all of the Project's other significant impacts.

(RDEIR pp. 24-19 -- 24-24.)

c. Finding

The City rejects this alternative for the following reasons (CEQA Guidelines, § 15091, subd. (a)(3)):

Alternative 3 could not meet the objective of redeveloping an expanded 39-acre Zoo campus, and accordingly could not meet the project objectives to the same degree as the Master Plans Project. As many as one-third of the objectives of the Fresno Chaffee Zoo Facility Master Plan would not be fully achieved under this alternative. It would be more difficult to achieve the “Exhibits and Attractions” objectives with less space to develop the exhibits. This is also the case with Collection Plan and Animal Health objectives and the Mission Drivers 7.1 and 7.2.

Finally, the No Project Alternative would require the City to forego Project benefits. (See generally Section X.D below for a discussion of Project benefits.) Under the No Project Alternative, it is uncertain whether the City would receive the additional tax revenue from the Project and the public improvements associated with the Project would not be constructed.

4. Environmentally Superior Alternative

State CEQA Guidelines Section 15126(c)(2) requires that “if the environmentally superior alternative is the “no project” alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives.” As previously indicated in this Chapter, the No Project Alternative would avoid all of the project’s significant environmental effects. It is, therefore, the environmentally superior alternative, although it would achieve none of the project objectives. Of the remaining alternatives, the environmentally superior alternative is the Renovation with No Expansion Alternative. However, as discussed above, this alternative’s degree of “superiority” is marginal and there are no feasible alternatives to the Project that would avoid or substantially lessen all of the significant and unavoidable impacts associated with the Project.

IX. GROWTH-INDUCING IMPACTS

A project may be growth-inducing if it directly or indirectly fosters economic or population growth or additional housing, removes obstacles to growth, taxes community service facilities, or encourages or facilitates other activities that cause significant environmental effects. (CEQA Guidelines Section 15126(g).) Under CEQA, induced growth is not considered necessarily detrimental or beneficial. Induced growth is considered a significant impact only if it directly or indirectly affects the ability of agencies to provide needed public services, or if it can be demonstrated that the potential growth could significantly affect the environment in some other way.

The City Council finds that the Project would not significantly induce further growth or remove obstacles to future growth. Moreover, the City Council finds that any induced growth

would not affect the City's ability to provide needed public services, or otherwise significantly affect the environment for several reasons. As explained in Recirculated Draft EIR Chapter 7, Land Use and Public Land Use Policy, of this Recirculated Draft EIR, the Master Plans Project is consistent with the planned land uses of the project area. The parkland, Fresno Chaffee Zoo, and Rotary Storyland and Playland portions of the Master Plans Project site are zoned "O" Open Space Conservation District, which allows "Recreation areas, parks, and playgrounds," subject to a conditional use permit. In addition, the proposed storm drainage basin is permitted in R-1 District, subject to a conditional use permit. As such, any additional facilities or uses within the Master Plans Project area are consistent with and accommodated by the land use plans and growth management plans and policies for the area affected.

The Master Plans Project will not extend existing urban infrastructure (streets, sewers, water, etc.) into an area that can serve other development. The Master Plans Project includes the realignment and addition of water, sewer, and storm drain lines throughout Roeding Regional Park to provide service to the proposed project. Currently, Roeding Regional Park does not contain storm drain lines; however, the project includes the implementation of a storm drainage master plan that includes the development of a storm drainage basin immediately south of Roeding Regional Park and Belmont Avenue. The storm drainage master plan is proposed to include storm drain facilities that are sized to accommodate only the development envisioned in the Master Plan Project. Therefore, the implementation of the proposed infrastructure improvements would not induce additional growth.

Although the Master Plans Project would create temporary construction jobs, and the number of jobs at the Fresno Chaffee Zoo would increase over time as the zoo expands and attendance increases, most if not all of the construction jobs are expected to be filled by individuals already residing in the Fresno area. Likewise, additional zoo jobs would likely be filled by local residents except where the jobs require expertise not available locally. The temporary construction jobs and limited number of new zoo jobs would not result in the need for substantial (if any) new housing development in the Fresno area. Expansion of the zoo may encourage additional commercial development in the area in future years, which in turn could increase demand for local housing; however, this indirect impact is not expected to create a substantial housing demand either.

Accordingly, the Master Plans Project would not induce economic or population growth or the construction of additional housing, either directly or indirectly. (RDEIR, Chapter 21.)

X. STATEMENT OF OVERRIDING CONSIDERATIONS

Pursuant to Public Resources Code Section 21081 and CEQA Guidelines Section 15093, the City Council has balanced the economic, legal, social, technological, and other benefits of the Project against the significant and unavoidable impact associated with the Project, and has adopted all feasible mitigation measures. The City Council has also examined potentially feasible alternatives to the Project, none of which would both meet most of the project objectives and result in substantial reduction or avoidance of the project's significant and unavoidable impacts. The City Council hereby adopts and makes the following Statement of Overriding

Considerations regarding the significant and unavoidable impact of the Project and the anticipated economic, legal, social, technological, and other benefits of the Project.

A. Significant and Unavoidable Impacts

Based on information contained in the Record and in the EIR, the City Council has determined that the Project would result in significant and unavoidable impacts to: (1) transportation and traffic impacts to intersections in 2030; (2) cumulative transportation and traffic impacts; (3) cultural resources, due to the unknowns regarding the High Speed Rail's encroachment on the Park; (4) cumulative noise impact, due to uncertainties regarding design elements of the proposed High Speed Rail.

B. Finding

The City Council has considered all potentially feasible mitigation measures to substantially lessen or avoid the Project's significant and unavoidable impacts. The Commission finds that there are no feasible mitigation measures that would reduce the identified impacts.

The City Council has also considered all potentially feasible alternatives to the Project. The City Council finds that there are no feasible alternatives that would reduce the above significant and unavoidable impacts to a less-than-significant level.

The Project's impacts discussed above, therefore, remain significant and unavoidable.

C. Overriding Considerations

After review of the entire administrative record, including, but not limited to, the Final EIR, the staff report, applicant submittals, and the oral and written testimony and evidence presented at public hearings, the City Council finds that specific economic, legal, social, technological and other anticipated benefits of the Project outweigh the significant and unavoidable impacts, and therefore justify the approval of this Project notwithstanding the identified significant and unavoidable impacts. (Pub. Resources Code, § 21081; CEQA Guidelines, § 15093.) The benefits are addressed in detail in Section X.D below.

The City Council specifically adopts and makes this Statement of Overriding Considerations that this Project has eliminated or substantially lessened all significant effects on the environment where feasible (including the incorporation of feasible mitigation measures), and finds that the remaining significant unavoidable impacts of the Project are acceptable because the benefits of the Project set forth below in Section X.D outweigh it. The City Council finds that each of the overriding considerations expressed as benefits and set forth below in Section X.D constitutes a separate and independent ground for such a finding. Any one of the reasons for approval cited below is sufficient to justify approval of the Project. Thus, even if a court were to conclude that not every reason is supported by substantial evidence, the City Council will stand by its determination that each individual reason is sufficient by itself. The substantial evidence supporting the various benefits can be found in the preceding findings,

which are incorporated by reference into this Section X, and in the documents found in the Record of Proceedings, as defined in Section III.

D. Benefits of the Project

The City Council has considered the EIR, the public record of proceedings on the Project and other written materials presented to and prepared by the City, as well as oral and written testimony received, and does hereby determine that implementation of the Project as specifically provided in the Project documents would result in the following substantial public benefits:

Realization of Measure Z: Effectuate the mandate expressed by Fresno County's voters in approving Measure Z on November 4, 2004. The measure, which was passed by 73.4% of the voters, stated:

To help ensure survival of the Fresno Chaffee Zoo by providing necessary funding to repair and restore the zoo, bring back large animal exhibits, further revitalize the zoo, and preserve the zoo's Species Survival Plan and ongoing Education Program, shall Fresno County voters approve a one-tenth of one percent sales tax for ten years with all net proceeds dedicated exclusively to the Fresno Chaffee Zoo.

Measure Z is projected to provide the Fresno Chaffee Zoo Corporation with an estimated total of \$110-\$120 million over 10 years through 2014 to operate, renovate, and expand the zoo. One-third of Measure Z funding is dedicated to supporting zoo operations, while the remaining two-thirds are intended for capital projects.

Park Entrance Enhancement: A main gate along Golden State will provide greater walking and bicycle access to the park and connected pathways.

Roadway Reconfiguration and Circulation Improvements: Roadways, pathways, and parking nodes will be reconfigured and reduced to preserve the meandering nature of the existing circulation system, and to preserve compatibility, where feasible, with the existing informal planting scheme of Roeding Park. In addition, much of the existing perimeter vehicular roadways will be converted to walking, bicycle pathways. The Master Plans Project would increase multiple-purpose paths, to provide for more walkability, and add additional interior and perimeter bicycle pathways. Pedestrian-scale amenities such as benches, water fountains, shade trellises, trash and recycling receptacles, way-finding signage, and lighting would be incorporated. Pedestrian promenades will be 15' wide paved paths linking key areas of the park.

Preservation and Protection of Historical Features: Historical character defining features such as the Pergola, Streetcar shelter, landscaping style, administration building, Chaffee building, bandstand, and many other features will be preserved through design features and mitigation measures required of the Master Plans Project. In addition, ponds will be relocated to the north along Golden State Boulevard, maintaining pond prominence along the street frontage and viewsheds. Additionally, the historic portion of the Fresno Chaffee Zoo Administrative

Building would be relocated to the new park maintenance yard and incorporated as office space. Further, the majority of the contributing features within Roeding Park will be unchanged by the Master Plans Project, including Lake Washington, the tennis courts, the folk dance platforms, the Japanese-American World War II Memorial, among many others.

New Public Gathering Spaces and Amenities: A new central plaza hub, fountain, and gardens will serve as the primary gathering space at the center of the Park. The plaza hub provides linkages to the Park promenades (which provide access to the key Park attractions). Site furnishings (benches, water fountains, trash/recycling receptacles, etc.), pedestrian scale lighting, flags/banners, graphics, and signage will be provided at appropriate locations. Picnic groves and play zones will be located in the northeastern portion of the park. The picnic groves will include new shade pavilions, tables, chairs, and tot play equipment. The picnic area will be located within the existing tree groves provide shade. A large centralized lawn area will be enhanced for the provision of passive recreation, concerts, events and more. A new fenced-in, leash free dog park will be provided on the western edge of the Park. The dog park will include exercise loops and equipment/amenities such as trash/recycling receptacles, hand wash station and benches. Sculpture gardens would be added to include special themed landscape, special plantings, sculptures etc. that would be unique and distinguish Roeding Park from other nearby recreation sites.

Storm Water Basin: Off-site drainage, as opposed to the on-site ponding basin, will be provided to accommodate storm water runoff, while reducing the need to realign and grade the existing topography, eliminating the construction cost of the a lift station and ponding basin (estimated at \$1.5 million) and preserving open space with Roeding Park. Construction of the storm water basin will ameliorate the health and safety issues associated with existing storm water collection problems at Roeding Park, which frequently result in minor flooding and standing water in several places in and around the Park.

Relocation of Park Maintenance Yard: The park maintenance yard will be relocated to the northwestern portion of the project site. This new location provides for a more centralized headquarters, which will house 12-14 employees for maintenance related to Roeding Park. This location provides direct access to the park itself and is in close proximity to major streets, reducing potential traffic conflicts between maintenance personnel and visitors.

Upgraded Security Features: Perimeter Park fencing will be upgraded to improve security, enhance the appearance of the Park edges and to match a common architectural style. New vehicular and pedestrian-scale lighting would be provided.

Zoo Expansion: Expansion of the Chaffee Zoo to include features and exhibits that are could not otherwise be achieved, including remodel and expansion of the education building by approximately 8,000 sq. ft. and the development of an outside garden and lawn area of approximately 30,000 sq. ft. at the Main Event Hub; the Grassland Waterhole Panorama and Waterhole Café & Event Center, which will provide approximately 28,000 sq. ft. of waterhole habitat and 65,340+/- sq. ft. of grassland habitat, as well as approximately 10,000 square foot (sq

ft) café, an approximately 1,500 sq ft classroom, and will provide indoor seating for 250-300 people; a Sea Lion exhibit near the zoo entry plaza; approximately 100,000+/- sq. ft. of flexible habitat areas for large, modern, and naturalistic exhibits to display the types of large animals referred to in Measure Z; a Children's Zone to allow younger children to play and interact with animals; an Education Center of approximately 14,000 sq ft in size, including classrooms, work rooms, office and storage space; Asian Panorama Exhibit and Asian Archipelago Expansion, resulting in an expansion of the habitat areas for the types of large animals referred to in Measure Z; and Rainforest Aviaries and Exhibit Pavilion among many others.

E. Determination and Adoption of Statement of Overriding Considerations

The City Council has weighed the economic, legal, social, technological, and other benefits of the Project, as set forth above in Section X.D, against the significant unavoidable impacts of the Project identified in the EIR (and discussed above in Section X.A).

The City Council hereby determines that those benefits outweigh the risks and adverse environmental impacts of the Project, and further determines that the Project's significant unavoidable impacts are acceptable.

Accordingly, the City Council adopts the Statement of Overriding Considerations, recognizing that significant unavoidable impacts will result from implementation of the Project. Having (i) adopted all feasible mitigation measures, as discussed in the Environmental Impact Report; (ii) rejected alternatives to the Project, as discussed in the Environmental Impact Report; and (iii) recognized the significant unavoidable impacts of the Project, the City Council hereby finds that each of the separate benefits of the Project, as stated herein, is determined to be unto itself an overriding consideration, independent of other benefits, that warrants approval of the Project and outweighs and overrides its significant unavoidable impacts, and thereby justifies the approval of the Project.

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Exhibit B

Environmental Impact Report

Exhibit C

Mitigation Monitoring and Reporting Program

**Mitigation Monitoring Reporting Program
for
Roeding Regional Park and Fresno Chaffee Zoo
Facility Master Plans
Fresno, California**

State Clearinghouse No. 2008031002

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June 15, 2011

MITIGATION MONITORING AND REPORTING PROGRAM

The following Mitigation Monitoring and Reporting Program (MMRP) for the Roeding Regional Park and Fresno Chaffee Zoo Facility Master Plans project has been prepared pursuant to Section 15097 of the CEQA Guidelines and Section 21081.6 of the Public Resources Code. This MMRP lists all applicable mitigation measures from the EIR for the project. The appropriate timing of implementation and responsible party are identified to ensure proper enforcement of the mitigation measures from the EIR to reduce project impacts to less than significant levels.

The following MMRP identifies the entity responsible for verifying that the mitigation measures for the project are performed. The City of Fresno, as lead agency, will also be responsible for providing a date that each mitigation measure is verified as completed. In addition, the MMRP provides a comment column for the responsible entity to provide notes and remarks. The timing of implementing the mitigation measures in the MMRP is identified in each measure.

The performance of the mitigation measures is the responsibility of the project applicant. The project applicant is responsible to provide evidence to the City of Fresno that the mitigation measures are performed and completed. The City of Fresno, as lead agency, will be responsible for ensuring that implementation of all mitigation measures occurs in accordance with this program.

| Mitigation Measure | Timing of Implementation | Responsible Agency/Department | Comments |
|--|---|---|----------|
| <p>Cultural Resources</p> | | | |
| <p>4.1(a). Maintain the public recreational uses associated with the ponds by introducing a new pond feature in accordance with Mitigation Measure 4.8(a), which states that historic preservation design guidelines shall be developed that address new design in the context of the contributing architectural and landscape features of the potential historic district. A new pond feature shall be located near the Golden State Boulevard entry to the park, such that the pond feature is at least as visible and as accessible as it is in its current location. Historic American Landscape Survey (HALS) documentation of the ponds shall be prepared by a qualified historic preservation professional prior to the demolition of the ponds. The Zoo will consult with the California Department of Fish and Game (CDFG) and will stock the pond feature with fish species recommended by CDFG. The Zoo will also consult with a qualified biologist concerning the design of the new ponds. The Zoo will incorporate design elements recommended by the biologist into the ponds (potentially including but not limited to foraging areas, access to the ponds, and other features) in order to create migratory bird habitat of comparable value to that provided by the existing ponds.</p> | <p>Prior to demolition of the existing pond feature</p> | <p>Development and Resource Management Department</p> | |
| <p>4.1(b) Prior to the completion of the improvements scheduled for 2014 or before, Fresno Chaffee Zoo shall rehabilitate the Pergola according to the Secretary of the Interior's Standards for Rehabilitation.</p> | <p>Prior to the completion of the improvements scheduled for 2014 or before</p> | <p>Development and Resource Management Department</p> | |

| Mitigation Measure | Timing of Implementation | Responsible Agency/Department | Comments |
|---|--|---|----------|
| <p>4.1(c). Prior to the completion of the improvements scheduled for 2014 or before, the Fresno Chaffee Zoo shall perform a structural analysis of the Lisenby Bandstand and obtain an estimate for the rehabilitation of this feature. After the Zoo obtains an estimate for the rehabilitation of the Lisenby Bandstand, the Zoo shall seek funding for the rehabilitation through grant applications. If feasible, the Lisenby Bandstand will be accessible to the public.</p> | <p>Prior to the completion of the improvements scheduled for 2014 or before</p> | <p>Development and Resource Management Department</p> | |
| <p>4.2. Relocate the Fresno Chaffee Zoo Administration Office within the boundaries of the historic district that is consistent with its historic setting. Consistency with the historic setting shall be determined by a city-approved historian. Historian American Building Survey (HABS) documentation shall be prepared for the Administration Office by a qualified historic preservation professional prior to relocation.</p> | <p>Prior to grading on or in the immediate vicinity of the Zoo Administration Office</p> | <p>Development and Resource Management</p> | |
| <p>4.3. Maintain the open, landscaped character of the southeastern boundary of the Roeding Regional Park Historic District. The design of the new zoo expansion perimeter fence shall comply with the Secretary of the Interior's Standards for the Treatment of Historic Properties and integrate the overall historic character of the existing boundary of the historic district. In keeping with the historic character of the park landscape, in areas where the new zoo fencing is located in close proximity to the park perimeter, the fencing shall not be higher than required by AZA and USDA standards. Prior to issuance of any permits required for the construction of the expanded fence, the applicant shall submit a landscaping and materials plan to the City for review and approval.</p> | <p>Prior to approval of the perimeter fence design.</p> | <p>Development and Resource Management Department</p> | |

| Mitigation Measure | Timing of Implementation | Responsible Agency/Department | Comments |
|--|--|---|----------|
| <p>The plan shall incorporate building materials and colors that are consistent with the park's historic character. To the extent that such materials or colors are not consistent with AZA and USDA requirements, these materials and colors shall only be required for the exterior portion of the fence. In these areas and in areas where fencing is close to public roads, special care should be given to maintaining a sense of openness and avoid creation of a barrier around the zoo so that the park experience is not visually interrupted by a "continuous solid wall" effect. The fence shall be designed and constructed in an informal manner that is aesthetically pleasing and generally follows the form of the existing trees, shrubs and ponds. The landscaping and materials plan shall use screening vegetation of species drawn from the existing vegetation palette of the park (not introducing a different plant palette) in various locations. Where landscaping is introduced for visual screening purposes along the park perimeter, plantings shall be varied in scale, materials, and density. Landscaping shall be designed to be generally perceived as part of the landscape of the park and not as part of the fence. Overall, the perimeter of the site shall feel like an element of the park.</p> | | | |
| <p>4.4(a). All contractors and subcontractors for the project shall be informed, in writing, of the possibility that cultural and/or paleontological resources or human remains may be discovered during project activities. If any cultural resources, paleontological resources, and/or human remains, are uncovered during project-related activities, all project-related activity in the area or in any area reasonably suspected to overlie the resources shall halt until a evaluation and/or data recovery excavation can</p> | <p>Prior to the issuance of any grading permit</p> | <p>Development and Resource Management Department</p> | |

| Mitigation Measure | Timing of Implementation | Responsible Agency/Department | Comments |
|--|---|---|----------|
| <p>be planned and implemented by a professional archaeologist or a professional paleontologist. Appropriate measures, as recommended by the archaeologist or paleontologist, to protect uncovered remains from accidents, looting, and vandalism shall be implemented immediately.</p> | | | |
| <p>4.4(b). After any such cultural or paleontological resources have been professionally recorded in their place of discovery, the finds shall be transferred to an appropriate regional repository for preservation, research, and/or use in interpretive exhibits. Project-related activities in the affected area may only resume with the approval of the archaeologist.</p> | <p>During construction activities</p> | <p>Development and Resource Management Department</p> | |
| <p>4.4(c). If human remains are discovered, all project-related activity in the area or any area reasonably suspected to overlie the resources shall halt and the Fresno County Coroner shall be notified immediately. The Coroner has two working days to examine the remains and 24 hours to notify the Native American Heritage Commission (NAHC) if the remains are Native American (Health and Safety Code Section 7050.5). Once the NAHC is notified, the procedures set forth in CEQA Guidelines Section 15064.5(d) and Public Resources Code Section 5097.98 shall be followed.</p> | <p>During construction activities</p> | <p>Development and Resource Management Department</p> | |
| <p>4.8(a). Prior to the approval of grading plans to construct new non-contributing features with the potential Roeding Park Historic District, develop historic preservation design guidelines that address all contributing architectural and landscape features of the historic district. The historic preservation design guidelines shall be prepared by a qualified historic preservation professional.</p> | <p>Prior to the issuance of a grading permit.</p> | <p>Development and Resource Management Department</p> | |

| Mitigation Measure | Timing of Implementation | Responsible Agency/Department | Comments |
|--|--|---|----------|
| <p>4.8(b). Prior to the approval of landscape plans, the historic plant palette and theme shall be utilized for introduction of new landscape elements.</p> | <p>Prior to the approval of a landscape plan</p> | <p>Development and Resource Management Department</p> | |

| Mitigation Measure | Timing of Implementation | Responsible Agency/Department | Comments |
|--|--|--|----------|
| <p>Aesthetics</p> | | | |
| <p>5.1(a). Prior to the removal of any trees, shrubs, turf, street furniture or other elements of the existing landscape for any project phase; and prior to any grading activities for any project phase, a licensed landscape architect shall prepare a comprehensive landscape and irrigation plan (hereinafter landscape plan). Said landscape plan shall:</p> <ol style="list-style-type: none"> (1) Identify trees, shrubs, turf, street furniture and other components to be used within the project to ensure the project's landscape is consistent with existing landscape them of the Park and Zoo. (2) Optimize open space by clustering park facilities and attractions near or adjacent to roadways and pedestrian pathways. (3) Identify the location and protect existing landscape materials, street furniture, monuments, structures and other features of the Park that will be incorporated into the new project's landscape plan. (4) Define protocols and standards for landscape maintenance and removal of dead or damaged landscape materials including recommendations for replacement to maintain and enhance the Park and the Zoo's theme. | <p>Prior to removal of vegetation or other landscape elements and prior to the issuance of a grading permit</p> | <p>Parks, After School, Recreation and Community Services Department</p> | |
| <p>5.1(b). New improvements outside the Fresno Chaffee Zoo and Rotary Playland and Storyland, including walkways, driveways, lighting, and street furniture shall be of a type, style and material substantially consistent with the historical character of Roeding Regional Park, as defined in Chapter 4, Cultural Resources.</p> | <p>Prior to construction activities within Roeding Regional Park and outside of the Fresno Chaffee Zoo and Rotary Playland and Storyland</p> | <p>Development and Resource Management Department</p> | |

| Mitigation Measure | Timing of Implementation | Responsible Agency/Department | Comments |
|---|--|--|----------|
| <p>5.1(c). Mitigation Measures 5.1(a) and 5.1(b) shall apply to the Roeding Regional Park areas described in Impact 5.2(b).</p> | <p>Prior to construction activities within Roeding Regional Park and outside of the Fresno Chaffee Zoo and Rotary Playland and Storyland</p> | <p>Development and Resource Management Department</p> | |
| <p>5.1(d). The design of the new PARCS maintenance yard shall be compatible with the predominant architectural style within Roeding Regional Park.</p> | <p>Prior to the removal of the existing PARCS maintenance yard</p> | <p>Development and Resource Management Department</p> | |
| <p>5.1(e). The trees located north of the proposed maintenance yard site shall be retained, provided they are healthy. If the trees cannot be retained, a row or grove of trees, consistent with the project landscaping, shall be planted along the north park boundary in this area to provide landscape screening.</p> | <p>Prior to grading on or in the immediate vicinity of the trees north of the proposed maintenance yard.</p> | <p>Parks, After School, Recreation and Community Services Department</p> | |
| <p>5.1(f). The design and construction of the zoo expansion perimeter fence shall comply with the following requirements:</p> <p>(1) The fence shall comply with United State Department of Agriculture and American Zoo Association (AZA) requirements for Zoo perimeter fences. In keeping with these requirements, the location and design of the fence shall not jeopardize the safety of animals within the Fresno Chaffee Zoo.</p> <p>(2) The fence shall comply with the Secretary of the Interior's Standards for the Treatment of Historic Properties and integrate the overall historic character of the existing boundary of the historic district. In keeping with the historic character of the park landscape, in areas where the new zoo fencing is</p> | <p>Prior to approval of the perimeter fence design.</p> | <p>Development and Resource Management Department</p> | |

| Mitigation Measure | Timing of Implementation | Responsible Agency/Department | Comments |
|--|--------------------------|-------------------------------|----------|
| <p>located in close proximity to the park perimeter, the fencing shall not be higher than required by AZA and USDA standards.</p> <p>(3) Prior to issuance of any permits required for the construction of the zoo expansion perimeter fence, the applicant shall submit a landscaping and materials plan to the City of Fresno Development and Resources Management Department for review and approval. The plan shall incorporate building materials and colors that are consistent with the park's historic character. To the extent that such materials or colors are not consistent with AZA and USDA requirements, these materials and colors shall only be required for the exterior portion of the fence.</p> <p>(4) The zoo expansion perimeter fence shall be designed to maintain a sense of openness and to avoid the appearance a barrier around the zoo so that the park experience is not visually interrupted by a "continuous solid wall" effect.</p> <p>(5) The landscaping and materials plan for the zoo expansion perimeter fence shall use screening vegetation of species drawn from the existing vegetation palette of the park (not introducing a different plant palette) in various locations. Where landscaping is introduced for visual screening purposes along the park perimeter, plantings shall be varied in scale, materials, and density. The landscaping shall be designed in such a way so as to be generally perceived as part of the landscape of the park and not as part of the fence. Overall, the perimeter of the site should still feel, in the judgment of the City, like an element of the park.</p> | | | |

| Mitigation Measure | Timing of Implementation | Responsible Agency/Department | Comments |
|--|--|--|----------|
| <p>(6) The zoo expansion fence shall be aligned to avoid removing existing healthy trees with a breast height diameter greater than 6 inches. Removal of any trees shall be subject to the requirements of Mitigation Measure 5.1.(a).</p> <p>(7) The visual impact of the zoo expansion perimeter fence may be reduced by lowering the grade of the land where the fence is located or the grade elevation of the land within the exhibit area, provided this does not result in the removal of any existing significant vegetation, including trees with a breast height diameter greater than 6 inches.</p> | | | |
| <p>5.2(a). Any tree within the area of Roeding Regional Park affected by the Master Plans Project and is not currently dead or severely diseased (i.e., currently estimated at 710 trees), shall be (1) preserved at its present location; (2) relocated to another location within Roeding Regional Park; or (3) replaced by the same species of tree at a ratio of between 1.0 to 5.0 trees per tree lost, depending on the size of the tree, as identified below in Table 5-4, in Recirculated Draft EIR Chapter 5, Aesthetics.</p> <p>In addition, any tree within the area of Roeding Regional Park affected by the Master Plans Project and is currently dead or severely diseased (i.e., currently estimated at 101 trees), shall be replaced by the same species of tree at a ratio of between 1.0 to 5.0 trees per tree lost, depending on the size of the tree, as identified below in Table 5-4.</p> <p>A landscape plan shall be prepared in consultation with a certified arborist. The size of the replacement trees will be determined by the landscape architect and approved by the Development and Resources Management Department.</p> | <p>Prior to the approval of a landscape plan</p> | <p>Parks, After School, Recreation and Community Services Department</p> | |

| Mitigation Measure | Timing of Implementation | Responsible Agency/Department | Comments |
|---|--|--|----------|
| <p>After installation of the relocated and replacement trees, periodic monitoring shall occur to ensure the survival of the trees. For trees that are relocated and do not survive within the first two years of replacement, these trees shall be replaced by the same species of tree at the ratio shown in Table 5-4. For replacement trees that do not survive within the first two years of replacement, these trees shall be replaced by the same species of tree.</p> <p>Subsequent to the first two years of replacement or relocation, there shall be a periodic maintenance of the trees. A maintenance plan shall be prepared by a certified arborist and include pruning, fertilization, irrigation, and pest management to maintain the health of the trees.</p> | | | |
| <p>5.2(b). The Master Plans Project shall not result in the removal of more than 30% of trees identified in Table 5-3 that have a breast height diameter of greater than six inches, excluding trees that are currently dead or severely diseased.</p> | <p>Prior to the approval of a landscape plan</p> | <p>Parks, After School, Recreation and Community Services Department</p> | |
| <p>5.2(c). All new trees planted under the Master Plans Project shall be planted at the earliest possible time after the location of any such trees is determined, to the extent such replanting can occur without interfering with construction, and to the extent construction activities would not damage the new trees. In addition, any trees with over 12 inches diameter at breast height that cannot be relocated shall not be removed until prior to the initiation of construction on the phase of the Master Plans Project that will result in the removal of the tree.</p> | <p>Prior to the approval of a landscape plan</p> | <p>Parks, After School, Recreation and Community Services Department</p> | |

| Mitigation Measure | Timing of Implementation | Responsible Agency/Department | Comments |
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| <p>5.2(d). The palm trees within the Palm Point Grove (i.e., <i>Washingtonia robusta</i>, <i>Washingtonia filifera</i>, and <i>Phoenix canariensis</i> trees) shall all either be (1) maintained in their present location or (2) relocated to another location within Roeding Regional Park. If the palm trees within the Palm Point Grove are relocated to another location in Roeding Regional Park, the design of the relocated grove area(s) shall reflect the current landscaping and natural setting of the existing grove area(s).</p> | <p>Prior to the removal of trees within the Palm Point Grove</p> | <p>Parks, After School, Recreation and Community Services Department</p> | |
| <p>5.2(e). The <i>Melia azedarach</i> and <i>Melia azedarach</i> ‘<i>umbraculiformis</i>’ trees within the Umbrella Grove shall all either be (1) maintained in their present location or (2) relocated to another location within Roeding Regional Park. If the <i>Melia azedarach</i> and <i>Melia azedarach</i> ‘<i>umbraculiformis</i>’ trees within the Umbrella Grove are relocated to another location in Roeding Regional Park, the design of the relocated grove area(s) shall reflect the current landscaping and natural setting of the existing grove area(s).</p> | <p>Prior to the removal of trees within the Umbrella Grove</p> | <p>Parks, After School, Recreation and Community Services Department</p> | |
| <p>5.4(a). Construction staging areas shall be surrounded by a solid wall or fence at least six feet in height. A chain-link fence draped with a heavy plastic cover, slats, or similar material for visual screening shall be considered a solid fence under this mitigation measure.</p> | <p>During construction activities</p> | <p>Development and Resource Management Department</p> | |
| <p>5.4(b). Construction sites shall be kept clean and free from rubbish and debris. Rubbish and debris shall be removed the day it appears.</p> | <p>Prior to the issuance of a grading permit</p> | <p>Development and Resource Management Department</p> | |

| Mitigation Measure | Timing of Implementation | Responsible Agency/Department | Comments |
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| <p>5.4(c). Public roads and private properties near Roeding Regional Park shall be kept free from construction-related rubbish and debris. Rubbish and debris shall be removed the day it appears.</p> | <p>During construction activities</p> | <p>Development and Resource Management Department</p> | |
| <p>5.4(d). Construction equipment and supplies shall be stored inside construction staging areas.</p> | <p>During construction activities</p> | <p>Development and Resource Management Department</p> | |
| <p>5.4(e). Portable restrooms shall be located inside construction staging areas.</p> | <p>During construction activities</p> | <p>Development and Resource Management Department</p> | |
| <p>5.4(f). Construction materials and equipment shall be removed from construction sites as soon as they are no longer necessary.</p> | <p>During construction activities</p> | <p>Development and Resource Management Department</p> | |
| <p>5.4(g). With the exception of cut-and-fill materials or stockpiles, excess excavated material shall be removed from construction sites immediately or shielded visually until such material can be removed.</p> | <p>During construction activities</p> | <p>Development and Resource Management Department</p> | |
| <p>5.4(h). Graffiti on construction staging area fences or walls or elsewhere on construction sites shall be removed the day it appears.</p> | <p>During construction activities</p> | <p>Development and Resource Management Department</p> | |
| <p>5.5(a). New parking lot lighting shall employ full cut-off type fixtures. A full cut-off type fixture is a luminaire or light fixture that, by design of the housing, does not allow any light dispersion or direct glare to shine above a 90 degree horizontal plane from the base of the fixture. Full cut-off type fixtures must be installed in a horizontal position as designed</p> | <p>Prior to the approval of lighting plans</p> | <p>Department of Public Works</p> | |

| Mitigation Measure | Timing of Implementation | Responsible Agency/Department | Comments |
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| <p>5.5(b). All external signs, street lighting, and security lighting shall be lit from the top and shine downward except where uplighting is required for safety or security purposes. The lighting shall be shielded to prevent direct glare and/or light trespass. The lighting shall also be, as much as physically possible, contained to the target area.</p> | <p>Prior to the approval of lighting plans</p> | <p>Department of Public Works</p> | |
| <p>5.5(c). Exterior building lighting shall be full cut-off or a shielded type designed to minimize any upward distribution of light.</p> | <p>Prior to the approval of lighting plans</p> | <p>Development and Resource Management Department</p> | |
| <p>5.5(d). Non-essential lighting shall be turned off by 10:00 p.m.</p> | <p>Prior to the approval of lighting plans and during operation</p> | <p>Department of Public Works; Parks, After School, Recreation and Community Services Department</p> | |
| <p>5.5(e). Exterior lighting originating on the project site shall be limited to a maximum of 0.5 footcandle at a distance of 25 feet beyond the property lines. A photometric analysis shall be provided to the City of Fresno Development and Resource Management Department for review to determine compliance with the above footcandle criteria.</p> | <p>Prior to the approval of lighting plans</p> | <p>Department of Public Works</p> | |

| Mitigation Measure | Timing of Implementation | Responsible Agency/Department | Comments |
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| <p>Biological Resources</p> <p>6.1(a). If tree removal, brushing, grading, or construction under the Master Plans Project is to occur during the breeding season (February 1 to August 31) a qualified ornithologist or biologist approved by the City PARCS Department shall conduct a protocol-level, pre-construction survey for nesting birds and raptors (including both tree- and ground-nesting species) onsite within 30 days before the onset of ground disturbance or tree removal.</p> | <p>Prior to tree removal, brushing, grading, and construction if planned before the breeding season (February 1 to August 31)</p> | <p>Parks, After School, Recreation and Community Services Department</p> | |
| <p>6.1(b). If an active raptor or migratory bird nest is detected on-site, an appropriate construction-free buffer shall be established by the ornithologist or biologist, in consultation with the California Department of Fish and Game. The size of the buffer and the restrictions on activity within the buffer will be determined by the ornithologist or biologist, and depend on species, topography, and the type of construction activity that would occur in the vicinity of the nest and will remain in place until all young have fledged.</p> | <p>During construction activities</p> | <p>Development and Resource Management Department</p> | |
| <p>6.1(c). The ornithologist or biologist will determine during regularly scheduled field visits when all young have fledged, so that Master Plans Project construction activity within the buffer zone area can move forward.</p> | <p>During construction activities</p> | <p>Development and Resource Management Department</p> | |
| <p>6.2(a). Within 30 days prior to the commencement of restoration work on the bandstand, a qualified bat biologist shall conduct a habitat assessment and daytime survey of the bandstand. If no evidence of current bat habitation by the pallid bat or the Townsend's big-eared bat is found, no further action is required. If bat use is noted, then a</p> | <p>30 days prior to the commencement of restoration work on the bandstand</p> | <p>Development and Resource Management Department</p> | |

| Mitigation Measure | Timing of Implementation | Responsible Agency/Department | Comments |
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| <p>qualified biologist shall prepare a report that makes recommendations for appropriate measures that will prevent harm to sensitive species of bats. These measures may include exclusion and humane eviction of bats roosting within the structure, partial dismantling of the structure to induce abandonment by bats, or other appropriate measures in coordination with and as approved by CDFG. If the measures are planned to be implemented between September 1 and September 30, no further action is required. If the measures are planned to be implemented during the breeding season (October 1 through August 31), coordination and approval by CDFG is required. The recommended measures shall be incorporated into and implemented as part of the bandstand restoration.</p> | | | |

| Mitigation Measure | Timing of Implementation | Responsible Agency/Department | Comments |
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| <p>Transportation and Traffic</p> | | | |
| <p>8.1(a). Prior to the issuance of building permits, the project applicant shall participate in the Traffic Signal Mitigation Impact (TSMI) program, paying the approved fixed fee for the proposed project. Following are the TSMI program improvements that are required to be implemented. The timing of implementing these improvements is estimated to be in or before 2014; however, the improvements shall be completed as the significance thresholds are reached.</p> <ul style="list-style-type: none"> • Belmont Avenue and SR 99 SB – Signal Installation • Belmont Avenue and SR 99 NB – Signal Installation | <p>Prior to the issuance of building permits</p> | <p>Department of Public Works</p> | |
| <p>8.2(a). Prior to the issuance of building permits, the project applicant shall install traffic signals at the following intersections. The timing of implementing these improvements is estimated to be prior to 2030; however, the improvements shall be completed when or before the significance thresholds are reached. <u>Because the improvements are estimated to be needed in the future, the applicant shall provide the City of Fresno the funding to install the improvements so that when or before the significance thresholds are reached, the City can fund the improvements.</u></p> <ul style="list-style-type: none"> • Olive Avenue and Site Access – Signal Installation • Golden State Boulevard and Site Access – Signal Installation | <p>Prior to the issuance of building permits and when or before the significance thresholds are reached</p> | <p>Department of Public Works</p> | |
| <p>8.2(b). Prior to the issuance of building permits, the project applicant shall pay the proportionate share to accommodate dedicated left-turn storage lanes on Belmont</p> | <p>Prior to the issuance of building permits and when or before the</p> | <p>Department of Public Works</p> | |

| Mitigation Measure | Timing of Implementation | Responsible Agency/Department | Comments |
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| <p>Avenue for each on-ramp. This improvement is not currently part of a fee program and would likely require widening of the overcrossing structure and reconstruction of much of the interchange. At the time of publication of this Recirculated Draft EIR, the estimated proportionate share is 7.5 percent; however, the final proportionate share shall be determined by the City Engineer (or his/her designer) at the time building permits are requested. <u>Because the improvements are estimated to be needed in the future, the applicant shall provide the City of Fresno the funding to install the improvements so that when or before the significance thresholds are reached, the City can fund the improvements.</u></p> | <p>significance thresholds are reached</p> | | |
| <p>8.3(a). Pedestrian crossings on Park Boulevard shall be provided with appropriate signage and traffic controls, consistent with the most recent version of the California Manual on Uniform Traffic Control Devices, in order to alert motorists and pedestrians to the presence of the crossings. Sight distances for pedestrians and motorists shall be verified by the City Engineer (or his or her designee), as consistent with the most recent edition of the Caltrans Highway Design Manual and City of Fresno standard practices during the project design phase.</p> | <p>Prior to approval of the design for the new Park Boulevard.</p> | <p>Department of Public Works</p> | |
| <p>8.4(a). The project applicant shall construct a vandal resistant fence along the east side of Golden State Boulevard from Olive Avenue to Belmont Avenue undercrossing, within the right-of-way, to prevent pedestrians from crossing the railroad tracks at mid-block locations.</p> | <p>Prior to the completion of the improvements scheduled for 2014 or before</p> | <p>Development and Resource Management Department</p> | |
| <p>8.4(b). The project applicant shall install a sidewalk on the south and north sides of the Olive Avenue at-grade</p> | <p>Prior to the completion of the improvements</p> | <p>Development and Resource Management</p> | |

| Mitigation Measure | Timing of Implementation | Responsible Agency/Department | Comments |
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| railroad crossing. | scheduled for 2014 or before | Department | |
| 8.4(c). The project applicant shall install a Standard 8 warning device (flashing lights without a gate) in the off-quadrant due to the skewed track configuration of the crossing. | Prior to the completion of the improvements scheduled for 2014 or before | Development and Resource Management Department | |

| Mitigation Measure | Timing of Implementation | Responsible Agency/Department | Comments |
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| <p>Air Quality</p> <p>10.1(a). The following greenhouse gas reduction measures shall be included in the project that will reduce emissions related to energy and/or natural gas use:</p> <ul style="list-style-type: none"> • Provide shade (within five years) and/or use light-colored/high-albedo materials (reflectance of at least 0.3) and/or open grid pavement for at least 30 percent of the site's non-roof impervious surfaces, including parking lots, walkways and plazas; OR place a minimum of 50 percent of parking spaces underground or covered by structured parking; OR use an open-grid pavement system (less than 50 percent impervious) for a minimum of 50 percent of the parking lot area. Unshaded paved areas shall have a minimum albedo of 0.3 or greater. • Install efficient lighting and lighting control systems where new lighting is being installed. Daylight shall be used as an integral part of lighting systems, where feasible. • Install Energy Star labeled roof materials on new buildings, unless the roof has solar panels installed. As an alternative to Energy Star roofing materials, a vegetated roof that covers at least 50 percent of the roof area can be installed. • Install energy efficient heating and cooling systems, appliances and equipment, and control systems. • Install a solar power system in at least one onsite location. The system shall be a demonstration to the public on how solar or wind power works to generate electricity. • Install solar and/or tankless hot water heaters where new | <p>Prior to approval of building permits</p> | <p>Development and Resource Management Department</p> | |

| Mitigation Measure | Timing of Implementation | Responsible Agency/Department | Comments |
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| <p>water heaters are being installed as part of the project, unless to do so would be infeasible (such as for food service water heaters, which may require different specifications).</p> <ul style="list-style-type: none"> Proposed onsite structures shall be designed to exceed California Title 24 energy conservation requirements by a minimum of 20 percent; OR become LEED certified. | | | |
| <p>10.1(b). The following greenhouse gas reduction measures shall be included in the project as they will reduce emissions related to water transport and treatment:</p> <ul style="list-style-type: none"> Install water-efficient irrigation systems and devices, such as soil moisture-based irrigation controls. Micro-irrigation systems shall be utilized to the extent practical. Use reclaimed/recycled water for landscape irrigation when the water is available for use. Install low-flow, ultra-low flow, and/or waterless toilets and urinals where new ones are being installed. Restrict watering methods (e.g., prohibit systems that apply water to non-vegetated surfaces) and control runoff. Implement low-impact development practices that maintain the existing hydrologic character of the site to manage storm water and protect the environment. (Retaining storm water runoff on-site can drastically reduce the need for energy-intensive imported water at the site.) | <p>Prior to the issuance of building permits</p> | <p>Development and Resource Management Department</p> | |

| Mitigation Measure | Timing of Implementation | Responsible Agency/Department | Comments |
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| <p>10.1(c). The following greenhouse gas reduction measures shall be included in the project as they will reduce emissions related to waste generation:</p> <ul style="list-style-type: none"> • Reuse and/or recycle a minimum of 50 percent of construction and demolition waste (including, but not limited to, soil, vegetation, concrete, lumber, metal, and cardboard). • New food service areas shall provide the customers with reusable, recyclable, and/or compostable dishes and drinking containers (with compost bins located throughout the park/zoo). Wedding and catering facilities shall have reusable dishes and drinking containers available. • Yard waste shall be reused or composted either onsite or offsite. | <p>Prior to the issuance of building permits</p> | <p>Development and Resource Management Department</p> | |
| <p>10.1(e). To reduce emissions associated with refrigerants, the average refrigerant global warming potential used in air conditioning units in new buildings shall be less than 500.</p> | <p>Prior to the issuance of building permits</p> | <p>Development and Resource Management Department</p> | |

| Mitigation Measure | Timing of Implementation | Responsible Agency/Department | Comments |
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| <p>Noise</p> <p>11.1(a). Except in the case of emergency work, as defined in Fresno Municipal Code, § 10-102(d), the use of noise-generating activities at maintenance facilities shall only occur within the maintenance yard building, and only between the daytime hours of 7 a.m. and 10 p.m. To the extent practical, noise-generating maintenance activities shall be conducted with exterior doors closed.</p> | <p>During construction and operational activities</p> | <p>Development and Resource Management Department</p> | |
| <p>11.1(b). The proposed park maintenance building shall be maintained, designed, and constructed of materials sufficient to achieve applicable City of Fresno noise standard for stationary noise sources, or applicable measures adopted at the time of construction. Based on currently adopted standards, the proposed park maintenance building shall be designed to achieve operational noise levels of less than 61 dBA Leq, measured at the nearest residential property line. Based on the analysis conducted for this project, the proposed park maintenance building should be designed and constructed sufficient to achieve an interior-to-exterior noise reduction of 28 dBA, or greater. At a minimum, the following measures shall be implemented: (1) Building vents, doors, and windows shall be prohibited along the northern building façade of the maintenance building. (2) Roof vents shall be prohibited on areas located within line-of-sight of the nearest residential land use. (3) All exterior building vent/utility openings shall be sealed. Additional measures may be required, at the time of construction, sufficient to achieve City of Fresno noise standards.</p> | <p>Prior to the issuance of a building permit</p> | <p>Development and Resource Management Department</p> | |

| Mitigation Measure | Timing of Implementation | Responsible Agency/Department | Comments |
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| <p>11.1(c). The proposed maintenance building shall be oriented in a south-facing direction, so that the entrances to the building are located along the southern façade of the building.</p> | <p>Prior to the issuance of a building permit</p> | <p>Development and Resource Management Department</p> | |
| <p>11.1(d). A six-foot tall solid masonry wall shall be constructed along the southern property line of the nearest residential dwelling located north of the proposed park maintenance facility. The barrier shall be constructed prior to beginning construction of the proposed park maintenance facility.</p> | <p>Prior to beginning construction of the proposed park maintenance facility.</p> | <p>Development and Resource Management Department</p> | |
| <p>11.1(e). The proposed maintenance facility shall be designed so that the exterior equipment maintenance yard is located along the southern façade of the proposed park maintenance building. The proposed building shall be oriented so that it provides a break in the line-of-sight between the exterior equipment yard and the nearest residential use property line.</p> | <p>Prior to approval of the design for the maintenance facility</p> | <p>Development and Resource Management Department</p> | |
| <p>11.1(f). Noise-generating equipment located at the proposed park maintenance facility (e.g., air compressors, generators, etc.) shall be placed within the building interior and/or sufficiently shielded to achieve an exterior noise standard of 61 dBA Leq, or less, measured at the nearest residential-use property line, per applicable City of Fresno noise standards.</p> | <p>Prior to the issuance of a building permit</p> | <p>Development and Resource Management Department</p> | |

| Mitigation Measure | Timing of Implementation | Responsible Agency/Department | Comments |
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| <p>Hydrology and Water Quality</p> <p>14.1(a). Prior to the issuance of a grading permit, the project applicant shall prepare a Stormwater Pollution Prevention Plan (SWPPP) to be submitted to the City of Fresno for review and approval. The SWPPP shall include a specific list of Best Management Practices (BMPs) that will be used to prevent construction pollutants from contacting stormwater and prevent all products of erosion from moving off site into receiving waters. Furthermore, the project applicant shall provide evidence that the Notice of Intent (NOI) was filed with the State Water Resources Control Board. The NOI is a mechanism to establish responsible parties, dischargers, and scope of the proposed operations. The BMPs that will be included, but will be finalized with the preparation of the SWPPP, include the following.</p> <p>Soil Stabilization</p> <ul style="list-style-type: none"> • Upon completion of grading, permanent seeding will be performed in all areas identified in the landscape plans • The seed mix will consist of native plants that include fast-germinating and fast growing plants as well as plant cover that requires more time to become established. • Mulching of seeded areas will be performed to prevent loss of weeds and soil. Natural germination, as opposed to watering is recommended. Watering or irrigation of seeded areas usually results in early germination and die-off without plant-establishment. • Perimeter controls such as silt fences and berms will be installed to commencement of grading, and will be maintained through completion of construction. | <p>Prior to the issuance of a grading permit</p> | <p>Development and Resource Management Department</p> | |

| Mitigation Measure | Timing of Implementation | Responsible Agency/Department | Comments |
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| <ul style="list-style-type: none"> The proposed storm drainage basin will be constructed at the commencement of grading. As grading operations progress, temporary sediment traps and sediment basins shall be constructed at strategic locations until such time as improvements are completed. | | | |
| <p>Slope Stabilization</p> <ul style="list-style-type: none"> Grading of the project site could result in cut and fill slopes. Slopes will be stabilized using techniques that, along with re-vegetation, include products to minimize storm water velocity as wattles, compost tubes, and compost blankets. | | | |
| <p>Dust Control/Dust Suppressants</p> <ul style="list-style-type: none"> Implementation of dust control or dust suppressants in compliance with the San Joaquin Valley Air Pollution Control District Regulation VIII (Rules 8011-8081) and Rule 9510 are required. | | | |
| <p>Containment of Fuels, Lubricants, and Other Possible Sources of Pollution</p> <ul style="list-style-type: none"> Special care will be taken during fueling of construction vehicles. Accidental spills will be contained and disposed of, including removal of contaminated soil. Chemicals, paints, solvents, fertilizers, toxic materials or potential pollutants will be stored in watertight containers. | | | |
| <p>Construction Water</p> <ul style="list-style-type: none"> Water used in construction will not contain pollutants. | | | |
| <p>Sanitary Facilities</p> <ul style="list-style-type: none"> Temporary sanitary facilities will be provided throughout the construction area. | | | |

| Mitigation Measure | Timing of Implementation | Responsible Agency/Department | Comments |
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| <p>Solid Waste Disposal</p> <ul style="list-style-type: none"> • Solid waste will not be allowed to discharge from the construction area via storm water. Solid waste will be collected, contained, and hauled away. | | | |
| <p>14.1(b). Prior to the issuance of building permits, the project applicant shall submit a stormwater management plan to the City of Fresno for review and approval. The stormwater management plan shall identify pollution prevention measures and practices to prevent polluted runoff from leaving the project site. Examples of stormwater pollution prevention measures and practices to be contained in the plan include but are not limited to:</p> <ul style="list-style-type: none"> • Bioswales and landscaped areas that promote percolation of runoff • Pervious pavement • Roof drains that discharge to landscaped areas • Trash enclosures with screen walls and roofs • Curb cuts in parking areas to allow runoff to enter landscaped areas • Rock-lined areas along landscaped areas in parking lots • Catch basins • Regular sweeping of parking areas and cleaning of storm drainage facilities • Employee training to inform personnel of stormwater pollution prevention measures | <p>Prior to the issuance of building permits</p> | <p>Development and Resource Management Department</p> | |

| Mitigation Measure | Timing of Implementation | Responsible Agency/Department | Comments |
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| <p>14.2(a). The design of the proposed storm drainage system shall comply with the standards of the City of Fresno. These standards ensure that the storm drain system will have adequate capacity accommodate stormwater flows associated with the proposed Master Plans Project. The storm drainage system shall be subject to the approval of the City's Director of Public Works.</p> | <p>Prior to the approval of the proposed storm drain system</p> | <p>Department of Public Works</p> | |
| <p>14.2(b). The Fresno Chaffee Zoo shall coordinate with the City and the Fresno Metropolitan Flood Control District to implement a relief system for the proposed storm drainage facility. <u>The proposed relief system shall include a pump if the proposed basin is deeper than four-feet. The relief system would include connection to an existing siphon at the southeast corner of the proposed basin (i.e., at the intersection of Franklin Avenue and Pacific Avenue) and installation of approximately 500 feet of pipeline in the Franklin Avenue right-of-way to the existing Fresno Metropolitan Flood Control District (FMFCD) pipeline located at the intersection of Franklin Avenue and Humboldt Avenue. This underground pipeline is connected to the FMFCD retention Basin RR-2. The proposed relief system would be used if there is a storm that exceeds the FMFCD's retention basin design requirements (i.e., runoff from 6 inches of rainfall over 10 days).</u> The relief system shall be subject to approval by the FMFCD.</p> | <p>Prior to the approval of the proposed storm drain system</p> | <p>Department of Public Works and Fresno Metropolitan Flood Control District</p> | |

| Mitigation Measure | Timing of Implementation | Responsible Agency/Department | Comments |
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| Hazards and Hazardous Materials | | | |
| <p>19.1(a). Prior to the issuance of any demolition permit or building permit for any renovation or relocation of any structure within Project area, a risk survey shall be performed to determine the presence of lead-based paint, asbestos-containing materials, polychlorinated biphenyls in electrical equipment, mercury switches, heating/cooling systems, or other hazardous materials in the buildings.</p> | <p>Prior to the issuance of any demolition permit or building permit for any renovation or relocation of any structure within Project area</p> | <p>Development and Resource Management Department</p> | |
| <p>19.1(b). Prior to the issuance of any demolition permit or building permit for any renovation or relocation of any structure within the Project area, which work may disturb identified asbestos-containing materials, lead-based paint, polychlorinated biphenyls in electrical equipment, mercury switches, heating/cooling systems, or other hazardous materials, a licensed contractor, certified for handling and disposing of hazardous building materials, shall remove and properly dispose of the hazardous material(s).</p> | <p>Prior to the issuance of any demolition permit or building permit for any renovation or relocation of any structure within the Project area,</p> | <p>Development and Resource Management Department</p> | |

| Mitigation Measure | Timing of Implementation | Responsible Agency/Department | Comments |
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| <p>Cumulative Impacts</p> | | | |
| <p>22.1(a). Prior to the issuance of building permits, the project shall pay their fair share to the City for the following improvements:</p> <ul style="list-style-type: none"> • Olive and SR 99 – Interchange Widening Improvements – 2.0% fair share • Belmont and SR 99 – Interchange Widening Improvements – 7.5% fair share • Belmont and H Street – Intersection Improvements – 1.8% fair share • Olive and Weber – Intersection Improvements – 0.9% fair share • The required widening improvements at the Olive and SR 99 interchange and the Belmont and SR 99 interchange would be under the jurisdiction of Caltrans. Currently, Caltrans does not have a program in place to collect impact fees from project applicants for future interchange widenings. Due to the uncertainty of when the interchange would be widened by Caltrans, the project’s contribution to the potential significant cumulative impact is considered to remain significant. The project applicant will provide the City of Fresno its proportionate share of the funding toward the proposed interchange improvements. The City will retain the funding until the Year 2030. If Caltrans has not, at a minimum, begun the planning for the widening improvements by the Year 2030, the City shall refund the proportionate share funding back to the applicant. | <p>Prior to the issuance of building permits and when or before the significance thresholds are reached</p> | <p>Department of Public Works</p> | |

| Mitigation Measure | Timing of Implementation | Responsible Agency/Department | Comments |
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| <p>22.1(b). Prior to the issuance of building permits, the project shall pay the fair share towards improvements that are cumulatively considerable. Improvements and fair share are considered below:</p> <p>The one-lane portions of Belmont Avenue are expected to operate at LOS F with or without the Project as a result of the cumulative significant impact. To operate at acceptable levels of service, the one-lane portions of Belmont Avenue would require widening to two lanes, which would require modification of the Belmont Circle. With implementation of the widening the westbound road segment would operate at LOS C and the eastbound road segment would operate at LOS D. The project's fair share for this improvement are as follows:</p> <ul style="list-style-type: none"> • Belmont Avenue eastbound (Fruit to Golden State) – 3.6% • Belmont Avenue westbound (Weber to Golden State) – 0.5% | <p>Prior to the issuance of building permits and when or before the significance thresholds are reached</p> | <p>Department of Public Works</p> | |
| <p>22.2(a). A sound barrier shall be constructed at 919 W. Belmont Avenue sufficient to shield the outdoor activity area of the onsite residential land use from line-of-sight of W. Belmont Avenue. The sound barrier shall be constructed of solid material, such as masonry block or material of similar density, with no visible air gaps between the single-family home or at the base of the structure. The barrier shall be constructed to a minimum height of 6 feet above ground elevation. A driveway shall be constructed off of North Durant Avenue along the southern boundary of the property line and a gate shall be installed at the existing wood side yard fence to allow access to the southern portion of the property.</p> | <p>When noise levels exceed the City's exterior noise standards</p> | <p>Development and Resource Management Department</p> | |

| Mitigation Measure | Timing of Implementation | Responsible Agency/Department | Comments |
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| <p>Construction of the sound barrier, driveway, and gate shall occur when noise levels exceed the City's exterior noise standards (i.e., projected to be prior to year 2030) and approved by the property owner. An engineer with expertise in the design of sound barriers shall be consulted, prior to construction, to ensure that adequate noise-reductions are achieved.</p> | | | |
| <p>22.2(b). A sound barrier shall be constructed at 461 N. Delno Avenue sufficient to shield the outdoor activity area of the onsite residential land use from line-of-sight of W. Belmont Avenue. The sound barrier shall be constructed of solid material, such as masonry block or material of similar density, with no visible air gaps between building components or at the base of the structure. The barrier shall be constructed to a minimum height of 6 feet above ground elevation. Construction of the sound barrier shall occur when noise levels exceed the City's exterior noise standards (i.e., projected to be prior to year 2030) and approved by the property owner. An engineer with expertise in the design of sound barriers shall be consulted, prior to construction, to ensure that adequate noise-reductions are achieved.</p> | <p>When noise levels exceed the City's exterior noise standards</p> | <p>Development and Resource Management Department</p> | |

Exhibit D

Minor Modifications

EXHIBIT D to Resolution

EXHIBIT E To June 30, 2011 Staff Report for the CONTINUED HEARING to consider the City of Fresno, Roeding Regional Park Facility Master Plan and Final Environmental Report (SCH 2008031002)

Minor Modifications to Final Environmental Impact Report

The following are minor modifications made to the Final Environmental Impact Report for the Roeding Regional Park and Fresno Chaffee Zoo Master Plans. The minor modifications merely clarify and amplify the information and analysis already contained in the EIR, and therefore do not necessitate recirculation of the document. (CEQA Guidelines, § 15088.5(b).)

1. **EIR Table 7-1.** The “Consistency Determination” for Policy F-1-e on page 7-16 is revised as follows (deletions to existing text are in ~~strike through~~; additions to existing text are in double underline):

Consistent. Roeding Regional Park currently qualifies, and is designated, as a “Regional Park” under the City’s General Plan criteria. Implementation of the Master Plans Project would maintain Roeding Regional Park’s status as a Regional Park, and enhance the qualities indicative of such parks, including opportunities for passive and active recreation.

Among the active recreation uses currently counted as part of the City’s Regional Parks are amphitheatres, shinzin gardens, and a paintball facility. These paid, active recreation uses demonstrate that Regional Parks, as that term is used in this policy, do not exclude “commercial, programmed recreation space” or recreational opportunities that require admission. Nothing in the General Plan’s classification indicates that such active recreational uses may not be considered as part of a Regional Park, and indeed, the existing uses in the City’s Regional Park directly contradict this notion.

Further, the activities of nature watching and observing wild animals that will occur in the expanded Zoo are consistent with that portion of the policy that refers to “nature-oriented recreational opportunities,” consistent with General Plan Policy F-1-e. Because the zoo features an array of species in their natural setting for public view, a zoo is also consistent with Policy F-1-e, which explains that Regional Parks “may include . . . amenities not normally located in an urban setting.”

Even if the City were to assume that a “Regional Park” could not include a zoo, which it does, the Master Plans Project would still be consistent with General Plan Policy F-1-e. Policy F-1-e states that Regional Parks “are generally 100 or more acres.” (Emphasis added.) This statement provides guidance for classifying

parcs, but it does not establish a minimum size requirement for designation of Regional Parks.

Even if the Zoo, contrary to City's interpretation, was determined not to be part of the "Regional Park," the Master Plans Project still provides approximately 76 acres of strictly passive recreational opportunities. This is consistent with the guidance that Regional Parks are generally 100 acres, especially given the fact that the next largest classification of parks—Community Parks—"are ideally twenty acres in size." (Fresno 2025 General Plan, Policy F-1-e.) Accordingly, while the active recreational opportunities contemplated for "Regional Parks" include zoos, even if the Zoo was excluded, the Master Plans Project is consistent with General Plan Policy F-1-e.

2. **EIR Table 7-1.** The "Consistency Determination" for Policy F-3-f on page 7-21 is revised as follows (deletions to existing text are in ~~striketrough~~; additions to existing text are in double underline):

Consistent: Roeding Regional Park currently has shade, comfort facilities, landscape features, street furniture, signage, and lighting. Under the Master Plans Project, the comfort facilities, landscape features, street furniture, signage, and lighting would be reduced in number because of the zoo and Rotary facilities expansions, but would be enhanced through the upgrading of facilities within the remaining park area and within the Zoo. Shade may be reduced overall, depending on the number and location of trees that would be removed.

The improvements planned for the Fresno Chaffee Zoo, Roeding Regional Park, and Rotary Playland and Storyland would enhance their already significant role as major attractions within Roeding Regional Park. Many of the improvements in the Zoo would also provide shade, water and comfort facilities. The Zoo is also a 'point of attraction' as a whole and internally includes many individual 'points of attraction' that represent 'diversified interests and themes.

The Roeding Regional Park Facility Master Plan provides for other new points of attraction within Roeding Regional Park, including artwork, exhibit areas, and park hubs.

The Master Plans project does not discuss standards under which the sale of food on the site may be allowed. At this time, this portion of the policy is not applicable.

The Master Plans project includes sites for concessionaire food service. These potential sites are within Fresno Chaffee Zoo and Rotary Playland and Storyland. These facilities currently include sites for concessionaire food service. With the expansion and improvements proposed for these two facilities, the proposed individual sites for concessionaire food service are appropriate. At this time,

alcohol sales are not requested for approval; however, they could be requested at another time.

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Exhibit G
Resolution Adopting the Roeding Regional Park Facility
Master Plan

RESOLUTION NO. 2011-____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF FRESNO ADOPTING THE ROEDING REGIONAL
PARK FACILITY MASTER PLAN

WHEREAS, the City of Fresno's Roeding Regional Park is located generally between State Route 99 and Golden State Boulevard in the southwest portion of the City of Fresno, Fresno County, California. The 148-acre park is bounded by West Olive Avenue on the north; West Belmont Avenue on the south; Golden State Boulevard and Union Pacific Rail line on the east; and State Route 99 on the west. An area encompassing approximately 8.3 acres of commercial, office, and residential development and public streets south of West Olive Avenue, between SR 99 and North West Avenue, is not within Roeding Regional Park; and,

WHEREAS, the 148-acre Roeding Regional Park consists of three components: the portion devoted to active and passive recreation areas and the PARCS maintenance yard (123 acres), the Fresno Chaffee Zoo (18 acres), and the Rotary Storyland and Playland facilities (7 acres) ; and,

WHEREAS, the Fresno Chaffee Zoo is in the south-central portion of Roeding Regional Park, Rotary Playland is in the southwest corner, and Rotary Storyland is along the west boundary; and,

WHEREAS, the planned expansion of the zoo (by 21 acres) and Storyland and Playland (by 2 acres) would reduce the amount of land for active and passive recreation uses, a decrease from 123 acres currently to 100 acres. These 100 acres would include public recreation/open space (76 acres), shared parking areas (9 acres), multiple purpose paths (6 acres), public access roads (5 acres), a non-public access road (2 acres) and a new PARCS maintenance facility (2 acres). Some of the roads and parking included in the active and passive recreation area of Roeding Regional Park would also serve the Fresno Chaffee Zoo and Rotary Storyland and Playland facilities; and,

WHEREAS, a Master Plan is necessary to ensure that the park, zoo and Rotary facilities are fully integrated, upgraded and enhanced so that they can continue to provide the Fresno region quality park, recreation and amusement facilities and experiences; and

WHEREAS, the Roeding Regional Park Facility Master Plan represents a collaborative effort between several firms and disciplines, and incorporates the input of many individuals from the Zoo Corporation/Fresno Chaffee Zoo, the City's PARCS Department, and Rotary Storyland and Playland and general public; and

WHEREAS, this Master Plan sets forth objectives, concepts, diagrams, circulation patterns and proposed capital projects providing a comprehensive roadmap for future development of Roeding Regional Park and Fresno Chaffee Zoo over the next 10-20 years; and

WHEREAS, during the public hearing on January 26, 2011, the Fresno Planning Commission received a staff report and related information, environmental documents and considered testimony of those in support and opposition of the Master Plan; and

WHEREAS, the Planning Commission resolved, by a vote of 7 to 0, to recommend approval to the City Council the Draft EIR, Final EIR and other informational documents pursuant to the California Environmental Quality Act (CEQA) Guidelines and Roeding Regional Park Facility Master Plan; and

WHEREAS, during the public hearing held on June 23, 2011, a regular meeting of the Fresno City Council, the City Council received a staff report, related information and environmental documents and take public testimony regarding the requested recommendation for City Council consideration of the Roeding Park and Fresno Chaffee Zoo Facility Master Plans and Final Environmental Impact Report; and

WHEREAS, during the public hearing held on June 23, 2011, the City Council considered both written and oral public testimony received on this date and close the public comment portion of the Public Hearing, took no affirmative action on and continued the hearing until June 30, 2011; and

WHEREAS, on June 30, 2011 this complete its own independent review of all of the available information and deliberation on the matter.

NOW THEREFORE BE IT RESOLVED, that based on the entirety of the Record before it, the City Council of the City of Fresno does hereby find as follows:

1. The foregoing Recitals are true and correct and made a part of this Resolution.

2. Based on the City Council's independent judgment and analysis, the City Council hereby adopts the Roeding Regional Park Facility Master Plan, dated June 2009 (attached as Exhibit A).
3. The documents and other material constituting the record for these proceedings are located at the Development and Resource Management Department for the City of Fresno, 2600 Fresno Street—Third Floor, Fresno, CA 93721, and in the custody of Planning Manager, Kevin Fabino.

BE IT FURTHER RESOLVED, that this Resolution shall become effective immediately upon its passage and adoption.

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City Council Resolution No. 2011-____
Roeding Regional Park Facility Master Plan

CLERK'S CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF FRESNO) ss.
CITY OF FRESNO)

I, REBECCA E. KLISCH, City Clerk of the City of Fresno, certify that the forgoing Resolution was adopted by the City Council of the City of Fresno, at a regular meeting held on the 30th day of June, 2011.

AYES :
NOES :
ABSENT :
ABSTAIN :

REBECCA E. KLISCH
City Clerk

By: _____

APPROVED AS TO FORM:

JAMES C. SANCHEZ
City Attorney

By: _____
1668445.1



Exhibit A

Roeding Regional Park Facility Master Plan