

EXHIBIT A

CEQA FINDINGS

AND

STATEMENT OF OVERRIDING CONSIDERATIONS



February 25, 2014

City of Reedley
Community Development Department
1733 Ninth Street, City Hall
Reedley, California 93654
(559) 637-4200

I. Introduction

The California Environmental Quality Act, Public Resources Code Section 21000 et seq. ("CEQA"), states that if a project would result in significant environmental impacts, it may be approved if feasible mitigation measures or feasible alternatives proposed which avoid or substantially lessen the impacts if there are specific economic, social, or other considerations which justify approval notwithstanding unmitigated impacts.

Therefore, when an environmental impact report ("EIR") has been completed which identifies one or more potentially significant or significant environmental impacts, the approving agency must make one or more of the following findings for each identified significant impact.

1. Changes or alternatives which avoid or substantially lessen the significant environmental effect as identified in the EIR have been required or incorporated into the project; or
2. Such changes or alternatives are within the responsibility and jurisdiction of another public agency and not the agency making the findings. Such changes have been adopted by such other agency or can and should be adopted by such other agency; or
3. Specific economic, social or other considerations make feasible the mitigation measures or project alternatives in the EIR (Pub. Resources Code §21081).

As "lead agency" under California Code of Regulations, Title 14, Section 15367, the City of Reedley ("City") hereby adopts the following CEQA findings related to the Reedley General Plan 2030 Update (GPU), Draft Environmental Impact Report, dated January 8, 2013 and Recirculated Draft Environmental Impact Report ("EIR"), dated October 10, 2013, and the Final Environmental Impact Report ("Final EIR"), as certified by the City Council on February 25, 2014.

II. Purpose and Background

A. The Project

The City of Reedley, Community Development Department has initiated General Plan Amendment Application No. 2012-002, which is related to the adoption of the Reedley General Plan 2030 Update (GPU) and related environmental analysis. The GPU has been prepared pursuant to California Government Code Section 65300 et seq., and is the principal policy document for guiding development of the City through the year 2030. The GPU provides an overall direction for decision-making on development proposals and day-to-day actions of the City's elected officials and staff. The GPU contains all state-mandated elements. The GPU is also designed to incorporate the goals and policies of the various adopted specific plans including the Reedley Specific Plan, Rail Corridor Master Plan and the Southeast Reedley Industrial Area Specific Plan.

The proposed project area is generally bound by Adams Avenue to the north, Floral Avenue to the south, Englehart Avenue to the east and Lac Jac Avenue to the west.

B. Purpose of the Project

The GPU is a vision for the City that intends to reflect current values of maintaining Reedley as a vibrant, growing community with a history linked to agriculture. The GPU intends to meet the following objectives:

1. Establish a long range plan and vision for the community that reflects the needs and desires of the citizens;
2. Maintain Reedley's small town atmosphere;
3. Incorporate the Reedley Specific Plan, the Rail Corridor Master Plan and the Southeast Reedley Industrial Area Specific Plan;
4. Ensure more walkable, neighborhood oriented subdivisions;
5. Provide more opportunities for mixed use projects;
6. Preserve and expand the core of Reedley;
7. Encourage more variety and blends of housing types;
8. Provide adequate educational facilities; and
9. To provide economic stability, encourage a diversified job base; expand local economy while enhancing local and regional shopping opportunities.

C. Purpose of the EIR

The programmatic EIR was prepared in accordance with CEQA, Public Resources Code, Sections 21000-21178, and the CEQA Guidelines, California Code of Regulations, Title 14, Sections 15000-15387, to address the environmental impacts associated with the project described above. As required by Section 15121 of the CEQA Guidelines, the EIR is an informational document which will inform public agency decision makers and the general public of the significant environmental effects of the project, and constitute substantial evidence in the record to support the City's action on the project.

This EIR has been prepared as a program EIR pursuant to CEQA Guidelines, Section 15168. A program EIR is the appropriate type of EIR for projects that consist of a series of actions that can be characterized as one large project, are related geographically, and as logical parts in the chain of contemplated actions in connection with issuance of rules, regulations or plans. A program EIR provides a first tier analysis of the environmental effects of implementing the proposed GPU and can be used to streamline the environmental review of future specific individual development projects for which the City is acting as the lead agency. A program EIR allows for a more exhaustive consideration of effects and alternatives than would be practical in an EIR on separate individual actions and ensures consideration of cumulative impacts that might be captured in the analysis of individual projects.

All future individual projects proposed in the City will be reviewed to determine what type of CEQA documentation is required. This program level EIR will inform future City determinations on the

appropriate environmental review process for future specific development projects for which it is the lead agency.

D. Procedural Background

Following is an overview of the environmental review process for the Project that has led to the preparation of the EIR:

1. The City issued a Notice of Preparation (NOP) on March 25, 2010, which began the initial 30-day comment period, which expired on April 23, 2010.
2. A scoping meeting was held during the Notice of Preparation (NOP) review period, on April 14, 2010, at the City Hall, Council Chambers.
3. Written responses to the NOP were received from the following responsible/trustee agencies:
 - Fresno Local Agency Formation Commission (March 29, 2010)
 - Selma-Kingsburg-Fowler County Sanitation District (April 5, 2010)
 - California Emergency Management Agency (April 5, 2010)
 - County of Fresno Department of Public Health (April 9, 2010)
 - California Public Utilities Commission (April 15, 2010)
 - U. S. Army Corps of Engineers (April 20, 2010)
 - California Department of Transportation (April 20, 2010)
 - California Energy Commission ((April 20, 2010)
 - San Joaquin Valley Air Pollution Control District (April 21, 2010)
 - California Department of Conservation, Natural Resources Agency (April 22, 2010)
 - County of Fresno Department of Public Works and Planning (April 30, 2010)
4. On January 17, 2013 the formal Notice of Availability (NOA) was published in the Reedley Exponent, posted in a public area of City Hall and filed with the County of Fresno and State Clearing House. Complete copies of the GPU, DEIR and NOA were available at the Reedley Library and Community Development Department for public review. A CD containing the NOA, DEIR and GPU was also distributed to those who requested notification and to other responsible or affected agencies and interested organizations and persons.
5. The 45-day public review period for the DEIR was January 17, 2013 through March 4, 2013.
6. In response to comments received concerning the DEIR, a Recirculated Draft Environmental Impact Report was prepared and another 45-day public review period for the RDEIR was provided which ran from October 11, 2013 through November 25, 2013.
7. On January 30, 2014, the Planning Commission held a duly noticed public hearing and public testimony. The Commission concluded with a recommendation the City Council certify the Final Impact Report, selected alternative and the General Plan 2030 Update (General Plan Amendment Application No. 2012-002).

8. Based upon all of the comments received during both public comment periods the City of Reedley initiated the preparation of the Final EIR.
9. The Final EIR was issued on February 7, 2014, at least 10 days prior to the certification by the City Council. The final EIR contains copies of all comments received on the DEIR and responses to those comments. The Final EIR also contains errata revisions to the DEIR and supplemental information deemed necessary in response to comments on the DEIR.
10. Copies of the Final EIR were sent to the commenting responsible agencies. All other commenters received notice and instructions for accessing the Final EIR. Copies of the Final EIR were available at the City offices and the local public library. In addition, the Final EIR was made available on the City's website and was made available in PDF format or on CD by request.
11. On February 7, 2014, the City circulated formal notice of availability of the Final EIR to commenting agencies and individuals. Notice was also published in the Reedley Exponent, a newspaper of general circulation.
12. Pursuant to Public Resources Code Section 21092.5, the City provided a written response in the form of the Final EIR to all public agencies commenting on the EIR, 10 days prior to certifying the EIR.
13. On February 25, 2014, the City Council certified the Final EIR including the Final EIR intended to address comments received after the close of the comment period, and passed a resolution approving the Project.

III. Description of the Record

The record of proceedings for the City Council's decision on the Project includes, but not limited to, the following:

1. All Notices of Preparation and Notices of Completion, and all other public notices issued by the City in conjunction with the Project;
2. All applications for approval related to the Project as submitted by the City;
3. The DEIR (January 8, 2013) and RDEIR (October 10, 2013) for this project, and all technical appendices, thereto; All comments submitted by agencies or members of the public during the public comment period on the EIR; Final EIR for the Project, including comments received on the EIR, written responses to those comments, and technical appendices;
4. All comments submitted by agencies or members of the public during the public comments period on the DEIR and RDEIR;
5. The Final EIR for the Project, including comments received on the DEIR and RDEIR responses to those comments, and the technical appendices (dated January 8, 2013, October 10, 2013 and January 21, 2014), as well as any modification to the Final EIR

intended to address comments received after the close of the comment period (attached to the February 18, 2014 Staff Report as "Exhibit B" and hereby incorporated into the Final EIR by reference);

6. The Mitigation Monitoring and Reporting Program for the Project;
7. All reports, studies, memoranda, maps, staff reports, or other planning documents related to the Projects prepared by the City, or consultants to the City with respect to the City's compliance with the requirements of CEQA and with respect to the City's action on the Project;
8. The City of Reedley 2012 General Plan; Reedley Specific Plan; Rail Corridor Master Plan; Southeast Reedley Industrial Area Specific; Master Plans; the Zoning Code; and any other relevant City Planning documents;
9. All documents submitted to the City by members of the public or public agencies in connection with the Project, up through the close of the public comment periods;
10. Any minutes and/or verbatim transcripts of all information sessions, public meetings, and public hearings held by the City in connection with the Project;
11. Any other materials required for the record of proceedings by Public Resources Code Section 21167.6, subdivision (e).

The City Council has relied on all of the documents listed above in reaching its decision on the Project, even if not every document was formally presented to the City Council or City staff as part of the City files generated in connection with the Project. Without exception, any documents set forth above not found in the Project files fall into one of two categories. Many of them reflect prior planning or legislative decisions of which the City Council was aware in approving the Project. Other documents influenced the expert advice provided the City staff or consultant, who when provided advice to the City Council. For that reason, such documents form part of the underlying factual basis for the Council's decision relating to the adoption of the Project.

IV. Discretionary Action

The project involves the following actions and approval by the City:

1. Certification of the Environmental Impact Report based on these Findings; and
2. Adoption of the CEQA Findings and Statement of Overriding Considerations and the Mitigated Monitoring and Reporting Program.
3. Adopts Alternative 3, Additional SOI Acreage Reduction Alternative, including Area 6 as the selected alternative to the proposed GPU; and
4. Approval of General Plan Amendment Application No. 2012-002 (Reedley General Plan 2030 Update), which proposes the principal policy document for guiding development, expand the City's existing sphere of influence and incorporate the goals and policies of the various adopted specific plans including the Reedley Specific Plan,

Rail Corridor Master Plan and the Southeast Reedley Industrial Area Specific Plan.

The following findings, as well as the accompanying CEQA Findings and Statement of Overriding Considerations in Section IX, have been prepared to comply with the requirements of CEQA (Pub. Resources Code §21000 et seq.) and the CEQA Guidelines (Cal. Code Regs. tit. 14 §15000 et seq.). In addition all future individual projects proposed in the City will be reviewed to determine what type of CEQA documentation is required. The streamlining value of a program EIR is identified in Section 15152 of the CEQA Guidelines that addresses "tiering." If a future project would have effects that were not wholly examined in this program EIR, or not examined at an appropriate level of detail, an initial study would need to be prepared for that specific project, leading to either a negative declaration or an EIR. Subsequent narrower Negative Declarations and Mitigated Negative Declarations can also be tiered from a program EIR. If the City finds that pursuant to Section 15152 of the CEQA Guidelines, no new effects could occur or new mitigation measures would be required, the activity would be considered within the scope of this program EIR and no new environmental documentation would be required.

Environmental review can be limited for individual projects that are consistent with the development density established by existing zoning, or general plan policies for which an EIR was certified, except as might be necessary to examine whether there are project-specific effects which are peculiar to the project or its site. Section 15183(b) specifies that examination of environmental effects for individual projects shall be limited to those effects that: 1) are peculiar to the project or parcel on which the project would be located; 2) were not analyzed as significant effects in a prior EIR on the zoning action, general plan or community plan with which the project is consistent; 3) are potentially significant off-site and cumulative impacts which were not discussed in the underlying EIR; and 4) are previously identified in the EIR, but which are determined to have a more severe adverse impact than that discussed in the underlying EIR. Section 15183(c) specifies that if an impact is not peculiar to the parcel or to the proposed project, then an EIR need not be prepared for that project solely on the basis of that impact.

V. General Findings

Public Resources Code Section 21002 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 project." 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." Section 21002 goes on to state that "in the event {that} specific economic, social, or other conditions make infeasible such project alternatives or such mitigation measures, individual projects may be approved in spite of one or more significant effects thereof".

The mandate and principles announced in Public Resources Code Section 21002 are implemented, in part, through the requirement that agencies must adopt findings before approving projects for which an Environmental Impact Report ("EIR") is required. For each significant environmental impact identified in an EIR for a proposed project, the approving agency must issue a written finding reaching one or more of three permissible conclusions. The first such finding is that "changes or alternatives 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). The second permissible finding is that "such changes or alternatives are within the responsibility and

jurisdiction of another public agency and not the agency making the findings. Such changes have been adopted by such other agency or can and should be adopted by such other agency (CEQA Guidelines, §15091). The third potential conclusion is that "specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures of project alternative identified in the final EIR" (CEQA Guidelines, §15091). Public Resources Code Section 21061.1 defines "feasible" to mean "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social and technological factors." The concept of "feasibility" also encompasses the question of whether a particular alternative or mitigation measure promotes the underlying goals and objectives of a project.

The CEQA Guidelines do not define the difference between "avoiding" a significant environmental effect and merely "substantially lessening" such an effect. The agency must therefore glean the meaning of these terms from the other contexts in which the terms are used.

Public Resources Code Section 21081, on which CEQA Guidelines Section 15091 is based, uses the term "mitigate" rather than "substantially lessen". The CEQA Guidelines therefore equate "mitigating" with "substantially lessening". Such an understanding of the statutory term is consistent with the policies underlying CEQA, which include the policy 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 effects of such Project." (Pub. Resources Code, §21002)

For purposes of these findings, the term "avoid" refers to the effectiveness of one or more mitigation measure to reduce an otherwise significant effect to a less-than-significant level. In contrast, the term "substantially lessen" refers to the effectiveness of such measure or measures to substantially reduce the severity of a significant effect, but not to reduce that effect to a less-than-significant level. These interpretations appear to be mandated by the holding in *Laurel Hills Homeowner Association v. City Council* (1978) 86 Cal.App.3d 515, 519-521, in which the Court of Appeal held that an agency has satisfied its obligation to substantially lessen or avoid significant effects by adopting numerous mitigation measures, not all of which rendered the significant impact in question less-than-significant.

Although CEQA Guidelines Section 15091 requires only that approving agency specify that a particular significant effect is "avoided or substantially lessened", these findings, for purposes of clarity, in each case will specify whether the effect in question has been reduced to a less-than-significant level, or has simply been substantially lessened but still remains significant.

CEQA requires that the lead agency adopt mitigation measures or alternatives, where feasible, to substantially lessen or avoid significant environmental impacts that would otherwise occur. Project modification or alternatives are not required, however, where such changes are infeasible or where the responsibility for modifying the project lies with some other agency (CEQA Guidelines, §15091).

With respect to a project which significant impacts are not avoided or substantially lessened, a public agency, after adopting proper findings, may nevertheless approve the project if the agency first adopts a Statement of Overriding Considerations setting forth the specific reasons why the agency found that the project's "benefits" rendered "acceptable" its "unavoidable adverse environmental effects" (CEQA Guidelines §15093, §15043, subd. (d); see also Pub. Resources Code §21081, subd. (b)). The California Supreme Court has stated, "the wisdom of approving...any development project, a delicate task which requires a balancing of interests, if necessary left to the sound discretion of the local officials and their constituents who are responsible for such decisions. The law as we interpret and

apply it simply requires that those decisions be informed, and therefore balanced," (*Goleta II, supra*, 52 Cal.3rd at p. 576)

These findings constitute the City Council's best efforts to set forth the evidentiary and policy bases for its decision to approve the Project in a manner consistent with the requirements of CEQA. To the extent that these findings conclude that various mitigation measures outlined in the Final EIR are feasible and have not been modified, superseded or withdrawn, the City hereby binds itself to implement these measures. These findings, in other words, are not merely informational, but rather constitute a binding set of obligations that will come into effect when the City Council adopts a resolution approving the Project.

A. Certification of the Final EIR

The Final EIR for the Project is hereby certified pursuant to CEQA (Pub. Resources Code §21000 et seq. & CEQA Guidelines §15090). The City Council certifies that the Final EIR has been completed in compliance with the requirements of CEQA. The City Council further certifies that the Final EIR was presented to it and that it considered the information contained in the Final EIR prior to approving the Project. Finally, the City Council certifies that the Final EIR reflects the City Council's independent judgment and analysis.

B. Evidentiary Basis for Findings

The findings and determination contained herein are based on the competent and substantial evidence, both oral and written, contained in the entire record related to the Project and the EIR. The findings and determinations constitute the independent finding and determination by the City Council in all respects and are fully and completely supported by substantial evidence in the record as a whole.

Although the findings below identify specific pages within the Draft, Recirculated Draft and Final EIR in support of various conclusions reached below, the City Council has no quarrel with, and thus incorporates by reference and adopts as its own, the reasoning set forth in both environmental documents, and thus relies on that reasoning, even where not specifically mentioned or cited below, in reaching the conclusions set forth below, except where additional evidence is specifically mentioned. This is especially true with respect to the Council's approval of all mitigation measures recommended in the Final EIR, and the reasoning set forth in responses to comments in the Final EIR. The City Council further intends that if these findings fail to cross-reference or incorporate by reference any other part of these findings, any findings required or permitted to be made by this City Council with respect to any particular subject matter of the Project must be deemed made if it appears in any portion of these findings or findings elsewhere in the record.

C. Findings Regarding Mitigation Measures

1. *Mitigation Measures Adopted*

Except as otherwise noted, the Mitigation Measure herein referenced are those identified in the Draft EIR, Recirculated Draft EIR or as modified in the Final EIR.

2. *Effects of Mitigation Measures*

Except as otherwise stated in these findings, in accordance with CEQA Guidelines Section 15091, 15092 and 15093, the City finds that the environmental effects of the Project:

- a. Will not be significant; or
- b. Will be mitigated to a less-than-significant level by the mitigation measure; or
- c. Will remain significant after mitigation, but specific economic, legal, social, technological, or other Considerations outweigh the unavoidable adverse environmental effect.

The City finds that the mitigation measures incorporated into and imposed upon the Project will not have new significant environmental impacts that were not already analyzed in the Draft EIR or Recirculated Draft EIR.

D. Findings Regarding Cumulative Impacts

“Cumulatively considerable” impacts means that the incremental effects of the project are significant when viewed in connection with the effects of the past projects, the effects of other current projects, and the effects of the probable projects (CEQA Section 15065(a)(3)). Under CEQA Guidelines Section 15130, the cumulative impact analysis in an EIR can be based (1) a list of past, present, and probable future projects producing related or cumulative impacts, including, if necessary, those projects outside the control of the agency, or (2) a summary of projections contained in an adopted general plan or related planning document, or in a prior environmental document which has been adopted or certified, which described or evaluated regional or area-wide conditions contributing to the cumulative impact. The Draft EIR used the second approach as a basis for the cumulative analysis.

The projections used for the cumulative impact analysis in the Draft EIR and Recirculated Draft EIR are included in the following documents:

City of Reedley General Plan 2012 (City of Reedley)

E. Location and Custodian of Records

Pursuant to Public Resources Code Section 21081.6 and California Code of Regulations, title 14, Section 15091, the City is the custodian of the documents and other materials that constitute the record of proceeding upon which the City's decision is based, and such documents and other materials are located at City of Reedley, City Hall, 1733 Ninth Street, Reedley, California 93654, in the custody of the Community Development Department Director.

VI. Findings Regarding Environmental Impacts Mitigated to Less-Than-Significant

A. Statement

This EIR references GPU policy implementation as the primary tool by which potential environmental impacts would be avoided or reduced. Where proposed GPU goals and policies may not serve to reduce a significant impact to a less-than-significant level, mitigation measures are proposed for that purpose (See Final EIR, Table S-1 Significant Impacts and Mitigation Measure Summary, Pg. S-5). Mitigation measures are designed to fill “gaps” that may exist between the level of impact avoidance

or reduction provided by implementation of GPU goals and policies, and the level of impact avoidance or reduction needed to mitigate significant impacts to a less-than-significant level.

As required by CEQA, a Mitigation Monitoring and Reporting Program (MMRP) has been prepared for this Project. The MMRP (Appendix C) provides details on the timing and sequence of the mitigation measured and the party responsible for implementing the measures, and what agency has the responsibility to monitor the implementation of the of the mitigation measures.

Therefore, based upon the discussions and information in the record, the City Council finds that the Project would have a less-than-significant impact. A description of the associated impacts and GPU goals and objectives (mitigation measures) for the Project, with the legal findings, are listed below.

B. Impacts Mitigated to Less-Than-Significant

2.1 *Aesthetic Resources*

Impact: AES-1: Substantially degrade existing visual character or quality of the site and its surroundings.

Mitigation: The GPU contains a range of goals and policies which will serve to reduce impacts from degradation of existing visual character and quality. Representative goals and policies include, but are not limited to the following:

- LU 2.4A: Preserve and enhance Reedley's unique character and achieve an optimal balance of residential commercial, industrial, public and open space uses.
- LU 2.4C: Maintain and enhance Reedley's small town characteristics.
- LU 2.4.1: Develop design standards for structures, landscaping and parking areas to facilitate compatibility with surrounding uses and overall character of the City of Reedley.
- LU 2.4.2: Develop well-designed and landscaped major gateways or entrances the City at the following locations:
 - (a) Manning Avenue near the Kings River
 - (b) North and South Reed Avenue
 - (c) Manning Avenue and Buttonwillow
 - (d) East Dinuba Avenue
- LU 2.4.4: Continue the use of the Façade Program to improve the physical aesthetics of the Downtown area.
- LU 2.5.1-2.5.12: Which promote conservation of agricultural land within the SOI until such time as it is needed for development.
- LU 2.5: Provide transitions between types of land uses and use of high quality urban design.
- LU 2.7.11: New subdivisions shall annex to or form a landscape and lighting districts to maintain public improvements including but not limited to walls, street trees and lighting.
- LU 2.7.12: Encourage the planting of trees on residential lots by providing a brochure outlining the benefits of shade trees and establish a tree list that maximizes shade and aesthetics and minimizes sidewalk and curb improvements.
- LU 2.7.26: Future commercial development in the planning area shall be well-designed to respect neighborhood scale and traditional architectural design. Towards this end, commercial development will be reviewed in keeping with the following design standards:

(a) Zoning ordinance parking space requirements shall be minimized for commercial developments. Parking lots should be segmented to minimize the impact of parking on the streetscape. In particular, parking should be located to the rear or to the side of commercial and office buildings.

(b) Incorporate interface design standards (e.g. setbacks, fencing) into each residential and commercial zone district to ensure compatibility.

(c) Commercial development shall be designed to facilitate pedestrian and bicycle access and function, featuring outdoor seating, pedestrian plazas and wide, shade-covered walkways.

(d) Landscaping, particularly shade trees and drought tolerant plants, shall be maximized in all commercial development.

COSP 4.2.2: Foster and maintain the scenic atmosphere of the river front area.

COSP 4.2.8: Continue to implement provisions of the Kings River Corridor Specific Plan to ensure conservation of the riparian area.

COSP 4.13.2: Preserve, rehabilitate, or restore architecturally significant historic buildings that are capable of viable use.

Impact: AES-2: Have substantial adverse effect on a scenic vista.

Mitigation: The GPU contains a range of goals and policies which will serve to reduce impacts from degradation of existing visual character and quality. Representative goals and policies include, but are not limited to the following:

LU 2.5.1-2.5.12: Promote conservation of agricultural land within the SOI until such time as it is needed for development.

COSP 4.2.2: Foster and maintain the scenic atmosphere of the river front area.

COSP 4.2.8: Continue to implement provisions of the Kings River Corridor Specific Plan to ensure conservation of the riparian area.

Impact: AES-3: Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area.

Mitigation: The GPU contains one policy that will serve to reduce glare impacts. The primary source of glare reduction and mitigation is through implementation of lighting standards contained in Article 10, Zoning Regulations, but not limited to the following:

COSP 4.8.7: The City will establish outdoor lighting standards in the zoning ordinance, including:

- (a) Requirements that all outdoor lighting fixtures be energy efficient;
- (b) Requirements that light levels in all new development, parking lots, and street lighting not exceed state standards; and
- (c) Prohibition against continuous all-night outdoor lighting in sports stadiums, construction sites, and rural areas unless required for security reasons.

Finding: The City Council finds, based upon the Final EIR and the whole of the record, that the Project will result in less-than-significant impact to aesthetic resources. The implementation of the GPU goals and policies, as mitigation measures will reduce any associated impact to a less-than-significant level.

2.2 *Agricultural Resources*

Impact: AG-3: Other changes that could result in conversion of farmland to non-agricultural uses.

Mitigation: The GPU contains a range of goals and policies which will serve to mitigate potential agricultural impacts to a less-than-significant level, as described below:

- LU 2.5.2: Development standards shall incorporate measures to protect and preserve agricultural land.
- LU 2.5.4: Adopt a right-to-farm ordinance.
- LU 2.5.7: Require contiguous development within the SOI unless it can be demonstrated that the development of contiguous property is infeasible. An analysis of the fiscal impacts on public utilities including water, surface transportation, and service shall be required as part of the application to annex new territory into the City.
- LU 2.5.8: The City shall not support annexing land for residential development until at least eighty (80) percent of the existing residentially designated land inside the city limits is developed.
- LU 2.5.9: Work with Fresno County and Fresno LAFCO to maintain agricultural designations in areas outside the Reedley SOI.
- LU 2.5.11: The Plan should foster the establishment of a concentrated urban development pattern, with land outside the planned urban area being designated exclusively for Agriculture.
- LU 2.5.12: New urban development should occur in an orderly manner with initial development occurring on the available undeveloped properties within the City's limits which would be considered in-fill, by-passed parcels or in parcels in close proximity to the urban core, places of employment and established neighborhoods.

Finding: The City Council finds, based upon the Final EIR and the whole of the record, that the Project will result in less-than-significant impact as to agricultural impact category AG-3. The implementation of the GPU goals and policies, as mitigation measures will reduce any associated impacts related to agricultural impact category AG-3 to a less-than-significant level.

2.3 *Air Quality Resources*

Impact: AQ-3: Exposure of sensitive receptors to unacceptable concentrations of toxic or hazardous pollutants.

Mitigation: The GPU contains a range of goals and policies which will serve to mitigate potential air quality impacts to a less-than-significant level, as described below:

- COSP4.6.1: The City shall require residential projects and other sensitive receptors to be located an adequate distance from existing and potential sources of toxic emissions such as freeways, industrial sites, and hazardous material locations.
- COSP4.6.2: The City shall require new air pollution point sources such as industrial, manufacturing, and processing facilities to be located an adequate distance from residential areas and other sensitive receptors.
- COSP4.6.3: Require project proponent's to prepare health risk assessments in accordance with SJVAPCD procedures when the proposed industrial process has toxic emissions designated by the state as a toxic air contaminant or, similarly, by the federal government as a hazardous air pollutant.

COSP4.6.4: Designate industrial land in areas well-separated from sensitive. Protect vacant industrial sites from encroachment by residential or other sensitive uses through appropriate zoning.

Impact: AQ-4: Odor Impacts.

Mitigation: The GPU contains a range of goals and policies which will serve to mitigate potential air quality impacts to a less-than-significant level, as described below:

LU 2.7.50: Encourage development of light industrial uses in areas where the proposed use is compatible with the surrounding planned use.

LU 2.7.51: During the review of development applications for proposed new light industry, the City shall determine whether pretreatment of industrial wastes shall be required.

LU 2.7.57: Planned heavy industrial uses adjacent to roads carrying significant non-industrial traffic should be designed to have landscaping and building setbacks.

COSP 4.6A: Minimize exposure of the public to toxic air emissions and odors from industrial, manufacturing, and processing facilities.

COSP4.6.1 The City shall require residential projects and other sensitive receptors to be located an adequate distance from existing and potential sources of toxic emissions such as freeways, industrial sites, and hazardous material locations.

COSP4.6.2 The City shall require new air pollution point sources such as industrial, manufacturing, and processing facilities to be located an adequate distance from residential areas and other sensitive receptors.

COSP4.6.3 Require project proponent's to prepare health risk assessments in accordance with SJVAPCD procedures when the proposed industrial process has toxic emissions designated by the state as a toxic air contaminant or, similarly, by the federal government as a hazardous air pollutant.

COSP4.6.4 Designate industrial land in areas well-separated from sensitive uses. Protect vacant industrial sites from encroachment by residential or other sensitive uses through appropriate zoning.

Finding: The City Council finds, based upon the Final EIR and the whole of the record, that the Project will result in less-than-significant impacts as to the impact categories set forth in AQ-3 and AQ-4. The implementation of the GPU goals and policies, as mitigation measures will reduce any associated impacts described in Impacts AQ-3 and AQ-4 to a less-than-significant level.

2.4 *Biological Resources*

Impact: BIO-1: Substantial adverse effects on special-status species.

Mitigation: The GPU contains a range of goals and policies which will serve to mitigate potential biotic impacts to a less-than-significant level, as described below:

COSP 4.14C: As feasible, preserve native vegetation and protected wildlife, habitat areas, and vegetation, through avoidance, impact mitigation, and habitat enhancement.

COSP 4.14.4: As part of the environmental review of new development projects:

- (a) Biological studies shall be prepared to assess habitat value when determined appropriate by the Community Development Department;
- (b) Mitigation shall be applied to assure that degradation of habitat or impacts to sensitive species is reduced or eliminated; and

- (c) Input will be sought from agencies and individuals with expertise in biological resources, including the California Department of Fish and Game, California Water Quality Control Board, U.S. Army Corps of Engineers, U.S. Fish and Wildlife Service, and U.S. Environmental Protection Agency.

COSP 4.14.16: Require preservation of contiguous areas in excess of the 100-year flood plain as merited by special circumstances. Special circumstances may include sensitive wildlife or vegetation, wetland habitat, oak woodland areas, slope or topographical considerations, and recreation opportunities.

BIO-1: Where review of a proposed project or activity identifies potential impacts on special-status plant species [including but not limited to brittlescale (*Atriplex depressa*), California satintail (*Imperata brevifolia*), Earlimart orache (*Atriplex erecticaulis*), lesser saltscale (*Atriplex minuscula*), recurved larkspur (*Delphinium recurvatum*), San Joaquin adobe sunburst (*Pseudobahia peirsonii*), and/or spiny-sepaled button-celery (*Eryngium spinosepalum*)] due to the presence of suitable habitat, then the City shall require that the special-status species with potential to occur on a project site be evaluated. Focused surveys conducted in accordance with current CDFG and CNPS rare plant survey protocols may be required if suitable habitat is present and would be impacted. If special-status plants occur on a site and could be significantly impacted by a proposed project, then appropriate avoidance or mitigation shall be provided in coordination with federal or state regulatory agencies as needed to reduce the impact to a less than significant level.

BIO-2: Where review of a proposed project or activity identifies potential impacts on special-status animal species due to the presence of suitable habitat, and then the City shall require that the special-status species with potential to occur on a project site be evaluated. Such species include but are not limited to: invertebrates [Valley elderberry longhorn beetle (*Desmocerus californicus dimorphus*), vernal pool fairy shrimp (*Branchinecta lynchi*), and vernal pool tadpole shrimp (*Lepidurus packardii*)], reptiles and amphibians [California tiger salamander (*Ambystoma californiense*), western pond turtle (*Emys marmorata*), and western spadefoot (*Spea hammondi*)], birds [burrowing owl (*Athene cunicularia*), Swainson's hawk (*Buteo swainsoni*), and western yellow-billed cuckoo (*Coccyzus americanus occidentalis*)], and mammals [pallid bat (*Antrozous pallidus*), San Joaquin kit fox (*Vulpes macrotis mutica*), and western mastiff bat (*Eumops perotis californicus*)]. Focused surveys conducted in accordance with current CDFG and USFWS survey protocols may be required if suitable habitat is present and would be impacted. If special-status animals occur on a site and could be significantly impacted by a proposed project, then appropriate avoidance or mitigation shall be provided in coordination with federal or state regulatory agencies as needed to reduce the impact to a less than significant level.

BIO-3: If construction activities are planned to occur within 250 feet of mature trees or shrubs during the nesting bird season (February 1 to August 31), a qualified biologist shall conduct a pre-construction survey for nesting birds to ensure that no nests would be disturbed during project construction. This survey shall be conducted no more than seven days prior to the initiation of disturbance activities during the early part of the breeding season (February through April) and no more 30 days prior to the initiation of these activities during the late part of the breeding season (May through August). If no active nests are present within 250 feet of construction, then activities can proceed as scheduled. However, if an active nest is detected during the survey within 250 feet of construction, then the establishment of a protective construction-free buffer zone from each active nest (typically 250 feet for raptors and 50-100 feet

for other species) would be required until the juvenile bird(s) have fledged, unless the biologist determines that construction activity would not impact the active nest(s). The buffer zone shall be clearly delineated or fenced to prevent disturbance to nesting birds.

Impact: BIO-2: Substantial adverse effects on riparian habitat or other sensitive natural community.

Mitigation: The GPU contains a range of goals and policies which will serve to mitigate potential biotic impacts to a less-than-significant level, as described below:

COSP 4.14A: Urban development shall not adversely impact the Kings River riparian habitat or conflict with open space and recreational uses along the River.

COSP 4.14B: Protect and enhance existing native habitat, wildlife resources, and other aspects of the Kings River environment, including the 100-year floodplain.

COSP 4.14.1: The Kings River and creek system in Reedley provides a significant open space element and constitutes the most important wildlife habitat in the Planning Area. The City is committed to a policy of preserving and protecting these open space resources and assuring their continued viability as open space and drainage corridors.

COSP 4.14.2: Designate the Kings River corridor and associated creeks, woodlands, and other appropriate areas as Open Space.

COSP 4.14.3: An open space buffer of approximately 200 feet shall be maintained between urban development and the Kings River corridor. The Planning Commission may approve exceptions to the open space buffer subject to a Conditional Use Permit if the finding can be made that the river and riparian areas will not be negatively impacted by the exception.

COSP 4.14.5: Enhance native vegetation in the Kings River riparian area as follows:

(a) Using approved methods, young undesirable non-native plant species should be selectively removed from the native riparian habitat along the Kings River; and

(b) Using proven methods, dominant native riparian plant species should be propagated locally and planted in the place of eradicated non-native species.

COSP 4.14.6: Reforest designated open space lands between the Kings River and adjacent development as an oak savannah which requires limited initial maintenance.

COSP 4.14.7: Prohibit the use of off-road vehicles and firearms on lands designated as Open Space within the Planning Area, including riparian areas.

COSP 4.14.8: Any recreational use of the River and creeks shall minimize impact on the habitat value and open space qualities of the creeks.

Impact: BIO-3: Substantial adverse effects on protected wetlands.

Mitigation: The GPU contains a range of goals and policies which will serve to mitigate potential biotic impacts to a less-than-significant level, as described below:

COSP 4.14.11: Wetlands containing sensitive plant and/or animal species shall be protected according to law. Specific protection policies shall include:

(a) Protection of wetland watershed areas; and

- (b) Establishment of minimum setback areas around wetlands in accordance with recommendations of the California Department of Fish and Game, U.S. Fish and Wildlife Service, or a qualified wildlife biologist.

Impact: BIO-4: Interfere substantially with wildlife movement or native wildlife nursery sites.

Mitigation: The GPU contains a range of goals and policies which will serve to mitigate potential biotic impacts to a less-than-significant level, as described below:

COSP 4.14.12: Design parks and open space corridors to provide linkages between potential habitat areas.

Finding: The City Council finds, based upon the Final EIR and the whole of the record, that the Project will result in less-than-significant impact as to the biological resource impact categories BIO-1 through BIO-4. The implementation of the GPU goals and policies, as mitigation measures, and impact specific mitigation will reduce any associated impacts related to these impact categories to a less-than-significant level.

2.6 Cultural Resources

Impact: CR-1: Cause a substantial adverse change in the significance of a historical or archaeological resource.

Mitigation: The GPU contains a range of goals and policies which will serve to mitigate potential impacts to a less-than-significant level, as described below:

COSP 4.13A: Protect the cultural heritage of Reedley.

COSP 4.13.1: Archaeological and historical resources shall be protected and reserved to the maximum extent feasible.

COSP 4.13.2: Preserve, rehabilitate, or restore architecturally significant historic buildings that are capable of viable use.

COSP 4.13.3: Identify historic resources through historic landmark markers.

COSP 4.13.4: Protect significant historical and archaeological resources in accordance with the California Environmental Quality Act.

COSP 4.13.5: Update the City of Reedley inventory of historic and archaeological resources to determine sites or buildings of local, State, or Federal significance.

Impact: CR-2: Disturb any human remains, including those interred outside of formal cemeteries.

Mitigation: The GPU contains a range of goals and policies which will serve to mitigate potential impacts to a less-than-significant level, as described below:

COSP 4.14.1: Archaeological and historical resources shall be protected and preserved to the maximum extent feasible.

COSP 4.14.4: Protect significant historical and archaeological resources in accordance with the California Environmental Quality Act.

Finding: The City Council finds, based upon the Final EIR and the whole of the record, that the Project will result in less-than-significant impact to cultural resource impact categories CR-1 and CR-2. The implementation of the GPU goals and policies, as mitigation measures will reduce any associated impacts related to these impact categories to a less-than-significant level.

2.7 Geology and Soils Resources

Impact: GEO-1: Expose people to structures to substantial risk of loss or injury involving fault rapture, seismic ground shaking, ground failure, or landslides.

Mitigation: The GPU contains a range of goals and policies which will serve to mitigate risks from seismic shaking, potential ground failure/liquefaction, and landslides to a less-than-significant level. These goals and policies include:

- COSP 4.14.2: Designate the Kings River corridor and associated creeks, woodlands, and other appropriate areas as Open Space.
- COSP 4.14.3: An open space buffer of approximately 200 feet shall be maintained between urban development and the Kings River corridor. The Planning Commission may approve exceptions to the open space buffer subject to a Conditional Use Permit if the finding can be made that the river and riparian areas will not be negatively impacted by the exception.
- SE 5.2A: Protect the lives and property of residents of the Reedley area by establishing urban growth patterns and development policies which recognize the limitations of soils and physical features.
- SE 5.2.1: Proposed development projects may be subject to a variety of discretionary actions and conditions of approval. The actions and conditions are based on adopted City plans and policies essential to mitigate adverse effects on the environment including the health, safety, and welfare of the community. For example, the City may require preliminary soil (Reedley Municipal Code, Section 11-4-2-D), geotechnical or seismic reports when the subject property is located on land exhibiting potentially unstable soil conditions, suitability for additional development, or other hazardous geologic conditions.
- SE 5.2.2: Development should be prohibited in areas where corrective measures to affect the geologic hazard are not feasible.
- SE 5.4A: Minimize serious physical damage to structures used for human occupancy and to critical facilities and structures where large numbers of people are apt to congregate.
- SE 5.4B: Insure the continuity of vital services, functions, and facilities.
- SE 5.4.1: Any critical facilities constructed prior to 1948 should be examined as to their earthquake resistant capacities. If found to be below acceptable standards, a program to mitigate potential hazards should be established.
- SE 5.4.2: Structures of more than 50 feet or four (4) stories and critical facilities shall require special design considerations for seismic hazards. Factors to be considered, as recommended in the *Five County Seismic Safety Element*, are as follows: A dynamic analysis procedure shall be used for assessing structural design requirements for structures of more than 50 feet or four (4) stories. Critical facilities should be designed at double the current seismic design forces required in Zone 3 by the current California Uniform Building Code. The bracing and anchoring of all mechanical and electrical equipment

for critical facilities shall be designed to withstand lateral seismic forces equal to 20 percent of its total dead load.

SE 5.4.3: The Seismic Safety element should be reviewed by the City of Reedley as substantially new scientific evidence becomes available.

Impact: GEO-2: Result in substantial soil erosion or loss of topsoil.

Mitigation: Implementation of goals and policies discussed in the GPU Goals and Policies section of Impact GEO-1 above will serve to mitigate potential soil erosion impacts to a less-than-significant level. The most important of these include polices SE 5.2.1 and 5.2.2, which require that geologic and soils constraints be identified and mitigated. SE 5.2.1 and 5.2.2 are described below:

SE 5.2.1: Proposed development projects may be subject to a variety of discretionary action and conditions of approval. The actions and conditions are based on adopted City plans and policies essential to mitigate adverse effects on the environment including the health, safety, and welfare of the community. For example, the City may require a preliminary soil (Reedley Municipal Code, Section 11-4-2-D), geotechnical or seismic reports when the subject property is located on land exhibiting potentially unstable soil conditions, suitability for additional development, or other hazardous geologic conditions.

SE 5.2.2: Development should be prohibited in areas where corrective measures to affect the geologic hazard are not feasible.

Impact: GEO-3: Location on geologic unit or soil that is unstable or that would become unstable.

Mitigation: Implementation of goals and policies discussed in the GPU Goals and Policies section of Impact GEO-1 above will serve to mitigate potential soil erosion impacts to a less than significant level. The most important of these include polices SE 5.2.1 and 5.2.2, which require that project-specific geologic and soils constraints be identified and mitigated.

Impact: GEO-4: Location on expansive soil.

Mitigation: Implementation of goals and policies discussed in the GPU Goals and Policies section of Impact GEO-1 above will serve to mitigate potential impacts from constructing improvements on expansive soils to a less-than-significant level. The most important of these include polices SE 5.2.1 and 5.2.2, which require that project-specific geologic and soils constraints be identified and mitigated.

Finding: The City Council finds, based upon the Final EIR and the whole of the record, that the Project will result in less-than-significant impact to geological resource impact categories GEO-1 through GEO-4. The implementation of the GPU goals and policies, as mitigation measures will reduce any impacts related to these geological resource impact categories to a less-than-significant-level.

2.8 Hazards and Hazardous Materials

Impact: HAZ-1: Create a significant hazard through transport, use, or disposal of hazardous materials or through reasonably foreseeable upset and accident conditions involving the release of hazardous materials.

Mitigation: The GPU contains a range of goals and policies which will serve to mitigate this impact to a less-than-significant level. These goals and policies include:

- LU 2.7.50: Encourage Light Industrial development in areas where the use is compatible with the existing or planned use on surrounding properties.
- LU 2.7.55: The City shall establish conditions on new heavy industrial development to ensure compatibility with surrounding land uses.
- LU 2.7.59: Heavy industrial uses shall be planned to minimize health risks to people resulting from toxic or hazardous air pollutant emissions.
- COSP 4.6.1: The City shall require residential project and other sensitive receptors to be located an adequate distance from existing and potential sources of toxic emissions such as freeways, industrial sites, and hazardous material locations.
- SE 5.6A: Protect the public and the environment from exposure to hazardous materials.
- SE 5.6.1: Assess the risk involving the transportation, disposal, manufacture, storage and handling of any hazardous materials at all levels of planning.
- SE 5.6.2: Residential development in close proximity to heavy industrial zones shall be avoided.
- SE 5.6.3: Establish a program to obtain hazardous materials control, technical assistance and cleanup to response to hazardous materials incidents.

Impact: HAZ-2: Emissions within one-quarter mile of an existing or proposed school.

Mitigation: No direct or indirect mitigation required.

Impact: HAZ-3: Development located on a known hazardous materials site.

Mitigation: No direct or indirect mitigation required.

Impact: HAZ-4: Interfere with adopted emergency response/evacuation plan.

Mitigation: No direct or indirect mitigation required.

Finding: The City Council finds, based upon the Final EIR and the whole of the record, that the Project will result in less-than-significant impact to hazards and hazardous material impact categories HAZ-1 through HAZ-4. The implementation of the GPU goals and policies, as mitigation measures will reduce any associated impacts related to these impact categories to a less-than-significant level.

2.9 Hydrology and Water Quality

Impact: HYD-1: Violation of water quality standards/waste discharge requirements.

Mitigation: The GPU contains a range of goals and policies whose implementation which will serve to avoid or reduce this impact to a less-than-significant level. These goals and policies include:

- CIR 3.10.16: By March 2014, the City shall adopt an updated Storm Drain Master Plan; with implementation to commence as of its adoption date. Among other topics, this plan shall include measures for water quality protection for areas

where runoff may enter river, slough or groundwater. It also will include the following:

- a) The system capacity, which shall be designed based upon storm events and capacity needed to recharge groundwater.
- b) Incorporation of a ground water monitoring well, when feasible, as part of the minimum design standards for storm water facilities in the City of Reedley
- c) Standards for limiting impervious surfaces to minimize runoff during storm events.
- d) Design and landscaping standards for temporary and permanent storm water storage basins.
- e) An analysis of the feasibility of multi-use water basins.

CIR 3.10.18: The City shall prepare and present to the City Council for consideration of adoption of a comprehensive set of policies to ensure an adequate storm water drainage system to support the growth and development patterns proposed within this GPU. These policies shall set performance standards for sustainable management of Reedley's storm water drainage system. The policies, including those set forth below, shall be adopted such that their provisions are implemented by the deadlines set forth in the proposed policies. If the policy does not contain a specific deadline for its implementation, it shall be considered for adoption within twelve (12) months of the GPU's adoption. After the adoption of the GPU, the Community Development Department shall provide an annual report to the City Council describing progress made toward the development, adoption and overall implementation of these policies.

The staff analysis supporting each policy shall include a discussion of the following: (1) How the policy would minimize potential detrimental effect caused by the percolation of storm water; (2) Whether and how the policy would assist in the City's efforts to recharge the underground aquifer; (3) How the policy would be integrated into the entitlement process; and, (4) How the policy would be enforced through the regulatory environment. The policies shall include the following:

- a) The City shall develop and implement a public education component that addresses various topics related to collection and disposal of storm water and shall include periodic reports to the City Council and the public regarding its progress in implementing the policies. Specifically, this component shall include the following actions by the City Council:
 - 1) All legally required storm drainage reports prepared by the Public Works Department shall be presented to the City Council for consideration of adoption.
 - 2) All legally required National Pollutant Discharge Elimination System (NPDES) program reports, prepared by the Public Works Department shall be presented to the City Council for consideration of adoption.
 - 3) By March 2014, City Council shall consider the adoption

of the Storm Drain Master Plan. The plan will assist the City in identifying locations for future infrastructure and ground water recharge opportunities. The Plan will also serve as basis for the development of updates to the impact fees which are necessary for implementation.

- b) The City shall develop standard operating procedures for vegetation management in storm water basins to ensure the basins structure and capacity is not compromised. The formal procedure shall be adopted within eighteen months after the adoption of the GPU.
- c) The City shall develop standard operating procedures for storm water measurement and for recording water levels in the basins. These procedures shall be adopted within eighteen months after the adoption of the GPU.
- d) The City shall develop standard operating procedures for documentation of interceptor monitoring and clean-out. The formal procedures shall be adopted within eighteen months after the adoption of the GPU.
- e) The City shall develop standard operating procedures for the bottom ripping of all storm water basins to ensure continual and optimal percolation. The procedures shall be adopted within eighteen months after the adoption of the GPU.
- f) As the City collects storm drainage development impact fees, and those fees become available, the City shall install measuring devices (e.g. flow meters, visually marked measuring poles) on drain inlets to measure storm events, which will be used to quantify Reedley's efforts to increase groundwater recharge.
- g) On an on-going basis, the City shall strive to work with the irrigation districts to identify the most suitable locations for storm water basins based on soil type, elevation, and other factors.

COSP 4.2.3: Protect areas of ground water recharge from land uses and disposal methods which would degrade water resources.

COSP 4.2.4: Provide public sewer service to new urban development as a means of protecting ground water resources.

COSP 4.2.6: Promote activities which combine stormwater control and water recharge.

COSP 4.2.7: The city will enhance groundwater recharge supply by requiring the installation of detention/retention ponds in new growth areas.

COSP 4.14.18: In addition to open space preservation, explore development alternatives and standards to minimize impacts on open space areas. Such techniques may include grading standards and measures to improve the short-term and long-term quality of stormwater run-off.

Impact: HYD-3: Increase storm water runoff that causes flooding or exceeds the capacity of storm water facilities.

Mitigation: The GPU contains a range of goals and policies whose implementation which will serve to reduce to a less-than-significant level this impact. These goals and policies include:

LU 2.7.73: Maintain adequate facilities for water and storm drain services to service existing residents and future development.

- LU 2.7.75: Update the water, wastewater and storm drainage master plans, and other master plans related to infrastructure development on a periodic basis of no less than five years.
- CIR 3.10C: Provide a comprehensive system for storm drainage to protect life and property.
- CIR 3.10.16: Update and implement the Storm Drain Master Plan. This plan will include water quality protection for areas where runoff may enter river, slough or groundwater. It also will include
 - (a) Standards for limiting impervious surfaces to minimize runoff during storm event;
 - (b) Design and landscaping standards for storm water storage basins;
 - (c) An analysis of the feasibility of multi-use water basins; and
 - (d) Financial mechanisms for construction and maintenance.
- CIR 3.10.17: Require new development to provide storm drainage facilities and/or pay a storm drainage impact fee, consistent with the Storm Drain Master Plan.
- COSP 4.2.6: Promote activities which combine storm-water control and water recharge
- COSP 4.14.18: In addition to open space preservation, explore development alternatives and standards to minimize impacts on open space areas. Such techniques may include grading standards and measures to improve the short-term and long-term quality of storm water run-off.

Impact: HYD-4: Expose people to significant flooding risks by placing housing or other structures within a 100-year flood hazard area or impede or redirect flood flows.

Mitigation: The GPU contains a range of goals and policies whose implementation which will serve to reduce to a less-than-significant level this impact. These goals and policies include:

- SE 5.1A: Minimize the potential for damage caused by inundation in flood hazard areas.
- SE 5.1.1: Continue the floodplain management approach in flood hazard areas which are presently undeveloped, by regulation of land uses rather than concentrating on structural flood-control facilities – with their attendant high costs and other disadvantages – as a method of reducing flood damage. Therefore, in flood hazard areas, encourage uses that are not subject to extensive flood damage.
- SE 5.1.2: Flood hazard regulations shall be applied to all property subject to a 100-year flood. Staff shall evaluate all permits for development located within a 100-year flood area and apply the following:
 - (a) Portions of the 100-year flood hazard area to remain free of all new obstructions in order to reasonably provide for the passage of floodwaters of a given magnitude.
 - (b) Limited development, subject to City policies and Federal Flood Insurance Program requirements, may be permitted if adequate flood-proofing measures are constructed.
- SE 5.1.3: Areas identified on Figure 5-1 as subject to flooding, but on which detailed flood studies (delineating the area and depth of a 100-year flood) are not yet available, shall be treated as Flood-Fringe areas unless conclusive evidence is presented to the contrary. Any development requiring a City permit in

these flood-hazard lands shall be subject to review and approval by the City Engineer. The following conditions should apply:

- (a) In cases of uncertainty as to the exact area and depth of flooding, the subdivider or developer may, at his expense, have a qualified registered civil engineer report either: (a) the area and depth of a 100-year flood, or (b) that the particular parcel is not subject to inundation in a 100-year flood. If the developer chooses not to provide an engineer's report, then development may be permitted under other provisions of this section in conjunction with applicable zone districts.
- (b) The lowest floor to be inhabited should be a least two (2) feet above the 100-year flood elevation or one (1) foot above the top of curb of adjacent street, whichever is higher.
- (c) In areas where no detailed flood studies exist, but where topography or flood history indicates the area is subject to flooding above the required elevations. The height rise may be increased as determined by the City Engineer.

SE 5.1.4: Where there are accurate and detailed flood-hazard maps that indicate the exact area and depth of inundation by a 100-year flood, the following conditions shall apply:

- (a) The lowest floor of a proposed residential structure within a Flood-Fringe area shall be elevated to or above the 100-year flood height in a manner that will not adversely affect other properties.
- (b) The lowest floor of proposed non-residential structures which require a City permit and are located within a Flood-Fringe area shall be elevated to or above the 100-year flood height; or, together with attendant utility and sanitary facilities, be flood-proofed up to at least the height of the 100-year flood. This work shall be done in a manner that will not adversely affect other properties
- (c) A subdivision map creating more than four (4) parcels of land in a Flood-Fringe area shall not be approved unless flood hazards can be overcome by flood-proofing measures that will not adversely affect other property. These measures shall be designed and constructed in a manner approved by the City Engineer. The map shall clearly show the area that could be flooded in the event of a 100-year flood and the depth of flooding.
- (d) The City shall require flood-proofing, to the maximum extent practical, in connection with substantial improvement to existing structures in Flood-Fringe areas. The elevation of the lowest floor of the structure may be raised to or above the height of a 100-year flood; or, for non-residential uses, flood-proofing measures may be required up to the elevation of the 100-year flood.

SE 5.1.5: All flood-proofing shall be done in a manner that will not cause floodwaters to be diverted onto adjacent property, increase flood hazards to property located elsewhere, or otherwise adversely affect other property. Flood-proofing measures such as, but not limited to, the following may be required:

- (a) Anchorage to resist flotation and lateral movement.

- (b) Use of special water resistant paints, membranes, or mortars to reduce seepage of water through walls.
- (c) Addition of weight to structures to resist flotation.
- (d) Construction of water and waste systems to prevent the entrance of floodwaters.
- (e) Construction to resist rupture or collapse caused by water pressure or floating debris.
- (f) Location of all electrical equipment, circuits, and installed electrical appliances in a manner that will assure they are not subject to inundation by a 100-year flood.
- (g) Flood-proofing shall be required for structural storage facilities containing chemicals, explosives, buoyant materials, flammable liquids, or other toxic materials which could be hazardous to public health, safety, and welfare. These shall be located in a manner which will assure that the facilities are: (a) situated at elevation above the height associated with the 100-year flood protection elevation; or (b) adequately flood-proofed to prevent flotation of storage containers or damage to storage containers which could result in the escape of toxic materials into floodwaters.

SE 5.1.6: In flood-hazard areas, all public utilities and facilities, such as road, sewage disposal, gas, electrical, and water systems, shall be located and constructed to minimize or eliminate flood damage to the facilities. This work shall be done in a manner that will not adversely affect other property.

SE 5.1.7: Open space uses should be encouraged in flood-hazard areas and Land Conservation Contracts and Open Space and Scenic Easements should be made available by the County to property owners within 100-year flood areas located in the unincorporated area.

Impact: HYD-5: Expose people or structures to hazards from flooding as a result of dam failure or seiches/tsunami/mudflow inundation.

Mitigation: No direct or indirect mitigation required.

Finding: The City Council finds, based upon the Final EIR and the whole of the record, that the Project will result in less-than-significant impacts to hydrology and water quality resource impact categories HYD-1 and HYD-3 through HYD-5. The implementation of the GPU goals and policies, as mitigation measures will reduce any associated impact related to these impact categories to a less-than-significant level.

2.10 Noise

Impact: N-1: Noise levels in excess of established standards and substantial permanent increase in ambient noise levels.

Mitigation: The GPU contains a range of goals and policies which will serve to reduce impacts from exposure of noise sensitive uses to transportation noise, stationary noise sources, and noise from new development projects that could exceed standards identified in the proposed GPU. These goals and policies include the following:

- NE 6.1.3: Areas subject to an LdN greater than 60 dBA are identified as noise impact zones. As part of the special permit process the proposed development project will be required to have an acoustical analysis prepared by a licensed engineer. The report should also include practical and reasonable mitigation measures.
- (a) Setbacks, berms, and barriers
 - (b) Acoustical design of structures
 - (c) Location of structures
- NE 6.1.5: Design of all proposed development should incorporate features necessary to minimize adverse noise impacts, while also minimizing effects on surrounding lands uses.
- NE 6.1.6: Land use and transportation planning should include analysis of the potentially adverse noise levels associated with various design and use alternatives.
- NE 6.1.7: The design of proposed transportation facility should incorporate feasible measures to diminish potential increases in noise levels.
- NE 6.1.8: To relieve excessive noise generation associated with various modes of transportation, the City should:
- (a) Designate truck routes where appropriate. (See Circulation Element)
 - (b) Limit vehicle speed where appropriate.
 - (c) Adoption of State Noise Insulation Standards, California Code of Regulations, Title 24) and Chapter 35 of the Uniform Building Code (UBC) concerning interior noise exposure for new single, multi-family housing, hotels and motels.
 - (d) Encourage appropriate authorities to stringently enforce California Motor Vehicle Code standards relating to noise emission levels and muffler systems relating to noise and lend support or criticism as appropriate.
- NE 6.1.9: The City should cooperate with Fresno County to adopt compatible noise control programs.
- NE 6.1.10: The City should development noise contours for the following facilities: (a) Major roads classified in the Circulation Element of the General Plan. (b) Stationary facilities which emit noise levels greater than LdN of 60 dBA.
- N-1: The City will minimize to the degree practicable the impact of transportation-related noise. Transportation noise sources include roadways, railroads and aircraft operations. Transportation noise shall be minimized as follows:
- (a) Noise-Sensitive Land Uses: New development of noise-sensitive land uses shall not be permitted in areas exposed to existing or projected future noise levels from transportation noise sources exceeding 60 dB DNL within outdoor activity areas unless appropriate noise mitigation measures have been incorporated into the final project design. An exterior exposure of up to 65 dB DNL within outdoor activity areas may be allowed if a good-faith effort has been made to mitigate exterior noise exposure using a practical application of available noise mitigation measures and interior noise exposure due to exterior sources will not exceed 45 dB DNL.
 - (b) New Transportation Noise Sources: Noise created by new transportation noise sources, including roadway improvement

projects, shall be mitigated so as not to exceed 60 dB DNL within outdoor activity areas and 45 dB DNL within interior living spaces of existing or planned noise-sensitive land uses.

N-2: The City will minimize to the degree practicable the impact of stationary noise sources. Stationary noise sources include industrial and commercial facilities, agricultural operations and vehicle movements on private property. Stationary noise shall be minimized as follows:

- (a) Noise-Sensitive Land Uses: The development of new noise-sensitive land uses shall not be permitted in areas where noise levels from existing stationary noises sources may exceed the noise level standards shown in Table 6.1.2-B of the proposed GPU within outdoor activity areas.
- (b) New Stationary Noise Sources: Noise created by proposed stationary noise sources, or existing stationary noise sources which undergo modifications that may increase noise levels, shall be mitigated so as not to exceed the noise level standards shown in Table 6.1.2-B of the proposed GPU within outdoor activity areas of existing or planned noise-sensitive land uses.

N-3: Maintain a citywide noise environment that achieves noise goals through development review and post-development monitoring by implementing the following actions:

- (a) Development Review: The City will review new public and private development proposals to determine conformance with the policies and implementing actions of the Noise Element.
- (b) Acoustical Analysis Required (Transportation Noise Sources): At the discretion of the Community Development Department or where the development of a project may result in noise-sensitive land uses being exposed to existing or projected future transportation noise levels exceeding 60 dB DNL (or CNEL), an acoustical analysis shall be required early in the review process so that noise mitigation may be included in the project design. For development not subject to environmental review, the requirements for an acoustical analysis shall be implemented prior to the issuance of a building permit. Areas of the city potentially to noise from transportation sources in excess of 60 dB DNL (or CNEL) may be determined by reference to Table 16, Generalized Traffic Noise Exposure Reedley 2030 General Plan Update Future Conditions, for traffic noise. For railroad noise, it is assumed that areas closer than 200 feet from the track may be exposed to 60 dB DNL or above. When required, an acoustical analysis shall include identification and quantification of noise sources that may affect the proposed use, or that may result from the proposed use, for existing and foreseeable future conditions. Noise levels shall be quantified in terms of the DNL CNEL for aircraft noise) and shall include consideration of site-specific conditions that could affect noise exposure at the location or locations of interest.
- (c) Acoustical Analysis Required (Stationary Noise Sources): Where, at the discretion of the Community Development Department, the development of a project may result in noise-

sensitive land uses being exposed to noise from existing or future stationary sources exceeding the daytime or nighttime standards shown in Table 6.1.2-B of the proposed GPU, an acoustical analysis shall be required. The analysis should be required early in the review process so that noise mitigation may be included in the project design. For development not subject to environmental review, the requirements for an acoustical analysis shall be implemented prior to the issuance of a building permit. When required, an acoustical analysis shall include identification and quantification of noise sources that may affect the proposed use, or that may result from the proposed use, for existing and foreseeable future conditions. Noise levels shall be quantified in terms of the noise level descriptors utilized in 6.1.2-B and shall include consideration of site-specific conditions that could affect noise exposure at the location or locations of interest.

- (d) Compliance Monitoring: The City shall develop and employ procedures to monitor compliance with the policies of the Noise Element after completion of projects where noise mitigation measures have been required.

Impact: N-2: Groundborne vibration.

Mitigation: The GPU contains a range of goals and policies which will serve to reduce impacts from exposure of noise sensitive uses to excessive ground borne vibrations and vibrations from new development projects that could exceed standards identified in the proposed GPU. These goals and policies include the following:

- NE 6.1.3: Areas subject to an LdN greater than 60 dBA are identified as noise impact zones. As part of the special permit process the proposed development project will be required to have an acoustical analysis prepared by a licensed engineer. The report should also include practical and reasonable mitigation measures.
 - (a) Setbacks, berms, and barriers.
 - (b) Acoustical design of structures
 - (c) Location of structures
- NE 6.1.5: Design of all proposed development should incorporate features necessary to minimize adverse noise impacts, while also minimizing effects on surrounding lands uses.
- N-1: The City will minimize to the degree practicable the impact of transportation-related noise. Transportation noise sources include roadways, railroads and aircraft operations. Transportation noise shall be minimized as follows:
 - (a) Noise-Sensitive Land Uses: New development of noise-sensitive land uses shall not be permitted in areas exposed to existing or projected future noise levels from transportation noise sources exceeding 60 dB DNL within outdoor activity areas unless appropriate noise mitigation measures have been incorporated into the final project design. An exterior exposure of up to 65 dB DNL within outdoor activity areas may be allowed if a good-faith effort has been made to mitigate exterior noise exposure using a

practical application of available noise mitigation measures and interior noise exposure due to exterior sources will not exceed 45 dB DNL.

- b) New Transportation Noise Sources: Noise created by new transportation noise sources, including roadway improvement projects, shall be mitigated so as not to exceed 60 dB DNL within outdoor activity areas and 45 dB DNL within interior living spaces of existing or planned noise-sensitive land uses.

N-3: Maintain a citywide noise environment that achieves noise goals through development review and post-development monitoring by implementing the following actions:

- (a) Development Review: The City will review new public and private development proposals to determine conformance with the policies and implementing actions of the Noise Element.

- (b) Acoustical Analysis Required (Transportation Noise Sources): At the discretion of the Community Development Department or where the development of a project may result in noise-sensitive land uses being exposed to existing or projected future transportation noise levels exceeding 60 dB DNL (or CNEL), an acoustical analysis shall be required early in the review process so that noise mitigation may be included in the project design. For development not subject to environmental review, the requirements for an acoustical analysis shall be implemented prior to the issuance of a building permit. Areas of the city potentially to noise from transportation sources in excess of 60 dB DNL (or CNEL) may be determined by reference to Table 16, Generalized Traffic Noise Exposure Reedley 2030 General Plan Update Future Conditions, for traffic noise. For railroad noise, it is assumed that areas closer than 200 feet from the track may be exposed to 60 dB DNL or above. When required, an acoustical analysis shall include identification and quantification of noise sources that may affect the proposed use, or that may result from the proposed use, for existing and foreseeable future conditions. Noise levels shall be quantified in terms of the DNL CNEL for aircraft noise) and shall include consideration of site-specific conditions that could affect noise exposure at the location or locations of interest.

- (c) Acoustical Analysis Required (Stationary Noise Sources): Where, at the discretion of the Community Development Department, the development of a project may result in noise-sensitive land uses being exposed to noise from existing or future stationary sources exceeding the daytime or nighttime standards shown in Table 6.1.2-B of the proposed GPU, an acoustical analysis shall be required. The analysis should be required early in the review process so that noise mitigation may be included in the project design. For development not subject to environmental review, the requirements for an acoustical analysis shall be implemented prior to the issuance of a building permit. When required, an acoustical analysis shall include identification and quantification of noise sources that may affect the proposed use, or that may result from the proposed use, for existing and foreseeable future conditions.

Noise levels shall be quantified in terms of the noise level descriptors utilized in 6.1.2-B and shall include consideration of site-specific conditions that could affect noise exposure at the location or locations of interest.

- (d) **Compliance Monitoring:** The City shall develop and employ procedures to monitor compliance with the policies of the Noise Element after completion of projects where noise mitigation measures have been required.

Impact: N-3: Exposure of people or workers to excessive airport noise.

Mitigation: No direct or indirect mitigation required.

Finding: The City Council finds, based upon the Final EIR and the whole of the record, that the Project will result in less-than-significant impact to noise. The implementation of the GPU goals and policies, as mitigation measures will reduce any associated impacts to a less-than-significant level.

2.11 *Public Service Resources*

Impact: PS-1: Substantial adverse physical impacts or significant environmental impacts associated with provisions or new or physically altered fire protection facilities.

Mitigation: The GPU contains a range of goals and policies which will serve to mitigate potential impacts to a less-than-significant level, as described below:

- LU 2.7.74: Plan for the development of an additional fire station in the City of Reedley to ensure maximum service areas and response times for the City of Reedley Fire Department.
- SE 5.3.8: Continue to implement the Community Facilities District to ensure additional **staff and equipment to adequately service new development.**
- SE 5.3.10: Pursue funding opportunities and options for capital projects to repair, renovate and expand facilities and provide additional stations.
- SE 5.3.4: Continue to review land use development proposals for fire safety considerations.
- SE 5.3.5: Continue to inspect properties for the purpose of reducing fire hazard and facilitating fire suppression.
- SE 5.3.6: Encourage the installation of heat and/or smoke detection early warning and fire suppression systems in existing structures.
- SE 5.3.7: Adopt and enforce the latest national building, plumbing, mechanical, and fire prevention codes.
- SE 5.3.9: Provide public safety education and awareness and ensure fire code compliance.

Impact: PS-2: Substantial adverse physical impact or significant environmental impacts associated with provision or new or physically altered police protection facilities.

Mitigation: The GPU contains a range of goals and policies which will serve to mitigate potential impacts to a less-than-significant level, as described below:

- SE 5.5.1: Actively involve citizens in crime prevention and public safety awareness through programs such as Neighborhood Watch and Community Oriented Policing and Problem Solving (COPPS).
- SE 5.5.2: Ensure that the police department has the necessary personnel to protect the citizens of Reedley.
- SE 5.5.3: Strive to maintain a ratio of 1.5 officers per 1,000 citizens
- SE 5.5.4: Provide comment on design of public and private spaces to minimize opportunities for criminal activity.
- SE 5.5.5: Maintain effective disaster response plans that address emergency response and traffic control and security of damaged areas.
- SE 5.5.6: Maintain the Community Facilities District as a way to fund additional officers and equipment to service new development.

Impact: PS-3: Substantial adverse physical impact or significant environmental impacts associated with provision or new or physically altered school services.

Mitigation: The GPU contains a range of goals and policies which will serve to mitigate potential impacts to a less-than-significant level, as described below:

- LU 2.7.64: Encourage the Kings Canyon Unified School District to develop new elementary schools as needed at locations shown on the General Plan Land Use map.
- LU 2.7.72: The City shall coordinate the location of school sites in the community with the Kings Canyon Unified School District and the State Center Community College District. This will provide the coordination necessary for both the City and the Districts to designate optimum sites for future development.
- LU 2.7.73: Work with Reedley Community College to facilitate expansion plans and provide student housing.

Impact: PS-4: Substantial adverse physical impacts or significant environmental impacts associated with provisions of new or physically altered park and recreation facilities.

Mitigation: The GPU contains a range of goals and policies which will serve to mitigate potential impacts to a less-than-significant level, as described below:

- COSP 4.17.2: Update park impact fees to fund the acquisition and development of land for park and recreation facilities, pursuant to the General Plan.
- COSP 4.17.7: The Subdivision Ordinance shall require that residential builders provide a neighborhood park minimum of four acres per thousand and establish dedication and reservation requirements for open space, parkways and trail systems in new developments.
- COSP 4.17.10: Adopt the Reedley Parks and Recreation Master Plan and update the Master Plan every five years to review priorities and schedules for development of future parks or upgrade of existing parks.
- COSP 4.17.11: Establish priorities for the development of planned parks based on anticipated community need and acquire and develop the proposed park sites in accordance with these priorities.

Impact: PS-5: Substantial adverse physical impacts or significant environmental impacts associated with provisions or other new or physically altered services (Hospitals and Libraries).

Mitigation: No direct or indirect mitigation required.

Finding: The City Council finds, based upon the Final EIR and the whole of the record, that the Project will result in less-than-significant impact to public service resources impact categories PS-1 through PS-5. The implementation of the GPU goals and policies, as mitigation measures will reduce any associated impact to a less-than-significant level.

2.12 Traffic and Transportation

Impact: T-1: Conflict with applicable measures of effectiveness of the circulation system.

Mitigation: The GPU contains a range of goals and policies which will serve to mitigate potential impacts to a less-than-significant level, as described below:

- CIR 3.2A: The City will design and maintain a fully integrated local transportation network that provides for the movement of people and goods in an orderly, safe, and efficient manner.
- CIR 3.2B: Maintain a level of service (LOS) of "C" or better.
- CIR 3.2C: Plan and develop a street and highway system so as to maximize its effectiveness while minimizing its cost of construction and maintenance.
- CIR 3.2.2: Apply consistent standards for new street development based on traffic carrying capacity and classification.
- CIR 3.2.3: The design of major arterials, arterials, collectors and local streets shall comply with the adopted City of Reedley, Public Works, Standards, Specifications and Standard Plans Manual.
- CIR 3.2.11: Major arterials shall provide for through traffic movement on continuous routes with limited direct access to abutting property. Intersections with cross streets are generally at grade and generally spaced a minimum of one-half mile apart.
- CIR 3.2.12: Arterials provide for through traffic movement on continuous routes, joining major traffic generators, major arterials, and other arterials. Access to abutting property should be controlled and limited.
- CIR 3.2.13: Collectors provide internal traffic movement within an area and connect local roads to the arterial system. Access to abutting property is generally permitted.
- CIR 3.2.21: The City should ensure completion of planned arterial and collector streets as they become necessary to serve developing urban areas or unmet traffic demands of the City by the following:
 - (a) Adopt a street improvement program based on a needs priority system.
 - (b) Require dedication and improvement of necessary street facilities as a condition of land development.
 - (c) Coordinate the street improvement program with other public service facility improvement programs.
 - (d) Utilize available FCTA, State and Federal funds for street and highway development.
- CIR 3.2.24: The City should insure the installation of signals, roundabouts, signs, lighting, and other traffic improvements necessary for the safe and efficient

movement of vehicular traffic and pedestrians within the City by the following:

- (a) Adopt and maintain a traffic safety and operations improvement program based on a needs priority system as part of the City street improvement program.
- (b) Require the installation of necessary street improvements as a condition of land development.

CIR 3.2.25: The City shall encourage the use of traffic calming designs such as roundabouts, bulb-outs, etc., where they will improve the operation or LOS of a street.

CIR 3.2.26: Where a portion of the right-of-way of a planned new street lies outside the boundaries of property proposed for development under a subdivision, site plan review, or conditional use permit application, the applicant may be required, depending on the magnitude of the development and the amount of traffic it will generate, to dedicate sufficient right-of-way width to allow for the development of two travel lanes and one shoulder, curb, gutter and planting area.

CIR 3.2.27: Development resulting in any of the following shall be required, as part of the special permit approval process, to have a licensed engineer complete a traffic impacts study. The scope of that study shall be determined by the City Engineer and paid for by the developer.

- (a) 500 vehicle trips per day; or
- (b) 250 a.m. or p.m. peak hour trips; or
- (c) 25 Percent increase to existing traffic conditions from the development project.

CIR 3.2.28: Development resulting in any of the following shall be required, as part of the special permit approval process, to have a licensed engineer complete a traffic impacts study. The scope of that study shall be determined by the City Engineer and paid for by the developer.

- (a) 500 vehicle trips per day; or
- (b) 250 a.m. or p.m. peak hour trips; or
- (c) 25 Percent increase to existing traffic conditions from the development project.

CIR3.2.29: Continue to seek and secure financing for all components of the transportation system through the use of special taxes, assessment districts, developer dedications and fees, or other appropriate mechanisms to be applied uniformly throughout the City.

- (a) The City Engineer shall periodically prepare a report with recommendation to the City Council to ensure transportation funding is sufficient to meet the City's LOS standard.

CIR 3.2.30: Pursue the implementation of city-wide fees on new development sufficient to cover the fair share portion of that development's impacts to the street and highway system that is not covered by other funding sources.

CIR 3.2.31: Review of local and regional transportation plans and capital improvement plans to ensure that only new development projects consistent with this plan are being proposed and funded.

COSP 4.5.1: The City shall consider measures to increase the capacity of the existing road network prior to constructing more capacity. Measures that may increase capacity and reduce congestion on existing roads include:

- (a) Where possible, synchronize traffic signals to assure smooth-flowing traffic through intersections;
- (b) Modify intersections using turn restrictions, channelization, enhanced pavement, or traffic circles where necessary and feasible; and
- (c) Redirect truck traffic.

Impact: T-2: Conflict with an applicable congestion management program.

Mitigation: All circulation Element policies with no other direct or indirect mitigation required.

Impact: T-3: Substantial adverse physical impacts or significant environmental impacts associated with provisions or other new or physically altered services (Hospitals and Libraries).

Mitigation: The GPU contains a range of goals and policies which will serve to mitigate potential impacts to a less-than-significant level, as described below:

- CIR 3.2A: The City will design and maintain a fully integrated local transportation network that provides for the movement of people and goods in an orderly, safe, and efficient manner.
- CIR3.2.5: The City shall revise roadway standards for future streets to include the following:
 - (a) Narrow street widths, particularly on local roadways.
 - (b) Revise geometrics of street intersections, including smaller turning radii, to the maximum extent practical to slow turning movements, thereby, improving safety for pedestrians.
 - (c) Tree lined streets, including parkways between the curb and sidewalk.
 - (d) Along major streets, landscaped medians shall be constructed.
 - (e) Revised Street Standards shall ensure efficient and safe access for emergency vehicles.
 - (f) Roundabouts shall be located at selected street intersections to improve traffic flow, reduce air emissions and to provide community landmarks.
 - (g) Circulation plans for pedestrian, bicycle and vehicle traffic shall provide for effective connections to major community facilities, such as the Kings River, Rail Trail, downtown, Reedley College, Reedley High School, elementary schools, parks and employment areas.
 - (h) Street designs for collector and arterial roadways shall include provisions for future fixed route transit systems.
 - (i) Traffic signals where warrants for traffic demands are met.
- CIR 3.2.24: The City should insure the installation of signals, roundabouts, signs, lighting, and other traffic improvements necessary for the safe and efficient movement of vehicular traffic and pedestrians within the City by the following:
 - (a) Adopt and maintain a traffic safety and operations improvement program based on a needs priority system as part of the City street improvement program.

- (b) Require the installation of necessary street improvements as a condition of land development.
- CIR-1: The City will work with the California Public Utilities Commission to develop reasonable and feasible mitigation measures for potential safety impacts at existing SJVRR rail crossings within the city limits and proposed SOI resulting from increased vehicle, pedestrian, and bicycle use of these crossings as a result of new development projects. The plan will identify one or more mechanisms for assessing safety improvement needs over time and for funding improvements as they are needed. Representative could improvements include, but may not be limited to: improvements to existing warning devices, addition of new devices and signage, improvements to traffic signaling, installation of pedestrian-specific warning devices and other improvements, and installation of medians to prevent by-passing of crossing gates.

Impact: T-4: Result in inadequate emergency access.

Mitigation: The GPU contains a range of goals and policies which will serve to mitigate potential impacts to a less-than-significant level, as described below:

LU 2.6F: Street standards shall be revised to reflect Complete Streets design which includes the following:

- 1) Narrow street widths, particularly on local streets, to the maximum extent practical.
- 2) Revised geometrics of street intersections, including smaller turning radii.
- 3) Tree-lined streets, including parkways between the curb and sidewalk.
- 4) Along major streets, landscaped medians shall be constructed.
- 5) Revised street standards shall ensure safe and efficient access for emergency vehicles
- 6) Roundabouts shall be located at selected street intersections to improve traffic flow, reduce air emissions and to provide community landmarks.
- 7) Circulation plans for pedestrian, bicycle and vehicle traffic shall provide for effective connections to major community facilities, such as the Kings River, Rail Trail, Downtown, Reedley College, Reedley High School, elementary schools and parks and employment areas.
- 8) Street designs for collector and arterial roadways shall include provisions for future fixed route transit systems.

CIR 3.2.5: The City shall revise roadway standards for future streets to include the following:

- (a) Narrow street widths, particularly on local roadways.
- (b) Revise geometrics of street intersections, including smaller turning radii, to the maximum extent practical to slow turning movements, thereby, improving safety for pedestrians.
- (c) Tree lined streets, including parkways between the curb and sidewalk.
- (d) Along major streets, landscaped medians shall be constructed.

- (e) Revised Street Standards shall ensure efficient and safe access for emergency vehicles.
- (f) Roundabouts shall be located at selected street intersections to improve traffic flow, reduce air emissions and to provide community landmarks.
- (g) Circulation plans for pedestrian, bicycle and vehicle traffic shall provide for effective connections to major community facilities, such as the Kings River, Rail Trail, downtown, Reedley College, Reedley High School, elementary schools, parks and employment areas.
- (h) Street designs for collector and arterial roadways shall include provisions for future fixed route transit systems.
- (i) Traffic signals where warrants for traffic demands are met.

Impact: T-5: Result in inadequate parking capacity.

Mitigation: The proposed GPU includes Goal CIR 3.9A that requires the City to promote a parking program that accommodates the parking needs of each land use type. Several policies in the Land Use and Circulation Elements of the proposed GPU also support the provision of adequate parking including requiring commercial, industrial and residential developments to provide adequate parking (LU 2.7.17 and CIR 3.91). CIR 3.9.2 requires that the City evaluate parking standards for new development in the Central Downtown area to ensure that parking is provided within walking distance.

Finding: The City Council finds, based upon the Final EIR and the whole of the record, that the Project will result in less-than-significant impact to traffic and transportation resources impact categories T-1 through T-5. The implementation of the GPU goals and policies, as mitigation measures will reduce any associated impacts to these impact categories to a less-than-significant level.

2.13 Utilities Resources

Impact: UTIL-1: Increased water demand requiring new or expanded water facilities, the construction which could cause significant environmental effects.

Mitigation: The GPU includes policies to ensure that adequate water infrastructure is available to support this new growth including CIR 3.10.2, which requires the City to identify capital facilities necessary to maintain City water services, and CIR 3.10.3, which requires that adequate funds are collected to operate and maintain existing facilities and to construct new facilities as needed.

Impact: UTIL-2: Increase development requiring new or expanded storm water drainage facilities, the construction of which could cause significant environmental effects.

Mitigation: Discussion in Section 2.9 Hydrology and Water Quality includes details about the policies contained in the GPU that ensure adequate storm water facilities are provided by new development.

Impact: UTIL-4: Increase generation of solid waste requiring new or expanded landfill capacity.

Mitigation: No direct or indirect mitigation required.

Finding: The City Council finds, based upon the Final EIR and the whole of the record, that the Project will result in less-than-significant impact to public utilities impact categories UTIL-1 through UTIL-4. The implementation of the GPU goals and policies, as mitigation measures will reduce any associated impact to a less-than-significant level.

2.14 *Effects Found Not To Be Significant*

Impact: Mineral Resources

Mitigation: The GPU contains a range of goals and policies which will serve to mitigate potential impacts to a less-than-significant level, as described below:

- MRZ-1: Areas where adequate information indicates that no significant mineral deposits are present, or where it is judged that little likelihood exists for their presence.
- MRZ-2: Areas where adequate information indicates that significant mineral deposits are present, or where it is judged that a high likelihood for their presence exists.
- MRZ-3: Areas containing mineral deposits, the significance of which cannot be evaluated from available data.
- MRZ-4: Areas where available information is inadequate for assignment into any other MRZ.

Impact: Population and Housing

Mitigation: The GPU contains a range of goals and policies which will serve to mitigate potential impacts to a less-than-significant level, as described below:

- LU 2.5.2: Development standards shall incorporate measures to protect and preserve agricultural land.
- LU 2.5.7: Require contiguous development within the SOI unless it can be demonstrated that the development of contiguous property is infeasible. An analysis of the fiscal impacts on public utilities including water, surface transportation, and service shall be required as part of the application to annex new territory into the City.
- LU 2.5.8: The City shall not support annexing land for residential development until at least eighty (80) percent of the existing residentially designated land inside the city limits is developed.
- LU 2.5.12: New urban development should occur in an orderly manner with initial development occurring on the available undeveloped properties which are closer to the built-up area.
- LU 2.5.13: The City should promote and provide urban services to development within the City as a means of controlling and directing growth.
- LU 2.7.6: Guide new development into compact neighborhoods around commercial centers, public open space and schools.

LU 2.7.8: Insure that residential development occurs in areas that have sufficient infrastructure to accommodate the density of residential development being proposed.

Finding: The City Council finds, based upon the Final EIR and the whole of the record, that the Project will result in less-than-significant impact to mineral resources, and population and housing. The implementation of the GPU goals and policies, as mitigation measures will reduce any associated impacts to a less-than-significant level.

VII. Finding Regarding Significant and Unavoidable Environmental Impacts With Mitigation Measures

A. Statement

The Final EIR identified a number of potentially significant environmental impacts that could result from the Project. 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 the environment. After the implementation of the proposed mitigation measures the environmental issues related to Agricultural Resources, Air Quality, Public Utilities, Urban Growth Management, Hydrology (cumulative) and Green House Gas Emission (cumulative) that remain significant and unavoidable environmental impacts associated with the Project. A description of the significant and unavoidable effects, including the imposition of all feasible mitigation measures, with legal findings are presented below.

B. Significant and Unavoidable Impacts with Mitigation Measures

2.2 *Agricultural Resources*

Impact: AG-1: Conversion of approximately 2,983 acres of prime farmland, unique farmland, and/or farmland of statewide importance to non-agricultural use.

Mitigation: The GPU contains a range of goals and policies which will serve to reduce potential impacts, but do not fully mitigate impacts to a less-than-significant level:

LU 2.5.1: In areas outside the city limits, the City shall encourage Fresno County to:

- a) Maintain an exclusive agricultural zone district.
- b) Maintain a minimum permitted lot size for agricultural land which ensures that the land can be used for commercial agricultural purposes.

LU 2.5.2: New development will only be approved in sequential fashion contiguous to existing development to ensure orderly extension of municipal services and unnecessary conversion of agricultural lands. Development standards shall incorporate measures to preserve and protect agricultural land as set forth in Policies LU 2.5.1 through LU 2.5.18 and COSP 4.3.1 through 4.3.4.

LU 2.5.3: The City shall oppose formation of new land conservation contracts on land adjacent to the City's boundaries. The City shall also work with owners of land within the SOI who wish to file for non-renewal of Williamson Act contracts in advance of urban development.

LU 2.5.4: Within one year of the adoption of the GPU, the City shall consider adoption of a right-to-farm ordinance which will require purchasers of residential,

industrial and/or commercial properties within close proximity to existing agricultural uses to acknowledge that their land borders, or is in close proximity to, agricultural land and will endure the potential impacts of that interface. The goal of this proposed ordinance is to promote and protect existing agriculture operations, allowing farmers/ranchers to conduct operations when urban land uses extend into natural resource areas or are side-by-side, and, address the subject of frequent nuisance complaints. This Ordinance shall be implemented through a right-to-farm covenant to be recorded against the dominant and subordinate properties.

- LU 2.5.5: The City shall discourage the development of peninsulas of urban development into agricultural lands.
- LU 2.5.6: In cooperation with Fresno County, Fresno Local Agency Formation Commission (LAFCO), community and agricultural industry stakeholders, the City shall adopt and maintain a SOI consistent with the goals and policies of this GPU. The sphere of influence shall serve the mutual interest of the County and City by preserving agricultural uses from incompatible or unplanned urban uses.
- LU 2.5.7: Require contiguous development within the SOI unless it can be demonstrated that the development of contiguous property is infeasible. An analysis of the fiscal impacts on public utilities including water, surface transportation, and service shall be required as part of the application to annex new territory into the City.
- LU 2.5.8: The City shall not support annexing land for residential development until at least eighty (80) percent of the existing residentially designated land inside the city limits is developed.
- LU 2.5.9: Work with Fresno County and Fresno LAFCO to maintain agricultural designations in areas outside the Reedley SOI.
- LU 2.5.10: Continue to maintain a Memorandum of Understanding (MOU) with Fresno County which clearly sets forth the following:
 - a) The County shall not approve any discretionary development permit for new urban development within the City's SOI unless that development has first been referred to the City.
 - b) That the development is orderly.
 - c) County shall require development standards of the City of Reedley, when development is within the existing SOI.
 - d) The City application for the annexation of any new territory be consistent with the Cortese-Knox Act.
 - e) City initiated annexation shall have development eminent, with at least fifty (50) percent of the proposed area having an approved site plan and/or tentative map.
- LU 2.5.11: The Plan should foster the establishment of a concentrated urban development pattern, with land outside the planned urban area being designated exclusively for Agriculture.
- LU 2.5.12: New urban development should occur in an orderly manner with initial development occurring on the available undeveloped properties within the City's limits which would be considered in-fill, by-passed parcels or in parcels in close proximity to the urban core, places of employment and established neighborhoods.
- LU 2.5.13: The City should promote and provide urban services to development within the City as a means of controlling and directing growth.

- LU 2.5.14: Initial development shall incorporate the necessary infrastructure to accommodate future development for the surrounding area consistent with the goals and objectives of the GPU. Reimbursement agreements or other mechanisms may be provided to the developer as a means to share the equitable burden of costs.
- LU 2.5.15: Provide transitional design between land use types and high quality urban uses.
- LU 2.5.16: The City shall encourage in-fill projects that incorporate pedestrian-oriented design.
- LU 2.5.17: The City shall propose plan areas and zone districts that can accommodate mixed use planning that will provide a combination of residential, commercial services and employment opportunities all within close proximity.
- LU 2.5.18: From the adoption date of this GPU, the City shall annex a maximum of five hundred (500) acres from within the existing SOI (@1,797-acres). Only when a Farmland Preservation Program is adopted for implementation shall the City propose additional lands for orderly annexation. The Farmland Preservation Program is discussed in great detail in Section 4.3 Agriculture.
- COSP4.3.1: Support the efforts of the County of Fresno and agricultural and community stakeholders to preserve and protect farmlands outside the centralized core of the City.
- COSP4.3.2: Maintain a 20-acre minimum parcel size for agriculturally designated parcels to encourage viable agricultural operations and to prevent parcelization into rural residential or ranchette developments.
- COSP4.3.3: The City shall prepare and adopt a Farmland Preservation Plan (FPP). This plan shall include a set of policies, standards and measures to avoid the unnecessary conversion of agricultural lands. For each policy, standard or measure, the plan shall include a discussion of the following: (1) How the policy would minimize a potential detrimental effect caused by urban development; (2) Whether and how the policy would assist in avoiding the premature conversion of Prime Farmland, Unique Farmland or Farmland of Statewide Importance; (3) How the policy, standard or measure would be integrated into the entitlement process; and, (4) How the policy, standard or measure would be enforced through the regulatory environment.

The FPP shall include the following policies:

- a) The City shall protect agriculturally designated areas, and direct urban growth away from productive agricultural lands into urbanized or underdeveloped portions of the City.
- b) The City shall collaborate with the Fresno County Local Area Formation Commission (LAFCo). Fresno County and land owners to encourage minimum parcel sizes of 20 acres or more for land designated for agriculture and/or evidence of commercial agricultural use prior to entering into new Williamson Act contracts.
- c) The City shall not protest the renewal of Williamson Act Contracts with regard to land located within the City's SOI, but not adjacent or in close proximity to the City's current boundary, where the land's minimum parcel size is at least 20 acres and the land owner has provided evidence satisfactory to the City that the land is currently being used for commercial agricultural operation.

- d) The City shall support the efforts of public, private, and non-profit organizations to preserve Prime Farmland, Unique Farmland or Farmland of Statewide Importance located in Fresno County through the dedication of conservation easements and the preservation of range land held as environmental mitigation.
- e) The City shall encourage the installation of solar and wind energy production facilities in agricultural areas so long as they do not result in a tax burden to Fresno County, do not result in permanent water transfers from productive agricultural land, do not hinder agricultural operations on adjacent land, or do not require cancellation of Williamson Act contracts. In addition, these facilities should include dedications of agricultural land and habitat mitigation, measures to control erosion, and assurances for financing decommissioning activities.
- f) The City shall actively collaborate with landowners, cities, state and federal agencies, colleges, universities, stakeholders, and community-based organizations to continue to expand agricultural preservation in the surrounding Fresno County area.
- g) The City shall discourage public agencies from locating facilities, especially schools, in existing agricultural areas.
- h) The City shall encourage the voluntary merger of antiquated subdivision lots that conflict with adjacent agricultural uses.

The FPP shall include the following implementation measures:

- a) A provision designating the Community Development Department as the department responsible for the preparation and implementation of the FPP, once adopted and directing the Department to prepare annual reports to the City Council describing progress made toward the preparation, adoption and implementation of the final FPP.
- b) The creation of a community outreach program to encourage current agricultural land owners' continued participation in programs that preserve farmland, including the Williamson Act, conservation easements, and USDA-funded conservation practices.
- c) Amend the Reedley Municipal Code within 12 months of adoption of the GPU to provide at least for the following:
 - 1) Amend the zoning ordinance to require a minimum 100-foot buffer between new residential development and existing agricultural operations, and to establish design/maintenance guidelines for developers and property owners. The 100-foot buffer will create an appropriate transitional space between urban and agricultural land uses so as to facilitate continued agricultural operations.
 - 2) Amend Chapter 10-6A, the Residential Estate (RE) District section, which is intended to provide living areas that combine both the urban and rural setting, to add provisions to prevent premature conversion of

agricultural land, which could cause incompatible land uses and potential conflicts.

3) Amend the subdivision ordinance to facilitate the voluntary merger of antiquated subdivision lots that conflict with adjacent agricultural uses.

4) Amend the zoning ordinance to include provisions requiring that environmental review expressly analyze the potential for a proposed entitlement or permit to create incompatibilities with agricultural uses through traffic generation, groundwater contamination, storm-water drainage disposal and/or the deterioration of air quality.

d) The City shall manage extension of public utilities and infrastructure to avoid extending them into agricultural areas before those areas are committed to conversion of urban uses.

COSP 4.3.4: In conjunction with the preparation, adoption and implementation of the Farmland Preservation Plan described in Policy COSP 4.3.3, the City shall develop and consider the adoption of a program that shall require new development within the SOI to fund farmland preservation efforts. The goal of this program is to preserve designated Prime Farmland, Unique Farmland, and Farmland of Statewide Importance (together "Farmland") that otherwise runs the risk of being converted to urbanized development. This program shall act as a mitigation program in response to the necessary agricultural land conversion that occurs as a result of the City's expansion into its SOI. The City shall not support the annexation of lands in excess of a total of 500 acres within the City's existing SOI until this program, or a program that accomplishes the same goals, has been adopted and other actions and approvals necessary to the implementation of the program have been completed. Among other provisions, the program shall include the following evaluation and performance requirements:

a) Program Goal: As Prime Farmland, Unique Farmland, and Farmland of Statewide Importance within the City's SOI is converted to urban uses, secure the permanent preservation of other Prime Farmland, Unique Farmland, and Farmland of Statewide Importance within Fresno County on a 1 for 1 basis.

b) Evaluation Process: To accomplish the program goal, as part of the entitlement application process Farmland proposed for conversion will be evaluated using the Land Evaluation and Site Assessment (LESA) model issued by the California Department of Conservation. The LESA model provides an analytical approach for rating the relative quality of land resources based upon specific factors, such as soils, site acreage, water availability, and surrounding land uses. The LESA model worksheets are provided in Appendix A, Evaluation and Site Assessment (LESA) Model, California Department of Conservation.

c) Fee Program: The City shall develop and adopt a fee program consistent with the requirements of the Mitigation Fee Act that will require applicants seeking to annex Farmland within the City's SOI to pay a fee to the City of Reedley equivalent to the cost of preserving Important Farmland on a 1 to 1 basis with land

converted to urban uses. The City shall use the fees to fund an irrevocable instrument (e.g. an easement) to permanently preserve farmlands via a Trust for Farmland Funds Disbursements.

- d) Alternative to Payment of Fee: As an alternative to the payment of the fee described in subsection (c), applicant shall provide documentation satisfactory to the City that demonstrates that applicant has entered into a binding agreement with one or more property owners or a third-party organization acceptable to the City of Reedley (e.g. the Sequoia Riverlands Trust) to permanently preserve farmland equivalent in acreage to the Farmland proposed for annexation into the City. The agreement shall identify an irrevocable instrument that will be recorded against the preserved property.
- e) This program will also involve the City maintaining a current list of organizations and owners of Farmland that can facilitate the acquisition of conservation easements so as not to unduly delay the annexation of the land into the City and completion of the proposed development.

Finding: The City Council finds, based upon the Final EIR and the whole of the record, that the above described GPU goals and policies, as mitigation measures would minimize the associated impact to agricultural resources, but cannot reduce the impact to a less-than-significant level. There are no other reasonable or feasible mitigation measures identified in the EIR or through the preparation of the EIR, either by the consultant, staff, or any commentator, that would reduce the impact to a less-than-significant level.

Based upon the above, there is no identified mitigation measure or feasible project alternative that could avoid or reduce this cumulative impact to a less-than-significant level. Therefore, this agricultural impact is cumulatively significant and unavoidable.

Impact: AG-2: Conflict with existing zoning or Williamson Act contracts.

Mitigation: The GPU contains a range of goals and policies which will serve to reduce potential impacts, but do not fully mitigate impacts to a less-than-significant level:

LU 2.5.1: In areas outside the city limits, the City shall encourage Fresno County to:

- a) Maintain an exclusive agricultural zone district.
- b) Maintain a minimum permitted lot size for agricultural land which ensures that the land can be used for commercial agricultural purposes.

LU 2.5.2: Development standards shall incorporate measures to protect and preserve agricultural land.

LU 2.5.4: Within one year of the adoption of the GPU, the City shall adopt a right-to-farm ordinance which will require purchasers of residential, industrial and/or commercial properties within close proximity to existing agricultural uses to acknowledge that their land borders, or is in close proximity to, agricultural land and will endure the potential impacts of that interface. The goal of this proposed ordinance is to promote and protect existing agriculture operations, allowing farmers/ranchers to conduct operations when urban

land uses extend into natural resource areas or are side-by-side, and, address the subject of frequent nuisance complaints. This Ordinance shall be implemented through a right-to-farm covenant to be recorded against the dominant and subordinate properties.

- LU 2.5.7: Require contiguous development within the SOI unless it can be demonstrated that the development of contiguous property is infeasible. An analysis of the fiscal impacts on public utilities including water, surface transportation, and service shall be required as part of the application to annex new territory into the City.
- LU 2.5.8: The City shall not support annexing land for residential development until at least eighty (80) percent of the existing residentially designated land inside the city limits is developed.
- LU 2.5.9: Work with Fresno County and Fresno LAFCO to maintain agricultural designations in areas outside the Reedley SOI.
- LU 2.5.11: The Plan should foster the establishment of a concentrated urban development pattern, with land outside the planned urban area being designated exclusively for Agriculture.
- LU 2.5.12: New urban development should occur in an orderly manner with initial development occurring on the available undeveloped properties within the City's limits which would be considered in-fill, by-passed parcels or in parcels in close proximity to the urban core, places of employment and established neighborhoods.
- COSP4.3.2: Maintain a 20-acre minimum parcel size for agriculture designated parcels to encourage viable agricultural operations and to prevent parcelization into rural residential or ranchette developments.

Finding: The City Council finds, based upon the Final EIR and the whole of the record, that the above described GPU goals and policies, as mitigation measures would minimize the associated impact to agricultural resources, but cannot reduce the impact to a less-than-significant level. There are no other reasonable or feasible mitigation measures identified in the EIR or through the preparation of the EIR, either by the consultant, staff, or any commentator, that would reduce the impact to a less-than-significant level.

Based upon the above, there is no identified mitigation measure or feasible project alternative that could avoid or reduce this cumulative to a less-than-significant level. Therefore, this agricultural impact is a significant and unavoidable.

2.3 *Air Quality Resources*

Impact: AQ-1: Conflict with or obstruct an Air Quality Management Plan or violate an air quality standard.

Mitigation: The GPU contains a range of goals and policies which will serve to reduce potential impacts, but not to a less-than-significant level, as described below:

- COSP 4.4.1: The City shall determine project air quality impacts using analysis methods and significance thresholds recommended by the San Joaquin Valley Air Pollution Control District (SJVAPCD).

Impact: AQ-2: Cumulatively considerable increase in criteria pollutants for which the air basin is in Non-Attainment (Ozone and PM10).

Mitigation: The GPU includes policies to ensure that configuration of land uses to promote residential, commercial and industrial development is orderly and in a compact pattern. The GPU includes policies that require development projects to comply with procedures and standards outlined in the air district's GAMAQI, which establishes a three tiered approach to determining significance related to project-specific quantified ozone precursor emissions. Compliance with policies contained in GPU Section 4.4 and 4.6, in addition to compliance with air district requirements would further reduce construction emissions resulting from future development. The GPU also contains a range of goals and policies which will serve to reduce potential impacts but do not fully mitigate impacts to a less-than-significant level.

Finding: The City Council finds, based upon the Final EIR and the whole of the record, that the above described GPU goals and policies, as potential mitigation measures would minimize the associated impact to air quality resources, but cannot reduce the impact to a less-than-significant level. There are no other reasonable or feasible mitigation measures identified in the EIR or through the preparation of the EIR, either by the consultant, staff, or any commentator, that would reduce the impact to a less-than-significant level.

Based upon the above, there is no identified mitigation measure or feasible project alternative that could avoid or reduce this cumulative impact to a less-than-significant level. Therefore, this air quality impact is a cumulatively significant and unavoidable impact.

2.3 *Climate Changes (Greenhouse Gas Emissions)*

Impact: CC-1: Generate GHGs that may have a significant impact on the environment, and conflict with an applicable plan, policy, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

Mitigation: The GPU contains a multitude of polices that will serve to minimize GHG emissions (Appendix D, GHG Reduction Polices) but do not fully mitigate impacts to a less than-significant level:

COSP4.11.1: By 2020, the City will reduce greenhouse gas emissions from within its boundaries to a level 15% less than the level that would otherwise occur if all activities continued under a "business as usual" scenario.

COSP4.11.2: The City will establish a Climate Action Plan² which will include measures to reduce GHG emissions from municipal, business and community activities by at least 15% by 2020 compared to "business as usual" (including any reductions required by ARB under AB 32).

COSP4.11.3: The City will ensure that local Climate Action, Land Use, Housing, and Transportation Plans support and enhance any regional plans developed consistent with state guidance to achieve reductions in GHG emissions.

GHG-1: Until such time as the City adopts a Climate Action Plan, the City shall review and require all future development projects to be consistent with the GHG emissions impact analysis and mitigation framework developed by the SJVAPCD as part of its Climate Change Action Plan. Future projects which are not exempt from review under the Climate Change Action Plan

framework shall demonstrate that GHG emissions reduction measures have been included in the project design to reduce total emissions by 29 percent or the SJVAPCD emissions reduction threshold in effect at the time environmental review is being conducted for individual projects.

Finding: The City Council finds, based upon the Final EIR and the whole of the record, that the above described GPU goals and policies, as potential mitigation measures would minimize the associated impact to climate changes (Greenhouse Gas Emissions), but cannot reduce the impact to a less-than-significant level. There are no other reasonable or feasible mitigation measures identified in the EIR or through the preparation of the EIR, either by the consultant, staff, or any commentator, that would reduce the impact to a less-than-significant level.

Based upon the above, there is no identified mitigation measure or feasible project alternative that could avoid or reduce this cumulative impact to a less-than-significant level. Therefore, this climate change (Greenhouse Gas Emissions) impact is cumulatively significant and unavoidable.

2.9 Hydrology and Water Quality

Impact: HYD-2: Substantially deplete groundwater supplies or interfere with groundwater recharge.

Mitigation: The GPU contains a range of goals and policies which will serve to reduce potential impacts to reduce the City's demand for groundwater resources and enhance groundwater replenishment/recharge, but do not fully mitigate impacts to a less-than-significant level.

CIR 3.10.1: The City shall adopt the 2010 Urban Water Management Plan in accordance with California Water Code, Division 6, by January 2014;

- a) The Plan shall be prepared in accordance with Article 1, Sections 10620-10621.
- b) The contents of this Plan shall be consistent with Article 2. Contents of Plans, Sections 10630-10634.
- c) The implementation of the Plan shall be in accordance with Article 3. Adoption and Implementation of Plans, Sections 10640-10645.
- d) After the adoption of the 2010 Urban Water Management Plan, the City shall prepare and adopt the 2015 Urban Water Management Plan, pursuant to the California Water Code, Division 6.
- e) Should the Plan expire at any time, pursuant to State Law, the City shall not support the approval of unincorporated territory, General Plan, zone change and/or tentative tract map entitlement applications.

CIR 3.10.2: The City shall identify capital facilities necessary to maintain service in the City of Reedley as the City expands.

CIR 3.10.3: The City Council shall annually review and adopt updates of development impact fees, water connection charges, and volume-based monthly service charges to ensure that adequate funds are collected to operate and maintain existing facilities and to construct new facilities for delivery, monitoring, and storage.

CIR 3.10.4: The City shall actively support efforts to expand surface water supply and storage that benefits the City. These efforts should include, but not be limited

to, coordination with Irrigation Districts for water banking, and WWTP effluent recycling and percolation.

- CIR 3.10.5: The City shall require that necessary water supply infrastructure is available prior to constructing new development, and approve development entitlements only when there is assurance of a dependable and adequate water supply that will serve the development.
- CIR 3.10.6: Any development project which meets the definition of a “water-demand project”, pursuant to the CEQA Guidelines, Section 15155, shall be required to prepare a “water assessment” in accordance with Water Code Sections 10910 & 10915. The City Council shall formally consider approval of the assessment within the time period required by applicable law and prior to the approval of any development entitlements for the development project.
- CIR 3.10.7: The City shall cooperate with surrounding water management authorities and irrigation districts to develop a comprehensive water management and recharge program which addresses the long-term stabilization of the Kings Basin and the transfer of excess WWTP effluent recycled water for use by the districts for recharge or use by their constituents.
- CIR 3.10.8: Through the entitlement process described in the RMC, the City shall require as a condition of approval that new development will be required to install water meters which meet the City’s standards.
- CIR 3.10.9: The City shall encourage and cooperate with the private sector, as appropriate, to incorporate alternative methods of water reuse into new development, such as reclaimed water from irrigation, landscaping and purple pipe systems.
- CIR 3.10.10A: The City Council shall initiate the preparation and then consider adoption of a performance based Water Conservation Program (“WCP”) that addresses water consumption to help ensure an adequate water supply to accommodate the projected growth and development patterns proposed within this GPU. The policies and implementation measures contained in the WCP shall set performance standards for sustainable management of Reedley’s water production. The WCP, or a similar program that accomplishes the goals set forth below, shall be adopted and in effect prior to the implementation deadlines set forth in any of the policies set forth below. For each policy, standard and implementation measure identified below for inclusion in the WCP there shall be a discussion of the following: (1) How the policy, standard or implementation measure shall reduce per capita potable water consumption; (2) Whether and how the policy, standard or implementation measure would be integrated into the development entitlement process; and (3) how the policy, standard or implementation measure would be enforced through the regulatory environment.

The policies listed below have been assigned a date of anticipated implementation or completion. Those dates were determined by operational necessity and compliance, complexity of task and staffing capacity.

GOAL: To reduce per capita potable water consumption by an additional twenty (20) percent by the year 2020.

COMPLIANCE MONITORING AND REPORTING: After the adoption of the WCP, the Community Development Department shall provide an annual

report to the City Council progress made toward overall implementation of the WCP.

The WCP shall include the following policies and implementation measures:

- a) The WCP shall include a public education component that addresses various topics related to groundwater production, consumption, recharge and recycling. The public education activities listed below will occur annually at various times throughout the year:
 - 1) The annual water quality report, prepared by the Public Works Department, which includes statistics related to annual water consumption, discharge and containment, shall be presented to the City Council for its consideration of approval. After Council approval, the report shall be submitted to the State Department of Water Resources.
 - 2) The Public Works Department shall prepare an annual report that identifies, at a minimum, the amount of water used to irrigate the open space and the projected amount of groundwater recharge that has occurred. The City shall use industry standards to establish a formula to calculate the balancing of production to groundwater recharge.
 - 3) All water quality reports prepared by the Public Works Department that are required by the Regional Water Quality Board shall be presented to the City Council for its consideration of approval.
 - 4) The City shall develop publications and other forms of communication to City water customers to inform them regarding the City's efforts to reduce water consumption and ways the customers can assist with achieving the City's goals.
- b) By March 2014, City Council shall consider the adoption of a water utility plan to implement a city-wide public water system through the year 2030. The implementation of this plan will assist the City in identifying locations for future delivery and recharge infrastructure. The Plan will serve as a basis for the development of impact fees necessary for implementation of the plan.
- c) Within one (1) year of the adoption of the GPU, the City Council shall complete a thorough review of the City's development impact fee program and shall consider the adoption of a comprehensive update of the various fees included in the program.
 - 1) This review shall include, but not be limited to, Storm Drainage, Water Distribution, Groundwater Recharge, Water Supply/Holding and Waste Water Collection and Treatment.
 - 2) Within each topic area, the review shall include the analysis of existing conditions, proposed new development, need necessitated by future development and proportional cost attributed to land use

development.

- d) Within one (1) year of the adoption of the GPU, the City Council shall consider the amendment of RMC, Section 8-1-12 and other relevant provisions of the RMC related to Water Conservation, to include additional water conservation provisions and implementation measures to assist in implementing the provisions of Senate Bill No. 407 and State Building Code provisions related to water conserving plumbing fixtures and fittings, so as to meet or exceed a twenty (20) percent reduction in water consumption. Specific requirements added to the RMC would include, at a minimum, the following:
- 1) Shower head fixtures and fittings shall be designed and installed so that they will not exceed a water supply flow rate of 1.75 gallons per minute.
 - 2) Faucets at kitchens, lavatories, wet bars, laundry sinks, or other similar use fixtures shall be Water Sense labeled and installed so that they will not exceed a water supply flow rate of 1.5 gallons per minute.
 - 3) Toilet fixtures and fittings shall have an average consumption that does not exceed 1.1 gallons of water per flush.
 - 4) New residential dwellings that are equipped with clothes washers shall install washers that are ENERGY STAR qualified.
 - 5) The water pressure in a single family home shall not exceed 60 pounds per square inch (psi), with no detectable water leaks. Multifamily and midrise projects are exempt from the water pressure testing criterion but shall meet the requirements as stated in 1) through 4) above (Source: U.S. Green Building Council).
- e) The City shall strive to implement best management practices ("BMP") developed by the California Urban Water Conservation Council and provide annual reports to the City Council and the California Urban Water Conservation Council regarding its progress in implementing the BMP.
- f) The City shall consider the adoption of a Water Efficient Landscaping Ordinance that is as effective as, or more effective than, the Model Water Efficient Landscape Ordinance adopted by the California Department of Water Resources. The Ordinance shall contain applicability, definitions, provisions for new construction or rehabilitated landscapes, application requirements, water efficient landscape and certification. To further reduce outdoor water consumption, encourage water efficient landscaping practices through the reduction of turf grass by at least 40% and increasing the amount of plants that are native or adapted to the region by at least 25% (Source: U.S. Green Building Council).
- g) The City shall work with utility service providers such as PG&E who have rebate programs available to City's water customers to inform customers of the programs and to encourage them to utilize

- the programs to replace current water consuming appliances with water conserving appliances that are Energy Star rated.
- h) The City shall measure irrigation water used for parks/open space through the installation of standard water meters on all large park/open space areas, which may be creditable for recharge purposes. The installation of the meters will be completed within one year after the adoption of the GPU.
 - i) The City shall systematically replace failing irrigation controllers at City parks, median islands and other City facilities with landscape irrigation systems with irrigation controllers equipped with, at a minimum, rain and evapotranspiration sensors, with the goal of reducing water used for landscape irrigation by twenty (20) percent to forty (40) percent, as supported by studies performed in the industry. This replacement program shall commence when the GPU is adopted.
 - j) The City shall work cooperatively with land owners, local and regional water agencies, and irrigation districts which rely upon the Kings Basin as a source of water to identify and implement infrastructure projects and other programs that serve to reduce the use of groundwater and/or facilitate the recharge of the aquifer.
 - k) The City shall continue to work with the Upper Kings Basin Integrated Regional Water Management Authority in developing a strong coalition of water agencies, cities, counties and environmental groups to address local water issues.
- CIR 3.10.10B: As part of the City's formulation of its annual budget, City staff shall identify a list of capital facilities improvement projects, with proposed budgetary allocations, necessary to implement further reductions in water consumption and/or maintain service.
- CIR 3.10.11: By March 2014, City Council shall adopt a Waste Water Master Plan to address collection and treatment system. The implementation of this plan will assist the City in identifying general locations for future infrastructure. The Plan will also be vital to the development of impact fees which are necessary for implementation.
- CIR 3.10.12: The master plan will include analysis of the treatment needs as well as collector system disposal measures and funding mechanisms.
- CIR 3.10.13: The City shall acquire adequate land to be used for reclamation purposes.
- CIR 3.10.14: The City shall periodically review and update development impact fees, wastewater connection charges, and monthly service charges to ensure that adequate funds are collected to operate and maintain existing facilities and to construct new facilities.
- CIR 3.10.18: The City shall prepare and present to the City Council for consideration of adoption of a comprehensive set of policies to ensure an adequate storm water drainage system to support the growth and development patterns proposed within this GPU. These policies shall set performance standards for sustainable management of Reedley's storm water drainage system. The policies, including those set forth below, shall be adopted such that their provisions are implemented by the deadlines set forth in the proposed policies. If the policy does not contain a specific deadline for its implementation, it shall be considered for adoption within twelve (12) months

of the GPU's adoption. After the adoption of the GPU, the Community Development Department shall provide an annual report to the City Council describing progress made toward the development, adoption and overall implementation of these policies.

The staff analysis supporting each policy shall include a discussion of the following: (1) How the policy would minimize potential detrimental effect caused by the percolation of storm water; (2) Whether and how the policy would assist in the City's efforts to recharge the underground aquifer; (3) How the policy would be integrated into the entitlement process; and, (4) How the policy would be enforced through the regulatory environment. The policies shall include the following:

- a) The City shall develop and implement a public education component that addresses various topics related to collection and disposal of storm water and shall include periodic reports to the City Council and the public regarding its progress in implementing the policies. Specifically, this component shall include the following actions by the City Council:
 - 1) All legally required storm drainage reports prepared by the Public Works Department shall be presented to the City Council for consideration of adoption.
 - 2) All legally required National Pollutant Discharge Elimination System (NPDES) program reports, prepared by the Public Works Department shall be presented to the City Council for consideration of adoption.
 - 3) By March 2014, City Council shall consider the adoption of the Storm Drain Master Plan. The plan will assist the City in identifying locations for future infrastructure and ground water recharge opportunities. The Plan will also serve as basis for the development of updates to the impact fees which are necessary for implementation.
- b) The City shall develop standard operating procedures for vegetation management in storm water basins to ensure the basins structure and capacity is not compromised. The formal procedure shall be adopted within eighteen months after the adoption of the GPU.
- c) The City shall develop standard operating procedures for storm water measurement and for recording water levels in the basins. These procedures shall be adopted within eighteen months after the adoption of the GPU.
- d) The City shall develop standard operating procedures for documentation of interceptor monitoring and clean-out. The formal procedures shall be adopted within eighteen months after the adoption of the GPU.
- e) The City shall develop standard operating procedures for the bottom ripping of all storm water basins to ensure continual and optimal percolation. The procedures shall be adopted within eighteen months after the adoption of the GPU.
- f) As the City collects storm drainage development impact fees, and those fees become available, the City shall install measuring devices (e.g. flow meters, visually marked measuring poles) on

drain inlets to measure storm events, which will be used to quantify Reedley's efforts to increase groundwater recharge.

- g) On an on-going basis, the City shall strive to work with the irrigation districts to identify the most suitable locations for storm water basins based on soil type, elevation, and other factors.

CIR 3.10.18B: As part of the City's formulation of its annual budget, City staff shall identify a list of capital facility improvement projects, with proposed budgetary allocations, necessary to increase the use of collected storm water for the City's groundwater recharge efforts.

CIR 3.10.19A: The City shall prepare and present to the City Council for consideration of adoption a comprehensive set of policies to ensure an adequate city-wide program for the recharge of ground water to support the growth and development patterns proposed within this GPU. These policies shall set performance standards for sustainable management of Reedley's use of groundwater and promote efforts to increase groundwater recharge. The policies, including those set forth below, shall be adopted such that their provisions are implemented by the deadlines set forth in the proposed policies. If the policy does not contain a specific deadline for adoption or implementation, it shall be considered for adoption within twelve (12) months of the GPU's adoption. After the adoption of the GPU, the Community Development Department shall provide an annual report to the City Council describing progress made toward the development, adoption and overall implementation of these policies.

The staff analysis supporting each policy shall include a discussion of the following: (1) How the policy would help to reduce consumptive use; (2) Whether and how the policy would assist in the City's efforts to recharge the underground aquifer; (3) How the policy would be integrated into the entitlement process; and, (4) How the policy would be enforced through the regulatory environment. The policies shall include the following:

- a) The City shall develop and implement a public education component that addresses various topics related to the consumptive use of groundwater as well as efforts to recharge the underground aquifer and shall include periodic reports to the City Council and the public regarding its progress in implementing the policies.
- b) The City shall work cooperatively with land owners, local and regional water agencies, and irrigation districts which rely upon the Kings Basin as a source of water to identify and implement infrastructure projects and other programs that serve to reduce the use of groundwater and/or facilitate the recharge of the aquifer.
- c) The City shall work cooperatively with the irrigation districts to develop and implement new strategies to expand upon current efforts directed toward groundwater recharge. These strategies may include:
 - 1) Exploring the feasibility of joint water banking.
 - 2) Exploring opportunities to jointly participate in studies that will be used to facilitate new or expand wastewater recycling and reclamation opportunities.
- d) Develop a methodology for early consultation (CEQA Section §21080.3) with the irrigation districts as part of the environmental

review process when an entitlement application that involves annexing new land into the City is submitted. The comments received from the District will be fundamental to the development of conditions of approval applied to said projects. This process could be developed and implemented within one year after the adoption of the GPU.

- e) On an on-going basis, the City shall strive to work with the irrigation districts to identify the most suitable locations for storm water basins based on soil type, elevation, and other factors.
- f) The City shall continue to work with the Upper Kings Basin Integrated Regional Water Management Authority in developing a strong coalition of water agencies, cities, counties and environmental groups to address local water issues.
- g) The City shall continue to work with the Kings River Conservation District to identify projects that would directly and efficiently increase groundwater recharge and to identify funding sources for said project, with the goal of submitting a grant application to the District for such a project by January 15, 2015.
- h) Within one (1) year of the adoption of the GPU, the City Council shall complete a thorough review of the City's development impact fee program and shall consider the adoption of a comprehensive update of the various fees included in the program.
 - 1) This review shall include, but not be limited to, Storm Drainage, Water Distribution, Groundwater Recharge, Water Supply/Holding and Waste Water Collection and Treatment.
 - 2) Within each topic area, the review shall include the analysis of existing conditions, proposed new development, need necessitated by future development and proportional cost attributed to land use development.
- i) By 2020, the City shall prepare an updated Groundwater Pumping, Recharge, and Consumptive Use Analysis report using the same methodology as the 2013 report. Part of this report will include policies, recommendations, and implementation measures. The analysis and recommendations shall be presented to the City Council for its consideration.
- j) All annual reports, prepared by the Public Works Department related to water quality, water supply and delivery, and groundwater recharge shall be presented to the City Council for its consideration of adoptions.
- k) The City shall continue to strive to develop and implement best management practices, strategies, in compliance with State law, and regulatory permits/requirements related to water quality and supply and groundwater recharge and report annually to the California Urban Water Conservation Council on its progress in development and implementing said practices.
- l) The Public Works Department shall prepare an annual report that identifies, at a minimum, the amount of water used to irrigate the open space and the projected amount of groundwater recharge

that has occurred. The City shall use industry standards to establish a formula to calculate the balancing of production to groundwater recharge.

CIR 3.10.20B: As part of the City's formulation of its annual budget, City staff shall identify capital facility improvement projects, with proposed budgetary allocations, necessary to implement the City's groundwater recharge efforts.

Policy COSP 4.2.3: Protect areas of ground water recharge from land uses and disposal methods which would degrade water sources.

Policy COSP 4.2.6: Promote activities which combine stormwater control and water recharge.

Policy COSP 4.2.7: The city will enhance groundwater recharge supply by requiring the installation of detention/retention ponds in new growth areas.

Policy COSP 4.2.10: Continue to encourage water conservation.

Finding: The City Council finds, based upon the Final EIR and the whole of the record, that the above described GPU goals and policies, as potential mitigation measures would minimize the associated impact to hydrology and water quality resources, but cannot reduce the impact to a less-than-significant level. There are no other reasonable or feasible mitigation measures identified in the EIR or through the preparation of the EIR, either by the consultant, staff, or any commentator, that would reduce the impact to a less-than-significant level.

Based upon the above, there are no additional identified feasible mitigation measures or feasible project alternatives that could avoid or reduce this cumulative impact to a less-than-significant level. Therefore, this hydrology and water quality impact is cumulatively significant and unavoidable.

2.13 Utilities

Impact: UTIL-3: Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed.

Mitigation: The GPU contains a range of goals and policies which will serve to reduce potential impacts to reduce the City's demand on public utilities, but do not fully mitigate impacts to a less-than-significant level. Implementation of goals and policies discussed in the GPU Goals and Policies CIR 3.10.1 to 3.10.14, 3.10.18 to 3.10.20, and polices COSP 4.2.3, 4.2.3, 4.2.7 and 4.2.10 (as described above in Hydrology and Water Quality, HYD-2) will serve to mitigate potential impacts related to sufficient water supply availability.

Finding: The City Council finds, based upon the Final EIR and the whole of the record, that the above described GPU goals and policies, as potential mitigation measures would minimize the associated impact to public utilities, but cannot reduce the impact to a less-than-significant level. There are no other reasonable or feasible mitigation measures identified in the EIR or through the preparation of the EIR, either by the consultant, staff, or any commentator, that would reduce the impact to a less-than-significant level. The City Council further finds as infeasible the mitigation proposal submitted by the Consolidated Irrigation District in its letters commenting on the Draft Environmental Impact Report and Recirculated Draft Environmental Impact Report, to adopt a General Plan Policy that states:

The City shall within one year from the date of adoption of the GPU, enter into a cooperative agreement with Alta Irrigation District and Consolidated Irrigation District to fund construction of recharge facilities to mitigate the groundwater consumption by the

city. The agreement shall be substantially similar to that agreement between CID and the City of Kingsburg provided to the City. Such agreement may also provide for the transfer of excess WWTP effluent recycled water for use by the districts for recharge or use by their constituents, where feasible.

The City Council finds entering into such a cooperative agreement modeled after the cooperative agreement between CID and Kingsburg as infeasible for the following reasons, supported with substantial evidence:

1. Such an agreement would hinder the City in its efforts to implement groundwater recharge programs within the City by diverting funds from such efforts and adding a new layer of bureaucracy and regulation that will inhibit the City in its efforts. This is because, pursuant to the agreement that CID submitted as a template for such a cooperative agreement, the City would be required to pay a significant amount of monies into a "Groundwater Fund" that would be administered by CID. Based upon initial conservative estimates, the amount of these payments would eventually reach a minimum of \$130,000.00 annually. Based upon our understanding of CID negotiations with other cities related to similar agreement CID will demand the City pay a much greater than the City's conservative estimate (\$344,500). Decisions on what groundwater projects would be funded with these funds would be made by a committee of three, only one of which would be a representative of the City of Reedley. A representative of CID would be another member of the committee and the third member would be selected by the Board of Directors of the Kings River Conservation District ("KRCD"). As such, the City's proposals for groundwater recharge projects could be vetoed by the representatives of CID and the KRCD. Furthermore, under the agreement CID would be entitled to receive an "Administrative Fee" which would be 12% of the City's annual contribution to the Groundwater Fund. Finally, under the template agreement the CID would be entitled to receive a payment from the Groundwater Fund for use of the District's facilities for recharge efforts totaling \$18.00 multiplied by the Net groundwater Use. Again, conservatively this would total at least \$18,000.00 per year. The city does not currently use any CID facility nor do we believe that CID has any facilities in the proposed SOI. As such, the proposed agreement would divert monies that the City could otherwise use for its own groundwater recharge efforts to payment of various fees to the CID that do not result in groundwater recharge and into a fund over which the City would have little control.

2. The Alta Irrigation District (AID) has made it abundantly clear that it has no interest in entering into such an agreement. Again, CID's proposal called for AID to be a party to the agreement. At the hearing CID representatives stated that if AID did not want to participate in such an agreement the City could then just enter the agreement with CID alone. However, as stated by City Manager Zieba and City Staff, entering into such an agreement with CID makes no sense as the vast majority of the City of Reedley is surrounded by AID and the City has a long history of working with AID on groundwater recharge efforts.

3. Nothing in the proposed agreement establishes goals or performance standards associated with groundwater recharge that must be completed by set deadlines and as such, it does not meet CEQA requirement for legally adequate mitigation. In fact, the template agreement does not actually require that the money in the groundwater Fund be spent. All it states is that if the money in the fund (minus the administrative fee and District Facilities fee received by CID) is spent it must be spent on groundwater recharge projects. Again, there is no deadline for implementation of groundwater recharge projects, no identification of performance standards by which such projects would be evaluated and no requirement that any groundwater recharge projects actually be constructed.

4. The agreement represents an inappropriate intrusion of CID into the operational affairs of the City. The City has a long history of being good stewards of its environment and taking proactive steps with regard to groundwater recharge. The agreement would effectively transfer the City's activities in this regard to the committee of three described above who would then control the City's efforts at groundwater recharge, leaving the City with little control over groundwater recharge efforts to be funded pursuant to the proposed cooperative agreement.

Based upon the above, there is no identified mitigation measure or feasible project alternative that could avoid or reduce this impact to a less-than-significant level. Therefore, this utilities impact is a significant and unavoidable impact.

VIII. 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 project." 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 which will avoid or substantially lessen such 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. "Feasibility" under CEQA encompasses 'desirability' to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, and technological factors. 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). Thus, even if a project alternative would 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 4 of the Draft EIR and Recirculated Draft Program EIR discuss several alternatives to the Project in order to present a reasonable range of alternatives. The range of alternatives discussion includes the No Project alternative, as mandated by the CEQA Guidelines, the project itself, a Proposed SOI and Land Use Change alternative, and a Reduced Proposed SOI alternative. All alternatives were based upon more closely matching population estimates to land use capacity, reduction in the SOI where infrastructure was not available or infeasible during this planning horizon, avoidance of premature conversion of agricultural lands, sensitivity to in-fill and higher density ranges, and minimizing impacts to the Consolidated Irrigation District. These characteristics were carefully weighed against meeting the goals of the GPU.

There were other alternatives that were considered and eventually rejected such as an alternative associated with increasing residential densities and alternative project site. The increase in residential densities were considered infeasible and reject because; (1) the City has already increased density ranges for all residential planned land use categories relative to designations contained in the existing 2012 General Plan; and (2) this alternative would substantially differ from the impact

avoidance/reduction characteristics of the Proposed SOI and Land Use Changes alternative that was evaluated in detail. The alternative location for the proposed GPU was determined to be infeasible because the GPU is not project-specific. The proposed project must by definition be associated with development with and around the existing city limits and existing SOI.

The City also considered and rejected an alternative proposed by the attorney representing the Consolidated Irrigation District in its letter commenting on the Recirculated Draft EIR. (FEIR, Chapter 3, Letter 9, p. 7). This alternative is based upon the attorney's determination that the appropriate growth rate for the City through 2030 should be 2.16 percent and that based upon he believes to be the appropriate growth rate, the City should adopt an alternative that limits the City's Sphere of Influence to the City's projected actual boundaries in 2030 plus 25%, or approximately 4,746 acres. The City has rejected this Alternative as infeasible for the following reasons: (1) it is based upon population growth projection which is contrary to the 3% growth projection that the City has identified in the General Plan and supported with substantial evidence; (2) it would not provide the City with the necessary flexibility to accomplish the goals it has established related to the Reedley General Plan 2030 based upon the City's established growth projection of 3% per year; and (3) the Alternative has been proposed by an attorney that has not established his expertise in the area of urban planning, such that his opinions regarding issues related to urban planning and urban growth patterns do not constitute expert opinion or substantial evidence.

The alternatives evaluated in the EIR include:

- Alternative 1: No Project
 - Alternative 2: Proposed SOI and Land Use Changes Alternative
 - Alternative 3: Additional SOI Acreage Reduction Alternative
- A. Project Objectives

The project goals and objectives are set forth in part II, B, above.

B. Analysis of Alternatives

- Alternative 1: No Project

a. *Description of the Alternative:* The No Project alternative describes the environmental conditions that exist at the time that the environmental analysis commences (CEQA Guidelines, Section 15126.6 (e)(2)). The No Project alternative addresses environmental effects that would result if the GPU was not adopted and the City continued to implement the 2012 General Plan. In this case, development would proceed within the existing city limits and within the existing SOI consistent with the land use designations and densities included in the 2012 General Plan and as guided by the goals and policies in the 2012 General Plan. Within the existing city limits and the existing SOI future development would be limited to the approximate 4,930 acres of land to be accommodated on vacant or redeveloped parcels of land within the existing city limits and existing SOI. Much of the future development would occur on land that would be annexed to the City that is now in agricultural use.

b. *Comparison to the Project:* While the No Project Alternative is environmentally superior by reduction/avoidance of environmental impacts, it would not meet any of the City's objectives for updating its existing 2012 General Plan.

Finding: The City Council finds, based upon the Final EIR and the whole of the record, that Alternative 1: No Project, may avoid/reduce some environmental impacts, it does not meet the underlying goals and objects of the project, as describe in Section II, B, above.

The No Project Alternative would not achieve any of the City's objectives in proposing an update to its existing 2012 General Plan. The No Project alternative would not afford the City an opportunity to address its need to accommodate new growth and to do so in a way that meets the City's vision for its desired character, nor would it enable the City to integrate progressive planning tools designed to improve the quality of life of its residents and to accommodate growth in a more environmentally responsible manner.

The City Council recognizes its role in trying to reasonably balance, feasibility and desirability of the relevant economic, environmental, social, and technological factors, hereby rejects the Alternative 1: No Project.

- Alternative 2: Proposed SOI and Land Use Changes Alternative

a. *Description of the Alternative:* The Alternative 2 was developed based upon two primary components: 1) eliminating a net of approximately 641-acres (Table 1 - Summary of Changes to the Proposed SOI Program EIR) from the SOI by making changes to the proposed SOI, and 2) making modifications to the planned land uses proposed on several parcels (Figure 13, SOI and Land Use Changes Alternative).

b. *Comparison to the Project:* The City has considered reducing acreage within the SOI by modifying the proposed SOI boundary in large part to address questions about the cost and feasibility of extending water, sanitary sewer, storm drainage infrastructure, and unnecessary conversion of agricultural land currently under Williamson Act contract. Initial analyses being conducted as part of the City's effort to update its water and sewer master plans suggest that there may be cost feasibility constraints to extending these utilities to two large areas in the northwest and northeast portions of the proposed SOI, and to one smaller area in the western portion of the proposed SOI. Figure 13, SOI and Land Use Changes Alternative, illustrates the range of changes to the proposed GPU Land Use Map. Areas 1 and 6 are the noted large areas and Area 14 is the smaller area. All three areas (shown with hatching) would be removed from the proposed SOI due to the potential constraints noted above. This alternative represents a new change in the SOI by approximately -641 acres.

Finding: The City Council finds, based upon the Final EIR and the whole of the record, that Alternative 2: Proposed SOI and Land Use Changes Alternative will avoid/reduce project environmental impacts, and meet some of the the underlying goals and objects of the project, as describe in Section II, B, above.

The Proposed SOI and Land Use Changes Alternative would avoid/reduce environmental impacts in nearly all identified categories for the proposed GPU (DEIR, Table 30, Comparison of Alternatives to the Proposed GPU, Page 4-18). This alternative would not however fully mitigate all significant and unavoidable impacts to a less-than-significant level.

- Alternative 3: Additional SOI Acreage Reduction Alternative

a. *Description of the Alternative:* Alternative 3 was developed in response to the nature of the comments received from the CID and further evaluation of the proposed GPU goals and policies, the

City determined that an additional feasible alternative should be considered which would better foster informed decision-making and further lessen significant adverse environmental impacts of the proposed GPU, and that would feasibly attain all of the objectives of the project. Alternative 3, Additional SOI Acreage Reduction Alternative has been developed in part to reduce the area of land included in the proposed GPU that lies within the boundary and jurisdiction of the CID.

b. *Comparison to the Project:* The City has considered further reducing acreage within the SOI by modifying the proposed SOI boundary in large part to address questions about the cost and feasibility of extending water, sanitary sewer, storm drainage infrastructure, and unnecessary conversion of agricultural land currently under Williamson Act contract.

Alternative 3 shows the net outcomes of the changes to the proposed SOI represents (Table 30, Alternative 3 - Acreage Changes) by eliminating 826 acres reduces the size of the proposed expanded SOI by 10.4 percent to a total of 7,087 acres. As proposed in the GPU, 721 of the 826 acres are planned for development with urban uses, with the remaining 105 acres planned as Open Space.

Finding: The City Council finds, based upon the Final EIR and the whole of the record, that Alternative 3: Additional SOI Acreage Reduction Alternative will avoid/reduce project environmental impacts. This Alternative 3 would achieve all of the City's goals and objectives in proposing an update to its existing 2012 General Plan. This Alternative would afford the City an opportunity to address its need to accommodate new growth and to do so in a way that meets the City's vision for its desired character. This alternative would also enable the City to integrate progressive planning tools designed to improve the quality of life of its residents and to accommodate growth in a more environmentally responsible manner. This alternative would not provide the same overall development capacity as would the proposed GPU, especially for residential uses. However, this fact is not inconsistent with the City's proposed GPU objectives and may support a key smart growth objective of improving the City's overall jobs to housing ratio at buildout.

This alternative would not however fully mitigate all significant and unavoidable impacts to a less-than-significant level. The City Council is trying to reasonably balance, feasibility and the desirability of the relevant economic, environmental, social, and technological factors, hereby affirms the Alternative 3: Additional SOI Acreage Reduction Alternative as an environmentally superior and preferred alternative.

D. Environmentally Superior and Preferred Alternative

An EIR is required to identify the environmentally superior alternative from among the range of reasonable alternatives (CEQA Guidelines §15126.6). CEQA is also designed to assist public agencies in systematically identifying and balancing feasible alternatives and/or feasible mitigation which will avoid or substantially lessen such effects and still meet the underlying project goals. The following are key considerations in the selection and evaluation of an alternatives as described in the CEQA Guidelines §15126.6.

CEQA Guidelines Section 15126.6(b) require that the discussion of alternatives focus on those alternatives capable of avoiding or substantially lessening any significant adverse environmental impacts or reducing them to a level of insignificance, even if these alternatives would impede to some degree the attainment of the project objectives or would be more costly.

CEQA Guidelines Section 15126(f) addresses the “rule of reason” in selecting alternatives for evaluation. The range of alternatives required in an EIR is governed by a “rule of reason” that requires the EIR to set forth only those alternatives necessary to permit a reasoned choice. The alternatives shall be limited to ones that would avoid or substantially lessen any of the significant effects of the project. Of those alternatives, the EIR need examine in detail only the ones that the lead agency determines could feasibly attain most of the basic objectives of the project.

CEQA Guidelines Section 15126.6(d) requires the EIR to present sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed project. If an alternative would cause one or more significant effects in addition to those that would be caused by the project as proposed, the significant effects of the alternative shall be discussed, but in less detail than the significant effects of the project as proposed.

CEQA Guidelines Section 15126.6(e) stipulates that a no project alternative be evaluated along with its impacts. If the "No Project" alternative is the environmentally superior alternative, then the environmentally superior alternative amongst the remaining alternatives must be identified. CEQA Guidelines Section 15126.6(e) also requires the identification of an environmentally superior alternative.

According to CEQA Guidelines Section 15126.6(f)(1), among the factors that may be taken into account when addressing the feasibility of alternatives are site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries (projects with a regionally significant impact should consider the regional context), and whether the proponent can reasonably acquire, control or otherwise have access to the alternative site (or the site is already owned by the proponent).

In regard to considering alternative project locations, CEQA Guidelines Section 15126.6(f)(2) states that a key question and first step in alternatives analysis is whether any of the significant effects of the project would be avoided or substantially lessened by putting project in another location. Only locations that would avoid or substantially lessen any of the significant effects of the project need be considered for inclusion in an EIR. Again, as discussed above, the proposed project does not result in any significant unavoidable effects.

Finding: The City Council finds, based upon the Final EIR and the whole of the record, that Alternative 3: Additional SOI Acreage Reduction Alternative (Alternative 3) will avoid/reduce some significant environmental impacts, and generally meet all of the underlying main goals and objects of the project, as describe in Section II, B, above.

The City's further reduction in acreage within the proposed SOI boundary in large part due to comments received by the Consolidated Irrigation District and to address questions about the cost and feasibility of extending water, sanitary sewer, and storm drainage infrastructure. Initial analyses being conducted as part of the City's effort to update its water and sewer master plans suggest that there are cost feasibility constraints to extending these utilities to two large areas in the northwest and northeast portions of the proposed SOI, and to one smaller area in the western portion of the proposed SOI. RDEIR Figure 1, Alternative SOI Acreage Reduction Alternative, illustrates the range of changes to the proposed GPU Land Use Map.

Alternative 3 shows the net outcomes of the changes to the proposed SOI represents (Table 30, Alternative 3 - Acreage Changes) by eliminating 826 acres reduces the size of the proposed expanded SOI by 10.4 percent to a total of 7,087 acres. As proposed in the GPU, 721 of the 826

acres are planned for development with urban uses, with the remaining 105 acres planned as Open Space. This alternative would not however fully mitigate all significant and unavoidable impacts to a less-than-significant level.

The Alternative 3 would afford the City an opportunity to address its needs to accommodate new growth and to do so in a way that meets the City's vision for its desired character. This alternative would also enable the City to integrate progressive planning tools designed to improve the quality of life of its residents and to accommodate growth in a more environmentally responsible manner. This alternative would not provide the same overall development capacity as would the proposed GPU, especially for residential uses. However, this fact is not inconsistent with the City's proposed GPU objectives and may support a key smart growth objective of improving the City's overall jobs to housing ratio at buildout.

This alternative would not provide the same overall development capacity as would the proposed GPU. However, Alternative 3, more closely aligns 2030 population estimate (47,369 persons) and buildout capacity than the projected "project" buildout capacity of 71,159 persons. Notwithstanding, this fact is equally consistent with the City's proposed GPU objectives and may support key smart growth objectives to improving the City's overall jobs to housing ratio at buildout.

The City Council in trying to reasonably balance, feasibility and desirability of the relevant economic, environmental, social, and technological factors, hereby affirms the Alternative 3: Additional SOI Acreage Reduction Alternative as the environmentally superior and preferred alternative.

The City Council also finds that with the adoption of this Alternative there is no need to undertake additional environmental analysis of the Alternative 3. The "original project" is now considered to be a worst case scenario by which the environmental analysis, identified impacts and imposed mitigation measures on the whole, would provide additional assurance that the project will cause a lesser degree of significant and unavoidable impacts than anticipated.

E. 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 15126.2(d)). 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.

A general plan update is by nature a growth-inducing project to the extent that a general plan update is designed to accommodate new economic and/or population growth anticipated by the City. The proposed GPU is growth inducing in that it includes an expanded SOI within which new growth not accommodated by the existing 2012 General Plan would be possible. New economic development and new housing development would occur in response to the City's anticipation that its population will grow by an average of about three percent per year to the year 2030.

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 the EIR, many of the project impacts would be avoided or lessened with the implementation of proposed GPU policies, including policies related to growth management, and by implementation of mitigation measures. By reducing the scope of the project (affirmation of Alternative 2: Proposed SOI and Land Use Changes Alternative) potential growth inducing impacts are reduced/avoided. Hence, by design, the proposed GPU reduces most, if not all, of the impacts of the growth it would induce.

IX. Statement of Overriding Considerations

Pursuant to Public Resources Codes 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 impacts associated with the Project, and has adopted all feasible alternatives to the Project, of which would 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 impacts of the Project and the anticipated economic, legal, social, technological, and other benefits of the Projects.

A. Significant and Unavoidable Impacts

Based on the information contained in the record and in the Final EIR, the City Council has determined that the Project would result in significant and unavoidable impacts to: (1) conversion of prime, unique, and/or farmland of statewide importance; (2) conflict with existing zoning or Williamson Act contracts; (3) conflict with Air Quality Management Plan and/or standard; (4) potential increase in criteria pollutants in Non-Attainment (Ozone and PM10); (5) GHGs that may have a significant impact on the environment; (6) potential depletion of groundwater supply and recharge; (7) sufficient water supplies to serve the project.

B. Findings

The City Council has considered all potential feasible mitigation measures to substantially lessen or avoid the Project's significant and unavoidable impacts. The City Council finds that there are no feasible mitigation measures that would reduce the identified impacts to a less-than-significant level.

The City Council also considered all potentially feasible alternatives. The City Council finds that Alternative 3, Additional SOI Acreage Reduction Alternative is the environmentally superior alternative, pursuant the CEQA Guidelines, Section 15126.6(e)(2), but does not fully mitigate the above described 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 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 anticipated economic, legal, social, technological, and other anticipated benefits of the Projects outweigh the significant and unavoidable impacts, and therefore justify approval of this project notwithstanding the identified significant and unavoidable impacts (Pub.

Resources Code §21081; CEQA Guidelines, §15093). The benefits of the project are addressed in the Section IX, D, as described 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 considerations of, and adoption of an environmentally superior alternative), and finds that the remaining significant unavoidable impacts of the Project are acceptable because the benefits of the Project set forth below in Section IX, D, Benefits of the Project, outweigh it. The City Council finds that each of the overriding considerations expressed as benefits and set forth below in Section IX, D, constitutes a separate and independent grounds for such 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 IX, and in the documents found in the Record of Proceedings, as defined in Section III, Description of the Record.

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 Projects as specifically provided in the Project documents would result in the following substantial benefit:

1. The GPU goals and policies reflect the expressed vision, needs and desires of the citizenry.
2. The GPU goals and policies ensure an orderly development patterns to accommodate projected increased population through the planning horizon.
3. The GPU goals and policies promote new development designed around "activity nodes" which provide commercial uses, employment center, higher density development, and a complete range of supporting social and cultural facilities to the surrounding neighborhood.
4. The GPU goals and policies Increase residential planned land use density ranges to reduce impacts related to loss of agricultural lands.
5. The GPU promotes compatibility with adjacent land uses, sustainable and energy efficient design and infill development opportunities.
6. Construction related activities associated with future development projects will create much needed job opportunities in the City of Reedley.
7. Proposed future commercial development will create much needed job opportunities in the City of Reedley for our citizenry.
8. Orderly development will provide new and needed tax revenue to the City of Reedley.

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 IX, D, Benefits of the Project, against the significant unavoidable impacts of the Project identified in the EIR (and discussed above in Section VII. Findings Regarding Significant and Unavoidable Environmental Impacts With Mitigation Measures).

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) recognize 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 Considerations, 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.