

**THE VILLAGES AT ALMOND GROVE
SPECIFIC PLAN
FINAL ENVIRONMENTAL IMPACT REPORT**

**MADERA, CALIFORNIA
STATE CLEARINGHOUSE NO. 2018081051**



March 2022

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**MADERA, CALIFORNIA
STATE CLEARINGHOUSE NO. 2018081051**

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Project No. CMD1801

March 2022

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1.0 INTRODUCTION

1.1 PURPOSE OF THE FINAL ENVIRONMENTAL IMPACT REPORT

This document has been prepared to respond to comments received on the Draft Environmental Impact Report (Draft EIR) prepared for The Villages at Almond Grove Specific Plan (proposed project) for the City of Madera (City). The Draft EIR identifies the likely environmental consequences associated with implementation of the proposed project and recommends mitigation measures to reduce potentially significant impacts. This Final Environmental Impact Report (Final EIR) provides responses to comments received on the Draft EIR and makes revisions to the DEIR, as necessary, in response to those comments or to make clarifications in the Draft EIR. Consistent with Section 15132 of California Environmental Quality Act (CEQA) Guidelines, this document incorporates by reference the following:

- The Draft EIR and all its appendices;
- The Notice of Preparation (NOP) and Comments on the NOP (included as Appendix A of the Draft EIR);
- The Notice of Completion and Availability of the Draft EIR for public review; and
- Any other information added by the lead agency.

1.2 ENVIRONMENTAL REVIEW PROCESS

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

The City circulated a Notice of Preparation (NOP) to solicit input from responsible and trustee agencies regarding the scope and content of the DEIR, as well as identify potential areas of controversy. The NOP was initially published on August 17, 2018, and was distributed to local, regional, and State agencies. A public scoping meeting for the preparation of the EIR was held at 6:00 p.m. on September 12, 2018. Following the comment review period, the Project Applicant provided refinements to the project that resulted in changes to the overall buildout numbers of the Specific Plan. A re-issued NOP was published on December 3, 2018. A new public scoping meeting was held at 2:00 p.m. on December 18, 2018. Comments received by the City on the NOP were taken into account during the preparation of the Draft EIR.

The Draft EIR was made available for public review on December 23, 2021, and was distributed to local and State responsible and trustee agencies. The 45-day public comment period ended on February 7, 2022. During the 45-day public review period for the DEIR, the City received seven comment letters. Copies of all written comments received during the comment period are included in Appendix L, Public Comment Letters on the Draft EIR, of this document.

1.3 DOCUMENT ORGANIZATION

This Final EIR consists of the following chapters:

- **Chapter 1.0: Introduction.** This chapter discusses the purpose and organization of this Final EIR, and summarizes the environmental review process for the project.
- **Chapter 2.0: Draft Environmental Impact Report Commenters.** This chapter contains a list of agencies, individuals and organizations who submitted written comments on the Draft EIR during the public review period.
- **Chapter 3.0: Comments and Responses.** This chapter contains a matrix that includes text of each CEQA-related comment received on the Draft EIR during the public review period, and a written response to each comment. Reproductions of all comment letters are included in Appendix L, Public Comment Letters on the Draft EIR.
- **Chapter 4.0: Draft Environmental Impact Report Text Revisions.** Corrections to the Draft EIR that are necessary in light of the comments received and responses provided, or necessary to amplify or clarify material in the Draft EIR, are contained in this chapter. No significant changes have been made to the information contained in the Draft EIR as a result of the responses to comments, and no significant new information has been added that would require recirculation of the document. Double-underlined text represents language that has been added to the Draft EIR; text with ~~strikeout~~ has been deleted from the Draft EIR.

2.0 DRAFT ENVIRONMENTAL IMPACT REPORT COMMENTERS

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

2.1 ORGANIZATION OF COMMENT LETTERS AND RESPONSES

Chapter 3.0 includes a matrix of each comment received on the Draft Environmental Impact Report (Draft EIR) during the public review period, and a written response to each comment. Reproductions of all comment letters are included in Appendix L, Public Comment Letters on the Draft EIR. The written comments are grouped by the affiliation of the commenter, as follows: State agencies (A), Local Agencies (B), and Organizations and Interested Parties (C). The comment letters are numbered consecutively following the designations defined below:

State Agencies	A
Local Agencies	B
Organizations and Interested Parties	C

Comment letters are numbered and comments within each letter are numbered consecutively after the hyphen.

2.2 LIST OF COMMENTERS ON THE DEIR

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

Table 2.A: List of Comments Received

State Agencies		
A1	California Department of Toxic Substances Control	January 4, 2022
A2	California Highway Patrol	February 4, 2022
A3	California Department of Conservation	February 7, 2022
Local Agencies		
B1	San Joaquin Valley Air Pollution Control District	January 12, 2022
B2	San Joaquin Valley Air Pollution Control District	February 7, 2022
Organizations and Interested Parties		
C1	Pacific Gas and Electric Company	December 27, 2021
C2	Pacific Coast Producers	January 10, 2022

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3.0 COMMENTS AND RESPONSES

Written responses to the comment letters received on the Draft Environmental Impact Report (Draft EIR) for The Villages at Almond Grove Specific Plan are provided in this chapter. The text of the letters received during the public review period on the Draft EIR are provided in their entirety.

Where comments on the Draft EIR concern issues requiring technical expertise, the response to comments relies on the knowledge and professional analysis of qualified experts. Where revisions to the Draft EIR text are called for, the page is set forth, followed by the appropriate revision. Added text is indicated with double-underlined text, and deleted text is shown in ~~strikeout~~ text. Text revisions to the Draft EIR are summarized in Chapter 4.0 of this Final Environmental Impact Report (Final EIR). Information provided in this Final EIR clarifies, amplifies, or makes minor modifications to the Draft EIR. No significant changes have been made to the information contained in the Draft EIR as a result of the comments received, and no significant new information has been added that would require recirculation of the Draft EIR pursuant to State CEQA Guidelines, section 15088.5.

3.1 COMMENTS AND RESPONSES MATRIX

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

Table 3.A: Comments and Responses Matrix

Letter/ Comment Number	Comment	Response
State Agencies		
A1 California Department of Toxic Substances Control (January 4, 2022)		
A1-1	<p>The Department of Toxic Substances Control (DTSC) received a Draft Environmental Impact Report (EIR) for the Villages at Almond Grove Specific Plan (Project). The Lead Agency is receiving this notice from DTSC because the Project includes one or more of the following: groundbreaking activities, work in close proximity to a roadway, work in close proximity to mining or suspected mining or former mining activities, presence of site buildings that may require demolition or modifications, importation of backfill soil, and/or work on or in close proximity to an agricultural or former agricultural site.</p> <p>DTSC recommends that the following issues be evaluated in the EIR Hazards and Hazardous Materials section:</p>	<p>This comment provides an introduction to the comment letter and does not address the adequacy or completeness of the Draft EIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. No further response is necessary.</p>
A1-2	<p>1. The EIR should acknowledge the potential for historic or future activities on or near the project site to result in the release of hazardous wastes/substances on the project site. In instances in which releases have occurred or may occur, further studies should be carried out to delineate the nature and extent of the contamination, and the potential threat to public health and/or the environment should be evaluated. The EIR should also identify the mechanism(s) to initiate any required investigation and/or remediation and the government agency who will be responsible for providing appropriate regulatory oversight.</p>	<p>This comment provides recommendations to address the release of hazardous substances resulting from historic or future activities on the Specific Plan Area. Threshold 4.9.2 under Section 4.9, Hazards and Hazardous Materials, of the EIR states that compliance with existing federal, State and local regulations, like General Plan Policies HS-10, HS-11, HS-14, HS-16 and HS-18, would reduce impacts related to the release of hazardous substances to less than significant. As such, this comment does not raise environmental issues or require incorporation of additional information related to environmental issues. No further response is necessary.</p>
A1-3	<p>2. Refiners in the United States started adding lead compounds to gasoline in the 1920s in order to boost octane levels and improve engine performance. This practice did not officially end until 1992 when lead was banned as a fuel additive in California. Tailpipe emissions from automobiles using leaded gasoline contained lead and resulted in aerially deposited lead (ADL) being deposited in and along roadways throughout the state. ADL-contaminated soils still exist along roadsides and medians and can also be found underneath some existing road surfaces due to past construction activities. Due to the potential for ADL-contaminated soil DTSC, recommends collecting soil samples for lead analysis prior to performing any intrusive activities for the project described in the EIR.</p>	<p>This comment provides recommendations to address potential presence of ADL-contaminated soils in the Specific Plan Area. Threshold 4.9.2 under Section 4.9, Hazards and Hazardous Materials, of the EIR states that no reported cases of residual soil contamination have been found within the Specific Plan Area. However, in case accidental release of hazardous substances, the implementation of federal, State and local regulations, like General Plan Policies HS-10, HS-11, HS-14, HS-16 and HS-18, would reduce impacts related to the release of hazardous substances to less than significant. As such, this comment does not raise environmental issues or require incorporation of additional information related to environmental issues. No further response is necessary.</p>

Table 3.A: Comments and Responses Matrix

Letter/ Comment Number	Comment	Response
A1-4	3. If any sites within the project area or sites located within the vicinity of the project have been used or are suspected of having been used for mining activities, proper investigation for mine waste should be discussed in the EIR. DTSC recommends that any project sites with current and/or former mining operations onsite or in the project site area should be evaluated for mine waste according to DTSC's 1998 Abandoned Mine Land Mines Preliminary Assessment Handbook	The Specific Plan Area has not been used for mining activities. In addition, under Government Code Section 65962.6, the DTSC is required to compile and update the Cortese List, which provides information about the location of hazardous materials release sites. There are no open cases for hazardous materials listed in the Cortese List within the Specific Plan Area or within a two-mile radius of the Specific Plan Area. Therefore, the recommendations of this comment are not applicable to the Specific Plan. No further response is necessary.
A1-5	4. If buildings or other structures are to be demolished on any project sites included in the proposed project, surveys should be conducted for the presence of lead-based paints or products, mercury, asbestos containing materials, and polychlorinated biphenyl caulk. Removal, demolition and disposal of any of the above-mentioned chemicals should be conducted in compliance with California environmental regulations and policies. In addition, sampling near current and/or former buildings should be conducted in accordance with DTSC's 2006 Interim Guidance Evaluation of School Sites with Potential Contamination from Lead Based Paint, Termiticides, and Electrical Transformers.	This comment provides recommendations to address potential impacts related to the release of hazardous substances through the demolition of existing buildings and structures in the Specific Plan Area. Mitigation Measure HAZ-1 includes specifications for the implementation of lead-based paint (LBP) and asbestos surveys prior to the issuance of demolition permits related to new development under the Specific Plan. Furthermore, removal of buildings with potential to become friable during demolition would require an inspection report to be submitted to and approved by the City in compliance with the San Joaquin Valley Air Pollution Control District (SJVAPCD). Mitigation Measure HAZ-1 addresses the concerns related to the release of LBP and asbestos upon the demolition of existing structures in the Specific Plan Area.
A1-6	5. If any projects initiated as part of the proposed project require the importation of soil to backfill any excavated areas, proper sampling should be conducted to ensure that the imported soil is free of contamination. DTSC recommends the imported materials be characterized according to DTSC's 2001 Information Advisory Clean Imported Fill Material.	Although there are no cases of reported cases of contamination in residual soil within the Specific Plan Area, an accidental release of hazardous materials can occur even when the highest level of precaution is practiced. The release of hazardous materials would be subject to existing federal, State, and local regulations. General Plan Policy HS-16 states that the City would work with other responsible agencies on efforts to clean up or contain identified soil or water contamination in the city limits. Compliance with applicable regulatory requirements for importing soils would reduce potential impact of transporting contaminated soil into the Specific Plan Area.
A1-7	6. If any sites included as part of the proposed project have been used for agricultural, weed abatement or related activities, proper investigation for organochlorinated	Development of the Specific Plan Area may include release of residual agricultural-associated chemicals including pesticides, herbicides and

Table 3.A: Comments and Responses Matrix

Letter/ Comment Number	Comment	Response
	pesticides should be discussed in the EIR. DTSC recommends the current and former agricultural lands be evaluated in accordance with DTSC’s 2008 Interim Guidance for Sampling Agricultural Properties (Third Revision).	fertilizers. Threshold 4.9.2 under Section 4.9, Hazards and Hazardous Materials, of the EIR identifies General Plan policies that address contaminated sites within the City. Policy HS-16 states that the City would work together with responsible agencies to clean up or contain soil and water contamination within the City limits. Policy HS-18 states that the City would require confirmation from applicable local, regional, state, and federal agencies that known contaminated sites have been deemed remediated to a level appropriate for land uses proposed prior to the City approving site development or provide an approved remediation plan that demonstrates how contamination will be remediated prior to site occupancy. Compliance with applicable General Plan policies would address potential for organochlorinated pesticides in the Specific Plan Area.
A1-8	DTSC appreciates the opportunity to comment on the EIR. Should you need any assistance with an environmental investigation, please visit DTSC’s Site Mitigation and Restoration Program page to apply for lead agency oversight. Additional information regarding voluntary agreements with DTSC can be found at DTSC’s Brownfield website. If you have any questions, please contact me at (916) 255-3710 or via email at Gavin.McCreary@dtsc.ca.gov .	This comment provides a closing to the comment letter and does not address the adequacy or completeness of the Draft EIR. No further response is necessary.
A2 California Highway Patrol (February 4, 2022)		
A2-1	Good morning/afternoon. No impact to the Madera Area’s local operations and/or public safety by SCH# 2018081015 was identified.	This comment states that the proposed project would have no impact to the CHP’s local operations or public safety and does not comment on the adequacy or completeness of the Draft EIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. No further response is necessary.
A3 California Department of Conservation (February 7, 2022)		
A3-1	The Department of Conservation’s (Department) Division of Land Resource Protection (Division) has reviewed the Draft Environmental Impact Report (EIR) for the Villages at Almond Grove Specific Plan Project (Project). The Division monitors farmland conversion on a statewide basis, provides technical assistance regarding the Williamson Act, and administers various agricultural land conservation programs. We offer the following comments and recommendations with respect to the project’s potential impacts on	This comment provides an introduction to the comment letter and does not address the adequacy or completeness of the Draft EIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. No further response is necessary.

Table 3.A: Comments and Responses Matrix

Letter/ Comment Number	Comment	Response
	agricultural land and resources.	
A3-2	<p>Project Description</p> <p>The Specific Plan envisions the development of a new compact mixed-use community that creates walkable and bikeable streets, and integrates open space throughout the area west of the City limits. The Specific Plan proposes to implement a village concept that would create opportunities for commercial development to be integrated with park and open space amenities.</p> <p>Development considered in the EIR consists of 10,783 residential units, approximately 2.1 million square feet of commercial and office space, approximately 164 acres of parks and recreational area, and approximately 54 acres of public facilities, including schools. In addition, the proposed Specific Plan would include infrastructure improvements including roadways and utilities. The proposed project would require a General Plan Amendment, pre-zoning, and annexation of the Specific Plan Area into the City. Additionally, future development proposals within the Specific Plan Area would be required to be consistent with the Airport Land Use Compatibility Plan for Madera Municipal Airport, and some parcels would require removal of active Williamson Act contracts prior to development.</p>	<p>This comment provides a summary of the commenter’s understanding of the Specific Plan and does not address the adequacy or completeness of the Draft EIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. No further response is necessary.</p>
A3-3	<p>Department Comments</p> <p>The conversion of agricultural land represents a permanent reduction and significant impact to California’s agricultural land resources. CEQA requires that all feasible and reasonable mitigation be reviewed and applied to projects. Under CEQA, a lead agency should not approve a project if there are feasible alternatives or feasible mitigation measures available that would lessen the significant effects of the project.</p> <p>All mitigation measures that are potentially feasible should be included in the project’s environmental review. A measure brought to the attention of the lead agency should not be left out unless it is infeasible based on its elements.</p> <p>Consistent with CEQA Guidelines, the Department recommends the County consider agricultural conservation easements, among other measures, as potential mitigation. (See Cal. Code Regs., tit. 14, § 15370 [mitigation includes “compensating for the impact by replacing or providing substitute resources or environments, including through permanent protection of such resources in the form of conservation easements.”])</p> <p>Mitigation through agricultural easements can take at least two forms: the outright</p>	<p>This comment recommends requiring offsite mitigation to reduce the impact resulting from the conversion of agriculture land to non-agriculture uses. In a recent court case (King & Gardiner Farms v County of Kern [2020]), the court found that a mitigation measure that requires conservation easements to cover off-site farmland would not provide adequate mitigation for the loss of farmland that would result from the project. Requiring this project to enter into binding agricultural conservation easements, as suggested in the comment letter, will not create new agricultural land, but would instead prevent the future conversion of agricultural land. Because an agricultural conservation easement would not offset the loss of agricultural land, and thereby mitigate the significant impact to agriculture, the City does not consider the suggested mitigation to be effective mitigation for the loss of agricultural land. It should also be noted that there are no other established agricultural farmland mitigation banks or agricultural farmland preservation programs in</p>

Table 3.A: Comments and Responses Matrix

Letter/ Comment Number	Comment	Response
	<p>purchase of easements or the donation of mitigation fees to a local, regional, or statewide organization or agency whose purpose includes the acquisition and stewardship of agricultural easements. The conversion of agricultural land should be deemed an impact of at least regional significance. Hence, the search for replacement lands should not be limited strictly to lands within the project’s surrounding area.</p> <p>As discussed in the Agriculture and Forestry Resources section of the EIR, Madera County, “expressed concern regarding the establishment of new agricultural easements within the County in order to offset potential environmental impacts resulting from the conversion of agricultural land.”¹ Although the lead agency has expressed concerns with the use of agricultural easements within the County, it has not discussed the use of agricultural easements, or the donation of mitigation fees (in lieu-of fees), to areas outside of the County. As previously stated in the Department’s comments, the conversion of agricultural land should be deemed an impact of at least regional significance, and the search for replacement lands should not be limited strictly to lands within the project’s surrounding area.</p> <p>Of course, the use of conservation easements is only one form of mitigation that should be considered. Any other feasible mitigation measures should also be considered. The Department suggests the lead agency revisit its consideration of agricultural easements, and/or the donation of mitigation in lieu-of fees to areas outside of its area of concern.</p>	<p>the vicinity of the Specific Plan Area that, through purchasing credits, would mitigate the impact related to the loss of agriculture land. In addition, conserving existing agriculture land within the Specific Plan Area would be considered infeasible, as it would not meet the objectives of the project. As a result, the suggested mitigation recommended in the comment letter is not considered feasible, and cannot be used to reduce the potential impacts related to the loss of agriculture land.</p>
A3-4	<p>Thank you for giving us the opportunity to comment on the Draft Environmental Impact Report for the Villages at Almond Grove Specific Plan Project. Please provide this Department with notices of any future hearing dates as well as any staff reports pertaining to this project. If you have any questions regarding our comments, please contact Farl Grundy, Associate Environmental Planner via email at Farl.Grundy@conservation.ca.gov.</p>	<p>This comment provides a closing to the comment letter and does not address the adequacy or completeness of the Draft EIR. No further response is necessary.</p>

Table 3.A: Comments and Responses Matrix

Letter/ Comment Number	Comment	Response
Local Agencies		
B1 San Joaquin Valley Air Pollution Control District (January 12, 2022)		
B1-1	<p>I left a voice mail to your number below requesting more information about this project. I am working on the commenting letter for the Villages at Almond Grove Specific Plan Draft EIR Project and I was hoping you can help me with the following items.</p> <ol style="list-style-type: none"> 1. Provide the CalEEMod Results (PDF) for Phase two and Phase three. Phase one was on the City of Madera’s website, but the second two were missing. 2. Is the Villages at Almond Grove Specific Plan Draft EIR Project being driven by a developer or is the City’s project? <p>Please feel free to contact me if you have any questions or concerns.</p>	<p>This comment was addressed to City staff and requests CalEEMod results and clarification on Specific Plan information. This comment does not address the adequacy or completeness of the Draft EIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.</p>
B1-2	<p>Please accept my apology for the tardiness in replying to your email – I had fallen ill due to COVID and thus been out and still remain out of the office.</p> <p>My responses to your inquires are as follows:</p> <ol style="list-style-type: none"> 1. The Phase II CalEEMod results commences on page 243 of Appendices E made available on the City’s website. The Phase III CalEEMod results commences on page 595 of the same Appendices. I attached a copy of the Appendices for your convenience. Should you need further assistance in securing or reviewing the CalEEMod data, please contact Kyle Simpson of LSA, the preparer of the DEIR. Kyle is copied on this email. Kyle may be reached by phone 559.490.1212. 2. The project is a “developer” initiated and driven project. 	<p>This comment is a response of City staff to request for clarification on Specific Plan information included in comment B1-1. This response does not address the adequacy or completeness of the Draft EIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. No further response is necessary.</p>
B2 San Joaquin Valley Air Pollution Control District (February 7, 2022)		
B2-1	<p>The San Joaquin Valley Unified Air Pollution Control District (District) has reviewed the Draft Environmental Impact Report (DEIR) for the project referenced above from the City of Madera (City). The project is the Villages at Almond Grove Specific Plan (Specific Plan). The Specific Plan consists of a new mixed-use community which includes: 10,783 residential units, approximately 2.1 million square feet of non-residential development space (e.g. commercial, office, and industrial development), approximately 164 acres of parks and recreational area, and approximately 54 acres of public facilities, including schools. The Specific Plan will be located at the western edge of the City of Madera, bounded by the Fresno River to the south, Road 24 to the east, Avenue 17 to the north, and Road 22 to the west in Madera, CA (APN 033-180-002, 003).</p>	<p>This comment provides an introduction to the comment letter and provides a summary of the commenter’s understanding of the Specific Plan. This comment does not address the adequacy or completeness of the Draft EIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. No further response is necessary.</p>

Table 3.A: Comments and Responses Matrix

Letter/ Comment Number	Comment	Response
	The District offers the following comments:	
B2-2	<p>1. Feasibility of implementing a Voluntary Emissions Reduction Agreement</p> <p>Per Table 4.3.J (Mitigated Maximum Annual Project Construction Emissions by Phase) and Table 4.3.L (Mitigated Project Operational Emissions) in the DEIR, the Specific Plan construction and operational emissions are expected to exceed the District’s significance thresholds, thus resulting in a significant impact on air quality. The District recommends that the DEIR be revised to include a discussion on the feasibility of implementing a Voluntary Emission Reduction Agreement (VERA) for the Specific Plan.</p> <p>A VERA is a mitigation measure by which the project proponent provides pound-for-pound mitigation of emissions increases through a process that develops, funds, and implements emission reduction projects, with the District serving a role of administrator of the emissions reduction projects and verifier of the successful mitigation effort. To implement a VERA, the project proponent and the District enter into a contractual agreement in which the project proponent agrees to mitigate project specific emissions by providing funds for the District’s incentives programs. The funds are disbursed by the District in the form of grants for projects that achieve emission reductions. Thus, project-related impacts on air quality can be mitigated. Types of emission reduction projects that have been funded in the past include electrification of stationary internal combustion engines (such as agricultural irrigation pumps), replacing old heavy-duty trucks with new, cleaner, more efficient heavy-duty trucks, and replacement of old farm tractors.</p> <p>In implementing a VERA, the District verifies the actual emission reductions that have been achieved as a result of completed grant contracts, monitors the emission reduction projects, and ensures the enforceability of achieved reductions. After the project is mitigated, the District certifies to the Lead Agency that the mitigation completed, providing the Lead Agency with an enforceable mitigation measure demonstrating that project-specific regional emissions have been mitigated to less than significant. To assist the Lead Agency and project proponent in ensuring that the environmental document is compliant with CEQA, the District recommends the Draft EIR includes an assessment of the feasibility of implementing a VERA.</p> <p>Additional information on implementing a VERA can be obtained by contacting District CEQA staff at by email at CEQA@valleyair.org or by phone at (559) 230-6000.</p>	<p>The commenter states that a Voluntary Emission Reduction Agreement (VERA) is a method available for mitigating criteria pollutant impacts. A VERA is often implemented at the project-level and would be developed with specific projects as they are proposed under the proposed Specific Plan. Mitigation Measure AIR-2.1 and Mitigation Measure AIR-2.2 include a series of measures to reduce project-related construction- and operational-period emissions. In addition, as future discretionary projects are proposed under the proposed Specific Plan, compliance with regulatory requirements of the SJVAPCD would be required. This comment provides additional information on implementation of a VERA agreement, which is noted. No additional response is required.</p>
B2-3	2. Recommended Feasible Mitigation To Reduce Operational Air Quality Impacts	This comment recommends the inclusion of several measures into the Draft EIR to address environmental impacts associated with the

Table 3.A: Comments and Responses Matrix

Letter/ Comment Number	Comment	Response
	<p>The San Joaquin Valley will not be able to attain stringent health-based federal air quality standards without significant reductions in emissions from heavy-heavy duty (HHD) Trucks, the single largest source of NOx emissions in the San Joaquin Valley. The District recently adopted the 2018 PM2.5 Plan which includes significant new reductions from HHD Trucks, including emissions reductions by 2023 through the implementation of the California Air Resources Board (CARB) Statewide Truck and Bus Regulation, which requires truck fleets operating in California to meet the 2010 0.2 g/bhp-hr NOx standard by 2023. Additionally, to meet the federal air quality standards by the 2020 to 2024 attainment deadlines, the District’s Plan relies on a significant and immediate transition of heavy duty truck fleets to zero or near-zero emissions technologies, including the near-zero truck standard of 0.02 g/bhp-hr NOx established by the California Air Resources Board.</p> <p>The Specific Plan is designed to construct non-residential development (e.g. industrial development which has the potential for warehouses). Industrial development has the potential to generate HHD Truck traffic, including HHD Trucks traveling to-and-from further trip length distances for potential distribution. To reduce impacts from operational mobile source emissions, the District recommends that the following mitigation measures be considered for inclusion in the Final EIR:</p> <ul style="list-style-type: none"> ● Advise fleets associated with project operational activities to utilize the cleanest available HHD truck technologies, including zero and near-zero (0.02 g/bhp-hr NOx) technologies as feasible. ● Advise all on-site service equipment (cargo handling, yard hostlers, forklifts, pallet jacks, etc.) to utilize zero-emissions technologies as feasible. ● Advise fleets to use best practices (i.e. eliminating unnecessary idling). 	<p>operation of non-residential uses in the Specific Plan Area. As noted on page 4.3-33 of the Draft EIR, operational impacts associated with implementation of the proposed Specific Plan would be considered significant and unavoidable. In accordance with the recommendations included in this comment, Mitigation Measure AIR-2.2 of the Draft EIR has been amended to include specific best management practices such as use of zero-emissions and near-zero technologies, as feasible. Please refer to Chapter 4.0 of this Final EIR to see the full text revision.</p>
B2-4	<p>3. Vegetative Barriers and Urban Greening</p> <p>The District suggests the City consider the feasibility of incorporating vegetative barriers and urban greening as a measure to further reduce air pollution exposure on sensitive receptors (i.e. church and school). The District recommends future development projects within the Specific Plan be evaluated for vegetative barriers and urban greening.</p> <p>While various emission control techniques and programs exist to reduce air quality emissions from mobile and stationary sources, vegetative barriers have been shown to be an additional measure to potentially reduce a population’s exposure to air pollution</p>	<p>This comment recommends the installation of vegetative barriers and urban greening to reduce air pollution exposure on sensitive receptors. The proposed Specific Plan includes Landscape Guidelines that promote sustainability with drought-tolerant or water-wise plant materials throughout the Specific Plan Area. In addition, the Specific Plan provides guidelines for open space throughout the Specific Plan Area includes parks, landscape corridors, natural open space, and trails and paseos. These design features provide breaks</p>

Table 3.A: Comments and Responses Matrix

Letter/ Comment Number	Comment	Response
	<p>through the interception of airborne particles and the uptake of gaseous pollutants. Examples of vegetative barriers include, but not limited to the following: trees, bushes, shrubs, or a mix of these. Generally, a higher and thicker vegetative barrier with full coverage will result in greater reductions in downwind pollutant concentrations. In the same manner, urban greening is also a way to help improve air quality and public health in addition to enhancing the overall beautification of a community with drought resistant low maintenance greenery.</p>	<p>from and between urban development throughout the Specific Plan Area. The further information provided in this comment is noted.</p>
B2-5	<p>4. Clean Lawn and Garden Equipment in the Community</p> <p>Since the Project consists of residential and commercial development, gas-powered residential and commercial lawn and garden equipment have the potential to result in an increase of NOx and PM2.5 emissions. Utilizing electric lawn care equipment can provide residents with immediate economic, environmental, and health benefits. The District recommends the project proponent consider the District’s Clean Green Yard Machines (CGYM) program which provides incentive funding for replacement of existing gas powered lawn and garden equipment. The District recommends future development projects within the Specific Plan be evaluated for clean lawn and garden equipment in the community.</p> <p>More information on the District CGYM program and funding can be found at: http://www.valleyair.org/grants/cgym.htm and http://valleyair.org/grants/cgym-commercial.htm.</p>	<p>The proposed Specific Plan includes Sustainability Guidelines that encourages the uses of landscape design strategies to minimize water use and provide greater efficiency to reduce energy consumption. Included as part of the Sustainability Guidelines are recommendations to install native plants and reduce the area of turf installed within the Specific Plan Area with the intention of reducing water use and limiting the need for landscaping equipment. Additionally, consistent with the latest California Building Code Standards, all residential units developed under the plan will include exterior electrical outlets to support the use of electric lawn care equipment. The further information provided in this comment is noted.</p>
B2-6	<p>5. Under-fired Charbroilers</p> <p>The proposed development project includes commercial use, which may potentially be occupied by restaurants. Should restaurants with under-fired charbroilers move in, the charbroilers may pose the potential for immediate health risk, particularly when located in densely developed locations near sensitive receptors. Since the cooking of meat can release carcinogenic PM2.5 species like polycyclic aromatic hydrocarbons, controlling emissions from new under-fired charbroilers will have a substantial positive impact on public health. The air quality impacts on neighborhoods near restaurants with under-fired charbroilers can be significant on days when meteorological conditions are stable, when dispersion is limited and emissions are trapped near the surface within the surrounding neighborhoods. As mentioned above, the project is located in an urban area with commercial and office buildings immediately adjacent to the project. A church and a high school is located northwest and south of the project. This potential for</p>	<p>This comment warns of the immediate health risk associated with under-fired char broilers and recommends that projects developed under the Specific Plan that include installation of under-fired char broilers should be assessed to considered whether particulate matter emission control systems could be installed. All future development proposals that contain under-fired char broilers will be evaluated for consistency with SJVPACD Rule 4692 for commercial charbroiling and will be evaluated for potential health effects during the discretionary review process. No changes to the Draft EIR are required.</p>

Table 3.A: Comments and Responses Matrix

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	<p>neighborhood-level concentration of emissions during evening or multi-day stagnation events raises environmental concerns.</p> <p>Furthermore, reducing commercial charbroiling emissions is essential to achieving attainment of multiple federal PM2.5 standards and associated health benefits in the Valley. Therefore, the District recommends that if the future development projects within the Specific Plan include the installation of an under-fired charbroiler, a measure should be included requiring the assessment and potential installation, as technologically feasible, of particulate matter emission control systems for the project. The District is available to assist the City with this assessment. Additionally, to ease the financial burden for Valley businesses, the District is currently offering substantial incentive funding that covers the full cost of purchasing, installing, and maintaining the system for up to two years. Please contact the District at (559) 230-5800 or technology@valleyair.org for more information.</p>	
B2-7	<p>6. Solar Deployment in the Community</p> <p>It is the policy of the State of California that renewable energy resources and zerocarbon resources supply 100% of retail sales of electricity to California end-use customers by December 31, 2045. While various emission control techniques and programs exist to reduce air quality emissions from mobile and stationary sources, the production of solar energy is contributing to improving air quality and public health. The District suggests that the City consider the feasibility of incorporating solar power systems, as an emission reduction strategy for future development projects within the Specific Plan.</p>	<p>Mitigation Measure GHG-1.1 requires the submittal of Greenhouse Gas Reduction Plans, or proof of compliance with the City’s Climate Action Plan (CAP). As part of the requirements, the Greenhouse Gas Reduction Plans would reference construction plans details and specifications to document implementation and compliance with the applicable CAP measures, including installation of solar photovoltaic (PV) systems. The further information provided in this comment is noted.</p>
B2-8	<p>7. Charge Up! Electric Vehicle Charger</p> <p>To support further installation of electric vehicle charging equipment and development of such infrastructure, the District offers incentives to public agencies, businesses, and property owners of multi-unit dwellings to install electric charging infrastructure (Level 2 and 3 chargers). The purpose of this incentive program is to promote clean air alternative-fuel technologies and the use of low or zero-emission vehicles. The District suggests that the City and project proponent consider the feasibility of installing electric vehicle chargers for future development projects within the Specific Plan.</p> <p>Please visit www.valleyair.org/grants/chargeup.htm for more information.</p>	<p>Current plans for projects associated with the proposed Specific Plan do not provide sufficient detail to demonstrate whether projects include alternative fueling stations or electric vehicle (EV) charging stations. Mitigation Measure GHG-1.1 requires the submittal of Greenhouse Gas Reduction Plans, or proof of compliance with the City’s Climate Action Plan (CAP). Among the measures included in the City’s CAP that are considered to be applicable, feasible, and effective, is the inclusion of alternative fueling stations or electric vehicle (EV) charging stations within the Specific Plan Area. As part of the requirements, the Greenhouse Gas Reduction Plans would reference construction plans details and specifications to document implementation and compliance with the applicable CAP measures,</p>

Table 3.A: Comments and Responses Matrix

Letter/ Comment Number	Comment	Response
		including installation of EV charging stations. The further information provided in this comment is noted.
B2-9	<p>8. District Rules and Regulation</p> <p>The District issues permits for many types of air pollution sources and regulates some activities not requiring permits. A project subject to District rules and regulation would reduce its impacts on air quality through compliance with regulatory requirements. In general, a regulation is a collection of rules, each of which deals with a specific topic. Here are a couple of example, Regulation II (Permits) deals with permitting emission sources and includes rules such as District permit requirements (Rule 2010), New and Modified Stationary Source Review (Rule 2201), and implementation of Emission Reduction Credit Banking (Rule 2301).</p> <p>The list of rules below is neither exhaustive nor exclusive. Current District rules can be found online at: www.valleyair.org/rules/1ruleslist.htm. To identify other District rules or regulations that apply to a project or to obtain information about District permit requirements, the applicant is strongly encouraged to contact the District’s Small Business Assistance (SBA) Office at (559) 230-5888.</p>	This comment states that future development projects within the Specific Plan Area may be subject to additional District rules. The Draft EIR, beginning on page 4.3-21 acknowledges that any District rules and regulations would apply to the development occurring within the Specific Plan Area. The further information provided in this comment is noted.
B2-10	<p>8a. District Rules 2010 and 2201 - Air Quality Permitting for Stationary Sources</p> <p>Stationary Source emissions include any building, structure, facility, or installation which emits or may emit any affected pollutant directly or as a fugitive emission. District Rule 2010 requires operators of emission sources to obtain an Authority to Construct (ATC) and Permit to Operate (PTO) from the District. District Rule 2201 requires that new and modified stationary sources of emissions mitigate their emissions using best available control technology (BACT).</p> <p>Future development projects within the Specific Plan may be subject to District Rule 2010 (Permits Required) and Rule 2201 (New and Modified Stationary Source Review) and may require District permits.</p> <p>Prior to commencing construction on any permit-required equipment or process, a finalized Authority to Construct (ATC) must be issued to the Project proponent by the District. For further information or assistance, the project proponent may contact the District’s Small Business Assistance (SBA) Office at (559) 230-5888.</p>	This comment provides information on District Rule 2010 (Permits Required) and Rule 2201 (New and Modified Stationary Source Review). Rule 2201 and permitting requirements of the District are discussed on pages 4.3-23 of the Draft EIR. Although no specific projects are proposed at this time, the Draft EIR acknowledges that any new or modified stationary/industrial source would be required to provide emission controls and offsets. The further information provided in this comment is noted.
B2-11	8b. District Rule 9510 (Indirect Source Review)	This comment provides information related to the District’s Rule 9510 (Indirect Source Rule). Rule 9510 is discussed on page 4.3-30

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	<p>The purpose of District Rule 9510 (Indirect Source Review) is to reduce the growth in both NOx and PM10 emissions associated with development and transportation projects from mobile and area sources associated with construction and operation of development projects. The rule encourages clean air design elements to be incorporated into the development project. In case the proposed project clean air design elements are insufficient to meet the targeted emission reductions, the rule requires developers to pay a fee used to fund projects to achieve off-site emissions reductions.</p> <p>The entire Project is subject to District Rule 9510 because it will receive a project-level discretionary approval from a public agency and will equal or exceed 9,000 square feet of space. When subject to the rule, an Air Impact Assessment (AIA) application is required prior to applying for project-level approval from a public agency. In this case, if not already done, please inform the project proponent to immediately submit an AIA application to the District to comply with District Rule 9510.</p> <p>An AIA application is required and the District recommends that demonstration of compliance with District Rule 9510, before issuance of the first building permit, be made a condition of Project approval.</p> <p>Information about how to comply with District Rule 9510 can be found online at: http://www.valleyair.org/ISR/ISRHome.htm.</p> <p>The AIA application form can be found online at: http://www.valleyair.org/ISR/ISRFormsAndApplications.htm.</p>	<p>the Draft EIR as an applicable law and regulation related to implementation of the proposed Specific Plan. The information provided in this comment is noted. No additional response is required.</p>
B2-12	<p>8c. District Rule 9410 (Employer Based Trip Reduction)</p> <p>Future development projects within the Specific Plan may be subject to District Rule 9410 (Employer Based Trip Reduction) if the project would result in employment of 100 or more “eligible” employees. District Rule 9410 requires employers with 100 or more “eligible” employees at a worksite to establish an Employer Trip Reduction Implementation Plan (eTRIP) that encourages employees to reduce single-occupancy vehicle trips, thus reducing pollutant emissions associated with work commutes. Under an eTRIP plan, employers have the flexibility to select the options that work best for their worksites and their employees.</p> <p>Information about how District Rule 9410 can be found online at: www.valleyair.org/tripreduction.htm.</p>	<p>This comment provides information related to the District’s Rule 9410 (Employer Based Trip Reduction). Rule 9410 is an applicable law and regulation that may be related to future development occurring under the proposed Specific Plan. The information provided in this comment is noted. No additional response is required.</p>

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	For additional information, you can contact the District by phone at 559-230-6000 or by e-mail at etrip@valleyair.org	
B2-13	<p>8d. Other District Rules and Regulations</p> <p>Future development projects within the Specific Plan may also be subject to the following District rules: Regulation VIII, (Fugitive PM10 Prohibitions), Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations). In the event an existing building will be renovated, partially demolished or removed, the project may be subject to District Rule 4002 (National Emission Standards for Hazardous Air Pollutants).</p>	This comment states that future development projects may be subject to additional District rules. It is acknowledged that project developed under the proposed Specific Plan would be required to comply with rules and regulations administered by the SJVAPCD. Future discretionary development proposals would require review by the SJVAPCD to identify any permitting requirements, including those identified in this comment.
B2-14	If you have any questions or require further information, please contact Harout Sagherian by e-mail at Harout.Sagherian@valleyair.org or by phone at (559) 230-5860.	This comment provides a closing to the comment letter and does not address the adequacy or completeness of the Draft EIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. No further response is necessary.
Organizations and Interested Parties		
C1 Pacific Gas and Electric Company (December 27, 2022)		
C1-1	<p>Thank you for submitting The Villages at Almond Grove plans for our review. PG&E will review the submitted plans in relationship to any existing Gas and Electric facilities within the project area. If the proposed project is adjacent/or within PG&E owned property and/or easements, we will be working with you to ensure compatible uses and activities near our facilities.</p> <p>Attached you will find information and requirements as it relates to Gas facilities (Attachment 1) and Electric facilities (Attachment 2). Please review these in detail, as it is critical to ensure your safety and to protect PG&E's facilities and its existing rights. Below is additional information for your review:</p> <p>This plan review process does not replace the application process for PG&E gas or electric service your project may require. For these requests, please</p> <ol style="list-style-type: none"> continue to work with PG&E Service Planning: https://www.pge.com/en_US/business/services/building-and-renovation/overview/overview.page If the project being submitted is part of a larger project, please include the entire 	This comment provides an introduction to the comment letter and describes the application process; it does not address the adequacy or completeness of the Draft EIR, does not raise environmental issues, and does not request the incorporation of additional information relevant to environmental issues. No further response is necessary.

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	<p>scope of your project, and not just a portion of it. PG&E’s facilities are to be incorporated within any CEQA document. PG&E needs to verify that the CEQA document will identify any required future PG&E services.</p> <p>3. An engineering deposit may be required to review plans for a project depending on the size, scope, and location of the project and as it relates to any rearrangement or new installation of PG&E facilities.</p> <p>Any proposed uses within the PG&E fee strip and/or easement, may include a California Public Utility Commission (CPUC) Section 851 filing. This requires the CPUC to render approval for a conveyance of rights for specific uses on PG&E’s fee strip or easement. PG&E will advise if the necessity to incorporate a CPUC Section 851 filing is required.</p> <p>This letter does not constitute PG&E’s consent to use any portion of its easement for any purpose not previously conveyed. PG&E will provide a project specific response as required.</p>	
C1-2	<p>Attachment 1 – Gas Facilities</p> <p>There could be gas transmission pipelines in this area which would be considered critical facilities for PG&E and a high priority subsurface installation under California law. Care must be taken to ensure safety and accessibility. So, please ensure that if PG&E approves work near gas transmission pipelines it is done in adherence with the below stipulations. Additionally, the following link provides additional information regarding legal requirements under California excavation laws: https://www.usanorth811.org/images/pdfs/CA-LAW-2018.pdf</p> <ol style="list-style-type: none"> 1. Standby Inspection: A PG&E Gas Transmission Standby Inspector must be present during any demolition or construction activity that comes within 10 feet of the gas pipeline. This includes all grading, trenching, substructure depth verifications (potholes), asphalt or concrete demolition/removal, removal of trees, signs, light poles, etc. This inspection can be coordinated through the Underground Service Alert (USA) service at 811. A minimum notice of 48 hours is required. Ensure the USA markings and notifications are maintained throughout the duration of your work. 2. Access: At any time, PG&E may need to access, excavate, and perform work on the gas pipeline. Any construction equipment, materials, or spoils may need to be removed upon notice. Any temporary construction fencing installed within PG&E’s easement would also need to be capable of being removed at any time upon notice. 	<p>This comment provides PG&E stipulations for construction activities within the Specific Plan Area that occur near gas pipelines. This comment does not address the adequacy or completeness of the Draft EIR; does not raise environmental issues and does not request the incorporation of additional information relevant to environmental issues. In addition, future projects would be required to comply with any applicable regulatory requirements related construction and excavation. No further response is necessary.</p>

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	<p>Any plans to cut temporary slopes exceeding a 1:4 grade within 10 feet of a gas transmission pipeline need to be approved by PG&E Pipeline Services in writing PRIOR to performing the work.</p> <p>3. Wheel Loads: To prevent damage to the buried gas pipeline, there are weight limits that must be enforced whenever any equipment gets within 10 feet of traversing the pipe.</p> <p>Ensure a list of the axle weights of all equipment being used is available for PG&E's Standby Inspector. To confirm the depth of cover, the pipeline may need to be potholed by hand in a few areas.</p> <p>Due to the complex variability of tracked equipment, vibratory compaction equipment, and cranes, PG&E must evaluate those items on a case-by-case basis prior to use over the gas pipeline (provide a list of any proposed equipment of this type noting model numbers and specific attachments).</p> <p>No equipment may be set up over the gas pipeline while operating. Ensure crane outriggers are at least 10 feet from the centerline of the gas pipeline. Transport trucks must not be parked over the gas pipeline while being loaded or unloaded.</p> <p>4. Grading: PG&E requires a minimum of 36 inches of cover over gas pipelines (or existing grade if less) and a maximum of 7 feet of cover at all locations. The graded surface cannot exceed a cross slope of 1:4.</p> <p>5. Excavating: Any digging within 2 feet of a gas pipeline must be dug by hand. Note that while the minimum clearance is only 12 inches, any excavation work within 24 inches of the edge of a pipeline must be done with hand tools. So to avoid having to dig a trench entirely with hand tools, the edge of the trench must be over 24 inches away. (Doing the math for a 24 inch wide trench being dug along a 36 inch pipeline, the centerline of the trench would need to be at least 54 inches [$24/2 + 24 + 36/2 = 54$] away, or be entirely dug by hand.)</p> <p>Water jetting to assist vacuum excavating must be limited to 1000 psig and directed at a 40° angle to the pipe. All pile driving must be kept a minimum of 3 feet away.</p> <p>Any plans to expose and support a PG&E gas transmission pipeline across an open excavation need to be approved by PG&E Pipeline Services in writing PRIOR to</p>	

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Letter/ Comment Number	Comment	Response
	<p>performing the work.</p> <p>6. Boring/Trenchless Installations: PG&E Pipeline Services must review and approve all plans to bore across or parallel to (within 10 feet) a gas transmission pipeline. There are stringent criteria to pothole the gas transmission facility at regular intervals for all parallel bore installations.</p> <p>For bore paths that cross gas transmission pipelines perpendicularly, the pipeline must be potholed a minimum of 2 feet in the horizontal direction of the bore path and a minimum of 12 inches in the vertical direction from the bottom of the pipe with minimum clearances measured from the edge of the pipe in both directions. Standby personnel must watch the locator trace (and every ream pass) the path of the bore as it approaches the pipeline and visually monitor the pothole (with the exposed transmission pipe) as the bore traverses the pipeline to ensure adequate clearance with the pipeline. The pothole width must account for the inaccuracy of the locating equipment.</p> <p>7. Substructures: All utility crossings of a gas pipeline should be made as close to perpendicular as feasible (90° +/- 15°). All utility lines crossing the gas pipeline must have a minimum of 12 inches of separation from the gas pipeline. Parallel utilities, pole bases, water line 'kicker blocks', storm drain inlets, water meters, valves, back pressure devices or other utility substructures are not allowed in the PG&E gas pipeline easement.</p> <p>If previously retired PG&E facilities are in conflict with proposed substructures, PG&E must verify they are safe prior to removal. This includes verification testing of the contents of the facilities, as well as environmental testing of the coating and internal surfaces. Timelines for PG&E completion of this verification will vary depending on the type and location of facilities in conflict.</p> <p>8. Structures: No structures are to be built within the PG&E gas pipeline easement. This includes buildings, retaining walls, fences, decks, patios, carports, septic tanks, storage sheds, tanks, loading ramps, or any structure that could limit PG&E's ability to access its facilities.</p> <p>9. Fencing: Permanent fencing is not allowed within PG&E easements except for perpendicular crossings which must include a 16 foot wide gate for vehicular access.</p>	

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	<p>Gates will be secured with PG&E corporation locks.</p> <p>10. Landscaping: Landscaping must be designed to allow PG&E to access the pipeline for maintenance and not interfere with pipeline coatings or other cathodic protection systems. No trees, shrubs, brush, vines, and other vegetation may be planted within the easement area. Only those plants, ground covers, grasses, flowers, and low-growing plants that grow unsupported to a maximum of four feet (4') in height at maturity may be planted within the easement area.</p> <p>11. Cathodic Protection: PG&E pipelines are protected from corrosion with an "Impressed Current" cathodic protection system. Any proposed facilities, such as metal conduit, pipes, service lines, ground rods, anodes, wires, etc. that might affect the pipeline cathodic protection system must be reviewed and approved by PG&E Corrosion Engineering.</p> <p>12. Pipeline Marker Signs: PG&E needs to maintain pipeline marker signs for gas transmission pipelines in order to ensure public awareness of the presence of the pipelines. With prior written approval from PG&E Pipeline Services, an existing PG&E pipeline marker sign that is in direct conflict with proposed developments may be temporarily relocated to accommodate construction work. The pipeline marker must be moved back once construction is complete.</p> <p>13. PG&E is also the provider of distribution facilities throughout many of the areas within the state of California. Therefore, any plans that impact PG&E's facilities must be reviewed and approved by PG&E to ensure that no impact occurs which may endanger the safe operation of its facilities.</p>	
C1-3	<p>Attachment 2 – Electric Facilities</p> <p>It is PG&E's policy to permit certain uses on a case by case basis within its electric transmission fee strip(s) and/or easement(s) provided such uses and manner in which they are exercised, will not interfere with PG&E's rights or endanger its facilities. Some examples/restrictions are as follows:</p> <p>1. Buildings and Other Structures: No buildings or other structures including the foot print and eave of any buildings, swimming pools, wells or similar structures will be permitted within fee strip(s) and/or easement(s) areas. PG&E's transmission easement shall be designated on subdivision/parcel maps as "RESTRICTED USE AREA –</p>	<p>This comment provides PG&E stipulations for construction activities within the Specific Plan Area that occur near electric facilities. This comment does not address the adequacy or completeness of the Draft EIR; does not raise environmental issues and does not request the incorporation of additional information relevant to environmental issues. In addition, future projects would be required to comply with any applicable regulatory requirements related construction and excavation. No further response is necessary.</p>

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	<p>NO BUILDING.”</p> <p>2. Grading: Cuts, trenches or excavations may not be made within 25 feet of our towers. Developers must submit grading plans and site development plans (including geotechnical reports if applicable), signed and dated, for PG&E’s review. PG&E engineers must review grade changes in the vicinity of our towers. No fills will be allowed which would impair ground-to-conductor clearances. Towers shall not be left on mounds without adequate road access to base of tower or structure.</p> <p>3. Fences: Walls, fences, and other structures must be installed at locations that do not affect the safe operation of PG&E’s facilities. Heavy equipment access to our facilities must be maintained at all times. Metal fences are to be grounded to PG&E specifications. No wall, fence or other like structure is to be installed within 10 feet of tower footings and unrestricted access must be maintained from a tower structure to the nearest street. Walls, fences and other structures proposed along or within the fee strip(s) and/or easement(s) will require PG&E review; submit plans to PG&E Centralized Review Team for review and comment.</p> <p>4. Landscaping: Vegetation may be allowed; subject to review of plans. On overhead electric transmission fee strip(s) and/or easement(s), trees and shrubs are limited to those varieties that do not exceed 15 feet in height at maturity. PG&E must have access to its facilities at all times, including access by heavy equipment. No planting is to occur within the footprint of the tower legs. Greenbelts are encouraged.</p> <p>5. Reservoirs, Sumps, Drainage Basins, and Ponds: Prohibited within PG&E’s fee strip(s) and/or easement(s) for electric transmission lines.</p> <p>6. Automobile Parking: Short term parking of movable passenger vehicles and light trucks (pickups, vans, etc.) is allowed. The lighting within these parking areas will need to be reviewed by PG&E; approval will be on a case by case basis. Heavy equipment access to PG&E facilities is to be maintained at all times. Parking is to clear PG&E structures by at least 10 feet. Protection of PG&E facilities from vehicular traffic is to be provided at developer’s expense AND to PG&E specifications. Blocked-up vehicles are not allowed. Carpools, canopies, or awnings are not allowed.</p> <p>7. Storage of Flammable, Explosive or Corrosive Materials: There shall be no storage of fuel or combustibles and no fueling of vehicles within PG&E’s easement. No trash bins</p>	

Table 3.A: Comments and Responses Matrix

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	<p>or incinerators are allowed.</p> <p>8. Streets and Roads: Access to facilities must be maintained at all times. Street lights may be allowed in the fee strip(s) and/or easement(s) but in all cases must be reviewed by PG&E for proper clearance. Roads and utilities should cross the transmission easement as nearly at right angles as possible. Road intersections will not be allowed within the transmission easement.</p> <p>9. Pipelines: Pipelines may be allowed provided crossings are held to a minimum and to be as nearly perpendicular as possible. Pipelines within 25 feet of PG&E structures require review by PG&E. Sprinklers systems may be allowed; subject to review. Leach fields and septic tanks are not allowed. Construction plans must be submitted to PG&E for review and approval prior to the commencement of any construction.</p> <p>10. Signs: Signs are not allowed except in rare cases subject to individual review by PG&E</p> <p>11. Recreation Areas: Playgrounds, parks, tennis courts, basketball courts, barbecue and light trucks (pickups, vans, etc.) may be allowed; subject to review of plans. Heavy equipment access to PG&E facilities is to be maintained at all times. Parking is to clear PG&E structures by at least 10 feet. Protection of PG&E facilities from vehicular traffic is to be provided at developer’s expense AND to PG&E specifications.</p> <p>12. Construction Activity: Since construction activity will take place near PG&E’s overhead electric lines, please be advised it is the contractor’s responsibility to be aware of, and observe the minimum clearances for both workers and equipment operating near high voltage electric lines set out in the High-Voltage Electrical Safety Orders of the California Division of Industrial Safety (https://www.dir.ca.gov/Title8/sb5g2.html), as well as any other safety regulations. Contractors shall comply with California Public Utilities Commission General Order 95 (http://www.cpuc.ca.gov/gos/GO95/go_95_startup_page.html) and all other safety rules. No construction may occur within 25 feet of PG&E’s towers. All excavation activities may only commence after 811 protocols has been followed.</p> <p>Contractor shall ensure the protection of PG&E's towers and poles from vehicular damage by (installing protective barriers) Plans for protection barriers must be approved by PG&E prior to construction.</p> <p>13. PG&E is also the owner of distribution facilities throughout many of the areas within</p>	

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	<p>the state of California. Therefore, any plans that impact PG&E’s facilities must be reviewed and approved by PG&E to ensure that no impact occurs that may endanger the safe and reliable operation of its facilities.</p>	
<p>C2 Pacific Coast Producers (January 10, 2022)</p>		
<p>C2-1</p>	<p>Pacific Coast Producers received the Notice of Availability of a Draft EIR for the above referenced project. While we have not read the entire EIR as of yet, in reviewing the Executive Summary and the Transportation Chapters, we are concerned that the planned project does not take into consideration agricultural truck traffic during the harvest season. Both Avenue 16 and Avenue 17, as well as Road 23 are heavily used during the harvest season to transport commodities to processing facilities. In particular, Road 23, which runs through the heart of the planned project, is a traffic route for haulers of fruits and grapes and other commodities. This is especially concerning as the project plans for bike lanes, schools and commercial centers. The EIR discusses the Circulation Plan and the design of streets, corners, approaches and the like and discusses reduced vehicle speeds, but it does not discuss the potential hazards related to increased traffic during seasonal agricultural operations and the proximity of vulnerable populations. We would like an opportunity to discuss our concerns with you.</p>	<p>This comment expresses concerns regarding increases in traffic hazards along Avenues 16 and 17, and Road 23 within the Specific Plan Area during the harvest season. Implementation of the Specific Plan would increase vehicle traffic, which would require the improvement and expansion of the roadway network in the Specific Plan Area. The Specific Plan identifies a roadway system, bikeways, trails, and sidewalks that would be constructed in compliance with policy direction to facilitate transportation in the Specific Plan Area. New transportation facilities would be designed according to applicable federal, State, and local design standards, which would minimize traffic hazards. The minimum design speeds to be used for centerline curve radii, super elevation, corner and approach site distances, vertical and horizontal alignment, and sight distances for the Circulation Plan of streets would comply with City standards. As a result, the design of transportation facilities would improve safety and reduce conflicts by encouraging reduced vehicle speeds on roadways. The traffic improvements identified in the Specific Plan are based on the results identified in the Traffic Impact Assessment (TIA), which considers peak-hour performance of roadways within the Specific Plan Area upon completion of the Specific Plan. Potential traffic impacts resulting from temporary events like the harvest season are not relevant to this analysis. There are alternative routes within the City and County that haulers of agricultural commodities could take to reduce their impact on sensitive receptors within the Specific Plan Area. Therefore, traffic hazards along Avenues 16 and 17, and Road 23 during harvest season would be minimized through roadway design and adherence to the required traffic improvements identified in the TIA.</p>

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4.0 DRAFT ENVIRONMENTAL IMPACT REPORT TEXT REVISIONS

This chapter presents specific changes to the text of the Draft Environmental Impact Report (Draft EIR) that are being made to clarify any errors, omissions, or misinterpretation of materials in the Draft EIR in response to comments received during the public review period. In no case do these revisions result in a greater number of impacts or impacts of a greater severity than those set forth in the Draft EIR. Further, the additional text provided in the following revision is intended to amplify the existing mitigation regarding best practices, and does not constitute significant new information requiring recirculation of the Draft EIR. Where revisions to the main text is called for, the page and paragraph are set forth, followed by the appropriate revision. Added text is indicated with double-underlined text, and deleted text is shown in ~~strikeout~~.

SECTION 4.4, AIR QUALITY

Mitigation Measure AIR-2.2, beginning on page 4.3-31 of the Draft EIR, is amended as follows:

- Mitigation Measure AIR-2.2** Prior to issuance of a building permit, the City of Madera Community Development Director or designee shall identify project design details and specifications, where feasible, to document implementation and compliance with the following emission reduction measures. Implementation of the following measures is considered to be applicable, feasible, and effective in reducing criteria pollutant emissions generated by the project:
- All Project Applicants shall provide Class I and Class II bicycle parking/storage facilities on-site. Bicycle parking facilities should be near destination points and easy to find. At least one bicycle parking space for every 20 vehicle parking spaces.
 - All employers shall provide shower and locker facilities to encourage employees to bike and/or walk to work, typically one shower and three lockers for every 25 employees.
 - All apartment complexes or condominiums without garages shall provide Class I bicycle parking.
 - All Project Applicants shall install Class I or II bike lanes on arterial/collector streets, or where a suitable route exists.
 - All Project Applicants shall provide building access and paths which are physically separated from street parking lot traffic and that eliminate physical barriers

such as walls, berms, landscaping and slopes that impede the use of pedestrians, bicycle facilities, or public transportation vehicles.

- All Project Applicants shall provide continuous sidewalks separated from the roadway by landscaping and on street parking.
- All Project Applicants shall provide on and off-site pedestrian facility improvements such as trails linking them to designated pedestrian commuting routes and/or on-site overpasses and wider sidewalks.
- All Project Applicants shall link cul-de-sacs and dead-end streets to encourage pedestrian and bicycle travel.
- All Project Applicants shall provide traffic reduction modifications to project roads, such as: narrower streets, speed platforms, bulb-outs and intersection modifications designed to reduce vehicle speeds and to encourage pedestrian and bicycle travel.
- All Project Applicants shall provide a parking lot design that includes clearly marked and shaded pedestrian pathways between transit facilities and building entrances.
- All Project Applicants shall provide pedestrian access between bus service and major transportation points and to destination points within the project.
- All Project Applicants shall provide a display case or kiosk displaying transportation information in a prominent area accessible to employees, residents, or visitors.
- All Project Applicants shall display bike route maps, bus schedules, and any other transportation information such as carpooling and car sharing.
- All Project Applicants shall design projects using models by the Local Government Commission (LGC) in the "Smart Growth Guidebook," such as: street block patterns that from an interconnected grid, short block faces, numerous alleys, and narrow streets.

- All Project Applicants shall develop and implement parking pricing strategies, such as charging parking lot fees to low occupancy (single occupant vehicles) vehicles.
- All Project Applicants shall provide preferential parking spaces near the entrance of buildings for those who carpool/vanpool/rideshare and provide signage.
- All Project Applicants shall install efficient heating, and other appliances, such as water heaters, cooking equipment, refrigerators, furnaces, and boiler units beyond Title 24 requirements.
- All Project Applicants shall use solar or low-emission water heaters and use central water heaters.
- All Project Applicants shall improve the thermal integrity/efficiency of buildings, and reduce the thermal load with automated and timed temperature controls or occupant sensors.
- All Project Applicants shall orient buildings to take advantage of solar heating and natural cooling and use passive solar designs.
- All employers shall implement at least one of the following: provide a guaranteed ride home; provide a carpool support system; provide a car-sharing services support system; provide a ride share program; employ or appoint an Employee Transportation Coordinator; provide incentives to employees to carpool/vanpool, take public transportation, telecommute, walk, and/or bike; participate in an employee "flash-pass" program, which provides free travel on transit buses; or provide transit pass subsidy and/or commute alternative allowance.
- If feasible, employers shall implement alternative work schedules such as compressed workweek schedules where weekly work hours are compressed into fewer than five days.
- Employers shall require fleets associated with project operational activities to utilize the cleanest available

HHD truck technologies, including zero and near-zero (0.02 g/bhp-hr NOx) technologies as feasible.

- Employers shall require all on-site service equipment (cargo handling, yard hostlers, forklifts, pallet jacks, etc.) to utilize zero-emissions technologies as feasible.
- Employers shall require fleets to use best practices (i.e. eliminating unnecessary idling).

Level of Significance With Mitigation: Significant and Unavoidable Impact.

APPENDIX L

PUBLIC COMMENT LETTERS ON THE DRAFT EIR

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Jared Blumenfeld
Secretary for
Environmental Protection



Department of Toxic Substances Control

Meredith Williams, Ph.D.
Director
8800 Cal Center Drive
Sacramento, California 95826-3200



Gavin Newsom
Governor

January 4, 2022

Mr. Gary Conte
Planning Manager
City of Madera
205 W. 4th Street
Madera, CA 93637
GConte@madera.gov

DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE VILLAGES AT ALMOND GROVE SPECIFIC PLAN – DATED DECEMBER 2021 (STATE CLEARINGHOUSE NUMBER: 2018081051)

Dear Mr. Conte:

The Department of Toxic Substances Control (DTSC) received a Draft Environmental Impact Report (EIR) for the Villages at Almond Grove Specific Plan (Project). The Lead Agency is receiving this notice from DTSC because the Project includes one or more of the following: groundbreaking activities, work in close proximity to a roadway, work in close proximity to mining or suspected mining or former mining activities, presence of site buildings that may require demolition or modifications, importation of backfill soil, and/or work on or in close proximity to an agricultural or former agricultural site.

A1-1

DTSC recommends that the following issues be evaluated in the EIR Hazards and Hazardous Materials section:

1. The EIR should acknowledge the potential for historic or future activities on or near the project site to result in the release of hazardous wastes/substances on the project site. In instances in which releases have occurred or may occur, further studies should be carried out to delineate the nature and extent of the contamination, and the potential threat to public health and/or the environment should be evaluated. The EIR should also identify the mechanism(s) to initiate any required investigation and/or remediation and the government agency who will be responsible for providing appropriate regulatory oversight.

A1-2

Mr. Gary Conte
January 4, 2022
Page 2

2. Refiners in the United States started adding lead compounds to gasoline in the 1920s in order to boost octane levels and improve engine performance. This practice did not officially end until 1992 when lead was banned as a fuel additive in California. Tailpipe emissions from automobiles using leaded gasoline contained lead and resulted in aerially deposited lead (ADL) being deposited in and along roadways throughout the state. ADL-contaminated soils still exist along roadsides and medians and can also be found underneath some existing road surfaces due to past construction activities. Due to the potential for ADL-contaminated soil DTSC, recommends collecting soil samples for lead analysis prior to performing any intrusive activities for the project described in the EIR.
3. If any sites within the project area or sites located within the vicinity of the project have been used or are suspected of having been used for mining activities, proper investigation for mine waste should be discussed in the EIR. DTSC recommends that any project sites with current and/or former mining operations onsite or in the project site area should be evaluated for mine waste according to DTSC's 1998 [Abandoned Mine Land Mines Preliminary Assessment Handbook](#)
4. If buildings or other structures are to be demolished on any project sites included in the proposed project, surveys should be conducted for the presence of lead-based paints or products, mercury, asbestos containing materials, and polychlorinated biphenyl caulk. Removal, demolition and disposal of any of the above-mentioned chemicals should be conducted in compliance with California environmental regulations and policies. In addition, sampling near current and/or former buildings should be conducted in accordance with DTSC's 2006 [Interim Guidance Evaluation of School Sites with Potential Contamination from Lead Based Paint, Termiticides, and Electrical Transformers](#).
5. If any projects initiated as part of the proposed project require the importation of soil to backfill any excavated areas, proper sampling should be conducted to ensure that the imported soil is free of contamination. DTSC recommends the imported materials be characterized according to [DTSC's 2001 Information Advisory Clean Imported Fill Material](#).
6. If any sites included as part of the proposed project have been used for agricultural, weed abatement or related activities, proper investigation for organochlorinated pesticides should be discussed in the EIR. DTSC recommends the current and former agricultural lands be evaluated in accordance with DTSC's 2008 [Interim Guidance for Sampling Agricultural Properties \(Third Revision\)](#).

A1-3

A1-4

A1-5

A1-6

A1-7

Mr. Gary Conte
January 4, 2022
Page 3

DTSC appreciates the opportunity to comment on the EIR. Should you need any assistance with an environmental investigation, please visit DTSC's [Site Mitigation and Restoration Program](#) page to apply for lead agency oversight. Additional information regarding voluntary agreements with DTSC can be found at [DTSC's Brownfield website](#).

A1-8

If you have any questions, please contact me at (916) 255-3710 or via email at Gavin.McCreary@dtsc.ca.gov.

Sincerely,



Gavin McCreary
Project Manager
Site Evaluation and Remediation Unit
Site Mitigation and Restoration Program
Department of Toxic Substances Control

cc: (via email)

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

Mr. Dave Kereazis
Office of Planning & Environmental Analysis
Department of Toxic Substances Control
Dave.Kereazis@dtsc.ca.gov

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From: Mafana, Tatanka@CHP <TMafana@chp.ca.gov>
Sent: Friday, February 4, 2022 11:49 AM
To: Gary Conte <gconte@madera.gov>
Cc: Lange, Kristen@CHP <Kristen.Lange@chp.ca.gov>
Subject: SCH# 2018081015

Good morning/afternoon. No impact to the Madera Area's local operations and/or public safety by SCH# 2018081015 was identified.

A2-1

Respectfully,

Sergeant Tatanka "Tank" Mafana, ID 19507
Madera Area (450)
3051 Airport Drive
Madera, CA 93637
Phone: 559-675-1025



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Gov. Gavin Newsom
David Shabazian, Director

FEBRUARY 7, 2022

VIA EMAIL: GCONTE@MADERA.GOV

Gary Conte, Planning Manager
Planning Department
205 West 4th Street
Madera, CA 93637

Dear Mr. Conte:

DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE VILLAGES AT ALMOND GROVE
SPECIFIC PLAN PROJECT, SCH#2018081051

The Department of Conservation's (Department) Division of Land Resource Protection (Division) has reviewed the Draft Environmental Impact Report (EIR) for the Villages at Almond Grove Specific Plan Project (Project). The Division monitors farmland conversion on a statewide basis, provides technical assistance regarding the Williamson Act, and administers various agricultural land conservation programs. We offer the following comments and recommendations with respect to the project's potential impacts on agricultural land and resources.

A3-1

Project Description

The Specific Plan envisions the development of a new compact mixed-use community that creates walkable and bikeable streets, and integrates open space throughout the area west of the City limits. The Specific Plan proposes to implement a village concept that would create opportunities for commercial development to be integrated with park and open space amenities.

Development considered in the EIR consists of 10,783 residential units, approximately 2.1 million square feet of commercial and office space, approximately 164 acres of parks and recreational area, and approximately 54 acres of public facilities, including schools. In addition, the proposed Specific Plan would include infrastructure improvements including roadways and utilities. The proposed project would require a General Plan Amendment, pre-zoning, and annexation of the Specific Plan Area into the City. Additionally, future development proposals within the Specific Plan Area would be required to be consistent with the Airport Land Use Compatibility Plan for Madera Municipal Airport, and some parcels would require removal of active Williamson Act contracts prior to development.

A3-2

Department Comments

The conversion of agricultural land represents a permanent reduction and significant impact to California's agricultural land resources. CEQA requires that all feasible and reasonable mitigation be reviewed and applied to projects. Under CEQA, a lead agency should not approve a project if there are feasible alternatives or feasible mitigation measures available that would lessen the significant effects of the project.

All mitigation measures that are potentially feasible should be included in the project's environmental review. A measure brought to the attention of the lead agency should not be left out unless it is infeasible based on its elements.

Consistent with CEQA Guidelines, the Department recommends the County consider agricultural conservation easements, among other measures, as potential mitigation. (See Cal. Code Regs., tit. 14, § 15370 [mitigation includes "compensating for the impact by replacing or providing substitute resources or environments, including through permanent protection of such resources in the form of conservation easements."])

Mitigation through agricultural easements can take at least two forms: the outright purchase of easements or the donation of mitigation fees to a local, regional, or statewide organization or agency whose purpose includes the acquisition and stewardship of agricultural easements. The conversion of agricultural land should be deemed an impact of at least regional significance. Hence, the search for replacement lands should not be limited strictly to lands within the project's surrounding area.

As discussed in the Agriculture and Forestry Resources section of the EIR, Madera County, "expressed concern regarding the establishment of new agricultural easements within the County in order to offset potential environmental impacts resulting from the conversion of agricultural land."¹ Although the lead agency has expressed concerns with the use of agricultural easements within the County, it has not discussed the use of agricultural easements, or the donation of mitigation fees (in lieu-of fees), to areas outside of the County. As previously stated in the Department's comments, the conversion of agricultural land should be deemed an impact of at least regional significance, and the search for replacement lands should not be limited strictly to lands within the project's surrounding area.

Of course, the use of conservation easements is only one form of mitigation that should be considered. Any other feasible mitigation measures should also be considered. The Department suggests the lead agency revisit its consideration of agricultural

A3-3

¹ The Villages at Almond Grove Specific Plan, Public Review Draft Environmental Impact Report, December 2021, P.4.2-11, https://files.ceqanet.opr.ca.gov/72174-3/attachment/h9rmrerisXcV6z0SJ7GOR0YevNIm-PY10KA2Shriz5w3ZL9NhBgGiyK-qF2rl_jwZEnAYAr8Y7jsd1J0

**Comment
Letter
A3
cont.**

easements, and/or the donation of mitigation in lieu-of fees to areas outside of its area of concern.

**A3-3
cont.**

Thank you for giving us the opportunity to comment on the Draft Environmental Impact Report for the Villages at Almond Grove Specific Plan Project. Please provide this Department with notices of any future hearing dates as well as any staff reports pertaining to this project. If you have any questions regarding our comments, please contact Farl Grundy, Associate Environmental Planner via email at Farl.Grundy@conservation.ca.gov.

A3-4

Sincerely,

Monique Wilber

Monique Wilber
Conservation Program Support Supervisor

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Comment
Letter
B1

From: Harout Sagherian <Harout.Sagherian@valleyair.org>
Sent: Wednesday, January 12, 2022 2:51 PM
To: Gary Conte <gconte@madera.gov>
Subject: Assistance Requested - The Villages at Almond Grove Specific Plan Draft EIR - Notice of Availability

Hello Gary,

I left a voice mail to your number below requesting more information about this project. I am working on the commenting letter for the Villages at Almond Grove Specific Plan Draft EIR Project and I was hoping you can help me with the following items.

1. Provide the CalEEMod Results (PDF) for Phase two and Phase three. Phase one was on the City of Madera’s website, but the second two were missing.
2. Is the Villages at Almond Grove Specific Plan Draft EIR Project being driven by a developer or is the City’s project?

B1-1

Please feel free to contact me if you have any questions or concerns.

Best regards,

Harout Sagherian
Air Quality Specialist
San Joaquin Valley Air Pollution Control District
1990 E. Gettysburg Ave, Fresno. CA 93726
Harout.Sagherian@valleyair.org
Tel. 559-230-5860
Fax. 559-230-6112



Make one change for clean air!

From: Gary Conte <gconte@madera.gov>
Sent: Sunday, February 6, 2022 1:51 PM
To: Harout Sagherian <Harout.Sagherian@valleyair.org>
Cc: Kyle Simpson <Kyle.Simpson@lsa.net>
Subject: RE: Assistance Requested - The Villages at Almond Grove Specific Plan Draft EIR - Notice of Availability

Good afternoon Harout –

Please accept my apology for the tardiness in replying to your email – I had fallen ill due to COVID and thus been out and still remain out of the office.

B1-2

My responses to your inquires are as follows:

1. The Phase II CalEEMod results commences on page 243 of Appendices E made available on the City's website. The Phase III CalEEMod results commences on page 595 of the same Appendices. I attached a copy of the Appendices for your convenience. Should you need further assistance in securing or reviewing the CalEEMod data, please contact Kyle Simpson of LSA, the preparer of the DEIR. Kyle is copied on this email. Kyle may be reached by phone 559.490.1212.
2. The project is a "developer" initiated and driven project.

**B1-2
cont.**

Regards,



Gary Conte, AICP | Planning Manager

City of Madera | Planning Department

205 West 4th Street, Madera, CA 93637

p. (559) 661.5433 | c. (559) 660.2283

gconte@madera.gov





February 7, 2022

Gary Conte
City of Madera
Planning Department
205 West 4th Street
Madera, CA 93637

Project: Notice of Availability of Draft Environmental Impact Report for the Villages at Almond Grove Specific Plan

District CEQA Reference No: 20211405

Dear Mr. Conte:

The San Joaquin Valley Unified Air Pollution Control District (District) has reviewed the Draft Environmental Impact Report (DEIR) for the project referenced above from the City of Madera (City). The project is the Villages at Almond Grove Specific Plan (Specific Plan). The Specific Plan consists of a new mixed-use community which includes: 10,783 residential units, approximately 2.1 million square feet of non-residential development space (e.g. commercial, office, and industrial development), approximately 164 acres of parks and recreational area, and approximately 54 acres of public facilities, including schools. The Specific Plan will be located at the western edge of the City of Madera, bounded by the Fresno River to the south, Road 24 to the east, Avenue 17 to the north, and Road 22 to the west in Madera, CA (APN 033-180-002, 003).

B2-1

The District offers the following comments:

1) Feasibility of implementing a Voluntary Emissions Reduction Agreement

Per Table 4.3.J (Mitigated Maximum Annual Project Construction Emissions by Phase) and Table 4.3.L (Mitigated Project Operational Emissions) in the DEIR, the Specific Plan construction and operational emissions are expected to exceed the District's significance thresholds, thus resulting in a significant impact on air quality. The District recommends that the DEIR be revised to include a discussion on the feasibility of implementing a Voluntary Emission Reduction Agreement (VERA) for the Specific Plan.

B2-2

Samir Sheikh
Executive Director/Air Pollution Control Officer

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

Central Region (Main Office)
1090 E. Gettysburg Avenue
Fresno, CA 93726-0244
Tel: (559) 230-6000 FAX: (559) 230-6061

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

A VERA is a mitigation measure by which the project proponent provides pound-for-pound mitigation of emissions increases through a process that develops, funds, and implements emission reduction projects, with the District serving a role of administrator of the emissions reduction projects and verifier of the successful mitigation effort. To implement a VERA, the project proponent and the District enter into a contractual agreement in which the project proponent agrees to mitigate project specific emissions by providing funds for the District’s incentives programs. The funds are disbursed by the District in the form of grants for projects that achieve emission reductions. Thus, project-related impacts on air quality can be mitigated. Types of emission reduction projects that have been funded in the past include electrification of stationary internal combustion engines (such as agricultural irrigation pumps), replacing old heavy-duty trucks with new, cleaner, more efficient heavy-duty trucks, and replacement of old farm tractors.

In implementing a VERA, the District verifies the actual emission reductions that have been achieved as a result of completed grant contracts, monitors the emission reduction projects, and ensures the enforceability of achieved reductions. After the project is mitigated, the District certifies to the Lead Agency that the mitigation is completed, providing the Lead Agency with an enforceable mitigation measure demonstrating that project-specific regional emissions have been mitigated to less than significant. To assist the Lead Agency and project proponent in ensuring that the environmental document is compliant with CEQA, the District recommends the Draft EIR includes an assessment of the feasibility of implementing a VERA.

Additional information on implementing a VERA can be obtained by contacting District CEQA staff at by email at CEQA@valleyair.org or by phone at (559) 230-6000.

B2-2
cont

2) Recommended Feasible Mitigation To Reduce Operational Air Quality Impacts

The San Joaquin Valley will not be able to attain stringent health-based federal air quality standards without significant reductions in emissions from heavy-heavy duty (HHD) Trucks, the single largest source of NOx emissions in the San Joaquin Valley. The District recently adopted the 2018 PM2.5 Plan which includes significant new reductions from HHD Trucks, including emissions reductions by 2023 through the implementation of the California Air Resources Board (CARB) Statewide Truck and Bus Regulation, which requires truck fleets operating in California to meet the 2010 0.2 g/bhp-hr NOx standard by 2023. Additionally, to meet the federal air quality standards by the 2020 to 2024 attainment deadlines, the District’s Plan relies on a significant and immediate transition of heavy duty truck fleets to zero or near-zero emissions technologies, including the near-zero truck standard of 0.02 g/bhp-hr NOx established by the California Air Resources Board.

B2-3

The Specific Plan is designed to construct non-residential development (e.g. industrial development which has the potential for warehouses). Industrial development has the potential to generate HHD Truck traffic, including HHD Trucks traveling to-and-from further trip length distances for potential distribution. To reduce impacts from

operational mobile source emissions, the District recommends that the following mitigation measures be considered for inclusion in the Final EIR:

- Advise fleets associated with project operational activities to utilize the cleanest available HHD truck technologies, including zero and near-zero (0.02 g/bhp-hr NOx) technologies as feasible.
- Advise all on-site service equipment (cargo handling, yard hostlers, forklifts, pallet jacks, etc.) to utilize zero-emissions technologies as feasible.
- Advise fleets to use best practices (i.e. eliminating unnecessary idling).

B2-3
cont.

3) Vegetative Barriers and Urban Greening

The District suggests the City consider the feasibility of incorporating vegetative barriers and urban greening as a measure to further reduce air pollution exposure on sensitive receptors (i.e. church and school). The District recommends future development projects within the Specific Plan be evaluated for vegetative barriers and urban greening.

While various emission control techniques and programs exist to reduce air quality emissions from mobile and stationary sources, vegetative barriers have been shown to be an additional measure to potentially reduce a population's exposure to air pollution through the interception of airborne particles and the uptake of gaseous pollutants. Examples of vegetative barriers include, but not limited to the following: trees, bushes, shrubs, or a mix of these. Generally, a higher and thicker vegetative barrier with full coverage will result in greater reductions in downwind pollutant concentrations. In the same manner, urban greening is also a way to help improve air quality and public health in addition to enhancing the overall beautification of a community with drought resistant low maintenance greenery.

B2-4

4) Clean Lawn and Garden Equipment in the Community

Since the Project consists of residential and commercial development, gas-powered residential and commercial lawn and garden equipment have the potential to result in an increase of NOx and PM2.5 emissions. Utilizing electric lawn care equipment can provide residents with immediate economic, environmental, and health benefits. The District recommends the project proponent consider the District's Clean Green Yard Machines (CGYM) program which provides incentive funding for replacement of existing gas powered lawn and garden equipment. The District recommends future development projects within the Specific Plan be evaluated for clean lawn and garden equipment in the community.

B2-5

More information on the District CGYM program and funding can be found at:
<http://www.valleyair.org/grants/cgym.htm>
and <http://valleyair.org/grants/cgym-commercial.htm>.

5) Under-fired Charbroilers

The proposed development project includes commercial use, which may potentially be occupied by restaurants. Should restaurants with under-fired charbroilers move in, the charbroilers may pose the potential for immediate health risk, particularly when located in densely developed locations near sensitive receptors. Since the cooking of meat can release carcinogenic PM2.5 species like polycyclic aromatic hydrocarbons, controlling emissions from new under-fired charbroilers will have a substantial positive impact on public health. The air quality impacts on neighborhoods near restaurants with under-fired charbroilers can be significant on days when meteorological conditions are stable, when dispersion is limited and emissions are trapped near the surface within the surrounding neighborhoods. As mentioned above, the project is located in an urban area with commercial and office buildings immediately adjacent to the project. A church and a high school is located northwest and south of the project. This potential for neighborhood-level concentration of emissions during evening or multi-day stagnation events raises environmental concerns.

B2-6

Furthermore, reducing commercial charbroiling emissions is essential to achieving attainment of multiple federal PM2.5 standards and associated health benefits in the Valley. Therefore, the District recommends that if the future development projects within the Specific Plan include the installation of an under-fired charbroiler, a measure should be included requiring the assessment and potential installation, as technologically feasible, of particulate matter emission control systems for the project. The District is available to assist the City with this assessment. Additionally, to ease the financial burden for Valley businesses, the District is currently offering substantial incentive funding that covers the full cost of purchasing, installing, and maintaining the system for up to two years. Please contact the District at (559) 230-5800 or technology@valleyair.org for more information.

6) Solar Deployment in the Community

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

B2-7

7) Charge Up! Electric Vehicle Charger

To support further installation of electric vehicle charging equipment and development of such infrastructure, the District offers incentives to public agencies, businesses, and property owners of multi-unit dwellings to install electric charging infrastructure (Level 2 and 3 chargers). The purpose of this incentive program is to promote clean air

B2-8

alternative-fuel technologies and the use of low or zero-emission vehicles. The District suggests that the City and project proponent consider the feasibility of installing electric vehicle chargers for future development projects within the Specific Plan.

B2-8
cont.

Please visit www.valleyair.org/grants/chargeup.htm for more information.

8) District Rules and Regulation

The District issues permits for many types of air pollution sources and regulates some activities not requiring permits. A project subject to District rules and regulation would reduce its impacts on air quality through compliance with regulatory requirements. In general, a regulation is a collection of rules, each of which deals with a specific topic. Here are a couple of example, Regulation II (Permits) deals with permitting emission sources and includes rules such as District permit requirements (Rule 2010), New and Modified Stationary Source Review (Rule 2201), and implementation of Emission Reduction Credit Banking (Rule 2301).

B2-9

The list of rules below is neither exhaustive nor exclusive. Current District rules can be found online at: www.valleyair.org/rules/1ruleslist.htm. To identify other District rules or regulations that apply to a project or to obtain information about District permit requirements, the applicant is strongly encouraged to contact the District's Small Business Assistance (SBA) Office at (559) 230-5888.

8a) **District Rules 2010 and 2201 - Air Quality Permitting for Stationary Sources**

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

B2-10

Future development projects within the Specific Plan may be subject to District Rule 2010 (Permits Required) and Rule 2201 (New and Modified Stationary Source Review) and may require District permits.

Prior to commencing construction on any permit-required equipment or process, a finalized Authority to Construct (ATC) must be issued to the Project proponent by the District. For further information or assistance, the project proponent may contact the District's Small Business Assistance (SBA) Office at (559) 230-5888.

8b) **District Rule 9510 (Indirect Source Review)**

The purpose of District Rule 9510 (Indirect Source Review) is to reduce the growth in both NOx and PM10 emissions associated with development and transportation projects from mobile and area sources associated with

B2-11

construction and operation of development projects. The rule encourages clean air design elements to be incorporated into the development project. In case the proposed project clean air design elements are insufficient to meet the targeted emission reductions, the rule requires developers to pay a fee used to fund projects to achieve off-site emissions reductions.

The entire Project is subject to District Rule 9510 because it will receive a project-level discretionary approval from a public agency and will equal or exceed 9,000 square feet of space. When subject to the rule, an Air Impact Assessment (AIA) application is required prior to applying for project-level approval from a public agency. In this case, if not already done, please inform the project proponent to immediately submit an AIA application to the District to comply with District Rule 9510.

An AIA application is required and the District recommends that demonstration of compliance with District Rule 9510, before issuance of the first building permit, be made a condition of Project approval.

Information about how to comply with District Rule 9510 can be found online at: <http://www.valleyair.org/ISR/ISRHome.htm>.

The AIA application form can be found online at: <http://www.valleyair.org/ISR/ISRFormsAndApplications.htm>.

B2-11
cont.

8c) District Rule 9410 (Employer Based Trip Reduction)

Future development projects within the Specific Plan may be subject to District Rule 9410 (Employer Based Trip Reduction) if the project would result in employment of 100 or more “eligible” employees. District Rule 9410 requires employers with 100 or more “eligible” employees at a worksite to establish an Employer Trip Reduction Implementation Plan (eTRIP) that encourages employees to reduce single-occupancy vehicle trips, thus reducing pollutant emissions associated with work commutes. Under an eTRIP plan, employers have the flexibility to select the options that work best for their worksites and their employees.

Information about how District Rule 9410 can be found online at: www.valleyair.org/tripreduction.htm.

For additional information, you can contact the District by phone at 559-230-6000 or by e-mail at etrip@valleyair.org

B2-12

8d) Other District Rules and Regulations

Future development projects within the Specific Plan may also be subject to the following District rules: Regulation VIII, (Fugitive PM10 Prohibitions), Rule 4102

B2-13

**Comment
Letter
B2
cont.**

San Joaquin Valley Air Pollution Control District
District Reference No. 20211405
February 7, 2022

Page 7

(Nuisance), Rule 4601 (Architectural Coatings), and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations). In the event an existing building will be renovated, partially demolished or removed, the project may be subject to District Rule 4002 (National Emission Standards for Hazardous Air Pollutants).

**B2-13
cont.**

If you have any questions or require further information, please contact Harout Sagherian by e-mail at Harout.Sagherian@valleyair.org or by phone at (559) 230-5860.

B2-14

Sincerely,

Brian Clements
Director of Permit Services



For Mark Montelongo
Program Manager

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December 27, 2021

Gary Conte
City of Madera
205 West 4th Street
Madera, CA 93637

Ref: Gas and Electric Transmission and Distribution

Dear Gary,

Thank you for submitting The Villages at Almond Grove plans for our review. PG&E will review the submitted plans in relationship to any existing Gas and Electric facilities within the project area. If the proposed project is adjacent/or within PG&E owned property and/or easements, we will be working with you to ensure compatible uses and activities near our facilities.

Attached you will find information and requirements as it relates to Gas facilities (Attachment 1) and Electric facilities (Attachment 2). Please review these in detail, as it is critical to ensure your safety and to protect PG&E's facilities and its existing rights.

Below is additional information for your review:

1. This plan review process does not replace the application process for PG&E gas or electric service your project may require. For these requests, please continue to work with PG&E Service Planning: https://www.pge.com/en_US/business/services/building-and-renovation/overview/overview.page.
2. If the project being submitted is part of a larger project, please include the entire scope of your project, and not just a portion of it. PG&E's facilities are to be incorporated within any CEQA document. PG&E needs to verify that the CEQA document will identify any required future PG&E services.
3. An engineering deposit may be required to review plans for a project depending on the size, scope, and location of the project and as it relates to any rearrangement or new installation of PG&E facilities.

Any proposed uses within the PG&E fee strip and/or easement, may include a California Public Utility Commission (CPUC) Section 851 filing. This requires the CPUC to render approval for a conveyance of rights for specific uses on PG&E's fee strip or easement. PG&E will advise if the necessity to incorporate a CPUC Section 851 filing is required.

This letter does not constitute PG&E's consent to use any portion of its easement for any purpose not previously conveyed. PG&E will provide a project specific response as required.

Sincerely,

Plan Review Team
Land Management

C1-1

Attachment 1 – Gas Facilities

There could be gas transmission pipelines in this area which would be considered critical facilities for PG&E and a high priority subsurface installation under California law. Care must be taken to ensure safety and accessibility. So, please ensure that if PG&E approves work near gas transmission pipelines it is done in adherence with the below stipulations. Additionally, the following link provides additional information regarding legal requirements under California excavation laws: <https://www.usanorth811.org/images/pdfs/CA-LAW-2018.pdf>

1. Standby Inspection: A PG&E Gas Transmission Standby Inspector must be present during any demolition or construction activity that comes within 10 feet of the gas pipeline. This includes all grading, trenching, substructure depth verifications (potholes), asphalt or concrete demolition/removal, removal of trees, signs, light poles, etc. This inspection can be coordinated through the Underground Service Alert (USA) service at 811. A minimum notice of 48 hours is required. Ensure the USA markings and notifications are maintained throughout the duration of your work.

2. Access: At any time, PG&E may need to access, excavate, and perform work on the gas pipeline. Any construction equipment, materials, or spoils may need to be removed upon notice. Any temporary construction fencing installed within PG&E's easement would also need to be capable of being removed at any time upon notice. Any plans to cut temporary slopes exceeding a 1:4 grade within 10 feet of a gas transmission pipeline need to be approved by PG&E Pipeline Services in writing PRIOR to performing the work.

3. Wheel Loads: To prevent damage to the buried gas pipeline, there are weight limits that must be enforced whenever any equipment gets within 10 feet of traversing the pipe.

Ensure a list of the axle weights of all equipment being used is available for PG&E's Standby Inspector. To confirm the depth of cover, the pipeline may need to be potholed by hand in a few areas.

Due to the complex variability of tracked equipment, vibratory compaction equipment, and cranes, PG&E must evaluate those items on a case-by-case basis prior to use over the gas pipeline (provide a list of any proposed equipment of this type noting model numbers and specific attachments).

No equipment may be set up over the gas pipeline while operating. Ensure crane outriggers are at least 10 feet from the centerline of the gas pipeline. Transport trucks must not be parked over the gas pipeline while being loaded or unloaded.

4. Grading: PG&E requires a minimum of 36 inches of cover over gas pipelines (or existing grade if less) and a maximum of 7 feet of cover at all locations. The graded surface cannot exceed a cross slope of 1:4.

5. Excavating: Any digging within 2 feet of a gas pipeline must be dug by hand. Note that while the minimum clearance is only 12 inches, any excavation work within 24 inches of the edge of a pipeline must be done with hand tools. So to avoid having to dig a trench entirely with hand tools, the edge of the trench must be over 24 inches away. (Doing the math for a 24 inch

C1-2

wide trench being dug along a 36 inch pipeline, the centerline of the trench would need to be at least 54 inches [$24/2 + 24 + 36/2 = 54$] away, or be entirely dug by hand.)

Water jetting to assist vacuum excavating must be limited to 1000 psig and directed at a 40° angle to the pipe. All pile driving must be kept a minimum of 3 feet away.

Any plans to expose and support a PG&E gas transmission pipeline across an open excavation need to be approved by PG&E Pipeline Services in writing PRIOR to performing the work.

6. Boring/Trenchless Installations: PG&E Pipeline Services must review and approve all plans to bore across or parallel to (within 10 feet) a gas transmission pipeline. There are stringent criteria to pothole the gas transmission facility at regular intervals for all parallel bore installations.

For bore paths that cross gas transmission pipelines perpendicularly, the pipeline must be potholed a minimum of 2 feet in the horizontal direction of the bore path and a minimum of 12 inches in the vertical direction from the bottom of the pipe with minimum clearances measured from the edge of the pipe in both directions. Standby personnel must watch the locator trace (and every ream pass) the path of the bore as it approaches the pipeline and visually monitor the pothole (with the exposed transmission pipe) as the bore traverses the pipeline to ensure adequate clearance with the pipeline. The pothole width must account for the inaccuracy of the locating equipment.

7. Substructures: All utility crossings of a gas pipeline should be made as close to perpendicular as feasible (90° +/- 15°). All utility lines crossing the gas pipeline must have a minimum of 12 inches of separation from the gas pipeline. Parallel utilities, pole bases, water line 'kicker blocks', storm drain inlets, water meters, valves, back pressure devices or other utility substructures are not allowed in the PG&E gas pipeline easement.

If previously retired PG&E facilities are in conflict with proposed substructures, PG&E must verify they are safe prior to removal. This includes verification testing of the contents of the facilities, as well as environmental testing of the coating and internal surfaces. Timelines for PG&E completion of this verification will vary depending on the type and location of facilities in conflict.

8. Structures: No structures are to be built within the PG&E gas pipeline easement. This includes buildings, retaining walls, fences, decks, patios, carports, septic tanks, storage sheds, tanks, loading ramps, or any structure that could limit PG&E's ability to access its facilities.

9. Fencing: Permanent fencing is not allowed within PG&E easements except for perpendicular crossings which must include a 16 foot wide gate for vehicular access. Gates will be secured with PG&E corporation locks.

10. Landscaping: Landscaping must be designed to allow PG&E to access the pipeline for maintenance and not interfere with pipeline coatings or other cathodic protection systems. No trees, shrubs, brush, vines, and other vegetation may be planted within the easement area. Only those plants, ground covers, grasses, flowers, and low-growing plants that grow unsupported to a maximum of four feet (4') in height at maturity may be planted within the easement area.

**C1-2
cont.**



11. Cathodic Protection: PG&E pipelines are protected from corrosion with an “Impressed Current” cathodic protection system. Any proposed facilities, such as metal conduit, pipes, service lines, ground rods, anodes, wires, etc. that might affect the pipeline cathodic protection system must be reviewed and approved by PG&E Corrosion Engineering.

12. Pipeline Marker Signs: PG&E needs to maintain pipeline marker signs for gas transmission pipelines in order to ensure public awareness of the presence of the pipelines. With prior written approval from PG&E Pipeline Services, an existing PG&E pipeline marker sign that is in direct conflict with proposed developments may be temporarily relocated to accommodate construction work. The pipeline marker must be moved back once construction is complete.

13. PG&E is also the provider of distribution facilities throughout many of the areas within the state of California. Therefore, any plans that impact PG&E’s facilities must be reviewed and approved by PG&E to ensure that no impact occurs which may endanger the safe operation of its facilities.

**C1-2
cont**

Attachment 2 – Electric Facilities

It is PG&E’s policy to permit certain uses on a case by case basis within its electric transmission fee strip(s) and/or easement(s) provided such uses and manner in which they are exercised, will not interfere with PG&E’s rights or endanger its facilities. Some examples/restrictions are as follows:

1. Buildings and Other Structures: No buildings or other structures including the foot print and eave of any buildings, swimming pools, wells or similar structures will be permitted within fee strip(s) and/or easement(s) areas. PG&E’s transmission easement shall be designated on subdivision/parcel maps as **“RESTRICTED USE AREA – NO BUILDING.”**
2. Grading: Cuts, trenches or excavations may not be made within 25 feet of our towers. Developers must submit grading plans and site development plans (including geotechnical reports if applicable), signed and dated, for PG&E’s review. PG&E engineers must review grade changes in the vicinity of our towers. No fills will be allowed which would impair ground-to-conductor clearances. Towers shall not be left on mounds without adequate road access to base of tower or structure.
3. Fences: Walls, fences, and other structures must be installed at locations that do not affect the safe operation of PG&E’s facilities. Heavy equipment access to our facilities must be maintained at all times. Metal fences are to be grounded to PG&E specifications. No wall, fence or other like structure is to be installed within 10 feet of tower footings and unrestricted access must be maintained from a tower structure to the nearest street. Walls, fences and other structures proposed along or within the fee strip(s) and/or easement(s) will require PG&E review; submit plans to PG&E Centralized Review Team for review and comment.
4. Landscaping: Vegetation may be allowed; subject to review of plans. On overhead electric transmission fee strip(s) and/or easement(s), trees and shrubs are limited to those varieties that do not exceed 15 feet in height at maturity. PG&E must have access to its facilities at all times, including access by heavy equipment. No planting is to occur within the footprint of the tower legs. Greenbelts are encouraged.
5. Reservoirs, Sumps, Drainage Basins, and Ponds: Prohibited within PG&E’s fee strip(s) and/or easement(s) for electric transmission lines.
6. Automobile Parking: Short term parking of movable passenger vehicles and light trucks (pickups, vans, etc.) is allowed. The lighting within these parking areas will need to be reviewed by PG&E; approval will be on a case by case basis. Heavy equipment access to PG&E facilities is to be maintained at all times. Parking is to clear PG&E structures by at least 10 feet. Protection of PG&E facilities from vehicular traffic is to be provided at developer’s expense AND to PG&E specifications. Blocked-up vehicles are not allowed. Carports, canopies, or awnings are not allowed.
7. Storage of Flammable, Explosive or Corrosive Materials: There shall be no storage of fuel or combustibles and no fueling of vehicles within PG&E’s easement. No trash bins or incinerators are allowed.

C1-3

8. Streets and Roads: Access to facilities must be maintained at all times. Street lights may be allowed in the fee strip(s) and/or easement(s) but in all cases must be reviewed by PG&E for proper clearance. Roads and utilities should cross the transmission easement as nearly at right angles as possible. Road intersections will not be allowed within the transmission easement.

9. Pipelines: Pipelines may be allowed provided crossings are held to a minimum and to be as nearly perpendicular as possible. Pipelines within 25 feet of PG&E structures require review by PG&E. Sprinklers systems may be allowed; subject to review. Leach fields and septic tanks are not allowed. Construction plans must be submitted to PG&E for review and approval prior to the commencement of any construction.

10. Signs: Signs are not allowed except in rare cases subject to individual review by PG&E.

11. Recreation Areas: Playgrounds, parks, tennis courts, basketball courts, barbecue and light trucks (pickups, vans, etc.) may be allowed; subject to review of plans. Heavy equipment access to PG&E facilities is to be maintained at all times. Parking is to clear PG&E structures by at least 10 feet. Protection of PG&E facilities from vehicular traffic is to be provided at developer's expense AND to PG&E specifications.

12. Construction Activity: Since construction activity will take place near PG&E's overhead electric lines, please be advised it is the contractor's responsibility to be aware of, and observe the minimum clearances for both workers and equipment operating near high voltage electric lines set out in the High-Voltage Electrical Safety Orders of the California Division of Industrial Safety (<https://www.dir.ca.gov/Title8/sb5g2.html>), as well as any other safety regulations. Contractors shall comply with California Public Utilities Commission General Order 95 (http://www.cpuc.ca.gov/gos/GO95/go_95_startup_page.html) and all other safety rules. No construction may occur within 25 feet of PG&E's towers. All excavation activities may only commence after 811 protocols has been followed.

Contractor shall ensure the protection of PG&E's towers and poles from vehicular damage by (installing protective barriers) Plans for protection barriers must be approved by PG&E prior to construction.

13. PG&E is also the owner of distribution facilities throughout many of the areas within the state of California. Therefore, any plans that impact PG&E's facilities must be reviewed and approved by PG&E to ensure that no impact occurs that may endanger the safe and reliable operation of its facilities.

**C1-3
cont.**

From: Mona Shulman <mshulman@pcoastp.com>
Sent: Monday, January 10, 2022 4:45 PM
To: Gary Conte <gconte@madera.gov>
Cc: Steve Freeman <sfreeman@pcoastp.com>
Subject: Villages at Almond Grove Specific Plan and EIR

Mr. Conte,

Pacific Coast Producers received the Notice of Availability of a Draft EIR for the above referenced project. While we have not read the entire EIR as of yet, in reviewing the Executive Summary and the Transportation Chapters, we are concerned that the planned project does not take into consideration agricultural truck traffic during the harvest season. Both Avenue 16 and Avenue 17, as well as Road 23 are heavily used during the harvest season to transport commodities to processing facilities. In particular, Road 23, which runs through the heart of the planned project, is a traffic route for haulers of fruits and grapes and other commodities. This is especially concerning as the project plans for bike lanes, schools and commercial centers. The EIR discusses the Circulation Plan and the design of streets, corners, approaches and the like and discusses reduced vehicle speeds, but it does not discuss the potential hazards related to increased traffic during seasonal agricultural operations and the proximity of vulnerable populations. We would like an opportunity to discuss our concerns with you.

C2-1

Sincerely,

Mona Shulman

General Counsel & Vice
President, Human Resources

Corporate | Legal/HR
[631 N. Cluff Ave., Lodi, CA 95240](http://631.N.CluffAve.,Lodi,CA95240)

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🌐 www.pacificcoastproducers.com



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APPENDIX M

MITIGATION MONITORING AND REPORTING PROGRAM

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MITIGATION MONITORING AND REPORTING PROGRAM

This Mitigation Monitoring and Reporting Program (MMRP) lists mitigation measures recommended in The Villages at Almond Grove Specific Plan EIR and identifies mitigation monitoring requirements and is intended to ensure compliance during implementation of the Specific Plan.

This MMRP has been prepared to comply with the requirements of State law (Public Resources Code Section 21081.6). State law requires the adoption of an MMRP when mitigation measures are required to avoid significant impacts. The MMRP is intended to ensure compliance during implementation of the proposed Specific Plan.

The MMRP is organized in a matrix format. The first column identifies the mitigation measure. The second column, entitled "Mitigation Responsibility," refers to the party responsible for implementing the mitigation measure. The third column, entitled "Monitoring/Reporting Agency," refers to the agency responsible for oversight or ensuring that the mitigation measure is implemented. The fourth column, entitled "Monitoring Timing/Schedule," refers to when monitoring will occur to ensure that the mitigating action is completed.

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Table A: EIR Mitigation Monitoring and Reporting Program

Mitigation Measures	Mitigation Responsibility	Monitoring/ Reporting Agency	Monitoring Timing/Schedule
4.1: AESTHETICS			
AES-4: During Development Plan review of future discretionary projects developed under the Specific Plan, the City shall ensure that proposed projects demonstrate that the lighting guidelines identified in the Specific Plan are implemented through preparation of a lighting plan. The lighting plan shall be approved by the City of Madera Community Development Director or designee.	Project Applicant	Community Development Department	Lighting plan of discretionary projects under Specific Plan to be prepared and approved prior to approval of discretionary project.
AES-5: Refer to Mitigation Measures AES-4, above.	Project Applicant	Community Development Department	Lighting plan of discretionary projects under Specific Plan to be prepared and approved prior to approval of discretionary project.
AIR QUALITY			
<p>AIR-2.1: Consistent with San Joaquin Valley Air Pollution Control District (SJVAPCD) Regulation VIII (Fugitive PM10 Prohibitions) and in order to reduce construction equipment emissions to the extent feasible, the following controls shall be included as specifications for the proposed Specific Plan and implemented during construction:</p> <ul style="list-style-type: none"> • All disturbed areas, including storage piles, which are not being actively utilized for construction purposes, shall be effectively stabilized of dust emissions using water, chemical stabilizer/suppressant, covered with a tarp or other suitable cover or vegetative ground cover. • All on-site unpaved roads and off-site unpaved access roads shall be effectively stabilized of dust emissions using water or chemical stabilizer/suppressant. • All land clearing, grubbing, scraping, excavation, land leveling, grading, cut and fill, and demolition activities shall be effectively controlled of fugitive dust emissions utilizing application of water or by presoaking. • When materials are transported off-site, all material shall be covered, or effectively wetted to limit visible dust emissions, and at least six inches of freeboard space from the top of the container shall be maintained. • All operations shall limit or expeditiously remove the accumulation of mud or dirt from adjacent public streets at the end of each workday. (The use of dry rotary brushes is expressly prohibited except where preceded or accompanied by sufficient wetting to limit the visible dust emissions. Use of blower devices is expressly forbidden.) • Following the addition of materials to, or the removal of materials from, the surface of outdoor storage piles, said piles shall be effectively stabilized of fugitive dust emission utilizing sufficient water or chemical stabilizer/suppressant. 	Project Applicant	Community Development Department	Prior to issuance of grading permits, the City shall ensure that the listed controls are included as project specifications.

Table A: EIR Mitigation Monitoring and Reporting Program

Mitigation Measures	Mitigation Responsibility	Monitoring/ Reporting Agency	Monitoring Timing/Schedule
<ul style="list-style-type: none"> The project contractor shall require all off-road diesel-powered construction equipment of greater than 50 horsepower used for the project meet the California Air Resources Board (CARB) Tier 4 emissions standards or better. The project contractor shall require the use of electric air compressors, cranes, excavators, forklifts, generator sets, and welders. 			
<p>AIR-2.2: Prior to issuance of a building permit, the City of Madera Community Development Director or designee shall identify project design details and specifications, where feasible, to document implementation and compliance with the following emission reduction measures. Implementation of the following measures is considered to be applicable, feasible, and effective in reducing criteria pollutant emissions generated by the project:</p> <ul style="list-style-type: none"> All Project Applicants shall provide Class I and Class II bicycle parking/storage facilities on-site. Bicycle parking facilities should be near destination points and easy to find. At least one bicycle parking space for every 20 vehicle parking spaces. All employers shall provide shower and locker facilities to encourage employees to bike and/or walk to work, typically one shower and three lockers for every 25 employees. All apartment complexes or condominiums without garages shall provide Class I bicycle parking. All Project Applicants shall install Class I or II bike lanes on arterial/collector streets, or where a suitable route exists. All Project Applicants shall provide building access and paths which are physically separated from street parking lot traffic and that eliminate physical barriers such as walls, berms, landscaping and slopes that impede the use of pedestrians, bicycle facilities, or public transportation vehicles. All Project Applicants shall provide continuous sidewalks separated from the roadway by landscaping and on street parking. All Project Applicants shall provide on and off-site pedestrian facility improvements such as trails linking them to designated pedestrian commuting routes and/or on-site overpasses and wider sidewalks. All Project Applicants shall link cul-de-sacs and dead-end streets to encourage pedestrian and bicycle travel. All Project Applicants shall provide traffic reduction modifications to project roads, such as: narrower streets, speed platforms, bulb-outs and intersection modifications designed to reduce vehicle speeds and to encourage pedestrian and bicycle travel. 	Project Applicant	Community Development Department	Prior to issuance of a building permit, the City of Madera Community Development Director or designee shall confirm inclusion of project design details and specifications related to the listed emission reduction measures.

Table A: EIR Mitigation Monitoring and Reporting Program

Mitigation Measures	Mitigation Responsibility	Monitoring/ Reporting Agency	Monitoring Timing/Schedule
<ul style="list-style-type: none"> • All Project Applicants shall provide a parking lot design that includes clearly marked and shaded pedestrian pathways between transit facilities and building entrances. • All Project Applicants shall provide pedestrian access between bus service and major transportation points and to destination points within the project. • All Project Applicants shall provide a display case or kiosk displaying transportation information in a prominent area accessible to employees, residents, or visitors. • All Project Applicants shall display bike route maps, bus schedules, and any other transportation information such as carpooling and car sharing. • All Project Applicants shall design projects using models by the Local Government Commission (LGC) in the "Smart Growth Guidebook," such as: street block patterns that from an interconnected grid, short block faces, numerous alleys, and narrow streets. • All Project Applicants shall develop and implement parking pricing strategies, such as charging parking lot fees to low occupancy (single occupant vehicles) vehicles. • All Project Applicants shall provide preferential parking spaces near the entrance of buildings for those who carpool/vanpool/rideshare and provide signage. • All Project Applicants shall install efficient heating, and other appliances, such as water heaters, cooking equipment, refrigerators, furnaces, and boiler units beyond Title 24 requirements. • All Project Applicants shall use solar or low-emission water heaters and use central water heaters. • All Project Applicants shall improve the thermal integrity/efficiency of buildings, and reduce the thermal load with automated and timed temperature controls or occupant sensors. • All Project Applicants shall orient buildings to take advantage of solar heating and natural cooling and use passive solar designs. • All employers shall implement at least one of the following: provide a guaranteed ride home; provide a carpool support system; provide a car-sharing services support system; provide a ride share program; employ or appoint an Employee Transportation Coordinator; provide incentives to employees to carpool/vanpool, take public transportation, telecommute, walk, and/or bike; participate in an employee "flash-pass" program, which provides free travel on transit buses; or provide transit pass subsidy and/or commute alternative allowance. • If feasible, employers shall implement alternative work schedules such as compressed workweek schedules where weekly work hours are compressed into fewer than five days. 			

Table A: EIR Mitigation Monitoring and Reporting Program

Mitigation Measures	Mitigation Responsibility	Monitoring/ Reporting Agency	Monitoring Timing/Schedule
<ul style="list-style-type: none"> Employers shall require fleets associated with project operational activities to utilize the cleanest available HHD truck technologies, including zero and near-zero (0.02 g/bhp-hr NOx) technologies as feasible. Employers shall require all on-site service equipment (cargo handling, yard hostlers, forklifts, pallet jacks, etc.) to utilize zero-emissions technologies as feasible. Employers shall require fleets to use best practices (i.e., eliminating unnecessary idling). 			
<p>AIR-3.1: Prior to the approval of any construction or building permits for new development proposed under the Specific Plan, the Director of the City of Madera Planning Department or designee shall ensure that when construction occurs within 500 feet of existing residences, the project contractor(s) shall utilize construction equipment rated by the United States Environmental Protection Agency (USEPA) as having Tier 4 (model year 2008 or newer) emission limits. The construction equipment shall be properly serviced and maintained in accordance with manufacturer recommendations.</p>	Project Applicant and project contractor	Community Development Department	Prior to issuance of any construction or building permits, the City of Madera Community Development Director or designee shall confirm inclusion of construction specifications related to the use of Tier 4 emission limits as specified in the measure.
BIOLOGICAL RESOURCES			
<p>BIO-1.1: Prior to the issuance of grading permits, the following measures shall be implemented to reduce potential impacts to western burrowing owls:</p> <ul style="list-style-type: none"> Preconstruction surveys for western burrowing owls shall be conducted by a qualified biologist in accordance with the California Department of Fish and Wildlife (CDFW) 2012 Staff Report on Burrowing Owl Mitigation, or the most current guidelines. If burrowing owls are identified during the preconstruction survey, avoidance of occupied burrows during the breeding season shall be implemented or passive exclusion, per CDFW’s 2012 Staff Report on Burrowing Owl Mitigation, or the most current guidelines (installing one-way doors in burrow openings during the non-breeding season to temporarily exclude burrowing owls, or permanently exclude burrowing owls and close burrows after verifying burrows are empty by site monitoring and scoping) shall be implemented), . Following construction activities, all areas temporarily impacted during Project construction and not identified for future development, shall be restored to pre-construction contours and revegetated with native species as specified in Table 4.4.B. 	Project Applicant and qualified biologist	Community Development Department/ California Department of Fish and Wildlife (CDFW)	Pre-construction surveys for western burrowing owls to be completed prior to issuance of any grading permits. Temporarily disturbed areas to be restored to pre-construction conditions after cease of construction activities.

Table A: EIR Mitigation Monitoring and Reporting Program

Mitigation Measures	Mitigation Responsibility	Monitoring/ Reporting Agency	Monitoring Timing/Schedule
<p>BIO-1.2: Prior to the issuance of grading permits, the following measures shall be implemented to reduce potential impacts to Swainson’s hawks:</p> <ul style="list-style-type: none"> • If construction begins during the nesting season (February 1 through August 31), an early season preconstruction survey for nesting Swainson’s hawks shall be conducted between January and March in the Biological Study Area (BSA) for the Specific Plan Area and immediate vicinity (an approximately 0.25 mi radius) by a qualified biologist when tree foliage is relatively sparse and nests are easy to identify. A second preconstruction survey for nesting Swainson’s hawks shall be conducted in the BSA and immediate vicinity (an approximately 0.25 mile radius) by a qualified biologist no more than 14 days prior to initiation of earthmoving activities. • If nesting Swainson’s hawks are found within the survey area, a qualified biologist shall evaluate the potential for the project to disturb nesting activities. The California Department of Fish and Wildlife (CDFW) shall be contacted to review the evaluation and determine if the project can proceed without adversely affecting nesting activities. CDFW shall also be consulted to establish protection measures such as buffers. • Disturbance of active nests shall be avoided until it is determined by a qualified biologist that nesting is complete and the young have fledged, or that the nest has failed. If work is allowed to proceed, at a minimum, a qualified biologist shall be on-site during the start of construction activities during the nesting season to monitor nesting activity. The monitor shall have the authority to stop work if it is determined the project is adversely affecting nesting activities. • Following construction, all fill slopes, temporary impact and/or otherwise disturbed areas not identified for future development shall be restored to preconstruction contours and revegetated with the native seed mix specified in Table 4.4.C. 	<p>Project Applicant and qualified biologist</p>	<p>Community Development Department/California Department of Fish and Wildlife (CDFW)</p>	<p>Pre-construction surveys for nesting Swainson’s hawks to be completed prior to issuance of any grading or construction permits. Temporarily disturbed areas to be restored to pre-construction conditions after cease of construction activities.</p>

Table A: EIR Mitigation Monitoring and Reporting Program

Mitigation Measures	Mitigation Responsibility	Monitoring/ Reporting Agency	Monitoring Timing/Schedule
<p>BIO-1.3: Prior to the issuance of grading permits, the following measures shall be implemented to reduce potential impacts to northern harrier, California horned lark, and other nesting birds:</p> <ul style="list-style-type: none"> • If construction begins during the nesting season (February 1 through August 31), a qualified biologist shall survey all suitable nesting habitat in the Biological Survey Area (BSA) of the Specific Plan Area for presence of nesting birds. This survey shall occur no more than 10 days prior to the start of construction. If no nesting activity is observed, work may proceed as planned. If an active nest is discovered, a qualified biologist shall evaluate the potential for the proposed project to disturb nesting activities. The evaluation criteria shall include, but are not limited to, the location/orientation of the nest in the nest tree, the distance of the nest from the BSA, the line of sight between the nest and the BSA, and the feasibility of establishing no-disturbance buffers. • If work is allowed to proceed, a qualified biologist shall be on-site weekly during construction activities to monitor nesting activity. The biologist shall have the authority to stop work if it is determined the project is adversely affecting nesting activities. Weekly monitoring shall continue until any young have fledged or the nest fails (as determined by the qualified biologist). 	<p>Project Applicant and qualified biologist</p>	<p>Community Development Department/ California Department of Fish and Wildlife (CDFW)</p>	<p>Pre-construction surveys for northern harrier, California horned lark, and other nesting birds to be completed prior to issuance of any grading permits.</p>
<p>BIO-3: The following measures shall be implemented once specific development plans are submitted and prior to the issuance of grading permits to mitigate potential impacts to aquatic resources:</p> <ul style="list-style-type: none"> • A jurisdictional delineation shall be performed to determine if any or all of the aquatic features in the Biological Survey Area (BSA) of the Specific Plan Area should be considered jurisdictional by the Army Corps of Engineers (ACOE). The jurisdictional delineation shall be submitted to the ACOE for verification or concurrence. • If the results of the jurisdiction delineation determine that any of the aquatic features in the BSA are jurisdictional waters, and the Project would result in permanent or temporary impacts to those waters, the project proponent shall obtain any necessary regulatory permits prior to the commencement of ground disturbing activities. • If the project would result in the loss of wetlands and/or non-wetland waters, mitigation shall be accomplished by purchasing credits at an approved mitigation bank, payment of in-lieu fees, or a combination of these methods, as determined by the City of Madera. Mitigation ratios shall be at least 1:1. 	<p>Project Applicant and qualified biologist</p>	<p>Planning and Development Department/ Army Corps of Engineers (ACOE)</p>	<p>Wetland delineation to be completed after submission of development plans and prior issuance of any grading or construction permits. The City shall ensure that project-specific mitigation is incorporated into project plans if project would result in loss of wetlands and/or non-wetland waters</p>

Table A: EIR Mitigation Monitoring and Reporting Program

Mitigation Measures	Mitigation Responsibility	Monitoring/ Reporting Agency	Monitoring Timing/Schedule
<p>BIO-7: Refer to Mitigation Measures BIO-1.1 through BIO-1.3 and Mitigation Measure BIO-3.</p>	<p>Project Applicant and qualified biologist</p>	<p>Community Development Department/ California Department of Fish and Wildlife (CDFW)</p>	<p>Pre-construction surveys to be completed prior to issuance of any grading permits.</p>
<p>CULTURAL RESOURCES</p>			
<p>CUL-1: Prior to the issuance of grading permits for development occurring within APN 030-170-009 and APN 0303-070-004, formal evaluations of the existing canal segments and buildings shall be completed by a qualified historic resources consultant for eligibility for inclusion in the California Register of Historical Resources (CRHR) to assess whether or not they qualify as historic resources under Public Resources Code Section 21084.1. If the resources are determined to be unique historical resources, measures shall be identified by the qualified historic resources consultant monitor and recommended to the City. Appropriate measures for significant resources could include, but are not limited to, avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds.</p>	<p>Project Applicant and qualified historical resources specialist</p>	<p>Community Development Department</p>	<p>Evaluation by qualified historical resources specialist to be completed prior issuance of grading permits.</p> <p>Following discovery of previously unknown resource throughout the construction period, a qualified historical resources specialist shall prepare recommendations and submit to the Community Development Department. Timing for recommendations shall be established by project-specific mitigation measure.</p>
<p>CUL-2.1: To identify if an archaeological resource is present and if it meets the definition of a historical resource under the California Environmental Quality Act (CEQA), or a unique archaeological resource under Public Resources Code Section 21083.2 located in the southeastern portion of the Specific Plan Area, additional investigation including a field survey and an archaeological sensitivity analysis shall be conducted prior to the initiation of ground-disturbing activities. For projects associated with the Specific Plan that are located in areas with moderate or higher sensitivity for buried archaeological resources as identified by the archaeological sensitivity analysis, subsurface testing shall be conducted to minimize possible disturbance to or inadvertent discoveries of archaeological deposits. A qualified archaeologist shall develop a monitoring plan based on depth of the excavation and data from subsurface testing to be submitted to the City of Madera Community Development Director or designee. The monitoring plan shall include observation of ground disturbing activities (such as grading, trenching and boring) to be focused in areas that are most likely to contain buried resources. The archaeologist</p>	<p>Project Applicant and qualified archeologist</p>	<p>Community Development Department</p>	<p>Archeological resources study to be completed prior to initiation of ground-disturbing activities. Community Development Department to review construction specifications to ensure inclusion of provisions included in mitigation measure.</p>

Table A: EIR Mitigation Monitoring and Reporting Program

Mitigation Measures	Mitigation Responsibility	Monitoring/ Reporting Agency	Monitoring Timing/Schedule
<p>shall limit on-site monitoring to only areas where depth of excavation and information from subsurface testing suggests that sensitive resources may be encountered.</p>			
<p>CUL-2.2: If deposits of precontact or historic-period archaeological materials are encountered during construction activities, all work within 25 feet of the discovery shall be redirected and a qualified archaeologist contacted to assess the situation, consult with agencies as appropriate, and make recommendations for the treatment of the discovery. Project personnel shall not collect or move any archaeological materials. Archaeological materials can include flaked-stone tools (e.g., projectile points, knives, and choppers) or obsidian, chert, basalt, or quartzite toolmaking debris; bone tools; culturally darkened soil (i.e., midden soil often containing heat-affected rock, ash and charcoal, shellfish remains, bones, and other cultural materials); and stone-milling equipment (e.g., mortars, pestles, and handstones). Precontact archaeological sites often contain human remains. Historic-period materials can include wood, stone, concrete, or adobe footings, walls, and other structural remains; debris-filled wells or privies; and deposits of wood, glass, ceramics, metal, and other refuse.</p> <p>If deposits of precontact or historic-period archaeological materials are encountered and cannot be avoided, they shall be evaluated in consultation with the City and a qualified archaeologist. If the discovery is precontact in nature, geographically affiliated tribal representatives shall be consulted as part of this process. If the deposit meets the definition of a historical resource, unique archaeological resource, or tribal cultural resource under the California Environmental Quality Act (CEQA), significant impacts to the deposit will need to be avoided or appropriate treatment established. If treatment is required, a plan shall be developed in consultation with applicable parties to mitigate, avoid, or minimize significant impacts to these types of resources. Treatment may consist of, but is not necessarily limited to, systematic recovery and analysis of archaeological deposits; recording the resource; preparation of a report of findings; accessioning recovered archaeological materials at an appropriate curation facility; and community outreach. All reports produced as part of the evaluation and treatment of cultural resources identified during the project shall be submitted to the City and the Southern San Joaquin Valley Information Center (SSJVIC).</p>	<p>Project Applicant and qualified archeologist</p>	<p>Community Development Department</p>	<p>Community Development Department to review construction specifications to ensure inclusion of provisions included in mitigation measure.</p> <p>Following discovery of previously unknown precontact or historic-period archaeological materials throughout the construction period, a qualified archaeologist shall prepare recommendations and submit to the Community Development Department. Timing for recommendations shall be established by project-specific mitigation measure.</p>

Table A: EIR Mitigation Monitoring and Reporting Program

Mitigation Measures	Mitigation Responsibility	Monitoring/ Reporting Agency	Monitoring Timing/Schedule
<p>CUL-3: The following procedures shall be implemented in the event that human remains are identified during project activities:</p> <ul style="list-style-type: none"> • If human remains are encountered during project activities, work within 25 feet of the discovery shall be redirected and the Madera County Coroner notified immediately. At the same time, an archaeologist shall be contacted to assess the situation and consult with agencies as appropriate. Project personnel shall not collect or move any human remains and associated materials. If the human remains are of Native American origin, the Coroner must notify the Native American Heritage Commission within 24 hours of this identification. The Native American Heritage Commission (NAHC) will identify a Most Likely Descendant (MLD) to inspect the site and provide recommendations for the proper treatment of the remains and associated grave goods. • The archaeologist shall prepare a report that provides recommendations for the treatment of the human remains and any associated cultural materials as well as proposed or implemented methods and results from excavation and analysis. Treatment of the remains and associated cultural materials shall be done in coordination with the recommendations of the MLD and City. The final report shall be submitted to the Southern San Joaquin Valley Information Center (SSJVIC). 	<p>Project Applicant and qualified archeologist</p>	<p>Community Development Department</p>	<p>Community Development Department to review construction specifications to ensure inclusion of provisions included in mitigation measure.</p> <p>Following discovery of previously unknown human remains throughout the construction period, a qualified archaeologist shall prepare recommendations and submit to the Community Development Department. Timing for recommendations shall be established by project-specific mitigation measure.</p>
<p>CUL-4: Refer to Mitigation Measures CUL-2.1 and CUL-2.2.</p>	<p>Project Applicant and qualified archeologist</p>	<p>Community Development Department</p>	<p>Community Development Department to review construction specifications to ensure inclusion of provisions included in mitigation measures.</p> <p>Following discovery of previously unknown resources throughout the construction period, a qualified specialist shall prepare recommendations and submit to the Community Development Department. Timing for recommendations shall be established by project-specific mitigation measure.</p>

Table A: EIR Mitigation Monitoring and Reporting Program

Mitigation Measures	Mitigation Responsibility	Monitoring/ Reporting Agency	Monitoring Timing/Schedule
<p>CUL-5: Refer to Mitigation Measures CUL-1, CUL-2.1, CUL-2.2, and CUL-3.</p>	<p>Project Applicant and qualified archeologist</p>	<p>Community Development Department</p>	<p>Community Development Department to review construction specifications to ensure inclusion of provisions included in mitigation measures. Following discovery of previously unknown resources throughout the construction period, a qualified specialist shall prepare recommendations and submit to the Community Development Department. Timing for recommendations shall be established by project-specific mitigation measure.</p>
<p>ENERGY</p>			
<p>Mitigation Measure EN-1.1: Prior to approval of building permits, the Community Development Director or designee shall ensure that the energy efficiency strategies identified in the Specific Plan are incorporated project construction documents. These energy efficient strategies include, but are not limited to the following:</p> <ul style="list-style-type: none"> • Provide natural lighting, where feasible, to reduce reliance on artificial lighting. • Use Low-E or EnergyStar windows. • Use high-efficiency lighting systems with advanced lighting controls. For nonresidential buildings, consider providing motion sensors tied to dimmable lighting controls. Task lighting may be used to reduce general overhead light levels. • Use a properly sized and energy-efficient heat/ cooling system in conjunction with a thermally efficient building shell. Consider using light colors for roofing and wall finish materials, and installing high R-value wall and ceiling insulation. • Implement some of the strategies of the EnergyStar program. • For retail, commercial and office uses, use light colored roofing with a high solar reflectance to reduce the heat island effect from roofs. • In retail, commercial and office development, encourage the provision of preferred parking spaces for hybrid, fuel cell, electric and/or other fuel efficient vehicles. 	<p>Project Applicant and project architect</p>	<p>Community Development Department</p>	<p>Energy efficiency strategies incorporated into construction plans prior to issuance of building permits. Community Development Department to confirm inclusion of energy efficiency strategies.</p>

Table A: EIR Mitigation Monitoring and Reporting Program

Mitigation Measures	Mitigation Responsibility	Monitoring/ Reporting Agency	Monitoring Timing/Schedule
GEOLOGY AND SOILS			
<p>GEO-1.1: Consistent with Section 1803 of the California Building Code and Section 10-2.402.3 of the City of Madera Municipal Code, prior to approval of a tentative subdivision map and for other types of structures, a preliminary soils report shall be reviewed and approved by the City of Madera Community Development Director and City Engineer or their designees. As a part of the geotechnical investigations, testing of samples from subsurface investigations is required, such as from borings or test pits. Investigations shall be conducted by a registered design professional and involve in situ-testing, laboratory testing, or engineering calculations. Studies shall be done as needed to evaluate slope stability, soil strength, position, and adequacy of load-bearing soils, the effect of moisture variation on load-bearing capacity, compressibility, liquefaction, differential settlement, and expansiveness. The geotechnical investigation shall provide recommendations to be incorporated into final plans and/or improvement plans, if required, to ensure compliance with the UBC and CBC.</p>	Project Applicant	Community Development Department	Community Development Department to review preliminary soils report prior to approval of tentative subdivision maps and ensure inclusion of recommendations of geotechnical investigation into construction specifications.
<p>GEO-2: Refer to Mitigation Measures GEO-1.1</p>	Project Applicant	Community Development Department	Community Development Department to review preliminary soils report prior to approval of tentative subdivision maps and ensure inclusion of recommendations of geotechnical investigation into construction specifications.
<p>GEO-3: Refer to Mitigation Measures GEO-1.1</p>	Project Applicant	Community Development Department	Community Development Department to review preliminary soils report prior to approval of tentative subdivision maps and ensure inclusion of recommendations of geotechnical investigation into construction specifications.

Table A: EIR Mitigation Monitoring and Reporting Program

Mitigation Measures	Mitigation Responsibility	Monitoring/ Reporting Agency	Monitoring Timing/Schedule
<p>Mitigation Measure GEO-6.1: The following measures shall be implemented to reduce potential impacts to paleontological resources:</p> <ul style="list-style-type: none"> In the event that unique paleontological/geological resources are discovered during excavation and/or construction activities, construction shall stop in the immediate vicinity of the find and a qualified paleontologist shall be consulted to determine whether the resource requires further study. The qualified paleontologist shall make recommendations to the City on the measures that shall be implemented to protect the discovered resources, including but not limited to, excavation of the finds and evaluation of the finds. If the resources are determined to be significant, mitigation measures shall be identified by the monitor and recommended to the City. Appropriate mitigation measures for significant resources could include avoidance or capping or data recovery excavations of the finds. No further grading shall occur in the area of the discovery until the City approves the measures to protect the identified resources. If unique paleontological/geological resources are found during the field survey, the resources shall be inventoried and evaluated for significance. If the resources are found to be significant, mitigation measures shall be identified by the qualified paleontologist. Similar to above, appropriate mitigation measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds. In addition, appropriate mitigation for excavation and construction activities in the vicinity of the resources found during the field survey or literature review shall include a paleontological monitor. The monitoring period shall be determined by the qualified paleontologist. If additional paleontological/ geological resources are found during excavation and/or construction activities, the procedure identified above for the discovery of unknown resources shall be followed 	<p>Community Development Department</p>	<p>Community Development Department</p>	<p>Community Development Department to ensure inclusion of provisions included in mitigation measure in construction specifications.</p> <p>Following discovery of previously unknown paleontological resources throughout the construction period, a qualified paleontologist shall prepare recommendations and submit to the Community Development Department. Timing for recommendations shall be established by project-specific mitigation measure</p>

Table A: EIR Mitigation Monitoring and Reporting Program

Mitigation Measures	Mitigation Responsibility	Monitoring/ Reporting Agency	Monitoring Timing/Schedule
<p>GEO-7: Refer to Mitigation Measures GEO-6.1</p>	<p>Community Development Department</p>	<p>Community Development Department</p>	<p>Community Development Department to ensure inclusion of provisions included in mitigation measure in construction specifications. Following discovery of previously unknown paleontological resources throughout the construction period, a qualified paleontologist shall prepare recommendations and submit to the Community Development Department. Timing for recommendations shall be established by project-specific mitigation measure.</p>
GREENHOUSE GAS EMISSIONS			
<p>GHG-1.1: Prior to issuance of grading permits, applicants shall submit to the City of Madera Planning Department a Greenhouse Gas Reduction Plan, or proof of compliance with the City’s Climate Action Plan (CAP), referencing construction plans details and specifications to document implementation and compliance with the following applicable CAP measures. Implementation of the following CAP measures is considered to be applicable, feasible, and effective in reducing greenhouse gas emissions generated by the project:</p> <ul style="list-style-type: none"> • Exceed Title 24 Energy Efficiency Building Standards, meet State Green Building Standards voluntary tier levels, become Leadership in Energy and Environmental Design (LEED) Greenpoint rated, or ENERGY STAR rated. • Install solar photovoltaic (PV) systems or solar hot water heaters. • Provide safe routes to adjacent transit stops. • Finance and/or construct bus turnouts and shelters where transit demand warrants such improvements. • Provide public transit vouchers to employees. • Include alternative fueling stations or electric vehicle (EV) charging stations. • By 2020, ensure construction contractors employ five percent of construction vehicles/equipment that utilize new technologies (i.e., repowered engines, electric drive trains), California Air Resources Board (CARB)-approved low carbon fuel, or are electrically-powered. By 2030, ensure construction contractors employ 10 percent of 	<p>Project Applicant</p>	<p>Community Development Department</p>	<p>Proof of compliance with City’s Climate Action Plan (CAP) to be submitted to Planning Department prior to issuance of grading permits.</p>

Table A: EIR Mitigation Monitoring and Reporting Program

Mitigation Measures	Mitigation Responsibility	Monitoring/ Reporting Agency	Monitoring Timing/Schedule
construction vehicles/equipment that utilize new technologies, CARB-approved low carbon fuel, or are electrically-powered. • Include low-maintenance native landscaping or xeriscaping			
GHG-2: Refer to Mitigation Measure GHG-1.1.	Project Applicant	Community Development Department	Proof of compliance with City’s Climate Action Plan (CAP) to be submitted to Planning Department prior to issuance of grading permits.
GHG-3: Refer to Mitigation Measure GHG-1.1.	Project Applicant	Community Development Department	Proof of compliance with City’s Climate Action Plan (CAP) to be submitted to Planning Department prior to issuance of grading permits.
HAZARDS AND HAZARDOUS MATERIALS			
HAZ-1: Prior to the issuance of demolition permits related to new development proposed under the Specific Plan, asbestos and lead based paint (LBP) surveys shall be conducted in order to determine the presence or absence of asbestos-containing materials (ACMs) and/or LBP within existing structures to be removed. Removal by property owners and/or future developers of LBP, friable ACMs, and non-friable ACMs that have the potential to become friable during demolition, shall be outlined in an inspection report to be submitted for approval by the City of Madera Community Development Director or designee, to conform to the standards set forth by the National Emissions Standards for Hazardous Air Pollutants (NESHAPs). The San Joaquin Valley Air Pollution Control District (SJVAPCD) shall be notified by the property owners and/or future developers of properties (or their designee(s)) prior to any demolition and/or renovation activities.	Project Applicant	Community Development Department, San Joaquin Valley Air Pollution Control District (SJVAPCD)	Asbestos and lead based paint (LBP) surveys to be completed prior to issuance of demolition permits.
HYDROLOGY AND WATER QUALITY			
No mitigation is required. Regulatory Compliance Measure would be implemented: Regulatory Compliance Measure HYD-1: Prior to approval of each subsequent Specific Plan grading permit, grading plans must be prepared for and approved by the City of Madera Engineering Department and must be in compliance with the General Construction Permit including implementation of SWPPPs with specific BMPs to minimize pollution of stormwater. BMPs shall follow City of Madera Storm drainage BMPs and Storm Drainage Management Plan. The City shall also review and confirm compliance with Statewide National Pollutant Discharge Elimination System (NPDES) permits for construction runoff and municipal storm drain systems (MS4) provisions of water quality control measures.	N/A	N/A	N/A

Table A: EIR Mitigation Monitoring and Reporting Program

Mitigation Measures	Mitigation Responsibility	Monitoring/ Reporting Agency	Monitoring Timing/Schedule
LAND USE AND PLANNING			
<p>Mitigation Measure LU-2.1: Prior to adoption of the Specific Plan by the City, a Public Facilities Financing Plan (PFFP) shall be completed by the project applicant and approved by the Community Development Director or designee. The PFFP shall identify all infrastructure and public facilities required to support the Specific Plan area and shall identify associated costs and financing mechanisms to fund these facilities.</p>	Project Applicant	Community Development Department	Public Facilities Financing Plan (PFFP) to be completed prior to adoption of Specific Plan.
NOISE			
<p>NOI-1.1: The project contractor shall implement the following measures during construction of the proposed project:</p> <ul style="list-style-type: none"> • Equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers consistent with manufacturers’ standards. • Place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the active project site. • Locate equipment staging in areas that would create the greatest possible distance between construction-related noise sources and noise-sensitive receptors nearest the active project site during all construction activities. • Ensure that all general construction related activities are restricted to between the hours of 6:00 a.m. and 8:00 p.m., consistent with the City’s Noise Ordinance. • Designate a “disturbance coordinator” at the City, at the expense of the project contractor, who would be responsible for responding to any local complaints about construction noise. The disturbance coordinator would determine the cause of the noise complaint (e.g., starting too early, bad muffler) and would determine and implement reasonable measures warranted to correct the problem. 	Project Applicant and project contractor	Community Development Department	Noise-abatement measures to be implemented during project construction. Community Development Department shall ensure that project construction specifications comply with applicable noise standards.
<p>Mitigation Measure NOI-1.2: In order to comply with the City’s noise compatibility guidelines, prior to the issuance of grading permits, new development proposed under the Specific Plan shall require an acoustic study for approval by the Community Development Director or designee for all noise-sensitive projects located within the following traffic noise contours with noise levels greater than 60 dBA CNEL:</p> <ul style="list-style-type: none"> • Within 572 feet of Road 23 between Avenue 17 and Project Driveway 3; • Within 507 feet of Road 23 between Project Driveway 3 and Avenue 16; • Within 517 feet of Road 23 between Avenue 16 and Cleveland Avenue; • Within 533 feet of Road 23 between Cleveland Avenue and Project Driveway 4; • Within 501 feet of Road 23 between Project Driveway 4 and Project Driveway 5; • Within 504 feet of Road 23 between Project Driveway 5 and Avenue 14 ½; 	Project Applicant and qualified noise consultant	Community Development Department	Acoustic study to be completed for new developments prior to issuance of grading permits. Community Development Department shall ensure that project construction specifications comply with applicable noise standards.

Table A: EIR Mitigation Monitoring and Reporting Program

Mitigation Measures	Mitigation Responsibility	Monitoring/ Reporting Agency	Monitoring Timing/Schedule
<ul style="list-style-type: none"> • Within 84 feet of Avenue 17 between Road 22 and Project Driveway 1; • Within 246 feet of Avenue 17 between Project Driveway 1 and Road 23; • Within 50 feet of Avenue 16 between Road 22 and Project Driveway 2/Road 22 ½; • Within 263 feet of Avenue 16 between Project Driveway 2/Road 22 ½ and Road 23; • Within 449 feet of Cleveland Avenue between Road 23 and Project Driveway 6; • Within 452 feet of Cleveland Avenue between Project Driveway 6 and Westberry Boulevard; • Within 50 feet of Road 22 between Avenue 17 and Avenue 16; • Within 50 feet of Road 22 between Avenue 16 and Cleveland Avenue; • Within 50 feet of Road 22 south of Cleveland Avenue; • Within 50 feet of Cleveland Avenue between Road 22 and between Project Driveway 2/Road 22 ½; • Within 98 feet of Cleveland Avenue between Project Driveway 2/Road 22 ½ and Road 23; • Within 56 feet of Project Driveway 2/Road 22 ½ between Avenue 16 and Cleveland Avenue; Within 54 feet of Project Driveway 2/Road 22 ½ between Avenue 17 and Avenue 16; • Within 90 feet of Avenue 16 between Road 22 and Westberry Road; • Within 50 feet of Project Driveway 5 west of Project Driveway 2/Road 22½; • Within 50 feet of Project Driveway 5 east of Project Driveway 2/Road 22½; • Within 50 feet of Project Driveway 2/Road 22 ½ north of Project Driveway 5; • Within 119 feet of Project Driveway 4 east of Road 23; • Within 54 feet of Project Driveway 6 south of Cleveland Avenue; • Within 63 feet of Project Driveway 2/Road 22 ½ between Road 23 and Project Driveway 3; and • Within 103 feet of Project Driveway 4 between Project Driveway 2/Road 22 ½ and Road 23. <p>The acoustic study shall demonstrate that that interior noise levels in habitable rooms shall not exceed 45 dBA CNEL. Acoustical design features shall be incorporated into the proposed project design, which may include a combination of exterior features to reduce noise, such as berms/walls and/or architectural features such as Sound Transmission Class (STC) rated windows and doors. All STC ratings shall be shown on the building plans and incorporated into the construction of the proposed project. Once final architectural plans with the exterior-wall details and window types are available, a Final Acoustic Report shall be prepared by a qualified consultant to confirm that the interior living spaces of residential dwelling units will meet the City’s interior noise standard of 45 dBA CNEL</p>			

Table A: EIR Mitigation Monitoring and Reporting Program

Mitigation Measures	Mitigation Responsibility	Monitoring/ Reporting Agency	Monitoring Timing/Schedule
(A weighted decibel Community Noise Equivalent Level) with windows and doors closed. If interior noise levels are still exceeded after the Final Acoustic Report is completed, additional design features shall be incorporated to meet the interior noise.			
Mitigation Measure NOI-1.3: In order to comply with the City’s General Plan non-transportation related noise standards and Municipal Code standards, prior to the issuance of grading permits, an acoustical study shall be prepared for any stationary sources of noise proposed under the Specific Plan. The stationary source noise study shall demonstrate that noise levels would be consistent with the Noise Ordinance standards outlined in Title III: Public Safety, Chapter 11: Noise Control and shall be approved by the City of Madera Community Development Director or designee.	Project Applicant	Community Development Department	Acoustical study to be completed prior to issuance of grading permits.
Mitigation Measure NOI-2.1: Prior to the approval of any construction or building permits for new development proposed under the Specific Plan, the City of Madera Community Development Director or designee shall ensure that construction plans include specifications that prohibit the use of heavy construction equipment within 15 feet of existing structures.	Project Applicant, construction contractor	Community Development Department	Construction specifications to be confirmed prior to approval of construction or building permits.
PUBLIC SERVICES AND RECREATION			
PSR-1: Refer to Mitigation Measures AES-4, AIR-2.1, AIR-2.2, AIR-3.1, BIO-1.1, BIO-1.2, BIO-1.3, BIO-3, CUL-1, CUL-2.1, CUL-2.2, CUL-3, EN-1.1, GEO-1.1, GEO-6.1, GHG-1.1, HAZ-1, RCM HYD-1, LU-2.1, NOI-1.1, NOI-1.2, NOI-1.3, NOI-2.1, UTL-1.1, UTL-1.2, and UTL-2.	-	-	-
PSR-2: Refer to Mitigation Measures AES-4, AIR-2.1, AIR-2.2, AIR-3.1, BIO-1.1, BIO-1.2, BIO-1.3, BIO-3, CUL-1, CUL-2.1, CUL-2.2, CUL-3, EN-1.1, GEO-1.1, GEO-6.1, GHG-1.1, HAZ-1, RCM HYD-1, LU-2.1, NOI-1.1, NOI-1.2, NOI-1.3, NOI-2.1, UTL-1.1, UTL-1.2, and UTL-2.	-	-	-
PSR-5: Refer to Mitigation Measures AES-4, AIR-2.1, AIR-2.2, AIR-3.1, BIO-1.1, BIO-1.2, BIO-1.3, BIO-3, CUL-1, CUL-2.1, CUL-2.2, CUL-3, EN-1.1, GEO-1.1, GEO-6.1, GHG-1.1, HAZ-1, RCM HYD-1, LU-2.1, NOI-1.1, NOI-1.2, NOI-1.3, NOI-2.1, UTL-1.1, UTL-1.2, and UTL-2.	-	-	-
PSR-7: Refer to Mitigation Measures AES-4, AIR-2.1, AIR-2.2, AIR-3.1, BIO-1.1, BIO-1.2, BIO-1.3, BIO-3, CUL-1, CUL-2.1, CUL-2.2, CUL-3, EN-1.1, GEO-1.1, GEO-6.1, GHG-1.1, HAZ-1, RCM HYD-1, LU-2.1, NOI-1.1, NOI-1.2, NOI-1.3, NOI-2.1, UTL-1.1, UTL-1.2, and UTL-2.	-	-	-
PSR-8: Refer to Mitigation Measures AES-4, AIR-2.1, AIR-2.2, AIR-3.1, BIO-1.1, BIO-1.2, BIO-1.3, BIO-3, CUL-1, CUL-2.1, CUL-2.2, CUL-3, EN-1.1, GEO-1.1, GEO-6.1, GHG-1.1, HAZ-1, RCM HYD-1, LU-2.1, NOI-1.1, NOI-1.2, NOI-1.3, NOI-2.1, UTL-1.1, UTL-1.2, and UTL-2.	-	-	-

Table A: EIR Mitigation Monitoring and Reporting Program

Mitigation Measures	Mitigation Responsibility	Monitoring/ Reporting Agency	Monitoring Timing/Schedule
TRANSPORTATION			
TRA-1.1: As a condition of future project entitlements approved for projects within the Specific Plan Area, improvements identified in Table 9-A of the Traffic Impact Analysis (TIA) shall be implemented by the City.	Project Applicant, Community Planning Department	Community Planning Department	Improvements identified in Specific Plan Traffic Impact analysis to be implemented by the City prior approval of project entitlements for projects within Specific Plan Area.
UTILITIES			
UTL-1.1: Prior to the issuance of each grading permit for projects within the Specific Plan Area, the City shall ensure that the Infrastructure Master Plan for the Specific Plan is implemented and that General Plan policies requiring capacity analyses of service systems are completed.	Community Planning Department, Engineering Department	Community Planning Department	City to ensure implementation of Infrastructure Master Plan and General Plan policies related to capacity of serviced systems prior to issuance of grading permits for discretionary projects within Specific Plan Area.
UTL-1.2: Prior to the issuance of each grading permit for projects within the Specific Plan Area, and consistent with policies of the General Plan, the City shall review the City's wastewater facility capacity and shall prepare environmental review, consistent with the California Environmental Quality Act, and analysis for any future off-site wastewater facility expansions and improvements required to support development of the Specific Plan. The CEQA analysis shall be completed prior to approval of each development project.	Community Planning Department, Engineering Department	Community Planning Department	City to complete environmental analysis to ensure wastewater facility capacity prior to issuance of grading permits for discretionary projects within the Specific Plan Area.
UTL-2: Prior to issuance of each grading permit for projects within the Specific Plan Area, the City shall review water supplies available at the time and ensure that the required groundwater facilities, including replacing and increasing depth of groundwater wells, and the use of reclaimed water as identified in the City's Water Master Plan are adequate to serve the project.	Community Planning Department, Engineering Department	Community Planning Department	City to ensure water availability for projects within Specific Plan Area prior to issuance of grading permits for discretionary projects within the Specific Plan Area.
UTL-6: Refer to Mitigation Measures AES-4, AIR-2.1, AIR-2.2, AIR-3.1, BIO-1.1, BIO-1.2, BIO-1.3, BIO-3, CUL-1, CUL-2.1, CUL-2.2, CUL-3, EN-1.1, GEO-1.1, GEO-6.1, GHG-1.1, HAZ-1, RCM HYD-1, LU-2.1, NOI-1.1, NOI-1.2, NOI-1.3, NOI-2.1, UTL-1.1, UTL-1.2, and UTL-2.	-	-	-

Source: LSA (2022).