

Chapter 4. Other CEQA Requirements

This chapter discusses mandatory findings of significance and potential cumulative and growth-inducing impacts. Section 15065 of the State CEQA Guidelines requires that the lead agency make findings on whether the project would individually or cumulatively have a significant effect on the environment.

4.1 Cumulative Impacts

Section 15355 of the State CEQA Guidelines defines cumulative impacts as “two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts.” Furthermore, the State CEQA Guidelines state that an EIR shall discuss cumulative impacts of the project when the project’s incremental effect is cumulatively considerable (Section 15130). Where a lead agency is examining a project with an incremental effect that is not cumulatively considerable, a lead agency need not consider that effect significant but shall briefly describe its basis for concluding that the incremental effect is not cumulatively significant.

Section 15130 of the State CEQA Guidelines requires an analysis of cumulative impacts to contain the following elements:

- a list of past, present, and probable future projects producing related or cumulative impacts including, if necessary, those projects outside the control of the agency; or
- a summary of projections contained in an adopted local, regional, or statewide plan, or related planning document that describes or evaluates conditions contributing to the cumulative effect.

The environmental setting for this cumulative impact analysis is the Parkway planning area. This area was selected because it is sufficiently large to capture additional projects that have the potential to contribute to cumulative impacts. The Parkway planning area is approximately 22 miles long, from river mile 267.6 at the face of Friant Dam to the SR 99 crossing at river mile 243.2, and includes portions of Fresno County, Madera County, and the city of Fresno. The Parkway planning area varies in width from a narrow wildlife corridor where the bluff is steep and close to the San Joaquin River to extensive floodplains of several hundred acres.

The State of California owns 2,575 acres managed under the Conservancy’s jurisdiction for Parkway purposes. Other public lands within the Parkway planning area include the City of Fresno’s planned Riverbottom Park site, the County of Fresno’s Lost Lake Park, CDFW’s San Joaquin Fish Hatchery and San Joaquin River Ecological Reserve, and State sovereign lands under the jurisdiction of the California State Lands Commission.

In discussing cumulative impacts, the State CEQA Guidelines outline two approaches for characterizing the projects that may occur in the project vicinity:

- **Project list:** A list of past, present, and probable future projects producing related or cumulative impacts, including, if necessary, projects outside the control of the agency (State CEQA Guidelines Section 15130[b][1][A]).
- **Summary of projections:** A summary of projections contained in an adopted local, regional, or statewide plan, or related planning document, that describes or evaluates conditions contributing to the cumulative effect (State CEQA Guidelines Section 15130[b][1][B]). This summary can be supplemented with additional information, including a regional modeling program.

This DEIR uses the list approach because it is more appropriate for the resource areas being analyzed.

Table 4.1-1 identifies future and related projects under preliminary consideration by the Conservancy and other possible developments in the vicinity determined as having the potential to interact with the project to the extent that a significant cumulative effect might be expected to occur. Any possible project within the planned Parkway that had been on a preliminary list of potential Conservancy projects at the time of the NOP for the project was considered a probable future project.

Table 4.1-1 Future and Related Projects

No.	Name of Project	Description of Project
1	Habitat Restoration throughout Parkway	Parkway land contains significantly degraded habitat. Habitat enhancement is planned to benefit sensitive species, facilitate wildlife movement, support adaptation by wildlife to climate change, and improve diversity, among other values. Habitat restoration within the Parkway can be an important accomplishment in the interim, while resources to support the operation and maintenance of public access and recreation facilities are being developed.
2	Habitat Restoration, River West Fresno	The Conservancy has granted funds to the San Joaquin River Parkway and Conservation Trust and River Partners to design, complete CEQA review, and implement restoration of land north and west of the H Pond on the former Spano property.
3	Ball Ranch Habitat Enhancement and Public Safety	Habitat restoration needs are being assessed, including an evaluation of the northern slope of the main Ball Ranch Pond, a past gravel mining pond, which is very steep and erodible. The project would reduce the slope and improve greater public safety and habitat diversity and remove one or more stands of invasive tree-of-heaven.
4	River West Madera Pit 46e Berm Improvement, Floodplain Enhancement, and Public Access Project	The Conservancy has granted funds to DWR to complete preliminary and final design, secure environmental compliance, and construct the project. The project would reconnect an access road linking Sycamore Island and the neighboring Conservancy property. The project would provide a second route of emergency egress from Sycamore Island. The project would isolate the gravel pit from the River, thus protecting reintroduced salmon and providing for off-stream recreational fishing, and would restore floodplain habitat in the adjacent channel and pond, all of which would benefit the San Joaquin River Restoration Program.

No.	Name of Project	Description of Project
5	Multiple-Use Trail Extension	A 22-mile multiple-use trail is planned to extend from Friant Dam to SR 99. Approximately 7 miles have been constructed to date. The proposed project is related to this effort.
6	Riverside Trailhead Kiosk and Restroom	The City of Fresno required the developer of the Elderberry on the Bluffs residential development to construct trailhead parking and adjacent to Riverside Golf Course. The developer also constructed a segment for the multiple-use trail that extends from the existing Riverside Trail to the south. A trailhead kiosk, and possibly a restroom served by the municipal water and wastewater treatment systems, is desirable.
7	Camp Pashayan to Riverside Trail Multiple Use Trail Segment	This project would extend the multipurpose trail linking the Riverside/Elderberry Bluffs trail segment to Camp Pashayan.
8	Development of Miscellaneous Hiking Trails	In 2002, an interagency team developed a conceptual plan for a hiking trail leading from the Coke Hallowell River Center, across Rank Island, and on to Ledger Island. There were significant constraints in topography, habitat protection, River crossings, and other factors. Other hiking trails are included in the planned Parkway.
9	Canoe Rest Stops	The Conservancy proposes public boating rest stops with trash cans, picnic tables, and temporary or permanent restrooms.
10	Landmark Bridge Environmental Review and Planning	In 2009, the San Joaquin River Parkway Trust presented a conceptual proposal for a bridge crossing downstream of SR 41. The bridge would provide a pedestrian and bicycle trail connecting between the River West Fresno and River West Madera open space areas, and would provide a landmark attraction for the region.
11	River Vista and Remnant Bridge Demolition	The Conservancy, in partnership with the County of Madera, plans a public access and bridge demolition project, located immediately adjacent downstream of the SR 145 bridge (North Fork Road) on the Madera County side of the River. The project would include a small parking area, picnic shade structures, a restroom, a paved trail over a portion of an existing compacted farm road, an unpaved trail extending approximately one-quarter mile, and an unimproved River access trail. Measures are included to protect cultural resources at the site.
12	Fish Hatchery Visitor Improvements	CDFW, in partnership with the Conservancy, has developed a new parking area on Friant Road, a trail descending from the parking area to the hatchery and extending to Lost Lake Park, outdoor classroom seating, interpretive signs, and other related visitor amenities.
13	Lost Lake Park Master Plan EIR	The County of Fresno, in partnership with the Conservancy, proposes a long-range master plan for Lost Lake Park. The County anticipates preparing an EIR.
14	Lost Lake Park Campground Improvements	The Conservancy has awarded funding to the County of Fresno to renovate the campground at Lost Lake Park. This project will improve recreational vehicle and tent camping facilities, redesign the layout of the camping area, rehabilitate or replace existing picnic shelters, tables, and fire pits as necessary, and make some campsites ADA accessible. Lost Lake Park continues to be the primary park providing recreation on the San Joaquin River in Fresno and Madera counties.
15	Beck Pond Public Fishing Improvements	CDFW has evaluated improvements to develop the Conservancy's Beck Pond for public off-stream fishing as a possible expansion of Lost Lake Park.
16	Ledger Island Bridge Flood Protection	With funding from the Conservancy, DWR has assessed the structural integrity of the Ledger Island Bridge. The bridge, owned by the Conservancy, provides the only legal access to Ledger Island, 161 acres owned by the Conservancy on the Madera County side of the River. The bridge is currently closed because of safety concerns.

No.	Name of Project	Description of Project
17	Hallowell River Center Improvements: Group Picnic Shelter and Interpretive Exhibits	The San Joaquin River Parkway Trust has developed the Coke Hallowell Center for River Studies at Riverview Ranch, a regional Parkway visitor center at the current northerly terminus of the Eaton Trail. The San Joaquin River Parkway Trust has considered several improvements to the 20-acre River Center: stabilization of a historic dairy barn, construction of a large group picnic shelter, development of exhibits to be housed in and around the barn, construction of additional restroom facilities to serve the public shelter area, and installation of a native plant garden around the picnic shelter.
18	Owl Hollow Education and Boating Rest Stop Improvements	Owl Hollow is located along the San Joaquin River, across from the Rank Island Ecological Reserve and west of the River Center. With funding from the Conservancy, the San Joaquin River Parkway Trust is completing several improvements to the property: installation of two solar-powered access gates; installation of a restroom and storage building; construction and permitting of a well for hand washing, powered by a solar pump; construction and installation of a water storage tank for fire protection; construction of a picnic shelter with picnic tables; and construction of an amphitheater for group activities. The site would be open to participants for organized events and activities; public uses could be expanded in the future.
19	Caglia and Jenco Trailhead and Jensen Ranch Access Improvements	A trailhead parking and improvement with ADA access to Jensen River Ranch could be provided from Rice Road.
20	Jensen River Ranch to Eaton Trail—River to Bluff Trail Connection	A trail segment ascending the bluff from the multiuse trail on Jensen River Ranch to connect with the Eaton Trail was approved as a part of the Jensen River Ranch Project.
21	Jensen River Ranch Phase II Habitat Restoration	The Conservancy has granted funds to the San Joaquin River Parkway and Conservation Trust to create new wildlife habitat at the Conservancy's 167-acre Jensen River Ranch. The project involves eradicating weeds, developing a revegetation plan, planting native trees and shrubs, and irrigating the plants until they are self-sufficient. The project lies immediately north of Woodward Park near the San Joaquin River in Fresno County.
22	Sycamore Island Off-Stream Fishing and Access Improvement	CDFW has completed preliminary designs and environmental review for a stabilized boat launch, parking, restroom, and ADA access at a pond adjacent to the San Joaquin River. An ADA-accessible fishing dock is also proposed.
23	Old Highway 41 Bridge Traffic and Trail Safety Improvements	The Old Highway 41 Bridge is used by pedestrians and bicyclists as a way to move between Jensen River Ranch, Woodward Park, the Eaton Trail, Wildwood Native Park, and non-Parkway locations. The bridge accommodates primarily vehicular traffic. Caltrans is currently performing environmental review of the proposed bridge scour and seismic retrofits. Future traffic calming and safety improvements would be required to facilitate bicycle and possibly pedestrian use on the road.

No.	Name of Project	Description of Project
24	Palm Bluffs Fishing Access	The City of Fresno and California State Lands Commission have each secured public-access rights along a gravel private road. State sovereign lands under the jurisdiction of the California State Lands Commission could provide a location for Parkway improvements, such as a parking area and restroom, at the riverward end of the road. The possible project could include public access to a connecting trail between this site and the River West Fresno Trail Extension Project. This potential project is subsumed in Alternative 5, the Palm and Nees Access Alternative (see Section 5.10 of this DEIR).
25	Milburn Pond/Islewood Golf Course Public Access and Infrastructure Improvements	This possible project would replace the existing transient noncommunity water system at Islewood Golf Course with a connection to the City of Fresno's water utility. If feasible, the Conservancy may consider funding the water connection, repaving the access road, and funding improvements such as picnic shelters and an entrance gate to allow public access to the River and to the trail along Milburn Pond.
26	Riverbottom Park	The City of Fresno's design of Riverbottom Park was funded by the Conservancy in 2000–2001. The project, located at the end of the Riverside segment of the Eaton Trail near the BNSF railroad trestle, has been construction-ready since 2008. The project includes a parking area, restroom, and launch for hand-carried boats.
27	Camp Pashayan Public Access Improvements	Camp Pashayan's restroom is within the 100-year flood zone and requires expensive operation of an on-site well. Camp Pashayan is operated seasonally on weekends by the San Joaquin River Parkway Trust, which will continue operating the site through 2017. Visitor improvements, including a new restroom and entrance facility, could be planned, designed, and constructed.
28	Potential Land Acquisitions to Develop Parkway	Through negotiations and purchases with willing sellers, the Conservancy and others may secure additional lands to achieve the planned 5,900-acre Parkway.
29	Gunner Ranch West Bluff-Top Trail	The <i>Gunner Ranch West Specific Plan</i> proposes a trail located along the bluff top above the Van Buren Unit, generally running from Valley Children's Hospital to the southeastern corner of the specific plan boundary. A primary trail within the Van Buren Unit would connect to the bluff-top trail toward the center of the Van Buren Unit. The primary trail would be paved and would provide ADA accessibility from the bluff-top trail to the multipurpose trail at River West Madera. The connection would allow pedestrian, bicyclist, and equestrian users to access the center of the Van Buren Unit.
30	Valley Children's Hospital	A public-access easement exists along Avenue 9 north of the Van Buren Unit and south of the River Park Golf Course. The access easement ends at the bluff immediately south of Valley Children's Hospital. The trail easement could connect Valley Children's Hospital to Avenue 9 and the Van Buren Unit and would provide bicycle access on a paved surface.
31	Avenue 7½	Beyond the entry to Sycamore Island, the <i>Gunner Ranch West Specific Plan</i> plans for Road 40 to be a four-lane collector road with a 12-foot-wide community trail along the east side for bicyclists and pedestrians. Beyond the boundaries of the <i>Gunner Ranch West Specific Plan</i> , Road 40 could continue a minimum of two lanes and with the 12-foot-wide bicycle and pedestrian trail continuing south to the entrance of Sycamore Island.

No.	Name of Project	Description of Project
32	Riverbottom Park and Schneider Property Habitat Restoration	The Conservancy has granted funds to River Partners to restore 147 acres located on the City of Fresno's future Riverbottom Park site located adjacent to the BNSF Railroad and the Conservancy's Schneider property located in the same vicinity, in Madera County. Both project sites are within the floodplain of the San Joaquin River. The project will establish native plants and remove invasive weeds. Irrigation will be installed as needed to ensure plant survival. The project will provide critical breeding, roosting, and foraging habitat for nesting songbirds, woodpeckers, raptors, and water birds.
33	San Joaquin River Parkway Master Plan Update and EIR	The Conservancy contracted with a consultant to prepare an updated <i>San Joaquin River Parkway Master Plan</i> . The planning process is ongoing. An EIR is being prepared as part of the project. The public agencies and organizations will have the opportunity to comment on the plan pursuant to CEQA.

Notes:

ADA = Americans with Disabilities Act; BNSF = Burlington Northern Santa Fe; Caltrans = California Department of Transportation; CDFW = California Department of Fish and Wildlife; CEQA = California Environmental Quality Act; Conservancy = San Joaquin River Conservancy; DWR = California Department of Water Resources; Eaton Trail = Lewis S. Eaton Trail; EIR = environmental impact report; Parkway = San Joaquin River Parkway; River = San Joaquin River; SR = State Route

Source: Data compiled by AECOM in 2016

San Joaquin River Restoration Program. In July 2012, the U.S. Bureau of Reclamation and DWR prepared a programmatic environmental impact statement/EIR for the SJRRP. The SJRRP is based on the Settlement Agreement of the lawsuit in *Natural Resources Defense Council et al. v. Rodgers, et al.*

The Settlement established two primary goals:

- *Restoration Goal*—To restore and maintain fish populations in “good condition” in the main stem of the San Joaquin River below Friant Dam to the confluence with the Merced River, including naturally reproducing and self-sustaining populations of salmon and other fish.
- *Water Management Goal*—To reduce or avoid adverse water supply impacts on all of the Friant Division long-term contractors that may result from the Interim and Restoration flows provided for in the Settlement.

City of Fresno Parks Master Plan Update. The City of Fresno proposes to update the *Fresno Parks Master Plan*. The *Fresno Parks Master Plan Update* will integrate the City's General Plan Update 2035 and Active Transportation Plan and the *City of Fresno Bicycle, Trails, & Pedestrian Master Plan*.

4.1.1 Analysis of Cumulative Impacts

This DEIR evaluates and considers the project’s contribution to cumulative environmental impacts; however, the analysis is limited to only those impacts that could contribute to significant or potentially significant cumulative impacts. Consequently, this DEIR evaluates the project’s contribution to cumulative impacts in the following resource areas:

- Aesthetic and Visual Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Noise
- Recreation
- Transportation

The project would have no impact on the following resource areas:

- Agriculture and Forestry Resources
- Mineral Resources
- Population and Housing
- Public Services
- Utilities and Service Systems

Therefore, no cumulative impacts would occur and these resource areas are not discussed further in this cumulative impacts analysis.

4.1.2 Aesthetic and Visual Resources

The cumulative context for aesthetic resources is the viewshed in the project vicinity. The visual character of the project area consists of a floodplain corridor, the San Joaquin River with year-round flows, riparian vegetation, trees, grassland, and several surface mining gravel excavations inundated with water.

Two related projects are occurring in and adjacent to the project area: Habitat Restoration, River West Fresno (project #2 in Table 4.1-1) and River West Madera Pit 46e Berm Improvement, Floodplain Enhancement, and Public Access Project (project #4). The River West Fresno habitat enhancement project is expected to generate an increase in habitat diversity, protect and improve the water quality of

the pond on-site, and increase riparian and woodland habitat for wildlife. The Conservancy has granted funds to DWR to complete preliminary and final design, secure environmental compliance, and construct the Pit 46e project. That project would reconnect an access road linking Sycamore Island and the neighboring Conservancy property, providing a second route of emergency egress from Sycamore Island. The River West Fresno habitat enhancement project would also isolate the gravel pit from the River, thus protecting reintroduced salmon and providing for off-stream recreational fishing, and would restore floodplain habitat in the adjacent channel and pond, all of which would benefit the SJRRP.

The possible Palm Bluffs Fishing Access project (project #24 in Table 4.1-1) would provide public access along the private gravel road and could include Parkway improvements, such as a parking area and restroom, at the riverward end of the road. The Palm Bluffs Fishing Access project is evaluated in Chapter 5 of this DEIR as Alternative 5. The remaining related projects are distant from the project area and would not overlap visually with activities for the proposed project.

Temporary Impacts. Temporary construction activities for the proposed project, such as site preparation, clearing, grading, installation of new recreational amenities, and landscaping, would be visible to homeowners on the bluff, the public at Spano Park, visitors along the Bluff Trail, and traffic on SR 41. Construction activities would be temporary and would occur for 1 year. Temporary construction-related effects would be less than significant. It is not anticipated that construction of the River West Fresno habitat enhancement project, the Pit 46e project, or the Palm Bluffs fishing access project would occur simultaneously with construction of the proposed project. Therefore, no significant cumulative impact would occur. The proposed project would not result in a cumulatively significant incremental contribution to a significant cumulative impact associated with construction-related conflicts with existing visual character. This temporary impact would be **cumulatively less than significant**. No mitigation is required.

Long-Term Impacts. The presence of the trail extension, parking lot, and recreational amenities for the proposed project would alter the natural features of the San Joaquin River from viewing areas. The long-term presence and use of the trail extension could affect sensitive viewer groups and could be considered a conflict with the existing visual character and unique and scenic resource that is the River. In addition, the proposed project would include low-level outdoor security lighting, a new source of lighting in the project area. Implementation of Mitigation Measure Aesthetics and Visual Resources-1 would reduce conflicts with visual character and scenic vistas to less than significant because landscaping and recreation facilities would be designed to create visual buffers complementary and/or compatible with the area's scenic nature and because materials and colors for all facilities would be compatible with the surrounding natural environment. Implementation of Mitigation Measure Aesthetics and Visual Resources-2 would reduce the impact of new lighting to less than significant by requiring that lighting be fully shielded, which would prevent glare and light from trespassing onto adjacent properties. Therefore, cumulatively significant long-term impacts would not occur, and the proposed project would not result in a

cumulatively significant incremental contribution to a significant cumulative impact associated with conflicts with the existing visual character and unique and scenic resources and changes in lighting. This long-term impact would be **cumulatively less than significant**. No mitigation is required.

4.1.3 Air Quality

The cumulative context for air quality is the San Joaquin Valley Air Basin. A significant cumulative impact on air quality would occur if implementation of the proposed project would result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or State ambient air quality standard.

The cumulative analysis of construction-related and operational emissions focuses on whether a specific project would result in a cumulatively considerable increase in emissions. By its very nature, air pollution is largely a cumulative impact. The nonattainment status of regional pollutants is a result of past and present development in the San Joaquin Valley Air Basin, and this regional impact is cumulative rather than attributable to any one source. A project's emissions may be individually limited, but cumulatively considerable when taken in combination with past, present, and future development projects. The thresholds of significance are relevant to whether a project's individual emissions would result in a cumulatively considerable incremental contribution to the existing cumulative air quality conditions. If a project's emissions would be less than those threshold levels, the project would not be expected to result in a considerable incremental contribution to the significant cumulative impact.

As in Impact 3.4-2, the total criteria air pollutant emissions generated would not exceed any thresholds for construction-related or operational activities (Tables 3.4-5 and 3.4-6). Projects that would not exceed the thresholds of significance would not contribute a considerable amount of criteria air pollutant emissions to the region's emissions profile, and would not impede attainment and maintenance of ambient air quality standards. The proposed project's construction and operational emissions would not result in a cumulatively considerable net increase for any criteria pollutant for which SJVAPCD is in nonattainment under applicable NAAQS or CAAQS. This impact would be **cumulatively less than significant**. No mitigation is required.

4.1.4 Biological Resources

The cumulative context for biological resources is the project area and related projects occurring on and in the vicinity of the Parkway planning area.

The proposed project would result in potentially significant and significant impacts on special-status plant species (California satintail and Sanford's arrowhead); special-status wildlife species (American badger and silvery legless lizard); nesting and roosting habitat for avian species, such as bald eagle, Swainson's hawk, burrowing owl, and migratory birds; and wildlife movement corridors. Many of the related projects

would occur in the Parkway planning area and would have the potential to affect the same special-status plant and wildlife species, avian species, and wildlife movement corridors as the proposed project. However, implementation of the mitigation measures described in detail in Section 3.5, “Biological Resources,” would reduce the proposed project’s impacts to less than significant. Therefore, no significant cumulative impact would occur and the proposed project would not result in a cumulatively significant incremental contribution to a significant cumulative impact associated with conflicts with biological resources. The impact would be **cumulatively less than significant**. No mitigation is required.

4.1.5 Cultural Resources

The cumulative context for cultural resources is related projects that include ground-disturbing activities in the planned Parkway. Previously identified or undiscovered cultural resources may underlie the sites of one or more of the other related projects, and because plans for those projects have not yet been adopted, it is unknown whether the related projects would implement appropriate BMPs and mitigation. Furthermore, even after mitigation is implemented, it may be impossible to avoid the cultural resource, and a substantial adverse change in the significance of the resource (such as damaging or destroying the qualities that make it significant) could result. Therefore, the related projects could result in potentially significant cumulative impacts on known and as-yet-undiscovered cultural resources.

The archaeological investigation of the project area identified a previously recorded archaeological resource. The site, CA-FRE-980, is a prehistoric habitation site (a probable permanent village) that was described in the original 1979 site record (Appendix E) as consisting of fire-cracked rock, obsidian flakes, shell, and carbon flecks. Construction activities such as vegetation removal, grading, and excavation could potentially uncover and disturb site CA-FRE-980 and other buried and unrecorded archaeological deposits. In addition, construction activities could disturb unknown human remains. Implementation of Mitigation Measure Cultural Resources-1 would reduce impacts from substantial adverse changes to an archaeological resource to less than significant, because Extended Phase I subsurface testing would be performed along the alignment of the trail extension to determine the boundary of site CA-FRE-980 and identify the presence of additional archaeological deposits to avoid those areas. Further, all cultural resources identified would be evaluated for eligibility for inclusion in the CRHR. Implementation of Mitigation Measure Cultural Resources-2 would reduce the impact of disturbance of human remains to less than significant because work in the vicinity of the find would stop until the appropriate actions have been completed. In addition, implementation of the cultural resources BMPs identified in Section ~~2.5.4~~ 2.5.2, “Best Management Practices,” would include measures deemed necessary for the recordation and/or protection of human remains and cultural resources. Therefore, the proposed project would not result in a cumulatively significant incremental contribution to a potentially significant cumulative impact on cultural resources. The impact would be **cumulatively less than significant**. No mitigation is required.

4.1.6 Geology and Soils

The project area and related projects are located in the San Joaquin Valley. The geologic formations and soil types vary depending on project location, and therefore are site-specific.

The project area is unique in that flat topography has been cut by the San Joaquin River as it emerges from the foothills. As a result, tall, steep bluffs mark the limits of the River floodplain in the area. The Spano Park staircase and Bluff Trail/West Riverview Drive access trail would be constructed on the steep slope of the River bluffs. Soil erosion and loss of topsoil would be expected during construction. The construction contractor would be required to implement rules and regulations from the California Building Standards Code to control excavation, grading, and earthwork construction; implement the City's Bluff Preservation Overlay Zone District and Policy POSS-7-f standards for property located within the Bluff Preservation zone; and implement BMPs identified in the California Stormwater Quality Association's *Stormwater BMP Construction Handbook*. In addition, implementation of Mitigation Measure Geology and Soils-1 would reduce impacts of soil erosion to less than significant for several reasons: Qualified construction staff would evaluate the stability of the bluff slope daily; the stability of both temporary and permanent cut, fill, and otherwise affected slopes would be analyzed during development of grading and construction procedures; fiber rolls would be placed along the perimeter of the site; silt fences would be placed downgradient of disturbed areas; construction activities would be suspended as necessary during and immediately after periods of heavy precipitation; and measures would be implemented to avoid, accommodate, replace, or improve loose soils.

Furthermore, geology and soils BMPs identified in Section ~~2.5.1~~ 2.5.2, "Best Management Practices," would require the Conservancy to prepare and implement an erosion and sediment control plan to manage sediment and prevent discharge of sediment from the project site in accordance with a SWPPP and the goals, objectives, and policies of the Parkway Master Plan.

Implementation of the various related projects could result in substantial soil erosion. However, each project considered in this cumulative analysis must individually meet the requirements of local policies (i.e., grading and erosion control plans). No additive effect would result and no cumulatively considerable impact related to substantial soil erosion would occur. Therefore, the proposed project would not result in a cumulatively significant incremental contribution to a significant cumulative impact associated with substantial soil erosion. The impact would be **cumulatively less than significant**. No mitigation is required.

4.1.7 Greenhouse Gas Emissions

Emissions of GHGs have the potential to adversely affect the environment because such emissions contribute on a cumulative basis to global climate change. The proper context for addressing this issue in an EIR is as a discussion of cumulative impacts, because although the emissions of one single project

will not cause global climate change, GHG emissions from multiple projects throughout the world could result in a cumulative impact with respect to global climate change.

Air districts and some lead agencies in California have developed numeric significance thresholds that allow a clear assessment of the degree to which projects would have cumulatively considerable contributions to the significant cumulative impact of climate change. As discussed in Impact 3.8-1, the amortized emissions or the total GHG emissions for the proposed project would not exceed any of the adopted or recommended thresholds of significance. Although GHG emissions generated by the short-term construction activities of the project may be considered new, they would be temporary and would not be considered substantial given the small size of the project (Table 3.8-1). The long-term operational GHG emissions associated with the project would be minimal. Therefore, the proposed project would not result in a cumulatively significant incremental contribution to a significant cumulative impact associated with GHG emissions. This impact would be **cumulatively less than significant**. No mitigation is required.

4.1.8 Hazardous Materials

Health and safety impacts associated with the past or current uses of a project site usually occur on a project-by-project basis, and are generally limited to the specific project site—in this case, the project area and its immediate vicinity.

The proposed project and the related projects would involve the storage, use, disposal, and transport of hazardous materials (such as fuel, lubricants, and solvents) to varying degrees during construction. These activities are extensively regulated by various federal, State, and local agencies; construction contractors that would handle hazardous substances would be required by law to implement and comply with the existing hazardous-materials regulations. Therefore, a cumulatively significant impact would not occur, and the project would not result in a cumulatively significant incremental contribution to a significant cumulative impact associated with storage and transport of hazardous materials. The impact would be **cumulatively less than significant**. No mitigation is required.

Since June 2006, 102 grassland wildfires have occurred between SR 99 and Willow Avenue/Friant Road and 12 grassland wildfires have occurred between SR 41 and Palm and Nees Avenues. The proposed project would construct a trail extension in an area of natural vegetation along the San Joaquin River. Equipment used for construction of the trail extension and ongoing maintenance at the project site could emit sparks, which could increase the wildland fire hazard. Implementation of Mitigation Measures Hazards and Hazardous Materials-1 through Hazards and Hazardous Materials-6 would reduce the hazard from wildland fires to less than significant because the Conservancy would provide appropriate emergency access and signage, would prohibit open burning and the use of barbecue grills, would require all construction and maintenance equipment to be properly equipped with spark arrestors, and

would prepare and implement a fire prevention plan. Therefore, a cumulatively significant impact would not occur, and the project would not result in a cumulatively significant incremental contribution to a significant cumulative impact associated with the risk of loss, injury, or death involving wildland fires. The impact would be **cumulatively less than significant**. No mitigation is required.

4.1.9 Hydrology and Water Quality

The project area and related projects are located within the low alluvial plains and fans of the central San Joaquin Valley, between the Coast Ranges and the Sierra Nevada. The following evaluation of cumulative hydrology and water quality impacts is made in light of the extent to which activities in the Parkway planning area can affect water quality and hydrologic conditions.

Future projects may be constructed within the designated the 100-year floodplain and/or the designated floodway of the San Joaquin River. The River's hydrologic and floodplain functions could be altered by placement outside of the 100-year floodplain of impervious surfaces; fill and new structures, including a pedestrian bridge, along the multiuse trail between the O and E ponds; and restroom facilities. These project components could increase the volume of stormwater runoff from the project site to existing stormwater drainage systems during intense storms, potentially affecting water quality standards or WDRs, and would alter hydrologic processes (i.e., hydromodification). With the addition of impervious surfaces and placement of other project components adjacent to or within the designated floodway and 100-year floodplain, runoff could be directed off-site onto adjacent properties or other features, potentially contributing to flooding.

In accordance with the Parkway Master Plan's goals, objectives, and policies, new structures and other project components would be designed without obstructions to flood flows and without placement within the floodplain of improvements that may come loose and become obstructions or pose safety hazards.

Implementing Mitigation Measure Hydrology and Water Quality-1 would reduce impacts related to water quality, erosion, and stormwater discharge to less than significant because structural BMPs would be designed to treat stormwater runoff before it reaches on-site surface waters and the River. Mitigation Measure Hydrology and Water Quality-2 would reduce impacts related to water quality, erosion, and stormwater discharge to less than significant because a nutrient management program would be implemented to identify and reduce potential adverse water quality effects from equestrian use and associated animal wastes. Finally, Mitigation Measure Hydrology and Water Quality-3 would reduce impacts on the River's hydrologic and floodplain functions to less than significant for two reasons: Drainage and hydromodification studies would be prepared to evaluate runoff, drainage, and flooding potential and any adverse effects on riparian habitat; and the proposed project would be required to obtain approval of encroaching project elements from flood protection agencies and obtain CDFW approval of streambed alteration.

The Conservancy would comply with the Central Valley RWQCB's WDRs. Control measures would be consistent with the NPDES General Construction Permit (detailed in Section ~~2.5.1~~ 2.5.2, "Best Management Practices"). The NPDES General Construction Permit requires development and implementation of an SWPPP that uses stormwater BMPs to control runoff, erosion, and sedimentation from the site both during and after construction.

There are no assurances that the related projects would incorporate the same degree or methods of treatment as the proposed project. However, each related project that would discharge stormwater runoff would be required to comply with NPDES discharge permits from the Central Valley RWQCB, which adjusts requirements on a case-by-case basis to avoid significant degradation of water quality, and with the goals, objectives, and policies of the Parkway Master Plan. Therefore, a significant cumulative impact would not occur and the proposed project would not result in a cumulatively significant incremental contribution to a potentially significant cumulative impact associated with hydrology and water quality during construction. The impact would be **cumulatively less than significant**. No mitigation is required.

4.1.10 Land Use and Planning

Impacts involving adopted land use plans or policies and zoning generally would not combine to result in cumulative impacts. The determination of significance for impacts related to these issues, as described by Appendix G of the State CEQA Guidelines, is whether a project would conflict with any applicable land use plan or policy adopted for the purpose of avoiding or mitigating environmental impacts. Such a conflict is site-specific; it is addressed on a project-by-project basis. In addition, any land use inconsistencies of future projects, by themselves, are not considered significant cumulative effects because the inconsistencies are relative to land use regulations, rather than being environmental impacts. Because land use impacts would occur on a project-specific basis rather than a cumulative basis, the proposed project would not result in a cumulatively significant incremental contribution to a significant cumulative impact associated with land use conflicts. The impact would be **cumulatively less than significant**. No mitigation is required.

4.1.11 Noise

When determining whether the overall noise impacts of related projects would be cumulatively significant and whether the proposed project's incremental contribution to any significant cumulative impacts would be cumulatively considerable, it is important to note that noise is a localized occurrence. As such, noise decreases rapidly in magnitude as the distance from the source to the receptor increases. Therefore, only those related projects that are in the direct vicinity of the project area are considered for the cumulative context such as the Palm Bluffs Fishing Access (Project #24 in Table 4.1-1).

Construction activities for the proposed project would result in a short-term temporary increase in ambient noise levels. Noise would be generated by the operation of construction equipment. Increased noise

levels would be experienced mostly close to the noise source (in the vicinity of the project site). The magnitude of the impact would depend on the type of construction activity, the noise level generated by various pieces of construction equipment, the duration of the construction phase, and the distance between the noise source and the receiver. The project's construction phase would involve site preparation; construction of the trail extension, foundations for buildings (restrooms), and the parking lot; and site cleanup. In addition, implementation of Mitigation Measure Noise-1 would reduce the noise impact to less than significant because the Conservancy and its contractor would comply with City of Fresno standards; use muffled construction equipment and other noise control techniques, procedures, and acoustically treated equipment; and limit construction hours to between 7 a.m. and 9 p.m., Monday through Saturday. It is not anticipated that construction of the Palm Bluff Fishing Access project would occur simultaneously with construction of the proposed project. Therefore, the proposed project would not result in a cumulatively significant incremental contribution to a significant cumulative impact associated with temporary increases in noise from construction activities. This temporary impact would be **cumulatively less than significant**. No mitigation is required.

4.1.12 Recreation

The project would extend the existing Eaton Trail by about 2.4 miles and add parking and a variety of recreation amenities. The proposed project was evaluated with respect to specific resource areas in this section of the DEIR to determine whether implementation would result in significant adverse cumulative impacts. The cumulative context and potential cumulative environmental impacts of project implementation are summarized in this section of the DEIR. All cumulative impacts that have been identified would be less than significant. Therefore, the proposed project would not result in a cumulatively significant incremental contribution to a significant cumulative impact associated with recreation. The impact would be **cumulatively less than significant**. No mitigation is required.

4.1.13 Transportation

Temporary Impacts. Construction-related traffic is expected to increase traffic on roadways that may be used during construction of the proposed project, such as SR 41, SR 99, Avenue 9, Nees Road, and Audubon Drive (see Tables 3.17-2 and 3.17-3 for a complete list of affected roadways). Construction activities would be temporary and would occur for 1 year. It is not anticipated that construction of the Spano River Ranch habitat enhancement project would occur simultaneously with construction of the proposed project. Therefore, no significant cumulative impact would occur. The proposed project would not result in a cumulatively significant incremental contribution to a significant cumulative impact associated with increases in traffic from construction activities. This temporary impact would be **cumulatively less than significant**. No mitigation is required.

Long-Term Impacts. Implementation of the proposed project would increase the routes used to access the project site, including SR 41, Audubon Drive, and Del Mar Avenue. Table 4.1-2 shows the roadway segment conditions in 2025 without construction of the proposed project.

Table 4.1-2 Roadway Segment Analysis—Project Buildout (2025) No-Project Conditions

Roadway Segment ¹	Number of Lanes ²	Direction	ADT 24-Hour Volume	(2025) No-Project Conditions			
				A.M. Peak Hour		P.M. Peak Hour	
				Vol	LOS	Vol	LOS
1 SR 41 between the Fresno–Madera County line and Avenue 12	2/D	NB SB	35,680	740	B	1,112	B
				588	B	1,332	B
2 SR 41 East Frontage Road (Cobb Road Ranch) north of Vin Rose Lane	1/U	NB SB	210	11	C	8	C
				3	C	8	C
3 Audubon Drive between SR 41 and Palm Avenue	1/U	EB WB	16,870	390	C	460	C
				475	C	644	C
4 Audubon Drive just east of SR 41	2/D	EB WB	15,950	391	C	459	C
				487	C	671	C
5 Del Mar Avenue between Audubon Drive and West Riverview Drive	1/U	NB SB	2,130	33	C	67	C
				89	C	94	C

Notes:

ADT = average daily traffic; D = divided; EB = eastbound; LOS = level of service; NB = northbound; SB = southbound; SR = State Route; U = undivided; Vol = volume; WB = westbound

¹ Evaluated using Table 7 Florida Tables.

² Number of lanes in each direction.

Source: Data compiled by AECOM in 2016

Project Buildout (2025) Base plus Project conditions consider all improvements that are constructed or planned for completion by 2025. Appendix H provides a detailed discussion of the methodology used to determine LOS that is summarized below.

As shown in Table 4.1-3, all study roadway segments are forecast to operate at LOS C or better under Project Buildout (2025) Base plus Project conditions and all roadway segments have sufficient capacity to accommodate project-related traffic and still operate at acceptable LOS. Compared to the cumulative 2025 No-Project conditions, the traffic volume on SR 41 between the Fresno–Madera County line and Avenue 12 would increase by 318 trips and the traffic volume on SR 41 east of Frontage Road and north of Vin Rose Lane would increase by 318 trips. The remaining roadway segments would not have an increase in ADT. Therefore, no significant cumulative impact would occur. The proposed project would not result in a cumulatively significant incremental contribution to a significant cumulative impact associated with increases in traffic from operation of the proposed project. This long-term impact would be **cumulatively less than significant**. No mitigation is required.

Table 4.1-3 Roadway Segment Analysis—Project Buildout (2025) Base plus Project Conditions

Roadway Segment ¹	Number of Lanes ²	Direction	ADT 24-Hour Volume	(2025) Base plus Project Conditions			
				A.M. Peak Hour		P.M. Peak Hour	
				Vol	LOS	Vol	LOS
1 SR 41 between the Fresno–Madera County line and Avenue 12	2/D	NB SB	35,998	780	B	1,165	B
				608	B	1,352	B
2 SR 41 East Frontage Road (Cobb Road Ranch) north of Vin Rose Lane	1/U	NB SB	528	31	C	28	C
				43	C	61	C
3 Audubon Drive between SR 41 and Palm Avenue	1/U	EB WB	16,870	390	C	460	C
				475	C	644	C
4 Audubon Drive just east of SR 41	2/D	EB WB	15,950	391	C	459	C
				487	C	671	C
5 Del Mar Avenue between Audubon Drive and West Riverview Drive	1/U	NB SB	2,130	33	C	67	C
				89	C	94	C

Notes:

ADT = average daily traffic; D = divided; EB = eastbound; LOS = level of service; NB = northbound; SB = southbound; SR = State Route; U = undivided; Vol = volume; WB = westbound

¹ Evaluated using Table 7 Florida Tables.

² Number of lanes in each direction.

Source: Data compiled by AECOM in 2016

4.2 Environmental Justice Considerations—Disadvantaged Communities

Cities, counties, and other local governmental entities have an important role to play in ensuring environmental justice for all California’s residents. Under State law, “environmental justice” means the fair treatment of people of all races, cultures, and incomes with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations, and policies (California Government Code Section 65040.12[e]). The California Attorney General’s Office has stated that “environmental justice requires an ongoing commitment to identifying existing and potential problems, and to finding and applying solutions, both in approving specific projects and planning for future development” (Office of the Attorney General 2012).

Under CEQA, “public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects” (PRC Section 21002). Human beings are an integral part of the “environment.” An agency is required to find that a “project may have a ‘significant effect on the environment’” if, among other things, “[t]he environmental effects of a project will cause substantial adverse effects on human beings either directly or indirectly” (PRC Section 21083; State CEQA Guidelines Section 15126.2).

CEQA does not use the terms “fair treatment” or “environmental justice.” Rather, the importance of a healthy environment for all California’s residents is reflected in CEQA’s purposes. In enacting CEQA, the California Legislature determined that:

- “The maintenance of a quality environment for the people of this state now and in the future is a matter of statewide concern.” (PRC Section 21000[a].)
- We must “identify any critical thresholds for the health and safety of the people of the state and take all coordinated actions necessary to prevent such thresholds from being reached.” (PRC Section 21000[d].)
- “[M]ajor consideration [must be] given to preventing environmental damage, while providing a decent home and satisfying living environment for every Californian.” (PRC Section 21000[g].)
- We must “[t]ake all action necessary to provide the people of this state with clean air and water, enjoyment of aesthetic, natural, scenic, and historic qualities, and freedom from excessive noise.” (PRC Section 21001[b].)

SB 535 was signed into law on September 30, 2012. SB 535 is based largely on the actions introduced by the Global Warming Solutions Act of 2006, AB 32. The goal of AB 32 is to reduce pollutants by implementing a cap and trade system in California. Companies must purchase extra credits when they exceed their allotted amount for the cap and trade. Each year, the money generated from companies purchasing extra credits is expected to generate about \$1 billion of State revenue. SB 535 requires that 25% of the fund be spent on projects that benefit disadvantaged communities, while at least 10% of the 25% is to be spent on projects located in disadvantaged communities.

CalEPA is in charge of the identifying disadvantaged communities or census tracts. To facilitate the identification of low-income and highly polluted areas, OEHHA and CalEPA have adopted the California Communities Environmental Health Screening Tool, more commonly known as “CalEnviroScreen” (OEHHA 2016). The main goal is to accurately locate areas/neighborhoods using pollution “scores.” CalEnviroScreen is a science-based tool that measures environmental, socioeconomic, and health indicators such as:

- O₃ concentrations in air;
- PM_{2.5} concentrations in air;
- diesel PM emissions;
- use of certain high-hazard, high-volatility pesticides;
- toxic releases from facilities;
- traffic density;

- drinking water quality; and
- toxic cleanup sites.

Based on data from OEHHA (2016), Figure 4-1 was developed to depict disadvantaged communities by census tract within 1.0 mile of the project area.

Census Tract 6019004404, located along the SR 41 corridor in Fresno, is about 0.5 mile south of the project areas. Census Tract 6039001000 is located across the River in Madera County. CalEPA has designated both of these communities as disadvantaged pursuant to SB 535 (OEHHA 2016). These communities are within 0.5 mile of the project area.

The proposed trail extension would provide access to an outdoor natural recreational area along the River for residents of the nearby disadvantaged communities, and more broadly for residents of Fresno and Madera counties. Activities such as recreation and exercise are fundamental to a healthy life. Beneficial use of the existing multiuse trail promotes greater productivity, less disease, and a brighter future. According to the National Institutes of Health, recreation and exercise result in:

- more energy and capacity for work and leisure activities;
- greater resistance to stress, disease, anxiety, and fatigue, and a better outlook on life;
- increased stamina, strength, and flexibility;
- improved efficiency of the heart and lungs;
- loss of extra pounds or body fat;
- improved ability to remain at a desirable weight; and
- reduced risk of heart attack.

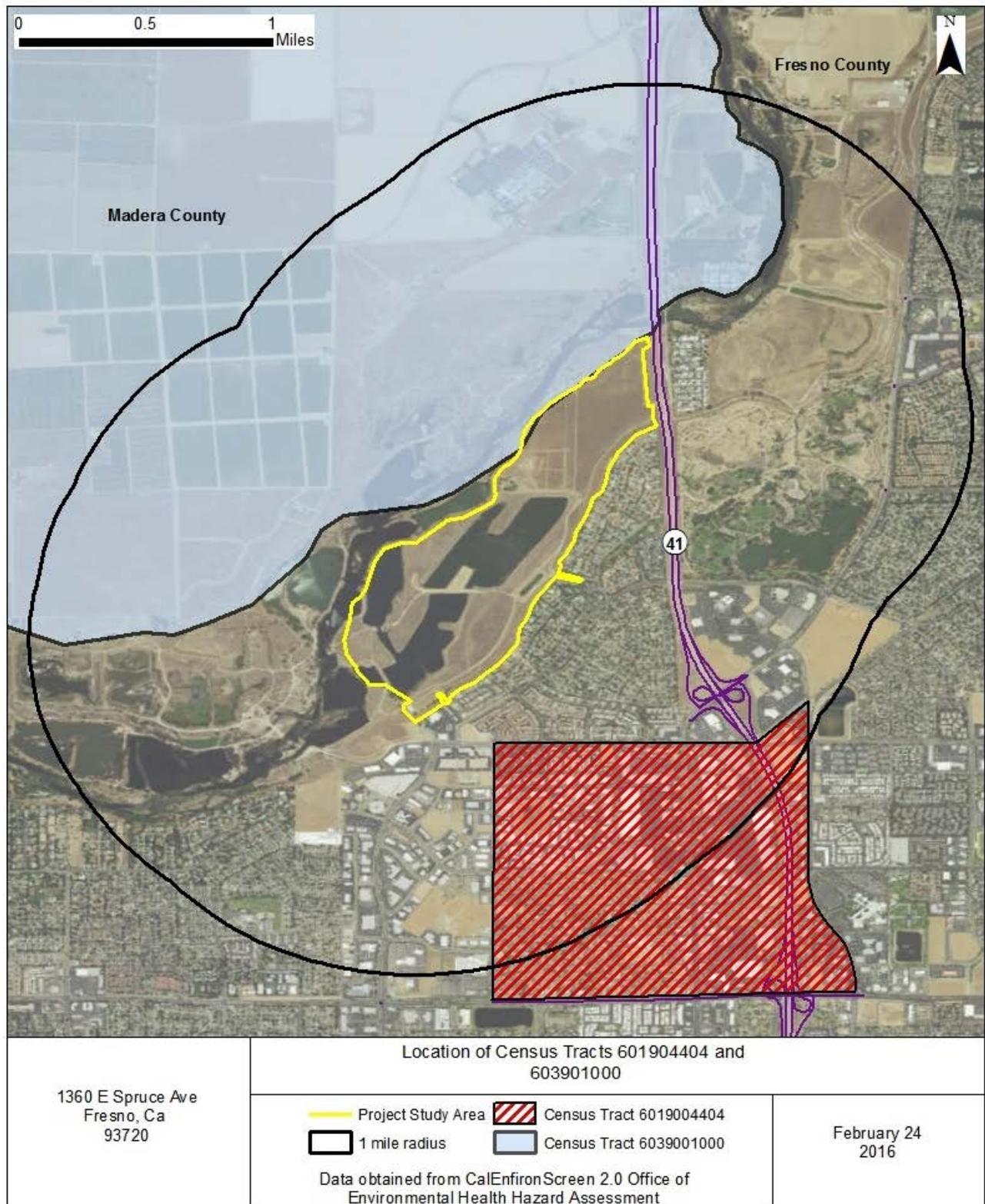


Figure 4-1 — Disadvantaged Community Census Tracts 6019004404 and 6039001000

Providing recreational opportunities along the River can benefit disadvantaged communities because they can provide:

- social benefits by connecting people within the community regardless of income, background, and ability;
- economic benefits by improving the quality of life in the community and helping to attract businesses and visitors to the River; and
- benefits to individuals and the community by promoting physical fitness and self-improvement.

As stated in Section 2.7, "Scoping," a public review and open house public scoping meeting was held on June 17, 2014, at the nearby Pinedale Community Center, located at 7170 N. San Pablo Avenue. The purpose of the scoping meeting was to solicit guidance from agencies and the public to the scope and content of environmental information to be included in the EIR in accordance with the State CEQA Guidelines. Several issues were raised regarding access to the project area from the Fresno side of the River via alternative entrances.

Impact 4.2-1: Would the proposed project provide equal access to an outdoor natural recreational area along the San Joaquin River for residents of nearby disadvantaged communities, and more broadly, for residents of the city of Fresno and Madera County?

Two disadvantaged community census tracts are located within 1.0 mile of the project area. Access to the extended trail and recreation amenities along the River would benefit individuals, improving quality of life and the community. However, access to the proposed trail extension and recreation amenities would be provided by a single access point, the Perrin Avenue entrance. The location would benefit residents of Census Tract 6039001000 and Madera County residents traveling to the project area via SR 41. Travel to this entrance would require residents of the nearby disadvantaged Census Tract 6019004404 community, and more broadly, residents of Fresno to travel north along SR 41 to Children's Boulevard, then south along the SR 41 East Frontage Road, also known as Blackstone Avenue, a 180-degree reverse in direction. This would increase VMT by 8.3 miles (Table 6.2, Appendix H) and increase the generation of vehicular emissions. This would be an **unavoidable significant** impact on a nearby disadvantaged community or census tract, and more broadly, on the residents of Fresno. No feasible mitigation measures are available to reduce this impact.

4.2.1 Regulatory Framework

Although not required by CEQA, the following assessment of potential disproportionate environmental justice effects is consistent with the Conservancy's commitment to the fair treatment principles and policies of the State.

Under State law, environmental justice is defined as “the fair treatment of people of all races, cultures, and incomes with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations, and policies” (California Government Code Section 65040.12[e]).

In 2016, legislation was enacted to add an environmental justice element to the required elements of a city or county general plan when the city or county has a disadvantaged community. Senate Bill (SB) 1000 (Chapter 587, September 24, 2016) requires the environmental justice element to identify objectives and policies to:

- reduce the unique or compounded health risks in disadvantaged communities,
- promote civil engagement in the public decision-making process, and
- prioritize improvements and programs that address the needs of disadvantaged communities.

The environmental justice element is to be included upon the adoption or next revision of two or more general plan elements on or after January 1, 2018. The California Governor’s Office of Planning and Research is in the process of revising the State CEQA Guidelines for general plans. The general plans for both the City and County of Fresno do not yet have an environmental justice element and have not been updated since SB 1000 was enacted.

The following analysis uses as guidance the California Attorney General’s Office fact sheet titled “Environmental Justice at the Local and Regional Level, Legal Background” (Fact Sheet), released in 2012 (Office of the California Attorney General 2012). The Attorney General’s Office is reviewing and updating this fact sheet to reflect new developments in California law. The Fact Sheet states:

Fairness in this context means that the benefits of a healthy environment should be available to everyone, and the burdens of pollution should not be focused on sensitive populations or on communities that already are experiencing its adverse effects. ... [E]nvironmental justice requires an ongoing commitment to identifying existing and potential problems, and to finding and applying solutions, both in approving specific projects and planning for future development.

The Fact Sheet then identifies principles under CEQA that support furthering environmental justice goals (Office of the California Attorney General 2012), stating that:

“[P]ublic agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects” (Pub. Res. Code, § 21002). Human beings are an integral part of the “environment.” An agency is required to find that a “project may have a ‘significant effect on the environment’” if, among other things, “[t]he environmental effects of a

project will cause substantial adverse effects on human beings, either directly or indirectly[.]”
(Pub. Res. Code, § 21083, subd. (b)(3); see also CEQA Guidelines, § 15126.2...)

CEQA does not use the terms “fair treatment” or “environmental justice.” Rather, CEQA centers on whether a project may have a significant effect on the physical environment. Still, as described below, by following well-established CEQA principles, local governments can further environmental justice.

4.2.2 CEQA’s Purposes

The importance of a healthy environment for all of California’s residents is reflected in CEQA’s purposes. In enacting CEQA, the Legislature determined that:

- “The maintenance of a quality environment for the people of this state now and in the future is a matter of statewide concern.” (PRC Section 21000[a].)
- California’s government must “identify any critical thresholds for the health and safety of the people of the state and take all coordinated actions necessary to prevent such thresholds being reached.” (PRC Section 21000[d].)
- “[M]ajor consideration [must be] given to preventing environmental damage, while providing a decent home and satisfying living environment for every Californian.” (PRC Section 21000[g].)
- The State must “[t]ake all action necessary to provide the people of this state with clean air and water, enjoyment of aesthetic, natural, scenic, and historic qualities, and freedom from excessive noise.” (PRC Section 21001[b].)

4.2.3 Methodology

This section first examines the potential for disproportionate and adverse environmental effects. It then examines the potential for disproportionate levels of benefits from the project, which is a socioeconomic consideration.

To identify whether the proposed project is likely to have a disproportionate and adverse environmental effect on environmental justice communities, this analysis first identified disadvantaged communities by census tract within 1 mile of the project area. A 1-mile radius was chosen for potential disproportionate and adverse environmental impacts because that is the area within which any adverse environmental impacts on nearby residents would be expected to occur.

The California Environmental Protection Agency’s (CalEPA’s) California Communities Environmental Health Screening Tool was used to identify disadvantaged communities by census tract. The California Office of Environmental Health Hazard Assessment (OEHHA) and CalEPA developed this tool, more commonly known as “CalEnviroScreen” (OEHHA 2016), to designate disadvantaged communities under

SB 535 for the purpose of informing investments of State funds generated through the Cap-and-Trade Program.¹⁷ The main goal of CalEnviroScreen is to identify the California communities with the greatest cumulative exposure to pollution, to more effectively direct limited State resources to wherever they are needed most. CalEnviroScreen is a science-based tool that measures environmental, socioeconomic, and health indicators such as:

- ozone concentrations in air;
- concentrations of fine particulate matter (i.e., PM_{2.5}) in air;
- emissions of diesel particulate matter;
- use of certain high-hazard, high-volatility pesticides;
- toxic releases from facilities;
- traffic density;
- drinking-water quality; and
- toxic cleanup sites.

Based on data from OEHHA (2016), Figure 4-1 was developed to depict disadvantaged communities by census tract within 1.0 mile of the project area. Census Tract 6019004404, located along the SR 41 corridor in Fresno, is about 0.5 mile south of the project area. Census Tract 6039001000 is located across the River in Madera County.

The impact conclusions in Chapter 3 for all resource areas and the cumulative impact analysis in Chapter 4 were examined to determine whether any impacts would disproportionately affect the identified census tracts. Only adverse physical changes are considered potential impacts under CEQA; however, CEQA also provides considerable latitude to lead agencies to consider the social and economic consequences of a project in whatever manner the agency deems appropriate (14 CCR Section 15131). Therefore, this section also examines environmental justice in terms of equity of access to the benefits of the project. This examination is occurring in light of the fact that environmental justice considerations have been evolving from focusing mainly on adverse environmental impacts of pollution to include equal access to societal benefits like parks and green spaces.

¹⁷ The Cap-and-Trade Program is a regulation developed by the California Air Resources Board under Assembly Bill (AB) 32 (the Global Warming Solutions Act of 2006) to reduce the greenhouse gas (GHG) emissions that cause climate change. The program places a limit on GHG emissions from certain industrial sectors and allows the trade of permits (allowances) to emit GHGs, which generates funds that the Legislature allocates in accordance with SB 535.

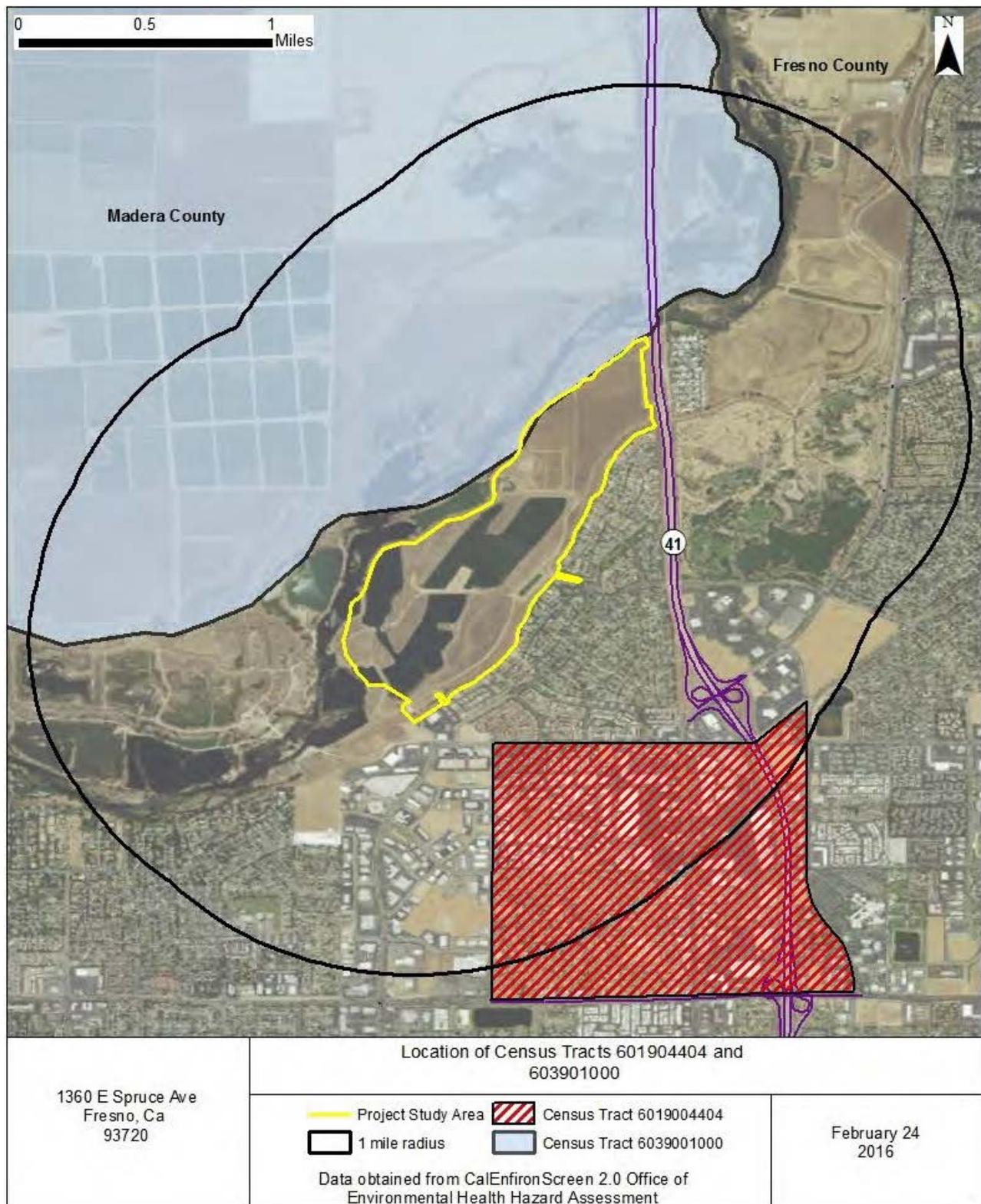


Figure 4-1 Disadvantaged Community Census Tracts 601904404 and 603901000

4.2.4 Assessment

4.2.4.1 Potential for Disproportionately High and Adverse Environmental Effects

The potential environmental impacts of the proposed project for each specific resource area are described in detail in Chapter 3 of this EIR, and the potential cumulative impacts are described in Section 4.1. Those sections found no significant and unavoidable impacts in any resource area.

Air quality is a special concern for its potential for disproportionate impacts on nearby disadvantaged communities. Chapter 3 found that air quality impacts during both the construction and operational phases, including the potential to expose sensitive receptors to substantial pollutant concentrations, would be less than significant with no mitigation required. For noise, another area of concern for potential impacts on nearby disadvantaged communities, Chapter 3 found less-than-significant impacts, except for temporary construction impacts, which would be reduced to a less-than-significant level through Mitigation Measure Noise-1.

Because the project as mitigated would cause no significant adverse environmental impacts, it does not have the potential to result in a disproportionately high and adverse environmental effect on disadvantaged communities.

4.2.4.2 Potential Socioeconomic Effects

The proposed project would result in a beneficial effect on socioeconomic conditions in the area. As noted in Section 3.16.2, the Trust for Public Land has consistently ranked Fresno near the bottom of an annual survey of the amount of parks and open space for residents across the United States. The proposed project would provide a substantial benefit for residents of Fresno and Madera counties, including nearby disadvantaged communities, by providing additional access to an outdoor natural recreational area along the River. Activities such as recreation and exercise are fundamental to a healthy life. Beneficial use of the existing multiuse trail promotes greater productivity, less disease, and a brighter future. According to the National Institutes of Health and California Department of Parks and Recreation (State Parks 2005), exercise can result in:

- more energy and capacity for work and leisure activities;
- greater resistance to stress, disease, anxiety, and fatigue, and a better outlook on life;
- increased stamina, strength, and flexibility;
- improved efficiency of the heart and lungs;
- loss of extra pounds or body fat;
- improved ability to remain at a desirable weight; and
- reduced risk of heart attack.

Providing recreational opportunities along the River can benefit disadvantaged communities by providing:

- social benefits through connecting people within the community regardless of income, background, and ability;
- economic benefits by improving the quality of life in the community and helping to attract businesses and visitors to the River; and
- benefits to individuals and the community by promoting physical fitness and self-improvement.

During the scoping process for the DEIR, concerns were raised regarding access to the project area from the Fresno side of the River. The project, as proposed, would provide a parking lot at the proposed Perrin Avenue entrance, with additional pedestrian and bicycle access at Riverview Drive and Spano Park. Concerns were raised that limiting vehicular access to one entrance at Perrin Avenue would limit access for residents on the Fresno side of the River, including residents of disadvantaged communities near the project site and in west Fresno. In fact, more than 40% of the population of the Fresno metropolitan area lives in disadvantaged communities in central, southeast, and west Fresno. The discussion below examines this issue of equitable distribution of the benefits of the project's recreational facilities for disadvantaged communities in the entire Fresno area.

~~The~~ In 2011 the San Joaquin River Parkway and Conservation Trust (Trust) completed a report in 2011, titled the Short Term Transportation Plan (Transportation Plan), which that examined access conditions for the existing Parkway and identified opportunities for improving public transit, bicycle, and general access to the existing and planned Parkway (Transportation Plan; cite San Joaquin River Parkway and Conservation Trust 2011). The Transportation Plan found that the Parkway's "walk shed"¹⁸ consists primarily of upper-income households (San Joaquin River Parkway and Conservation Trust 2011:2-1).⁴⁰

~~The~~ circulated DEIR identified one One disadvantaged community (Census Tract 6019004404) has been identified within the 1-mile radius of the project area (Census Tract 6019004404) on the Fresno side of the River. Some residents of that area would be within the walk shed of the new proposed Spano Park pedestrian entrance, and most would be within reasonable bicycle-bicycling distance to of both the Spano Park and West Riverview Drive entrances. The proposed project does would not, however, provide greater walking or bicycling access for other disadvantaged communities in Fresno, including those in central, southeast, and west Fresno.

¹⁸ A walk shed refers to the area in which people can comfortably walk to an attraction, which assumes that a person can walk for about 15–20 minutes, which works out to roughly 1 mile.

⁴⁰ Short Term Transportation Plan, San Joaquin River Parkway and Conservation Trust, 2011. Page 2-1.

The proposed project cannot change current land uses to alter residential development patterns ~~to alter,~~ and thus, ~~change the current walk shed or bicycle access. Zoning-Local authorities control zoning and planning for nearby residences is under the control of local authorities.~~ The project is also bound geographically in that it is tied to the River's fixed location, and unlike a city park that can be planned within an urban area, this River trail project cannot be relocated to be closer to existing disadvantaged communities to improve walking and bicycling access to recreational opportunities. The proposed project can and ~~does~~ would improve walking and bicycling access generally by providing additional access points along the River at Spano Park and West Riverview Drive.

Because fewer lower-income census tracts are within the walk shed and ~~bicycle-bicycling~~ distance of the project, disadvantaged communities, other than the one census tract identified above, would most likely access the Parkway by public transit or by car. Fresno Area Express (FAX) is the local transit line that comes closest to the Parkway, with Route 26 (North Palm/Peach Avenue) running ~~on 30-minute frequency~~ at 30-minute intervals during weekdays and Route 30 (Pinedale/N. Blackstone/West) ~~with 20-minute frequency~~ running at 20-minute intervals during weekdays.

Currently transit options to the Parkway, ~~however,~~ are very limited, however, and private vehicles will likely continue to be the primary mode of accessing the Parkway ~~over~~ in the next several years. The Transportation Plan included a survey about vehicle access, which provides an indication of individual access mobility and transit dependence. All ~~survey respondents to that survey,~~ including lower-income respondents, indicated that they had access to at least one vehicle, ~~including lower income respondents.~~ Therefore, ~~it is likely that~~ residents of disadvantaged communities would likely access the project site primarily via private vehicle.

The Transportation Plan found that the existing Lewis S. Eaton Trail is currently accessed by vehicles at one of several key locations. One of these existing driving locations is at Blackstone Avenue and East Perrin Road, which currently provides only informal parking, as Blackstone Avenue dead-ends at the existing trailhead gate (San Joaquin River Parkway and Conservation Trust:2-10).²⁹ The proposed project would improve this existing vehicular access point by providing a safe off-road parking area off Perrin Avenue for up to 50 vehicles with public amenities. Additional vehicular access points at additional locations may improve vehicular access for disadvantaged communities in Fresno, which could improve the equitable distribution of the benefits of the trail project. The Transportation Plan recommends improving Parkway access near Palm and Nees Avenues (San Joaquin River Parkway and Conservation Trust:4-6).³⁰ This potential additional access point for vehicles, in addition to another potential additional vehicle access points, are discussed in the analysis of alternatives in Chapter 5.

²⁹ Short Term Transportation Plan, San Joaquin River Parkway and Conservation Trust, 2011, Page 2-10.

³⁰ Short Term Transportation Plan, San Joaquin River Parkway and Conservation Trust, 2011, Page 4-6.

4.2.4.3 Conclusion

The proposed project does not have the potential to result in a disproportionately high and adverse environmental effect on disadvantaged communities. No mitigation is required. The proposed project's single public access point may result in less availability of project benefits to disadvantaged communities that may access the project's benefits by walking or ~~bicycle~~ bicycling.

4.3 Growth-Inducing Impacts

Pursuant to CEQA Section 21100(b)(5) and Section 15126.2(d) of the State CEQA Guidelines, growth-inducing impacts should be assessed in terms of whether the project influences the rate, location, and amount of growth. Projects that remove obstacles to population growth, or that allow or encourage growth that would not have occurred if the project were not built, are considered growth-inducing. Potential growth-inducing impacts are also assessed based on a project's consistency with adopted plans that have addressed growth management from a local and regional standpoint.

Growth-inducing policies include projects that would remove obstacles to population growth (for example, a major expansion of a wastewater treatment plant might allow for more construction in service areas). Population increases may tax existing community service facilities, requiring construction of new facilities that could cause significant environmental effects. Also considered are characteristics of some projects that may encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively. It must not be assumed that growth in any area is necessarily beneficial, detrimental, or of little significance to the environment.

Section 15126.2(d) of the State CEQA Guidelines requires a discussion of how the potential growth-inducing impacts of the project could foster economic or population growth or the construction of additional housing, either directly or indirectly, in the surrounding environment. Induced growth is distinguished from the direct employment, population, or housing growth of a project. If a project has characteristics that "may encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively," then these aspects of the project must be discussed as well. Induced growth is any growth that exceeds planned growth and results from new development that would not have taken place in the absence of the project. For example, a project could induce growth by lowering or removing barriers to growth or by creating or allowing a use, such as an industrial facility, that attracts new population or economic activity. The State CEQA Guidelines also indicate that the topic of growth should not be assumed to be either beneficial or detrimental.

The proposed project would not influence the rate, location, and amount of growth; would not foster economic or population growth; would not remove obstacles to population growth; and would not allow or

encourage growth that otherwise would not have occurred if the project were not built. Therefore, the project would not be growth inducing. **No impact** would occur.

4.4 Energy

The proposed project does not include development of new buildings. The project is required to comply with applicable portions of the 2010 California Green Building Code (Part 11, Title 24), which was developed to enhance the design and construction of buildings and sustainable construction practices through planning and design, energy efficiency, water efficiency and conservation, material conservation and resource efficiency, and environmental air quality. It is the intent of this code to achieve more than a 15% reduction in energy use when compared to existing standards, to reduce indoor potable-water demand by 20%, to reduce landscape water usage by 50%, and to reduce construction waste by 50%. The proposed project would not generate an increase in demand for electricity and natural gas relative to existing or future electrical and natural gas consumption. The project proposes smart lighting with motion detector sensors and LED lights. This impact would be **less than significant**. No mitigation is required.

Project-generated vehicle trips would not be expected to cause queuing and related congestion; however, the use of the study area is not expected to significantly increase beyond capacity. Therefore, the effects associated with petroleum consumption would be **less than significant**. In addition, with implementation of the 2010 California Green Building Code (CCR Title 24), the proposed project would not cause the inefficient, wasteful, or unnecessary consumption of energy. This impact would be **less than significant**. No mitigation is required.

4.5 Effects Not Found to be Significant

Section 15128 of the State CEQA Guidelines states that “an EIR shall contain a statement briefly indicating the reasons that various possible significant effects of a project were determined not to be significant and were therefore not discussed in detail in the EIR.” During the scoping process for this EIR, it was determined that all the issues cited in the NOP should be evaluated in detail; therefore, the project was analyzed in detail with respect to all impact areas described in the State CEQA Guidelines. To the extent that a particular project feature was not analyzed in detail in any given discussion of an impact area, it is implied that this project feature did not result in a significant impact. The results of the comprehensive environmental analysis are presented in Chapter 3 of this DEIR. Many potential impacts were found to be either less than significant; most were found to be less than significant after mitigation.

4.6 Unavoidable Significant Environmental Effects

Section 15126.2(b) of the State CEQA Guidelines requires a description of any significant impacts, including those that can be mitigated but not reduced to a level of insignificance. When impacts cannot be

alleviated without imposing an alternative design, the analysis should describe the implications of the impacts and the reasons why the project is being proposed, notwithstanding its effects. The project was evaluated with respect to specific resource areas to determine whether implementation would result in significant adverse impacts. The potential environmental impacts of the project are summarized in Table 1.6-1 in Chapter 1, "Executive Summary," ~~of this DEIR.~~ Some of the impacts identified would be less than significant. In other instances, incorporating the mitigation measures proposed in this ~~DEIR~~ would reduce the impacts to less than significant. ~~The proposed project would result in one project would not result in any unavoidable significant environmental impact, related to environmental justice/disadvantaged communities, as discussed in Section 4.2 above.~~

Where the decision of the public agency allows the occurrence of significant effects that are identified in the ~~final EIR-FEIR~~ but are not at least substantially mitigated, the agency shall state in writing the specific reasons to support its action based on the ~~final EIR-FEIR~~ and/or the information in the record (State CEQA Guidelines Section 15093[b]). This statement is called a "statement of overriding considerations."

4.7 Significant Irreversible Environmental Changes

Section 15126.2(c) of the State CEQA Guidelines requires that an EIR address significant irreversible environmental effects that cannot be avoided if the project is implemented. As stated in Section 15126.2(c):

Uses of nonrenewable resources during the initial and continued phases of the project may be irreversible since a large commitment of such resources makes removal or nonuse thereafter unlikely. Primary impacts and, particularly, secondary impacts (such as highway improvement which provides access to a previously inaccessible area) generally commit future generations to similar uses. Also irreversible damage can result from environmental accidents associated with the project. Irretrievable commitments of resources should be evaluated to assure that such current consumption is justified.

Implementation of the project would result in the short-term commitment during construction activities of natural resources including sand and gravel, asphalt, steel, copper, lead, other metals, and water. As the project site is developed, recreation use would require further commitment of energy resources in the form of an increase in motor vehicle travel. The resource commitments are irreversible environmental changes.

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