

# ATTACHMENT A

## FRESNO COUNTY GENERAL PLAN REVIEW, ZONING ORDINANCE UPDATE, AND PEIR AMENDMENT 2: SCOPE OF WORK ADDITIONS

The following Scope of Work augments and updates the Scope of Work included in Amendment 1 dated October 13, 2015. This Scope of Work is additive and does not replace the Scope of Work from Amendment 1. The phase and task numbering used below builds upon the numbering in Amendment 1. Modifications and additions included below are designed to update work components to meet current State law requirements and to update information that would be considered out-of-date for purposes of producing a legally adequate Environmental Impact Report (EIR) for the General Plan and Zoning Ordinance update.

If the following Scope of Work modifies a task in Amendment 1, the same task number is shown with the term “Revised” in the task name. If this Scope of Work includes a new task, the new work is assigned a new task number, therefore, some numbering may be skipped.

### Phase 1      Background Report Preparation

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#### **Task 1.1    Administrative Draft Background Report**

Work under this task from Amendment 1 is complete. See Tasks 1.3 – 1.7 for updates.

#### **Task 1.2    Public Review Draft Background Report**

Work under this task from Amendment 1 is complete. See Tasks 1.3 – 1.7 for updates.

#### **Task 1.3    Administrative Draft Background Report (New: Planning Modifications) *Environmental Justice (SB 1000, AB 1628)***

##### ***Revise Background Data – Environmental Justice***

Mintier Harnish will revise the background information that characterizes and define disadvantaged communities. We will revisit CalEnviroScreen 3.0 to determine whether additional communities should be identified as disadvantaged for the purposes of environmental justice considerations.

#### **Task 1.4    Administrative Draft Background Report (New: Environmental Modifications)**

Due to the time that has elapsed since the Consultants started work on the Administrative Draft EIR (last worked on in the Fall of 2018), revisions will need to be made to review and update the existing conditions in the background report. The Consultants will review if there is more updated data available and if so, will make revisions to Chapter 7: Natural Resources and Chapter 8: Hazards and Safety in the following areas (please note this data will also be updated in the individual EIR sections as well):

### **Chapter 7: Natural Resources**

#### **7.1      *Water Resources and Water Quality***

- Surface Water: water supply data (currently listing data from the 2014-2015 water year)
- Groundwater: water supply data, data contained in the groundwater sustainability plan needed
- Water Quality: data is from 2012

**7.2 Air Quality**

- Fresno County Emissions Inventory: data is from 2012
- Existing Air Quality: data is for years between 2012 and 2014

**7.3 Biological Resources**

- Updated CNDDDB report for plants and animals: data is from 2016
- Updated wetlands map
- Updated critical habitat map

**7.4 Agricultural Resources**

- Important Farmland in Fresno County: data is from 2014
- Protected agricultural lands in Fresno County (Williamson Act): data is from 2016
- Top ranked crops in Fresno County: data is from 2014

**7.7 Recreation**

- Parks and Recreation Facilities in Fresno County: data from 2016

**7.8 Mineral Resources**

- Current Mineral Resource Sites: data from 2016

**7.9 Energy Resources**

- Oil and Gas Wells: data from 2016
- Solar: data from 2016
- Update all renewable energy data

**7.10 Cultural and Paleontological Resources**

- Verify list of cultural resources: data from 2015

**Chapter 8: Hazards and Safety****8.2 Flood Hazards**

- Update flood hazard maps/data: from 2016

**8.5 Hazardous Materials**

- Hazardous Materials production and disposal: update data from 2016

**Climate Change****9.2 Climate Change Effects and Impacts**

- Average temperatures in Fresno: data from 2016

**Task 1.5 Administrative Draft Background Report (New: Mobility Modifications)**

Based upon review of existing condition from previous effort, several tables and text descriptions need to be updated in order to be current and to comply with general acceptance of data. In general, data more than 3 years old will be updated in order to be defensible under CEQA review. These efforts include updating:

- Roadway inventory traffic counts and associated analysis (vehicles and heavy-duty trucks)
- Maintained mileage/VMT
- New HCM 6 analysis
- American Community Service survey results

- Calculation of LOS for roadway and freeway facilities
- Collision Data
- Transit times/fares/schedules
- Incorporation of recent ATP document
- Fresno COG RTIP/STIP/FTIP projects

It is assumed that Fresno County and Caltans will share existing traffic count information through their HPMS or regular counting program for recent data (2014 through 2018), and that the data available will be adequate for this analysis.

### **Task 1.6 Revised Administrative Draft Background Report (New)**

The Consultants will prepare an updated administrative draft General Plan Background Report, based on the updates identified above, for review by County staff. The Background Report will address the requirements of State General Plan law and serve as the existing conditions section of the Program EIR (see Phase 4).

### **Task 1.7 Revised Public Review Draft Background Report (New)**

Based on comments from County staff, the Consultants will prepare the revised public review draft Background Report. It is assumed that County comments will be limited to revisions made as part of Amendment 2 work on the Background Report.

## **Phase 2 Policy Document Revision**

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### **Task 2.1 Administrative Draft Policy Document Revisions**

Work under this task from Amendment 1 is complete. See Tasks 2.3 – 2.5 for updates.

### **Task 2.2 Public Review Draft Policy Document Revisions**

Work under this task from Amendment 1 is complete. See Tasks 2.3 – 2.5 for updates.

### **Task 2.3 Policy Revisions (New)**

#### ***Policy Revisions – Environmental Justice***

Mintier Harnish will prepare revised environmental Justice goals, policies, and implementation programs to address the issues in the identified disadvantaged communities including, but not limited to: the reduction of pollution exposure, including the improvement of air quality; the promotion of public amenities, food access, healthier homes, and physical activity; and community engagement in the decision-making process. We will also identify other policies and programs throughout the Policy Document that address environmental justice issues.

#### ***Policy Revisions – Safety Element; Adaptation and Resiliency (SB 379, SB 1035, AB 747, SB 99)***

The new laws require all cities and counties to include climate adaptation and resiliency strategies in the safety elements of their general plans upon the next revision beginning January 1, 2017. The safety Element must also identify evacuation routes and their capacity, safety, and viability under a range of emergency scenarios, including residential developments in hazard areas that do not have at least two emergency evacuation routes.

#### ***Policy Revisions – Update Safety Element***

Mintier Harnish will update the Safety Element to incorporate the goals, objectives, policies, and mitigation strategies from the Fresno County Hazard Mitigation Plan and assure consistency with state law.

**Task 2.4 Administrative Draft Policy Document Revisions (New)**

The Consultants will prepare an updated administrative Policy Document, based on the updates identified above, for review by County staff.

**Task 2.5 Public Review Draft Policy Document Revisions (New)**

Based on comments from County staff, the Consultants will prepare the revised public review draft Policy Document. It is assumed that County comments will be limited to revisions made as part of Amendment 2 work on the Policy Document.

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**Phase 3 Draft General Plan and Zoning Ordinance Public Review**

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**Task 3.1 Public Review and Referrals (Revised)**

Work under this task from Amendment 1 is complete. As part of Amendment 2, budget has been added to redo this task based upon the updated draft General Plan and Zoning Ordinance. See Task 3.5 for updates to the Zoning Ordinance that will be incorporated during this task. It is assumed that County comments will be limited to revisions made as part of Amendment 2 work on the General Plan and Zoning Ordinance.

**Task 3.2 Planning Commission Study Session**

Work under this task from Amendment 1 remains to be performed.

**Task 3.3 Board of Supervisors Study Session**

Work under this task from Amendment 1 remains to be performed.

**Task 3.4 Revised Draft General Plan and Zoning Ordinance**

Work under this task from Amendment 1 remains to be performed.

**Task 3.5 Zoning Ordinance Update (New)**

Based on changes to State law, modifications to the following Zoning Ordinance work will be accomplished to address the items listed under this task.

***Objective Design Standards***

State law (SB 35, AB 3194, AB 139) requires local government to include provisions in their zoning code to allow by-right approval of multifamily housing. The provisions must include objective design and development standards that are not subject to discretionary review.

The Consultants will review existing relevant County regulations and guidelines, including multifamily development standards, design guidelines, typical conditions of approval for discretionary multifamily development projects, parking and density standards, and other provisions related to housing development (i.e., maximum allowable height, setbacks, minimum site area). We will identify opportunities for changes that could result in the increased production of multifamily housing in the County. We will review recently approved residential projects current design standards and practice. We will identify additional multifamily development standards and design guidelines typically used in other counties. Based on our research, we will prepare a detailed outline of recommended standards and Zoning Code amendments that would be appropriate for by-right multifamily development projects. Following County staff review, we will prepare revisions to Article 2, Zones, Allowable Land Uses, and Zone-Specific Standards to include objective design standards.

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## Phase 4      Environmental Review

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### **Task 4.1    Notice of Preparation (Revised)**

Under Amendment 1, a Notice of Preparation (NOP) was prepared and circulated for public input, and the original task was considered complete.

Under Amendment 2, the County has directed that the overall approach to the environmental analysis in the EIR will change from a plan-to-plan comparison to an analysis that will focus on buildout of the proposed General Plan compared to existing conditions (in other words, a baseline comparison). This will require recirculation of the NOP to change the existing baseline used for impact analysis.

The Consultants will draft a revised project description providing information on the new analysis methodology and prepare a new/updated draft NOP pursuant to CEQA Guidelines. The Consultants will prepare and submit a new/updated NOP for review and approval by County staff. Based on County staff comments, the Consultants will prepare the final NOP for distribution. The Consultants assume the County will provide a list of contacts for the NOP distribution. The Consultants will assist with noticing and distribution, including hand-delivering the NOP to the State Clearinghouse.

### **Task 4.2    Scoping Meeting (Revised)**

Under Amendment 1, a Scoping Meetings was conducted, and the original task was considered complete.

The Consultants will facilitate two (2) public scoping meeting associated with the release of the updated NOP. The Scoping Meetings should be held during the 30-day NOP period to introduce the community and interested agencies to provide an overview of the Program Environmental Impact Report (PEIR) process and obtain input on the PEIR scope of work. The Scoping Meeting will include a presentation with graphic imagery, followed by the formal recordation of input from meeting attendees. The Consultants assume the County will be responsible for noticing the meeting and booking the venue.

The Consultants will summarize all input gathered during the Scoping Meeting and during the 30-day NOP review period. The Consultants assume that County staff will be the point of contact responsible for gathering public comments outside of the Scoping Meeting. If it is desired based on the overall General Plan's public outreach plan, the Consultants can combine the scoping meetings with another public outreach event or during a public hearing at a Planning Commission or Board of Supervisors' meeting.

### **Task 4.3    Administrative Draft Program PEIR (Revised)**

Since the Scope of Work in Amendment 1 was approved, the CEQA Guidelines have been revised. There are new sections that will need to be analyzed in detail in the PEIR that were not included as part of the current Scope of Work. The Scope of Work under Amendment 1 will be modified to address the following additional items.

#### ***New EIR Sections***

- **Energy:** This section will discuss the current and projected regional energy supplies and demand, and qualitatively analyze energy use associated with buildout of the General Plan. This section will also compare the consistency of the General Plan with adopted state, regional, and local energy policies.
- **Wildfire:** This section will discuss potential impacts relating to buildout of the General Plan in urbanized areas adjacent to wildland and associated fire risk using information from the California Department of Forestry and Fire Protection and the Fresno County Multi-Hazard Mitigation Plan.

- **Tribal Cultural Resources** (including consideration of AB 52 and SB 18): Rincon will collect regional background information on tribal cultural resources that could be affected by the General Plan. The collected information will include Native American Heritage Commission (NAHC) Sacred Lands File Search, reviews of regional ethnographic information, information from relevant past projects, and information provided through government-to-government tribal consultation in accordance with Assembly Bill 52 of 2014 (AB 52) and Senate Bill 18 of 2004 (SB 18). Rincon will then assist the County with government-to-government Native American consultation by preparing the AB 52- and SB 18-specific letters to be placed on County letterhead; preparing and submitting a NAHC Sacred Lands File SB 18 request; and preparing a tracking sheet and instructions to be provided to the County. The instructions will include details regarding schedule and timelines associated with AB 52 and SB 18 to ensure timely consultation. If meetings with Native Americans are necessary, Rincon will provide additional assistance on a time and materials basis.

The Consultants will prepare these sections as part of the overall PEIR and thus will include them in the updated Administrative Draft Program EIR task.

### ***Updates to Previously Scoped EIR Sections:***

In addition, due to the time that has passed since the Consultants started work on the Administrative Draft EIR (last worked on in the Fall of 2018), revisions will need to be made to incorporate changes in the existing conditions (necessary revisions described above in Task 1.4 will be reflected in the existing conditions section of each EIR topic area) and impact analysis already in progress for the EIR will need to be updated based on those revisions. Additionally, changes in approach will need to be made to account for the new impact analysis methodology (switching from a plan to plan comparison to a baseline comparison). Updates to previously scoped EIR sections include the following:

#### **Aesthetics**

- Incorporate updates from background report, if any

#### **Agricultural Resources**

- Incorporate updated info on Williamson act contracts/Prime or Statewide Important ag lands
- Modify impact analysis to baseline comparison

#### **Air Quality**

- Incorporate updated information from background report
- Update ambient air quality data
- Update analysis to rely on new thresholds
- Modify impact analysis (including modeling projected air quality emissions) to baseline comparison

#### **Biological Resources**

- Update wetlands figure
- Update CNDDb/special status species list
- Update all state/federal database searches
- Modify impact analysis as necessary based on the above updates

#### **Cultural Resources**

- Incorporate changes from background report updates if necessary

**Geology and Soils**

- Update with information from revised background report if necessary
- Modify impact analysis to baseline comparison

**Greenhouse Gas Emissions**

- Modify impact analysis to baseline comparison

**Hazards and Hazardous Materials**

- Update with information from revised background report
- Update all database searches (EnviroStor, GeoTracker, etc.)
- Figures to be updated
- Info on fire department to be updated with current information

**Hydrology and Water Quality**

- Update with information from revised background report as necessary
- Update analysis to use to new CEQA threshold questions (based on December 2018 CEQA Guidelines Updates)
- Modify impact analysis to baseline comparison

**Land Use and Planning**

- Modify impact analysis to baseline comparison

**Noise**

- Update analysis to use new CEQA thresholds
- Modify impact analysis to baseline comparison

**Population and Housing**

- Update with population data from revised background report
- Update with California Department of Finance and Census Bureau demographics data
- Update population change table
- Modify impact analysis to baseline comparison

**Public Services and Recreation**

- Update with information from revised background report as necessary
- Update fire district information
- Update police/crime information
- Update school information
- Update library/recreation facilities information
- Modify impact analysis to baseline comparison

**Utilities and Service Systems**

- Update with information from revised background report as necessary
- Update water supply, wastewater, and solid waste information
- Update analysis to use to new CEQA threshold questions
- Modify impact analysis to baseline comparison

**Task 4.4 Draft Program EIR (Revised)**

Since the Scope of Work in Amendment 1 was approved, the County has obtained outside counsel to assist in the review of the Draft PEIR. This change will increase the expected level of review and will likely require more than one round of internal review (one round of review is currently included in the Scope of Work; thus this additional scope is for a second round of review).

All other requirements of Task 4.4 from Amendment 1 remain.

**Task 4.5 Response to Comments (Revised)**

Due to the likelihood of robust public comments from local and regional environmental justice groups and attorneys, the Consultants are requesting additional budget to comprehensively address comments and respond accordingly, including changes to the EIR text if warranted.

All other requirements of Task 4.5 from Amendment 1 remain.

**Task 4.6 Mitigation, Monitoring, and Reporting Program**

Work under this task from Amendment 1 remains to be performed.

**Task 4.7 CEQA Findings/Statement of Overriding Considerations (New)**

The current Scope of Work does not include CEQA Findings or a Statement of Overriding Considerations (if necessary). However, in our experience, CEQA consultants are usually asked to provide this. Under this Task, the Consultants will prepare the CEQA findings for the project. CEQA Guidelines §15091 requires that no public agency approve or carry out a project, for which an EIR has been completed and identifies one or more significant effects, unless the public agency prepares findings for each significant effect. The findings will include information related to whether those significant impacts identified in the EIR will be reduced to below a level of significance by mitigation measures identified in the EIR. CEQA Guidelines §15093 requires that when an agency approves a project that will have a significant adverse environmental effect that is unavoidable, the agency must make a Statement of Overriding Considerations. If a significant and unavoidable impact is identified in the EIR, Rincon will prepare the Statement of Overriding Considerations. Rincon will provide an administrative draft of the CEQA findings to the County for review and comment, and then incorporate County comments into a final document.

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**Phase 5 Final Documents and Adoption**

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**Task 5.1 Final PEIR**

Work under this task from Amendment 1 remains to be performed.

**Task 5.2 Screencheck and Final General Plan and Zoning Ordinance**

Work under this task from Amendment 1 remains to be performed.

**Task 5.3 Planning Commission Public Hearings (3)**

Work under this task from Amendment 1 remains to be performed.

**Task 5.4 Board of Supervisors Public Hearings (3)**

Work under this task from Amendment 1 remains to be performed.



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## Phase 6      Community Engagement (New)

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### **Task 6.1    Community Engagement**

The Consultants will facilitate a community workshop series designed to get public feedback on the revised Public Draft General Plan. This community engagement will include up to five (5) locations on five (5) separate evenings. The Consultants propose that each workshop be facilitated by the Consultant and County staff. The Consultants assume the workshops would be held over the course of a two-week period.

The workshops will include an informational component, featuring large-format informational displays on the General Plan developed by the Consultants, and a PowerPoint presentation to welcome workshop attendees, describe the General Plan Update, and answer questions on the process. An interactive open house component will be provided featuring activities designed to gather public feedback.

### **Task 6.2    Disadvantaged Community Engagement**

The Consultants will assist County staff to facilitate engagement with residents of disadvantaged communities to get feedback on the Draft Environmental Justice goals, policies, and programs. We will work with County staff to organize and facilitate up to two community workshops to present the Environmental Justice goals, policies, and programs; discuss the County's overall planning efforts; and identify ways residents can more effectively participate in the planning process. County will work with community groups as necessary to coordinate the workshops and provide translation services as necessary. The Consultants will summarize the workshop results and refine the Environmental Justice goals, policies, and programs as appropriate.