

5.11 TRAFFIC/TRANSPORTATION

The traffic and transportation subsection of the Application for Certification (AFC) provides a summary of the transportation infrastructure and traffic conditions in the Bullard Energy Center (BEC) project vicinity, and addresses the direct construction and operating impacts of the proposed development on the surrounding transportation system.

This section addresses potential impacts associated with traffic and transportation systems in the project area that may result from construction and operation of the BEC. The analysis considers the regional and local roadways, current and project-related traffic conditions, access to the project site, and transportation of hazardous materials related to construction and operation of the plant.

The project study area for the transportation analysis includes the immediate vicinity of the BEC area and the surrounding local and regional circulation system. This circulation system could be potentially affected by traffic generated by the BEC during construction and operations when the project is completed. Figure 5.11-1, Site Location Aerial, shows the BEC project site in context to the regional circulation system.

5.11.1 Affected Environment

This subsection describes the existing conditions of the roadway circulation system within the BEC study area. This section also presents the traffic volume and existing operating conditions of the study roadway segments and intersections. Figure 5.11-2, General Vicinity, shows the BEC project study area.

The project site is located at 5829 North Golden State Boulevard and within a industrially-zoned business park in northwest Fresno city limits. It is generally bounded by West Herndon Avenue to the north, North Golden State Boulevard to the east, West Shaw Avenue to the south, and Highway 99 to the west.

5.11.1.1 Existing Roadway Network

Table 5.11-1, Existing Roadway System, describes the existing roadway system in the project study area including roadway classifications, number of lanes, and the posted speed limits.

**TABLE 5.11-1
EXISTING ROADWAY SYSTEM**

Roadway	Classification	No. of Lanes	Posted Speed Limit (mph)
Highway 99	Highway	2/2	65
North Golden State Boulevard	Collector	1/1	45
West Herndon Avenue	Expressway	1/1	40-50
Shaw Avenue	Arterial	2/2	35-45
Bullard Avenue	Arterial	1/1	35-45

Notes:
mph = miles per hour

From California Department of Transportation's (Caltrans') Division of Traffic Operations, the following is a list of requirements for legal, unpermitted vehicles to operate in California.

Vehicle Width

The maximum allowable vehicle width is 102 inches (some exceptions apply).

Vehicle Height

The maximum allowable vehicle height is 14 feet.

Vehicle Length (California Legal)

The maximum allowable lengths for vehicles that can travel throughout California are as follows (some exceptions apply).

- Single vehicle length is 40 feet.
- Combination length is 65 feet.
- Trailer length is not specified.
- Kingpin-to-rear-axle (KPRA) is 40 feet maximum.
- Doubles – 75 feet for combination of vehicles consisting of a truck tractor and two trailers, provided neither trailer length exceeds 28 feet, 6 inches.
- Doubles – 65 feet for combination of vehicles consisting of a truck tractor and two trailers, if one trailer length exceeds 28 feet, 6 inches.

Vehicle Length (STAA)

The maximum allowable lengths for vehicles that are limited to the National Network and Terminal Access routes are as follows:

- Combination length is unlimited.
- Maximum trailer length is 53 feet.
- KPRA is unlimited if trailer is no more than 48 feet.
- KPRA is 40 feet maximum if trailer is more than 48 feet.
- Doubles - unlimited length for combination of vehicles consisting of a truck tractor and two trailers, but *neither* trailer length can exceed 28 feet, 6 inches.

Vehicle Weight

The maximum allowable lengths are as follows:

- Gross combination weight is 80,000 pounds (lbs).
- Single-axle weight is 20,000 lbs.
- Maximum weight on a tandem axle with a 4-foot spread is 34,000 lbs.

EXCEPTIONS: For specific exceptions and variances, refer to the California Highway Patrol (CHP) 889, “Vehicle Code Size and Weight Law Summary,” or call the Commercial Vehicle Section of the CHP.

Highways

Highway 99. Highway 99 is a major north/south route through the Central Valley and the length of California extending through Kern County and San Joaquin County. Within the project study area, Highway 99 provides two mainline lanes in each direction with wide shoulders and center median. Current Average Daily Traffic (ADT) volume on the segment of Highway 99 between Shaw Avenue and West Herndon Avenue is 62,000 vehicles per day. Within the project study area, the study segment of Highway 99 follows a straight northerly trending alignment with a relatively flat horizontal profile. There is adequate median width separating the opposing-traveled way (oncoming traffic) and wide shoulders for roadway stops and emergencies. There are no identified geometric features that would affect public safety.

Local Roads

North Golden State Boulevard. North Golden State Boulevard is a one-lane north/south roadway classified as a collector in the 2025 Fresno General Plan Transportation Element. North Golden State Boulevard serves as the primary access to the project site. Currently, the ADT volume on the segment of North Golden State Boulevard between West Herndon Avenue and West Carnegie Avenue is 4,300 vehicles per day. Within the project study area, North Golden State Boulevard is a straight horizontal north/south alignment and level vertical profile. There are no identified geometric features that would affect public safety.

West Herndon Avenue. West Herndon Avenue is a one-lane undivided east/west roadway near the project study area that extends to a three-lane divided east/west roadway classified as an expressway in the 2025 Fresno General Plan Transportation Element outside the project study area. West Herndon Avenue serves as the primary east/west access between Highway 99 and SR 41. Year 2006 FresnoCOG projected ADT volume on the segment of West Herndon Avenue between North Parkway Drive and North Golden State Boulevard is 15,000 vehicles per day. Within the project study area, West Herndon Avenue is a straight horizontal east/west alignment and level vertical profile. There are no identified geometric features that would affect public safety.

Shaw Avenue. Shaw Avenue is a one-lane undivided east/west roadway near the project study area that extends to a two-lane divided east of the project study area and is classified as an arterial in the 2025 Fresno General Plan Transportation Element. Shaw Avenue serves as the minor east/west route to Highway 99 to SR 41. Year 2006 FresnoCOG projected ADT volume

on the segment of Shaw Avenue between Highway 99 northbound on-ramp and North Golden State Boulevard is 29,100 vehicles per day. Within the project study area Shaw Avenue is a straight horizontal east/west alignment and level vertical profile. There are no identified geometric features that would affect public safety.

Bullard Avenue. Bullard Avenue is a one-lane undivided east/west classified arterial roadway near the project study area. Year 2006 FresnoCOG projected ADT volume on the segment of Bullard Avenue between Carnegie Avenue and Polk Avenue is 10,100 vehicles per day.

Bicycle Facilities

According to the routes defined in the Fresno County Rural Bikeway system, there are no designated bicycle routes within the immediate vicinity of the project site and study area.

Public Airports

Approximately 2.2 miles from the project site, located near West Herndon Avenue and Blythe Avenue, is the privately owned Sierra Sky Park, which is open to the public. The average daily aircraft for this facility is seven general aviation transients and 27 general aviation locals according to www.fltplan.com.

Railroad Facilities

Traveling parallel and offset approximately 20 feet to the east of North Golden State Boulevard is the Union Pacific Railway, which is dually operated by Union Pacific and Amtrak.

Transit

Currently, the Fresno Area Express (FAX) bus route operates two routes in the project study area: routes 9 and 20. Route 9 enters the project study area near Polk Avenue, traveling eastbound on West Shaw Avenue, continuing across town, and exiting the project study area. Route 20 enters the project study area near Brawley Avenue and West Shaw Avenue and travels north on Brawley to San Jose Avenue, then heads east toward Valentine Avenue and exiting the project study area. Routes 9 and 20 operate on 30-minute headways from approximately 5:30 a.m. to 9:40 p.m. weekdays, and from approximately 6:45 a.m. to 6:30 p.m. on weekends and holidays.

5.11.1.2 Existing Roadway and Intersection Geometrics

Table 5.11-2, Study Intersections, shows the key study area intersections that have been identified for analysis under existing project construction and operations conditions. Figure 5.11-3, Existing Intersection Geometrics, shows the existing intersection geometrics.

**TABLE 5.11-2
STUDY INTERSECTIONS**

Intersection	Traffic Control	Type
Highway 99 Southbound Off-Ramp at West Herndon Avenue	Unsignalized	TWSC
Highway 99 Northbound Off-Ramp at West Herndon Avenue	Unsignalized	TWSC
Grantland Avenue at Parkway Drive	Unsignalized	TWSC
Highway 99 Southbound Off-Ramp at Shaw Avenue	Signalized	Signal
Highway 99 Northbound On-Ramp at Shaw Avenue	Signalized	Signal
North Golden State Boulevard at West Herndon Avenue	Signalized	Signal
North Golden State Boulevard at Carnegie Avenue	Unsignalized	AWSC
North Golden State Boulevard at Shaw Avenue	Signalized	Signal

Notes:

AWSC = all-way-stop-control

TWSC = two-way-stop-control

5.11.1.3 Existing Roadway and Intersection Volumes

Figure 5.11-4, Existing Traffic Volume, shows existing traffic volume for the key study area intersections. Roadway segment and study area intersection traffic counts were collected in August 2006. The traffic counts are provided in Appendix S, Traffic Counts.

5.11.1.4 Existing Level of Service Analysis

The results of the existing conditions roadway segment and intersection level of service (LOS) analysis are discussed separately below. LOS is an indicator of operating conditions on a roadway or at an intersection and is defined in categories ranging from A to F. These categories can be viewed much like academic grades, with A representing the best traffic flow conditions and F representing poor conditions. LOS A indicates free-flowing traffic and LOS F indicates substantial congestion with stop-and-go traffic and long delays at intersections.

Existing Roadway Segment Analysis. Table 5.11-3, Roadway Segment LOS – Existing Conditions, displays the LOS analysis results for key study area roadway segments under existing conditions. Two roadway segments of North Golden State Boulevard were selected for evaluation, as they are the locations that would most likely be affected by project traffic during both project construction and operations.

**TABLE 5.11-3
ROADWAY SEGMENT LOS – EXISTING CONDITIONS**

Roadway	Segment	Cross-section Classification	Traffic Volume	LOS
Highway 99	Herndon to Shaw	4-Lane Freeway	62,000 ¹	D
North Golden State Boulevard	Herndon to Carnegie	1-Lane Collector	445/450 ²	A/A ³
North Golden State Boulevard	Carnegie to Shaw	1-Lane Collector	981/943 ²	C/C ³

Notes:

¹AADT Average Annual Daily Traffic

²a.m./p.m. peak-hour volume

³a.m./p.m. peak-hour LOS

LOS = level of service

As shown in Table 5.11-3, Roadway Segment LOS – Existing Conditions, all study roadway segments are currently operating at acceptable LOS D or better under existing conditions.

Existing Intersection Analysis. Table 5.11-4, Peak-Hour Intersection LOS – Existing Conditions, displays the intersection LOS and average vehicle delay results for the key study area intersections using Highway Capacity Manual (HCM) Operations Methodology under existing conditions. The LOS calculation worksheets for existing conditions are provided in Appendix S, Traffic Counts.

**TABLE 5.11-4
PEAK-HOUR INTERSECTION LOS – EXISTING CONDITIONS**

Intersection	A.M. Peak Hour		P.M. Peak Hour	
	Average Delay (sec)	LOS	Average Delay (sec)	LOS
Highway 99 Southbound Off-Ramp at West Herndon Avenue	20.6	C	19.4	C
Highway 99 Northbound Off-Ramp at West Herndon Avenue	20.0	C	29.8	D
Grantland Avenue at Parkway Drive	306.7	F	18.8	C
Highway 99 Southbound Off-Ramp at Shaw Avenue	82.9	F	37.2	D
Highway 99 Northbound On-Ramp at Shaw Avenue	20.9	C	49.0	D
North Golden State Boulevard at West Herndon Avenue	22.0	C	21.2	C
North Golden State Boulevard at Carnegie Avenue	27.91	D	17.34	C
North Golden State Boulevard at Shaw Avenue	31.3	C	90.6	F

Notes:

LOS = level of service
sec = second(s)

As shown in Table 5.11-4, Peak-Hour Intersection LOS – Existing Conditions, three study intersections are currently operating at LOS F conditions while the remaining five study intersections are currently operating at acceptable LOS D or better under existing conditions.

5.11.2 Environmental Consequences

This subsection provides the criteria used to determine if the project would have the potential to result in significant traffic-related impacts within the BEC study area.

5.11.2.1 Level of Service Concept

Table 5.11-5, Level of Service Descriptions, provides the LOS definitions as specified in the Highway Capacity Manual (HCM).

**TABLE 5.11-5
LEVEL OF SERVICE DESCRIPTIONS**

Average Vehicle Delay per Vehicle (seconds)	LOS Characteristics
≤ 10	LOS A describes operations with very low delay, up to 10 sec per vehicle. This LOS occurs when progression is extremely favorable and most vehicles arrive during the green phase. Most vehicles do not stop at all. Short cycle lengths may also contribute to low delay.
>10 and ≤20	LOS B describes operations with delay greater than 10 and up to 20 sec per vehicle. This level generally occurs with good progression, short cycle lengths, or both. More vehicles stop than with LOS A, causing higher levels of average delay.
>20 and ≤35	LOS C describes operations with delay greater than 20 and up to 35 sec per vehicle. These higher delays may result from fair progression, longer cycle lengths, or both. Individual cycle failures may begin to appear at this level. The number of vehicles stopping is significant at this level, though many still pass through the intersection without stopping.
>35 and ≤55	LOS D describes operations with delay greater than 35 and up to 55 sec per vehicle. At level D, the influence of congestion becomes more noticeable. Longer delays may result from some combination of unfavorable progression, long cycle lengths, or high v/c ratios. Many vehicles stop, and the proportion of vehicles not stopping declines. Individual cycle failures are noticeable.
>55 and ≤80	LOS E describes operations with delay greater than 55 and up to 80 sec per vehicle. This level is considered by many agencies to be the limit of acceptable delay. These high delay values generally indicate poor progression, long cycle lengths, and high v/c ratios. Individual cycle failures are frequent occurrences.
>80	LOS F describes operations with delay in excess of 80 sec per vehicle. This level, considered to be unacceptable to most drivers, often occurs with over-saturation; that is, when arrival flow rates exceed the capacity of the intersection. It may also occur at high v/c ratios below 1.0 with many individual cycle failures. Poor progression and long cycle lengths may also be major contributing causes to such delay levels.

Source: 2000 Highway Capacity Manual, TRB Special Report 209.

Notes:

≤ = less than or equal to

> = greater than

LOS = level of service

sec = second(s)

5.11.2.2 Significance Thresholds

For study intersections, the impact is considered significant if the addition of the traffic generated from the project results in any one of the following:

- Triggers an intersection operating at acceptable LOS to operate at unacceptable levels of service.
- Triggers an intersection operating at unacceptable LOS (LOS E) to operate at LOS F.
- Increase the average delay for the study intersections equals or exceeds by the threshold shown below.

INTERSECTION	
PRE-PROJECTED LOS	PROJECT AVERAGE DELAY INCREASE
D	2 seconds or more
E	2 seconds or more
F	4 seconds or more

Source: 2006. Draft City of Fresno Traffic Impact Study Report Guidelines.

5.11.2.3 Construction Related Impacts (Year 2008 Peak Project Construction)

The BEC project construction has a proposed completion period of a 16-month construction schedule. The average construction workforce will be about 111 workers over this time period. However, during an approximately 3-month peak period, the construction workforce may reach up to 256 workers during the peak month.

In consultation with City of Fresno staff, Year 2008 No Project baseline traffic volume projections were developed through the application of ambient growth factor to existing traffic volume to account for background traffic growth and traffic generated by pending development projects that would potentially occur by Year 2008.

During the project construction period, small quantities of hazardous materials will be delivered and construction waste products will be hauled to and from the project site. More detailed discussion on project waste management and handling of hazardous materials is presented in Section 5.14, Waste Management, and Section 5.15, HazMat Handling, respectively. All applicable laws, ordinances, and regulations will be observed during the course of project construction.

5.11.2.4 Operations-Related Impacts (Year 2009 Project Operations)

Year 2009 baseline conditions were developed consistent with the recommended traffic growth assumptions. Upon completion of the BEC construction and commissioning of the facility, the BEC will generate operation-related trips that are substantially less than the peak construction activities.

During the normal operational phase of the project, a planned 9-employee workforce will oversee the operation and maintenance of the project. Occasional deliveries and maintenance-related trips are anticipated as part of the normal operations of the plant.

Based on the operational needs of the BEC, the following sources of vehicular traffic are anticipated:

- Operations personnel vehicles
- Bottled water deliveries
- Office materials and supplies deliveries
- Trash pickup
- Uniform laundry deliveries and pickup

- Tools and spare parts deliveries
- Janitorial staff visits
- Chemicals (e.g., aqueous ammonia, sulfuric acid, water treatment) deliveries
- Lubricating oil and filters deliveries
- Laboratory analysis waste deliveries
- Hazardous and non-hazardous waste pickups
- Visitor vehicles

During the project operations, small quantities of hazardous materials will be delivered and operational waste products will be hauled to and from the project site. More detailed discussion on project waste management and handling of hazardous materials is presented in Section 5.14, Waste Management, and Section 5.15, HazMat Handling, respectively. All applicable laws, ordinances, and regulations will be observed during the project operations.

5.11.2.5 Future Year 2025 Impacts

Future Year 2025 analysis is not warranted since project-generated traffic is not expected to be greater than 100 vehicle trips during any peak hour, which is the project trip generation threshold required for the preparation of a Traffic Impact Study (TIS).

5.11.2.6 Project Distribution

It is assumed that the majority of the construction workforce needs will be met with local labor, and mostly likely sourced from areas within the City of Fresno. The short-term need for specialty trades that cannot be filled from local labor sources during project construction are assumed to be filled by workers residing elsewhere. Long-term operations workers are anticipated to be locally sourced and would primarily use West Herndon Avenue to the north and Shaw Avenue to the south of the project site, respectively.

5.11.2.7 Project Trip Generation

Peak Project Construction Trip Generation

For analysis purposes, the peak 3-month construction activity during the 16-month BEC construction schedule was used in the construction traffic impact analysis for the project. This assumption presents the worst-case scenario and the most conservative estimation of project construction traffic.

Typically, construction activity early work starts before the 7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m. adjacent street peak-hour traffic, but for traffic impact analysis purposes, it was conservatively assumed that construction workers traffic would commute alone and within the 7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m. adjacent street peak-hour traffic window.

In addition to the construction workforce trips, construction equipment deliveries and construction-related truck traffic would contribute additional trips during the construction period.

Truck and heavy equipment traffic were estimated using a passenger car equivalent (PCE) factor of three cars per truck.

Table 5.11-6, Peak Project Construction Trip Generation, presents the peak project construction trip generation estimates for the project.

**TABLE 5.11-6
PEAK PROJECT CONSTRUCTION TRIP GENERATION**

	Daily Trips	A.M. Peak-Hour Trips		P.M. Peak-Hour Trips	
		In	Out	In	Out
Peak BEC Construction Workers ¹	512	256	0	0	256
Equipment Deliveries ²	24	9	9	0	6
Construction Trucks ^{3,4}	15	6			9
Total Trips	551	271	9	0	271

Notes:

¹ Worker traffic during 3-month Peak Project Construction period in Year 2008

² Equipment movement during 3-month Peak Project Construction period in Year 2008

³ Construction truck movement during 3-month Peak Project Construction period in Year 2008

⁴ Three passenger car equivalent (PCE) per truck

As shown in Table 5.11-6, Peak Project Construction Trip Generation, during the peak 3-month project construction period, it is conservatively estimated that there will be approximately 551 daily trips and 280 a.m. peak-hour and 271 p.m. peak-hour trips. These trips were used as the basis for the peak project construction traffic analysis.

Project Operations Trip Generation

Upon completion of the project construction, it is anticipated that there would be approximately nine workers manning the BEC plant operations. These workers would not likely all commute during the 7:00 to 9:00 a.m. and 4:00 to 6:00 p.m. adjacent street peak-hour traffic but were included just the same for purposes of evaluating the worse possible case scenario during plant operations. During normal plant operating hours, occasional visitor trips, maintenance visits, and as-needed material and equipment deliveries are anticipated on a non-recurring basis and will more likely be occurring outside of the 7:00 to 9:00 a.m. and 4:00 to 6:00 p.m. analysis peak hours.

Table 5.11-7, Project Operations Trip Generation, presents the project operations trip generation estimates for the project.

**TABLE 5.11-7
PROJECT OPERATIONS TRIP GENERATION**

	Daily Trips	A.M. Peak-Hour Trips		P.M. Peak-Hour Trips	
		In	Out	In	Out
Operational Workforce ¹	18	9	0	0	9
Total Trips	18	9	0	0	9

Notes:

¹ Operational workers (9 employees) were conservatively assumed to commute during the 7:00 to 9:00 a.m. and 4:00 to 6:00 p.m. adjacent street peak-hour traffic.

5.11.2.8 Year 2008 Conditions Impact Analysis

This section describes Year 2008 traffic conditions for both “with” and “without” the peak project construction. The following scenarios were analyzed under Year 2008 conditions:

- Year 2008 No Project Conditions
- Year 2008 Peak Project Construction Conditions

Year 2008 No Project Condition

Consistent with the City of Fresno Traffic Impact Analysis Guidelines, the Year 2008 No Project conditions serves as the baseline conditions in the evaluation of project construction traffic impacts. Year 2008 No Project baseline traffic volume projections were developed through the application of ambient growth factor to existing traffic volume to account for background traffic growth and traffic generated by pending development projects that would potentially occur by Year 2008.

Figure 5.11-5, 2008 No Project Volume, shows peak-hour traffic volumes at the project study intersections.

Year 2008 No Project Roadway Segment Analysis

Table 5.11-8, Roadway Segment LOS – Year 2008 No Project Conditions, summarizes the results of the Year 2008 No Project roadway segment analysis. The roadway segment LOS calculation worksheets are provided in Appendix S, Traffic Counts.

**TABLE 5.11-8
ROADWAY SEGMENT LOS – YEAR 2008 NO PROJECT CONDITIONS**

Roadway	Segment	Cross-section Classification	Traffic Volume	LOS
Highway 99	Herndon to Shaw	4-Lane Freeway	65,720 ¹	D
North Golden State Boulevard	Herndon to Carnegie	1-Lane Collector	472/477 ²	A/A ³
North Golden State Boulevard	Carnegie to Shaw	1-Lane Collector	1,040/1,001 ²	C/C ³

Notes:

¹AADT Average Annual Daily Traffic

² a.m./p.m. peak-hour volume

³ a.m./p.m. peak-hour LOS

LOS = level of service

As shown in Table 5.11-8, Roadway Segment LOS – Year 2008 No Project Conditions, all of the study roadway segments are forecast to operate at acceptable LOS D or better under Year 2008 No Project Conditions.

Year 2008 No Project Intersection Analysis

Table 5.11-9, Peak-Hour Intersection LOS – Year 2008 No Project Conditions, displays the intersection LOS and average vehicle delay results under year 2008 Peak No Project conditions. The intersection LOS calculation worksheets are provided in Appendix S, Traffic Counts.

**TABLE 5.11-9
PEAK-HOUR INTERSECTION LOS – YEAR 2008 NO PROJECT CONDITIONS**

Intersection	A.M. Peak Hour		P.M. Peak Hour	
	Average Delay (sec)	LOS	Average Delay (sec)	LOS
Highway 99 Southbound Off-Ramp at West Herndon Avenue	22.4	C	21.3	C
Highway 99 Northbound Off-Ramp at West Herndon Avenue	23.3	C	39.0	E
Grantland Avenue at Parkway Drive	410.9	F	21.2	C
Highway 99 Southbound Off-Ramp at Shaw Avenue	98.9	F	49.5	D
Highway 99 Northbound On-Ramp at Shaw Avenue	27.9	C	68	E
North Golden State Boulevard at West Herndon Avenue	24.8	C	26.3	C
North Golden State Boulevard at Carnegie Avenue	37.47	E	20.48	C
North Golden State Boulevard at Shaw Avenue	34.2	C	112.5	F

Notes:

LOS = level of service

sec = second(s)

As shown in Table 5.11-9, Peak-Hour Intersection LOS – Year 2008 No Project Conditions, five study intersections are currently operating at either LOS E/F conditions while the remaining study intersections are currently operating at acceptable LOS D or better under Year 2008 No Project Conditions.

Year 2008 Peak Project Construction Conditions

This scenario includes Year 2008 No Project traffic volumes plus BEC peak project construction activity trip generation. Figure 5.11-6, Year 2008 Project Construction Volume, shows Year 2008 Peak Project Construction peak-hour traffic volumes at the project study intersections.

Year 2008 Peak Project Construction Roadway Segment Analysis

Table 5.11-10, Roadway Segment LOS – Year 2008 Peak Project Construction Conditions, displays the LOS analysis results for the study area roadway segments under Year 2008 with Peak Project Construction conditions.

**TABLE 5.11-10
ROADWAY SEGMENT LOS – YEAR 2008 PEAK
PROJECT CONSTRUCTION CONDITIONS**

Roadway	Segment	Cross-section Classification	Traffic Volume	LOS
Highway 99	Herndon to Shaw	4-Lane Freeway	65,828 ¹	D
North Golden State Boulevard	Herndon to Carnegie	1-Lane Collector	638/635 ²	A/A ³
North Golden State Boulevard	Carnegie to Shaw	1-Lane Collector	1,154/1,154 ²	C/C ³

Notes:

¹AADT Average Annual Daily Traffic

²a.m./p.m. peak-hour volume

³a.m./p.m. peak-hour LOS

LOS = level of service

As shown in Table 5.11-10, Roadway Segment LOS – Year 2008 Peak Project Construction Conditions, all of the study roadway segments are forecast to operate at acceptable LOS D or better under Year 2008 Peak Project construction conditions. The roadway segment LOS calculation worksheets are provided in Appendix S, Traffic Counts.

Year 2008 Peak Project Construction Intersection Analysis

Table 5.11-11, Peak-Hour Intersection LOS – Year 2008 Peak Project Construction Conditions, displays the intersection LOS and average vehicle delay results under Year 2008 with Peak Project construction conditions. The intersection LOS calculation worksheets are provided in Appendix S, Traffic Counts.

**TABLE 5.11-11
PEAK-HOUR INTERSECTION LOS – YEAR 2008 PEAK
PROJECT CONSTRUCTION CONDITIONS**

Intersection	A.M. Peak Hour		P.M. Peak Hour	
	Average Delay (sec)	LOS	Average Delay (sec)	LOS
Highway 99 Southbound Off-Ramp at West Herndon Avenue	24.2	C	24.7	C
Highway 99 Northbound Off-Ramp at West Herndon Avenue	30.7	D	42.7	E
Grantland Avenue at Parkway Drive	450.7	F	29.7	D
Highway 99 Southbound Off-Ramp at Shaw Avenue	101.4	F	57.9	E
Highway 99 Northbound On-Ramp at Shaw Avenue	43.7	D	79.7	E
North Golden State Boulevard at West Herndon Avenue	24.7	C	32.0	C
North Golden State Boulevard at Carnegie Avenue	49.53	E	22.40	C
North Golden State Boulevard at Shaw Avenue	46.0	D	121.8	F

Notes:

LOS = Level of Service

sec = second(s)

As shown in Table 5.11-11, Peak-Hour Intersection LOS – Year 2008 Peak Project Construction Conditions, six study intersections are forecast to operate at LOS E/F conditions while the remaining study intersections are forecast at acceptable LOS C under Year 2008 with Peak Project construction conditions.

The results of the Year 2008 with Peak Project construction analysis accounts for the very conservative traffic analysis assumption focusing on the highest incremental increase in construction related trip-making during the peak 3 months of the 16-month project construction schedule.

As discussed earlier in this section, the Year 2008 Peak Construction activities represent the worst possible case traffic analysis scenario during the lifetime of the BEC.

Year 2008 Conditions Traffic Impact Summary

Based on the City of Fresno's significant traffic impact criteria, six of the project study intersections would be significantly impacted during the Peak Project construction activity in Year 2008.

Highway 99 Northbound Off-Ramp at West Herndon Avenue

- (p.m. Impact) Pre-project LOS E delay increase by 2 seconds or more.

Grantland Avenue at Parkway Drive

- (a.m. Impact) Pre-project LOS F delay increase by 2 seconds or more.

Highway 99 Southbound Off-Ramp at Shaw Avenue

- (p.m. Impact) Pre-project LOS D becomes LOS E.

Highway 99 Northbound On-Ramp at Shaw Avenue

- (p.m. Impact) Pre-project LOS E delay increase by 2 seconds or more.

North Golden State Boulevard at Carnegie

- (a.m. Impact) Pre-project LOS E delay increase by 2 seconds or more.

North Golden State Boulevard at Shaw Avenue

- (p.m. Impact) Pre-project LOS F delay increase by 2 seconds or more.

5.11.2.9 Year 2009 Conditions Impact Analysis

This section focuses on Year 2009 traffic conditions for both “with” and “without” project operations.

The operation of the BEC would not require a significant number of workers on site; however, non-recurring site visits are anticipated as a result of the BEC operations. The following analysis scenarios were conducted under the Year 2009 Conditions analysis:

- Year 2009 No Project conditions
- Year 2009 Project Operations conditions

Year 2009 No Project Conditions

The Year 2009 No Project baseline conditions builds upon the Year 2008 No Project conditions with minor increase in ambient traffic growth to account for background traffic. Figure 5.11-7, Year 2009 No Project Volume, shows Year 2009 No Project peak-hour traffic volume at the project study intersections.

Year 2009 No Project Roadway Segment Analysis

Table 5.11-12, Roadway Segment LOS - Year 2009 No Project Conditions, displays the LOS analysis results for the study area roadway segments under Year 2009 No Project conditions. The roadway segment LOS calculation worksheets are provided in Appendix S, Traffic Counts.

**TABLE 5.11-12
ROADWAY SEGMENT LOS – YEAR 2009 NO PROJECT CONDITIONS**

Roadway	Segment	Cross-section Classification	Traffic Volume	LOS
Highway 99	Herndon to Shaw	4-Lane Freeway	67,692 ¹	D
North Golden State Boulevard	Herndon to Carnegie	1-Lane Collector	486/491 ²	A/A ³
North Golden State Boulevard	Carnegie to Shaw	1-Lane Collector	1071/1,031 ²	C/C ³

Notes:

¹AADT Average Annual Daily Traffic

²a.m./p.m. peak-hour volume

³a.m./p.m. peak-hour LOS

LOS = level of service

As shown in Table 5.11-12, Roadway Segment LOS - Year 2009 No Project Conditions, all of the study roadway segments are forecast to operate at acceptable LOS D or better under Year 2009 No Project conditions.

Year 2009 No Project Operations Intersection Analysis

Table 5.11-13, Peak-Hour Intersection LOS – Year 2009 No Project Conditions, displays intersection LOS and average vehicle delay results under Year 2009 No Project operations conditions. The intersection LOS calculation worksheets are provided in Appendix S, Traffic Counts.

**TABLE 5.11-13
PEAK-HOUR INTERSECTION LOS – YEAR 2009 NO PROJECT CONDITIONS**

Intersection	A.M. Peak Hour		P.M. Peak Hour	
	LOS	Average Delay (sec)	LOS	Average Delay (sec)
Highway 99 Southbound Off-Ramp at West Herndon Avenue	C	23.6	C	22.7
Highway 99 Northbound Off-Ramp at West Herndon Avenue	D	25.4	E	46.4
Grantland Avenue at Parkway Drive	F	455.9	C	22.8
Highway 99 Southbound Off-Ramp at Shaw Avenue	F	106.8	D	54.7
Highway 99 Northbound On-Ramp at Shaw Avenue	C	33.8	F	77.9
North Golden State Boulevard at West Herndon Avenue	C	26.5	C	27.7
North Golden State Boulevard at Carnegie Avenue	E	43.68	C	22.75
North Golden State Boulevard at Shaw Avenue	D	36.6	F	124.8

Notes:

LOS = Level of Service

sec = second(s)

As shown in Table 5.11-13, Peak-Hour Intersection LOS – Year 2009 No Project Conditions, six study intersections are forecast to operate at LOS E/F conditions while the remaining study intersections are forecast at acceptable LOS C under Year 2009 No Project conditions.

Year 2009 Project Operations Conditions

This scenario includes Year 2009 No Project traffic volume and incorporates the project operation added trips. Figure 5.11-8, Year 2009 Project Operations Volume, shows Year 2009 Project Operations a.m. and p.m. peak-hour traffic volumes at the project study intersections.

Year 2009 Project Operations Roadway Segment Analysis

Table 5.11-14, Roadway Segment LOS – Year 2009 Project Operations Conditions, displays the LOS analysis results for the key study area roadway segments under Year 2009 Project Operations conditions. The roadway segment LOS calculation worksheets are provided in Appendix S, Traffic Counts.

**TABLE 5.11-14
ROADWAY SEGMENT LOS – YEAR 2009 PROJECT OPERATIONS CONDITIONS**

Roadway	Segment	Cross-section Classification	Traffic Volume	LOS
Highway 99	Herndon to Shaw	4-Lane Freeway	67,692 ¹	D
North Golden State Boulevard	Herndon to Carnegie	1-Lane Collector	488/493 ²	A/A ³
North Golden State Boulevard	Carnegie to Shaw	1-Lane Collector	1,077/1,037 ²	C/C ³

Notes:

¹AADT Average Annual Daily Traffic

²a.m./p.m. peak-hour volume

³a.m./p.m. peak-hour LOS

LOS = level of service

As shown in Table 5.11-14, Roadway Segment LOS – Year 2009 Project Operations Conditions, all of the study roadway segments are forecast to operate at acceptable LOS D or better under Year 2009 Project Operations conditions.

Year 2009 Project Operations Intersection Analysis

Table 5.11-15, Peak-Hour Intersection LOS – Year 2009 Project Operations Conditions, displays intersection LOS and average vehicle delay results under Year 2009 Project Operations conditions. The intersection LOS calculation worksheets are provided in Appendix S, Traffic Counts.

**TABLE 5.11-15
PEAK-HOUR INTERSECTION LOS – YEAR 2009
PROJECT OPERATIONS CONDITIONS**

Intersection	A.M. Peak Hour		P.M. Peak Hour	
	LOS	Average Delay (sec)	LOS	Average Delay (sec)
Highway 99 Southbound Off-Ramp at West Herndon Avenue	23.6	C	22.7	C
Highway 99 Northbound Off-Ramp at West Herndon Avenue	25.4	D	46.4	E
Grantland Avenue at Parkway Drive	455.9	F	22.8	C
Highway 99 Southbound Off-Ramp at Shaw Avenue	107.0	F	55.0	E
Highway 99 Northbound On-Ramp at Shaw Avenue	34.5	C	78.2	E
North Golden State Boulevard at West Herndon Avenue	26.5	C	27.7	C
North Golden State Boulevard at Carnegie Avenue	44.27	E	22.87	C
North Golden State Boulevard at Shaw Avenue	36.7	D	124.7	F

Notes:

LOS = Level of Service

sec = second(s)

Similar to Year 2009 No Project conditions and as shown in Table 5.11-15, Peak-Hour Intersection LOS – Year 2009 Project Operations Conditions, six study intersections are forecast to operate at LOS E/F conditions while the remaining study intersections are forecast at acceptable LOS C under Year 2009 Project Operation conditions.

Year 2009 Conditions Traffic Impact Summary

As discussed previously, the Year 2008 Peak Construction activities represented the worst possible case traffic analysis scenario for the BEC. Upon completion of the BEC project construction and commissioning of the facility, the BEC will generate operation-related trips that are substantially less than peak construction activities. Post-construction background traffic within the project study area is anticipated to be slightly higher than pre-construction levels with minor incremental traffic increase attributed to ambient growth and added trips from plant operations.

Based on traffic impact threshold criteria, none of the project study intersections would be significantly impacted with the start of project operations by Year 2009. The projected incremental net increase of trips attributed to project operations would not create significant traffic impacts to the surrounding roadway circulation system.

5.11.3 Mitigation Measures (Construction)

The result of the project construction traffic analysis showed that six study intersections would be significantly impacted during Year 2008 Peak Construction activities. Due to the short-term duration of peak project construction activities, no permanent long-term mitigations are proposed. Therefore, the short-term project construction traffic impacts become unavoidable traffic impacts.

The following mitigations are voluntarily offered by BEC either as part of the construction activity requirements, or as pro-active measures initiated by BEC to minimize construction-related trip making and resultant increases of traffic to the surrounding roadway circulation system.

5.11.3.1 Traffic-1: Construction Traffic Route

During project construction, BEC will designate a construction worker, equipment and material delivery/haul route via Highway 99, West Herndon Avenue, Golden State Road and vice versa. Local construction worker traffic from local worker trips is anticipated to be primarily oriented along West Herndon Avenue and Shaw Avenue towards North Golden State Boulevard and will be minimized to the extent feasible.

5.11.3.2 Traffic-2: Construction Traffic (Linears)

Off-site improvements associated with the BEC include the construction of several linear pipeline routes (see Figure 3.4-4, Proposed Linear Routes), described as:

- **Natural Gas Pipeline:** The project will connect to a PG&E trunk line approximately 9,500 feet west of the site, near the intersection of North Garfield Avenue and West Bullard Avenue. The primary pipeline route will convey gas via a pipeline up to 12 inches in diameter along West Bullard Avenue to North Golden State Boulevard, and then south to the site. Two alternate routes include the same PG&E connection location, continuing north along North Garfield Avenue to Herndon Avenue, then south along North Golden State Boulevard and North Weber Street to the site.
- **Water Supply Lines:** A Fresno city water main located near the southeast corner of the site along North Golden State Boulevard will be extended approximately 300 feet, to the northeast corner of the site.
- **Wastewater Lines:** Wastewater from the site will be conveyed via an approximate 14-inch diameter, 1,500-foot sewer line proceeding northwest along North Golden State Boulevard, tying into the existing 54-inch City of Fresno trunk line, just north of the intersection of North Golden State Boulevard and West Bullard Avenue.

5.11.3.3 Traffic-3: Traffic Control Plan

If required, a traffic and transportation control plan will be prepared in coordination with Caltrans to address short-term construction traffic and material deliveries during project construction.

5.11.4 Mitigation Measures (Operations)

None proposed.

5.11.5 Applicable Laws, Ordinances, Regulations, and Standards

Based on the information provided in this documentation, the project will comply with the applicable traffic and transportation laws, ordinances, regulations, and standards (LORS) discussed below. Table 5.11-16, Summaries of LORS, summarizes the applicable LORS and Table 5.11-17, Agency Contact List for LORS, lists the agency contacts.

**TABLE 5.11-16
SUMMARIES OF LORS**

Jurisdiction	LORS	Requirements	Conformance Section	Administering Agency	Agency Contact
5.11 Traffic and Transportation					
Federal					
	Title 49, Code of Federal Regulations, Section 171-177	Governs the transportation of hazardous materials, including the marking of transportation vehicles.	Section 5.11.5.1, Federal Authorities and Administering Agencies	California Highway Patrol	2
	Title 14, Code of Federal Regulations, Section 77.13(2)(i)	Requires applicant to notify FAA of any construction greater than height limits defined by the FAA.	Section 5.11.5.1, Federal Authorities and Administering Agencies	Federal Aviation Administration	1
State					
	California Vehicle Code, Section 353	Defines the hazardous materials.	Section 5.11.5.12, State Authorities and Administering Agencies	California Highway Patrol	2
	California Vehicle Code, Sections 13369, 15275, 15278	Addresses the licensing of drivers and the classification of license required for the operation of particular types of vehicles. In addition, these sections require the possession of certificates of permitting the operation of vehicles transporting hazardous materials.	Section 5.11.5.12, State Authorities and Administering Agencies	California Department of Motor Vehicles	4
	California Vehicle Code, Section 31303-31309	Requires transporters of hazardous materials to use the shortest route possible.	Section 5.11.5.12, State Authorities and Administering Agencies	California Highway Patrol	2

**TABLE 5.11-16
SUMMARIES OF LORS**

Jurisdiction	LORS	Requirements	Conformance Section	Administering Agency	Agency Contact
	California Vehicle Code, Section 32000-32053	Regulates the licensing of carriers of hazardous materials and noticing requirements.	Section 5.11.5.12, State Authorities and Administering Agencies	California Highway Patrol	2
	California Vehicle Code, Section 32100-32109	Transporters of inhalation hazardous materials or explosive materials must obtain a hazardous materials transportation license.	Section 5.11.5.12, State Authorities and Administering Agencies	California Highway Patrol	2
	California Vehicle Code, Section 34000-34100	Establishes special requirements for the flammable and combustible liquids over public roads and highways.	Section 5.11.5.12, State Authorities and Administering Agencies	California Highway Patrol	2
	California Vehicle Code, Section 34500	Regulates the safe operation of vehicles, including those that are used for the transportation of hazardous materials.	Section 5.11.5.12, State Authorities and Administering Agencies	California Highway Patrol	2
	California Vehicle Code, Section 35550	Imposes weight guidelines and restrictions upon vehicles traveling upon freeways and highways.	Section 5.11.5.12, State Authorities and Administering Agencies	California Department of Transportation	3
	California Vehicle Code, Section 35780	Requires approval for a permit to transport oversized or excessive load over state highways.	Section 5.11.5.12, State Authorities and Administering Agencies	California Department of Transportation	3
	California Streets and Highways Code, Sections 117	Permits for the location in the ROW of any structures or fixtures necessary to telegraph, telephone, or electric power lines or of any ditches, pipes, drains, sewers, or underground structures.	Section 5.11.5.12, State Authorities and Administering Agencies	California Department of Transportation	3
	California Streets and Highways Code, Sections 660, 670, 672, 1450, 1460, 1470, 1480 et seq.	Defines highways and encroachment. Regulates ROW encroachment and the granting of permits with conditions for encroachment in state and city roads.	Section 5.11.5.12, State Authorities and Administering Agencies	California Department of Transportation and City of Fresno	3,5

**TABLE 5.11-16
SUMMARIES OF LORS**

Jurisdiction	LORS	Requirements	Conformance Section	Administering Agency	Agency Contact
	California Health and Safety Code, Section 25160 et seq.	Addresses the safe transport of the hazardous materials.	Section 5.11.5.12, State Authorities and Administering Agencies	California Highway Patrol	2
	California Department of Transportation Traffic Manual, Section 5-1.1	Requires traffic control plans to ensure continuity of traffic during roadway construction.	Section 5.11.5.12, State Authorities and Administering Agencies	City of Fresno	5
Local					
	City of Fresno Municipal Code Section 10.304	Requires obedience to City Traffic Ordinance	Section 5.11.5.13, Local Authorities and Administering Agencies	City of Fresno	5
	City of Fresno Municipal Code Section 10.1301	Certain Vehicle Prohibited in Central Business District	Section 5.11.5.13, Local Authorities and Administering Agencies	City of Fresno	5
	City of Fresno Municipal Code Section 10.1303	City of Fresno Truck Routes	Section 5.11.5.13, Local Authorities and Administering Agencies	City of Fresno	5
	City of Fresno Municipal Code Section 10.1304	Commercial Vehicles Prohibited from Using Certain Streets	Section 5.11.5.13, Local Authorities and Administering Agencies	City of Fresno	5
	City of Fresno Municipal Code Section 10.1305	Vehicles Exceeding Maximum Gross Weight	Section 5.11.5.13, Local Authorities and Administering Agencies	City of Fresno	5
	City of Fresno Municipal Code Section 11.202	Permits to Work on City Street Required	Section 5.11.5.13, Local Authorities and Administering Agencies	City of Fresno	5

**TABLE 5.11-16
SUMMARIES OF LORS**

Jurisdiction	LORS	Requirements	Conformance Section	Administering Agency	Agency Contact
City of Fresno Municipal Code Section 11.210	Excavation and Backfill Requirements	Section 5.11.5.13, Local Authorities and Administering Agencies	City of Fresno	5	
City of Fresno Municipal Code Section 11.211	Replacement of Surfaces	Section 5.11.5.13, Local Authorities and Administering Agencies	City of Fresno	5	
City of Fresno Municipal Code Section 11.212	Street Work Safety	Section 5.11.5.13, Local Authorities and Administering Agencies	City of Fresno	5	
City of Fresno Municipal Code Section 11.216.5	Permits for Encroachment in a Public Right-of-Way	Section 5.11.5.13, Local Authorities and Administering Agencies	City of Fresno	5	
City of Fresno Municipal Code Section 11.219	Requirements for Cables, Wires, Ropes, Flags, Banner, Etc.	Section 5.11.5.13, Local Authorities and Administering Agencies	City of Fresno	5	

Notes:
 FAA = Federal Aviation Administration
 LORS = laws, ordinances, regulations, and standards
 ROW = right-of-way

**TABLE 5.11-17
AGENCY CONTACT LIST FOR LORS**

Federal			
1	Karen McDonald 310-725-6557 Federal Aviation Administration Western Pacific Region AWP5202 15000 Aviation Boulevard Lawndale, CA 90261-1002		
State			
2	Officer Matt Radke 559-441-5441 California Highway Patrol 1381 West Olive Avenue Fresno, CA 93728-2890	3	Kien Le 916-322-6001 Caltrans North Region Permits Office MS# 41 1823 14 th Street Sacramento, CA 942874-001
		4	Public Inquiry 916-657-8698 Department of Motor Vehicles, Licensing Operations Division 2415 1st Avenue Mail Station F101 Sacramento, CA 95818
Local			
5	Bryan D. Jones, T.E. 559-621-8792 Assistant Traffic Engineering Manager City of Fresno Department of Public Works Traffic Engineering 2600 Fresno Street Fresno, CA 93706-3623		
6			

Notes:
LORS = laws, ordinances, regulations, and standards

5.11.5.1 Federal Authorities and Administering Agencies

Title 49, Code of Federal Regulations, Parts 171-177

Governs the transportation of hazardous materials, the types of materials defined as hazardous, and the marking of the transportation vehicles.

The administering agencies for the above regulation are the CHP and the Department of Transportation (DOT), Pipeline and Hazardous Materials Safety Administration (PHMSA).

The BEC would conform to this law by requiring that shippers of hazardous materials use the required markings on their transportation vehicles.

Title 14, Code of Federal Regulations, Section 77.13(2)(i)

Requires an applicant to notify the Federal Aviation Administration (FAA) of construction of structures with a height greater than 200 feet from grade or greater than an imaginary surface extending outward and upward at a slope of 10 to 1 from the nearest point of the nearest runway of an airport with at least one runway more than 3,200 feet in length.

The administering agency for the above regulation is the DOT FAA.

The facility heights would not exceed 200 feet. Therefore, notification to the FAA would not be required.

*5.11.5.2 State Authorities and Administering Agencies**California Vehicle Code, Section 353*

Defines hazardous materials as any substance, material, or device posing an unreasonable risk to health, safety, or property during transportation, as defined by regulations adopted pursuant to Section 2402.7.

The administering agency for the above statute is the CHP.

The BEC would comply with these codes by continuing to classify all hazardous materials in accordance with their clarification.

California Vehicle Code, Sections 2500-2505

Authorizes the Commissioner of Highway Patrol to issue licenses for the transportation of hazardous materials including explosives.

The administering agency for the above statute is the CHP.

The BEC would comply with these codes by requiring that contractors and employees be properly licensed and endorsed when operating vehicles used to transport hazardous materials.

California Vehicle Code, Sections 13369, 15275, 15278

Addresses the licensing of drivers and the classification of license required for the operation of particular types of vehicles. Requires a commercial driver's license to operate commercial vehicles. Requires an endorsement issued by the Department of Motor Vehicles (DMV) to drive any commercial vehicle identified in Section 15278.

The administering agency for the above statute is the DMV.

The BEC would comply with these codes by requiring that contractors and employees be properly licensed and endorsed when operating such vehicles.

California Vehicle Code, Sections 31303-31309

Requires that the transportation of hazardous materials be on the state or interstate highway that offers the shortest overall transit time possible.

The administering agency for the above statute is the CHP.

The BEC would comply with this law by requiring that shippers of hazardous materials use the shortest route possible to and from the project site.

California Vehicle Code, Sections 31600-31620

Regulates the transportation of explosive materials.

The administering agency for the above statute is the CHP.

It must be noted that the BEC would not use explosive materials specifically defined in Section 12000 of the Health and Safety Code. However, the BEC would comply with this law by requiring that shippers of other potentially explosive materials have the required licenses from the CHP.

California Vehicle Code, Sections 32000-32053

Authorizes the CHP to inspect and license motor carriers transporting hazardous materials of the type requiring placards.

The administering agency for the above regulation is the CHP.

The BEC would comply with this law by requiring that motor carriers of hazardous materials be properly licensed by the CHP.

California Vehicle Code, Sections 32100-32109

Requires that shippers of inhalation hazards in bulk packaging to comply with rigorous equipment standards, inspection requirements, and route restrictions.

The administering agency for the above regulation is the CHP.

If applicable, the BEC would comply with this law by requiring shippers of these types of material to comply with all route restrictions, equipment standards, and inspection requirements.

California Vehicle Code, Sections 34000-34100

Establishes special requirements for vehicles having a cargo tank and for hazardous waste transport vehicles and containers, as defined in Section 25167.4 of the Health and Safety Code. The commissioner shall provide for the establishment, operation, and enforcement of random on- and off-highway inspections of cargo tanks and hazardous waste transport vehicles and containers and ensure that they are designed, constructed, and maintained in accordance with the regulations adopted by the commissioner pursuant to this code and Chapter 6.5 (commencing with Section 25100) of Division 20 of the Health and Safety Code.

The administering agency for the above regulation is the CHP.

The BEC would comply with this law by requiring that shippers of hazardous materials maintain their hazardous material transport vehicles in a manner that ensures that the vehicles will pass CHP inspections.

California Vehicle Code, Section 3500

Regulates the safe operation of vehicles, including those vehicles that are used for the transportation of hazardous materials.

The administering agency for the above regulation is the CHP.

The BEC would comply with this law by requiring shippers of hazardous materials to have the necessary permits, inspections, and licenses issued by the CHP for the safe operation of the hazardous materials transport vehicles.

California Vehicle Code, Section 35550

Imposes weight guidelines and restrictions upon vehicles traveling upon freeways and highways. The section holds that “a single axle load shall not exceed 20,000 pounds. The load on any one wheel or wheels supporting one end of an axle is limited to 10,500 pounds. The front steering axle load is limited to 12,500 pounds.” Furthermore, California Vehicle Code (CVC) Section 35551 defines the maximum overall gross weight as 80,000 pounds and adds that “the gross weight of each set of tandem axles shall not exceed 34,000 pounds.”

The administering agency for the above statute is Caltrans.

The BEC would comply with this code by requiring compliance with weight restrictions and by requiring heavy haulers to obtain permits, if required, prior to delivery of any heavy haul load.

California Vehicle Code, Section 35780

Requires a Single-Trip Transportation Permit to transport oversized or excessive loads over state highways. The permit can be acquired through Caltrans.

The administering agency for the above statute is Caltrans.

The BEC would comply with this code by requiring that heavy haulers obtain a Single-Trip Transportation Permit for oversized loads for each vehicle, prior to delivery of any oversized load.

California Streets and Highways Code, Section 117

Unless otherwise specifically provided in the instrument conveying title, the acquisition by the department of any right-of-way (ROW) over any real property for state highway purposes includes the right of the department to issue, under Chapter 3 (commencing with Section 660), permits for the location in the ROW of any structures or fixtures necessary to telegraph, telephone, or electric power lines or of any ditches, pipes, drains, sewers, or underground structures.

The administering agency for the above statute is Caltrans.

If applicable, the BEC would comply with this code by acquiring the necessary permits and approval from Caltrans with regard to use of public ROWs.

The California Streets and Highways Code, Sections 660, 670, 672, 1450, 1460, 1470, 1480 et seq.

Defines highways and encroachment, requires encroachment permits for projects involving excavation in state highways, and county/city streets. This law is generally enforced at the local level.

The administering agency for the above regulation is Caltrans and BEC would apply for encroachment permits for any excavation in state and county roadways prior to construction.

California Health and Safety Code, Section 25160 et seq

Addresses the safe transport of hazardous wastes, requires a manifest for hazardous waste shipments, and requires a person who transports hazardous waste in a vehicle to have a valid registration issued by the Department of Toxic Substances Control (DTSC) in his or her possession while transporting the hazardous waste.

The administering agency for the above regulation is the DTSC.

The BEC would comply with this law by requiring that shippers of hazardous wastes are properly licensed by the DTSC and hazardous waste transport vehicles are in compliance with DTSC requirements.

California Department of Transportation Traffic Manual, Section 5-1.1

Requires a temporary traffic control plan be provided for “continuity of function (movement of traffic, pedestrians, bicyclists, transit operations), and access to property/utilities” during any time the normal function of a roadway is suspended.

The administering agencies for the above regulation are Caltrans and Fresno County Public Works Department. The applicant would file a Traffic Control Plan prior to the start of construction.

5.11.5.3 Local Authorities and Administering Agencies

City of Fresno Municipal Code, Chapter 10 Vehicles and Traffic, Article 3 Enforcement and Obedience of Traffic Regulations, Section 10.304. Required Obedience to Traffic Ordinance.

No pedestrian, or person driving a vehicle or other conveyance on any street, shall do any act prohibited by, or fail to perform any act required by, any provision of this chapter applicable to such pedestrian or person. (Rep. and Added Ord. 6130, 1962).

The administering agency for the above regulation is City of Fresno Police Department.

The BEC would comply with this regulation by advising contractors and workers to observe all applicable traffic ordinances during project construction and operations.

City of Fresno Municipal Code, Chapter 10 Vehicles and Traffic, Article 10 Restricted Use of Certain Street, Section 10.1301. Certain Vehicles Prohibited In Central Business District.

(a) No person shall operate any of the following vehicles in the central business district between the hours of 10:00 a.m. and 6:00 p.m. of any day except on state highways:

(1) Any freight vehicle more than eight and one-half feet in width, with load, or any freight vehicle so loaded that any part of its load extends more than twenty feet to the front or rear of said vehicle;

(2) Any vehicle carrying building material that has not been loaded, or is not to be unloaded at some point within the central business district;

(3) Any vehicle or combination of vehicles with an over-all length exceeding thirty-five feet;

(4) Any vehicle conveying refuse, rubbish, garbage, or dirt except materials being conveyed from a construction project within the district;

(6) Any vehicle carrying liquid petroleum gas;

(b) The vehicles listed in subsection (a) may, however, operate over official truck routes lying within the central business district.

(c) The Chief of Police may, by written permit, authorize the operation of any vehicle listed in subsection (a) for the purpose of making necessary emergency deliveries to or from points within the central business district. (Rep. and Added Ord. 6130, 1962, based on former Sec. 10-1401).

The administering agency for the above regulation is City of Fresno Police Department.

The BEC would comply with this regulation by advising contractors and workers to observe all applicable Central Business District traffic regulations during project construction and operations.

City of Fresno Municipal Code, Chapter 10 Vehicles and Traffic, Article 10 Restricted Use of Certain Street, Section 10.1303. Truck Routes.

(a) The Council by ordinance may designate streets as truck routes for the movement of any vehicle exceeding a maximum gross weight of twelve thousand pounds.

(b) When such truck route or routes are designated by appropriate signs, the operator of any vehicle exceeding the maximum gross weight limit provided in Subsection (a) of this section shall drive on such route or routes and none other, provided that nothing in this section shall prohibit the operator of any vehicle exceeding a said gross weight limit coming from or going to a truck route having ingress and egress by direct route considering origin and destination of trip, to and from restricted streets when necessary for, the purpose of making pickups and deliveries of goods, wares, and merchandise from or to any property located on such restricted streets; or for the purpose of delivering materials to be used in the actual and bona fide repair, alteration, remodeling, or construction of any building or structure upon such restricted streets for which a building permit has previously been obtained; or for the actual and bona fide repair or servicing of the vehicle; or delivery of said operator to or from a motel or hotel at which he takes overnight accommodations.

(c) The provisions of this section shall not apply to:

(1) Passenger buses under the jurisdiction of the Public Utilities Commission, or operated by governmental agencies, or

(2) Any vehicle owned by a public utility while necessary in the use or the construction, installation, or repair of any public utility.

(3) Any vehicle operated by the City of Fresno, or any other governmental agency, or any employee thereof in the course of official business or any vehicle operated by a contractor of the city or any other governmental agency while such vehicle is used in the construction, maintenance, or repair of a street, storm drain in a street, or any similar street structure or such vehicle is upon a direct route to or from such work location.

(4) Any vehicle of military or naval forces of the United States, or the duly authorized militia of this State, in the proper performance of their duties.

(d) The City Traffic Engineer is hereby authorized and directed to erect, post, and maintain on all streets designated in this article as truck routes, appropriate signs to carry out the provisions of this article. All signs and marking shall be as specified in, erected and placed pursuant to the California Vehicle Code.

(e) There is hereby established an official city "List of Truck Routes." Whenever the Council has designated a street as a truck route, the City Traffic Engineer shall cause the designated truck route to be placed on the said list. The City Traffic Engineer shall keep a record of all ordinances hereafter adopted designating truck routes and shall cause notation of such records and such streets to be placed on said list in his office. Whenever any truck route is hereafter amended, deleted, or changed, the City Traffic Engineer shall cause such fact to be recorded upon the pertinent list in the appropriate place. Said list and the notation and contents therein as they may from time to time be kept and amended pursuant to this section shall be prima facie evidence of the existence and legality of the designation of said streets as truck routes and the legality of placing appropriate signing thereat as hereinafter provided. Said list, as amended, shall be deemed to be incorporated herein. (Rep. and Added Ord. 6130, 1962, based on former Sec. 10-1404; Am. Ord. 6383, 1964; Rep. and Added Ord. 73-14, 1973; Am. Ord. 73-104, § 1, eff. 8-6-73; Am. Ord. 73-130, §§ 1, 2, eff. 9-30-73).

The administering agency for the above regulation is City of Fresno Police Department.

The BEC would comply with this regulation by requiring contractors and workers to observe all truck route designations during project construction and operations.

City of Fresno Municipal Code, Chapter 10 Vehicles and Traffic, Article 10 Restricted Use of Certain Street, Section 10.1304. Commercial Vehicles Prohibited From Using Certain Streets.

(a) Whenever any resolution of this city designates and describes any street or portion thereof as a street the use of which is prohibited by any commercial vehicle, the City Engineer shall erect and maintain appropriate signs on those streets affected by such resolution.

(b) Those streets and parts of streets so established by resolution of the Council are hereby declared to be streets, the use of which is prohibited by any commercial vehicle. The provisions of this section shall not apply to passenger buses under the jurisdiction of the Public Utilities Commission. (Rep. and Added Ord. 6130, 1962, based on former Sec. 10-1405).

The administering agency for the above regulation is City of Fresno Police Department.

The BEC would comply with this regulation by requiring contractors and workers to observe restricted commercial vehicle operations on certain city streets during project construction and operations.

City of Fresno Municipal Code, Chapter 10 Vehicles and Traffic, Article 10 Restricted Use of Certain Street, Section 10.1305. Vehicles Exceeding Maximum Gross Weight.

Except as provided in Public Utilities Code Sections 1031--1036, Vehicles exceeding 6 tons, gross weight are prohibited from traveling on the following city streets:

1. Martin Luther King Boulevard between North Avenue and Jensen Avenue;
2. Clinton Avenue between West Avenue and Blackstone Avenue.

Commercial vehicles exceeding 6 tons gross weight coming from an unrestricted street having ingress or egress by direct route to and from a restricted street may travel upon the restricted street when necessary for the purpose of making pickups or deliveries of goods, wares and merchandise from or to any building or structure located on the restricted street for the purpose of delivering materials to be used in the actual and bona fide repair, alteration, remodeling, or construction of any building or structure upon the restricted street for which a building permit has previously been obtained. (Added Ord. 98-12, § 1, eff. 4-3-98)

The administering agency for the above regulation is City of Fresno Police Department.

The BEC would comply with this regulation by advising contractors and workers to observe all applicable vehicle weight restrictions at the above mentioned City streets during project construction and operations.

City of Fresno Municipal Code, Chapter 11 Street and Parkways, Article 11 Street Work, Section 11.202. Permits to do Work on City Streets Required.

No person shall make any excavation or dig any trench, or remove or destroy in any way any curb, gutter, sidewalk or street pavement, or alter or tear up the surface, or install any sidewalk, curb, gutter, driveway approach, drainage well, street or alley pavement, sewer, pipeline, conduit, pole, tank or anything else in or upon any public street, alley, sidewalk or other public place in the city without first securing a permit from the Director and filing the bonds and insurance as hereinafter specified and required; provided that a permit shall not be required for work done under a contract let therefore by the Council; and provided further that a permit shall not be required for public utilities service installations or minor maintenance work in connection therewith, when such installation or work is done on any street prior to the installation of street surfacing. (Rep. and Added Ord. 6667, 1965).

The administering agency for the above regulation is City of Public Works Department and Fresno Police Department.

The BEC would comply with this regulation by advising contractors and workers to secure the required City permits to work on City streets during project construction and operations.

City of Fresno Municipal Code, Chapter 11 Street and Parkways, Article 11 Street Work, Section 11-210. Excavation and Backfill.

(a) All work of excavation or backfilling in a public street shall be done as quickly as possible. Not more than 600 linear feet of trench shall be open ahead of any sewer, pipe line or conduit in any street or alley, except that upon written permission of the City Engineer such trenches may be opened for a distance of not more than 1,200 linear feet where public traffic will not be seriously inconvenienced. No excavation or trench shall be opened and left open more than twenty-four hours before the installation of the sewer, pipe line or conduit which is to be placed in said excavation or trench; and the backfilling of said excavation or trench shall be completed within twenty-four hours after the installation of the facility for which the excavation was made, excepting that portion of the trench or excavation to be used for connecting the extension of the installation, provided said portion is adequately barricaded and protected and then backfilled the following working day. Excavations or trenches for poured in place concrete pipe may remain open for a period not to exceed seven days, providing said excavations or trenches are adequately barricaded and access is provided for abutting property owners and at all street intersections.

(b) Where an excavation or trench crosses a street or alley intersection, the excavation and backfilling shall be completed within twenty-four hours, or bridging capable of supporting vehicular traffic shall be provided for access across said excavation or trench.

(c) An excavation within a street or alley for the purpose of boring or jacking pits or for the installation of structures shall be properly barricaded and protected and may be left open for a period of seven days and then must be backfilled, unless an extension of time is approved by the Engineer in writing. (Added Ord. 6667, 1965).

The administering agency for the above regulation is City of Public Works Department and Fresno Police Department.

The BEC would comply with this regulation by requiring contractors and workers to follow City required excavation and backfilling guidelines and procedures on City streets during project construction and operations.

City of Fresno Municipal Code, Chapter 11 Street and Parkways, Article 11 Street Work, Section 11-211. Replacement of Surfaces.

(a) When an excavation or trench is in a street or alley, it shall be repaired, backfilled and surfaced in accordance with the standard specifications established by the Director and adopted by the City Council.

(b) When a pole has been removed from any street, alley, sidewalk or other public place, the hole in the case of concrete or asphalt concrete, shall be made even by saw-cutting and then shall be refilled and compacted as specified for the back-filling of trenches in the standard specifications. The surface of the hole shall conform to the same type of surfacing as then exists in the same manner as specified for resurfacing of trenches and made to conform to the same appearance as that of the surrounding area. (Added Ord. 6667, 1965).

The administering agency for the above regulation is City of Public Works Department and Fresno Police Department.

The BEC would comply with this regulation by requiring contractors and workers to follow City required surface replacement guidelines, procedures and specifications on City streets during project construction and operations.

City of Fresno Municipal Code, Chapter 11 Street and Parkways, Article 11 Street Work, Section 11-212.Safety.

(a) All work described in this article shall be done in accordance with the regulations provided in the City and County of Fresno Traffic Control Manual dated 1963 as the same may be amended or revised.

(b) It shall be the duty of any person making any excavation or doing any work in any public street, alley, easement or other public place to provide and maintain such fences, barriers, signs, lights and watchmen as may be necessary to prevent avoidable accidents to the public. Such person shall also provide for the elimination of dust during the period of construction. The City reserves the right at all times to determine the adequacy and sufficiency of all safety measures, barriers and dust prevention measures, but does not hereby assume responsibility or liability therefore.

(c) The Director and any contractor or other person lawfully excavating, repairing or otherwise improving the whole or any portion of any street, alley, easement or other public place in the city may place barriers around or about the whole or any part of such street, alley, easement or other public place being so repaired, replaced or improved, in order to keep travel and traffic off the area under work. No person, except an employee of the city, emergency vehicle driver or employee of the street work permittee, shall remove any such barrier or barriers so placed or maintained, nor drive over or upon any portion of such street, alley, easement or other public place so enclosed or protected by such barrier or barriers, nor walk upon any portion thereof in such manner as to injure or damage the improvement or repair being made thereto. Notices of intention to place such barriers shall be given by the agency or contractor engaged in excavation or other work to the Chief of the Fresno Fire Department and the Chief of Police of the Fresno Police Department not later than twenty-four hours before such barriers are placed if such barriers shall block off more than eight feet of the width of any street between curb lines. (Added Ord. 6667, 1965).

The administering agency for the above regulation is City of Public Works, Police and Fire Departments.

The BEC would comply with this regulation by requiring contractors and workers to follow City required safety guidelines and procedures on City streets during project construction and operations.

City of Fresno Municipal Code, Chapter 11 Street and Parkways, Article 11 Street Work, Section 11-216.5. Encroachment in a Public Right-of-Way.

(a) No person shall encroach upon any public right-of-way of the city unless and until such person first obtains and maintains in force and effect a valid encroachment permit issued by the Director. The Director may issue an encroachment permit only when the following conditions have been met:

(1) The record owners of the real property adjacent to the encroachment area have executed and recorded a covenant agreement approved by the City Attorney indemnifying the city for all liability resulting from the use or occupation of the encroachment area.

(2) An application for an encroachment permit has been completed on a form designated by the Director which describes the purpose for the encroachment and the work to be done therein.

(3) Fees relating to the issuance of the encroachment permit, as established by the Master Fee Resolution, have been paid.

(4) The Director determines that the issuance of the encroachment permit will meet a legitimate purpose of the applicant, and that such purpose cannot be feasibly accomplished by any means other than through the issuance of an encroachment permit.

(5) The Director determines that the issuance of an encroachment permit will not be detrimental to the public health, safety, and welfare.

(b) The applicant shall comply with all additional terms, conditions, and restrictions incorporated within the permit and/or covenant which the Director may impose.

(c) Issuance of an encroachment permit shall not relieve the applicant from the obligation of obtaining a street work permit pursuant to Section 11-202 for any work to be done in the public right-of-way contiguous to, or within, the area of the encroachment.

(d) The Director shall revoke any encroachment permit upon determining that the applicant has failed to comply with one or more of the terms, conditions, or restrictions incorporated in the permit or the covenant and shall order the removal of all structures from the encroachment area.

(e) The decision of the Director, or any term, condition, or restriction imposed, may be appealed to the Council pursuant to the provisions of Section 11-214 of this Code. (Added Ord. 79-80, § 1, eff. 6-1-79; Am. Ord. 80-115, § 113, eff. 8-8-80).

The administering agency for the above regulation is City of Public Works Department and Fresno Police Department.

The BEC would comply with this regulation by requiring contractors and workers to apply and secure all required City encroachment permits prior commencing work on City streets during project construction and operations.

City of Fresno Municipal Code, Chapter 11 Street and Parkways, Article 11 Street Work, Section 11-219. Cables, wires, Ropes, Flags, Banners, Etc.

No person shall run, or stretch or maintain, through, along or across any street any wire, cable, rope, cord, flag, banner or similar thing with less clearance than eighteen feet above the street, and all such installations shall be in compliance with and subject to the conditions of the Public Utilities Commission of the State of California, its rules for “Overhead Line Construction” -- General Order No. 95, and any applicable ordinance or regulation of the city. (Added Ord. 6667, 1965).

The administering agency for the above regulation is City of Public Works Department and Fresno Police Department.

The BEC would comply with this regulation by requiring contractors and workers to comply with the conditions of the Public Utilities Commission of the State of California, rules for “Overhead Line Construction” on City streets during project construction and operations.

5.11.6 References

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Technical Area: **Traffic and Transportation** Technical Staff:

Project: Docket: Technical Senior:

SITING REGULATIONS	INFORMATION	AFC PAGE NUMBER AND SECTION NUMBER	ADEQUATE YES OR NO	INFORMATION REQUIRED TO MAKE AFC CONFORM WITH REGULATIONS
Appendix B (g) (1)	...provide a discussion of the existing site conditions, the expected direct, indirect and cumulative impacts due to the construction, operation and maintenance of the project, the measures proposed to mitigate adverse environmental impacts of the project, the effectiveness of the proposed measures, and any monitoring plans proposed to verify the effectiveness of the mitigation.	5.11.1 5.11.2 5.11.3 5.11.4		
Appendix B (g) (5) (A)	A regional transportation setting, on topographic maps (scale of 1:250,000), identifying the project location and major transportation facilities. Include a reference to the transportation element of any applicable local or regional plan.	Figure 5.11-1 Figure 5.11-2		
Appendix B (g) (5) (B)	An identification, on topographic maps at a scale of 1:24,000 and a description of existing and planned roads, rail lines, including light rail, bike trails, airports, bus routes serving the project vicinity, pipelines, and canals in the project area affected by or serving the proposed facility. For each road identified, include the following information, where applicable: Road classification and design capacity;	Figure 5.11-1 Figure 5.11-2		
Appendix B (g) (5) (B) (i)	Road classification and design capacity;	5.11.1		
Appendix B (g) (5) (B) (ii)	Current daily average and peak traffic counts;	Figure 5.11-4 5.11.1 Appendix S		

Technical Staff:

Project:

Technical Senior:

Docket:

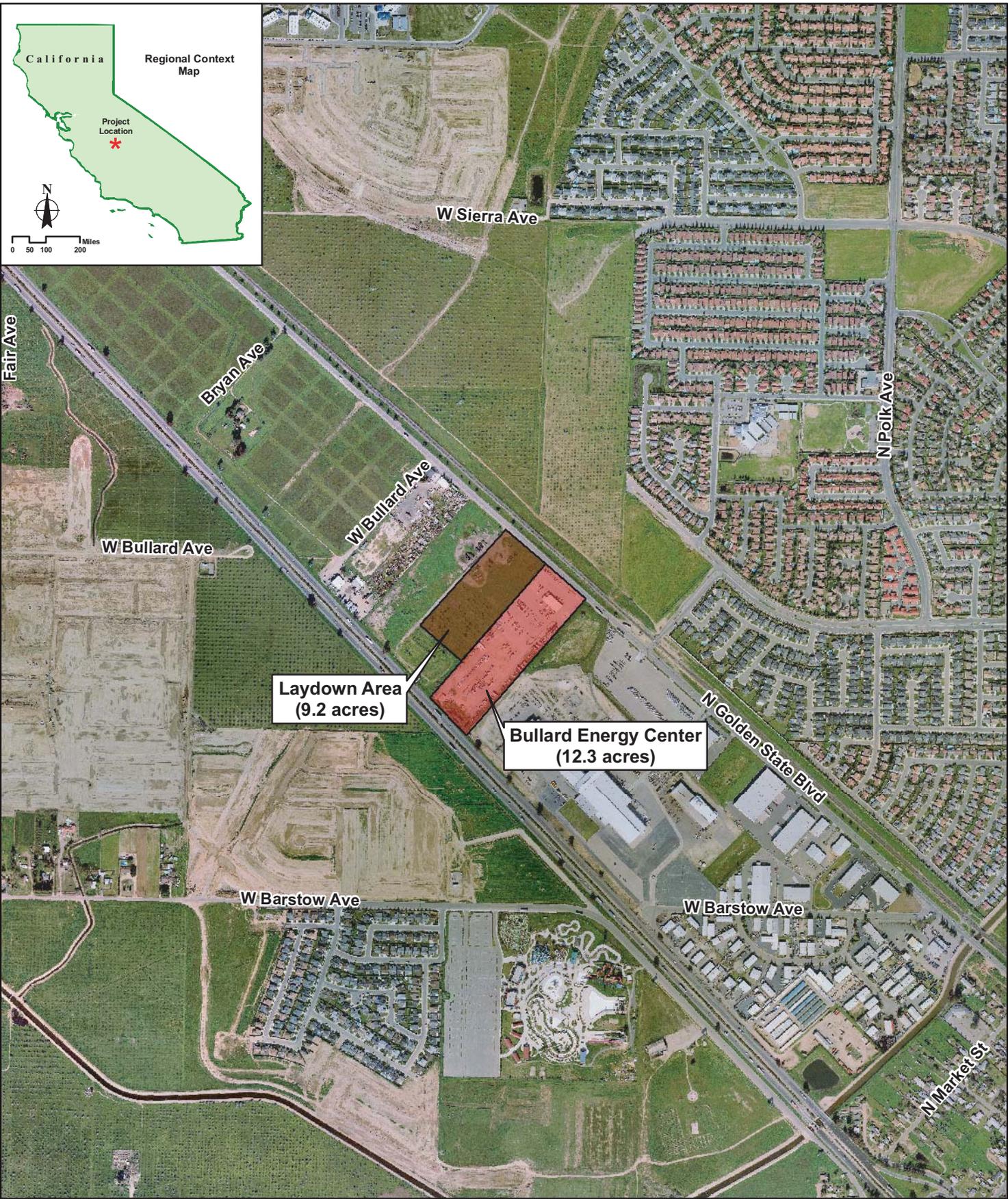
Technical Area:
Project Manager:

SITING REGULATIONS	INFORMATION	AFC PAGE NUMBER AND SECTION NUMBER	ADEQUATE YES OR NO	INFORMATION REQUIRED TO MAKE AFC CONFORM WITH REGULATIONS
Appendix B (g) (5) (B) (iii)	Current and projected levels of service before project development, during construction, and during project operation;	5.11.2		
Appendix B (g) (5) (B) (iv)	Weight and load limitations;	5.11.1.1		
Appendix B (g) (5) (B) (v)	Estimated percentage of current traffic flows for passenger vehicles and trucks; and	5.11.1 5.11.2		
Appendix B (g) (5) (B) (vi)	An identification of any road features affecting public safety.	5.11.1		
Appendix B (g) (5) (C)	A description of any new, planned, or programmed transportation facilities in the project vicinity, including those necessary for construction and operation of the proposed project. Specify the location of such facilities on topographic maps at a scale of 1:24,000.	NA		
Appendix B (g) (5) (D)	An assessment of the construction and operation impacts of the proposed project on the transportation facilities identified. Include anticipated project-specific traffic, estimated changes to daily average and peak traffic counts, levels of service, and traffic/truck mix, and the impact of construction of any facilities identified in subsection (g)(5)(C).	5.11.2.3 5.11.2.4		

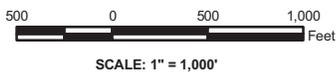
Technical Area: **Traffic and Transportation** Technical Staff:

Project: Docket: Technical Senior:

SITING REGULATIONS	INFORMATION	AFC PAGE NUMBER AND SECTION NUMBER	ADEQUATE YES OR NO	INFORMATION REQUIRED TO MAKE AFC CONFORM WITH REGULATIONS
Appendix B (g) (5) (E)	A discussion of project-related hazardous materials to be transported to or from the project during construction and operation of the project, including the types, estimated quantities, estimated number of trips, anticipated routes, means of transportation, and any transportation hazards associated with such transport.	5.11.2.3 5.11.2.4 5.11-5 5.14.1 5.14.2		
Appendix B (h) (1) (A)	Tables which identify laws, regulations, ordinances, standards, adopted local, regional, state, and federal land use plans, and permits applicable to the proposed project, and a discussion of the applicability of each. The table or matrix shall explicitly reference pages in the application wherein conformance, with each law or standard during both construction and operation of the facility is discussed;	Table 5.11-16 5.11.5		
Appendix B (h) (1) (B)	Tables which identify each agency with jurisdiction to issue applicable permits and approvals or to enforce identified laws, regulations, standards, and adopted local, regional, state and federal land use plans, and agencies which would have permit approval or enforcement authority, but for the exclusive authority of the commission to certify sites and related facilities.	5.11.5		
Appendix B (h) (2)	A discussion of the conformity of the project with the requirements listed in subsection (h)(1)(A).	5.11.5		
Appendix B (h) (3)	The name, title, phone number, and address, if known, of an official within each agency who will serve as a contact person for the agency.	Table 5.11-17		
Appendix B (h) (4)	A schedule indicating when permits outside the authority of the commission will be obtained and the steps the applicant has taken or plans to take to obtain such permits.	5.11.5		



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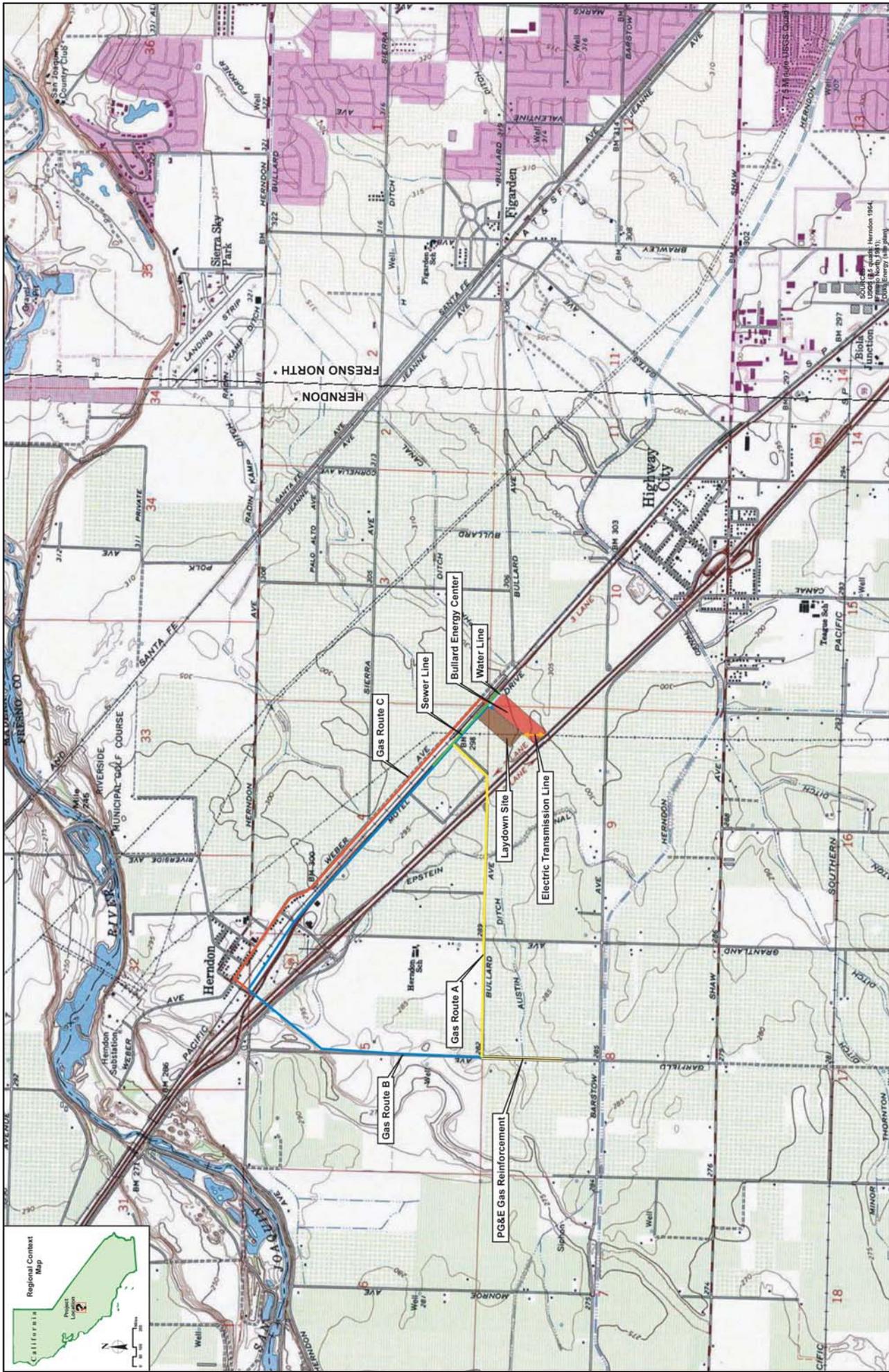


SOURCES:
Airphoto USA (color aerial Feb. 2005);
Streetmap USA (streets).



Site Location Aerial
Bullard Energy Center

FIGURE 5.11-1



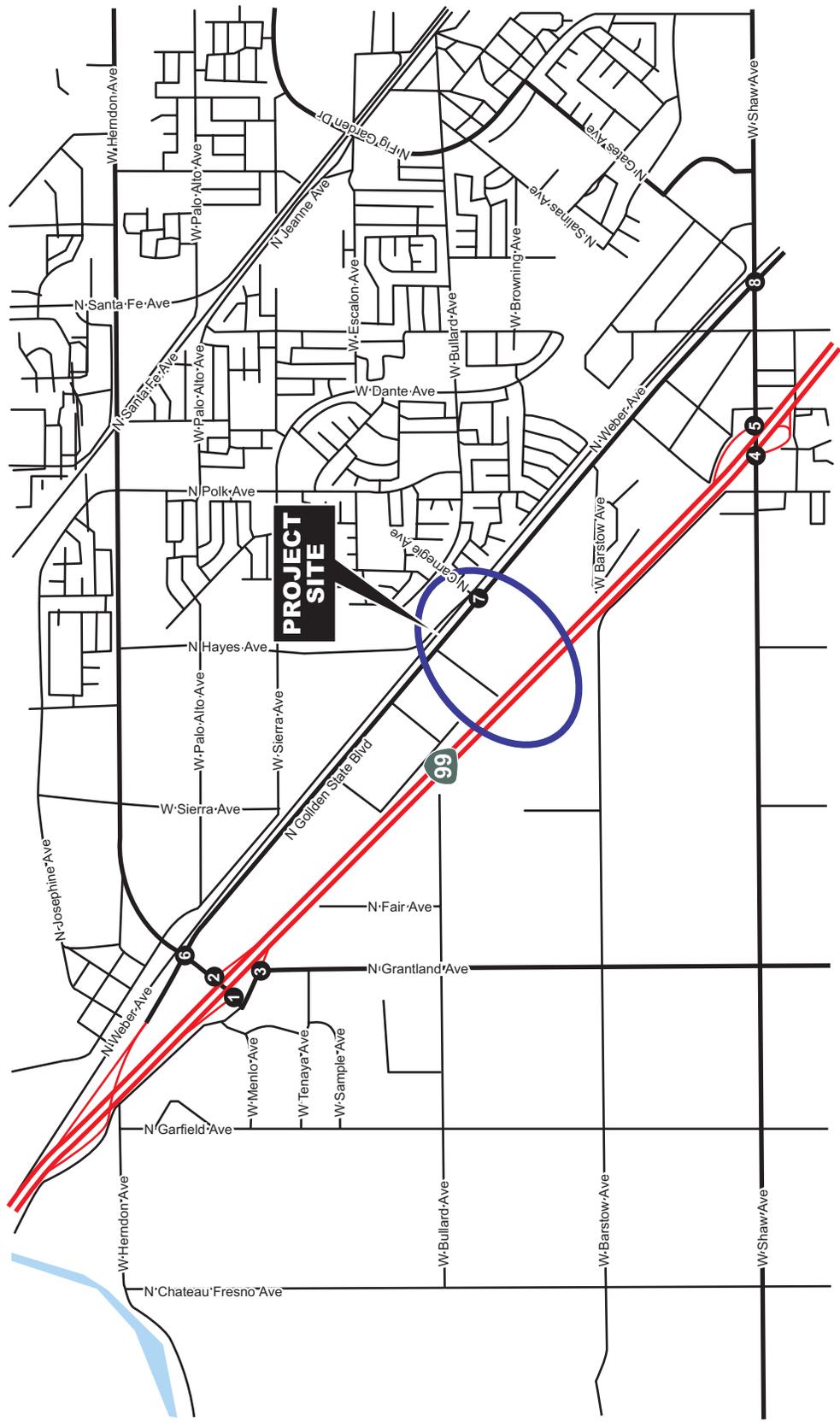
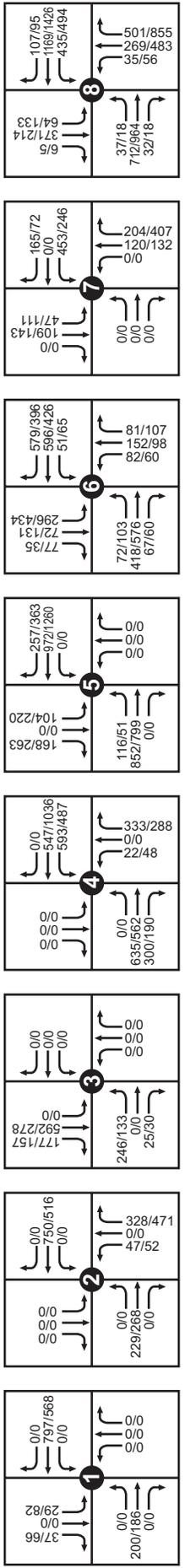
General Vicinity
Bullard Energy Center



SOURCE:
USGS (7.5 quads: Herndon 1964,
Fresno North 1981)
Duke Energy (site plan).

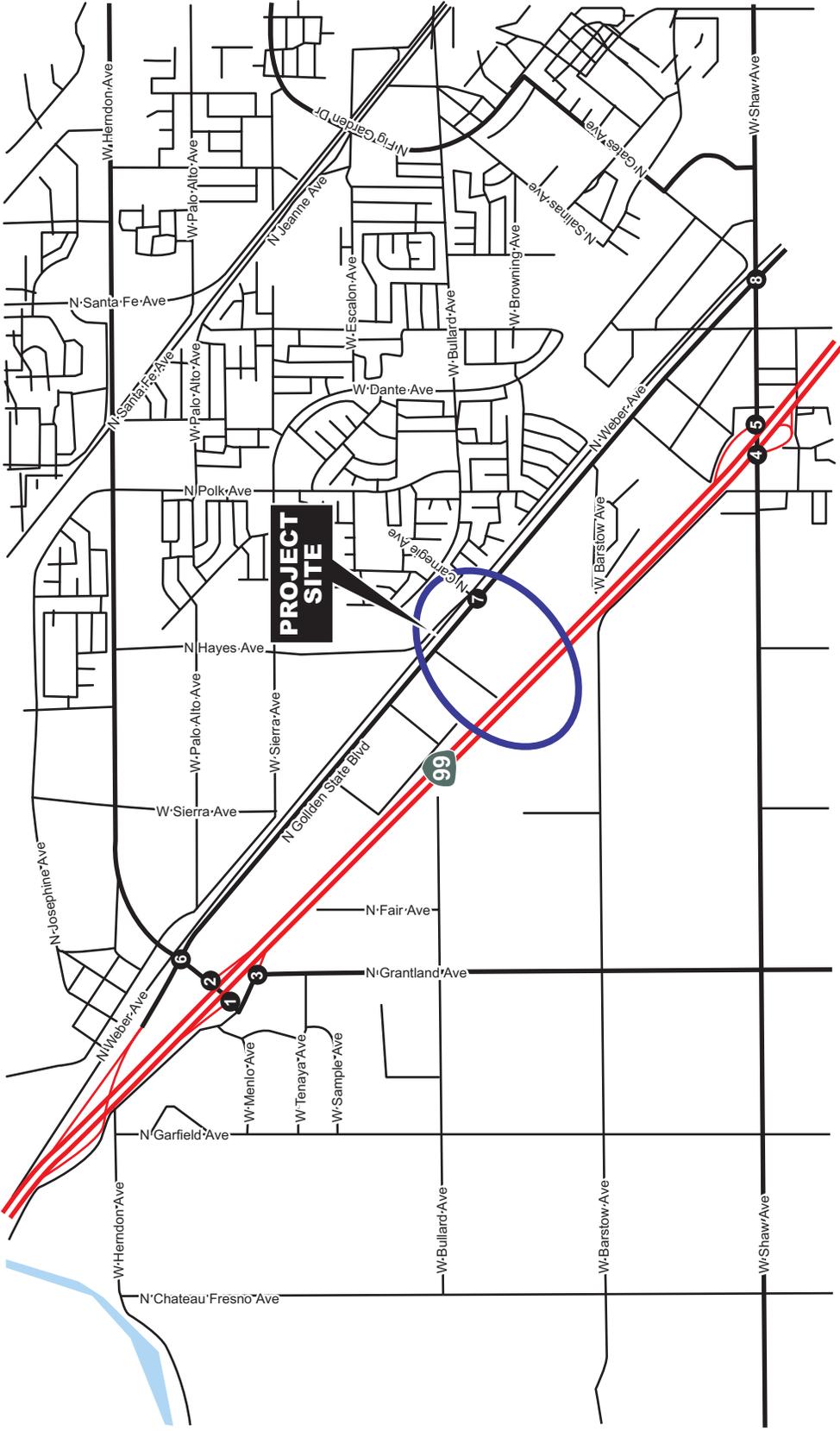
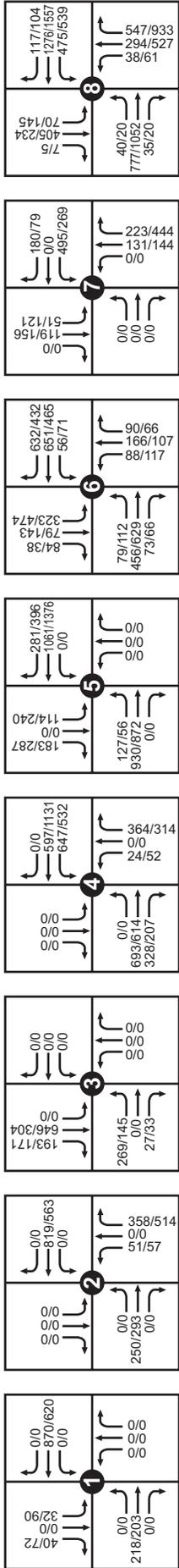


FIGURE 5.11-2



Existing Traffic Volume
Bullard Energy Center





Year 2009 No Project Volume
Bullard Energy Center



FIGURE 5.11-7

