

Notice of Exemption

Appendix E

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

County Clerk

County of: Tulare
221 S. Mooney Blvd., Room 105

Visalia, CA 93291

From: (Public Agency): City of Tulare (Lead Agency)
411 E. Kern Avenue, Tulare, CA 93274
(559) 684-4223

(Address)

FILED
TULARE COUNTY

OCT 14 2020

ROLAND P. HILL
ASSESSOR, CLERK RECORDER
BY:

Project Title: Grading Permit & Frontage Improvements for The Vineyards

Project Applicant: F&C Farming, LP, 222 N. Garden St., Ste. 400 Visalia, CA 93291 (559) 735- 9700

Project Location - Specific:

Northwest corner of Mooney Boulevard (SR-63) and Prosperity Avenue.

Project Location - City: Tulare Project Location - County: Tulare

Description of Nature, Purpose and Beneficiaries of Project:

Applicant is applying for grading & encroachment permits to grade the site and construct the frontage (underground electric utilities, roadway pave-out, striping, curb, gutter, and sidewalk) on both Mooney Boulevard & Prosperity Avenue, to facilitate marketing the site for future commercial development.

Name of Public Agency Approving Project: City of Tulare, 411 E. Kern Avenue, Tulare, CA 93274

Name of Person or Agency Carrying Out Project: Ryan J. Dudley, Project Engineer, (559) 802-3052

Exempt Status: (check one):

- Ministerial (Sec. 21080(b)(1); 15268);
- Declared Emergency (Sec. 21080(b)(3); 15269(a));
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- Categorical Exemption. State type and section number: 15302(d) & 15304(a)
- Statutory Exemptions. State code number: _____


Reasons why project is exempt:

The Project involves the conversion of overhead electric facilities to underground, in accordance with Section 15302(d). The Project also involves grading on land with a slope of less than 10 percent and would not occur in a waterway, in any wetland, in an officially designated scenic area, or in any officially mapped geologic or seismic hazard area. There are no significant environmental impacts that will result from the project.

Lead Agency
Contact Person: Mario A. Anaya Area Code/Telephone/Extension: (559) 684-4223

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? Yes No

Signature:  Date: 10/14/2020 Title: Principal Planner

Signed by Lead Agency Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1. Public Resources Code.

Date Received for filing at OPR: _____

**Grading Permit & Frontage Improvements
for The Vineyards Project**

Supplemental Information

Categorical Exemption –

Sections 15302(d) and 15304(a)

Introduction and Background

The Project Applicant is applying for grading & encroachment permits to grade the site and construct the frontage (underground electric utilities, roadway pave-out, striping, curb, gutter, and sidewalk) on both Mooney Boulevard & Prosperity Avenue, to facilitate marketing the site for future commercial development. Uses are not yet known, however if any uses proposed in the future require a conditional use permit or further entitlements, other than just a building permit, the development may be subject to further environmental review. By completing the grading, frontage improvements, and completion of off-site improvements along Mooney Boulevard and Prosperity Avenue, the applicant hopes to better market the property and attract retail commercial tenants.

Categorical Exemption, Section 15302(d) Replacement or Reconstruction

The project meets the conditions for the Existing Facilities Exemption described in Section 15302(d) of the State CEQA Guidelines as explained below.

Section 15302 consists of replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced, including. This includes: (d) Conversion of overhead electric utility distribution system facilities to underground including connection to existing overhead electric utility distribution lines where the surface is restored to the condition existing prior to the undergrounding. The proposed project will convert overhead electric utility distribution lines to underground in the same location, and with substantially the same purpose & capacity.

Categorical Exemption, Section 15304(a) Minor Alterations to Land

The project meets the conditions for the Minor Alterations to Land Exemption described in Section 15304(a) of the State CEQA Guidelines as explained below.

Section 15304 consists of minor public or private alterations in the condition of land, water, and/or vegetation which do not involve removal of healthy, mature, scenic trees except for forestry and agricultural purposes. This includes: (a) Grading on land with a slope of less than 10 percent, except that grading shall not be exempt in a waterway, in any wetland, in an officially designated (by federal, state, or local government action) scenic area, or in officially mapped areas of severe geologic hazard such as an Alquist-Priolo Earthquake Fault Zone or within an official Seismic Hazard Zone, as delineated by the State Geologist. The proposed project will grade the site and construct frontage improvements, as well as roadway improvements to facilitate access and circulation to the site. The project is not located in a waterway, wetland, officially designated scenic area, or in an officially mapped geologic or earthquake hazard area.

Environmental Impacts

Pursuant to Section 15300.2 of the CEQA Guidelines, the City has determined there are no exceptions that preclude the use of the CEQA Exemptions:

1. Location - The Project is not located in a particularly sensitive environment. The Project site consists of a vacant parcel that is routinely and regularly disked, surrounded by residential development to the north and west, by retail commercial development to the south and southeast, and by Mooney Boulevard (State Route 63) to the east.
2. Cumulative Impacts – The Project involves grading and frontage improvements for a site zoned for commercial development and so designated in the City's General Plan. No new or expanded facilities are proposed and there are no other associated or nearby projects that, when combined with the proposed project, would result in a significant cumulative impact.
3. Significant Effect – The project will result in minimal impacts, as the site is heavily disturbed, does not include native vegetation, nor does it include trees on the site, and is surrounded by a highway, arterial, and urban development. No significant effects will result from the project based on the heavily disturbed nature of the site and its location.
4. Scenic highways – There are no scenic highways on or near the project site.
5. Hazardous Waste Sites – Based on the Phase I ESA prepared for the site, there are no hazardous waste sites associated with the project site and risk of encountering hazardous materials has been determined low. The applicant will have to comply with any soil handling or other requirements as part of the Caltrans encroachment permit for property on the Mooney Boulevard side.
6. Historical Resources – There are no known historical resources located within the site or adjacent to it. The Project involves improvements to streets, sidewalks, site grading, and frontage infrastructure. There are no components of the project that would impact a historical resource.

Other information

Standard best management practices related to water quality (SWPPP), construction noise, hazardous materials, traffic control, and other regulations will be implemented as they are standard required conditions of issuance of grading and encroachment permits.