



# County of Fresno

DEPARTMENT OF PUBLIC WORKS AND PLANNING  
STEVEN E. WHITE, DIRECTOR

## EVALUATION OF ENVIRONMENTAL IMPACTS

- APPLICANT:** Jeffrey T. Roberts on behalf of Grantor Real Estate Investments, LLC
- APPLICATION NOS.:** General Plan Amendment Application No. 564, Unclassified  
Conditional Use Permit Application No. 3693; Initial Study  
Application No. 7980
- DESCRIPTION:** Amend the Land Use Element of the County-adopted Millerton Specific Plan to re-designate a proposed 5.17-acre parcel from Open Space and Medium Density Residential to Public Facilities to allow a Fire Station with related improvements in the 'O' (Open Conservation) and R-1(c) (Single-Family Residential; 6,000 square-foot minimum parcel size, Conditional) Zone Districts.
- LOCATION:** The project is located within the Millerton Specific Plan boundary on the southwest corner of Millerton Road and Morningside Way approximately 1.9 miles east of the unincorporated community of Friant (SUP. DIST. 5) (APN 300-021-27S; 300-340-13S).

### DISCUSSION:

An Environmental Impact Report (EIR) and Mitigation Measures & Monitoring Program Matrix was certified as having been prepared and considered by the decision-making body in accordance with the California Environmental Quality Act (CEQA) when the Millerton Specific Plan was adopted in December 1984. Several additional environmental studies have been prepared since the 1984 certification, the most recent being in December 2004.

This Initial Study has been prepared in part to determine if the existing EIR is adequate for the proposed project pursuant to Section 21166 of the Public Resources Code, which states that no subsequent or supplemental EIR shall be required for a project pursuant to Section 21000 *et seq.* of the Public Resources Code unless one or more of the following events has occurred:

- (a) Substantial changes are proposed in the project, which will require major revisions of the environmental impact report.
- (b) Substantial changes occur with respect to the circumstances under which the project is being undertaken which will require major revisions in the environmental impact report.
- (c) New information which was not known and could not have been known at the time the environmental impact report was certified as complete, becomes available.

The subject project was routed to reviewing agencies initially in July of 2018 with mention of the previously adopted EIR and Specific Plan. Comments received at the completion of the routing cycle did not reveal any significant project-related impacts that could not be mitigated. Based on staff's review of comments received, it has been determined that the provisions of Section 15162 will be utilized in preparing the environmental document.

This Initial Study has been prepared pursuant to Section 15162 of the CEQA Guidelines, to determine if the existing EIR is adequate for the proposed project, or whether any of the three events noted above have taken place necessitating preparation of a new or supplemental EIR.

The Lead Agency may then determine if a subsequent Negative Declaration is appropriate. A determination to prepare a Mitigation Negative Declaration has been made based upon the fact that Mitigation Measures were identified in the Initial Study.

Based upon the comments received, which indicated that no significant impacts would occur, if the project is approved, a Mitigated Negative Declaration has been prepared.

As a project condition, the Applicant would be required to comply with all applicable Mitigation Measures contained in the Millerton Specific Plan - Mitigation Measures and Monitoring Program Matrix Program identified in the previously-certified EIR as well as those identified in Initial Study Application No. 7980 prepared for this project. The Mitigation Measures and Monitoring Program Matrix is attached to this document for reference purposes.

#### I. AESTHETICS

Except as provided in Public Resources Code Section 21099, would the project:

- A. Have a substantial adverse effect on a scenic vista; or
- B. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

FINDING: NO IMPACT:

The project site fronts on Millerton Road and Morningside Way which are not designated as Scenic Highway or Scenic Drive in the County General Plan. There are no scenic vistas or scenic resources, including rock outcroppings, or historic buildings on or near the site that will be impacted by the proposed project (fire station).

- C. In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage points.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project site is designated for Open Space and Medium Density Residential within the Land Use and Circulation Elements of the Millerton Specific Plan. The site is surrounded by approved residential tracts. Though not built yet, Tract No. 5430 is located to the north and Tract No. 4968 is located to the east of the project site. The proposed single-story fire station building, will be compatible in height, design, and construction with future residential tract homes. The project is compatible with the physical characteristics of the area.

The project will adhere to Mitigation Measure No. 11. Visual Quality, listed in the Millerton Specific Plan, Mitigation Measures and Monitoring Program Matrix regarding the location of building sites on the property, submittal of a landscaping plan, and grading and erosion control to maintain visual quality of the site and its surroundings.

Based on the above information, the project is expected to have a less than significant impact on visual character or quality of the area.

- D. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

The project would generate new sources of light and glare in the form of outdoor lighting. To mitigate light and glare impacts on the adjacent properties, the project will adhere to the following Mitigation Measure.

\* **Mitigation Measure:**

*All outdoor lighting shall be hooded and directed downward so as not to shine toward adjacent properties and public streets or roadways.*

## II. AGRICULTURAL AND FORESTRY RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology in Forest Protocols adopted by the California Air Resources Board. Would the project:

- A. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use; or
- B. Conflict with existing zoning for agricultural use, or a Williamson Act Contract; or

- C. Conflict with existing zoning for forest land, timberland or timberland zoned Timberland Production; or
- D. Result in the loss of forest land or conversion of forest land to non-forest use; or
- E. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of farmland to non-agricultural use or conversion of forest land to non-forest use?

FINDING: NO IMPACT:

The project will be developed within the Millerton Specific Plan boundary, which does not contain any productive agricultural land nor is subject to a Williamson Act Contract. Per the 2016 Fresno County Important Farmland Map, the entire Millerton New Town Specific Plan is designated as “Grazing Land” consisting of residential dwelling units, and unimproved land for future residential, commercial, and public facilities uses. The project will have no impact on agricultural land.

In compliance with Assembly Bill (AB) 18, the Policy Planning Section of the Fresno County Department of Public Works and Planning conducted a 90-day tribal consultation for the subject General Plan Amendment (GPA) No. 564. The prescribed time will end on May 4, 2021.

### III. AIR QUALITY

Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:

- A. Conflict with or obstruct implementation of the applicable Air Quality Plan?

FINDING: LESS THAN SIGNIFICANT IMPACT:

An Air Quality and Greenhouse Gas Analysis Report, dated January 21, 2021, was prepared for the project by Mitchell Air Quality Consulting, and provided to the San Joaquin Valley Air Pollution Control District (SJVAPCD) for comments. Construction and operation of the project (light industrial uses) would contribute the following criteria pollutant emissions: reactive organic gases (ROG), carbon monoxide (CO), nitrogen dioxide (NO<sub>x</sub>), sulfur dioxide (SO<sub>2</sub>), and particulate matter (PM<sub>10</sub> and PM<sub>2.5</sub>).

As discussed in II. B below, emissions of ROG, NO<sub>x</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub> associated with the construction and operation of the project would not exceed the District’s significance thresholds. The project complies with all applicable rules and regulations from the applicable Air Quality Plan (AQP). Therefore, the impact would be less than significant. Furthermore, as discussed in III. C below, the project would not result in CO hotspot that would violate CO standards.

Per the San Joaquin Valley Air Pollution Control District, the proposed project would: 1) be subject to District Rule 9510 if equals or exceeds 10,000 square feet of governmental space and require filing of an Air Impact Assessment Application and paying any applicable off-site mitigation fees before issuance of first building permit. The project may also be subject to the Regulation VIII-Fugitive PM10 Prohibitions, Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt Paving and Maintenance Operations) Rule 2010 (Permits Required) and Rule 2201 (New and Modified Stationary Source Review). These requirements will be addressed through recommended Site Plan Review.

The project will also adhere to Mitigation Measures No. 17.a – m. - Climate and Air Quality, listed in the Millerton Specific Plan, Mitigation Measures and Monitoring Program Matrix regarding bicycle circulation systems, installation of emission reduction devices on fireplaces, and reduction in PM-10 from wood burning.

- B. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The primary pollutants of concern during project construction and operation are ROG, NO<sub>x</sub>, CO, PM<sub>10</sub>, and PM<sub>2.5</sub>. The San Joaquin Valley Air Pollution Control District (SJVAPCD) Guidance for Assessing and Monitoring Air Quality Impacts (GAMAQI) adopted in 2015 contains threshold for CO, NO<sub>x</sub>, ROG, SO<sub>x</sub> PM<sub>10</sub> and PM<sub>2.5</sub>. The SJVAPCD's annual emission significance thresholds used for the project, define the substantial contribution for both operational and construction emissions are 10 tons per year ROG, 10 tons per year NO<sub>x</sub>, 100 tons per year CO, 27 tons per year SO<sub>x</sub>, 15 tons per year PM<sub>10</sub> and 15 tons per year PM<sub>2.5</sub>. The project does not contain sources that would produce substantial quantities of SO<sub>2</sub> emissions during construction and operation.

Per the *Air Quality and Greenhouse Gas Analysis Report*, the 2022 construction emissions (ton per year) associated with the project would be 0.35 for ROG, 2.40 for NO<sub>x</sub>, 2.34 for CO, 0.31 for PM<sub>10</sub> and 0.17 for PM<sub>2.5</sub> which are less than the threshold of significance. Likewise, the operational emission over the life of the project, primarily from energy use and mobile sources, would be 0.09 for ROG, 0.44 for NO<sub>x</sub>, 0.14 for CO, 0.04 for PM<sub>10</sub> and 0.00 for PM<sub>2.5</sub> which are less than the threshold of significance.

As discussed above, the regional analysis of the construction and operational emissions indicates that the project would not exceed the District's significance thresholds and is consistent with the applicable Air Quality Attainment Plan. Therefore, the project would not result in significant cumulative health impacts.

- C. Expose sensitive receptors to substantial pollutant concentrations?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Sensitive receptors are defined as hospitals, residences, convalescent facilities, and schools. There are currently no sensitive receptors near the project; however, residences would likely be constructed in new neighborhoods planned near the project site.

Per the *Air Quality and Greenhouse Gas Analysis Report*, an analysis of maximum daily emissions during construction and operation of the project was conducted to determine if emissions would exceed 100 pounds per day for any pollutant of concern which include NO<sub>x</sub>, CO, PM<sub>10</sub> or PM<sub>2.5</sub>.

Per the *Report*, maximum daily construction emissions (pound per day) during 2022 would be 16.26 for ROG, 33.15 for NO<sub>x</sub>, 20.49 for CO, 9.97 for PM<sub>10</sub> and 6.01 for PM<sub>2.5</sub> and would not exceed SJVAPCD screening thresholds for any pollutant.

Operational emissions are generated on-site by area sources such as consumer products, landscape maintenance, energy use, and onsite motor vehicle operation at the project site. Most motor vehicle emissions would occur distant from the site and would not contribute to a violation of ambient air quality standards, making the analysis highly conservative. The Maximum daily air pollutant emissions (pound per day) during operations (2022) would be 0.49 for ROG, 2.40 for NO<sub>x</sub>, 0.82 for CO, 1 for PM<sub>10</sub> and 0.07 for PM<sub>2.5</sub> and would not exceed SJVAPCD screening thresholds for any pollutant.

Localized high levels of CO are associated with traffic congestion and idling or slow-moving vehicles. The project is in a rural location with no traffic congestion; therefore, no CO modeling is required. In addition, the highest background 8-hour average of carbon monoxide during the latest year CO was monitored is 2.06 ppm, which is 78 percent lower than the state ambient air quality standard of 9.0 ppm. Therefore, the project would not significantly contribute to an exceedance of state or federal CO standards.

The project construction would involve the use of diesel fueled vehicles and equipment that emit DPM (diesel particulate matter) which is considered a Toxic Air Contaminants (TAC). The SJVAPCD's latest threshold of significance for TAC emissions are an increase in cancer risk for the maximally exposed individual of 20 in a million. The SJVAPCD's 2015 GAMAQI currently focuses on projects with operational TAC emissions that would expose sensitive receptors over a typical lifetime of 70 years. Fire stations produce limited amounts of TAC emissions during operation and thus have not been subject to project TAC analysis. Most emissions from construction activities occur during the grading and site preparation phases that occur over the first three months of construction and do not overlap with project operations. Limited amounts of diesel equipment are used during ground-up building construction that occurs during most of the construction schedule. Construction equipment fleet operators are subject to Air Resources Board's (ARB) In Use Off-road Equipment Fleet Regulation, which requires the use of increasing amounts of lower-emitting equipment that will help to ensure that risk would not exceed SJVAPCD thresholds. The project is a potential source of TAC emissions from vehicle fueling, natural gas or

propane emergency generator operation and use of diesel fueled fire trucks. Gasoline dispensing equipment is a source of toxic air contaminant emissions from evaporated gasoline. The ARB identifies sources of TAC emissions that could potentially impact nearby sensitive receptors and provides recommended distance to avoid locating sensitive land uses. The project is relatively close to future residences. Regarding fuel dispensing equipment, ARB recommends avoiding new sensitive land uses within 300 feet of a large fueling station (a facility with a throughput of 3.6 million gallons per year or greater). The project would use approximately 4,500 gallons of diesel per year and 1,000 gallons of gasoline per year, which is a small fraction of the ARB screening level. Therefore, impacts from TAC emissions would be less than significant.

The project will use natural gas or propane fueled 30-kilowatt emergency generator which are not considered significant sources of TAC emissions and are operated for limited hours per year. The relatively small size of the generator would also contribute to very low TAC emissions.

The project includes four diesel-powered fire trucks that are sources of TAC emissions from DPM. The ARB recommends avoiding siting new sensitive land uses within 1,000 feet of a distribution center (that accommodates more than 100 trucks per day). Therefore, the four fire trucks are unlikely to result in insignificant TAC emissions.

In short, the project would not result in significant TAC emissions during project operations; therefore, impact from this source would be less than significant.

Valley fever (coccidioidomycosis), is an infection caused by inhalation of the spores of the fungus, *Coccidioides immitis* (*C. immitis*) which lives in soil. Construction activities, however, could generate fugitive dust that contain *C. immitis* spores. The project will comply with Regulation VIII Fugitive Dust Prohibitions that is expected to reduce fugitive dust produced during earth disturbing activities and thereby reduce exposure to the spores. Therefore, the potential impact would be reduced to less than significant. During operations, dust emissions are anticipated to be relatively small, because the project area would continue to be occupied by buildings, concrete, and asphalt pavement. This condition would lessen the possibility that the project would provide suitable habitat for *C. immitis* spores and generate fugitive dust that may contribute to Valley fever exposure. Impacts would be less than significant.

Per the U.S. Geological Survey 2011, the project area is outside of an area of naturally occurring asbestos in California. Therefore, development of the project is not anticipated to expose receptors to naturally occurring asbestos. Impacts would be less than significant.

In conclusion, localized impacts from criteria pollutant emissions would not exceed SJVAPCD screening thresholds. Project gasoline dispensing equipment, diesel fire trucks, and natural gas or propane generator would not result in a significant increase in cancer risk, chronic risk, and acute risk due to TAC emissions. Impacts from Valley fever exposure and naturally occurring asbestos would be less than significant.

- D. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Odor impacts on residential areas and other sensitive receptors, such as hospitals, day-care centers, and schools. The project site is near future residences.

Per the SJVAPCD, the common odor producing land uses are landfills, transfer stations, sewage treatment plants, wastewater pump stations, composting facilities, feed lots, coffee roasters, asphalt batch plants, and rendering plants. The project would not engage in any of these activities. Therefore, the project would not be considered a generator of objectionable odors during operations.

During construction, the various diesel-powered vehicles and equipment used on-site would create localized odors. These odors would be temporary and would not likely be noticeable for extended periods of time beyond the project's site boundaries. The potential for diesel odor impacts would therefore be less than significant.

#### IV. BIOLOGICAL RESOURCES

Would the project:

- A. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service; or
- B. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

The subject proposal is part of the Millerton Specific Plan for which the U.S. Fish and Wildlife Service issued a Biological Opinion (BO) on August 25, 2018. All development projects within the Millerton Specific Plan boundary, including the subject proposal, are required to comply with Avoidance and Minimization Measures noted in the BO memo.

The project was routed to the U.S. Fish and Wildlife Service (USFWS) and the California Department of Fish and Wildlife (CDFW) for comments. USFWS offered no comments during the comment review period. However, CDFW made several references regarding presence of special status species on or near the project site. A meeting between CDFW staff and the project applicant, resulted in mutual understanding of the following requirements to apply on the project. Implementation of these requirements as Mitigation Measures will reduce the impact to less than significant:

\* **Mitigation Measures:**

1. *The project site is currently within the area covered by Incidental Take Permit (ITP) (ITP No. 2081-2014-079-04) that has been the location of recent burrow clearing and biological fencing as a part of the Morningside Way road project. Approximately two-third of the site is already cleared and fenced as per the requirements of the ITP. Prior to construction on the subject 5.17 acres, the balance of the site shall be checked, cleared, and fenced in accordance with the ITP.*
  2. *A qualified biologist shall perform a “Pre- Construction Survey” of the site to check for the California Tiger Salamander (CTS), Western Pond Turtle (WPT), Western Spadefoot toad (WESP), American Badger (AMBA) and Burrowing Owl ( BUOW ) as listed in the CDFW letter dated February 1, 2021. If no species are found on the site, the next steps of the plan can occur. If species are located, a biologist shall follow State and Federal protocols for their removal from the 5.17-acre project site.*
  3. *The biologist shall prepare a “Site Education Pamphlet” for distribution to all contractors and subcontractors that will be working on the site and shall work with the applicant/owner to have a notification sign placed on the site at the construction entrance. This sign shall be 4 feet by 8 feet in size and shall contain the same information as the Site Education Pamphlet.*
  4. *The owner shall retain the biologist to conduct education “Discussions” with any contractor/subcontractor who will have more than 5 employees working on the site.*
  5. *The owner and/or biologist shall keep a daily log of all workdays and shall document signs/sightings of the 5 species listed above.*
  6. *If a sighting of any of the species occurs during the course of construction, work shall be stopped, and the biologist shall be contacted, and State and federal protocols shall be followed for the removal of the species.*
  7. *The owner shall contact the California Department of Fish and Wildlife at the end of each month, provide daily logs, and a summary of the month’s activities on the site.*
- C. Have a substantial adverse effect on state- or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

FINDING: NO IMPACT:

The project site contains no state or federally protected wetlands (e.g. marsh, vernal pool, coastal, etc.). According to the National Wetland Inventory (NWI) the nearest Riverine habitat (Riverine System includes all wetlands and deep-water habitats

contained within a channel) is located approximately 475 feet northwest of the project site. The project will have no impact on Riverine habitat.

- D. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites; or
- E. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance; or
- F. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state Habitat Conservation Plan?

FINDING: NO IMPACT:

Per the Millerton Specific Plan Policy SP1-P68, Habitat Preservation, an Open Space and Natural Resource Plan (OSNRP) has been established for the Millerton, Dry Creek and Sierra Foothill areas. The OSNRP will provide protection to sensitive resources by establishing key habitat areas, open and continuous wildlife corridors, ridge tops and view protection, native plant landscapes, and lighting restrictions on hilltops to mitigate glare.

The project site is unimproved with no vegetation. The project will not conflict with local policies or ordinances regarding a tree preservation policy or ordinance.

## V. CULTURAL RESOURCES

Would the project:

- A. Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5; or
- B. Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5; or
- C. Disturb any human remains, including those interred outside of formal cemeteries?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

The project site is in an area designated as highly sensitive for archeological Resources. A study entitled *Cultural Resources Inventory (CRI) Millerton New Town Specific Plan*, was prepared by Kristina Roper and dated April 21, 2014. While encompassing all properties within the Millerton New Town Specific Plan area, this study was used as the basis for preparing a Cultural Resources Management Plan for Millerton Specific Plan development projects.

Per the *Cultural Resources Inventory* (CRI), six archeological sites exist within the entire Millerton Specific Plan area that appear to meet the eligibility criteria for listing in the National Register of Historic Places and the California Register of Historic Resources. None of those sites are located within the project site. The nearest (MNT-16) located approximately 500 feet southeast of the project site on the western slope of a hill adjacent to a dirt road, is a moderately weathered granite boulder with a single saucer mortar. The edges of the milling surface are exfoliated. Given the project location, no impact on MNT-16 is expected from this proposal.

Although, Table Mountain Rancheria (TMR) declined participation in AB (Assembly Bill) 52 for the proposal but requested to be notified in the unlikely event that cultural resources are unearthed during ground disturbance. The project will adhere to the following mitigation measure to ensure that impacts to cultural resources remain less than significant. Mitigation Measure No. 12. c. - Historic/Cultural Resources listed in the Millerton Specific Plan Mitigation Measures and Monitoring Program Matrix also reflects on this requirement.

\* **Mitigation Measure:**

1. *In the event that cultural resources are unearthed during ground-disturbing activities, all work shall be halted in the area of the find. An Archeologist shall be called to evaluate the findings and make any necessary mitigation recommendations. If human remains are unearthed during ground-disturbing activities, no further disturbance is to occur until the Fresno County Sheriff-Coroner has made the necessary findings as to origin and disposition. All normal evidence procedures should be followed by photos, reports, video, etc. If such remains are determined to be Native American, the Sheriff-Coroner must notify the Native American Commission within 24 hours.*

VI. ENERGY

Would the project:

- A. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources during project construction or operation; or

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION  
INCORPORATED:

The construction and operation of the proposed project (fire station) is unlikely to result in potentially significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resources. To minimize the potential for wasteful or inefficient consumption of energy resources, the project would require adherence to the following Mitigation Measure.

\* **Mitigation Measure**

1. *The idling of on-site vehicles and equipment will be avoided to the most extent possible to avoid wasteful or inefficient energy consumption during project construction.*

The project will be subject to meeting California Green Building Standards Code (CCR, Title 24, Part 11-CALGreen) to meet the goals of AB (Assembly Bill) 32 which established a comprehensive program of cost-effective reductions of greenhouse gases to 1990 levels by 2020.

The project will adhere to Mitigation Measure No. 18. a. - Energy Resources, listed in the Millerton Specific Plan Mitigation Measures and Monitoring Program Matrix, which requires reduction of energy consumption through building design requirements, solar access provisions, parking lot shading, requirement for project-level energy efficiency and evaluation, water conservation programs and more.

- B. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

FINDING: NO IMPACT:

The project will not conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

## VII. GEOLOGY AND SOILS

Would the project:

- A. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:

1. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?
2. Strong seismic ground shaking?
3. Seismic-related ground failure, including liquefaction?
4. Landslides?

FINDING: NO IMPACT:

Per Figure 9-6 of the Fresno County General Plan Background Report, the project site is not in any identified landslide hazard area.

- B. Result in substantial soil erosion or loss of topsoil?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Any site grading and drainage associated with the construction of fire station will adhere to the Grading and Drainage Sections of the County Ordinance Code.

The project will adhere to Mitigation Measure 13.g, Geology and Soils, listed in the Millerton Specific Plan Mitigation Measures and Monitoring Program Matrix, which requires that the Applicant shall provide a detailed erosion and drainage control program for the project to control erosion, siltation, sedimentation and drainage.

- C. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?

FINDING: NO IMPACT:

Per Figure 9-6 of Fresno County General Plan Background Report, the subject parcel is not in an area at risk of landslides. Also, the project development involves no underground materials movement and therefore poses no risks related to subsidence.

- D. Be located on expansive soil as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?

FINDING: NO IMPACT:

The Millerton Specific Plan identifies no potential soil problems. According to the Soils Analysis contained in the 1984 Environmental Impact Report (EIR) for Millerton Specific Plan, the predominant soil type in the area is not subject to shrink/swell. There is no geomorphic evidence of past landslides, slumps or mudslides on the site or adjacent property. The core area and surrounding region appears to be very stable.

- E. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The proposed fire station will temporarily use individual septic system. However, as noted by Resources Division of the Fresno County Department of Public Works and Planning, prior to the issuance of a building permit, the applicant will enter into an agreement with the County to connect to the CSA 34 Wastewater Treatment Facility at such time as determined by the Director of the Department of Public Works and Planning. Further, joining the CSA 34 water system would require an Engineer's Report and a determination of how the site would connect to the current system and pay for fees and assessments. This requirement will be included as a Condition of Approval for the project.

Additionally, a Project Note would require that new sewage disposal system shall be installed under permit and inspection by the Department of Public Works and Planning Building and Safety Section.

- E. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

FINDING: LESS THAN SIGNIFICANT IMPACT:

See discussion in Section V. CULTURAL RESOURCES above.

## VIII. GREENHOUSE GAS EMISSIONS

Would the project:

- A. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

FINDING: LESS THAN SIGNIFICANT IMPACT:

An Air Quality and Greenhouse Gas Analysis Report (GHG Analysis) completed by Mitchell Air Quality Consulting, dated January 21, 2021, estimated project GHG emissions for construction and operation using the California Emissions Estimator Model (CalEEMod) version 2016.3.2 [California Air Pollution Control Officers Association (CAPCOA) 2017], which is the most current version of the model approved for use by SJVAPCD.

The total GHG emission generated during all phases of construction for 2022 is 471.46 metric tons of CO<sub>2</sub> per year. However, to account for the construction emissions, amortization of the total emission generated during construction based on 30-year life of the development amounts to 15.72 metric tons of CO<sub>2</sub> per year which is less than significant.

The total GHG emission generated during operation of the project would be approximately 195.30 metric tons of CO<sub>2</sub>e under Business as Usual (BAU) and 147.11 metric tons of CO<sub>2</sub> for year 2022. The project would achieve a reduction of 24.7 percent from BAU which is 3.0 percent beyond the 21.7 percent average reduction required by State from all sources to achieve Assembly Bill (AB) 32 targets (AB 32 requires GHGs emitted in California be reduced to 1990 levels by the year 2020). Likewise, the total GHG emission generated during operation of the project would be approximately 195.30 metric tons of CO<sub>2</sub>e under Business as Usual (BAU) and 127.80 metric tons of CO<sub>2</sub> for year 2030. The project would achieve a reduction of 34.6 percent from BAU which is 12.9 percent beyond the 21.7 percent average reduction required by State from all sources to achieve AB 32 targets. The project is consistent with the 2017 Scoping Plan and will contribute a reasonable fair-share contribution (through compliance of Title 24 and CALGreen; regulations on energy production, fuels, and voluntary actions to improve energy efficiency in existing development) to achieving 2030 target.

- B. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Per the *Air Quality and Greenhouse Gas Analysis Report*, the San Joaquin Valley Air Pollution Control District (SJVAPCD) adopted Climate Action Plan cannot be applied to the project because it does not contain measures that are applicable to the project. Since no other local or regional Climate Action Plan is in place, the project is assessed for its consistency with Air Resources Board's (ARB) adopted Scoping Plan. This would be achieved with an assessment of the project's compliance with Assembly Bill (AB) 32 Scoping Plan measures.

Adopted in 2006, AB 32 focuses on reducing Greenhouse Gases to 1990 levels by the year 2020. Pursuant to the requirements in AB 32, the ARB adopted the Climate Change Scoping Plan in 2008, which outlines actions recommended to obtain that goal. The Scoping Plan calls for reduction in California's GHG emissions, cutting approximately 30 percent (currently 21.7 percent) from BAU emission levels projected for 2020 to achieve AB 32 targets.

The Scoping Plan contains a variety of strategies to reduce the State's emissions. The project is consistent with most of the strategies contained in the Scoping Plan while others are not applicable to the project.

#### IX. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

- A. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials; or
- B. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment; or
- C. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The Fresno County Public Health Department, Environmental Health Division (Health Department) reviewed the subject proposal and requires the following as Project Notes: 1) Facilities proposing to use and/or store hazardous materials and/or hazardous wastes shall meet the requirements set forth in the California Health and Safety Code (HSC), Division 20, Chapter 6.95, and the California Code of Regulations (CCR), Title 22, Division 4.5.; 2) Any business that handles a hazardous material or hazardous waste may be required to submit a Hazardous Materials Business Plan electronically pursuant to the HSC, Division 20, Chapter

6.95; and 3) All hazardous waste shall be handled in accordance with requirements set forth in the California Code of Regulations (CCR), Title 22, Division 4.5.

The nearest school, Foothill Elementary School, is approximately 8.7 miles northeast of the project site.

- D. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, create a significant hazard to the public or the environment?

FINDING: NO IMPACT:

According to the search results of the CalEPA (Cortese List: Section 65962.5(a), the project site is not listed as a hazardous materials site. The project will not create hazards to the public or the environment.

- E. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, result in a safety hazard or excessive noise for people residing or working in the project area?

FINDING: NO IMPACT:

Per the Fresno County *Airport Land Use Compatibility Plan Update* adopted by the Airport Land Use Commission (ALUC) on December 3, 2018, the nearest public airport, Fresno-Yosemite International Airport, is approximately 14 miles south of the project site. Given the distance, the airport will not result in a safety hazard or excessive noise for people residing or working in the project area.

- F. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

FINDING: NO IMPACT:

The project does not include any characteristics (e.g., permanent road closures) that would physically impair or otherwise interfere with emergency response or evacuation in the project vicinity. These conditions preclude the possibility of the proposed project conflicting with an emergency response or evacuation plan. No impacts would occur.

- G. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project is located within the State Responsibility Area (SRA) and requires Fresno County Fire Protection District approval for fire access roads, fuel breaks, and fuel modification zones. The County-adopted Millerton Specific Plan includes several measures to reduce fire protection impacts. The project will adhere to Fire Protection

Mitigation Measure 6.a-e., Fire Protection, listed in the Millerton Specific Plan Mitigation Measures and Monitoring Program Matrix.

X. HYDROLOGY AND WATER QUALITY

Would the project:

- A. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project will not violate any water quality standards. The existing surface water treatment facility located within Millerton New Town Specific Plan and operated by County Service Area (CSA) No. 34 will provide water to the project.

Per the Fresno County Department of Public Health, Environmental Health Division (Health Department) review of the proposal, the following shall be included as Project Notes: 1) In an effort to protect groundwater, any water wells or septic systems that exist or that have been abandoned within the project area, not intended for future use and/or use by the project, shall be properly destroyed; 2) the applicant shall apply for and obtain a permit(s) to destroy water well(s) from the Health Department prior to commencement of work; and 3) if any underground storage tank(s) are found during mining activities, the applicant shall apply for and secure an Underground Storage Tank Removal Permit.

- B. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

FINDING: LESS THAN SIGNIFICANT IMPACT:

As noted above, the project will receive surface water from Millerton Lake. The water will be delivered to the proposed fire station through County Service Area (CSA) No. 34 facilities under an agreement between the Applicant, Fresno County and the Deer Creek and Tule River Authority. The Fresno County Board of Supervisors approved the agreement in December 1999 for the withdrawal of water from Millerton Lake, the conveyance of the raw water to the treatment plant, and treatment of the water supply for domestic use for all developments in the Millerton New town Specific Plan.

Per the comments provided by the Water and Natural Resources Division of the Fresno County Department of Public Works and Planning, the proposed source of water services provided by CSA 34 is an adequate source of water for the proposed parcels and offered no comments related to the proposal.

- C. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:

1. Result in substantial erosion or siltation on or off site; or
2. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off site; or
3. Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff; or
4. Impede or redirect flood flows?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project development may cause changes in absorption rates, drainage patterns, and an increase in the rate and amount of surface runoff. This potential impact would result from construction and paving activities, which would compact and over cover the soil, thereby reducing the area available for infiltration of storm water.

According to the Development Engineering Section of the Fresno County Department of Public Works and Planning, the project shall require: 1) an engineered grading and drainage plan to show how the additional storm water runoff generated by the proposed development will be handled without adversely impacting adjacent properties; 2) filing of a Notice of Intent (NOI) and Storm Water Pollution Prevention Plan (SWPPP) with State Water Resources Control Board (SWRCB) before the commencement of any construction activities disturbing 1.0 acre or more of area; and 3) providing copies of completed NOI and SWPPP to Development Engineering prior to any grading work. These requirements will be included as Project Notes.

- D. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?

FINDING: NO IMPACT:

Per Figure 9-7 of the Fresno County General Plan Background Report (FCGPBR), the project site is not located in a 100 Year Flood Inundation Area and not subject to flooding from the 100-year storm per the Federal Emergency Management Agency (FEMA) FIRM Panel 1035H.

- E. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

FINDING: NO IMPACT:

The subject proposal would not conflict with any Water Quality Control Plan or sustainable groundwater management plan. Water to the project will be provided by County Service Area (CSA) 34.

## XI. LAND USE AND PLANNING

Would the project:

- A. Physically divide an established community?

FINDING: NO IMPACT:

The project will not physically divide an established community. The project site is located within the boundaries of the Millerton New Town Specific Plan.

- B. Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project site is designated Open Space and Medium-Density Residential in the County-adopted Millerton Specific Plan and zoned for 'O' (Open Conservation) and R-1(c) (Single-Family Residential, 6,000 square-foot minimum parcel size, Conditional) in the County Zoning Ordinance.

An amendment to Land Use Element of the Millerton Specific Plan is required to re-designate the proposed 5.17-acre project site from Open Space and Medium-Density Residential to Public Facilities to allow a fire station in the 'O' and R-1 (c) Zone Districts. The project is not in conflict with any land use plan, policy, or regulation of any agency with jurisdiction over the project and complies with the following General Plan policies:

Regarding Millerton Specific Plan Policy SP1-P75, the project will be provided with a water system that will deliver sufficient water for domestic use and fire suppression.

Regarding Millerton Specific Plan Policy SP1-P77, the project will construct the necessary water infrastructure facilities required to serve the development.

Regarding Millerton Specific Plan Policy SP1-P80 and Policy SP1-P82, the project will temporarily connect to onsite septic system until it is allowed permanently connect to CSA 34 Wastewater Treatment Facility. County Service Area 34 will operate and maintain sewer collection and treatment for the project.

Regarding General Plan Policy PF-C.14, water supply to the project will adhere to public water supply standards for water quality and quantity administered by the State Water Resources Control Board, Division of Drinking Water.

Regarding General Plan Policy PF-H.2, the project will comply with the California Code of Regulations Title 24 – Fire Code and join Community Facilities District No. 2010-01 of the Fresno County Fire Protection District.

## XII. MINERAL RESOURCES

Would the project:

- A. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state; or
- B. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local General Plan, Specific Plan or other land use plan?

FINDING: NO IMPACT:

Per Figure 7-8 of the Fresno County General Plan Background Report, the project site is not located within a mineral-producing area of the County.

## XIII. NOISE

Would the project result in:

- A. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Noise from increased vehicular traffic on and around the project site due to the construction of fire station would be less than significant. Construction-related noises are expected to be short term and exempt from compliance with the Fresno County Noise Ordinance, provided construction activities occur between the hours of 6:00 a.m. to 9:00 p.m. Monday through Friday and 7:00 a.m. to 5:00 p.m. Saturday and Sunday.

The project will adhere to Mitigation Measure No. 19.a - Noise, listed in the Millerton Specific Plan Mitigation Measures and Monitoring Program Matrix, which requires that projects adjacent to Millerton Road, shall provide shielding incorporated into the specific design of buildings in the form of noise barriers.

- B. Generation of excessive ground-borne vibration or ground-borne noise levels?

FINDING: NO IMPACT:

The construction or operation of the project would not result in ground-borne vibration or generate ground-borne noise levels.

- C. For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, exposure of people residing or working in the project area to excessive noise levels?

FINDING: NO IMPACT:

The project site is not near an airport to be subject to airport noise. The nearest airport, Topham Ranch-Auberry Airport, is approximately 11.5 miles northeast of the site.

#### XIV. POPULATION AND HOUSING

Would the project:

- A. Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?
- B. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

FINDING: NO IMPACT:

A project like the proposed fire station is unrelated to population growth. The project would not induce population growth, displace housing, or displace a substantial number of people, necessitating the construction of replacement housing elsewhere.

#### XV. PUBLIC SERVICES

Would the project:

- A. Result in substantial adverse physical impacts associated with the provision of new or physically-altered governmental facilities, or the need for new or physically-altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the following public services:
  - 1. Fire protection?

FINDING: LESS THAN SIGNIFICANT IMPACT:

According to the Fresno County Fire Protection District, the project shall comply with the California Code of Regulations Title 24 – Fire Code and obtain approval of County-approved site plans by the Fire District prior to the issuance of building permits by the County. The project shall also adhere to Water Flow Requirements, Fire Hydrants, Water Storage Requirements, Fire Sprinklers Systems, Fire Pumps, Fire Alarm Systems, Road Access, Premises Identification, Public Resources Code 4290, Title 15.60 County Ordinance, and California Code of Regulations: Title 14 Natural Resources 1272.00. Maintenance of Defensible Space Measures. Additionally, the project may require joining Community Facilities District No. 2010-01 of the Fresno County Fire Protection District. These requirements will be included as Project Notes.

The project will adhere to Fire Protection Mitigation Measures (No. 6.a - e) listed in the Millerton Specific Plan Mitigation Measures and Monitoring Program Matrix. These measures relate to fee establishment for Fire Protection Benefit Assessment District for new fire station, costs support for fire protection services, road design to accommodate fire-fighting equipment, and site planning as it relates to fire protection measures incorporated into the project design.

2. Police protection?
3. Schools?
4. Parks?
5. Other public facilities?

FINDING: NO IMPACT:

The project will have no impact on police protection, parks, schools, or other public facilities.

#### XVI. RECREATION

Would the project:

- A. Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated; or
- B. Include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?

FINDING: NO IMPACT:

The project will not increase the use of existing neighborhood and regional parks or require construction or expansion of such facilities.

#### XVII. TRANSPORTATION

Would the project:

- A. Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The proposed fire station will employ up to eight (8) staff. Up to four (4) will be administrative staff and the remaining will be safety staff (fire crew).

The Design Division of the Fresno County Department of Public Works and Planning reviewed the subject proposal and required a trip generation and Vehicle Miles Traveled (VMT) screening analysis for the project. A *Millerton Fire Station Trip Generation Analysis* was prepared for the project by JLB Traffic Engineering, Inc and dated February 9, 2021. Per the *Analysis*, the proposed Project is estimated to generate a maximum of 36 daily trips, which is substantially lower than the 500 daily trip threshold for the preparation of a TIS and also lower than the 110 daily trip threshold for the preparation of a VMT analysis. The project is estimated to generate a maximum of 3 AM and 4 PM peak hour trips which is less than the 10 peak hour trip threshold at an intersection for the preparation of a TIS. As such, the proposed Project does not have the potential to affect either a State Highway facility or roadways within another jurisdiction and the preparation of a TIS should not be necessary.

Both the Design Division and Road Maintenance and Operations Division of the Fresno County Department of Public Works and Planning reviewed the *Analysis*, concurred with its findings, and expressed no concerns related to traffic. The Road Maintenance and Operations Division, however, indicated that Millerton Road is classified as an Arterial in the county general Plan with an existing 30-foot right-of-way south of section line. The ultimate right-of-way width south of section line is 53 feet. As such, a Condition of Approval would require that a 23-foot in additional right-of-way across the parcel frontage on Millerton Road shall be provided with a 30-foot by 30-foot corner cut-off for visibility at the corner of Millerton Road and Morningside way.

The California Department of Transportation also reviewed the subject proposal and determined that the project will have a less than significant impact to State routes.

B. Conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?

FINDING: NO IMPACT:

Per the *Millerton Fire Station Trip Generation Analysis*, the project is estimated to yield fewer than 110 daily net new trips and will not lead to a significant VMT impact. As such, a VMT analysis is not warranted.

C. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The Road Maintenance & Operations division reviewed the proposal and requires the following: 1) if the entrance to the project site off Millerton Road is not far enough west to avoid conflict with the future left hand turn pocket onto north Morningside Road, the entrance shall be abandoned when the future road is constructed; 2) a staging pocket for westbound fire trucks to wait to make the left turn into the driveway shall be provided to accommodate two of the largest vehicles (it is not intended as a deceleration lane); and 3) an "ENTRANCE ONLY" sign shall be posted at the entrance and centerline striping for the gores and left turn staging pocket will be double yellow except where a solid white line is appropriate; thus making a right out a moving violation. Adherence to

these requirements as Conditions of Approval will minimize any traffic hazard related to road design and ingress/egress to the property.

D. Result in inadequate emergency access?

FINDING: NO IMPACT:

The project would not result in inadequate emergency access. Design of the proposed fire station include adequate number of ingress and egress to the site from abutting roadways for regular and emergency uses.

## XVIII. TRIBAL CULTURAL RESOURCES

Would the project:

- A. Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:
1. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k); or
  2. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1? (In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.)

FINDING: LESS THAN SIGNIFICANT IMPACT:

The subject property is in an area designated as highly or moderately sensitive for archeological resources. Pursuant to Assembly Bill (AB) 52, the subject proposal was routed to the Santa Rosa Rancheria Tachi Yokut Tribe, Picayune Rancheria of the Chukchansi Indians, Dumna Wo Wah Tribal Government, and Table Mountain Rancheria offering them an opportunity to consult under Public Resources Code (PRC) Section 21080.3(b) with a 30-day window to formally respond to the County letter. No tribe requested consultation, resulting in no further action on the part of the County. The Table Mountain Rancheria, however, requested to be informed in the unlikely event that cultural resources are identified on the property. With the Mitigation Measure included in Section V. Cultural Resources CULTURAL ANALYSIS of this report any potential impact to tribal cultural resources as defined in Public Resources Code Section 21074 will be reduced to less than significant.

## XIX. UTILITIES AND SERVICE SYSTEMS

Would the project:

- A. Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?

FINDING: LESS THAN SIGNIFICANT IMPACT:

See discussion in Section VII. E. GEOLOGY AND SOILS and Section X. B. HYDROLOGY AND WATER QUALITY above. The construction of any new or expanded electric power, or natural gas to provide for the proposed fire station will be minimal to have any significant environmental effects.

- B. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

FINDING: LESS THAN SIGNIFICANT IMPACT:

See discussion in Section X. B. HYDROLOGY AND WATER QUALITY above.

- C. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

FINDING: LESS THAN SIGNIFICANT IMPACT:

See discussion in Section VII. E. GEOLOGY AND SOILS above.

- D. Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals; or

- E. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

FINDING: LESS THAN SIGNIFICANT IMPACT:

A local waste hauler designated to provide refuse and recyclable material removal as required by County Ordinance will serve the project site. Operation of the proposed fire station would generate less than significant amounts of solid waste to impact local landfill. As such, the impact would be a less than significant impact. The impact would be further reduced with the adherence to Mitigation Measure No. 8.a-c., Solid Waste Management, listed in the approved Millerton Specific Plan Mitigation Measures and Monitoring Program Matrix, which requires community recycling centers and encourages solid waste recycling.

XX. WILDFIRE

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

- A. Substantially impair an adopted emergency response plan or emergency evacuation plan, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects; or
- B. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire; or
- C. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment; or
- D. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Although, the project is located within the State Responsibility Area (SRA), it would not impair any emergency response/evacuation plan, exacerbate wildfire risks due to slope, prevailing winds, and other factors to require installation or maintenance of associated infrastructure, or create risks related to downstream flooding due to drainage changes or landslides.

## XXI. MANDATORY FINDINGS OF SIGNIFICANCE

Would the project:

- A. Have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project site is located within an area of wildlife and wetlands which were previously identified in the Environmental Impact Report certified for the Millerton Specific Plan approved in 1984. As indicated in the above analysis, the project will adhere to Mitigation Measures listed in the Monitoring Program Matrix, Avoidance and Minimization Measures noted in the Biological Opinion (BO) for Millerton Specific Plan, and listed in Section IV of this report.

Regarding impact to cultural resources, the project will adhere to Mitigation Measures listed in the Millerton Specific Plan Mitigation Measures and Monitoring Program Matrix and in Section V. A.B.C.D. of this report.

- B. Have impacts that are individually limited, but cumulatively considerable (“cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project was analyzed for potential impacts, and appropriate project-specific Mitigation Measures have been developed to reduce project impacts to less than significant levels. The project is required to comply with applicable County policies and ordinances. The incremental contribution by the proposed project to overall development in the area is less than significant.

The project will adhere to the permitting requirements and rules and regulations set forth by the Fresno County Grading and Drainage Ordinance, the San Joaquin Air Pollution Control District, and the California Code of Regulations Fire Code. No cumulatively considerable impacts relating to Agricultural and Forestry Resources, Air Quality, or Transportation were identified in the project analysis. Impacts identified for Aesthetics, Biological Resources, Cultural Resources, and Energy will be addressed with the Mitigation Measures discussed above in Section I, Section IV, Section V and Section VI.

- C. Have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?

FINDING: NO IMPACT:

No substantial impacts on human beings, either directly or indirectly, were identified in the analysis.

## **CONCLUSION/SUMMARY**

Based upon Initial Study No. 7980 prepared for General Plan Amendment Application No. 564; and Conditional Use Permit Application No. 3693, staff has concluded that the project will not have a significant effect on the environment. No potential impacts were identified related to agricultural and forestry resources, population and housing, recreation, and mineral resources.

Impacts related to air quality, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, noise, public services, transportation, tribal cultural resources, utilities and service systems, and wild fire have been determined to be less than significant.

Impacts related to aesthetics, biological resources, cultural resources, and energy have been determined to be less than significant with adherence to the proposed Mitigation Measures.

A Mitigated Negative Declaration is recommended and is subject to approval by the decision-making body. The Initial Study is available for review at 2220 Tulare Street, Ste. "A", Fresno, CA.

EA:

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