



# County of Fresno

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

## EVALUATION OF ENVIRONMENTAL IMPACTS

**APPLICANT:** Precision Engineering / David Brinkley – Kelly Harman

**APPLICATION NOS.:** Initial Study Application No. 7940 and Pre-Application for Certificate of Compliance No. 3529

**DESCRIPTION:** To create a 1.5-acre gift-deed parcel from an existing 32.96-acre parcel located in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.

**LOCATION:** The subject property is located at the northeast corner of Shain Avenue and Evans Avenue, approximately eight miles northwest of the nearest city limits of the City of Firebaugh (Sup. Dist.: 1) (APN: 001-280-14) (15976 Evans Avenue)

### 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:**

No scenic vista or scenic resource has been identified on or near the project site. According to Figure OS-2 of the Fresno County General Plan, there are no scenic roadways fronting the project site.

- 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 point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

**FINDING: NO IMPACT:**

The subject parcel is located in an agricultural setting and no new development is being proposed. The purpose of the project is to create a homesite parcel for the applicant's daughter to live on while also contributing to the existing farming operation. The

applicant's daughter will live in the existing single-family residence. Therefore, based on the proposal, there will be no impact.

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

FINDING: NO IMPACT:

The subject application will not directly create a new source of light or glare. There is no development being proposed. The proposed homesite parcel already has an existing single-family residence that will remain, and the remainder parcel contains existing vineyards.

## 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?

FINDING: NO IMPACT:

The existing parcel is enrolled in the Williamson Act Program under Contract No. 2592. Pursuant to the Fresno County Williamson Act Program Guidelines, parcels that are enrolled in the Program are required to have at least 20 acres of Prime Soil and an active agricultural operation, or at least 40 acres of Non-Prime Soil and an active agricultural operation to be eligible to remain in the Williamson Act Program. The proposed 1.5-acre parcel does not qualify to remain in the Program and must be removed from the Program through the contract cancellation process. The Partial Cancellation Petition of the 1.5-acre parcel is currently in process and is known as Revision of Land Conservation Contract (RLCC) No. 1017. This Initial Study is required for Cancellation Petitions. Once RLCC No. 1017 is approved and complete, there will be no conflict with Williamson Act Contract No. 2592.

According to Section 816.5-A.2.a.b.(2) of the Fresno County Zoning Ordinance, the creation of homesites less than the minimum acreage indicated by the District acreage

designation (Exclusive Agricultural, 20-acre minimum parcel size Zone District), may be permitted if a condition listed can be made. In this case, the following condition can be made:

The lot or lots to be created are intended as a conveyance or devise exclusively for use by a person related to the owner by adoption, blood, or marriage within the second degree of consanguinity and only for persons involved in the farming operation; the existing lot before division contains a minimum of twenty (20) gross acres; there is only one (1) lot per related person, or per related married couple, and there is no more than one lot per each twenty (20) gross acres. As stated previously, this proposal is to create a 1.5-acre gift deed from a 32.95-acre parcel.

- 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?

FINDING: NO IMPACT:

The project site is not located in forest land, timberland, or timberland zoned Timberland Production. The project will not result in the loss of forest land or conversion of forest land to non-forest use.

- 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: LESS THAN SIGNIFICANT IMPACT:

The proposed parcel split will not involve changes to the existing environment that could result in conversion of Farmland to non-agricultural use. There will be no change to the land after the recording of the gift deed. The applicant would just like to split off the existing home from the farm so that the applicant's daughter can reside in the existing single-family residence while also working on the existing farm on the proposed remainder parcel. The remainder of the proposed parcel would still be utilized for agricultural production and would not substantially change the nature of the use or affect surrounding parcels.

### 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; or

- B. Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under a Federal or State ambient air quality standard?

FINDING: NO IMPACT:

The project is to allow creation of a 1.5-acre homesite parcel for the landowner's daughter to live and help work on the farm, no additional construction activity will occur. The project will not conflict with or obstruct implementation of the applicable Air Quality Plan and will not result in a cumulatively considerable net increase of any criteria pollutant.

- C. Expose sensitive receptors to substantial pollutant concentrations; or
- D. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

FINDING: NO IMPACT:

The project site is currently utilized as an agricultural operation with the property improved with vineyards. Both the agricultural operation and the existing single-family residence are not uses that are associated with substantial pollutant generation and will not expose sensitive receptors to substantial pollutant concentrations. The project will not result in other emissions adversely affecting a substantial number of people.

#### 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?

FINDING: NO IMPACT:

According to the California Natural Diversity Database, the project site is not located within any reported occurrence areas of a special status species. The proposal is to create a new parcel from an existing parcel. The subject parcel is actively being farmed. Based on current conditions, the parcel experiences disturbance that would deter special status species from inhabiting the subject parcel. In considering current conditions, the project proposal, and potential future development, the project will not substantially adversely affect any special status species directly or through habitat modification.

- 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; or

- 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: LESS THAN SIGNIFICANT IMPACT:

According to the National Wetlands Inventory, the subject parcel is located along the boundaries of identified wetlands. Although the subject parcel is located near the identified wetlands, the proposed parcel will not have an adverse effect on the wetland as the parcel is separated by a grade differential. Also, it appears that the identified wetland occurs on the adjacent parcel, Fresno County requires that drainage of a parcel be confined so as not to drain on neighboring properties. Based on these factors, the project is not expected to adversely affect any identified wetlands. There are no riparian or other sensitive natural community identified on or near the subject parcel.

- 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?

FINDING: NO IMPACT:

The project will not interfere substantially with the movement of any native resident or migratory fish or wildlife species. No native resident or migratory wildlife corridor or native wildlife nursery site has been identified on the subject parcel. The subject parcel is currently being utilized for agricultural purposes and disturbance of the site has deterred wildlife species from inhabiting the site.

- 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:

The project will not conflict with any local, state, or federal policies or ordinances protecting biological resources. The project also will not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state Habitat Conservation Plan.

## 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: NO IMPACT:

The project proposes to create a gift-deed parcel from an existing 32.95-acre parcel. The property is currently utilized for agricultural and has experienced ground disturbance from the agricultural use. As no historical or archaeological resources has been identified on or near the project and considering past ground disturbing activities related to the existing agricultural use, no impact is seen on Cultural Resources.

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

FINDING: NO IMPACT:

The project proposes to create a gift-deed parcel from an existing parcel. The project will not result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resource as there is not project construction or operation proposed. Therefore, 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?

FINDING: NO IMPACT:

According to the Earthquake Zone Application administered by the California Department of Conservation, the proposed parcels are not located within a rupture of a known earthquake fault. Additionally, per Figure 9-3 of the Fresno County General Plan

Background Report (FCGPBR), the parcel is not located near any other identified Earthquake Hazard Zones.

2. Strong seismic ground shaking?

3. Seismic-related ground failure, including liquefaction?

FINDING: NO IMPACT:

According to Figure 9-5 of the FCGPBR, the subject parcel is not located in an area identified as being in a likely seismic hazard area. Based on this, the project site not likely to be subject to strong seismic ground shaking or seismic-related ground failure due to the strong seismic shaking.

4. Landslides?

FINDING: NO IMPACT:

According to Figure 9-6 of the FCGPBR, the project site is not located in identified Landslide Hazard areas.

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

FINDING: NO IMPACT:

The project proposal requests creation of a gift-deed parcel with not proposed construction or grading activity. The existing parcel is actively farmed and contains a single-family residence. The project will not result in substantial soil erosion.

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:

The proposal is not located on a geologic unit or soil that is unstable, 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.

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:

Per Figure 7-1 of the Fresno County General Plan Background Report (FCGPBR), the subject parcel is not located in identified Expansive Soil areas.

- 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: NO IMPACT:

Due to the size of the proposed gift-deed parcel to be under two acres in size, a Nitrogen Loading Analysis was conducted during the week of June 1, 2021 to determine if the existing on-site septic system could adequately serve the existing residence with a reduced parcel configuration. Based on the analysis conducted by Public Works and Planning staff at the request of the project applicant, it was determined that the existing septic system could continue to serve the existing residence with a reduced parcel size configuration.

The project proposal is specifically to create a parcel with no development being included with this proposal. The Applicant has indicated that the subject proposal would stay the same and be utilized for the existing agricultural operation and for the landowner's daughter to reside in the existing single-family residence to help assist in the active farming operation. If the proposed parcel were to be developed, the project site would be subject to building permits including for any proposed septic system or alternative wastewater disposal system. No other reviewing agencies and departments indicated that the subject site would not be able to adequately support the use of septic tanks or alternative wastewater disposal systems.

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

FINDING: NO IMPACT:

There are no identified unique paleontological resource or unique geologic feature identified on the project site.

## 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; or
- 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:

The project proposal will allow creation of a gift-deed parcel and a remainder parcel. The Applicant has indicated that the proposed parcel's use will be utilized as a home site for the daughter. There is an existing single-family residence and no development is

proposed. The project proposal will not directly generate greenhouse gas emissions, but if further development of the parcel were to occur, by-right uses under the Exclusive Agricultural (AE) Zone District are not expected to generate greenhouse gas emissions that would have a significant impact on the environment. Additional uses subject to land-use permits would address impacts related to the proposed use. The San Joaquin Valley Air Pollution Control District (SJVAPCD) has been given the opportunity to review and provide comments on the project. There were no expressed concerns from SJVAPCD to indicate that the project proposal would conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gas emissions.

## VIII. 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?

FINDING: NO IMPACT:

The project is to allow creation of a homesite parcel from an existing 32.96-acre parcel. The existing parcel is actively farmed. The proposal will not create a significant hazard to the public through the transport, use, or disposal of hazardous materials, nor will it create a significant hazard to the public or environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.

- 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: NO IMPACT:

The project site does not emit hazardous emissions or handle hazardous materials and is not located within one-quarter mile of an existing or proposed school 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, would it create a significant hazard to the public or the environment?

FINDING: NO IMPACT:

Per a NEPAssist report generated for the project site, there are no hazardous material sites located on or near the project site.

- 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, would the project result in a safety hazard or excessive noise for people residing or working in the project area?

FINDING: NO IMPACT:

The project site is not located within an airport land use plan or within two miles of a public airport or public use airport.

- F. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan; or
- G. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

FINDING: NO IMPACT:

Reviewing agencies and departments did not express concerns to indicate that the project would impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. The project will not expose people or structures to a significant risk of loss, injury, or death involving wildland fires.

#### X. HYDROLOGY AND WATER QUALITY

Would the project:

- A. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality; or
- B. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

FINDING: NO IMPACT:

The Water and Natural Resources Division and the State Water Resources Control Board did not express concerns that the project would violate water quality standards or waste discharge requirements, nor were concerns expressed to indicate that the project would substantially decrease groundwater supplies or interfere with groundwater recharge. The proposal to create a gift-deed parcel from an existing 32.96-acre parcel. There is no additional site development being proposed that is directly linked to the PCOC Application. Any development that would occur if the PCOC Application is approved would be subject to permits and review that will address water usage.

- 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 result in substantial erosion or siltation on or off site?

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

FINDING: NO IMPACT:

The proposal is to create a gift-deed parcel from the existing 32.96-acre parcel. There is no development being proposed directly with the PCOC Application. The project will not result in the altering of drainage patterns of the site or alter any course of a stream or river. The project will not result in substantial erosion or siltation. The rate or amount of surface runoff will not increase from the project proposal. Per Fresno County standards, stormwater runoff should not be drained across property lines and be kept onsite. There are no planned stormwater drainage systems that service the project area. The project will not create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems and will not provide additional sources of polluted runoff. Per FEMA FIRM Panel 0975H, the project site is not subject to flooding from the 100-year storm, therefore the project will not impede or redirect flood flow.

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

FINDING: NO IMPACT:

Per FEMA FIRM Panel 0975H, the project site is not subject to flooding from the 100-year storm. There are no bodies of water near the project site that would indicate the site is at increased risk from tsunami or seiche zones.

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

FINDING: NO IMPACT:

Reviewing agencies and departments did not express concern with the project to indicate that the proposal would conflict with or obstruct implementation of a water quality control plan or sustainable management plan.

## XI. LAND USE AND PLANNING

Would the project:

A. Physically divide an established community?

FINDING: NO IMPACT:

The project proposal will not physically divide an established community.

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: NO IMPACT:

Development in Fresno County is required to be consistent with the Fresno County General Plan. Goal LU-A reads “To promote the long-term conservation of productive and potentially productive agricultural lands and to accommodate agricultural-support services and agriculturally-related activities that support the viability of agriculture and further the County’s economic development goals.” This goal relates to the environmental impacts of the loss of farmland and is supported by the following policies:

- LU-A.6: The County shall maintain twenty acres as the minimum permitted parcel size in areas designated Agriculture, except as provided in Policies LU-A.9, LU-A.10, and LU-A.11. The County may require parcel sizes larger than twenty (20) acres, based on zoning, local agricultural conditions, and to help ensure the viability of agricultural operations.
- LU-A.7: The County shall generally deny requests to create parcels less than the minimum size specified in Policy LU-A.6 based on concerns that these parcels are less viable economic farming units and that the resultant increase in residential density increases the potential for conflict with normal agricultural practices on adjacent parcels...the decision-making body shall consider the negative incremental and cumulative effects such land divisions have on the agricultural community.
- LU-A.9: The County may allow creation of home site parcels smaller than the minimum parcel size required by Policy LU-A.6, if the parcel involved in the division is at least twenty (20) acres in size, subject to the following criteria:
  - a. The minimum lot size shall be sixty thousand (60,000) square feet of gross area, except that a lesser area shall be permitted when the owner submits evidence satisfactory to the Health Officer that the soils meet the Water Quality Control Board Guidelines for liquid waste disposal, but in no event shall the lot be less than one (1) gross acre; and
  - b. One of the following conditions exist:
    - 1. A lot less than twenty (20) acres is required for financing construction of a residence to be owned and occupied by the owner of abutting property; or

2. The lot or lots to be created are intended for use by persons involved in the farming operation and related to the owner by adoption, blood, or marriage within the second degree of consanguinity, there is only one (1) lot per related person, and there is no more than one (1) gift lot per twenty (20) acres; or

3. The present owner owned the property prior to the date these policies were implemented and wishes to retain his/her home site and sell the remaining acreage for agricultural purposes.

The above-mentioned policies are consistent with the proposal and therefore are consistent with the General Plan.

## 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:

According to Figure 7-7 of the Fresno County General Plan Background Report (FCGPBR) the project site is not located on or near any identified mineral resource locations. Additionally, the project proposal does not directly indicate development of the project site that would result in the loss of availability of a known mineral resource or resource recovery site.

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

FINDING: NO IMPACT:

No physical or noise generating on-site changes are associated with this proposal to create a 1.5-acre gift-deed parcel from an existing 32.96-acre parcel. There is no development or proposed use involved with this project that would result in generation of substantial noise levels, ground-borne vibrations, or ground-borne noise levels. Existing land uses for the surrounding area are agricultural or residential in nature. The

subject parcel is utilized for vineyard cultivation and does not produce noise in excess of the standard noise generation associated with agricultural uses.

- 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, would the project expose people residing or working in the project area to excessive noise levels; or

FINDING: NO IMPACT:

The project site is not located within two miles of a private airstrip, airport land use plan, public airport or public use airport.

#### 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)?; or
- B. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

FINDING: NO IMPACT:

The project proposal will not result in substantial population growth, nor does it propose any development that would induce substantial population growth. The project site is utilized for agricultural cultivation with an existing onsite. The project proposes to split the subject parcel into two parcels and will not displace people or housing.

#### 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 public services?

- 1. Fire protection;

FINDING: NO IMPACT:

The Fresno County Fire Protection District (FCFPD) reviewed the subject application and did not express concerns to indicate that the proposal would result in adverse impacts on service ratios, response times, or other performance objectives.

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

FINDING: NO IMPACT:

Reviewing agencies did not express concerns to indicate that the project would result in impacts on service ratios, response times, or other performance objectives to the listed services.

## 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 result in an increase use of existing neighborhood and regional parks or other recreational facilities and will not require the construction or expansion of recreational facilities.

## XVI. 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: NO IMPACT:

Reviewing agencies and departments did not express concern to indicate that the proposal conflicts with a program, plan, ordinance or policy addressing the circulation system.

- B. Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?

FINDING: NO IMPACT:

There is no increase in traffic trip generation or vehicle miles traveled associated with the project proposal. The project site is currently utilized for agricultural cultivation with traffic generation associated with the agricultural operation. There is no direct development proposed with the project. Potential development of the site associated with by-right uses of the underlying zone district are not expected to conflict with or be inconsistent with CEQA Guidelines.

- C. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?; or
- D. Result in inadequate emergency access?

FINDING: NO IMPACT:

Reviewing agencies and departments did not express concerns regarding the design features of the project or regarding emergency access to indicate that the project will result in hazards or inadequate emergency access.

#### XVIII. TRIBAL CULTURAL RESOURCES

Would the project:

- A. Would the project 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: NO IMPACT:

Per Assembly Bill 52 (AB 52) participating California Native American Tribes were notified of the subject application and given the opportunity to enter into consultation with the County on discussing the presence of tribal cultural resources on or near the project site. One Tribe, the Santa Rosa Rancheria Tachi Yokut Tribe, requested notification if there are discoveries during ground disturbance. Staff notes that the proposal does not involve any ground disturbance. California Native American Tribe

expressed concern with the project proposal. Additionally, the subject parcel has historically been in agricultural use and has experienced ground disturbance resulting from the use. There is no development directly associated with the subject application. Therefore, it can be seen that the project does not have an impact on tribal cultural resources.

## 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; or
- B. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years; or
- 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; or
- 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: NO IMPACT:

The project proposes to create a 1.5-acre gift-deed parcel from an existing 32.96-acre parcel. There is no development proposed with this project. Any future development would be subject to all applicable federal, state, and local standards. As there is no development directly involved with the subject application, the project will not require the relocation or construction of water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities. The subject site has been historically utilized for agricultural purposes. There is no direct development proposed with this application, therefore no change in water usage will occur. The project will not produce wastewater; therefore, no impact will occur on capacity. Solid waste generation will not increase as a result of the project; therefore, the project will comply with federal, state and local management and reduction statutes and regulation.

## 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: NO IMPACT:

According to the 2007 Fresno County Fire Hazard Severity Zones in LRA Map by the California Department of Forestry and Fire Protection (Cal Fire), the project site is located in Local Responsibility Area. According to the map, the project site is located not located in a very high, high, or moderated area fire hazard. If future development of the site were to occur, development would be subject to applicable fire and building code standards. The project will not result in adverse impacts associated with wildfires.

## 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: NO IMPACT:

Based on the project scope, no proposal for new development associated with the application, and current agricultural use, the project does not have the potential to substantially degrade the quality of the environment or reduce the habitat of a fish or wildlife species.

- 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: NO IMPACT:

There are no cumulatively considerable impacts identified from the analysis of the subject proposal.

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

FINDING: NO IMPACT:

There were no identified environmental effects that could substantially cause adverse effects on human beings.

## **CONCLUSION/SUMMARY**

Based upon the Initial Study prepared for Pre-Application for Certificate of Compliance No. 3529, staff has concluded that the project will not have a significant effect on the environment. It has been determined that there would be no impacts to Aesthetics, Agricultural and Forestry Resources, Air Quality, Biological Resources, Cultural Resources, Energy, Geology and Soils, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use Planning, Mineral Resources, Noise, Population and Housing, Public Services, Recreation, Transportation, Tribal Cultural Resources, Utilities and Service Systems, and Wildfire.

A 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, Suite A, street level, located on the southwest corner of Tulare and "M" Street, Fresno, California.

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