



County of Fresno

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

EVALUATION OF ENVIRONMENTAL IMPACTS

- APPLICANT: Trafalgar Land Company
- APPLICATION NOS.: Initial Study No. 8021 and Classified Conditional Use Permit Application No. 3699
- DESCRIPTION: Allow the processing, storage and sale of agricultural chemicals on a 2.09-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.
- LOCATION: The subject parcel is located on the north side of E. Conejo Avenue approximately 1,290 feet east of its intersection with S. Cedar Avenue and is approximately 7.2 miles west of the City of Selma (2246 E. Conejo Avenue, Fresno, CA) (042-310-03) (SUP.DIST. 4).

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 is located in a mainly agricultural area. E. Conejo Avenue is not a designated scenic roadway. There are no scenic vistas, or any other scenic resources identified as being affected by the project proposal.

- 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 application intends to utilize the existing structures for their operation. There is no proposed additional development associated with this project with minor

improvements proposed for the interior of the existing structures. Therefore, in considering the project proposal, the project is not expected to substantially degrade the existing visual character and would not have an impact on the quality of public views of the site and its surroundings.

- 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:

Per the Applicant's Operational Statement, outdoor lighting is proposed as part of a security system to deter theft. A mitigation measure will be implemented so that the design and placement of these new sources of light and glare will have minimal impact on the surrounding properties and public right-of-way.

* **Mitigation Measure(s)**

1. *All outdoor lighting shall be hooded and directed downward so as not to shine on adjacent properties or public right-of-way.*

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?

FINDING: NO IMPACT:

Per the 2016 Fresno County Important Farmland Map, the project site is located on land designated Prime Farmland. However, recent aerial images of the site indicate that the subject parcel has been improved with the subject buildings and has not been in active agricultural production for more than 20 years. Building permit records further reinforce the improved nature of the subject parcel. Therefore, although designated Prime Farmland, the subject parcel has not been in agricultural production in recent times. The project proposal would utilize the existing built environment for their operation and would not convert additional agricultural land to a non-agricultural use.

- B. Conflict with existing zoning for agricultural use, or a Williamson Act Contract?

FINDING: NO IMPACT:

The project proposal is an allowed use under the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District subject to approval of a Classified Conditional Use Permit and therefore does not conflict with the agricultural zoning. The subject parcel is not under Williamson Act Contract.

- 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 subject parcel is located in a mainly agricultural area. The project site is not zoned for 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 THE SIGNIFICANT IMPACT:

The subject application is not likely to result in changes to the existing environment that could result in further conversion of farmland to non-agricultural use or conversion of forest land to non-forest use. The proposed operation intends to produce fertilizer products for use among the surrounding agricultural area. The underlying zone district is still in place to deter non-agricultural uses from encroaching into the area. Therefore, in considering the proposed agriculturally supportive use, and the surrounding zone district for agriculture, a less than significant impact is seen.

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. 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 San Joaquin Valley Air Pollution Control District has reviewed the project and indicated in their comments that construction-related emissions resulting from the project are expected have a less than significant impact. Additional considerations from the SJVAPCD in regard to the operation of the proposed use include District Rules 2010 and 2201 for air quality permitting for stationary sources, District Rule 9510 for indirect source review, and District Rule 4002 for national emissions standards for hazardous air pollutants. As these are rules and regulations required by a regulatory agency, these comments are to be included as Project Notes with the Conditional Use Permit being processed in concurrence with this environmental document. With the project's further compliance of rules and regulations required by the San Joaquin Valley Air Pollution Control District, the project will have a less than significant impact in terms of criteria pollutants and would not conflict with or obstruct implementation of an applicable Air Quality Plan.

- 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: LESS THAN SIGNIFICANT IMPACT:

The nearest sensitive receptor is located approximately 400 feet southeast of the project site. The San Joaquin Valley Air Pollution Control District has reviewed the subject application and did not express concern with the project in terms of pollutant concentrations or adverse odors. The Department of Public Health, Environmental Health Division requires that the project follow state and local standards for reporting and storing hazardous materials. As there were no concerns expressed by the Air District and with implementation of regulatory requirements on storing and handling any hazardous materials, the operation will have a less than significant impact on pollutant concentrations of adverse odors affecting sensitive receptors.

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: NO IMPACT:

The project proposes to utilize the existing buildings towards their operation. The subject property is already improved with two buildings that will house the main

production operation and a single-family residence that is proposed to be converted to an office. The surrounding area is utilized for agriculture or residential uses and is not likely to be occupied by a special-status species due to the disturbed nature of the site and surrounding area. There was no riparian habitat or other sensitive natural community identified on or near the subject property. Therefore, the project will not have a substantial adverse effect on special status species and would not adversely affect sensitive habitat.

- 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:

According to the National Wetlands Inventory, there are no identified wetlands in the vicinity of the project site.

- 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:

There were no identified wildlife corridor or wildlife nursery site that would be impacted by the project proposal. As noted, the project site is already improved with the main structures that would interfere with movement of a native resident. In considering that existing environment, the project will not interfere with the movement of a native resident.

- 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:

There were no local policies or ordinances protecting biological resources or an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state Habitat Conservation Plan identified as being in conflict with the project proposal.

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 applicant proposes to utilize the existing structures to house the operation. There is minimal ground disturbance associated with the improvements that will bring the project into operation. Notification of the project with tribal governments under the provisions of Assembly Bill 52 did not result in consultation or expressed concerns from the notified tribal governments to indicate that a cultural or historical resource is on the site. Although unlikely, a mitigation measure will be implemented for this project to ensure that in the event that a cultural resource is unearthed during ground-disturbing activities, actions will be taken to assess and protect the resource.

* **Mitigation Measure(s)**

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project is expected to be built to current building code standards, which will take into account standard energy efficiency standards for a building. The increased energy draw when considering the existing conditions is not expected to result in potentially significant environmental effects and 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:

Per the Earthquake Hazard Zone Web Application maintained by the California Department of Conservation, the project site is not located on or near an earthquake fault of known rupture of an earthquake fault.

2. Strong seismic ground shaking?
3. Seismic-related ground failure, including liquefaction?

FINDING: NO IMPACT:

Per Figure 9-5 of the Fresno County General Plan Background Report (FCGPBR), in the event of a seismic hazard occurring, the project site is located on land identified as having a 0% to 20% peak horizontal ground acceleration. The FCGPBR indicates that the potential of ground shaking is minimal in Fresno County. Due to the minimal peak horizontal ground acceleration risk and minimal ground shaking risk, the project be subject to adverse risk from ground shaking or seismic-related ground failure.

4. Landslides?

FINDING: NO IMPACT:

As depicted in Figure 9-6 of the FCGPBR, the project site is not located in an identified moderate landslide hazard area.

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

FINDING: NO IMPACT:

Review of aerial images of the subject site and consistent with the Applicant's Operational Statement and submitted plans, the project site is already developed with a single-family residence and two accessory structures. Per the Operational Statement, the Applicant intends to utilize the existing structures for the proposed operation and does not require the development of additional structures. In considering the already

developed nature of the site, the project will not result in substantial soil erosion or loss of topsoil.

- 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:

There was no geologic unit or unstable soil identified on the project site. As noted, the site is already improved with the existing structures planned to be utilized for the operation.

- C. 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:

According to Figure 7-1 of the FCGPBR, the project site is not located on areas identified as having soils exhibiting moderately high to high expansion potential.

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

FINDING: NO IMPACT:

The project site is already improved with a septic tank for the existing single-family residence. No additional septic system is proposed. Development of an additional septic system will be subject to permit and inspection per Fresno County LAMP standards.

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

FINDING: NO IMPACT:

No unique paleontological or geologic feature was 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 subject operation will have up to three employees on-site and deliveries on an average of one truck a week during the highest activity period. Per the Applicant's Operational Statement, the estimate may increase due to demand. Equipment associated with the project and estimated trips generated by the proposal is expected to have a marginal increase in greenhouse gas emissions with the largest impacts coming from mobile sources (employee and delivery-based trips). Reviewing agencies and departments did not express concern with the operation in terms of greenhouse gas emission and no applicable plan, policy or regulation were identified to be in conflict with the proposed operation.

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: LESS THAN SIGNIFICANT IMPACT:

The Department of Public Health, Environmental Health Division (EHD) has reviewed the subject application provided State and local regulatory comments for the reporting, handling, and storage of hazardous materials. These regulatory comments are to be included as project notes for the application. With the project's compliance with state and local regulatory comments, the project will not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials or through the 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 is not located within one-quarter mile of an existing or proposed school.

- 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 the NEPAssist database, the subject parcel is not included on a list of hazardous material sites compiled pursuant to Government Code Section 65962.5 and would not create a significant hazard 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, 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 concern with the project to indicate that the proposed operation would impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan or expose people or structures to 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 Control Board and the State Water Resources Control Board reviewed the subject application and did not indicate that the project would result in the violation of any water quality standard or waste discharge requirement or would impede sustainable groundwater management. The Water and Natural Resources Division commented that the water supply for this area is adequate to support the proposal and that the project site is not located within an area of the County defined as being a water short area.

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;

FINDING: NO IMPACT:

Per the Operational Statement, the project proposal intends to utilize the existing structures towards the proposed operation. Minimal changes in the built environment will occur reducing the potential for substantial erosion or siltation of the site. The subject area is on relatively flat land and drainage patterns are not likely to change when the operation of the use occurs.

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?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The Development Engineering Section of the Fresno County Department of Public Works and Planning will require that an Engineered Grading and Drainage Plan be required to show how additional storm water runoff generated by the project will be handled without adversely impacting adjacent properties. This requirement will determine if facilities are needed to further address surface runoff and per County standards, surface runoff from the project site shall be retained on site and not drain across property lines or into road right-of-way. With compliance of County standards, the project will have a less than significant impact in terms of surface runoff.

4. Impede or redirect flood flows?

FINDING: NO IMPACT:

According to FEMA FIRM Panels 2625H and 2650H, the subject parcel is not subject to flooding from the 100-year storm. Therefore, the project will not impede or redirect flood flows.

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

FINDING: NO IMPACT:

As noted, the subject parcel is not subject to flooding from the 100-year storm and is not located near a body of water to indicate increase risk from a tsunami or seiche. Therefore, no impact is seen.

- 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 application to indicate that the project will 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 is located on a 2.09-acre parcel and would 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. The following policies support this goal through careful consideration of the proposed use and protection of agricultural operations.

- Policy LU-A.3 provides criteria to be considered when a discretionary permit for special agricultural uses and agriculturally-related activities is being applied for.
- Policy LU-A.12, 13, and 14 are policies that protect agricultural activities from encroachment of incompatible land uses and mitigate any conversion of productive agricultural land.

In considering the relation of the subject proposal with the identified policies, the proposed use is agriculturally supportive by providing ag-supportive products to their

intended customers in a more efficient location. Per the Fresno County Zoning Ordinance, the subject application is an allowed use subject to the Classified Conditional Use Permit. Buffers in the form of setbacks established by the underlying zone district provide a minimum buffer distance from existing agricultural operations based on the property lines. Compliance of the development standards of the underlying zone district will allow the project to be consistent with the identified General Plan policies. Additionally, the subject parcel is approximately 2.09 acres and has already been developed with a single-family residence and accessory structures. The existing use and size of the subject parcel would not be considered feasible for an agricultural operation. In considering these factors, the project will have no impact on the Fresno County General Plan in long-term conservation of productive agriculture.

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 and 7-8 of the Fresno County General Plan Background Report, the project site is not located on an identified mineral resource location or principal mineral producing location.

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: LESS THAN SIGNIFICANT IMPACT:

Review of the subject proposal by the Department of Public Health, Environmental Health Division indicates that the project would be subject to the County of Fresno Noise Ordinance. With the application having the potential of exposing nearby residents to elevated noise levels, the operator will be subject to further review of noise impacts, should the project be reported for noise violations and exceed thresholds established under the Noise Ordinance. The nearest sensitive receptor is located approximately 400 feet southwest of the structures proposed to house the operation. In considering comments provided by the Environmental Health Division, the projects

proximity to sensitive receptors, and the required compliance of the operation with the Fresno County Noise Ordinance, the project will have a less than significant impact in terms of increased noise level generation.

- 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 in the vicinity of a private airstrip or airport land use plan and is not located within two miles of a 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 subject application proposes to utilize the existing structures for their operation. The project will not induce substantial unplanned population growth nor will it displace a substantial number of 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 has reviewed the subject application. Provided comments included compliance with current Fire and Building Code. There

were no expressed concerns by the FCFPD to indicate that the project would require the provision of new or physically-altered facilities.

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

FINDING: NO IMPACT:

Reviewing agencies and departments did not comment on the project to indicate the provision of new or physically-altered facilities in order to maintain acceptable service ratios, response times or other performance objectives.

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 or require the construction or expansion of recreational facilities or existing neighborhood and regional parks.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

Review of the project proposal and estimated trips generated by the project did not require the preparation of a Traffic Impact Study or Vehicle Miles Traveled Analysis. Both the California Department of Transportation and the Road Maintenance and

Operations Division further reviewed the project and did not provide concerns to indicate that the project would be in conflict with a program, plan, ordinance or policy addressing the circulation system, nor indicate that the project would be in conflict with CEQA Guidelines Section 15064.3. Per the Applicant's Operational Statement, the project will have up to three employees and approximately 1 delivery per week. In addressing the trips generated by the project, a less than significant impact is seen.

- 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:

Review of the project design depicts access to the site off Kamm Avenue with no additional access points proposed. Review of the site access design by the Road Maintenance and Operations Division indicate that County design standards for entrance gates and drive approaches will be upheld and an encroachment permit will be required for any work performed in County right-of-way. Review of the site access design did not indicate that the project would result in 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: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

Per the provisions of 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 of Fresno on identifying and address potential tribal cultural resources. No concerns were expressed by reviewing California Native American tribes to indicate the presence of tribal cultural resources. Therefore, in the unlikely event that

a cultural resource is identified during ground-disturbing activities, a mitigation measure will be implemented on correctly assessing and addressing any unearthed resource.

* **Mitigation Measure(s)**

1. *See Section V Cultural Resources, A., B., and C. Mitigation Measure #1*

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?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project would not result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities which would cause significant environmental effects. Minor upgrades to existing infrastructure may occur to the site but would not result in significant environmental effects.

The Water and Natural Resources Division and the State Water Resources Control Board have reviewed the subject application and did not express concern with the available water supplies of the area or specific permitting for water facilities.

- 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: NO IMPACT:

The subject operation expects to utilize an existing private septic system for wastewater treatment and does not anticipate further expansion. Review of the proposal by the Zoning Section and the Environmental Health Division did not indicate the need for additional wastewater treatment facilities.

- 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:

Reviewing agencies and departments did not express concern with the project to indicate that the project would result in the generation of solid waste in excess of State or local standards nor would it result in conflict with federal, state, or local management and reduction statutes and regulations related to solid waste.

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:

Per the 2007 Fresno County Fire Hazard Severity Zones in LRA Map provided by the California Department of Forestry and Fire Protection, the project site is not located within a State Responsibility Area and not located within land designated for a very high fire hazard severity zone.

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:

The subject site is already improved with a single-family residence and accessory structures. Due to the previous disturbed nature of the site and the scope of the proposed operation, the project would not substantially degrade the quality of the environment and would not result in the reduction of wildlife below self-sustaining levels.

- 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:

Project impacts related to Aesthetics, Cultural Resources, and Tribal Cultural Resources have been determined to have a less than significant impact with the implementation of recommended mitigation measures. These impacts were determined to be not cumulatively considerable.

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

FINDING: NO IMPACT:

The project would not result in substantial adverse effects on human beings.

CONCLUSION/SUMMARY

Based upon the Initial Study prepared for Classified Conditional Use Permit Application No. 3699, 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 Biological Resources, Geology and Soils, Land Use Planning, Mineral Resources, Population and Housing, Public Services, Recreation and Wildfire.

Potential impacts related to Agricultural and Forestry Resources, Air Quality, Energy, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Hydrology and Water Quality, Noise, Transportation, Utilities and Service Systems have been determined to be less than significant. Potential impacts relating to Aesthetics, Cultural Resources, and Tribal Cultural Resources have determined to be less than significant with compliance of recommended 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, Suite A, street level, located on the southwest corner of Tulare and “M” Street, Fresno, California.

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