



County of Fresno

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

EVALUATION OF ENVIRONMENTAL IMPACTS

- APPLICANT: Ken and Suzan Blair
- APPLICATION NOS.: Initial Study No. 8111 and Classified Conditional Use Permit Application No. 3717
- DESCRIPTION: Amend CUP No. 2402 to add micro-brewery and tasting room as a new use to the uses currently allowed for an existing Agriculture Commercial Center on a 1.87-acre parcel in the AE-20 (Exclusive Agriculture; 20-acre minimum parcel size) Zone District.
- LOCATION: The project site is located on the east side of N. Academy Avenue, approximately 217 feet north of the intersection of Academy and Shaw Avenues, and 3.9 miles east of the nearest city limits of the City of Clovis (APN: 308-400-19) (5054 N. Academy Avenue) (Sup. Dist. 5)

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 westerly half of the 1.87-acre project site is developed with a shopping center/mall, parking, and related improvements whereas the easterly half of the site is undeveloped. Land in the vicinity is either fallow or developed with single-family homes. The project site fronts on Academy Avenue which is not identified as a scenic drive in the County General Plan. No scenic vistas or scenic resources including trees, rock outcroppings, or historic buildings exist on or near the site. The project will have no impact on scenic resources.

- 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: NO IMPACT:

The project site is in a non-urbanized area of Fresno County. The adjacent parcels to the north and south of the site are developed with a 2,400 square foot convenience store, canopied gasoline-pump islands, 4,800 square-foot feed and supply store, parking, and related improvements. Land in the immediate vicinity is either fallow or developed with single-family homes. The nearest single-family residence is located approximately 405 feet southwest and a mini market (commercial development) is located approximately 277 feet south of the project site.

The project involves no new construction or improvements on the property. The project will add micro-brewery and tasting room as an additional use to the uses authorized by CUP No. 2404. The proposed use will occupy two of the five vacant tenant spaces (Suite A =2,412 sq. ft. and Suite B =1,275 sq. ft.) inside an existing 8,000 square-foot shopping center/mall. Due to no development proposed, the project will have no change in the current visuals of the surrounding area. No impacts would occur.

- 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 project will not add new outdoor lighting. During nightly operation, the existing hooded lighting will illuminate the site.

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 Department 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

FINDING: NO IMPACT:

The project site is classified as Urban and Built-Up Land on the 2016 Fresno County Important Farmland Map and is developed with a shopping center/mall authorized by CUP No. 2402. The project will result in no loss of Prime Farmland, either individual or cumulative.

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

FINDING: NO IMPACT:

The project is an allowed use on the property zoned for agriculture with a discretionary land use approval. The project site is not enrolled in Williamson Act Program.

- C. Conflict with existing zoning for forest land, timberland or timberland zoned Timberland Production?
- 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 forestland to non-forest use?

FINDING: NO IMPACT:

The project site is not forest land or timberland. Zoned as an agricultural land, the site is developed with improvements related to an Agriculture Commercial Center which was authorized by CUP No. 2402. The project will not bring any changes to the fallow and/or active farmlands in the area.

The Fresno County Agricultural Commissioners' Office provided no comments on the project.

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?
- 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?
- C. Expose sensitive receptors to substantial pollutant concentrations?

FINDING: NO IMPACT:

FINDING: LESS THAN SIGNIFICANT IMPACT:

According to the San Joaquin Valley Air Pollution Control District (District), the project involves no new construction or a structure for the purpose of increasing capacity or activity. For that reason, the project does not meet the definition of a "Development Project", as defined in District Rule 9510 section 3.13 and is not subject to the District Rule 9510 requirements and related fees.

The District further stated that the project specific annual emissions from construction and operation emissions of criteria pollutants are not expected to exceed any of the District significance thresholds: 100 tons per year of carbon monoxide (CO), 10 tons per year of oxides of nitrogen (NOx), 10 tons per year of reactive organic gases (ROG), 27 tons per year of oxides of sulfur (SOx), 15 tons per year of particulate matter of 10 microns or less in size (PM10), or 15 tons per year of particulate matter of 2.5 microns or less in size (PM2.5). As such, the project will not be in conflict with the applicable Air Quality Plan, 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 or expose sensitive receptors to substantial pollutant concentrations.

The project, however, may be subject to the District Regulation VIII, (Fugitive PM10 Prohibitions), Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations) and District Rule 4002 (National Emission Standards for Hazardous Air Pollutants), in the event an existing building will be renovated, partially demolished, or removed. The project applicant has been advised of the District rule which will be included as Project Notes.

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

FINDING: NO IMPACT:

The project will not generate any objectionable odors. The San Joaquin Valley Air Pollution Control District expressed no concerns related to odor.

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; 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: NO IMPACT:

As noted above, the project site is developed with a shopping center/mall and paved parking and circulation areas. The site contains no riparian features, or wetlands, or waters under the jurisdiction of the United States.

The surrounding farmlands are fallow, disturbed with prior farming operations, and provides no habitat for state or federally listed species.

The project was referred to the California Department of Fish and Wildlife and the U.S. Fish and Wildlife Service comments. Neither agency commented on the project.

- 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 site is not located within any designated wildlife movement corridor and contains no wildlife nursery sites, or fisheries resources.

- E. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

FINDING: NO IMPACT:

The project will not conflict with any local policies or ordinances protecting biological resources.

- 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 the provision of any Habitat Conservation Plan or Natural Community Conservation Plan for the area.

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 site is not in an area of moderate sensitivity to archaeological finds. The project requires no ground disturbance. No impact to archeological resources would occur.

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?

FINDING: NO IMPACT:

The project involves no new construction or site development which could be subject to inefficient, wasteful, or unnecessary energy use.

- 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?

FINDING: NO IMPACT:

Per Figure 9-5 of the Fresno County General Plan Background Report, the project site is in an area which has 10 percent probability of seismic hazard in 50 years with peak horizontal ground acceleration of 0 to 20 percent.

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. The project site is flat with no topographical variations, which precludes the possibility of landslides.

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

FINDING: NO IMPACT:

Per Figure 7-3 of the Fresno County General Plan Background Report, the project site is not in an area of erosion hazards. The project will not increase the net impervious surface or change the existing drainage patterns.

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:

As noted above, the project site is flat with no topographical variations. The site bears no potential for on or offsite landslide, lateral spreading, subsidence, liquefaction, or collapse due to the project-related improvements.

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 2000 Fresno County General Plan Background Report, the project site is not in an area of moderately to highly expansive soils.

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 existing improvement on the property are not connected to a community sewer system and the project will not trigger expansion of or construction of a new onsite

sewage disposal system. When established onsite, the proposed uses will utilize the existing sewage disposal system.

Per the Fresno County Department of Public Health, Environmental Health Division (Health Department), a Project Note would require that the applicant consider having the existing septic tanks pumped and having the tank and leach lines evaluated by a licensed contractor if it has not been serviced and/or maintained within the last five years; make necessary repairs, additions, or require the proper destruction of the system; and install a new system.

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

FINDING: NO 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?
- 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 San Joaquin Valley Air Pollution Control District have not adopted threshold of significance for construction related GHG emissions. As the project involves no new construction on the property, no construction related GHG emissions would result.

Regarding operation related GHG emissions, the project would generate limited traffic trips as discussed in Section XVII below. However, it is expected that any long-term greenhouse gas emissions impact resulting from the proposed uses would be less than significant.

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 Department of Public Health, Environmental Health Division (Health Department) reviewed the project and requires the following as Project Notes. The 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. The project shall submit a Hazardous Materials Business Plan pursuant to the HSC, Division 20, Chapter 6.95.

The project is not located within one-quarter mile of a school. The nearest school, Brighton Academy Preschool School, is approximately 6.7 miles west 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, would it create a significant hazard to the public or the environment?

FINDING: NO IMPACT:

Per the U.S. EPA's NEPAassist, the project site is not listed as a hazardous materials 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, 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 8.6 miles southwest of the project site. The airport will not create safety hazard or be a source of excessive noise for the project.

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

FINDING: NO IMPACT:

The project site is in an area where existing emergency response times for fire protection, emergency medical services, and sheriff protection meet adopted standards. 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.

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

FINDING: NO IMPACT:

Per Figure 9-9 of the Fresno County General Plan Background Report, the project site is outside of the State Responsibility area for wildland fire protection.

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 SIGNIFICATION IMPACT:

See discussion in Section VII. E. GEOLOGY AND SOILS above regarding wastewater discharge.

Per the Fresno County Department of Public Health, Environmental Health Division (Health Department), to protect groundwater quality, the project shall adhere to the following requirements included as Project Notes: 1) all water wells and/or septic systems that exist or have been abandoned within the project area shall be properly destroyed by a licensed contractor; and 2) for any underground storage tank(s) found during construction, an Underground Storage Tank Removal Permit shall be obtained from the Health Department.

Per the State Water Resources Control Board (SWRCB), Division of Drinking Water (DDW), the project site is currently regulated as public water system. Water to the existing shopping center/mall, which will house the proposed use, is provided by Johnny Quick Water System located on the adjacent southerly parcel. The agency expressed no concerns regarding impact on groundwater quality resulting from the project.

- 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:

The project site is not in a low water area of Fresno County. The Water and Natural Resources Division of the Fresno County Department of Public Works and Planning stated that the proposed uses will not result in an increased water usage compared to the water usage by the previous retail businesses located inside the existing shopping center/mall. Impact would be less than significant.

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?
2. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off site?
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 United States Geological Survey Quad Maps shows no natural drainage channel crossing the project site.

With no new improvements proposed on the property, the project will result in no changes in the current absorption rates, drainage patterns, or the rate and amount of surface runoff on the property. However, should there be any grading proposed with this application, a grading permit/voucher may be required from the Development Engineering Section of the Fresno County Department of Public Works and Planning.

The Central Valley Water Board reviewed the project and requires that no discharge of processing wastewater from the brewery shall be allowed to the onsite septic system. Also, the system shall meet the County's LAMP (Local Area Management Plan) requirements. These requirements will be included as Conditions of Approval.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

According to FEMA FIRM Panel 1620H, the southerly portion of the area of the subject property is within the Flood Zone A subject to flooding from the 100-year storm. Any development within the Special Flood Hazard Area shall conform to provisions established in Fresno County Ordinance Code Title 15, Chapter 15.48 Flood Hazard Areas.

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 will not divide an established community. The project site is outside of the nearest boundary of the City of Fresno.

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 as Agriculture in the Fresno County General Plan and is outside of the Sphere of Influence (SOI) of a city. The project will not conflict with any land use plan, policy, or regulation of a city.

The project would allow micro-brewery and tasting room as a new use added to the existing uses allowed by CUP No. 2402 (Agriculture Commercial Center) on a 1.87-acre parcel. The project complies with the following General Plan policies:

Regarding compliance with General Plan Policy LU-A.3, criteria a., c., d., e., 1. & 2, the project involves no new construction. The project will: 1) add micro-brewery and tasting room as a new use to the uses previously allowed by CUP No. 2402 and will be located inside an existing shopping center/mall; 2) serve public of which many will be from the farming communities; 3) not use additional water more than the water used by previous retail uses to impact properties in the area; 4) be provided with adequate work force from the nearby City of Fresno and City of Sanger; and 5) cluster with other existing retail uses inside the existing shopping center/mall.

Regarding compliance with General Plan Policy LU-A.13, the proposed use will occupy two vacant retail spaces (Suite A & Suite B) inside a shopping center/mall. Due to no new development proposed or any changes to the existing improvements on the property, the separation between the Agriculture Commercial Center and the surrounding in-active farmland will remain as is.

Regarding compliance with General Plan Policy PF-C.17., the project site is not in a low water area of Fresno County. The project water consumption is not expected to be higher than water consumption by previous uses.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

Any noise exposure resulting from the proposed use inside a commercial building to the nearest residential dwelling, located approximately 684 feet southwest from the commercial building, would be less than significant.

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 will not result in an increase of housing, nor will it otherwise induce population growth.

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:

Per the Fresno County Fire Protection District (District), the project shall comply with California Code of Regulations Title 24 – Fire Code and California Code of Regulations Title 19 and construction plans shall be submitted to the County prior to receiving District's conditions of approval for the project. Additionally, the project may require annexation into the Community Facilities District No. 2010-01. These requirements will be included as Project Notes.

- 2. Police protection?

- 3. Schools; or

- 4. Parks; or

- 5. Other public facilities?

FINDING: NO IMPACT:

The project will not impact the existing public services or result in the need for additional public services related to police protection, schools, or parks.

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 does not involve residential development which may increase demand for neighborhood and regional parks, or other recreational facilities in the area.

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; or

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project site borders with Academy Avenue which is designated as Expressway in the County General Plan. The project area is rural in nature and per the Transportation and Circulation Element of the County General Plan it is planned for rural bikeways.

The applicant-provided Traffic ITE Estimate for the project indicates that net increase in total trips generated by the proposed use (micro-brewery and tasting room) is insignificant and the cumulative contribution to background traffic on Academy and Shaw Avenues is similarly insignificant and practically imperceptible. Therefore, the project requires no further traffic analysis.

The Design and Road Maintenance & Operations Divisions of the Fresno County Department of Public Works and Planning concurred with the findings of the Traffic ITE Estimate and the Operational Statement and determined that a Traffic Impact Study is not required for the project.

- B. Be in conflict or be inconsistent with the California Environmental Quality Act (CEQA) Guidelines Section 15064.3, subdivision (b)?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The State of California Governor's Office of Planning and Research document entitled *Technical Advisory on Evaluating Transportation Impacts* in CEQA dated December 2018 (OPR Technical Advisory) indicates that projects that generate or attract fewer than 110 trips per day generally may be presumed to cause a less-than-significant transportation impact. The OPR Technical Advisory states: "By adding retail opportunities into the urban fabric and thereby improving retail destination proximity, local-serving retail development tends to shorten trips and reduce Vehicle Miles Traveled (VMT).

The project involves tenants leasing of two vacant spaces by the proposed micro-brewery and tasting room inside an existing shopping center/mall. The proposed use

along with other established uses inside the building would reduce vehicle travel by providing a more proximate retail destination and is presumed to have a less than significant impact on VMT. As such, the project would create a less than-significant transportation impact.

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

FINDING: NO IMPACT:

The existing ingress and egress to the project site off Academy and Shaw Avenues will not be impacted by the project. They will remain operational during regular business hours and during any emergencies.

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: NO IMPACT:

The subject parcel is in an area of moderate sensitivity to archaeological finds. Pursuant to AB (Assembly Bill) 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 by the County.

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 above. The project will not result in need for the expansion of electric power and/or natural gas to the project site.

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

FINDING: NO 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:

The solid waste generated by the project include 100 gallons per month brewing waste and regular solid waste. All solid wastes will be sent to local land-fill site through regular trash collection service. The impact would be less than significant.

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:

The project site is not located within or near a State Responsibility Area for wildfire.

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 project will have no impact on biological or cultural resources. It would not degrade the quality of the environment; 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; or reduce the number or restrict the range of an endangered, rare, or threatened 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: LESS THAN SIGNIFICANT IMPACT:

Each of the projects located within Fresno County has been or would be analyzed for potential impacts, and appropriate project-specific Mitigation Measures are developed to reduce that project’s impacts to less than significant levels. Projects are 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 be subject to the permitting requirements and rules and regulations set forth by the Fresno County Grading and Drainage Ordinance, San Joaquin Air Pollution Control District, and California Code of Regulations Fire Code. The project does not involve new development. As such, no cumulatively considerable impacts relating to Agricultural and Forestry Resources, or Air quality were identified in the project analysis.

- 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. 8111 prepared for Classified Conditional Use Permit Application No. 3717, 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 agriculture and forestry resources, air quality, biological resources, energy, greenhouse gas emissions, mineral resources, population and housing, recreation, tribal cultural resources, or wildlife.

Potential impacts related to geology and soils, hazards and hazardous materials, hydrology and water quality, land use and planning, noise, public services, transportation, utilities and service systems have been determined to be less than significant.

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" Streets, Fresno, California.

EA:jp

G:\4360Devs&PIn\PROJSEC\PROJDOCS\CUP\3700-3799\3717\CUP 3717 Amended\CEQA\CUP 3717 IS wp.docx