



County of Fresno

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

EVALUATION OF ENVIRONMENTAL IMPACTS

APPLICANT: Dirk Poeschel

APPLICATION NOS.: Initial Study Application No. 8238, Classified Conditional Use Permit Application No. 3744

DESCRIPTION: Amend CUP No. 3546 for a rural commercial center to allow rental Agricultural Equipment at an existing 2.28-acre personal/ recreational storage facility within the R-R (Rural Residential, 2-acre minimum parcel size) Zone District.

LOCATION: The project site is located on the west side of State Route (SR) 168 (Auberry Road) approximately 470 feet west of the intersection of SR 168/Lodge Road in the unincorporated community of Prather (APN: 128-430-68) (30455 Auberry Rd.) (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

FINDING: NO IMPACT:

Surrounding uses include a mobile home park, nursery, single-family residential units and vacant lands. The area is surrounded by mostly flat terrain with scenic views of the Sierra Mountains to the east. The proposed development is located on the north side of Auberry Road and will not interfere with the view of the mountains for travelers along Auberry Road.

- B. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway; or

FINDING: LESS THAN SIGNIFICANT IMPACT:

Auberry Road (State Route 168) is identified as a Scenic Roadway in the Fresno County General Plan (Open Space Element). Under General Plan Policy OS-L.3, development on a Scenic Roadway shall adhere to a 200-foot setback of natural open space. However, the policy provides for flexibility if the project dimensions preclude

such setback. In this case, the parcel size and configuration prohibit reasonable application of the 200-foot setback. The subject property is limited in size (2.28 acres) and irregular in shape and would be difficult to accommodate the proposed development without encroaching into the required 200-foot natural open space setback. The said setback will also be impacted by additional eight-foot right-of-way along State Route 168 (Auberry Road) as required by the California Department of Transportation. Therefore, the 50-foot setback being proposed not only meets Sierra-North Regional Plan policy but is also consistent with the flexibility identified in the General Plan Policy OS-L.3.

- 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; or

FINDING: LESS THAN SIGNIFICANT IMPACT:

The increased storage area is not expected to result in a significant impact towards publicly accessible vantage points. As per the applicant's operational statement and review of the parcel, the site has an existing block wall on the east side and chain link fence surrounding the property line of the property effectively shielding the agricultural equipment from view. Other forms of landscaping provide a natural barrier further obscuring any unsightly views.

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

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

The project will include installation of outdoor lighting on the buildings and in the parking area. To minimize any light and glare impacts resulting from this proposal, a mitigation measure would require that all lighting shall be hooded and directed as to not shine toward adjacent property and public streets.

* **Mitigation Measure**

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

II. AGRICULTURAL AND FORESTRY RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California 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:

Per the 2016 Fresno County Important Farmland Map, the subject parcel is designated "D" Urban and Built-Up Land. Therefore, the project would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance.

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

FINDING: NO IMPACT:

The subject parcel is zoned for residential use. The subject parcel is not subject to a Williamson Act Contract. The project will not conflict with the existing zoning for agricultural use and would not conflict with the 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; or

FINDING: NO IMPACT:

The subject parcel is not zoned for forest land or timberland, and therefore will not result in the loss of forest land or the conversion of forest land or farmland to incompatible uses.

- 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: LESS THAN SIGNIFICANT IMPACT:

The proposed project will be placed on an existing disturbed site. Given its limited scope, this proposed project is not expected to significantly affect farmland nor forest.

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; or

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project has been routed to the San Joaquin Valley Air Pollution Control District (SJVAPCD) for review and comment. The SJVAPCD did not express concern with the project to indicate that the project would result in a conflict with an applicable Air Quality Plan or result in cumulatively considerable net increase of any criteria pollutant. Project construction is anticipated to result in minor temporary increases in criteria pollutants, however, the minor increases resulting from construction are not anticipated to result in a significant impact.

Per the Applicant's Operational Statement, increase in construction is anticipated to be temporarily generate criteria pollutants, this generation is not expected to be long-term or in an occasional use where a cumulatively considerable net increase of criteria pollutants would occur.

- 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 project involves the clearing of vegetation and grading of the proposed equipment area. While it is expected that there will be some dust and particulate matter released into the air during construction activities, the overall area of ground disturbance would be limited to the proposed lease areas.

Given its limited scope, this proposed project is not expected to conflict with or obstruct implementation of the applicable Air Quality Plan or violate any air quality standard or result in a cumulatively considerable net increase in any criteria pollutant for which the project region is designated a non-attainment area, under ambient air-quality standard. The proposal will be subject to General Plan Policy OS-G.14, which requires that all access roads, driveways, and parking areas serving new commercial and industrial development to be constructed with materials that minimize particulate emissions and are appropriate to the scale and intensity of the use.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The proposed project is not adverse effect, either directly or through habitat modifications, on any species as the proposed project is within a developed area, and therefore will have a less than significant impact on habitat.

- 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; or

FINDING: NO IMPACT:

According to the National Wetlands Inventory mapper web application, the project site does not contain wetlands. The project will not be located or affect any wetlands. No riparian habitat or other sensitive natural community was identified on 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; or

FINDING: NO IMPACT:

The project does not cut off movement of the site for any wildlife resident. No migratory wildlife corridor or native wildlife nursery site was identified on the project 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: LESS THAN SIGNIFICANT IMPACT:

The proposed project will allow for the expansion of a previously approved 21,600 square foot mini storage facility by increasing the storage capacity by 2,720 square feet for purposes of renting equipment. Reviewing Agencies and Departments did not identify a local policy or ordinance adopted for the protection of a biological resource that would conflict with the project proposal. No Habitat Conservation Plan, Natural Community Conservation Plan or other approved local, regional, or state Habitat Conservation Plans were identified as conflicting 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:

No reviewing Agencies and Departments express concern with the project to indicate that a cultural or historical resource is present on the site and would be affected by the project proposal. However, a mitigation measure will be implemented in the event that a cultural resource is identified during ground-disturbing activities related to project development. The proposed project doesn't have significant ground disturbance and is going to be implemented in the existing towers imprint. The follow mitigation measure should be implemented in the case any cultural resources are found or unearthed during construction.

* **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 shall be followed by photos, reports, video, and 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:

No specific information was provided regarding the fuel efficiencies of the off road construction time frame, however given the nature of the project, it is not anticipated to have a significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources during construction or operation.

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?

FINDING: NO IMPACT:

The project site does not contain any active earthquake faults. The project area is designated as Seismic Design Category C in the California Geological Survey and the project construction will be subject to the Seismic Zone 3 Standards. The project will not expose people or structures to seismic or landslide hazards.

- 3. Seismic-related ground failure, including liquefaction?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Per Figure 9-5 of the FCGPBR, the project site is located in a probabilistic seismic hazard zone with a 40-60 percent peak horizontal ground acceleration. The FCGPBR also suggests that soil types within County are not conducive to liquefaction due to soils being either too coarse or too high in clay content. Additionally, the project proposal will be an unmanned structure reducing the risk of loss, injury or death. Reviewing Agencies and Departments did not express any concerns with regards to seismic-related ground failure

- 4. Landslides?

FINDING: LESS THAN SIGNIFICANT IMPACT:

According to the Figure 9-6 of the FCGPBR, the project is an area of shallow subsidence landslide hazard area. The project will be built within existing facilities imprint and be set to the California Building Code standards. Review Agencies and Departments did not express any concerns with regards to landslides.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The proposed development will result in compaction and over covering of soil due to the construction of buildings (storage building, caretaker residence/office) and parking and circulation areas. Changes in topography and erosion could also result from grading for the project.

According to the Development Engineering Section of the Fresno County Department of Public Works and Planning: 1) an Engineered Grading and Drainage Plan shall be required to show how additional storm water runoff generated by the proposal will be handled without adversely impacting adjacent properties; 2) a Grading Permit or Voucher shall be required for any grading proposed with this application; and 3) any additional runoff generated by the proposed development shall be retained on site per County Standards. Included as Project Notes, these requirements will be addressed through Site Plan Review recommended as a Condition of Approval.

- 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; or

FINDING: LESS THAN SIGNIFICANT IMPACT:

According to Figure 9-6 of the FCGPBR. The project site is located in an identified shallow subsidence area. Although the FCGPBR identifies this area as being in a shallow subsidence area, the U.S. Geological Survey (USGS) maintains a map of areas of land subsidence in California. Based on the map provided by the USGS, the project site is not located in an area of recorded subsidence. The project will be built to current California Building Code Standards and will account for soil conditions of the proposed site. Additionally, the operational aspects of the proposal will not increase the amount of groundwater usage which has been identified as a key factor in land subsidence. As the project is located in the identified shallow subsidence area, considering the standards and regulations in place, the operational aspects of the proposal, and USGS records stating that the project site is not located in recorded land subsided areas, the project will have a less than significant impact.

- 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; or

FINDING: NO IMPACT:

According to Figure 7-1 of the FCGPBR, the project site is not located on identified areas having 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; or

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

FINDING: NO IMPACT:

The operational characteristics of the proposal will not require a septic system or alternative wastewater disposal system to be installed. No unique paleontological or unique geologic features were 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:

According to the applicant's Greenhouse Gas Emissions Analysis, the project is expected to result in minor increases to greenhouse gas emissions during the construction of the project, however once construction is complete, pre-project conditions would return. No excessive pollutant concentrations are expected to be generated by the proposed use as the equipment used will run with all applicable pollution control devices built per California energy conservation standards. Operation of the facility is not anticipated to result in continuous greenhouse gas emissions where an impact could occur. Reviewing Agencies and Departments did not identify any conflicts with the project and an applicable plan, policy or regulation adopted for the purpose of reducing emissions of greenhouse gases.

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

FINDING: NO IMPACT:

The project is not located on a hazardous materials site nor would it create a significant hazard to the public or the environment. No concerns were expressed by the Fresno County Department of Public Health, Environmental Health Division.

- C. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school; or

FINDING: NO IMPACT:

The project site is not located within one-quarter mile of an existing or proposed school. For reference, Western Christian Academy is located approximately 0.40-miles south of the site. As noted, the project is not anticipating use of any hazardous materials which would not emit hazardous emissions within one-quarter mile of a 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; or

FINDING: NO IMPACT:

According to the NEPAassist Database, the project site is not located on a listed hazardous materials site and the project would not result or 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, result in a safety hazard or excessive noise for people residing or working in the project area; or

FINDING: NO IMPACT:

The project site is not located within an Airport Land Use Plan area, two miles of a public use airport, or in the vicinity of a private airstrip. The nearest airport, Tophan Ranch Auberry Airport, is approximately 3.5 miles north of the site.

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

FINDING: NO IMPACT:

The project does not include any characteristics (e.g., permanent road closures) that would physically impair or otherwise interfere with emergency response or evacuation in the project vicinity. The project will not conflict with an emergency response or evacuation plan.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project is located within the SRA (State Responsibility Area) boundary. The proposed development will be subject to applicable SRA Fire Safe Regulations, as they apply to driveway construction and access.

The subject proposal also includes a zero-foot side yard setback for storage the proposed buildings.

The Fresno County Fire Protection District reviewed the proposal, and given a 30-foot wide access easement that runs along north and west property lines providing buffer between the buildings and the improvements on the adjacent property, expressed no concerns with the request for a zero-foot side yard setback.

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; or

FINDING: LESS THAN SIGNIFICANT IMPACT:

See discussion above in Section VI. E. Geology and Soils regarding waste discharge requirements for the project.

The project will utilize an on-site domestic water well and was routed to the State Water Resources Control Board (SWRCB) – Division of Drinking Water (DDW) for comments on water quality requirements for the proposal. According to SWRCB – DDW, the proposed facility will not meet the definition of a public water system, with only 2 EE and 10 to 15 daily visitors estimated and therefore, they expressed no concerns with the project.

The Regional Water Quality Control Board also reviewed the proposal and identified no impact on groundwater quality.

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

FINDING: NO IMPACT:

The proposed project will not violate any water quality standards during construction, nor will it generate any waste discharge that would otherwise degrade surface water quality or violate quality standards or waste discharge requirements. The project will not affect groundwater supplies or recharge as no use of groundwater is proposed.

- 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:

According to the U.S.G.S. Quad map, there are no existing natural drainage channels adjacent to or running through the subject property.

As noted above in Section VI. B. Geology and Soils, any additional runoff generated by the proposed development will be retained on site per County Standards, an Engineered Grading and Drainage Plan will be required to show how additional storm water runoff generated by the proposal will be handled without adversely impacting adjacent properties, and a Grading Permit or Voucher may be required for any grading proposed with this application.

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

FINDING: NO IMPACT:

The project site is not located near a body of water of sufficient size to cause seiche (such as a large lake) or tsunami (such as the ocean). Figure 9-6 shows that the parcel is not located in an area of moderate or high landslide hazard and local topography is generally flat. There will be no impacts to risk of seiche, tsunami, or mudflow based on the parcel's location.

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

FINDING: NO IMPACT:

The subject application does not include provisions for the use of water on site, and no such use is anticipated. No sanitary facilities or potable water supplies are required. Project runoff will be retained on site or disposed of per County standards.

XI. LAND USE AND PLANNING

Would the project:

- A. Physically divide an established community; or

FINDING: NO IMPACT:

The project will not physically divide an established community. The nearest unincorporated community of Prather is approximately 3,838 feet west of the project site.

- 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 will not conflict with any land use plan, policy, or regulation of an agency with jurisdiction over the project. The project site is designated for Foothill Rural Residential in the Sierra-North Regional Plan. An Amendment to Text (AT) No. 372 was approved on July 12, 2016 which amended Section 867 of the Fresno County Zoning Ordinance (Rural Commercial Centers) to permit personal/recreational vehicle (RV) storage facilities for those properties located within the Sierra-North Regional Plan located proximate to two major roadways as so classified in the Circulation Element of the Fresno County General Plan. The subject property is one of those properties authorized for a personal/recreational vehicle (RV) storage facility by AT 372.

Policy LU-E.1 of the General Plan allows rural commercial centers by discretionary approval provided that they meet certain criteria a – h of the said policy. This Policy is met based on the approval of AT 372 as described above. The project also meets General Plan Policy OS-L.3, which requires that development on scenic highways adhere to a 200-foot setback of natural open space. However, the policy provides for flexibility if the project dimensions preclude such setback. In this case, the parcel size and configuration prohibits a 200-foot setback to accommodate the proposed development without encroaching into the required setback. Therefore, the 50-foot setback being proposed is consistent with the flexibility identified in General Plan Policy OS-L.3 as well as required by the Sierra-North Regional 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:

No mineral resource impacts were identified in the project analysis. The project site is not located in a mineral resources area identified in Figure 7-7 (FCGPBR).

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

Once construction is completed, the project operations are not expected to substantially increase the amount of noise compared to the existing operation. A minor increase in noise may occur due to the additional operating equipment but is not expected to exceed noise standards brought forth in the Fresno County Noise Ordinance, provided that noise-generating construction activity should be limited to the hours of 6:00 a.m. to 9:00 p.m. Monday through Friday and 7:00 a.m. to 5:00 p.m. Saturday and Sunday. The Fresno County Department of Public Health, Environmental Health Division has reviewed the project proposal and did not express any concerns with regards to noise.

- 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 near an airport. The nearest airport, Tophan Ranch Auberry Airport, is approximately 3.5 miles north of the site.

XIV. POPULATION AND HOUSING

Would the project:

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

FINDING: NO IMPACT:

No housing is proposed to be added or displaced with this application nor will the project significantly increase population growth in the area. The project will not displace housing or necessitate the construction of housing elsewhere.

XV. PUBLIC SERVICES

Would the project:

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

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project as reviewed by the Fresno County Fire Protection District (CalFire) will require compliance with the California Code of Regulations Title 24 – Fire Code, and approval of County-approved site plans by the Fire District prior to issuance of building permits by the County. The project may also be subject to joining the Community Facilities District (CFD) before plans are submitted to the Fresno County Fire Protection District. Included as Project Notes, these requirements will be addressed through Site Plan Review recommended as a Condition of Approval.

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 would not result in the need for new or expanded recreational facilities.

XVII. TRANSPORTATION

Would the project:

- A. Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities; or
- B. Be in conflict or be inconsistent with the California Environmental Quality Act (CEQA) Guidelines Section 15064.3, subdivision (b); or

FINDING: LESS THAN SIGNIFICANT IMPACT:

According to the Applicant's Operational Statement (Obtained from the previously approved CUP), the project is expected to generate approximately 20 to 30 one-way visitor trips (60 round trips) per day. In January 2019, the Natural Resources Agency certified the Office of Planning and Research's (OPR) proposed revisions, which resulted in the creation of Section 15064.3 of the CEQA Guidelines. OPR created a Technical Advisory (December 2018) (TA) as guidance for evaluating vehicle miles traveled (VMT) impacts. With the anticipated number of daily trips generated during construction and daily trips associated with operation, the project will generate less than 110 trips per day and can be assumed under guidance of the TA that the project would result in a less than significant impact.

The project site fronts State Route 168 (Auberry Road). According to the California Department of Transportation (Caltrans) the site is planned for an ultimate road right-of-way of 110 feet (the existing right-of-way is 94 feet). Caltrans requires an irrevocable offer of dedication of right-of-way of eight (8) feet to accommodate 55 feet from the dedicate centerline of the road. This requirement will be included as a Condition of Approval.

The Design Division of the Fresno County Department of Public Works and Planning also reviewed the proposal and expressed no concerns regarding traffic impact on county roadways.

- 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

FINDING: NO IMPACT:

The project will not change the existing road geometry.

- D. Result in inadequate emergency access?

FINDING: NO IMPACT:

Reviewing Agencies and Departments did not express concern with the project design or access to indicate that a hazard due to design features or inadequate emergency access will result from the project. The project will pose less than significant impacts affecting existing roadways, therefore emergency access will not be affected.

XVIII. TRIBAL CULTURAL RESOURCES

Would the project:

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

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

Participating California Native American Tribes were notified of the project proposal and given the opportunity to enter into consultation with the County of Fresno in addressing potential tribal cultural resources occurring on the project site. No notified California Native American Tribe expressed concern with the project and did not enter into consultation. The subject parcel has been previously disturbed. No reviewing Agency or Department provided comments to indicate that a listed or eligible historical resource is located on the project site. A Mitigation Measure will be implemented to establish procedure for the addressing of a tribal cultural resource, should it be identified during ground disturbing activities related to the project.

* **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 shall be followed by photos, reports, video, and etc. If such remains are determined to be Native American, the Sheriff-Coroner must notify the Native American Commission within 24 hours.

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

FINDING: NO IMPACT:

The project does not propose relocating nor constructing new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities. Reviewing Agencies and Departments did not identify any significant environmental effects as a result of the project.

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

FINDING: NO IMPACT:

The proposed use would not utilize water resources for the operation and would not have an impact on water supplies.

- 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

FINDING: NO IMPACT:

The project does not propose the development of a wastewater treatment system and would not have employees onsite where wastewater generation would occur. Therefore, the project does not necessitate a wastewater treatment provider.

- 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 will not require wastewater treatment, utilize any local water source, generate any solid waste, except that which would be incidental to construction, and would be required to be removed and disposed of at any appropriate landfill, or other facility authorized to handle such construction waste. Additionally, the project will be required to comply with all applicable regulations pertaining to the reduction of 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:

As depicted in the 2007 Fresno County Fire Hazard Severity Zones in LRA Map, produced by the California Department of Forestry and Fire Protection, the project site is not located within a very high fire hazard severity zone or within a State Responsibility Area (SRA).

XXI. MANDATORY FINDINGS OF SIGNIFICANCE

Would the project:

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

No impacts on biological resources were identified in the project analysis. Impacts on cultural resources have been reduced to a less than significant level with the Mitigation Measure discussed above in Section V. A. B. C. D. The project does not have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a wildlife species and would not cause a wildlife population to drop 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:

The project will adhere to permitting requirements and rules and regulations set forth by the Fresno County Grading and Drainage Ordinance, San Joaquin Valley Air Pollution Control District, and the California Code of Regulations Fire Code. The only cumulatively considerable impacts identified in the analysis were Aesthetics and Cultural Resources. Those impacts have been reduced to a less than significant level with the Mitigation Measures discussed above in Section I. D. and Section V. A. B. C. D.

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

FINDING: NO IMPACT:

The project has been determined to not result in substantial adverse effect on human beings.

CONCLUSION/SUMMARY

Based upon the Initial Study prepared for 8238 Unclassified Conditional Use Permit Application No. 3744, 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 agricultural and forestry resources, air quality, biological resources, greenhouse gas emissions, mineral resources, noise, population and housing, and recreation.

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

Potential impacts to aesthetics and cultural resources have been determined to be less than significant with the identified 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" Streets, Fresno, California.

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