

E202210000374

CITY OF FRESNO
NOTICE OF INTENT TO ADOPT A
NEGATIVE DECLARATION

Filed with the
FRESNO COUNTY CLERK
2220 Tulare Street, Fresno, CA 93721

ENVIRONMENTAL ASSESSMENT FOR
CONDITIONAL USE PERMIT
APPLICATION NO. P21-01102

FILED
DEC 30 2022 TIME 10:30am
FRESNO COUNTY CLERK
By *Liana Lopez* DEPUTY

APPLICANT:

Penny-Newman Grain Company
2989 South Golden State Boulevard
Fresno, CA 93725

PROJECT LOCATION:

2989 South Golden State Boulevard; Located north of the intersection of South Railroad Avenue and South Golden State Boulevard in the City and County of Fresno, California (See Exhibit A - Vicinity Map)

APN's: 487-150-13, 487-150-14, 487-150-15, 487-150-16, 487-020-17, 487-020-18, and 487-020-19

Site Latitude: 36°41'45" N
Site Longitude: 119°45'7" W
Mount Diablo Base & Meridian, Township 14S, Range 20E, Section 24

The full Initial Study and the Fresno General Plan Program Environmental Impact Report (PEIR) are on file in the Planning and Development Department, Fresno City Hall, 3rd Floor, Room 3043, 2600 Fresno Street, Fresno, CA 93721.

PROJECT DESCRIPTION:

Conditional Use Permit Application No. P21-01102 was filed by Lorren Smith of Harbour & Associates on behalf of Penny-Newman Grain Company and pertains to ± 43 acres of property located at the address referenced above. The applicant proposes to utilize an existing railroad storage and operations site as a storage and distribution facility for bulk agricultural commodities, such as cottonseed and canola meal and gypsum. The bulk agricultural commodities will be stored in open air storage piles within the project site. The proposed project would utilize the existing scale house and storage building for on-site for operations. No modifications would be made to the existing buildings. Additional on and off-site improvements are included, such as: the installation of a truck scale; portable belt conveyor devices; portable restrooms for employees; and lighting. The project includes 81 existing parking stalls.

E202210000374

The property is zoned IH (*Heavy Industrial*).

The City of Fresno has prepared an Initial Study of the above-described project and proposes to adopt a Negative Declaration. The environmental analysis contained in the Initial Study is tiered from the Fresno General Plan Program Environmental Impact Report (PEIR) State Clearinghouse No. 2019050005 prepared for the Fresno General Plan pursuant to CEQA Guidelines § 15152 and incorporates the PEIR by reference pursuant to CEQA Guidelines § 15150.

Pursuant to the California Public Resources Code (PRC) §§ 21093 and 21094 and California Environmental Quality Act (CEQA) Guidelines §§ 15070 to 15075, 15150, and 15152, this project has been evaluated with respect to each item on the attached Appendix G/Initial Study Checklist to determine whether this project may cause any additional significant effect on the environment, which was not previously examined in the PEIR. After conducting a review of the adequacy of the PEIR pursuant to PRC § 21157.6(b)(1) and CEQA Guidelines §§ 15151 and 15179(b), the Planning and Development Department, as lead agency, finds that no substantial changes have occurred with respect to the circumstances under which the PEIR was certified and that no new information, which was not known and could not have been known at the time that the PEIR was certified as complete, has become available.

The completed Appendix G/Initial Study Checklist, its associated narrative and technical studies reflect applicable comments of responsible and trustee agencies and research and analyses conducted to examine the interrelationship between the proposed project and the physical environment. The information contained in the project application and its related environmental assessment application, responses to requests for comment, checklist, Initial Study narrative, and any attachments thereto, combine to form a record indicating that an Initial Study has been completed in compliance with the State CEQA Guidelines and the CEQA.

All new development activity and many non-physical projects contribute directly or indirectly toward cumulative impacts on the physical environment. It has been determined that the incremental effect contributed by this project toward cumulative impacts is not considered substantial or significant in itself.

There is no substantial evidence in the record that this project may have additional significant, direct, indirect or cumulative effects on the environment that are significant and that were not identified and analyzed in the PEIR. The Planning and Development Department, as lead agency, finds that no substantial changes have occurred with respect to the circumstances under which the PEIR was certified and that no new information, which was not known and could not have been known at the time that the PEIR was certified as complete has become available.

Based upon the evaluation guided by the Appendix G/Initial Study Checklist, it was determined that there are no project specific foreseeable impacts which would require project level mitigation measures.

The Initial Study has concluded that the proposed project will not result in any adverse effects, which fall within the "Mandatory Findings of Significance" contained in § 15065 of the State CEQA Guidelines. The finding is, therefore, made that the proposed project will not have a significant adverse effect on the environment.

Public notice has been provided regarding staff's finding in the manner prescribed by § 15072 of the CEQA Guidelines and by § 21092 of the PRC Code (CEQA provisions).

E202210000374

Additional information on the proposed project, including the PEIR, proposed environmental finding of a Negative Declaration and the Initial Study may be obtained from the Planning and Development Department, Fresno City Hall, 2600 Fresno Street, 3rd Floor, Room 3043, Fresno, California 93721 3604. Please contact Thomas Veatch, Planner, at (559) 621-8076 or via email at Thomas.Veatch@fresno.gov for more information. Para información en español, comuníquense con Enrique Aponte (al número de teléfono (559) 621-8046).

ANY INTERESTED PERSON may comment on the proposed environmental finding. Comments must be in writing and must state (1) the commentor's name and address; (2) the commentor's interest in, or relationship to, the project; (3) the environmental determination being commented upon; and (4) the specific reason(s) why the proposed environmental determination should or should not be made. Any comments may be submitted at any time between the publication date of this notice and close of business on January 19, 2023. Please direct comments to Thomas Veatch, Planner, City of Fresno Planning and Development Department, City Hall, 2600 Fresno Street, Room 3043, Fresno, California, 93721-3604; or by email to PublicCommentsPlanning@fresno.gov (cc Thomas.Veatch@fresno.gov).

INITIAL STUDY PREPARED BY:

LSA Associates, Inc.

DATE: December 30, 2022

Attachments:

Exhibit A – Vicinity Map

SUBMITTED BY:



Phillip Siegrist

CITY OF FRESNO

PLANNING AND DEVELOPMENT
DEPARTMENT



State of California - Department of Fish and Wildlife
**2022 ENVIRONMENTAL DOCUMENT FILING FEE
 CASH RECEIPT**
 DFW 753.5a (REV. 01/01/22) Previously DFG 753.5a

RECEIPT NUMBER: E202210000374
STATE CLEARINGHOUSE NUMBER (if applicable)

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY CITY OF FRESNO	LEAD AGENCY EMAIL	DATE 12/30/2022
COUNTY/STATE AGENCY OF FILING FRESNO COUNTY	DOCUMENT NUMBER E202210000374	

PROJECT TITLE
ENVIRONMENTAL ASSESSMENT FOR CONDITIONAL USE PERMIT APP. NO P21-01102

PROJECT APPLICANT NAME CITY OF FRESNO	PROJECT APPLICANT EMAIL	PHONE NUMBER (559) 621-8046
PROJECT APPLICANT ADDRESS 2600 FRESNO STREET, 3RD FLOOR ROOM 3043	CITY FRESNO	STATE CA
		ZIP CODE 93721

PROJECT APPLICANT (Check appropriate box)

Local Public Agency
 School District
 Other Special District
 State Agency
 Private Entity

CHECK APPLICABLE FEES:

<input type="checkbox"/> Environmental Impact Report (EIR)	\$3,539.25	\$	<u>0.00</u>
<input type="checkbox"/> Mitigated/Negative Declaration (MND)(ND)	\$2,548.00	\$	<u>0.00</u>
<input checked="" type="checkbox"/> Certified Regulatory Program (CRP) document - payment due directly to CDFW	\$1,203.25	\$	<u>0.00</u>

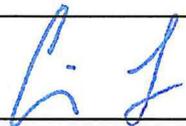
- Exempt from fee
 Notice of Exemption (attach)
 CDFW No Effect Determination (attach)
 Fee previously paid (attach previously issued cash receipt copy)

<input type="checkbox"/> Water Right Application or Petition Fee (State Water Resources Control Board only)	\$850.00	\$	<u>0.00</u>
<input type="checkbox"/> County documentary handling fee	\$50.00	\$	<u>0.00</u>
<input checked="" type="checkbox"/> Other NOI		\$	<u>0.00</u>

PAYMENT METHOD:

- Cash
 Credit
 Check
 Other

TOTAL RECEIVED \$ 0.00

SIGNATURE X 	AGENCY OF FILING PRINTED NAME AND TITLE Cierra Loera Deputy Clerk
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