



County of Fresno

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

EVALUATION OF ENVIRONMENTAL IMPACTS

- APPLICANT: Family Farms, LLC
- APPLICATION NOS.: Initial Study No. 8154; Tentative Tract Map Application No. 6382, Classified Conditional Use Permit Application No. 3726.
- DESCRIPTION: Allow the creation of a nine-lot residential subdivision from a 39.63-acre parcel and a 2.09-acre parcel in the R-R (Rural Residential, two-acre minimum parcel size) Zone District. The ninth parcel (Lot 9) is a remainder lot from an approved Parcel Map No. 8193.
- LOCATION: The subject parcels are located on the west side of Auberry Road approximately 600 feet southwest of its intersection with Thunderbird Road, within unincorporated community of Prather (APN: 118-340-69 and 118-340-75) (28733 Auberry Road) (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: LESS THAN SIGNIFICANT IMPACT:

The subject 39.63-acre parcel will be subdivided into eight (8) residential lots for single-family homes. The ninth lot, a remainder lot from approved Parcel Map No. 8193, is developed with a single-family residence. All lots will have direct access or access provided via two existing private ingress and egress easements off Auberry Road.

The project area is rural residential in character and is developed with sparse single-family residences. There is no active farmland in the vicinity of the project. Also, there are no scenic vistas or qualitative scenic resources including trees, rock outcroppings, or historic buildings on or near the project site that could be impacted by the subject land subdivision or the construction of single-family homes.

The proposed Lot 1 and 8 and the existing Lot 9 borders with Auberry Road which is identified as Scenic Drive in the Open Space and Conservation Element of Fresno County General Plan. 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 property dimensions preclude such setback. In this case, the Lot 1, Lot 8 and Lot 9 range in size from 2.09 acres to 3.62 acres with lot depth ranging from 278 feet to 394 feet.

The lot size and lot depth prohibit reasonable application of the 200-foot setback for Lot 1, Lot 8, and Lot 9. These lots are also subject to a 23-foot additional right-of-way for Auberry Road and a 35-foot building setback. When applied, a total of 258 feet set back from Auberry Road would leave almost no developable area on the parcels. Given the flexibility identified in the General Plan Policy OS-L.3. d. 3., a Condition of Approval would require that all buildings and structures related to the future residential development on the proposed Lot 1 and Lot 8 shall maintain a scenic setback a minimum of 100 feet measured from 53 feet ultimate right-of-way for Auberry Road.

- 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: LESS THAN SIGNIFICANT IMPACT:

Residential development on the proposed lots would be consistent with the existing foothill rural residential uses in the area and will not degrade the visual character of the neighborhood. The impact would be less than significant.

- 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:

Residential development on the proposed lots is not anticipated to produce a substantial amount of new outdoor lighting which may adversely affect nighttime views in the area. Any new lighting associated with the residential development will be required to comply with applicable County property development standards.

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?

FINDING: NO IMPACT:

The project site (39.36-acre parcel and a 2.09-acre parcel) is designated as Foothill Rural Residential in the County-Adopted Sierra North Regional Plan and is designated Grazing Land in the 2016 Fresno County Important Farmlands Map, suitable for grazing of livestock. No impact on Prime Farmland, Unique Farmland, or Farmland of Statewide Importance would occur.

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

FINDING: NO IMPACT:

The subject parcels are not farmland subject to Williamson Act Program.

- 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?

- 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 zoned as forestland or timberland, or for timberland production and would not result in the conversion of forestland or the conversion of farmland.

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?

FINDING: LESS THAN SIGNIFICANT IMPACT:

An *Air Quality and Greenhouse Gas Impact Assessment* (Report) was prepared for the project by Stantec Consulting Services, Inc., dated May 6, 2022, and provided to SJVAPCD for comments. No comments on the Report were received from SJVAPCD.

A measure of determining if the project is consistent with the Air Quality Plan is if the project would not result in an increase in the frequency or severity of existing air quality violations or cause or contribute to new violations or delay timely attainment of air quality standards or the interim emission reductions specified in the Air Quality Plan. Because of the region's nonattainment status for ozone, PM_{2.5}, and PM₁₀, if project-generated emissions of either of the ozone precursor pollutants (ROG and NO_x), PM₁₀, or PM_{2.5} would exceed the SJVAPCD's significance thresholds, then the project would be considered to conflict with the attainment plans.

As shown in III. B. below, emissions of ROG, NO_x, PM₁₀, and PM_{2.5} from construction and operation of the project would not exceed the SJVAPCD's significance thresholds. Also, as shown in III. C. below, the project would not expose sensitive receptors to a substantial pollutant concentration. Therefore, the project would not contribute to air quality violations.

The project is consistent with Air Quality Plan (AQP) which contains several control measures, which are enforceable requirements through the adoption of rules and regulations. A detailed description of rules and regulations that apply to this project is provided in the Regulatory Setting. The project would comply with all applicable SJVAPCD rules and regulations and would not conflict with or obstruct implementation of AQP.

- B. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project area is within the San Joaquin Valley Air Basin (SJVAB), which consist of eight counties that comprise the San Joaquin Valley Air Pollution Control District.

The primary pollutants of concern during project construction and operation are ROG, NO_x, CO, PM₁₀, and PM_{2.5}. The San Joaquin Valley Air Pollution Control District (SJVAPCD) *Guidance for Assessing and Monitoring Air Quality Impacts* (GAMAQI) adopted in 2015 contains threshold for CO, NO_x, ROG, SO_x PM₁₀ and PM_{2.5}. The SJVAPCD's annual emission significance thresholds used for the project define the substantial contribution for both operational and construction emissions are 10 tons per year ROG, 10 tons per year NO_x, 100 tons per year CO, 27 tons per year SO_x, 15 tons per year PM₁₀ and 15 tons per year PM_{2.5}.

Per the *Air Quality and Greenhouse Gas Impact Assessment*, the construction emissions (tons per year) associated with the project for 2023 are 0.24 for ROG, 2.21 for NO_x, 2.32 for CO, 0.1 for SO_x, 0.37 for PM₁₀ and 0.22 for PM_{2.5}. Likewise, the construction emissions (tons per year) associated with the project for 2024 are 0.27 for

ROG, 1.11 for NO_x, 1.38 for CO, 0.1 for SO_x, 0.07 for PM₁₀ and 0.05 for PM_{2.5}. These emissions are less than the SJVAPCD's thresholds of significance.

The operational emission over the life of the project, primarily from area, energy and mobile sources combined are 0.61 for ROG, 0.08 for NO_x, 0.96 for CO, 0.01 for SO_x and 15 for PM₁₀ and for PM_{2.5} which are also less than the SJVAPCD's thresholds of significance.

C. Expose sensitive receptors to substantial pollutant concentrations?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Sensitive receptors are defined as people that have an increased sensitivity to air pollution or environmental contaminants. Sensitive receptor locations include schools, parks and playgrounds, daycare centers, nursing homes, hospitals, and residential dwelling units.

Per the *Air Quality and Greenhouse Gas Impact Assessment*, the proposed project is considered a sensitive receptor once operational, however there are no sources of Toxic Air Contaminants (TAC) near the site and impact to these receptors was not evaluated. The nearest offsite sensitive receptors are the residents adjacent to the project site.

The pollutants of concern for localized impact in the SJVAB are NO₂ and CO. According to the SJVAPCD if a project does not exceed 100 pounds per day of any criteria pollutant, then it can be assumed that it would not cause a violation of an ambient air quality standard. The localized concentration of PM₁₀, PM_{2.5}, CO and NO₂ for site preparation, grading and building construction (2023) would be 34.52 for NO_x, 28.05 for CO, 20.92 for PM₁₀ and 11.27 for PM_{2.5}. Likewise, for building construction, paving, and architectural coating would be 13.44 for NO_x, 16.17 for CO, 0.61 for PM₁₀ and 0.58 for PM_{2.5}. The project impact would be less than significant.

During paving operations, ROG is emitted. The acute (short-term) health effects from worker direct exposure to asphalt fumes include irritation of the eyes, nose, and throat. Sensitive receptors are not in the immediate vicinity of the fumes; therefore, they would not be subjected to concentrations high enough to evoke a negative response. The impact to sensitive receptors from ROG during construction is less than significant.

According to a map of areas where naturally occurring asbestos in California are likely to occur (USGS 2011), there are no such areas in the project area. Therefore, development of the project is not anticipated to expose receptors to naturally occurring asbestos.

Valley fever, or coccidioidomycosis, is an infection caused by inhalation of the spores of the fungus, *Coccidioides immitis* (C. immitis). Construction activities would generate fugitive dust that could contain C. immitis spores. The project will minimize the generation of fugitive dust during construction activities by complying with the SJVAPCD's Regulation VIII. Therefore, this regulation would reduce Valley fever

impacts to less than significant. During operations, dust emissions are anticipated to be negligible, because most of the project area would be occupied by buildings, pavement, and landscaped areas.

The construction Health Risk assessment (HRA) evaluated Diesel particulate Matter (DPM) (represented as exhaust PM10) emissions generated during construction of the project (single-family homes) and the related health risk impacts for sensitive receptors near the project boundary. A project would result in a significant impact if it would individually expose sensitive receptors to Toxic Air Contaminant (TAC) resulting in an increased cancer risk greater than 20 in one million or an increased non-cancer risk of greater than 1.0 on the hazard index.

Concerning HRA, the project site is within 1,000 feet from existing sensitive receptors near that could be exposed to diesel emission exhaust during the construction and operational periods. The nearest sensitive receptors are residents occupying the single-family houses to the east of the site. Furthermore, Foothill Elementary School is located to the north of the project site. Per the *Air Quality and Greenhouse Gas Impact Assessment*, when used a dispersion model found that risk of hazards (cancer) was 18 for infant, 3.15 for child and 0.48 for adult which is less than 20 in one million, and the risk of hazards (cancer) was 0.015 for infant, child and adult each which is less than 1.0 on the hazard index.

The greatest potential during long-term operations for exposure to TACs is from the use of heavy-duty diesel trucks and stationary generators that use diesel fuel. Occupancy of the proposed residential development would attract very few diesels truck trips and would not propose any stationary generators on-site. As such, the project would not be expected to expose nearby sensitive receptors to substantial amounts of air toxics. The impacts would be less than significant.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

Per the *Air Quality and Greenhouse Gas Impact Assessment*, during project construction, some odors may be present due to diesel exhaust. However, these odors would be temporary and limited to the construction period. The proposed project would not include any activities or operations that would generate objectionable odors and, once operational, the project would not be a source of odors. Therefore, the proposed project would not result in other emissions (such as those leading to odors) adversely affecting a substantial number of people and the impact would be less than significant.

IV. BIOLOGICAL RESOURCES

Would the project:

- A. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or

regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service; or

- B. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION
INCORPORATED:

The project was routed to the California Department of Fish and Wildlife (CDFW) and U.S. Fish and Wildlife Service (USFWS) for comments. According to CDFW, the project may potentially impact to special-status species including, but not limited to, the Federally and State threatened California tiger salamander, species of special concern such as Western Pond Turtle, Western Spadefoot, and Nesting Birds. The CDFW recommends that impact to these resources be evaluated and addressed prior to any ground-disturbing activities.

A *Biological Assessment Report (Report)* was prepared for the project by Halstead & Associates and dated November 2022. The *Report* was provided to the California Fish and Wildlife and US Fish & Wildlife Service for review and comments. Neither agency provided any comments on the *Report*.

According to the *Report*, the project site is comprised of the typical foothill oak woodland habitat. The site has a gently rolling topography and is relatively open with scattered blue and interior live oak trees, gray pine, and buckbrush. The site has sheds, a barn, and old trailer. Lands surrounding the project site are scattered foothill residences within oak woodland habitat. Further, as noted by *Report*, the project site has sensitive biological resources including rock outcrops with decomposed granitic soil, one man-made pond, two intermittent drainages, and large nesting trees. In general, such resources could be impacted by ground disturbing project activities such as access roads, utility connections, septic systems, building sites, trailer sites, land contouring, pad grading, removal, soil compaction, dust, breaking, filling, erosion, siltation, noise, and contamination. To prevent impacts, the *Report* suggest preventive avoidance measures to be incorporated into the project and be implemented.

As noted above, CDFW had concerns about potential impacts to California Tiger Salamander (CTS), Western Pond Turtle, Western Spadefoot, Wetlands, Waters on the project site, and nesting birds and their nests.

According to the *Report*, the California Tiger Salamander (CTS) would not be impacted by the project because there are no records of CTS on the property or within distances of the property that CTS typically disperse. Therefore, the property is not likely summering habitat for the CTS because it does not support water bodies that provide suitable breeding habitat for CTS due to year-round water and the presence of predatory fish in the pond. Also, during site surveys, Western Pond Turtle and Western Spadefoot were not observed and are not present on the project site. The *Report* concludes that negative impacts could potentially occur with wetlands and waters on the

project site (See discussion under IV. C.), sensitive plant resources, and nesting birds and their nests unless the project adhere to the mitigation measures:

* **Mitigation Measures:**

1. *To protect and preserve potential sensitive plant resources and their potential habitat, the following preventive avoidance measures shall be incorporated into the project and be implemented to avoid any potential significant impacts to these resources.*
 - a. *No developments such as roads, trails, barns, sheds, homes, trailers, or bridges shall be built on or over the large rock outcroppings as depicted in the attached Exhibit (Aerial Map and Habitat Map) and such areas shall be avoided and designated as open space, unless measure 'b' below is enacted.*
 - b. *If future construction activities will occur in or over this sensitive open space area, a sensitive plant survey shall be conducted by a qualified biologist at the appropriate flowering period to further evaluate the potential occurrence and impacts of sensitive plants.*
 2. *To protect and preserve nesting bird and nest resources, the following preventive avoidance measures shall be incorporated into the project and be implemented to avoid any potential significant impacts to such resources.*
 - a. *Prior to ground-disturbing activities on the project site (such as road building, land contouring, house pad grading, etc.) in February thru August period, a preconstruction survey will be conducted by a qualified biologist for nesting birds. A findings memo shall be prepared by the biologist for the project files.*
 - b. *If any active nests are observed, the nests and nest trees/areas shall be designated as an Environmentally Sensitive Area and protected (while occupied by eggs or birds) during the construction activities.*
 - c. *If nests are found, the California Department of Fish and Wildlife shall be contacted, consulted, and additional avoidance measures, specific to each incident above, shall be developed in cooperation with the landowner, developer, and a qualified biologist. The plan with comments from the California Department of Fish and Wildlife shall be submitted to County for approval prior to issuance of any development permits on the property.*
- C. Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION
INCORPORATED:

According to the *Biological Assessment Report (Report)* prepared for the project, there is one man-made pond in the middle of the project site. The pond is 240 feet wide and 400 feet long and approximately 2 acres in size. It is deep and holds water year-long and would be a wetland and Waters of the United States and State.

According to the *Report*, a CTS Habitat Assessment conducted in October 2022 concluded that CTS not likely present on the project site. Impacts to the pond would require permitting and mitigation with the Army Corps of Engineers (ACOE) and California Department of Fish and Wildlife (CDFW).

* **Mitigation Measures:**

1. *To protect and preserve the pond resource, the following preventive avoidance measures shall be incorporated into the project and shall be implemented to avoid any potential significant impacts to this resource.*
 - a. *A no impact zone of 25 feet around the pond and the pond itself shall be designated as open space. No developments such as roads, trails, barns, sheds, homes, trailers, or bridges shall be conducted in the open space area unless measure 'c' below is enacted.*
 - b. *A qualified biologist shall locate the pond edge and measure, designate, and mark (flag) its protection zone prior to ground-disturbing construction activities in its area.*
 - c. *If future road or construction activities will occur in, over, or along the pond and within its protection zone (open space), a qualified biologist will review and examine the plans, determine if the pond will be altered, consult with the CDFW and ACOE, and if needed, obtain permits from the ACOE and CDFW. The plan with comments from the California Department of Fish and Wildlife shall be submitted to County for approval prior to issuance of any development permits on the property.*

According to the *Report*, two intermittent drainages also occur through the middle of the project site. The drainages run off the parcel to the west into North Fork Little Dry Creek which is a larger intermittent drainage. North Fork Little Dry Creek has a band of riparian vegetation including Goodding's Black Willow, Button Bush, Fremont Cottonwood, and Valley Oak. Little Dry Creek flows from rainfall events, drains onto the valley floor and into the Dry Creek Storage Basin just north of Clovis, and eventually into the San Joaquin River. The drainages would be classified as an intermittent drainage, a Waters of the State and United States, and would be regulated by the CDFW and Army Corps of Engineers (ACOE). Impacts to the drainage would require permitting and mitigation with the CDFW and ACOE. The drainages have a short flowing/wet season and would not be suitable habitat for sensitive shrimp, turtles, toads, frogs, or salamanders.

* **Mitigation Measures:**

1. *To protect and preserve the intermittent drainage resources, the following preventive avoidance measures shall be incorporated into the project and be implemented to avoid any potential significant impacts to these resources.*
 - a. *A no impact zone of 25 feet on either side of intermittent drainages shall be designated as open space. No developments such as roads, trails, barns, sheds, homes, trailers, or bridges shall be conducted in the open space area-drainage protection zone unless measure 'c' below is enacted.*
 - b. *A qualified biologist shall locate the drainages and measure, designate, and mark (flag) its protection zone prior to ground-disturbing construction activities.*
 - c. *If future road or construction activities will occur in, over, or along the intermittent drainages and within its protection zones (open space), a qualified biologist will review and examine the plans, determine if the bed or bank of the drainage will be altered, consult with the California Department of Fish and Wildlife (CDFW) and Army Corps of Engineers (ACOE), and if needed, obtain permits from CDFW and ACOE. The plan with comments from the California Department of Fish and Wildlife shall be submitted to County for approval prior to issuance of any development permits on the property.*
- 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 does not provide for migratory wildlife corridors.

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

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION
INCORPORATED:

The project site contains scattered live oak trees that may require removal prior to residential development on the proposed parcels. As such, the project will require adherence to the Fresno County Oak Woodlands Management Guidelines (Policy OS-F.11) and the following Mitigation Measure.

* **Mitigation Measure:**

Prior to recordation of the Tract Map, an Oak Woodland Management Plan consistent with the policies of the Fresno County Oak Woodland Management Guidelines, shall be prepared by one of the following professionals: Biologist, Registered Forester, Arborist, Horticulturalist, or any other professionals experienced in the management of Oak tree habitat. The Plan shall contain provisions for preserving, maintaining and replacing Oak trees currently existing on

the project site at an acceptable ratio and maintenance of plantings for seven years. The plan shall be submitted to and approved by the Fresno County Department of Public Works and Planning in consultation with other agencies including the Sierra Resource Conservation District.

- 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:

No conflicts with habitat conservation plans, or natural community conservation plans were identified which pertain to the subject parcels, or its immediate vicinity.

V. CULTURAL RESOURCES

Would the project:

- A. Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5; or
- B. Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5; or
- C. Disturb any human remains, including those interred outside of formal cemeteries?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION
INCORPORATED:

The project area is highly sensitive to historical or archeological resources. The Southern San Joaquin Valley Information Center notes that the area has not been surveyed by a qualified cultural resource consultant and prehistoric or historic cultural resources may be present within the project site. Therefore, an archaeological survey of the site shall be conducted.

A Phase I Cultural Resources Assessment (Report) was prepared for the project by Soar Environmental Consulting and dated July 2022. The Report stated that no cultural resources, or isolate materials potentially derived from a primary or secondary archaeological contexts, were observed on the site. The Report also stated that although there is low possibility for subsurface cultural resources on the property, a potential always exists to encounter previously undetected cultural resources. If archaeological resources are encountered or suspected, all work in the immediate area of the find(s) shall be halted until a qualified archaeologist can examine the find(s). If human remains are found, no further disturbance shall occur until a County Coroner has determined the origin and disposition of the remains. If the human remains are determined to be prehistoric, the Coroner will notify the Native American Heritage Commission, to make recommendations for the disposition of the remains.

Per the discussion above and in Section XVIII TRIBAL CULTURAL RESOURCES below, in the unlikely event that cultural resources are unearthed during construction activities, the following actions shall be required to ensure that impacts to such cultural resources remain less than significant.

* **Mitigation Measure:**

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?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project would not result in significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resources (gas, electricity, gasoline, and diesel) during construction or occupancy of the homes to be constructed on the proposed lots. Construction activities and corresponding fuel energy consumption would be temporary and localized. There are no unusual project characteristics that would cause the use of construction equipment to be less energy efficient compared with other similar construction sites in the County. Furthermore, construction will be subject to the applicable energy efficiency provisions of the Green Building Standards Code.

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

FINDING: NO IMPACT:

The project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

Residential development on the proposed lots would comply with the 2019 Building Energy Efficiency Standards. Pursuant to the California Building Standards Code and the Energy Efficiency Standards, County of Fresno would review the design components of the project's energy conservation measures when the residential building plans are submitted. These measures could include insulation; use of energy-efficient heating, ventilation, and air conditioning equipment (HVAC); solar-reflective

roofing materials; energy-efficient indoor and outdoor lighting systems; and other measures.

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?
 - 4. Landslides?

FINDING: LESS THAN SIGNIFICANT IMPACT:

According to Figure 9-5 of the Fresno County General Plan Background Report, the project site is not located in an area subject to a substantial risk from seismic activity. The Probabilistic Seismic Hazards for the area amounts to ten (10) percent Probability in 50 Years which is a relatively low probability. However, known fault systems along the eastern and western boundaries of the County, do have the potential to cause high magnitude earthquakes, which could affect other parts of the County. Residential development on the proposed lots will be subject to current California Building Code which addresses seismic design standards. The project site is not located in an area prone to liquefaction, or landslides. Therefore, based on the analysis, the potential for the project to cause adverse effects resulting from seismic activity would be less than significant.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

No geologic unit or unstable soil was identified on the project site. Any grading related to residential development on the proposed lots will require approved Grading and Drainage Plan and permits to ensure that substantial erosion does not result.

- 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:

Landslides and other forms of slope failure form in response to long-term uplift, mass wasting, and disturbance of slopes. The project site contains naturally flat relief which precludes the possibility of land sliding on-site.

The potential for seismic-related ground failure (lateral spreading and liquefaction) occurring on the project site is minimal because of the absence of high groundwater levels and saturated loose granular soil.

According to Figure 9-6 of the Fresno County General Plan Background Report, the project site is not located in an area subject to increased risk of landslide, lateral spreading, subsidence, or liquefaction.

- D. Be located on expansive soil as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?

FINDING: NO IMPACT:

Per Figure 7-1 of the Fresno County General Plan Background Report, the project site is not located within an area of known risk of expansive soils. However, the residential development on the proposed lots will implement all applicable requirements of the most recent California Building Standards Code and will consider any potential hazards associated with shrinking and swelling of 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:

Residential development on the proposed lots will utilize on-site sewage disposal systems. Per the Fresno County Department of Public Health, Environmental Health Division (Health Department), an engineered sewage disposal system shall be required and be installed under permits and inspections from the Health Department.

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

FINDING: NO IMPACT:

No paleontological resources were identified in the project analysis.

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?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The division of land proposed by this application will not itself generate greenhouse gas emissions, however, residential development on the proposed lots has the potential to generate greenhouse gas emissions both during construction and occupancy of dwellings, and as such the project proponent was required to quantify such GHG emissions.

In the *Air Quality and Greenhouse Gas Impact Assessment*, prepared by Stantec Consulting Services Inc., and dated May 6, 2022, GHG emissions were estimated using the California Emissions Estimator Model (CalEEMod) version 2020.4.0.

Construction GHGs would be emitted by the off-road construction equipment and vehicle travel by workers and material deliveries to the project site. The San Joaquin Valley Air Pollution Control District (SJVAPCD) does not have an adopted threshold of significance for construction related GHG emissions. Construction of the project (single-family homes) using CalEEMod would generate approximately 375 and 212 metric tons of CO₂e for construction year 2023 and 2024 respectively. Because construction GHG emissions are temporary and reduction measures are limited, a common professional practice is to amortize the construction emissions over the life of the project. A residential project is conservatively assumed to have a life of 30 years. When amortized over 30 years it comes down to 19.57 MTCO₂e per year which is less than significant.

Operational or long-term emissions occur over the life of the project are typically generated from mobile sources (vehicle trips), area sources (maintenance activities and landscaping), indirect emissions from sources associated with energy consumption, and waste sources (land filling and waste disposal). The SJVAPCD has not established a numeric threshold for GHG emissions. Operational GHG emissions associated with the project for all sources (area, energy, mobile, water) using CalEEMod 2020.4.0 were estimated 129.58 MTCO₂e.

The project's GHG impact is determined by its consistency with applicable statewide and regional GHG reduction plans. The project would be consistent with the California Air Resources Board's (CARB) 2017 Scoping Plan, Fresno County Council of Government's (COG) Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS), and the County's General Plan goals that aim to reduce air quality and energy (which in turn reduce GHG emissions). As such, the project will comply with applicable reduction plans and GHG emissions and would not generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment. The impact would be less than significant.

- 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:

Per the *Air Quality and Greenhouse Gas Impact Assessment*, the residential development on the proposed lots will adhere to Title 24 and the latest California Building Standards. The development would not conflict with the goals and objectives of the SJVAPCD's Center for Clean Air Policy which includes suggested Best Performance Standards for residential development projects, with California Air Resources Board's 2017 Scoping Plan, or any other State or regional plan, policy, or regulation of an agency (Fresno County General Plan; Fresno County Council of Government Regional Transportation Plan/Sustainable Communities Strategy Goals) adopted for the purpose of reducing GHG emissions. As such, the project would not conflict with an applicable plan; therefore, impacts would be considered 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?

FINDING: NO IMPACT:

The project entails creation of a nine-lot residential subdivision for single-family homes. The project involves no transport or storage of hazardous materials and therefore would not create hazard to the public or the environment.

The Fresno County Department of Public Health, Environmental Health Division expressed no concerns related to hazard or hazardous materials.

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

FINDING: NO IMPACT:

The project site is not located within one-quarter mile of a school. The nearest school, Foothill Elementary School, is approximately 1,180 feet north of the nearest site boundary.

- 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 California Department of Toxic Substances Control Site (Envirostor), the project site is not listed as a hazardous materials site. The project would not create hazards 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?

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 20 miles southwest of the site. Given the distance, the airport will not be a safety hazard, or a cause of excessive noise for people living in the proposed residential subdivision.

- 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.

Lot 2,3 and 7 of the proposed subdivision will utilize an existing 40-foot-wide private ingress and egress easement off Auberry Road which traverses through Parcel 2 of an approved Parcel Map No. 8193. Likewise, Lot 4, 5, and 6 will utilize an existing 40-foot-wide private ingress and egress easement off Auberry Road which traverse through the proposed Lot 8 bordering with Auberry Road. These easements will need turn around area and will be required to comply with Fire Code, and County standards related to emergency access.

- 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:

Per Figure 9-9 of the Fresno County General Plan Background Report, the project site is within the State Responsibility Area (SRA) for wildland fire protection. Residential development on the proposed lots is required to meet SRA standards contained in Chapter 15.60 of the County of Fresno Title 15 Building and Construction Ordinance. These standards pertain to setback for structures, road improvements, road width, driveways, gates, signage, street address, water supply and fire hydrants.

The Fresno County Fire Protection District (CalFire) reviewed the project and stated that the proposed subdivision meets the SRA standards.

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 SIGNIFICANT IMPACT:

Each lot in the proposed subdivision will have its own onsite well for domestic use and fire protection. As per the *Groundwater Supply Report* (Report) prepared for the project by Kenneth D. Schmidt and Associates and dated June 2022, the chemical and bacteriological quality of the groundwater is expected to be suitable for individual wells. Concentrations of nitrate, arsenic, iron, and manganese, hexavalent chromium, and gross alpha activity for deep wells were well the respective Maximum Contaminant Levels. The project will not violate any water quality standards.

According to the State Water Resources Control Board-Division of Drinking Water (SWRCB-DDW) the project does not meet the definition of a new public water system and requires no permit from SWRCB-DDW. The project will meet the definition of a new public water system if it exceeds 15 service connections or serve 25 or more people for at least 60 days or more in a year and will require additional review and comments from SWRCB-DDW.

According to Central Valley Regional Water Quality Control Board (CVRWQCB), discharge of dredge and/or fill material to wetlands and/or to local creeks would require CVRWQCB approval, processing of the applications for dredge/fill activity shall comply with the *State Wetland Definition and Procedures for Discharges of Dredged or Fill Material to Waters of the State*, and discharge of storm water runoff associated with construction and land disturbance activities on land one-acre or more shall comply with the National Pollutant Discharge Elimination System (NPDES).

According to the Fresno County Department of Public Health, Environmental Health Division (Health Department), as a measure to protect groundwater, any water wells or septic systems that exist or that have been abandoned within the project area, not intended for future use and/or use by the project, shall be properly destroyed. Likewise, any underground storage tank(s) if found during construction shall be removed by securing an Underground Storage Tank Removal Permit from the Health Department.

The above-noted requirements will be included as Project Notes.

- 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 within a water-short area of Fresno County. The Water and Natural Resources Division required that a hydro-study shall be prepared to determine that the

groundwater supply is adequate to meet the highest demand that could be permitted on the proposed lots; use of the proposed water supply will have no effects on other water users in Fresno County; and the water supply is sustainable.

Per the *Groundwater Supply Report* (Report) prepared by Kenneth D. Schmidt and Associates, and dated June 2022, a 72-hour of continuous pump test was conducted with one nearby monitoring well resulted in a total of 68,925 gallons being pumped with an average discharge rate of 14.6 gallons per minute. The Report concluded the project has an adequate and sustainable supply of groundwater and that future groundwater utilization on the property would not result in significant pumping-related impacts to surrounding properties. The Water and Natural Resources Division (WNRD) of the Fresno County Department of Public Works reviewed the Report and concurred with its findings. A Project Note would require that prior to the issuance of a permit for the construction of a new residence, the owner of the property shall conduct a water well yield test to demonstrate that the well is capable of adequately serving the proposed use as defined in County Ordinance Code Section 15.04.190 and that water well yield test must be reviewed and approved adequately by the Water and Natural Resources Division of the Department of Public Works and Planning.

- 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; or
 - 2. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off site; or
 - 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:

North Fork Little Dry Creek crosses the project site. Any groundwork performed within or near the creek would require clearance from the California Department of Fish and Wildlife (CDFW). The project was routed for comments to the U.S. Fish and Wildlife Service and Army Corps of Engineers due to the possibility of a wetland on the property. However, neither agency provided any comments on the project.

Development of the project will not cause significant changes in the absorption rates, drainage patterns, or the rate and amount of surface run-off with adherence to the mandatory construction practices contained in the Grading and Drainage Sections of the County Ordinance Code.

According to the Development Engineering Section of the Department of Public Works and Planning, the project shall require an Engineered Grading and Drainage Plan to show how additional storm water runoff generated by the proposed development will be handled without adversely impacting adjacent properties; a grading permit or voucher for any grading proposed with the project; and onsite retention of additional storm water runoff generated by site development. These requirements will be included as Project Notes.

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

FINDING: NO IMPACT:

Per Figure 9-7 of the Fresno County General Plan Background Report and the Federal Emergency Management Agency (FEMA) FIRM Panel 0675H, the project site is not subject to flooding from the 100-year storm.

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

FINDING: NO IMPACT:

The project site is not located within the boundaries of any Groundwater Sustainability Agency. As such, the project is not in conflicts with a Groundwater Sustainability Plan.

XI. LAND USE AND PLANNING

Would the project:

- A. Physically divide an established community?

FINDING: NO IMPACT

The project site will not physically divide the established community of Prather. The proposed residential lots will be confined within the boundaries of an existing 39.63-acre parcel.

- 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 (39.36 acres parcel and a 2.09-acre parcel) is designated Foothill Rural Residential in the Sierra-North Regional Plan and is zoned RR (Rural Residential) in the County Zoning Ordinance. The project, a nine-lot residential subdivision, is not in conflict with any land use plan, policy, or regulation of an agency in the area. The

project complies with the following policies of the Sierra-North Regional Plan and County General Plan:

Regarding consistency with Policy 402-01:10.02a1 the proposed lot 2, 3, 4, 5, 6 and 7 without public road frontage will be more than 5 acres in size, and the proposed lot 1, 8 and 9 with public road frontage on Auberry Road will be more than two (2) acres in size. The proposed lots without public road frontage will gain access via private ingress and egress easements which will be dedicated for public use. The proposed lots will be developed in accordance with County development standards, water quality and quantity are adequate to serve domestic and fire protection needs of the project, and the onsite individual sewage systems will not degrade the environment.

Regarding consistency with Policy PF-C.17, the residential development on the proposed lots will be served by individual wells due to nonexistence of a public water system in the area.

Regarding consistency with Policy PF-E.6, Policy PF-H.2, and Policy PF-D.6, residential development will be provided with adequate fire protection measures; onsite storm water retention basins; and individual sewage disposal systems in accordance with soil conditions.

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:

The project site is outside of a mineral resource zone identified by Figure 7-8 and 7-9 of the Fresno County General Plan Background Report and involves no mineral extraction or excavation activities.

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 be residing, or working in the project area to excessive noise levels?

FINDING: LESS THAN SIGNIFICANT IMPACT:

According to the Fresno County Department of Public Health, Environmental Health Division, construction of single-family homes has the potential to expose nearby residents to elevated noise levels.

Noise impacts associated with construction will be short-term and subject to the County Noise Ordinance. Construction noise is considered exempt from compliance with the Fresno County Noise Ordinance provided construction activities occur between 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.

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

FINDING: NO IMPACT:

The project entails creation of a nine-lot residential subdivision for single-family homes. The project would not result in unplanned population growth. The County General Plan has planned for the population growth generated from this proposal.

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

FINDING: NO IMPACT:

The proposed subdivision will not displace people or housing.

XV. PUBLIC SERVICES

Would the project:

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

1. Fire protection?

FINDING: LESS THAN SIGNIFICANT IMPACT

The project review by Fresno County Fire Protection District (CalFire) did not identify any concerns with fire hazard. Residential development on the proposed lots 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 require joining the Community Facilities District (CFD) before plans are submitted to the CalFire. These requirements will be included as Project Notes.

2. Police protection?

FINDING: LESS THAN SIGNIFICANT IMPACT:

General Plan Policy PF-G.2, states that the County shall strive to maintain a staffing ratio of two sworn officers per 1,000 residents served. A Condition of Approval has, therefore, been included requiring that prior to recordation of a final map, a funding mechanism shall be established through a community facilities district or districts under the Mello-Roos Community Facilities Act of 1982, or other appropriate funding mechanism to be determined by the County, to support costs for Sheriff's protection services to achieve a ratio of 2.0 sworn officers per 1,000 residents for the affected properties. In addition, the project proponents shall pay for any cost associated with the establishment of the referenced funding mechanism.

3. Schools?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project site is within the boundary of Sierra Unified School District. All new residential development resulted of the project would require paying school facilities fee prior to the issuance of building permits.

4. Parks?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Addition of eight (8) single-family dwellings resulting from this project will have a less than significant impact on local parks.

5. Other public facilities?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project review by Pacific Gas & Electric Company (PG&E) requires that the project shall not alter, modify, or terminate any provision of any existing easement rights and prior to commencing any work, Underground Service Alert (USA) shall be contacted. These requirements will be included as Project Notes.

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: LESS THAN SIGNIFICANT IMPACT

The project will not require construction of a new or expansion of an existing neighborhood or regional park or any recreational facilities in the area. The impact would be less than significant.

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?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project will not conflict with any policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities. The project area is rural in nature and Auberry Road is designated for existing and planned bikeways in Figure TR-2 of Rural Bikeway Plan in the Transportation and Circulation Element of the Fresno County General Plan.

The Design Division of the Fresno County Department of Public Works and Planning expressed no concerns related to traffic generated by the proposed residential development and did not require Traffic Impact Study for the project. Regarding Design Division comments on private road easement, a Condition of Approval shall require that private access easement shall be constructed to a standard not less than that required by the A-15 B and C county Improvement Standard.

- 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:

Per the recommended screening threshold for small projects contained in the Governor's Office of Planning and Research (OPR), the projects that generate or attract fewer than 110 trips per day, may be assumed to cause a less than significant transportation impact.

A Vehicle Miles Traveled (VMT) evaluation was completed for the project by Stantec Consulting Services, Inc., and dated August 26, 2022. Based on the modeling prepared for the *Air Quality and Greenhouse Gas Impact Assessment*, which relied on data developed by the ITE, the project would generate an average of 75 trips per day, which is considered a low trip generator (less than 110 daily trips generated) per the OPR Technical Advisory. As such, implementation of the project would result in less than significant VMT impacts.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The proposed lots will be served by two existing private access ingress and egress easements. These easements do not create sharp curves or dangerous intersection with Auberry Road and would require to be dedicated for public use with a maintenance mechanism in place.

The Road Maintenance and Operations Division of the Fresno County Department of Public Works and Planning, review of the project requires that the project applicant shall dedicate 23 feet of road right-of-way across parcel frontage on Auberry Road; the proposed Lot 1, 8 and 9 each shall be limited to one direct access point off Auberry Road; the balance of the frontage shall be relinquished on Final Map to restrict further direct vehicular access, and an encroachment permit shall be obtained for any work done within the Auberry Road right-of-way. These requirements will be included as Project Notes.

- D. Result in inadequate emergency access?

FINDING: LESS THAN SIGNIFICANT IMPACT:

As noted above, the proposed nine-lot subdivision will be served by two existing ingress and egress easements from Auberry Road. Fire department did not identify any concerns related to emergency access. Additional review will occur prior to the recordation of the Final Map. The road will meet current Fire Code regarding access and turnaround area.

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:

The project site is in an area designated as highly sensitive for archeological resources. 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 on the part of the County. However, Table Mountain Rancheria (TMR) stated that the tribe should be informed in the unlikely event that cultural resources are identified on the property. With the implementation of the Mitigation Measure included in the Section V, CULTURAL ANALYSIS above, impact on tribal cultural resources would be less than significant.

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 require relocation or construction of new or expanded water, wastewater treatment facility. The water and sewer need of each proposed lot will be met by onsite well and septic system. Likewise, extension of electric power and natural gas to single-family homes would be typical of such development and would have less than significant impact on the environmental.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

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 proposed nine-lot residential subdivision will not produce significant amount of solid waste to impact local area landfills. The project will comply with the provisions of Chapter 8.20 – Solid Waste Disposal of Fresno County Ordinance Code. A local waste hauler in accordance with federal, state, and local statutes will handle all solid wastes.

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?

FINDING: NO IMPACT:

Residential subdivision will not interfere with any adopted emergency response plan or emergency evacuation plan for the area.

- 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?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project site is within the State Responsibility Area (SRA). All access easements must satisfy SRA standards for emergency access. Any development shall be in accordance with the applicable SRA Fire Safe Regulations, as they apply to driveway construction and access.

- 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?

FINDING: NO IMPACT:

The installation and maintenance of infrastructure for the proposed lots would be minimal and would cause no impact, whether temporary or ongoing, to the environment.

- 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 and the surrounding area is generally flat. Residential development on the proposed lots will not expose people or structures to the risks of downstream flooding or landslides. Storm water drainage resulting from the site improvements will be retained onsite per the County Standards.

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:

Construction and occupancy of single-family homes resulting from this proposal may have an impact on sensitive biological and cultural resources in the area. However, Mitigation Measures included in Section IV. BIOLOGICAL RESOURCES and Section V. CULTURAL RESOURCES of this report will reduce such impacts to less than significant.

- 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 entails the creation of a nine-lot residential subdivision in a rural residential area. The project will adhere 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 at the time development occurs on the property. No cumulatively considerable impacts relating to Agricultural and Forestry Resources, Air quality or Transportation were identified in the project analysis. Impacts identified for Biological Resources, Cultural Resources and Hydrology and Water Quality will be mitigated by compliance with the Mitigation Measures listed in Sections IV, Section V, and Section X of this report.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The development of the single-family homes on the proposed lot in not anticipated to result in substantial adverse effects on human beings directly or indirectly.

CONCLUSION/SUMMARY

Based upon the Initial Study No. 8154 prepared for Tentative Tract Map Application No. 6382 and Conditional Use Permit Application No. 3726, 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, Mineral Resources, Population and Housing, and Recreation, or Wildfire.

Potential impacts related to, Aesthetics, Air Quality, Energy, Geology and Soils, Greenhouse Gas Emission, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use Planning, Noise, Greenhouse Gas Emissions, Public Services, Transportation, Utilities and Service Systems have been determined to be less than significant.

Potential impacts relating to Biological Resources and Cultural Resources have determined to be less than significant with compliance with implementation of recommended mitigation measures.

A Mitigated Negative Declaration is recommended and is subject to approval by the decision-making body. The Initial Study is available for review at 2220 Tulare Street, Suite A, street level, located on the southwest corner of Tulare and "M" Street, Fresno, California.

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