



County of Fresno

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

EVALUATION OF ENVIRONMENTAL IMPACTS

APPLICANT: Gurjant Singh Khosa

APPLICATION NOS.: Initial Study No. 8517, Unclassified Conditional Use Permit Application No. 3778, and Variance Application No. 4158

DESCRIPTION: Allow operation of a special event facility on a portion of a 10.39-acre parcel and allow a concurrent Variance to create a five-acre parcel and a 5.39-acre parcel from an existing 10.39-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.

LOCATION: The subject parcel is located on the west side of S. Fowler Avenue, approximately 330 feet north of its intersection with E. Manning Avenue, and approximately one-half mile west of the nearest city limits of the City of Fowler. (APN: 345-140-16S) (8853 S. Fowler Ave.) (Sup. Dist. 4).

I. AESTHETICS

Except as provided in Public Resources Code Section 21099, would the project:

- A. Have a substantial adverse effect on a scenic vista; or

FINDING: NO IMPACT:

Surrounding uses include single-family residential units, agricultural fields, 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 E. Manning Ave. and will not interfere with any potential scenic vistas of the mountains for travelers.

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

FINDING: NO IMPACT:

No scenic resources that may be impacted by the proposed project were identified on or near the site. Per Figure OS-2 of the Fresno County General Plan, the site is not located along or near a state scenic highway. The proposed use is characteristic of the

existing use and structures, and therefore, will not degrade the existing visual character or quality of site and surroundings.

- 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: NO IMPACT:

No degradation of existing visual character or quality of public views of the site and its surroundings. Per Figure OS-2 of the Fresno County General Plan, the proposed use is characteristic of the existing use and structures, and therefore, will not degrade the existing visual character or quality of site and surroundings.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project will include installation of outdoor lighting on the buildings and in the parking areas. All new exterior lighting will be subject to the provisions of Section 820.3.080 of the Fresno County Zoning Ordinance which provides in part that any new exterior lighting must be directed downward and shielded so that all direct light and glare is confined within the boundaries of the subject parcel, thereby minimizing off-site glare; and, exterior lighting shall be installed so that lights do not blink, flash, or be of unusually high intensity or brightness; and lighting fixtures shall be of an appropriate height, intensity, and scale to the structures and uses they are serving.

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 2020 Fresno County Important Farmland Map, the subject parcel is designated Farmland of Local Importance. Additionally, no agricultural activity is occurring on the property. 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 agricultural use; however, the project will utilize existing structures for their operation. 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?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The San Joaquin Valley Air Pollution Control District (Air District) in its Guidance for Assessing and Mitigating Air Quality Impacts (GAMAQI) indicates that projects which do

not exceed the Air District's regional criterial pollutant emissions quantitative thresholds would not conflict with or obstruct the applicable air quality plan.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

An Air Quality and Greenhouse Analysis report was prepared for the project by Johnson - Johnson and Miller Air Quality Consulting Services dated March 29, 2024. The Air Quality and GHG study determined that the main source of criteria pollutants attributable to the project would be caused by motor vehicle emissions.

Based on applicant-provided information, The proposed facility would host special events one to three days per week, for an estimated yearly total of 156 events, and accommodate 150-200 guests per event.

Facility operational times will typically be from 6 PM - 10 PM primarily on Fridays or Saturdays, with the main event lasting approximately 4 hours. Based on this information, it is expected that vendors and other organizers may arrive outside of typical operational hours, while the bulk of the trips (guest trips) would occur near or during the operational hours.

The peak wedding season is April through November, with 1- 2 wedding events monthly. The average wedding size is between 50 and 75 guests, and Sunset Acres can accommodate a wedding event from 50 to 75 guests based on the operational statement. The Sunset Acres website includes photos showing outdoor seating for up to approximately 170 guests. It was assumed that Sunset Acres could accommodate up to 150 guest vehicles per wedding for the purpose of this analysis to provide a conservative estimate of emissions and associated impacts. It was determined that the Air Quality Analysis concluded that regional emissions would not exceed the applicable regional criterial pollutant emissions quantitative thresholds, therefore regional emissions from project construction and operations would be less than significant.

- C. Expose sensitive receptors to substantial pollutant concentrations?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The proposed facility is not anticipated to generate substantial pollutant concentrations in the vicinity. The Air District's guidance provides that projects which exceed the 100 pounds per day screening level of any criteria pollutant after implementation of all enforceable mitigation measures, would require additional analysis to determine if the preparation of an ambient air quality analysis is needed. The project was found not to exceed any Air District screening thresholds for localized criterial pollutants, therefore the project's impact on localized criteria pollutant concentrations from operation would be less than significant and would not result in the generation of substantial pollutant concentrations in the vicinity of the project.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

Air Quality Plans (AQPs) are plans for reaching attainment of air quality standards. The assumptions, inputs, and control measures are analyzed to determine if the Air Basin can reach attainment for the ambient air quality standards. The proposed project site is located within the jurisdictional boundaries of the SJVAPCD. To show attainment of the standards, the SJVAPCD analyzes the growth projections in the Valley, contributing factors in air pollutant emissions and formations, and existing and adopted emissions controls. The SJVAPCD then formulates a control strategy to reach attainment that includes both State and SJVAPCD regulations and other local programs and measures. The CEQA Guidelines indicate that a significant impact would occur if the project would conflict with or obstruct implementation of the applicable air quality plan. The GAMAQI indicates that projects that do not exceed SJVAPCD regional criteria pollutant emissions quantitative thresholds would not conflict with or obstruct the applicable AQP.

Regional emissions from the proposed project would not exceed SJVAPCD's regional criteria pollutant emissions quantitative thresholds. Therefore, the proposed project would not be considered in conflict with or obstruct implementation of the applicable air quality plan.

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.

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:

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:

The project is situated on a site previously disturbed and occupied with existing rural residential and agricultural uses, which will remain. As previously discussed, the project does not include new construction and is not opening up a new area to development. Rather, the proposed project includes establishing a wedding/event venue on an existing operational family-ranch. 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 Fresno County General Plan Background Report (FCGPBR), the project site is not located in a probabilistic seismic hazard zone. 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 existing home has adhered to 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:

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. Based on the U.S. Geological Survey (USGS) 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. Therefore, 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 in an area identified as 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:

An air quality and greenhouse gas analysis was prepared for the project by Johnson-Johnson and Miller Air Quality Consulting Services, dated August 7, 2024. The greenhouse gas analysis concluded, based on the CalEEMod run that project construction would generate approximately 118 metric tons of Carbon Dioxide

Equivalent (CO₂e), or 3.93 metric tons per year when amortized over a 30-year period; and project operation is anticipated to generate approximately 451.67 metric tons per year of CO₂e. Based on state regulatory goals with regard to greenhouse house gas reduction, the project was found to have a less than significant impact based on the assumption that the project would purchase power from a public utility subject to the state's SB 350 Renewables Mandate.

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, Fairmont Elementary is located approximately 2.20-miles east 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. The nearest airport, Selma Airport is located approximately two miles southeast of the site. Airport noise is not anticipated to create a substantial impact on people on the project 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: NO IMPACT:

The project is not located within the SRA (State Responsibility Area) boundary. The proposed development will be subject to Fresno County Fire Protection District fires safety 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; or

FINDING: NO 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 as the guests shall be using the facility on a temporary basis. 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: NO 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 community, the City of Fowler is located approximately one mile north 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: NO IMPACT:

The project will not conflict with any land use plan, policy, or regulation of an agency with jurisdiction over the project. The application proposes to allow the division of the 10.39-acre subject parcel into two approximately five-acre parcels, smaller than the minimum 20-acres required for the zone district. However, the subject parcel is currently substandard in size, designated as legal and nonconforming as to the minimum parcel size. The proposed subdivision would not result in any adverse environmental effects. The proposed special event facility considered with the conditional use permit application would be confined to one of the proposed 5-acre parcels, should the subdivision be approved and the subsequent mapping procedure completed.

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 WITH MITIGATION MEASURES:

An acoustical analysis was conducted by WJV Acoustics on February 29, 2024. As part of the analysis, noise measurements were taken at the site during a typical event at which amplified music was played. The resultant noise levels as measured at three nearby residences, one of which is located on the project site, were determined to be within an acceptable range consistent with the County's noise ordinance. Based on the analysis and proposed operation, the ambient noise levels in the vicinity are not expected to increase substantially as a result of operation of the special event facility. A minor increase in noise may occur due to the additional guests frequenting the establishment but is not expected to exceed noise standards brought forth in the Fresno County Noise Ordinance, provided that noise-generating activity should be limited to the hours as stated in the operational statement. Noise levels associated with on-site amplified music shall comply with Fresno County noise level standards in respect to existing ambient noise levels. Additionally, the acoustical analysis recommended that to ensure that noise levels remain at compliant levels during special events, a noise control plan be implemented during special events. The noise control plan shall comply with the requirements listed under mitigation measures below.

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.

All noise producing devices shall face away from any sensitive receptive areas. See noise assessment for further details.

However, as an added measure of precaution, the following mitigation measures shall apply:

Mitigation Measure(s)

1. Any outdoor sound amplification system shall be oriented to face toward the south/southwest and face inward and away from abutting property.
2. Project proponent shall implement a Noise Control Plan to ensure compliance with the applicable County of Fresno daytime (7:00 a.m. to 10:00 p.m.) noise level standards, according to the following requirements:

- i. The project proponent (owner) shall obtain a sound level meter that meets the requirements of the American National Standards Institute for Type 1 or Type 2 sound level meters (ANSI S1.4-1971). The sound level meter must be capable of measuring A-weighted sound levels at “slow” meter response and recording the maximum sound level (L_{max}) during noise sample periods. An appropriate acoustic calibrator shall also be obtained for use in field-checking the accuracy of the noise monitoring system. The sound level meter, microphone and calibrator shall be certified by the manufacturer or can accredited laboratory that they are in compliance with applicable standards at the time of purpose.
 - ii. Project staff that will be conducting noise monitoring during outdoor events with amplified speech and music (and any back-up staff) must receive “hands-on” training in the proper use of the noise monitoring equipment from a qualified acoustical consultant.
 - iii. Appropriate reference noise monitoring sites must be identified for conducting noise monitoring during events utilizing amplified speech and music. The sites must be easily identified and must be accessible during project events. WJVA recommends utilizing the three (3) sites, as shows on Figure 6, in the directions of the closest receptors. In order to comply with Fresno County daytime noise level standards, maximum measured noise levels measured at these three monitoring sites should not exceed the noise levels indicated on Figure 6.
 - iv. Noise levels from amplified outdoor activities should be monitored at the reference sites immediately after the amplification system is put into operation and periodically thereafter (if volume adjustments are made). If it is determined during any of the measurements that the maximum sound levels produced by the amplification system are exceeding or approaching the determined L_{max} noise levels (provided above and on Figure 6), the amplification system must be turned down until compliance with the L_{max} reference standards are achieved at the reference sites.
 - v. Project proponent (owner) must have control over the use and volume of any sound amplification systems to be used during outdoor events. This means that the project proponent (owner) must have the ability to adjust amplification settings at any time prior to and during activities utilizing amplified speech and music.
3. Project proponent (owner) shall verify sound levels at the three monitoring locations, as described within the Acoustical Report. If maximum noise levels are

measured to be higher than those provided on Figure 6 (page 16), noise levels shall be reduced until compliance is met. Additionally, the applicant shall maintain a written log of sound measurements taken, for the life of the project, and provide such written sound measurements to the County upon request of the County.

4. All amplified speech and music shall conclude by 10:00 p.m.

- 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; or

FINDING: NO IMPACT:

The project site is not located near an airport. The nearest airport, Selma Airport is located approximately 2.0-miles southeast of the proposed facility.

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 was reviewed by the Fresno County Fire Protection District (CalFire) which did not express any concerns with the project. The proposed facility will be required to comply with the California Code of Regulations Title 24 – Fire Code, Building Code and be in substantial conformance with County-approved site plans by the Fire District prior to issuance of building permits by the County.

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?

FINDING: NO IMPACT:

No conflicts with General Plan circulation system policies were identified by any reviewing departments. The traffic study concluded that the study intersections would continue to operate at an acceptable Level of Service (LOS) and that the average number of daily traffic trips generated by the project would be below the state established threshold of significance and therefore would result in a less than significant impact.

- 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:

The applicant's operational statement indicates that a typical event would host approximately 150-200 guests. Reviewing departments indicated that, based on the anticipated number of trips attributed to the project, a traffic impact analysis would be warranted.

A Traffic Impact Study was prepared for the project by Peters Engineering Group, dated October 30, 2024. The TIS found that 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 on average and can be assumed under guidance of the TA that the project would result in a less than significant impact. The project was project to generate an average of approximately 234 trips on average, per event at approximately 156 events per year, resulting in a total of approximately 36,504 trips per year, or an average of approximately 100 trips per day, which would result in a less than significant impact with regard to VMT.

- 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: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

The project as proposed does not have any features which would increase hazards or include incompatible uses. However, to minimize any potential for traffic impacts to occur near the project site during special events, the following mitigation measure shall be include.

* **Mitigation Measure(s)**

Prior to operation of the special event facility the project proponent (owner) shall submit a Traffic Management Plan (TMP) for review and approval to the Fresno County Road Maintenance and Operations Division. The TMP shall describe how additional traffic generated by events, will be handled without creating adverse impacts to County roadways.

- 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:

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. None of the Tribes who had previously requested notification expressed concern with the project or requested to 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.

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 because 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 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 or cultural resources were identified in the project analysis. 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 Noise and Transportation. Those impacts have been reduced to a less than significant level with the Mitigation Measures discussed above in Section I. D. and Section XVII.C.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

It has been determined, based on the foregoing analysis, that the project would not result in substantial adverse effect on human beings.

CONCLUSION/SUMMARY

Based upon the Initial Study prepared for Unclassified Conditional Use Permit Application No. 3778 and Variance Application No. 4158, 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, biological resources, mineral resources, population and housing, and recreation.

Potential impacts related to aesthetics, agricultural and forestry resources cultural resources and tribal cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, air quality land use and planning, greenhouse gas emissions, public services, and utilities and service systems have been determined to be less than significant.

Potential impacts to noise, and transportation 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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