



County of Fresno

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

Planning Commission Staff Report Agenda Item No. 2 August 29, 2019

SUBJECT: Initial Study Application No. 7577 and Unclassified Conditional Use Permit Application No. 3635

Allow an unmanned telecommunications tower consisting of a 61-foot monopole, with an artificial broadleaf tree design, within a 25-foot by 25-foot lease area on a 431.60-acre parcel; and allow the related ground equipment, cabinet, and diesel generator on a separate 20-foot by 23-foot lease area, located on an adjacent 2.00-acre parcel. The proposed tower and ground equipment lease areas will be located approximately 450 feet apart and connected by a proposed 20-foot-wide access and utility easement in the AE-40 (Exclusive Agricultural, 40-acre minimum parcel size) Zone District.

LOCATION: The project site is located on the south side of Millerton Road, between Rusty Spur Lane and State Route 168 (Morgan Canyon Road), approximately 4.5 miles southwest of the unincorporated community of Prather (SUP. DIST. 5) (APNs 138-070-66 and 138-070-69).

OWNER: Smith Foothill Ranch LLC
APPLICANT: AT&T Mobility

STAFF CONTACT: Jeremy Shaw, Planner
(559) 600-4207

Marianne Mollring, Senior Planner
(559) 600-4569

RECOMMENDATION:

- Adopt the Mitigated Negative Declaration prepared for Initial Study (IS) Application No. 7577; and
- Approve Unclassified Conditional Use Permit (CUP) No. 3635 with recommended Findings and Conditions; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

EXHIBITS:

1. Mitigation Monitoring, Conditions of Approval and Project Notes
2. Location Map
3. Existing Zoning Map
4. Existing Land Use Map
5. Site Plans, Detail Drawings and Elevations
6. Applicant's Operational Statement and Project Support Statement
7. Summary of Initial Study Application No. 7577
8. Draft Mitigated Negative Declaration

SITE DEVELOPMENT AND OPERATIONAL INFORMATION:

Criteria	Existing	Proposed
General Plan Designation	East side Rangeland in the County-Adopted Sierra-North Regional Plan	No change
Zoning	AE-40 (Exclusive Agricultural, 40-acre minimum parcel size) Zone District	No change
Parcel Size	Parcel 1 - 431.60 acres Parcel 2 - 2.00 acres	No change
Project Site	The project site consists of a 431.60-acre parcel and an adjacent 2.00-acre parcel, which are both currently vacant open rangeland utilized for grazing	Addition of a 625 square-foot fenced lease area (Parcel 1) for the proposed tower and a 460 square-foot equipment lease area on the adjacent 2.00 acres (Parcel 2)
Structural Improvements	There is a cattle loading/unloading facility located adjacent to Millerton Road on the 2.00-acre parcel	Addition of 61-foot-tall tower with a broadleaf tree design within a 25-foot by 25-foot lease area on APN 138-070-66, and a 460-square foot ground equipment lease area on APN 138-070-69
Nearest Residence	Approximately 720 feet north of the proposed equipment lease area	No change

Criteria	Existing	Proposed
Surrounding Development	Surrounding development consists of large areas of undeveloped rangeland on the south side of Millerton Road, and sparse residential development along the north side of Millerton Road	No change
Operational Features	Vacant grazing land with a cattle loading/unloading facility located on APN 138-070-69, adjacent to Millerton Road	Addition of a 61-foot-tall tower with a broadleaf tree design within a 25-foot by 25-foot lease area on APN 138-070-66, and a 460 square-foot ground equipment lease area on APN 138-070-69
Employees	None	One or two site visits per month by a maintenance technician
Customers	N/A	N/A
Traffic Trips	N/A	Once construction is complete, there will be up to two 2-way maintenance trips per month
Lighting	None	Motion-activated lights on the front and rear of the equipment cabinet. No lighting is proposed for the tower
Hours of Operation	N/A	24 hours per day/7 days per week

EXISTING VIOLATION (Y/N) AND NATURE OF VIOLATION: N

ENVIRONMENTAL ANALYSIS:

An Initial Study was prepared for this project by County staff in conformance with the provisions of the California Environmental Quality Act (CEQA). Based on the Initial Study, staff has determined that a Mitigated Negative Declaration is appropriate. A summary of the Initial Study is included as Exhibit 7.

Notice of Intent of Mitigated Negative Declaration publication date: July 19, 2019.

PUBLIC NOTICE:

Notices were sent to 26 property owners within 1,320 feet of the subject parcel, exceeding the minimum notification requirements prescribed by the California Government Code and County Zoning Ordinance.

PROCEDURAL CONSIDERATIONS:

An Unclassified Conditional Use Permit may be approved only if four Findings specified in the Fresno County Zoning Ordinance, Section 873-F are made by the Planning Commission.

The decision of the Planning Commission on an Unclassified CUP Application is final, unless appealed to the Board of Supervisors within 15 days of the Commission's action.

Staff notes that the Telecommunications Act of 1996 prohibits jurisdictions from "regulating the placement, construction, and modification of personal wireless service facilities on the basis of the environmental effects of radio frequency emissions to the extent that such facilities comply with the Commission's regulations concerning such emissions" [47 U.S.C. §332(c)(7)(B)(iv)]. As such, staff's analysis of the subject request, determination of project findings, conclusions, and recommended actions to the decision-making body correspond with federal law.

BACKGROUND INFORMATION:

The project entails the installation and operation of an unmanned telecommunication facility consisting of the following improvements: a 61-foot-tall tower employing a stealth, faux broadleaf tree design with 6 antennas, within a 25-foot by 25-foot lease area surrounded by a six-foot-tall chain-link fence topped with barbed wire; and related ground equipment, including a 30-kilowatt diesel backup generator with a 190-gallon fuel tank mounted on a 50 square-foot concrete pad, and an 8-foot by 8-foot by 9-foot-tall prefabricated concrete equipment shelter located within a 20-foot by 23-foot lease area surrounded by a six-foot-tall chain-link fence topped with barbed wire.

Access to the facility will be via a proposed 20-foot-wide access and utility easement with a 12-foot-wide gate connecting to Millerton Road. The utility easement will accommodate the installation of underground power and fiber trunk cables, and will extend approximately 450 feet to the proposed tower lease area. The two lease areas are necessary due to the steep incline of the terrain at the proposed tower location.

The determination to employ the separate tower lease area design followed preliminary discussions between AT&T and the Fresno County Fire Protection District. The Fire District had expressed concern that access to the equipment in the event of a fire would be difficult for Fire District trucks and equipment, given the steep terrain. However, with the current design placing the equipment lease area which contains the diesel backup generator and fuel tank closer to the road, access would be suitable. The Fire District also recommended that the Applicant provide a Vegetation Management Plan to demonstrate how flammable vegetation in and around the lease areas will be handled to minimize the spread of fire from or into the lease area. The Fire District had no further concerns with the project.

The proposed facility is designed to add capacity to the existing AT&T wireless network and provide high-speed broadband internet service to an underserved area of the County through the Connect America Fund.

Finding 1: *That the site of the proposed use is adequate in size and shape to accommodate said use and all yards, spaces, walls and fences, parking, loading, landscaping, and other features required by this Division, to adjust said use with land and uses in the neighborhood*

	Current Standard:	Proposed Operation:	Is Standard Met (y/n)
Setbacks	Front: 35 feet Rear: 20 feet Side: 20 feet	<u>Tower lease area:</u> Front (east): 232+/- feet to boundary of APN 138-070-69 Rear (west): One mile+/- Side (north): 500+/- feet Side(south): 143+/- feet <u>Equipment lease area:</u> Front (east): 25+/- feet Rear (west): One mile+/- Side (north): 100+/- feet Side(south): 45+/- feet	Yes
Parking	N/A	N/A	N/A
Lot Coverage	No requirement	N/A	N/A
Space Between Buildings	No requirement	N/A	N/A
Wall Requirements	No requirement	N/A	N/A
Septic Replacement Area	100 percent	No change	Yes
Water Well Separation	100 feet	No change	Yes

Reviewing Agency/Department Comments Regarding Site Adequacy:

Zoning and Permit Section of the Fresno County Department of Public Works and Planning: For all proposed improvements, separate plans and permits will be required for the work at each lease area that is located on a separate parcel. The proposed 8-foot by 8-foot walk-in equipment cabinet, and other appurtenant equipment to be located within the proposed 20-foot by 23-foot lease area, are not classified as structures and are therefore not subject to the setback requirements of the AE-40 Zone District. However, all proposed equipment must be located outside of the right-of-way of Millerton Road and outside of any existing or proposed easements.

Development Engineering Section of the Fresno County Department of Public Works and Planning: According to FEMA, FIRM Panel 1060H, the project site is not in an area subject to flooding from the 100-year (one percent chance) storm event. Based on U.S.G.S. Quad Maps, intermittent streams may be present within the subject property. Any development within or near a stream will require clearance from the California Department of Fish and Wildlife.

Typically, if the subject property is located within a State Responsibility Area (SRA) boundary, any future development shall be in accordance with the applicable SRA Fire Safe Regulations, as they apply to driveway construction and access.

No other comments specific to the adequacy of the site were expressed by reviewing Agencies or Departments.

Analysis:

The project site is located along the south side of Millerton Road, between Auberry Road and State Route 168/Morgan Canyon Road on two adjacent parcels totaling approximately 433 acres. Based on analysis of the Applicant’s site plan and review of aerial and site images, staff believes there is adequate area available on the subject parcels to accommodate the proposed facilities and related easements.

Staff finds that the subject parcels are adequate in size and shape to accommodate the proposed use.

Recommended Conditions of Approval:

See recommended Conditions of Approval attached as Exhibit 1.

Conclusion:

Finding 1 can be made.

Finding 2: That the site for the proposed use relates to streets and highways adequate in width and pavement type to carry the quantity and kind of traffic generated by the proposed use

		Existing Conditions	Proposed Operation
Private Road	No	N/A	No change
Public Road Frontage	Yes	The subject property has frontage along the south side of Millerton Road.	The proposed facility will take access from Millerton Road via a proposed access and utility easement
Direct Access to Public Road	Yes	Millerton Road	No change
Road ADT		400	Addition of up to two two-way trips per month for maintenance

		Existing Conditions	Proposed Operation
Road Classification		Arterial	No change
Road Width		Average of 15.6 feet of paved width between SR 168 and Little Dry Creek C-210, with an apparent right-of-way of 40 feet	No change
Road Surface		Paved	No change
Traffic Trips		Residential	Up to two two-way maintenance trips per month
Traffic Impact Study (TIS) Prepared	No	Not recommended	No substantial increase in traffic is anticipated with this project
Road Improvements Required		Not required	No road improvements or additional right-of-way was recommended for this project

Reviewing Agency/Department Comments Regarding Adequacy of Streets and Highways:

Development Engineering Section of the Fresno County Department of Public Works and Planning: Millerton Road is classified as an Arterial, with an unknown right-of-way south of the centerline along the parcel frontage, per Plat Book. The minimum width for an Arterial road right-of-way south of the centerline is 53 feet.

Millerton Road is a County-maintained road, and records indicate that the section of Millerton Road from State Route 168 to Little Dry Creek Road (C-210) has an average daily traffic (ADT) count of 400, a paved width of 15.6 feet, a structural section of 0.36 feet Road Mix Surface (RMS), and is in poor condition.

Any access driveway shall be set back a minimum of 10 feet from the property line.

Any work done within the County right-of-way to construct a new driveway or improve an existing driveway will require an Encroachment Permit from the Road Maintenance and Operations Division.

In an Arterial classification, if not already present, on-site turnarounds are required for vehicles leaving the site to enter the Arterial road in a forward motion so that vehicles do not back onto the roadway.

Road Maintenance and Operations Division of the Fresno County Department of Public Works and Planning: Millerton Road is classified as an Arterial in the Fresno County General Plan, requiring an ultimate right-of-way of 106 feet. Currently, Millerton Road has an apparent right-of-

way width of less than 40 feet. Additional right-of-way will ultimately be required from the property in order to meet General Plan requirements; however, ultimate widening is not anticipated to occur within the next twenty years.

Any work proposed within the road right-of-way will require that an encroachment permit be obtained from the Road Maintenance and Operations Division prior any work being done.

Design Division of the Fresno County Department of Public Works and Planning: No comment.

California Department of Transportation (Caltrans): No comment.

No other comments specific to the adequacy of streets and highways were expressed by reviewing Agencies or Departments.

Analysis:

The project proposes the installation of two separate lease areas due to the steepness of the terrain. The equipment lease area will be located approximately 40 feet from the nearest right-of-way of Millerton Road, and adjacent to the proposed access and utility easement which will connect with Millerton Road and provide access to the proposed facility.

Based on the above information, the streets and highways serving the subject parcels are adequate in width and pavement type to accommodate the proposed use.

Recommended Conditions of Approval:

See recommended Conditions of Approval attached as Exhibit 1.

Conclusion:

Finding 2 can be made.

Finding 3: That the proposed use will have no adverse effect on abutting property and surrounding neighborhood or the permitted use thereof

Surrounding Parcels				
	Size:	Use:	Zoning:	Nearest Residence:
North	80 acres	Grazing	AE-40	Approximately 720 feet
South	360 acres 160 acres	Grazing	AE-40	None
East	10.00 acres	Single-Family Residential	AL-40	Approximately 270 feet
	10.00 acres	Single-Family Residential		Approximately 480 feet
	20.00 acres	Single-Family Residential/Grazing		Approximately 320 feet
	1.45 acres	Grazing		None

Surrounding Parcels				
	8.40 acres	Grazing		None
	20.00 acres	Single-Family Residential		Approximately 330 feet
	21.72 acres	Vacant		None
West	160 acres 360 acres	Grazing	AE-20	None

Reviewing Agency/Department Comments:

Development Engineering Section of the Fresno County Department of Public Works and Planning: An Engineered Grading and Drainage Plan may be required to show how additional storm water runoff generated by the proposed development will be handled without adversely impacting adjacent properties.

Building and Safety/Plan Check Section of the Fresno County Department of Public Works and Planning: If this application is approved, plans, permits and inspections will be required for all on-site improvements.

Fresno County Department of Public Health, Environmental Health Division: Facilities proposing to use and/or store hazardous materials and/or hazardous wastes shall meet the requirements set forth in the California Health and Safety Code (HSC), Division 20, Chapter 6.95, and the California Code of Regulations (CCR), Title 22, Division 4.5. Any business that handles a hazardous material or hazardous waste may be required to submit a Hazardous Materials Business Plan pursuant to the HSC, Division 20, Chapter 6.95 (<http://cers.calepa.ca.gov>). For more information, please contact the local Certified Unified Program Agency (CUPA) at (559) 600-3271. The default State reporting thresholds that apply are: >55 gallons (liquids), >500 pounds (solids), >200 cubic feet (gases), or at the threshold planning quantity for extremely hazardous substances.

All hazardous waste shall be handled in accordance with requirements set forth in the California Code of Regulations (CCR), Title 22, Division 4.5. This Division discusses proper labeling, storage and handling of hazardous wastes.

Southern San Joaquin Valley Information Center (SSJVIC): Based upon the archaeological sensitivity of the region, prehistoric or historic cultural resources may be present within the project site. Current surface conditions appear to allow for adequate survey of potential surface or subsurface cultural resources. Five cultural resources are known to exist in the area of the project. Additional unidentified cultural resources may be present. SSJVIC recommends that a new archaeological survey be done by a professional archaeologist prior to project approval.

The Applicant submitted a Cultural Resources Inventory, dated February 28, 2019. The Cultural Resources Inventory consisted of record searches by SSJVIC of the California Historical Resources Information System, as well as other historical data bases; a site visit; pedestrian reconnaissance survey; photographs; and review of topographic maps. The results of the survey were that no historical or cultural resources were found within the boundaries of the subject parcels; however, it was noted that one known historical resource was located approximately one half-mile from the project area.

One local Native American Tribe, culturally or historically affiliated with the area, initially requested to consult with the County on this project. In response to an invitation to consult, the Tribe requested additional information about the project, including any cultural resources studies that were available. County staff provided the Tribe with the requested information, and after review, the Tribe indicated that no further consultation was desired. However, the Tribe did request that the Applicant allow a Tribal representative to be present on the project site during any ground-disturbing activities. To accommodate the Tribe's request, a Mitigation Measure has been included, requiring that the Applicant notify all tribes that participated in consultation of the opportunity to have a certified Native American Monitor present during all ground-disturbing activities. Additionally, to address the possibility that cultural or historical resources are discovered during project construction, a Mitigation Measure has been included, requiring that in the event of such a discovery, all work is to be halted until the nature of the discovery can be ascertained by appropriately-qualified persons.

United States Fish and Wildlife Service (USFWS): A review of aerial imagery shows the majority of the proposed project and surrounding area is open undeveloped rangeland. According to the California Natural Diversity Database (CNDDDB), the proposed project is within 4.5 miles of recorded occurrences of the federally-threatened California Tiger Salamander (CTS). Although no site-specific data was available, wetlands and ponds may provide breeding habitat for the salamander, and upland habitats may support salamander dispersal and aestivation. USFWS recommends a search of the Service's Information Planning and Consultation system to obtain a full list of federally-listed species that may occur. In addition, USFWS recommends that a qualified biologist conduct a habitat assessment of the site to determine whether suitable habitat occurs for these or any other listed species. If any listed species occur on or near the project site, the Service recommends that the project proponent contact USFWS to determine if further coordination is needed.

Fresno County Fire Protection District (FCFPD) (CALFIRE): The project will be subject to the requirements of the current Fire Code and Building Code when a building permit or certificate of occupancy is sought.

No other comments specific to land use compatibility were expressed by reviewing Agencies or Departments.

Analysis:

The proposed tower is designed as a broadleaf tree to minimize its visual impact on the surrounding area. The proposed tower is 61 feet in total height, and photo simulations submitted by the Applicant show that the tower would still be visible from surrounding properties and the adjacent roadway; however, the stealth design of the tower, its distance from the road (approximately 450 feet; elevation approximately 90 feet above the roadway), and the requirement that the fencing surrounding the tower be painted earth-tone brown would minimize its visual impact. The proposed equipment lease area, located much closer to the road, will have the same fencing requirement to minimize visual impacts. Additionally, to reduce any impacts to the site from construction and grading activities, a Mitigation Measure has been included, requiring that any trees that are removed during such activities be replaced at a one to one ratio.

To address potential impacts to biological resources, the Applicant submitted a Biological Reconnaissance Habit Assessment, dated May 20, 2019, by Alphabiota Biological Consulting, LLC on behalf of Geist Engineering and Environmental Group, Inc. for the project. The

biological assessment found no incidence of California Tiger Salamander or any other federally-listed species. A Great Horned Owl nest was observed with adult and young owls present in the nest. As a result, a Mitigation Measure has been included specifically to require that the site be monitored by a qualified biologist, and that no construction take place until the Owl chicks have fledged. The biological assessment also determined that potential impacts to wildlife or plants could be avoided with the implementation of standard construction conditions and best management practices; however, in order to address the potential for other special-status species to occur on the site, Mitigation Measures have been included requiring that the site also be monitored for California Tiger Salamander, Spadefoot toad, and any birds protected by the Migratory Bird Treaty Act.

Based on the above information, and with implementation of the included Mitigation Measures and compliance with the Conditions of Approval and Mandatory Project Notes, staff believes the proposal will not have an adverse effect upon surrounding properties.

Recommended Conditions of Approval:

See recommended Conditions of Approval attached as Exhibit 1.

Conclusion:

Finding 3 can be made.

Finding 4: *That the proposed development is consistent with the General Plan*

Relevant Policies:	Consistency/Considerations:
<p>General Plan Policy PF-J.4: The County shall require compliance with the Wireless Communication Guidelines.</p>	<p>The County acknowledges that the Applicant has provided supplemental project information in accordance with this policy.</p>
<p>General Plan Policy LU-A. 3 The County may allow by discretionary permit in areas designated as Agricultural, special agricultural uses and agriculturally-related activities, including value-added processing facilities, and certain non-agricultural uses listed in Table LU-3. Approval of these and similar uses in areas designated as Agricultural shall be subject to the following criteria:</p> <ul style="list-style-type: none"> a. The use shall provide a needed service to the surrounding agricultural area which cannot be provided more efficiently within urban areas or which requires location in a non-urban area because of unusual site requirements or operational characteristics. b. The use should not be sited on productive agricultural lands if less productive land is available in the vicinity. 	<p>The Applicant’s coverage maps indicate that the proposed tower would substantially increase the available wireless coverage in the area. The proposed facility lease areas are relatively small, totaling approximately 1,100 square feet, with the access and utility easement occupying approximately 9,000 square feet, so the proposed facility will occupy approximately 10,000 square feet (one quarter-acre) of the 433 acres contained in the subject parcels. The project will not remove any productive agricultural lands from service, as the property is undeveloped grazing land and the proposed facility would not interfere with such use.</p> <p>No additional water usage is proposed with this project; accordingly, there will be no impacts to local water resources.</p>

Relevant Policies:	Consistency/Considerations:
<p>c. The operational or physical characteristics of the use shall not have a detrimental impact on water resources or the use or management of surrounding properties within at least a one quarter-mile radius.</p> <p>d. A probable workforce should be located nearby or be readily available.</p>	<p>The Applicant's project support statement indicates that construction of the project will take approximately two to three months and the construction crew will involve from two to ten individuals.</p>

Reviewing Agency Comments:

General Plan Policy PF-J.4 requires compliance with the Fresno County Wireless Communication Guidelines for siting of communication towers in unincorporated areas of the County. The Guidelines address several concerns with regard to wireless communication facilities, including justification or need for the tower, co-location opportunities, site selection, and provisions for removal. The Guidelines support the proposed placement of the tower relatively near the edge of the parcel. Additionally, the Applicant's submitted coverage maps indicate that existing in-building, in-transit and outdoor wireless service in the area will be substantially increased by the addition of the proposed facility. The nearest existing tower to the proposed site is more than five miles away, and therefore would not meet the Applicant's coverage objectives.

Policy Planning Section of the Fresno County Department of Public Works and Planning: Both of the subject parcels, APN's 138-070-66 and 138-070-69, are designated Eastside Rangeland in the County-Adopted Sierra North Regional Plan, and located in the AE-40 (Exclusive Agricultural, 40-acre minimum parcel size) Zone District. The 431.60-acre parcel identified as APN 138-070-66 is enrolled in the Williamson Act Program under Contract No.109. The adjacent 2.00-acre parcel identified as APN 138-070-69 is not. Telecommunication Towers are an allowed use on Williamson Act contracted land, dependent on the area that would be removed from farming because of the project. Therefore, a typed Statement of Intended Use is required to be submitted to the Policy Planning Unit of the Development Services and Capital Projects Division. As required, a Statement of Intended Use was submitted for review to the Policy Planning Unit, Development Services and Capital Projects Division, on May 23, 2019. On May 24, 2019, review by the Policy Planning Unit indicated that the Statement of Intended Use satisfied the requirements of the Williamson Act.

Fresno County Department of Agriculture: No comment.

No other comments specific to General Plan Policy were expressed by reviewing Agencies or Departments.

Analysis:

General Plan Policy PF-J.4 requires compliance with the Fresno County Wireless Communication Guidelines for siting of communication towers in unincorporated areas of the County. The Guidelines address several concerns with regard to wireless communication facilities, including justification or need for the tower, co-location opportunities, site selection, and provisions for removal. Additionally, the Applicant's submitted coverage maps indicate that existing in-building, in-transit and outdoor wireless service in the area will be substantially increased by the addition of the proposed facility. The nearest existing tower to the proposed

site is more than five miles away, and therefore would not meet the Applicant's coverage objectives.

Based on these factors, the proposal to install and operate the unmanned telecommunication facility is consistent with the General Plan.

Recommended Conditions of Approval:

None.

Conclusion:

Finding 4 can be made.

PUBLIC COMMENT:

One call was received in general opposition to the project, although no specific issues were identified. The caller provided no identification, and staff made one attempt to return the call; however, to date, no further correspondence was received.

CONCLUSION:

Based on the factors cited in the analysis, staff believes the required Findings for granting the Unclassified Conditional Use Permit can be made. Staff therefore recommends approval of Unclassified Conditional Use Permit No. 3635, subject to the recommended Conditions.

PLANNING COMMISSION MOTIONS:

Recommended Motion (Approval Action)

- Move to adopt the Mitigated Negative Declaration prepared for Initial Study Application No. 7577; and
- Move to determine the required Findings can be made and move to approve Unclassified Conditional Use Permit No. 3635, subject to the Mitigation Measures, Conditions of Approval and Project Notes listed in Exhibit 1; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

Alternative Motion (Denial Action)

- Move to determine that the required Findings cannot be made (state basis for not making the Findings) and move to deny Unclassified Conditional Use Permit No. 3635; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

Mitigation Measures, Recommended Conditions of Approval and Project Notes:

See attached Exhibit 1.

Mitigation Monitoring and Reporting Program
Initial Study Application No. 7577/Unclassified Conditional Use Permit Application No. 3635
(Including Conditions of Approval and Project Notes)

Mitigation Measures					
Mitigation Measure No.*	Impact	Mitigation Measure Language	Implementation Responsibility	Monitoring Responsibility	Time Span
1.	Aesthetics	Both of the proposed lease areas shall be screened behind slatted, chain-link fencing provided in an earth-tone (brown) color. The slatted fencing color shall be maintained for the duration of operation of the facility.	Applicant	Applicant/Fresno County Department of Public Works and Planning (PW&P)	Ongoing/ Duration of the project
2.	Biological	Oak trees which measure a minimum of 5 inches in diameter at breast height (dbh), defined as four and one-half feet on the uphill side of the tree, on the project site that are removed as a result of the project shall be replaced at a ratio of 1:1 (one tree planted to every one tree removed) with a five-gallon tree of the same species. All replacement trees shall be maintained until established.	Applicant	Applicant/PW&P	Ongoing/ Duration of the project
3.	Biological	Due to the potential for Special-Status Species, including California Tiger Salamander (CTS) and/or Spadefoot toad, to occur or move through or into the project site, an on-site biological monitor (qualified biologist) shall be present during any ground disturbance, to include excavation, backfill and/or grading activities. If CTS or Spadefoot toad are found to be present, all work shall stop and the Applicant's qualified biologist shall consult with the United States Fish and Wildlife Service and the California Department of Fish and Wildlife to determine if a take permit or other course of action to protect CTS and/or Spadefoot toad is necessary. Additional Surveys may be necessary.	Applicant	Applicant/PW&P	Ongoing/ Duration of the project
4.	Biological	If construction activities start during the breeding or nesting season for Migratory Bird Treaty Act (MBTA) protected breeds, a preconstruction survey for nesting birds shall be implemented. Surveys shall be conducted in accordance with U.S. Fish and Wildlife Service guidance for minimizing impacts to migratory birds (breeding season is generally defined as between February 1 and mid-September, and nesting season between March 1 and mid-September).	Applicant	Applicant/PW&P	Ongoing/ Duration of the project
5.	Biological	Prior to any construction or ground disturbance (to include	Applicant	Applicant/PW&P	Ongoing/

EXHIBIT 1

		excavation, backfill and/or grading), and prior to any delay in work lasting more than seven (7) days, a qualified biologist shall survey the site to determine if the Great Horned Owl's nest identified by the submitted Habitat Assessment dated May 20, 2019 contains any adult Great Horned Owls, chicks or any other nesting birds, or if other nests are present. If adult Owls or chicks are present, all project-related construction, ground disturbance, excavation or backfill activities shall be postponed until all chicks have fledged and adults have ceased using the nest, and it is determined by the qualified biologist that no Great Horned Owls or chicks are present in the nest.			Duration of the project
6.	Cultural Resources	In the event that cultural resources are unearthed during ground-disturbing activity, all work shall be halted in the area of the find, and an Archeologist shall be called to evaluate the findings and make any necessary mitigation recommendations. If human remains are unearthed during ground-disturbing activity, 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 should be followed by photos, reports, video, etc. If such remains are determined to be Native American, the Sheriff-Coroner must notify the Native American Commission within 24 hours.	Applicant	Applicant/PW&P	During ground-disturbing activities
7.	Tribal Cultural Resources	Two (2) weeks prior to any ground-disturbing activities within the Area of Potential Effect (APE), such as digging, trenching, or grading, the Applicant shall notify all tribes that participated in consultation of the opportunity to have a certified Native American Monitor inspect the site prior to and be present during all ground-disturbing activities both during construction and decommissioning. The notification shall be by email to the following person: Robert Pennell at rpennell@tmr.org. The tribal monitors shall be independently insured in order to enter the construction zone.	Applicant	Applicant/PW&P	Ongoing
Conditions of Approval					
1.	Development and operation shall be in substantial conformance with the approved Site Plans, Floor Plans, Elevation Drawings and Operational Statement, except as modified by the Conditions of Approval.				
2.	Prior to the issuance of permits, the Applicant/lease holder identified as AT&T shall enter an agreement with the County of Fresno, requiring that should use of the tower cease for a period in excess of two years, CUP No. 3635 shall expire, the lease holder shall remove the tower and related facilities, and the lease areas and easements shall be restored as nearly as practical to their original pre-project condition. Said removal and restoration must be completed within 120 days after written notice of expiration of the use permit from the County.				

3.	All outdoor lighting shall be hooded and directed downward so as not to shine toward adjacent properties and public streets or roadways.
4.	The maximum number of antennas allowed on the tower shall be determined according to wind load calculations as approved by the Fresno County Department of Public Works and Planning.
5.	Prior to the issuance of permits, the Applicant shall submit a Vegetation Management Plan to the Fresno County Fire Protection District for approval, and verification of approval shall be provided to the Fresno County Department of Public Works and Planning.
6.	Prior to the issuance of permits, evidence shall be submitted showing provisions have been made to accommodate co-location, such as provision for co-location in a signed lease agreement, and additional area within the lease area for co-location of equipment, or other information that demonstrates the facility shall make itself available for co-location.

*MITIGATION MEASURE – Measure specifically applied to the project to mitigate potential adverse environmental effects identified in the environmental document.
Conditions of Approval reference recommended Conditions for the project.

Notes	
The following Notes reference mandatory requirements of Fresno County or other Agencies and are provided as information to the project Applicant.	
1.	Unclassified Conditional Use Permit (CUP) No. 3635 shall become void unless there has been substantial development within two years of the effective date of approval (see Condition No. 2).
2.	The project shall comply with the California Code of Regulations Title 24 – Fire Code, and three sets of County-approved construction plans for the project shall be approved by the Fire District prior to issuance of Building Permits by the County.
3.	The subject parcel shall annex into Community Facilities District (CFD) No. 2010-01 of the Fresno County Fire Protection District.
4.	All hazardous waste shall be handled in accordance with requirements set forth in the California Health and Safety Code, Chapter 6.5.
5.	Facilities proposing to use and/or store hazardous materials and/or hazardous wastes shall meet the requirements set forth in the California Health and Safety Code (HSC), Division 20, Chapter 6.95, and the California Code of Regulations (CCR), Title 22, Division 4.5. Any business that handles a hazardous material or hazardous waste may be required to submit a Hazardous Materials Business Plan pursuant to the HSC, Division 20, Chapter 6.95 (http://cers.calepa.ca.gov/ or https://www.fresnocupa.com/). For more information, please contact the local Certified Unified Program Agency (CUPA) at (559) 600-3271. The default State reporting thresholds that apply are >55 gallons (liquids), >500 pounds (solids), >200 cubic feet (gases), or at the threshold planning quantity for extremely hazardous substances.
6.	Plans, permits and inspections are required, including, but not limited to, accessible elements and site development based upon the codes in effect at the time of plan check submittal.
7.	Any additional runoff generated by the proposed development of this site cannot be drained across property lines and must be retained or disposed of per County Standards.
8.	A grading permit or voucher is required for any grading proposed with this application.

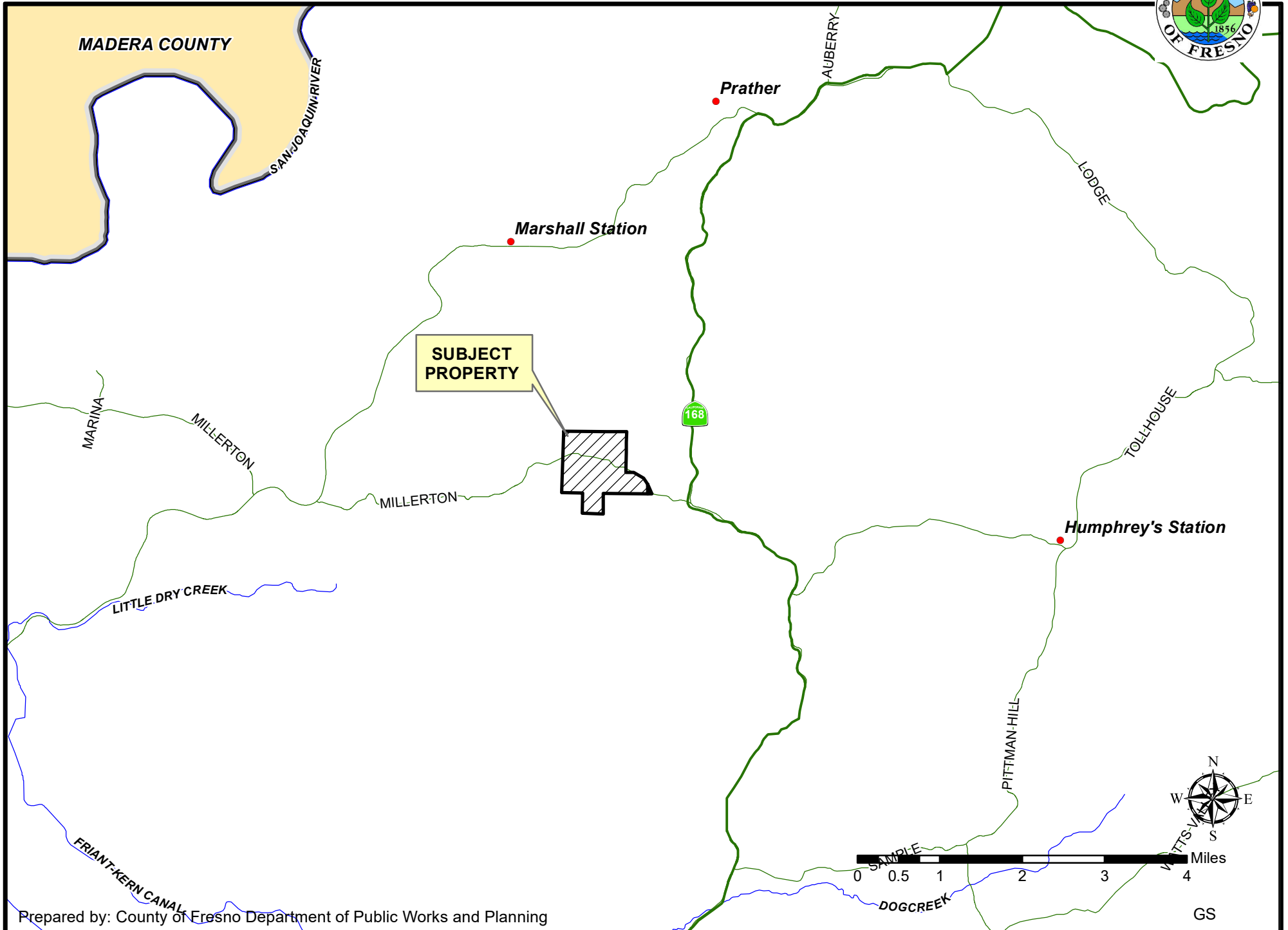
Notes

- | | |
|----|---|
| 9. | Any work done within the County road right-of-way will require that an encroachment permit be obtained from the Road Maintenance and Operations Division. |
|----|---|

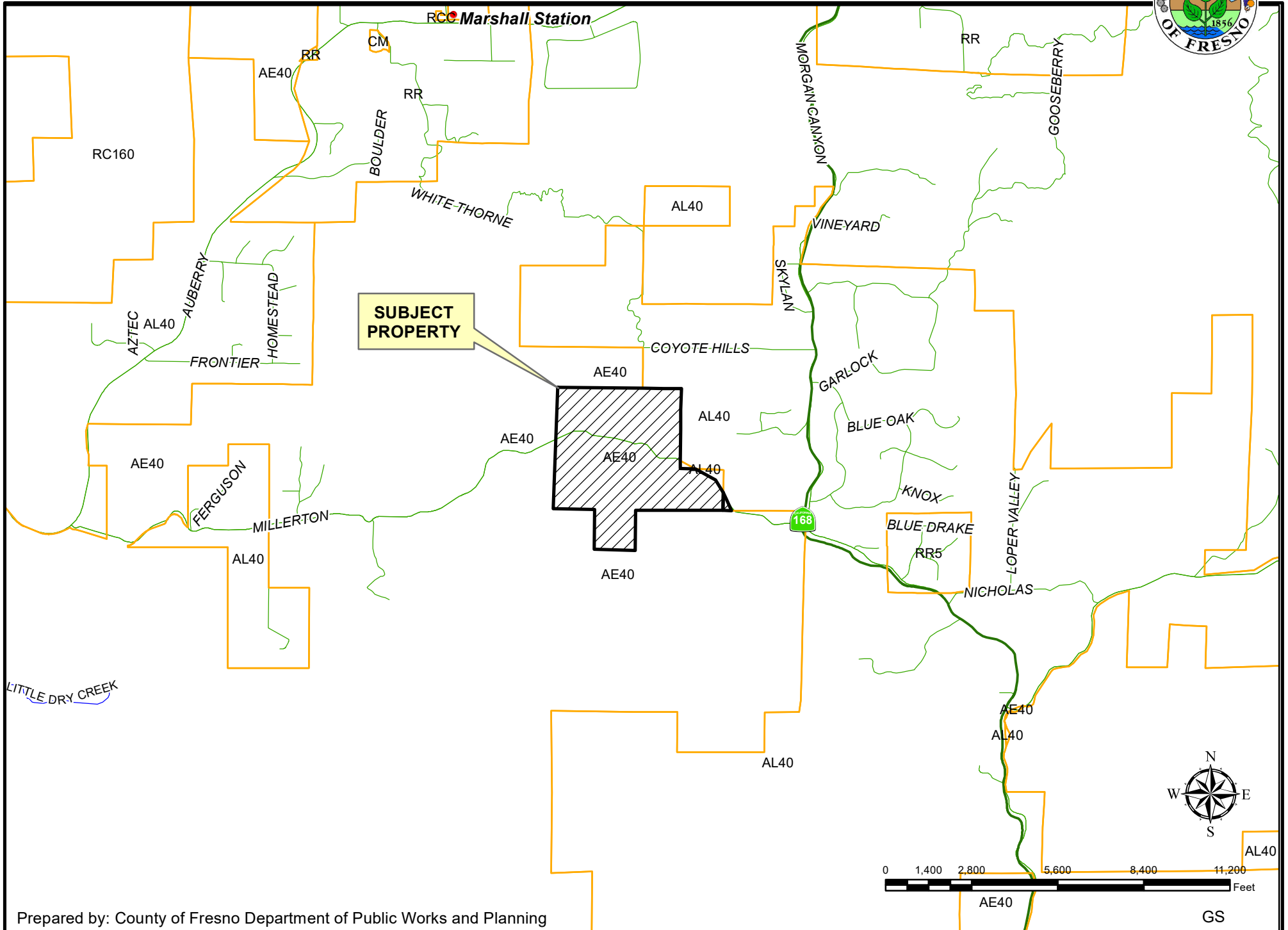
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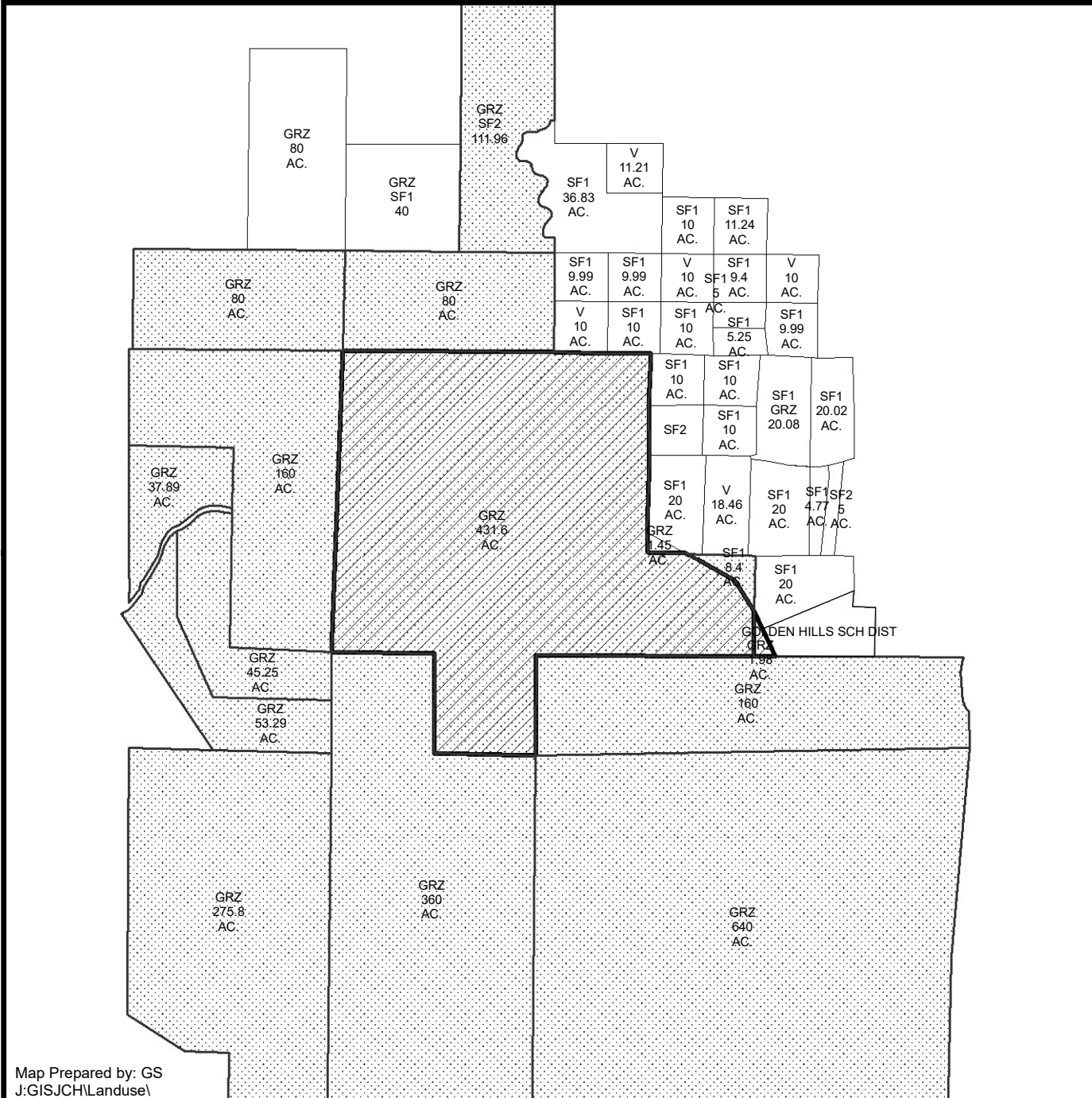
LOCATION MAP



EXISTING ZONING MAP



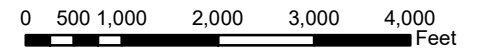
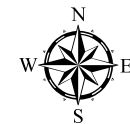
EXISTING LAND USE MAP



LEGEND	
GRZ - GRAZING	
SF# - SINGLE FAMILY RESIDENCE	
V - VACANT	

LEGEND:

-  Subject Property
-  Ag Contract Land



Department of Public Works and Planning
Development Services Division

Map Prepared by: GS
J:GISJCHLanduse1



at&t

FA CODE: 13787646
USID: 217128

SITE NUMBER: CVL03147

SITE NAME: MARSHALL JUNCTION

MILLERTON ROAD
PRATHER, CA 93656
JURISDICTION: FRESNO COUNTY
APN: 138-070-66 (TOWER)
APN: 138-070-69 (GROUND EQUIPMENT)

Issued For:
CVL03147
MARSHALL JUNCTION

MILLERTON ROAD
PRATHER, CA 93656

PREPARED FOR
 at&t

2600 Camino Ramon
San Ramon, California 94583

Vendor:
 COMPLETE
Wireless Consulting, Inc.

PROJECT DESCRIPTION	PROJECT INFORMATION	PROJECT TEAM	SHEET INDEX	REV
<p>NEW SITE BUILD UNMANNED TELECOMMUNICATIONS FACILITY.</p> <ol style="list-style-type: none"> BRING POWER / TELCO / FIBER TO SITE LOCATION INSTALL AT&T APPROVED PRE-MANUFACTURED EQUIPMENT SHELTER & ASSOCIATED INTERIOR EQUIPMENT INSTALL AT&T MONOPOLE WITH ANTENNAS & ASSOCIATED TOWER MOUNTED EQUIPMENT INSTALL GENERATOR WITH FUEL TANK 	<p>PROPERTY INFORMATION:</p> <p>SITE NAME: MARSHALL JUNCTION</p> <p>SITE NUMBER: CVL03147</p> <p>SITE ADDRESS: MILLERTON ROAD PRATHER, CA 93656</p> <p>A.P.N. NUMBER: 138-070-66 (TOWER) 138-070-69 (GROUND EQUIPMENT)</p> <p>CURRENT ZONING: AE40 (EXCLUSIVE AGRICULTURE - 40 ACRE)</p> <p>JURISDICTION: COUNTY OF FRESNO</p>	<p>PROPERTY OWNER: SMITH FOOTHILL RANCH, LLC, 8703 NORTH DEL MAR AVENUE FRESNO, CA 93711</p> <p>APPLICANT / LESSEE: AT&T 2600 CAMINO RAMON, 4W850 N SAN RAMON, CA 94583</p> <p>ARCHITECT / ENGINEER: MST ARCHITECTS INC. 1520 RIVER PARK DRIVE SACRAMENTO, CA 95815 CONTACT: MANUEL S. TSIHLAS EMAIL: manuel@mstarchitects.com PH: (916) 567-9630</p> <p>RF ENGINEER: AT&T 5555 EAST OLIVE AVENUE FRESNO, CA 93727 CONTACT: JAKE BALUYUT EMAIL: jkb7714@att.com PH: (559) 454-5694</p> <p>ZONING MANAGER: COMPLETE WIRELESS CONSULTING, INC. 2009 V STREET SACRAMENTO, CA 95818 CONTACT: MARIA KIM EMAIL: mkim@completewireless.net PH: (916) 247-6087</p> <p>CONSTRUCTION MANGER: ERICSSON 6140 STONERIDGE MALL ROAD, #350 PLEASANTON, CA 94588 CONTACT: BRIAN FESLER EMAIL: brian.fesler@ericsson.com PH: (530) 682-8862</p> <p>LEASING MANAGER: COMPLETE WIRELESS CONSULTING, INC. 2009 V STREET SACRAMENTO, CA 95818 CONTACT: MARIA KIM EMAIL: MKim@completewireless.net PH: (916) 247-6087</p>	<p>T-1 TITLE SHEET #</p> <p>GN-1 GENERAL NOTES, ABBREVIATIONS, AND LEGEND #</p> <p>C-1 SURVEY SHEET #</p> <p>A-1.0 UTILITY SITE PLAN #</p> <p>A-1.1 OVERALL AND ENLARGED SITE PLANS #</p> <p>A-2.1 EQUIPMENT LAYOUT PLAN #</p> <p>A-2.2 MONO-BROADLEAF EQUIPMENT LAYOUT PLAN #</p> <p>A-3.1 ANTENNA LAYOUT PLAN & SCHEDULE #</p> <p>A-3.2 ANTENNA DETAILS #</p> <p>A-4.1 PROPOSED ELEVATIONS #</p> <p>A-4.2 PROPOSED ELEVATIONS #</p>	<p>#</p> <p>#</p> <p>#</p> <p>#</p> <p>#</p> <p>#</p> <p>#</p> <p>#</p> <p>#</p> <p>#</p> <p>#</p>

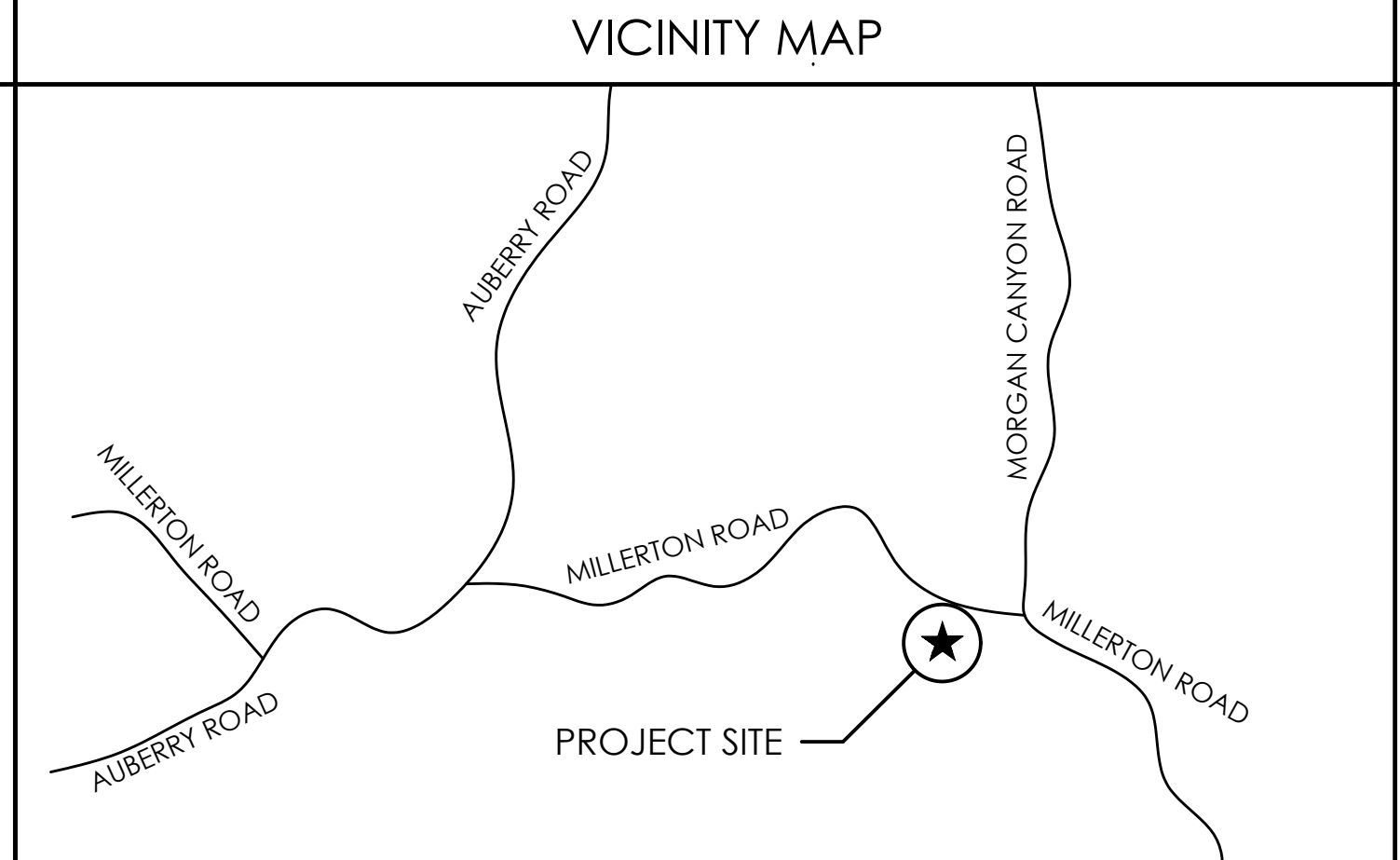
AT&T SITE NO:	CVL03147
PROJECT NO:	162.2380
DRAWN BY:	MWS
CHECKED BY:	TST

REV	DATE	DESCRIPTION
	06/25/19	100% ZD REV 1
	01/08/19	100% ZD
	12/07/18	90% ZD

CODE COMPLIANCE

ALL WORK AND MATERIALS SHALL BE PERFORMED AND INSTALLED IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNING AUTHORITIES. NOTHING IN THESE PLANS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THESE CODES.

- 2016 CALIFORNIA ADMINISTRATIVE CODE, CHAPTER 10, PART 1, TITLE 24 CODE OF REGULATIONS
- 2016 CALIFORNIA BUILDING CODE (CBC) WITH CALIFORNIA AMENDMENTS, BASED ON THE 2012 IBC (PART 2, VOL 1-2)
- 2016 CALIFORNIA RESIDENTIAL CODE (CRC) WITH APPENDIX H, PATIO COVERS, BASED ON THE 2012 IRC (PART 2.5)
- 2016 CALIFORNIA GREEN BUILDINGS STANDARDS CODE (CALGREEN) (PART 11) [AFFECTED ENERGY PROVISIONS ONLY]
- 2016 CALIFORNIA FIRE CODE (CFC), BASED ON THE 2012 IFC, WITH CALIFORNIA AMENDMENTS (PART 9)
- 2016 CALIFORNIA MECHANICAL CODE (CMC), BASED ON THE 2012 UMC (PART 4)
- 2016 CALIFORNIA PLUMBING CODE (CPC), BASED ON THE 2012 UPC (PART 5)
- 2016 CALIFORNIA ELECTRICAL CODE (CEC) WITH CALIFORNIA AMENDMENTS, BASED ON THE 2011 NEC (PART 3)
- 2016 CALIFORNIA ENERGY CODE (CEC)
- ANSI / EIA-TIA-222-G
- 2015 NFPA 101, LIFE SAFETY CODE
- 2016 NFPA 72, NATIONAL FIRE ALARM CODE
- 2016 NFPA 13, FIRE SPRINKLER CODE



DIRECTIONS FROM AT&T

DIRECTIONS FROM AT&T'S OFFICE AT 2600 CAMINO RAMON, SAN RAMON, CA:

- HEAD EAST
- TURN RIGHT TOWARD CAMINO RAMON
- TURN RIGHT ONTO CAMINO RAMON
- TURN RIGHT ONTO BOLLINGER CANYON ROAD
- MERGE ONTO I-680 S VIA THE RAMP TO SAN JOSE
- TAKE EXIT 30A TO MERGE ONTO I-580 E TOWARD STOCKTON
- KEEP LEFT TO CONTINUE ON I-205 E, FOLLOW SIGNS FOR INTERSTATE 205/TRACY/STOCKTON
- MERGE ONTO I-5 N
- TAKE EXIT 461 FOR CA-120 TOWARD MANTECA/SONORA
- CONTINUE ONTO CA-120 E
- TAKE EXIT 6 TO MERGE ONTO CA-99 S TOWARD MODESTO/FRESNO
- TAKE EXIT 155 FOR CLEVELAND AVENUE
- TURN LEFT ONTO AVENUE 15 1/2/WEST CLEVELAND AVENUE (SIGNS FOR MILLERTON LAKE)
- CONTINUE TO FOLLOW WEST CLEVELAND AVENUE
- TURN RIGHT TO STAY ON WEST CLEVELAND AVENUE
- TURN SLIGHTLY LEFT ONTO AVENUE 15 1/2/WEST CLEVELAND AVENUE
- CONTINUE TO FOLLOW W CLEVELAND AVENUE
- CONTINUE ONTO TOZER STREET
- TURN LEFT ONTO CA-145 N/E YOSEMITE AVENUE
- CONTINUE TO FOLLOW CA-145 N
- TURN RIGHT ONTO ROAD 206
- CONTINUE ONTO NORTH FORK ROAD
- TURN LEFT ONTO MILLERTON ROAD
- TURN LEFT ONTO AUBERRY ROAD
- TURN RIGHT ONTO MILLERTON ROAD

YOUR DESTINATION IS ON THE RIGHT

APPROVALS

APPROVED BY:	INITIALS:	DATE:
AT&T:		
VENDOR:		
R.F.:		
LEASING / LANDLORD:		
ZONING:		
CONSTRUCTION:		
POWER / TELCO:		
PG&E:		

OCCUPANCY AND CONSTRUCTION TYPE

OCCUPANCY : S-2 (UNMANNED TELECOMMUNICATIONS FACILITY), U (TOWER)

CONSTRUCTION TYPE: V-B

HANDICAP REQUIREMENTS

FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION. ACCESSIBILITY ACCESS AND REQUIREMENTS ARE NOT REQUIRED, IN ACCORDANCE WITH CALIFORNIA STATE ADMINISTRATIVE CODE, PART 2, TITLE 24, SECTION 1103B.1, EXCEPTION 1 & SECTION 1134B.2.1, EXCEPTION 4.

EXHIBIT 5

GENERAL CONTRACTOR NOTES

DO NOT SCALE DRAWINGS

THESE DRAWINGS ARE FORMATTED TO BE FULL SIZE AT 24" x 36". CONTRACTOR SHALL VERIFY ALL PLANS AND EXISTING DIMENSIONS AND CONDITIONS ON THE JOBSITE AND SHALL IMMEDIATELY NOTIFY THE ARCHITECT/ENGINEER IN WRITING OF ANY DISCREPANCIES BEFORE PROCEEDING WITH THE WORK OR MATERIAL ORDERS OR BE RESPONSIBLE FOR THE SAME.



Licensee:

IT IS A VIOLATION OF LAW FOR ANY PERSON, UNLESS THEY ARE ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, TO ALTER THIS DOCUMENT.

Architect:

MST ARCHITECTS
1520 River Park Drive
Sacramento, California 95815

SHEET TITLE:
TITLE SHEET

SHEET NUMBER:
T-1

DATE OF SURVEY: 09-28-18

SURVEYED BY OR UNDER DIRECTION OF: KENNETH D. GEIL, RCE 14803

LOCATED IN THE COUNTY OF FRESNO, STATE OF CALIFORNIA

BEARINGS SHOWN ARE BASED UPON MONUMENTS FOUND AND RECORD INFORMATION. THIS IS NOT A BOUNDARY SURVEY.

ELEVATIONS SHOWN ON THIS PLAN ARE BASED UPON U.S.G.S. N.A.V.D. 88 DATUM. ABOVE MEAN SEA LEVEL UNLESS OTHERWISE NOTED.

N.G.V.D. 1929 CORRECTION: SUBTRACT 2.69' FROM ELEVATIONS SHOWN.

CONTOUR INTERVAL: 1 FT.

ASSESSOR'S PARCEL NUMBERS: 138-070-66 (TOWER), 138-070-69 (EQUIPMENT)

LAND OWNER(S): SMITH FOOTHILL RANCH LLC, 8703 N DEL MAR AVE, FRESNO, CA 93711

Project Name: CVL03147 Marshall Junction

Project Site Location: Millerton Road, Prather, CA 93656, Fresno County

Date of Observation: 09-29-18

Equipment/Procedure Used to Obtain Coordinates: Trimble Pathfinder Geo XT post processed with Pathfinder Office software.

Type of Antenna Mount: Proposed Tree Pole Coordinates

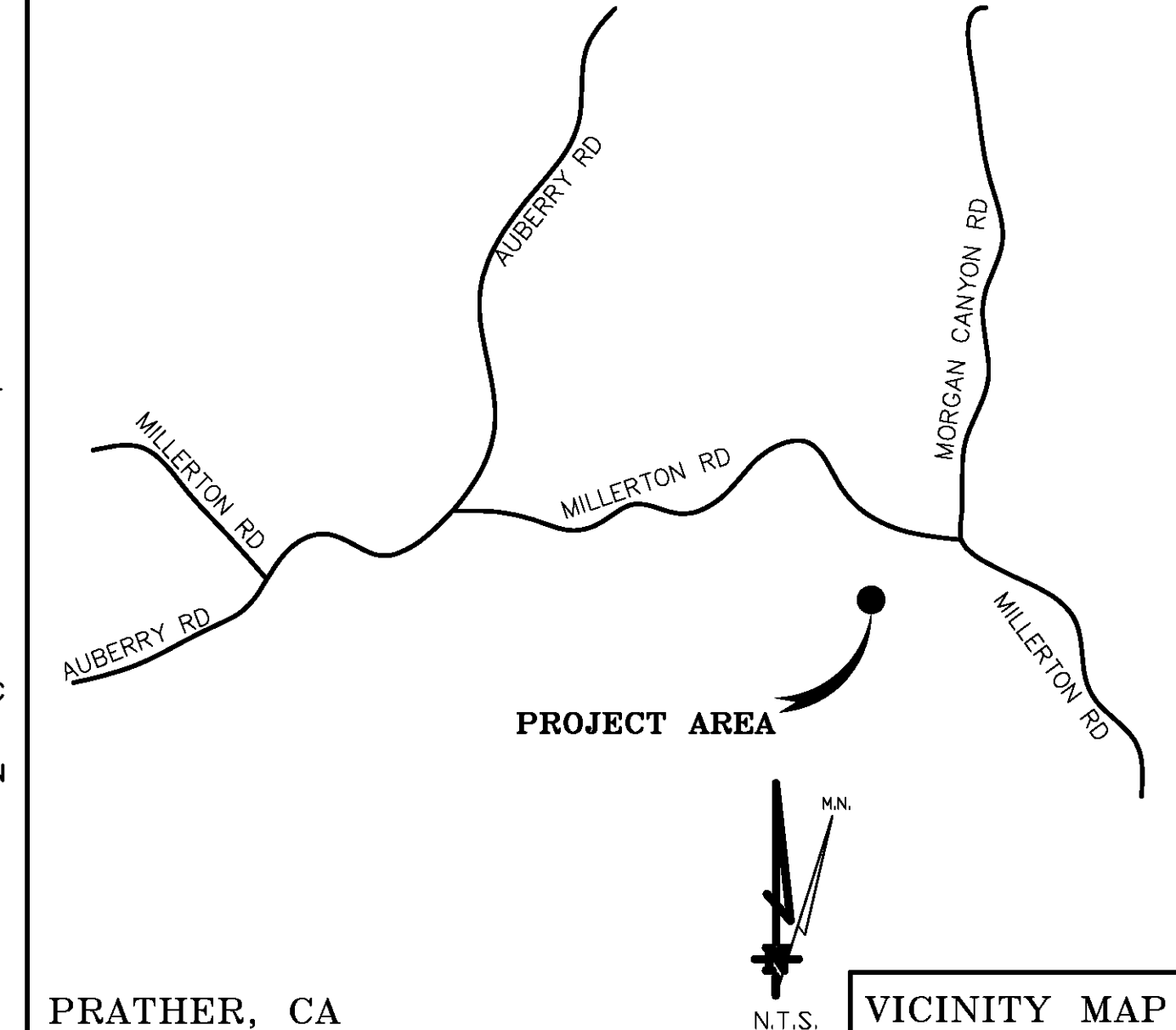
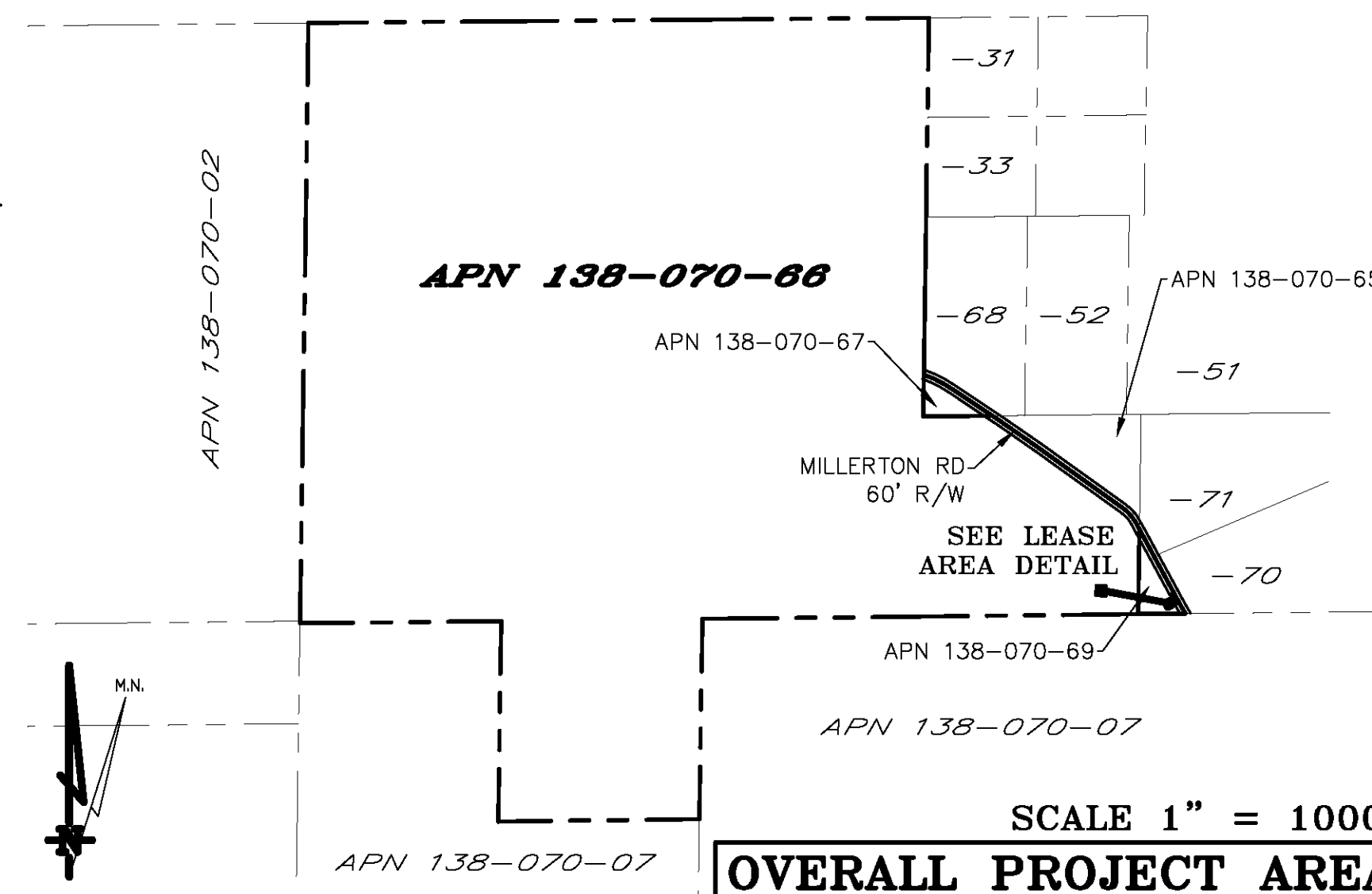
Latitude: N 36°58'16.08" (NAD83) N 36°58'16.26" (NAD27) N 36.971133" N 36.971183"

Longitude: W 119°32'20.15" (NAD83) W 119°32'16.66" (NAD27) W 119.538931" W 119.537961"

ELEVATION of Ground at Structure (NAVD88) 916' AMSL

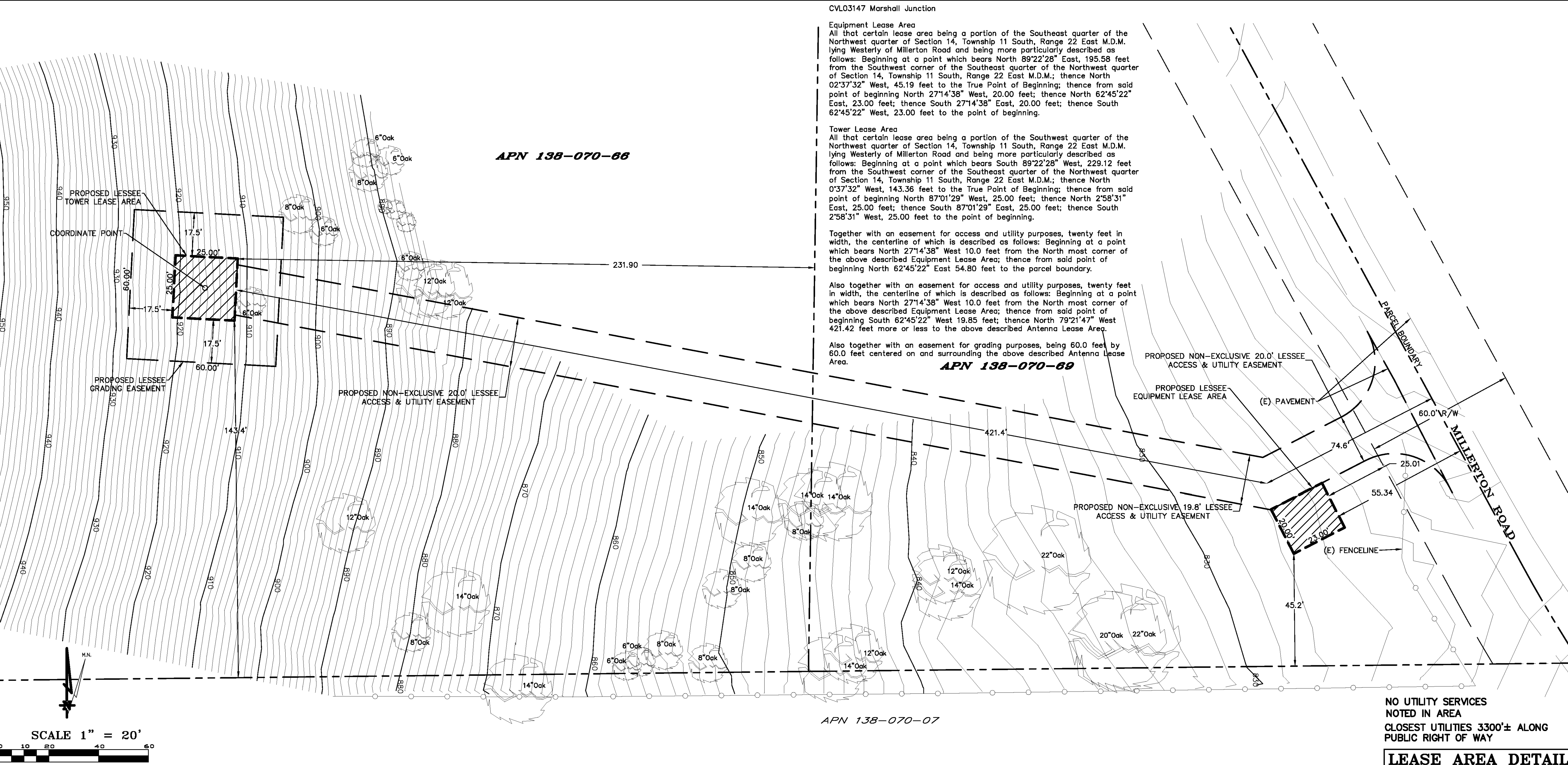
THESE DRAWINGS AND/OR THE ACCOMPANYING SPECIFICATION AS INSTRUMENTS OF SERVICE, ARE THE EXCLUSIVE PROPERTY OF GEIL ENGINEERING AND THEIR USE AND PUBLICATION SHALL BE RESTRICTED TO THE ORIGINAL SITE AND CARRIER FOR WHICH THEY ARE PREPARED. REUSE, REPRODUCTION OR PUBLICATION BY ANY METHOD, IN WHOLE OR IN PART, IS PROHIBITED EXCEPT BY WRITTEN PERMISSION FROM GEIL ENGINEERING TITLE TO THESE PLANS AND/OR SPECIFICATIONS SHALL REMAIN WITH GEIL ENGINEERING WITHOUT PREJUDICE AND VISUAL CONTACT WITH THEM SHALL CONSTITUTE PRIMA FACIE EVIDENCE OF ACCEPTANCE OF THESE RESTRICTIONS.

BOUNDARY SHOWN IS BASED ON MONUMENTATION FOUND AND RECORD INFORMATION. THIS IS NOT A BOUNDARY SURVEY. THIS IS A SPECIALIZED TOPOGRAPHIC MAP WITH PROPERTY LINES AND EASEMENTS BEING A GRAPHIC DEPICTION BASED ON INFORMATION GATHERED FROM VARIOUS SOURCES OF RECORD AND AVAILABLE MONUMENTATION FOUND DURING THE FIELD SURVEY. NO EASEMENTS WERE RESEARCHED OR PLOTTED. PROPERTY LINES AND LINES OF TITLE WERE NOT INVESTIGATED NOR SURVEYED. NO PROPERTY MONUMENTS WERE SET.



DEPT	APPROVED	DATE
ARC		
RE		
RF		
INT		
EE\IN		
OPS		
EE\OUT		

Surveyor
GEIL ENGINEERING
 ENGINEERING • SURVEYING • PLANNING
 1526 HIGH STREET
 AUBURN, CALIFORNIA 95603
 Phone: (530) 885-0406
 Fax: (530) 885-0406



at&t
 MOBILITY

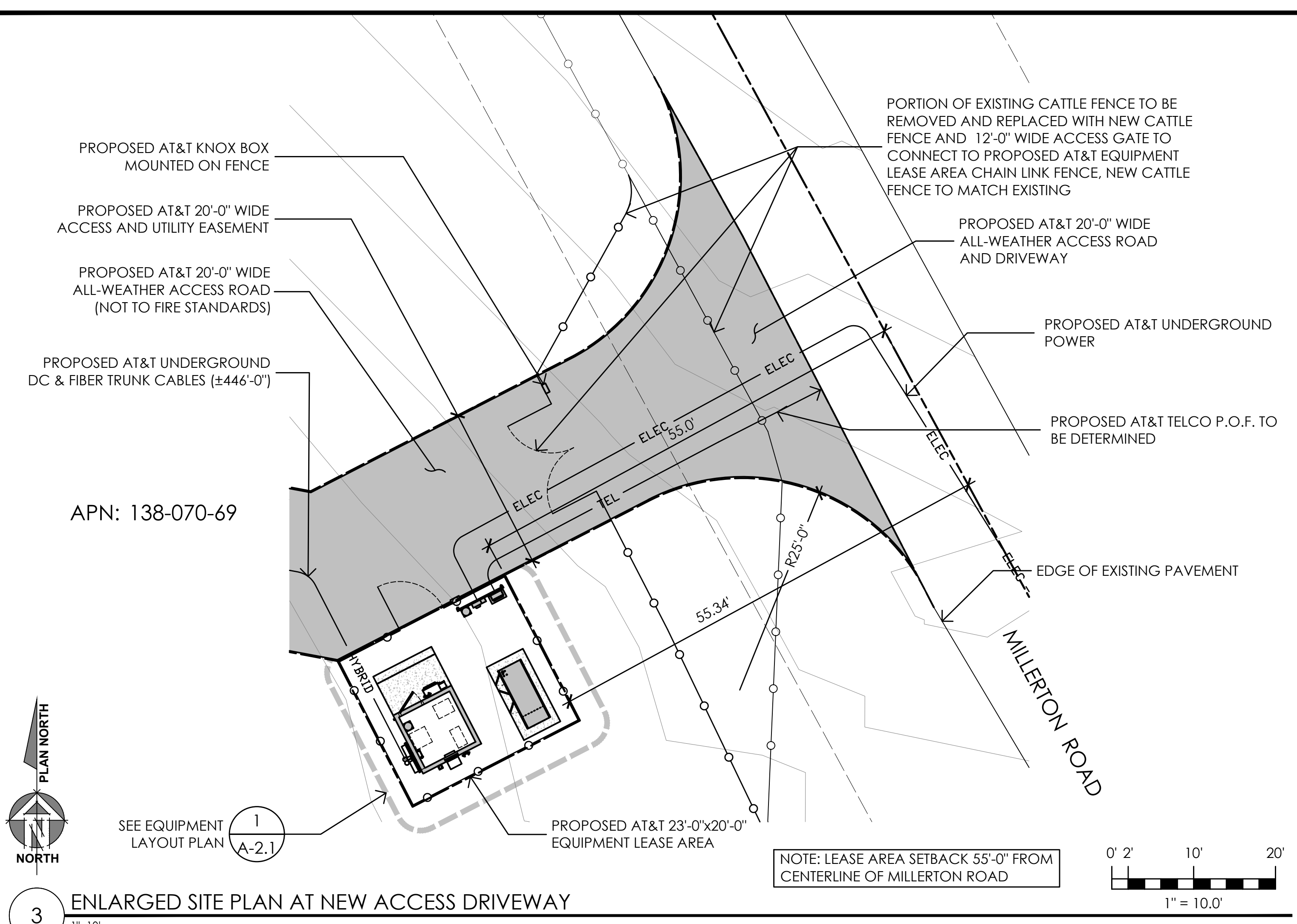
CVL03147 Marshall Junction
 Millerton Road
 Prather, CA 93656
 PLOT PLAN AND
 SITE TOPOGRAPHY

REVISIONS	DATE	DESCRIPTION
10-01-18	10-01-18	Preliminary Drawing
10-03-18	10-03-18	rev. esmt.
12-06-18	12-06-18	rev. lease area
01-08-19	01-08-19	rev. lease area
01-08-19	01-08-19	rev. lease area
06-17-19	06-17-19	rev. lease area

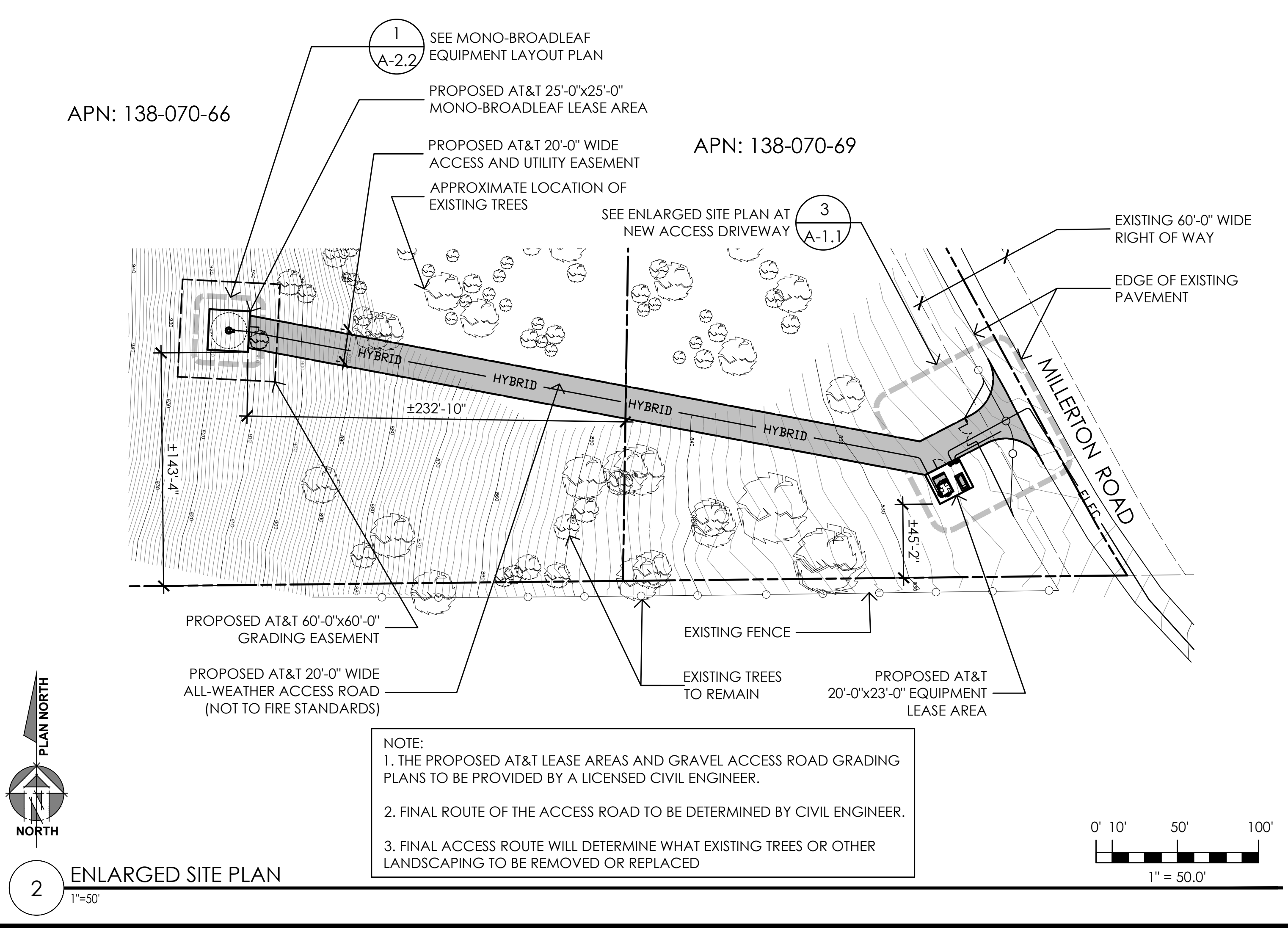
Sheet
C-1

NO UTILITY SERVICES NOTED IN AREA
 CLOSEST UTILITIES 3300'± ALONG PUBLIC RIGHT OF WAY

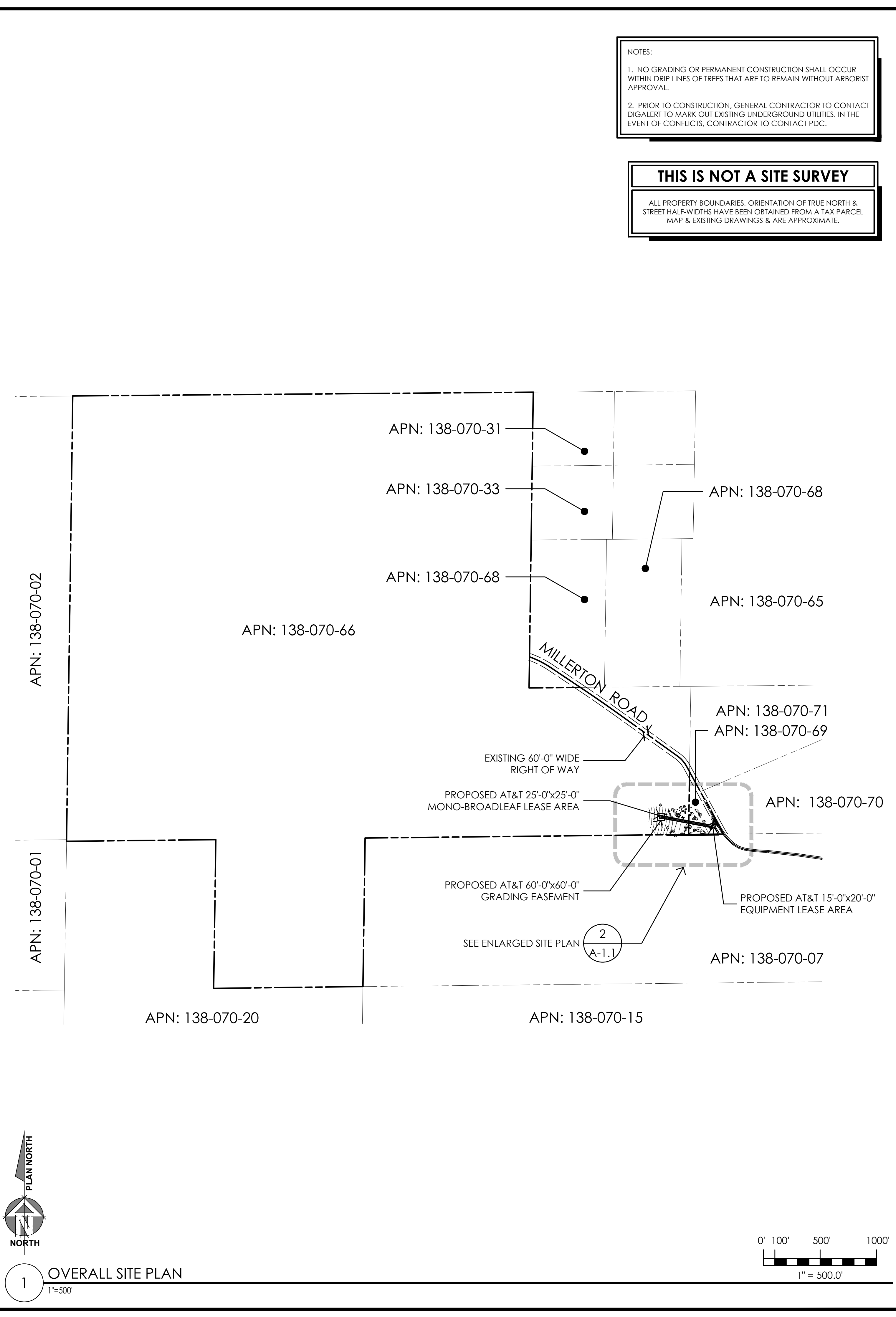
LEASE AREA DETAIL



3 ENLARGED SITE PLAN AT NEW ACCESS DRIVEWAY
1"=10'



2 ENLARGED SITE PLAN
1"=50'



1 OVERALL SITE PLAN
1"=500'

NOTES:

1. NO GRADING OR PERMANENT CONSTRUCTION SHALL OCCUR WITHIN DRIP LINES OF TREES THAT ARE TO REMAIN WITHOUT ARBORIST APPROVAL.
2. PRIOR TO CONSTRUCTION, GENERAL CONTRACTOR TO CONTACT DIGALERT TO MARK OUT EXISTING UNDERGROUND UTILITIES. IN THE EVENT OF CONFLICTS, CONTRACTOR TO CONTACT PDC.

THIS IS NOT A SITE SURVEY

ALL PROPERTY BOUNDARIES, ORIENTATION OF TRUE NORTH & STREET HALF-WIDTHS HAVE BEEN OBTAINED FROM A TAX PARCEL MAP & EXISTING DRAWINGS & ARE APPROXIMATE.

Issued For:
**CVL03147
MARSHALL
JUNCTION**

MILLERTON ROAD
PRATHER, CA 93656

PREPARED FOR

2600 Camino Ramon
San Ramon, California 94583

Vendor:

COMPLETE
Wireless Consulting, Inc.

AT&T SITE NO: CVL03147
PROJECT NO: 162.2380
DRAWN BY: MWS
CHECKED BY: TST

REV	DATE	DESCRIPTION
06/25/19	100% ZD REV 1	
01/08/19	100% ZD	
12/07/18	90% ZD	

Licensee:

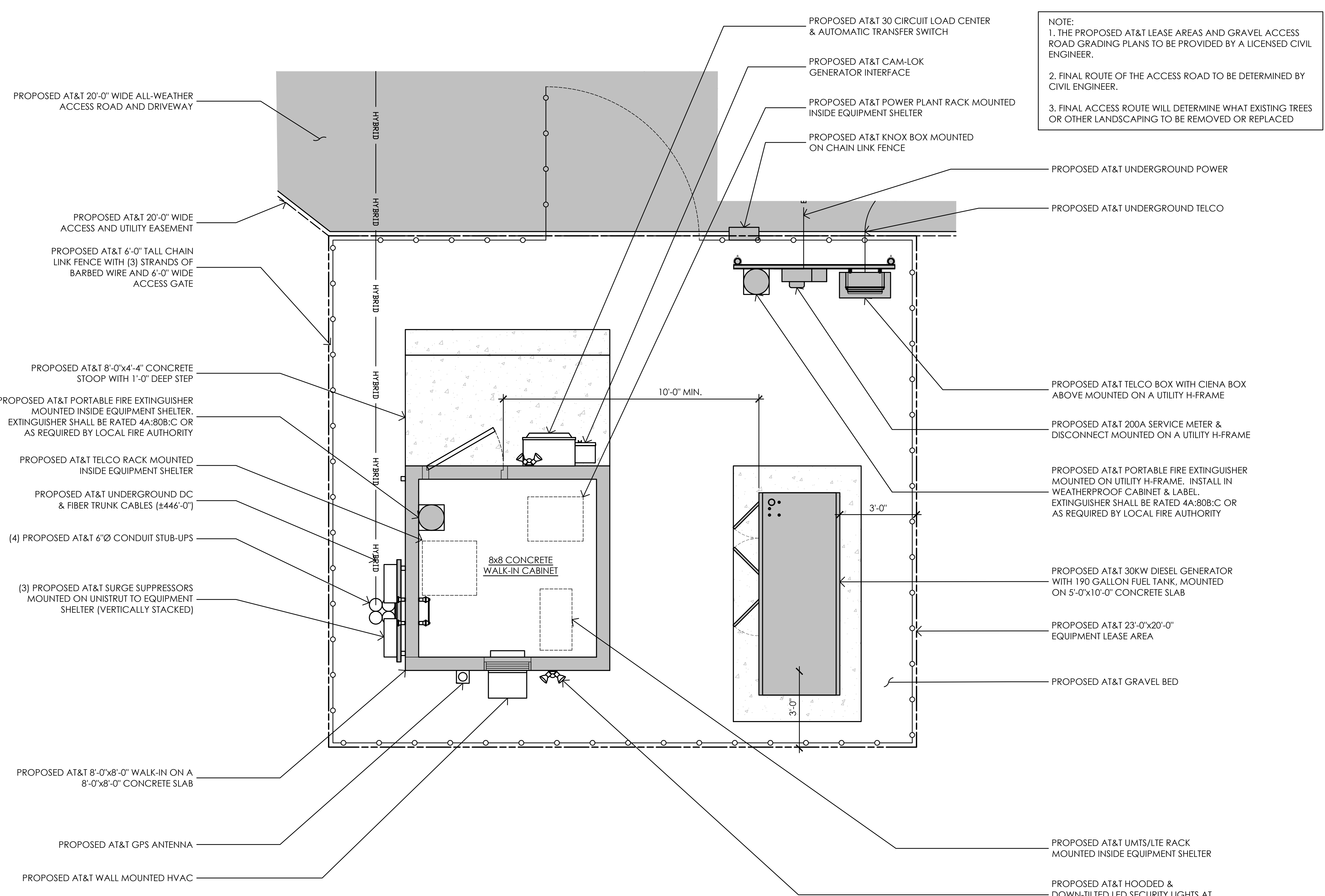
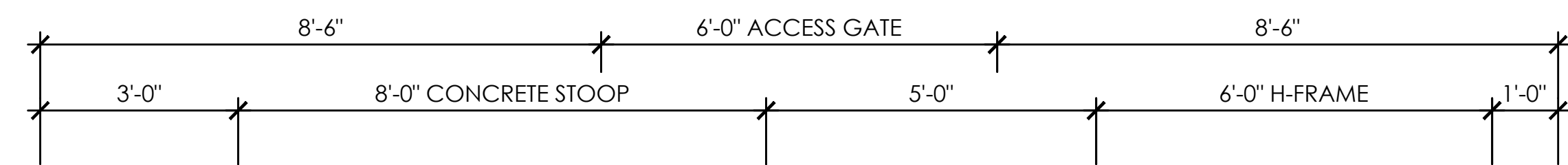
IT IS A VIOLATION OF LAW FOR ANY PERSON, UNLESS THEY ARE ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, TO ALTER THIS DOCUMENT.

Architect:

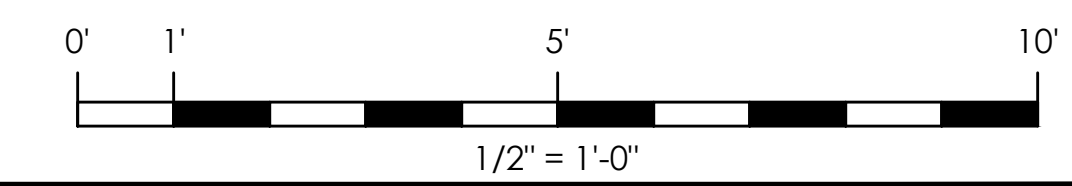
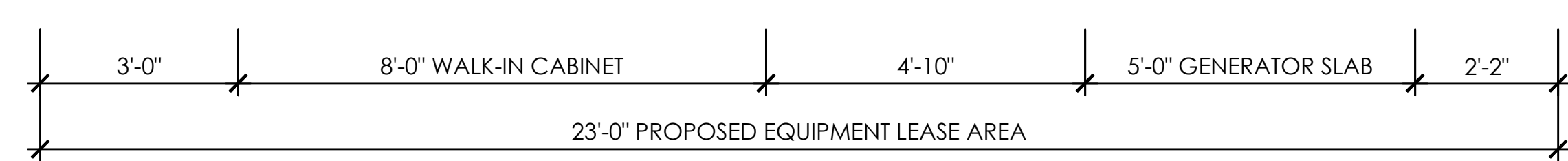
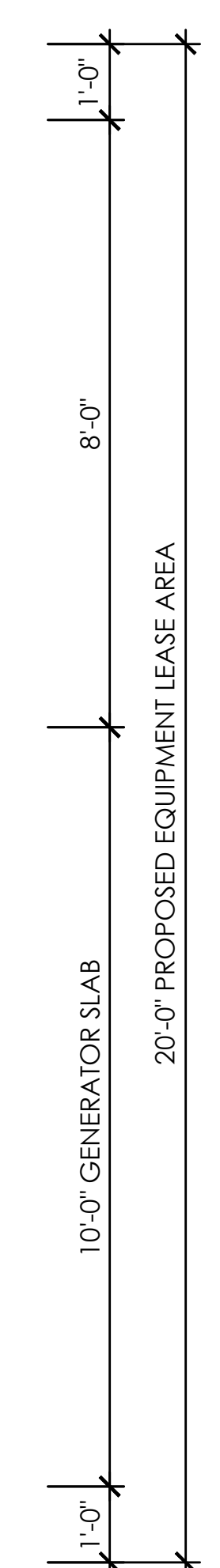
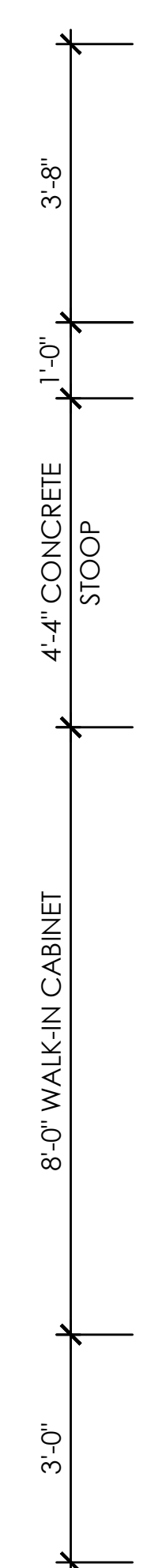
MST ARCHITECTS
1520 River Park Drive
Sacramento, California 95815

SHEET TITLE:
**OVERALL AND
ENLARGED SITE
PLANS**

SHEET NUMBER:
A-1.1



NOTE:
 1. THE PROPOSED AT&T LEASE AREAS AND GRAVEL ACCESS ROAD GRADING PLANS TO BE PROVIDED BY A LICENSED CIVIL ENGINEER.
 2. FINAL ROUTE OF THE ACCESS ROAD TO BE DETERMINED BY CIVIL ENGINEER.
 3. FINAL ACCESS ROUTE WILL DETERMINE WHAT EXISTING TREES OR OTHER LANDSCAPING TO BE REMOVED OR REPLACED



Issued For:
**CVL03147
 MARSHALL
 JUNCTION**
 MILLERTON ROAD
 PRATHER, CA 93656

PREPARED FOR

 2600 Camino Ramon
 San Ramon, California 94583

Vendor:

COMPLETE
 Wireless Consulting, Inc.

AT&T SITE NO: CVL03147
 PROJECT NO: 162.2380
 DRAWN BY: MWS
 CHECKED BY: TST

REV	DATE	DESCRIPTION
	06/25/19	100% ZD REV 1
	01/08/19	100% ZD
	12/07/18	90% ZD

Licensee:
 IT IS A VIOLATION OF LAW FOR ANY PERSON, UNLESS THEY ARE ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, TO ALTER THIS DOCUMENT.

Architect:

MST ARCHITECTS
 1520 River Park Drive
 Sacramento, California 95815

SHEET TITLE:
**EQUIPMENT
 LAYOUT PLAN**

SHEET NUMBER:
A-2.1

Issued For:
CVL03147
MARSHALL
JUNCTION
 MILLERTON ROAD
 PRATHER, CA 93656

PREPARED FOR

 2600 Camino Ramon
 San Ramon, California 94583

Vendor:


AT&T SITE NO: CVL03147
 PROJECT NO: 162.2380
 DRAWN BY: MWS
 CHECKED BY: TST

REV	DATE	DESCRIPTION
	06/25/19	100% ZD REV 1
	01/08/19	100% ZD
	12/07/18	90% ZD

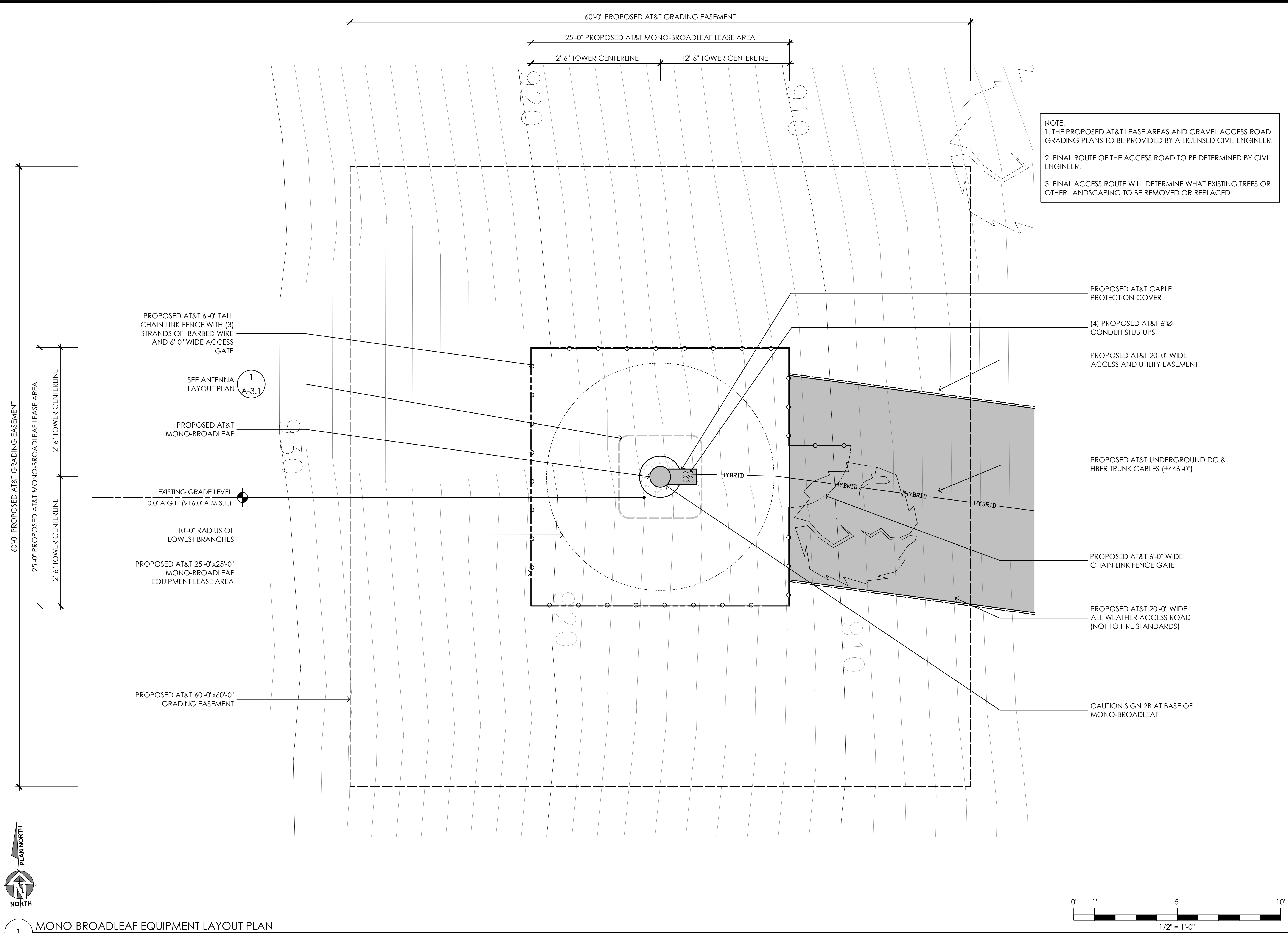
Licensee:
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Architect:

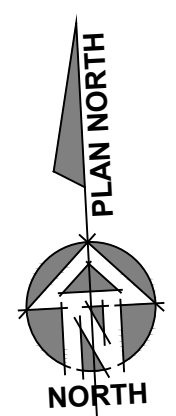
 1520 River Park Drive
 Sacramento, California 95815

SHEET TITLE:
MONO-BROADLEAF
EQUIPMENT
LAYOUT PLAN

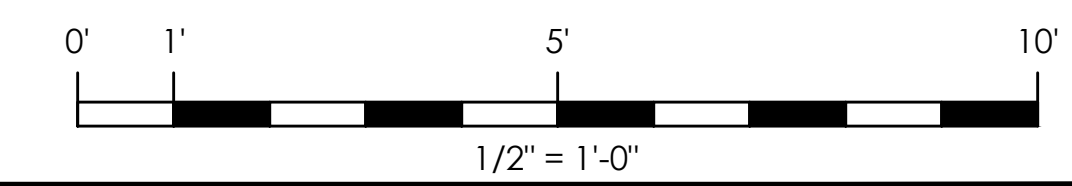
SHEET NUMBER:
A-2.2



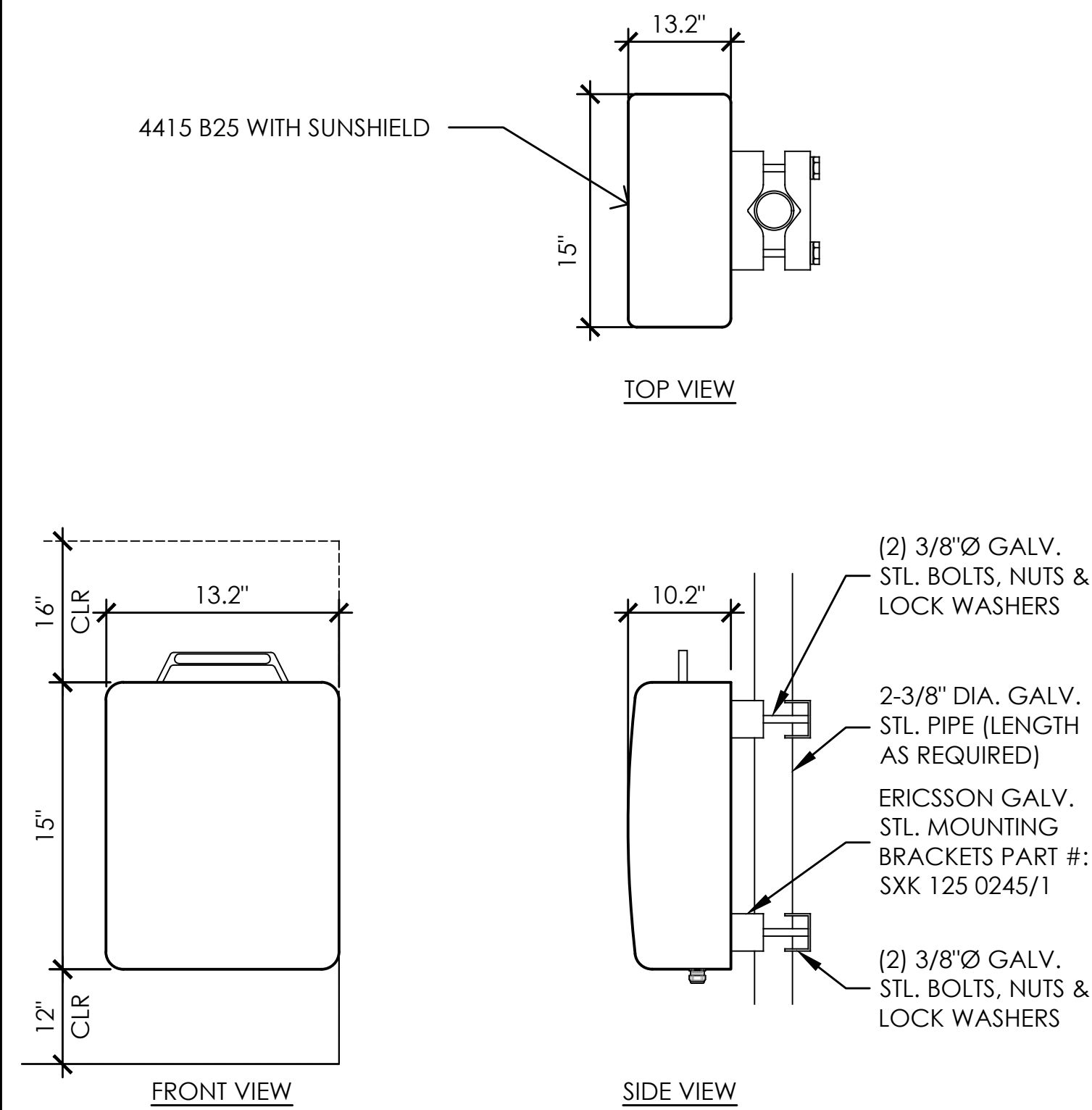
NOTE:
 1. THE PROPOSED AT&T LEASE AREAS AND GRAVEL ACCESS ROAD GRADING PLANS TO BE PROVIDED BY A LICENSED CIVIL ENGINEER.
 2. FINAL ROUTE OF THE ACCESS ROAD TO BE DETERMINED BY CIVIL ENGINEER.
 3. FINAL ACCESS ROUTE WILL DETERMINE WHAT EXISTING TREES OR OTHER LANDSCAPING TO BE REMOVED OR REPLACED



1 MONO-BROADLEAF EQUIPMENT LAYOUT PLAN
 1/2" = 1'-0"

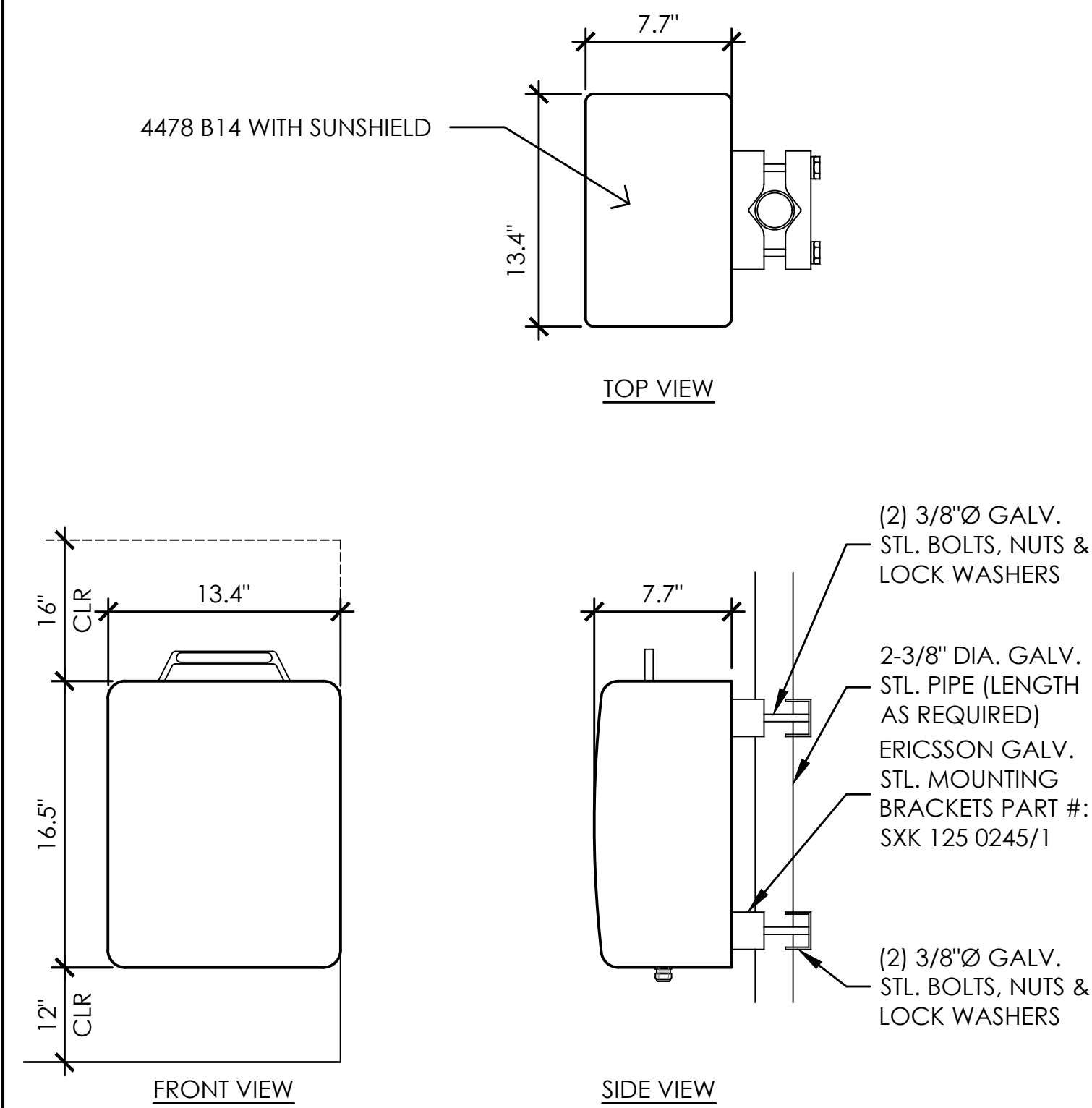


ERICSSON 8843 B2/B66A REMOTE RADIO UNIT
 COLOR: WHITE
 DIMENSIONS: 15" TALL X 13.2" WIDE X 10.2" DEEP (INCLUDING SUNSHIELD)
 WEIGHT: +/- 75 LBS. (INCLUDING MOUNTING HARDWARE)



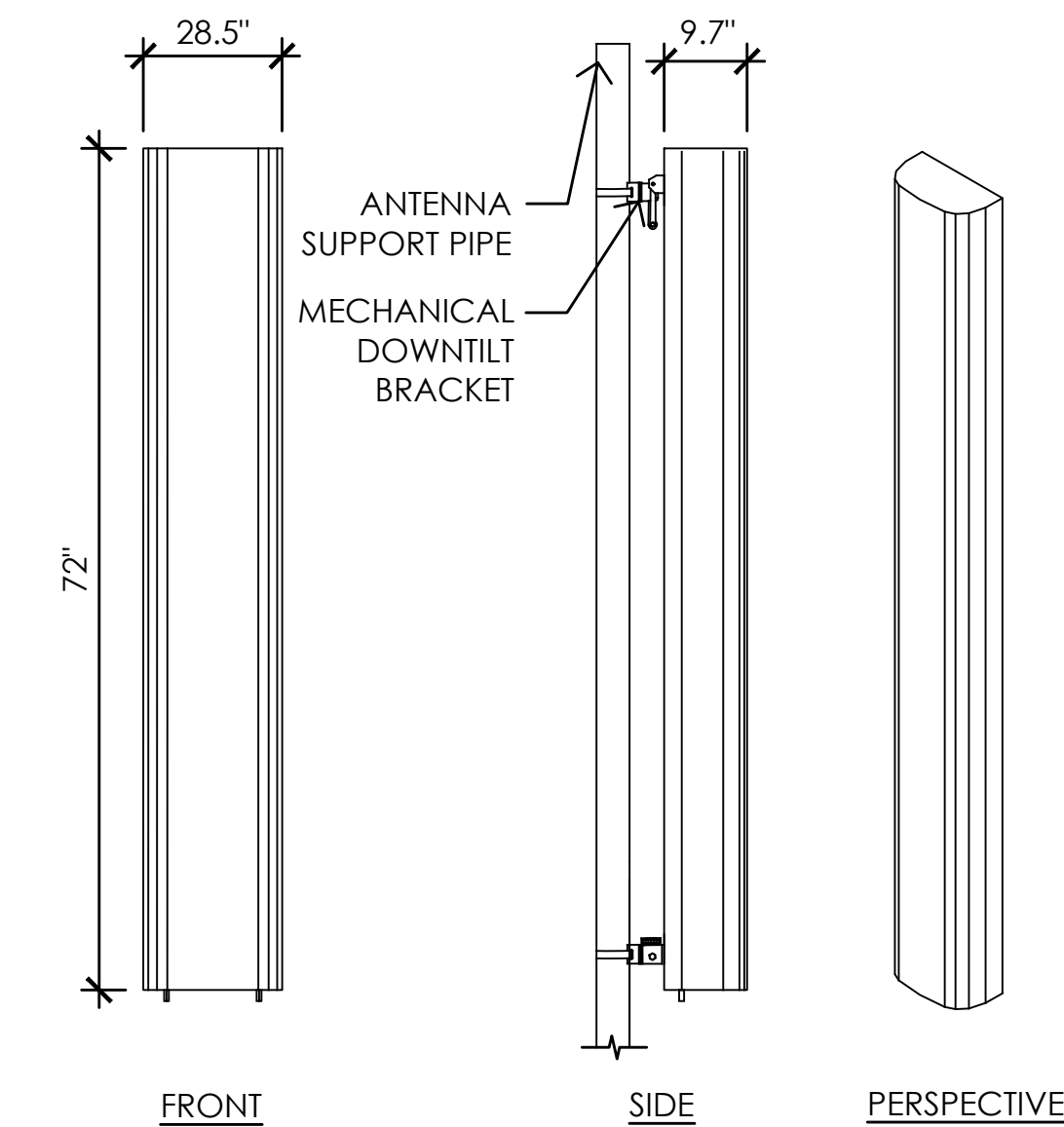
6 ERICSSON 8843 B2/B66A REMOTE RADIO UNIT
 1-1/2" = 1'-0"

ERICSSON RRH 4478 B14 REMOTE RADIO UNIT
 COLOR: WHITE
 DIMENSIONS: 16.5" TALL X 17" WIDE X 7.7" DEEP (INCLUDING SUNSHIELD)
 WEIGHT: +/- 59.9 LBS. (INCLUDING MOUNTING HARDWARE)



4 ERICSSON RADIO 4478 B14 REMOTE RADIO UNIT
 1-1/2" = 1'-0"

EQUIPMENT SUBJECT TO CHANGE

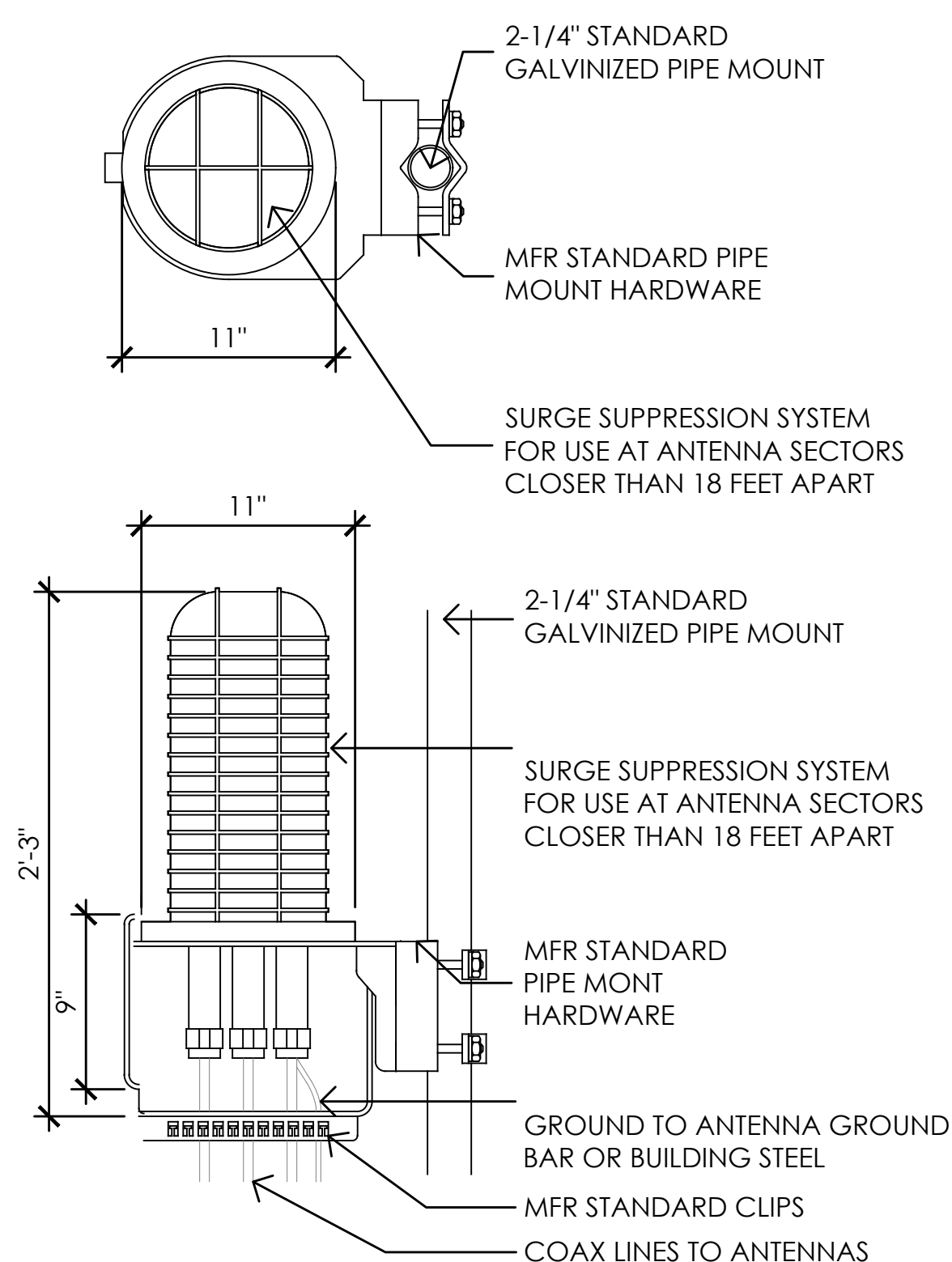


ANTENNA = CCI BSA-M65R-BUU-H6-K
 WEIGHT = 101 LBS
 DIMENSIONS = 72" (H) x 28.5" (W) x 9.7" (D)

2 PROPOSED ANTENNA SPEC
 3/4" = 1'-0"

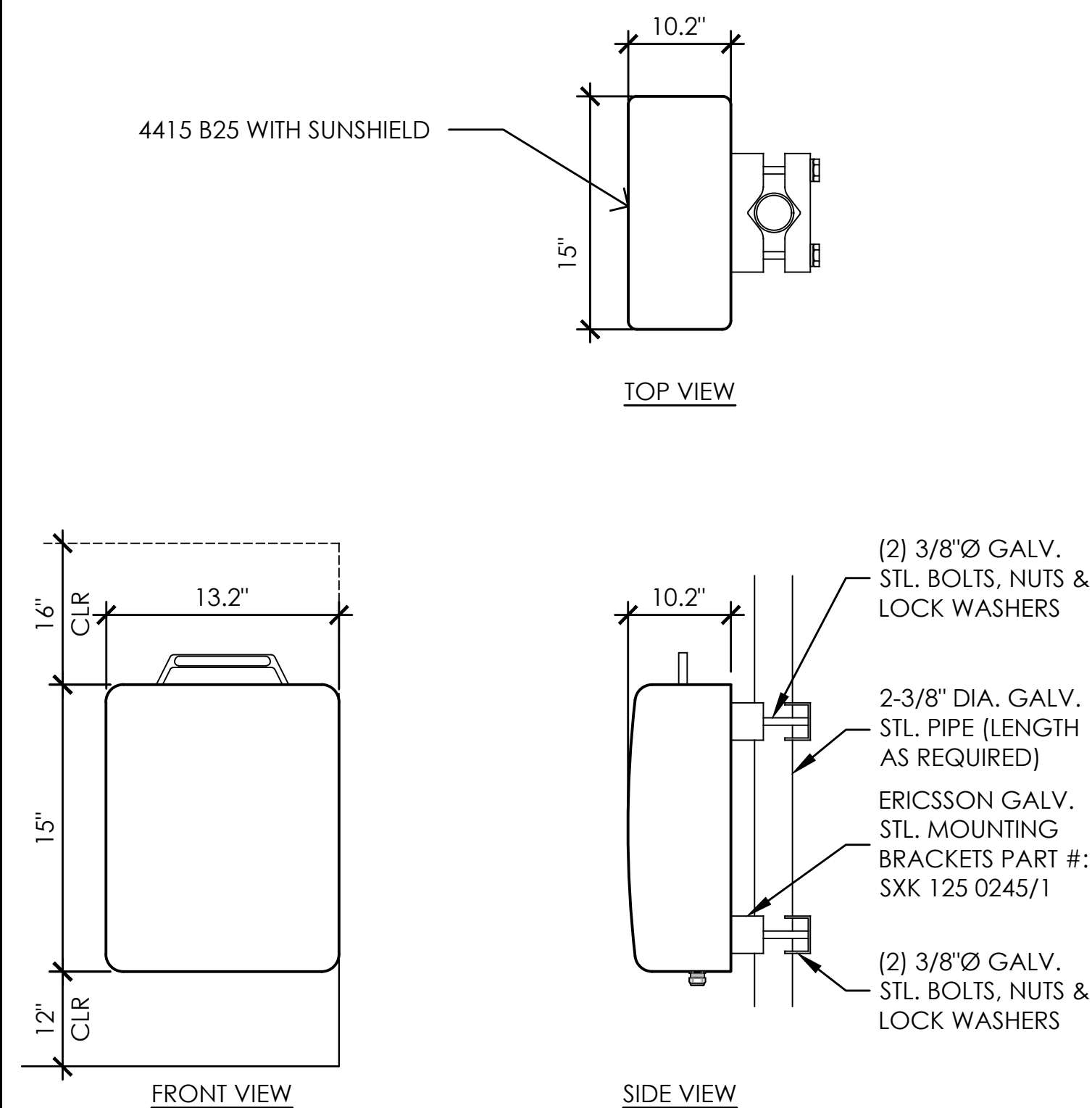
RAYCAP DC6-48-60-18-8F & DC6-48-60-0-8F SURGE SUPPRESSION SOLUTION

COLOR: BLACK/SILVER
 DIMENSIONS: 11" DIA X 27" TALL W/ 9" BASE
 WEIGHT: +/- 50 LBS. (INCLUDING MOUNTING HARDWARE)



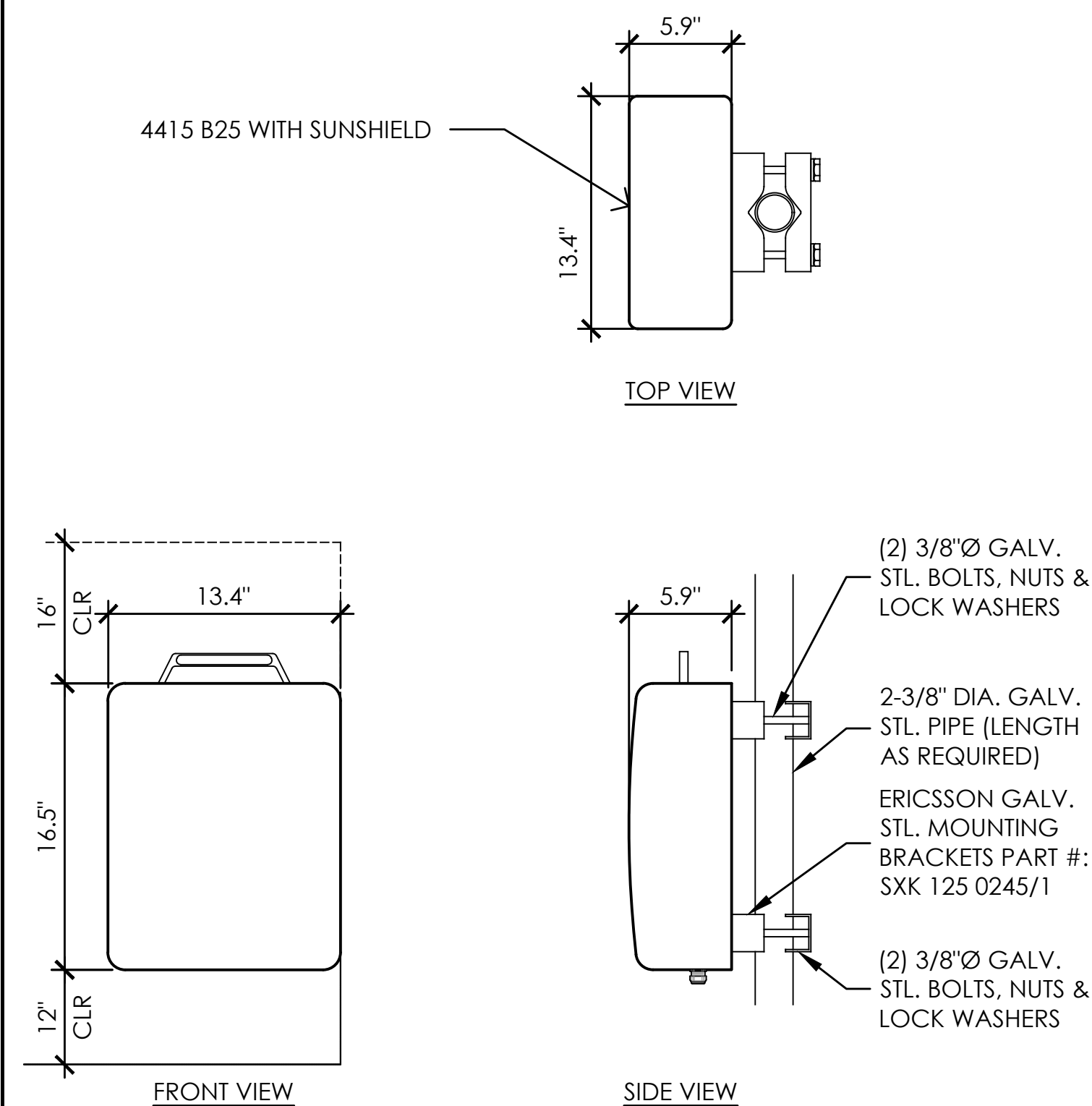
7 DC SURGE SUPPRESSION (SQUID)
 1-1/2" = 1'-0"

ERICSSON 4449 B5/B12 REMOTE RADIO UNIT
 COLOR: WHITE
 DIMENSIONS: 15" TALL X 13.2" WIDE X 10.2" DEEP (INCLUDING SUNSHIELD)
 WEIGHT: +/- 75 LBS. (INCLUDING MOUNTING HARDWARE)



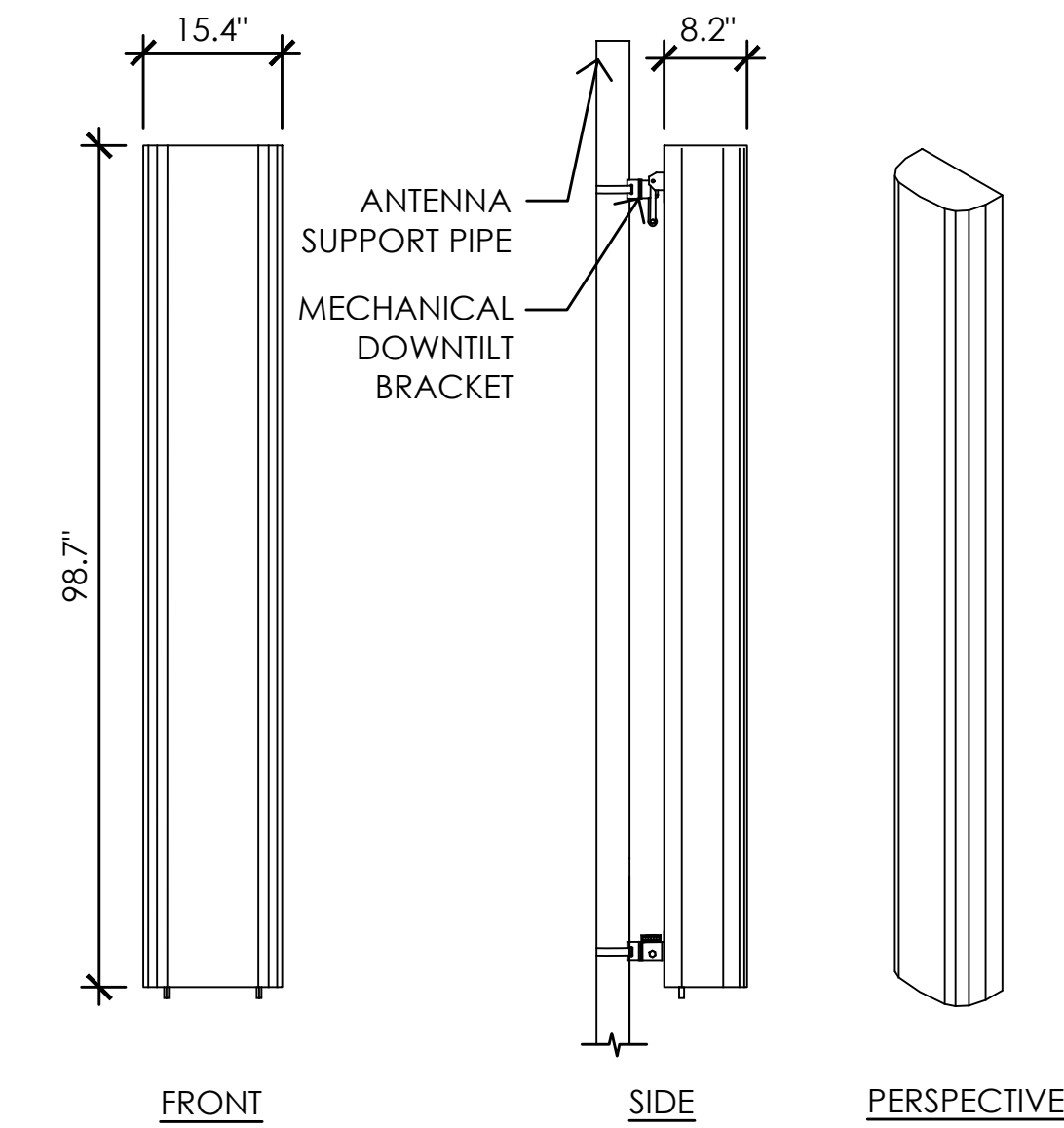
5 ERICSSON 4449 B5/B12 REMOTE RADIO UNIT
 1-1/2" = 1'-0"

ERICSSON 4415 B25 REMOTE RADIO UNIT
 COLOR: WHITE
 DIMENSIONS: 16.5" TALL X 13.4" WIDE X 5.9" DEEP (INCLUDING SUNSHIELD)
 WEIGHT: +/- 50 LBS. (INCLUDING MOUNTING HARDWARE)



3 ERICSSON 4415 B25 REMOTE RADIO UNIT
 1-1/2" = 1'-0"

EQUIPMENT SUBJECT TO CHANGE



ANTENNA = CCI TPA-45R-KU8AA-K
 WEIGHT = 79.4 LBS
 DIMENSIONS = 98.7" (H) x 15.4" (W) x 8.2" (D)

1 PROPOSED ANTENNA SPEC
 3/4" = 1'-0"

Issued For:
CVL03147
MARSHALL
JUNCTION
 MILLERTON ROAD
 PRATHER, CA 93656

PREPARED FOR

 2600 Camino Ramon
 San Ramon, California 94583

Vendor:

COMPLETE
 Wireless Consulting, Inc.

AT&T SITE NO: CVL03147
 PROJECT NO: 162.2380
 DRAWN BY: MWS
 CHECKED BY: TST

REV	DATE	DESCRIPTION
06/25/19	100% ZD	REV 1
01/08/19	100% ZD	
12/07/18	90% ZD	

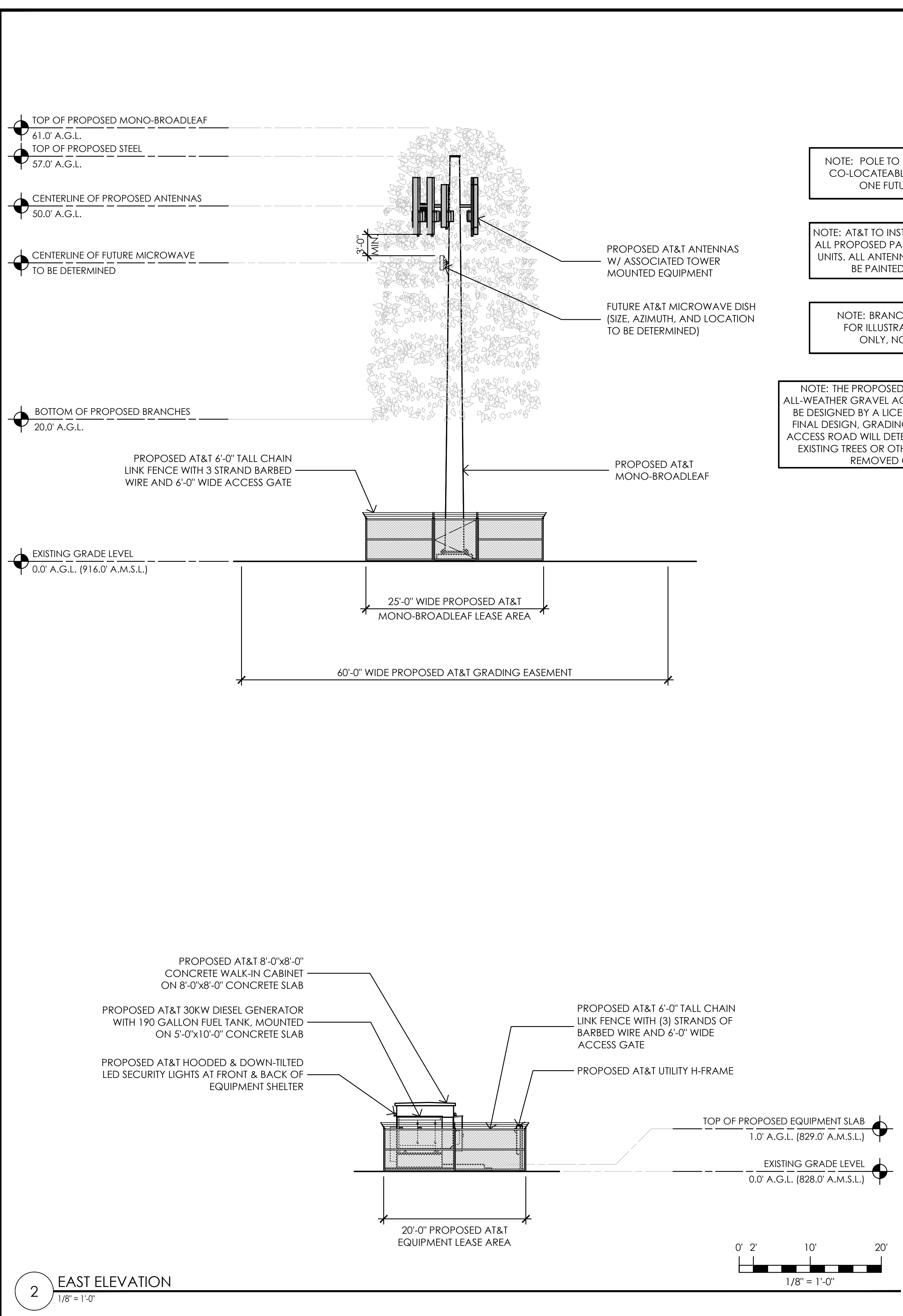
Licensee:
 IT IS A VIOLATION OF LAW FOR ANY PERSON, UNLESS THEY ARE ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, TO ALTER THIS DOCUMENT.

Architect:

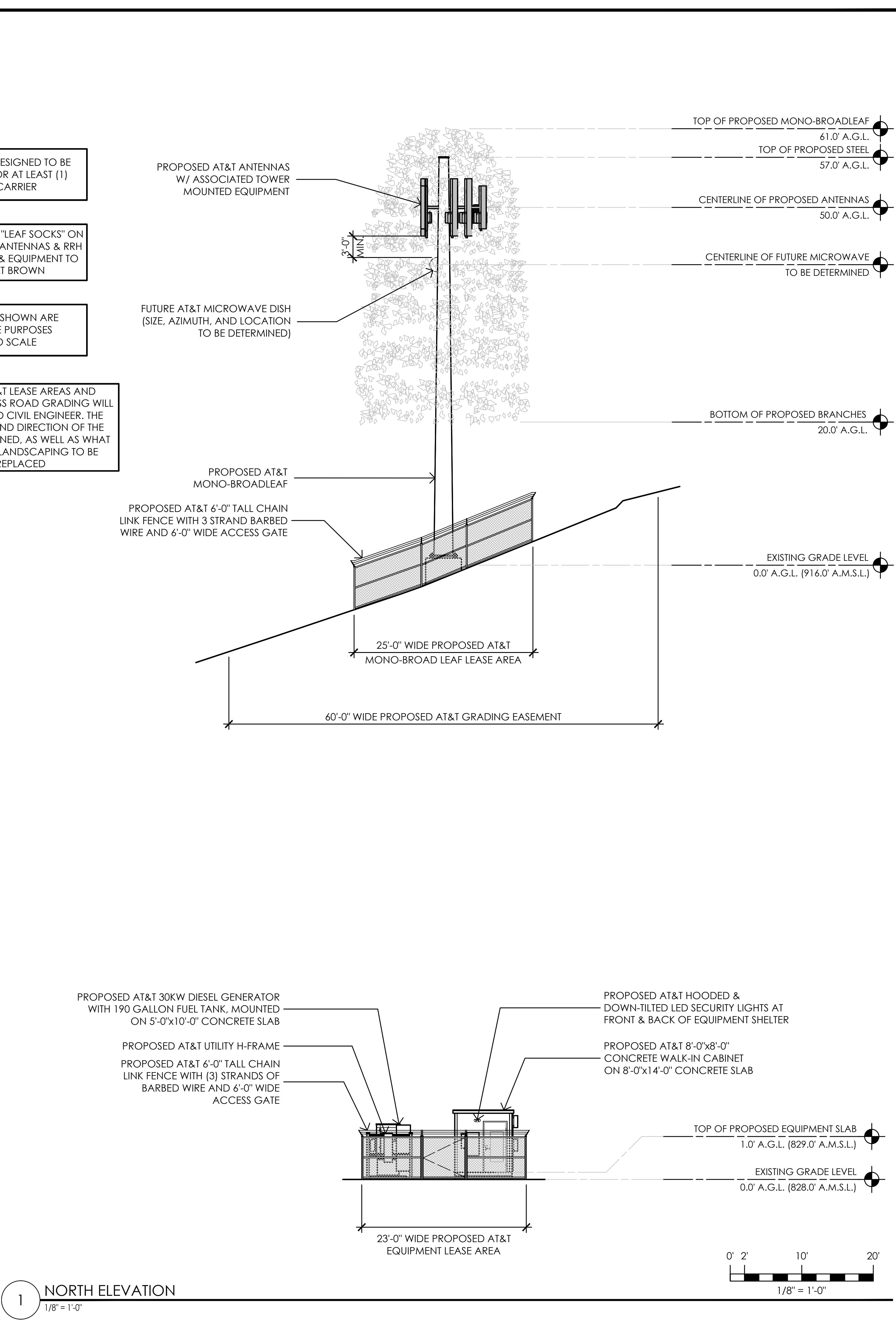
MST ARCHITECTS
 1520 River Park Drive
 Sacramento, California 95815

SHEET TITLE:
ANTENNA
DETAILS

SHEET NUMBER:
A-3.2



2 EAST ELEVATION
1/8" = 1'-0"



1 NORTH ELEVATION
1/8" = 1'-0"

NOTE: POLE TO BE DESIGNED TO BE CO-LOCATEABLE FOR AT LEAST (1) ONE FUTURE CARRIER

NOTE: AT&T TO INSTALL "LEAF SOCKS" ON ALL PROPOSED PANEL ANTENNAS & RRH UNITS. ALL ANTENNAS & EQUIPMENT TO BE PAINTED FLAT BROWN

NOTE: BRANCHES SHOWN ARE FOR ILLUSTRATIVE PURPOSES ONLY. NOT TO SCALE

NOTE: THE PROPOSED AT&T LEASE AREAS AND ALL-WEATHER GRAVEL ACCESS ROAD GRADING WILL BE DESIGNED BY A LICENSED CIVIL ENGINEER. THE FINAL DESIGN, GRADING, AND DIRECTION OF THE ACCESS ROAD WILL DETERMINED, AS WELL AS WHAT EXISTING TREES OR OTHER LANDSCAPING TO BE REMOVED OR REPLACED

Issued For:
CVL03147
MARSHALL
JUNCTION
MILLERTON ROAD
PRATHER, CA 93656

PREPARED FOR

2600 Camino Ramon
San Ramon, California 94583

Vendor:

COMPLETE
Wireless Consulting, Inc.

AT&T SITE NO: CVL03147
PROJECT NO: 162.2380
DRAWN BY: MWS
CHECKED BY: TST

REV	DATE	DESCRIPTION
	06/25/19	100% ZD REV 1
	01/08/19	100% ZD
	12/07/18	90% ZD

Licensee:

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Architect:

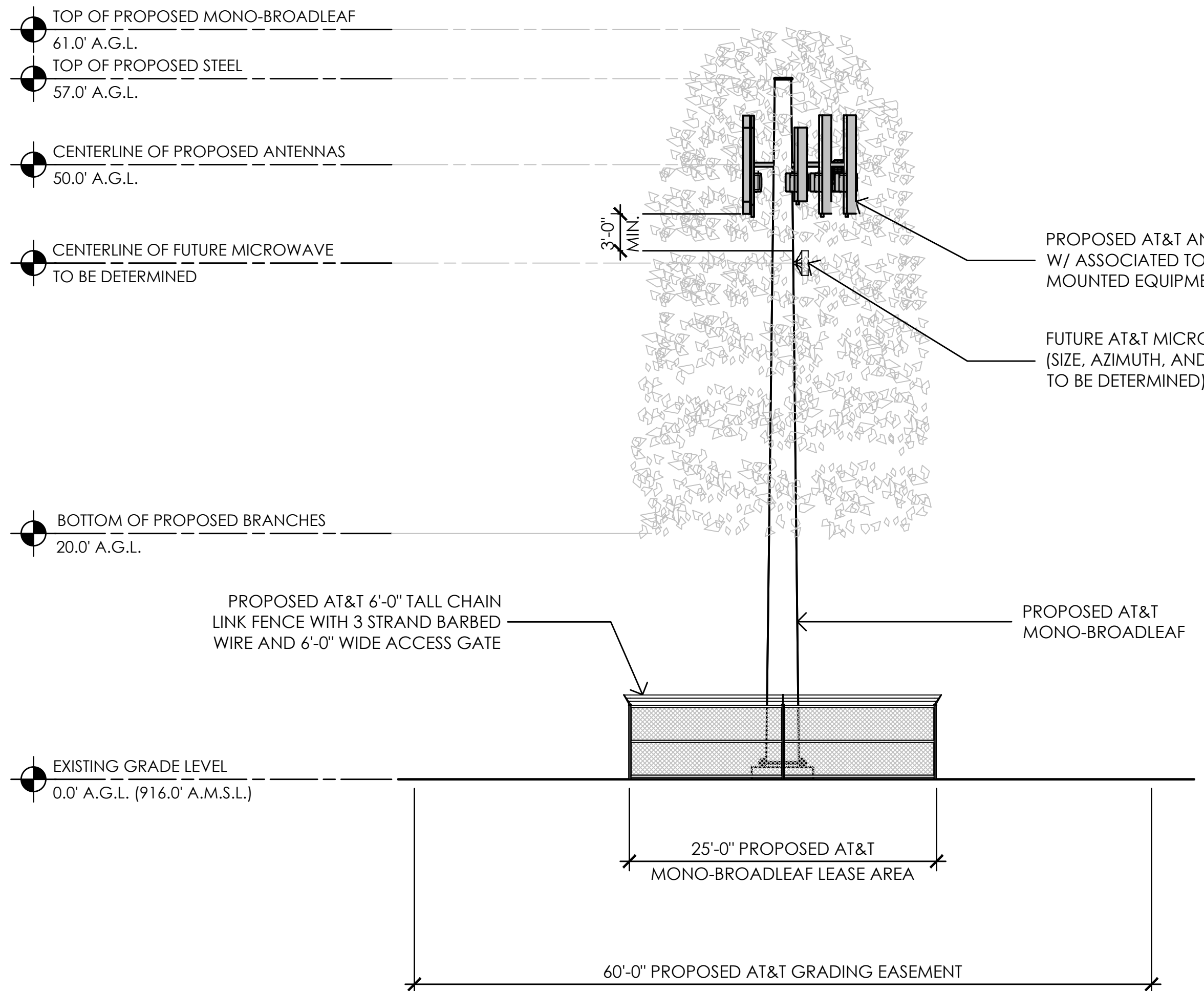
MST ARCHITECTS
1520 River Park Drive
Sacramento, California 95815

SHEET TITLE:
PROPOSED
ELEVATIONS

SHEET NUMBER:
A-4.1

REV	DATE	DESCRIPTION
06/25/19	100% ZD REV 1	
01/08/19	100% ZD	
12/07/18	90% ZD	

Licensee:
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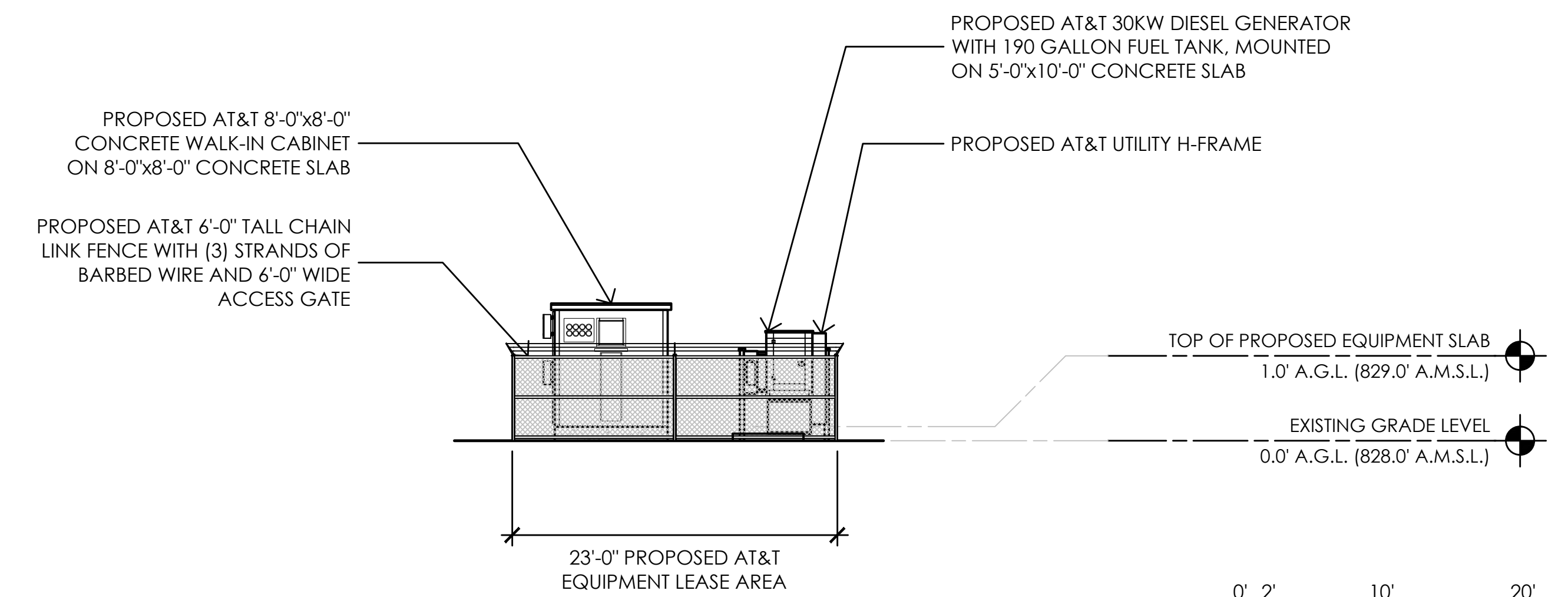
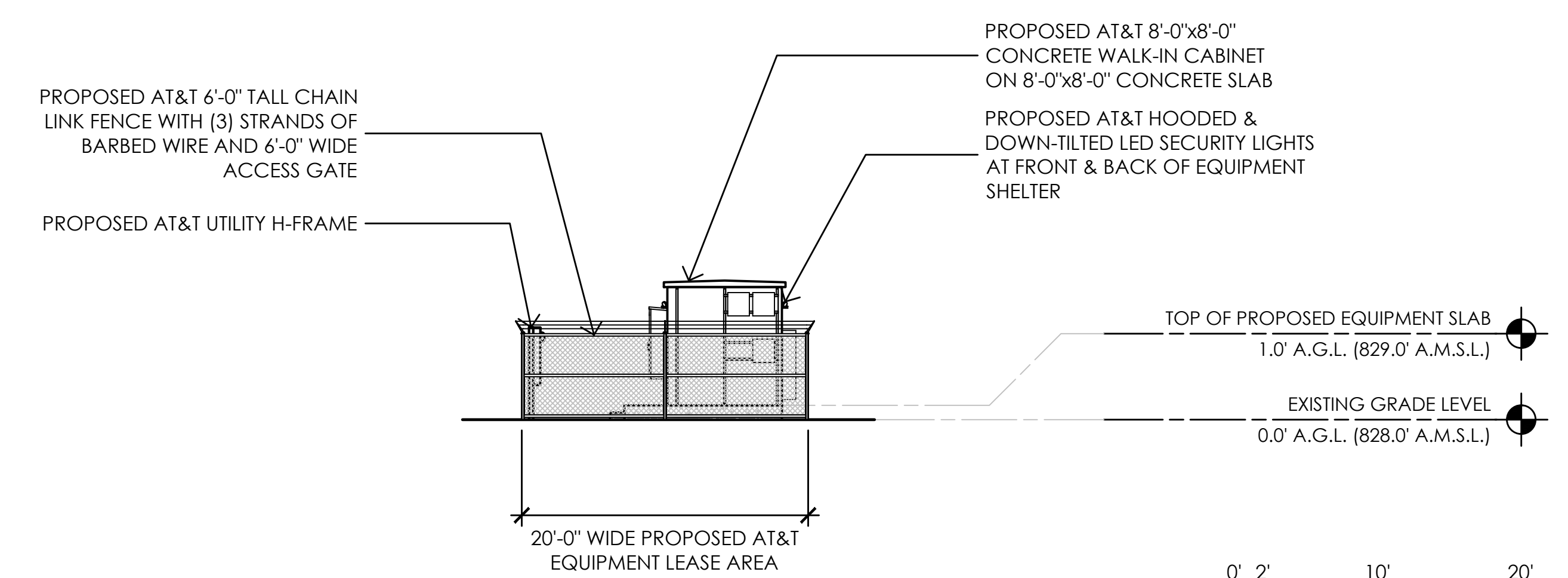
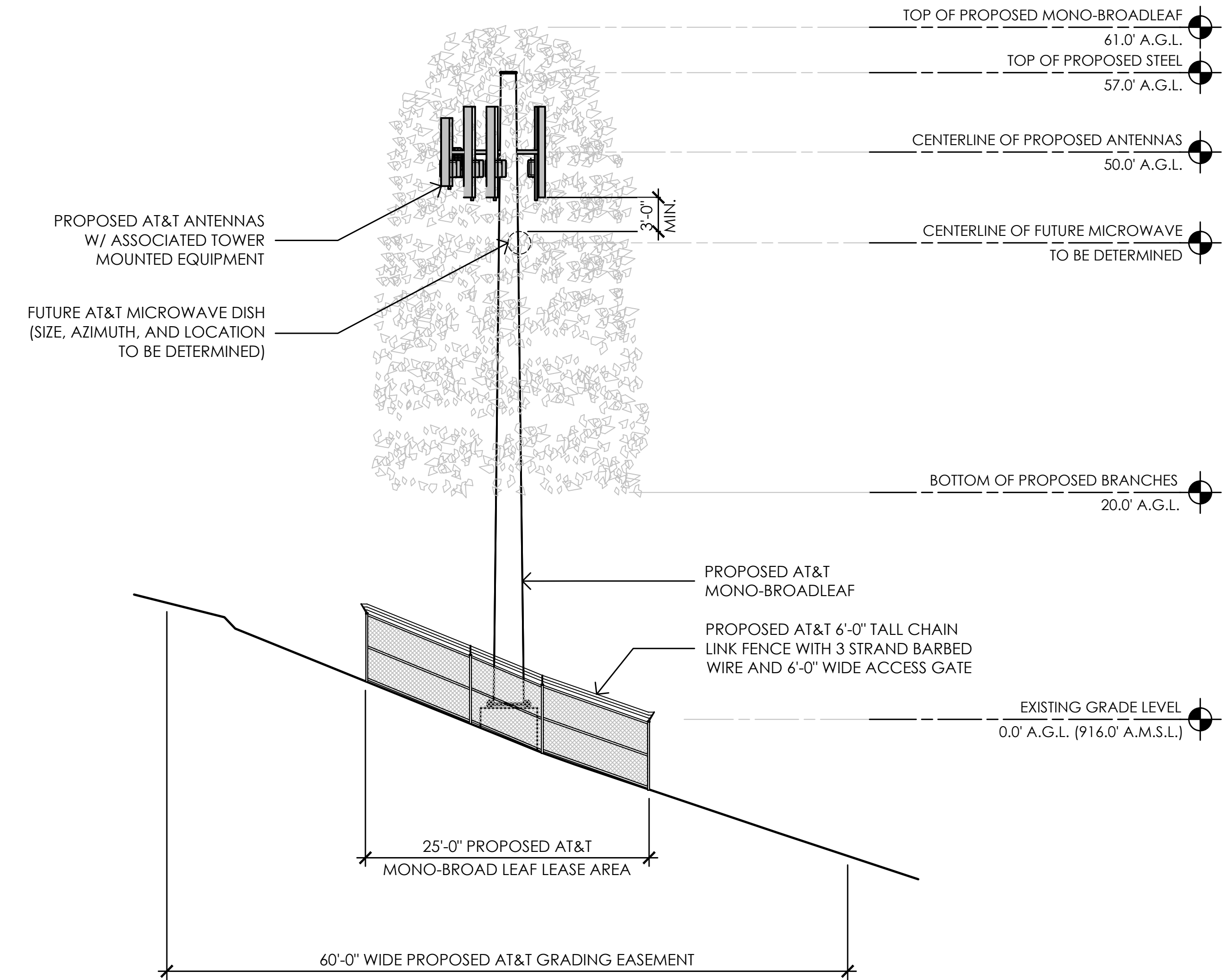


NOTE: POLE TO BE DESIGNED TO BE CO-LOCATEABLE FOR AT LEAST (1) ONE FUTURE CARRIER

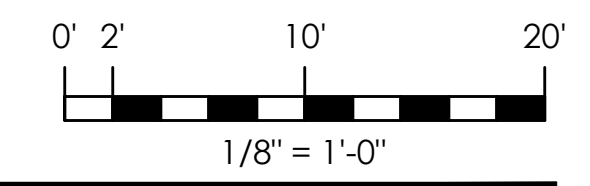
NOTE: AT&T TO INSTALL "LEAF SOCKS" ON ALL PROPOSED PANEL ANTENNAS & RRH UNITS. ALL ANTENNAS & EQUIPMENT TO BE PAINTED FLAT BROWN

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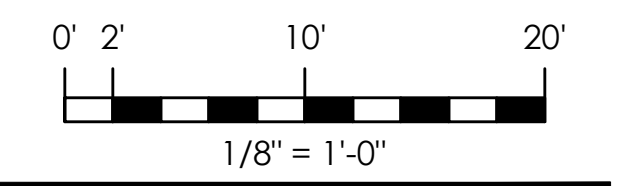
NOTE: THE PROPOSED AT&T LEASE AREAS AND ALL-WEATHER GRAVEL ACCESS ROAD GRADING WILL BE DESIGNED BY A LICENSED CIVIL ENGINEER. THE FINAL DESIGN, GRADING, AND DIRECTION OF THE ACCESS ROAD WILL DETERMINED, AS WELL AS WHAT EXISTING TREES OR OTHER LANDSCAPING TO BE REMOVED OR REPLACED



2 WEST ELEVATION
 1/8" = 1'-0"



1 SOUTH ELEVATION
 1/8" = 1'-0"



OPERATIONAL STATEMENT

AT&T MOBILITY SITE CVL03147 MARSHALL JUNCTION

MILLERTON ROAD, PRATHER, CA 93656

APN: 138-070-66 (TOWER) & 138-070-69 (GROUND EQUIPMENT)

Response to Operational Statement Checklist

Nature of the operation--what do you propose to do? Describe in detail.

AT&T is proposing communications facility for this location. This is an unmanned, remotely monitored facility that operates 24 hours per day, 7 days per week, 365 days per year, to provide high speed broadband and cellular coverage to this underserved area of Fresno County.

Included as part of this wireless facility will be the following:

Two (2) lease areas:

1. 25'x 25' Fenced, secured lease area including:
 - 61' monopole with (2) Antenna sectors with (3) antennas per sector
2. 20' x 23' Fenced, secured lease area including:
 - Walk-in cabinet

Operational time limits:

This unmanned facility will provide service 24 hours a day, 7 days a week.

Number of customers or visitors:

The facility will not be open for visitors or customers.

Number of employees:

The site is an unmanned facility. A service technician will visit the site on an average of once per month for routine maintenance. The site will be entirely self-monitored and connected directly to a central office where sophisticated computers alert personnel to any equipment malfunction. Because the wireless facility will be unmanned, there will be no regular hours of operation and no impacts to existing local traffic patterns. No water or sanitation services will be required.

Service and delivery vehicles:

This site will have a technician visit an average of once a month for a short visit.

Access to the site:

The proposed facility will be accessed from Millerton Road.

Number of parking spaces for employees, customers, and service/delivery vehicles.

The site is an unmanned facility. A service technician will visit the site on an average of once per month for routine maintenance. The site will be entirely self-monitored and connected directly to a central office where sophisticated computers alert personnel to any equipment malfunction. Because the wireless facility will be unmanned, there will be no regular hours of operation and no impacts to existing local traffic patterns. No water or sanitation services will be required.

Are any goods to be sold on-site?

If so, are these goods grown or produced on-site or at some other location?

No. Not applicable.

OPERATIONAL STATEMENT – AT&T MOBILITY SITE CVL03147 MARSHALL JUNCTION

What equipment is used?

Wireless telecommunications related equipment and a standby generator will be installed at the project.

What supplies or materials are used and how are they stored?

Please see above.

Does the use cause an unsightly appearance? Noise? Glare? Dust? Odor?

None. Please review the site plans and photo simulations regarding project appearance.

The only two sources of sound associated with the proposed facility will be 1) air conditioners that cool the walk-in cabinet, and 2) the standby generator, which will be operated for an average of 30 minutes per month for maintenance purposes. The generator will be utilized during power outages. Neither of these sources of sound will exceed the acceptable noise levels for the zoning designation.

There are no sources of glare, dust, or odor associated with the operations of the project.

List any solid or liquid wastes to be produced.

Not applicable.

Estimated volume of water to be used (gallons per day).

Not applicable.

Describe any proposed advertising including size, appearance, and placement.

Not applicable.

Will existing buildings be used or will new buildings be constructed?

A new 61' monopole will be constructed at the location. As well as a prefabricated equipment shelter will be installed inside the lease area.

Explain which buildings or what portion of buildings will be used in the operation.

An equipment shelter will be used to house technology equipment at this location.

Will any outdoor lighting or an outdoor sound amplification system be used?

No outdoor lighting or sound amplification will be used.

Landscaping or fencing proposed?

A 6' security fence will surround the two proposed lease areas.

Any other information that will provide a clear understanding of the project or operation.

Please review project drawings, project support statement, photo-simulations, and coverage maps.

Identify all Owners, Officers and/or Board Members for each application submitted; this may be accomplished by submitting a cover letter in addition to the information provided on the signed application forms.

PROJECT SUPPORT STATEMENT AT&T MOBILITY

Site Name: CVL03147 Marshall Junction
Site Address: No Site Address, Prather, CA 93656
APN: 138-070-66 & 138-070-69

INTRODUCTION

AT&T is seeking to improve communication services in Fresno County by providing high-speed internet service to the underserved communities, identified by the Federal Communications Commission (FCC). The facility has been designed and sited to provide services to rural residences up to about a 1.5 miles from the proposed tower location.

HISTORY

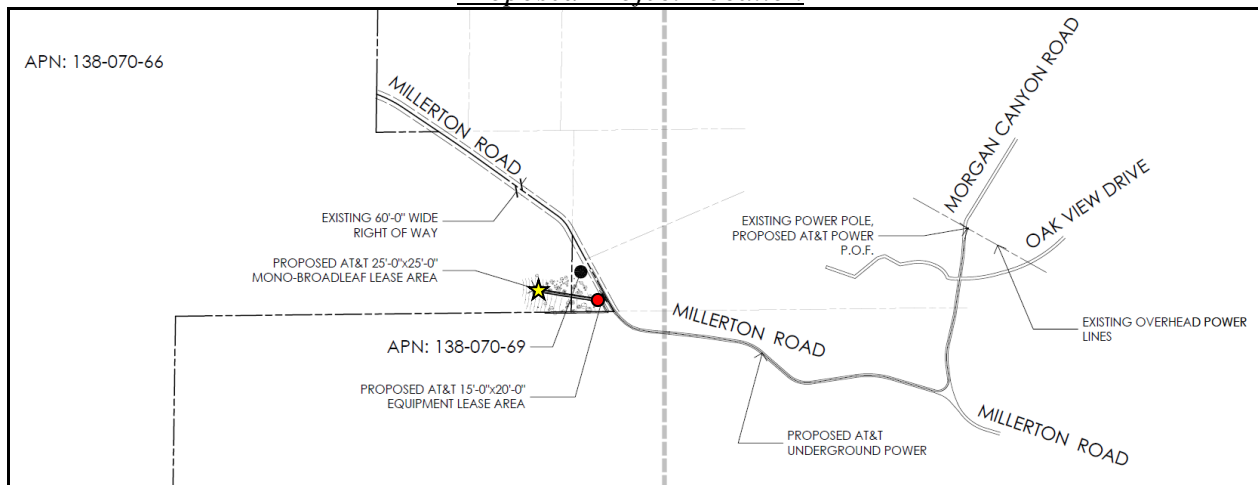
AT&T's current application seeks to provide broadband internet and wireless service to the same target area as depicted in a previous Fresno County Planning application, CUP3572, Initial Study No. 7275. The project, proposed on a previous location at 15899 Garlock Lane (APN: 138-371-45), was denied by the Planning Commission on December 14, 2017 and AT&T chose not to pursue an appeal of that denial. Instead, AT&T sought to find an alternative location that may provide the same service objectives targeted by the first location on Garlock Lane.

AT&T has proposed a shorter tower on the hillside of an undeveloped parcel, located just south of Millerton Road. AT&T now returns to the Fresno County Planning Commission with the revised location to provide services needed to the surrounding rural community. Due to the rural nature of the project, there is no site address and one is requested from Fresno County in order to help identify the site.

PROJECT LOCATION

This project is located on two (2) parcels, both owned by the Smith Foothill Ranch LLC, and both zoned AE-40 (Exclusive Agriculture). The contiguous properties are undeveloped and are currently used for cattle grazing.

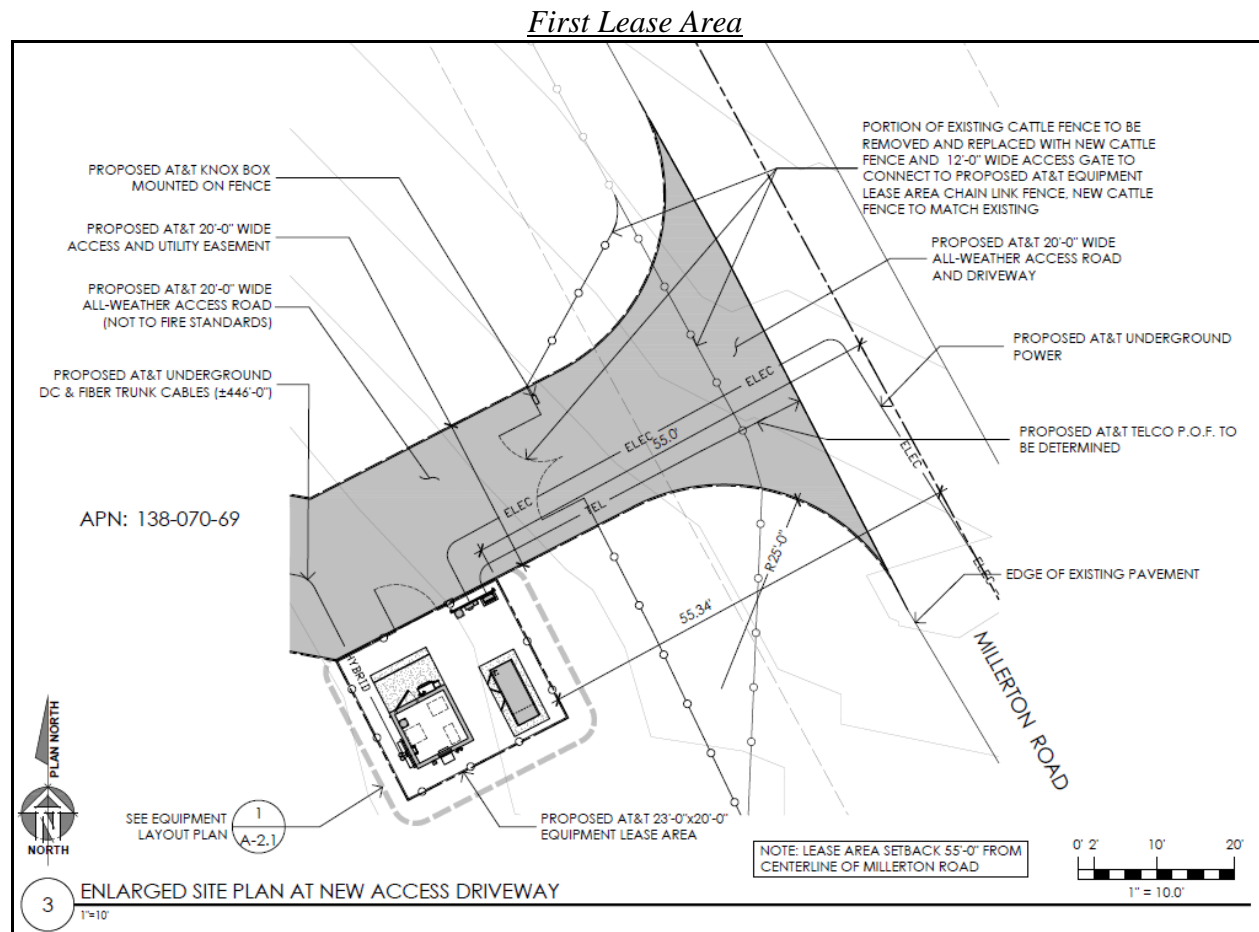
Proposed Project Location



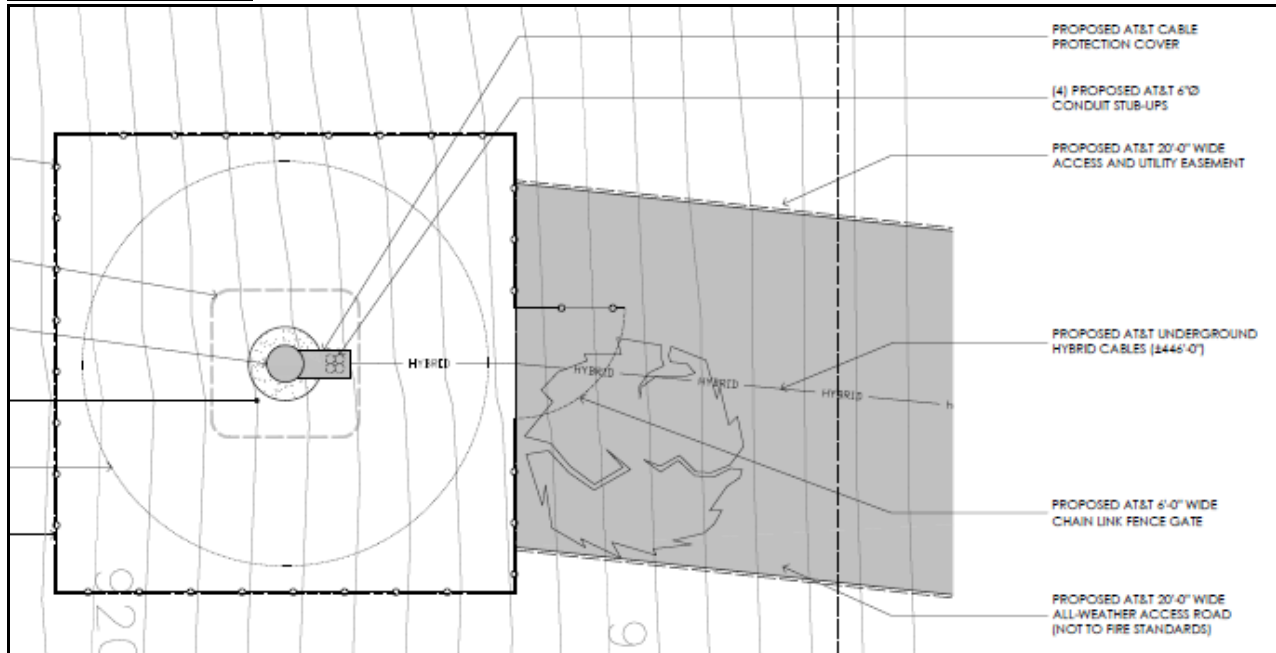
Two Lease Areas Required

Due to the extreme grade of the proposed location, the placement of both tower and associated equipment on the hill required preliminary review by the Fresno County Fire Prevention Department. Based on the improvement required to provide a Fire Prevention compliant access road, the access road would require major switchbacks, the removal of all trees on the face of the hill, the construction of no less than three (3) retaining walls, fire turnarounds, and the placement of at least 8,000 cubic ft. of fill. Due to the disruption to the hill's landscape and the property owner's dismay, AT&T contacted Battalion Chief Christopher Christopherson for preliminary review. Based on his input, the placement of the cabinets and generator at the base of the hill, just south of Millerton Road, would eliminate the need for the above fire prevention requirements. Therefore, in order to preserve the integrity of the hillside, AT&T chose to split the lease areas into two (2) locations—equipment at the base of the hill for easy access by public agencies and tower at the top of the hill in order to offer AT&T's radio access network (RAN) engineer the height and elevation needed to provide coverage to the target area.

The proposed facility is comprised of two (2) lease areas. The first area will be enclosed by a chain link fence just off of Millerton Road, abiding by the setbacks of 35' (front), 20' (sides), and 20' (rear) in the zone. This first lease area is setback in excess of 55' from the centerline of Millerton Road. The first area will be 23' x 20' to house AT&T's outdoor equipment cabinets and generator. All equipment will be enclosed by a 6'-tall chain link fence.



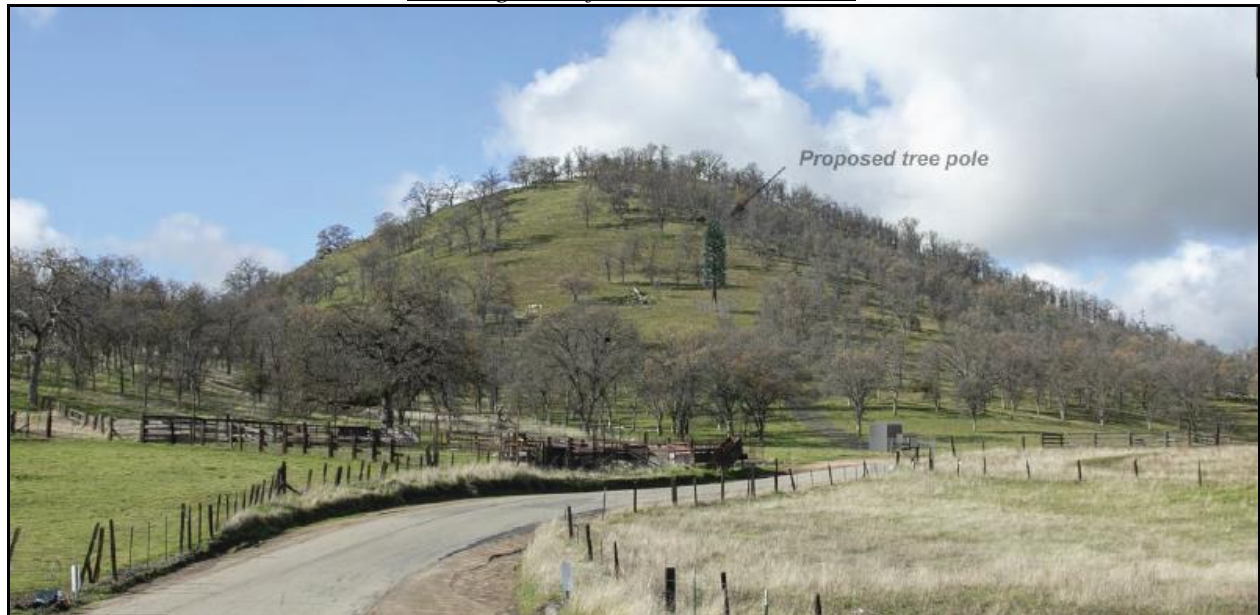
Second Lease Area



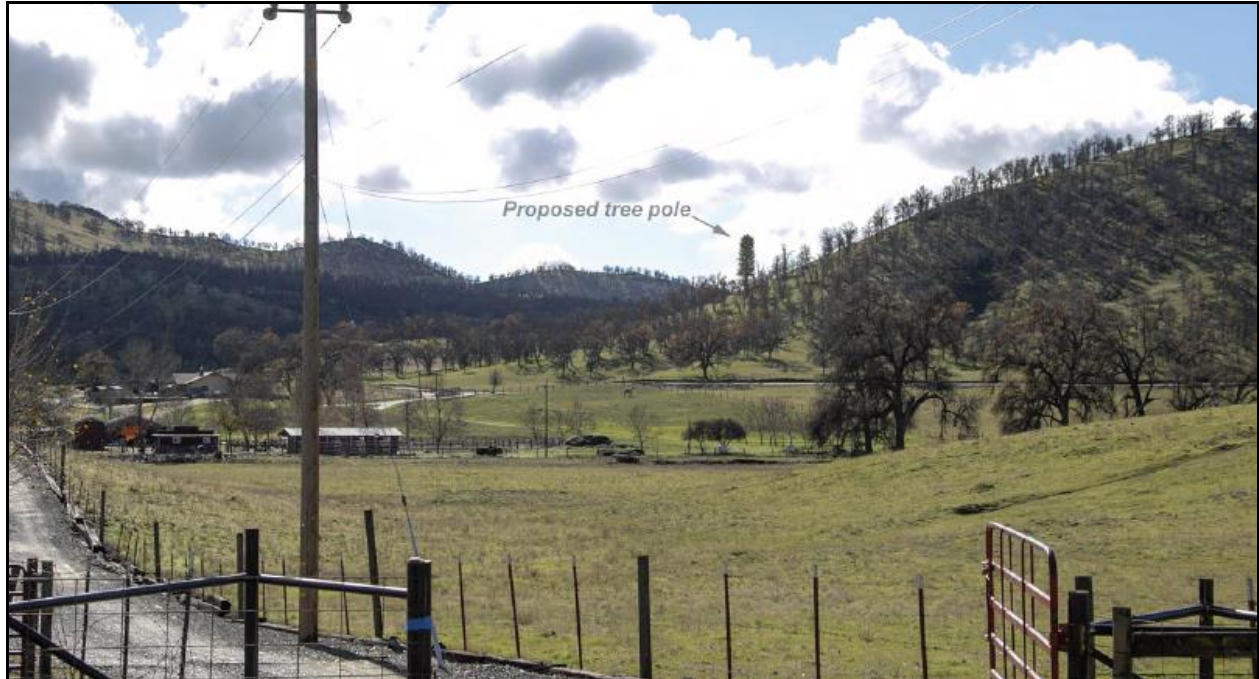
PROJECT DESIGN

The proposed unmanned telecommunications facility will have a 61'-tall faux-broadleaf tree on the hillside. The height of the monopole itself will be 57' to the top of the steel with the antennas placed at a centerline of 50'. The additional height is required in order to provide a natural taper to the top of the tree. Associated equipment includes six (6) panel antennas, two (2) antenna sectors with three (3) antennas per sector, with AT&T's walk-in cabinet and generator. The facility will be enclosed by a 6' tall chain link fence. Power and telecommunications cables will be installed underground within the lease area. The unmanned facility will provide high-speed internet access and wireless services 24 hours a day, 7 days a week.

Looking West from Millerton Road



Looking South from Oak Creek Road



This parcel and lease area location were chosen in compliance with Fresno County’s Wireless Communication Guidelines, item no. 7, regarding the siting of towers in rural agricultural areas. The proposed facility height complies with the County’s development standards for wireless facilities in the Exclusive Agricultural zoning designation. Because of the surrounding topography and breadth of the coverage area, the proposed facility needs to have the antennas placed at a centerline of 50’ for the signal to reach the intended service area. The proposed facility has been designed at its minimum functional height and the suggestions of the neighbors and Planning Commissioners for previous CUP3572 / IS7275 were taken into account when locating, designing, and siting this proposed facility.

Please see Photo Simulations for additional details.

SITE SELECTION CRITERIA & NEED FOR FACILITY

The FCC’s Connect America Fund (CAF II) created census data maps identifying underserved areas without high-speed internet services. AT&T’s engineers then generate search rings based on locations that maximizes the number of living units served by the new facility. Maximizing service of living units is a condition of the FCC’s CAF II grant, giving AT&T less flexibility in selecting a tower location than AT&T would otherwise have in building out their cellular network.

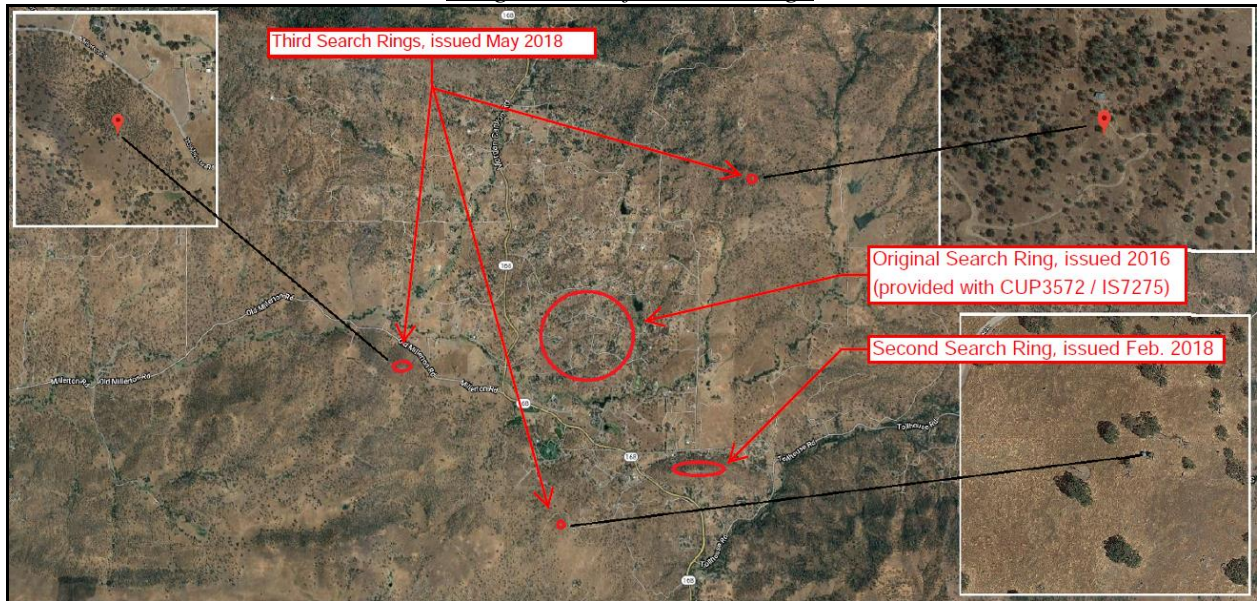
AT&T’s engineer began the site selection process by identifying a search area, called a “Search Ring.” For this particular ring, the original search ring centered on residential homes in unincorporated Prather. The Fresno County Planning Commission denied the facility within that original search ring.

AT&T has issued three (3) different targeted search areas to try and cover the underserved community of rural residences north of Millerton Road. The first search ring was issued in 2016 and was submitted as part of CUP3572 / IS7275. That project, proposed on a previous location at 15899 Garlock Lane (APN: 138-371-45), was denied by the Planning Commission on December 14, 2017 and AT&T chose not to pursue an appeal of that denial.

AT&T instead sought to find an alternative location that may provide the same service objectives targeted by the first location on Garlock Lane. In order to move away from the existing rural residences in the first search ring, AT&T looked to properties on higher elevations to try achieve the height. The second search ring was centered around a very steep hill, triangulated by Tollhouse Road, Millerton Road, and Nicholas Road. However, upon on-site visits to the properties, the grade of the hill is in excess of 20% and AT&T's construction teams determined that construction of an access road would not be possible. Additionally, Fresno County also discourages develop on slopes in excess of 20% grade.

The third and final search ring was issued in May 2018 and three (3) very small hilltops were identified as possible feasible locations. There were only six (6) parcels and four (4) property owners in the identified areas. The most optimal location was the proposed hill south of Millerton Road, which was pursued as the only candidate.

Progression of Search Rings

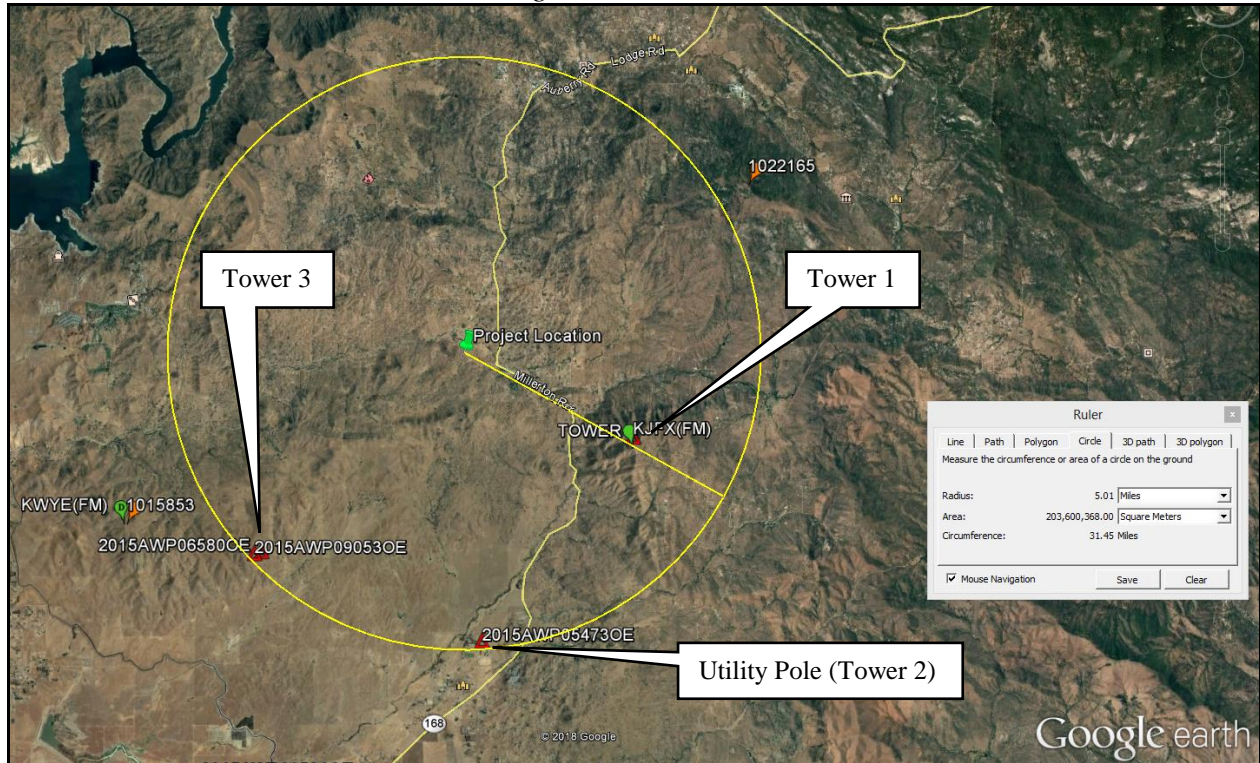


The search ring represents the area within which a facility can be located to produce the desired coverage objective. The centerline height of 50' (with a total faux-tree height of 61') represents the required height of the antennas to produce the desired coverage objective. After evaluating the County's zoning regulations, the next step is to identify any existing towers within the search ring that could allow for collocation. In this case, AT&T determined that there are no existing structures within a 4-mile area which could meet its coverage needs.

NEARBY TOWERS AND WIRELESS FACILITIES

There are 3 wireless towers within a 5-mile vicinity of the proposed facility; however, none would be able to provide the broadband internet and wireless service required.

Google Earth Overview



Tower 1

The KFPX FM radio station tower is over 100' tall and is located over 3 miles away. It is too far from the target service area. It would not be able to provide the objectives needed by AT&T's RAN engineer.

Tower 2

There is a telecommunications antenna(s) on a utility pole, less than 40' in height, over 5 miles from the facility. That candidate is too short and too far away. It would not be able to provide the objectives needed by AT&T's RAN engineer.

Tower 3

There is a 160' tall tower located over 5 miles from the proposed facility. The facility is too far away and would not be able to provide the objectives needed by AT&T's RAN engineer.

Due to the above reasons, there are no collocation opportunities in this area.

COMPLIANCE WITH FRESNO COUNTY WIRELESS COMMUNICATION GUIDELINES

Fresno County has specific telecommunications guidelines for rural agricultural areas and AT&T's facilities complies with all requirements.

- a. *Tower sites should be selected to minimize disruption to agricultural aircraft operations, farm irrigation systems, and movement of farm equipment. Applicants should describe factors specific to the property that have been addressed in the site selection. If site selection negotiation is conducted with an absentee owner, a supporting statement from the farm manager should be provided.*

Due to the difficulties at the previous location (CUP3572 / IS7275), AT&T narrowed down 3 key areas of higher elevation in sparsely populated areas to try and provide internet and wireless services to the living units identified by the FCC. That Search Ring is provided above.

Furthermore, the facility was proposed in an area, sparsely populated, and without agricultural aircraft operations.

- b. *Tower sites should be selected to minimize disruption to agricultural aircraft operations, farm irrigation systems, and movement of farm equipment. Applicants should describe factors specific to the property that have been addressed in the site selection. If site selection negotiation is conducted with an absentee owner, a supporting statement from the farm manager should be provided.*

The proposed facility is sited in an area without agricultural aircraft operations.

The nearest airport to the proposed facility is the Topham Ranch-Auberry Airport, which is approximately 8.5 miles north. Additionally, the Kindsvater Ranch Airport is located approximately 9 miles to the southeast

- c. *Generally, guyed towers should not be allowed, except for Broadcast T.V., Broadcast Radio, and Amateur Radio.*

N/A.

- d. *Towers should be sited to minimize aesthetic impacts to adjacent homesites on surrounding properties.*

Utilizing natural elevation, the chosen parcel is a tall hillside with existing trees and has been reduced in overall height to 61'. Additionally, the facility has been stealthed as a faux-broadleaf tree. Lastly, the land is undeveloped and used for cattle grazing. There will be no interference to operations in the vicinity.

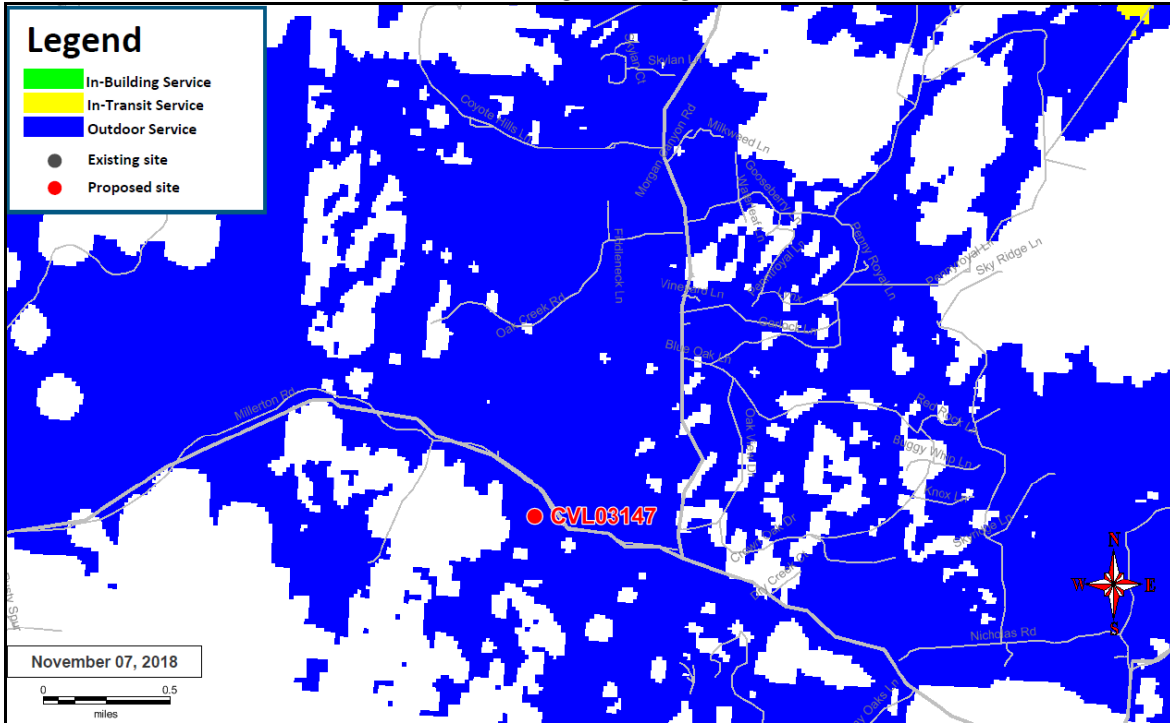
- e. *Towers should be sited to minimize impacts to adjacent farming operations on surrounding properties.*

The proposed facility is sited in an area without adjacent farming operations. The properties are zoned agricultural, but are used for single-family residences on large lots or are undeveloped/vacant.

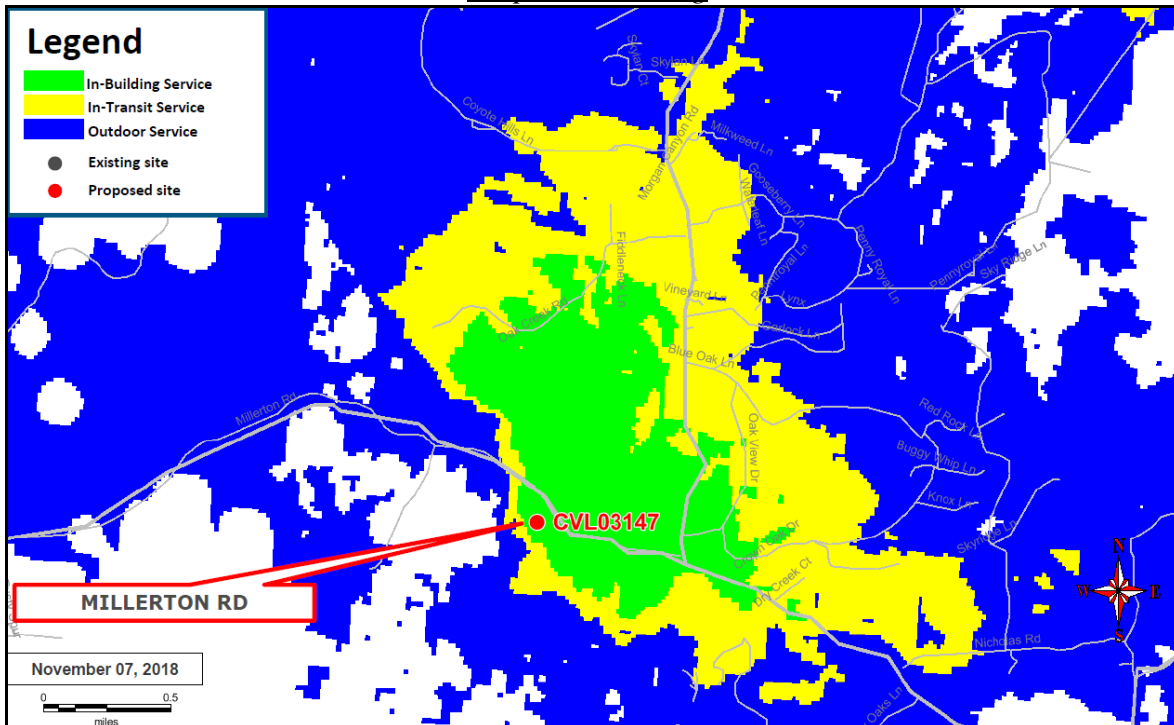
COVERAGE AREA

The proposed facility, located on the Smith Foothill Ranch property, was chosen by AT&T's engineer as the best candidate in the search ring for achieving AT&T's coverage objectives.

Existing Coverage



Proposed Coverage



SAFETY BENEFITS OF IMPROVED WIRELESS SERVICE

Mobile phone use has become an extremely important system for public safety. Motorists with disabled vehicles (or worse) can use their phone to call in and request appropriate assistance. With strong cellular coverage along important roadways, emergency response is just a phone call away. Furthermore, as a back-up system to traditional landline phone service, mobile phones have proven to be extremely important during natural disasters and other catastrophes.

TECHNOLOGY & CONSUMER SERVICES THE CARRIER WILL PROVIDE ITS CUSTOMERS

AT&T offers its customers multiple services such as, voice calls, text messaging, mobile email, picture/video messaging, mobile web, navigation, broadband access, V CAST, and E911 services. Wireless service enhances public safety and emergency communications in the community.

LIGHTING

Unless tower lighting is required by the FAA the only lighting on the facility will be a shielded motion sensor light by the door on the equipment shelter.

NOISE

The standby generator will be operated for approximately 15-30 minutes per week for maintenance purposes, and during power outages and disasters. Testing and maintenance will take place weekdays between 8:00 a.m. and 7:00 p.m. During construction of the facility, which typically lasts around two to three months, acceptable noise levels will not be exceeded.

HAZARDOUS MATERIALS

A Hazardous Material Business Plan will also be submitted upon project completion, and stored on site after construction.

SITE MAINTENANCE

A technician will visit the site approximately twice a month to check the facility and perform any necessary maintenance.

STATEMENT OF COMMITMENT TO ALLOW COLLOCATION

The proposed facility has been designed in a manner that will structurally accommodate additional antennas and future collocation. AT&T welcomes other carriers to collocate on their facilities whenever possible.

COMPLIANCE WITH FCC STANDARDS

This project will not interfere with any TV, radio, telephone, satellite, or any other signals. Any interference would be against the Federal Law and would be a violation AT&T's FCC License.

CONSTRUCTION SCHEDULE

The construction of the facility will be in compliance with all local rules and regulations. The typical duration is two months. The crew size will range from two to ten individuals.

NOTICE OF ACTIONS AFFECTING THIS DEVELOPMENT PERMIT

In accordance with California Government Code Section 65945(a), AT&T requests notice of any proposal to adopt or amend the: general plan, specific plan, zoning ordinance, ordinance(s) affecting building or grading permits that would in any manner affect this development permit. Any such notice may be sent to 2009 V Street, Sacramento, CA 95818.



County of Fresno

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

EVALUATION OF ENVIRONMENTAL IMPACTS

- APPLICANT: AT&T Mobility
- APPLICATION NOS.: Initial Study Application No. 7577 and Unclassified Conditional Use Permit Application No. 3635
- DESCRIPTION: Allow an unmanned telecommunications tower consisting of a 61-foot monopole, with an artificial broadleaf tree design, within a 25-foot by 25-foot lease area, on a 431.60 acre parcel; and allow the related ground equipment, cabinet, and diesel generator on a separate 20-foot by 23-foot lease area, located on an adjacent 2.00 acre parcel. The proposed tower and ground equipment lease areas will be located approximately 450 feet apart and connected by a proposed 20-foot wide access and utility easement, in the AE-40 (Exclusive Agricultural, 40-acre minimum parcel size) Zone District.
- LOCATION: The project site is located on the south side of Millerton Road, between Rusty Spur Lane and State Route 168 (Morgan Canyon Road), approximately 4.5 miles southwest of the unincorporated community of Prather, (SUP. DIST. 5) (APNs 138-070-66 and 138-070-69)

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; or
- 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 WITH MITIGATION INCORPORATED:

The subject parcel is located in a foothill area characterized by open space and low density single-family residential development. No scenic vistas, other scenic resources, or

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historic buildings were identified during analysis of this proposal, nor is the project site located near a scenic highway. This project proposes the installation of a 61 foot monopole telecommunications tower, employing an artificial tree design, within a 625 square-foot fenced lease area, located approximately 450 feet from the nearest right-of-way of Millerton Road, additionally, there will be a 460 square-foot fenced lease area containing auxiliary equipment to support the tower, located approximately 25 feet from the nearest right-of-way of Millerton Road. The artificial tree design will minimize the visual impact of the tower, however, because both fenced lease areas will be visible from Millerton Road, the following mitigation measure has been included to minimize aesthetic impacts.

* **Mitigation Measure(s)**

1. *Both of the proposed lease areas shall be screened behind slatted chain-link fencing, provided in an earth tone color. The slatted fencing color shall be maintained for the duration of operation of the facility.*

- 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:

According to the applicant's submitted plans, the only lighting proposed with this project are motion activated security lights, located at the front and back of the walk-in equipment cabinet. The lights will be required to be hooded and directed downward, so as not to shine on neighboring properties or the adjacent roadway. Additionally, the proposed tower will have no lighting.

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: LESS THAN SIGNIFICANT IMPACT:

The subject parcels are designated as Eastside Rangeland in the County Adopted Sierra North Regional Plan, which allows for grazing and other agricultural operations, and limited non-agricultural uses, and are also classified as Grazing land per the 2014 Fresno County Important Farmlands Map. The subject parcels contain approximately 434 acres combined, adjacent parcels to the northeast range in size from approximately 10 to 40 acres and contain some sparse residential development. There are larger parcels located to the west, southwest, south and southeast which range in size from 160 to 640 acres.

There is no forestland in the vicinity, that would be impacted by this proposal. The project was reviewed by the Fresno County Agricultural Commissioner's Office, which did not express any concerns related to the project resulting in the conversion of Farmland to non-agricultural uses. The project will utilize a small portion, approximately one quarter-acre, of the two adjacent parcels and will not impact current or future grazing activity. The project proposes an unmanned wireless communication tower within a 625 square-foot lease area, along with a supporting ground equipment including a 64 square-foot prefabricated walk-in equipment cabinet within a separate 460 square-foot lease area, as noted previously, and an approximately 450 foot long by 20-foot wide access and utility easement connecting the two lease areas and providing access to the site from Millerton Road. Because the subject parcels are designated as grazing land in the 2014 Fresno County Important Farmlands Map, the project would not convert any Prime, Unique or Farmland of Statewide Importance to non-agricultural uses, nor interfere with any existing agricultural operations in the vicinity.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The 431.60-acre parcel (APN 138-070-66), on which the proposed tower will be located, is enrolled in the Williamson Act Program under Contract No. 109. According to comments from the Fresno County Department of Public Works and Planning, Policy Planning Unit, telecommunication towers could be allowed on contracted land depending upon the specific area that would be removed from agricultural use as a result of a project. Accordingly, the submission of a Statement of Intended Use was required for this proposal, in order to determine its consistency with the provisions of the Williamson Act. The applicant's submitted Statement of Intended Use was evaluated by the Policy Planning Unit, which made the determination that the proposed use would not conflict with the provisions of the Williamson Act.

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

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 forest land to non-forest use?

FINDING: NO IMPACT:

The subject parcels are 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.

III. AIR QUALITY

Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:

- A. Conflict with or obstruct implementation of the applicable Air Quality Plan; or
- B. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project involves the clearing of vegetation, including the possible removal of some trees where necessary, and grading of the proposed 625 square-foot lease area, 460 square-foot lease area and 450 foot by 20-foot wide access and utility easement to serve the proposed tower and related ground equipment. While it is expected that there will be some dust and particulate matter released into the air during construction activities, the overall area of ground disturbance would be limited to the proposed lease areas and access easement.

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 any ambient air-quality standard. The proposal will be subject to General Plan Policy OS-G.14, which requires that all access roads, driveways, and parking areas serving new commercial and industrial development to be constructed with materials that minimize particulate emissions and are appropriate to the scale and intensity of the use. The proposed 20-foot wide access and utility easement will utilize gravel for the access driveway and turnaround areas.

- C. Expose sensitive receptors to substantial pollutant concentrations; or
- D. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

FINDING: LESS THAN SIGNIFICANT IMPACT:

It is anticipated that there will be dust and therefore particulate matter created by construction activities released into the air, which may affect sensitive receptors in nearby

residences. However, as the area has sparse residential development (the nearest residence is approximately 700 feet north of the site), and with the construction phase of the project expected to take approximately 2-3 months, as indicated by the applicant, any impacts would be temporary, and the project is therefore unlikely to either generate substantial pollutant concentrations, other emissions or orders, that would adversely affect a substantial number of people, and would be a less than significant impact.

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?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

This project proposal was reviewed by the United States Fish and Wildlife Service (FWS). Comments from FWS indicate that based on information obtained from the California Natural Diversity Database (CNDDDB), the project is within 4.5 miles of a recorded occurrence of the federally threatened California Tiger Salamander (CTS), and that wetlands and ponds in the vicinity may provide suitable breeding habitat for the CTS.

A search of the Information Planning and Consultation system (IPaC) resource list by County staff produced a list of threatened or endangered species that may be affected by development activities in the area. Of those species listed, none were associated with critical habitat located on or near the project site, however, the list indicated the project site is within the range of the endangered Blunt Nosed Leopard Lizard and endangered Vernal Pool Tadpole Shrimp, however no occurrences have been recorded in proximity to the project site. With regard to migratory birds, the IPaC list indicated no particular species in the area that may be affected by the project, but indicated that several breeds of migratory birds have a probability of being present during certain times of the year.

Based on the FWS's recommendation, the County required that the applicant submit a habitat assessment of the project site to determine if any impacts to biological resources may result from the project and what if any mitigation or minimization and avoidance measures could be implemented or determine if permits are necessary. The habitat assessment was completed by Alphabiota Biological Consulting in conjunction with Geist Engineering and Environmental Group, Inc. dated May 19, 2019, was completed for the project.

A summary of the habitat assessment indicated the presence of several bird species in the vicinity of the project and that surrounding properties have natural features capable of impounding water and thereby provide suitable breeding habitat to support the California Tiger Salamander, and upland habitat for Fairy Shrimp, Spadefoot toad, as well as vernal pool plants, and vernal pool habitat were found to exist in proximity to the project site.

None of the special status species documented to have occurred within five miles of the project site, by the CNDDDB were observed during this survey.

The pedestrian site survey conducted as part of the Habitat Assessment, noted the presence of several bird species, including the following: Ravens, House Finches, Scrub Jays, Mockingbirds, Mourning Doves, Bewick's Wren, Oak Titmouse, Bullocks Oriole, Starlings, Mountain Bluebird, Acorn Woodpeckers, and a nesting pair of Great Horned Owls with chicks. The Owl, its nest and chicks as well as most other native bird species are protected by the MBTA, and California Fish and Game Code (FCG); therefore, activities that result in removal or destruction of an active nest, with eggs or young present, would violate the MBTA. Accordingly, construction activities should be delayed until it is determined that the chicks have fledged and that the adults have left the nest and are no longer using the nest for another clutch (group of offspring).

The results of the habitat assessment found that potential impacts to wildlife or plant species could be avoided with implementation of standard construction conditions, and that the project would have a less than significant impact on federal and California Endangered, threatened, proposed or candidate species, not result in destruction of or adverse modification of, critical habitat for said species, and also not result in "take" of migratory birds protected under the Migratory Bird Treaty Act and other state, local or federal laws. However, to minimize potential impacts from the project on protected, or endangered species, the following Mitigation Measures shall be included:

* **Mitigation Measure(s)**

1. *Due to the potential for special status species, including California Tiger Salamander (CTS) and/or Spadefoot toad, to occur, move through or into the project site; an on site biological monitor (qualified biologist) shall be present during any ground disturbance, to include excavation, backfill and or grading activities. If California Tiger Salamander or Spadefoot toad are found to be present, all work shall stop and the applicant's qualified biologist shall consult with the United States Fish and Wildlife Service and the California Department of Fish and Wildlife to determine if a take permit, or other course of action to protect CTS and/or Spadefoot toad is necessary. Additional surveys may be necessary.*
2. *If construction activities start during the breeding or nesting season for Migratory Bird Treaty Act (MBTA) protected breeds, a preconstruction survey for nesting birds shall be implemented. Surveys shall be conducted in accordance with U.S. Fish and Wildlife, guidance for minimizing impacts to migratory birds (breeding season is generally defined as between February 1 and mid-September and nesting season between March 1 and mid-September).*
3. *Prior to any construction, ground disturbance, to include excavation, backfill and or grading, and prior to any delay in work lasting more than seven (7) days, a qualified biologist shall survey the site to determine if the Great Horned Owls nest identified by the submitted Habitat Assessment, dated May 20, 2019, contains any adult Great Horned Owls or chicks or any other nesting birds, or nests are present. If adult Owls or chicks are present, all project related construction, ground*

disturbance, excavation or backfill activities shall be postponed until such time as all chicks have fledged and adults have ceased using the nest, and it is determined by the qualified biologist, that no Great Horned Owls or chicks are present in the nest.

- B. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service; or
- C. Have a substantial adverse effect on state or federally-protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

FINDING: LESS THAN SIGNIFICANT IMPACT:

No riparian habitat or state or federally-protected wetlands were identified in the analysis. The habitat assessment did note that one linear water feature was identified off site, and as such, water quality may be affected by construction work occurring during precipitation events, and that measures be taken to protect against silt runoff from the site in the event of rain.

- 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: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

See discussion and Mitigation Measures under Section IV.A above.

- 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 Fresno County General Plan contains several policies related to the protection of biological resources, and natural vegetation: Policy OS-F.10 requires that new development preserve natural woodlands to the maximum extent possible and the County promote the preservation and Policy OS-F.11. Requires that the County promote the preservation and management of oak woodlands by encouraging landowners to follow the Fresno County Oak Management Guidelines, and the County adopted Oak Woodlands Management Plan. Policy OS-E.9 requires that prior to the approval of discretionary development permits, the County shall require, as part of any required environmental review process, a biological resources evaluation of the project site by a qualified biologist, such evaluation will consider the potential for significant impact on these resources and will either identify feasible mitigation measures or indicate why mitigation is not feasible.

To address impacts to Oak Woodlands, the following mitigation measure shall be instituted.

* **Mitigation Measure(s)**

1. *Oak trees on the project site that are removed as a result of the project shall be replaced at a ratio of two trees to every one tree removed.*

- 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 any existing local policies or ordinances protecting biological resources were identified, nor were any conflicts with any adopted Habitat Conservation, Natural Community Conservation, or other approved plans identified, in the analysis of this 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:

A portion of the subject parcel is located in an area of moderate sensitivity for the existence of cultural resources. This project proposal was routed to the Southern San Joaquin Valley Information Center at California State University Bakersfield for review. The Information Center recommended that a Cultural Resources Inventory be undertaken. The applicant submitted a Cultural Resources Investigation, dated February 28, 2019, prepared by Archaeological Resources Technology, a Registered Professional Archaeologist on behalf of Geist Engineering and Environmental Group, Inc. The Cultural Resources Investigation included a records search of the California Historical Resources Information Service, the State of California Office of Historic Preservation Historic Properties Directory, which included the National Register of Historic Places, California Historical Landmarks, California Points of Historical Interest, and the California Register of Historical Resources, and a review of all previously recorded cultural resources within a one half-mile radius of the project boundaries. Results of the Cultural Resources Inventory were negative for the project area. However, to address the possibility that cultural resources could be discovered on the project site during ground-disturbing activity, the following Mitigation Measure has been included.

* **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 should be followed by photos, reports, video, 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 proposes the installation of an unmanned telecommunications tower with related ground equipment. According to information provided by the applicant, the project construction phase will take approximately two to three months depending on site specific conditions. No specific information was provided regarding the fuel efficiency of the off road construction equipment utilized with this project, however, given the brief construction time frame, and the fact that the facility will be unmanned, the project 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?
 3. Seismic-related ground failure, including liquefaction?
 4. Landslides?

FINDING: LESS THAN SIGNIFICANT IMPACT:

According to the Fresno County General Plan Background Report (FCGPBR), Figure 9-4 and discussion in Chapter 9, the project site is located in area of the County designated as Seismic Zone 3 of the California Uniform Building Code (UBC). Most areas of Fresno County, have a relatively low probability of seismic activity. However, fault systems along the eastern and western boundaries of the County, can potentially cause high magnitude earthquakes affecting other parts of the County. The subject property is not located in an area of a know fault as identified on the web based California Department of Conservation, Fault Activity Map of California (2010). The nearest identified fault trace is the Clovis Fault which trends northwest, and is located approximately 9.5 miles southwest of the project site at its nearest point.

Figure 9-5 of the (FCGPBR) indicates that, given a ten percent probability of earthquake occurrence in 50 years, the project site is located in an area with a 10 percent probability of exceeding 0-20 percent of peak horizontal ground acceleration or a maximum of .20 g (percent of the force of gravity) during an earthquake. The project will be required to comply with applicable Seismic Design Standards. The project site is not in an area prone to liquefaction or seismic related ground failure; however it is located in an area of steep slopes per Figure 7-2 of the Fresno County General Plan Background Report (FCGPBR), and moderate landslide hazard according to Figure 9-6 of the FCGPBR.

As such, the possibility for landslide does exist, however, the area of ground disturbance from grading will be limited to less than one quarter-acre in area, and will require a grading permit from Development Engineering Section of the Fresno County Department of Public Works and Planning. No reviewing agencies or County departments expressed concerns related to the potential for the project resulting in adverse effects due to landslide.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project site is located in the foothills of the Sierra Nevada, and in an area of relatively steep slopes as identified in Figure 7-2 of the Fresno County General Plan Background Report (FCGPBR) and in an area of Generalized Erosion Hazard, per Figure 7-3 of the (FCGPBR). The proposed tower lease area is located on a hillside with a moderately steep slope, where the possible removal mature oak trees and existing natural vegetation will be required during the construction process. Policy OS-F.6 states that, the County shall require that development on hillsides be limited to maintain valuable natural vegetation, especially forests and open grassland, and to control erosion. Policy OS-F.7 states that, the County shall require developers to take into account a site's natural topography with respect to the design and siting of all physical improvements in order to minimize grading.

The proposed 20-foot wide access and utility easement entails the grading of approximately 9,000 square feet of soil, and the proposed lease areas account for an

additional 1,085 square feet of ground disturbance on the site. Both the lease areas and proposed access easement will utilize gravel surfacing, which would reduce the potential for erosion of the site. None of the reviewing agencies or departments expressed concerns related to the potential for erosion or landslide as a result of the proposed project. A grading permit is required for this project.

- 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:

The project site is not located in an area of lateral spreading, subsidence, liquefaction or collapse as identified in the Fresno County General Plan Background Report (FCGPBR).

- 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:

The subject property is not located in an area of expansive soils, as identified by Figure 7-1 of the Fresno County General Plan Background Report.

- 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: NO IMPACT:

There are no septic systems proposed with this application.

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

FINDING: NO IMPACT:

No paleontological resources were identified by any reviewing agencies.

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:

Construction of the project is anticipated to take approximately two to three months, and upon completion will be unmanned. After construction, there will be one to two maintenance trips per month to service the tower and related facilities. Any greenhouse gas emissions generated from the operation of construction equipment and vehicles would be temporary and not anticipated to result in significant impacts on the environment. Additionally, the project would not conflict with any plans, policies or regulations adopted for the reduction of greenhouse gas emissions.

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: LESS THAN SIGNIFICANT IMPACT:

The proposed facility will utilize a 30 kilowatt, diesel powered standby generator with a 190-gallon fuel storage tank, mounted on an 8-foot by 14-foot concrete slab. Facilities proposing to use and/or store hazardous materials and/or hazardous wastes shall meet the requirements set forth in the California Health and Safety Code (HSC), Division 20, Chapter 6.95, and the California Code of Regulations (CCR), Title 22, Division 4.5. Any business that handles a hazardous material or hazardous waste may be required to submit a Hazardous Materials Business Plan pursuant to the HSC, Division 20, Chapter 6.95.

- 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:

There are no schools located within one quarter-mile of the subject property.

- 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
- 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 review of the project area using the United States Environmental Protection Agency's NEPAassist, no hazardous materials sites are located within the boundaries of the subject parcel. The project site is not located within an Airport Land Use Plan nor in the vicinity of a private airstrip.

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

FINDING: NO IMPACT:

No adopted emergency response plans, in the area of the project site, were identified in the analysis. The project would not impair implementation of or physically interfere with an adopted emergency response plan.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project was reviewed by the Fresno County Fire Protection District/CALFIRE and will be required to comply with all applicable Fire Code and County Ordinance pertaining to State Responsibility Area Fire Safe Regulations.

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

FINDING: NO IMPACT:

The proposed wireless communication facility will be unmanned, will not require any water usage other than during construction, nor will it generate any waste discharge that would otherwise degrade surface water quality or violate water quality standards or waste discharge requirements. The project will not affect groundwater supplies or recharge as no use of groundwater is proposed.

- C. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:

1. Result in substantial erosion or siltation on or off site?
2. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off site?
3. Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff; or
4. Impede or redirect flood flows?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project will not substantially alter drainage patterns or alter any existing watercourse. The primary area of ground disturbance with this proposal involves the grading of an approximately 9,925 square-foot area for the two fenced lease areas and the access and utility easement to serve them. Both the lease areas and the access will require surfacing such as gravel, or other suitable cover. No additional storm water runoff will be allowed to drain across property lines, and will be required to be stored on site or disposed of per County standards.

Therefore, the proposed project will not substantially increase the impervious surface area or result in erosion, on or off site, or increased rate of surface runoff, impede or redirect flood flows. The subject property is not located in an area subject to flooding from the 100 year (one percent chance) storm event per FEMA, FIRM Panel 1060H. The project may also be required to submit an Engineered Grading and Drainage Plan to show how additional storm water runoff generated by development will be handled without adversely impacting adjacent properties.

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

FINDING: NO IMPACT:

The project site is not located in an area subject to flood hazard, tsunami, or in seiche zone, and therefore there would not be a risk of release of pollutants due to inundation.

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

FINDING: NO IMPACT:

The project, once constructed, does not propose any water use. No conflicts with the implementation of a water quality control plan or sustainable groundwater management plan were identified in the analysis.

XI. LAND USE AND PLANNING

Would the project:

- A. Physically divide an established community; or
- 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 divide an established community and no conflicts with any land use plan, policy or regulation adopted for the purpose of avoiding or mitigating an environmental effect, were identified in the analysis.

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 impacts to known mineral resources were identified in the analysis, the project does not propose to utilize or disturb any known mineral resources, and will not result in the loss of availability of a locally-important mineral resource recovery site.

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?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Temporary ambient noise level increases may occur during construction, however no concerns regarding excess noise or ground-borne vibration were identified by any reviewing agencies. Once the proposed tower and ground equipment are installed, there will be approximately one to two maintenance visits per month. The diesel powered back up generator will operate for short periods of time, 15-30 minutes per week, during routine maintenance visits and during a power outages and other emergencies. According to the applicant's operational statement, there will also be either a door-mounted heat

exchanger or air conditioning unit located within the walk-in equipment cabinet for cooling the electronic equipment. Additionally, the project will be subject to the provisions of the Fresno County Ordinance Code, Title 8, Chapter 8.40 – Noise Control.

- C. For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels; or

FINDING: NO IMPACT:

The project site is not located within the vicinity of a private air strip or within an airport land use plan, or within two miles of a public airport, and would not expose people living or working in the project area to excessive noise levels. According to the applicant's project support statement, the nearest airport is located approximately 8.5 miles north of the project site.

XIV. POPULATION AND HOUSING

Would the project:

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

FINDING: NO IMPACT:

No housing is proposed to be added or displaced with this application.

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: NO IMPACT:

No new or physically altered governmental facilities are proposed with this application.

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 will not increase the use of any existing parks or other recreational facilities, or involve the construction or expansion of such facilities.

XVII. TRANSPORTATION

Would the project:

- A. Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities; or

FINDING: NO IMPACT:

The project will not conflict with programs or plans addressing transit facilities.

- 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:

Once constructed, the operation of the project will require approximately one service trip per month, which will not result in a significant impact to vehicle miles traveled.

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

FINDING: NO IMPACT:

The project will not change the existing road geometry.

- D. Result in inadequate emergency access?

FINDING: NO IMPACT:

Because Millerton Road is Classified as an Arterial Road in the Fresno County General Plan, requiring an ultimate right-of-way of 106 feet, the proposed equipment lease area, which is nearest the road, will be required to be setback a minimum of 53 feet from the center line of Millerton Road, placing it approximately 25 feet from the road right of way. The project will not conflict with any program, plan, ordinance or policy the pertains to the circulation system, or be inconsistent with provisions of CEQA regarding significance of transportation impacts. The project will not create any hazards to traffic due to design features.

XVIII. TRIBAL CULTURAL RESOURCES

Would the project:

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

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

Under the provisions of Assembly Bill (AB) 52, the County was required to provide notice of preparation of this Initial Study to Native American tribes who had previously indicated interest in reviewing CEQA projects. Notices were sent on January 29, 2019 to the appropriate Tribal government representatives. One of the tribes, Table Mountain Rancheria, indicated interest in the project via a letter dated February 13, 2019, and made a request to coordinate a meeting and discussion about the project, and for additional information pertaining to related cultural resource studies and cultural record searches. In response to the Tribe's request, staff provided a letter of invitation to consult on this project, dated February 22, 2019. On March 1, 2019, County staff provided the tribe with copies of a Sacred Lands File search, a Cultural Resources Report dated February 28, 2019, and the results of a California Historical Resources Information System (CHRIS) search, provided by the Southern San Joaquin Valley Information Center, at California State University Bakersfield. No consultation was established, and Table Mountain Rancheria expressed no further interest in this project. *See discussion and Mitigation Measure under Section V Cultural Resources*

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

The project site is located in a State Responsibility Area (SRA), and given the topography and seasonally dry conditions, is also prone to wildfire risk. Accordingly, the applicant had preliminary discussions with the Fresno County Fire Protection District (CALFIRE) prior to submitting this application. The Fire District identified concerns with the proposed location of the lease area being on a steep slope in excess of 20 percent in grade, which could impede emergency vehicle and equipment access.

As a solution the applicant proposed two lease areas, one containing the tower to be placed on the steeper portion of the site, upslope, and the other containing the ground equipment including the diesel backup generator, to be placed downslope closer to the road. With this change, the installation and maintenance of fire extinguishers within the equipment lease area, and with the inclusion of year round vegetation management, requiring the removal, and maintenance of flammable vegetation from in and around the lease area to the property line adjacent to Millerton Road for duration of the operation of the facility, the Fire District did not express any additional concerns with the proposal. The project will be subject to the requirements of the current California Fire Code including all applicable State Responsibility Area - Fire Safe Regulations, per Fresno County Ordinance Code Title 15.

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 WITH MITIGATION INCORPORATED:

The proposed 61-foot tall tower will employ a stealth design and no lighting, however the ground equipment area will have motion activated security lighting on the walk-in equipment cabinet. As such Mitigation has been included requiring all outdoor lighting be hooded and directed so as not to affect adjacent property or the roadway. The potential exists for great horned owls and their nests, which were observed on the project site, to be adversely affected by project construction. To minimize potential effects on the Great Horned Owl and other birds protected under the Migratory Bird Treaty Act (MBTA), Mitigation has been included requiring that pre-construction surveys be undertaken, and that work be halted if such species are observed. Additionally, to address the possibility that previously undiscovered subsurface paleontological, cultural/historical or tribal resources are present within the project area, Mitigation has been included under Section

V, which implements avoidance and reporting measures, and reduces impacts to a less significant level.

* **Mitigation Measure(s)**

1. See Section I
2. See Section IV.
3. See Section V.

- 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: NO IMPACT:

No cumulatively considerable impacts were identified, which would result from the project.

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

FINDING: NO IMPACT:

No environmental effects resulting in any adverse effects on human beings were identified in the analysis.

CONCLUSION/SUMMARY

Based upon the Initial Study prepared for Unclassified Conditional Use Permit Application No. 3635, 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 Land Use and Planning, Mineral Resources, Population and Housing, Public Services, Recreation, Utilities and Service Systems.

Potential impacts related to Agriculture, Air Quality, Energy, Hazards and Hazardous Materials, Geology and Soils, Hydrology and Water Quality, Noise, Greenhouse Gas Emissions, Transportation, and Wildfire, have been determined to be less than significant.

Potential impacts relating to Aesthetics, Biological Resources, Cultural Resources, and Tribal Cultural Resources have determined to be less than significant with compliance with noted Mitigation Measures.

A Mitigated Negative Declaration/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.

JS

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File original and one copy with: Fresno County Clerk 2221 Kern Street Fresno, California 93721		Space Below For County Clerk Only.	
Agency File No: IS 7577		LOCAL AGENCY PROPOSED MITIGATED NEGATIVE DECLARATION	
Responsible Agency (Name): Fresno County		Address (Street and P.O. Box): 2220 Tulare St. Sixth Floor	
Agency Contact Person (Name and Title): Jeremy Shaw, Planner		Area Code: 559	
Project Applicant/Sponsor (Name): Complete Wireless Consulting c/o AT&T Mobility		Telephone Number: 600-4207	
Project Description:		County Clerk File No: E-	
<p>Allow an unmanned telecommunications tower consisting of a 61-foot monopole, with an artificial broadleaf tree design, within a 25-foot by 25-foot lease area, on a 431.60 acre parcel; and allow the related ground equipment, cabinet, and diesel generator on a separate 20-foot by 23-foot lease area, located on an adjacent 2.00 acre parcel. The proposed tower and ground equipment lease areas will be located approximately 450 feet apart and connected by a proposed 20-foot wide access and utility easement, in the AE-40 (Exclusive Agricultural, 40-acre minimum parcel size) Zone District. The project site is located on the south side of Millerton Road, between Rusty Spur Lane and State Route 168 (Morgan Canyon Road), approximately 4.5 miles southwest of the unincorporated community of Prather, (SUP. DIST. 5) (APNs 138-070-66 and 138-070-69)</p>		City: Fresno	
Justification for Negative Declaration:		Zip Code: 93721	
<p>Based upon the Initial Study prepared for Unclassified Conditional Use Permit Application No. 3635, staff has concluded that the project will not/will have a significant effect on the environment. It has been determined that there would be no impacts to Land Use and Planning, Mineral Resources, Population and Housing, Public Services, Recreation, Utilities and Service Systems.</p> <p>Potential impacts related to Agriculture, Air Quality, Energy, Hazards and Hazardous Materials, Geology and Soils, Hydrology and Water Quality, Noise, Greenhouse Gas Emissions, Transportation, and Wildfire, have been determined to be less than significant.</p> <p>Potential impacts relating to Aesthetics, Biological Resources, Cultural Resources, and Tribal Cultural Resources have determined to be less than significant with compliance with noted Mitigation Measures.</p> <p>A Mitigated Negative Declaration/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.</p>		Extension: N/A	
Project Title:		Initial Study Application No. 7577/Unclassified Conditional Use Permit No. 3635	
FINDING:		Project Description:	
<p>The proposed project will not have a significant impact on the environment.</p>		<p>Allow an unmanned telecommunications tower consisting of a 61-foot monopole, with an artificial broadleaf tree design, within a 25-foot by 25-foot lease area, on a 431.60 acre parcel; and allow the related ground equipment, cabinet, and diesel generator on a separate 20-foot by 23-foot lease area, located on an adjacent 2.00 acre parcel. The proposed tower and ground equipment lease areas will be located approximately 450 feet apart and connected by a proposed 20-foot wide access and utility easement, in the AE-40 (Exclusive Agricultural, 40-acre minimum parcel size) Zone District. The project site is located on the south side of Millerton Road, between Rusty Spur Lane and State Route 168 (Morgan Canyon Road), approximately 4.5 miles southwest of the unincorporated community of Prather, (SUP. DIST. 5) (APNs 138-070-66 and 138-070-69)</p>	
Newspaper and Date of Publication:		Review Date Deadline:	
Fresno Business Journal – July 19, 2019		Planning Commission – August 29, 2019	
Date:	Type or Print Signature:	Submitted by (Signature):	
	Marianne Mollring Senior Planner	Planner	

State 15083, 15085

County Clerk File No.: _____

**LOCAL AGENCY
MITIGATED NEGATIVE DECLARATION**