



County of Fresno

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

DATE: June 12, 2020

TO: Department of Public Works and Planning, Attn: Steven E. White, Director
Department of Public Works and Planning, Attn: Bernard Jimenez, Assistant Director
Development Services and Capital Projects, Attn: William M. Kettler, Division
Manager
Development Services and Capital Projects, Attn: Chris Motta, Principal Planner
Development Services and Capital Projects, Current Planning, Attn: David Randall,
Senior Planner
Development Services and Capital Projects, Policy Planning, ALCC, Attn: Mohammad
Khorsand
Development Services and Capital Projects, Zoning & Permit Review, Attn: James
Anders/Daniel Gutierrez
Development Services and Capital Projects, Site Plan Review, Attn: Hector Luna
Development Services and Capital Projects, Building & Safety/Plan Check, CASp,
Attn: Dan Mather
Resources Division, Solid Waste, Attn: John R. Thompson/Amina Flores-Becker
Development Engineering, Attn: Laurie Kennedy, Grading/Mapping
Road Maintenance and Operations, Attn: John Thompson/Nadia Lopez/Martin
Querin/Wendy Nakagawa
Design Division, Transportation Planning, Attn: Mohammad Alimi/Dale Siemer/Brian
Spaunhurst
Water and Natural Resources Division, Attn: Glenn Allen, Division Manager; Roy
Jimenez
Department of Public Health, Environmental Health Division, Attn: Deep Sidhu/
Steven Rhodes
U.S. Forest Service, Sierra National Forest, Attn: Dean A. Gould, P.E., Forest
Supervisor/Antonio Cabrera, Forest Engineer
U.S. Fish and Wildlife Service, San Joaquin Valley Division, Attn: Sarah Yates,
Biologist
CA Regional Water Quality Control Board, Attn: Dale Harvey
CALTRANS, Attn: Dave Padilla
CA Department of Fish and Wildlife, Attn: Craig Bailey, Environmental Scientist
State Water Resources Control Board, Division of Drinking Water, Fresno District,
Attn: Jose Robledo, Caitlin Juarez
San Joaquin Valley Unified Air Pollution Control District (PIC-CEQA Division), Attn:
PIC Supervisor
Sierra Resource Conservation District, Attn: Steve Haze
Fresno County Fire Protection District, Attn: Jim McDougald, Division Chief

FROM: Chrissy Monfette, Planner
Development Services and Capital Projects Division

SUBJECT: Initial Study No. 7423 prepared for Classified Conditional Use Permit Application No.
3600

The Department of Public Works and Planning, Development Services and Capital Projects Division has reviewed the subject applications proposing to allow the construction and operation of a 5,000 square-foot outpatient medical clinic to provide services specifically to Native Americans and also to the people of Prather, Auberry, and the Tollhouse Area.

Based upon this review, a determination was made that adoption of a Mitigated Negative Declaration would be appropriate. Please review the attached Initial Study and provide comments relating to your area of expertise to me at the information below before the deadline.

A copy of the studies prepared to support this application is attached to this PDF.

We must have your comments by **July 13, 2020**. Any comments received after this date may not be used.

NOTE - If you do not have comments, please provide a “NO COMMENT” response to our office by the above deadline (e-mail is also acceptable; see email address below).

Please address any correspondence or questions related to environmental and/or policy/design issues to me, Chrissy Monfette, Planner Development Services and Capital Projects Division, Fresno County Department of Public Works and Planning, 2220 Tulare Street, Sixth Floor, Fresno, CA 93721, or call (559) 600-4245 or email cmonfette@co.fresno.ca.us.

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Activity Code (Internal Review): 2381

Enclosures

Notice of Completion & Environmental Document Transmittal

Mail to: State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613
 For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

| |
|-------|
| SCH # |
|-------|

Project Title: Initial Study Application No. 7423 and Classified Conditional Use Permit Application No. 3600

Lead Agency: County of Fresno

Contact Person: Chrissy Monfette

Mailing Address: 2220 Tulare Street 6th Floor

Phone: 559 600-4245

City: Fresno

Zip: 93721

County: Fresno

Project Location: County: Fresno City/Nearest Community: Tollhouse

Cross Streets: Auberry Road and Morgan Canyon Road

Zip Code: _____

Longitude/Latitude (degrees, minutes and seconds): _____° _____' _____" N / _____° _____' _____" W Total Acres: _____

Assessor's Parcel No.: 118-422-46

Section: 25

Twp.: 10S

Range: 22E

Base: MDB&M

Within 2 Miles: State Hwy #: 168

Waterways: _____

Airports: _____

Railways: _____

Schools: Sierra Unified

Document Type:

CEQA: NOP

Draft EIR

NEPA: NOI

Other: Joint Document

Early Cons

Supplement/Subsequent EIR

EA

Final Document

Neg Dec

(Prior SCH No.) _____

Draft EIS

Other: _____

Mit Neg Dec

Other: _____

FONSI

Local Action Type:

General Plan Update

Specific Plan

Rezone

Annexation

General Plan Amendment

Master Plan

Prezone

Redevelopment

General Plan Element

Planned Unit Development

Use Permit

Coastal Permit

Community Plan

Site Plan

Land Division (Subdivision, etc.)

Other: _____

Development Type:

Residential: Units _____ Acres _____

Office: Sq.ft. 5,000 Acres _____ Employees 9

Commercial: Sq.ft. _____ Acres _____ Employees _____

Industrial: Sq.ft. _____ Acres _____ Employees _____

Educational: _____

Recreational: _____

Water Facilities: Type _____ MGD _____

Transportation: Type _____

Mining: Mineral _____

Power: Type _____ MW _____

Waste Treatment: Type _____ MGD _____

Hazardous Waste: Type _____

Other: _____

Project Issues Discussed in Document:

Aesthetic/Visual

Fiscal

Recreation/Parks

Vegetation

Agricultural Land

Flood Plain/Flooding

Schools/Universities

Water Quality

Air Quality

Forest Land/Fire Hazard

Septic Systems

Water Supply/Groundwater

Archeological/Historical

Geologic/Seismic

Sewer Capacity

Wetland/Riparian

Biological Resources

Minerals

Soil Erosion/Compaction/Grading

Growth Inducement

Coastal Zone

Noise

Solid Waste

Land Use

Drainage/Absorption

Population/Housing Balance

Toxic/Hazardous

Cumulative Effects

Economic/Jobs

Public Services/Facilities

Traffic/Circulation

Other: _____

Present Land Use/Zoning/General Plan Designation:

Vacant/Rural Residential Zone District/Designated for Mountain Urban Uses

Project Description: (please use a separate page if necessary)

Allow the construction and operation of a 5,000 square-foot outpatient medical clinic to provide services specifically to Native Americans and also to the people of Prather, Auberry, and the Tollhouse Area.

Reviewing Agencies Checklist

Lead Agencies may recommend State Clearinghouse distribution by marking agencies below with an "X".
If you have already sent your document to the agency please denote that with an "S".

| | |
|---|--|
| <input checked="" type="checkbox"/> Air Resources Board | <input type="checkbox"/> Office of Historic Preservation |
| <input type="checkbox"/> Boating & Waterways, Department of | <input type="checkbox"/> Office of Public School Construction |
| <input type="checkbox"/> California Emergency Management Agency | <input type="checkbox"/> Parks & Recreation, Department of |
| <input type="checkbox"/> California Highway Patrol | <input type="checkbox"/> Pesticide Regulation, Department of |
| <input type="checkbox"/> Caltrans District # _____ | <input type="checkbox"/> Public Utilities Commission |
| <input type="checkbox"/> Caltrans Division of Aeronautics | <input checked="" type="checkbox"/> Regional WQCB # _____ |
| <input type="checkbox"/> Caltrans Planning | <input type="checkbox"/> Resources Agency |
| <input type="checkbox"/> Central Valley Flood Protection Board | <input type="checkbox"/> Resources Recycling and Recovery, Department of |
| <input type="checkbox"/> Coachella Valley Mtns. Conservancy | <input type="checkbox"/> S.F. Bay Conservation & Development Comm. |
| <input type="checkbox"/> Coastal Commission | <input type="checkbox"/> San Gabriel & Lower L.A. Rivers & Mtns. Conservancy |
| <input type="checkbox"/> Colorado River Board | <input type="checkbox"/> San Joaquin River Conservancy |
| <input type="checkbox"/> Conservation, Department of | <input type="checkbox"/> Santa Monica Mtns. Conservancy |
| <input type="checkbox"/> Corrections, Department of | <input type="checkbox"/> State Lands Commission |
| <input type="checkbox"/> Delta Protection Commission | <input type="checkbox"/> SWRCB: Clean Water Grants |
| <input type="checkbox"/> Education, Department of | <input checked="" type="checkbox"/> SWRCB: Water Quality |
| <input type="checkbox"/> Energy Commission | <input type="checkbox"/> SWRCB: Water Rights |
| <input checked="" type="checkbox"/> Fish & Game Region # _____ | <input type="checkbox"/> Tahoe Regional Planning Agency |
| <input type="checkbox"/> Food & Agriculture, Department of | <input type="checkbox"/> Toxic Substances Control, Department of |
| <input type="checkbox"/> Forestry and Fire Protection, Department of | <input type="checkbox"/> Water Resources, Department of |
| <input type="checkbox"/> General Services, Department of | |
| <input checked="" type="checkbox"/> Health Services, Department of | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Housing & Community Development | <input type="checkbox"/> Other: _____ |
| <input checked="" type="checkbox"/> Native American Heritage Commission | |

Local Public Review Period (to be filled in by lead agency)

Starting Date JUNE 12 2020 Ending Date JULY 12 2020

Lead Agency (Complete if applicable):

| | |
|--|--|
| Consulting Firm: <u>County of Fresno</u> | Applicant: <u>Central Valley Indian Health</u> |
| Address: <u>2220 Tulare Street 6th floor</u> | Address: <u>2740 Herndon Avenue</u> |
| City/State/Zip: <u>Fresno, CA 93721</u> | City/State/Zip: <u>CLobis, CA 93611</u> |
| Contact: <u>Chrissy Monfette</u> | Phone: <u>559-299-2578</u> |
| Phone: <u>559-600-4245</u> | |

Signature of Lead Agency Representative: Chrissy Monfette Digitally signed by Chrissy Monfette
DN: cn=Chrissy Monfette, o=County of Fresno,
ou=Development Services and Capital Projects,
email=cmonfette@fresnocountyca.gov, c=US
Date: 2020.06.12 10:18:14 -0700

Date: 6/12/2020

Authority cited: Section 21083, Public Resources Code. Reference: Section 21161, Public Resources Code.



County of Fresno

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

INITIAL STUDY ENVIRONMENTAL CHECKLIST FORM

1. Project title:

Initial Study No. 7423 and Classified Conditional Use Permit Application No. 3600

2. Lead agency name and address:

Fresno County Department of Public Works and Planning
2220 Tulare Street
Fresno, CA 93721

3. Contact person and phone number:

Chrissy Monfette – (559) 600-4245

4. Project location:

The project site is located on the northern side of Auberry Road, approximately 340 feet west of its intersection with Morgan Canyon Road. Address: 29323 Auberry Road (APN: 118-422-46) (Sup. Dist. 5)

5. Project sponsor's name and address:

Victor Fabionar Central Valley Indian Health,
921 E. Hampton Way
Fresno, CA 93704

6. General Plan designation:

Mountain Urban

7. Zoning:

Rural Residential

8. Description of project: (Describe the whole action involved, including, but not limited to, later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary.)

Allow the construction and operation of an outpatient medical clinic on a 0.79-acre parcel in the RR (Rural Residential Zone District) to provide services specifically to Native Americans and also to the people of Prather, Auberry, and the Tollhouse area.

9. Surrounding land uses and setting: Briefly describe the project's surroundings:

Surrounding uses include residential directly east and west of the site; a Shell gas station and Dollar General further to the east; and a CVS and Mexican restaurant to the south.

10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.)

San Joaquin Valley Air Pollution Control District, Prather Water District

11. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code Section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?

Notice was sent to the following tribal governments that this application was complete on January 24, 2018: Table Mountain Rancheria, Picayune Rancheria of Chukchansi Indians, and Dumna Wo Wah. The project site was not in the area of interest for Santa Rosa Rancheria. Table Mountain Rancheria declined consultation within the window and the Dumna Wo Wah Government responded with a request to consult following the 30-day window. This tribe was invited to provide public comment, but they did not provide any information regarding their

concerns. The Picayune Rancheria did not respond at all and were assumed to decline. Therefore, the County's responsibilities under AB 52 were met.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- | | |
|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture and Forestry Resources |
| <input type="checkbox"/> Air Quality | <input type="checkbox"/> Biological Resources |
| <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Energy |
| <input type="checkbox"/> Geology/Soils | <input type="checkbox"/> Greenhouse Gas Emissions |
| <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology/Water Quality |
| <input type="checkbox"/> Land Use/Planning | <input type="checkbox"/> Mineral Resources |
| <input type="checkbox"/> Noise | <input type="checkbox"/> Population/Housing |
| <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Transportation | <input type="checkbox"/> Tribal Cultural Resources |
| <input type="checkbox"/> Utilities/Service Systems | <input type="checkbox"/> Wildfire |
| <input type="checkbox"/> Mandatory Findings of Significance | |

DETERMINATION OF REQUIRED ENVIRONMENTAL DOCUMENT:

On the basis of this initial evaluation:

- I find that the proposed project **COULD NOT** have a significant effect on the environment. **A NEGATIVE DECLARATION WILL BE PREPARED.**
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the Mitigation Measures described on the attached sheet have been added to the project. **A MITIGATED NEGATIVE DECLARATION WILL BE PREPARED.**
- I find the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required
- I find that as a result of the proposed project, no new effects could occur, or new Mitigation Measures would be required that have not been addressed within the scope of a previous Environmental Impact Report.

PERFORMED BY:

REVIEWED BY:

Chrissy Monfette, Planner

Marianne Mollring, Senior Planner

Date: June 1, 2020

Date: June 1, 2020

**INITIAL STUDY
ENVIRONMENTAL CHECKLIST FORM
(Initial Study Application No. 7423 and
Classified Conditional Use Permit
Application No. 3600)**

The following checklist is used to determine if the proposed project could potentially have a significant effect on the environment. Explanations and information regarding each question follow the checklist.

1 = No Impact

2 = Less Than Significant Impact

3 = Less Than Significant Impact with Mitigation Incorporated

4 = Potentially Significant Impact

I. AESTHETICS

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

- 1 a) Have a substantial adverse effect on a scenic vista?
- 2 b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?
- 3 c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from a publicly accessible vantage point.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?
- 3 d) Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?

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 Dept. 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:

- 1 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?
- 1 b) Conflict with existing zoning for agricultural use, or a Williamson Act Contract?
- 1 c) Conflict with existing zoning for forest land, timberland or timberland zoned Timberland Production?
- 1 d) Result in the loss of forest land or conversion of forest land to non-forest use?
- 1 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?

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:

- 2 a) Conflict with or obstruct implementation of the applicable Air Quality Plan?
- 2 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?
- 1 c) Expose sensitive receptors to substantial pollutant concentrations?
- 1 d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

IV. BIOLOGICAL RESOURCES

Would the project:

- 1 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?
- 1 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?
- 1 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?
- 1 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?
- 1 e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?
- 1 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?

V. CULTURAL RESOURCES

Would the project:

- 3 a) Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?
- 3 b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?
- 3 c) Disturb any human remains, including those interred outside of formal cemeteries?

VI. ENERGY

Would the project:

- 1 a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources during project construction or operation?
- 1 b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

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 i) 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?
 - 1 ii) Strong seismic ground shaking?
 - 1 iii) Seismic-related ground failure, including liquefaction?
 - 1 iv) Landslides?
- 1 b) Result in substantial soil erosion or loss of topsoil?
- 1 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?
- 1 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?
- 3 e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?
- 1 f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

- 3 a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?
- 1 b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?
- 1 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 result in substantial erosion or siltation on or off site?
 - 1 i) Result in substantial erosion or siltation on or off site;
 - 1 ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off site;
 - 1 iii) 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
 - 1 iv) Impede or redirect flood flows?
- 1 d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?
- 1 e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

VIII. GREENHOUSE GAS EMISSIONS

Would the project:

- 2 a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?
- 2 b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

IX. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

- 2 a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?
- 2 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?
- 1 c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?
- 1 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, create a significant hazard to the public or the environment?
- 1 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?
- 1 f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?
- 2 g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

X. HYDROLOGY AND WATER QUALITY

Would the project:

XI. LAND USE AND PLANNING

Would the project:

- 1 a) Physically divide an established community?
- 1 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?

XII. MINERAL RESOURCES

Would the project:

- 1 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?
- 1 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?

XIII. NOISE

Would the project result in:

- 2 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?
- 2 b) Generation of excessive ground-borne vibration or ground-borne noise levels?
- 1 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, exposing people residing or working in the project area to excessive noise levels?

XIV. POPULATION AND HOUSING

Would the project:

- 1 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)?
- 1 b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

XV. PUBLIC SERVICES

Would the project:

- 1 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 public services:
- 1 i) Fire protection?
- 1 ii) Police protection?
- 1 iii) Schools?
- 1 iv) Parks?
- 1 v) Other public facilities?

XVI. RECREATION

Would the project:

- 1 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?
- 1 b) Include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?

XVII. TRANSPORTATION

Would the project:

- 1 a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?
- 2 b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?
- 1 c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?
- 1 d) Result in inadequate emergency access?

XVIII. TRIBAL CULTURAL RESOURCES

Would the project:

- 3 a) Would the project 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:
- 3 i) 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
- 3 ii) 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.)

Documents Referenced:**XIX. UTILITIES AND SERVICE SYSTEMS**

Would the project:

- 2 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?
- 3 b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?
- 3 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?
- 2 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?
- 1 e) Comply with federal, state, and local management and reduction statutes and regulations related to 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:

- 1 a) Substantially impair an adopted emergency response plan or emergency evacuation plan?
- 1 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?
- 1 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?
- 1 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?

XXI. MANDATORY FINDINGS OF SIGNIFICANCE

Would the project:

- 3 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?
- 1 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.)
- 1 c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

This Initial Study is referenced by the documents listed below. These documents are available for public review at the County of Fresno, Department of Public Works and Planning, Development Services and Capital Projects Division, 2220 Tulare Street, Suite A, Fresno, California (corner of M & Tulare Streets).

Fresno County General Plan, Policy Document, Background Report and Final EIR
Fresno County Zoning Ordinance
Important Farmland 2016 Map, State Department of Conservation
US Geologic Service, Federal Emergency Management Agency Digital Flood Maps,
<https://msc.fema.gov/portal/home> Accessed April 30, 2020
USEPA NEPAassist Mapper Tool, <https://www.epa.gov/nepa/nepassist> Accessed May 5, 2020
Natural Resources Conservation Service Web Soil Survey,
<https://websoilsurvey.sc.egov.usda.gov/App/HomePage.htm> Accessed May 5, 2020
Onsite Wastewater Disposal System Design prepared by Technicon Engineering Services, Inc., June 27, 2019
Traffic Impact Study – proposed medical clinic by Peters Engineering Group, May 16, 2019

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County of Fresno

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

NOTICE OF DETERMINATION

To: Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

County Clerk, County of Fresno
2221 Kern Street
Fresno, CA 93721

From: Fresno County Department of Public Works and Planning, Development Services
and Capital Projects
2220 Tulare Street (corner of Tulare and "M") Suite "A", Fresno, CA 93721

Contact: Chrissy Monfette, (559) 600-4245

Subject: Filing of Notice of Determination in compliance with Section 21152 of the Public
Resource Code

Project: Initial Study Application No. 7423 and Classified Conditional Use Permit
Application No. 3600

Location: The project site is located on the northern side of Auberry Road, approximately
340 feet west of its intersection with Morgan Canyon Road. Address: 29323
Auberry Road (APN: 118-422-46) (Sup. Dist. 5)

Sponsor: Victor Fabionar obo Central Valley Indian Health

Description: Allow the construction and operation of an outpatient medical clinic on a 0.79-
acre parcel in the RR (Rural Residential Zone District) to provide services
specifically to Native Americans and also to the people of Prather, Auberry, and
the Tollhouse area.

This is to advise that the County of Fresno (Lead Agency Responsible Agency) has approved the above described project on July 23, 2020, and has made the following determination:

1. The project [will will not] have a significant effect on the environment.
2. An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
 A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures [were were not] made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan [was was not] adopted for this project.

5. A statement of Overriding Considerations [was was not] adopted for this project.
6. Findings [were] were not made pursuant to the provisions of CEQA.

This is to certify that the Initial Study with comments and responses and record of project approval is available to the General Public at Fresno County Department of Public Works and Planning, 2220 Tulare Street, Suite A, Corner of Tulare and "M" Streets, Fresno, California.

Chrissy Monfette, Planner
(559) 600-4245 /EMAIL cmonfette@fresnocountyca.gov

Date



County of Fresno

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

EVALUATION OF ENVIRONMENTAL IMPACTS

- APPLICANT: Central Valley Indian Health (Victor Fabionar)
- APPLICATION NOS.: Initial Study Application No. 7423 and Classified Conditional Use Permit Application No. 3600
- DESCRIPTION: Allow the construction and operation of an outpatient medical clinic on a 0.79-acre parcel in the RR (Rural Residential Zone District) to provide services specifically to Native Americans and also to the people of Prather, Auberry, and the Tollhouse area.
- LOCATION: The project site is located on the northern side of Auberry Road, approximately 340 feet west of its intersection with Morgan Canyon Road. Address: 29323 Auberry Road (APN: 118-422-46) (Sup. Dist. 5)

I. AESTHETICS

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

- A. Have a substantial adverse effect on a scenic vista?

FINDING: NO IMPACT:

No scenic vistas have been identified in Fresno County.

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

FINDING: LESS THAN SIGNIFICANT IMPACT

The project site is located along Auberry Road, which is a designated scenic roadway in Fresno County; however, no scenic resources were identified on the project site. The area is currently cleared of uses and presents a vacant grassland/lawn appearance. Development of the proposed medical facility will increase the industrial appearance of this area but will not damage any scenic resources.

- 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:

This project proposes to construct a new building with a parking lot on a parcel of land that was previously undisturbed. Surrounding uses include residential directly east and west of the site; a Shell gas station and Dollar General further to the east; and a CVS and Mexican restaurant to the south. The southern operations do not take access from Auberry road; however, the development is visible at the project site. As a result of the visibility of other sites along this road and the visibility of the project site, it will have a potentially significant cumulative impact on the degradation of natural views in this area. To mitigate this impact, the applicant shall be required to install landscaping along the frontage of the parcel to a depth of at least 15 feet.

* **Mitigation Measure**

1. *Landscaping shall be installed across the parcel frontage to a depth of at least 15 feet in order to screen the parking lot from view of the roadway.*

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

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

This project has the potential to adversely impact nighttime views in the area due to the proposed installation of outdoor lighting. In order to prevent adverse impacts from light pollution, the developer/operator will be required to install all outdoor lighting in such a manner that light is directed downwards and/or away from neighboring properties and the public right-of-way.

* **Mitigation Measure**

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

II. AGRICULTURAL AND FORESTRY RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology in Forest Protocols adopted by the California Air Resources Board. Would the project:

- A. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use; or
- B. Conflict with existing zoning for agricultural use, or a Williamson Act Contract; or
- 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 forestland to non-forest use?

FINDING: NO IMPACT:

The project site is designated by the Department of Conservation's Important Farmlands Map (2016) as rural residential land and therefore this project will have no impact on the conversation of important farmlands to non-agricultural use. No agricultural uses are currently present on the parcel. Similarly, the project site is not zoned for or used for timberland production and therefore will have no impacts on such resources.

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 scope of this project includes the construction and operation of a medical clinic to serve the local community, including dentistry services. These types of services do not generate onsite criteria pollutants in excess of thresholds. Therefore, the air quality impacts are limited to the construction of the building and the daily impact of traffic to and from the site. Construction must comply with existing San Joaquin Valley Air Pollution Control District restrictions, which will ensure that emissions do not exceed significance thresholds. These regulations include implementation of best management practices such as the use of dust palliatives.

An Air Quality Assessment was prepared for this project by LSA (October 2019) which estimated emissions from this project. No criteria pollutants were estimated to be produced in amounts that would exceed thresholds established by the San Joaquin Valley Air Pollution Control District. Therefore, the project will have less than significant impacts on individual or cumulative contributions to air quality impacts.

- 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: NO IMPACT:

This project proposes to develop an out-patient medical facility and therefore does not include any industrial uses that would result in substantial pollutant concentrations or emissions that could result in odors/other adverse effects.

IV. BIOLOGICAL RESOURCES

Would the project:

- A. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service; or
- B. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service; or
- C. Have a substantial adverse effect on state or federally-protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means; or
- D. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites; or
- E. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance; or
- F. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state Habitat Conservation Plan?

FINDING: NO IMPACT:

This project was reviewed by the Fish and Wildlife Service who did not identify any potential impacts to special status species. Review of reports submitted to the California Natural Diversity Database (CNDDDB) show that no special-status species observations have been reported within more than one mile of the site. In addition, surrounding properties have been developed with commercial and residential usage, reducing the opportunity for special-status species to occur.

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:

Pursuant to the provisions of Assembly Bill 52 (AB 52), notice was sent to the following tribal governments that this application was complete on January 24, 2018: Table Mountain Rancheria, Picayune Rancheria of Chukchansi Indians, and Dumna Wo Wah. The project site was not in the area of interest for Santa Rosa Rancheria. Table Mountain Rancheria declined consultation within the window and the Dumna Wo Wah Government responded with a request to consult following the 30-day window. This tribe was invited to provide public comment, but they did not provide any information regarding their concerns. The Picayune Rancheria did not respond at all and were assumed to decline. Therefore, the County's responsibilities under AB 52 were met.

However, despite the lack of known cultural resources at the project site, it cannot be concluded with certainty that subsurface resources are not present. Therefore, a mitigation measure which describes the steps necessary to preserve a resource in the event of discovery has been included to reduce such impacts to less than significant.

* **Mitigation Measure**

1. *In the event that cultural resources are unearthed during ground-disturbing activities, all work shall be halted in the area of the find. An Archeologist shall be called to evaluate the findings and make any necessary mitigation recommendations. If human remains are unearthed during ground disturbing activities, no further disturbance is to occur until the Fresno County Sheriff-Coroner has made the necessary findings as to origin and disposition. All normal evidence procedures shall be followed by photos, reports, video, and etc. If such*

remains are determined to be Native American, the Sheriff-Coroner must notify the Native American Commission within 24 hours.

VI. ENERGY

Would the project:

- A. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources during project construction or operation; or
- B. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

FINDING: NO IMPACT:

As new construction, this building will be subject to the most current requirements of the California Green Code. The proposed use is also not likely to conflict with state and local plans for renewable energy because the operation of an outpatient facility is not the type of use which requires large amounts of energy input.

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: NO IMPACT:

Figure 9-5 of the Fresno County General Plan Background Report (FCGPBR) shows that the project site is not located in areas which were determined to have moderate or high chance of seismic hazard. In addition, Figure 9-6 shows that the site is not located in an area determined to be at risk from landslide or subsidence.

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

- C. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse; or
- 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:

Figure 7-1 (FCGPBR) shows that the project site is not in an area identified as having soils with moderately high to high expansion potential. Review of the Department of Agriculture’s Web Soil Survey indicates that the project site is a mix of Auberry coarse sandy loam and Auberry very rocky coarse sandy loam. Both types of soil contain approximately 18% clay, which is a primary factor in shrink-swell potential; however, the majority of the clay occurs at depths greater than three feet. The overall (average) coefficient of soil extensibility is reported at 2.8%, which does not represent a hazard to life or property as a result of the shrink-swell potential.

Figure 9-6 indicates that the project site is not in an area determined to be at high risk of landslide hazard. The site does not have nearby or onsite steep slopes that would present a local risk. Therefore, there is a less than significant impact on risk as a result of landslides and expansive soils.

- E. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

The project site is not located in an area that is served by a public sewer system and therefore must install a septic tank to process wastewater. An engineered system was designed to show how the parcel could support a septic system of sufficient size. Due to the small size of the parcel and existing regulations regarding setbacks from property lines and water wells, the project must install the system described by the Technicon Engineering Services, Inc. Sewage Feasibility Analysis as revised on February 21, 2020 or an alternative system as approved by the Chief Building Inspector prior to installation.

* **Mitigation Measure**

1. *The on-site wastewater treatment system shall be designed and installed in accordance with California Well Standards, California Plumbing Code and the Sewage Feasibility report dated February 21, 2020, or as otherwise approved by the Fresno County Chief Building Inspector.*

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

FINDING: NO IMPACT:

No unique paleontological resources or geologic features were identified on this parcel. While it is possible that resources may be present at the subsurface level, it is not considered likely that such resources would meet the qualifications of a “unique” resource.

VIII. GREENHOUSE GAS EMISSIONS

Would the project:

- A. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment; or
- B. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

FINDING: LESS THAN SIGNIFICANT IMPACT:

An Air Quality Assessment was prepared for this project by LSA (October 2019) which estimated construction impacts to total approximately 59.8 metric tons of carbon dioxide equivalent (MTCO₂e). Operation of the facility, including emissions from traffic, was estimated to produce approximately 135 MTCO₂e. The report also considered a “business as usual” model for the operation of this facility in the absence of environmental regulations. Compared to a 2005 model of this facility, which represents a business-as-usual estimate from before the adoption of Assembly Bill 32, the project shows a 36% reduction in emissions. This reduction is realized through adherence with San Joaquin Valley regulations regarding best practices and through the introduction of increasingly stringent regulation of vehicular emissions. Therefore, because the reduction in emissions is greater than 29%, the project is determined to have a less than significant impact regarding conflicts with greenhouse gas reduction plans.

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:

While some household hazardous materials may be used at the project site, it is not anticipated that large amounts of hazardous waste would be transported to or from the site in volumes that would create a significant hazard to the public.

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

FINDING: NO IMPACT:

The project site is not located within one quarter mile of a school. The Sierra Unified School District has a building at the corner of Auberry Road and Thunderbird Lane which is within one quarter-mile of the project site; however, this location is an administrative office and is not attended by students. Therefore, the project is not located within one quarter-mile of an existing or proposed school and will have no impacts relating to the handling of hazardous materials within such a radius.

- D. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

FINDING: NO IMPACT:

The project site is not located on a site which is listed on the National Priorities/Superfund list, the Resource Conservation and Recovery Act list, the Toxic Releases Inventory, the Brownfields Assessment, Cleanup, and Redevelopment Exchange System, or the Toxic Substances Control Act.

- 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:

The project site is not located within two miles of a public or private airport.

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

FINDING: NO IMPACT:

The project will not require the closure of any roads which would result in interference with an adopted emergency response plan. The traffic management plan for the operation of the proposed clinic will ensure that traffic on-site and transiting to the site do not cause traffic impacts that could result in interference with an emergency evacuation plan.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project site is located in an area which is at high risk of wildland fires. The development of the project site is subject to additional regulations to ensure the protection of residents in the case of fire and the scope of the project is not likely to increase such risk. Medical clinics typically do not generate large piles of vegetation which could exacerbate risk. Further, the site will be generally paved over, except where landscaping is required adjacent to the roadway, further limiting impacts from wildland fires.

X. HYDROLOGY AND WATER QUALITY

Would the project:

- A. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

Due to the size of the parcel, an improperly designed septic system could result in a violation of waste discharge requirements which could degrade local groundwater quality. However, compliance with the mitigation measure which requires the developer to install the wastewater treatment system approved by the Chief Building Inspector will also reduce such impacts to less than significant.

* **Mitigation Measure**

1. See Section VII.

- 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:

This project will have no impact on the availability of groundwater supplies or groundwater recharge in this area because the clinic will be provided water service from the Prather Water District.

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

1. Result in substantial erosion or siltation on or off site?
2. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off site?

3. Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff; or
4. Impede or redirect flood flows?

FINDING: NO IMPACT:

The County ordinance requires that all run-off from developed properties be retained on the project site and that such runoff cannot be diverted to neighboring parcels or the road right-of-way, except where drainage systems have been established for that purpose. A preliminary drainage plan was provided to the County which shows that the anticipated runoff can be retained in this manner, despite the size of the parcel. Final grading permits must be obtained prior to the performance of any grading at the site. Therefore, compliance to existing regulation will ensure that there is no impact from this project on surface runoff or drainage .

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

FINDING: NO IMPACT:

The project site is in an area designated by FEMA as “X” or minimal flood hazard (Panel No. 06019C0675H). The parcel is distant from the coast, precluding impacts from tsunami and is not located near a large, still body of water that could be the subject of seiche.

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

FINDING: NO IMPACT:

The project will be provided water service through the Prather Water District, which confirmed that sufficient supply was available to serve the proposed use.

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 scope of the project is limited to the property lines and therefore does not have the potential to divide an established community.

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:

Figure 7-7 shows the areas which the County has designated as mineral resource locations. While the project site is near a tungsten deposit, it will not affect access to that resource. No other known mineral resources are present on the site and therefore, this project will have no impact on mineral resources.

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:

The operation of the proposed medical clinic will not generate noises in excess of the County Noise Ordinance. During construction, there is potential for temporary increase in noise; however, construction noise is exempt from the County Noise Ordinance, provided construction occurs between 6:00 a.m. and 9:00 p.m. on weekdays, and between 7:00 a.m. and 5:00 p.m. on Saturday or Sunday. Compliance with the noise ordinance during construction will result in less than significant impacts as a result of noise or groundborne vibration.

- 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 two miles of a public or private airport.

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)?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The addition of a health clinic in this area will increase access for nearby residents of Prather and the Tollhouse area to medical services. The clinic proposes to employ one physician, registered nurse, licensed vocational nurse, medical assistant, and dentist, with one assistance, receptionist/referral clerk, and a security guard for a total of nine employees. It is anticipated that an average of 15 patients with a maximum of 24 patients will be seen on a daily basis. This increase in medical services may make this area more appealing to potential residents but does not present a substantial increase in services in this area such that substantial unplanned population increase would occur.

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

FINDING: NO IMPACT:

This project will not displace people or housing – the project site is currently vacant of any uses.

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:

As this project will not be increasing the local population, no increases are necessary to maintain Police and Fire staffing ratios and response times. Similarly, the project will not result in an increase in the amount of school age children in the area, precluding impacts to the school systems. No neighborhood parks are located near the project site.

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:

There are no neighborhood parks or other recreational facilities in the vicinity of the project site. Therefore, no environmental impacts will occur as a result of the need to create new facilities or expand existing facilities.

XVII. TRANSPORTATION

Would the project:

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

FINDING: NO IMPACT:

The Traffic Impact Study (TIS) prepared for this project (Peters Engineering Group, May 16, 2019) estimated that up to 87 daily round trips could occur at the project site. The Fresno County General Plan contains policies requiring that the project limit the growth of delay as measured by Level of Service and the TIS determined that no deterioration of existing Level of Service conditions would occur until 2040, when delay at the project site (along with other local projects) would decrease to a "C" rating. This does not violate County Guidelines for Level of Service in this area. There are no requirements for bicycle or pedestrian facilities in this area.

- B. Be in conflict or be inconsistent with the California Environmental Quality Act (CEQA) Guidelines Section 15064.3, subdivision (b)?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The addition of medical services in this area will provide for a reduction in overall Vehicle Miles Travelled by allowing local residents (and specifically Native American residents) to use a clinic closer to their homes instead of traveling to more distant locations. In addition, the project site is located in the same area as an existing CVS Pharmacy where patients can fulfill any medications prescribed by the clinic doctors. This results in further reduction in vehicle miles travelled. Therefore, this project is determined to have a less than significant impact on increase in Vehicle Miles Travelled.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

As part of this project, a new driveway will provide access from Auberry Road. This drive will be one-way with another drive on the western portion of the project site which will be one-way back out to Auberry Road. Queuing analysis was performed for the ingress driveway and determined that a left turn storage lane would not be required to reduce impacts due to queuing. Aside from the two new access (one ingress, one egress), the project will make no additional modifications to the roadway and therefore will have a less than significant impact on geometric design hazards.

- D. Result in inadequate emergency access?

FINDING: NO IMPACT:

The ingress and egress access roads will be approximately 18 feet wide, which is sufficient to allow access to the project site for oversize vehicles such as fire trucks and ambulances. This project was reviewed by the Fresno County Fire Department who identified no concerns with access to the project site.

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:

As discussed in Section V., the County provided notice to Native American Tribal Governments who have a cultural history within the area of the project. No resources were identified which were listed or eligible to be listed in the California Register of Historical Resources or determined to be otherwise significant. However, it cannot be determined with certainty that no such resources are present beneath the ground surface. Therefore, the mitigation measure identified in Section V., which prescribes certain actions in the event of a potentially significant discovery, would also reduce impacts on Tribal Cultural Resources to less than significant.

* **Mitigation Measure**

1. *See Section V.*

XIX. UTILITIES AND SERVICE SYSTEMS

Would the project:

- A. Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The Prather Water District has agreed to provide water to the project site. Additional construction may be necessary to establish the connection; however, installation of pipelines will not result in additional significant environmental impacts. The existing onsite well will be abandoned and the Water District did not identify the need to create new treatment plants to accommodate this application.

- 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?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

The Prather Water District determined that there was sufficient supply for this project so long as water usage did not exceed 125,000 gallons of water per year. The applicant

estimates a daily water usage of 500 gallons/day. The sewage feasibility analysis estimated that the clinic (without landscape irrigation water) would use approximately 370 gallons/day. The clinic will operate during weekdays and excepting holidays, resulting in approximately 250 days of water usage per year. Therefore, the project is estimated to require 125,000 gallons of water annually. Usage in excess of this amount could have a significant adverse impact.

* **Mitigation Measure**

1. *A record of water usage at the project site shall be retained and reviewed annually by the Prather Water District to ensure that water usage does not exceed 125,000 gallons annually. If this amount is exceeded, the property owner shall implement water reduction strategies, including reduced service if necessary, to reduce usage under this cap or shall obtain a 'will serve' letter from Prather Water District authorizing a higher annual usage. If a revised 'will serve' letter is provided, the annual water usage shall be compared to the revised annual cap.*

- 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?

FINDING: LESS THAN SIGNIFICANT IMPACT:

While the generation of solid waste at this site does present an increase in total solid waste that would need to be processed by the County on a daily basis, the contribution of the project site to overall capacity and waste reduction goals would be less than significant. During construction, the developer will be required to comply with Fresno County regulations which require percentages of the solid waste generated to be recycled or reused rather than discarded.

- E. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

FINDING: NO IMPACT:

The project will comply with existing regulations related to solid waste. Space is available on the parcel for regulation waste and recycle containers.

XX. WILDFIRE

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

- A. Substantially impair an adopted emergency response plan or emergency evacuation plan, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects; or

- B. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire; or
- C. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment; or
- D. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

FINDING: NO IMPACT:

The project site is located in an area which is considered a State Responsibility Area in regard to wildland fires. Review of this project by the Fire Department did not identify any parts of the project which would impair the implementation of an emergency response plan. The traffic flow of the site has been designed so as not to result in back-up on Auberry Road and the parking lot is designed for vehicles to pull through so that they can return to Auberry Road without the need to back into traffic.

The project will be required to develop in accordance with Fresno County Regulations which restrict runoff from the site from being directed to the right-of-way or adjacent properties. The slope of the site is approximately

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 project has the potential to degrade the environment due to the limited on-site space for operation of the septic system. An engineered septic system, which can accommodate the anticipated flow, must be installed. Construction of the project also has the potential to disturb previously unknown historic and/or cultural resources. Mitigation Measures have been adopted to protect such resources.

* **Mitigation Measures**

1. See Section V.
2. See Section VII.

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

FINDING: NO IMPACT:

This project will not have any cumulatively considerable impacts because compliance with increasingly-strict state and federal regulations associated with air quality/emissions, construction standards, and automobile manufacture/efficiency will reduce such impacts to less than cumulatively considerable. No substantial adverse effects on humans was identified. It is possible that this project will result in minor beneficial impacts on human beings by increasing accessibility of medical services.

CONCLUSION/SUMMARY

Based upon the Initial Study prepared for Conditional Use Permit Application No. 3600, staff has concluded that the project will have a significant effect on the environment. It has been determined that there would be no impacts to Agricultural and Forestry Resources, Biological Resources, Energy, Land Use and Planning, Mineral Resources, Population and Housing, Public Services, Recreation, and Wildfire.

Potential impacts related to Air Quality, Hazards and Hazardous Materials, Greenhouse Gas Emissions, Noise, and Transportation have been determined to be less than significant.

Potential impacts relating to Aesthetics, Cultural Resources, Geology and Soils, Hydrology and Water Quality, and Utilities and Service Systems have determined to be less than significant with compliance with the identified mitigation measures.

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

CMM

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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. CLK-2046.00 E04-73 R00-00 | |
| Agency File No: IS 7423 | LOCAL AGENCY PROPOSED MITIGATED NEGATIVE DECLARATION | | County Clerk File No: E- |
| Responsible Agency (Name): Fresno County | Address (Street and P.O. Box): 2220 Tulare St. Sixth Floor | City: Fresno | Zip Code: 93721 |
| Agency Contact Person (Name and Title): Chrissy Monfette, Planner | Area Code: 559 | Telephone Number: 600-4245 | Extension: N/A |
| Project Applicant/Sponsor (Name): Victor Fabionar obo Central Valley Indian Health | Project Title: Initial Study Application No. 7423 and Classified Conditional Use Permit Application No. 3600 | | |
| Project Description: Allow the construction and operation of an outpatient medical clinic on a 0.79-acre parcel in the RR (Rural Residential Zone District) to provide services specifically to Native Americans and also to the people of Prather, Auberry, and the Tollhouse area. | | | |
| Justification for Negative Declaration: Based upon the Initial Study prepared for Conditional Use Permit Application No. 3600, 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 Agricultural and Forestry Resources, Biological Resources, Energy, Land Use and Planning, Mineral Resources, Population and Housing, Public Services, Recreation, and Wildfire. Potential impacts related to Air Quality, Hazards and Hazardous Materials, Greenhouse Gas Emissions, Noise, and Transportation have been determined to be less than significant. Potential impacts relating to Aesthetics, Cultural Resources, Geology and Soils, Hydrology and Water Quality, and Utilities and Service Systems have determined to be less than significant with compliance with the identified mitigation measures. | | | |
| FINDING: The proposed project will not have a significant impact on the environment. | | | |
| Newspaper and Date of Publication: Fresno Business Journal – June 12, 2020 | | Review Date Deadline: Planning Commission – July 23, 2020 | |
| Date: | Type or Print Signature: David Randall, Senior Planner | Submitted by (Signature): Chrissy Monfette, Planner | |

State 15083, 15085

County Clerk File No.: _____

**LOCAL AGENCY
MITIGATED NEGATIVE DECLARATION**