



E202010000382

County of Fresno

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

NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION

FILED
NOV 04 2020
TIME
10:03am

FRESNO COUNTY CLERK
By *Jessica Munoz*
DEPUTY

For County Clerk's Stamp
Jessica Munoz

Notice is hereby given that the County of Fresno has prepared Initial Study Application (IS) No. 7901 pursuant to the requirements of the California Environmental Quality Act for the following proposed project:

INITIAL STUDY APPLICATION NO. 7901 and UNCLASSIFIED CONDITIONAL USE PERMIT APPLICATION NO. 3686 filed by **Raymond J. Lynott** proposing to allow t

Unclassified Conditional Use Permit to allow the development of a "High Intensity Park" per Zoning Ord. Sec. 853-B.12 & .13. For the purpose of establishing a waterski club, on an established waterskiing lake, and events venue. The project is located on the southwest corner of Belmont and Indianola Avenue, approximately two miles North of the City of Sanger, on 54.35 acres comprised of two parcels 314-031-73 & 74(Sup. Dist. 5).

The County of Fresno has determined that it is appropriate to adopt a Mitigated Negative Declaration (MND) for the Proposed Project. The purpose of this Notice is to (1) provide notice of the availability of IS Application No. 7901 and the draft Mitigated Negative Declaration and request written comments thereon; and (2) provide notice of the public hearing regarding the Proposed Project.

Public Comment Period

The County of Fresno will receive written comments on the Proposed Project and Mitigated Negative Declaration from November 6, 2020 through December 6, 2020.

Email comments to DRandall@FresnoCountyCA.gov, or mail comments to:

Fresno County Department of Public Works and Planning
Development Services and Capital Projects Division
Attn: David Randall
2220 Tulare Street, Suite A
Fresno, CA 93721

IS Application No. 7901 and the draft MND may be viewed at www.co.fresno.ca.us/initialstudies. An electronic copy of the draft MND for the Proposed Project may be obtained from David Randall at the addresses above.

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: Initial Study (IS) No 7901	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): David Randall	Area Code: 559	Telephone Number: 600-4052	Extension: N/A
Project Applicant/Sponsor (Name): Mond J Lynott	Project Title: Unclassified Conditional Use Permit No 3685		
Project Description: Unclassified Conditional Use Permit to allow the Use of a "High Intensity Park" per Zoning Ord. Sec. 853-B.12 & .13. for the purpose of establishing a waterski club, on an existing waterskiing lake, and events venue. The project is located on the southwest corner of Belmont and Indianola Avenue, approximately two miles North of the City of Sanger, on 54.35 acres comprised of two parcels 314-031-73 & 74. (Sup. Dist. 5)			
<p>Justification for Negative Declaration: Based upon the Initial Study (IS 7901) prepared for Unclassified Conditional Use Permit No 3685, staff has concluded that the project will not have a significant effect on the environment.</p> <p>It has been determined that there would be no impacts to Agricultural and Forestry Resources, Biological Resources, Energy, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Land Use and Planning, Mineral Resources, Population and Housing, Public Services, Recreation, Utilities & Services Systems, and Wildfire.</p> <p>Potential impacts related to Air Quality, Geology and Soils, and Hydrology and Water Quality have been determined to be less than significant.</p> <p>Potential impacts relating to Aesthetics, Cultural Resources, Noise, Transportation/Traffic, and Tribal Cultural Resources have been determined to be less than significant with adherence to the identified Mitigation Measures.</p> <p>The Initial Study and MND is available for review at 2220 Tulare Street, Suite A, Street Level, located on the southeast corner of Tulare and "M" Street, Fresno, California.</p>			
FINDING: The proposed project will not have a significant impact on the environment.			
Newspaper and Date of Publication: Fresno Business Journal – November 9, 2020		Review Date Deadline: Planning Commission – December 9, 2020	
Date:	Type or Print Signature: David Randall, Senior Planner	Submitted by (Signature):	

State 15083, 15085

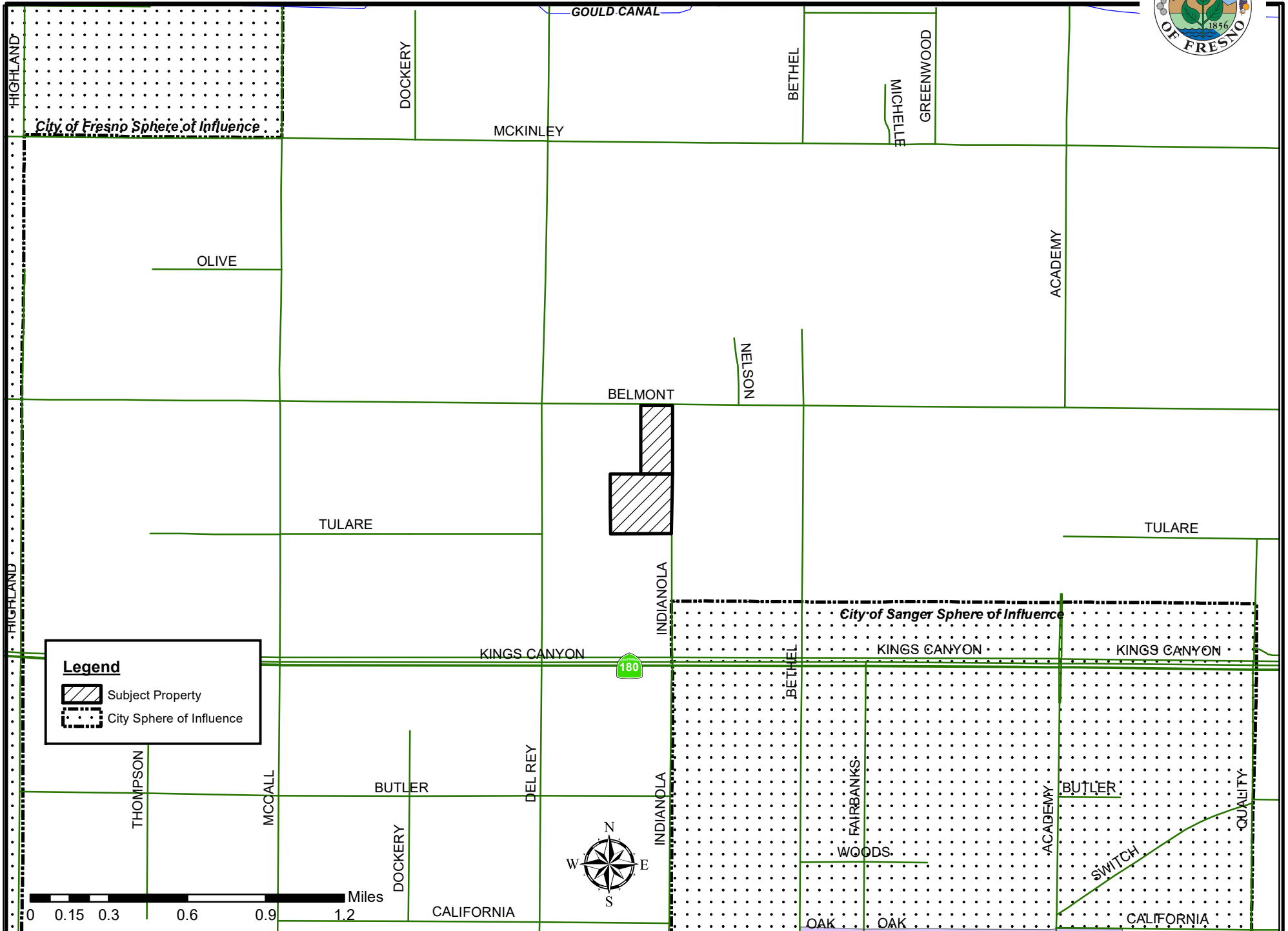
County Clerk File No.: _____

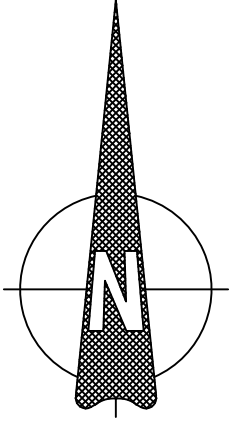
**LOCAL AGENCY
MITIGATED NEGATIVE DECLARATION**

DR:

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LOCATION MAP





East Belmont Avenue

+620'
30'

Location of North Quarter Corner of Section 4, T. 14 S., R. 22 E., M.D.B.M

30' R-O-W
Deeded to County of Fresno for Public Street Purposes. Recorded October 3, 1955, Book 3664, Page 627, Doc. No. 66954, O.R.F.C

±1409'

(E) Island

±617'

APN: 314-030-73 20.00± Acres

APN: 314-030-74 34.35± Acres

(E) Ski Lake Water Edge

±2618'

±1216'

See Enlarged Plan Sheet G

(E) Covered Boat Dock & Open Dock

(E) Landscaping

Proposed New 50' x 100' Building

(E) Wooden Building to be removed

Proposed parking lot 55,900± sq. ft.

110 spaces appx.

Driveway/Entrance located where N. Indianaola intersects property

(E) Island

±1231'

(E) Metal Building to Remain

(E) Mobile Home

(E) Well

North Indianaola Avenue

GO

SHEET

MSC JOB NO.
200002

SCALE
1" = 150'

DRAWN BY
N. Maxwell

CUP Application No.
Shredder Lake, LLC.
505 North Indianaola Avenue
Sanger, CA 93657
Site Plan

Date	Revision
03/20/20	Pre-Project Review
06/19/20	Pre-Application Review
7/16/20	CUP Application





County of Fresno

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

INITIAL STUDY ENVIRONMENTAL CHECKLIST FORM

1. Project title:

Initial Study No. 7901 and Classified Conditional Use Permit Application No. 3686

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:

David Randall – (559) 600-4052

4. Project location:

The project is located on the southwest corner of Belmont and Indianola Avenue, approximately two miles North of the City of Sanger, on 54.35 acres comprised of two parcels 314-031-73 & 74. (Sup. Dist. 5)

5. Project sponsor's name and address:

Raymond J. Lynott
505 N. Indianola Ave.
Sanger, CA 93657

6. General Plan designation:

Agriculture

7. Zoning:

AE-20 (Exclusive Agriculture)

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.)

Unclassified Conditional Use Permit to allow the Use of a "High Intensity Park" per Zoning Ord. Sec. 853-B.12 & .13. for the purpose of establishing a waterski club, on an established waterskiing lake, and events venue.

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

Surrounding uses include agricultural uses with individual homesites directly to the north to the east and west of the site and agricultural uses to the south.

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

Fresno County Health Department, and Public Works and Planning Department

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 on July 31, 2020 to the following tribal governments Providing notice that this application was complete and that they had 30 days to request consultation on the project: Table Mountain Rancheria, Picayune Rancheria of Chukchansi Indians, Dumna Wo Wah Santa Rosa Rancheria, and the Tachi Yokut Tribe. Therefore, the County's responsibilities under AB 52 were met.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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.

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

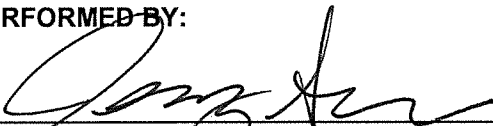
DETERMINATION OF REQUIRED ENVIRONMENTAL DOCUMENT:

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:



 Jeremy Shaw, Planner



 David Randall, Senior Planner

Date: November 4, 2020

Date: November 4, 2020

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**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?
- 1 b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?
- 1 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?
- 2 c) Expose sensitive receptors to substantial pollutant concentrations?
- 2 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:

- 1 a) Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?
- 1 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?
- 2 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?
- 1 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?

VIII. GREENHOUSE GAS EMISSIONS

Would the project:

- 1 a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?
- 1 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:

- 1 a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?
- 1 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?
- 1 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:

- 1 a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?
- 2 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?

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:

- 3 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?
- 3 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:

- 3 a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?
- 1 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:
- 1 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
- 1 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.)

XIX. UTILITIES AND SERVICE SYSTEMS

Would the project:

- 1 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?
- 1 b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?
- 1 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?
- 1 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:

- 1 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?

Documents Referenced:

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

DR
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Public Hearing

The Planning Commission will hold a public hearing to consider approving the Proposed Project and the MND on December 10, 2020, at 8:45 a.m., or as soon thereafter as possible, in Room 301, Hall of Records, 2281 Tulare Street, Fresno, California 93721. Interested persons are invited to appear at the hearing and comment on the Proposed Project and draft MND.

*** SPECIAL NOTICE REGARDING PUBLIC PARTICIPATION DUE TO COVID-19 ***

Due to the current Shelter-in-Place Order covering the State of California and Social Distancing Guidelines issued by Federal, State, and Local Authorities, the County is implementing the following changes for attendance and public comment at all Planning Commission meetings until notified otherwise. The Board chambers will not be open to the public. Any member of the Planning Commission may participate from a remote location by teleconference. Instructions about how to participate in the meeting will be posted to: <https://www.co.fresno.ca.us/planningcommission> 72 hours prior to the meeting date.

For questions or copies of documents please call Chrissy Monfette (559) 600-4245 or email at cmonfette@fresnocountyca.gov.



County of Fresno

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

EVALUATION OF ENVIRONMENTAL IMPACTS

- APPLICANT: Raymond J Lynott
- APPLICATION NOS.: Initial Study Application No. 7901 and Unclassified Conditional Use Permit Application No. 3686
- DESCRIPTION: Allow a high-intensity park on a 54.35-acre site in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District For the purposes of establishing a water ski club on an existing water feature, and development of an events venue.
- LOCATION: The project site is located the southwest corner of Belmont and Indianola Avenue, approximately two miles North of city limits of the City of Sanger (Sup. Dist. 5) (APN 314-031-73 & 74)

I. AESTHETICS

- A. Would the project have a substantial adverse effect on a scenic vista; or
- B. Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway?

FINDING: NO IMPACT:

The subject parcel is not located in an area designated as a scenic vista, nor is it located near a State Scenic Highway. Existing Development on the parcel includes a mobile home, a 4,000 square foot metal building, a 1,500 square foot barn, a 2,200 square foot dock & boathouse and water feature designed for waterskiing. The mobile home, barn, and metal building are comparable to typical uses in this area and on other parcels in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District. The project's proposed structures would impede views or be highly distracting. There are no trees or others natural features being removed as a result of this project. Therefore, the development will not impact any existing view, vista, or scenic resource.

- C. Would the project 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:

There is new lighting described as part of this application. Outdoor lights have the potential to impact neighboring properties by increasing glare or light pollution in an area. Therefore, the applicant will be required to direct all outdoor lighting at a downward angle to shine away from neighboring properties and the public road.

* **Mitigation Measure**

1. *Prior to the operation of the High-Intensity Park, all outdoor lighting shall be hooded, directed, and permanently maintained as not to shine toward adjacent properties and public roads.*

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?
- B. Conflict with existing agricultural zoning or Williamson Act Contract?
- C. Conflict with existing zoning for or cause rezoning of 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?

FINDING: NO IMPACT:

The subject parcel is on land designated by the 2014 Fresno County Important Farmlands Map as Nonagricultural & Natural Vegetation. It is not classified as important or unique farmland, nor is it forested. The property is not restricted by a Williamson Act Contract. Parcel is in an area that is generally agricultural in nature with sporadic residential homesites.

- E. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural uses or conversion of forest land to non-forest use?

FINDING: NO IMPACT:

Approval of this application will not result in the conversion of farmland, as the existing nonagricultural use of the land, which includes the existing water feature, is not changing.

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; or
- C. Expose sensitive receptors to substantial pollutant concentrations; or

FINDING: LESS THAN SIGNIFICANT IMPACT:

The San Joaquin Valley Air Pollution Control District had no comments on this project. A Green House Gas Analysis was prepared for the project and determined that the project would not generate direct or indirect greenhouse gas emissions that would result in a significant impact on the environment. The project would not conflict with any applicable plan, policy or regulation of an agency adopted to reduce the emissions of greenhouse gasses.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The nearest sensitive receptor to this project is the single-family residence located approximately 320 feet to the east of the property. High intensity parks are not a type of use that typically produces objectionable odors or substantial concentrations of pollutants

IV. BIOLOGICAL RESOURCES

Would the project:

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

FINDING: NO IMPACT:

The subject parcel has been improved with a residential area, and Water feature. The project site has been significantly graded and actively maintained and does not prove any significant habitat for species.

- 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?
- D. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

FINDING: NO IMPACT:

The water feature on site is a manmade feature that is maintained for waterskiing and ground water recharge. It is not a federally-protected wetlands.

- 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 is not subject to a Habitat Conservation Plan, Natural Community Conversation Plan, or other approved local, regional, or state conservation plan.

V. CULTURAL RESOURCES

Would the Project

- A. Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5; or
- B. Cause a substantial adverse change in the significance of an archeological 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:

Under the provisions of Assembly Bill 52 (AB 52), this project was routed to the following Native American Tribal Governments with a request to consult: Table Mountain Rancheria, Picayune Rancheria of the Chukchansi Indians, and the Dumna Wo Wah. There were no requests for consultation received.

As this site has not been surveyed for cultural resources, it cannot be known with certainty that there are no such resources beneath the surface. Therefore, mitigation will be incorporated to require that work will stop if a resource is uncovered during the course of construction.

* **Mitigation Measures**

- 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, 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:

The proposed new 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:

The project is not located in an Alquist-Priolo Earthquake Fault Zone; however, it is located near the Clovis Fault, a pre-Quaternary fault (older than 1.6 million years) for which there is no historical evidence of recent age activity. While this fault is considered to be “potentially active”, the fault does not pass through the project site and there are no historical records of the fault’s activity. Therefore, impacts from the fault, including rupture and seismic shaking are considered to be minimal. The subject parcel is not in an area of landslide hazard according to Figure 9-6 of the Fresno County General Plan Background Report (FCGPBR). Similarly figure 9-5 (FCGPBR) indicates that the site is within the 0-20% area for the Probabilistic Seismic Hazards, which is the lowest risk.

- B. Result in substantial 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?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project site will be required to retain all run-off on site, per County Standards. Per Figure 9-6 (FCGPBR), the subject parcel is not in an area at risk of subsidence.

- 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 identified as having expansive soils, according to Figure 7-1 of the Fresno County General Plan Background Report (FCGPBR).

- 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 is an existing functional septic system on site an expanded system will be installed to address the increased demands during events. Any new septic system is subject to building permits and must meet County standard prior to construction. Reviewing Agencies and Departments did not express concerns to indicate that the proposed projects will result in any proposed parcel having soils incapable of adequately supporting the use of a septic tank or alternative wastewater disposal system.

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

FINDING: NO IMPACT:

No unique geologic features were identified on the property, and as previously discussed, the subject property is engaged in a commercial farming operation.

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 any applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

FINDING: NO IMPACT:

A Green House Gas Analysis was prepared for the project, by Mitchell Air Quality Consulting, and determined that the project would not generate direct or indirect greenhouse gas emissions that would result in a significant impact on the environment. The project would not conflict with any applicable plan, policy or regulation of an agency adopted to reduce the emissions of greenhouse gasses.

IX. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

- A. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials; or
- B. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

FINDING: NO IMPACT:

The operation of this site as a high-intensity park has the potential to use common hazardous materials in quantities typically comparable to residential uses. There will be no routine transport, use, or disposal of hazardous material. There will be no onsite fuel storage facility for boats on the water, fuel will be brought to and taken from the site with the boats and in small fuel tanks.

- C. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school; or
- E. 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 within one-quarter mile of a school, and the project site is not included on a hazardous materials site

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

FINDING: NO IMPACT:

No emergency response or evacuation plans were identified which could be impacted by the project.

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

FINDING: NO IMPACT:

Review of this project by the Fresno County Fire Protection Department did not identify any risk of loss, injury, or death involving wildland fires. Areas designated to be at a high risk from wildland fires begin east of the Friant-Kern canal, approximately one half-mile east of the project site.

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: NO IMPACT:

Water for the project will be provided by the existing well and some limited discharge to the ground water will occur appropriately through the onsite septic system.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The proposed project will utilize the existing ground water well. The use is not anticipated to require more than a maximum of 1,250 gallons per day; which is less than 5% of annual sustainable groundwater yield (0.5-acre feet/year). Water for the waterskiing lake does not come from ground water; it receives surface water from the Irrigation District to operate as a groundwater recharge facility.

- 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 project does not involve any significant grading that would significantly alter drainage patterns, nor the alteration of a stream course or other water course, or the addition of a substantial amount of impervious surface.

The majority of structures involved in this operation were constructed prior to submittal of this use application and existing regulations relating to the disposition of stormwater run-off will ensure that there is no off-site flooding or degradation of water quality. There are no community storm drainage systems in this area of the County and therefore the applicant will be required to retain the run-off onsite

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

FINDING: NO IMPACT:

There is no housing proposed with this application and it is not located in an area of flood hazard as defined by the Federal Emergency Management Agency (FEMA), Map Panel No. 1620 of 3525. Figure 9-8 (FCGPBR) indicates that the project site is not in a location at risk of inundation by Dam Failure

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

FINDING: NO IMPACT:

The proposed project is not in conflict with any water quality control Plan or ground water sustainability plan. The existing well, which will continue to supply water for the project, will only use a fraction of the sustainable ground water yield.

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 site is enclosed by the property lines of the subject parcel and will not physically divide an established community. The use of this parcel as a high-intensity park is permitted in Fresno County through approval of an Unclassified Conditional Use Permit. Outside of said permit, the project is able to meet all other development standards of the County without the need to process a variance.

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:

According to Figure 7-7 (FCGPBR), the project site is not in an area designated for mineral recovery.

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 WITH MITIGATION INCORPORATED:

An acoustical analysis was prepared by WJVA Acoustics, Inc., dated September 17, 2020. It concluded that the project-related noise levels are not expected to exceed the applicable County of Fresno daytime (7:00 a.m. to 10:00 p.m.) noise level standards.

To address the potential for noise impacts for events that occur after 10:00 p.m. a Noise Control Plan was recommended and shall be listed as mitigation measures.

* **Mitigation Measure**

1. *Instrumentation: The project applicant shall obtain a sound level meter that meets the requirements of the American National Standards Institute for Type 1 or Type 2 sound level meters (ANSI S1.4-1971). The sound level meter must be capable of measuring A-weighted sound levels at “slow” meter response and recording the maximum sound level (Lmax) during noise sample periods. An appropriate acoustic calibrator shall also be obtained for use in field-checking the accuracy of the noise monitoring system. The sound level meter, microphone and calibrator shall be certified by the manufacturer or an accredited laboratory that they are in compliance with applicable standards at the time of purchase.*
 2. *Training: The project applicant (or staff that will be conducting noise monitoring during outdoor events with amplified speech and music) must receive “hands-on” training in the proper use of the noise monitoring equipment from a qualified acoustical consultant.*
 3. *Measurement Location and Acceptable Noise Level: Taking into account the standard rate of noise attenuation with increased distance from a point source, and based upon the location of the outdoor PA system speakers (shown as Outdoor Event Area on Figure 2), noise levels must not exceed 50 dB at the property line between the project site and the adjacent property to the east (in the areas between SL-1 and SL-2 on Figure 2). If noise levels exceed 50 dB along this portion of the property line, noise levels would be expected to exceed 40 dB at the residence, and noise levels must be reduced at the noise source.*
- 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?

FINDING: NO IMPACT:

The project site is not located in the vicinity of a private or public airstrip.

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:

The operation of a high-intensity park is not the type of project which is known or expected to induce population growth. The entirety of the project site is within the boundaries of the 55-acre parcel and no housing or persons will be displaced.

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:

Review of this application did not indicate the need for increased Fire or Police protection. It will not require improved parks, schools, or other public facilities because visitors to the event center are not expected to leave the project site until the conclusion of the event.

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:

This application will not increase the use of neighborhood parks or other recreational facilities. Guests and attendees at events held at this site will typically drive directly to the site, remain for the entire event, then drive back to their homes without lingering to explore the area or make use of local recreational facilities.

XVII. TRANSPORTATION/TRAFFIC

Would the project:

- A. Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities; or
- B. Be in conflict or be inconsistent with the California Environmental Quality Act (CEQA) Guidelines Section 15064.3, subdivision (b); or
- 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
- D. Result in inadequate emergency access?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

This project has the potential to temporarily impact traffic during larger events. With appropriate traffic management practices these brief increases should not be significant.

* **Mitigation Measure**

1. *Prior to issuance of construction permits, building permits, or encroachment permits, the Applicant Developer shall prepare and submit a traffic control and management plan to Fresno County Department Public Works and Planning. The Plan shall also include provisions for Dust Control. Operation of the proposed High Intensity Park shall be in conformance with the approved Traffic Control and Management Plan*

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

The applicant will be required to adhere to the Traffic Control and Management Plan to be approved by the County.

* **Mitigation Measure**

1. See Section XVI.B

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 Measures**

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

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: NO IMPACT:

The Project utilizes an onsite ground water well and a wastewater septic system, the other utility services are already provided to the existing site and no increase in the capacity of their infrastructure is required by the project.

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

FINDING: NO IMPACT:

As discussed in section X The project only uses 2% of the sustainable ground water yield.

- 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: NO IMPACT:

The Project utilizes an onsite wastewater septic system, the other utility services are already provided to the existing site and no increase in the capacity of their infrastructure is required by the project.

- 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: NO 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 not 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 onto the Road.

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.

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:

* **Mitigation Measure(s)**

1. See *Mitigation Measure(s)* under Sections V and XVIII above.

- B. Have impacts that are individually limited, but cumulatively considerable (“cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

FINDING: LESS THAN SIGNIFICANT IMPACT:

No cumulatively significant impacts were identified in the analysis.

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

FINDING: NO IMPACT:

The project will not result in environmental effects that will cause direct or indirect adverse effects on human beings

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

AESTHETICS: The proposed uses may result in the creation of new sources of light and glare in the area. The proposed mitigation to Hood and direct lighting away from adjacent properties and Public right-of-ways would result in a less than significant impact with the mitigation.

NOISE: An Acoustical analysis determined that the project is not expected to exceed County standards, to address the potential for amplified music from events to exceed the limits, mitigation measures to implement a Noise Control Plan are required.

TRANSPORTATION: To address the potential of temporary impacts on traffic during larger events. A mitigation measure requiring the use of an approved Traffic Control and Management Plan is being required.

Mitigation Measures

See Sections I.D, XIII B & D, XVII B, and XVIII A.

CONCLUSION/SUMMARY

Based upon the Initial Study prepared for Unclassified Conditional Use Permit Application No. 3686, staff has concluded that the project will not have a significant effect on the environment.

It has been determined that there would be no impacts to Agricultural and Forestry Resources, Biological Resources, Energy, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Land Use and Planning, Mineral Resources, Population and Housing, Public Services, Recreation, Utilities & Services Systems, and Wildfire.

Potential impacts related to Air Quality, Geology and Soils, and Hydrology and Water Quality have been determined to be less than significant.

Potential impacts relating to Aesthetics, Cultural Resources, Noise, Transportation/Traffic, and Tribal Cultural Resources have been determined to be less than significant with adherence to the identified 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 southeast corner of Tulare and "M" Street, Fresno, California.

DR

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