



# County of Fresno

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

## Planning Commission Staff Report Agenda Item No. 5 October 6, 2016

- SUBJECT:**                    **Unclassified Conditional Use Permit Application No. 3533**
- Amend Unclassified Conditional Use Permit (CUP) No. 3420 in order to allow an additional exploratory petroleum oil/gas well at an existing well pad authorized by Unclassified CUP No. 3420 on a 1.6-acre portion of a 315.15-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.**
- LOCATION:**                   **The subject parcel is located on the north side of Mount Whitney Avenue, between the Butte Avenue alignment and the Lake Avenue alignment, approximately two miles west of the unincorporated community of Five Points (SUP. DIST. 1) (APN 050-080-11S).**
- OWNER:**                     **David and Marilyn Britz**  
**APPLICANT:**               **Temblor Petroleum Company, LLC**
- STAFF CONTACT:**         **Derek Chambers, Planner**  
                                      **(559) 600-4205**
- Chris Motta, Principal Planner**  
                                      **(559) 600-4227**
- RECOMMENDATION:**
- Accept, per Section 15162 of the California Environmental Quality Act, the Mitigated Negative Declaration previously approved by the Planning Commission for Initial Study No. 6742; and
  - Approve Unclassified Conditional Use Permit Application No. 3533 with recommended Findings and Conditions; and
  - Direct the Secretary to prepare a Resolution documenting the Commission's action.

**EXHIBITS:**

1. Mitigation Monitoring, Conditions of Approval and Project Notes
2. Location Map
3. Existing Zoning Map
4. Existing Land Use Map
5. Site Plans
6. Previously Approved Site Plans for Unclassified CUP No. 3420
7. Elevations
8. Applicant's Operational Statement
9. Summary of Initial Study No. 6742

**SITE DEVELOPMENT AND OPERATIONAL INFORMATION:**

<b>Criteria</b>	<b>Existing</b>	<b>Proposed</b>
General Plan Designation	Agriculture	No change
Zoning	AE-20 (Exclusive Agricultural, 20-acre minimum parcel size)	No change
Parcel Size	315.15 acres	No change
Project Site	Farmland; exploratory petroleum oil and natural gas well on a 1.6-acre drill pad area (as authorized by Unclassified CUP No. 3420)	Another exploratory petroleum oil and natural gas well on the existing 1.6-acre drill pad area authorized by Unclassified CUP No. 3420
Structural Improvements	None	152-foot-tall drilling rig; 3,125 square-foot mud sump; two 280 square-foot pipe bins; 480 square-foot walkway; 64 square-foot, six-foot-deep well cellar containing the wellhead; mud pump; diesel-powered generator; 350 square-foot employee trailer
Nearest Residence	Approximately 1,520 feet southeast of the existing exploratory petroleum oil and natural gas well	No change

<b>Criteria</b>	<b>Existing</b>	<b>Proposed</b>
Surrounding Development	Unincorporated community of Five Points approximately two miles east of the subject parcel; intersection of State Route 145 (Fresno Coalinga Road) and State Route 269 (Lassen Avenue) approximately two miles east of the subject parcel; agricultural fertilizer manufacturing operation approximately one mile southeast of the subject parcel; San Luis Drain approximately two and a half miles northeast of the subject parcel	No change
Operational Features	N/A	<p>Drilling of the exploratory well will be conducted 24 hours per day for 20 days. All drilled cuttings will be transported off site to an approved waste disposal facility.</p> <p>If exploratory drilling is not successful, the well will be plugged and abandoned in compliance with the California Department of Conservation, Division of Oil, Gas and Geothermal Resources regulations.</p> <p>If oil and/or gas is discovered and the Applicant chooses to convert the exploratory well and project site into a production facility, approval of an additional Unclassified Conditional Use Permit application will be required for the production facility.</p>
Employees	N/A	Drilling crews comprised of four employees supervised by a foreman and an Applicant Representative will operate the drilling rig during three 8-hour shifts per day for 20 days.

Criteria	Existing	Proposed
		Exploratory well completion and testing will require up to 30 employees per day for up to 35 days.
Customers	N/A	No customers on site
Traffic Trips	N/A	<p>Up to 70 total one-way truck trips (35 round trips) during assembly of the drilling rig which will take approximately four days to complete</p> <p>Up to 36 one-way employee trips per day (18 round trips per day) during assembly of the drilling rig which will take approximately four days to complete</p> <p>Up to 60 one-way employee trips per day (30 round trips per day) during exploratory well completion and testing which will take up to 35 days to complete</p> <p>Up to four one-way truck trips per day (two round trips per day) during the project for the delivery of various equipment and supplies to the exploratory well site</p>
Lighting	N/A	Lighting of the 1.6-acre drill pad area during exploratory well drilling and testing operations
Hours of Operation	N/A	24 hours per day for the life of the project

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



**ENVIRONMENTAL ANALYSIS:**

A Mitigated Negative Declaration (MND) prepared for Initial Study No. 6742 was adopted by the Planning Commission in accordance with the California Environmental Quality Act (CEQA) with approval of Unclassified Conditional Use Permit (CUP) No. 3420 on May 22, 2014.

According to Section 15162(a) of the CEQA Guidelines, when an MND is adopted for a project, no subsequent MND shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following: 1) substantial changes are proposed in the project which will require major revisions of the previous MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously-identified significant effects; 2) substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously-identified significant effects; and 3) new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous MND was adopted, shows any of the following: (A) the project will have one or more significant effects not discussed in the previous MND; (B) significant effects previously examined will be substantially more severe than shown in the previous MND; (C) mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or (D) mitigation measures or alternatives which are considerably different from those analyzed in the previous MND would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

The current proposal, Unclassified CUP Application No. 3533, was routed to those agencies that previously commented on the initial study prepared for Unclassified CUP No. 3420. No specific concerns were noted. The area and project are substantially the same and there have not been any changes in circumstances or new information provided by the appropriate agencies contacted. Therefore, it has been determined that no subsequent Mitigated Negative Declaration shall be undertaken for this project per Section 15162 of the California Environmental Quality Act. A summary of Initial Study No. 6742 is included as Exhibit 9.

**PUBLIC NOTICE:**

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

**PROCEDURAL CONSIDERATIONS:**

Pursuant to Zoning Ordinance Sections 853-B.11 and 857-C.1., an Unclassified CUP is required to allow petroleum oil/gas exploration and drilling in the AE-20 Zone District.

An Unclassified CUP Application may be approved only if four Findings specified in Zoning Ordinance Section 873-F are made by the Planning Commission. The decision of the Planning Commission regarding an Unclassified CUP Application is final, unless appealed to the Board of Supervisors within 15 days of the Commission's action.

**BACKGROUND INFORMATION:**

On May 22, 2014, Unclassified Conditional Use Permit (CUP) No. 3420 was approved for the drilling of an exploratory petroleum oil and natural gas well on a 1.6-acre portion of the subject 315.15-acre parcel. Upon conducting exploratory operations, the Applicant discovered petroleum oil and natural gas at the project site. Subsequently, the Applicant filed Unclassified CUP Application No. 3533 proposing to amend Unclassified CUP No. 3420 in order to allow the drilling of a second exploratory well on the 1.6-acre drill pad area authorized by Unclassified CUP No. 3420.

Improvements to be utilized for the proposed exploratory oil and natural gas well include: 152-foot-tall drilling rig; 3,125 square-foot mud sump; two 280 square-foot pipe bins; 480 square-foot walkway; 64 square-foot, six-foot-deep well cellar containing the wellhead; mud pump; diesel-powered generator; and 350 square-foot employee trailer.

It should be noted by Staff that the Applicant has also filed Unclassified CUP Application No. 3542 proposing to further amend Unclassified CUP No. 3420 in order to allow the drilling of a third exploratory well on the 1.6-acre drill pad area authorized by Unclassified CUP No. 3420. That Unclassified CUP Application, which is still in process, is being reviewed for compliance with the 15162 CEQA Exemption; however, said proposal does entail a request to enlarge the 1.6-acre drill pad area by an additional 0.67 acres.

It should also be noted by Staff that the Applicant has also filed Unclassified CUP Application No. 3544 and associated Initial Study Application No. 7190 proposing to allow development of a petroleum oil and natural gas production facility on the subject 315.15-acre parcel. That Unclassified CUP Application and Initial Study Application are still in process.

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

	<b>Current Standard:</b>	<b>Proposed Operation:</b>	<b>Is Standard Met (y/n)</b>
Setbacks	Front: 35 feet Side: 20 feet Street Side: 35 feet Rear: 20 feet	Front (southern property line): 1,800 feet Street Side (eastern property line): 400 feet Street Side (western property line): 5,200 feet Rear (northern property line): 400 feet	Yes
Parking	No requirement	N/A	N/A
Lot Coverage	No requirement	N/A	N/A
Space Between Buildings	Six feet minimum	N/A	N/A
Wall Requirements	No requirement	N/A	N/A

	<b>Current Standard:</b>	<b>Proposed Operation:</b>	<b>Is Standard Met (y/n)</b>
Septic Replacement Area	100 percent	N/A	N/A
Water Well Separation	Septic tank: 50 feet; Disposal field: 100 feet; Seepage pit: 150 feet	N/A	N/A

**Reviewing Agency/Department Comments Regarding Site Adequacy:**

Zoning Section of the Fresno County Department of Public Works and Planning: The existing 1.6-acre drill pad area authorized by Unclassified CUP No. 3420 and the proposed exploratory well satisfy the setback requirements of the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.

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

**Analysis:**

Staff review of the Site Plans demonstrates that the 1.6-acre drill pad area authorized by Unclassified CUP No. 3420 satisfies the setback requirements of the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District. As the proposed additional exploratory well will be located on said 1.6-acre drill pad area, staff finds that the project site is adequate in size and shape to accommodate the proposed use.

**Recommended Conditions of Approval:**

*None.*

**Conclusion:**

Finding 1 can be made.

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

		<b>Existing Conditions</b>	<b>Proposed Operation</b>
Private Road	Yes	Butte Avenue alignment  Lake Avenue alignment	No change
Public Road Frontage	Yes	Mount Whitney Avenue: Good condition	No change
Direct Access to Public Road	Yes	Mount Whitney Avenue	No change

	<b>Existing Conditions</b>	<b>Proposed Operation</b>
Road ADT	<p>Mount Whitney Avenue: 1,600</p> <p>Butte Avenue alignment: unknown (private road)</p> <p>Lake Avenue alignment: unknown (private road)</p>	Less than significant traffic increase during the life of the project
Road Classification	<p>Mount Whitney Avenue: Expressway</p> <p>Butte Avenue alignment: N/A (private road)</p> <p>Lake Avenue alignment: N/A (private road)</p>	No change
Road Width	<p>Mount Whitney Avenue: 80 feet total existing right-of-way</p> <p>Butte Avenue alignment: unknown (private road)</p> <p>Lake Avenue alignment: unknown (private road)</p>	No change
Road Surface	<p>Mount Whitney Avenue: Paved (pavement width: 24.1 feet)</p> <p>Butte Avenue alignment: unimproved dirt</p> <p>Lake Avenue alignment: unimproved dirt</p>	No change
Traffic Trips	N/A	<p>Up to 70 total one-way truck trips (35 round trips) during assembly of the drilling rig which will take approximately four days to complete</p> <p>Up to 36 one-way employee trips per day (18 round trips per day) during assembly of the drilling rig which will take approximately four days to complete</p>

		Existing Conditions	Proposed Operation
			<p>Up to 60 one-way employee trips per day (30 round trips per day) during exploratory well completion and testing which will take up to 35 days to complete</p> <p>Up to four one-way truck trips per day (two round trips per day) during the project for the delivery of various equipment and supplies to the exploratory well site</p>
Traffic Impact Study (TIS) Prepared	No	N/A	None required, as traffic generated by the proposed use is limited in scope to the drilling and testing of an exploratory petroleum oil and natural gas well which is temporary in nature
Road Improvements Required		N/A	None required

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

Design Division of the Fresno County Department of Public Works and Planning: No concerns with the proposal.

Road Maintenance and Operations Division of the Fresno County Department of Public Works and Planning: A grizzly and/or gravel pad shall be installed on the Lake Avenue alignment where the Lake Avenue alignment intersects Mount Whitney Avenue to minimize sediment transport from vehicles and equipment onto the County roadway (Mount Whitney Avenue). This requirement was included as a Mitigation Measure for Unclassified CUP No. 3420.

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

**Analysis:**

Access to the 1.6-acre drill pad area authorized by Unclassified CUP No. 3420 is from Mount Whitney Avenue via the Lake Avenue alignment, and an existing 20-foot-wide on-site access road connects the 1.6-acre drill pad area to the Lake Avenue alignment. Mount Whitney Avenue is classified as an Expressway and has a total existing right-of-way of 80 feet at the

subject parcel, with 40 feet north and 40 feet south of the section line. The minimum total right-of-way for an Expressway is 126 feet, which would require Mount Whitney Avenue to have 63 feet of right-of-way north of the section line along the frontage of the subject parcel. However, considering that the proposed use is limited in scope to the drilling and testing of an exploratory petroleum oil and natural gas well, which may take up to 55 days to complete, no additional right-of-way dedication will be required for this proposal.

Considering the existing nature of the 1.6-acre drill pad area and project site access in conjunction with the fact that no additional site access routes are being proposed, the surrounding streets serving the project site will remain adequate to accommodate the proposed use.

**Recommended Conditions of Approval:**

*See recommended Conditions of Approval attached as Exhibit 1.*

**Conclusion:**

Finding 2 can be made.

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

<b>Surrounding Parcels</b>				
	Size:	Use:	Zoning:	Nearest Residence:
North	160.00 acres	Field crops	AE-20	None
	160.00 acres	Field crops	AE-20	None
South	158.79 acres	Field crops	AE-20	None
	466.34 acres	Field crops	AE-20	None
East	150.12 acres	Field crops	AE-20	None
	26.86 acres	Single-family residences Field crops	AE-20	1,520 feet southeast of the exploratory well location
West	317.58 acres	Field crops	AE-20	None

**Reviewing Agency/Department Comments:**

Building and Safety Section of the Fresno County Department of Public Works and Planning: No concerns with the proposal.

Department of Conservation, Division of Oil, Gas and Geothermal Resources: The Applicant shall file a detailed drilling proposal in order to obtain specific requirements for the proposed drilling operation. This requirement was included as a Project Note for Unclassified CUP No. 3420.

Fresno County Department of Agriculture (Agricultural Commissioner's Office): No concerns with the proposal.

Fresno County Department of Public Health, Environmental Health Division: Section 8.40.060 of the Fresno County Noise Ordinance specifically exempts noise sources from activities associated with the drilling of petroleum, oil, gas, or water wells from the Noise Ordinance; however, the Applicant is requested to ensure that any noise-generating construction/drilling equipment be equipped with mufflers, per the manufacturer's specifications. This request was provided to the Applicant in the form of a Project Note for Unclassified CUP No. 3420. All hazardous waste shall be handled in accordance with requirements set forth in the California Code of Regulations (CCR), Title 22, Division 4.5 which discusses proper labeling, storage and handling of hazardous wastes. Prior to commencing operations, the Applicant shall complete a Fresno County Department of Public Health Hazardous Materials Business Plan online submittal when handling materials above the following reportable thresholds: 1) 55 gallons of liquid material; 2) 500 pounds of solid material; or 3) 200 cubic feet of compressed gas. One exception to the Hazardous Materials Business Plan is if the business stores hazardous materials for less than 30 consecutive days while under active shipping papers. The Applicant shall contact the Certified Unified Program Agency (CUPA) Division of the Fresno County Department of Public Health for more information regarding these requirements which were included as Project Notes for Unclassified CUP No. 3420. The California Aboveground Petroleum Storage Tank Act (APSA) requires a Spill Prevention Control and Countermeasure Plan (SPCC) for aboveground petroleum storage tanks with storage capacity greater than or equal to 1,320 gallons. This storage capacity refers to the aggregate capacity of all aboveground tanks and containers at a tank facility. Those tanks or that portion of a tank facility directly associated with the production of oil are exempt from the APSA requirement for a SPCC if those tanks are under the supervision of the California Department of Conservation, Division of Oil, Gas and Geothermal Resources (DOGGR). Aboveground storage tanks used for refined petroleum product storage and supporting uses at an oil production facility are not exempt from the APSA requirement for a SPCC. Such storage tanks include fuel tanks, generator tanks, solvent tanks and containers. The Applicant shall contact the CUPA Division of the Fresno County Department of Public Health for more information regarding these requirements which were included as Project Notes for Unclassified CUP No. 3420.

Fresno County Fire Protection District: No concerns with the proposal.

Fresno County Sheriff's Department: No concerns with the proposal.

Naval Air Station (NAS) Lemoore: This proposal is not anticipated to impact NAS Lemoore operations; however, the 152-foot-tall drilling rig may impact the assurance of air navigation signal reception. Therefore, prior to drilling operations, the Applicant shall notify the Federal Aviation Administration (FAA) regarding the project in accordance with Code of Federal Regulations Title 14 Part 77.9 "Safe, Efficient Use, and Preservation of the Navigable Airspace". This requirement has been included as a Condition of Approval.

San Joaquin Valley Unified Air Pollution Control District (Air District): No concerns with the proposal.

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

**Analysis:**

This proposal entails amending Unclassified CUP No. 3420 in order to allow the drilling of an additional exploratory petroleum oil and natural gas well on a 1.6-acre drill pad area authorized by Unclassified CUP No. 3420. If exploratory drilling is not successful, the well will be plugged and abandoned in compliance with the California Department of Conservation, Division of Oil, Gas and Geothermal Resources regulations.

Improvements to be utilized for the proposed exploratory oil and natural gas well include: 152-foot-tall drilling rig; 3,125 square-foot mud sump; two 280 square-foot pipe bins; 480 square-foot walkway; 64 square-foot, six-foot-deep well cellar containing the wellhead; mud pump; diesel-powered generator; and 350 square-foot employee trailer.

The subject parcel is located in an agricultural area marked by relatively large parcel sizes and few residential land uses. The unincorporated community of Five Points is located approximately two miles east of the subject parcel, and the intersection of State Route 145 (Fresno Coalinga Road) and State Route 269 (Lassen Avenue) is also located approximately two miles to the east. Additionally, an agricultural fertilizer manufacturing operation is located approximately one mile southeast of the subject parcel, and the San Luis Drain is located approximately two and a half miles to the northeast. The subject parcel is not located along a designated Scenic Highway, and no scenic vistas or scenic resources were identified in the analysis.

Based on the above information, and with adherence to the Mitigation Measures, Conditions of Approval and mandatory Project Notes identified in Initial Study (IS) No. 6742 prepared for Unclassified CUP No. 3420, staff finds that the proposal will not have an adverse effect upon surrounding properties.

**Recommended Conditions of Approval:**

*See recommended Conditions of Approval attached as Exhibit 1.*

**Conclusion:**

Finding 3 can be made.

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

<b>Relevant Policies:</b>	<b>Consistency/Considerations:</b>
General Plan Policy OS-C.13: County shall require a special permit for exploratory drilling due to the potential for adverse effects on surrounding land uses.	The current proposal, Unclassified CUP Application No. 3533, suffices as a special permit under County Ordinance. Impacts of the proposal on surrounding land uses have been discussed and analyzed in Finding 3.
General Plan Policy OS-C.17: County shall require the timely reclamation of oil and gas development sites upon termination of such activities to facilitate the conversion of the land to its primary land use as designated by the General Plan.	The approval of Unclassified CUP No. 3420 included a Mitigation Measure requiring the Applicant to return the project site (as much as practical) to its original condition within 90 days of terminating drilling operations. In this case, all drilling and testing equipment associated with Unclassified CUP No. 3420



<b>Relevant Policies:</b>	<b>Consistency/Considerations:</b>
	<p>has been removed from the project site; however, the associated exploratory well remains due to exploratory operations having discovered petroleum oil and natural gas at the project site. Additionally, the Applicant has filed Unclassified CUP Application No. 3544 and associated Initial Study Application No. 7190 proposing to allow development of a petroleum oil and natural gas production facility on the subject 315.15-acre parcel. That Unclassified CUP Application and Initial Study Application are still in process.</p> <p>Further, the Mitigation Measures identified in adopted Initial Study No. 6742 will be applied to Unclassified CUP Application No. 3533. As such, the Applicant shall be required to restore the site (as much as practical) to its original condition within 90 days of terminating drilling operations and remove all drilling equipment.</p>
<p>General Plan Policy OS-C.20: County shall not allow any building intended for human occupancy to be located near any active petroleum well unless suitable safety and fire protection measures and setbacks are approved by the local Fire District.</p>	<p>The Fresno County Fire Protection District reviewed the current proposal, Unclassified CUP Application No. 3533, and expressed no concerns related to any fire hazards resulting from the project.</p>
<p>General Plan Policy PF-C.17: County shall, prior to consideration of any discretionary project related to land use, undertake a water supply evaluation. The evaluation shall include the following: A) determination that the water supply is adequate to meet the highest demand that could be permitted on the lands in question; B) determination of the impact that use of the proposed water supply will have on other water users in Fresno County; and C) determination that the proposed water supply is sustainable or that there is an acceptable plan to achieve sustainability.</p>	<p>The current proposal, Unclassified CUP Application No. 3533, was referred to the Water/Geology/Natural Resources Section of the Fresno County Department of Public Works and Planning, which did not identify any concerns related to the project. Further, the subject parcel is not located in a designated water-short area.</p>

**Reviewing Agency Comments:**

Policy Planning Section of the Fresno County Department of Public Works and Planning: The subject parcel is designated Agriculture in the General Plan. The Agriculture and Land Use Element of the General Plan lists mineral extraction and oil and gas development as non-agricultural uses permitted in areas designated Agriculture, subject to Policies listed in Section

OS-C of the General Plan. Policy OS-C.13 requires a special permit for exploratory oil and gas drilling due to the potential for adverse effects on surrounding land uses. Policy OS-C.17 requires timely reclamation of oil and gas development sites upon termination of such activities to facilitate the conversion of the project site to its primary land use as designated by the General Plan. Policy OS-C.20 requires no human occupancy to be located near any active petroleum or natural gas well unless suitable safety and fire protection measures and setbacks are approved by the local Fire District. The subject parcel is currently enrolled under Williamson Act Contract No. 1512; however, exploratory oil and gas wells are a compatible use with the Williamson Act Contract.

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

**Analysis:**

As discussed above, this proposal is consistent with the General Plan Policies applicable to the project. The Applicant has requested approval of the proposed use through the subject discretionary land use application, a Mitigation Measure has been included requiring the Applicant to remove all drilling equipment and return the project site to its original condition within 90 days of terminating drilling operations, the nearest dwelling unit is located approximately 1,520 feet southeast of the proposed exploratory well location, the Fresno County Fire Protection District reviewed this proposal and expressed no concerns with the project, and the Water/Geology/Natural Resources Section of the Fresno County Department of Public Works and Planning expressed no concerns with the project.

Based on these factors, the proposed use is consistent with the General Plan.

**Recommended Conditions of Approval:**

*None.*

**Conclusion:**

Finding 4 can be made.

**PUBLIC COMMENT:**

None.

**CONCLUSION:**

Based on the factors cited in the analysis, staff believes the required Findings for granting the subject Unclassified Conditional Use Permit can be made. Staff therefore recommends approval of Unclassified Conditional Use Permit No. 3533, subject to the recommended Conditions.

## **PLANNING COMMISSION MOTIONS:**

### **Recommended Motion** (Approval Action)

- Move to accept the Mitigated Negative Declaration previously adopted by the Planning Commission for Initial Study (IS) No. 6742; and
- Move to determine the required Findings can be made and move to approve Unclassified Conditional Use Permit No. 3533, subject to the Mitigation Measures, Conditions of Approval and Project Notes attached as Exhibit 1; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

### **Alternative Motion** (Denial Action)

- Move to determine that the required Findings cannot be made (state basis for not making the Findings) and move to deny Unclassified Conditional Use Permit No. 3533; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

### **Mitigation Measures, recommended Conditions of Approval and Project Notes:**

See attached Exhibit 1.

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**Unclassified Conditional Use Permit Application No. 3533  
Conditions of Approval and Project Notes**

<b>Condition of Approval</b>	
1.	All Conditions of Unclassified Conditional Use Permit No. 3420 shall remain in full force and effect, except as modified with the approval of Unclassified Conditional Use Permit No. 3533.
2.	Prior to drilling operations, the Applicant shall notify the Federal Aviation Administration (FAA) regarding the project in accordance with Code of Federal Regulations Title 14 Part 77.9 "Safe, Efficient Use, and Preservation of the Navigable Airspace".

Conditions of Approval references recommended Condition for the project.

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**Mitigation Monitoring and Reporting Program**  
**Initial Study No. 6742 / Unclassified Conditional Use Permit Application No. 3420**  
**(Including Conditions of Approval and Project Notes)**

**Mitigation Measures**

Mitigation Measure No.*	Impact	Mitigation Measure Language	Implementation Responsibility	Monitoring Responsibility	Time Span
*1.	Aesthetics	All outdoor lighting shall be hooded and directed as to not shine towards adjacent properties and public streets.	Applicant	Applicant/Fresno County Department of Public Works and Planning (PW&P)	On-going
*2.	Aesthetics	All portable lighting including lights located atop the drill rig shall be pointed downward towards the base of the rig to minimize potential glare.	Applicant	Applicant/PW&P	On-going
*3.	Aesthetics	All drilling towers shall be marked and lighted in such a manner as to avoid potential safety hazards to aircraft application of herbicides and pesticides on adjacent farmlands.	Applicant	Applicant/PW&P	On-going
*4.	Agricultural and Forestry Resources	When drilling operations are completed, the Applicant shall return the project site (as much as practical) to its original condition within 90 days of termination of the drilling operations and remove all drilling equipment.	Applicant	Applicant/PW&P	On-going
*5.	Cultural Resources	In the event that cultural resources are unearthed during ground-disturbing activity, all work shall be halted in the area of the find, and an Archeologist shall be called to evaluate the findings and make any necessary mitigation recommendations. If human remains are unearthed during ground-disturbing activity, no further disturbance is to occur until the Fresno County Coroner has made the necessary findings as to origin and disposition. If such remains are determined to be Native American, the Coroner must notify the Native American Commission within 24 hours.	Applicant	Applicant	On-going
*6.	Transportation /Traffic	A grizzly and/or gravel pad shall be installed on the Lake Avenue alignment where the Lake Avenue alignment intersects Mount Whitney Avenue to minimize sediment transport from vehicles and equipment onto the County roadway (Mount Whitney Avenue).	Applicant	Applicant/PW&P	On-going

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

<b>Conditions of Approval</b>	
1.	Development of the property shall be in accordance with the Site Plans, Floor Plan, Elevations, and Operational Statement approved by the Planning Commission.
2.	The Applicant shall contact the San Joaquin Valley Air Pollution Control District's Small Business Assistance Office to determine if an Authority to Construct (ATC) is required prior to commencing drilling operations.

<b>Notes</b>	
<b>The following Notes reference mandatory requirements of Fresno County or other Agencies and are provided as information to the project Applicant.</b>	
1.	Contact the Building and Safety Section of the Development Services Division at (559) 600-4540 regarding permits for siting, construction and electrical work.
2.	A ten-foot by ten-foot corner cutoff shall be maintained for sight distance purposes at the proposed driveway that will access the Lake Avenue alignment.
3.	Prior to occupancy, the Applicant shall complete and submit a Hazardous Materials Business Plan to the Fresno County Department of Public Health, Environmental Health Division, for review and approval. Contact the Certified Unified Program Agency at (559) 600-3271 for more information.
4.	All hazardous waste shall be handled in accordance with the requirements set forth in the California Health and Safety Code, Division 20, Chapter 6.5.
5.	Prior to occupancy, the Applicant shall submit a Spill Prevention Control and Countermeasure Plan (SPCC) to the Fresno County Department of Public Health, Environmental Health Division, for review and approval for above-ground petroleum storage tanks with an aggregate storage capacity equal to or greater than 1,320 gallons.
6.	The project may be subject to the following San Joaquin Valley Air Pollution Control District rules and regulations: <ul style="list-style-type: none"> <li>A. Regulation VIII – Fugitive PM10 Prohibitions</li> <li>B. Rule 2280 (Portable Equipment Registration)</li> <li>C. Rule 4102 – Nuisance</li> <li>D. Rule 4601 – Architectural Coatings</li> <li>E. Rule 4641 – Cutback, Slow Cure, and Emulsified Asphalt Paving and Maintenance Operations</li> </ul>
7.	Any work performed within the County's right-of-way shall require an Encroachment Permit from the Road Maintenance and Operations Division of the Fresno County Department of Public Works and Planning.
8.	Any additional storm water run-off generated by the project cannot be drained across property lines or into County Right-of-Way, and must be retained on site per the County Standards.
9.	A detailed drilling proposal shall be submitted to the State Department of Conservation, Division of Oil, Gas and Geothermal Resources

**Notes**

in order to obtain specific drilling requirements of the proposed drilling operation. Contact the California Department of Conservation, Division of Oil, Gas and Geothermal Resources at (559) 935-2941 for more information.

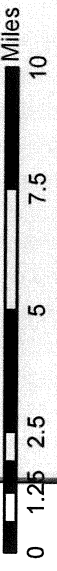
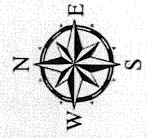
10. Any hazardous waste (liquid or solid) retrieved from the site during well drilling operations must be transported to an approved waste disposal facility.

11. The Applicant is requested to ensure that any noise-generating construction/drilling equipment be equipped with mufflers, per the manufacturer's specifications.

DC:\ksn  
G:\4360Dev&Pin\PROJSEC\PROJDOCS\CUP\3400-3499\3420\CUP3420\_MMRP (Exhibit B)

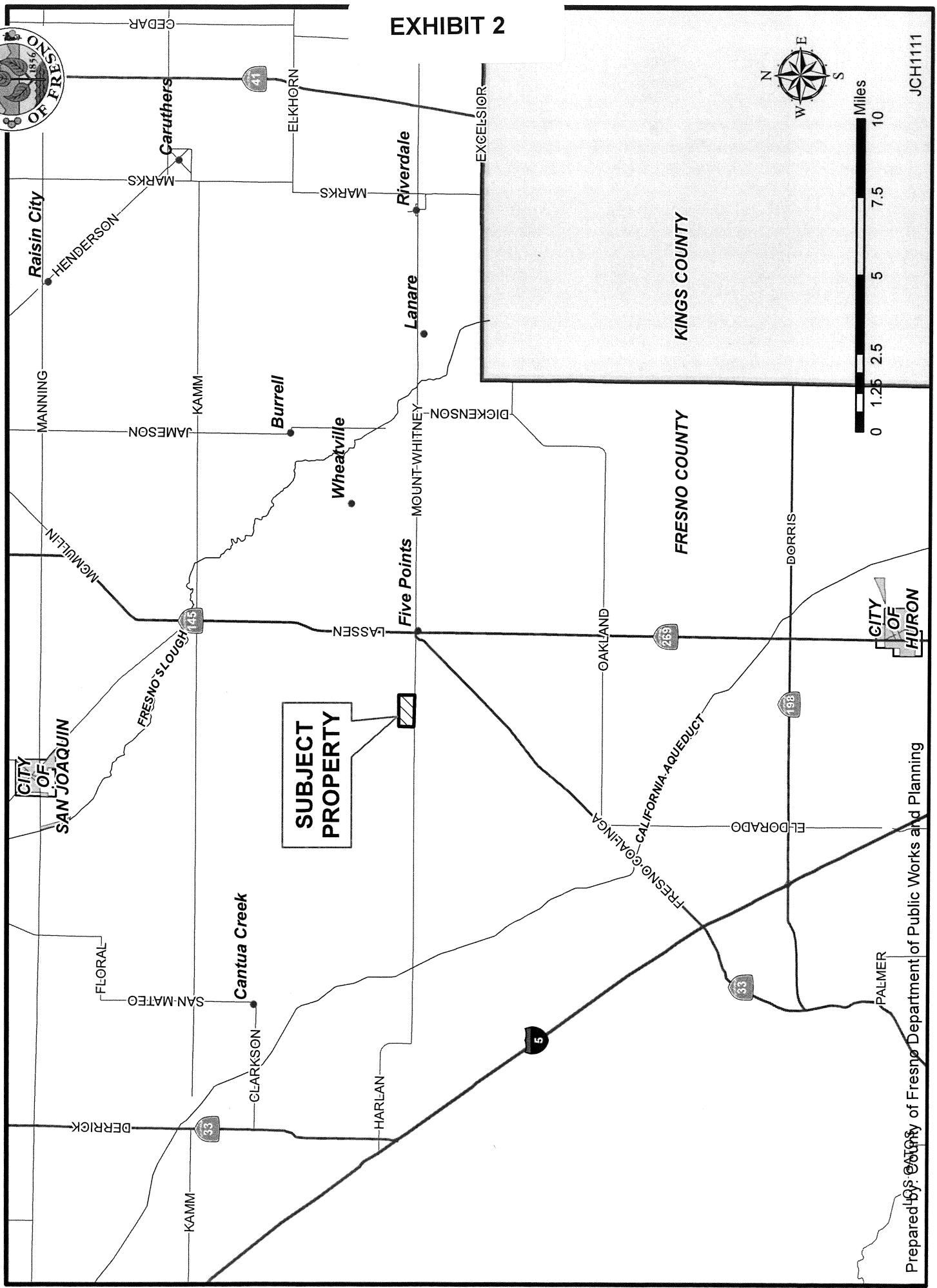
# LOCATION MAP

EXHIBIT 2



JCH1111

CUP 3533



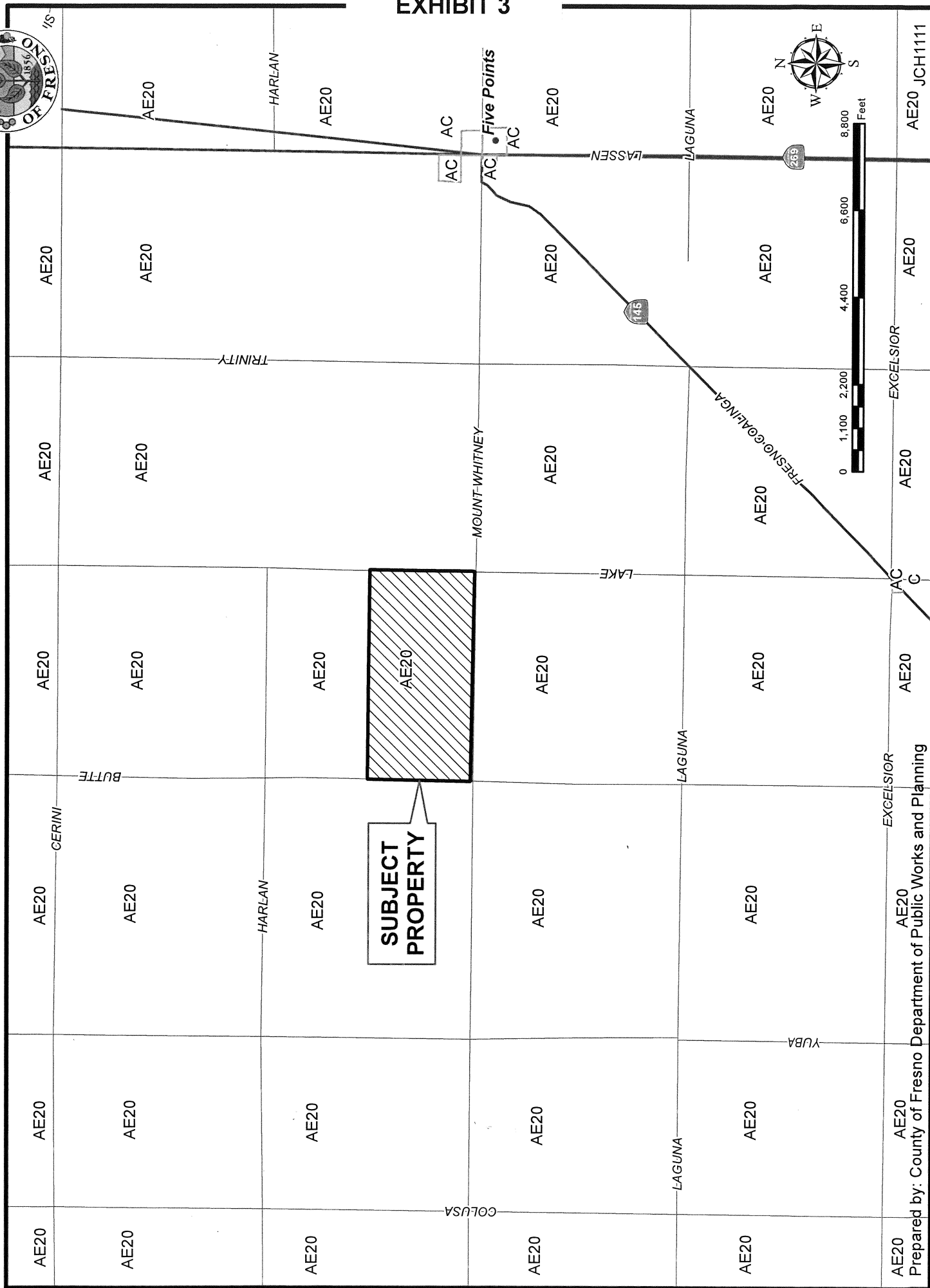
Prepared by: City of Fresno Department of Public Works and Planning



# EXISTING ZONING MAP



## EXHIBIT 3





# EXHIBIT 4

## EXISTING LAND USE MAP

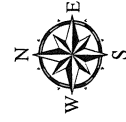
CUP 3533

### LEGEND

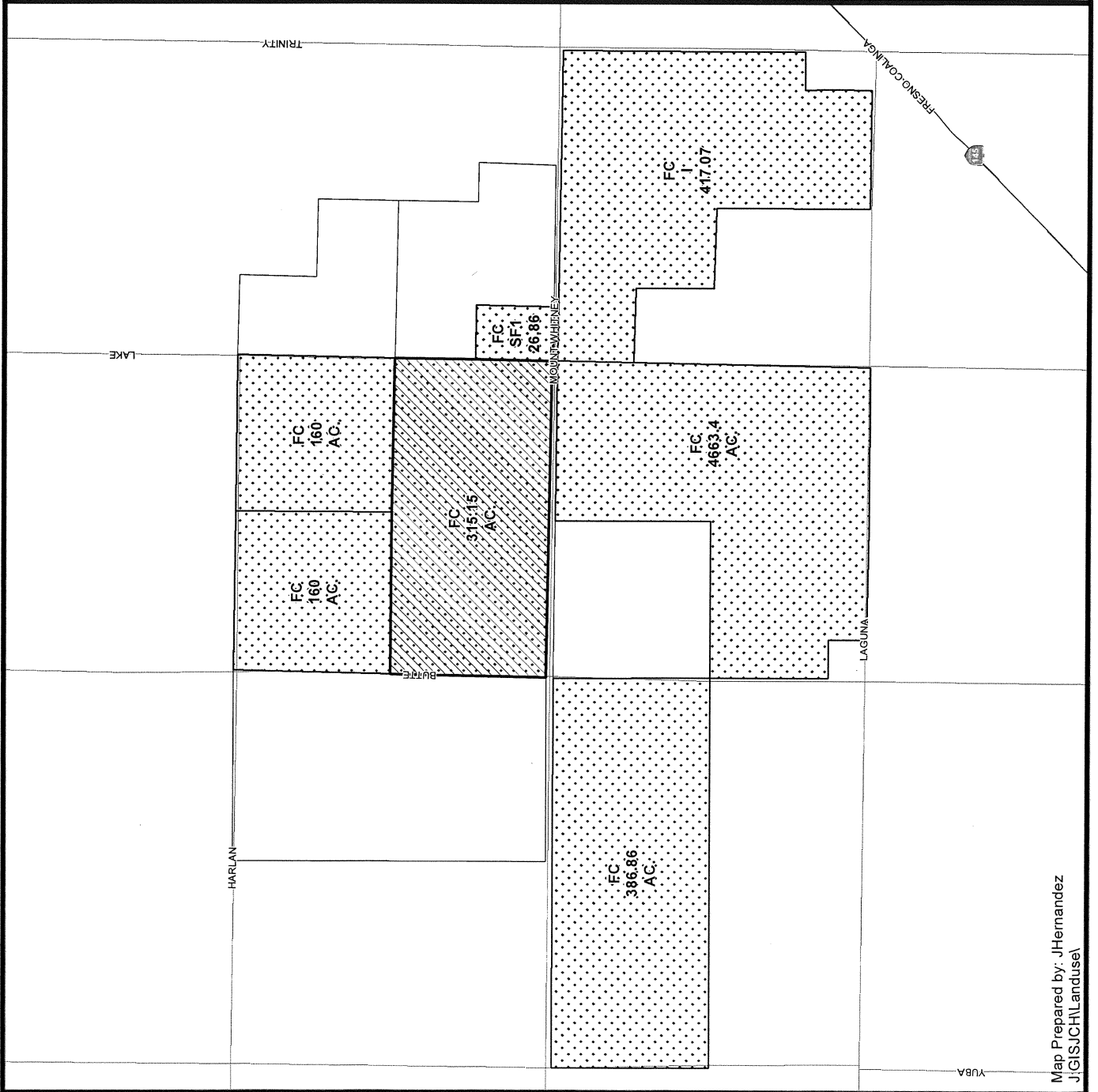
- FC - FIELD CROP
- I - INDUSTRIAL
- SF# - SINGLE FAMILY RESIDENCE
- V - VACANT

### LEGEND:

-  Subject Property
-  Ag Contract Land



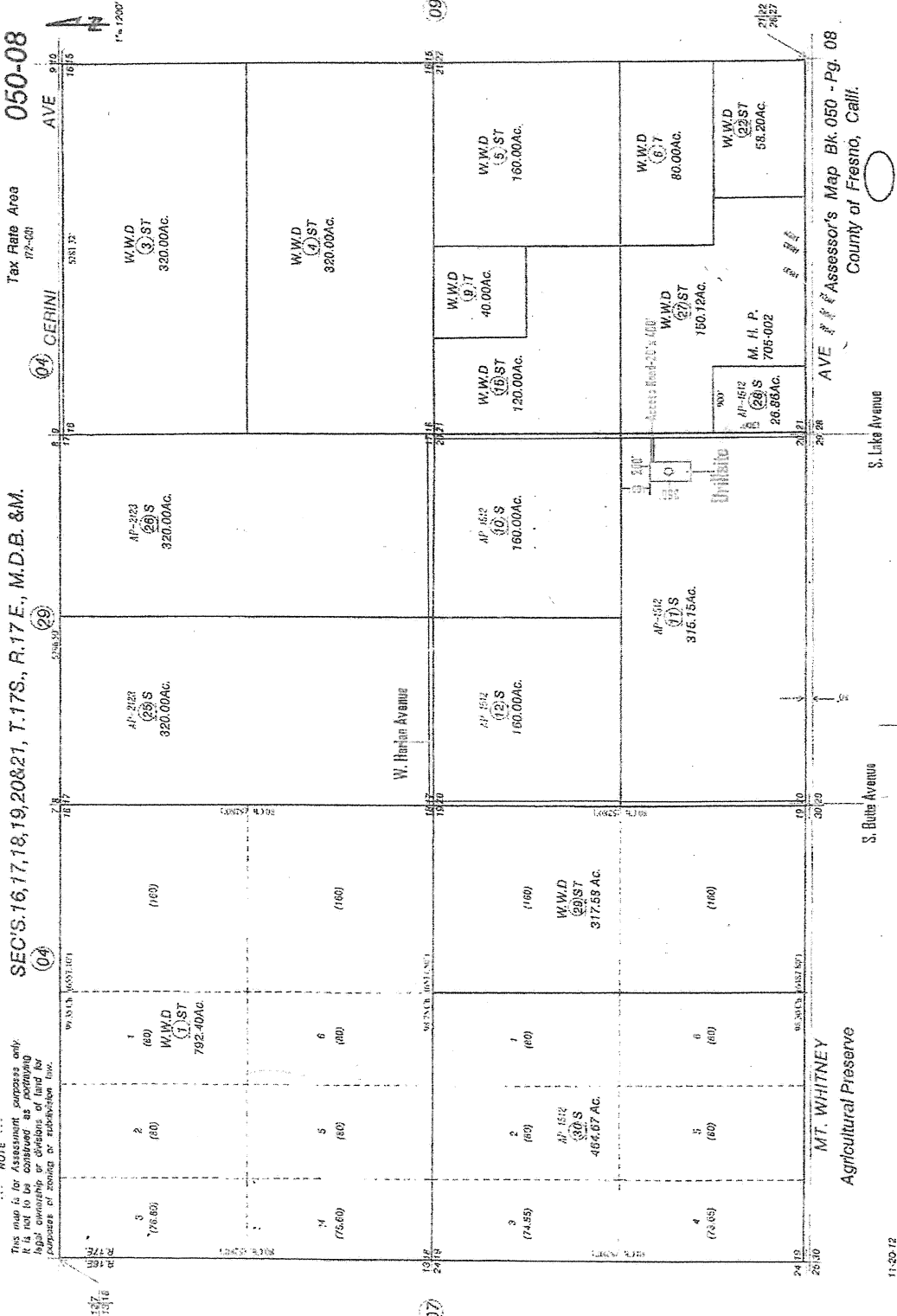
Department of Public Works and Planning  
Development Services Division



Map Prepared by: JHernandez  
JGISJCH\landuse\

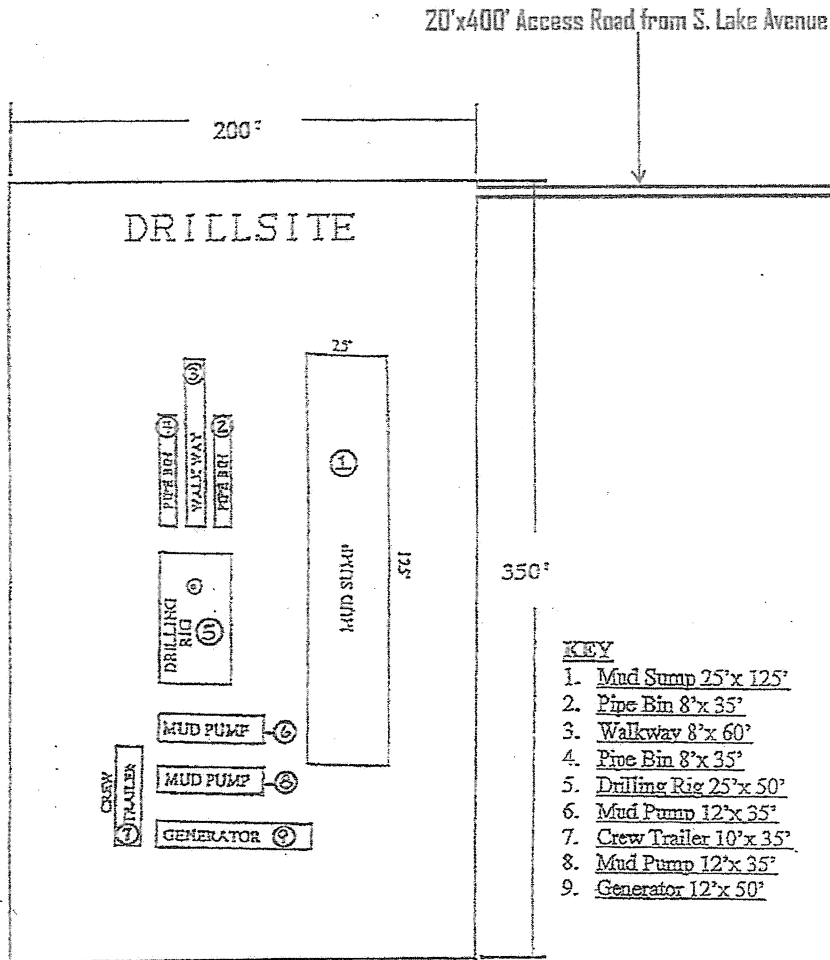
EXHIBIT 5

TEMBLOR PETROLEUM COMPANY LLC  
 KC DL #2  
 Sec 20, T17S, R17E, MDB&M  
 APN 050-080-115

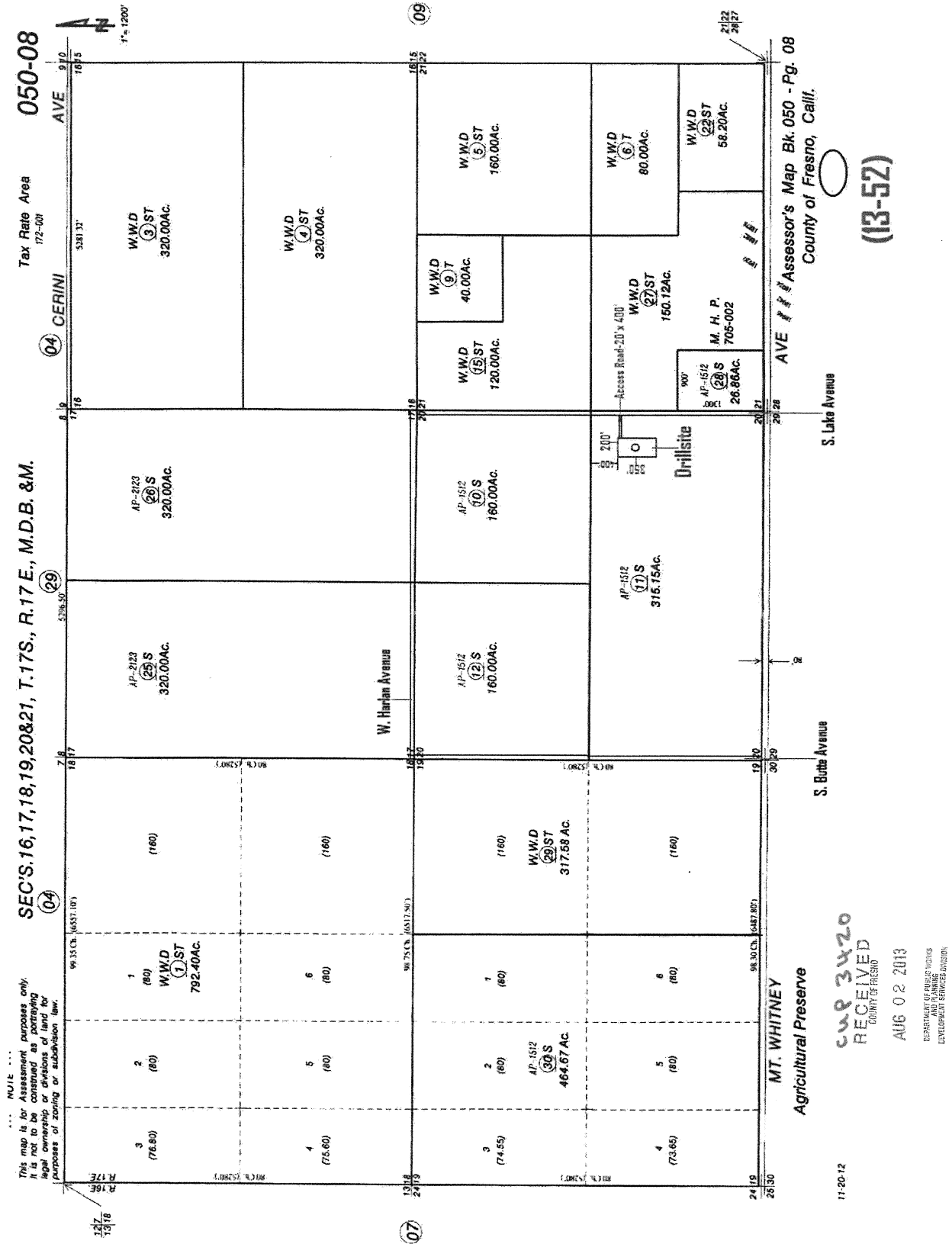


NOTE: This map is for Assessment purposes only. It is not to be construed as conveying legal ownership or divisions of land for purposes of zoning or subdivision law.

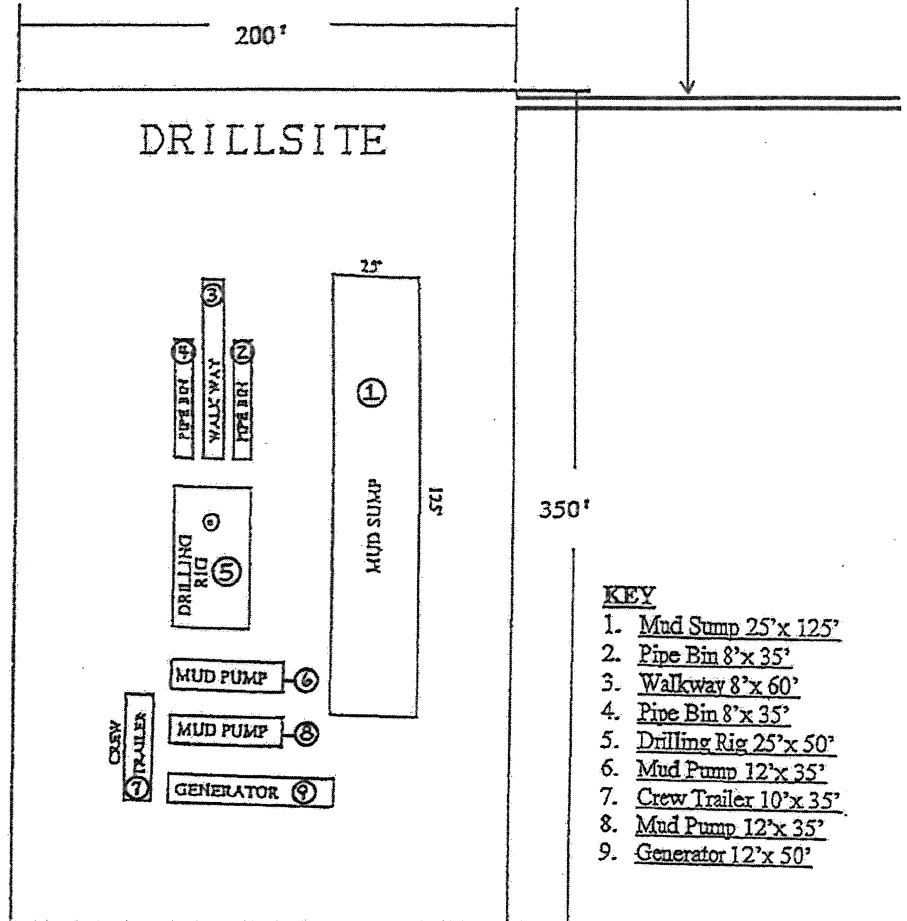
DETAIL PLAN OF DRILLSITE  
 TEMBLOR PETROLEUM COMPANY LLC  
 KC DL #2



# EXHIBIT 6



20'x400' Access Road from S. Lake Avenue



**KEY**

1. Mud Sump 25'x 125'
2. Pipe Bin 8'x 35'
3. Walkway 8'x 60'
4. Pipe Bin 8'x 35'
5. Drilling Rig 25'x 50'
6. Mud Pump 12'x 35'
7. Crew Trailer 10'x 35'
8. Mud Pump 12'x 35'
9. Generator 12'x 50'

CWP 3420  
RECEIVED  
COUNTY OF FRESNO

AUG 02 2013

DEPARTMENT OF PUBLIC WORKS  
AND PLANNING  
DEVELOPMENT SERVICES DIVISION

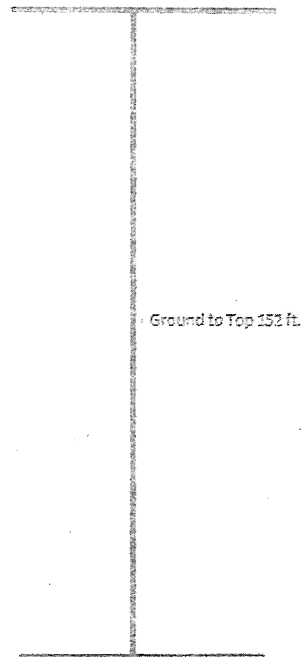
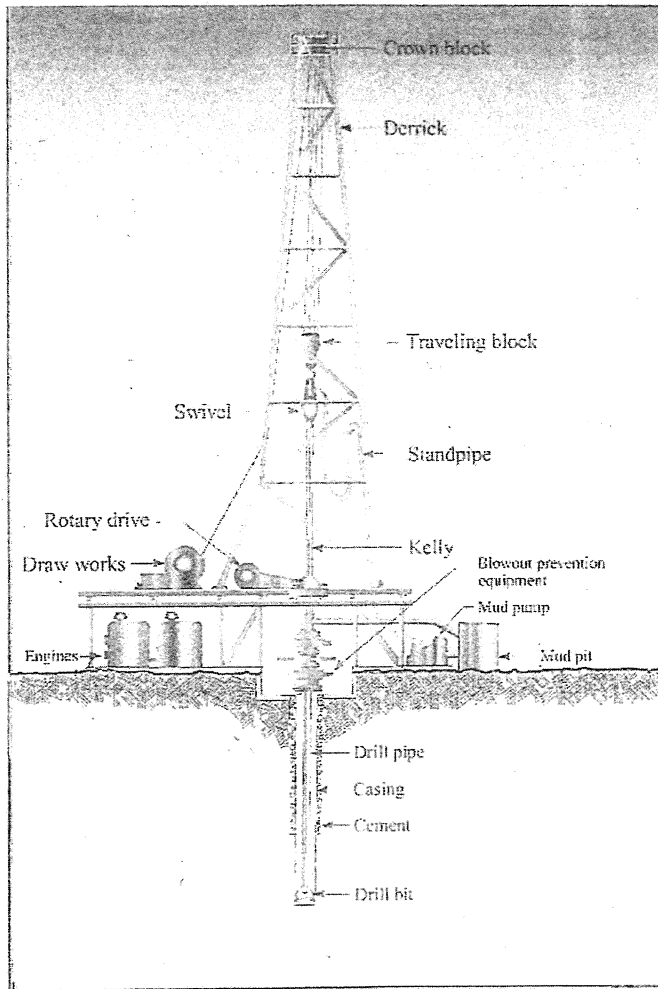
DETAIL PLAN OF DRILLSITE  
**(13-52)Harnish-McCormick #2 Well**

# EXHIBIT 7

TEMBLOR PETROLEUM COMPANY LLC

KCDL #2

## TYPICAL OILWELL PRODUCTION/COMPLETION RIG MEASUREMENTS



## EXHIBIT 8

**OPERATIONAL STATEMENT**  
**DEVELOPEMNT SERVICES DIVISION**  
**PLANNING & RESOURCE MANAGEMENT DEPARTMENT**  
**FOR**  
**TEMBLOR PETROLEUM COMPANY LLC**  
5201 California Ave, Suite 340  
Bakersfield, CA 93309  
**FOR**  
**KCDL #2**  
Sec 20, T17S, R17E, MDB&M  
APN# 050-080-11S

1. Nature of the operation:

This project proposes to move in a temporary, portable drilling rig to drill and explore for the accumulation of oil and gas. The proposed well named KCDL #2 will use the exiting pad and access road as the previously drilled well under CUP 3420. The well will be drilled to a total measured depth of approximately 9,500'. The drilling rig, itself, is expected to be on location for approximately 20 days. If oil and gas is found in commercial quantities, casing will be installed and the well will be completed, the main drilling rig will be released and a smaller completion rig moved in and the well will be completed, which could consume another 15 days.

The existing drill pad has already been built for the (13-52) Harnish-McCormick #2 well on the Unclassified Conditional Use Permit Application No. 3420. The proposed well, KCDL #2, will be drilled 50' east of the existing well on the same pad. The existing drill site measures 200' x 350' and can accommodate the proposed well without any changes or improvements. Access to the location will be on existing county roads, improved and unimproved. A temporary well cellar (8' x 8" x 6') will be built and conductor pipe will be cemented at the well location to a depth of 40 feet. This preliminary work will require two days of daylight activity.

A mobile drilling rig will be set up- for drilling. The move and rigging-up should take a maximum of four days. Actual drilling time is estimated to take approximately 20 days. Drilling is a continuous 24 hour per day operation. The drilling crew consists of four men working eight hour shifts, three shifts per day. They will be surprised by a rig company drilling foreman and a representative from Temblor Petroleum Company LLC.

No hazardous material will be used in the drilling mud system. All drilled cuttings will be separated from the mud system, de-watered and stored on the location until the drilling is completed. They will then be hauled to a municipal waste disposal facility that handles non-hazardous waste. Liquid waste (water from the drilling mud) will be re-used as needed in the mud system. The excess will be stored on the site and hauled away to a non-hazardous waste disposal facility at the end of the job. A portable sanitary facility will be used. It will be pumped out on a regular basis for disposal at an approved off-site location.

If the well is unsuccessful, it will be plugged with cement as required by the California Division of Oil and Gas. The drilling rig and all of the equipment will be removed from the site. The temporary cellar will be removed and the site and access road will be



cleaned up and returned to their original condition. The total time that the site will be used is four to five weeks if oil or gas is not discovered.

If the well shows encouragement, the drilling rig will set steel casing in the well. The casing will be cemented as required. Fresh water zones will be protected with cement. A smaller, portable completion rig will be used instead of the drilling rig to complete the well. It may be required to run logs, perforate oil/gas sands, make tests and run tubing. If the well is expected to produce primarily oil, it will be produced into portable tanks during an initial test period.

If the well is expected to produce primarily natural gas, it will be produced into a portable gas/liquid separator and flare system with any liquids being contained in a portable tank. The produced gas will be metered and then incinerated in the flare utilizing an air induction line, continuous pilot, and wind shroud to ensure complete combustion. The capacity of the well will be estimated at this time and permanent facilities will be designed based on the expected capacity. The time required for initial testing of a gas well is not expected to exceed one month. If there is a sufficient volume of gas available on a regular basis, it will be transported by pipeline to a nearby gas purchaser.

Oil will be trucked from the site. One or two trucks per day may be needed at first, but the frequency will lessen as the oil production rate falls off during the first few months. Water hauling may require only one truck per week at the outset.

A company operator will monitor the well on a daily basis to ensure that the operation continues as required. Producing operations will continue as long as it is profitable. It is hoped that the economic life will be twenty years or longer.

#### 2. Operational time limits:

See the time windows above. The drilling rig will operate 24 hours per day, 7 days a week until completed. The completion rig will operate +/- 12 hours per day.

#### 3. Number of customers or visitors:

During an average day while drilling and subsequently while completing the well, if commercial production is encountered, there will be an average +/- 10 workers on site with 10 to 20 other workers temporarily arriving and going with various supplies and activities. The frequency of large trucks at the site will be minimal after the rig is set up and drilling begins. These trucks will enter the site occasionally after drilling begins. These visits will average only two trips per day during this period. Most of the large trucks will be used to move the drilling rig and the equipment at the beginning and at the end of the drilling project. The trucks are needed during drilling only for special operations such as setting surface casing, cementing and logging. Visits by automobiles and pickup trucks may run about ten per day. They will involve crew shift changes, mud loggers, engineers and deliveries of small expendable items to the rig and company representatives.

4. Number of employees: Please see the answer in #3.

5. Service and delivery vehicles:

It will take +/-35 tractor and trailer loads of equipment to erect the drilling rig with 3/5 tractor and trailer loads of various equipment and supplies moving in and out over every 24-hour period.

6. Access to the site

Mr. Whitney Avenue to S. Lake Avenue; then North of S. Lake Avenue to the project site.

7. Parking:

The existing drill site is bladed and on a flat field. It is 200' x 350' in size. Temporary parking will not be a problem.

8. Goods on sale:

There are no goods for sale.

9. Equipment used:

Please see the answer in #1 above.

10. Supplies:

Diesel fuel will be on site for fuel to run the drilling rig. The diesel will be stored in tanks specifically designed to contain diesel. Other various non-hazardous products to formulate drilling fluids will also be on location to allow the well to be drilled. The drilling fluids products will be in dry bagged form and miscellaneous buckets of products. The formulated drilling fluid will be in above ground steel tanks. Various steel casings and tubular products will also be on location, which will be used in the drilling and completion of the well.

11. Appearance:

During the drilling operation, noise will only consist of the running of approximately 3-500 horsepower main rig engines with industrial mufflers with some (+/- 2) auxiliary 50 hp. engines. The noise of these engines will not be noticeable outside the boundaries of the location. Glare and odor will not be a problem. The location will be periodically watered to prevent any dust problem.

12. Solid & Liquid Waste:

During the drilling of the well, approximately 1700 barrels or 350 yards or +/- 437 tons of solid cuttings will be brought out of the well and stored in a pit 25' wide by 150' long by +/- 5' deep. The cuttings will be analyzed when drilling is completed for hazardous content. Historical analysis of cuttings to date indicates cuttings are non-hazardous. Therefore, assuming the non-hazardous analysis applies for Tremblor KCDL #2, the cuttings along with the drilling mud will be hauled off to an approved disposal site.

In addition to the cuttings themselves, approximately 2500 barrels of liquid drilling mud will be produced during the drilling of the well. This liquid too, will be analyzed, and if found non-hazardous as 99.9% of the drilling mud water samples are, this material will be hauled off site to an approved non-hazardous drilling mud disposal site.

Any and all wastes found to be hazardous will be hauled off to a certified and approved California hazardous wastes disposal site.

13. Estimated water:

It is estimated during the course of the drilling operation, approximately 1400 gallons of water per day will be used during the drilling of the well. This water will be used to manufacture the drilling fluid and to make cement, which will be used to cement the outside of the casings. And, if the well is deemed to be a dry hole, the water will be utilized to formulate cement to place abandonment cement plugs in the hole in accordance with the rules and regulations of the California Department of Conservation, Division of Oil, Gas, and Geothermal Resources, Coalinga Division. Water will be purchased offsite and trucked in when needed to replenish the onsite water tank.

14. Advertising:

No advertising, whatsoever, will exist.

15. Buildings:

No existing buildings will be used, nor will any buildings be constructed for this temporary drilling operation.

16. Buildings:

No existing buildings will be used, nor will any buildings be constructed for this temporary drilling operation.

17. Lighting/Sound:

The rig and location will be totally lit during the night for working operations by portable temporary lights that will be focused on the rig and drilling location. There will not be any sound amplification systems.

18. Landscaping:

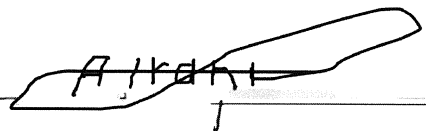
Since this is a temporary situation, no landscaping or fencing is proposed.

19. Additional information:

See attached maps for reference.

END OPERATIONAL STATEMENT CHECKLIST

TEMBLOR PETROLEUM COMPANY LLC

A handwritten signature in black ink, appearing to read 'Saeed Irani', is written over a horizontal line. The signature is stylized and somewhat cursive.

**Saeed Irani**  
**Irani Engineering**  
**Agent for Temblor Petroleum Company LLC**



## EXHIBIT 9

# County of Fresno

DEPARTMENT OF PUBLIC WORKS AND PLANNING  
**ALAN WEAVER**  
DIRECTOR

## EVALUATION OF ENVIRONMENTAL IMPACTS

APPLICANT: Temblor Petroleum Company, LLC

APPLICATION NOS.: Initial Study Application No. 6742 and Unclassified Conditional Use Permit Application No. 3420

DESCRIPTION: Allow an exploratory petroleum oil and natural gas well on a 1.6-acre portion of a 315.15-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.

LOCATION: The subject parcel is located on the north side of Mount Whitney Avenue, between the Butte Avenue alignment and the Lake Avenue Alignment, approximately two miles west of the unincorporated community of Five Points (SUP. DIST.: 1) (APN: 050-080-11S).

### 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; or
- C. Would the project substantially degrade the existing visual character or quality of the site and its surroundings; or

FINDING: LESS THAN SIGNIFICANT IMPACT:

*This proposal entails the drilling of an exploratory petroleum oil and natural gas well on a 1.6-acre (70,000 square feet) portion of a 315.15-acre parcel. If exploratory drilling is not successful, the well will be plugged and abandoned in compliance with the California Department of Conservation, Division of Oil, Gas and Geothermal Resources regulations. If oil and/or gas is discovered and the Applicant chooses to convert the exploratory well and project site into a production facility, approval of an additional Unclassified Conditional Use Permit application will be required for the production facility.*

*Improvements to be utilized for the proposed exploratory oil and natural gas well include: 152-foot tall drilling rig; 3,125 square-foot mud sump; two 280 square-foot pipe bins; 480 square-*

### DEVELOPMENT SERVICES DIVISION

2220 Tulare Street, Sixth Floor / Fresno, California 93721 / Phone (559) 600-4497 / 600-4022 / 600-4540 / FAX 262-4893  
Equal Employment Opportunity Employer / Disabled Employer

foot walkway; 64 square-foot, six-foot deep well cellar containing the wellhead; two mud pumps; diesel-powered generator; and 350 square-foot employee trailer.

*The subject parcel is located in an agricultural area marked by relatively large parcel sizes and few residential land uses. The unincorporated community of Five Points is located approximately two miles east of the subject parcel, and the intersection of State Route 145 (Fresno Coalinga Road) and State Route 269 (Lassen Avenue) is also located approximately two miles to the east. Additionally, an agricultural fertilizer manufacturing operation is located approximately one mile southeast of the subject parcel, and the San Luis Drain is located approximately two and a half miles to the northeast. The subject parcel is not located along a designated Scenic Highway, and no scenic vistas or scenic resources were identified in the analysis.*

- D. 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:

*This proposal will utilize outdoor lighting during drilling operations which has the potential of generating new sources of light and glare in the area. However, the impacts related to light and glare within the area are not expected to be significant in that all lighting will be required to be hooded and directed down towards the base of the drilling rig so as to not shine towards adjacent properties and on public streets. Lighting and marking of the drilling tower is also required in order to reduce potential conflicts with nighttime aerial application of herbicides and pesticides on adjacent agricultural lands. These requirements will be included as Mitigation Measures.*

\* **Mitigation Measures**

1. *All outdoor lighting shall be hooded and directed as to not shine towards adjacent properties and public streets.*
2. *All portable lighting including lights located atop the drill rig shall be pointed downward towards the base of the rig to minimize potential glare.*
3. *All drilling towers shall be marked and lighted in such a manner as to avoid potential safety hazards to aircraft application of herbicides and pesticides on adjacent farmlands.*

## II. AGRICULTURAL AND FORESTRY RESOURCES

- A. Would the project convert prime or unique farmlands or farmland of statewide importance to non-agricultural use; or
- B. Would the project conflict with existing agricultural zoning or Williamson Act Contracts; or
- C. Would the project conflict with existing zoning for or cause rezoning of forest land, timberland, or timberland zoned Timberland Production; or

- D. Would the project result in the loss of forest land or conversion of forest land to non-forest use; or
- E. Would the project 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: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

*The subject parcel is not located on forest land, is classified as Farmland of Statewide Importance on the Fresno County Important Farmland Map (2010), and is enrolled under Agricultural Land Conservation Contract (Williamson Act Contract) No. 1512. This proposal entails the drilling of an exploratory petroleum oil and natural gas well on a 1.6-acre (70,000 square feet) portion of a 315.15-acre parcel. If exploratory drilling is not successful, the well will be plugged and abandoned in compliance with the California Department of Conservation, Division of Oil, Gas and Geothermal Resources regulations. If oil and/or gas is discovered and the Applicant chooses to convert the exploratory well and project site into a production facility, approval of an additional Unclassified Conditional Use Permit application will be required for the production facility.*

*According to the Policy Planning Section of the Fresno County Department of Public Works and Planning, exploratory oil wells are a compatible use on property subject to Williamson Act Contract.*

*Although this proposal will preclude the agricultural cultivation of approximately 1.6 acres of farmland, this loss of farmland is less than significant considering that the remaining 313.55 acres of the subject parcel will remain available for agricultural use. Further, a Mitigation Measure will be included requiring that the project site be returned to its original condition upon cessation of operations.*

\* **Mitigation Measure**

1. *When drilling operations are completed, the Applicant shall return the project site (as much as practical) to its original condition within 90 days of termination of the drilling operations and remove all drilling equipment.*

### III. AIR QUALITY

- A. Would the project conflict with or obstruct implementation of the applicable Air Quality Plan; or
- B. Would the project isolate any air quality standard or contribute to an existing or projected air quality violation; or
- C. Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under a Federal or State ambient air quality standard; or

- D. Would the project expose sensitive receptors to substantial pollutant concentrations; or
- E. Would the project create objectionable odors affecting a substantial number of people?

FINDING: LESS THAN SIGNIFICANT IMPACT:

*According to the San Joaquin Valley Air Pollution Control District (Air District), the Applicant shall contact the Air District's Small Business Assistance Office to determine if an Authority to Construct (ATC) is required prior to commencing drilling operations. This requirement will be included as a Condition of Approval. Further, the project may also be subject to the following Air District Rules: Regulation VIII (Fugitive Dust Rules), Rule 2280 (Portable Equipment Registration) requiring all portable emission units (including drilling rigs) to be registered with the California Air Resource Board (CARB) or with the Air District, Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations). Compliance with Air District Rules will reduce air quality impacts of the subject proposal to a less than significant level.*

#### IV. BIOLOGICAL RESOURCES

- A. Would the project have a substantial adverse effect, either directly or through habitat modifications, on any candidate, sensitive, or special-status species; or
- B. Would the project 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 Game (CDFG) or U.S. Fish and Wildlife Service (USFWS); or
- C. Would the project have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act through direct removal, filling, hydrological interruption or other means; or
- D. Would the project 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. Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance; or
- F. Would the project Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local regional, or state habitat conservation plan?

FINDING: LESS THAN SIGNIFICANT IMPACT:

*The subject parcel is located in an agricultural area and has been previously disturbed as said property has been historically utilized for agricultural cultivation. Additionally, neighboring properties have also been historically utilized for agricultural cultivation and, therefore, have also been previously disturbed. This proposal was referred to the U.S. Fish and Wildlife Service (USFWS), which did not identify any concerns related to the project. This proposal*

was also referred to the California Department of Fish and Wildlife (CDFW), which also did not identify any concerns. Therefore, no impacts were identified in regard to: 1.) Any candidate, sensitive, or special-status species; 2.) Any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the CDFW or USFWS; 3.) Federally protected wetlands as defined by Section 404 of the Clean Water Act; and 4.) 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. This proposal will not conflict with any local policies or ordinances protecting biological resources or any provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state Habitat Conservation Plan.

## V. CULTURAL RESOURCES

- A. Would the project cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5; or
- B. Would the project cause of substantial adverse change in the significance of an archeological resource pursuant to Section 15064.5; or
- C. Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature; or
- D. Would the project disturb any human remains, including those interred outside of formal cemeteries?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

*The project site is not located in an area designated to be highly or moderately sensitive for archeological resources. However, in the event that cultural resources are unearthed during ground disturbing activity, all work shall be halted in the area of the find, and an Archeologist shall be contacted to evaluate the findings and make any necessary mitigation recommendations. If human remains are unearthed during ground disturbing activity, no further disturbance is to occur until the Fresno County Coroner has made the necessary findings as to origin and disposition of the remains. If such remains are determined to be Native American, the Coroner must notify the Native American Commission within 24 hours. A Mitigation Measure reflecting this requirement has been incorporated into the project. The Mitigation Measure will reduce potential impacts to cultural resources to a level of insignificance.*

\* **Mitigation Measure(s)**

1. *In the event that cultural resources are unearthed during ground disturbing activity, all work shall be halted in the area of the find, and an Archeologist shall be called to evaluate the findings and make any necessary mitigation recommendations. If human remains are unearthed during ground disturbing activity, no further disturbance is to occur until the Fresno County Coroner has made the necessary findings as to origin and*



*disposition. If such remains are determined to be Native American, the Coroner must notify the Native American Commission within 24 hours.*

## VI. GEOLOGY AND SOILS

A. Would the project expose people or structures to potential substantial adverse effects, including risk of loss, injury or death involving:

1. Rupture of a known earthquake?

(a.) Strong seismic ground shaking?

(b.) Seismic-related ground failure, including liquefaction?

(c.) Landslides?

FINDING: NO IMPACT:

*The area is designated as Seismic Design Category C in the California Geological Survey. No agency expressed concerns or complaints related to ground shaking, ground failure, liquefaction or landslides. Construction of the project will be subject to the Seismic Design Category C Standards.*

B. Would the project result in substantial erosion or loss of topsoil; or

FINDING: LESS THAN SIGNIFICANT IMPACT:

*The subject parcel is for the most part flat and while changes in topography and erosion may result from grading activities associated with this proposal, it is not likely. According to the Development Engineering Section of the Fresno County Department of Public Works and Planning, excavations for wells or trenches for utilities, and exploratory excavations performed under the direction of a registered design professional are exempted work and a Grading Permit is not required per Fresno County Ordinance Code. However, in instances where a Grading Permit is not required, but where there may be an impact on surrounding properties, a Grading Voucher may be required.*

C. Would the project result in on-site or off-site landslide, lateral spreading, subsidence, liquefaction or collapse; or

D. Would the project be located on expansive soils creating substantial risks to life or property; or

FINDING: NO IMPACT:

*The project site is not located within an area of known risk of landslides, lateral spreading, subsidence, liquefaction, collapse, or within an area of known expansive soils.*

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

*This proposal does not entail the utilization of any on-site septic system. Portable toilets will be utilized for the project and the associated waste will be removed from the project site and disposed of at an appropriate facility.*

VII. GREENHOUSE GAS EMISSIONS

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

*Compliance with the San Joaquin Valley Air Pollution Control District (Air District) Rules discussed in Section III (Air Quality) of this analysis will reduce air quality impacts of the subject proposal to a less than significant level.*

VIII. HAZARDS AND HAZARDOUS MATERIALS

- A. Would the project create a significant public hazard through routine transport, use or disposal of hazardous materials; or
- B. Would the project create a significant public hazard involving accidental release of hazardous materials into the environment; or
- C. Would the project emit hazardous emissions or handle hazardous materials, substances or waste within one-quarter mile of a school; or

FINDING: LESS THAN SIGNIFICANT IMPACT:

*The Applicant shall be required to submit a Hazardous Materials Business Plan to the Environmental Health Division of the Fresno County Department of Public Health for review and approval prior to commencing operations, and all hazardous waste shall be handled in accordance with requirements set forth in the California Health and Safety Code, Division 20, Chapter 6.5 which discusses proper labeling, storage and handling of hazardous wastes. Additionally, a Spill Prevention Control and Countermeasure Plan (SPCC) shall be required for above-ground petroleum storage tanks with an aggregate storage capacity equal to or greater than 1,320 gallons. With adherence to these requirements, which will be included as Project Notes, this proposal will have a less than significant impact in regard to the handling and accidental release of hazardous materials. Further, there are no schools within one-quarter mile of the project site.*

- D. Would the project be located on a hazardous materials site; or

FINDING: NO IMPACT:

*No hazardous materials sites are located within the boundaries of the subject parcel.*

- E. Would a project be located within an airport land use plan or, absent such a plan, within two miles of a public airport or public use airport, result in a safety hazard for people residing or working in the project area; or
- F. Would a project located within the vicinity of a private airstrip result in a safety hazard for people residing or working in the project area; or

FINDING: NO IMPACT:

*The project site is not located within an Airport Land Use Plan or in the vicinity of a public or private use airport.*

- G. Impair implementation of or physically interfere with an adopted Emergency Response Plan or Emergency Evacuation Plan; or

FINDING: NO IMPACT:

*This proposal will not impair the implementation of, or physically interfere with an adopted Emergency Response Plan.*

- H. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

FINDING: NO IMPACT:

*The project site is not located within a wildland area.*

## IX. HYDROLOGY AND WATER QUALITY

- A. Would the project violate any water quality standards or waste discharge requirements or otherwise degrade water quality; or

FINDING: LESS THAN SIGNIFICANT IMPACT:

*According to the California Department of Conservation, Division of Oil, Gas and Geothermal Resources (DOGGR), applicants for oil and gas development projects shall submit detailed drilling proposals to DOGGR in order to obtain specific drilling requirements for their projects. This requirement, as well as a standard DOGGR requirement for all hazardous and non-hazardous wastes and materials generated by the exploratory well drilling operation to be hauled off to an approved waste disposal facility, will be included as Project Notes.*

*The California Regional Water Quality Control Board (RWQCB) has consistently commented that the requirement to file a Report of Waste Discharge with said agency for the temporary discharge of drilling muds/boring wastes to an unlined sump may be waived subject to the following criteria: a) drilling mud can remain in a sump only if the discharger can demonstrate the mud is non-hazardous and does not contain halogenated solvents; b) drilling mud must first be dried (fluids removed), then the site must be restored to pre-sump conditions within 60 days of well completion or abandonment, and the backfilled sump must be covered with at least one foot of clean soil; c) the sump must be greater than 100 feet from the nearest surface water and the bottom of the sump must be at least five feet above the highest groundwater elevation. Additionally, if the exploratory well becomes commercially productive, the Applicant shall identify an acceptable method for the disposal of water produced by operations. As such, the Applicant shall be required to contact the RWQCB for any permits needed for drilling fluid disposal prior to commencing operations. This requirement will be included as a Project Note.*

- B. Would the project substantially deplete groundwater supplies or interfere substantially with groundwater recharge so that there would be a net deficit in aquifer volume or a lowering of the local groundwater table; or

FINDING: LESS THAN SIGNIFICANT IMPACT:

*This proposal was reviewed by the Water/Geology/and Natural Resources Section of the Fresno County Department of Public Works and Planning, Development Services Division, which expressed no concerns with the project as it relates to water quantity as the subject parcel is not located in a water short area and no use of on-site ground water is proposed as the Applicant will truck water to the project site for operational purposes and bottled water will be provided to employees for consumption.*

- C. Would the project substantially alter existing drainage patterns, including alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on or off-site; or
- D. Would the project substantially alter existing drainage patterns, including alteration of the course of a stream or river, in a manner which would result in flooding on or off-site; or

FINDING: NO IMPACT:

*No streams or rivers are located near the subject parcel.*

- E. Would the project create or contribute run-off which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted run-off; or

FINDING: LESS THAN SIGNIFICANT IMPACT:

See discussion in Section VI.B Geology and Soils.

- F. Would the project otherwise substantially degrade water quality; or

FINDING: NO IMPACT:

*No additional water quality impacts were identified in the project analysis.*

G. Would the project place housing within a 100-year floodplain; or

FINDING: NO IMPACT:

*No housing is proposed with this project.*

H. Would the project place structures within a 100-year flood hazard area that would impede or redirect flood flows; or

FINDING: LESS THAN SIGNIFICANT IMPACT:

*According to the Development Engineering Section of the Fresno County Department of Public Works and Planning, southerly portions of the subject parcel are located within Flood Zone A, which is subject to flooding from the 100-year storm. Any work performed within designated Flood Zones shall conform to provisions established in Chapter 15.48 Flood Hazard Areas of the Fresno County Ordinance. This requirement will be included as a Project Note.*

I. Would the project expose persons or structures to levee or dam failure; or

J. Would the project inundation by seiche, tsunami or mudflow?

FINDING: NO IMPACT:

*The subject parcel is not prone to seiche, tsunami or mudflow, nor is the subject parcel exposed to potential levee or dam failure.*

## X. LAND USE AND PLANNING

A. Will the project physically divide an established community; or

FINDING: NO IMPACT:

*This proposal will not physically divide a community. The subject parcel is located approximately two miles west of the unincorporated community of Five Points.*

B. Will the project conflict with any Land Use Plan, policy or regulation of an agency with jurisdiction over the project; or

FINDING: LESS THAN SIGNIFICANT IMPACT:

*The subject parcel is designated Agriculture in the Fresno County General Plan. The Agriculture and Land Use Element of the General Plan lists mineral extraction and oil and gas*

*development as non-agricultural uses permitted in areas designated Agriculture, subject to Policies listed in Section OS-C of the General Plan.*

*Policy OS-C.13 requires a special permit for exploratory oil and gas drilling due to the potential for adverse effects on surrounding land uses. In this instance, the subject discretionary land use application (Conditional Use Permit Application No. 3420) satisfies Policy OS-C.13. Policy OS-C.17 requires timely reclamation of oil and gas development sites upon termination of such activities to facilitate the conversion of the project site to its primary land use as designated by the General Plan. In this instance, as discussed in Section II (Agricultural and Forestry Resources) of this analysis, a Mitigation Measure has been included requiring the Applicant to remove all drilling equipment and return the project site to its original condition within 90 days of terminating drilling operations. Policy OS-C.20 requires no human occupancy to be located near any active petroleum or natural gas well unless suitable safety and fire protection measures and setbacks are approved by the local Fire District. In this instance, the nearest dwelling unit is located approximately 1,520 feet southeast of the exploratory well location. Further, the Fresno County Fire Protection District reviewed this proposal and expressed no concerns with the project.*

- C. Will the project conflict with any applicable Habitat Conservation Plan or Natural Community Conservation Plan?

FINDING: NO IMPACT:

*This project will not conflict with the provisions of any adopted Habitat Conservation Plan or Natural Community Conservation Plan.*

## XI. MINERAL RESOURCES

- A. Would the project result in the loss of availability of a known mineral resource; or
- B. Would the project result in the loss of availability of a locally-important mineral resource recovery site designated on a General Plan?

FINDING: NO IMPACT:

*No mineral resource impacts were identified in the analysis. The site is not located in an identified mineral resource area identified in Policy OS-C.2 of the General Plan.*

## XII. NOISE

- A. Would the project result in exposure of people to severe noise levels; or
- B. Would the project result in exposure of people to or generate excessive ground-borne vibration or ground-borne noise level; or
- C. Would the project cause a substantial permanent increase in ambient noise levels in the project vicinity; or

- D. Would the project result in a substantial temporary or periodic increase in ambient noise levels;  
or

FINDING: LESS THAN SIGNIFICANT IMPACT:

*According to the Fresno County Department of Public Health, Environmental Health Division, Section 8.40.060 of the Fresno County Noise Ordinance specifically exempts noise sources from activities associated with the drilling of petroleum, oil, gas, or water wells from the Noise Ordinance. However, considering that the project has the potential to create additional noise in the area, the Applicant is requested to ensure that any noise generating construction/drilling equipment be equipped with mufflers, per the manufacturer's specifications. This request will be provided to the Applicant in the form of a Project Note.*

- E. Would the project expose people to excessive noise levels associated with a location near an airport, or a private airstrip; or
- F. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

FINDING: NO IMPACT:

*The subject parcel is not located in the vicinity of a public airport or private airstrip, and is not impacted by airport noise.*

### XIII. POPULATION AND HOUSING

- A. Would the project induce substantial population growth either directly or indirectly; or
- B. Would the project displace substantial numbers of existing housing; or
- C. Would the project displace substantial numbers of people, necessitating the construction of housing elsewhere?

FINDING: NO IMPACT:

*This proposal will not result in an increase of housing, nor will it otherwise induce population growth.*

### XIV. PUBLIC SERVICES

- A. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered public facilities in the following areas:
1. Fire protection;

FINDING: LESS THAN SIGNIFICANT IMPACT:

*The Fresno County Fire Protection District reviewed this proposal and expressed no concerns with the project.*

2. Police protection;

FINDING: LESS THAN SIGNIFICANT IMPACT:

*According to the Fresno County Sheriff's Department, nighttime drilling operations may result in the Sheriff's Department receiving noise complaints. As such, the Sheriff's Department recommends that neighboring property owners be made aware of this proposal. Staff notes that a Notice of Public Hearing will be provided to neighboring property owners within 1,320 feet of the subject parcel that will identify the subject proposal and corresponding Planning Commission Hearing date. Further, according to the Fresno County Department of Public Health, Environmental Health Division, Section 8.40.060 of the Fresno County Noise Ordinance specifically exempts noise sources from activities associated with the drilling of petroleum, oil, gas, or water wells from the Noise Ordinance.*

3. Schools;

4. Parks; or

5. Other public facilities?

FINDING: NO IMPACT:

*No impacts on the provision of other services were identified in the project analysis.*

## XV. RECREATION

A. Would the project increase the use of existing neighborhood and regional parks; or

B. Would the project require the construction of or expansion of recreational facilities?

FINDING: NO IMPACT:

*No such impacts were identified in the project analysis.*

## XVI. TRANSPORTATION/TRAFFIC

A. Would the project conflict with any applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system taking into account all modes of transportation; or

B. Would the project conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demands measures; or

FINDING: LESS THAN SIGNIFICANT IMPACT:



*This proposal entails the drilling of an exploratory petroleum oil and natural gas well on a 1.6-acre (70,000 square feet) portion of a 315.15-acre parcel. If exploratory drilling is not successful, the well will be plugged and abandoned in compliance with the California Department of Conservation, Division of Oil, Gas and Geothermal Resources regulations. If oil and/or gas is discovered and the Applicant chooses to convert the exploratory well and project site into a production facility, approval of an additional Unclassified Conditional Use Permit application will be required for the production facility.*

*The subject parcel is located on the north side of Mount Whitney Avenue, between the Butte Avenue alignment and the Lake Avenue Alignment. The intersection of State Route 145 (Fresno Coalinga Road) and State Route 269 (Lassen Avenue) is located approximately two miles east of the subject parcel. Access to the exploratory well location will be from Mount Whitney Avenue via the Lake Avenue alignment, and a proposed 20-foot wide on-site access road will connect the exploratory well location to the Lake Avenue alignment.*

*According to the Applicant's Operational Statement, approximately 70 one-way truck trips per day (35 round trips per day) will be generated during the assembly of the drilling rig which will take approximately two days to complete. Once assembled, the drilling rig will run 24 hours per day for approximately 25 days, and four-person crews supervised by a foreman and an Applicant Representative will operate the drilling rig during three 8-hour shifts per day. As such, drilling of the exploratory well will generate approximately 36 one-way employee trips per day (18 round trips per day) for approximately 25 days. Additionally, up to ten one-way truck trips per day (5 round trips per day) may also be generated during the project for the delivery of various equipment and supplies to the exploratory well site.*

*This proposal was reviewed by the California Department of Transportation (CALTRANS) and the Design Division of the Fresno County Department of Public Works and Planning. Neither of these agencies expressed any concerns regarding the carrying capacities of the adjacent roadways, nor did either agency require a Traffic Impact Study.*

C. Would the project result in a change in air traffic patterns; or

FINDING: NO IMPACT:

*This proposal will not result in a change in air traffic patterns.*

D. Would the project substantially increase traffic hazards due to design features; or

E. Would the project result in inadequate emergency access; or

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

*Access to the exploratory well location will be from Mount Whitney Avenue via the Lake Avenue alignment, and a proposed 20-foot wide on-site access road will connect the exploratory well location to the Lake Avenue alignment. This proposal was reviewed by the California Department of Transportation (CALTRANS) and the Design Division of the Fresno County Department of Public Works and Planning, neither of which agency identified any concerns regarding increased traffic hazards or emergency access. According to the Road*

*Maintenance and Operations Division of the Fresno County Department of Public Works and Planning, a grizzly and/or gravel pad shall be installed as a mitigation measure to minimize sediment transport from vehicles and equipment onto the County roadway (Mount Whitney Avenue).*

\* **Mitigation Measures**

1. *A grizzly and/or gravel pad shall be installed on the Lake Avenue alignment where the Lake Avenue alignment intersects Mount Whitney Avenue to minimize sediment transport from vehicles and equipment onto the County roadway (Mount Whitney Avenue).*

- F. Would the project conflict with adopted plans, policies or programs regarding public transit, bicycle or pedestrian facilities or otherwise decrease the performance or safety of such facilities?

FINDING: NO IMPACT:

*The project will not conflict with any adopted alternative transportation plans. No such impacts were identified in the project analysis.*

## XVII. UTILITIES AND SERVICE SYSTEMS

- A. Would the project exceed wastewater treatment requirements; or

- B. Would the project require construction of or the expansion of a new water or wastewater treatment facilities; or

FINDING: LESS THAN SIGNIFICANT IMPACT:

See discussion in Section VI.E Geology and Soils.

- C. Would the project require or result in the construction or expansion of new stormwater drainage facilities; or

FINDING: LESS THAN SIGNIFICANT IMPACT:

See discussion in Section VI.B Geology and Soils.

- D. Would the project have sufficient water supplies available from existing entitlements and resources, or are new or expanded entitlements needed; or

FINDING: LESS THAN SIGNIFICANT IMPACT:

See discussion in Section IX.B Hydrology and Water Quality.

- E. Would the project result in a determination of inadequate wastewater treatment capacity to serve project demand; or

FINDING: LESS THAN SIGNIFICANT IMPACT:

See discussion in Section VI.E Geology and Soils.

- F. Would the project be served by a landfill with sufficient permitted capacity; or
- G. Would the project comply with federal, state and local statutes and regulations related to solid waste?

FINDING: NO IMPACT:

*No such impacts were identified in the project analysis.*

#### XVIII. MANDATORY FINDINGS OF SIGNIFICANCE

- A. Does the project have the potential to 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, 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 prehistory or history; or

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

*The project may impact cultural resources. The included Mitigation Measure in Section V (Cultural resources) will minimize such impacts to less than significant.*

- B. Does the project have impacts that are individually limited, but cumulatively considerable; or

FINDING: LESS THAN SIGNIFICANT IMPACT:

*The proposed exploratory petroleum oil and natural gas well will adhere to permitting requirements, rules and regulations set forth by the San Joaquin Valley Air Pollution Control District, the California Department of Conservation, Division of Oil, Gas and Geothermal Resources (DOGGR), and the California Regional Water Quality Control Board (RWQCB). No cumulatively considerable impacts were identified in the analysis other than Aesthetics, Agricultural and Forestry Resources, Cultural Resources, and Transportation/Traffic which will be addressed with the Mitigation Measures discussed in Section I (Aesthetics), Section II (Agricultural and Forestry Resources), Section V (Cultural Resources), and Section XVI (Transportation/Traffic).*

- C. Does the project have environmental impacts which will cause substantial adverse effects on human beings, either directly or indirectly?

FINDING: NO IMPACT:

*No substantial adverse impacts on human beings were identified in the project analysis.*

## **CONCLUSION/SUMMARY**

Based upon the Initial Study prepared for Unclassified Conditional Use Permit Application No. 3420, 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 mineral resources, population and housing, and recreation.

Potential impacts related to air quality, biological resources, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, noise, public services, and utilities and service systems have been determined to be less than significant. Potential impacts relating to aesthetics, agricultural and forestry resources, cultural resources, and transportation and traffic have been determined to be less than significant with the identified Mitigation Measures.

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

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