



County of Fresno

DEPARTMENT OF PUBLIC WORKS AND PLANNING
ALAN WEAVER, DIRECTOR

Planning Commission Staff Report Agenda Item No. 5 November 19, 2015

SUBJECT: Initial Study Application No. 6981 and Classified Conditional Use Permit Application No. 3502

Extend the existing Sierra Marina west launch ramp by 100 feet and add two observation/fishing pavilions to an existing Marina in the RC-40 (Resource Conservation, 40-acre minimum parcel size) Zone District.

LOCATION: The subject parcel is located on the east side of Tollhouse Road (State Route 168), approximately one mile north of the unincorporated community of Shaver Lake, addressed as 45795 Tollhouse Road. (SUP. Dist. 5) (APNs 120-070-10U, 120-180-01U).

OWNER: Southern California Edison Company
APPLICANT: Fresno County - Resources

STAFF CONTACT: Christina Monfette, Planner
(559) 600-4245

Eric VonBerg, Senior Planner
(559) 600-4569

RECOMMENDATION:

- Adopt the Mitigated Negative Declaration prepared for Initial Study (IS) Application No. 6981; and
- Approve Classified Conditional Use Permit Application No. 3502 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 Plan and Detail Drawing
6. Photo of West Launch Ramp
7. Applicant's Operational Statement
8. Summary of Initial Study Application No. 6981

SITE DEVELOPMENT AND OPERATIONAL INFORMATION:

Criteria	Existing	Proposed
General Plan Designation	Open Space and Public Lands (Sierra North Regional Plan)	No change
Zoning	RC-40 (Resource Conservation, 40-acre minimum parcel size)	No change
Parcel Size	120-070-10U: 400.00 acres 120-180-01U: 322.30 acres	No change
Project Site	Shaver Lake; marina partially situated on a 400.00-acre parcel (APN 120-070-10U) and a 322.30-acre parcel (APN 120-080-01U); 400 moorage slips; 1,017 square-foot store/rental office; 6,695 square-foot boat storage building; 3,675 square-foot boat storage building; restroom facility; paved parking and circulation areas; one 500 ⁺ -foot-long boat launching ramp; and one 120-foot boat launching ramp	Extend the 120-foot ramp by 100 feet; add two fishing/observation gazebos
Structural Improvements	Marina with 400 boat moorage slips; 1,017 square-foot store/rental office; 6,695 square-foot boat storage building; 3,675 square-foot boat storage building; restroom facility; paved parking and circulation areas	Add two fishing/observation gazebos
Nearest Residence	Approximately three quarters of a mile southwest of the existing marina	No change

Criteria	Existing	Proposed
Surrounding Development	State Route 168 (Tollhouse Road); Shaver Lake Point Residential subdivisions	No change
Operational Features	Commercial marina providing aquatic-related recreational opportunities to patrons through the use of boat launch ramps, the renting of moorage slips for boat storage, and two dry boat storage buildings. There are 400 moorage slips available for seasonal use (typical season is April to October), and dry boat storage is available year-round. A convenience store is onsite, providing drinks, snacks, bait, boating supplies, gas, and rental boat operations.	Addition of two fishing/observation gazebos that will extend out over the water when the lake is at capacity
Employees	Nine full-time seasonal employees (typical season is April to October) Four full-time employees year-round	No change
Customers	Estimates based on a 2011 traffic study suggest a peak of visitors to the marina in June, July, and August, with up to 4,050 visitors per month.	Up to 4,200 visitors in July and August
Traffic Trips	Traffic varies seasonally, with peak traffic anticipated during the months of April through September. See discussion on Adequate Roads (Finding 2) for additional information related to traffic trips.	No change
Lighting	Light standards located around parking areas and along marina walkways	No change
Hours of Operation	Marina: 7:00am–7:00pm, seven days per week, April–October Dry boat storage: 7:00am–7:00pm, seven days per week, year-round	No change

EXISTING VIOLATION (Y/N) AND NATURE OF VIOLATION: None

ENVIRONMENTAL ANALYSIS:

An Initial Study was prepared for the project by County staff, in conformance with the provisions of the California Environmental Quality Act (CEQA). Based on the Initial Study, staff has

determined that a Mitigated Negative Declaration is appropriate. A summary of the Initial Study is included as Exhibit 8.

Notice of Intent of Mitigated Negative Declaration publication date: October 21, 2015

PUBLIC NOTICE:

Notices were sent to 149 property owners within 1320 feet of the subject parcel, exceeding the minimum notification requirements prescribed by the California Government Code and County Zoning Ordinance.

PROCEDURAL CONSIDERATIONS:

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

The decision of the Planning Commission on a Classified Conditional Use Permit Application is final, unless appealed to the Board of Supervisors within 15 days of the Commission's action.

BACKGROUND INFORMATION:

The boat launching facility was initially constructed in 1966, without permits. Since that time, several additional Conditional Use Permit (CUP) applications have provided for several phases of improvements approved by the County of Fresno as shown below:

CUP No. 2459 (1990): Approved a low-water launch ramp and an extension to the existing boarding pier, and allowed the continued use of the dry dock facility, parking lot, rest room, and 200-slip marina. A parking area for use during low-water times was also constructed.

CUP No. 2951 (2008): Allow up to 374 boat slips, including the 66 additional boat slips that were added (without approval) since CUP No. 2459 was approved, relocate the existing marina general store and convert it to a water service facility, and build a new general store. Also approved was a new two-lane launching ramp (next to the initial ramp), a turnaround area for vehicles above and adjacent to the launch ramp, a three-acre paved parking area for boats, trailers, and single-car parking, and a new prefabricated restroom. Further approved under this application was the operation of an off-site trailer storage site, the addition of a boat ramp, overflow parking, a loop access road, widening of the access road, and a second vault toilet.

CUP No. 3358 (2012): Allow 100 additional moorage slips to be added to the existing dock up to 474 total slips.

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

	Current Standard:	Proposed Operation:	Is Standard Met (y/n)
Setbacks	Front: 35 feet Side: 20 feet Rear: 20 feet	N/A	N/A
Parking	N/A	Main parking area: two vehicle/trailer parking spaces for the disabled; three vehicle parking spaces for the disabled; 46 vehicle/trailer parking spaces; 68 vehicle parking spaces Upper parking area: 51 vehicle/trailer parking spaces; unmarked area around perimeter can accommodate up to 35 vehicles Ramp parking area: one vehicle parking space for the disabled; 19 vehicle parking spaces Overflow parking area (north of marina, adjacent to State Route 168) can accommodate up to 30 vehicles with trailers, or up to 60 vehicles	N/A
Lot Coverage	1% (7.74 acres allowed)	<0.01% (0.3 acres)	Yes
Space Between Buildings	Six-foot minimum	N/A	Yes
Wall Requirements	No requirements	N/A	N/A
Septic Replacement Area	100 percent	N/A (existing vault toilets)	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: Permits must be obtained for all improvements proposed as a part of this application.

Development Services Division; Building and Safety Section: Plans, permits and inspections are required, including, but not limited to, accessible elements and site development based upon the codes in effect at the time of plan check submittal.

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

Analysis:

Previous applications have reviewed the existing improvements on the subject parcels and found that they meet the minimum building setback requirements of the RC-40 Zone district. Since the proposed improvements are more centrally located within the parcel than existing improvements, there will be no change to current setbacks.

In regard to off-street parking, the Zoning Ordinance does not have a requirement prescribed for the subject use; however, the expansion of the launching ramp will decrease traffic congestion at the marina since two vehicles will be able to launch or recover boats simultaneously during low-water periods. Staff has no concerns about the current parking options available on site.

Staff finds that the site is adequate in size and shape to accommodate the proposed use.

Recommended Conditions of Approval:

See Recommended Conditions of Approval attached as Exhibit 1.

Conclusion:

Finding 1 can be made.

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

		Existing Conditions	Proposed Operation
Private Road	No	N/A	N/A
Public Road Frontage	Yes	State Route 168 (Tollhouse Road)	No change
Direct Access to Public Road	Yes	State Route 168 (Tollhouse Road)	No change
Road ADT		Unknown	No change
Road Classification		State Highway	No change
Road Width		Two-lane	No change
Road Surface		Paved	No change

Traffic Trips	<p>Based upon car counts from 2010- 2011:</p> <p><u>January–March:</u> 24 daily one-way employee trips (12 round trips); 100 daily one-way customer trips (50 round trips)</p> <p><u>April:</u> 125 daily one-way employee trips (62.5 round trips); 1,112 daily one-way customer trips (556 round trips)</p> <p><u>May:</u> 168 one-way employee trips (84 round trips); 1,497 one-way customer trips (748.5 round trips)</p> <p><u>June:</u> 196 one-way employee trips (98 round trips); 3,306 one-way customer trips (1,653 round trips)</p> <p><u>July:</u> 252 one-way employee trips (126 round trips); 3,782 one-way customer trips (1,891 round trips)</p> <p><u>August:</u> 246 one-way employee trips (123 round trips); 3,775 one-way customer trips (1,888 round trips)</p> <p><u>September:</u> 196 one-way employee trips (98 round trips); 2,876 one-way customer trips (1,438 round trips)</p> <p><u>October:</u> 168 one-way employee trips (84 round trips); 150 one-way customer trips (75 round trips)</p> <p><u>November–December:</u> 24 one-way employee trips (12 round trips); 100 one-way customer trips (50 round trips)</p>	<p>Additional one-way trips due to pavilions:</p> <p><u>January-March:</u> Pavilion: 0 (124 total)</p> <p><u>April:</u> Pavilion: 30 (1,267 total)</p> <p><u>May:</u> Pavilion: 60 (1,725 total)</p> <p><u>June:</u> Pavilion: 90 (3,592 total)</p> <p><u>July:</u> Pavilion: 150 (4,184 total)</p> <p><u>August:</u> Pavilion: 150 (4,171 total)</p> <p><u>September:</u> Pavilion: 90 (3,162 total)</p> <p><u>October:</u> Pavilion: 30 (384 total)</p> <p><u>November-December:</u> Pavilion: 0 (124 total)</p>	
Traffic Impact Study (TIS) Prepared	No	N/A	No significant increase to traffic expected
Road Improvements Required	N/A	None required.	

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

Development Engineering Section of the Fresno County Department of Public Works and Planning: Any parking areas should comply with the Fresno County Off-Street Parking Design Standards.

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

Road Maintenance and Operations Division of the Fresno County Department of Public Works and Planning: No comment; this application will have no effect on County roads.

California Department of Transportation (Caltrans): No concerns.

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

Analysis:

The subject application does not propose to make any changes to parking as a result of this proposal. Additionally, since there is no requirement for parking for marinas, the project is in compliance with 855-I Property Development Standards – Off-Street Parking.

The Fresno County Resources Department is working with Southern California Edison to make the proposed improvements. The proposed gazebos will be built above the high-water line, such that they can still be used as viewing platforms when the lake is at capacity.

Project site access is from State Route 168 (Tollhouse Road), which is a winding, mountainous State Highway traversing the subject parcels. Previous applications have found that State Route 168 (Tollhouse Road) was adequate to serve the site, and the extension of the boating ramp will decrease traffic congestion at the site by allowing more than one boat to put into the water at the same time. Further, no concerns regarding impacts on County roadways resultant of the project were expressed by either the Design or Road Maintenance and Operations Divisions of the Fresno County Department of Public Works and Planning or Caltrans. Based on the above information, staff believes that the section of State Route 168 (Tollhouse Road) at 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.*

Surrounding Parcels				
	Size:	Use:	Zoning:	Nearest Residence:
North	560.00 acres	Vacant	RC-40	None
	40.41 acres	Vacant	RC-40	None
South	594.34 acres	Lake	RC-40	None
	561.30 acres	Lake	RC-40	None
	Multiple 6,000 square-foot residential lots	Single-Family Residences (Shaver Lake Point subdivision)	R-1(M)*	Approximately three quarters of a mile southwest of the existing marina
East	80.00 acres	80.00 acres	RC-40	None
	351.15 acres	351.15 acres	RC-40	None
West	160.00 acres	Vacant	RC-40	None
	80.00 acres	Vacant	RC-40	None

*Single- Family Residential, 6,000 square-foot minimum parcel size, Mountain Overlay

Reviewing Agency/Department Comments:

California Department of Public Health, Drinking Water Field Operations Branch: A transient non-community water system provides water to the dry storage building where it is used for boat wash down and related uses to service and maintain recreational boating. No water system or supply is currently installed at the launch ramps. The restroom facilities are vault toilets. As such, this facility is not a public water system and the State Water Resources Control Board – Division of Drinking Water has no comments.

Central Valley Regional Water Quality Control Board: The project will require a Clean Water Act section 401 Water Quality Certification from our office and a Section 404 permit from the Army Corps of Engineers. If the total disturbed area, including the staging area, is greater than one acre, then a Construction Storm Water General Permit will also be required.

Fresno County Fire Protection District: Fresno County Fire Protection District (FCFPD) has performed a preliminary review of the project, and has not identified any significant concerns with the overall proposal. The project shall comply with California Code of Regulations Title 24 - Fire Code. Prior to receiving FCFPD conditions of approval for the subject application, plans must be submitted to the Fresno County Department of Public Works and Planning for review. It is the Applicant's responsibility to deliver a minimum of three sets of plans to FCFPD.

The proposed project may be subject to joining the Community Facilities District (CFD). Before plans are submitted to the Fresno County Fire Protection District, the Applicant must fill out the Fire Permit Application to submit with the plans. A determination will be made and information provided to the Applicant on how to join CFD based on the application.

Development Engineering Section of the Fresno County Department of Public Works and Planning: The USGS Quad Map shows that the subject site is located near Shaver Lake. Typically, any improvements constructed near a lake should be coordinated with the owners of the lake. Note that the lowest floor of any proposed structure/building must be elevated above the high-water level. The Quad Map also shows that an intermittent stream may be present within the subject property.

Typically, any additional run-off generated by the proposed development of a site cannot be drained across property lines or into the County right-of-way, and must be retained on site per County Standards.

The subject site is located within the State Responsibility Areas (SRA) boundary, and should be developed in accordance with the applicable SRA Fire Safe Regulations as they apply to driveway construction and access.

A Grading Permit or Voucher is required for any grading proposed with this application.

Fresno County Department of Public Health, Environmental Health Division: Within 30 days of the occurrence of any of the following events, the Applicant/operators shall update their online Hazardous Materials Business Plan and site map:

1. There is a 100% or more increase in the quantities of a previously disclosed material;
2. The facility begins handling a previously undisclosed material.

The business shall certify that a review of the business plan has been conducted at least once every three years and that any necessary changes were made, and that the changes were submitted to the local agency.

All hazardous waste shall be handled in accordance with requirements set forth in the California Health and Safety Code, Chapter 6.5.

Southern San Joaquin Valley Information Center: This area of Fresno County is considered highly sensitive for cultural resources. Nine cultural resources surveys have been previously conducted on various portions of the subject parcels, identifying 11 cultural resources. The most recent of these studies was completed in 2009. Due to the high sensitivity level of this area, the Applicant shall conduct a new cultural resources survey prior to ground-disturbance activities. Additionally, an archeological monitor, approved by the County, shall be present during all ground-disturbance activities to identify any unearthed cultural resources and make the appropriate mitigation recommendations. These requirements have been included as Mitigation Measures for the project.

Southern San Joaquin Valley Unified Air Pollution Control District: No comments.

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

Analysis:

The existing marina is located in a wildland area which has been previously improved with two boat storage buildings, paved parking and circulation areas, and restroom facilities. The Shaver

Lake Point and Shaver Lake Point No. 2 residential subdivisions are located approximately three quarters of a mile southwest of the existing marina.

State Route 168 (Tollhouse Road) traverses the subject parcels and is identified as a Scenic Highway in the Fresno County General Plan. Policy OS-L.3 of the Plan typically requires intensive land use proposals such as commercial developments to be developed with a 200-foot natural open space area adjacent to the Scenic Highway. A Condition of Approval shall ensure that proposed gazebos are not built within this setback requirement. The proposed expansion of the existing eastern boat launch ramp will also be within these setbacks; however as an expansion of existing uses, this improvement qualifies under OS-L.3 (d) for an exemption from this policy.

The project site has limited visibility from much of Shaver Lake, due to the marina being located within a cove of the lake. Additionally, considering the distances between this proposal and neighboring dwellings located to the southwest, and that the improvements associated with this proposal are an expansion of a previously authorized use, this proposal will not damage any scenic resource or degrade the visual character of the site or its surroundings.

Based on the above information and with adherence to the recommended Conditions of Approval, Project Notes, and Mitigation Measures attached as Exhibit 1, staff believes the proposal will not have an adverse effect upon surrounding properties.

Recommended Conditions of Approval:

See Recommended Conditions of Approval attached as Exhibit 1.

Conclusion:

Finding 3 can be made.

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

Relevant Policies:	Consistency/Considerations:
<p>Policy OS-L.3 (d) Intensive land development proposals including, but not limited to, subdivisions or more than four lots, commercial developments, and mobile home parks shall be designed to blend into the natural landscape and minimize visual scarring of vegetation and terrain. The design of said development proposals shall also provide for maintenance of a natural open space area two hundred (200) feet in depth parallel to the right-of-way. Modification of the setback requirement may be appropriate when any one of the following conditions exist:</p> <ol style="list-style-type: none"> 1. Topographic or vegetative characteristics preclude such a setback; 2. Topographic or vegetative characteristics provide screening of buildings and parking areas from the right-of-way; 3. Property dimensions preclude such a setback; or 4. Development proposal involves expansion of an existing facility or an existing concentration of uses. 	<p>A condition will be placed on the project that will preclude the gazebos from being built within 200 feet of the road. The ramp extension is within the 200-foot setback, however as it is an expansion of the existing boat ramp, it qualifies for an exemption from this policy under OS-L.3 (d.4).</p>

Reviewing Agency Comments:

Policy Planning Section of the Fresno County Department of Public Works and Planning: There are no General Plan concerns with the application.

Development Engineering Section of the Fresno County Department of Public Works and Planning: Tollhouse Road is not a County-maintained road. It is California State Route 168 per Fresno County General Plan Regional Circulation Diagram Figure TR-1a, dated April 21, 2010. Furthermore, Fresno County General Plan Scenic Roadways Figure OS-2, dated August 4, 2010, identified it as a Scenic Highway.

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

Analysis:

Based on the discussion above, Staff believes the project is consistent with the General Plan.

Recommended Conditions of Approval:

See Recommended Conditions of Approval attached as Exhibit 1.

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 Classified Conditional Use Permit Application can be made. Staff therefore recommends approval of Classified Conditional Use Permit Application No. 3502, subject to the recommended Conditions.

PLANNING COMMISSION MOTIONS:

Recommended Motion (Approval Action)

- Move to adopt the Mitigated Negative Declaration prepared for Initial Study Application No. 6981; and
- Move to determine the required Findings can be made and move to approve Classified Conditional Use Permit Application No. 3502, subject to the Mitigation Measures, Conditions of Approval and Project Notes listed in Exhibit 1; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

Alternative Motion (Denial Action)

- Move to determine that the required Findings cannot be made (state basis for not making the Findings) and move to deny Classified Conditional Use Permit Application No. 3502; 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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Mitigation Monitoring and Reporting Program
Initial Study Application No. 6981/Unclassified Conditional Use Permit Application No. 3502
(Including Conditions of Approval and Project Notes)

Mitigation Measures					
Mitigation Measure No.*	Impact	Mitigation Measure Language	Implementation Responsibility	Monitoring Responsibility	Time Span
*1.	Cultural Resources	Prior to ground-disturbing activities, a new cultural resources study shall be conducted by a consultant from the California Historical Resources Information System (CHRIS) consultant list or otherwise approved by the County of Fresno.	Applicant	Applicant/Public Works and Planning (PW&P)	Prior to ground-disturbing activities
*2.	Cultural Resources	In the event that cultural resources are unearthed during ground-disturbing activities, 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 activities, 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/PW&P	During all ground-disturbing activities
*3.	Cultural Resources	An archeological monitor, approved by the County of Fresno, shall be present for all ground-disturbing activities associated with construction of the project.	Applicant	Applicant/PW&P	During all ground-disturbing activities

Conditions of Approval	
1.	Development of the property shall be in accordance with the Site Plan, Floor Plans, Elevations, and Operational Statement approved by the Commission
2.	Plans, permits and inspections are required, including, but not limited to, accessible elements and site development based upon the codes in effect at the time of plan check submittal.
3.	The gazebos shall be set back at least 200 feet from State Route 168 (Tollhouse Road).

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

Notes

The following Notes reference mandatory requirements of Fresno County or other Agencies and are provided as information to the project Applicant.

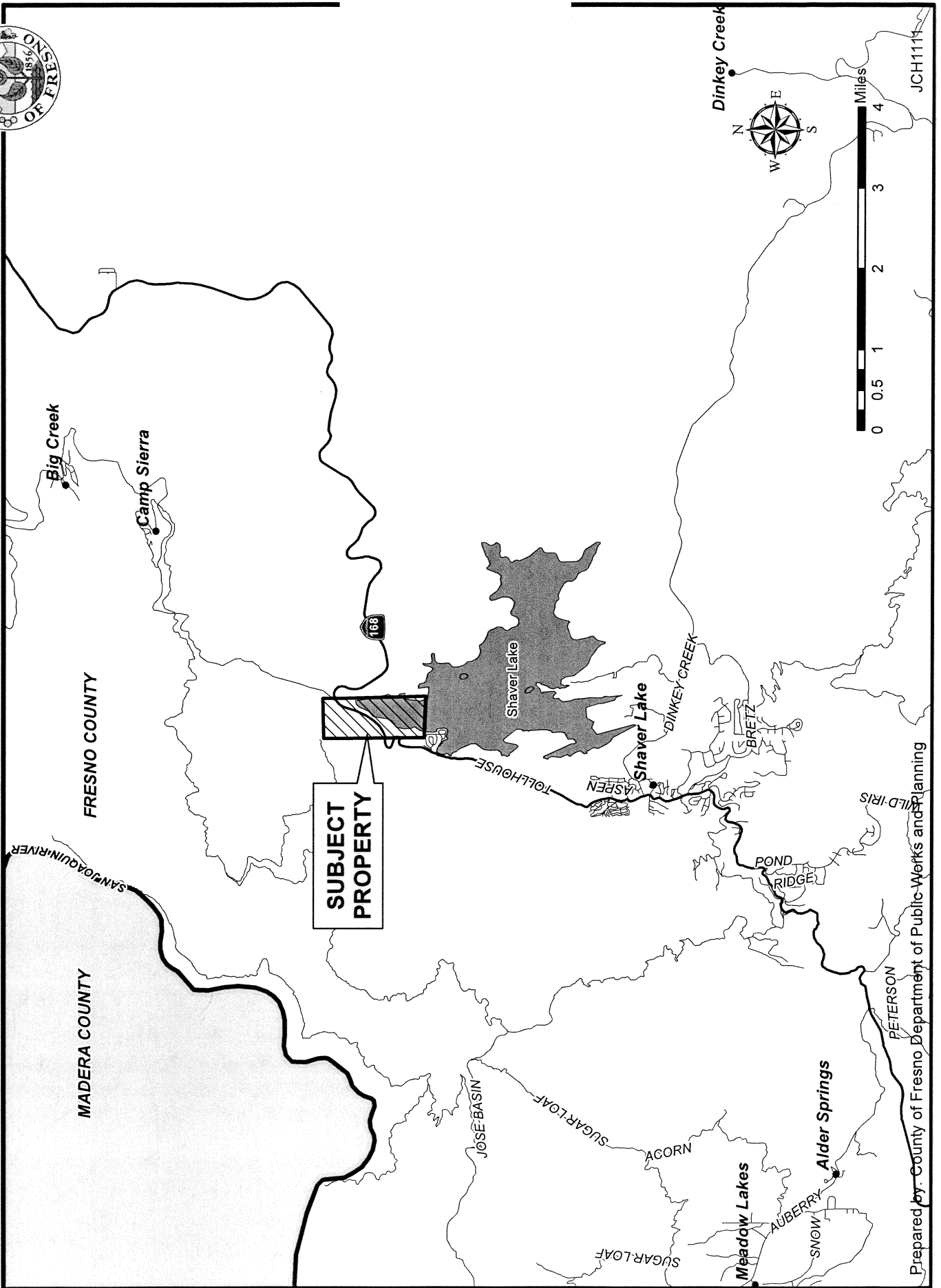
1.	The project will require a Clean Water Act Section 401 Water Quality Certification and a Section 404 permit from the Army Corps of Engineers.
2.	The project shall comply with California Code of Regulations Title 24 - Fire Code. Prior to receiving FCFPD conditions of approval for the subject application, plans must be submitted to the Fresno County Department of Public Works and Planning for review. It is the Applicant's responsibility to deliver a minimum of three sets of plans to FCFPD.
3.	The proposed project may be subject to joining the Community Facilities District (CFD). Before plans are submitted to the Fresno County Fire Protection District the Applicant must fill out the Fire Permit Application to submit with the plans. A determination will be made and information provided to the Applicant on how to join CFD based on the application.
4.	Any additional run-off generated by the proposed development cannot be drained across property lines or into the County right-of-way, and must be retained on site per County Standards.
5.	The subject site is located within the State Responsibility Areas (SRA) boundary, and should be developed in accordance with the applicable SRA Fire Safe Regulations as they apply to driveway construction and access.
6.	Within 30 days of the occurrence of any of the following events the Applicant/operators shall update their online Hazardous Materials Business Plan and site map: <ol style="list-style-type: none"> 1. There is a 100% or more increase in the quantities of a previously disclosed material; 2. The facility begins handling a previously undisclosed material.
7.	The business shall certify that a review of the business plan has been conducted at least once every three years and that any necessary changes were made, and that the changes were submitted to the local agency.
8.	All hazardous waste shall be handled in accordance with requirements set forth in the California Health and Safety Code, Chapter 6.5.

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LOCATION MAP



CUP 3502



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

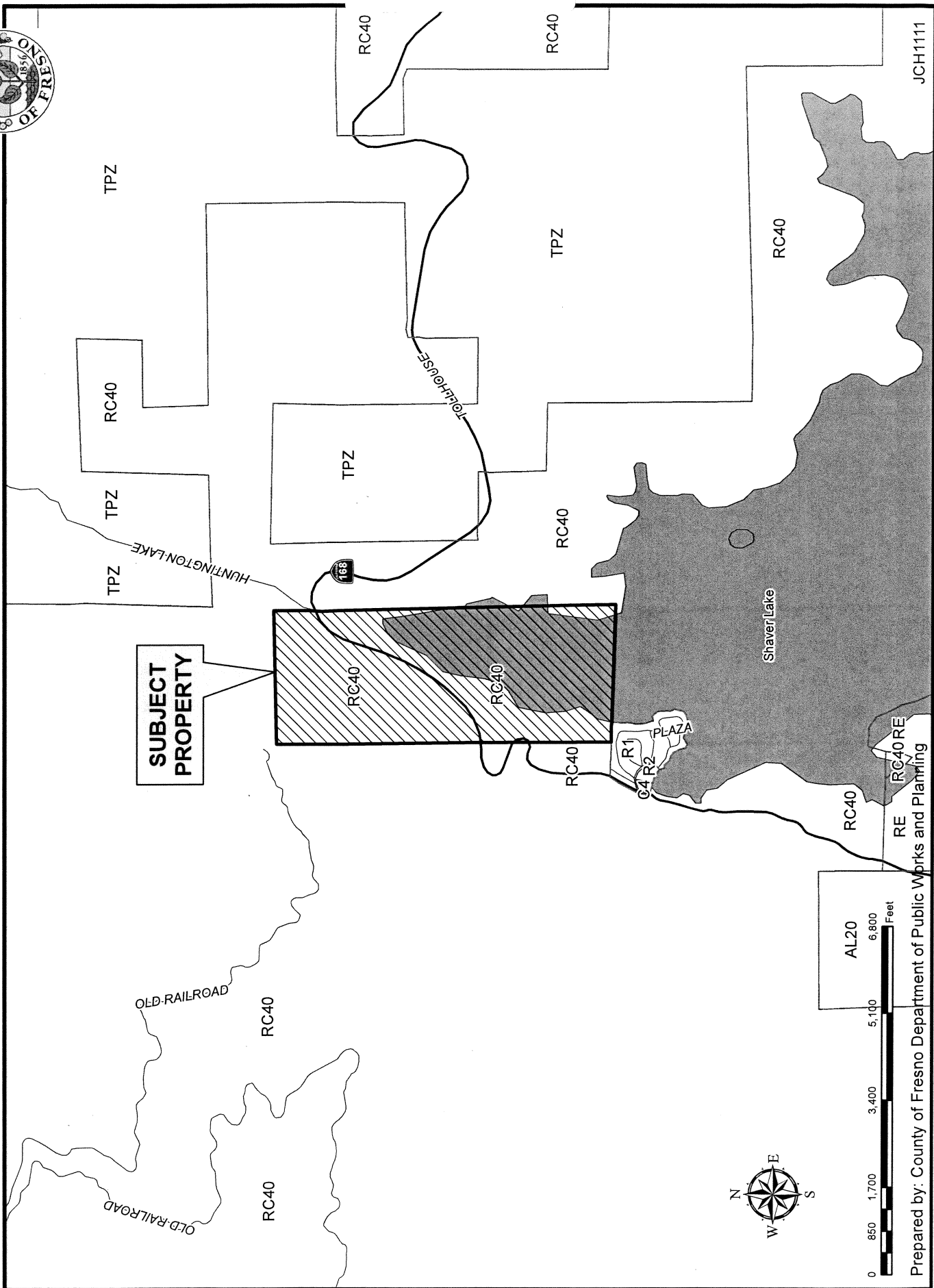
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EXHIBIT 3



EXISTING ZONING MAP

CUP 3502
STR 12 - 9/24



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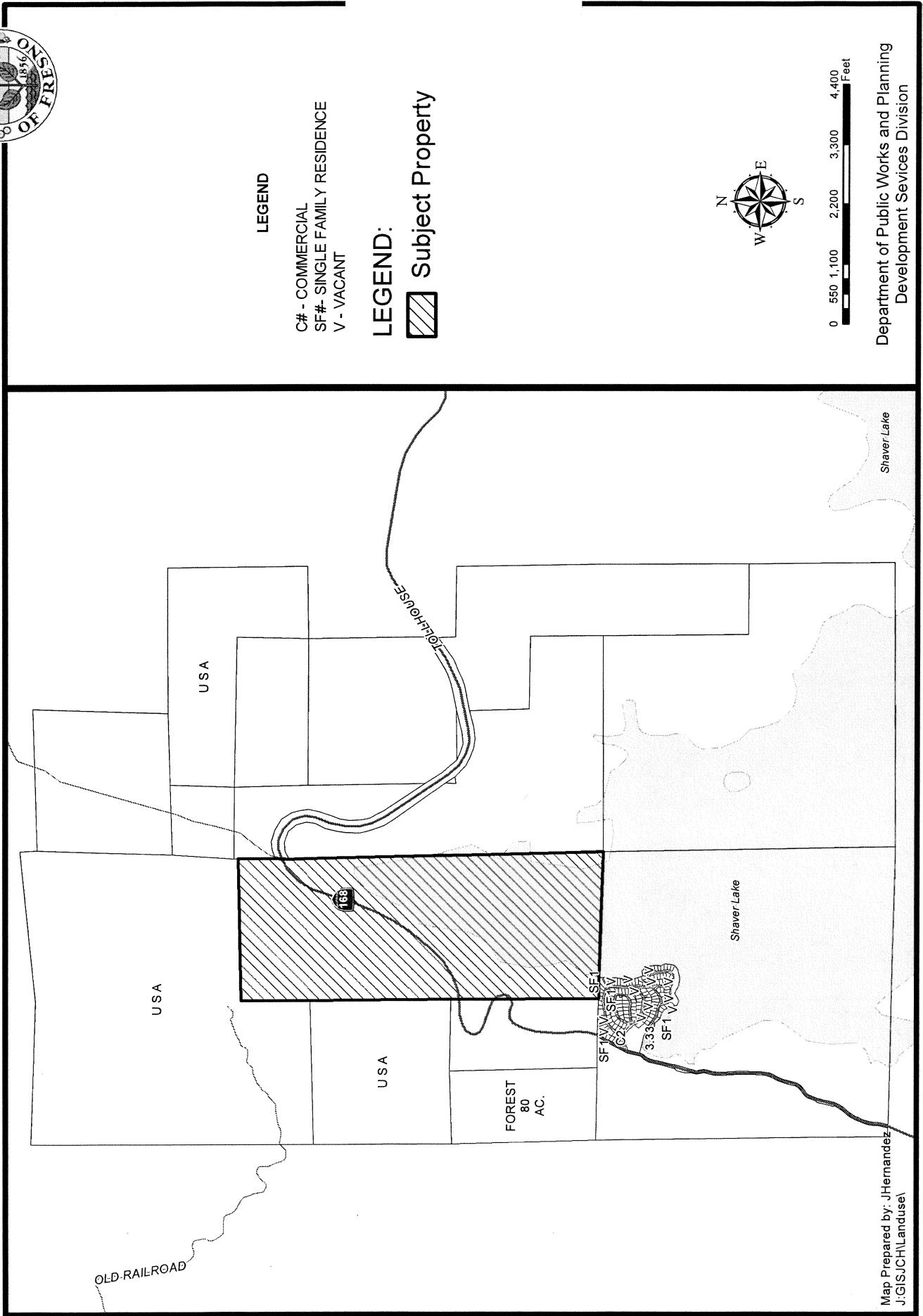
Prepared by: County of Fresno Department of Public Works and Planning

EXHIBIT 4



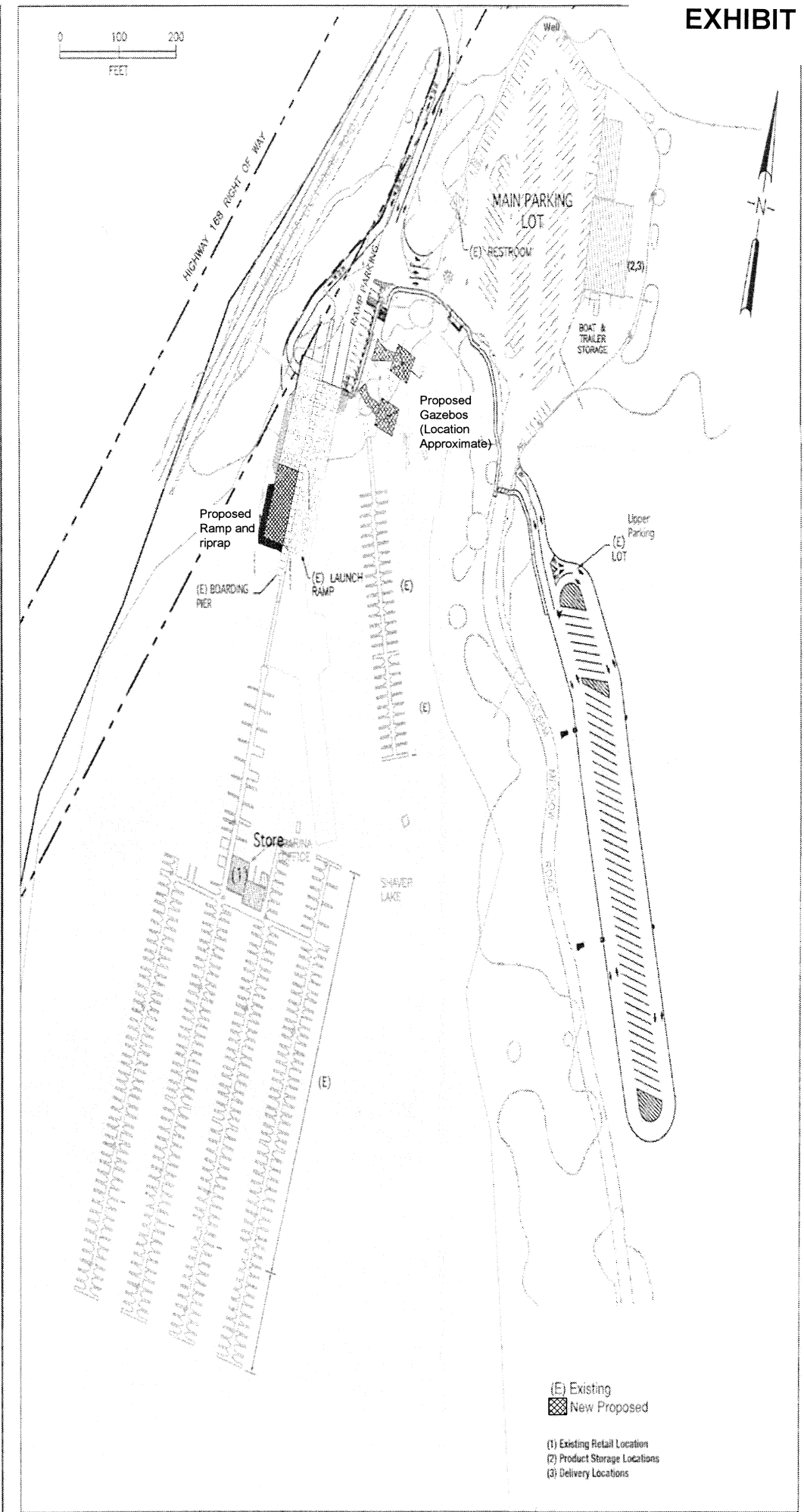
EXISTING LAND USE MAP

CUP 3502

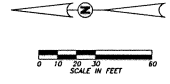
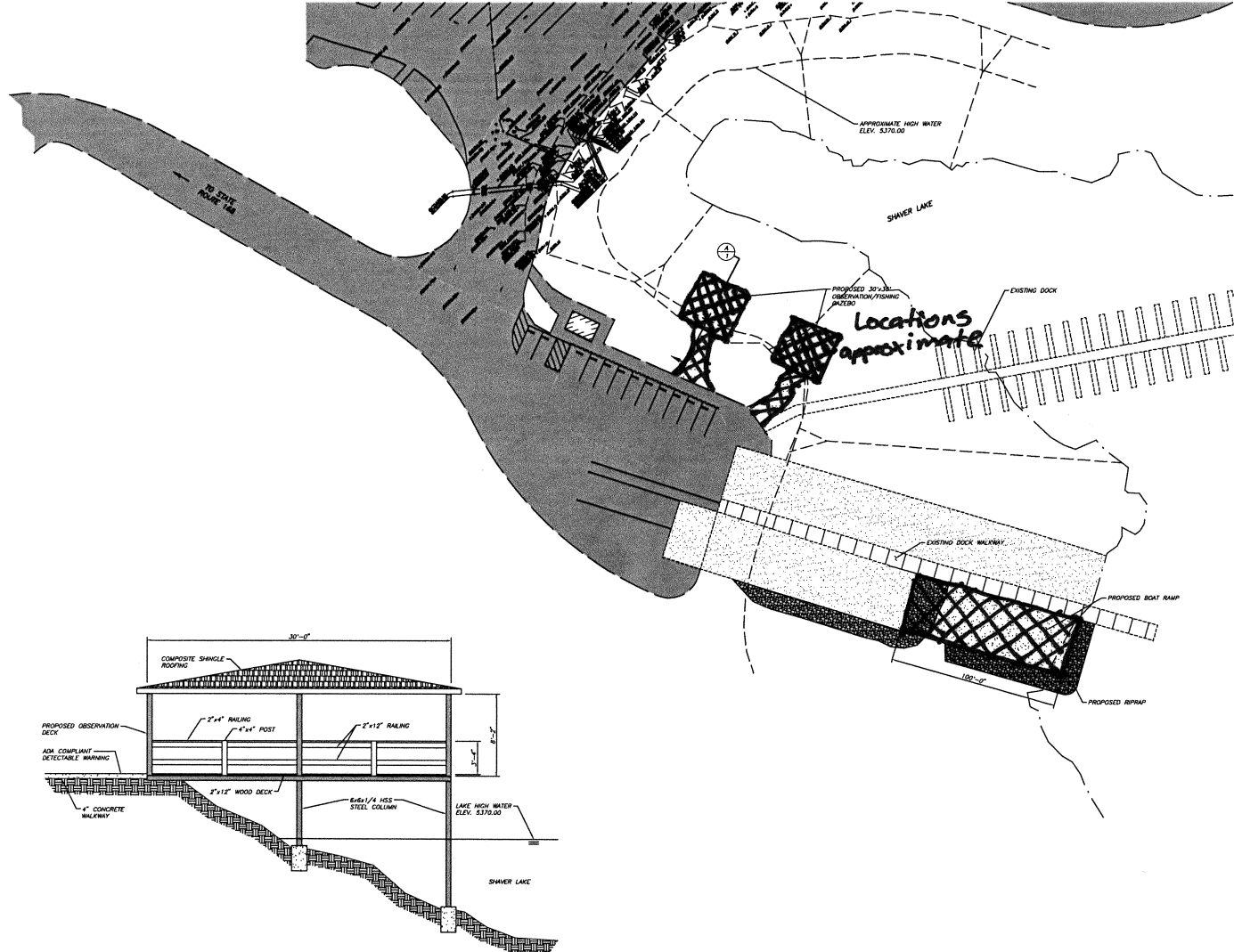


Department of Public Works and Planning
Development Services Division

Map Prepared by: J.Hernandez
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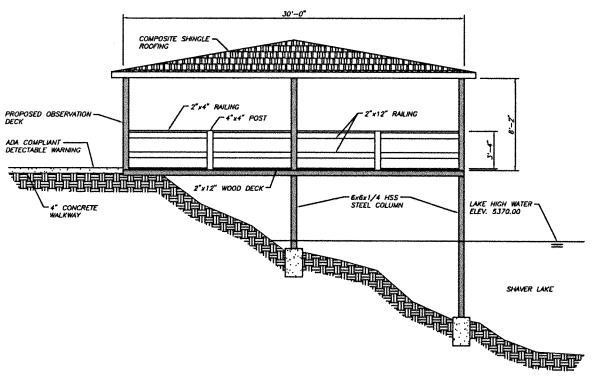


SITE PLAN



- LEGEND**
- EXISTING ASPHALT CONCRETE
 - EXISTING CONCRETE BOAT LAUNCH
 - EXISTING RIPRAP
 - EXISTING BUILDING
 - PROPOSED WALKWAY
 - PROPOSED BOAT LAUNCH
 - PROPOSED RIPRAP

proposed improvements



A **OBSERVATION/FISHING GAZEBO** Proposed
 1 SCALE: NOT TO SCALE

EXHIBIT 6

 Blair, Church & Flynn CONSULTING ENGINEERS		CONSULTANT	REF. & REV.	SHAYER LAKE	
		Shaver Lake Boat Launch Facility Site Improvements		DR. BY: <u> </u> CDR. BY: <u> </u> DATE: <u>02/11/2012</u> SCALE AS NOTED	SHEET NO. <u>1</u> OF <u>1</u> SHEETS

12/11/2011 10:58 AM C:\Users\blair\Documents\Projects\Shaver Lake Boat Launch\Shaver Lake Boat Launch.dwg Plot Scale 1/8"=1'-0"

EXHIBIT 7

Operational Statement to extend the existing west launch ramp and add two observation/fishing pavilions.

Project Description:

The two existing boat launching ramps are a part of the Sierra Marina and Fresno County recreational facility. The east ramp is in excess of 500 feet and can be utilized even during low water years due to its length and invert elevation. The west launch ramp is 120 feet in length and can only be used during normal water years when the lake is at or above 75% capacity. The purpose of the project is to provide two usable launch ramps when the lake is at approximate "pump-back" (80,000 acre ft.). Having both ramps available during peak summer months will alleviate congestion and minimize boat launch traffic backing up all the way to Highway 168. The new concrete ramp will be 36 ft. wide by 100 ft. in length, connected to the existing west ramp. Rip rap will be placed along the side and at the end of this ramp extension. In addition, public access will be enhanced by providing two observation/picnicking pavilions adjacent to and east of the launch ramps and constructed to extend out over the water when the lake is at capacity.

The boat launching facility was initially constructed in 1966. Improvements were added in 1990, with CUP 2459, consisting of a low water launch ramp and extension to the boarding pier. A major addition was completed in 2008, with CUP 2951, which included a new cast-in place, two lane launching ramp (next to the initial ramp), approximately 3,600 SF in area, a turn around area for vehicles above and adjacent to the launch ramp with improved access from Hwy 168, a 3 acre new paved parking area for boat and trailers, as well as single car parking and a new prefabricated rest room. The county boarding pier was replaced in 2010 with an all aluminum structure, 8 ft. wide by 250 ft. in length. A storm drain and erosion control improvement was completed at the facility in 2013, and finally an amended CUP 2951 was approved in August 2012 for a 100 slip expansion to the marina.

Access and Operation:

The main access to the site is from State Highway 168. The entrance is four miles past the town of Shaver Lake, adjacent to the County launch ramps. The amended CUP 2951 of 2012 addressed the parking utilization at the public parking facilities during the entire year. It demonstrated there is more than adequate parking to accommodate traffic use during the peak summer months. The addition of the west 100 ft. ramp extension will alleviate congestion on the east ramp, turn around above the ramps, and the boat-ready lane where cars with trailers are waiting to launch or haul boats out. Parking will be unaffected by these improvements, and congestion will be reduced substantially.

The existing facility provides for public use, daily launching, storage of boats on and off the water, repair shop, convenience store with drinks, snacks, bait, boating supplies, gas and rental boat operations. There are currently 400 boat slips

available at the marina. The general boating season extends from April to October, but the lake is open year around and fisherman are prevalent during the “off season”. The marina hours of operation during the season are 7AM to 7PM, seven days a week. The launch ramp is open 24 hours a day and can be used during night time hours since the launch ramp and parking areas are lit with lighting standards.

Parking

There are 379 “single car” parking spaces or a combination of 127 car/boat-parking spaces with 125 cars in the existing paved parking areas. The parking can be broken down into four areas; the ramp parking, main and upper, and highway 168 overflow areas. The upper parking area has 51 car and trailer spaces with 35 cars around perimeter areas and two lanes of traffic flow for improved access. The main parking area has 2 handicapped boat & trailer stalls and 3 car-only handicapped stalls. This main area has 46 boat/trailer stalls and 68 single cars for a total of 163 car spaces. There is a handicap boat loading area that was installed in the spring of 1999 by the Camp Edison Maintenance Crew. The main parking lot was repaved and restriped in October 2010 by Southern California Edison. In the ramp parking there are 19 parking spaces for the public and administrative parking. One of the spaces is designated handicap and two are reserved for five minute loading and unloading. There are 5 administrative parking spaces that are reserved for marina employees and Southern California Edison personnel. These parking areas more than adequately serve the public at the present time except for the 4th of July fireworks event. The existing overflow parking above the marina adjacent to Highway 168 that can accommodate approximately 30 boat/trailer spaces or 60 car only spaces are included in the above totals. These are “no-fee” parking spaces that are available to the public year round. No additional parking will be necessary with the ramp expansion and pavilion additions.

Equipment and Supplies

Currently the equipment and supplies that are used is consistent with a typical marina operation found throughout the state. This equipment is of the typical nature, such as trucks, boat forklifts, air compressors, welders, pressure washers, generators and small hand tools. There will be no change to the equipment used with this proposed expansion. The supplies that are delivered are of the boating and small convenience store in nature. No significant change to our currently supplied goods and materials for retail sales or consumption is expected. The supplies are currently stored in the marina store on the water or at the dry-storage buildings in the main parking area.

Water

A transient non community water system provides water to the dry storage building where it is used for boat wash down and related use to service and maintain recreational boating. No water system or supply is currently installed to

the launch ramps.

Electric Power

There is existing electric power to the dry storage building, restroom and security lighting located in the parking lot and is adequate for the current and proposed expansion. The possibility of electrical service expanding at this time cannot be foreseen, but additional services may be required at a later date.

Sewer

There are no sewage treatment facilities available to this area. None are required for the proposed expansion.

Sanitary Facilities

The existing restroom facilities are vault toilets managed by Southern California Edison and cleaned daily during the peak summer months. There are no plans to expand these buildings and are adequate for the current and proposed expansion.

Solid Waste

Currently there are two dumpsters; 1-6 yard trash and 1-3 yard recycle bins located by the restrooms in the main parking area. The dumpsters are emptied bi-weekly and the Marina operator pays for the fees. This expansion will not require any additional solid waste dumpsters.

Appearance, Signage and Landscaping

No adverse affects will occur with regards to noise, glare, dust or odor with this proposed expansion. We are not adding any additional advertising signage or landscaping to the areas shown on the site plan. There is an existing 3 ft. by 6 ft. monument architectural sign "Shaver Lake Launching Facility" that identifies the public and private partners in developing the project since it's inception. Namely, Fresno County, Wildlife Conservation Board, Cal Boating, and Southern California Edison.



EXHIBIT 8

County of Fresno

DEPARTMENT OF PUBLIC WORKS AND PLANNING
ALAN WEAVER, DIRECTOR

EVALUATION OF ENVIRONMENTAL IMPACTS

APPLICANT: Fresno County - Resources

APPLICATION NOS.: Initial Study Application No. 6981 and Classified Conditional Use Permit Application No. 3502

DESCRIPTION: Extend the existing Sierra Marina west launch ramp by 100 feet and add two observation/fishing pavilions to an existing Marina in the RC-40 (Resource Conservation, 40-acre minimum parcel size) Zone District.

LOCATION: On the east side of Tollhouse Road (State Route 168), approximately one mile north of the unincorporated community of Shaver Lake, addressed as 45795 Tollhouse Road. (SUP. Dist.: 5)
(APNs: 120-070-10U, 120-180-01U)

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?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project proposes to extend an existing boat ramp further into Shaver Lake and add two observation/fishing pavilions. One boat ramp already extends the length of the proposed increase; therefore increasing the second ramp to match is not a significant impact on the view of Shaver Lake since the extension is going in an already developed area and is likely to be underwater in all but very dry conditions. Without approval of this application, the dock would continue to exist in its current state, which does not allow it to function in years when the lake is below 75% capacity.

Several buildings and parking lots currently exist near the proposed gazebos, including the Sierra Marina. The area is currently developed with many man-made structures so the addition of the two gazebos will not alter or degrade the existing visual character of the area as viewed by visitors looking inland from boats on the lake or from vehicles

travelling along State Route 168, a scenic highway. The gazebos will be constructed to extend out over the water when the lake is at capacity, providing additional viewing opportunities to visitors.

- 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: NO IMPACT:

There is no lighting proposed with the project and no concerns with additional glare were identified in the analysis.

II. AGRICULTURAL AND FORESTRY RESOURCES

- A. Would the project convert prime or unique farmlands or farmland of state-wide importance to non-agricultural use; or
- B. Would the project conflict with existing agricultural zoning or Williamson Act Contracts?

FINDING: NO IMPACT:

The project site is located in an area of forest land and lake shore. The nearest land zoned for agriculture is more than a mile to the southwest from the project site. The subject proposal is for an expansion of uses for the existing Sierra Marina and will not affect lands zoned for agriculture or under Williamson Act contracts.

- 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?

FINDING: NO IMPACT:

There is land zoned for Timberland Production adjacent to the subject parcels, however the project is limited to the expansion of the existing Sierra Marina. Improvements will be made within the project's existing footprint and will not affect nearby forest land.

- 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: NO IMPACT:

The proposed improvements will be within the footprint of the existing Marina and will be limited to Shaver Lake's shoreline. No impacts to farmland or forestland have been identified by this study.

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: NO IMPACT:

The San Joaquin Valley Unified Air Pollution Control District reviewed this proposal and expressed no concerns regarding greenhouse gas emissions.

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 Wildlife (CDFW) 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: NO IMPACT:

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; or 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 is located on land that has been determined to be Highly Sensitive to cultural resources. Nine cultural resources surveys have been previously been conducted on various portions of the subject parcels, identifying 11 cultural resources. The most recent of these studies was completed in 2009. Due to the sensitivity of the area, a mitigation measure will be included that requires a new cultural survey be conducted and that an archeological monitor is present during all ground disturbance activities to identify any unearthed cultural resources.

* **Mitigation Measure(s)**

1. *Prior to ground-disturbing activities, a new cultural resources study shall be conducted by a consultant from the California Historical Resources Information System (CHRIS) consultant list or otherwise approved by the County of Fresno.*
2. *In the event that cultural resources are unearthed during ground-disturbing activities, 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 activities, 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.

3. *An archeological monitor, approved by the County of Fresno, shall be present for all ground-disturbing activities associated with construction of the project.*

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?
 2. Strong seismic ground shaking?
 3. Seismic-related ground failure, including liquefaction?
 4. Landslides?

FINDING: NO IMPACT:

The subject parcel is not located along a known fault-line. According to Figures 9-5 and 9-6 of the Fresno County General Plan, the site is not located in an area at risk for seismic ground shaking, ground failure, liquefaction or landslides.

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

FINDING: NO IMPACT:

The site is not located in an area identified by Figure 7-3 of the Fresno County General Plan as being at risk for erosion, or in an area identified by Figure 7-1 as having soils at high risk of expansion. No agency expressed concerns that the expansion would lead to landslides, lateral spreading, subsidence, liquefaction, or collapse.

- 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: NO IMPACT:

There are no additional septic tanks or alternative disposal systems proposed with the expansion. The existing restrooms facilities are vault toilets managed by Southern California Edison, and were approved under previous applications.

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

FINDING: NO IMPACT:

Comments received from the San Joaquin Valley Air Pollution Control District expressed no specific project related concerns, supporting the determination that the project will not generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.

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 create hazardous emissions or utilize hazardous materials, substances or waste within one quarter-mile of a school; or
- D. Would the project be located on a hazardous materials site?

FINDING: NO IMPACT:

The proposal is limited to expanding the existing west loading dock and adding two observation/fishing gazebos. No use of hazardous materials is proposed with this expansion of use and the project site is not located on a hazardous materials site as determined by EPA's Superfund website.

- E. Would a project 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?

FINDING: NO IMPACT:

There are no airports located within five miles of the project site.

- G. Would the project impair implementation of or physically interfere with an adopted Emergency Response Plan or Emergency Evacuation Plan; or
- H. Would the project 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: LESS THAN SIGNIFICANT IMPACT:

The proposed increase in use will not impair the implementation of any Emergency Response Plan or Emergency Evacuation Plan. With adherence to California Code of Regulations Title 24 – Fire Code and plan review by Fresno County Fire Protection District, the risk of exposure of people or structures to significant risk of loss, injury, or death involving wildland fires is less than significant.

IX. HYDROLOGY AND WATER QUALITY

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project will require a Clean Water Act section 401 Water Quality Certification from the Regional Water Quality Control Board, Office of Drinking water, and a section 404 permit from the Army Corps of Engineers. With adherence to these requirements, the impacts to water quality will be less than significant.

- 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?

FINDING: NO IMPACT:

The proposal does not anticipate an increase to the amount of water currently used by the Sierra Marina.

- 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?

FINDING: NO IMPACT:

No alteration to existing drainage patterns were identified as a result of the proposed expansion to the Sierra Marina.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project will be required to adhere to County Standards, which require that all run-off from the site must be retained on the subject property and may not drain onto adjacent sites or into County right-of-way. Additionally, if the total disturbed area, including the staging area, is greater than one acre, then a Construction Storm Water General Permit will be required. With adherence to these standards, the impact of run-off generated by this proposal will be less than significant.

- F. Would the project otherwise substantially degrade water quality?

FINDING: NO IMPACT:

No additional impacts to water quality were identified as part of this study.

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

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

FINDING: NO IMPACT:

No structures will be built within a 100-year flood hazard area.

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

FINDING: NO IMPACT:

The project is not located in a site identified in Figure 9-8 of the Fresno County General Plan as being at risk of dam failure.

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

FINDING: NO IMPACT:

The project site is not prone to seiche, tsunami or mudflow

X. LAND USE AND PLANNING

- A. Will the project physically divide an established community; or
- B. Will the project conflict with any Land Use Plan, policy or regulation of an agency with jurisdiction over the project; or
- C. Will the project conflict with any applicable Habitat Conservation Plan or Natural Community Conservation Plan?

FINDING: NO IMPACT:

The application will not divide an established community, or conflict with either a Land Use Plan or policy or a Habitat Conservation 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:

The project site is not located in an area identified by Figure 7-7 or 7-8 as a Mineral Resource Location or a Mineral Producing Location.

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 levels; 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?

FINDING: NO IMPACT:

There will be no severe or excessive noise levels as a result of this proposal.

- 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:

There are no private or public airports within five miles of the project site.

XIII. POPULATION AND HOUSING

- A. Would the project induce substantial population growth either directly or indirectly?

FINDING: NO IMPACT:

No impacts to population growth were identified in the study.

- 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:

The project will not affect any current housing and will not displace any number of people from their homes.

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;
2. Police protection;
3. Schools;
4. Parks; or
5. Other public facilities?

FINDING: NO IMPACT:

No adverse impacts to fire protection, police protection, schools, parks or other public facilities were identified as part of this study.

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: LESS THAN SIGNIFICANT IMPACT:

The subject proposal is an expansion of a recreational facility. Additional expansions of the facility would require additional CEQA documentation.

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
- C. Would the project result in a change in air traffic patterns; or
- D. Would the project substantially increase traffic hazards due to design features; or
- E. Would the project result in inadequate emergency access; or
- 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:

No adverse impacts to any mode of transportation were identified. The expansion of the existing loading dock is expected to relieve traffic congestion at the Sierra Marina by allowing additional boats to be released into the lake simultaneously during times when the water levels are low.

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 new water or wastewater treatment facilities; or
- C. Would the project require or result in the construction or expansion of new storm water drainage facilities; or
- D. Would the project have sufficient water supplies available from existing entitlements and resources, or are new or expanded entitlements needed; or

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

There is no increase in new or wastewater usage proposed in this application. No new facilities will be required to accommodate the expansion and the project will comply with all federal, state, and local statutes and regulations related to solid waste.

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?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

The project is located in an area that is highly sensitive to archeological discoveries and eleven such sites have been located on the subject parcels. However, with adherence to the mitigations measures discussed in Section V Cultural Resources, this impact will be reduced to less than significant.

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

FINDING: NO IMPACT:

No cumulatively considerable impacts were identified in the study.

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

FINDING: NO IMPACT:

The project will not have any impacts that will adversely impact human beings, either directly or indirectly.

CONCLUSION/SUMMARY

Based upon the Initial Study prepared for Classified Conditional Use Permit Application No. 3502, 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, Air Quality, Geology and Soils, Greenhouse Gas Emissions, Land Use and Planning, Mineral Resources, Noise, Population and Housing, Public Services, Transportation/Traffic, and Utilities and Service Systems.

Potential impacts related to Aesthetics, Hazards and Hazardous Materials, Hydrology and Water Quality, and Recreation have been determined to be less than significant. Potential impacts relating to Cultural Resources have determined to be less than significant with compliance with 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.

CMM

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