



County of Fresno

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

EVALUATION OF ENVIRONMENTAL IMPACTS

APPLICANT: CV Alliance, LLC

APPLICATION NOS.: Initial Study No. 8286; Unclassified Conditional Use Permit
Application No. 3751

DESCRIPTION: Allow a high intensity park with related improvement for weddings, receptions, birthdays, anniversaries, and similar special outdoor events appropriate and incidental to parks on an approximately 3.3-acre portion of a 16.75-acre parcel in the RR (Rural Residential) Zone District.

LOCATION: The subject parcel is located on the north side of Shields Avenue, approximately 642 feet east of N. Bryan Avenue, and 1,322 feet west of the City of Fresno (APN: 512-160-20) (6338 W. Shields Avenue, Fresno) (SUP. DIST. 1).

I. AESTHETICS

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

- A. Have a substantial adverse effect on a scenic vista; or
- B. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

FINDING: NO IMPACT:

The project site is in a rural residential area which is mostly developed with single-family homes and related improvements. The site fronts on Shields Avenue which is not identified as scenic drive in the Open Space and Conservation Element of Fresno County General Plan. There are no scenic vistas or scenic resources, rock outcroppings, or historic buildings on or near the site that could potentially be impacted by the project. No impact on scenic resources would occur.

- C. In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage points.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The existing improvements on the project site include a 1,500 square-foot single-family residence, 1,116 square-foot barn, 256 square-foot pergola, a basketball court, and two access drives off Shields Avenue. These improvements will be used for the activities related to the proposed event center. The barn will be used for storage purposes and the residence will be used as a living quarter for the ground keeper of the event center.

The proposed improvements on the project include a 400 square-foot restroom facility and a parking lot to provide for event parking. This parking lot will be located adjacent to the existing lawn area and be developed by replacing a small portion of land currently in farming operation.

The project area is predominantly rural residential. Adjacent parcels to the south, and west are developed with single-family homes and the parcels to the north and east are either fellow or active farmland, including the northerly half of the project site.

To screen the proposed parking area from the adjacent properties to the west developed with single-family homes and to prevent headlight shining on the properties during events, a Condition of Approval would require that a cyclone fence with privacy slats or any other appropriate fencing type as approved by Fresno County of Fresno shall be erected along the entire west property line of the project site.

In summary, when completed, the proposed improvements (restroom, parking, and fencing) when completed will not significantly change the visual character or quality of public views of the site and its surroundings. The impact would be less than significant.

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

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION
INCORPORATED:

The project will utilize a limited number of outdoor lighting fixtures. Use of outdoor lighting has the potential of generating new sources of light and glare in the area. The potential for headlight glare related to parking area is discussed in subsection C above. To minimize any potential impacts resulting from new sources of lighting, the project shall adhere to the following Mitigation Measure.

* **Mitigation Measure:**

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

II. AGRICULTURAL AND FORESTRY RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site

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

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project is not in conflict with current zoning and is an allowed use on land designated for rural residential with discretionary approval and adherence to the applicable General Plan Policies.

The project site is not Prime Farmland. It is designated as Farmland of Local Importance on Fresno County 2016 Important Farmland Map and is not enrolled in a Williamson Act Program.

- C. Conflict with existing zoning for forest land, timberland, or timberland zoned Timberland Production; or
- D. Result in the loss of forest land or conversion of forest land to non-forest use; or
- E. Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of farmland to non-agricultural use or conversion of forestland to non-forest use?

FINDING: NO IMPACT:

The project site is not in an area designated for timberland or zoned for timberland production. No forests occur in the vicinity; therefore, the project will have no impacts to forests, conversion of forestland, or timberland zoning would occur because of the subject proposal.

The project site is zoned RR (Rural Residential, two-acre minimum parcel size) in the zoning ordinance for residential development. The project would not result in conversion of farmland to non-agricultural use.

III. AIR QUALITY

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

A. Conflict with or obstruct implementation of the applicable Air Quality Plan?

FINDING: LESS THAN SIGNIFICANT IMPACT:

An Air Quality and Greenhouse Gas Assessment was prepared for the project by JK Consulting Group, LLC, dated July 14, 2023, and routed to the San Joaquin Valley Air Pollution Control District (SJVAPCD) which provided no comments on the project.

Construction and operation of the project would contribute the following criteria pollutant emissions: reactive organic gases (ROG), nitrogen oxides (NO_x) carbon monoxide (CO), nitrogen dioxide (NO_x), sulfur dioxide (SO_x), and particulate matter (PM₁₀ and PM_{2.5}).

As discussed in II. B below, emissions of ROG, NO_x, CO, NO_x, SO_x, PM₁₀, and PM_{2.5} associated with the construction and operation of the project would not exceed the District's significance thresholds, result in an increase in the frequency or severity of any air quality standards violation, or cause a new air quality standard violation. Additionally, the project will adhere to SJVAPCD regulatory requirements.

B. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The primary pollutants of concern during project construction and operation are ROG, NO_x, CO, PM₁₀, and PM_{2.5}. The San Joaquin Valley Air Pollution Control District (SJVAPCD) Guidance for Assessing and Monitoring Air Quality Impacts (GAMAQI) adopted in 2015 contains threshold for ROG, NO_x, CO, SO_x PM₁₀ and PM_{2.5}.

The SJVAPCD's annual emission significance thresholds used for the project define the substantial contribution for both operational and construction emissions are 10 tons per year ROG, 10 tons per year NO_x 100 tons per year CO, 27 tons per year SO_x, 15 tons per year PM₁₀, 15 tons per year PM_{2.5}.

Per the Air Quality and Greenhouse Gas Assessment, the construction emissions (ton per year) associated with the project would be 0.0967 for ROG, 0.6312 for NO_x, 0.7361 for CO, 0.00139 for SO_x, 0.0582 for PM₁₀, and 0.0385 for PM_{2.5} which are less than the threshold of significance. Likewise, the operational emission over the life of the project, primarily from mobile sources, would be 0.1384 for ROG, 0.2163 for NO_x, 1.2061 for CO, 0.0029 for SO_x, 0.2955 for PM₁₀, and 0.0807 for PM_{2.5} which are also less than the threshold of significance.

In summary, short-term (construction) and long term (operational) emissions generated from the project will be less than the applicable SJVAPCD emission thresholds for criteria pollutants. As a result, the project will not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard. The impacts would be less than significant.

C. Expose sensitive receptors to substantial pollutant concentrations?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Sensitive receptors are defined as hospitals, residences, convalescent facilities, and schools. The closest sensitive receptor, single-family homes are located approximately 40 feet west of the west property line and 48 feet east of the east property line of the project site. Also, the project site is developed with a single-family residence.

Per the Air Quality and Greenhouse Gas Assessment, short-term construction phase of the project would generate short-term emissions of criteria air pollutants. The criteria pollutants of primary concern within the Project area include ozone precursor pollutants (i.e., ROG and NO_x) and PM₁₀ and PM_{2.5}. Construction-generated emissions are temporary in nature, lasting only as long as construction activities occur, but would be considered a significant air quality impact if the volume of pollutants generated exceeds the SJVAPCD's thresholds of significance. According to the predicted project construction emissions as summarized in II. B. above, all criteria pollutant emissions would remain below their respective thresholds during project construction. The impact would be less than significant.

Operational air pollutant emissions were based on estimated traffic trip generation for the Project. According to the predicted project operational emissions as summarized in II. B. above, all criteria pollutant emissions would remain below their respective thresholds during Project operations. The impact would be less than significant.

Regarding health risk from Toxic Air Contaminants (TACs), the California Air Resources Board (CARB's) Air Quality and Land Use Handbook (2005) provides recommendations for siting new sensitive land uses within proximity to facilities known to generate TACs, namely freeways and high traffic roads, distribution centers, rail yards, ports, refineries, chrome platters, dry cleaners and gasoline dispensing facilities. The characteristics of the proposed project are not consistent with the TAC source categories as noted above. As a result, the project would not expose adjacent sensitive receptors (single-family homes) to toxic air emissions or generate TAC's that would have a significant impact on the environment.

In conclusion, localized impacts from criteria pollutant emissions would not exceed SJVAPCD screening thresholds and that the project does not include substantial amounts of diesel equipment and truck trips that would result in a significant increase in cancer risk, chronic risk, and acute risk due to TAC emissions.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

Per the Air quality and Greenhouse Gas Assessment, nuisance odors may be assessed qualitatively taking into consideration of project design elements and proximity to off-site receptors that potentially would be exposed to objectionable odors. Various facilities that have been reported to cause odors in the San Joaquin Valley Air Basin (SJVAB) have been identified by the SJVAPCD, and includes landfills, transfer stations, composting facilities, petroleum refinery, asphalt batch plant, chemical or fiberglass manufacturing, painting/coating operations, food processing facility, feed lots/dairy and rendering plant.

The proposed project entails establishment of an event venue whose operation is not expected to generate any offensive odors. The project's operational impact would be less than significant.

During construction, various diesel-powered vehicles and equipment used on-site may create localized odors which would be temporary and not likely to be noticed for extended periods of time beyond the project's site boundaries. The potential for diesel odor impacts would therefore be less than significant. Also, no major odor-generating sources were identified within the screening distances of the site.

IV. BIOLOGICAL RESOURCES

Would the project:

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

FINDING: NO IMPACT:

The project site is within an area predominantly developed with single family homes and related improvements. There are pockets of cultivated land within the immediate surrounding area. A portion of the site is also in farming operation same as the land to the east of the project site. Most other properties in the area are improved with residential dwellings. The project site and the land in the area is pre-disturbed with

farming and residential development and as such do not provide habitat for state or federally listed species. Additionally, the site contains no riparian features, or wetlands or waters under the jurisdiction of the United States.

This project was routed to the California Department of Fish and Wildlife and the U.S. Fish and Wildlife Service for comments. Neither agency offered any comments on the project. 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 CDFW or USFWS; and 3) Federally protected wetlands as defined by Section 404 of the Clean Water Act.

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

FINDING: NO IMPACT:

The project area cannot be characterized as an area for migratory wildlife species or suitable for migratory wildlife corridors. As stated earlier, the project site is in a rural residential area developed with single-family homes outside of the City of Fresno urban development.

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

FINDING: NO IMPACT:

The project will not conflict with any local policies or ordinances protecting biological resources.

- F. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state Habitat Conservation Plan?

FINDING: NO IMPACT:

The project site is within the PG&E San Joaquin Valley Operation and Maintenance Habitat Conservation Plan (HCP) area which applies to the activities related to PG&E's operations. The project is not in conflict with HCP

V. CULTURAL RESOURCES

Would the project:

- A. Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5; or
- B. Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5; or

- C. Disturb any human remains, including those interred outside of formal cemeteries?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION
INCORPORATED:

The project site is not within or near an area sensitive to historical, archeological, or paleontological resources. However, in the unlikely event that cultural resources are uncovered during ground disturbance, the project will adhere to the following mitigation measure to ensure that impacts to cultural resources remain less than significant.

* **Mitigation Measure:**

1. *In the event that cultural resources are unearthed during ground-disturbing activities, all work shall be halted in the area of the find. An Archeologist shall be called to evaluate the findings and make any necessary mitigation recommendations. If human remains are unearthed during ground-disturbing activities, no further disturbance is to occur until the Fresno County Sheriff-Coroner has made the necessary findings as to origin and disposition. All normal evidence procedures should be followed by photos, reports, video, etc. If such remains are determined to be Native American, the Sheriff-Coroner must notify the Native American Commission within 24 hours.*

VI. ENERGY

Would the project:

- A. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources during project construction or operation?

FINDING: NO IMPACT:

The project involves limited construction activities. Construction of a restroom facility and a parking lot would not result in significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resources (gas, electricity, gasoline, and diesel) during construction. Construction activities and corresponding fuel energy consumption would be temporary and localized. There are no unusual project characteristics that would cause the use of construction equipment to be less energy efficient compared with other similar construction sites in the County.

- B. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

FINDING: NO IMPACT:

The project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

VII. GEOLOGY AND SOILS

Would the project:

- A. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:
 - 1. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?
 - 2. Strong seismic ground shaking; or
 - 3. Seismic-related ground failure, including liquefaction?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Per Figure 9-5 of the Fresno County General Plan Background Report, the project site is in an area which has 10 percent probability of seismic hazard in 50 years with peak horizontal ground acceleration of zero to 20 percent. The project development would be subject to building standards, which include specific regulations to protect improvements against damage caused by earthquake and/or ground acceleration.

4. Landslides

FINDING: NO IMPACT:

Per Figure 9-6 of the Fresno County General Plan Background Report, the project site is not in an area of landslide hazards. The site is flat with no topographical variations, which precludes the possibility of landslides.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

Per Figure 7-3 of the Fresno County General Plan Background Report, the project site is not in an area of erosion hazards. Grading activities resulting from this proposal may result in loss of some topsoil due to compaction and overcovering of soil to prepare for the foundation for the proposed restroom and parking area. However, the impact would be less than significant with the project requiring approval of an Engineered Grading and Drainage Plan and Grading Permit prior to the site grading.

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

FINDING: NO IMPACT:

As noted above, the project site is flat with no topographical variations. The site bears no potential for on-site or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse due to the project-related improvements.

- D. Be located on expansive soil as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Per Figure 7-1 of the Fresno County General Plan Background Report, the project site is not in an area of expansive soils. However, the project construction will implement all applicable requirements of the most recent California Building Standards Code and will consider hazards associated with shrinking and swelling of expansive soils.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project would construct a 400 square-foot restroom with septic tank and leach field consistent with Fresno County standards. As noted by Fresno County Health Department, Environmental Health Division, Project Notes would require that the existing septic system capacity shall be verified prior to project approval; new sewage disposal system shall be installed under permit and inspection by the Department of Public Works and Planning Building and Safety Section; and leach fields shall not be paved over to allow for treatment of effluent.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

See discussion in Section V. CULTURAL RESOURCES above.

VIII. GREENHOUSE GAS EMISSIONS

Would the project:

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

An Air Quality and Greenhouse Gas Assessment (GHG Analysis) completed by JK Consulting Group, LLC, dated July 14, 2023, estimated the project GHG emissions for

construction and operation using the California Emissions Estimator Model (CalEEMod) version 2020.4.0 [California Air Pollution Control Officers Association (CAPCOA) 2017], which is the most current version of the model approved for use by SJVAPCD.

The estimated total GHG emissions during the construction phase of the Project is 117.80 Metric Tons (MT) CO₂e. Construction emissions amortized over a 30-year project lifetime (estimated) yield approximately 3.93 MT CO₂e per year. Total operational emissions (274.82 MT CO₂e) combined with amortized construction emissions (3.93 MT CO₂e) shows that the project will generate 278.75 MT CO₂e per year.

The 2022 Scoping Plan updated December 15, 2022 allows lead agencies to analyze GHG impacts of a project by utilizing thresholds of significance recommended by the San Joaquin Valley Air Pollution Control District (SJVAPCD) or other lead agencies. The SJVAPCD has not established specific thresholds of significance for GHG emissions.

While existing GHG emission thresholds developed by other lead agencies were based on consistency with meeting AB 32 goals, they provide some perspective on the GHG emissions generated by the Project. The California Air Resources Board, California Air Pollution Control Officers Association, Bay Area Air Quality Management District, Sacramento Metropolitan Air Quality Management District, and South Coast Air Quality Management District established GHG thresholds for their respective regions. The yearly GHG emissions generated by the project as determined by the CalEEMod model reflect between three (3) percent and thirty-one (31) percent of the various thresholds identified by other lead agencies. As a result, the project will not generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.

- B. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project is consistent with the policies outlined in Senate Bill (SB) 375, Executive Order B-30-15, Assembly Bill (AB) 1279 and 2022 Scoping Plan (updated December 15, 2022) to reduce the emission of greenhouse gas.

The 2022 Scoping Plan lays forth a plan for achieving carbon neutrality goals and reducing anthropogenic GHG emissions by 85% below 1990 levels by 2045 as required by AB 1279. By implementing clean technologies and fuels, the plan's actions and results will result in significant decreases in the combustion of fossil fuels, further decreases in short-lived climate pollutants, support for sustainable development, increased action on working and natural lands to reduce emissions and sequester carbon, and the capture and storage of carbon.

The project is consistent with the following applicable strategies outlined in the 2022 Scoping Plan; 1) achieve 100 percent Zero-Emission Vehicle (ZEV) sales of light-duty

vehicles by 2035 and medium-heavy-duty vehicles by 2040; 2) accelerate the reduction and replacement of fossil fuel production and consumption in California; and 3) to analyze GHG impacts of a project by utilizing thresholds of significance recommended by the SJVAPCD or other lead agency. The SJVAPCD has not established specific thresholds of significance for GHG emissions.

The project will not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases. As such, the project impact on greenhouse gas emission would be less than significant.

IX. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The Fresno County Department of Public Health, Environmental Health Division reviewed the proposal and requires the following as Project Notes: 1) Facilities that use and/or store hazardous materials and/or hazardous wastes shall meet the requirements set forth in the California Health and Safety Code (HSC), Division 20, Chapter 6.95, and the California Code of Regulations (CCR), Title 22, Division 4.5; and 2) Your proposed business will handle hazardous materials and/or hazardous waste and will be required to submit a Hazardous Materials Business Plan pursuant to the HSC, Division 20, Chapter 6.95.

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

FINDING: NO IMPACT:

The nearest public school, Glacier Point Middle School, is located approximately 4,130 feet northwest of the project site which is more than one-quarter mile (1,320 feet). Considering the distance and above-noted requirements related to handling of hazardous materials, the project will have no impact on the school facilities.

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

FINDING: NO IMPACT:

According to the search results of the U.S. EPA's NEPAAssist Tool, the project site is not listed as a hazardous materials site. The project will not create hazards to the public or the environment.

- E. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, result in a safety hazard or excessive noise for people residing or working in the project area?

FINDING: NO IMPACT:

Per the Fresno County *Airport Land Use Compatibility* Plan Update adopted by the Airport Land Use Commission (ALUC) on December 3, 2018, the nearest public airport, Fresno-Yosemite International Airport, is approximately 9.1 miles east of the project site. Given the distance, the airport will not be a safety hazard or source of excessive noise for people at the project site.

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

FINDING: NO IMPACT:

The project site is in an area where existing emergency response times for fire protection, emergency medical services, and sheriff protection meet adopted standards. The project does not include any characteristics (e.g., permanent road closures) that would physically impair or otherwise interfere with emergency response or evacuation in the project vicinity. These conditions preclude the possibility of the proposed project conflicting with an emergency response or evacuation plan. No impacts would occur.

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

FINDING: NO IMPACT:

Per Figure 9-9 of the Fresno County General Plan Background Report, the project site is outside of the State Responsibility Area for wildland fire protection. The project will not be exposed to wildland fire hazards.

X. HYDROLOGY AND WATER QUALITY

Would the project:

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

See discussion in Section VII. E. GEOLOGY AND SOILS concerning waste discharge requirements.

Per the Fresno County Department of Public Health, Environmental Health Division (Health Department), the project shall adhere to the following requirements included as Project Notes: 1) To protect groundwater, all abandoned water wells and septic systems on the property shall be destroyed by a licensed contractor; and 2) Any underground storage tank(s) found during construction, shall be removed by securing an Underground Storage Tank Removal Permit from the Health Department.

The Regional Water Quality Control Board, Central Valley Region also reviewed the proposal and did not provide any comments.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project will use an existing onsite well to provide water to the project. According to the Water and Natural Resources Division of the Fresno County Department of Public Works and Planning, the project site is not in an area of the county defined as being a water short area. Water consumption by the project will have a less than significant impact on the existing water levels in the area.

According to the State Water Resources Control Board, Division of Drinking Water (SWRCB-DDW), the project does not meet the definition of a new public water system (PWS) and is not required to secure a permit from the Division of Drinking Water.

- C. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:
1. Result in substantial erosion or siltation on or off site?
 2. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off site?
 3. Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff; or
 4. Impede or redirect flood flows?

FINDING: LESS THAN SIGNIFICANT IMPACT:

No natural drainage channels, stream or a river run through the project site. The Fresno Irrigation District does not own, operate, or maintain any facilities within the project site.

The project development will not cause significant changes in the absorption rates, drainage patterns, or the rate and amount of surface run-off with adherence to the mandatory construction practices contained in the Grading and Drainage Sections of the County Ordinance Code. As noted in Section VII. B. GEOLOGY AND SOILS above, the project would require approval of an Engineered Grading and Drainage Plan and a grading permit prior to any onsite grading work.

Furthermore, the project will be subject to the following requirements from Fresno Metropolitan Control District and are included hereto as Project Notes. The project shall: 1) Provide temporary on-site storm water storage facility until permanent FMFCD facilities become available and drainage can be directed to the street; 2) Obtain drainage and grading plan approval by the FMFCD prior to approval by the County; and 3) Pay drainage fees at the time of development based on the fee rates in effect at that time.

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

FINDING: NO IMPACT:

Per Figure 9-7 of the Fresno County General Plan Background Report, and FEMA FIRM Panel 2140 H, the project site is not subject to flooding from the 100-Year Storm.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project is within North Kings Groundwater Sustainability Area (NKGSA). On behalf of NKGSA, the Fresno Irrigation District recommended that the proposed development balance anticipated groundwater use with sufficient recharge of imported surface water to preclude increasing the area's existing groundwater overdraft problem.

However, the Fresno County Water and Natural Resources Division has determined that the project site is not within an area of the county defined as being a water short area. As such, the project will have a less than significant impact on the existing groundwater levels in the area.

XI. LAND USE AND PLANNING

Would the project:

A. Physically divide an established community?

FINDING: NO IMPACT:

The project will not physically divide an established community. The project site is within the City of Fresno Sphere of Influence but outside of its boundaries.

B. Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project site is designated Rural Residential in the County General Plan and zoned RR (Rural Residential, two-acre minimum parcel size) in the County Zoning Ordinance. The proposed project (an event center) is an allowed use in the RR zone district subject to the approval of a discretionary land use application and is consistent with the following General Plan policies:

Regarding consistency with General Plan Policy HS-G.1, HS-G.5, and HS-G.8, the project will adhere to the mitigation measures included in the Acoustical Analysis prepared for the project and discussed in Section XIII NOISE below.

Regarding consistency with General Plan Policy PF-C.17, the project site is not located within an area of the county defined as being a water short area. Given the limited water usage (approximately 250 gallons of water per event), the project will have a less than significant impact on the existing groundwater levels in the area.

Regarding consistency with General Plan Policy PF-D.6, the project site can accommodate a new sewage disposal system for the proposed restroom facility to accommodate attendees of the events under permit and inspection from Fresno County Department of Public Works and Planning.

Regarding consistency with General Plan Policy TR-A.7, the project shall pay its fair share portion of the development's impacts on the local transportation system in accordance with Traffic Signal Mitigation Impact (TSMI) Fee required by the City of Fresno.

XII. MINERAL RESOURCES

Would the project:

- A. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state; or
- B. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local General Plan, Specific Plan or other land use plan?

FINDING: NO IMPACT:

Per Figure 7-8 of the Fresno County General Plan Background Report, the project site is outside of a mineral-producing area of the County.

XIII. NOISE

Would the project result in:

- A. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies; or
- B. Generation of excessive ground-borne vibration or ground-borne noise levels?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION
INCORPORATED:

According to the Fresno County Department of Public Health, Environmental Health Division (Health Department), the proposed project could potentially expose nearby residents to elevated noise levels;

An *Acoustical Analysis* (Analysis) was prepared for the project by *WJV Acoustics and dated April 12, 2022*. Per the Analysis, the project will meet Fresno County Noise Ordinance standards with the implementations of Noise Control Plan along with the conclusions and recommendations therein.

The Fresno County Department of Public Health, Environmental Health Division concurred with the finding and conclusion of the Analysis and stated that if complaints are received from adjacent noise sensitive receptors (single-family homes) and confirmed by Health Department, the project operators shall provide additional mitigation measures than those noted below to the Health Department to meet the requirements of the Fresno County Noise Ordinance. The project will adhere to the following mitigation measure:

* **Mitigation Measures:**

1. *A Noise Control Plan (Noise Monitoring Requirements) contained in the Acoustical Analysis prepared by WJV Acoustics and dated April 12, 2022, must be implemented to ensure compliance with the applicable County of Fresno daytime (7:00 a.m. to 10:00 p.m.) noise level standards. Additionally, no amplified speech or music shall occur during the nighttime hours (10:00 p.m. to 7:00 a.m.) and all amplified speech and music shall conclude by 10:00 p.m.*
2. *The project operator(s) shall verify noise levels from amplified outdoor activities at both the east and the west property lines as noted in the*

Acoustical Analysis. If maximum noise levels are measured to be higher than 62 dB (decibels) at west property line and 64 db (decibels) at east property line, noise levels must be reduced until compliance is met.

3. *The project operator(s) shall provide additional mitigation measures than those noted above (Item 1 and 2) to the Fresno County Department of Public Health, Environmental Health Division to meet the requirements of the Fresno County Noise Ordinance.*

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

FINDING: NO IMPACT:

The project is not located within two miles of a public airport or public use airport. See discussion in Section XV. A. 1. PUBLIC SERVICES above. People residing or working in the project area will not be subject to excessive noise levels?

XIV. POPULATION AND HOUSING

Would the project:

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

FINDING: NO IMPACT:

The project involves no new housing that would induce population growth in the area.

XV. PUBLIC SERVICES

Would the project:

- A. Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the need for new or physically-altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the following public services:

1. Fire protection?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Per the North Central Fire Protection District (NCFPD), the project shall comply with California Code of Regulations Title 24 - Fire Code and California Code of Regulations Title 19 -Public Safety and shall submit construction plans to the County prior to receiving NCFPD conditions of approval for the project. These requirements will be included as Project Notes.

2. Police protection?

FINDING: NO IMPACT:

The project was routed to the Fresno County Sheriff's office who did not provide any comments on the project. No impact would occur.

3. Schools?

4. Parks; or

5. Other public facilities?

FINDING: NO IMPACT:

The project will not impact the existing public services or result in the need for additional public services related to schools or parks.

XVI. RECREATION

Would the project:

- A. Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated; or
- B. Include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?

FINDING: NO IMPACT:

The project involves no residential development which may increase demand for neighborhood and regional parks or other recreational facilities in the area.

XVII. TRANSPORTATION

Would the project:

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

**FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION
INCORPORATED:**

The project will not conflict with any policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities. The project area is rural residential and is not planned for any transit, bikeways, or pedestrian facilities as per the Transportation and Circulation Element of the Fresno County General Plan.

The Fresno County Transportation Planning Unit required that a Traffic Impact Study shall be prepared for the project to assess potential traffic impacts to County and City of Fresno roadways. The project site is within the City of Fresno Sphere of Influence.

According to a Traffic Impact Study (TIS) prepared by Peters Engineering Group and dated August 16, 2023, the study intersections are currently operating at acceptable LOS (Level of Service) during the study time periods. Traffic signal warrants are not warranted at the study intersections in the existing condition. With implementation of the project, the study intersections will operate at acceptable LOS A and B during the study time periods. Traffic signals are not expected to be warranted at the study intersections. By the year 2044 the intersection of Bryan and Shields Avenues is expected to operate at LOS E during the weekday p.m. peak hour and the intersection of Polk and Shields Avenues is expected to operate at LOS E or F during all the study time periods. For the intersection of Bryan and Shields Avenues to operate at acceptable LOS during the weekday p.m. peak hour, all-way stop control is required by the year 2044. For the intersection of Polk and Shields Avenues to operate at acceptable LOS during the study peak hours, traffic signals are required by the year 2044. The project may be required to a fair share of the cost of the future construction to account for its share of the cumulative traffic issues.

The TIS was reviewed by the Fresno County Transportation Planning Unit and the City of Fresno Traffic Operations and Planning Division (TOPD).

According to the City of Fresno TOPD, the project shall pay its Traffic Signal Mitigation Impact (TSMI) Fee per the Master Fee Schedule, at the time of the issuance of building permits by the County. The TSMI fee facilitates project impact mitigation to the City of Fresno Traffic Signal infrastructure so that costs are applied to each new project/building based on the generated ADT (Average Daily Traffic). The TSMI fee is credited against traffic signal installation/modifications and/or Intelligent Transportation System (ITS) improvements (constructed at their ultimate location) that plan to build out the 2035 General Plan circulation element and are included in the Nexus Study for the TSMI fee.

Upon reviewing the City of Fresno TOPD comments, the Fresno County Transportation Planning Unit determined that the project shall pay City's TSMI fees in lieu of the fair share contributions to the county for all-way stop required by the year 2044. The future improvements are within the City of Fresno SOI and are estimated to be built out in 2035 which should negate the cumulative 2044 with project impacts listed in TIS. To comply with City's comments, the project shall adhere to the following Mitigation

Measures when implemented will reduce traffic impact to City/County roadways to less than significant.

* **Mitigation Measure:**

1. *Prior to the issuance of building permits, the project shall pay City of Fresno Traffic Signal Mitigation Impact (TSMI) Fee in the amount of \$4,437.72 to satisfy the fair share requirement for traffic signals as identified in the Traffic Impact Study prepared for the project, dated August 16, 2023, and provide a proof of payment to the County.*

The California Department of Transportation and Fresno County Road Maintenance and Operations (RMO) Division offered no comments on TIS. The RMO Division requires the following as Conditions of Approval for the project: 1) provide an additional 23 feet of road right-of-way for Shield Avenue and prepare a Traffic Management Plan (TMP) for approval by RMO Division before the first event of operation. The TMP shall include details on the usage of flaggers, temporary warning signs and warning beacons; include installation of street lighting and signage as appropriate; and limit traffic to right-in right-out movements during events.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The State of California Governor's Office of Planning and Research document entitled *Technical Advisory on Evaluating Transportation Impacts in CEQA* dated December 2018 (OPR Technical Advisory) suggest that projects that generate or attract fewer than 110 trips per day may be presumed to cause a less-than-significant transportation impact.

Per the Traffic Impact Study (TIS), the project will have a maximum of 60 events per year. If all 60 events were the maximum event with 200 visitors, the daily 328 traffic trips would occur 60 times per year resulting in 19,680 trips per year ($328 \times 60 = 19,680$). The annual average trips per day would be approximately 54 ($19,680 \text{ trips per year} \div 365 \text{ days per year} = 54 \text{ trips per day}$). This value is less than the significance threshold of 110 trips per day established in the OPR Technical Advisory. As such, the impact on transportation related to VMT (Vehicle Miles Traveled) would be less than significant.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project site gain access via two existing access drives off shields Avenue. The project will use the existing access points. No additional access point is proposed.

The project will not create traffic hazards due to the current roadway configuration and would not change roadway designs within the project area, which were designed in accordance with Fresno County roadway standards to avoid roadway hazards and other traffic-related hazardous features. As noted above, a Traffic Management Plan (TMP) will be prepared for the project and with its implementation, any potential traffic hazard at the project site will be reduced to less than significant.

D. Result in inadequate emergency access?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The existing access points to the site will be used during events and emergencies. As noted by the Fresno County Road Maintenance and Operations Division, to accommodate traffic generated by the project, the existing drives would need to be improved to meet Fresno County Improvement Standard D-2.

The North Central Fire Protection District (NCFPD) expressed no concerns related to the site emergency access.

XVIII. TRIBAL CULTURAL RESOURCES

Would the project:

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project site is not in an area determined to be highly or moderately sensitive to archeological resources. Pursuant to Assembly Bill (AB) 52, project information was routed to the Picayune Rancheria of the Chukchansi Indians, Dumna Wo Wah Tribal Government, Table Mountain Rancheria and Santa Rosa Rancheria Tachi Yokut Tribe offering them an opportunity to consult under Public Resources Code (PRC) Section 21080.3(b) with a 30-day window to formally respond to the County letter. No tribe requested consultation, resulting in no further action on the part of the County. The Mitigation Measure included in the CULTURAL ANALYSIS section of this report will reduce any potential impact to tribal cultural resources to less than significant.

XIX. UTILITIES AND SERVICE SYSTEMS

Would the project:

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

See discussion in Section VII. E. GEOLOGY AND SOILS above. The project will not result in the relocation or construction of new electric power, natural gas, or telecommunications facilities.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

See discussion in Section X. B. HYDROLOGY AND WATER QUALITY above.

- C. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

FINDING: LESS THAN SIGNIFICANT IMPACT:

See discussion in Section VII. E. GEOLOGY AND SOILS above.

- D. Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals; or
- E. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

FINDING: NO IMPACT:

The project development will not generate solid waste more than the capacity of local landfill sites.

The solid wastes produced by the proposed event center will be collected for the local landfill through regular trash collection service in accordance with local and state standards for disposal of solid wastes.

XX. WILDFIRE

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

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

FINDING: NO IMPACT:

The project site is not located within or near a State Responsibility Area for wildfire. See discussion in Section XV. A. 1. PUBLIC SERVICES above.

XXI. MANDATORY FINDINGS OF SIGNIFICANCE

Would the project:

- A. Have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project will have no impact on biological resources. Impacts on cultural resources have been reduced to a less than significant level with the incorporation of a Mitigation Measure discussed in Section V. CULTURAL RESOURCES above.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

Each of the projects located within Fresno County has been or would be analyzed for potential impacts, and appropriate project-specific Mitigation Measures are developed to reduce that project’s impacts to less than significant levels. Projects are required to comply with applicable County policies and ordinances. The incremental contribution by the proposed project to overall development in the area is less than significant.

The proposed project will adhere to the permitting requirements and rules and regulations set forth by the Fresno County Grading and Drainage Ordinance, San Joaquin Air Pollution Control District, and California Code of Regulations Fire Code at the time development occurs on the property. No cumulatively considerable impacts relating to Agricultural and Forestry Resources, Air quality, or Transportation were identified in the project analysis. Impacts identified for Aesthetics, Cultural Resources, Noise and Transportation will be mitigated by compliance with the Mitigation Measures listed in Sections I., Section V., Section XIII, and Section XVII of this report.

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

FINDING: NO IMPACT:

No substantial impacts on human beings, either directly or indirectly, were identified in the analysis.

CONCLUSION/SUMMARY

Based upon Initial Study No. 8284 prepared for Classified Conditional Use Permit Application No. 3750, 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 biological resources, energy, mineral resources, population and housing, recreation, or wildfire.

Potential impacts related to agriculture and forestry resources, air quality, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, public services, tribal cultural resources, and utilities and service systems have been determined to be less than significant.

Potential impacts to Aesthetics, Cultural Resources, Noise, and Transportation 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 southwest corner of Tulare and "M" Streets, Fresno, California.

EA:JP

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