City of Fresno, Airports Department
Properties Division
4995 E. Clinton Way
Fresno, CA 93727

FOR COUNTY CLERK USE ONLY

NOTICE OF EXEMPTION

July 17, 2025

Project Name: Approval of Non-Exclusive License Agreement (License) with New Tech Aircraft Services, Inc. (dba. NTAS Maintenance & Engineering), a California Corporation to Provide On-Call Maintenance to Large Transport Category Aircraft Operated by Southwest Airlines Company, a Texas Corporation, at Fresno Yosemite International Airport.

Project Number:

Project Location: 5175 E. Clinton Way, Fresno, CA 93727, Fresno Yosemite International Airport Assessor's Parcel Number (APN): 49407178T

Description of Project: On August 12, 2024, New Tech Aircraft Services, Inc. (dba. NTAS Maintenance & Engineering), a California Corporation (NTAS), entered into a Temporary Use Permit (TUP) with the City of Fresno, Airports Department (Airports), a California Municipal Corporation, to operate at Fresno Yosemite International Airport (FAT) as the on-call maintenance provider to the large transport category aircraft operated by Southwest Airlines Company, a Texas Corporation (Southwest). Airports issued the TUP, as NTAS and Southwest had entered into an Aircraft On-Call Servicing Agreement on May 1, 2024. The Agreement is for a term of three (3) years, which has an expiration date of April 30, 2027. However, the TUP expired on March 1, 2025. Therefore, this License will allow NTAS to continue operating at FAT, without any disruption, as Southwest's on-call maintenance provider through April 30, 2027. Please be advised this License, as the previous TUP, does not contemplate the leasing of any rentable space within FAT's terminal building, as NTAS is a Mobile Service Provider (MSP). As an MSP, NTAS is a company that conducts one or more authorized revenue generating aviation activities on or at FAT but does not directly lease space from Airports. The License with NTAS is identified as the proposed project under the California Environmental Quality Act (CEQA). The License would result in the use of an existing airport terminal facility and would not result in alteration of the existing building footprint or result in a significant increase in capacity of use. No additional direct or indirect physical environmental impacts are anticipated.

Name of Public Agency Approving Project: City of Fresno, Airports Department

Name of Person or Agency Carrying Out Project: City of Fresno, Airports Department, Properties Division

Exempt Status: State CEQA Guidelines Section 15301, Class 1, Existing Facilities Exemption; Section 15061(b) (3), "Common Sense" Exemption. Codified under California Code of Regulations Title 14, Article 5, Section 15061.

Reasons Why Project is Exempt: The proposed project is categorically exempt from the provisions of CEQA specifically by the State CEQA Guidelines as identified below. The project will not result in any specific or general exceptions to the use of the categorical exemption as detailed under State CEQA Guidelines Section 15300.2. The project will not cause an impact to an environmental resource of hazardous or critical concern, nor would the project involve unusual circumstances that could potentially have a significant effect on the environment. The project would not result in impacts to scenic highways, hazardous waste sites, historic resources, or other sensitive natural environments, or have a cumulative effect to the environment. No significant environmental impacts are anticipated to occur with the Agreement, permitting continued use of an existing terminal.

- **Section 15301 – Class 1 Existing Facilities Exemption:** This categorical exemption includes the operation, repair, maintenance, leasing, or minor alteration of existing public or private structures or facilities, provided the exemption only involves negligible or no expansion of the previous site's use. The project, as proposed, is limited to a Non-Exclusive License Agreement for continued use of an existing terminal facility and would include the continued maintenance and repairs of the facility to keep the terminal functional. The use of the facility by NTAS would be consistent with the current land use and would not require any expansion of public services and facilities; therefore, the project is exempt as the project meets the scope and intent of the Class 1 Exemption identified in Section 15301, Article 19, Categorical Exemptions of the CEQA Guidelines.

- **Section 15061 (b) (3) – "Common Sense" Exemption:** In accordance with CEQA, the use of the Common Sense Exemption is based on the "general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment." State CEQA Guidelines, Section 15061(b) (3). The use of this exemption is appropriate if "it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment." *Ibid*. This determination is an issue of fact and if sufficient evidence exists in the record that the activity cannot have a significant effect on the environment, then the exemption applies and no further evaluation under CEQA is required. See *No Oil, Inc. v. City of Los Angeles* (1974) 13 Cal. 3d 68. The ruling in this case stated that if a project falls within a category exempt by administrative regulation or 'it can be seen with certainty that the activity in question will not have a significant effect on the environment', no further agency evaluation is required. With certainty, there is no possibility that the project may have a significant effect on the environment. The proposed License is limited to a contractual transaction to continue use of an existing facility. The indirect effects would be limited to the ongoing maintenance of large transport aircraft that are currently operated by Southwest at FAT. The License will not result in any direct or indirect physical environmental impacts. The use and operation of the facility will not differ from the existing use and will not create any new environmental impacts to the surrounding area. No impacts beyond the minor maintenance and continued use of the facility would occur. Therefore, in no way, would the project as proposed have the potential to cause a significant environmental impact and the project is exempt from further CEQA analysis.

Therefore, the City of Fresno, Airports Department hereby concludes that no physical environmental impacts are anticipated to occur and the project as proposed is exempt under CEQA. No further environmental analysis is warranted.



Henry Thompson, Director of Aviation 07/17/2025
City of Fresno, Airports Department