

NOTICE OF EXEMPTION

TO: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

FROM: City of Clovis
General Services Department
1033 Fifth Street
Clovis, CA 93612

County Clerk
County of Fresno
2220 Tulare Street, 1st Floor
Fresno, CA 93721
clerk-services@fresnocountyca.gov

Project Title: Acquisition of Assessor's Parcel Number 580-072-41S

Project Applicant: City of Clovis

Project Location: Assessor's Parcel Number [APN]: 580-072-41S

Project Location – City: N/A

Project Location – County: Fresno

Description of Nature, Purpose and Beneficiaries of Project:

The City of Clovis proposes to acquire one parcel, totaling approximately 24.4 acres (APN: 580-072-41S) located on southwest corner of the intersection of East International Avenue and North Minnewawa Avenue in the Sphere of Influence of the City of Clovis. The proposed project does not include physical changes to the parcel.

Name of Public Agency Approving Project: City of Clovis

Name of Person or Agency Carrying Out Project: City of Clovis

Exempt Status (check one):

- Ministerial (Sec. 21080(b)(1); 15268);
- Declared Emergency (Sec. 21080(b)(3); 15269(a));
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- Categorical Exemption. State type and section number: _____
- Statutory Exemption. State code number: _____
- Other: Common Sense Exemption, CEQA Section 15061(b)(3)

Reasons why project is exempt:

The proposed project is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) because the proposed activity is limited to the acquisition one parcel with no physical changes proposed. As such, it can be seen with certainty that the proposed project would result in no significant effect on the environment.

Lead Agency:

Contact Person: Bethany Berube, Deputy General Services Director

Area Code/Telephone/Extension: (559) 324-2770

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? Yes No

Signature: 

Name & Title: Ryan Burnett, Eng. Program Manager

Date: 3/3/20

Signed by the Lead Agency

Signed by Applicant

Date Received for filing at OPR: _____

MEMORANDUM

DATE: December 10, 2025

To: Bethany Berube, Deput General Services Director
City of Clovis, General Services Department

FROM: Kyle Simpson, Principal

SUBJECT: Common Sense/No Possibility of Effects Exemption for the Acquisition of Assessor's Parcel Number 580-072-41S

INTRODUCTION

The City of Clovis (City) proposes to acquire one parcel located north of Clovis. This memorandum has been prepared to support the City's determination that the acquisition of the parcel is exempt from the California Environmental Quality Act (CEQA).

Section 15061(b)(3) of the *State CEQA Guidelines* states that, if there is no possibility that a proposed activity would result in a significant effect on the environment, the activity is not subject to CEQA. This memorandum provides a description of the proposed acquisition and describes the basis for this activity to be exempt from CEQA.

PROJECT DESCRIPTION

The City proposes to acquire one parcel in the City's Sphere of Influence (SOI) located on the southwest corner of the intersection of East International Avenue and North Minnewawa Avenue (Assessor's Parcel Number [APN]: 580-072-41S), totaling approximately 24.4 acres. The proposed project is limited to acquisition of the parcel, and no physical changes to the parcel, nor annexation of the parcel by the City, is proposed at this time.

Following acquisition of the parcel, the City may contemplate the construction and operation of a transit operations and maintenance yard on the acquired parcel. While an initial design for a transit operations and maintenance yard has been explored, no feasible design has been finalized. As such, physical components of a transit operations and maintenance yard, including overall size, including height and scale, as well as aesthetic treatments, are uncertain at this time. Therefore, the potential development of a transit operations and maintenance yard is speculative and lacks sufficient detail or certainty necessary for an analysis of potential environmental effects that could result from construction and operation of a transit operations and maintenance yard. Following continued internal deliberations regarding feasibility of a potential transit operations and maintenance yard, and selection of a final design, the City will conduct a subsequent analysis of a transit operations and maintenance yard consistent with the requirements of CEQA.

EXEMPTION FROM CEQA

Section 15061 of the *State CEQA Guidelines* states the following:

15061. Review For Exemption

- (a) Once a lead agency has determined that an activity is a project subject to CEQA, a lead agency shall determine whether the project is exempt from CEQA.*
- (b) A project is exempt from CEQA if:*
 - (1) The project is exempt by statute (see, e.g. Article 18, commencing with Section 15260).*
 - (2) The project is exempt pursuant to a categorical exemption (see Article 19, commencing with Section 15300) and the application of that categorical exemption is not barred by one of the exceptions set forth in Section 15300.2.*
 - (3) The activity is covered by the common sense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.*
 - (4) The project will be rejected or disapproved by a public agency. (See Section 15270(b)).*
 - (5) The project is exempt pursuant to the provisions of Article 12.5 of this Chapter.*

[...]

As stated in Section 15061(b)(3) of the *State CEQA Guidelines*, an activity is exempt from CEQA where it can be seen with certainty that there is no possibility that the activity in question would result in a significant effect on the environment. This is referred to as the Common Sense Exemption or the No Possibility of Effects Exemption, as it can be stated with certainty that the proposed activity does not affect the environment.

Section 15382 of the *State CEQA Guidelines* defines a “significant effect on the environment” as “a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance.”

The activity proposed by the City is limited to acquiring one parcel and would not include any physical changes to the parcel. Any future changes to the parcel, including construction and operation of a potential transit operations and maintenance yard will be evaluated to meet the requirements of CEQA once the full scope of the future project is known.

As a result, the proposed activity would not result in a significant effect on the environment, as described in Section 15382, and identified in Section 15061(b)(3) as a limiting factor for exemption under CEQA.

SUMMARY

On the basis of the explanation provided above, the proposed acquisition of APN 580-072-41S is exempt from CEQA because it can be seen with certainty that there is no possibility that the proposed acquisition would result in a significant effect on the environment. As a result, a Notice of Exemption may be prepared for the proposed acquisition.

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