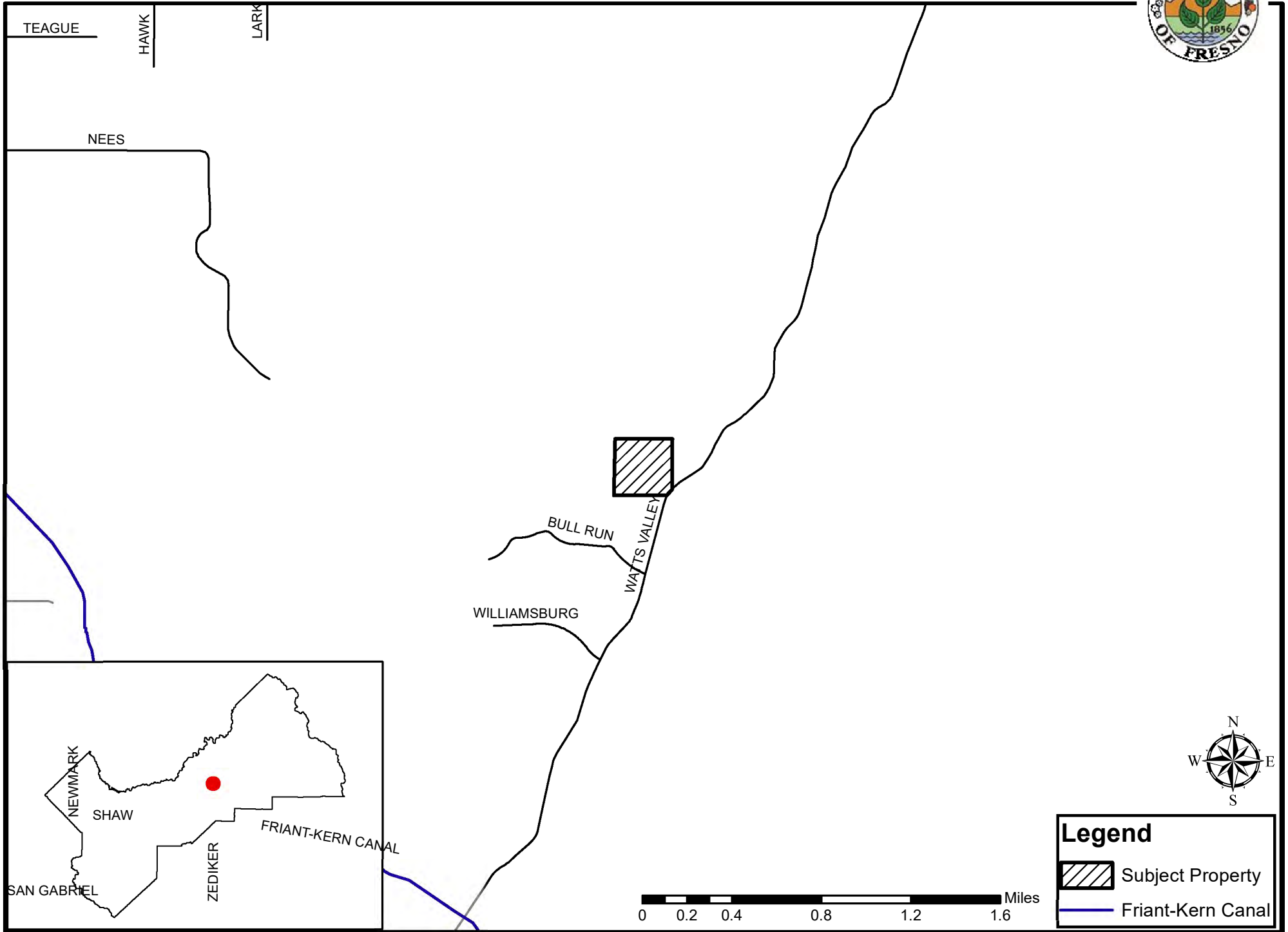
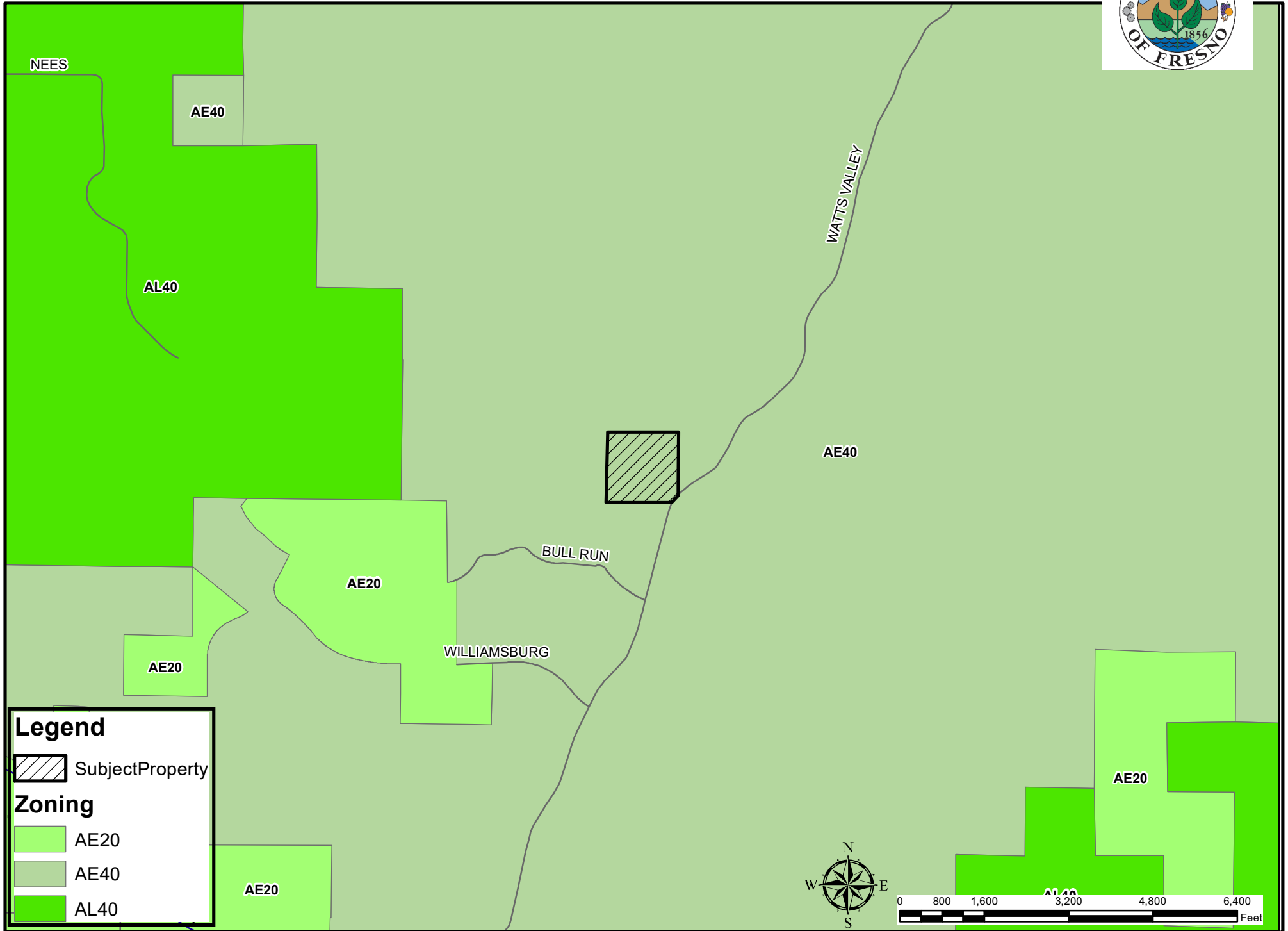



LOCATION MAP






EXISTING ZONING MAP



Legend

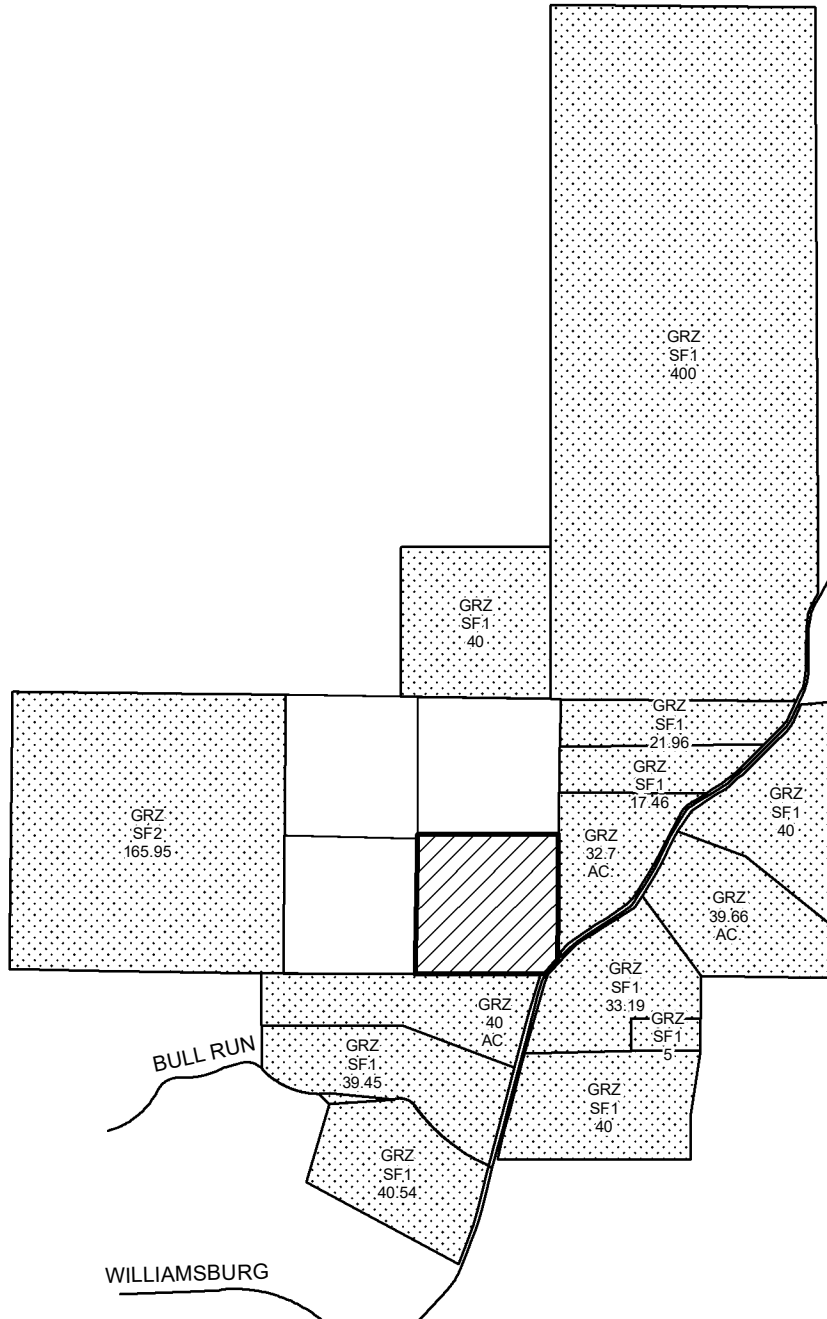
 SubjectProperty

Zoning

-  AE20
-  AE40
-  AL40

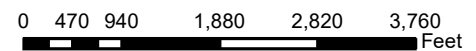
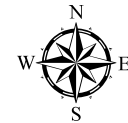


EXISTING LAND USE MAP



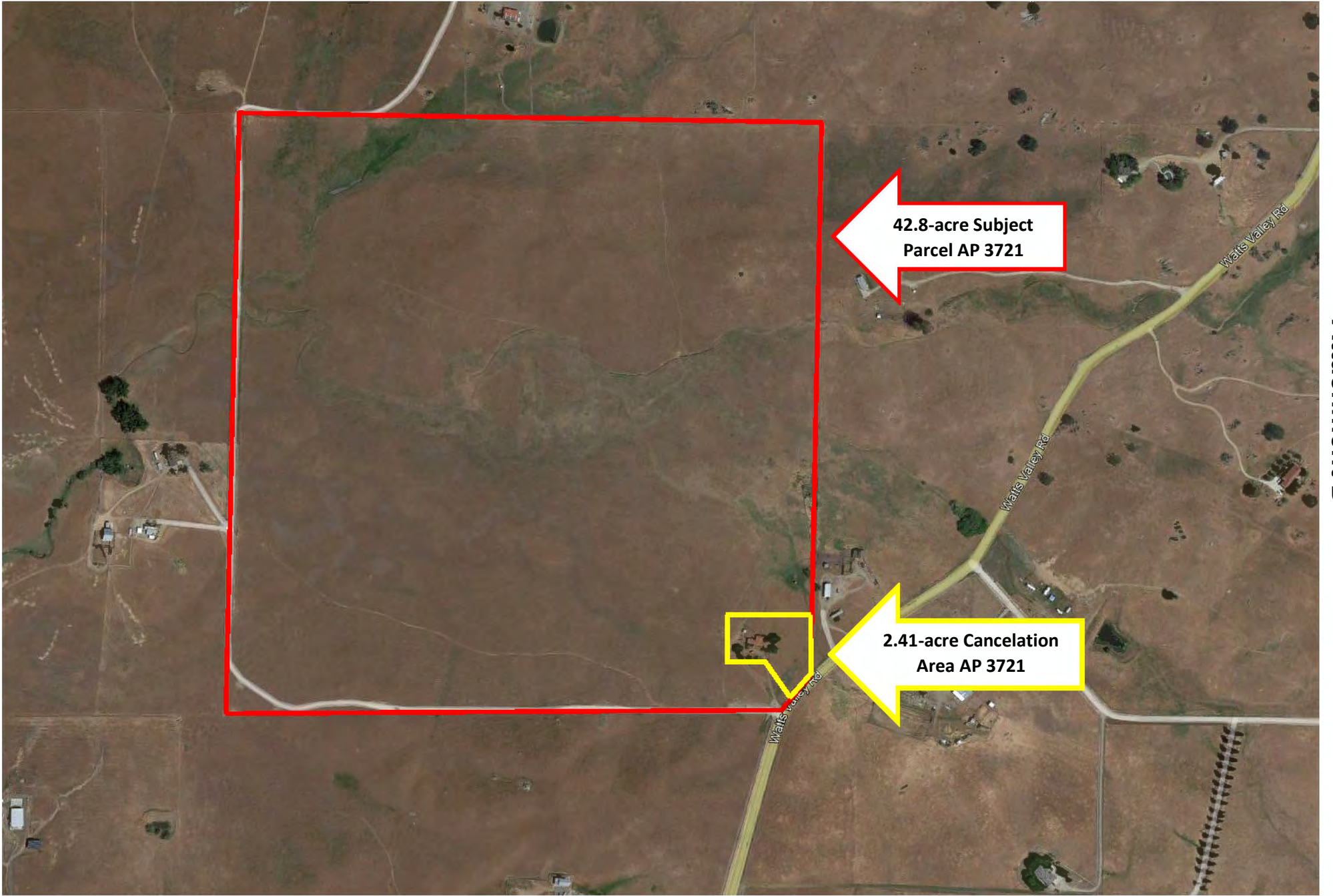
LEGEND
 SF#- SINGLE FAMILY RESIDENCE
 GRZ - GRAZING
 V - VACANT

LEGEND:
 Subject Property
 Ag Contract Land



Department of Public Works and Planning
 Development Services Division

Map Prepared by: DM
 G:\4360Devs&PIn\GIS\
 Maps\Landuse\



Attachment E

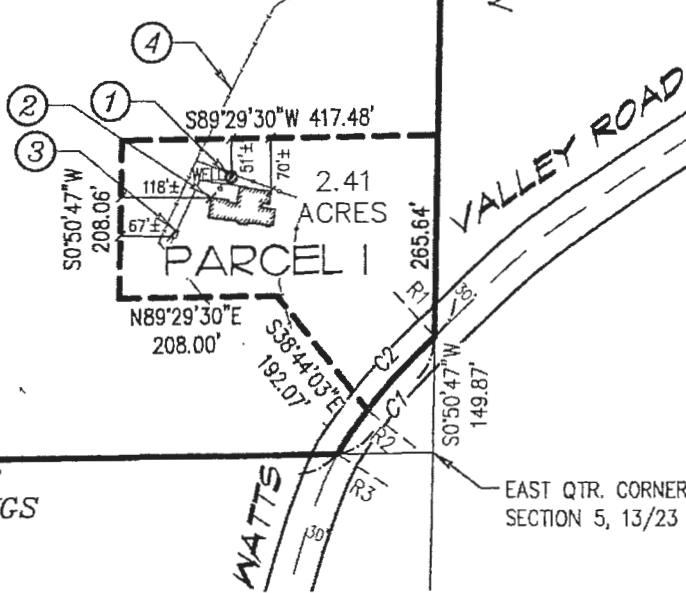
P.C.O.C. **3535**

HOG CREEK (APPROXIMATE LOCATION)
 $N89^{\circ}29'56''W$ 1354.20'

$N1^{\circ}01'16''E$ 1392.98'

$N0^{\circ}50'47''E$ 1219.13'
 NORTH LAG JAG AVENUE ALIGNMENT

PMW 18-20 (PORTION)
 GRANT DEED DOCUMENT
 NO. 2020-0142939, O.R.F.C.
 APN 158-021-61



$N89^{\circ}29'30''E$ 1232.14'
 BASIS OF BEARINGS
 EAST SIERRA AVENUE ALIGNMENT

LEGEND

- SUBJECT PROPERTY BOUNDARY
- NEW DIVISION LINE
- EXISTING WELL, APPROXIMATE LOCATION
- EXISTING RESIDENTIAL 1800± S.F. OF LIVING AREA, APPROXIMATE LOCATION
- EXISTING SEPTIC SYSTEM, APPROXIMATE LOCATION
- EXISTING FENCE, APPROXIMATE LOCATION

BASIS OF BEARINGS

THE SOUTH LINE OF THE NORTH HALF OF SECTION 5, T. 13 S., R. 23 E., M.D.B. & M. TAKEN TO BE NORTH $89^{\circ}29'30''$ EAST, PER THE 1991 SURVEY BY RONALD W. GREENWOOD, R.C.E. 12406, FILED IN BOOK 38 OF RECORD OF SURVEYS, AT PAGE 68, FRESNO COUNTY RECORDS.
 NOTE: CALCULATED BEARINGS AND DISTANCES FROM FIELD SURVEY

RADIAL LINE TABLE

LINE #	DIRECTION
R1	$N41^{\circ}42'11''W$
R2	$N51^{\circ}51'07''W$
R3	$N57^{\circ}19'52''W$

CURVE TABLE

CURVE #	RADIUS	LENGTH	DELTA
C1	730.00'	199.12'	$15^{\circ}37'42''$
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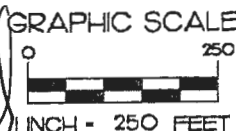
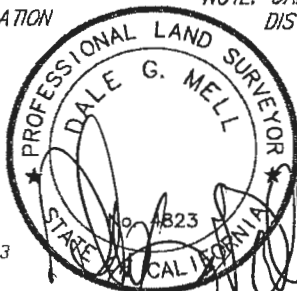
PREPARED BY:



DALE G. MELL
 & ASSOCIATES

ENGINEERING & SURVEYING SERVICES

2090 NORTH WINERY AVENUE, FRESNO, CALIFORNIA 93703
 (559) 292-4046 * FAX 251-9220 * EMAIL: STAFF@DALEMELL.COM



BY: **M. ESLIMI** -06/07/21
 DMA CADFILE: 18-134PCOC

Attachment F



County of Fresno

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

Agricultural Land Conservation Committee Staff Report Agenda Item No. 3 November 9, 2022

SUBJECT: Review and make recommendation to the Board of Supervisors regarding petition for **PARTIAL CANCELLATION OF AGRICULTURAL LAND CONSERVATION CONTRACT NO. 152 (RLCC NO. 1028)** to remove a 2.41-acre portion of a 42.93-acre (gross) parcel from the Williamson Act program to allow the 2.41 acres to be created as a homesite parcel through a mapping process.

LOCATION: The subject parcel is located on the west side of Watts Valley Road approximately one quarter mile north of its intersection with Bull Run Lane, approximately eight miles east of the nearest city limits of the City of Clovis (APN 158-021-61) (Sup. Dist. 5).

OWNER/APPLICANT: Patrick W. Sample and Georgia J. Sample Family Trust

REPRESENTATIVE: Dale G. Mell & Associates

STAFF CONTACT: Derek Chambers, Planner
(559) 600-4205

Mohammad Khorsand, Senior Planner
(559) 600-4230

RECOMMENDATION:

Staff does not believe that Findings No. 2, No. 3 and No. 5 under Government Code Section 51282(b) can be made, and therefore recommends that the Agricultural Land Conservation Committee recommend that the Board of Supervisors deny the petition for partial cancellation of Agricultural Land Conservation Contract No. 152.

BACKGROUND:

The Agricultural Land Conservation Committee reviews petitions for cancellation of Agricultural Land Conservation Contracts for consistency of the petition with the purposes of the Williamson Act, pursuant to Section 51282(b) of the Government Code, and makes a recommendation to the Board of Supervisors to approve or deny the petition.

This petition for partial cancellation was filed in conjunction with Pre-Application for Certificate of Compliance (PCOC) Application No. 3535, which proposes to allow creation of a 2.41-acre homesite parcel from a 42.93-acre (gross) parcel identified as APN 158-021-61, which is located in the AE-40 (Exclusive Agricultural, 40-acre minimum parcel size) Zone District and is

designated as Eastside Rangeland in the Sierra-North Regional Plan. The existing 42.93-acre (gross) parcel has been improved with one conventional home that would be located on the proposed 2.41-acre homesite parcel.

The Williamson Act program limits land uses on contracted parcels to commercial agricultural operations, compatible uses adopted by the Board of Supervisors, and certain qualified open space uses. The County's Williamson Act Guidelines require parcels to have at least 20 acres of prime soil and an active agricultural operation or at least 40 acres of non-prime soil and an active agricultural operation to be eligible to remain enrolled in the Williamson Act program. The County's Williamson Act Guidelines also require homesite parcels to have at least 10 acres of prime soil and an active agricultural operation or at least 40 acres of non-prime soil and an active agricultural operation to be eligible to remain enrolled in the Williamson Act program. The proposed 2.41-acre homesite parcel does not meet the minimum parcel size required to remain enrolled in the Williamson Act program and therefore, the applicant has submitted a petition to remove the proposed 2.41-acre homesite parcel from the Williamson Act program through the cancellation process.

The existing 42.93-acre (gross) parcel is located on the west side of Watts Valley Road approximately one quarter mile north of its intersection with Bull Run Lane, approximately eight miles east of the nearest city limits of the City of Clovis [see Location Map (Exhibit "A"), Existing Zoning Map (Exhibit "B"), Existing Land Use Map (Exhibit "C"), Aerial Photograph (Exhibit "D"), and proposed PCOC Map (Exhibit "E")].

DISCUSSION:

The Williamson Act program is a voluntary program whereby private landowners enter into contract with local governments for the purpose of restricting the use of specific parcels of land to commercial agricultural uses for production of food or fiber. Certain land uses may be determined compatible on land enrolled in the Williamson Act program by the local government having jurisdiction over contracted land. In return, landowners receive property tax assessments that are lower than normal because the assessments are based on farming or qualified open space uses rather than the full unrestricted market value of land. The purpose of the Williamson Act is to provide an incentive to preserve agricultural land for production of food or fiber, at least for the duration of the contract, which is 10 or 20 years depending on the type of contract.

A Williamson Act Contract is an enforceable restriction pursuant to Article 13, Section 8 of the California Constitution and §51252. Williamson Act Contracts are not intended to be cancelled, and in fact, cancellation is reserved for unusual "emergency" situations. Therefore, the nine-year nonrenewal process has been identified as the legally preferred method for terminating a Williamson Act Contract. The Supreme Court of California has stated that cancellation is not appropriate where the objectives served by cancellation could be served by nonrenewal [*Sierra Club v. City of Hayward* (1981) 28 Cal.3d 840, 852-853]. The State Attorney General's Office has opined that cancellation is impermissible "except upon extremely stringent conditions" [62 Ops. Cal. Atty. Gen. 233, 240 (1979)]. The Attorney General has also opined that nonrenewal is the preferred contract termination method, as stated: "If a landowner desires to change the use of his land under contract to uses other than agricultural production and compatible uses, the proper procedure is to give notices of nonrenewal pursuant to Section 51245" [54 Ops. Cal. Atty. Gen 90, 92 (1971)].

Landowners or local governments may exit the contract by filing a Notice of Nonrenewal of the contract. Under this process, the remaining contract term (nine years in the case of an original term of ten years) is allowed to lapse, with the contract expiring at the end of the term. During the Nonrenewal process, the subject land will still be subject to contract restrictions, and the annual tax assessment increases incrementally each year until it is equivalent to unrestricted market value of the land at the end of the Nonrenewal period. This would allow lands that have been placed under contract to continue to be used for production of food and fiber for the nine-year remainder of the contract term and the landowner to benefit from lower property tax assessments.

As was mentioned above, cancellation of a contract is reserved for unusual “emergency” situations and the nine-year nonrenewal process has been identified as the legally preferred method for terminating a Williamson Act Contract. To address those unusual “emergency” circumstances, the Statute has provided provisions under which petitions for removal of a contract can be considered by the governing body having jurisdiction over the land. Processing a cancellation petition involves a comprehensive review of the petition to determine if a contract should be cancelled to allow establishment of a proposed alternative use, or if the land should remain in agricultural use for the duration of the contract. Approval of a cancellation petition is discretionary and requires the payment of a fee by the landowner equal to 12.5 percent of the full market value of the property in question.

The proposed petition is being processed under the provisions of Government Code Section 51282(a), which allows a landowner to petition the Board of Supervisors for cancellation of a contract as to all or any part of a parcel and the Board may grant tentative approval for cancellation of the contract if the Board can make all of the findings listed under Government Code Section 51282(b).

Per Government Code Section 51282(b), cancellation of a contract is consistent with the provisions of the Land Conservation Act of 1965 if the Board can make all of the findings listed under said Government Code Section. Staff’s evaluation of the proposed petition against the required findings are discussed below:

1. *That the cancellation is for land on which a Notice of Nonrenewal has been served pursuant to Section 51245 of the Government Code.*

An executed Notice of Partial Nonrenewal for Williamson Act Contract No. 152 was accepted by the County Recorder on November 24, 2021 and was assigned Document No. 2021-0194870. Said Nonrenewal is for the proposed 2.41-acre homesite parcel associated with this petition for partial cancellation.

Based on the fact stated above, staff believes that Finding No. 1 can be made.

2. *That the cancellation is not likely to result in the removal of adjacent lands from agricultural use.*

The existing 42.93-acre (gross) parcel contains soils classified as non-prime on the California Department of Conservation Important Farmland Map, is designated as Eastside Rangeland in the Sierra-North Regional Plan and is zoned AE-40 (Exclusive

Agricultural, 40-acre minimum parcel size). The subject parcel has been continuously owned by the same family since the 1940s and is utilized for livestock grazing.

Neighboring parcels to the north, east and west are also owned by the applicant and are also utilized for livestock grazing. These parcels contain soils classified as non-prime on the California Department of Conservation Important Farmland Map, are designated as Eastside Rangeland in the Sierra-North Regional Plan, are zoned AE-40. The neighboring parcel to the south is not owned by the applicant, contains soils classified as non-prime on the California Department of Conservation Important Farmland Map, is designated as Eastside Rangeland in the Sierra-North Regional Plan and is zoned AE-40.

Farming and certain other land uses such as dairies, feedlots and poultry facilities necessitate that such operations take place in sparsely populated areas of the County found in rural areas due to creation of dust odor and flies as well as ground and aerial spray of herbicides and pesticides to protect agricultural crops.

It is very likely that substandard parcels created for residential use in areas of the County zoned and designated for agricultural uses to be occupied by persons who are not involved with farming operations and therefore, are not tolerant of the inconveniences associated with the aforementioned agricultural operations. This will create incompatibility between the agricultural and residential use of land located in close proximity of each other and may eventually result in removal of adjacent lands from agricultural operation due to complaints from non-farmers residing on the substandard parcels.

Additionally, allowing cancellation of the Williamson Act contract for creation of the proposed homesite parcel may set a precedent for other landowners to create similar residential parcels in the area, which would compound the incompatibility between agricultural and residential land uses in an area of the County zoned and designated for agricultural use.

Based on the above discussion, staff believes the cancellation could result in the removal of adjacent lands from agricultural use and therefore, Finding No. 2 cannot be made.

3. *That the cancellation is for an alternative use that is consistent with the provisions of the County General Plan.*

The existing 42.93-acre (gross) parcel is designated as Eastside Rangeland in the Sierra-North Regional Plan and is zoned AE-40 (Exclusive Agricultural, 40-acre minimum parcel size). According to Sierra-North Regional Plan Policy 402-01:1.00.b, Eastside Rangeland shall mean land designated for grazing and other agricultural operations, wildlife habitat, various non-intensive recreational activities, and other appropriate open space functions. Further, Section 402-01 of the Sierra-North Regional Plan states that the Land Use Element of the Sierra-North Regional Plan is consistent with the Land Use Element of the County General Plan and therefore, is subject to Countywide goals, objectives, criteria and standards.

The Agriculture and Land Use Element of the County General Plan sets goals and policies promoting long-term conservation of productive agricultural lands. General Plan Policy LU-A.1 states that the County shall maintain agriculturally designated areas for agricultural use and shall direct urban growth to cities and unincorporated communities. General Plan Policy LU-A.6 states that the County shall maintain twenty (20) acres as the minimum permitted parcel size in areas designated Agriculture. General Plan Policy LU-A.7 states that the County shall generally deny requests to create parcels less than the minimum size specified in Policy LU-A.6 based on concerns that such parcels would be less viable economic farming units and the resultant increase in residential density would increase the potential for conflict with normal agricultural practices on adjacent parcels. General Plan Policy LU-A.12 requires protection of agricultural activities from encroachment of incompatible uses. General Plan Policy LU-A.13 states that the County shall protect agricultural operations from conflicts with non-agricultural uses and protection of agricultural activities from encroachment of incompatible uses.

This project entails creation of a 2.41-acre homesite parcel to be used for residential purposes. Finding No. 3 requires the alternative use to be consistent with the County's General Plan policies. The General Plan policies cited above are intended to maintain agriculturally designated areas for agricultural use, to protect agricultural operations from conflicts with non-agricultural uses, to deny requests to create parcels less than the minimum size because the increase in residential density would also increase the potential for conflict with normal agricultural practices on adjacent parcels, and to protect agricultural areas from encroachment of incompatible uses.

Staff believes the proposed alternative use to create a homesite parcel in an area of the County that is designated and zoned for agricultural uses is inconsistent with the General Plan policies cited above.

The County includes unincorporated communities that are planned to accommodate County residents who wish to reside in the unincorporated County areas without negatively impacting farming and other agricultural uses that are allowed in agricultural areas of the County.

Based on the above discussion, staff believes the proposed alternative use is not consistent with the County General Plan policies for protection of agricultural land and therefore, Finding No. 3 cannot be made.

4. *That the cancellation will not result in discontinuous patterns of urban development.*

The existing 42.93-acre (gross) parcel is located in an unincorporated area of Fresno County approximately eight miles east of the City of Clovis. The proposal to create a single homesite parcel in and of itself does not constitute a pattern of discontinuous urban development.

Based on the above discussion, staff believes Finding No. 4 can be made.

5. *That there is no proximate non-contracted land that is both available and suitable for the use to which it is proposed that the contracted land be put, or that development of the contracted land would provide more contiguous patterns of urban development than development of proximate non-contracted land.*

Staff generated a list of non-contracted parcels approximately 2.5 acres in size located within a 5-mile radius of the existing parcel and utilized online tools to determine whether the parcels are for sale. In this case, one of the approximately 2.5-acre non-contracted parcels was for sale.

On September 7, 2022, staff sent an email to the applicant instructing them to contact the listing real estate agent to discuss purchasing the approximately 2.5-acre non-contracted parcel for the alternative use.

On September 27, 2022, staff sent a second email to the applicant instructing them to contact the listing real estate agent to discuss purchasing the approximately 2.5-acre non-contracted parcel for the alternative use.

The applicant did not contact the listing real estate agent to discuss purchasing the approximately 2.5-acre non-contracted parcel for the alternative use.

Due to a comparable non-contracted parcel being available in the vicinity of the proposed homesite parcel and the applicant not pursuing the possibility of utilizing the comparable non-contracted parcel for the alternative use, Finding No. 5 cannot be made.

ENVIRONMENTAL DETERMINATION:

Initial Study (IS) No. 8242 prepared for PCOC Application No. 3535 addresses potential environmental impacts associated with the cancellation of the contract. The IS has been completed and was circulated for agency review on June 24, 2022 and is included with this staff report as reference material.

OTHER REVIEWING AGENCIES:

County staff sent the proposed cancellation petition to the County Assessor's office for determination of the Cancellation Fee for the 2.41 acres subject to the proposed petition. The Cancellation Fee as determined by the Assessor's office is \$10,000.

CONCLUSION:

Based upon staff's analysis of the proposed alternative use against the consistency Findings listed under Government Code Section 51282(b), staff does not believe that Findings No. 2, No. 3 and No. 5 can be made and therefore, recommends that the Agricultural Land Conservation Committee recommend that the Board of Supervisors deny the petition for partial cancellation of Agricultural Land Conservation Contract No. 152.

However, if the Committee believes that the required Findings can be made, the Committee needs to articulate how Findings No. 2, No. 3 and No. 5 can be made and may recommend that the Board of Supervisors approve the partial cancellation of Agricultural Land Conservation Contract No. 152, subject to the following conditions:

1. The landowner shall obtain the necessary land use approval (PCOC) to create the proposed 2.41-acre homesite parcel.

2. The applicant shall pay the Cancellation Fee in the amount of \$10,000.00 as determined by the County Assessor and certified by the Board of Supervisors for issuance of a Certificate of Cancellation by the Board. The Cancellation Fee shall be paid and a Certificate of Cancellation issued prior to approval of the PCOC to create the proposed 2.41-acre homesite parcel. If the Cancellation Fee is not paid within one year of issuance of the Tentative Certificate of Cancellation, the Cancellation Fee must be re-computed by the Assessor's Office and re-certified by the Board of Supervisors.

LOCATION MAP

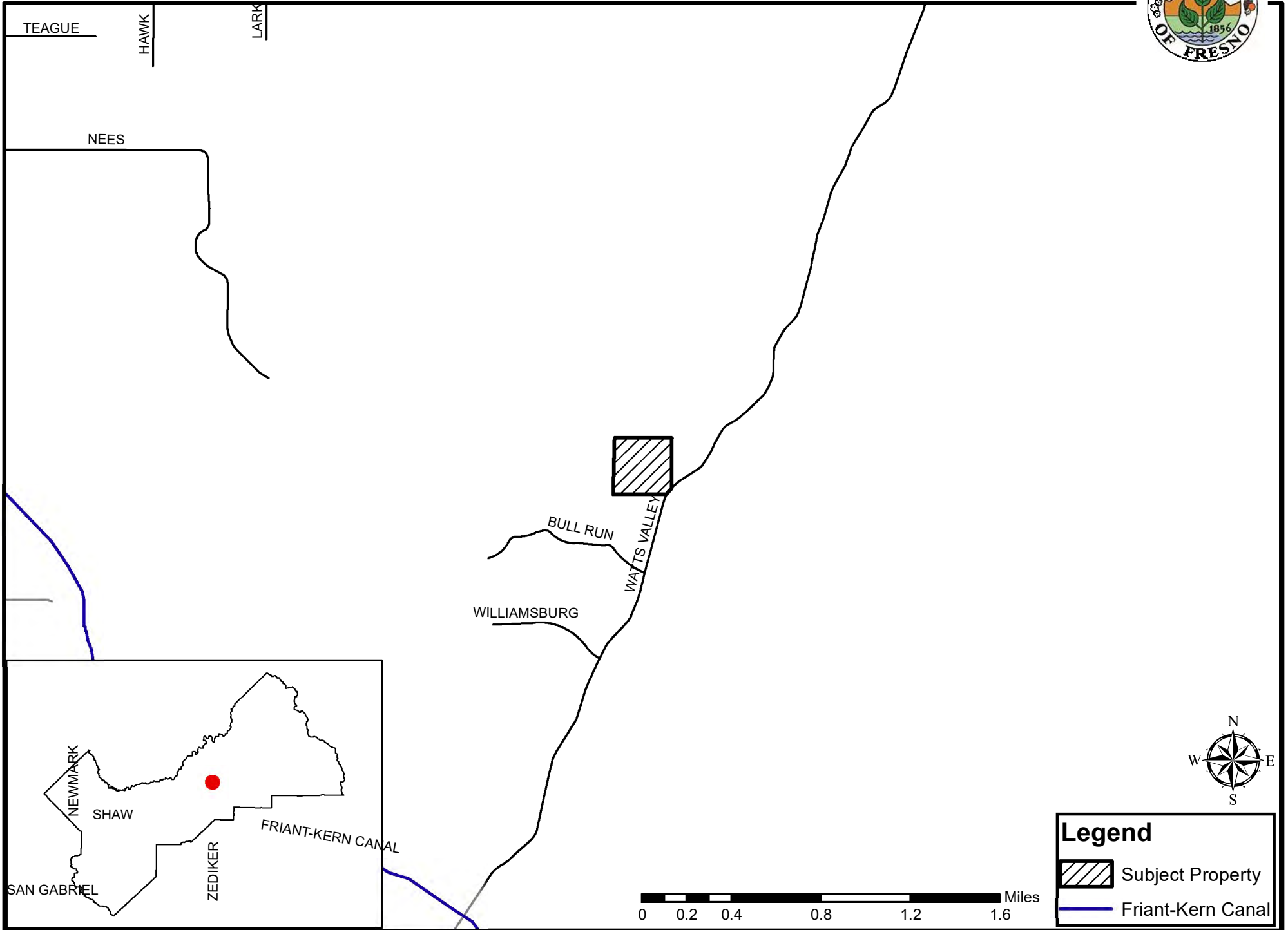
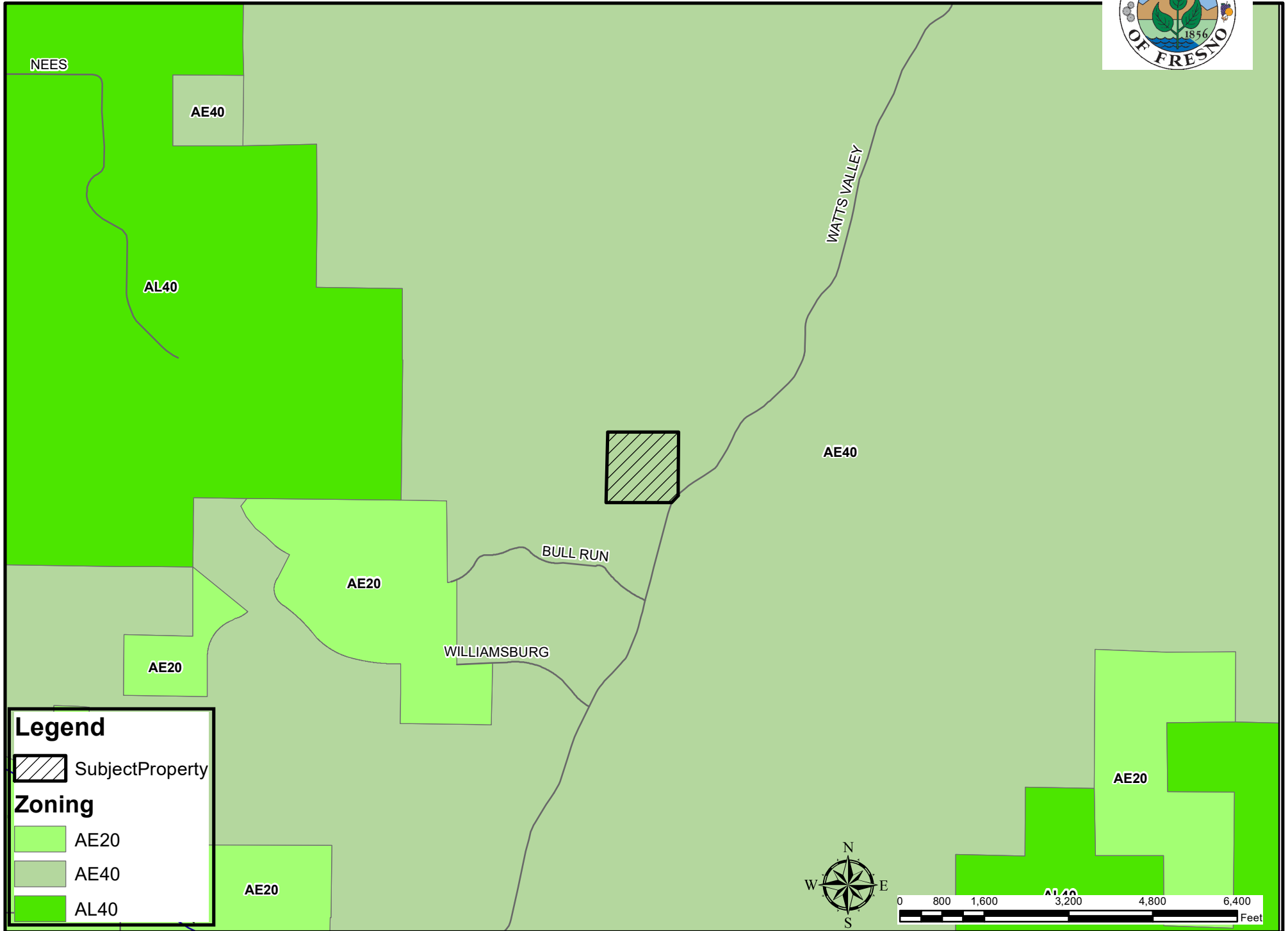



EXHIBIT A

EXISTING ZONING MAP



Legend

 SubjectProperty

Zoning




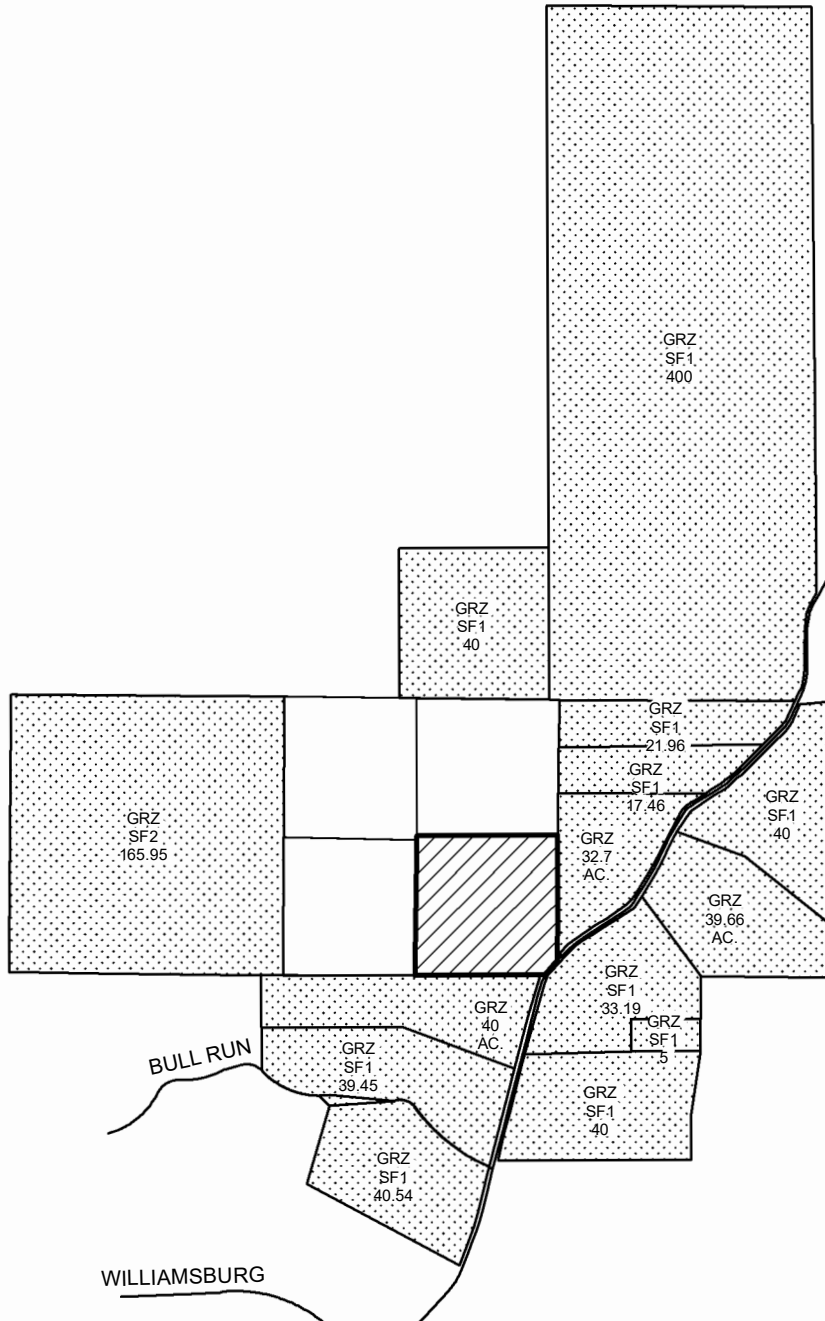
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-  AE40
-  AL40





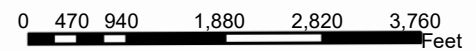
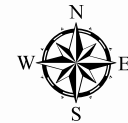
EXHIBIT B

EXISTING LAND USE MAP



LEGEND
 SF#- SINGLE FAMILY RESIDENCE
 GRZ - GRAZING
 V - VACANT

LEGEND:
 Subject Property
 Ag Contract Land

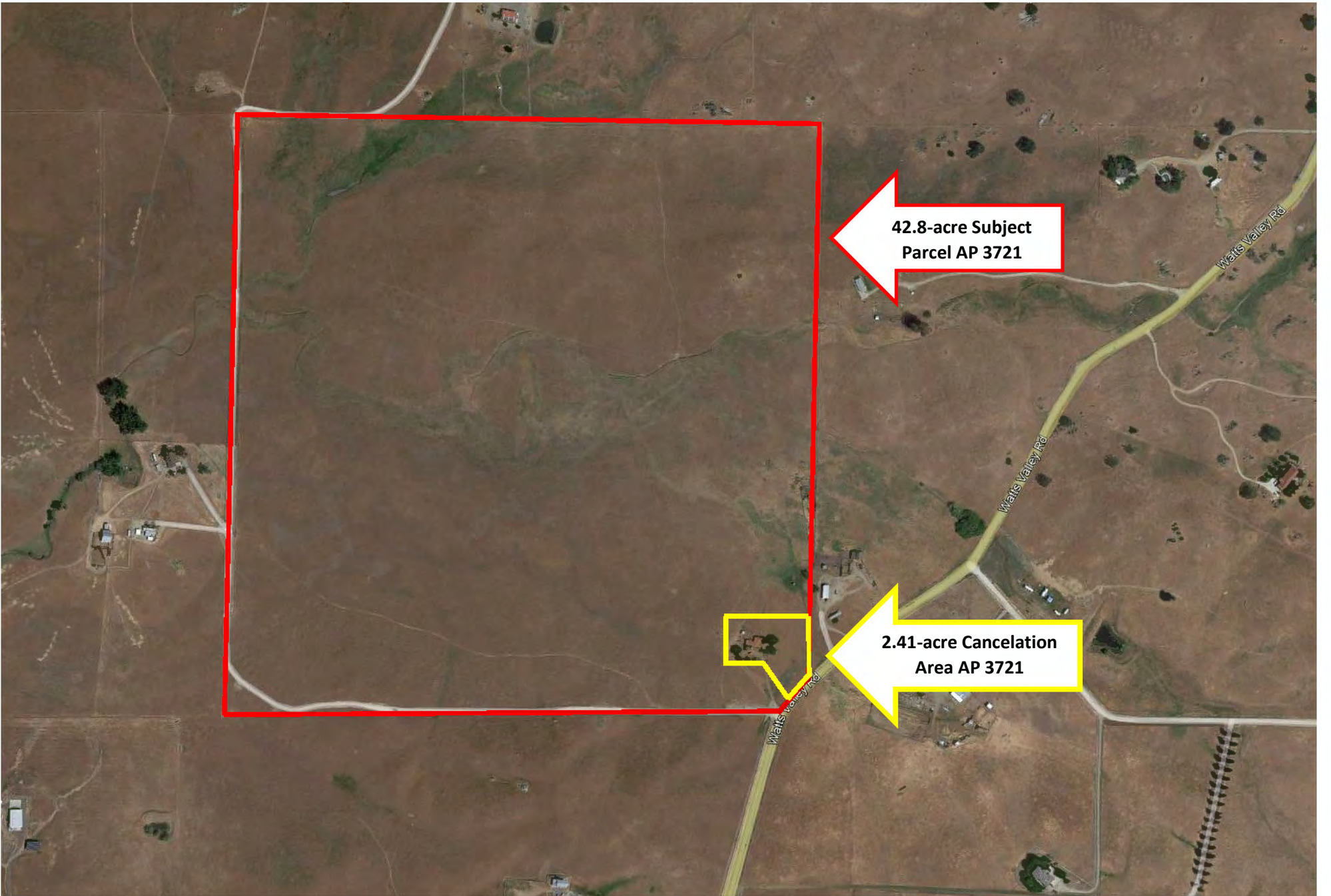


Department of Public Works and Planning
 Development Services Division

Map Prepared by: DM
 G:\4360Devs&PIn\GIS\
 Maps\Landuse\

WILLIAMSBURG

EXHIBIT C



**42.8-acre Subject
Parcel AP 3721**

**2.41-acre Cancellation
Area AP 3721**

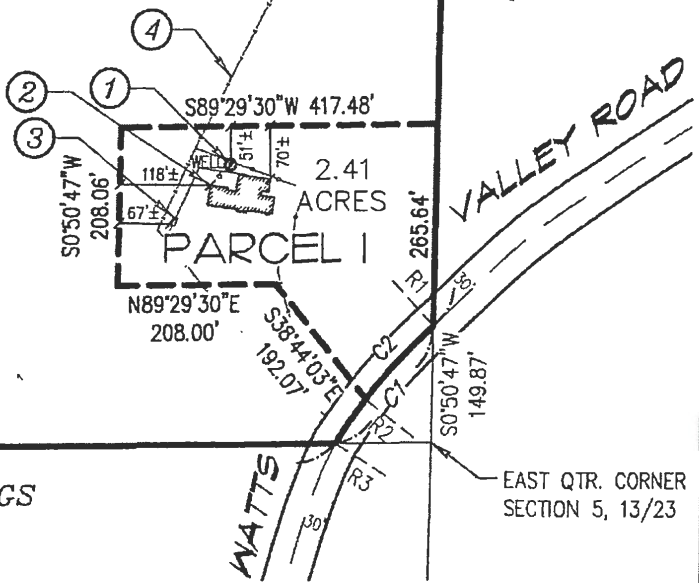
P.C.O.C. **3535**

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 APN 158-021-61



$N89^{\circ}29'30''E$ 1232.14'
 BASIS OF BEARINGS
 EAST SIERRA AVENUE ALIGNMENT

EAST QTR. CORNER
 SECTION 5, 13/23

LEGEND

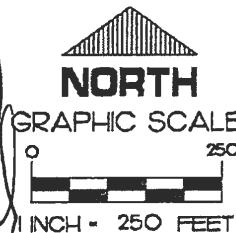
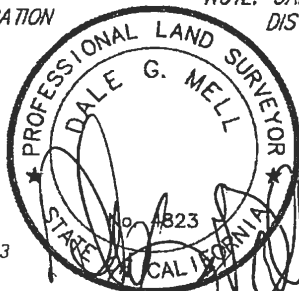
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- ① EXISTING WELL, APPROXIMATE LOCATION
- ② EXISTING RESIDENTIAL 1800± S.F. OF LIVING AREA, APPROXIMATE LOCATION
- ③ EXISTING SEPTIC SYSTEM, APPROXIMATE LOCATION
- ④ EXISTING FENCE, APPROXIMATE LOCATION

BASIS OF BEARINGS

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 NOTE: CALCULATED BEARINGS AND DISTANCES FROM FIELD SURVEY

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R3	N57°19'52"W

PREPARED BY:
DALE G. MELL & ASSOCIATES
 ENGINEERING & SURVEYING SERVICES
 2090 NORTH WINERY AVENUE, FRESNO, CALIFORNIA 93703
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CURVE TABLE			
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BY: M. ESLIMI -06/07/21
 DMA CADFILE: 18-134PCOC

Attachment G

LOCAL AGENCY NEGATIVE DECLARATION

File original and one copy with: Fresno County Clerk 2221 Kern Street Fresno, California 93721		Space Below For County Clerk Only. <small>CLK-2046.00 E04-73 R00-00</small>		
Agency File No: IS 8242	LOCAL AGENCY PROPOSED NEGATIVE DECLARATION	County Clerk File No: E-		
Responsible Agency (Name): Fresno County	Address (Street and P.O. Box): 2220 Tulare St. Sixth Floor	City: Fresno	Zip Code: 93721	
Agency Contact Person (Name and Title): Dana Dominguez-Rogge, Planner		Area Code: 559	Telephone Number: 600-4232	Extension: N/A
Applicant (Name): Patrick and Georgia Sample		Project Title: Pre-Application for Certificate of Compliance No. 3535		
Project Description: Allow the creation of a 2.41-acre homesite (gift deed) parcel from an existing 42.93-acre parcel located in the AE-40 (Exclusive Agricultural, 40-acre minimum parcel size) Zone District				
Justification for Negative Declaration: <p>Based upon the Initial Study prepared for Pre-Application for Certificate of Compliance No. 3535, 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 Aesthetics, Air Quality, Biological Resources, Cultural Resources, Energy, Geology and Soils, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use and Planning, Mineral Resources, Noise, Population and Housing, Public Services, Recreation, Transportation, Tribal Cultural Resources, Utilities and Service Systems, and Wildfire.</p> <p>Potential impacts related to Agricultural and Forestry Resources have been determined to be less than significant.</p>				
FINDING: <p>The proposed project will not have a significant impact on the environment.</p>				
Newspaper and Date of Publication: Fresno Business Journal – June 24, 2022		Review Date Deadline: Board of Supervisors – June 20, 2023		
Date: 7/25/2022	Type or Print Signature: Chris Motta Principal Planner	Submitted by (Signature): Dana Dominguez-Rogge Planner		

State 15083, 15085

County Clerk File No.: _____



County of Fresno

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

EVALUATION OF ENVIRONMENTAL IMPACTS

APPLICANT: Patrick and Georgia Sample

APPLICATION NOS.: Initial Study Application No. 8242 and PCOC Application No. 3535

DESCRIPTION: Allow the creation of a 2.41-acre homesite (gift deed parcel) for conveyance to a relative from an existing 42.93-acre parcel located within the AE-40 (Exclusive Agricultural, 40-acre minimum parcel size) Zone District.

LOCATION: The subject parcel is located on the west side of Watts Valley Road, between the East Sierra Avenue and North Lac Jac Avenue Alignments, approximately 8 miles east of the nearest boundary limits of the City of Clovis (SUP. DIST.: 5) (APN: 158-021-61).

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

FINDING: NO IMPACT:

The proposal is to create a gift deed parcel for conveyance to a relative. The proposed parcel is already improved with a single-family residence, and no additional

construction is included. The remainder of the parcel will continue to be utilized for agricultural purposes. The proposed use is characteristic of the existing use and structures, and therefore, will not degrade the existing visual character or quality of site and surroundings nor will it create a new source of substantial light or glare.

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 existing parcel is enrolled in the Williamson Act Program under Contract No.152. Pursuant to the Fresno County Williamson Act Program Guidelines, parcels that are enrolled in the Program are required to have at least 20 acres of Prime Soil and an active agricultural operation, or at least 40 acres of Non-Prime soil and an active agricultural operation to be eligible to remain enrolled in the Program. The minimum size for a homesite to remain under the Program is 10 acres. The proposed 2.41-acre parcel does not qualify to remain in the Program and must be removed from the Program through the contract cancellation process. A recommendation for cancellation from the Agricultural Land Conservation Committee and approval of the cancellation from the Board of Supervisors is required to allow creation of the homesite parcel. The amount of land being removed the from Contract is approximately 5.6% of the total combined parcel area, and therefore can be seen as a less than significant impact.

- 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?

FINDING: NO IMPACT:

The project site is not located in forest land, timberland or timberland zoned Timberland Production. The project will not result in the loss of forest land or conversion of forest land to non-forest use.

- 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 forest land to non-forest use?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The proposed parcel split will not involve changes to the existing environment that could result in conversion of Farmland to non-agricultural use. The subject parcel is actively being used for grazing land (an agricultural activity complaint with the parcel's Williamson Act Contract); however, the proposed parcel is already improved with a single-family residence. The remainder (94.4%) of the proposed parcel would still be utilized for agricultural production and would not substantially change the nature of the use or affect surrounding parcels.

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; or
- 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: NO IMPACT:

The proposal is to allow creation of a parcel under the minimum parcel size standard of the underlying zone district from an existing parcel. The project will not conflict with or obstruct implementation of the applicable Air Quality Plan and will not result in a cumulatively considerable net increase of any criteria pollutant. The San Joaquin Valley Air Pollution Control District was given the opportunity to review the project and expressed no concerns with the proposal.

- C. Expose sensitive receptors to substantial pollutant concentrations; or
- D. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

FINDING: NO IMPACT:

The project site is currently utilized as a grazing operation with the property improved with a single-family residence. The proposed parcel is already improved with a single-

family residence, and no additional construction is proposed. Both the grazing operation and the single-family residence are not uses that are associated with substantial pollutant generation and will not expose sensitive receptors to substantial pollutant concentrations. The project will not result in other emissions adversely affecting a substantial number of people.

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?

FINDING: NO IMPACT:

According to the California Natural Diversity Database, the project site is not located within any reported occurrence areas of a special status species. The proposal is to create a new parcel from an existing parcel. The subject parcel is actively being farmed. The Applicant has stated that the created parcel is already improved with a single-family residence with the remainder parcel continuing to be used for grazing purposes. Based on current conditions, the parcel experiences disturbance that would deter special status species from inhabiting the subject parcel. In considering current conditions, the project proposal, and no planned development, the project will not substantially adversely affect any special status species directly or through habitat modification.

- 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:

According to the National Wetlands Inventory, the subject parcel is not located along the boundary of identified wetlands. There are no riparian or other sensitive natural community identified on or near the subject parcel.

- 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 will not interfere with the movement of any native resident or migratory fish or wildlife species. No native resident or migratory wildlife corridor or native wildlife nursery site has been identified on the subject parcel. The subject parcel is currently being utilized for grazing purposes and disturbance of the site has deterred wildlife species from inhabiting the site.

- E. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance; or
- 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 will not conflict with any local, state, or federal policies or ordinances protecting biological resources, nor will it conflict with the provisions of any adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state Habitat Conservation Plan.

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: NO IMPACT:

The project proposes to create a parcel from an existing property. The property is currently utilized for grazing purposes and has experienced ground disturbance from existing agricultural activities. As no historical or archaeological resources have been identified on or near the project and considering past ground disturbing activities related to the existing agricultural use, no impact is seen on Cultural Resources.

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; or

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

FINDING: NO IMPACT:

The project proposes to create a 2.41-acre homesite parcel from an existing 42.93-acre parcel. The project will not result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources as there is no project construction or operation proposed. The Applicant has stated that a single-family residence already exists at the location of the proposed parcel. No further construction or development is proposed. Therefore, the project will 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?
3. Seismic-related ground failure, including liquefaction?

FINDING: NO IMPACT:

According to Figure 9-4 and 9-5 of the FCGPBR and the Earthquake Zone Application administered by the California Department of Conservation, the project site is not located on or near identified earthquake hazard zone areas. The project site is not likely to be subject to strong seismic ground shaking or seismic-related ground failure due to strong seismic shaking. No agencies expressed any concerns related to ground shaking, ground failure or liquefaction.

4. Landslides?

FINDING: NO IMPACT:

According to Figure 9-6 of the FCGPBR, the project site is not located in identified Landslide Hazard areas.

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

FINDING: NO IMPACT:

The proposal would result in creation of a 2.41-acre parcel from an existing 42.93-acre parcel. The existing parcel is actively used for the purpose of grazing. The Applicant per the submitted findings indicate the parcel is still intended to be used as such, but also be utilized as a homesite. The proposed parcel will create a property line around an existing home, and no further development is included. The project will not result in substantial soil erosion.

- 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:

Approval of the mapping application and removal of the 2.41-acre homesite from the Williamson Act Program will not result in intensive development. Further, there is no evidence that the site is located on a geologic unit or soil that is unstable potentially resulting in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse.

- 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: NO IMPACT:

Per Figure 7-1 of the FCGPBR, the subject parcel is not located in identified Expansive Soil areas.

- 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: NO IMPACT:

The Applicant has indicated that the subject parcels would be utilized for the existing grazing operation and for the existing homesite. There is no development proposed, therefore the proposal is seen as having no impact on wastewater disposal systems.

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

FINDING: NO IMPACT:

There is no known unique paleontological resource, site, or geologic feature. The site is heavily disturbed by grazing processes and residential development will unlikely increase the risk of disturbing any unknown paleontological or geologic resource or features.

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

FINDING: NO IMPACT

The project proposal will allow creation of a homesite (gift deed) parcel and a remainder parcel. The Applicant has indicated that the proposed parcel will be utilized as a home site, and there is an existing home at the location of the proposed parcel. The project will not generate greenhouse gas emissions. San Joaquin Valley Air Pollution Control District (SJVAPCD) has been given the opportunity to review and provide comments on the project. There were no expressed concerns from SJVAPCD to indicate that the proposal would conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gas emissions.

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?

FINDING: NO IMPACT:

The project proposal is to allow creation of a 2.41-acre homesite (gift deed) parcel from an existing 42.93-acre parcel. The existing parcel is utilized as grazing land. The proposal will not create a significant hazard to the public through the transport, use, or disposal of hazardous materials, nor will it create a significant hazard to the public or environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.

- 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 project site does not emit hazardous emissions or handle hazardous materials and is not located within one-quarter mile of an existing or proposed school site.

- 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; or
- 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:

There are no hazardous material sites located on or near the project site. There are no private airstrips in the vicinity of the project. The project site is not located within a clear and runway zone, inner or outer approach zone, and traffic pattern zone or horizontal or conical zone.

- F. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan; or
- G. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

FINDING: NO IMPACT:

Reviewing agencies and departments did not express concerns to indicate that the project would impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. The project will not expose people or structures to a significant risk of loss, injury, or death involving wildland fires.

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

FINDING: NO IMPACT:

The Water and Natural Resources Division of the Department of Public Works and Planning reviewed the proposal and determined it will not have a significant impact on the existing water levels in the area. In addition, the subject parcel is located within an area of the County defined as being a water short area, however there is no new development proposed. The project proposes to create a 2.41-acre parcel from an existing 42.93-acre parcel. The proposed parcel is already improved with a residence, and no new construction is anticipated.

The State Water Resources Control Board did not express concerns that the project proposal would violate water quality standards or waste discharge requirements, nor were concerns expressed to indicate that the project would substantially decrease groundwater supplies or interfere with groundwater recharge.

- 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:
 - i. Result in substantial erosion or siltation on or off site?
 - ii. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off site?
 - iii. 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
 - iv. Impede or redirect flood flows?
- D. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation; or

FINDING: NO IMPACT:

According to FEMA FIRM Panel 1630H, the northerly portion of the area of the subject property is within the Flood Zone A and subject to flooding from the 100-year storm. However, there is no new development proposed. Any future development within the Special Flood Hazard Area shall conform to provisions established in Fresno County Ordinance Code Title 15, Chapter 15.48 Flood Hazard Areas. There are no bodies of water near the project site that would indicate the site is at increased risk from tsunami or seiche zones.

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

FINDING: NO IMPACT:

The proposal will not conflict with or obstruct implementation of a water quality control plan or sustainable management plan.

XI. LAND USE AND PLANNING

Would the project:

- A. Physically divide an established community; or

- 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: NO IMPACT:

The proposed project will not physically divide an established community nor cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation. The Sierra-North Regional Plan Policy relevant to the proposal is as follows:

Section 402-01:1.00.b: Eastside Rangeland shall mean land designated for grazing and other agricultural operations, wildlife habitat, various non-intensive recreational activities, and other appropriate open space functions.

The subject parcel is enrolled in the Williamson Act Program. The proposed 2.41-acre homesite (gift deed) parcel does not qualify to remain in the Williamson Act Program and must be removed from the Program through the contract cancellation process. A Notice of Non-Renewal has been filed by the Applicant for the proposed parcel as a requirement for cancellation. The Agricultural Land Conservation Committee will determine if the requested early cancellation of the Contract should be granted and make a recommendation to the Board of Supervisors for a final decision.

If the cancellation request is approved, that portion of the contract encompassing the 2.41 acres will be cancelled and not restricted under the Williamson Act. No development is associated with the application.

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:

According to Figure 7-7 of the Fresno County General Plan Background Report (FCGPBR) the project site is not located on or near any identified mineral resource locations. Additionally, the project proposal does not directly indicate any further development of the project site that would result in the loss of availability of a known mineral resource or resource recovery site.

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: NO IMPACT:

The proposal is to create a 2.41-acre parcel from an existing 42.93-acre parcel. There is no development or proposed use involved with this project that would result in generation of substantial noise levels, ground-borne vibrations, or ground-borne noise levels. Existing land uses for the surrounding area are agricultural or residential in nature. The subject parcel is utilized as grazing land and a homesite and does not produce noise in excess of the standard noise generation associated with agricultural or residential uses.

- 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 site is not located within two miles of a private airstrip, airport land use plan, public airport or public use airport.

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 proposal will not result in substantial population growth, nor does it propose any development that would induce substantial population growth. The project site is utilized for grazing and with an existing residence onsite. The project proposes to split the subject parcel into two parcels and will not displace people or housing.

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: NO IMPACT:

The Fresno County Fire Protection District did not express any concerns related to the proposal. Further, the proposed subdivision of land does not pose any increase in demands for services or impede delivery of services.

- 2. Police protection;

- 3. Schools;

- 4. Parks; or

- 5. Other public facilities?

FINDING: NO IMPACT:

The limited scope of the proposal, which would create a homesite (gift deed) parcel, but such limited development would not impact police, school parks or other public services or facilities.

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 will not result in an increased use of existing neighborhood and regional parks or other recreational facilities and will not require the construction or expansion of recreational facilities.

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: NO IMPACT:

Reviewing agencies and departments did not express concern to indicate that the proposal conflicts with a program, plan, ordinance or policy addressing the circulation system.

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

FINDING: NO IMPACT:

There is no increase in traffic trip generation or vehicle miles traveled associated with the project proposal. The project site is currently utilized for cattle grazing and with traffic generation associated with the agricultural operation and existing homesite. There is no direct development proposed with the project.

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

- D. Result in inadequate emergency access?

FINDING: NO IMPACT:

Reviewing agencies and departments did not express concerns regarding the design features of the project or regarding emergency access to indicate that the project will result in hazards or inadequate 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: NO IMPACT:

Per Assembly Bill 52 (AB52) participating California Native American Tribes were notified of the subject application and given the opportunity to enter into consultation with the County on discussing the presence of tribal cultural resources on or near the project site. No participating California Native American Tribe expressed concern with the project proposal. Additionally, the subject parcel has historically been in agricultural use and has experienced ground disturbance resulting from the use. The subject application was routed to the Southern San Joaquin Valley Information Center for review, and no cultural resources work was recommended prior to the approval of project plans. Furthermore, there is no development directly associated with the subject application. Therefore it can be seen that the project does not have an impact on tribal cultural resources.

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; or
- B. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years; or
- 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; or
- 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 proposes to create a 2.41-acre parcel from an existing 42.93-acre parcel. There is no development proposed with this project, and there is an existing home at the site of the proposed parcel. As there is no development directly involved with the subject application, the project will not require the relocation or construction of water, wastewater treatment or storm water drainage, electric power, natural gas, or

telecommunications facilities. The subject site has been historically utilized for grazing purposes. No change in water usage will occur. The project will not produce wastewater, therefore no impact will occur on capacity. Solid waste generation will not increase as a result of the project; therefore the project will comply with federal, state and local management and reduction statutes and regulation.

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:

According to the 2007 Fresno County Fires Hazard Severity Zones in SRA Map by the California Department of Forestry and Fire Protection (Cal Fire), the project site is classified as a moderate fire hazard severity zone. There is no new development proposed, but if future development of the site were to occur, it would be subject to applicable fire and building code standards. The project will not result in adverse impacts associated with wildfires. The Fresno County Fire Protection District was given the opportunity to provide comments and did not identify any significant concerns.

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: NO IMPACT:

Based on the project scope, no proposal for new development associated with the application, and current agricultural use, the project does not have the potential to substantially degrade the quality of the environment or reduce the habitat of a fish or wildlife species.

- 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: NO IMPACT

There are no cumulatively considerable impacts identified from the analysis of the subject proposal.

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

FINDING: NO IMPACT:

There were no identified environmental effects that could substantially cause adverse effects on human beings.

CONCLUSION/SUMMARY

Based upon the Initial Study prepared for Pre-Application for Certificate of Compliance No. 3535, staff has concluded that the project will not a significant effect on the environment. It has been determined that there would be no impacts to Aesthetics, Air Quality, Biological Resources, Cultural Resources, Energy, Geology and Soils, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use and Planning, Mineral Resources, Noise, Population and Housing, Public Services, Recreation, Transportation, Tribal Cultural Resources, Utilities and Service Systems, and Wildfire.

Potential impacts related to Agricultural and Forestry Resources have been determined to be less than significant.

A 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 B, located on the southwest corner of Tulare and “M” Street, Fresno, California.

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