



County of Fresno

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

NOTICE OF EXEMPTION

- TO: ☐ Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814
- ☒ County Clerk, County of Fresno
2221 Kern Street
Fresno, CA 93721

For County Clerk's Stamp

FROM: Fresno County Department of Public Works and Planning
Development Services and Capital Projects Division
2220 Tulare Street (corner of Tulare and "M") Suite "A", Fresno, CA 93721

PROJECT TITLE: Environmental Review (ER) Application No. 7673

PROJECT APPLICANT/SPONSOR: Diana Nuttman, Design Division of the Department of Public Works and Planning

PROJECT LOCATION – COUNTY: The project site is a portion of public road right-of-way along Dunlap Road, approximately 3.5 miles southeast of State Route 180 (Kings Canyon Road).

DESCRIPTION OF PROJECT: Vacate a portion of excess public road right-of-way along Dunlap Road.

NAME OF PUBLIC AGENCY APPROVING PROJECT: Fresno County Board of Supervisors

NAME OF PERSON OR AGENCY CARRYING OUT PROJECT: County of Fresno

EXEMPT STATUS: Categorical exemption: Section 153061(b)(3)

REASONS WHY THE PROJECT IS EXEMPT: The subject application proposes to vacate excess right-of-way (ROW) along Dunlap Road. The project proposes to remove the excess ROW from the County's road system. No construction or ground-disturbance is involved with this project therefore no impact is seen on cultural or historical resources. The project will change the legal status of the subject land from ROW to private land, therefore the project will not have an impact on the environment.

LEAD AGENCY

CONTACT PERSON: Thomas Kobayashi AREA CODE/TELEPHONE: (559) 600-4224

If filed by the 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: M. Mollring
Marianne Mollring, Senior Planner

Date: 8-20-19

- ☐ Signed by Lead Agency Date received for filing at OPR: _____
- ☐ Signed by Applicant

G:\4360Devs&P\In\PROJSEC\PROJDOCS\Environmental\Exemptions - Exclusions - CE(N)\ST\7000-7999\ER 7673 - Road Vacation - Dunlap Road\ER 7673 NOE.docx



Inter Office Memo

DATE: August 20, 2019

TO: Diana Nuttman, Design Division

FROM: Thomas Kobayashi, Development Services and Capital Projects Division

Subject: ER No. 7673 – Dunlap Road Right-of-Way Vacation

PROJECT DESCRIPTION:

The project proposes to vacate excess right-of-way (ROW) of Dunlap Road, located approximately 3.5 miles southeast of State Route 180 (Kings Canyon Road). Dunlap Road was realigned at this location in 1996, leaving a remnant of excess ROW on the west side of the road. Approval of the proposed vacation would remove the excess ROW from the County's road system.

Determination:

The proposed project is categorically exempt from the provisions of California Environmental Quality (CEQA) under Section 15061(b)(3) *Common Sense Exemption*.

The following support this determination:

Section 15061(b)(3) indicates that a project is exempt from CEQA when the activity is covered by the common sense exemption that CEQA only applies to projects which have the potential to cause a significant effect on the environment. Where it can be seen with certainty that there is not possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

The project proposes to vacate right-of-way along the west side of Dunlap Road fronting Assessor Parcel Number (APN) 190-110-80 and 190-110-50T. The area where the vacation of ROW is proposed, is currently improved with driveway access points for the abutting parcels with the rest of the area being unimproved. No construction is being proposed with this project and will only change the boundaries of the planned ROW and abutting parcels.

According to FEMA FIRM Panel C2275H, the project site is located in Zone X, Area of Minimal Flood Hazard. Therefore, the project is not located in a flood prone area and will not affect flood flows.

According to a NEPAassist report produced for the project, the project site is not located on or near any hazardous waste facility. The project will not be affected by a hazardous waste facility.

According to the National Wetlands Inventory, the project is not located on identified bodies of water. Additionally, the project scope will not affect any identified bodies of water located near the project site.

The right-of-way vacation is not proposing construction or ground-disturbance. Although the project is located within area identified as being archaeologically sensitive, no ground-disturbance is being proposed to indicate impacts to cultural resources and historical resources would occur.

August 20, 2019
ER 7673 – Dunlap Road Right-of-Way Vacation
Page 2 of 2

As stated, Dunlap Road was realigned with improvements located on the site resulting from the realignment. The proposed vacation area is currently improved with driveway access points off of Dunlap Road with the rest of the area being unimproved.

Therefore, it can be determined that ER 7673, Dunlap Road Right-of-Way Vacation project is not expected to have a significant impact on the environment and is exempt from the provisions of CEQA. If you have any questions, please call me at 600-4224.



Fresno County Department of Public Works and Planning

MAILING ADDRESS:

Department of Public Works and Planning
Development Services Division
2220 Tulare St., 6th Floor
Fresno, Ca. 93721

Date Received: 7/11/19

ER
7673
(Application No.)

LOCATION:

Southwest corner of Tulare & "M" Streets, Suite A
Street Level
Fresno Phone: (559) 600-4497
Toll Free: 1-800-742-1011 Ext. 0-4497

APPLICATION FOR:

- ☐ Pre-Application (Type) _____
- ☐ Amendment Application ☐ Director Review and Approval
- ☐ Amendment to Text ☐ for 2nd Residence
- ☐ Conditional Use Permit ☐ Determination of Merger
- ☐ Variance (Class)/Minor Variance ☐ Agreements
- ☐ Site Plan Review/Occupancy Permit ☐ ALCC/RLCC
- ☐ No Shoot/Dog Leash Law Boundary ☒ Other Env. Review _____
- ☐ General Plan Amendment/Specific Plan/SP Amendment)
- ☐ Time Extension for _____

DESCRIPTION OF PROPOSED USE OR REQUEST:

Vacation of Dunlap Road Public Road
Right-of- Way

CEQA DOCUMENTATION: ☐ Initial Study ☒ PER ☐ N/A

PLEASE USE FILL-IN FORM OR PRINT IN BLACK INK. Answer all questions completely. Attach required site plans, forms, statements, and deeds as specified on the Pre-Application Review. **Attach Copy of Deed, including Legal Description.**

LOCATION OF PROPERTY: West side of Dunlap Road (old alignment remnant)

between Dunlap Elementary School and Dunlap Community Club

Street address: N/A

APN: N/A Parcel size: N/A Section(s)-Twp/Rg: S 2 - T 14 S/R 26 E

ADDITIONAL APN(s): _____

I, Diana Nuttman (signature), declare that I am the owner, or authorized representative of the owner, of the above described property and that the application and attached documents are in all respects true and correct to the best of my knowledge. The foregoing declaration is made under penalty of perjury.

County of Fresno

Owner (Print or Type)	Address	City	Zip	Phone
Public Works & Planning, Design Division				
Applicant (Print or Type)	Address	City	Zip	Phone
Diana Nuttman				04508
Representative (Print or Type)	Address	City	Zip	Phone

CONTACT EMAIL: dnuttman@fresnocountyca.gov

OFFICE USE ONLY (PRINT FORM ON GREEN PAPER)

Application Type / No.: _____ Fee: \$ _____

Application Type / No.: _____ Fee: \$ _____

Application Type / No.: _____ Fee: \$ _____

Application Type / No.: _____ Fee: \$ _____

PER/Initial Study No.: ER 7673 Fee: \$ 259.00

Ag Department Review: _____ Fee: \$ _____

Health Department Review: _____ Fee: \$ _____

Received By: Thomas K. Invoice No.: 120714 TOTAL: \$ 259.00

UTILITIES AVAILABLE:

WATER: Yes ☐ / No ☐

Agency: _____

SEWER: Yes ☐ / No ☐

Agency: _____

STAFF DETERMINATION: This permit is sought under Ordinance Section:

Sect-Twp/Rg: _____ - T _____ S/R _____ E

Related Application(s): _____

APN # _____ - _____ - _____

Zone District: _____

APN # _____ - _____ - _____

Parcel Size: _____

APN # _____ - _____ - _____

APN # _____ - _____ - _____

PROJECT DESCRIPTION

Vacation of a Portion of Dunlap Road Public Right-of-Way

(Vacation Application No. V15-03)

The Department of Public Works and Planning has initiated the process to vacate excess right-of-way (ROW) of Dunlap Road, located approximately 3.5 miles southeast of Kings Canyon Road along the frontage of Dunlap Elementary School and the Dunlap Community Club property, see Vicinity Maps. Dunlap Road was realigned at this location in 1996, leaving a remnant of excess ROW on the west side of the road. Approval of the proposed vacation would remove the excess ROW from the County's road system.

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COUNTY OF FRESNO

JUL 17 2019

DEPARTMENT OF PUBLIC WORKS
AND PLANNING
DEVELOPMENT SERVICES DIVISION

REVISED COPY

Exhibit "A"

LEGAL DESCRIPTION

All of that excess public road right-of-way (old alignment) of Dunlap Road located west of the west 60-feet of the realigned right-of-way of Dunlap Road. Area of realignment acquired in 1995 and recorded as document No. 95099204

Containing 0.93 acres, more or less.

RESERVING THEREFROM:

For the benefit of **Pacific Gas & Electric Company** an easement along the entire area of the above described excess right-of-way, and the right at any time or from time to time, as necessary, pursuant to the provisions of California Streets and Highways Code Section 8340, to construct, maintain, operate, replace, and remove pipelines, transmission lines, valves, manholes, cables, wires, conductors, poles, and other convenient structures, equipment and fixtures for the transportation or distribution of electric energy, gas, natural gas, and communications facilities, including access and the right to keep the property free from inflammable materials and wood growth, and to prevent any building or structure near the facilities and otherwise to protect the same from all hazards in, upon, over and across above described parcel.

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JUL 11 2019

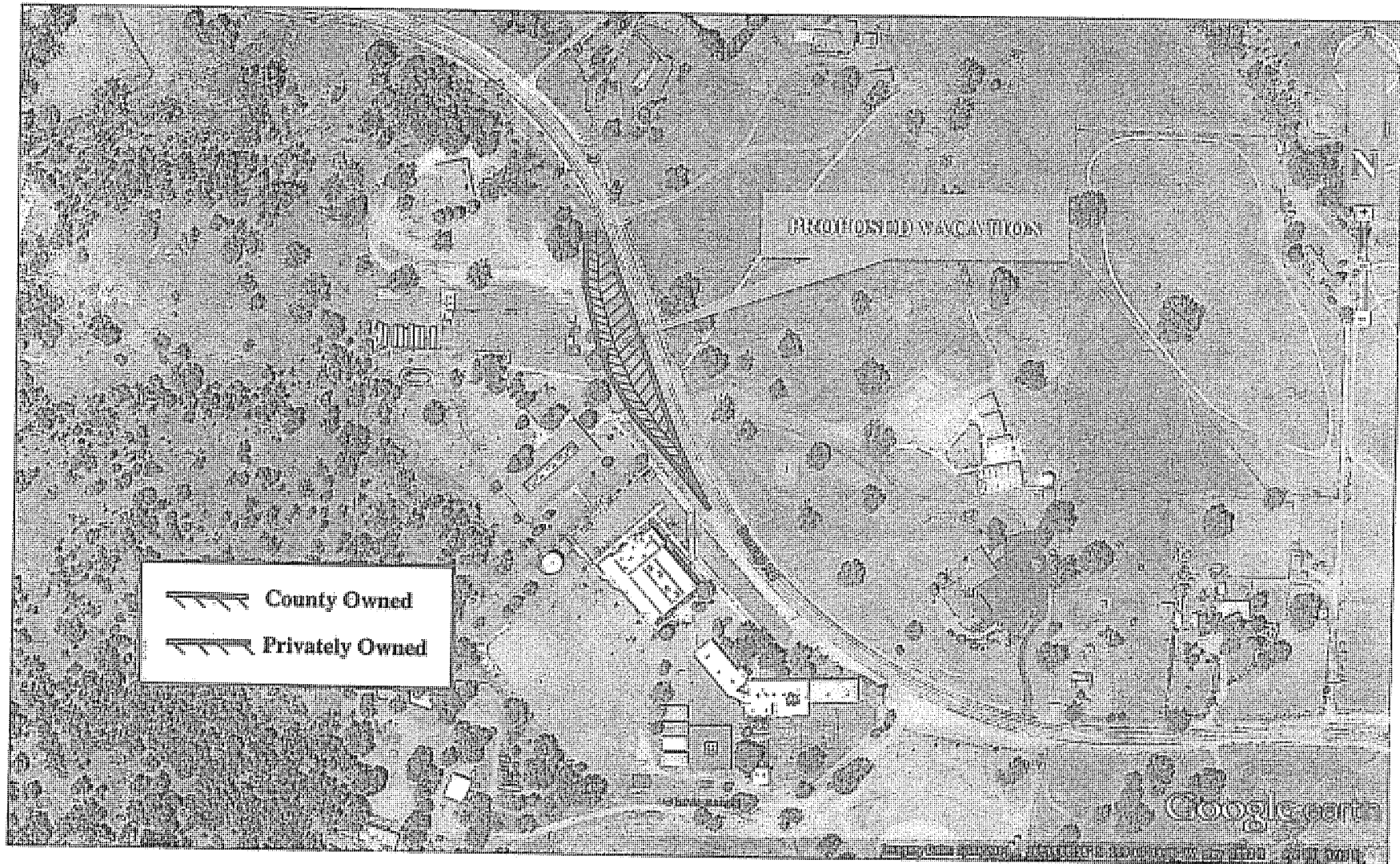
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JUL 11 2019

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AND PLANNING
DEVELOPMENT SERVICES DIVISION

Vacation of Excess Right-of-Way of Dunlap Road (V15-03)



Jim Hodge 5/16/16

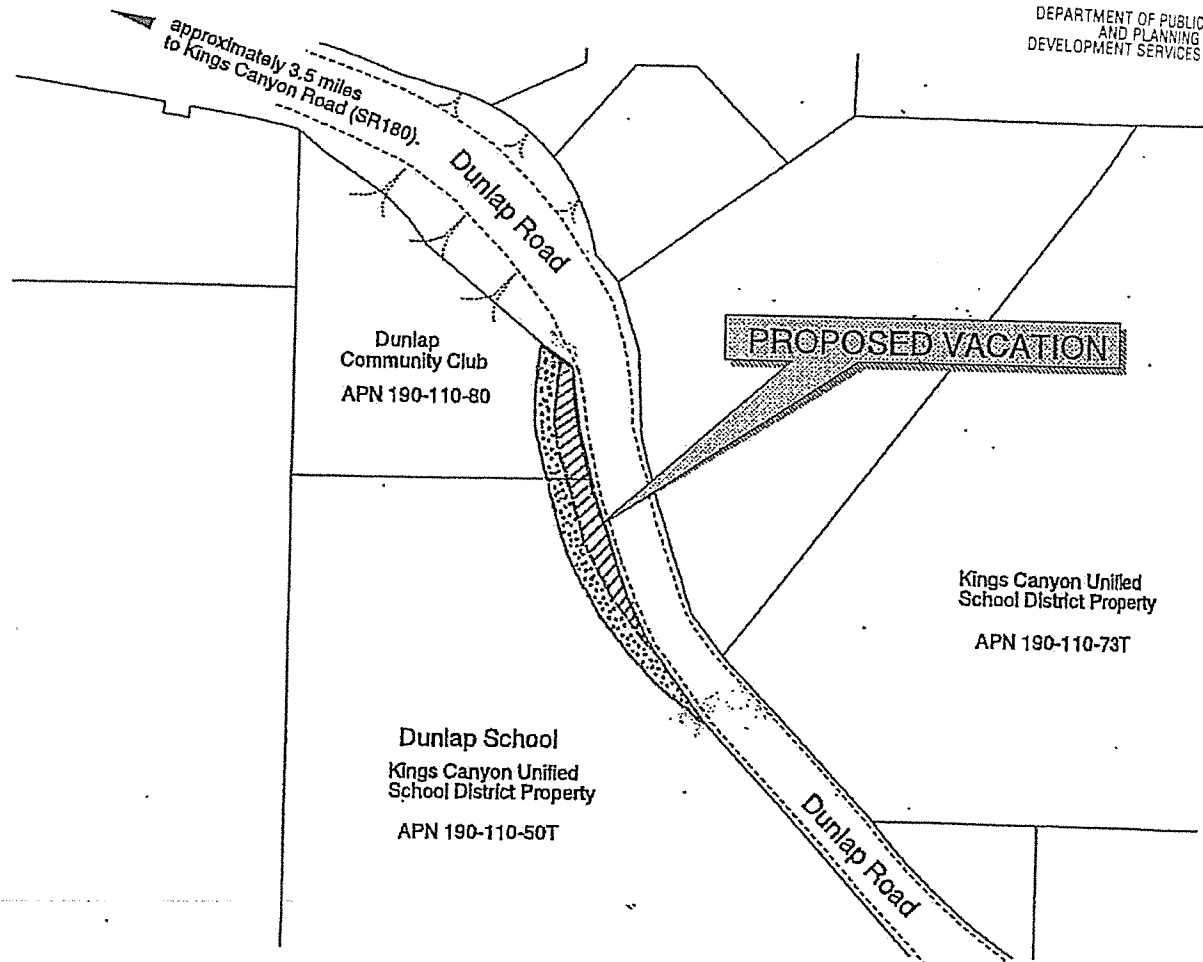
Vacation Application V15-03



DUNLAP ROAD

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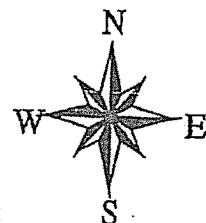
DEPARTMENT OF PUBLIC WORKS
AND PLANNING
DEVELOPMENT SERVICES DIVISION



-  County Owned
-  Privately Owned



Department of Public Works and Planning



National Flood Hazard Layer FIRMette



36°44'23.29"N




























0 250 500 1,000 1,500 2,000 Feet

1:6,000

36°43'54.45"N

Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS		Without Base Flood Elevation (BFE) <i>Zone A, V, A99</i>
		With BFE or Depth <i>Zone AE, AO, AH, VE, AR</i>
		Regulatory Floodway
OTHER AREAS OF FLOOD HAZARD		0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile <i>Zone X</i>
		Future Conditions 1% Annual Chance Flood Hazard <i>Zone X</i>
		Area with Reduced Flood Risk due to Levee. See Notes. <i>Zone X</i>
		Area with Flood Risk due to Levee <i>Zone D</i>
OTHER AREAS		Area of Minimal Flood Hazard <i>Zone X</i>
		Effective LOMRs
		Area of Undetermined Flood Hazard <i>Zone D</i>
GENERAL STRUCTURES		Channel, Culvert, or Storm Sewer
		Levee, Dike, or Floodwall
OTHER FEATURES	 20.2	Cross Sections with 1% Annual Chance
	 17.5	Water Surface Elevation
	 — —	Coastal Transect
		Base Flood Elevation Line (BFE)
		Limit of Study
		Jurisdiction Boundary
		Coastal Transect Baseline
MAP PANELS		Profile Baseline
		Hydrographic Feature
		Digital Data Available
MAP PANELS		No Digital Data Available
		Unmapped
		The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.



This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

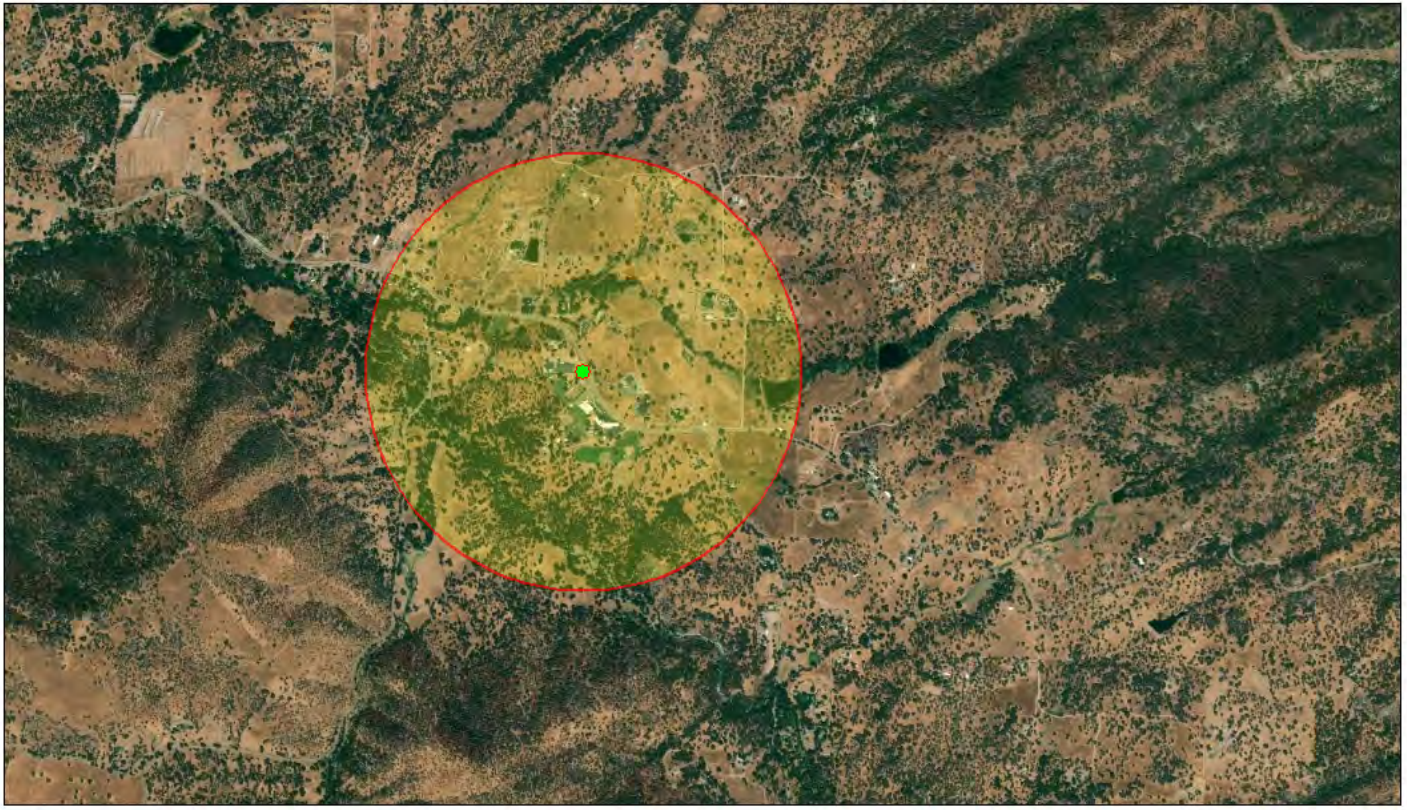
The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on **7/17/2019 at 4:07:56 PM** and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

119°6'46.59"W

NEPAssist Report

ER 7673 NEPAssist Report



July 17, 2019

- Project 1
- Buffer Area

1:23,167
 0 0.2 0.4 0.8 mi
 0 0.3 0.6 1.2 km
 Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

Project Location	36.736189,-119.118113
Within 0.5 miles of an Ozone 8-hr (1997 standard) Non-Attainment/Maintenance Area?	yes
Within 0.5 miles of an Ozone 8-hr (2008 standard) Non-Attainment/Maintenance Area?	yes
Within 0.5 miles of a Lead (2008 standard) Non-Attainment/Maintenance Area?	no
Within 0.5 miles of a SO2 1-hr (2010 standard) Non-Attainment/Maintenance Area?	no
Within 0.5 miles of a PM2.5 24hr (2006 standard) Non-Attainment/Maintenance Area?	yes
Within 0.5 miles of a PM2.5 Annual (1997 standard) Non-Attainment/Maintenance Area?	yes
Within 0.5 miles of a PM2.5 Annual (2012 standard) Non-Attainment/Maintenance Area?	yes
Within 0.5 miles of a PM10 (1987 standard) Non-Attainment/Maintenance Area?	yes
Within 0.5 miles of a Federal Land?	no
Within 0.5 miles of an impaired stream?	no
Within 0.5 miles of an impaired waterbody?	no
Within 0.5 miles of a waterbody?	no
Within 0.5 miles of a stream?	yes
Within 0.5 miles of an NWI wetland?	Available Online
Within 0.5 miles of a Brownfields site?	no
Within 0.5 miles of a Superfund site?	no
Within 0.5 miles of a Toxic Release Inventory (TRI) site?	no
Within 0.5 miles of a water discharger (NPDES)?	no
Within 0.5 miles of a hazardous waste (RCRA) facility?	no
Within 0.5 miles of an air emission facility?	no

Within 0.5 miles of a school?	yes
Within 0.5 miles of an airport?	no
Within 0.5 miles of a hospital?	no
Within 0.5 miles of a designated sole source aquifer?	yes
Within 0.5 miles of a historic property on the National Register of Historic Places?	no
Within 0.5 miles of a Toxic Substances Control Act (TSCA) site?	no
Within 0.5 miles of a RADInfo site?	no
Within 0.5 miles of a Tribal Land?	no
Within 0.5 miles of a Land Cession Boundary?	yes

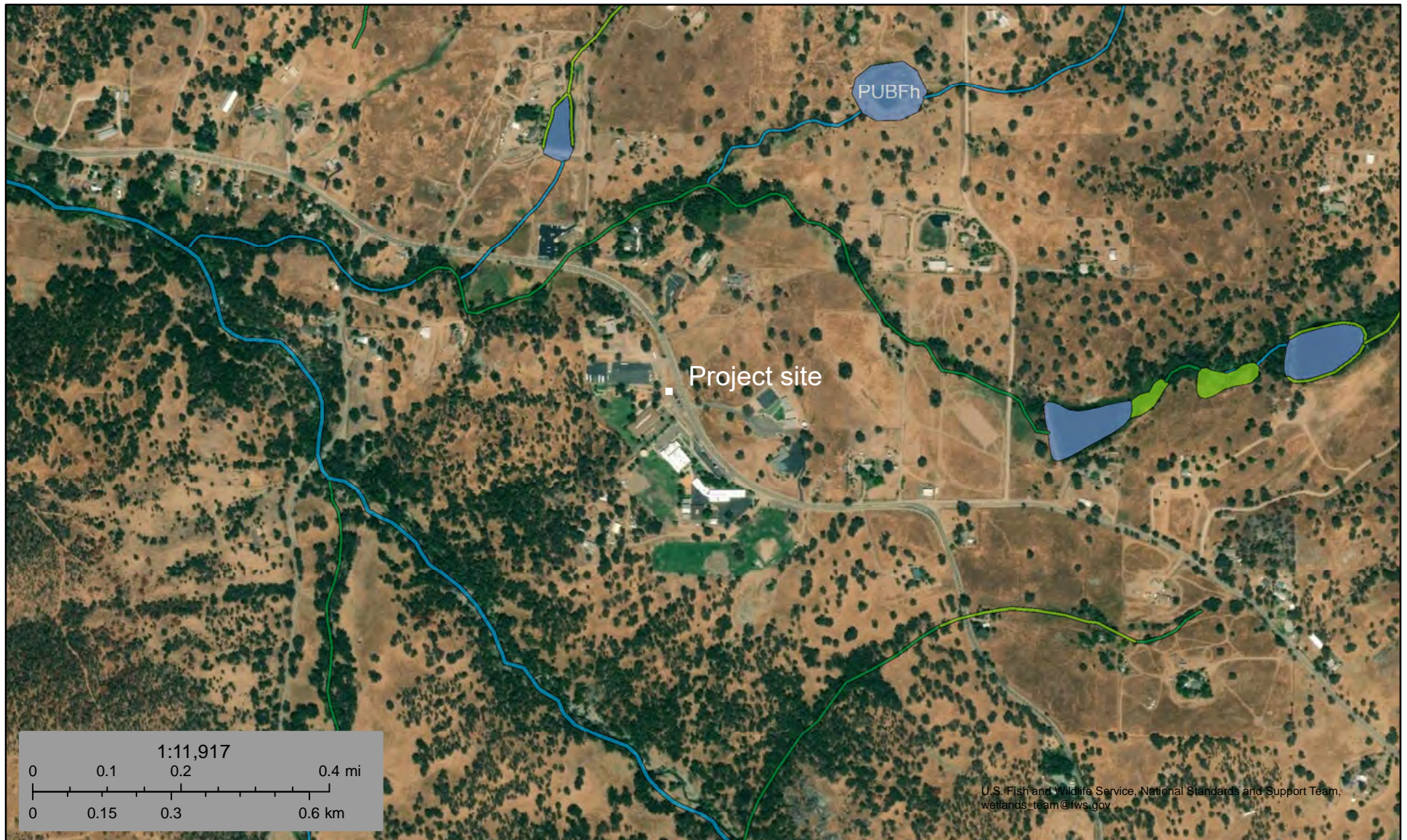
Created on: 7/17/2019 6:13:47 PM



U.S. Fish and Wildlife Service

National Wetlands Inventory

ER 7673



U.S. Fish and Wildlife Service, National Standards and Support Team,
wetlands_team@fws.gov

July 31, 2019

Wetlands

- Estuarine and Marine Deepwater
- Estuarine and Marine Wetland

- Freshwater Emergent Wetland
- Freshwater Forested/Shrub Wetland
- Freshwater Pond

- Lake
- Other
- Riverine

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.