



County of Fresno

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

Planning Commission Staff Report Agenda Item No. 3 April 14, 2022

SUBJECT: Initial Study No. 8044 and Unclassified Conditional Use Permit Application No. 3708 (Amending CUP No.3639).

Allow the expansion of an existing Southern California Edison Service Center's laydown yard with the construction of a new gated access driveway connecting to Dinkey Creek Road. The project will also include the installation of a 1,440 Square-foot mobile office trailer, within the approximately 2.94-acre laydown yard, on the existing 357.80-acre subject parcel, in the RC-40 (Recreational, 40-acre minimum parcel size) Zone District.

LOCATION: The project site is located on the north side of Dinkey Creek Road, approximately one-quarter mile east of State Route 168 (Tollhouse Road), within the unincorporated community of Shaver Lake (APN: 120-260-10U) (41694 Dinkey Creek Road) (Sup. Dist. 5).

OWNER: Southern California Edison

APPLICANT: Jacob Redelfs (Blair Church & Flynn)

STAFF CONTACT: Jeremy Shaw, Planner
(559) 600-4207

David Randall, Senior Planner
(559) 600-4052

RECOMMENDATION:

- Adopt the Mitigated Negative Declaration prepared for Initial Study (IS) Application No. 8044; and
- Approve Unclassified Conditional Use Permit (UCUP) No. 3708, amending CUP 3639 with recommended Findings and Conditions; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

EXHIBITS:

1. Mitigation Monitoring, Conditions of Approval and Project Notes
2. Location Map
3. Existing Zoning Map
4. Existing Land Use Map
5. Site Plans and Detail Drawings
6. Elevations and Floor Plans
7. Applicant's Operational Statement
8. Summary of Initial Study No. 8044
9. Draft Mitigated Negative Declaration

SITE DEVELOPMENT AND OPERATIONAL INFORMATION:

Criteria	Existing	Proposed
General Plan Designation	Open Space	No change
Zoning	RC-40	No change
Parcel Size	357.8 acres	No change
Project Site	Existing 2.94-acre laydown storage yard adjacent to the Southern California Edison Shaver Lake Service Center	Addition of an approximately 145 foot long by 21.5-foot-wide access driveway, connecting the laydown storage yard to Dinkey Creek Road
Structural Improvements	Southern California Edison, Shaver Lake Service Center consisting of an approximately 11,842 square-foot main administration building, 2-3 accessory buildings (storage sheds), fuel pumps within an approximately 1.5-acre fenced area	Addition of a new paved access driveway connecting to Dinkey Creek Road and the installation of one 1,440 square-foot mobile office trailer within the previously approved laydown storage yard
Nearest Residence	Approximately 140 feet west of the service center	No change

Criteria	Existing	Proposed
Surrounding Development	North: Open Space/Forest Land East: Cal Fire Shaver Lake Station South: Open Space/Forest Land West: Residential	No change
Operational Features	Existing Shaver Lake Service Center with a fenced vehicle and equipment storage area, with fuel pumps	<ul style="list-style-type: none"> • Completion of the proposed driveway access to Dinkey Creek Road, used primarily for egress (exit) of SCE vehicles as part of the Transmission and Distribution organization • Ingress will typically be made via a separate driveway connecting to an existing private road
Employees	Approximately 10-15 current Service Center employees and 32 laydown storage yard employees	Increase of approximately 25 employees for a total of 54 Transmission and Distribution employees
Customers	Service Center: approximately 10-15 customers per week during regular business hours; Monday through Friday, 7:00 AM to 4:00 PM	No changes proposed to Service Center operation; no customers will have access to the proposed laydown storage yard, there may be 1-2 visitors per week
Traffic Trips	Approximately 10-15 customer traffic trips per day, Monday through Friday; approximately 15 one-way employee trips per day Total of 25-30 traffic trips per day	Approximately 22 additional round trips per day, 110 per week, Monday through Friday
Lighting	Approximately 7 exterior light poles and 5 building-mounted lights around existing service center	Approximately 1-2 25-foot-tall pole-mounted lights within the laydown storage yard
Hours of Operation	Existing service center operates M-F, 7:00 AM to 4:00 PM	The proposed laydown storage yard will operate between 6:00 AM and 6:00 PM Monday through Saturday, and after hours when necessary

EXISTING VIOLATION (Y/N) AND NATURE OF VIOLATION: N

ENVIRONMENTAL ANALYSIS:

An Initial Study was prepared for this project by County staff in conformance with the provisions of the California Environmental Quality Act (CEQA). Based on the Initial Study, staff has determined that a Mitigated Negative Declaration is appropriate. A summary of the Initial Study is included as Exhibit 8.

Notice of Intent to Adopt a Mitigated Negative Declaration publication date: October 15, 2021

PUBLIC NOTICE:

Notices were sent to 79 property owners within 300 feet of the subject parcel, meeting the notification requirements prescribed by the California Government Code and County Zoning Ordinance.

PROCEDURAL CONSIDERATIONS:

An Unclassified Conditional Use Permit may be approved only if the Five Findings specified in the Fresno County Zoning Ordinance, Section 873-F are made by the Planning Commission.

The decision of the Planning Commission on an Unclassified Conditional Use Permit Application is final, unless appealed to the Board of Supervisors within 15 days of the Commission's action.

BACKGROUND INFORMATION:

- CUP No. 2099, approved by the Planning Commission in 1984, authorized the construction of the existing Southern California Edison Shaver Lake service center.
- CUP 3487 was approved on June 18, 2015, amending CUP 2099 to allow the addition of a paved laydown yard, a paved access road, a 3,500 square-foot storage building, and canopies over existing facilities.
- CUP No. 3639, approved on January 9, 2020, authorized the expansion of the previously approved laydown storage yard, and installation of two 1,440 square-foot mobile office trailers (not installed),
- The current application was submitted on April 7, 2021, and is requesting to allow a new gated access driveway onto Dinkey Creek Road from the existing laydown storage yard and the installation of one 1,440 square-foot mobile office trailer within the laydown yard.

Finding 1: *That the site of the proposed use is adequate in size and shape to accommodate said use and all yards, spaces, walls and fences, parking, loading, landscaping, and other features required by this Division, to adjust said use with land and uses in the neighborhood.*

	Current Standard:	Proposed Operation:	Is Standard Met (y/n)
Setbacks	Front: 35 feet Rear: 20 feet Side: 20 feet	Front (South): 82+/- feet Rear(North): 1,000+ feet Side (East): 1,000+ feet Side (West): 241+/- feet	Yes
Parking	One space for every two employees and three-square feet of parking area for every one-square-foot of gross floor area.	Two paved ADA-compliant parking spaces for each mobile office trailer and approximately 23 additional open parking spaces for employees, with asphalt-concrete gravel surfacing.	Yes
Lot Coverage	Zoning Ordinance Section 813.5.G: Permitted buildings and structures shall not exceed one percent (1%) of the total lot area for lots 10 acres or larger. The subject parcel would be allowed up to 3.57-acres of building coverage under the current standard.	Addition of approximately 1,440 square feet of building area with installation of the mobile office/ transmission trailer. Total of approximately 0.40 acres of coverage on a 357.80-acre parcel or approximately 0.0015 % percent lot coverage for existing facility plus the proposed addition.	Yes
Space Between Buildings	No requirement	N/A	N/A
Wall Requirements	No requirement	N/A	N/A
Septic Replacement Area	Septic tank: 50 feet Disposal field: 100 feet Seepage pit: 150 feet	N/A	N/A
Water Well Separation	Septic Tank : 100 feet Disposal Field: 100 feet Seepage Pit: 150 feet	N/A	N/A

Reviewing Agency/Department Comments Regarding Site Adequacy:

Development Engineering Section of the Fresno County Department of Public Works and Planning: According to FEMA, FIRM Panel 0725H, portions of the subject parcel are within Flood Zone A, subject to flooding from the 100-year storm event. Any work near a stream will require clearance from the California Department of Fish and Wildlife.

No other comments specific to the adequacy of the site were expressed by reviewing Agencies or Departments.

Analysis Finding 1:

The project site comprises approximately 2.94 acres of the 357.8-acre subject parcel. The proposal will expand access to the existing laydown storage yard with construction of a new paved driveway connecting to Dinkey Creek Road, and the installation of one mobile office trailer within the storage yard. The laydown yard will be utilized for storage of equipment and materials required for the maintenance of the Southern California Edison transmission and distribution system. The Laydown storage yard and mobile office trailer will operate independently of the service center. No other buildings or structures are proposed with this project. The project will be served by an on-site septic system located easterly adjacent to the proposed laydown yard. Water will be supplied by the Shaver Lake Heights Mutual Water Company. Although a portion of the subject parcel is within Flood Zone A, a review by staff of FEMA's National Flood Hazard Layer viewer mapping tool, the project site itself is not within Zone A, and therefore not subject to flooding from the 100-year storm event.

Recommended Conditions of Approval:

None.

Conclusion Finding 1:

Finding 1 can be made as the analysis above identifies that there is adequate area and distances from property lines are adequate to accommodate existing improvements, and the uses proposed with this application.

Finding 2: *That the site for the proposed use relates to streets and highways adequate in width and pavement type to carry the quantity and kind of traffic generated by the proposed use.*

		Existing Conditions	Proposed Operation
Private Road	Yes	Paved access road, unknown condition	No change
Public Road Frontage	No	Dinkey Creek Road	No change
Direct Access to Public Road	Yes	Paved private access road connecting to Dinkey Creek Road	New paved access driveway connecting project site to existing paved access road
Road ADT		500 trips per day	Additional 99 employee traffic trips and up to 6 round trip delivery truck trips per six-day week

		Existing Conditions	Proposed Operation
Road Classification		Arterial	No change
Road Width		25.4 feet along the parcel frontage	No change
Road Surface		Asphalt concrete	No change
Traffic Trips		Approximately 6 customer trips per day/30 per week; and approximately 32 employee trips per day	Additional 75 contractor trips 24 employee trips; and up to 6 round trip delivery truck trips per six-day week
Traffic Impact Study (TIS) Prepared	No	N/A	Not required
Road Improvements Required		N/A	Not required

Reviewing Agency/Department Comments Regarding Adequacy of Streets and Highways:

Road Maintenance and Operations Division of the Fresno County Department of Public Works and Planning: Dinkey Creek Road currently has 66 feet of road right-of-way; because the subject parcel has frontage along both sides of Dinkey Creek Road, an additional 20 feet of right-of-way along each side of Dinkey Creek Road is required (forty feet total), to satisfy the ultimate right-of-way.

No other comments specific to the adequacy of streets and highways were expressed by reviewing Agencies or Departments.

Analysis Finding 2:

The new paved access driveway will provide direct access from the laydown yard to Dinkey Creek Road. Dinkey Creek Road traverses a portion of the subject parcel near its southeastern boundary. The proposed project will add approximately 16-20 new vehicles trips to its daily operation. The project is not anticipated to substantially increase traffic on County roads, and due to its limited scope, a Traffic Impact Study was not required; however, a trip generation and distribution and VMT analysis was required. The trip generation and distribution VMT memo submitted for the project dated July 21, 2021, by CR Associates concluded that the project would generate a total of 99 new traffic trips per day, including 24 SCE employee trips and 75 contractor trips. Additionally, to meet the County General Plan Transportation and Circulation requirements for Dinkey Creek road, a Condition of Approval has been included, requiring that the project dedicate an additional 20 feet of road right-of-way on both the north and south sides of Dinkey Creek Road, along the subject parcel frontages.

To evaluate the extent of limited sight distances on the roadway, a sight distance technical memorandum was prepared for the project by CR Associates, dated February 10, 2022. The study evaluated the Corner Sight Distance, and the Stopping Sight Distance. The memorandum concluded that the proposed project driveway does not meet the minimum corner sight distance requirements, however, it did meet the minimum stopping sight distance. The recommendations

of the memorandum were that the project applicant maintain the vegetation and minimize snow accumulation at the intersection of the project driveway and Dinkey Creek Road. The placement of signs indicating the presence of the driveway intersection placed both east and west of the driveway was also recommended, however, the conclusion also stated that typical industry standard indicates that meeting the stopping distance requirement is considered adequate to provide appropriate and safe sight distance on a roadway even if corner sight distance is not fully achieved, because in rural (or mountainous) settings like the project site, there are typically for obstructions to the line of sight such as trees, boulders and snow, which are not always possible to remove either partially or permanently. Consequently, the Road Maintenance and Operations Division elected not to require signage.

Recommended Conditions of Approval:

See recommended Conditions of Approval attached as Exhibit 1 regarding maintenance of vegetation, snow accumulation and other obstructions in the line of sight of the project's driveway.

Conclusion Finding 2:

Finding 2 can be made based on the above information, and with adherence to the Conditions of Approval, staff is of the opinion that Dinkey Creek Road is adequate in width and pavement type to accommodate the proposed use.

Finding 3: *That the proposed use will have no adverse effect on abutting property and surrounding neighborhood or the permitted use thereof.*

Surrounding Parcels				
	Size:	Use:	Zoning:	Nearest Residence:
North	40.00 acres	Recreational	R-E (Recreational, two-acre minimum parcel size)	N/A
	280.0 acres	Recreational	R-E (Recreational, two-acre minimum parcel size)	N/A
	320.0 acres	Recreational/ Open Space	RC-40 (Resource Conservation, 40-acre minimum parcel size)	N/A
South	260 acres	Recreational/ Open Space	RC-40	N/A
East	320 acres	Recreational/ Open Space	RE(m)/RC-40	N/A
West	0.18 to 0.33 acres	Residential	R-1-C(m) (Single-Family Residential, 9,000 square-foot minimum parcel size, Mountain Overlay) Zone District	Approximately 50 feet

Reviewing Agency/Department Comments:

Development Engineering Section of the Fresno County Department of Public Works and Planning: An engineered grading and drainage plan may be required to show how additional storm water runoff generated by the proposed development will be handled without adversely impacting adjacent properties. A grading permit will be required for any grading proposed with this project.

No other comments specific to land use compatibility were expressed by reviewing Agencies or Departments, some comments about how existing regulations apply to the project have been included under Project Notes of Exhibit 1.

Analysis Finding 3:

There is a residential subdivision located westerly adjacent to the private access road utilized by the existing service center. The nearest residences are located approximately 600 feet west of the proposed new access driveway, are not anticipated to be adversely affected by it. Once construction is complete, the increase in traffic and noise generated by operation of the laydown storage yard will be minimal and not represent a substantial increase in intensity of use from the existing operation. Traffic flow to and from the storage yard is proposed to enter the sight from the private access road on its northwest side and exit onto Dinkey Creek Road.

Recommended Conditions of Approval:

See recommended Conditions of Approval attached as Exhibit 1.

Conclusion:

Finding 3 can be made. Based on the above information above, staff has concluded that the proposal will not have an adverse effect upon surrounding properties.

Finding 4: *That the proposed development is consistent with the General Plan.*

Relevant Policies:	Consistency/Considerations:
General Plan Policy OS-E.3: The County shall require development in areas known to have particular value for wildlife to be carefully planned and, where possible, located so that the value of the habitat for wildlife is maintained.	The Initial Study prepared for this project determined that impacts to biological resources resulting from the proposed development would be less than significant with adherence to the included Mitigation Measure supported by the findings of the Habitat Assessment Report provided by the Applicant.
General Plan Policy OS-E.6: The County shall ensure the conservation of large, continuous expanses of native vegetation to provide suitable habitat for maintaining abundant and diverse wildlife populations, as long as this preservation does not threaten the economic well-being of the County.	The project proposes to construct a new driveway access to a public road, and will not impact any large continuous expanses of native vegetation nor by extension remove suitable habitat that would otherwise support an abundant and diverse wildlife population.

Relevant Policies:	Consistency/Considerations:
<p>General Plan Policy OS-E.9: Prior to the approval of discretionary development permits, the County shall require, as part of any required environmental review process, a biological resources evaluation of the project site by a qualified biologist. The evaluation shall be based upon field reconnaissance performed at the appropriate time of year to determine the presence or absence of significant resources and/or special-status plants or animals. Such evaluation will consider the potential for significant impact on these resources and will either identify feasible mitigation measures or indicate why mitigation is not feasible.</p>	<p>The U.S. Fish and Wildlife Service (USFWS) reviewed the proposal and expressed concern that the project site has potential support habitat State endangered Great Grey Owl.</p> <p>As a result, the project proponent was required to submit a biological habitat assessment in accordance with General Plan Policy OS-E.9. The habitat assessment included a review of the California Department of Fish and Wildlife (CDFW), California Natural Diversity Database (CNDDDB) records. Conclusions and findings of the habitat assessment, which are summarized in the Initial Study prepared for this project, were that no current populations of Great Grey Owl were present, and no suitable habitat was present on site. However, to address the potential for impacts to Great Grey Owl a Mitigation Measure has been included requiring pre-activity surveys by a qualified wildlife biologist.</p>
<p>General Plan Policy OS-E.13: The County should protect to the maximum extent practicable, wetlands, riparian habitat, and meadows since they are recognized as essential habitats for birds and wildlife.</p>	<p>No wetlands or riparian habitat were identified by the biological habitat assessment completed for this project.</p>
<p>General Plan Policy OS-E.17: The County should preserve to the maximum possible extent, areas defined as habitats for rare or endangered animal or plant species in a natural state consistent with State and Federal endangered species laws.</p>	<p>No suitable habitat for any rare or endangered plant or animal species was found within the project area. The project area consists of approximately 2.94 acres of the 357.80-acre subject parcel, and is consistent with this policy.</p>
<p>General Plan Policy OS-L.3: The County shall manage the use of land adjacent to scenic drives and scenic highways based on the following principals:</p> <ul style="list-style-type: none"> a. Timber harvesting within or adjacent to the right-of-way shall be limited to that which is necessary to maintain and enhance the quality of the forest; b. Proposed high-voltage overhead transmission lines, transmission line towers, and cell towers shall be routed 	<p>Dinkey Creek Road, adjacent to and traversing a portion of the subject parcel near the project site, is designated as a Scenic Drive in the County's General Plan; as such, Conditions of Approval have been included that landscaping and slatted chain-link fencing is to be provided in order to screen the proposed laydown storage yard from the adjacent roadway as much as is practicable.</p> <p>The proposed development does not include any timber harvesting, and no work is proposed within or adjacent to the</p>

Relevant Policies:	Consistency/Considerations:
<p>and placed to minimize detrimental effects on scenic amenities visible from the right-of-way;</p> <p>c. Installation of signs visible from the right-of-way shall be limited to business identification signs, on-site real estate signs, and traffic control signs necessary to maintain safe traffic conditions. All billboards and other advertising structures shall be prohibited from location within view of the right-of-way;</p> <p>d. Intensive land developments, including, but not limited to, subdivisions of more than four lots, commercial developments and mobile home parks shall be designed to blend into the natural landscape and minimize visual scarring of vegetation and terrain. The design of said development proposals shall also provide for maintenance of natural open space area two hundred (200) feet in depth parallel to the right-of-way. Modification of the setback requirement may be appropriate when any one of the following conditions exist:</p> <ol style="list-style-type: none"> 1) Topographic or vegetative characteristics preclude such a setback; 2) Topographic or vegetative characteristics provide screening of buildings and parking areas from the right-of-way; 3) Property dimensions preclude such a setback; or 4) Development proposal involves expansion of an existing facility or an existing concentration of uses. <p>e. Subdivision proposal shall be designed to minimize the number of right-of-way access drives;</p> <p>f. Developments involving concentration of commercial uses shall be designed to function as an integral unit with common parking areas and right-of-way access drives; and</p>	<p>County right-of-way. Nor are any new high-voltage transmission lines, transmission line towers, or cell towers proposed with this application.</p> <p>Any installation of signs will be subject to County development standards consistent with the Site Plan Review process.</p> <p>This project does not entail any intensive land development or subdivisions. The project will be limited to approximately 2.94 acres of additional storage area to supplement the existing facility.</p> <p>As previously stated, the proposed laydown storage yard will be required by Conditions of Approval to be screened from view of the Scenic Drive through the use of landscaping and slatted chain-link fencing provided in an earth tone color.</p>

Relevant Policies:	Consistency/Considerations:
<p>g. Outside storage areas associated with commercial activities shall be completely screened from view of the right-of-way with landscape plantings or artificial screens which harmonize with the natural landscape.</p>	

Reviewing Agency/Department Comments:

Policy Planning Unit of the Fresno County Department of Public Works and Planning: The proposed project is not in conflict with General Plan Policies or Shaver Lake Community Plan Policies, nor are there any conflicts with the Williamson Act. See relevant General Plan Policies in the preceding table.

No other comments specific to General Plan Policy were expressed by reviewing Agencies or Departments.

Analysis Finding 4:

No conflicts with General Plan Policies or County-adopted community plans were identified by any reviewing agencies or departments. The project will be required to comply with all applicable General Plan and Community Plan Policies through adherence to the included Mitigation Measures and Conditions of Approval.

Recommended Conditions of Approval:

None.

Conclusion Finding 4:

Finding 4 can be made based on these factors, the proposed office trailer and access driveway to connect the laydown storage yard to Dinkey Creek Road is consistent with the General Plan.

Finding 5: *That the conditions stated in the Resolution are deemed necessary to protect the public health, safety and general welfare.*

Per Section 873-F of the Zoning Ordinance, Finding 5 addresses the question of whether the included Conditions can be deemed necessary to protect the public health, safety and general welfare of the public and other such conditions as will make possible the development of the County in an orderly and efficient manner and in conformity with the intent and purposes set forth in this Division. The required Conditions of Approval will be addressed through the Site Plan Review process required for this project.

Reviewing Agency/Department Comments:

The Conditions of Approval for this project, included as Exhibit 1, are based upon comments and recommendations received from reviewing agencies and departments. Finding 1 addresses the adequacy of the subject parcel and project site, and determines whether or not the site/parcel is of sufficient size to accommodate the proposed use while maintaining required

setbacks or buffers from adjacent properties. Potential impacts to adjacent roadways were analyzed under Finding 2, and impacts to surrounding properties were analyzed under Finding 3. Finding 4 addresses the project's consistency with the General Plan, which guides development of the County through conformance with the applicable goals and policies contained in the individual Elements. The recommended Mitigation Measures under CEQA, Conditions of Approval and Project Notes are all considered mandatory conditions of approval upon adoption of the Mitigated Negative Declaration and approval of the Unclassified Conditional Use Permit for this project. Based upon staff's analysis, the conditions stated in the resolution are deemed necessary to protect the public health, safety and general welfare.

Conclusion Finding 5:

Finding 5 can be made.

PUBLIC COMMENT:

None.

CONCLUSION:

Based on the factors cited in the analysis, staff believes the required Findings for granting the Unclassified Conditional Use Permit can be made. Staff therefore recommends approval of Unclassified Conditional Use Permit No. 3708, subject to the recommended Mitigation Measures, Conditions of Approval, and Project Notes.

PLANNING COMMISSION MOTIONS:

Recommended Motion (Approval Action)

- Move to adopt the Mitigated Negative Declaration prepared based on Initial Study No. 8044; and
- Move to determine the required Findings can be made based on the analysis in the Staff Report and move to approve Unclassified Conditional Use Permit No. 3708, subject to the Mitigation Measures, Conditions of Approval and Project Notes listed in Exhibit 1; and
- Direct the Secretary to prepare a resolution documenting the Commission's action.

Alternative Motion (Denial Action)

- Move to determine that the required Findings cannot be made (state basis for not making the Findings) and move to deny Unclassified Conditional Use Permit Application No. 3708; and
- Direct the Secretary to prepare a resolution documenting the Commission's action.

Mitigation Measures, Recommended Conditions of Approval and Project Notes:

See attached Exhibit 1.

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EXHIBIT 1

Mitigation Monitoring and Reporting Program
Unclassified Conditional Use Permit Application No. 3708
(Including Conditions of Approval and Project Notes)

Mitigation Measure					
Mitigation Measure No.*	Impact	Mitigation Measure Language	Implementation Responsibility	Monitoring Responsibility	Time Span
1.	Aesthetics	All outdoor lighting shall be hooded and directed downward away from adjacent property or the public roadway.	Applicant	Applicant/Public Works and Planning (PW&P)	Ongoing
2.	Cultural Resources and Tribal Cultural Resources	In the event that cultural resources are unearthed during ground-disturbing activity all work shall be halted in the area of the find. An Archeologist shall be called to evaluate the findings and make any necessary mitigation recommendations. If human remains are unearthed during ground-disturbing activities, no further disturbance is to occur until the Fresno County Sheriff-Coroner has made the necessary findings as to origin and disposition. All normal evidence procedures should be followed by photos, reports, video, etc. If such remains are determined to be Native American, the Sheriff-Coroner must notify the Native American Commission within 24 hours.	Applicant	Applicant/PW&P	Ongoing
3.	Biological Resources	If project work will be conducted during the breeding season of March 15 to September 15, Great Gray Owl (GGO) surveys shall be conducted by a qualified biologist to determine if there are nests that may be impacted by project activities. The surveys shall include areas within one-quarter mile of the project area where ground disturbing activities will occur. Prior to the conduct of any surveys for Great Gray Owl, the project proponent (Southern California Edison) shall consult with the California Department of Fish and Wildlife (CDFW), to provide survey guidance.	Applicant	Applicant's qualified biologist/PW&P	Prior to ground disturbance; between March 15 and September 15
Conditions of Approval					
1.	Development of the property shall be in accordance with the Site Plan, Floor Plans, and Operational Statement approved by the Commission.				
2.	The applicant shall maintain vegetation and limit snow accumulation and other obstructions in the line of sight of the project driveway at its intersection with Dinkey Creek Road, in order to meet corner site distance requirements; as per the recommendations included in the SCE Shaver Lake- Sight Distance Analysis, by CR Associates, dated February 10, 2022.				
2.	A Site Plan Review Application shall be submitted for approval by the Director of the Department of Public Works and Planning in accordance with Section 874 of the Fresno County Zoning Ordinance. Items to be addressed under the Site Plan Review may include, but are not limited to, design of parking and circulation, driveway, access, grading and drainage, fire protection, and lighting.				

EXHIBIT 1

*MITIGATION MEASURE – Measure specifically applied to the project to mitigate potential adverse environmental effects identified in the environmental document.
Conditions of Approval reference recommended Conditions for the project.

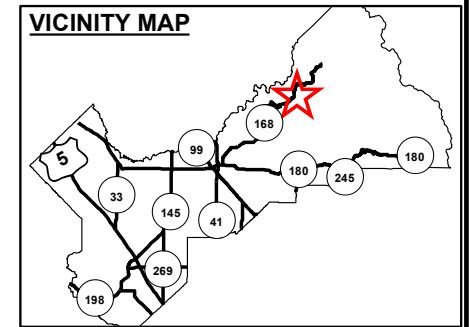
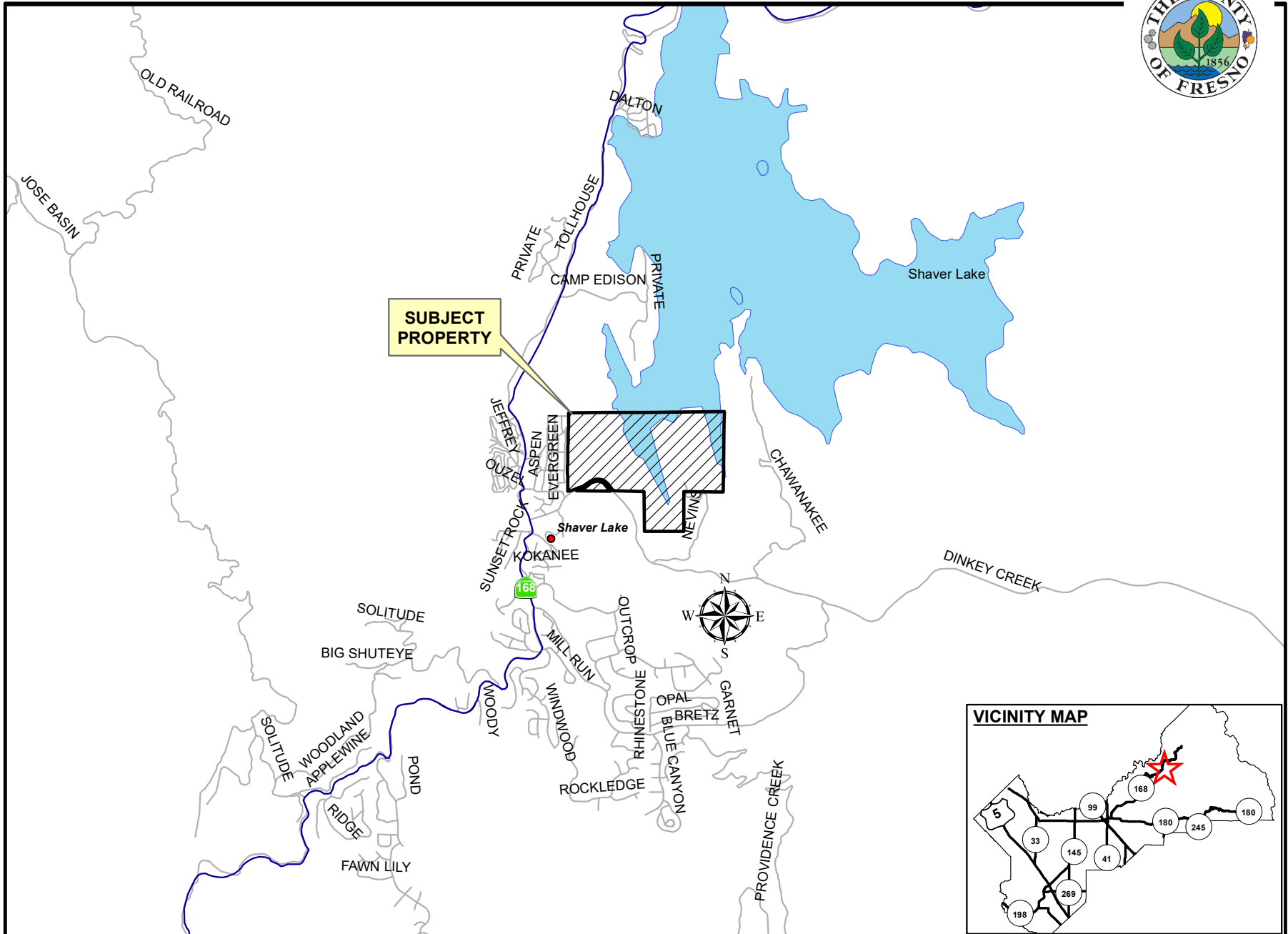
Notes	
The following Notes reference mandatory requirements of Fresno County or other Agencies and are provided as information to the Applicant.	
1.	The proposed project shall comply with the 2007 California Code of Regulations Title 24 Fire Code. The Applicant shall submit three Site Plans stamped "reviewed" or "approved" from the Fresno County Department of Public Works and Planning to the Fresno County Fire Department for their review and approval. The Applicant shall submit evidence that their plan was approved by the fire department, and all fire protection improvements shall be installed prior to occupancy granted to the use. The project may be subject to joining the Community Facilities District (CFD). Before plans are submitted to the Fresno County Fire Protection District (FCFPD), a Fire Permit Application may be filled out and submitted to FCFPD to determine eligibility.
2..	According to FEMA FIRM Panel 0725H portions of the area of the subject parcel are within Flood Zone A, subject to flooding from the 100-year storm event. Any development within the Special Flood Hazard Area shall conform to provision established in the Fresno County Ordinance Code Title 1, Chapter 15.48 Flood Hazard Areas.
3.	The project/development will be subject to the requirements of the current Fire Code and Building Code when a building permit or certificate of occupancy is sought.
4.	Development shall be in accordance with all applicable State Responsibility Area (SRA) Fire Safe Regulations.
5.	No building or structure erected in this District shall exceed 35 feet in height, per Section 813.5.D of the Fresno County Zoning Ordinance.
6.	If approved, plans, permits and inspections are required for all structures, including, but not limited to, accessible elements and site development based upon the codes in effect at the time of plan check submittal.
7.	Any proposed signs will require submittal of plans to the Fresno County Department of Public Works and Planning to verify compliance with the County Zoning Ordinance.
8.	Within 30 days of the occurrence of any of the following events the Applicant/operators shall update their online Hazardous Materials Business Plan (HNBP) and site map (https://www.fresnocupa.com or http://cers.calepa.ca.gov): <ol style="list-style-type: none"> 1. There is a 100% or more increase in the quantities of a previously disclosed material; 2. The facility begins handling a previously undisclosed material at or above the HNBP threshold amounts.
9.	The business shall certify that a review of the business plan has been conducted at least once every three years and that any necessary changes were made and that the changes were submitted to the local agency. Contact the Certified Unified Program Agency at (559) 600-3271 for more information.
10.	All hazardous waste shall be handled in accordance with requirements set forth in the California Code of Regulations, Title 22, Division 4.5.
11.	Any work performed within the County right-of-way shall require an Encroachment Permit from the Road Maintenance and Operations Division of the Fresno County Department of Public Works and Planning.

12.	The Sierra Unified School District in which the subject property is located is authorized by State Law to adopt a resolution requiring the payment of construction fees. The Department of Public Works and Planning, Development Services Division requires certifications from the school district that the fees have been paid. An official certification form will be provided by the County when application is made for a building permit.
13.	Any additional storm water runoff generated by the project cannot be drained across property lines, and must be retained on site per the County Standards.
14.	An Engineered Grading and Drainage Plan shall be required to show how additional storm water runoff generated by the proposed development will be handled without adversely impacting adjacent properties. A Grading Permit or Voucher is required for any grading that has been done without a permit and any grading proposed with this application.

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LOCATION MAP



CUP 3708
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EXISTING ZONING MAP

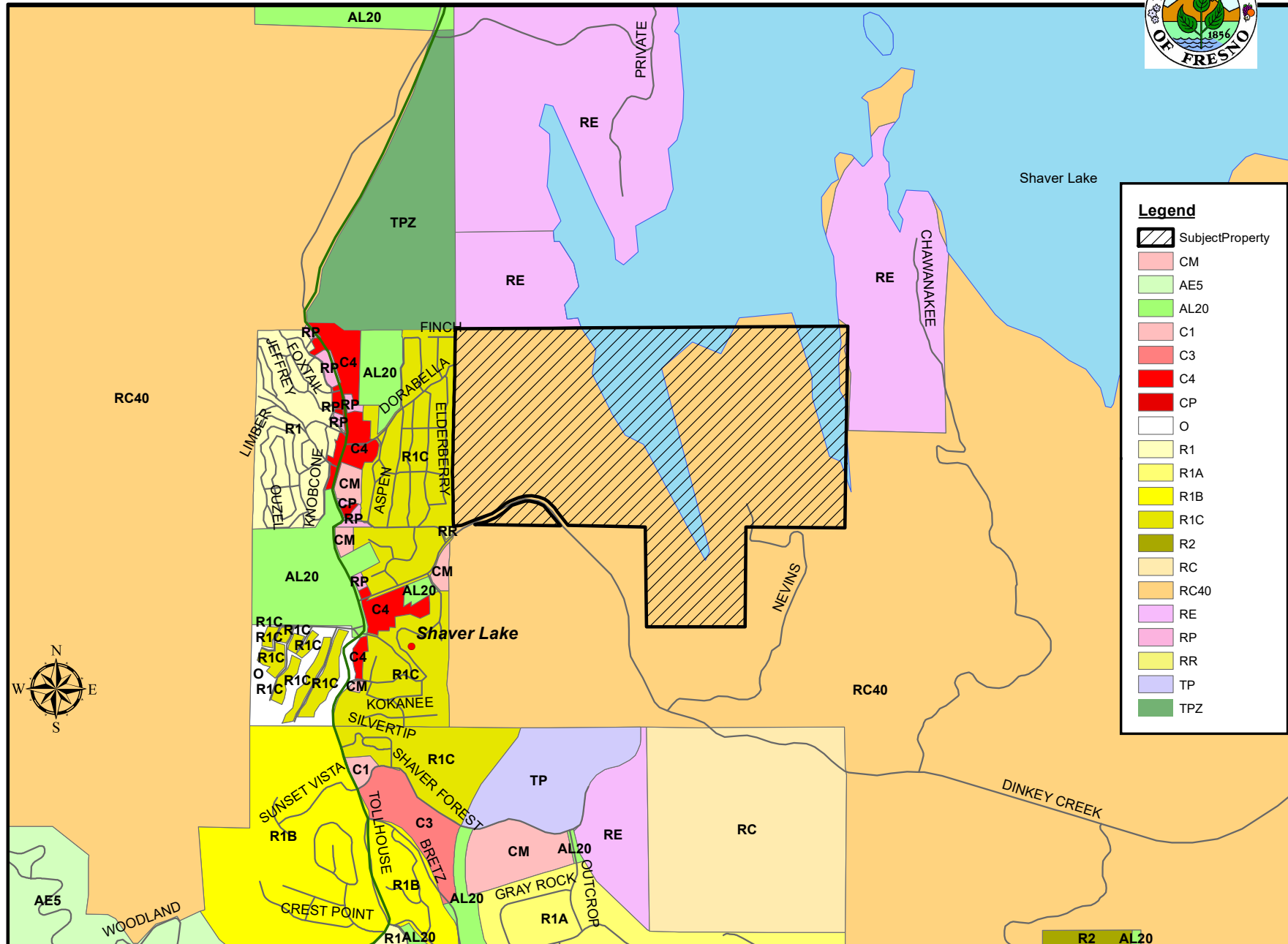


EXHIBIT 3

CUP 3708

EXISTING LAND USE MAP



LEGEND
AP1 - APARTMENT
C - COMMERCIAL
C# - COMMERCIAL
CP# - OFFICE COMM./PROF
I - INDUSTRIAL
MHP - MOBILE HOME PARK
REC - RECREATION
SF# - SINGLE FAMILY RESIDENC
V - VACANT

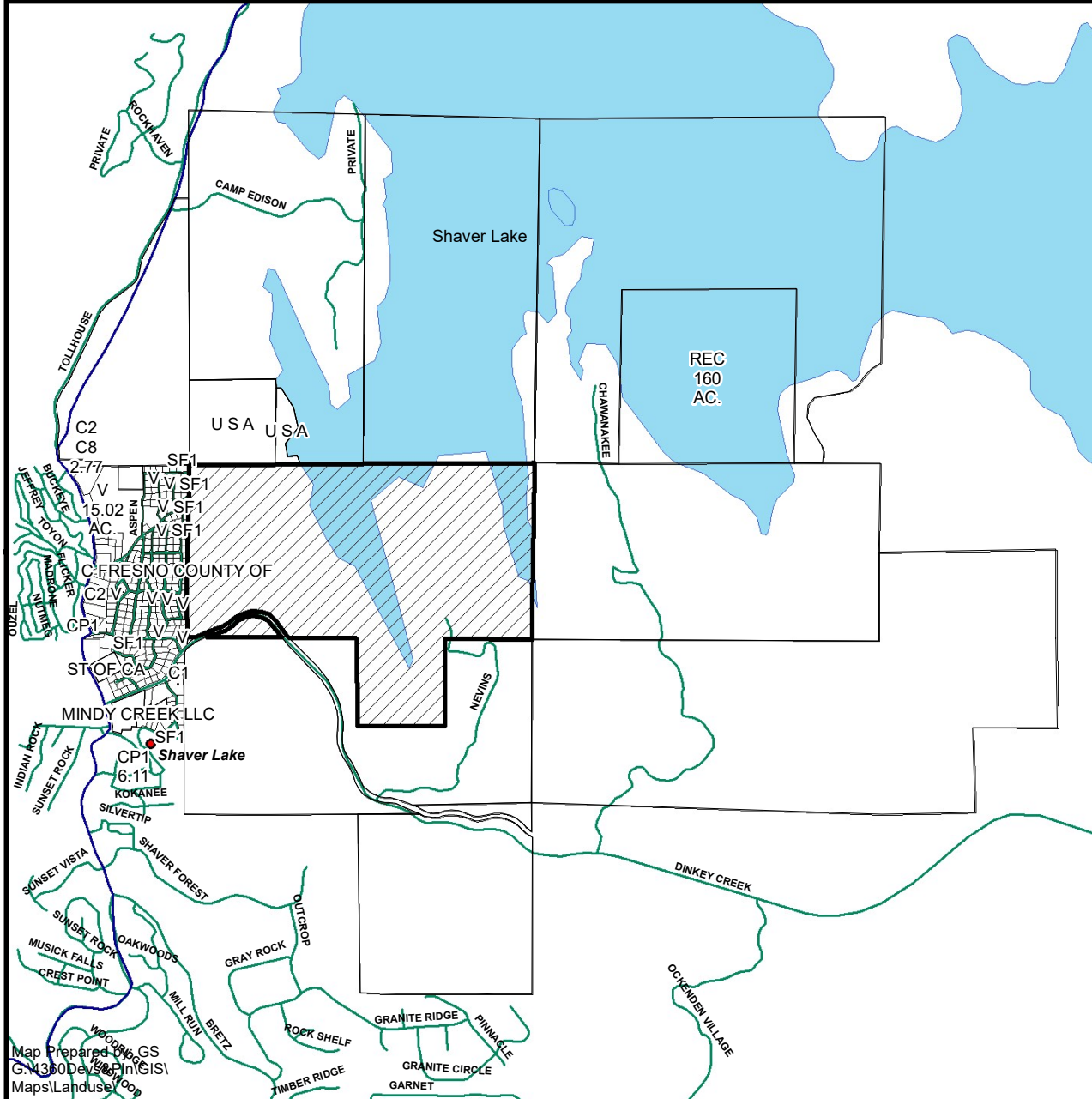
LEGEND:

Subject Property



0 550 1,100 2,200 3,300 4,400 Feet

Department of Public Works and Planning
Development Services Division



~~SHEET~~ SHEET C1.2 FOR ENLARGED VIEW

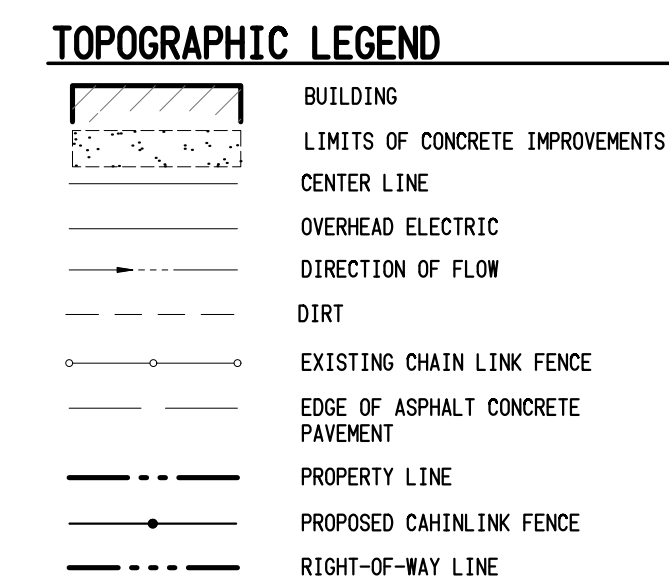


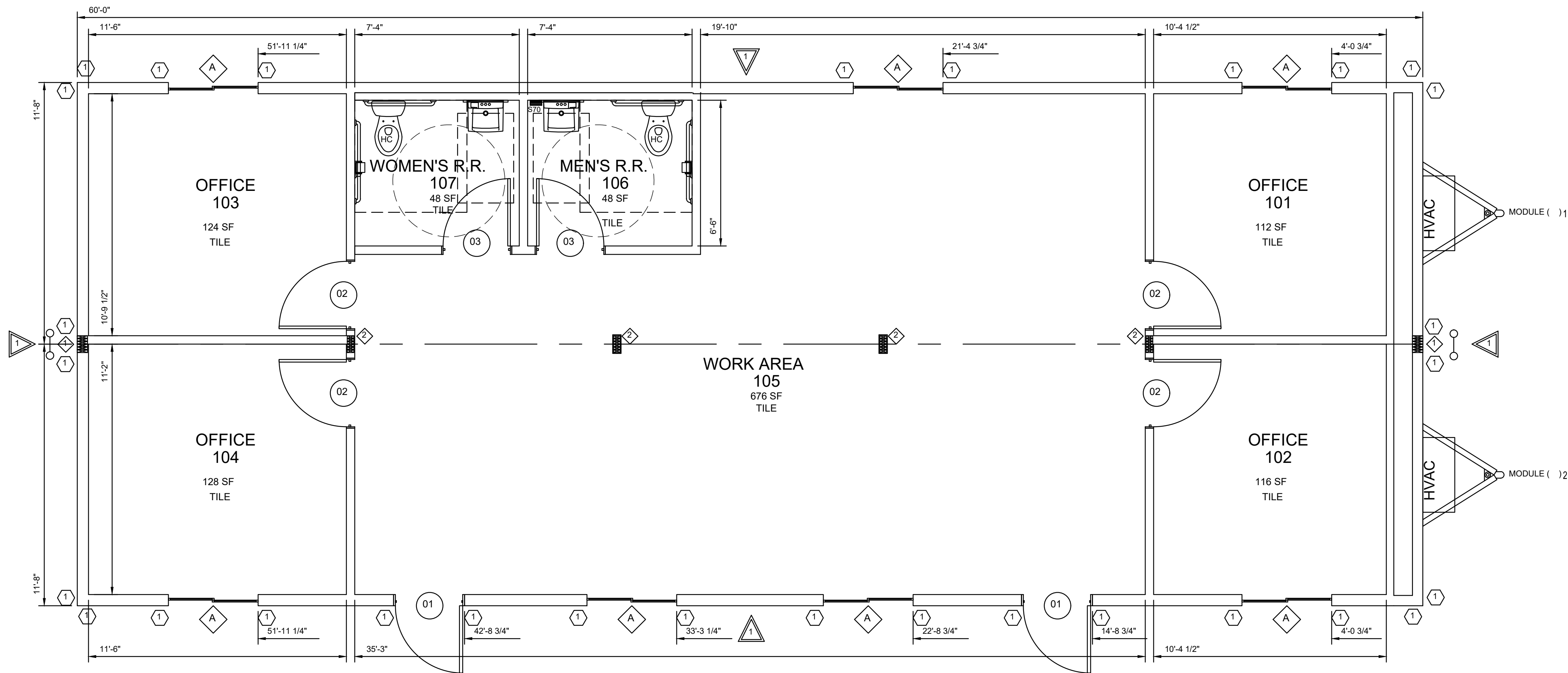
EXHIBIT 5

H

SHEET NO.
C1.0
SCALE: 1" = 30'
4 OF 10 SHEETS

[illegible]

24x60 Shaver Lake, 150lb Roof Load, Draft







SCE SHAVER LAKE LAYDOWN YARD
41694 Dinkey Creek Road
Shaver Lake, CA 93664
October 26, 2021

Site/Project Information
CUP #3639
APN # 120 – 260 – 10U

SPR Submittal
SCE Shaver Lake Laydown Yard
Operational Statement

1. Nature of the Operation:

The proposed SCE Shaver Lake Laydown Yard consists of 2.94 acres of fenced gravel area for use by SCE's Transmission and Distribution (T&D) organization. The proposed laydown yard will provide the necessary equipment laydown area for the construction and maintenance of Southern California Edison's electrical system. T&D will operate separately from the existing Service Center.

2. Operational Time Limits:

The proposed laydown yard hours of operation will be from 6 am to 5 pm during normal operation. The employees will work 10 hours per day up to 6 days a week. However, employees will work whenever necessary in times of emergency and the laydown yard may be utilized beyond normal hours.

3. Number of Customer Visitors:

The proposed laydown yard average number of customers expected is approximately 6 per day and approximately 30 per week. The customer is expected to spend 2-6 hours per visit on site during operating hours.

4. Number of employees:

There are currently 32 employees working at the proposed laydown yard. After phase 2 construction of the laydown yard is complete there will be a total of 54 T&D employees. Employees will work 10 hours per day up to 6 days a week. Field personnel will leave the yard in the morning with their vehicles and return in the afternoon. No employees will live on site.

5. Service and Delivery Vehicles:

Delivery vehicles will deliver packages, pallets, hardware, poles, electrical apparatus, etc. Deliveries are expected 2 times a day, 3 times a week.

6. Access to the site:

Access to the proposed laydown yard is provided off the paved public county road, approximately 193 feet past the existing Service Center employee entrance. The access road to the laydown yard entrance will be a concrete private road. Vehicles will leave the site on a concrete private road that connects to Dinkey Creek Road. This access path will be primarily used as an exit.

7. Number of parking spaces:

Service and delivery trucks will circulate throughout the laydown yard and park within the laydown yard as necessary. There will be a small parking area of 10 stalls upon entering the site and one ADA accessible parking space next to the proposed trailer.

8. Are any goods to be sold on site?

No goods are sold on the proposed laydown yard.

9. What equipment is used?

The proposed laydown yard will use approximately 2 forklifts. The forklifts will be stored within the laydown yard. Equipment stored within the proposed laydown yard include 1-crane, 4-bucket trucks, 4-F550 pickup trucks and 8-12 ¾ or ½ ton trucks. Equipment will be driven off the site daily depending on work needs.

10. What supplies, or materials are used and how are they stored?

Power poles, wood products, wire, cables, and transformers are stored for repair and maintenance of Edison's electrical system and will be stored outside in the proposed laydown yard.

11. Does the use cause an unsightly appearance?

No. Due to the heavy foliage around the site, and its distance from the main road, it is not seen, noisy, or dusty.

12. List any solid or liquid waste to be produced:

The proposed laydown yard will not produce any solid or liquid waste.

13. Estimated volume of water to be used:

The proposed laydown yard will have one trailer with a single sink and bathroom. It is connected to the Shaver Lake Heights Mutual Water Company water system.

14. Describe any proposed advertising including size, appearance, and placement:

There is no proposed advertising for the laydown yard.

15. Will existing buildings be used or will new buildings be constructed?

No new buildings will be constructed in the Laydown yard. A permanent trailer will be constructed prior to reaching the site.

16. Explain which buildings or what portion of buildings will be used in the operation:

No buildings will be used during construction in the Laydown yard.

17. Will any outdoor lighting or an outdoor sound amplification system be used?



SCE SHAVER LAKE LAYDOWN YARD
41694 Dinkey Creek Road
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October 26, 2021

Standard pole mounted lights or streetlights will be used for site lighting. No outdoor sound amplification system will be used.

18. Landscaping or fencing proposed?

An 8' chain link fence has been installed along the perimeter of the proposed laydown yard during the first phase of the project. Automatic gates will be installed during this second phase at both egress and ingress paths.

19. Any other information that will provide a clear understanding of the project operation:

The proposed laydown yard is operated separate from the Service Center operations. The existing Service Center will operate as it currently does and will remain unaltered.



County of Fresno

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

EVALUATION OF ENVIRONMENTAL IMPACTS

APPLICANT: Jacob Redelfs – Blair Church & Flynn

APPLICATION NOS.: Initial Study No. 8044 and Unclassified Conditional Use Permit Application No. 3708

DESCRIPTION: The project proposes to amend CUP 3639 and allow the expansion of the existing Southern California Edison, Shaver Lake Service Center laydown yard with the construction of a new gated access road connecting to Dinkey Creek Road. The project will also include the installation of a 1,440 Square-foot mobile office/transmission trailer, within the existing laydown yard, on the existing 357.80-acre subject parcel, in the RC-40 (Recreational, 40-acre minimum parcel size) Zone District.

LOCATION: The project site is located on the north side of Dinkey Creek Road, approximately one-quarter mile east of State Route 168/Tollhouse Road, within the unincorporated community of Shaver Lake (41694 Dinkey Creek Road) (APN 120-260-10U) (SUP. DIST. 5).

I. AESTHETICS

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

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The proposed paved access driveway to the existing laydown yard required the removal of some mature trees during construction. However, the project site is located in a densely forested area and only those trees that are within the path of the 145 foot long by 21-foot-wide driveway have been removed. No rock outcroppings or any other scenic resources or historic buildings were identified.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project proposes a new driveway onto Dinkey Creek Road from the existing laydown storage yard. Dinkey Creek Road is designated as a scenic drive in the County's General Plan; however, no public view points were identified. Existing trees adjacent to the driveway will be preserved to the extent feasible. Based upon photos of the project site provided by the applicant, the proposed driveway path has previously been cleared of any trees from the existing laydown yard to the nearest right-of-way of Dinkey Creek Road.

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

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

The Applicant's operational statement indicates that there will be approximately 8-10 new pole mounted lighting fixtures on the laydown yard site. The light fixtures will not be allowed to be directed toward roads or adjacent property. The following mitigation measure has been included to reduce any impacts from additional area lighting to a less than significant level.

* **Mitigation Measure(s)**

1. *All outdoor lighting shall be hooded and directed downward and away from adjacent properties and public streets.*

II. AGRICULTURAL AND FORESTRY RESOURCES

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

- A. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

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

FINDING: NO IMPACT:

The subject property is Zoned R-E (Recreational District) which is intended for such uses as Forest stations and lookout stations, and in some areas grazing and other agricultural uses. Although the property is located in a forested area, it is not zoned forest land or timberland. The property does not contain prime or unique farmland and is not restricted under Williamson Act contract.

III. AIR QUALITY

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

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

FINDING: NO IMPACT:

The project entails of a new driveway for access to an existing laydown yard from Dinkey Creek Road. The project is not anticipated to create any conflicts with or obstruct implementation of any applicable air quality plan.

- 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 project is not anticipated to result in a cumulatively considerable net increase in any criteria pollutants for which the region is in non-attainment. It is anticipated that construction will result in the generation of temporary emissions of some criteria pollutants including PM10 and

- 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:

There is a residential development adjacent to the project site, and as such the potential exists that fugitive dust, particulate matter, and other emissions, which could result in odors that could affect people residing in the vicinity however, based on the limited scope of construction activities, and a reasonable distance of the construction on the project site from residential dwellings, it is unlikely to affect a substantial number of people. Additionally, because of the limited size of the project, once construction is complete, the project site will resume its existing permitted operations, and given the distance from the nearest receptors (approximately 200 feet, impacts to sensitive receptors would be less than significant.

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: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

The California Department of Fish and Wildlife reviewed the proposal and expressed concern that the project area has the potential to support habitat for the State endangered Great Gray Owl. In order to reduce the potential for impacts to the Great Gray Owl

* **Mitigation Measure(s)**

1. *If project work will be conducted during the breeding season of March 15 to September 15, Great Gray Owl (GGO) surveys shall be conducted by a qualified biologist to determine if there are nests that may be impacted by project activities. The surveys shall include areas within one-quarter mile of the project area where ground disturbing activities will occur. Prior to the conduct of any surveys for Great Gray Owl, the project proponent (Southern California Edison) shall consult with the California Department of Fish and Wildlife (CDFW), to provide survey guidance.*

Note: The California Department of Forestry and Fire Protection (CALFIRE) conducted GGO protocol level surveys for the Shaver South Vegetation Management Project, which included the meadow the south of the project site; It is anticipated that CALFIRE will conduct additional GGO surveys in 2021. GGO surveys for this project shall be coordinated when feasible, and results shared with CALFIRE to minimize potential owl disturbance from multiple surveyors visiting the same site.

2. *If active Great Gray Owl nests are found during surveys or at any time during project related activities, a one-quarter mile no disturbance buffer shall be established around the nest until a qualified biologist has determined that the chicks have fledged and are no longer reliant on parental care for survival.*

If project related ground disturbing activities occur during the nesting (February through mid-September), the project proponent (Southern California Edison) is responsible for ensuring that implementation of the project does not result in violation of the Migratory Bird Treaty Act or relevant Fish and Game Code.

3. *Pre-activity surveys for nesting birds shall be conducted by a qualified biologist no more than ten (10) days prior to the start of ground or vegetation disturbing activities. The surveys shall cover any area potentially affected by the project. Prior to initiation of construction activities, the qualified biologist shall conduct a survey of all identified nests, to establish a behavior baseline. The qualified biologist shall continuously monitor nests to detect behavioral changes resulting from the project. If behavioral changes occur, work shall be halted, and the project proponent (Southern California Edison) shall consult with CDFW for additional avoidance and minimization measures. If continuous monitoring of identified nests by a qualified biologist is not feasible; a minimum no-disturbance buffer of 250 feet shall be established around active nests of non-listed bird species, and a 500-hundred-foot buffer around non-listed raptor species. The buffer(s) shall remain in place until the breeding season has ended or until a qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or parental care for survival. Variance from these no-disturbance buffers is possible when there is a compelling biological or ecological reason to do so, such as when the construction area would be concealed from a nest site by topography. The qualified biologist shall advise and support any variance from these buffers and notify CDFW in advance of implementing a variance.*

- 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

FINDING: NO IMPACT:

No riparian habitat or sensitive natural communities were identified in the analysis or by any reviewing agencies.

- 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:

No federally protected wetlands were identified on the subject property. A review of the U.S. Fish and Wildlife Service, National Wetlands Inventory (NWI), Wetlands Mapper shows no identified wetlands features on the project area.

- 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: LESS THAN SIGNIFICANT IMPACT:

The California Department of Fish and Wildlife reviewed the project and did not express concerns with the project interfering with the movement of any native residence or migratory fish or wildlife species. No established wildlife corridors or native wildlife nursery sites were identified within the project site or in the vicinity of the project 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:

No local policies or ordinances protecting biological resources, nor conflict with any provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state Habitat Conservation Plan, with which the project would conflict.

V. CULTURAL RESOURCES

Would the project:

- A. Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5; or
- B. Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5; or
- C. Disturb any human remains, including those interred outside of formal cemeteries?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

Because the project site is in an area of moderate archaeological sensitivity; the applicant was required to provide an Archaeological Survey for the previously approved project, for which this amended application is being considered. A Cultural Historical Records Search and a pedestrian survey was conducted to determine the presence of

any known cultural resources or previous cultural resource surveys on or near the subject parcel. Material Culture Consulting provided an archaeological survey dated June 10, 2019, which found that there had been fifteen (15) previous cultural resource surveys done within one-quarter mile of the project area and four (4) which encompassed portions of the project area; two (2) previously recorded cultural resources were identified within a one quarter-mile radius of the project area. One of the identified resources is historical and the other is prehistoric. To address the possibility that previously unknown subsurface cultural materials may be discovered during ground-disturbing activities, the following Mitigation Measure has been included, which will reduce potential impacts to cultural or historical resources to a less than significant level.

* **Mitigation Measure(s)**

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

VI. ENERGY

Would the project:

- A. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources during project construction or operation; or
- B. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

FINDING: NO IMPACT:

It is expected that during the approximately three-month construction time frame, energy resources, electricity for lighting and fuel for vehicles and construction equipment will be utilized; however, it is not expected to be wasteful or unnecessary with adherence to standard construction practices. The project will not conflict with or obstruct a state or local plan for renewable energy.

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?
4. Landslides?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The subject parcel is not located in an area designated as being prone to seismic activity in the Fresno County General Plan Background Report (FCGPBR).

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

Development of the proposed access road would involve grading which could result in some erosion given the natural topography of the parcel; however, any such development will be required to obtain grading permits prior to work being done, and such work is subject to the requirements of the Grading and Drainage Sections of the Fresno County Ordinance Code.

- 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?
- 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:

The project site is not located within an area of known risk of landslide, lateral spreading, subsidence, liquefaction, collapse, or within an area of expansive soils.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project proposes to connect to an existing onsite septic system. This project was reviewed by the Fresno County Department of Public Health, Environmental Health Division, which did not express any concerns with the existing septic system.

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

FINDING: NO IMPACT:

No paleontological resources or unique geologic features were identified in the analysis.

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: LESS THAN SIGNIFICANT IMPACT:

The project will generate greenhouse gas emissions during construction, and during operation; however, once construction is complete, additional vehicle traffic associated with the proposed storage yard is not anticipated to result in a substantial increase in long-term greenhouse gas emissions. The San Joaquin Valley Air Pollution Control District (SJVAPCD) published Guidance for Valley Land Use Agencies in Addressing GHG Emission Impacts for New Projects Under CEQA December 17, 2009.

The Guidance proposes the use of performance-based standards or Best Performance Standards (BPS) as a means of determining the significance of project specific GHG emission impacts by utilizing established design specification or project design elements, which would assist in identifying feasible GHG emission reduction or minimization measures. Emission reduction via implementation of BPS would be pre-quantified, eliminating the need for project-specific quantification of GHG emissions. Under these standards, this project will have a less than significant impact on Greenhouse Gas generation.

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: LESS THAN SIGNIFICANT IMPACT:

The proposed facility will be required to handle all hazardous waste in accordance with the provisions of California Code of Regulations (CCR), Title 22, Division 4.5.

- 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 subject parcel is not located within one-quarter mile of an existing or proposed school.

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

FINDING: NO IMPACT:

The subject property is not located on a hazardous materials site as identified by the U.S. Environmental Protection Agency, NEPAassist mapping tool. The SCE Shaver Lake Service center is classified as a Hazardous Waste Generator under the guidelines of the Resource Conservation and Recovery Act (RCRA). The proposed new access driveway will serve a previously approved material storage yard, which will contain electrical infrastructure materials such as power poles, wire and cable reels, insulators, new transformers, material crates, hardware, other palletized material, roll-off bins and two Conex storage boxes.

If any additional storage of hazardous materials is proposed, the applicant will be required to update its Hazardous Materials Business Plan within 30 days if there is a 100 percent increase in quantities of a previously disclosed material, or the facility begins handling a previously-undisclosed material at or above the HMBP thresholds. All hazardous waste is required to be handled in accordance the provisions of the California Code of Regulations (CCR), Title 22, Division 4.5.

- 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:

The subject property is not located within an airport land use plan or within two miles of a public airport.

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

FINDING: NO IMPACT:

The project proposes a new access road to an existing materials storage yard, and the construction and use of the proposed access road is not anticipated to impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The proposed facility is in a State Responsibility Area (SRA) and is subject to all applicable SRA Fire Safe Regulations, which address such things as setbacks for structures, emergency access and vegetation management. The project was reviewed by CalFire, which did not express concerns that the project would result in an increased risk of human or structural exposure to wildfire that may result in loss, injury or death.

Because the subject parcel is located in area that is prone to wildfire risk, the potential remains for such an occurrence; however, the project does not entail a substantial increase in new structures or the addition of a substantial number of additional personnel over that of the existing facility, and with adherence to all applicable fire safe regulations and building and fire codes, such risks would be less than significant.

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 project site is located approximately one-third mile southwest of the nearest extent of Shaver Lake and is not anticipated to violate any water quality standards or waste discharge requirements, impacting surface or groundwater. Additionally, The proposed access road serving the existing materials and equipment storage yard does not propose to use substantial quantities of groundwater in its construction.

- C. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:

1. Result in substantial erosion or siltation on or off site?

2. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off site?
3. Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff; or
4. Impede or redirect flood flows?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project will involve the removal of vegetation (no trees), grading, and surfacing of the approximately 3,200 square-foot area of the proposed paved access road, which will alter the drainage pattern of the access drive area from its previously natural state by adding some impervious surface; However, the alteration will involve a relatively small area of land being converted to impervious surface. The project will not alter the course of a stream or river, nor is it anticipated to result in substantial offsite erosion or siltation. Any additional runoff is not anticipated to exceed the capacity of existing or planned storm water drainage systems and must be retained on site in compliance with County standards.

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

FINDING: NO IMPACT:

The project site is not located in a flood hazard area or an area at risk of tsunami or seiche.

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

FINDING: NO IMPACT:

The project is not anticipated to increase the use of groundwater in excess of the existing facility's current water use.

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 project will not physically divide an established community or conflict with any land use plan. The project is consistent with the requirements and development standards of the applicable land use plans.

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:

The subject parcel is not located in an area of known mineral resources as identified by Figures 7-7 and 7-8 of the Fresno County General Plan Background Report (FCGPBR).

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:

Project construction activities may generate temporary ambient noise levels including ground-borne vibration; however, as construction activity will be limited to a small area (approximately 3,200 square feet) comprising the proposed access road adjacent to the Dinkey Creek Road, no substantial temporary or permanent increase in noise is anticipated. Project construction and operation will be subject to the requirements of the Fresno County Noise Ordinance.

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

FINDING: NO IMPACT:

The project site is not located in the vicinity of a private airstrip or within the review area of an airport land use plan.

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 is not anticipated to induce population growth, and no new infrastructure other than the proposed access driveway for the storage yard is proposed. No housing or people will be displaced as a result of this project.

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;
 - 2. Police protection;
 - 3. Schools;
 - 4. Parks; or
 - 5. Other public facilities?

FINDING: NO IMPACT:

The project will not result in adverse impacts associated with the provision of any government facilities, or result in the need for new governmental facilities, the construction of which would cause adverse impacts to the provision of public services. No reviewing agencies expressed concerns that the project would adversely impact public services.

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 proposes the expansion of an existing Southern California Service Center, with the addition of an approximately 2.62-acre outdoor storage yard to be constructed adjacent the Service Center. This proposal is not anticipated to increase the use of existing parks or recreational facilities, nor will it involve the construction or expansion of such 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:

The project is not anticipated to conflict with any policies or plans related to 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:

The project is not anticipated to have a significant impact on VMT. No new trips will be added as a result of the project, only a new point of access. Any additional trips during construction will be temporary increases. The project would not exceed the 110 daily trip significance threshold established by the State.

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

FINDING: NO IMPACT:

The proposed project entails the construction of a new access road, connecting to Dinkey Creek Road. The access drive will be required to verify that there is adequate

site distance for vehicle traffic entering Dinkey Creek Road. Any proposed access gate(s) must be set back a minimum of 20 feet from the road right-of-way, or the length of the longest vehicle entering the site, to eliminate vehicles from idling in the road when stopped at the gate.

D. Result in inadequate emergency access?

FINDING: NO IMPACT:

The proposed access drive will be subject to all applicable County development standards and State Responsibility Area Fire Safe Regulations as they pertain to emergency access standards. An encroachment permit will be required for any work done within the County right-of-way.

XVIII. TRIBAL CULTURAL RESOURCES

Would the project:

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

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

Under the provisions of Assembly Bill 52, the County of Fresno was required to provide notice that this Initial Study was being prepared to Native American Tribes who had previously indicated interest in reviewing CEQA projects. Notices were sent on September 14, 2021, to Tribes that has previously requested such notice. None of the Tribal Governments responded to the notice. However, because the project site is in an area of moderate archeological sensitivity, the following Mitigation Measure is proposed to ensure that potential impacts to previously unknown tribal cultural resources can be reduced to less than significant.

* **Mitigation Measure(s)**

1. See Mitigation Measure No. 1, under Section V above.

XIX. UTILITIES AND SERVICE SYSTEMS

Would the project:

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

FINDING: NO IMPACT:

The proposed project will not require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, natural gas, or telecommunications facilities.

The proposed laydown storage yard will be constructed and operated by Southern California Edison, a public utility. There is new electrical service proposed to supply the storage yard lighting and portable office/utility trailers with electrical power.

Additionally, the project proposes a new above ground onsite septic system to serve the proposed transmission trailer.

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

FINDING: NO IMPACT:

The project is not anticipated to have a significant impact on water supply. No increase in current water use is proposed.

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

FINDING: NO IMPACT:

No increased generation of wastewater is anticipated with this project. The service center site is served by an existing septic system and the proposed office/transmission trailer will be served by an above ground septic system at the point of use.

- 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 is not anticipated to generate solid waste in excess of State or local standards, or in excess of local infrastructure capacity; additionally, the project will be subject to the provisions of the Fresno County Ordinance Code, Title 8.20, pertaining to Solid Waste Disposal.

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?

FINDING: NO IMPACT:

The project will not impair an adopted emergency response or emergency evacuation plan, or impair any existing or planned telecommunication facilities. The project involves the expansion of an existing facility which will take access from a private road which serves the existing facility. The proposal will be subject to all applicable SRA Fire Safe Regulations, Title 15.60 Fresno County Ordinance Code, including design of emergency access, and California Code of Regulations (CCR) Title 24-Fire Code.

- 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?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The subject parcel is in a forested area where there is substantial risk of wildfire occurrence. The project site is situated in an area of gently to moderately sloping terrain, and adjacent to the intersection of two roads, Dinkey Creek Road and the private road serving the existing facility. The project was reviewed by CalFire, which did not express any specific concerns related to increased wildfire risks due to slope or prevailing winds.

- 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?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project will be required to comply with all applicable State Responsibility Area (SRA) fire safe regulations, including, but not limited to, setbacks for structures, road improvements, emergency access, flammable vegetation management, and water supply.

- 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: LESS THAN SIGNIFICANT IMPACT:

The project site is in an area where slopes may exceed thirty percent, according to Figure 7-2 of the Fresno County General Plan Background Report; however, the project site and immediate vicinity appear from site photos in an aerial imagery to be gently to moderately sloping. The project site is not in an area at risk of flood inundation due to dam failure, and according to FEMA, FIRM Panel 0725H the project site is in an area of minimal flood hazard. The project will be required to obtain grading permits for any grading proposed with the project, and may require an engineered grading and drainage plan. Additionally, the proposed access road will be asphalt paved, and parking areas will be paved with concrete.

XXI. MANDATORY FINDINGS OF SIGNIFICANCE

Would the project:

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

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

The project entails the expansion of an existing Southern California Edison Service Center, which entails the construction of new access road connecting the existing laydown storage yard directly with Dinkey Creek Road, a public right-of-way and County maintained road. The proposal will add some outdoor security lighting, and as such, Mitigation has been included requiring all outdoor lighting to be hooded and directed so as not to affect adjacent property or the roadway. To address the potential for impacts to wildlife species Mitigation has been included under Section IV; To address the possibility that previously undiscovered subsurface paleontological, cultural/historical or tribal/cultural resources are present within the project area, additional Mitigation has been included under Section V, which implements avoidance and reporting measures, which will reduce potential impacts to a less than significant level. Mitigation has also been included under Section XVIII address the potential for impacts to tribal cultural resources.

* **Mitigation Measure(s)**

1. See Section I.
2. See Section IV.

3. See Section V.

4. See Section XVIII.

- 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:

No cumulatively considerable impacts were identified in the analysis that would result from the project.

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

FINDING: NO IMPACT:

No environmental effects that would result in substantial adverse impacts to people were identified.

CONCLUSION/SUMMARY

Based upon the Initial Study prepared for Unclassified Conditional Use Permit Application No. 3708, 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 Land Use and Planning, Mineral Resources, Population and Housing, Public Services, Recreation, and Utilities and Service Systems.

Potential impacts related to Agriculture and Forestry Resources, Air Quality, Energy, Hazards and Hazardous Materials, Geology and Soils, Hydrology and Water Quality, Noise, Greenhouse Gas Emissions, Transportation, and Wildfire have been determined to be less than significant.

Potential impacts relating to Aesthetics, Biological Resources, Cultural Resources, and Tribal Cultural Resources have been determined to be less than significant with compliance with noted Mitigation Measures.

A Mitigated Negative Declaration is recommended and is subject to approval by the decision-making body. The Initial Study is available for review at 2220 Tulare Street, Suite A, street level, located on the southwest corner of Tulare and “M” Street, Fresno, California.

A Mitigated Negative Declaration/Negative Declaration is recommended and is subject to approval by the decision-making body. The Initial Study is available for review at 2220 Tulare Street, Suite A, street level, located on the southwest corner of Tulare and “M” Street, Fresno, California.

JS

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EXHIBIT 9

File original and one copy with: Fresno County Clerk 2221 Kern Street Fresno, California 93721		Space Below For County Clerk Only. CLK-2046.00 E04-73 R00-00	
Agency File No: IS 8044	LOCAL AGENCY DRAFT MITIGATED 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): Jeremy Shaw, Planner	Area Code: 559	Telephone Number: 600-4207	Extension: N/A
Project Applicant/Sponsor (Name): Jacob Redelfs (Blair Church & Flynn/ Southern California Edison)	Project Title: Initial Study No. 8044/Unclassified Conditional Use Permit No. 3708 (amending CUP 3639)		
<p>Project Description:</p> <p>Allow the expansion of an existing Southern California Edison Service Center laydown yard with the construction of a new gated access road connecting to Dinkey Creek Road. The project will also include the installation of a 1,440 Square-foot mobile office/transmission trailer, within the approximately 2.94-acre laydown yard portion of the 357.80-acre subject parcel, in the RC-40 (Recreational, 40-acre minimum parcel size) Zone District. The subject parcel is located on the north side of Dinkey Creek Road, approximately one-quarter mile east of State Route 168/Tollhouse Road, within the unincorporated community of Shaver Lake (APN 120-260-10U) (41694 Dinkey Creek Road) (Sup. Dist. 5) .</p> <p>Justification for Negative Declaration:</p> <p>Based upon the Initial Study prepared for Unclassified Conditional Use Permit Application No. 3708, 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 Land Use and Planning, Mineral Resources, Population and Housing, Public Services, Recreation, Utilities and Service Systems.</p> <p>Potential impacts related to Agriculture and Forestry Resources, Air Quality, Energy, Hazards and Hazardous Materials, Geology and Soils, Hydrology and Water Quality, Noise, Greenhouse Gas Emissions, and Wildfire have been determined to be less than significant.</p> <p>Potential impacts relating to, Aesthetics, Biological Resources, Cultural Resources, Transportation and Tribal Cultural Resources have determined to be less than significant with compliance with noted Mitigation Measures.</p> <p>A Mitigated Negative Declaration is recommended and is subject to approval by the decision-making body. The Initial Study is available for review at 2220 Tulare Street, Suite A, street level, located on the southwest corner of Tulare and "M" Street, Fresno, California.</p>			
<p>FINDING:</p> <p>The proposed project will not have a significant impact on the environment.</p>			
Newspaper and Date of Publication: Fresno Business Journal – February 25, 2022		Review Date Deadline: Planning Commission – April 14, 2022	
Date:	Type or Print Signature: David Randall Senior Planner	Submitted by (Signature): Jeremy Shaw Planner	

State 15083, 15085

County Clerk File No.: _____

**LOCAL AGENCY
DRAFT MITIGATED NEGATIVE DECLARATION**