



County of Fresno

DEPARTMENT OF PUBLIC WORKS AND PLANNING
ALAN WEAVER, DIRECTOR

INITIAL STUDY ENVIRONMENTAL CHECKLIST FORM

- 1. Project title:**
Director Review and Approval Application No. 4244 and Initial Study Application No. 6424
- 2. Lead agency name and address:**
Fresno County Department of Public Works and Planning
Development Services Division
2220 Tulare Street, 6th Floor, Fresno, CA 93721-2104
- 3. Contact person and phone number:**
Ejaz Ahmad, Planner (559) 600-4204
- 4. Project location:**
The project site is located adjacent to the north bank of the Kings River approximately 2,300 feet to the east of the intersection of Trimmer Springs and Pine Flat Roads and 12.8 miles northeast of the City of Sanger (SUP. DIST.: 5) (APNs: 158-050-31T, 158-320-01T & 158-320-05T).
- 5. Project Applicant's name and address:**
Kings River Conservancy
1384 S. Frankwood Avenue
Sanger, CA 93657
- 6. General Plan designation:**
Public Facility and Open Space in the County-adopted Kings River Regional Plan
- 7. Zoning:**
RE (Recreational) and RC40 (Resource Conservation) Districts
- 8. Description of project: (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary.)**
Allow a moderate intensity park (includes restoration and addition of one-mile foot-trail, one-half mile handicap accessible scenic trail, one-half acre parking lot, two restrooms, three five-foot wide handicap accessible paths, three visitors feedback stations, picnic tables, trash receptacles, two interceptive kiosks with display, and a base rock bridge) on an approximately 38-acre of 79.85-acre project site in the RE (Recreational) and RC 40 (Resource Conservation) Zone Districts
- 9. Surrounding land uses and setting: Briefly describe the project's surroundings:**
The surrounding land uses consist of open fields with mature trees and shrubbery and scattered single family residences. The nearest single family residence is approximately 2,186 feet to the west of the subject property. The surrounding parcels range from 40 acres to 157 acres in size.

DEVELOPMENT SERVICES DIVISION

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

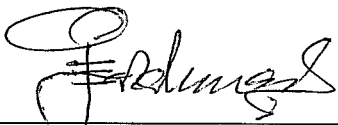
- | | |
|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture and Forestry Resources |
| <input type="checkbox"/> Air Quality | <input type="checkbox"/> Biological Resources |
| <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology/Soils |
| <input type="checkbox"/> Hazards and Hazardous Materials | <input type="checkbox"/> Hydrology/Water Quality |
| <input type="checkbox"/> Land Use/Planning | <input type="checkbox"/> Mineral Resources |
| <input type="checkbox"/> Noise | <input type="checkbox"/> Population/Housing |
| <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Transportation/Traffic | <input type="checkbox"/> Utilities/Service Systems |
| <input type="checkbox"/> Mandatory Findings of Significance | <input type="checkbox"/> Greenhouse Gas Emissions |

DETERMINATION OF REQUIRED ENVIRONMENTAL DOCUMENT:

On the basis of this initial evaluation:

- I find that the proposed project **COULD NOT** have a significant effect on the environment. **A NEGATIVE DECLARATION WILL BE PREPARED.**
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the Mitigation Measures described on the attached sheet have been added to the project. **A MITIGATED NEGATIVE DECLARATION WILL BE PREPARED.**
- I find the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required
- I find that as a result of the proposed project, no new effects could occur, or new Mitigation Measures would be required that have not been addressed within the scope of a previous Environmental Impact Report.

PERFORMED BY:



Ejaz Ahmad, Planner

REVIEWED BY:



Chris Motta, Senior Planner

Date:

01-19-12

Date:

1/23/2012

**INITIAL STUDY
ENVIRONMENTAL CHECKLIST FORM
(Director Review and Approval Application No. 4244
and Initial Study Application No. 6424)**

The following checklist is used to determine if the proposed project could potentially have a significant effect on the environment. Explanations and information regarding each question follow the checklist.

1 = No Impact

2 = Less Than Significant Impact

3 = Less Than Significant Impact with Mitigation Incorporated

4 = Potentially Significant Impact

I. AESTHETICS

Would the project:

- 1 a) Have a substantial adverse effect on a scenic vista?
- 1 b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?
- 1 c) Substantially degrade the existing visual character or quality of the site and its surroundings?
- 3 d) Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?

II. AGRICULTURAL AND FORESTRY RESOURCES

Would the project:

- 1 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?
- 1 b) Conflict with existing zoning for agricultural use, or a Williamson Act Contract?
- 1 c) Conflict with existing zoning for forest land, timberland or timberland zoned Timberland Production?
- 1 d) Result in the loss of forest land or conversion of forest land to non-forest use?
- 1 e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?

III. AIR QUALITY

Would the project:

- 2 a) Conflict with or obstruct implementation of the applicable Air Quality Plan?
- 2 b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?
- 2 c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under applicable Federal or State ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?
- 2 d) Expose sensitive receptors to substantial pollutant concentrations?
- 1 e) Create objectionable odors affecting a substantial number of people?

IV. BIOLOGICAL RESOURCES

Would the project:

- 2 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 Game or U.S. Fish and Wildlife Service?
- 2 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 Game or U.S. Fish and Wildlife Service?
- 2 c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?
- 2 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?
- 1 e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?
- 1 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?

V. CULTURAL RESOURCES

Would the project:

- 3 a) Cause a substantial adverse change in the significance of a historical resource as defined in Public Resources Code Section 15064.5?
- 3 b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Public Resources Code Section 15064.5?
- 3 c) Directly or indirectly destroy a unique paleontological resource or site, or unique geologic feature?
- 3 d) Disturb any human remains, including those interred outside of formal cemeteries?

VI. GEOLOGY AND SOILS

Would the project:

- a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:
 - 1 i) 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?
 - 1 ii) Strong seismic ground shaking?
 - 1 iii) Seismic-related ground failure, including liquefaction?
 - 1 iv) Landslides?
- 2 b) Result in substantial soil erosion or loss of topsoil?
- 1 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?
- 1 d) Be located on expansive soil as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?

- 2 e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?

VII. GREENHOUSE GAS EMISSIONS

Would the project:

- 1 a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?
- 1 b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

VIII. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

- 1 a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?
- 1 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?
- 1 c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?
- 1 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?
- 1 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, would the project result in a safety hazard for people residing or working in the project area?
- 1 f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?
- 1 g) Impair implementation of or physically interfere with an adopted Emergency Response Plan or Emergency Evacuation Plan?
- 2 h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

IX. HYDROLOGY AND WATER QUALITY

Would the project:

- 2 a) Violate any water quality standards of waste discharge requirements?
- 2 b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?
- 2 c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?
- 2 d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?

- 2 e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

- 2 f) Otherwise substantially degrade water quality?

- 2 g) Place housing within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?

- 2 h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?

- 2 i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?

- 2 j) Inundation by seiche, tsunami, or mudflow?

IX. LAND USE AND PLANNING

Would the project:

- 1 a) Physically divide an established community?

- 2 b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the General Plan, Specific Plan, local coastal program, or Zoning Ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

- 1 c) Conflict with any applicable Habitat Conservation Plan or Natural Community Conservation Plan?

XI. MINERAL RESOURCES

Would the project:

- 1 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?

- 1 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?

XII. NOISE

Would the project:

- 1 a) Expose of persons to or generation of noise levels in excess of standards established in the local General Plan or Noise Ordinance, or applicable standards of other agencies?

- 1 b) Expose of persons to or generation of excessive groundborne vibration or groundborne noise levels?

- 1 c) Create a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

- 1 d) Create a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

- 1 e) Expose people residing or working in the project area to excessive noise levels 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?

- 1 f) Expose people residing or working in the project area to excessive noise levels for a project within the vicinity of a private airstrip?

XIII. POPULATION AND HOUSING

Would the project:

- 1 a) Induce substantial 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)?

- 1 b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

- 1 c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

XIV. PUBLIC SERVICES

Would the project:

- 2 a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, 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 public services:
- 2 i) Fire protection?
- 1 ii) Police protection?
- 1 iii) Schools?
- 1 iv) Parks?
- 1 v) Other public facilities?

XV. RECREATION

Would the project:

- 1 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?
- 1 b) Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

XVI. TRANSPORTATION / TRAFFIC

Would the project:

- 2 a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?
- 2 b) Conflict with an applicable Congestion Management Program including, but not limited to level of service standards and travel demand measures, or other standards established by the County congestion management agency for designated roads or highways?
- 1 c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location which results in substantial safety risks?
- 1 d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?
- 1 e) Result in inadequate emergency access?
- 1 f) Conflict with adopted policies, plans or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?

Documents Referenced:

This Initial Study is referenced by the documents listed below. These documents are available for public review at the County of Fresno, Department of Public Works and Planning, Development Services Division, 2220 Tulare Street, Suite A, Fresno, California (corner of M & Tulare Streets).

Fresno County General Plan, Policy Document and Final EIR

Fresno County Zoning Ordinance

County-adopted Kings River Regional Plan

Cultural Resource Assessment by 'Three Girls and a Shovel, LLC, dated November 2011

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XVII. UTILITIES AND SERVICE SYSTEMS

Would the project:

- 2 a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?
- 2 b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?
- 2 c) Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?
- 2 d) Have sufficient water supplies available to service the project from existing entitlements and resources, or are new or expanded entitlements needed?
- 2 e) 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?
- 1 f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?
- 1 g) Comply with federal, state, and local statutes and regulations related to solid waste?

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE

Would the project:

- 2 a) Have the potential to 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, 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?
- 2 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.)
- 1 c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?



County of Fresno

DEPARTMENT OF PUBLIC WORKS AND PLANNING
ALAN WEAVER, DIRECTOR

EVALUATION OF ENVIRONMENTAL IMPACTS

APPLICANT: Kings River Conservancy

APPLICATION NO.: Initial Study Application No. 6424 and Director Review and Approval Application No. 4244

DESCRIPTION: Allow a moderate intensity park (includes restoration and addition of one-mile foot-trail, one-half mile handicap accessible scenic trail, one-half acre parking lot, two restrooms, three five-foot wide handicap accessible paths, three visitors feedback stations, picnic tables, trash receptacles, two interceptive kiosks with display, and a base rock bridge) on an approximately 38-acre of 79.85-acre project site in the RE (Recreational) and RC 40 (Resource Conservation) Zone Districts.

LOCATION: The project site is located adjacent to the north bank of the Kings River approximately 2,300 feet to the east of the intersection of Trimmer Springs and Pine Flat Roads and 12.8 miles northeast of the City of Sanger (SUP. DIST.: 5) (APNs: 158-050-31T, 158-320-01T & 158-320-05T).

I. AESTHETICS

- A. Would the project have a substantial adverse effect on a scenic vista; or
- B. Would the project substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?
- C. Would the project substantially degrade the existing visual character or quality of the site and its surroundings?

FINDING: NO IMPACT:

The subject 79.85 acre project site is located along the northern stretch of Kings River and is dominated with seasonal native grasses and sporadic landscaping. Currently no improvements exist on the site. Historically, the site and the surrounding area have been used by recreationalists and fishermen for launching inflatable craft and conducting water-based activities in the Kings River. The proposal through restoration and additions will provide amenities on the site for visitors and will improve the recreational environment of the area.

The surrounding land uses consist of open fields, and mature trees and shrubbery with scattered single family residences. The nearest single family residence is approximately 2,186 feet to the west of the subject property. Although the area contains some scenic qualities, no known designated scenic vista or scenic resources exist in the immediate vicinity of the proposed development that would be impacted by this proposal.

- D. Would the project 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:

According to the Applicant's Operational Statement, no outdoor lighting will be used for the project. However, in case a new source of lighting is created, a Mitigation Measure would require that all lighting shall be hooded and directed as to not shine towards adjacent properties and public streets.

**Mitigation Measure*

1. *All outdoor lighting shall be hooded and directed so as not to shine towards adjacent properties and public streets.*

II. AGRICULTURAL AND FORESTRY RESOURCES

- A. Would the project convert prime or unique farmlands or farmland of statewide importance to non-agricultural use; or
- B. Would the project conflict with existing agricultural zoning or Williamson Act Contracts; or
- C. Would the project conflict with existing zoning for or cause rezoning of forest land, timberland, or timberland zoned Timberland Production; or
- D. Would the project result in the loss of forest land or conversion of forest land to non-forest use; or
- E. Would the project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural uses or conversion of forest land to non-forest use?

FINDING: NO IMPACT:

The site is designated as Grazing Land on the Fresno County Important Farmland Map 2008 and is not subject to a Williamson Act Land Conservation Contract. The proposed development consisting of restoration and addition of a

one-mile foot-trail, one-half mile handicap-accessible scenic trail, one-half acre parking lot, two restrooms, three five-foot wide handicap accessible paths, three visitors feedback stations, picnic table, trash receptacles, two interceptive kiosks with display, and a base rock bridge are small in scope and visibility. The project will enhance the recreational value of the site and the surrounding area supported by the Kings River.

III. AIR QUALITY

- A. Would the project conflict with or obstruct implementation of the applicable air quality plan; or
- B. Would the project isolate any air quality standard or contribute to an existing or projected air quality violation; or
- C. Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under a federal or state ambient air quality standard; or
- D. Would the project expose sensitive receptors to substantial pollutant concentrations?

FINDING: LESS THAN SIGNIFICANT IMPACT:

According to the San Joaquin Valley Air Pollution Control District (Air District) the project would have no significant adverse impact on air quality and is not subject to District Rule 9510 (Indirect Source Review). Other Air District rules that would apply to the project include District Regulation VIII – Fugitive Dust Rules, to address impacts related to PM-10, Rule 4102 (Nuisance), to address any source operation that emits air contaminants or other materials, Rule 4601 (Architectural coatings), and Rule 4641 (Cutback, Slow, Cure, and emulsified Asphalt, Paving and Maintenance Operations), Rule 4002 (National Emission Standards for hazardous Air Pollutants) in the event an existing building will be renovated, partially demolished or removed. These will be included as Project Notes.

- E. Would the project create objectionable odors affecting a substantial number of people?

FINDING: NO IMPACT:

The project will not create objectionable odors to affect people in the area. The San Joaquin Valley Air Pollution Control District expressed no concerns with the proposal related to odor impact.

IV. BIOLOGICAL RESOURCES

- A. Would the project have a substantial adverse effect, either directly or through habitat modifications, on any candidate, sensitive, or special-status species; or
- B. Would the project 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 Game (DFG) or the United States Fish and Wildlife Service (USFWS); or
- C. Would the project have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act through direct removal, filling, hydrological interruption or other means; or
- D. Would the project 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 project was routed to the California Department of Fish and Game (CDFG), U. S. Fish and Wildlife (USFWLS) Service and the Army Corps of Engineers (ACOE) for comments on June 29, 2011, August 19, 2011 and November 14, 2011. No concerns related to this proposal were expressed by either agency.

The Regional Water Quality Control Board (RWQCB) reviewed the project and indicated that: 1) a DFG 1601 permit may be necessary; 2) if the project will result in the discharge of dredged or fill materials to waters of the U.S., a Clean Water Act section 404 permit from the Army Corps of Engineers and a CWA 401 Certification from RWQCB will be required; 3) for any discharges to waters of the State that are not waters of the U.S., an individual set of Waste Discharge Requirements may be necessary; and 4) for dischargers whose project disturb one or more acres of soil are required to obtain coverage under the General Permit for Storm Water Discharges Associated with Construction Activities (Construction General Permit), Construction General Permit Order No. 2009-009-DWQ. Construction activity subject to this permit includes clearing, grading, grubbing, disturbances to the ground, such as stockpiling, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility. The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP).

Although the applicant has indicated that the project: 1) will not require any work within and/or in the bed or bank of the Kings River, or discharge any dredged or fill materials into any state waters or to waters of the United States; 2) will be developed above and away from the bank of the River and outside of the ordinary high water mark; and 3) all activities are outside the jurisdiction of the

Federal Clean Water Act and California Water Code, the aforementioned recommendations from RWQCB will be included as Project Notes.

A Notification of Lake or Streambed Alteration (Notification) for Permit 1601 was submitted by the applicant with the California Department of Fish and Game (CDFG) on August 8, 2011 in order to allow work in the riparian zone of the Kings River and remove non-native vegetation and a few native trees. DFG notified the applicant on August 18, 2011 that the agency is required to submit the applicant a Draft Lake or Streambed Alteration Agreement within 60-calender days from the date the Notification is complete, if DFG determines that an Agreement is required for the project. DFG further stated that the applicant cannot proceed with any work until DFG executes an Agreement, informs the applicant that an Agreement is not needed, or does not provide him with a draft Agreement within 60-days of the date applicant's Notification was deemed complete. This will be included as a condition of approval.

- E. Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance; or
- F. Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local regional, or state habitat conservation plan?

FINDING: NO IMPACT:

The project will not conflict with any local policies or ordinances protecting biological resources or any provisions of an adopted Habitat Conservation Plan.

V. CULTURAL RESOURCES

- A. Would the project cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5; or
- B. Would the project cause substantial adverse change in the significance of an archeological resource pursuant to Section 15064.5; or
- C. Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature; or
- D. Would the project disturb any human remains, including those interred outside of formal cemeteries?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION
INCORPORATED:

The project is located in an area of high archeological sensitivity and construction

activities resulting from this proposal may impact historical or archeological resources. The California Historical Resources Information System (CHRIS) reviewed the project and indicated that a cultural resources study has not been conducted on 38-acre project site since 1975 and recommended that a qualified archeologist should conduct a new field survey prior to any ground disturbance activities to determine if additional cultural resources are present. A Cultural Resource Assessment was conducted by 'Three Girls and a Shovel, LLC' and dated November 2011. The Assessment was conducted on the site beginning immediately west of the Army Corps Bridge at Pine Flat Dam and continuing 1.5 miles to the existing Choinumni Park. Although no new cultural resources were identified during the research and survey, recommendations were made in the Assessment requiring that: 1) all work shall be halted if cultural resources unearthed; 2) Fresno County Coroner's office be notified if the discovery related to human remains; and 3) a tribal representative be present on the property during construction. These recommendations will be included as mitigation measures and are listed below:

**Mitigation Measures:*

1. *If unrecorded cultural resources are located during earth moving activities or other utilization of the property, work must halt in the vicinity and the finds assessed by a qualified archeologist.*
2. *A member of the resident Choinumni Tribe with monitoring skills shall be present during construction of the parking lot, restrooms, and 150 yards of handicap accessible trail where extensive vegetation removal will occur.*
3. *If human remains are discovered at any time on the subject property, work must halt in the area of the find and the Fresno County must be notified immediately pursuant to Health and Safety Code Section 7050.5.*

The project was also routed to Native American Heritage Commission (NAHC) for comments. Based on NAHC Sacred Lands File (SLF) research, NAHC review of the project did not identify existence of Native American Cultural Resources within one-half mile within the area of potential effect.

VI. GEOLOGY AND SOILS

A. Would the project expose people or structures to potential substantial adverse effects, including risk of loss, injury or death involving:

1. Rupture of a known earthquake?
 - (a) Strong seismic ground shaking?
 - (b) Seismic-related ground failure, including liquefaction?
 - (c) Landslides?

FINDING: NO IMPACT:

The site is not located within a fault zone or in an area of known landslides.

- B. Would the project result in substantial erosion or loss of topsoil?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Potential permanent erosion impacts will be minor in that permanent improvements will not cause significant changes in absorption rates, drainage patterns and the rate and amount of surface run-off, with adherence to the Grading and Drainage Sections of the County Ordinance Code. Site grading and drainage requirement will be included as a project note and will be addressed during mandatory Site Plan Review.

- C. Would the project result in on-site or off-site landslide, lateral spreading, subsidence, liquefaction or collapse; or
- D. Would the project be located on expansive soils creating substantial risks to life or property?

FINDING: NO IMPACT:

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

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The Fresno County Department of Public Health, Environmental Health Division (Health Department) reviewed the project and requires permanent or a vault type public restroom facility for visitors and be located outside the designated floodways of the Kings River. According to the Health Department, the applicant/operator: 1) shall follow the provided operational plan (dated November 8, 2011) for the structure and the recommended start-up procedures for the vault toilet as documented by the manufacturer; 2) size vault toilet to meet the maximum peak demand and be properly maintained; 3) execute an agreement/covenant that stipulate the proper maintenance of the facility and assurance that it will be in a sanitary condition at all times; and 4) failure to maintain the facility would allow the County to access the site and demolish and

remove of the facility from the site. These requirements will be included as Project Notes.

VII. GREENHOUSE GAS EMISSIONS

- A. Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment; or
- B. Would the project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

FINDING: NO IMPACT:

Comments received from the Air District expressed no specific project-related concerns supporting the determination that the project will not generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment. The project is not subject to District Rule 9510 (Indirect Source Review). Given the limited numbers of visitors visiting the site during peak summer time, extensive use of fossil fuels or equipment will not occur with the proposed use. The use will have no impact on the environment.

VIII. HAZARDS AND HAZARDOUS MATERIALS

- A. Would the project create a significant public hazard through routine transport, use or disposal of hazardous materials; or
- B. Would the project create a significant public hazard involving accidental release of hazardous materials into the environment; or
- C. Would the project emit hazardous emissions or handle hazardous materials, substances or waste within one-quarter mile of a school; or
- D. Would the project be located on a hazardous materials site?

FINDING: NO IMPACT:

The project will not generate or handle hazardous materials. The project site is not located on a hazardous materials site or within one-quarter mile of a school.

- E. Would a project be located within an Airport Land Use Plan or, absent such a Plan, within two miles of a public airport or public use airport, result in a safety hazard for people residing or working in the project area; or
- F. Would a project located within the vicinity of a private airstrip result in a safety hazard for people residing or working in the project area?

FINDING: NO IMPACT:

The project site is not located within: 1) an Airport Land Use Plan area; 2) two miles of a public use airport; or 3) the vicinity of a private airstrip.

- G. Impair implementation of or physically interfere with an adopted Emergency Response Plan or Emergency Evacuation Plan?

FINDING: NO IMPACT:

The project will not impair the implementation of or physically interfere with an adopted Emergency Response Plan.

- H. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project site is located within a wildland area. California Department of Forestry and Fire Protection (CALFIRE) indicated that the project area is within State Responsibility Area (SRA) for Wildfire protection and has been classified as a combination of Moderate and High Fire Hazard Severity Zones. Although, the project will not significantly increase the wildland fire risk within the project area, several recommendations for vegetation fire suppression were made by CALFIRE and will be included as conditions of approval and are as follow:

1. All structures and infrastructure related to this project shall comply with Fresno County Ordinance 91-025, Fire Safe Regulations (Chapter 15.60). Specially, the following items should be compliant with the ordinance: a) driveway width and grade; b) vehicle turnaround; and c) addressing (assigning and posting of an address for first responders).
2. Wildland fuels including new native plantings, shall be reduced to minimize hazardous fire conditions. The following factors shall be specifically be considered.
 - 3a. Targeted invasive species shall be completely removed and properly disposed of so as to not create a wildland fuels issue at another location.
 - 3b. Remaining vegetation and new native plantings shall follow/meet Fire safe landscaping principals including:
 1. A process and procedure to break the horizontal and vertical continuity of wildland fuels within the entire project area.

2. Crown separation of both overstory and understory vegetation by creating a minimum of 15 feet of separation between plants or small groupings of plants.
3. Elimination of fuel ladders through limbing all trees over eight inches in diameter-at-breast height (four and one-half feet above the ground) to a minimum height of 15 feet above the ground. Trees under eight inches in diameter shall be limbed to a height of 15 feet or until 60 percent of their live crown is reached, whichever comes first.

IX. HYDROLOGY AND WATER QUALITY

- A. Would the project violate any water quality standards or waste discharge requirements or otherwise degrade water quality; or
- B. Would the project substantially deplete groundwater supplies or interfere substantially with groundwater recharge so that there would be a net deficit in aquifer volume or a lowering of the local groundwater table?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project will utilize vault-type restroom facilities which operate waterless.

According to the Fresno County Department of Public Health, Environmental Health Division: 1) vault type structure shall be located outside the designated floodway of the Kings River and as part of the award of the proposition 84 Grant from the state Natural Resources Agency, this requires that all facilities must be above the designated floodway of the Kings River, including the vault toilets.

Additionally, the applicant/operator shall: 1) follow the provided vault toilet plan (Dated November 8, 2011) for the structure which requires installation of a high water level alarm as part of the installation of vault toilet, waste hauler to be Dusty Pumping Service, installation of a liquid sanitizer dispenser on the wall of the vault toilet and be checked monthly or more during May-September time and bi-monthly for balance of the year; 2) follow the recommended start-up procedures for the vault toilet as documented by the manufacturer; 3) execute an agreement/covenant that stipulates the proper maintenance of the facility and assurance that it will be in a sanitary condition at all times and that failure to maintain the facilities would allow the County to access the site and cause the demolition/removal of the facility; and 4) size the vault to meet the maximum peak demand and maintain it properly. These requirements will be included as Project Notes.

Water-Geology-Natural-Resources (WGNR) Section also reviewed the project and given the project is not in a water short area expressed no concerns with the proposal.

- C. Would the project substantially alter existing drainage patterns, including alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on or off site; or
- D. Would the project substantially alter existing drainage patterns, including alteration of the course of a stream or river, in a manner which would result in flooding on or off-site; or

FINDING: LESS THAN SIGNIFICANT IMPACT:

The proposed improvements are outside the floodways of the Kings River which flows along the southern boundary of the project site. The project will not alter the existing course of the River to cause flooding and related hazards.

The Kings River Conservancy District (KRCD) reviewed the project and indicated that compliance with Central Valley Flood Protection Board (CVFPB) requirements which are intended to address the integrity of the floodway and obstructions within the floodway (i.e. structures obstructing flood flows and reducing capacity of the floodway) are needed to ensure the floodway will convey the flood flows. According to KRCD, anything that crosses the black line shown on the Kings River Designated Floodway Map from the State of California Reclamation Board as attached hereto requires a permit or correspondence from the Board that states an encroachment permit will not be required. This includes power lines that have no footprint in the floodway or pipelines that are bored under the floodway and have no disturbance in the floodway. KRCD requirements will be included as a Project Note.

A project note would also require that if construction activities disturbs more than one-acre of the property, the applicant shall obtain coverage under State Board's General Construction Permit.

- E. Would the project create or contribute run-off which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted run-off?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project is not expected to significantly alter the site's existing drainage patterns or contribute to an excessive storm water run-off. As noted by the Development Engineering Section of the Department of Public Works

and Planning: 1) any additional runoff generated by the proposed development cannot be drained across the property lines or into County right-of-way, and must be retained on-site per County Standards; 2) an Engineered Grading and Drainage Plan is required to show how additional storm water runoff generated by the proposed development will be handled without adversely impacting adjacent properties; and 3) a grading permit or voucher is required for any grading proposed with this application. These requirements will be included as Project Notes.

F. Would the project otherwise substantially degrade water quality?

FINDING: LESS THAN SIGNIFICANT IMPACT:

See discussion above in IX. A. B.

G. Would the project place housing within a 100-year floodplain; or

H. Would the project place structures within a 100-year flood hazard area that would impede or redirect flood flows?

I. Would the project expose persons or structures to levee or dam failure; or

J. Would the project inundation by seiche, tsunami or mudflow?

FINDING: LESS THAN SIGNIFICANT IMPACT:

According to FEMA FIRM Panel 1655H, a portion of the subject property is under Flood Zone X, Flood Zone AE, and Floodway Areas in Flood Zone AE. Flood Zone AE, and Floodway Areas in Flood Zone AE are subject to flooding from 100-year storm. According to Development Engineering Section of the Department of Public Works and Planning any work conducted within the designated Flood Zones shall conform to provisions established in Chapter 15.48 Flood Hazard Area of Fresno County Development. This will be included as a Project Note.

X. LAND USE AND PLANNING

A. Will the project physically divide an established community?

FINDING: NO IMPACT:

The project will not physically divide an established community. The project site is outside the boundaries of any city or unincorporated community.

B. Will the project conflict with any Land Use Plan, policy or regulation of an agency with jurisdiction over the project?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project site is designated for Public Facilities and Open Space in the County-adopted Kings River Regional Plan. The Plan allows the subject use in Public Facilities and Open Space designations provided that it meets certain policies. Policy 7.01 a. b. requires that; 1) land currently supports a public facility; and 2) the proposed development is necessary for the health, safety, and welfare of the people and that use is not permitted in areas of significant vegetation or wildlife habitat.

The project meets this Policy in that the project site historically has been used by the County residents who use the site to launch water-based recreational activities in the Kings River. The project which includes restoration and addition of scenic trail, parking, restrooms, visitors feed stations, picnic tables, kiosks and a base rock bridge is small in scope and operations and will have minimum impacts on site's existing natural setting and vegetation. No concerns related to this proposal on wildlife habitat were expressed by the California Department of Fish and Game or the U.S. Fish and Wildlife Service.

The project also meets Policy 4.03 (a - f) by preserving natural features (stream, natural topography) in project design, avoiding any adverse impacts related to noise, dust and other objectionable influences through Site Plan Review, providing limited improvements on the property, isolating the use from abutting properties with appropriate setbacks, and avoiding impacts in areas of any sensitive riparian and plant and animal habitats, including archeological sites.

The project also meets Policy PF-C.17 related to adequacy of water discussed above in Sections IX A. B. Hydrology and Water Quality and Policy PF-D.6 related to provision of on-site sewage disposal system also discussed above in Section VI. E. Geology and Soils.

- C. Will the project conflict with any applicable Habitat Conservation Plan or Natural Community Conservation Plan?

FINDING: NO IMPACT:

The project will not conflict with any Habitat Conservation Plan or Natural Community Conservation Plan.

XI. MINERAL RESOURCES

- A. Would the project result in the loss of availability of a known mineral resource; or

- B. Would the project result in the loss of availability of a locally-important mineral resource recovery site designated on a General Plan?

FINDING: NO IMPACT:

The site is not located in an identified mineral resource area as identified in Policy OS-C.2 of the General Plan.

XII. NOISE

- A. Would the project result in exposure of people to severe noise levels; or
- B. Would the project result in exposure of people to or generate excessive ground borne vibration or ground borne noise level; or
- C. Would the project cause a substantial permanent increase in ambient noise levels in the project vicinity; or
- D. Would the project result in a substantial temporary or periodic increase in ambient noise levels?

FINDING: NO IMPACT:

No potential noise impacts on the surrounding properties resulting from this proposal were identified by the Fresno County Department of Public Health, Environmental Health Division. Most activities resulting from use of the site will occur during summer daytime hours.

- E. Would the project expose people to excessive noise levels associated with a location near an airport, or a private airstrip; or
- F. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

FINDING: NO IMPACT:

The project will not expose people to airport related noise. The project site is not within the area of any clear zone or other imaginary surface of public use airport.

XIII. POPULATION AND HOUSING

- A. Would the project induce substantial population growth either directly or indirectly; or

- B. Would the project displace substantial numbers of existing housing; or
- C. Would the project displace substantial numbers of people, necessitating the construction of housing elsewhere?

FINDING: NO IMPACT:

The project will not displace any persons or induce any population growth.

XIV. PUBLIC SERVICES

- A. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered public facilities in the following areas:

- 1. Fire protection?

FINDING: LESS THAN SIGNIFICANT IMPACT:

See discussion in Section VIII. H.; Hazards and Hazardous Material above

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

FINDING: NO IMPACT:

The project will not have impacts on police services, schools, parks or other public facilities.

XV. RECREATION

- A. Would the project increase the use of existing neighborhood and regional parks; or
- B. Would the project require the construction of or expansion of recreational facilities?

FINDING: NO IMPACT:

The project will improve recreational facilities in the area through restoration and addition of scenic trails, parking, restrooms, visitors feed stations, picnic tables, kiosks and a base rock bridge on a 38-acre portion

of the 47.16 acre site located along Kings River. The proposal will provide for much needed amenities for visitors who use the site for water-based activities in the Kings River.

XVI. TRANSPORTATION/TRAFFIC

- A. Would the project conflict with any applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system taking into account all modes of transportation; or
- B. Would the project conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demands measures?

FINDING: LESS THAN SIGNIFICANT IMPACT:

According to the Applicant's Operational Statement, during peak summer use approximately 100 people on a weekend days and 25 people during weekdays including septic service truck once or twice a year will visit the site. Maintenance of the park and trash removal will be performed by volunteers and Kings River Conservancy staff.

The Design Division of the Fresno County Department of Public Works and Planning identified no potential impacts to the existing transportation system from the traffic generated by the proposal and thereby did not require Traffic Impact study. However, Comments provided by County Road Maintenance and Operation Division states that Pine Flat Road Avenue at this location is classified as a Local Road in the County General Plan with an existing total right-of-way 40 feet (20 feet north and 20 feet south of section line). Since the minimum total width for a local road is 60 feet (30 feet north and 30 feet south of section line), an additional 10 feet in road right-of-way (R-O-W) south of section line shall be acquired for this application and will be included as a condition of approval.

- C. Would the project result in a change in air traffic patterns?

FINDING: NO IMPACT:

The project will not result in a change in air traffic patterns.

- D. Would the project substantially increase traffic hazards due to design features; or
- E. Would the project result in inadequate emergency access?

FINDING: NO IMPACT:

No design features of the project are anticipated to cause traffic hazards or result in inadequate emergency access. Emergency access requirements will be further analyzed during mandatory Site plan Review.

- F. Would the project conflict with adopted plans, policies or programs regarding public transit, bicycle or pedestrian facilities or otherwise decrease the performance or safety of such facilities?

FINDING: NO IMPACT:

No such impacts were identified in the project analysis.

XVII. UTILITIES AND SERVICE SYSTEMS

- A. Would the project exceed wastewater treatment requirements; or
- B. Would the project require construction of or the expansion of a new water or wastewater treatment facilities?

FINDING: LESS THAN SIGNIFICANT IMPACT:

See discussion in Section IX. A. B. Hydrology and Water Quality above

- C. Would the project require or result in the construction or expansion of new storm water drainage facilities?

FINDING: LESS THAN SIGNIFICANT IMPACT:

See discussion in Section IX. E. Hydrology and Water Quality above

- D. Would the project have sufficient water supplies available from existing entitlements and resources, or are new or expanded entitlements needed; or
- E. Would the project result in a determination of inadequate wastewater treatment capacity to serve project demand?

FINDING: LESS THAN SIGNIFICANT IMPACT:

See discussion above in Section IX. A. B. Hydrology and Water Quality.

- F. Would the project be served by a landfill with sufficient permitted capacity; or

- G. Would the project comply with federal, state and local statutes and regulations related to solid waste?

FINDING: NO IMPACT:

According to the Applicant's Operational Statement, solid waste will be routine trash generated by visitors. The site will be provided with eight 35 gallon trash containers and will be handled through regular trash collection services.

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE

- A. Does the project have the potential to 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, 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 prehistory or history?

FINDING: LESS THAN SIGNIFICANT IMPACT:

No impacts to biological resources as identified. Impacts to cultural resources as identified in Section V. A.B.C.D. will be mitigated to less than significant level.

- B. Does the project have impacts that are individually limited, but cumulatively considerable?

FINDING: LESS THAN SIGNIFICANT IMPACT:

No cumulatively considerable impacts were identified in the analysis other than aesthetics and will be addressed with the Mitigation Measures discussed above in Section I. D.

- C. Does the project have environmental impacts which will cause substantial adverse effects on human beings, either directly or indirectly?

FINDING: NO IMPACT:

No substantial adverse impacts on human beings were identified in the analysis.

CONCLUSION/SUMMARY:

Based upon the Initial Study 6424 prepared for Director's Review and Approval

Application No. 4244, staff has concluded that the project will not have a significant effect on the environment. It has been determined that there will be no impacts to agricultural and forestry resources, greenhouse gas emissions, mineral resources, noise, population and housing, and recreation.

Potential impacts to air quality, biological resources, geology and soils, hazard and hazardous materials, hydrology and water quality, land use and planning, public services, transportation/traffic and utilities and service systems have been determined to be less than significant.

Potential impacts to aesthetics and cultural resources have been determined to be less than significant with the identified 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 southeast corner of Tulare and "M" Street, Fresno, California.

EJ:

G:\4360Devs&Pln\PROJSEC\PROJDOCS\DRA\4200-4299\4237\IS_wu 4237 (corrected 011812)

file original and one copy with:

Space Below For County Clerk Only

F U L G U

Fresno County Clerk
221 Kern Street
Fresno, California 93721

sent to state 2/16/12

FEB 14 2012

FRESNO COUNTY CLERK
By *[Signature]*
DEPUTY

CLK-2046.00 E04-73 R00-00

Agency File No:

S 6424

**LOCAL AGENCY
MITIGATED NEGATIVE
DECLARATION**

County Clerk File No:

E- 201210000039

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):

Ejaz Ahmad, Planner

Area Code:

559

Telephone Number:

600-4204

Extension:

Applicant (Name):

Kings River Conservancy

Project Title:

Director review and Approval Application No. 4244

Projects Description:

Allow a moderate intensity park (includes restoration and addition of one-mile foot-trail, one-half mile handicap accessible scenic trail, one-half acre parking lot, two restrooms, three five-foot wide handicap accessible paths, three visitors feedback stations, picnic tables, trash receptacles, two interceptive kiosks with display, and a base rock bridge) on an approximately 38-acre of 79.85-acre project site in the RE (Recreational) and RC 40 (Resource Conservation) Zone Districts. The project site is located adjacent to the north bank of the Kings River approximately 2,300 feet to the east of the intersection of Trimmer Springs and Pine Flat Roads and 12.8 miles northeast of the City of Sanger (SUP. DIST.: 5) (APNs: 158-050-31T, 158-320-01T & 158-320-05T).

Justification for Negative Declaration:

Based upon the Initial Study 6424 prepared for Director's Review and Approval Application No. 4244, staff has concluded that the project will not have a significant effect on the environment.

No impacts were identified to agricultural and forestry resources, greenhouse gas emissions, mineral resources, noise, population and housing, and recreation.

Potential impacts to air quality, biological resources, geology and soils, hazard and hazardous materials, hydrology and water quality, land use and planning, public services, transportation/traffic and utilities and service systems have been determined to be less than significant.

Potential impacts to aesthetics and cultural resources have been determined to be less than significant with the identified 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 southeast corner of Tulare and "M" Street, Fresno, California.

FINDING:

With the incorporated Mitigation Measures, the proposed project will have no impact on the environment.

Newspaper and Date of Publication:

Fresno Business Journal – December 16, 2011

Review Date Deadline:

January 17, 2012

Date:

February 13, 2012

Type or Print Signature:

Chris Motta, Senior Planner

Submitted by (Signature):

[Signature]

State 15083, 15085

**LOCAL AGENCY
MITIGATED NEGATIVE DECLARATION**

County Clerk File No.

E201210000039

Notice of Determination

E201210000039

To: Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

From: County of Fresno
2220 Tulare Street, Suite "A"
Fresno, CA 93721

FILED

FEB 14 2012

X County Clerk
County of Fresno
2221 Kern Street
Fresno, CA 93721

sent to State 2/16/12

FRESNO COUNTY CLERK
By *[Signature]* DEPUTY

Subject: Filing of Notice of Determination in compliance with Section 21152 of the Public Resource Code.

Project Title: Initial Study Application No. 6424, Director Review and Approval Application No. 4244 (Kings River Conservancy)

| | | |
|----------------------------|----------------|--------------------------------|
| 2011121057 | Ejaz Ahmad | (559) 600-4204 |
| State Clearinghouse Number | Contact Person | Area Code/ Telephone/Extension |

Project Location (include County)

The project site is located adjacent to the north bank of the Kings River approximately 2,300 feet to the east of the intersection of Trimmer Springs and Pine Flat Roads and 12.8 miles northeast of the City of Sanger (SUP. DIST.: 5) (APNs: 158-050-31T, 158-320-01T & 158-320-05T).

Project Description:

Allow a moderate intensity park (includes restoration and addition of one-mile foot-trail, one-half mile handicap accessible scenic trail, one-half acre parking lot, two restrooms, three five-foot wide handicap accessible paths, three visitors feedback stations, picnic tables, trash receptacles, two interceptive kiosks with display, and a base rock bridge) on an approximately 38-acre of 79.85-acre project site in the RE (Recreational) and RC 40 (Resource Conservation) Zone Districts.

This is to advise that the County of Fresno has approved the above described project on
(X) Lead Agency () Responsible Agency

January 23, 2012 and has made the following determination regarding the above described project.
(Date)

1. The project will have a less than significant effect on the environment with mitigation incorporated.
2. () An Environmental Impact Report was not prepared for this project pursuant to the provisions of CEQA.
(x) A Mitigated Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation Measures [(X) were () were not] made a condition of the approval of the project.
4. A statement of Overriding Consideration [() was (X) was not] adopted for this project.

This is to certify that the Initial Study with comments and responses and record of project approval is available to the General Public at Fresno County Department of Public Works and Planning, 2220 Tulare Street, Suite A, Fresno, CA 93721.

[Signature] 2/13/2012 *Senior Planner*
Signature **Date** **Title**