



# County of Fresno

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

DATE: **August 12, 2021**

TO: Development Services and Capital Projects, Attn: William M. Kettler, Division Manager  
Development Services and Capital Projects, Attn: Chris Motta, Principal Planner  
Development Services and Capital Projects, Attn: Tawanda Mtunga, Principal Planner  
Development Services and Capital Projects, Current Planning, Attn: David Randall, Senior Planner  
Development Services and Capital Projects, Policy Planning, ALCC, Attn: Mohammad Khorsand, Senior Planner  
Development Services and Capital Projects, Zoning & Permit Review, Attn: Daniel Gutierrez/James Anders  
Development Services and Capital Projects, Site Plan Review, Attn: Hector Luna  
Development Services and Capital Projects, Building & Safety/Plan Check, Attn: Dan Mather  
Development Engineering, Attn: Laurie Kennedy, Grading/Mapping  
Road Maintenance and Operations, Attn: Wendy Nakagawa/Nadia Lopez  
Resources Division, Special Districts (CSA 34), Attn: Amina Flores-Becker/Chris Bump  
Design Division, Transportation Planning, Attn: Brian Spaunhurst/Gloria Hensley  
Water and Natural Resources Division, Attn: Glenn Allen; Roy Jimenez  
Department of Public Health, Environmental Health Division, Attn: Steven Rhodes/ Kevin Tsuda  
State Water Resources Control Board, Division of Drinking Water, Fresno District, Attn: Jose Robledo; Caitlin Juarez  
Regional Water Quality Control Board, Central Valley Region, Attn: [centralvalleyfresno@waterboards.ca.gov](mailto:centralvalleyfresno@waterboards.ca.gov)  
Southern San Joaquin Valley Information Center, Attn: Celeste Thomson  
U.S. Fish and Wildlife Service, San Joaquin Valley Division, Attn: Matthew Nelson, CA Department of Fish and Wildlife, Attn: [R4CEQA@wildlife.ca.gov](mailto:R4CEQA@wildlife.ca.gov)  
Consolidated Mosquito Abatement District, Attn: Steve Mulligan  
Dumna Wo Wah Tribal Government, Attn: Robert Ledger, Tribal Chairman/Chris Acree, Cultural Resources Analyst  
Picayune Rancheria of the Chukchansi Indians, Attn: Heather Airey/Cultural Resources Director  
Santa Rosa Rancheria Tachi Yokut Tribe, Attn: Ruben Barrios, Tribal Chairman  
Hector Franco, Director/Shana Powers, Cultural Specialist II  
Table Mountain Rancheria, Attn: Robert Pennell, Cultural Resources Director  
San Joaquin Valley Unified Air Pollution Control District (PIC-CEQA Division), Attn: PIC Supervisor  
Fresno County Fire Protection District, Attn: Jim McDougald, Division Chief

FROM: Ejaz Ahmad, Planner   
Development Services and Capital Projects Division

SUBJECT: Unclassified Conditional Use Permit Application No. 3698 **(Revised)**; Initial Study  
Application No. 8020

APPLICANT: Assemi Group, Inc.

DUE DATE: **August 23, 2021**

The Department of Public Works and Planning, Development Services and Capital Projects Division is reviewing the subject application proposing to allow to an effluent storage pond and related supply and distribution lines to provide tertiary treated wastewater from an existing WWTF facility to the proposed storage pond. The subject parcels identified by Assessor's Parcel Number 300-542-03,05, 13, 24T, 28T, 51 are located within Millerton Specific Plan boundary approximately 1,360 feet south of Millerton Road, 1.6 miles west of Auberry Road, and 1.5 miles east of the unincorporated community of Friant.

The Department is also reviewing for environmental effects, as mandated by the California Environmental Quality Act (CEQA) and for conformity with plans and policies of the County.

Based upon this review, a determination will be made regarding conditions to be imposed on the project, including necessary on-site and off-site improvements.

We must have your comments by **August 23, 2021**. Any comments received after this date may not be used.

**NOTE - THIS WILL BE OUR ONLY REQUEST FOR WRITTEN COMMENTS. If you do not have comments, please provide a "NO COMMENT" response to our office by the above deadline (e-mail is also acceptable; see email address below).**

Please address any correspondence or questions related to environmental and/or policy/design issues to me, Ejaz Ahmad, Planner, Development Services and Capital Projects Division, Fresno County Department of Public Works and Planning, 2220 Tulare Street, Sixth Floor, Fresno, CA 93721, or call (559) 600-4204, or email [eahmad@fresnocountyca.gov](mailto:eahmad@fresnocountyca.gov).

EA:

G:\4360Devs&P\In\PROJSEC\PROJDOCS\CUP\3600-3699\3698\ROUTING\CUP 3698 Routing Ltr (Revised).doc

*Activity Code (Internal Review): 2381*

Enclosures



## County of Fresno

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

### PRE-APPLICATION REVIEW DISCLOSURE/DISCLAIMER

Completion of a Pre-Application Review is no longer a mandatory step necessary in order to submit a land use or mapping application to the Fresno County, Department of Public Works and Planning, Development Services Division for processing. The purpose of the Pre-Application Review is to allow the customer and staff to exchange information and confirm the necessary application process, required fees, and submittal material prior to the customer paying the actual application fees. Specifically, during the Pre-Application Review process, staff researches and provides the following information:

- If the proposed use is allowed based on the zoning of the subject parcel; the type(s) of application(s) required to permit the proposal to be processed.
- If the subject site is a legal parcel (Note: If the parcel is not legally created, no land use/mapping application can be processed until the legality issue is resolved).
- The anticipated level of environmental review.
- If the project site is under the Williamson Act Contract and if the proposed use is permitted under the Contract.
- If the site is located within a special district and if special considerations may be applicable to the project.
- Required application forms, filing fees, and filing requirements/materials.

While the Pre-Application Review is an option for any prospective application, in those cases where an applicant opts not to file for completion of a Pre-Application Review, the information research noted above that typically results from the Pre-Application Review process may not be realized until after the application fees have been accepted and the project has been routed for comment. This being the case, unexpected issues may arise that could impact the processing timeline and cost of the application and/or impact the determination as to whether the application can even continue to be processed as originally submitted. *Please note that if the application cannot be processed as submitted, the processing fees expended thus far will not be refunded.*

By opting out of the Pre-Application Review process, I hereby acknowledge the potential for additional application processing delays and costs.

Jeffrey T. Roberts  
PRINT NAME

[Signature]  
SIGNATURE

7/29/2021  
DATE

\_\_\_\_\_  
PRINT NAME

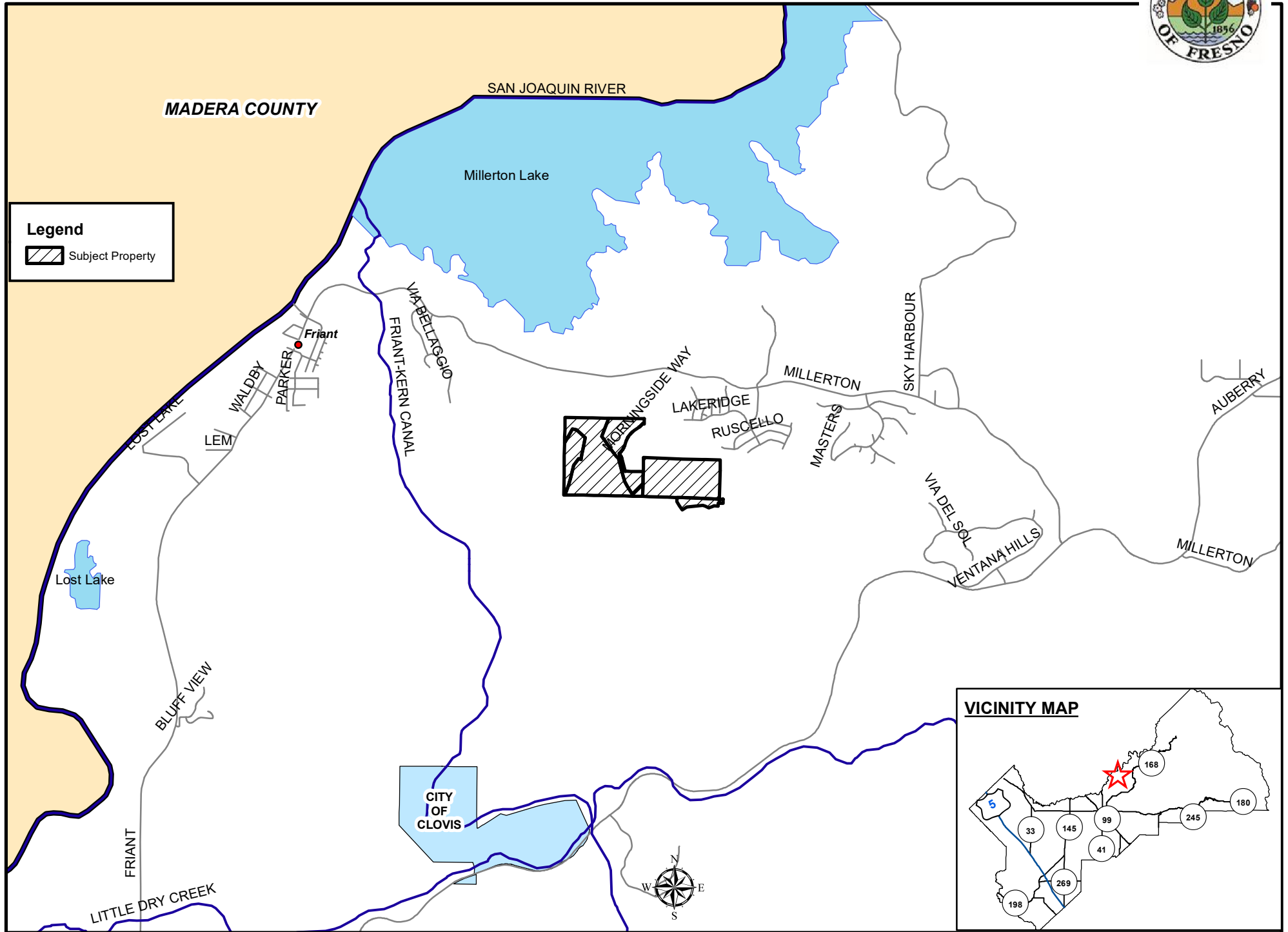
\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
DATE

C:\Users\lmonfette\Desktop\F227 Pre-App Review Waiver 2016.docx

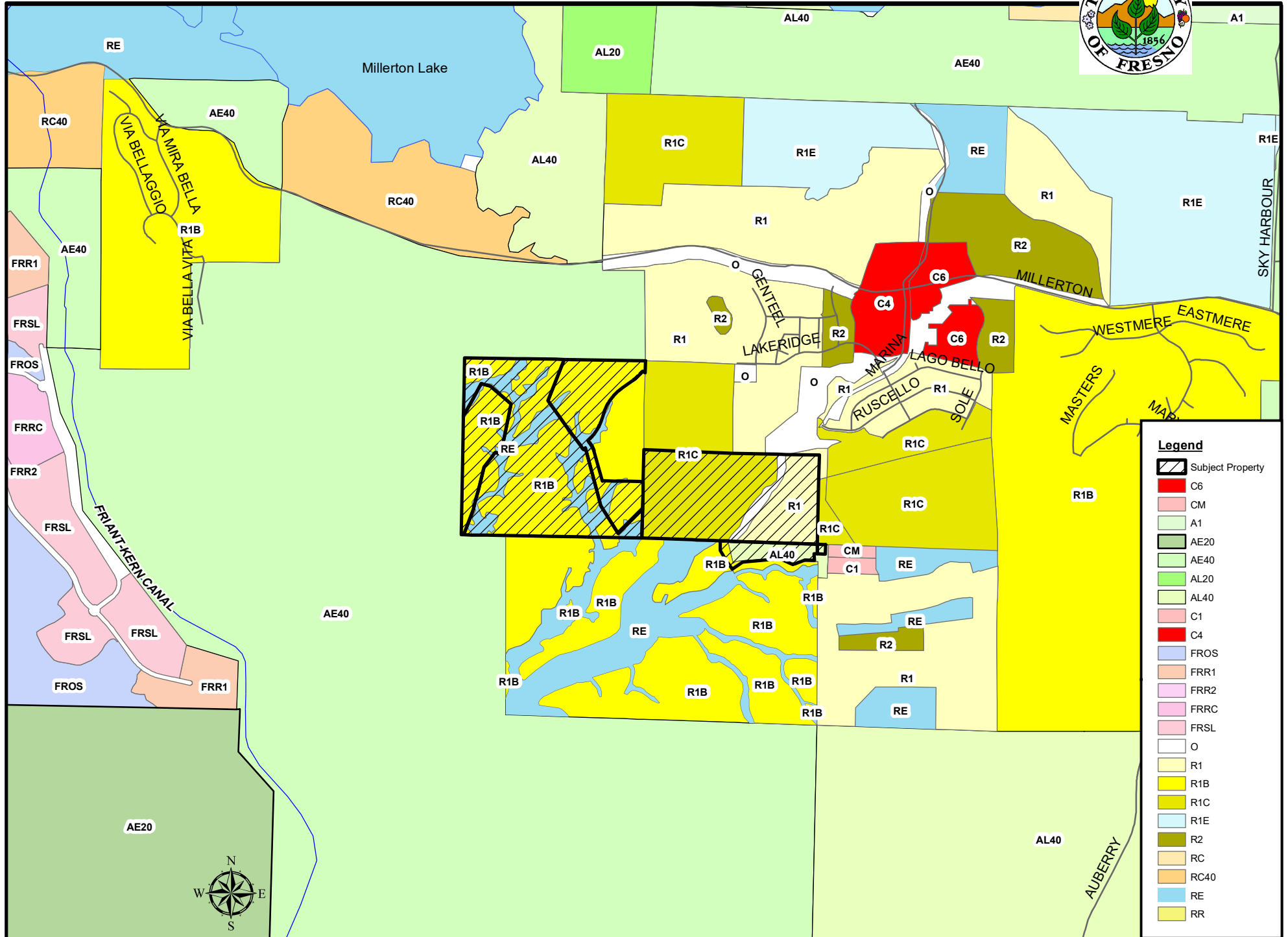


# LOCATION MAP





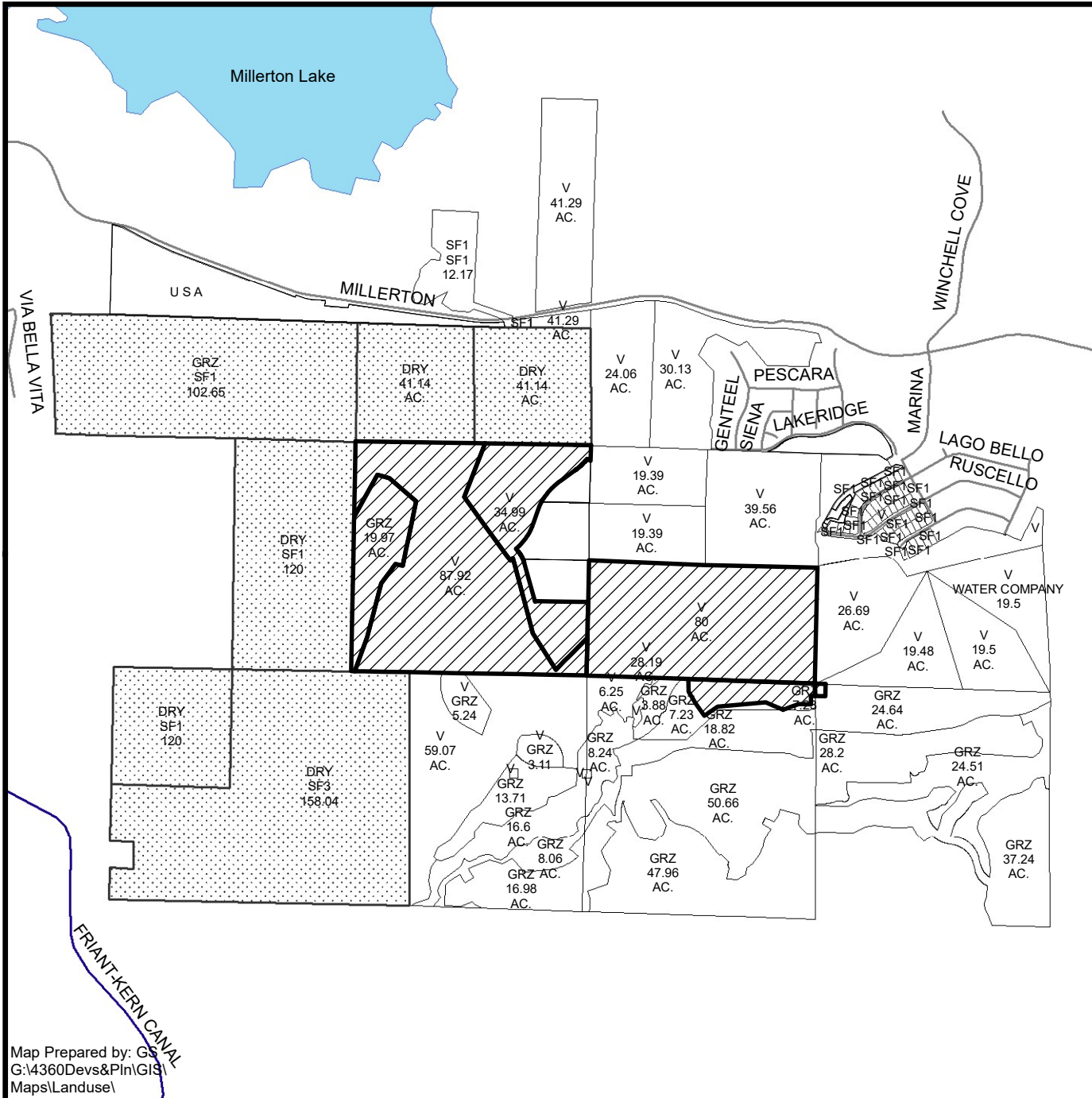
# EXISTING ZONING MAP



**Legend**

	Subject Property
	C6
	CM
	A1
	AE20
	AE40
	AL20
	AL40
	C1
	C4
	FROS
	FRR1
	FRR2
	FRRC
	FRSL
	O
	R1
	R1B
	R1C
	R1E
	R2
	RC
	RC40
	RE
	RR

## EXISTING LAND USE MAP



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

## LEGEND:

-  Subject Property
-  Ag Contract Land

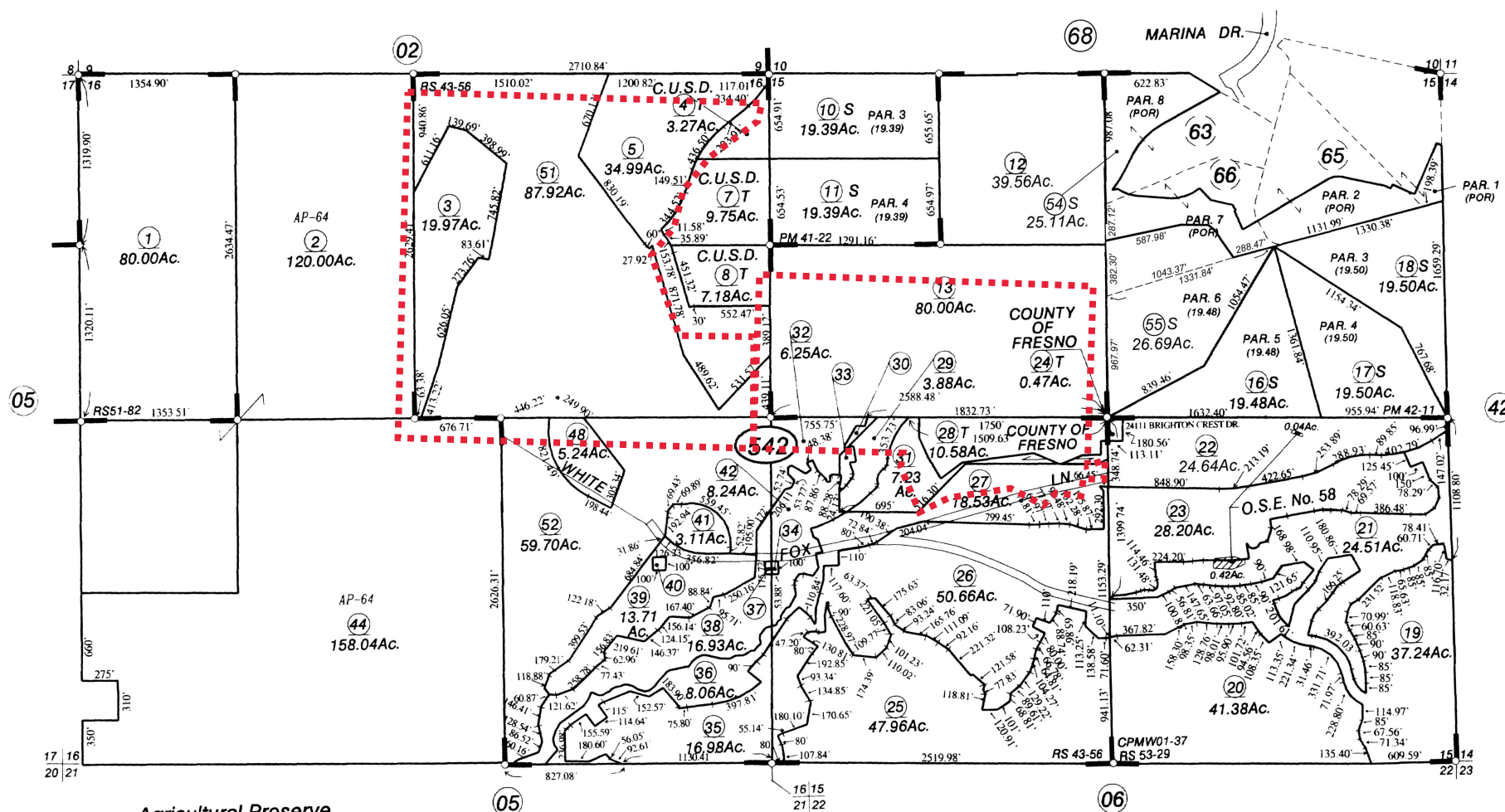


0 440 880 1,760 2,640 3,520 Feet

Department of Public Works and Planning  
Development Services Division

--- NOTE ---  
This map is for Assessment purposes only.  
It is not to be construed as portraying  
legal ownership or divisions of land for  
purposes of zoning or subdivision law.

1" = 800'



**Agricultural Preserve**  
**Certificate of Parcel Map Waiver No. 01-37, Doc. 15915, 2-4-08**  
**Parcel Map No. 5988 - Bk. 41, Pg. 22**  
**Parcel Map No. 5768 - Bk. 42, Pg. 11**  
**Record of Survey - Bk. 43, Pgs. 56**  
**Record of Survey - Bk. 51, Pgs. 82-88**  
**Record of Survey - Bk. 53, Pg. 29**

**Assessor's Map Bk. 300 - Pg. 54**  
**County of Fresno, Calif.**

NOTE - Assessor's Block Numbers Shown in Ellipses.  
Assessor's Parcel Numbers Shown in Circles.



**Subject:** Operational Statement - Effluent Storage Pond

**BACKGROUND:**

The Millerton Specific Plan was originally approved in 1984 by the Fresno County Board of Supervisors. The project proponents envisioned the construction of a "Tertiary" Wastewater Treatment ( WWTP ) facility within the project boundaries that would provide a water source for the irrigation of project landscaping and park and open space areas. The WWTP facility was constructed and a 45 acre foot lined storage pond was built adjacent to the facility to hold the tertiary treated "effluent" for distribution within the Specific Plan area. Development within the Millerton Specific Plan area has progressed and the point has been reached where the project is in need of a second lined "Effluent Storage Pond".

**WHY IS THE PROJECT NEEDED?**

The ongoing and proposed residential development within the Millerton Specific Plan area is creating the "need" for the additional pond to store tertiary treated effluent. The existing 45 acre foot effluent pond is sufficient provided there is an ongoing program to reduce the pond level to provide for adequate storage volume. Recent methods used to lower the level have included trucking the treated effluent to an alternative disposal location. High ambient temperatures also aid in the lowering of the pond level due to evaporation. If the temperature is low ( as in the winter months ) and there is substantial rainfall, the pond level rises and the amount of available effluent storage is diminished. An additional storage pond will provide the County with additional storage and flexibility to deal with changing weather patterns. The 100 acre foot capacity is needed to accommodate planned growth within the Millerton Specific Plan area.

**PROPOSED PROJECT:**

The applicant, the Assemi Group, Inc., is interested in constructing a 100 acre foot storage pond on approximately 35 acres on land within the Millerton Specific Plan. The proposed pond would be located south of Millerton Road and west of the Morningside Way alignment ( now under construction ). The pond would be built in three "phases" and would be lined and fenced in a manner consistent with the existing 45 acre effluent storage pond. The pond would receive treated effluent water from an 8" "Purple Pipe" water line that would be installed ( underground ) in proposed public street alignments in approved Tracts 4934 and 4976. Additionally, portions of the water lines at the west end ( connection to proposed pond ) and east end ( connection to existing WWTP ) would be located in public utility easements "outside" the two approved tracts. The proposed supply line would be approximately 4700' in length and would be owned and maintained by CSA 34. The pond will be divided into three areas, each with approximately 35 acre feet of capacity. It is proposed that the pond would be developed in a north to south fashion.

**OPERATION OF THE EFFLUENT STORAGE POND:**

The proposed facility will be constructed on privately owned land that will, upon completion and acceptance by the County, be deeded to County Service Area No. 34. ( CSA 34 ) The County staff will interact with users of the treated effluent and will coordinate the delivery of the water to locations where it is needed for landscaping, etc. The potential users of the water may include the County CSA 34 staff, the Clovis Unified School District, or farmers using the water to irrigate agricultural crops.

## Jeff Roberts

---

**Sent:** Thursday, February 18, 2021 2:29 PM  
**Subject:** Revised Operational Statement ( 7-29-2021 ) - "Effluent Storage Pond" ( Millerton Specific Plan )

1. Project Description: Provided on a separate sheet
2. Operational Time Limits: To be determined by CSA 34 staff
3. Number of Visitors: None
4. Number of Employees: To be determined by CSA 34 staff
5. Service and Delivery Vehicles: No deliveries and periodic service vehicles
6. Access to the Site: Unpaved private road
7. Parking Spaces: None
8. Goods sold on site: None
9. Equipment: Mowing, weeding, etc.
10. Supplies or materials: None known
11. Unsightly appearance: No
12. Liquid Waste: None
13. Water Volume: The proposed facility will store up to 100 ac/ft for tertiary treated effluent ( Approximately 32,582,400 gallons )
14. Advertising: None
15. Buildings: None existing or proposed
16. Building Operation: NA
17. Lighting / Sound Amplification: None
18. Landscaping or Fencing: No landscaping / fencing to keep the public out of the area with appropriate signage will be provided
19. Other Information: None
20. Owners: See Application for Conditional Use Permit / Jeffrey T. Roberts ( Applicants Representative )





# County of Fresno

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

## INITIAL STUDY APPLICATION

### INSTRUCTIONS

Answer all questions completely. An incomplete form may delay processing of your application. Use additional paper if necessary and attach any supplemental information to this form. Attach an operational statement if appropriate. This application will be distributed to several agencies and persons to determine the potential environmental effects of your proposal. Please complete the form in a legible and reproducible manner (i.e., USE BLACK INK OR TYPE).

#### OFFICE USE ONLY

IS No. \_\_\_\_\_

Project  
No(s). \_\_\_\_\_

Application Rec'd.: \_\_\_\_\_

### GENERAL INFORMATION

- Property Owner: Millerton Investments Phone/Fax: (559) 436-1659 Fax  
Mailing Address: 1396 W. Herndon #110 Fresno, Ca. 93711  
Street City State/Zip
- Applicant: Assemi Group Inc Phone/Fax: (559) 440-8300  
Mailing Address: same address  
Street City State/Zip
- Representative: Jeffrey T. Roberts Phone/Fax: (559) 440-8308  
Mailing Address: same address  
Street City State/Zip
- Proposed Project: Construction of a 'three phase' 100 ac/ft  
'Effluent Storage Pond' and related 8" reclaimed  
water line (purple pipe) to supply effluent to pond
- Project Location: S/S of Millerton Road, west of Morning  
side way alignment (Millerton Specific Plan)
- Project Address: NA
- Section/Township/Range: 16 / 11S / 21E 8. Parcel Size: 35± Ac
- Assessor's Parcel No. 300-542-51 (Portion) OVER.....  
300-542, 24, 28, 30, 31, 29 - Exist. WWTP / 300-542-13, 05 - Pipeline  
Parcels

DEVELOPMENT SERVICES AND CAPITAL PROJECTS DIVISION  
2220 Tulare Street, Sixth Floor / Fresno, California 93721 / Phone (559) 600-4497 / 600-4022 / 600-4540 / FAX 600-4200  
The County of Fresno is an Equal Employment Opportunity Employer

03,

33,



10. Land Conservation Contract No. (If applicable): N.A.

11. What other agencies will you need to get permits or authorization from:

<input type="checkbox"/> LAFCo (annexation or extension of services)	<input type="checkbox"/> SJVUAPCD (Air Pollution Control District)
<input type="checkbox"/> CALTRANS	<input type="checkbox"/> Reclamation Board
<input type="checkbox"/> Division of Aeronautics	<input type="checkbox"/> Department of Energy
<input type="checkbox"/> Water Quality Control Board	<input type="checkbox"/> Airport Land Use Commission
<input checked="" type="checkbox"/> Other <u>RWQCB</u>	

12. Will the project utilize Federal funds or require other Federal authorization subject to the provisions of the National Environmental Policy Act (NEPA) of 1969? ☐ Yes ☒ No

If so, please provide a copy of all related grant and/or funding documents, related information and environmental review requirements.

13. Existing Zone District: R1B(c) O(c)

14. Existing General Plan Land Use Designation: Open space / Residential

#### ENVIRONMENTAL INFORMATION

15. Present land use: vacant  
Describe existing physical improvements including buildings, water (wells) and sewage facilities, roads, and lighting. Include a site plan or map showing these improvements:

old farming road - wire fences

Describe the major vegetative cover: Natural Grass

Any perennial or intermittent water courses? If so, show on map: \_\_\_\_\_

Is property in a flood-prone area? Describe:

No

16. Describe surrounding land uses (e.g., commercial, agricultural, residential, school, etc.):

North: vacant

South: vacant

East: vacant

West: vacant

17. What land use(s) in the area may be impacted by your Project?: none known

18. What land use(s) in the area may impact your project?: none known

19. Transportation:

NOTE: The information below will be used in determining traffic impacts from this project. The data may also show the need for a Traffic Impact Study (TIS) for the project.

A. Will additional driveways from the proposed project site be necessary to access public roads?  
       Yes        ☒ No

B. Daily traffic generation:

I. Residential - Number of Units NA  
Lot Size         
Single Family         
Apartments       

II. Commercial - Number of Employees NA  
Number of Salesmen         
Number of Delivery Trucks         
Total Square Footage of Building       

III. Describe and quantify other traffic generation activities: Periodic  
Service Vehicles (CSA 34 staff)

20. Describe any source(s) of noise from your project that may affect the surrounding area: none  
known

21. Describe any source(s) of noise in the area that may affect your project: none  
known

22. Describe the probable source(s) of air pollution from your project: none known

23. Proposed source of water:

( ) private well

( ) community system<sup>3</sup>--name: CSA 34 WWTP OVER.....

24. Anticipated volume of water to be used (gallons per day)<sup>2</sup>: Capacity 100 Ac'
25. Proposed method of liquid waste disposal:  
 ( ) septic system/individual  
 ( ) community system<sup>3</sup>-name NA.
26. Estimated volume of liquid waste (gallons per day)<sup>2</sup>: N.A.
27. Anticipated type(s) of liquid waste: N.A.
28. Anticipated type(s) of hazardous wastes<sup>2</sup>: N.A.
29. Anticipated volume of hazardous wastes<sup>2</sup>: N.A.
30. Proposed method of hazardous waste disposal<sup>2</sup>: N.A.
31. Anticipated type(s) of solid waste: N.A.
32. Anticipated amount of solid waste (tons or cubic yards per day): N.A.
33. Anticipated amount of waste that will be recycled (tons or cubic yards per day): N.A.
34. Proposed method of solid waste disposal: N.A.
35. Fire protection district(s) serving this area: F.C.F.P.D.
36. Has a previous application been processed on this site? If so, list title and date: yes  
CUP 2942 covered a portion of
37. Do you have any underground storage tanks (except septic tanks)? Yes ☐ No ☒
38. If yes, are they currently in use? Yes ☐ No ☒

TO THE BEST OF MY KNOWLEDGE, THE FOREGOING INFORMATION IS TRUE.

  
 SIGNATURE

7/29/21  
 DATE

<sup>1</sup>Refer to Development Services and Capital Projects Conference Checklist

<sup>2</sup>For assistance, contact Environmental Health System, (559) 600-3357

<sup>3</sup>For County Service Areas or Waterworks Districts, contact the Resources Division, (559) 600-4259



## NOTICE AND ACKNOWLEDGMENT

### INDEMNIFICATION AND DEFENSE

*The Board of Supervisors has adopted a policy that applicants should be made aware that they may be responsible for participating in the defense of the County in the event a lawsuit is filed resulting from the County's action on your project. You may be required to enter into an agreement to indemnify and defend the County if it appears likely that litigation could result from the County's action. The agreement would require that you deposit an appropriate security upon notice that a lawsuit has been filed. In the event that you fail to comply with the provisions of the agreement, the County may rescind its approval of the project.*

### STATE FISH AND WILDLIFE FEE


*State law requires that specified fees (effective January 1, 2021: \$3,445.25 for an EIR; \$2,480.25 for a Mitigated/Negative Declaration) be paid to the California Department of Fish and Wildlife (CDFW) for projects which must be reviewed for potential adverse effect on wildlife resources. The County is required to collect the fees on behalf of CDFW. A \$50.00 handling fee will also be charged, as provided for in the legislation, to defray a portion of the County's costs for collecting the fees.*

*The following projects are exempt from the fees:*

- 1. All projects statutorily exempt from the provisions of CEQA (California Environmental Quality Act).*
- 2. All projects categorically exempt by regulations of the Secretary of Resources (State of California) from the requirement to prepare environmental documents.*

*A fee exemption may be issued by CDFW for eligible projects determined by that agency to have "no effect on wildlife." That determination must be provided in advance from CDFW to the County at the request of the applicant. You may wish to call the local office of CDFW at (559) 222-3761 if you need more information.*

*Upon completion of the Initial Study you will be notified of the applicable fee. Payment of the fee will be required before your project will be forwarded to the project analyst for scheduling of any required hearings and final processing. The fee will be refunded if the project should be denied by the County.*

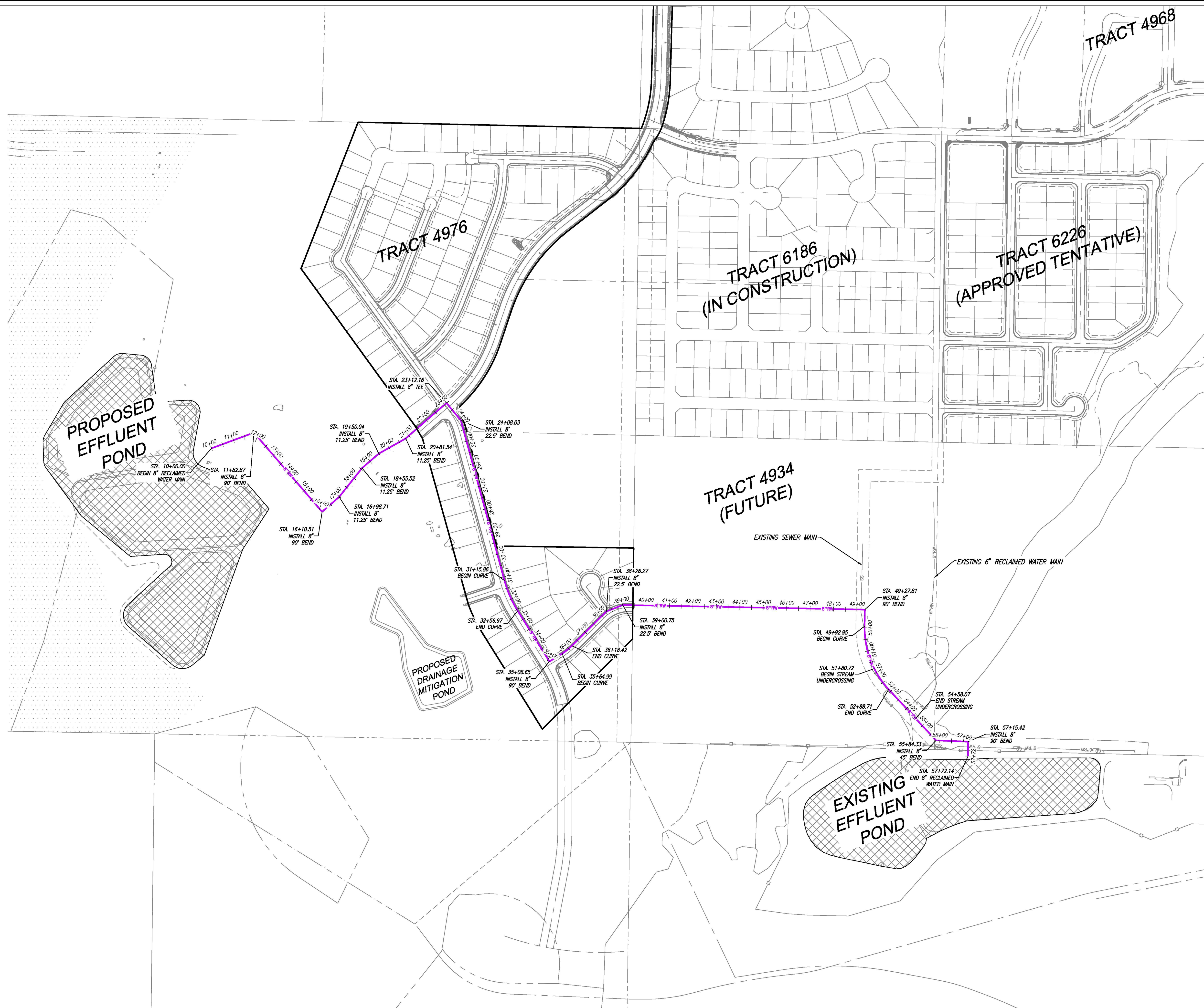
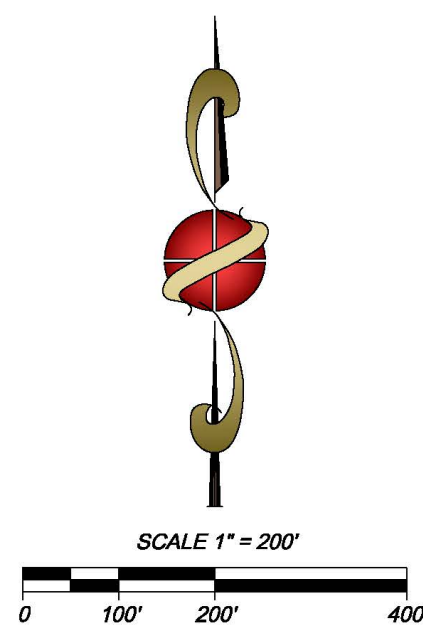
  
Applicant's Signature

  
Date

G:\4360Devs&PLN\PROJSEC\PROJDOCS\TEMPLATES\IS-CEQA TEMPLATES\INITIAL STUDY APP.DOTX



F:\CIVIL\_3D PROJECTS\2017\17-190\EXTERNAL REFERENCES\DWG\CIVIL\17-190 RECLAIMED WATER-BASE.DWG 3/30/2021 3:02:43 PM



PLANNING • SURVEYING • CIVIL ENGINEERING  
1234 O STREET, FRESNO, CALIFORNIA 93721  
TEL: 559-449-4500 FAX: 559-449-4515  
WWW.PRECISIONENG.NET



PROJECT TITLE: MILLERTON ROAD & MORWINGSIDE WAY  
SHEET DESCRIPTION: RECLAIMED WATER ROUTE  
CITY OF: FRESNO

PREPARED FOR: JEFF ROBERTS  
1396 W. HERNDON AVE., SUITE 110  
FRESNO, CA 93711  
(559) 440-8308

REVISIONS

DRAWN BY: JML  
CHECKED BY: DY  
DATE: 3/30/2021

SHEET NUMBER:  
1 OF 1  
JOB NUMBER:  
17-190