



# County of Fresno

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

## INITIAL STUDY ENVIRONMENTAL CHECKLIST FORM

1. **Project title:**  
Initial Study Application No. 7558 and Classified Conditional Use Permit Application No. 3628
2. **Lead agency name and address:**  
County of Fresno, Department of Public Works and Planning  
2220 Tulare Street, 6<sup>th</sup> Floor  
Fresno, CA 93271
3. **Contact person and phone number:**  
Thomas Kobayashi, Planner  
(559)600-4224
4. **Project location:**  
The project site is located on the east side of Clovis Avenue approximately 1,293 feet south of its nearest intersection with North Avenue. The project site is located approximately 2.27 miles east of the nearest city limits of the City of Fresno (APN: 331-030-58) (SUP. DIST.: 4) (3316 S. Clovis Avenue, Fresno, CA).
5. **Project sponsor's name and address:**  
Don Pickett and Associates  
7395 N. Palm Bluff  
Fresno, CA 93711
6. **General Plan designation:**  
Agricultural
7. **Zoning:**  
AE-20 (Exclusive Agricultural, 20-acre minimum parcel size)
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 the assembly and storage of equipment for the post-harvest processing of agricultural products provided such equipment is sold directly to the farmer or processor on a 38-19-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.
9. **Surrounding land uses and setting: Briefly describe the project's surroundings:**  
The project site is located in a mainly agricultural area. Single-family residences supporting the agricultural uses are pocketed throughout the area. Other uses considered supportive of the agricultural operations are located within the vicinity of the subject property.
10. **Other public agencies whose approval is required (g., permits, financing approval, or participation agreement.)**  
Development Services and Capital Projects Division  
Department of Public Health, Environmental Health Division  
Road Maintenance and Operations Division  
Fresno Irrigation District

**11. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?**

Per Assembly Bill 52 (AB52), participating California Native American Tribes were notified of the project and given the opportunity to enter into consultation with the County regarding the proposal. Participating California Native American Tribes either did not respond or declined to enter consultation with the County.

NOTE: Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See Public Resources Code section 21080.3.2.) Information may also be available from the California Native American Heritage Commission's Sacred Lands File per Public Resources Code section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code section 21082.3(c) contains provisions specific to confidentiality.

**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"/> Energy                             |
| <input type="checkbox"/> Geology/Soils                      | <input type="checkbox"/> Greenhouse Gas Emissions           |
| <input type="checkbox"/> Hazards & 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                     | <input type="checkbox"/> Tribal Cultural Resources          |
| <input type="checkbox"/> Utilities/Service Systems          | <input type="checkbox"/> Wildfire                           |
| <input type="checkbox"/> Mandatory Findings of Significance |   |

**DETERMINATION OF REQUIRED ENVIRONMENTAL DOCUMENT:**

On the basis of this initial evaluation:

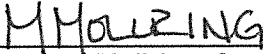
- I find that the proposed project **COULD NOT** have a significant effect on the environment. **A NEGATIVE DECLARATION WILL BE PREPARED.**
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the Mitigation 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:**

  
\_\_\_\_\_  
Thomas Kobayashi, Planner

Date: 6/13/19

**REVIEWED BY:**

  
\_\_\_\_\_  
Marianne Mollring, Senior Planner

Date: 6-11-19

**INITIAL STUDY  
ENVIRONMENTAL CHECKLIST FORM**  
(Initial Study Application No. 7558 and  
Classified Conditional Use Permit  
Application No. 3628)

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**

Except as provided in Public Resources Code Section 21099, 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?
- 2 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 point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?
- 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**

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 Dept. 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:

- 2 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?
- 2 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?
- 2 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**

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:

- 1 a) Conflict with or obstruct implementation of the applicable Air Quality Plan?
- 1 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?
- 2 c) Expose sensitive receptors to substantial pollutant concentrations?
- 2 d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

**IV. BIOLOGICAL RESOURCES**

Would the project:

- 1 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?
- 1 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?
- 1 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?
- 1 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 pursuant to Section 15064.5?
- 3 b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?
- 3 c) Disturb any human remains, including those interred outside of formal cemeteries?

**VI. ENERGY**

Would the project:

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

**VII. GEOLOGY AND SOILS**

Would the project:

- a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:
  - 1 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?
- 1 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 direct or indirect 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?
- 1 f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

**VIII. GREENHOUSE GAS EMISSIONS**

Would the project:

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

**IX. HAZARDS AND HAZARDOUS MATERIALS**

Would the project:

- 2 a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?
- 2 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 or excessive noise for people residing or working in the project area?
- 1 f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?
- 1 g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

**X. HYDROLOGY AND WATER QUALITY**

Would the project:

- 2 a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?
- 2 b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?
- 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 or through the addition of impervious surfaces, in a manner which would result in substantial erosion or siltation on or off site?
  - 2 i) Result in substantial erosion or siltation on- or off-site;
  - 2 ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;
  - 2 iii) 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; or
  - 2 iv) Impede or redirect flood flows?
- 2 d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?
- 2 e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

**XI. LAND USE AND PLANNING**

Would the project:

- 1 a) Physically divide an established community?
- 2 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?

**XII. 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?

**XIII. NOISE**

Would the project result in:

- 2 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?
- 2 b) Generation of excessive ground-borne vibration or ground-borne noise levels?
- 1 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?

**XIV. POPULATION AND HOUSING**

Would the project:

- 1 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)?

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

#### XV. PUBLIC SERVICES

Would the project:

- 2 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 public services:
- 2 i) Fire protection?  
1 ii) Police protection?  
1 iii) Schools?  
1 iv) Parks?  
1 v) Other public facilities?

#### XVI. 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?

#### XVII. TRANSPORTATION

Would the project:

- 2 a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?
- 2 b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?
- 1 c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?
- 1 d) Result in inadequate emergency access?

#### XVIII. TRIBAL CULTURAL RESOURCES

Would the project:

- 3 a) Would the project 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:
- 3 i) 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
- 3 ii) 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?

#### XIX. UTILITIES AND SERVICE SYSTEMS

Would the project:

- 2 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?
- 1 b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?
- 1 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?
- 2 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?
- 2 e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

#### XX. WILDFIRE

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

- 1 a) Substantially impair an adopted emergency response plan or emergency evacuation plan?
- 1 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?
- 1 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?
- 1 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?

#### XXI. MANDATORY FINDINGS OF SIGNIFICANCE

Would the project:

- 2 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?
- 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)
- 2 c) Have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?

**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 and Capital Projects 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  
Important Farmland 2014 Map, State Department of Conservation  
Fire Hazard Severity Zones in LRA, California Department of Forestry and Fire Protection  
IBS Supplies Trip Generation Analysis, JLB Traffic Engineering, March 11, 2019  
Greenhouse Gas Analysis, LSA, April 26, 2019

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# County of Fresno

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

## EVALUATION OF ENVIRONMENTAL IMPACTS

- APPLICANT: Don Pickett and Associates
- APPLICATION NOS.: Initial Study Application No. 7558 and Classified Conditional Use Permit Application No. 3628
- DESCRIPTION: Allow the assembly and storage of equipment for the post-harvest processing of agricultural products to be sold directly to the farmer or processor on a 38.19-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.
- LOCATION: The project site is located on the east side of Clovis Avenue approximately 1,293 feet south of its nearest intersection with North Avenue. The project site is located approximately 2.27 miles east of the nearest city limits of the City of Fresno. (APN: 331-030-58) (SUP. DIST. 4) (3316 S. Clovis Avenue, Fresno, CA)

### 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: NO IMPACT:

The project proposal would not have a substantial adverse effect on scenic vistas or scenic resources. The project site is located in a generally flat area that is utilized for agricultural and residential uses. The project site is not located near any identified historic building, State scenic highway, or scenic roadways.

- 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 point). 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 subject application is proposing two new buildings. The proposal will not substantially degrade the existing visual character or quality of public views of the site and its surroundings, as the project is being designed to be aesthetically appealing with landscaping and front entrance design features.

- 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 has stated that wall pack lights will be installed around the proposed building for site lighting and typical vehicle delivery traffic will be the only anticipated source of light glare. As a mitigation measure, all installed lights on the project site shall be hooded and directed downward away from public streets and adjacent properties to reduce glare.

\* **Mitigation Measure(s)**

1. *All installed lights on the project site shall be hooded and directed downward away from public streets and adjacent properties to reduce glare.*

II. AGRICULTURAL AND FORESTRY RESOURCES

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

- A. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use; or
- B. Conflict with existing zoning for agricultural use, or a Williamson Act Contract?

FINDING: LESS THAN SIGNIFICANT IMPACT:

According to the Fresno County 2014 Important Farmland Map, the project site is located on Prime Farmland and has been actively farmed by the owners. The subject parcel is 38.19 acres and the proposal would designate approximately 10.43 acres for the project. The parcel does not have a Williamson Act Contract and does not conflict

with the existing zoning for agricultural use due to the Fresno County Zoning Ordinance allowing the proposed use subject to a Classified Conditional Use Permit. Although the proposal would be converting a portion of prime farmland to a non-crop use, the proposed use would support the surrounding agricultural community by providing an agricultural centered service. Therefore, although the land is designated Prime Farmland and is currently farmed, the site will serve as an agricultural supportive use and the loss of farmland is considered a less than significant impact.

- C. Conflict with existing zoning for forest land, timberland or timberland zoned Timberland Production; or
- D. Result in the loss of forest land or conversion of forest land to non-forest use?

FINDING: NO IMPACT:

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

- E. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The proposed use of the parcel is supportive of agriculture and will not contribute to the conversion of land from agricultural or forest uses.

### III. AIR QUALITY

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

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

FINDING: NO IMPACT:

The San Joaquin Valley Air Pollution Control District (SJVAPCD) has reviewed the subject application and did not express any concerns with regard to conflicting or obstructing implementation of the applicable Air Quality Plan, or result in cumulatively considerable net increase of any criteria pollutant or result in a cumulatively considerable net increase of any criteria pollutant under Federal or State ambient air quality standards.

- 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: LESS THAN SIGNIFICANT IMPACT:

According to the Applicant's Operational Statement, the project is not anticipated to generate dust or odors that would adversely impact a substantial number of people. The closest sensitive receptor is a single-family residence approximately 463 feet northeast of the proposed office and warehouse. The San Joaquin Valley Air Pollution Control District has reviewed the subject application and did not express any concerns with regard to pollutant concentrations or emissions that would adversely affect a substantial number of people. An increase of pollutant concentrations and emissions could occur during the construction of the project. Therefore, there will be a less than significant impact from the temporary increase of pollutant concentrations during construction, and a little to no impact from the operation of the project.

#### IV. BIOLOGICAL RESOURCES

Would the project:

- A. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

FINDING: NO IMPACT:

The U.S. Fish and Wildlife Service (USFWS) and the California Department of Fish and Wildlife (CDFW) were notified of the project proposal. Both the USFWS and CDFW did not express any concerns with regard to any special listed species. Additionally, according to the California Natural Diversity Database (CNDDB), the project site is not located on or near any reported occurrence of a special status species.

- B. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service; or
- C. Have a substantial adverse effect on state or federally-protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

FINDING: NO IMPACT:

The project site is located near an identified riverine on the National Wetlands Inventory. Although the identified riverine is present, Fresno Irrigation District has identified the

riverine as an underground pipeline. The underground facility is located on the southern property line. As the riverine has been identified as an underground facility maintained by the Fresno Irrigation District, the project has established a setback from the pipeline to ensure that no impact is expected to the underground facility. There will be no impact to the identified riverine as it is a manmade underground pipeline and there are no other visible indicators that a wetland exists on the property.

- D. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

FINDING: NO IMPACT:

The project will not interfere substantially with the movement of any native resident, migratory fish or wildlife species. Additionally, the project will not interfere with an established native resident or migratory wildlife corridor or impede the use of a native wildlife nursery 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 Habitat Conservation Plan, Community Conservation Plan, or other approved local, regional or state Habitat Conservation Plan has been identified as being affected by the project proposal.

## 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:

No historical resource or archeological resource was identified on the project site. The Southern San Joaquin Valley Information Center recommended that an Archeological Survey Report be conducted for the project site. According to the Fresno County

General Plan, the project site is not located in an Archeological Sensitive Area. Additionally, the project site has been experiencing ground-disturbance on a regular basis by being actively farmed up until recent times. Due to these factors, staff does not believe that an archeological survey report is required, but a mitigation measure will be incorporated with the project to address any cultural resource that may be identified during construction of the project. 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.

\* **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?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

A Mitigation Measure reducing the amount of idling of onsite vehicles and equipment to the most possible extent will be incorporated with the project to avoid wasteful and/or inefficient consumption of energy resources during construction and operation.

\* **Mitigation Measure(s)**

1. *Idling of onsite equipment and vehicles will be avoided to the most possible extent to avoid wasteful and/or inefficient consumption of energy resources.*

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

FINDING: NO IMPACT:

The project will not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. The project will be constructed to California Building Code standards that address energy efficiency.

## VII. GEOLOGY AND SOILS

Would the project:

A. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:

1. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?

FINDING: NO IMPACT:

According to the Earthquake Zone Application administered by the California Department of Conservation and Figure 9-2 of the Fresno County General Plan Background Report (FCGPBR), the project site is not located on or near a rupture of a known earthquake fault.

2. Strong seismic ground shaking?

FINDING: NO IMPACT:

According to Figure 9-5 of the FCGPBR, the project site is not located in a probabilistic seismic hazard area and will be subject to a peak horizontal ground acceleration of 0% to 20%.

3. Seismic-related ground failure, including liquefaction?

4. Landslides?

FINDING: NO IMPACT:

According to Figure 9-6 of the FCGPBR, the project site is not located in a landslide hazard. The project is situated in mostly flat land. Additionally, the project site is located away from identified fault zones and will not be affected by seismic-related ground failure including liquefaction.

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

FINDING: NO IMPACT:

According to Figure 7-3 and 7-4 of the FCGPBR, the project site is not located in identified erosion hazard areas. The Development Engineering Section of the Development Services and Capital Projects Division has reviewed the subject application and did not express any concerns with regard to soil erosion and loss of topsoil.

- C. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?

FINDING: NO IMPACT:

No identified geologic unit or soil has been identified on the project site that would become unstable as a result of the project. The Development Engineering Section of the Development Services and Capital Projects Division has reviewed the subject application and did not express any concerns with regard to a geologic unit or unstable soil.

- 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:

According to Figure 7-1 of the FCGPBR, the project site is not located on identified areas of expansive soils.

- 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?

FINDING: LESS THAN SIGNIFICANT:

The Department of Public Health, Environmental Health Division (EHD), has reviewed the subject application and commented that the parcel appears to be able to accommodate the sewage disposal system and expansion area meeting the mandatory setbacks and policy requirements as established with the implementation of the Fresno County Tier 2 Local Area Management Plan (LAMP), onsite wastewater treatment systems (OWTS) policy and California Plumbing code. The onsite sewage disposal system shall be installed under permit and inspection by the Department of Public Works and Planning, Building and Safety Section.

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

FINDING: NO IMPACT:

No unique paleontological resource or unique geologic resource has been identified on the subject parcel or in the surrounding area. The project should not indirectly or directly destroy a unique paleontological resource or unique geologic feature.

## 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:**

A Greenhouse Gas Analysis prepared for the project by LSA on April 26, 2019, provides a description of existing regulatory framework, an assessment of project construction and operation-period greenhouse gas (GHG) emissions, and an evaluation of the project's compliance with adopted plans related to the reduction of GHG emissions. As no threshold of significance for GHG emissions has been adopted by the County of Fresno, thresholds established by the San Joaquin Valley Air Pollution Control District (SJVAPCD) in their adopted "Guidance for Valley Land-Use Agencies in Addressing GHG Emission Impacts for New Projects under CEQA" was utilized in the analysis to determine if the project results in a significant impact. The adopted document analyzes project significance in a tiered approach. Those tiers are: the project is exempt from CEQA requirements; the project complies with an approved GHG emission reduction plan or GHG mitigation program; the project implements Best Performance Standards (BPS); or the project demonstrates that specific GHG emissions would be reduced or mitigated by at least 29 percent compared to Business-As-Usual (BAU), including GHG emission reductions achieved since the 2002-2004 baseline period. Analysis of GHG emissions related to construction determined that project construction would generate approximately 197 metric tons of CO<sub>2e</sub>.

Analysis of GHG emissions produced from the operation of the proposal concluded that the project will emit approximately 341.2 metric tons per year of CO<sub>2e</sub>. Based on the thresholds adopted by the SJVAPCD, an analysis was conducted to determine if the project would result in a 29 percent or more reduction in GHG emissions compared to BAU. The project's estimated annual GHG emissions are approximately 487.0 metric tons of CO<sub>2e</sub> under BAU conditions and 241.2 metric tons of CO<sub>2e</sub> in 2020 for project operations. This represents a 30 percent decrease in emissions, which exceeds the SJVAPCD reduction criteria of 29 percent reduction from BAU. Therefore, based on the analysis and conclusions discussed in the Greenhouse Gas Analysis prepared by LSA, the project will have a less than significant impact on greenhouse gas emissions and does not 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:

- 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 Department of Public Health, Environmental Health Division has reviewed the subject application and has included comments regarding hazardous materials and hazardous waste. Facilities proposing to use and/or store hazardous materials and/or hazardous wastes shall meet the requirements set forth in the California Health and Safety Code (HSC), Division 20, Chapter 6.95m and the California Code of Regulations (CCR), Title 22, Division 4.5. Any business that handles a hazardous material or hazardous waste may be required to submit a Hazardous Materials Business Plan pursuant to the HSC, Division 20, Chapter 6.95. All hazardous waste shall be handling in accordance with requirements set forth in the California Code of Regulations (CCR), Title 22, Division 4.5. This Division discusses proper labeling, storage and handling of hazardous wastes.

- C. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

FINDING: NO IMPACT:

The project site 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:

According to the NEPA Assist Report generated for the project site, the project site is not located on a listed hazardous materials site and will not create a significant hazard to the public or the environment.

- 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 or excessive noise for people residing or working in the project area?

FINDING: NO IMPACT:

The project site is not located within two miles of a public airport or private airstrip.

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

FINDING: NO IMPACT:

The Fresno County Fire Protection District and the Department of Public Health, Environmental Health Division did not express any concerns with regard to 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: NO IMPACT:

According to the California Department of Forestry and Fire Protection 2007 Fire Hazard Severity Zones Map, the project site is not located in a fire hazard severity zone. The project is not expected to expose people or structure, either directly or indirectly to wildland fires.

#### X. HYDROLOGY AND WATER QUALITY

Would the project:

- A. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water 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: LESS THAN SIGNIFICANT IMPACT:

The State Water Resources Control Board, The Water and Natural Resources Division, the Department of Public Health, Environmental Health Division, and the Development Engineering Section of the Development Services and Capital Projects Division has reviewed the subject application. The State Water Resources Control Board and the Water and Natural Resources Division did not express any concerns regarding water quality standards or the availability of groundwater supplies, or the impediment of sustainable groundwater management.

The Department of Public Health, Environmental Health Division requires that in an effort to protect groundwater, all abandoned water wells and septic systems on the parcel shall be properly destroyed by an appropriately licensed contractor. Prior to destruction of agricultural wells, a sample of the upper most fluid in the well column should be sampled for lubricating oil. The presence of oil staining around the well may indicate the use of lubricating oil to maintain the well pump. Should lubricating oil be

found in the well, the oil should be removed from the well prior to placement of fill material for destruction. The “oily water” removed from the well must be handled in accordance with federal, state and local government requirements.

With regard to discharge requirements, the Development Engineering Section of the Development Services and Capital Projects Division will require that any additional runoff generated by the proposed development of this site cannot be drained across property lines and must be retained or disposed of, per County standards.

- 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 result in substantial erosion or siltation on or off site?
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 offsite?
  3. 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; or
  4. Impede or redirect flood flows?

FINDING: LESS THAN SIGNIFICANT IMPACT:

According to FEMA, FIRM Panels 2130H and 2140H, the project location is not subject to flooding from the 100-year storm. An Engineered Grading and Drainage Plan may be required by the Development Engineering Section to show how additional storm water runoff generated by the proposed development will be handled without adversely impacting adjacent properties. The Road Maintenance and Operations Division (RMO) of the Department of Public Works and Planning will require that additional drainage water generated by the covering of the site shall be stored on-site in a drainage pond. Capacity shall be based on 0.5 CA. Ponds deeper than 18 inches shall be fenced per County Standards. Based on requirements set forth by the Development Engineering Section and the Road Maintenance and Operations Division, the project will have a less than significant impact on drainage patterns and minimize potential of erosion and on or offsite flooding. The project will not impede or redirect flood flows.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

According to FEMA, FIRM Panels 2130H and 2140H, the project site is not located in a flood hazard zone from the 100-year storm. According to Figure 9-8 of the Fresno County General Plan Background Report, the project site is located in or near a Dam Failure Flood Inundation Zone. Based on requirements set forth by the Department of

Public Health, Environmental Health Division, the project will be subject to specific regulations with regard to hazardous materials and waste. Those requirements reference the California Code of Regulations (CCR) and the California Health and Safety Code (HSC). Based on those requirements, the risk of pollutants being released due to project inundation will be reduced.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The Department of Public Health, Environmental Health Division has reviewed the project proposal and requires that in the event that a water well or septic system be abandoned, permits will be required and then the water well and/or septic system be destroyed by an appropriately licensed contractor. Additionally, prior to destruction of agricultural wells, a sample of the upper most fluid in the well column should be sampled for lubricating oil. The presence of oil staining around the well may indicate the use of lubricating oil to maintain the well pump. Should lubricating oil be found in the well, the oil should be removed from the well prior to placement of fill material for destruction. The "oily water" removed from the well must be handled in accordance with federal, state and local government requirements. No other concerns were expressed with reviewing agencies regarding conflicts or obstruction of implementation of a water quality control plan or sustainable groundwater management plan.

## XI. LAND USE AND PLANNING

Would the project:

- A. Physically divide an established community?

FINDING: NO IMPACT:

The project will not physically divide an established community.

- 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: LESS THAN SIGNIFICANT IMPACT:

The subject parcel is designated as Agricultural in the Fresno County General Plan. General Plan Policy LU-A.3 states that the County may allow by discretionary permit in areas designated as Agricultural, special agricultural uses and agriculturally-related activities, including value-added processing facilities, and certain non-agricultural uses. Approval of these and similar uses in areas designated as Agricultural shall be subject to the following criteria:

- a. The use shall provide a needed service to the surrounding agricultural area which cannot be provided more efficiently within urban area or which requires

location in a non-urban area because of unusual site requirements or operational characteristics.

- b. The use should not be sited on productive agricultural lands if less productive land is available in the vicinity.
- c. The operation or physical characteristics of the use shall not have a detrimental impact on water resources or the use or management of surrounding properties within at least one quarter (1/4) mile radius.
- d. A probable workforce should be located nearby or be readily available.

With regards to Criteria “a”, the project will provide an agricultural related service to the surrounding agricultural operations and throughout the County. As the products of the proposed project are sold directly to the farm or processor, the proposal will reduce the amount of traveling compared to if the project were to be located in a more urban area. No other type of operation similar to the project proposal is located within a one mile radius of the subject parcel. With regards to Criteria “b”, according to the 2016 Fresno County Important Farmlands Map, the project site is located on designated Prime Farmland. Properties in the immediate vicinity of the project site are designated as Prime Farmland, Farmland of Statewide Importance, Unique Farmland, or Farmland of Local Importance. As only a portion of the prime farmland will be utilized towards the proposal and considering the proximity of less productive lands, the conflict with Criteria “b” is seen as less than significant. With regards to Criteria “c”, the Water and Natural Resources Division and the State Water Resources Control Board did not express concerns that would indicate that project could have a detrimental impact on water resource. With regards to Criteria “d”, the project site is located approximately 2.27 miles east of the nearest city limits of the City of Fresno. Fresno is a large urban center and has a probable workforce located nearby or readily available.

General Plan Policy LU-A.12 states that in adopting land uses policies, regulations and programs, the County shall seek to protect agricultural activities from encroachment of incompatible land uses. With regards to Policy LU-A.12, the Fresno County Zoning Ordinance allows this type of use subject to a Classified Conditional Use Permit. Additionally, the project proposal is considered a use supportive of agricultural activities.

General Plan Policy LU-A.13 states that the County shall protect agricultural operations from conflicts with nonagricultural uses by requiring buffers between proposed non-agricultural uses and adjacent agricultural operations. With regards to Policy LU-A.13, the setback standards provided by the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District will apply towards the project proposal. Additionally, the Applicant has provided chain-link fence along the perimeter of the project area to act as a security measure and buffer. Taking into consideration that the proposed buildings will be setback in excess of the required setbacks and that a chain-link fence is being proposed to provide a buffer, the project will not conflict with agricultural operations.

General Plan Policy LU-A.14 states that the County shall ensure that the review of discretionary permits includes an assessment of the conversion of productive agricultural land and that mitigation be required where appropriate. With regard to Policy LU-A.14, the project site is not under a Williamson Act Contract and reviewing

agencies did not express any concerns with regard to the conversion of agricultural land.

General Plan Policy PF-C.17 states that the County shall, prior to consideration of any discretionary project related to land use, undertake a water supply evaluation. The evaluation should include the following:

- a. A determination that the water supply is adequate to meet the highest demand that could be permitted on the lands in question. If surface water is proposed, it must come from a reliable source and the supply must be made "firm" by water banking or other suitable arrangement. If groundwater is proposed, a hydrogeologic investigation may be required to confirm the availability of water in amounts necessary to meet project demand. If the lands in question lie in an area of limited groundwater, a hydrogeologic investigation shall be required.
- b. A determination of the impact that use of the proposed water supply will have on other water users in Fresno County. If use of surface water is proposed, its use must not have a significant negative impact on agriculture or other water users within Fresno County. If use of groundwater is proposed, a hydrogeologic investigation may be required. If the lands in questions lie in an area of limited groundwater, a hydrogeologic investigation shall be required. Should the investigation determine that significant pumping-related physical impacts will extend beyond the boundary of the project in question, those impacts shall be mitigated.

In regard to General Plan Policy PF-C.17, the project has been reviewed by the Water and Natural Resources Division and the State Water Resources Control Board. The project is proposing to utilize a domestic well to service the proposal. Based on County records, the project site is not located in or near identified water short areas. Both the Water and Natural Resources Division and the State Water Resources Control Board did not express concerns that would indicate the need for a hydrogeologic study.

## XII. MINERAL RESOURCES

Would the project:

- A. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state; or
- B. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local General Plan, Specific Plan or other land use plan?

FINDING: NO IMPACT:

According to Figure 7-7 of the Fresno County General Plan Background Report (FCGPBR), the project site is not located in an identified Mineral Resource location.

## 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: LESS THAN SIGNIFICANT IMPACT:

The Department of Public Health, Environmental Health Division has reviewed the subject application and determined that the construction of the project has the potential to expose residents to elevated noise levels. Consideration should be given to the Fresno County Noise Ordinance. Per the Applicant's Operational Statement, the project operation is not proposing an outside sound amplification system and assembly of harvest equipment will be performed indoors and primarily by hand. During peak season, a hand operated folding device may be employed to facilitate efficiency. Forklifts will be utilized for the handling of the products. Considering the aspects of the operation, a minor increase in noise may occur due to the operation of the project, but is lessened due to the limited use of forklifts and assembly of the products being conducted by hand.

- 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 is not located within two miles of a private airstrip or public airport.

#### XIV. POPULATION AND HOUSING

Would the project:

- A. Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?; or
- B. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

FINDING: NO IMPACT:

The project will not directly or indirectly induce substantial unplanned population growth. The project is proposed to be built on agricultural land and is not expected to displace people or housing.

XV. PUBLIC SERVICES

Would the project:

- A. Result in substantial adverse physical impacts associated with the provision of new or physically-altered governmental facilities, or the need for new or physically-altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services?

- 1. Fire protection;

FINDING: LESS THAN SIGNIFICANT IMPACT:

The Fresno County Fire Protection District (FCFPD) has reviewed the subject application and will require that the project comply with California Code of Regulations Title 24 – Fire Code. Prior to receiving the FCFPD conditions of approval for the project, the Applicant must submit construction plans to the County of Fresno Public Works and Planning for review. Additionally, project/developments including: Single-Family Residential (SFR) property of three or more lots, Multi-Family Residential (MFR), Commercial property, Industrial property, and/or Office property shall annex into the Community Facilities District No. 2010-01 of the Fresno County Fire Protection District. These requirements will be included as project notes.

- 2. Police protection;

- 3. Schools;

- 4. Parks; or

- 5. Other public facilities?

FINDING: NO IMPACT:

No reviewing agency expressed any concerns with regard to the provision or construction of new or physically altered governmental facilities in order to maintain acceptable service ratios, response times or other performance objective for the listed 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 is not expected to increase the use of existing neighborhood and regional parks or other recreational facilities and will not include or require the construction or expansion of recreational facilities.

## XVI. 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: LESS THAN SIGNIFICANT IMPACT:

A Trip Generation Analysis (TGA) conducted by JLB Traffic Engineering, Inc. on March 11, 2019 was produced to evaluate potential traffic generation from the proposed project. The TGA states that out buildout, the proposed Project is estimated to generate a maximum of 96 daily trips, 9 AM peak hour trips and 10 PM peak hour trips. The TGA concludes that based on estimations the proposed project will not produce a significant change in traffic volumes to warrant the completion of a detailed traffic study. The Design Division reviewed the TGA and agreed with the conclusions made from the analysis. The Road Maintenance and Operations Division and the Development Engineering Section of the Development Services and Capital Projects Division also reviewed the project for potential impacts to roadways. No concern was brought forth from the reviewing departments.

- B. Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project will not conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b). The project site is located in an agricultural area and will supply agricultural operations with post-harvest supplies and equipment. By providing the service closer to agricultural operations, vehicle miles traveled are reduced compared to services that are located in urban areas.

- C. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?; or
- D. Result in inadequate emergency access?

FINDING: NO IMPACT:

The Road Maintenance and Operations Division and Design Division has reviewed the subject application and site plan for road access and design features and did not express concerns. The Fresno County Fire Protection District did not raise any concerns with regard to emergency access.

## XVIII. TRIBAL CULTURAL RESOURCES

Would the project:

- A. Would the project 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 WITH MITIGATION INCORPORATED:

Participating California Native American Tribes were notified of the subject application and given the opportunity to enter consultation with the County per Assembly Bill 52. Participating California Native American tribes expressed no concerns with regard to the project proposal and declined the opportunity to enter consultation with the County. As discussed in Section V. Cultural Resources A., B., and C., in the unlikely event that a cultural or tribal cultural resource is identified during the construction of the project, a mitigation measure will be incorporated to address the identification of the resource.

\* **Mitigation Measure(s)**

1. *See Section V. Cultural Resources A., B., and C., Mitigation Measures.*

## 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: LESS THAN SIGNIFICANT IMPACT:

The project is proposing to construct a new wastewater treatment system, well, and require electrical power to service the proposed office and warehouse. No reviewing agency or department expressed concerns to indicate that the proposal would cause a significant impact. Building permits and inspections will occur to verify that new facilities are built to current building and health codes.

- 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 Water and Natural Resources Division and the State Water Resources Control Board did not express concerns that would indicate that water supplies would not be sufficient to serve the project. The Applicant has indicated that the project will be served by an onsite domestic well for water use.

- 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:

The project will be served by a proposed onsite wastewater treatment system. The Department of Public Health, Environmental Health Division has reviewed the subject application and has determined that the parcel appears to be able to accommodate the sewage disposal system and expansion area meeting the mandatory setbacks and policy requirements as established with the implementation of the Fresno County Tier 2 Local Area Management Plan (LAMP) onsite wastewater treatment system (OWTS) policy and California Plumbing Code. As the project will be on a proposed private septic system, there will be no impact to wastewater treatment providers.

- 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: LESS THAN SIGNIFICANT IMPACT:

According to the Applicant, the project will produce solid waste in the amount typical of an office. The project is anticipated to be served by the solid waste hauler contracted for the area. No reviewing agency expressed any concerns with regard to the generation of solid waste or with compliance with federal, state and local management and reduction statutes and regulations related to solid waste.

## XX. WILDFIRE

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

- A. Substantially impair an adopted emergency response plan or emergency evacuation plan, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects; or
- B. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire; or
- C. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment; or
- D. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

FINDING: NO IMPACT:

According to the 2007 Fire Hazard Severity Zones in LRA Map by the California Department of Forestry and Fire Protection (Cal Fire), the project site is not located within a fire hazard severity zone and is not located in or near a state responsibility area.

## 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:

Impacts to Cultural Resources and Tribal Cultural Resources will be less than significant with mitigation incorporated. There are no impacts to Biological Resources and reviewing agencies expressed no concern to the presence of wildlife species or plants. The project is not expected to substantially degrade the quality of the environment or substantially reduce the habitat of fish or wildlife species.

- B. Have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Cumulative impacts identified in the analysis were related to Aesthetics, Cultural Resources, Energy, and Tribal Cultural Resources. These impacts will be reduced to a less than significant impact with incorporated Mitigation Measures discussed in Section I.D., Section V.A., B., and C., Section VI.A and B, and Section XVIII.A.1., and 2.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

No substantial impacts on humans beings, either directly or indirectly, were identified in the project analysis.

## **CONCLUSION/SUMMARY**

Based upon the Initial Study prepared for Classified Conditional Use Permit Application No. 3628, 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 Biological Resources, Mineral Resources, Population and Housing, Recreation, and Wildfire.

Potential impacts related to Agricultural and Forestry Resources, Air Quality, Geology and Soils, Greenhouse Gas Emissions, Hazards and Hazardous Waste, Hydrology and Water Quality, Land Use Planning, Noise, Public Services, Transportation, Utilities and Services Systems have been determined to be less than significant. Potential impacts relating to Aesthetics, Cultural Resources, Energy, and Tribal Cultural Resources have determined to be less than significant with compliance with the incorporated 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.

TK

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**Mitigation Monitoring and Reporting Program  
Initial Study Application No. 7558  
and Classified Conditional Use Permit Application No. 3628  
(Including Conditions of Approval and Project Notes)**

Mitigation Measures					
Mitigation Measure No. *	Impact	Mitigation Measure Language	Implementation Responsibility	Monitoring Responsibility	Time Span
1.	Aesthetics	All installed lights on the project site shall be hooded and directed downward away from public streets and adjacent properties to reduce glare.	Applicant	Applicant/Department of Public Works and Planning (PW&P)	Ongoing
2.	Cultural and Tribal Cultural Resources	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.	Applicant	Applicant/PW&P	During Ground-Disturbing Activities
3.	Energy	Idling of onsite equipment and vehicles will be avoided to the most possible extent to avoid wasteful and/or inefficient consumption of energy resources.	Applicant	Applicant	Ongoing



# County of Fresno

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

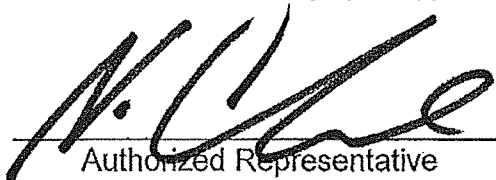
## MITIGATION MEASURES

Initial Study Application No. 7558

Unclassified Conditional Use Permit Application No. 3628

*This project has been modified to incorporate the following provisions to mitigate potential adverse environmental effects identified in the referenced environmental document. A change in these provisions may affect the validity of the current environmental document, and a new or amended environmental document may be required. The mitigation measures must be included as project conditions and be identified so they can be readily acknowledged as mandatory mitigation measures for this project.*

The mitigation measures attached shall be included in all design plans and specifications and are offered as conditions of project approval.

  
Authorized Representative

6.7.19

Date

### Aesthetics

AES-01: *All installed lights on the project site shall be hooded and directed downward away from public streets and adjacent properties to reduce glare.*

### Cultural Resources/Tribal Cultural Resources

CUL-01: *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.*

### Energy

NRG-01: *Idling of onsite equipment and vehicles will be avoided to the most possible extent to avoid wasteful and/or inefficient consumption of energy resources.*

TK

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File original and one copy with: <b>Fresno County Clerk 2221 Kern Street Fresno, California 93721</b>		Space Below For County Clerk Only.   CLK-2046.00 E04-73 R00-00	
Agency File No: <b>IS 7558</b>	<b>LOCAL AGENCY PROPOSED MITIGATED NEGATIVE DECLARATION</b>		County Clerk File No: <b>E-</b>
Responsible Agency (Name): <b>Fresno County</b>	Address (Street and P.O. Box): <b>2220 Tulare St. Sixth Floor</b>	City: <b>Fresno</b>	Zip Code: <b>93721</b>
Agency Contact Person (Name and Title): <b>Thomas Kobayashi Planner</b>	Area Code: <b>559</b>	Telephone Number: <b>600-4224</b>	Extension: <b>N/A</b>
Project Applicant/Sponsor (Name): <b>Don Pickett and Associates</b>	Project Title: <b>Classified Conditional Use Permit Application No. 3628</b>		
Project Description:  Allow the assembly and storage of equipment for the post-harvest processing of agricultural products provided such equipment is sold directly to the farmer or processor on a 38.19-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.			
Justification for Negative Declaration:  Based upon the Initial Study prepared for Classified Conditional Use Permit Application No. 3628, 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 Biological Resources, Mineral Resources, Population and Housing, Recreation, and Wildfire.  Potential impacts related to Agricultural and Forestry Resources, Air Quality, Geology and Soils, Greenhouse Gas Emissions, Hazards and Hazardous Waste, Hydrology and Water Quality, Land Use Planning, Noise, Public Services, Transportation, Utilities and Service Systems, have been determined to be less than significant. Potential impacts relating to Aesthetics, Cultural Resources, Energy, and Tribal Cultural Resources have been determined to be less than significant with compliance with the incorporated 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.  <p style="text-align: center; font-size: 2em; opacity: 0.5;">DRAFT</p>			
FINDING:  The proposed project will not have a significant impact on the environment.			
Newspaper and Date of Publication: <b>Fresno Business Journal – June 14, 2019</b>		Review Date Deadline: <b>Planning Commission – July 18, 2019</b>	
Date:	Type or Print Signature: <b>Marianne Mollring Senior Planner</b>	Submitted by (Signature): <b>Thomas Kobayashi Planner</b>	

State 15083, 15085

County Clerk File No.: \_\_\_\_\_

**LOCAL AGENCY  
MITIGATED NEGATIVE DECLARATION**





# County of Fresno

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

## DRAFT NOTICE OF DETERMINATION

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

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

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

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

Project: Initial Study Application No. 7558, Classified Conditional Use Permit Application No. 3628

Location: The subject parcel is located on the east side of Clovis Avenue, approximately 1,293 feet south of its nearest intersection with North Avenue, and is approximately 2.27 miles east of the nearest city limits of the City of Fresno (Sup. Dist. 4) (APN 331-030-58).

Sponsor: Don Pickett and Associates

Description: Allow the assembly and storage of equipment for the post-harvest processing of agricultural products provided such equipment is sold directly to the farmer or processor on a 38.19-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.

This is to advise that the County of Fresno ( Lead Agency  Responsible Agency) has approved the above described project on July 18, 2019, and has made the following determination:

1. The project  will  will not have a significant effect on the environment.
2.  An Environmental Impact Report (EIR) was not prepared for this project pursuant to the provisions of CEQA. /  A Mitigated Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation Measures  were  were not made a condition of approval for the project.
4. A statement of Overriding Consideration  was  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, Corner of Tulare and "M" Streets, Fresno, California.

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Thomas Kobayashi, Planner  
(559) 600-4224 / TKobayashi@FresnoCountyCA.gov

Date

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# County of Fresno

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

DATE: December 6, 2018

TO: Department of Public Works and Planning, Attn: Steven E. White, Director  
Department of Public Works and Planning, Attn: Bernard Jimenez, Assistant Director  
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, Current Planning, Attn: Marianne  
Mollring, Senior Planner  
Development Services and Capital Projects, Policy Planning, ALCC,  
Attn: Mohammad Khorsand  
Development Services and Capital Projects, Zoning & Permit Review, Attn: Tawanda  
Mtunga  
Development Services and Capital Projects, Site Plan Review, Attn: Hector Luna  
Development Services and Capital Projects, Building & Safety/Plan Check,  
Attn: Chuck Jonas  
Development Engineering, Attn: Laurie Kennedy, Grading/Mapping  
Road Maintenance and Operations, Attn: Frank Daniele/Nadia Lopez  
Design Division, Transportation Planning, Attn: Mohammad Alimi/Dale Siemer  
Water and Natural Resources Division, Attn: Glenn Allen, Division Manager  
Department of Public Health, Environmental Health Division, Attn: Kevin Tsuda/Deep  
Sidhu/Steven Rhodes  
Agricultural Commissioner, Attn: Les Wright  
U.S. Fish and Wildlife Service, San Joaquin Valley Division,  
Attn: Sarah D. Yates  
CA Regional Water Quality Control Board, Attn: Dale Harvey  
CA Department of Fish and Wildlife, Attn: Renee Robison, Environmental Scientist  
State Water Resources Control Board, Division of Drinking Water, Fresno District,  
Attn: Carl Carlucci, Jose Robeldo  
Southern San Joaquin Valley Information Center, Attn: Celeste Thomson  
Native American Heritage Commission (NAHC), Attn: Katy Sanchez  
Dumna Wo Wah Tribal Government, Attn: Robert Ledger, Tribal Chairman/Eric  
Smith, Cultural Resources Manager/Chris Acree, Cultural Resources Analyst  
Picayune Rancheria of the Chuckchansi Indians, Attn: Tara C. Estes-Harter,  
THPO/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: Leanne Walker-Grant, Tribal Chairperson  
Table Mountain Rancheria, Attn: Robert Pennell, Cultural Resources Director/Kim  
Taylor, Cultural Resources Department/Sara Barnett, Cultural Resources  
Department  
San Joaquin Valley Unified Air Pollution Control District (PIC-CEQA Division),  
Attn: PIC Supervisor  
Fresno Irrigation District, Attn: William R. Stretch and Sen Saetern  
Kings River Conservation District, Attn: Rick Hoelzel  
Fresno County Fire Protection District, Attn: Chris Christopherson, Battalion Chief

FROM: Thomas Kobayashi, Planner  
Development Services and Capital Projects Division

SUBJECT: Initial Study Application No. 7558, Classified Conditional Use Permit Application No. 3628

APPLICANT: Don Pickett and Associates, Inc.

DUE DATE: December 21, 2018

The Department of Public Works and Planning, Development Services and Capital Projects Division is reviewing the subject application proposing to allow the assembly and storage of equipment for the post-harvest processing of agricultural products provided such equipment is sold directly to the farmer or processor on a 38.19-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.

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 **December 21, 2018**. 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, Thomas Kobayashi, 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) 600-4224, or email TKobayashi@FresnoCountyCA.gov.

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*Activity Code (Internal Review):2381*

Enclosures



Fresno County Department of Public Works and Planning

Date Received: 11/30/18

CUP 3628  
IS 7558

(Application No.)

MAILING ADDRESS:  
Department of Public Works and Planning  
Development Services and Capital Projects Division  
2220 Tulare St., 6<sup>th</sup> Floor  
Fresno, Ca. 93721

LOCATION:  
Southwest corner of Tulare & "M" Streets, Suite A  
Street Level  
Fresno Phone: (559) 600-4497

APPLICATION FOR:

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

DESCRIPTION OF PROPOSED USE OR REQUEST:

PROPOSED TO ALLOW THE USE FOR STORAGE & ASSEMBLY EQUIP. SOLO DIRECTLY TO FARMERS OR PROCESSORS TO BE USED FOR POST HARVESTING

CEQA DOCUMENTATION:  Initial Study  PER  N/A

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

LOCATION OF PROPERTY: EAST side of S. CLOVIS AVE  
between E. NORTH AVE. and E. CENTRAL AVE.  
Street address: 3310 S. CLOVIS AVE. FRESNO CA 93725

APN: 331-030-58 Parcel size: 38.19 acres Section(s)-Twp/Rg: S 28 - T 14 S/R 21 E

ADDITIONAL APN(s):

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

IAN BURNETT 6385 E NORTH AVE FRESNO 93725 559 269-7356  
Owner (Print or Type) Address City Zip Phone

DON PICKETT ASSOC. 7395 N. PALM BLUFF FRESNO CA 93711 559-481-3535  
Applicant (Print or Type) Address City Zip Phone

Representative (Print or Type) Address City Zip Phone

CONTACT EMAIL:

OFFICE USE ONLY (PRINT FORM ON GREEN PAPER)

Application Type / No.: CUP 3628 Fee: \$ 4,569.00  
 Application Type / No.: Pre-App 31556 Fee: \$ -247.00  
 Application Type / No.: Fee: \$  
 Application Type / No.: Fee: \$  
 PER (Initial Study) No.: IS 7558 Fee: \$ 3,901.00  
 Ag Department Review: Fee: \$ 51.00  
 Health Department Review: Fee: \$ 651.00  
 Received By: Thomas H. Invoice No.: 114515 TOTAL: \$ 8,929.00

UTILITIES AVAILABLE:

WATER: Yes  / No   
Agency: TBD  
SEWER: Yes  / No   
Agency: TBD

STAFF DETERMINATION: This permit is sought under Ordinance Section: Sect-Twp/Rg: \_\_\_\_\_ - T \_\_\_\_\_ S/R \_\_\_\_\_ E

Related Application(s): \_\_\_\_\_ APN # \_\_\_\_\_  
Zone District: AE20 APN # \_\_\_\_\_  
Parcel Size: 38.19 - acres APN # \_\_\_\_\_



Development Services  
and  
Capital Projects Division

Mail To:  
NICK CRAWFORD  
7395 N. PALM BLUFFS AVE.  
SUITE 101  
FRESNO, CALIFORNIA 93711  
  
Email:  
NICK@DONPICKETT.COM

**Pre-Application Review**  
Department of Public Works and Planning

NUMBER: 39556  
APPLICANT: Don Pickett & Associates  
PHONE: (559) 431-3535

PROPERTY LOCATION: 3316 S CLOVIS AVE FRESNO CA 93725  
APN: 331 - 030 - 58 ALCC: No  Yes # VIOLATION NO. N/A  
CNEL: No  Yes (level) LOW WATER: No  Yes WITHIN 1/2 MILE OF CITY: No  Yes  
ZONE DISTRICT: AE-20; SRA: No  Yes HOMESITE DECLARATION REQ'D.: No  Yes  
LOT STATUS:

Zoning: (  ) Conforms; ( ) Legal Non-Conforming lot; ( ) Deed Review Req'd (see Form #236)  
Merger: May be subject to merger: No  Yes ZM# Initiated In process  
Map Act: ( ) Lot of Rec. Map; ( ) On '72 rolls; ( ) Other PERMIT HISTORY; ( ) Deeds Req'd (see Form #236)  
SCHOOL FEES: No Yes  DISTRICT: Sanger Unified Trustee Area 4; State Center CC Trustee Area 3 PERMIT JACKET: No Yes   
FMFCD FEE AREA: (  ) Outside ( ) District No.: FLOOD PRONE: No  AREA OF MINIMAL FLOOD HAZARD Yes  
PROPOSAL PRE-APPLICATION FOR A CONDITIONAL USE PERMIT TO ALLOW THE USE FOR THE STORAGE AND ASSEMBLY EQUIPMENT SOLD DIRECTLY TO FARMERS OR PROCESSORS TO BE USED FOR THE POST HARVEST PROCESSING OF AG PRODUCTS.

COMMENTS:  
ORD. SECTION(S): 816.3-W BY: OBER RAMIREZ DATE: 9/26/18

GENERAL PLAN POLICIES:

LAND USE DESIGNATION: Agriculture ( ) JGPA:  
COMMUNITY PLAN: ( ) JAA:  
REGIONAL PLAN: (  ) JUCP: Ag: 14,569.00  
SPECIFIC PLAN: ( ) JRA:  
SPECIAL POLICIES: ( ) JVA:  
SPHERE OF INFLUENCE: ( ) JAT:  
ANNEX REFERRAL (LU-G17/MOU): ( ) JTT:

PROCEDURES AND FEES:

( ) MINOR VA:  
(  ) HD: \$ 654.00  
(  ) AG COMM: \$ 51.00  
( ) ALCC:  
(  ) IS/PER\*: Ag II \$ 3,901.00  
( ) Viol. (35%):  
( ) Other:  
Filing Fee: \$ 9,175.00  
Pre-Application Fee: - \$247.00  
Total County Filing Fee: \$ 8,928.00

FILING REQUIREMENTS:

- (  ) Land Use Applications and Fees
- (  ) This Pre-Application Review form
- (  ) Copy of Deed / Legal Description
- (  ) Photographs
- ( ) Letter Verifying Deed Review
- (  ) IS Application and Fees\* \* Upon review of project materials, an Initial Study (IS) with fees may be required.
- (  ) Site Plans - 4 copies (folded to 8.5"x11") + 1 - 8.5"x11" reduction
- (  ) Floor Plan & Elevations - 4 copies (folded to 8.5"x11") + 1 - 8.5"x11" reduction
- (  ) Project Description / Operational Statement (Typed)
- ( ) Statement of Variance Findings
- ( ) Statement of Intended Use (ALCC)
- ( ) Dependency Relationship Statement
- ( ) Resolution/Letter of Release from City of \_\_\_\_\_  
Referral Letter # \_\_\_\_\_

OTHER FILING FEES:

- (  ) Archaeological Inventory Fee: \$75 at time of filing  
(Separate check to Southern San Joaquin Valley Info. Center)
- (  ) CA Dept. of Fish & Wildlife (CDFW): (\$50) (\$50+\$2,280.75)  
(Separate check to Fresno County Clerk for pass-thru to CDFW.  
Must be paid prior to IS closure and prior to setting hearing date.)

PLU # 113 Fee: \$247.00  
Note: This fee will apply to the application fee if the application is submitted within six (6) months of the date on this receipt.

RECEIVED  
COUNTY OF FRESNO

NOV 30 2018

DEPARTMENT OF PUBLIC WORKS  
AND PLANNING  
DEVELOPMENT SERVICES DIVISION

OVER.....

BY: Thomas Kobayashi DATE: 10/11/18  
PHONE NUMBER: (559) 600 - 4224

NOTE: THE FOLLOWING REQUIREMENTS MAY ALSO APPLY:

- ( ) COVENANT
- ( ) MAP CERTIFICATE
- ( ) PARCEL MAP
- ( ) FINAL MAP
- ( ) FMFCD FEES
- ( ) ALUC or ALCC
- (  ) SITE PLAN REVIEW
- (  ) BUILDING PLANS
- (  ) BUILDING PERMITS
- (  ) WASTE FACILITIES PERMIT
- (  ) SCHOOL FEES
- ( ) OTHER (see reverse side)



# County of Fresno

RECEIVED  
COUNTY OF FRESNO

NOV 30 2018

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

DEPARTMENT OF PUBLIC WORKS  
AND PLANNING  
DEVELOPMENT SERVICES DIVISION

## 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. IS 7558

Project No(s) CUP 3628

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

### GENERAL INFORMATION

- Property Owner: IAN BURNETT Phone/Fax 559-264-7356  
Mailing Address: 6385 E NORTH AVE FRESNO CA 93725  
Street City State/Zip
- Applicant: DON PICKETT & ASSOC., CURIS PRECINO Phone/Fax: <sup>559</sup> 431-3535/431-5360  
Mailing Address: 7395 N. PALM BLUFFS #101 FRESNO CA 93711  
Street City State/Zip
- Representative: \_\_\_\_\_ Phone/Fax: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
Street City State/Zip
- Proposed Project: 50K S.F. WAREHOUSE/OFFICE ON 38<sup>ac</sup> PROPERTY  
FOR THE ASSEMBLY AND STORAGE OF AGRICULTURAL EQUIPMENT  
FOR THE POST HARVESTED PROCESSING OF AG PRODUCTS SOLD DIRECTLY  
TO THE FARMER
- Project Location: 3316 S. CLOVIS AVE. FRESNO CA 93725
- Project Address: 3316 S. CLOVIS AVE. FRESNO CA 93725
- Section/Township/Range: 28 / 14 / 21 8. Parcel Size: 38.19 AC.
- Assessor's Parcel No. 331-030-58 OVER.....

10. Land Conservation Contract No. (If applicable): \_\_\_\_\_

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

_____ LAFCo (annexation or extension of services)	_____ SJVUAPCD (Air Pollution Control District)
_____ CALTRANS	_____ Reclamation Board
_____ Division of Aeronautics	_____ Department of Energy
_____ Water Quality Control Board	_____ Airport Land Use Commission
_____ Other _____	

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<sup>1</sup>: AE-20

14. Existing General Plan Land Use Designation<sup>1</sup>: \_\_\_\_\_

ENVIRONMENTAL INFORMATION

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

TYPICAL FARM BUILDINGS (SHEDS, NO LARGE WAREHOUSES), WATER WELL  
SEPTIC, RESIDENCE W EXT. LTG.

Describe the major vegetative cover: HALF OF PROP. IS ALPACA

Any perennial or intermittent water courses? If so, show on map: NO

Is property in a flood-prone area? Describe:

NO, FMFCO INDICATES NOT WITHIN  
PLANNED DRAINAGE AREA

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

North: AG

South: AG

East: AG

West: AG



17. What land use(s) in the area may be impacted by your Project?: ~~the road~~ NONE

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

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 \_\_\_\_\_  
Lot Size \_\_\_\_\_  
Single Family 1  
Apartments \_\_\_\_\_

II. Commercial - Number of Employees 20  
Number of Salesmen \_\_\_\_\_  
Number of Delivery Trucks 5-10  
Total Square Footage of Building 50K sq ft

III. Describe and quantify other traffic generation activities: INCREASE IN DELIVERY VEHICLES TO 30-40 DURING PEAK SEASON

20. Describe any source(s) of noise from your project that may affect the surrounding area:  
DELIVERY TRUCKS & FORK LIFT (AG.)

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

22. Describe the probable source(s) of air pollution from your project: DELIVERY TRUCK, TYPICAL TO AGRICULTURAL PROPERTIES ADJACENT

23. Proposed source of water:  
 private well  
 community system<sup>3</sup>--name: \_\_\_\_\_ OVER.....

24. Anticipated volume of water to be used (gallons per day)<sup>2</sup>: TBD - TYPICAL OFFICE
25. Proposed method of liquid waste disposal:  
 septic system/individual  
 community system<sup>3</sup>-name \_\_\_\_\_
26. Estimated volume of liquid waste (gallons per day)<sup>2</sup>: TYP. OFF.
27. Anticipated type(s) of liquid waste: TYP. OFFICE (RESTROOM)
28. Anticipated type(s) of hazardous wastes<sup>2</sup>: NONE
29. Anticipated volume of hazardous wastes<sup>2</sup>: NONE
30. Proposed method of hazardous waste disposal<sup>2</sup>: NONE
31. Anticipated type(s) of solid waste: TYP. OFFICE (RESTROOMS)
32. Anticipated amount of solid waste (tons or cubic yards per day): TYP OFF
33. Anticipated amount of waste that will be recycled (tons or cubic yards per day): NONE
34. Proposed method of solid waste disposal: TDP
35. Fire protection district(s) serving this area: TBD
36. Has a previous application been processed on this site? If so, list title and date: No
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

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

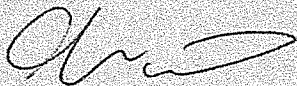
State law requires that specified fees (effective January 1, 2018: \$3,168.00 for an EIR; \$2,280.75 for a Mitigated/Negative Declaration) be paid to the California Department of Fish and Wildlife (CDFW) for projects which must be reviewed for potential adverse effect on wildlife resources. The County 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.



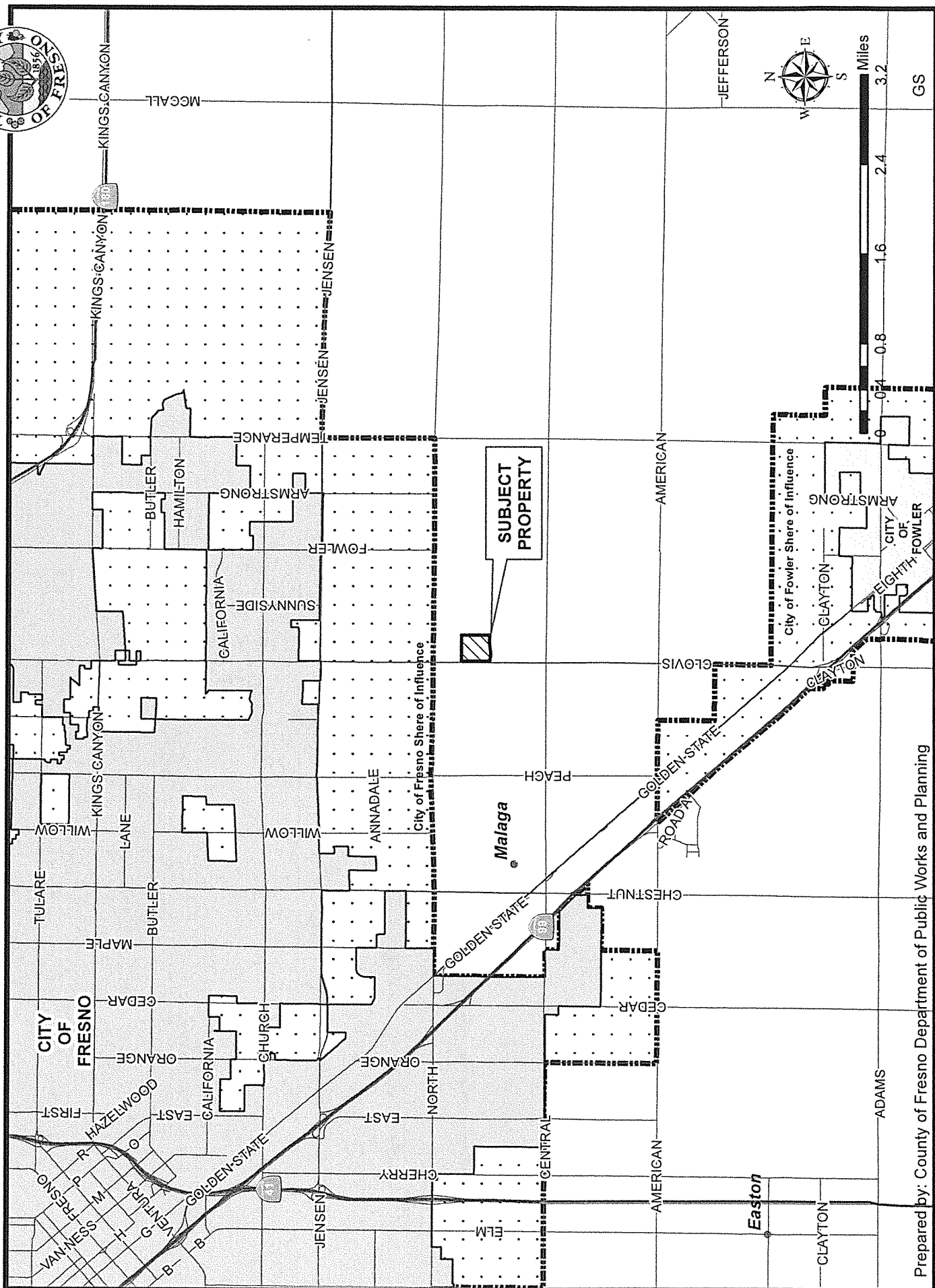
Applicant's Signature

11/30/18  
Date



# LOCATION MAP

CUP 3628





# EXISTING LAND USE MAP

CUP 3628

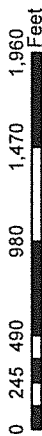
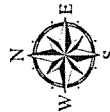
City of Fresno Sphere of Influence



LEGEND	
FC - FIELD CROP	
ORC - ORCHARD	
V - VACANT	
VIN - VINEYARD	
SF#- SINGLE FAMILY RESIDENCE	

**LEGEND:**

-  Subject Property
-  Ag Contract Land



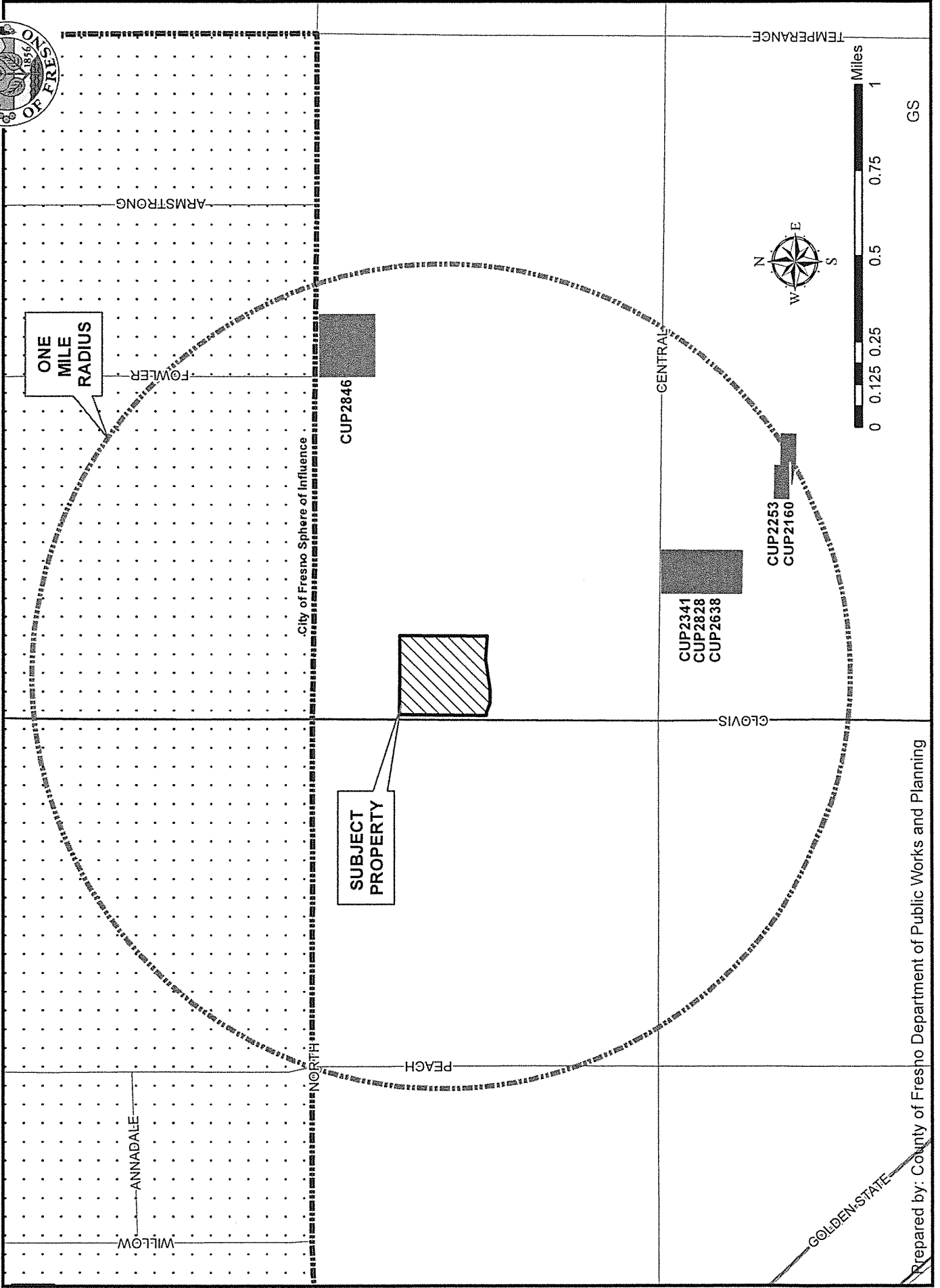
Department of Public Works and Planning  
Development Services Division

Map Prepared by: GS  
J:GIS\CHL\anduse1

# APPROVED CUPS WITHIN A ONE MILE RADIUS

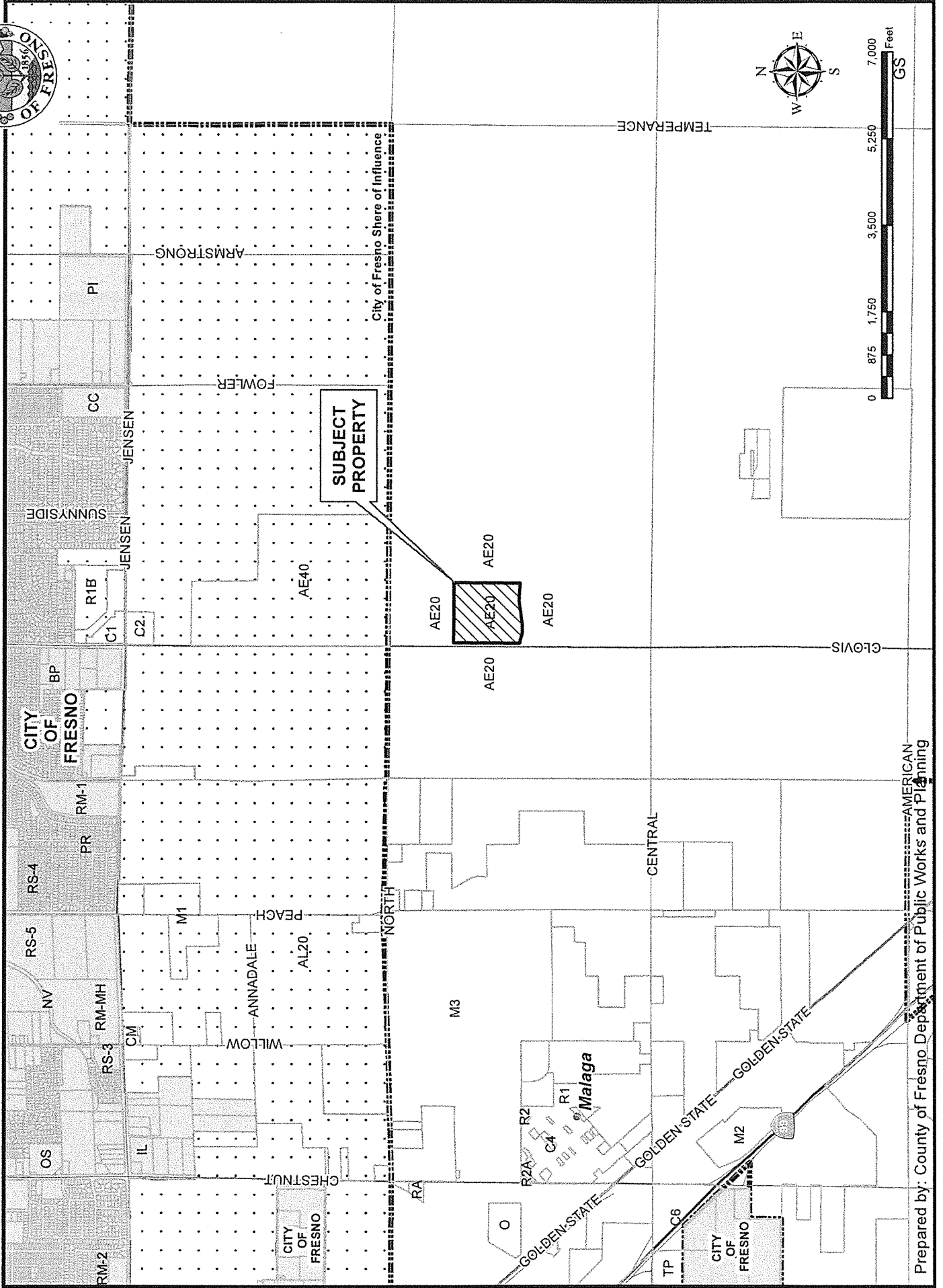


CUP 3628



CUP 3628  
STR 28- 14/21

# EXISTING ZONING MAP



Prepared by: County of Fresno Department of Public Works and Planning

Order No.  
Escrow No.  
Loan No.

94054981

RECORDED IN OFFICIAL RECORDS OF FRESNO COUNTY, CALIFORNIA	
AT 15 MIN PAST 9 A M	
MAR 29 1994	
WILLIAM C. GREENWOOD County Recorder	FEE \$ 7-

WHEN RECORDED MAIL TO:

Mr. and Mrs. Ming-Ho Shieh  
2221 Indianapolis Ave  
Clovis, CA 93611

SPACE ABOVE THIS LINE FOR RECORDER'S USE

MAIL TAX STATEMENTS TO:

SAME AS ABOVE

DOCUMENTARY TRANSFER TAX \$ NONE

..... Computed on the consideration or value of property conveyed; OR  
..... Computed on the consideration or value less liens or encumbrances  
remaining at time of sale

*[Signature]*  
Signature of Declarant or Agent determining tax - Firm Name

### QUITCLAIM DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, MING-HO SHIEH and CATHY SHIEH, husband and wife

do hereby REMISE, RELEASE AND FOREVER QUITCLAIM to  
MING-HO M. SHIEH and CATHY SHIEH as Trustees of the MING-HO M. SHIEH  
AND CATHY SHIEH FAMILY TRUST Dated March 25, 1994

the real property in the City of \_\_\_\_\_  
County of Fresno, State of California, described as

The Southwest quarter of the Northwest quarter, and all that portion of the Northwest quarter of the Southwest quarter lying North of the ditch commonly called "Goodrich Ditch", all in Section 28, Township 14 South, Range 21 East, Mount Diablo Base and Meridian, in the County of Fresno, State of California, according to the official plat thereof.

EXCEPTING THEREFROM the West 76 feet of the Southwest quarter of the Northwest quarter of Section 28, Township 14 South, Range 21 East, Mount Diablo Base and Meridian. ALSO ANY RIGHT, title or interest held in the West 76 feet of that most Northerly portion of the Northwest quarter of the Southwest quarter of said Section 28 within the right of way of the Goodrich Ditch. (Commonly known as 3316 S. Clovis Ave., Fresno, CA)

APN 331-030-58

RECEIVED  
COUNTY OF FRESNO

NOV 30 2018

DEPARTMENT OF PUBLIC WORKS  
AND PLANNING  
DEVELOPMENT SERVICES DIVISION

Dated March 25, 1994

STATE OF CALIFORNIA  
COUNTY OF FRESNO  
On March 25, 1994 before me

GUY W. JOHNSTON

personally appeared MING-HO SHIEH and  
CATHY SHIEH

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal

Signature

*[Signature]*

*Ming-Ho Shieh*  
MING-HO SHIEH  
*Cathy Shieh*  
CATHY SHIEH



(This area for official notarial seal)

MAIL TAX STATEMENTS AS DIRECTED ABOVE



**EXHIBIT A**

The land referred to is situated in the unincorporated area of the County of Fresno, State of California, and is described as follows:

The Southwest quarter of the Northwest quarter, and all that portion of the Northwest quarter of the Southwest quarter lying North of the ditch commonly called "Goodrich Ditch", all in Section 28, Township 14 South, Range 21 East, Mount Diablo Base and Meridian, in the County of Fresno, State of California, according to the official plat thereof.

Excepting therefrom the West 76 feet of the Southwest quarter of the Northwest quarter of Section 28, Township 14 South, Range 21 East, Mount Diablo Base and Meridian. Also any right, title or interest held in the West 76 feet of that most Northerly portion of the Northwest quarter of the Southwest quarter of said Section 28 within the right of way of the Goodrich Ditch.

APN: 331-030-58



**OLD REPUBLIC**  
TITLE COMPANY

7451 North Remington Ave. #102  
Fresno, CA 93711  
(559) 440-9249 Fax: (559) 447-1643

### PRELIMINARY REPORT

Our Order Number 1411013007-DB

PACCOM REALTY ADVISORS, IN C.,  
9 River Park Place East, Suite 101  
Fresno, CA 93720

Attention: JAMES A. GRIFFIN

When Replying Please Contact:

Donna Brown  
(559) 440-9249

Buyer:

Burnett Holdings, LLC

Property Address:

3316 South Clovis Avenue, Fresno, CA 93725  
[Unincorporated area of Fresno County]

In response to the above referenced application for a policy of title insurance, OLD REPUBLIC TITLE COMPANY, as issuing Agent of Old Republic National Title Insurance Company, hereby reports that it is prepared to issue, or cause to be issued, as of the date hereof, a Policy or Policies of Title Insurance describing the land and the estate or interest therein hereinafter set forth, insuring against loss which may be sustained by reason of any defect, lien or encumbrance not shown or referred to as an Exception below or not excluded from coverage pursuant to the printed Schedules, Conditions and Stipulations of said policy forms.

The printed Exceptions and Exclusions from the coverage and Limitations on Covered Risks of said Policy or Policies are set forth in Exhibit I attached. The policy to be issued may contain an arbitration clause. When the Amount of Insurance is less than that set forth in the arbitration clause, all arbitrable matters shall be arbitrated at the option of either the Company or the Insured as the exclusive remedy of the parties. Limitations on Covered Risks applicable to the Homeowner's Policy of Title Insurance which establish a Deductible Amount and a Maximum Dollar Limit of Liability for certain coverages are also set forth in Exhibit I. Copies of the Policy forms should be read. They are available from the office which issued this report.

**Please read the exceptions shown or referred to below and the exceptions and exclusions set forth in Exhibit I of this report carefully. The exceptions and exclusions are meant to provide you with notice of matters which are not covered under the terms of the title insurance policy and should be carefully considered.**

**It is important to note that this preliminary report is not a written representation as to the condition of title and may not list all liens, defects, and encumbrances affecting title to the land.**

This report (and any supplements or amendments hereto) is issued solely for the purpose of facilitating the issuance of a policy of title insurance and no liability is assumed hereby. If it is desired that liability be assumed prior to the issuance of a policy of title insurance, a Binder or Commitment should be requested.

Dated as of July 30, 2018, at 8:00 AM

**OLD REPUBLIC TITLE COMPANY**  
For Exceptions Shown or Referred to, See Attached

Page 1 of 5 Pages

OLD REPUBLIC TITLE COMPANY  
ORDER NO. 1411013007-DB

The form of policy of title insurance contemplated by this report is:

CLTA Standard Coverage Policy -1990; AND ALTA Loan Policy - 2006. A specific request should be made if another form or additional coverage is desired.

The estate or interest in the land hereinafter described or referred or covered by this Report is:

Fee

Title to said estate or interest at the date hereof is vested in:

Ming-Ho Shieh, a single man and I-Hsiung Shieh, a single man, as to an undivided 5/6 interest;

Ming-Ho M. Shieh and Cathy Shieh as Trustees of the Ming-Ho M. Shieh and Cathy Shieh Family Trust dated March 25, 1994, as to an undivided 1/6 interest

The land referred to in this Report is situated in the unincorporated area of the County of Fresno, State of California, and is described as follows:

The Southwest quarter of the Northwest quarter, and all that portion of the Northwest quarter of the Southwest quarter lying North of the ditch commonly called "Goodrich Ditch", all in Section 28, Township 14 South, Range 21 East, Mount Diablo Base and Meridian, in the County of Fresno, State of California, according to the official plat thereof.

Excepting therefrom the West 76 feet of the Southwest quarter of the Northwest quarter of Section 28, Township 14 South, Range 21 East, Mount Diablo Base and Meridian. Also any right, title or interest held in the West 76 feet of that most Northerly portion of the Northwest quarter of the Southwest quarter of said Section 28 within the right of way of the Goodrich Ditch.

APN: 331-030-58

At the date hereof exceptions to coverage in addition to the Exceptions and Exclusions in said policy form would be as follows:

1. Taxes and assessments, general and special, for the fiscal year 2018 - 2019, a lien, but not yet due or payable.

OLD REPUBLIC TITLE COMPANY  
ORDER NO. 1411013007-DB

2. Taxes and assessments, general and special, for the fiscal year 2017 - 2018, as follows:

Assessor's Parcel No	:	331-030-58	
Code No.	:	071-011	
1st Installment	:	\$2,510.76	Marked Paid
2nd Installment	:	\$2,510.76	Marked Paid
Land Value	:	\$205,674.00	
Imp. Value	:	\$96,431.00	

3. The lien of supplemental taxes, if any, assessed pursuant to the provisions of Section 75, et seq., of the Revenue and Taxation Code of the State of California.

4. Taxes and assessments of the Fresno Irrigation District Water Service.

NOTE: The current annual amount levied against this land is \$486.98.

Further information may be obtained by contacting:

Fresno Irrigation District  
2907 South Maple Avenue  
Fresno, CA 93725  
Telephone: (559) 233-7161  
Fax: (559) 223-8227

5. Any easements or lesser rights which may be claimed as to a portion of said land by the owners or users, including any rights incidental thereto which may be ascertained by making inquiry of such owners or users,

Of	:	Ditch
Affects	:	The Southerly portion
As Disclosed By	:	Assessor's Map

6. Lease upon the terms, covenants, and conditions contained therein,

Lessor	:	George M. Daoorian
Lessee	:	Producers Cotton Oil Company, a corporation
Recorded	:	in Book 5193 of Official Records, Page 509 under Recorder's Serial Number 57773

NOTE: The present ownership of said leasehold or leaseholds and other matters affecting the interest of the lessee or lessees are not shown herein.

OLD REPUBLIC TITLE COMPANY  
ORDER NO. 1411013007-DB

7. Terms and conditions contained in the Ming-Ho M. Shieh and Cathy Shieh Family Trust dated March 25, 1994 as disclosed by Quitclaim Deed.

Dated : March 25, 1994  
Recorded March 29, 1994 in Official Records under Recorder's Serial Number 94054981

The requirement that:

A Certification of Trust be furnished in accordance with Probate Code Section 18100.5; and

If the acting trustee is a successor trustee the additional requirement the Company is provided a complete copy of the trust, with all amendments and any intervening trustee is no longer acting in that capacity by providing copies of resignation letters, etc.

The Company reserves the right to make additional exceptions and/or requirements upon review of the above.

8. Any facts, rights, interests, or claims that are not shown by the Public Records but that could be ascertained by an inspection of the Land or that may be asserted by persons in possession of the Land.
9. Any unrecorded and subsisting leases.
10. The requirement that the Company be provided with a copy of the "rent roll" and "tenant estoppel certificates" for its review.
- The Company may have different and/or additional requirements after its review.
11. The requirement that this Company be provided with a suitable Owner's Declaration (form ORT 174). The Company reserves the right to make additional exceptions and/or requirements upon review of the Owner's Declaration.

----- **Informational Notes** -----

- A. The applicable rate(s) for the policy(s) being offered by this report or commitment appears to be section(s) 1.1 and 2.1.

OLD REPUBLIC TITLE COMPANY  
ORDER NO. 1411013007-DB

- B. The above numbered report (including any supplements or amendments thereto) is hereby modified and/or supplemented to reflect the following additional items relating to the issuance of an American Land Title Association loan form policy:

NONE

NOTE: Our investigation has been completed and there is located on said land vacant land known as 3316 South Clovis Avenue, Fresno, CA 93725.

The ALTA loan policy, when issued, will contain the CLTA 100 Endorsement and 116 series Endorsement.

Unless shown elsewhere in the body of this report, there appear of record no transfers or agreements to transfer the land described herein within the last three years prior to the date hereof, except as follows:

NONE

- C. NOTE: The last recorded transfer or agreement to transfer the land described herein is as follows:

Instrument

Entitled : Individual Grant Deed  
By/From : Wen-Chung Hsu, a married man as his separate property and Ming-Ho Shieh, a single man  
To : Wen-Chung Hsu and Haiy Feng-Chuan Tien, husband and wife, as to an undivided 1/6 interest and Ming-Ho Shieh, a single man and I-Hsiung Shieh, a single man, as to an undivided 5/6 interest  
Dated : December 3, 1976  
Recorded : December 7, 1976 in Book 6702 of Official Records, Page 479 under Recorder's Serial Number 109191

Quitclaim Deed executed by Mingo-Ho Shieh and Cathy Shieh, husband and wife to Ming-Ho M. Shieh and Cathy Shieh as Trustees of the Ming-Ho M. Shieh and Cathy Shieh Family Trust dated March 25, 1994 recorded March 29, 1994 in Official Records under Recorder's Serial Number 94054981.

**CALIFORNIA LAND TITLE ASSOCIATION  
STANDARD COVERAGE POLICY - 1990  
EXCLUSIONS FROM COVERAGE**

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses which arise by reason of:

1. (a) Any law, ordinance or governmental regulation (including but not limited to building or zoning laws, ordinances, or regulations) restricting, regulating, prohibiting or relating (i) the occupancy, use, or enjoyment of the land; (ii) the character, dimensions or location of any improvement now or hereafter erected on the land; (iii) a separation in ownership or a change in the dimensions or area of the land or any parcel of which the land is or was a part; or (iv) environmental protection, or the effect of any violation of these laws, ordinances or governmental regulations, except to the extent that a notice of the enforcement thereof or a notice of a defect, lien, or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.-  
  
(b) Any governmental police power not excluded by (a) above, except to the extent that a notice of the exercise thereof or notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
2. Rights of eminent domain unless notice of the exercise thereof has been recorded in the public records at Date of Policy, but not excluding from coverage any taking which has occurred prior to Date of Policy which would be binding on the rights of a purchaser for value without knowledge.
3. Defects, liens, encumbrances, adverse claims or other matters:
  - (a) whether or not recorded in the public records at Date of Policy, but created, suffered, assumed or agreed to by the insured claimant;
  - (b) not known to the Company, not recorded in the public records at Date of Policy, but known to the insured claimant and not disclosed in writing to the Company by the insured claimant prior to the date the insured claimant became an insured under this policy;
  - (c) resulting in no loss or damage to the insured claimant;
  - (d) attaching or created subsequent to Date of Policy; or
  - (e) resulting in loss or damage which would not have been sustained if the insured claimant had paid value for the insured mortgage or for the estate or interest insured by this policy.
4. Unenforceability of the lien of the insured mortgage because of the inability or failure of the insured at Date of Policy, or the inability or failure of any subsequent owner of the indebtedness, to comply with the applicable doing business laws of the state in which the land is situated.
5. Invalidity or unenforceability of the lien of the insured mortgage, or claim thereof, which arises out of the transaction evidenced by the insured mortgage and is based upon usury or any consumer credit protection or truth in lending law.
6. Any claim, which arises out of the transaction vesting in the insured the estate of interest insured by this policy or the transaction creating the interest of the insured lender, by reason of the operation of federal bankruptcy, state insolvency or similar creditors' rights laws.

**EXCEPTIONS FROM COVERAGE - SCHEDULE B, PART I**

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

1. Taxes or assessments Which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.  
Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
2. Any facts, rights, interests, or claims Which are not shown by the public records but which could be ascertained by an inspection of the land which may be asserted by persons in possession thereof,
3. Easements, liens or encumbrances, or claims thereof, which are not shown by the public records.
4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by the public records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b) or (c) are shown by the public records.
6. Any lien or right to a lien for services, labor or material not shown by the public records.

**AMERICAN LAND TITLE ASSOCIATION  
LOAN POLICY OF TITLE INSURANCE - 2006  
EXCLUSIONS FROM COVERAGE**

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
  - (i) the occupancy, use, or enjoyment of the Land;
  - (ii) the character, dimensions, or location of any improvement erected on the Land;
  - (iii) the subdivision of land; or
  - (iv) environmental protection; or the effect of any violation of these laws, ordinances, or governmental regulations.This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
- (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters
  - (a) created, suffered, assumed, or agreed to by the Insured Claimant;
  - (b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
  - (c) resulting in no loss or damage to the Insured Claimant;
  - (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 11, 13, or 14); or
  - (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Insured Mortgage.
4. Unenforceability of the lien of the Insured Mortgage because of the inability or failure of an Insured to comply with applicable doing-business laws of the state where the Land is situated.
5. Invalidity or unenforceability in whole or in part of the lien of the Insured Mortgage that arises out of the transaction evidenced by the Insured Mortgage and is based upon usury or any consumer credit protection or truth-in-lending law.
6. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction creating the lien of the Insured Mortgage, is
  - (a) a fraudulent conveyance or fraudulent transfer, or
  - (b) a preferential transfer for any reason not stated in Covered Risk 13(b) of this policy.
7. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the Insured Mortgage in the Public Records. This Exclusion does not modify or limit the coverage provided under Covered Risk 11(b).

**EXCEPTIONS FROM COVERAGE – SCHEDULE B, PART 1, SECTION ONE**

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) that arise by reason of:

1. (a) Taxes or assessments that are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; (b) proceedings by a public agency that may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
2. Any facts, rights, interests, or claims that are not shown by the Public Records but that could be ascertained by an inspection of the Land or that may be asserted by persons in possession of the Land.
3. Easements, liens or encumbrances, or claims thereof, not shown by the Public Records.
4. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and not shown by the Public Records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the Public Records.



**FACTS**
**WHAT DOES OLD REPUBLIC TITLE DO WITH YOUR PERSONAL INFORMATION?**

<b>Why?</b>	Financial companies choose how they share your personal information. Federal law gives consumers the right to limit some but not all sharing. Federal law also requires us to tell you how we collect, share, and protect your personal information. Please read this notice carefully to understand what we do.
<b>What?</b>	<p>The types of personal information we collect and share depend on the product or service you have with us. This information can include:</p> <ul style="list-style-type: none"> <li>• Social Security number and employment information</li> <li>• Mortgage rates and payments and account balances</li> <li>• Checking account information and wire transfer instructions</li> </ul> <p>When you are <i>no longer</i> our customer, we continue to share your information as described in this notice.</p>
<b>How?</b>	All financial companies need to share customers' personal information to run their everyday business. In the section below, we list the reasons financial companies can share their customers' personal information; the reasons Old Republic Title chooses to share; and whether you can limit this sharing.

Reasons we can share your personal information	Does Old Republic Title share?	Can you limit this sharing?
For our everyday business purposes — such as to process your transactions, maintain your account(s), or respond to court orders and legal investigations, or report to credit bureaus	Yes	No
For our marketing purposes — to offer our products and services to you	No	We don't share
For joint marketing with other financial companies	No	We don't share
For our affiliates' everyday business purposes — information about your transactions and experiences	Yes	No
For our affiliates' everyday business purposes — information about your creditworthiness	No	We don't share
For our affiliates to market to you	No	We don't share
For non-affiliates to market to you	No	We don't share

**Questions**

 Go to [www.oldrepublictitle.com](http://www.oldrepublictitle.com) (Contact Us)

Who we are	
Who is providing this notice?	Companies with an Old Republic Title name and other affiliates. Please see below for a list of affiliates.

What we do	
How does Old Republic Title protect my personal information?	To protect your personal information from unauthorized access and use, we use security measures that comply with federal law. These measures include computer safeguards and secured files and buildings. For more information, visit <a href="http://www.OldRepublicTitle.com/newnational/Contact/privacy">http://www.OldRepublicTitle.com/newnational/Contact/privacy</a> .
How does Old Republic Title collect my personal information?	<p>We collect your personal information, for example, when you:</p> <ul style="list-style-type: none"> <li>• Give us your contact information or show your driver's license</li> <li>• Show your government-issued ID or provide your mortgage information</li> <li>• Make a wire transfer</li> </ul> <p>We also collect your personal information from others, such as credit bureaus, affiliates, or other companies.</p>
Why can't I limit all sharing?	<p>Federal law gives you the right to limit only:</p> <ul style="list-style-type: none"> <li>• Sharing for affiliates' everyday business purposes - information about your creditworthiness</li> <li>• Affiliates from using your information to market to you</li> <li>• Sharing for non-affiliates to market to you</li> </ul> <p>State laws and individual companies may give you additional rights to limit sharing. See the "Other important information" section below for your rights under state law.</p>

Definitions	
Affiliates	<p>Companies related by common ownership or control. They can be financial and nonfinancial companies.</p> <ul style="list-style-type: none"> <li>• <i>Our affiliates include companies with an Old Republic Title name, and financial companies such as Attorneys' Title Fund Services, LLC, Lex Terrae National Title Services, Inc., Mississippi Valley Title Services Company, and The Title Company of North Carolina.</i></li> </ul>
Non-affiliates	<p>Companies not related by common ownership or control. They can be financial and non-financial companies.</p> <ul style="list-style-type: none"> <li>• <i>Old Republic Title does not share with non-affiliates so they can market to you</i></li> </ul>
Joint marketing	<p>A formal agreement between non-affiliated financial companies that together market financial products or services to you.</p> <ul style="list-style-type: none"> <li>• <i>Old Republic Title doesn't jointly market.</i></li> </ul>

**Other Important Information**

Oregon residents only: We are providing you this notice under state law. We may share your personal information (described on page one) obtained from you or others with non-affiliate service providers with whom we contract, such as notaries and delivery services, in order to process your transactions. You may see what personal information we have collected about you in connection with your transaction (other than personal information related to a claim or legal proceeding). To see your information, please click on "Contact Us" at [www.oldrepublictitle.com](http://www.oldrepublictitle.com) and submit your written request to the Legal Department. You may see and copy the information at our office or ask us to mail you a copy for a reasonable fee. If you think any information is wrong, you may submit a written request online to correct or delete it. We will let you know what actions we take. If you do not agree with our actions, you may send us a statement.

**Affiliates Who May be Delivering This Notice**

American First Abstract, LLC	American First Title & Trust Company	American Guaranty Title Insurance Company	Attorneys' Title Fund Services, LLC	Compass Abstract, Inc.
eRecording Partners Network, LLC	Genesis Abstract, LLC	Kansas City Management Group, LLC	L.T. Service Corp.	Lenders Inspection Company
Lex Terrae National Title Services, Inc.	Lex Terrae, Ltd.	Mara Escrow Company	Mississippi Valley Title Services Company	National Title Agent's Services Company
Old Republic Branch Information Services, Inc.	Old Republic Diversified Services, Inc.	Old Republic Exchange Company	Old Republic National Title Insurance Company	Old Republic Title and Escrow of Hawaii, Ltd.
Old Republic Title Co.	Old Republic Title Company of Conroe	Old Republic Title Company of Indiana	Old Republic Title Company of Nevada	Old Republic Title Company of Oklahoma
Old Republic Title Company of Oregon	Old Republic Title Company of St. Louis	Old Republic Title Company of Tennessee	Old Republic Title Information Concepts	Old Republic Title Insurance Agency, Inc.
Old Republic Title, Ltd.	Republic Abstract & Settlement, LLC	Sentry Abstract Company	The Title Company of North Carolina	Title Services, LLC
Trident Land Transfer Company, LLC				



***DON PICKETT & ASSOCIATES, INC.***

DEVELOP • DESIGN • BUILD

January 16, 2019

Thomas Kobayashi  
County of Fresno  
Department of Public Works and Planning  
2220 Tulare Street, Ste. A  
Fresno, CA 93721

RE: Revised Operational Statement

Dear Mr. Kobayashi,

A proposed development in the County of Fresno is being submitted by Don Pickett & Associates, Inc. on behalf of IBS Supplies, Inc. The proposal pertains the following 38.19 acres of property:

Owner: Ian Burnett  
Site Address: 3316 S Clovis Ave, Fresno, CA 93725  
APN: 331-030-58  
Zoning: AE20

The nature of the proposed use will be for the storage and assembly of agricultural harvest equipment such as cardboard, EPS, and plastics, sold directly to farmers or processors to be used for the post-harvest processing of agricultural products, as allowed by Conditional Use Permit, under the Zoning Ordinance of the County of Fresno - Land Use and Planning, Section 816.3-W. The proposed development project will consist of a 50,000 s.f. warehouse facility with a 2,000 s.f. accessory administration office and approximately 2,000 s.f. managers office with employee break room. The warehouse and administration offices will be a single building of steel frame and metal panel construction. Operations will include truck delivery of aforementioned products that are manufactured off-site, storage and assembly of said products, and loading for delivery to local farmers or processors.

The proposed development does not anticipate customers or visitors to the facility. Additionally, the facility is not open to the general public and therefore not proposed as a commercial project. The majority of the site, approximately 22 acres of the 38.19 acres of land, will remain as a contract farmed agricultural operation and in production of lemon grass crops with an existing caretaker house, not part of this application. The proposed facility will occupy only a portion of the overall site, thereby reducing any cumulative effects and impacts to surrounding ag properties. The proposed facility will be located within the ag community, which will reduce the number of outside truck deliveries and improve transportation efficiency for the ag community.

The business employs 8 full-time staff and an additional 15 seasonal and temporary employees. The hours of operation are Monday through Friday, 8:00 am to 5:00 pm during the off season and Monday through Friday, 6:00 am to 6:00 pm during the peak season. The peak harvest season is typically three months out of the year, approximately July 15<sup>th</sup> through October 15<sup>th</sup> of each year. The proposed development will be designed in such a manner to have paved drive approaches from the public road direct to the site, with adequate paving for truck delivery traffic and circulation around the warehouse. Delivery vehicles range from 5-10 trucks per day during off-season and 30-40 trucks per day during the harvest seasons. Truck delivery staging will be performed completely on-site. The nature of the site will have adequate paved parking for all employees during busy seasons.

All product is prefabricated with labels pre-printed and pre-affixed off-site and palletized for storage and handling by fork-lift. The forklift will be of the propane powered type and maintained by an outsourced third-party maintenance company. The assembly of harvest equipment to be performed indoors and primarily by hand. During the peak season a hand operated folding device may be employed to facilitate efficiency.

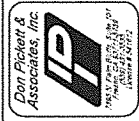
Other than typical vehicle delivery traffic, no noise, glare, dust nor odors are anticipated for the proposed development and facility operations. No outside sound amplification system is proposed.

The site will be well secured with a chain-link fence and rolling gates, with drought-tolerant landscaping at the building frontage. Wall pack lights will be spaced around the proposed building for site lighting, and site security measures will be in place such as alarm systems and video recording devices.

If you have further questions, please give me a call at (559) 431-3535 or email [chris@donpickett.com](mailto:chris@donpickett.com)

Sincerely,

Christopher Preciado  
Don Pickett & Associates, Inc.



**CONCEPT DESIGN**

THIS CONCEPT DESIGN IS FOR INFORMATIONAL PURPOSES ONLY. IT IS NOT TO BE USED FOR CONSTRUCTION OR AS A BASIS FOR CONTRACTS. THE ARCHITECT ASSUMES NO LIABILITY FOR ANY ERRORS OR OMISSIONS. THE CLIENT ASSUMES ALL RISK AND LIABILITY FOR ANY SUCH ERRORS OR OMISSIONS. THIS CONCEPT DESIGN IS NOT TO BE USED FOR ANY OTHER PURPOSES WITHOUT THE WRITTEN CONSENT OF THE ARCHITECT.

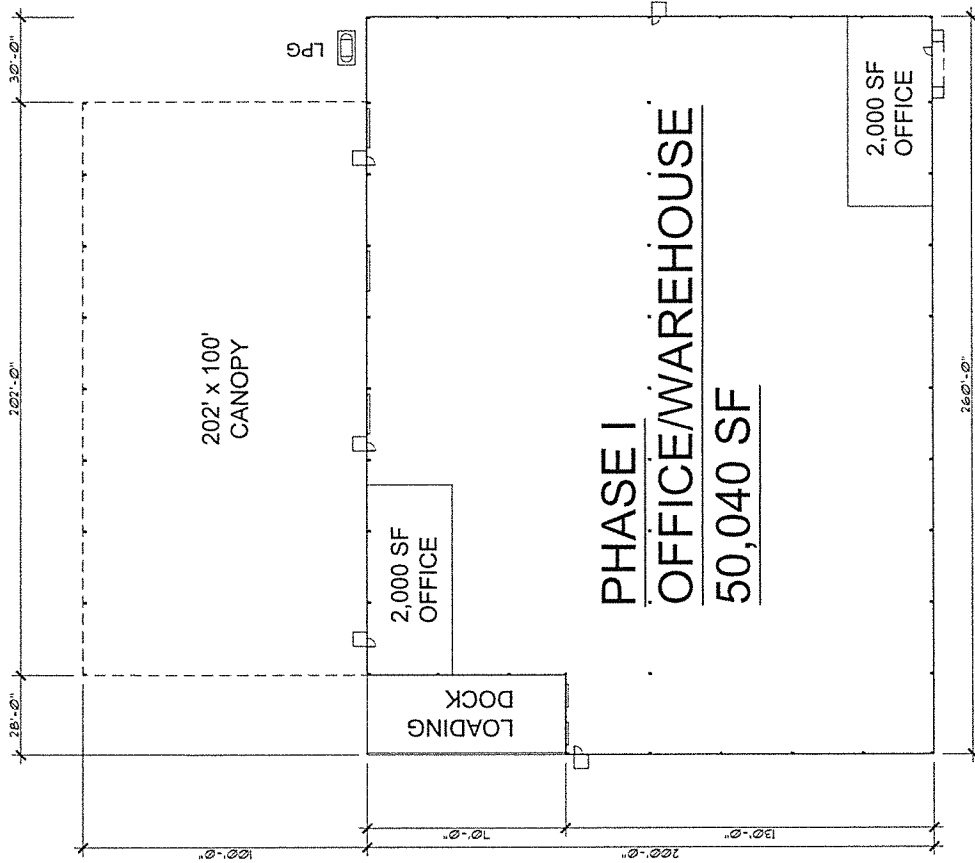
Project Location:  
**3316 S. Clovis Ave.  
 Fresno, CA 93725**

Project Title:  
**Proposed Building for  
 IBS Supplies, Inc.**

Project Status	
Site	
Permit	
Construction	
Occupancy	

Sheet No.	001
Sheet Title	PHASE I OFFICE/WAREHOUSE
Scale	AS SHOWN
Date	03/08/19
Author	
Checker	
Designer	

**A-1.0**



**CONCEPTUAL FLOOR PLAN 03/08/19**  
 SCALE: 1" = 20'-0"



