



County of Fresno

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

EVALUATION OF ENVIRONMENTAL IMPACTS

APPLICANT: Candice Longnecker on behalf of Granite Construction Company

APPLICATION NOS.: Initial Study Application No. 7029 and Unclassified Conditional Use Permit Application No. 3512

DESCRIPTION: Allow the expansion of an existing aggregate mining operation on a 299.11-acre parcel in the AE-20 (Exclusive Agriculture, 20-acre minimum parcel size) Zone District in the unincorporated area of County of Fresno and on a 202.54-acre parcel in the MBL (Light Manufacturing/Business) Zone District in the City of Coalinga.

LOCATION: The project site is located on the north side of Cambridge Avenue, between Monterey Avenue and State Route 198/33, adjacent to and within the city limits of the City of Coalinga (SUP. DIST. 4) (APN 070-060-86S and 89S) (38940 Route 33, Coalinga).

PROJECT DESCRIPTION DETAILS

Existing Site Conditions and Surrounding Uses

The Project is in western Fresno County and encompasses a portion of Section 29, Township 20 South, Range 15 East, Mount Diablo Base and Meridian. More specifically, the Project is located south of the Applicant's existing Coalinga Facility, north of Cambridge Avenue, West of State Route 198/33, and east of Monterey Avenue. The Project area encompasses 368± acres of a larger 502± acre property bearing Assessor Parcel Numbers 070-06-86S and 070-06-89S. Mining is proposed on 338± acres of the Project area with the remainder (30± acres) in ancillary use and setback areas. Primary access to the Project area will occur via internal access roads from the existing Coalinga Facility (which itself is accessed via an existing encroachment from State Route 198/33)

Predominant land uses in the vicinity of the Project are as follows:

- North: Resource extraction/industrial
- South: The City of Coalinga's recreational park, with scattered commercial, residential, and school facilities bordering Cambridge Avenue farther south
- East: State Route 198/33, with agriculture and residential uses farther east
- West: Monterey Avenue, with undeveloped land and oil fields farther west

Site zoning is AE-20 (Exclusive Agricultural) for APN 070-060-86S (Fresno County), and a combination of Light Manufacturing/Business and Service Commercial for APN 070-060-89S (City of Coalinga). The General Plan Land Use Designation is Agriculture for APN 070-060-86S (Fresno County), and a combination of Commercial Service and Manufacturing/Business with a Resource Extraction Overlay for APN 070-060-89S (City of Coalinga).

General Environmental Setting

The Project area has been disturbed with widespread evidence of historical activity (rangeland and oil exploration) and off-road vehicle use. Vegetation cover ranges from very sparse and almost nonexistent to small, dense patches of ruderal (weedy) species such as Russian thistle (*Salsola tragus*), wormwood (*Artemisia sp.*) bromes (*Bromus spp.*) and oats (*Avena sp.*). The most prominent drainage feature in the vicinity of the Project is Los Gatos Creek, which flows in a southeasterly direction through the site. The Creek flows west of the existing Coalinga Facility and bisects the Project area. Aside from Los Gatos Creek, no evidence of wetlands or other aquatic features exist within the Project area.

The Natural Resources Conservation Service has mapped the following soil units on the Project site:

- Pits, gravel;
- Yribarren clay loam, 0 to 2 percent slopes;
- Excelsior sandy loam, sandy substratum, 0 to 2 percent slopes;
- Cerini sandy loam, 0 to 2 percent slopes;
- Carranza gravelly sandy loam, 2 to 8 percent slopes; and,
- Excelsior, sandy substratum - westhaven association, flooded, 0 to 2 percent slopes.

Other than the transmission line that runs adjacent to Monterey Avenue on the western boundary of the Project site, as well as abandoned oil and gas wells from the former Chevron operation and utilities associated with the existing Coalinga Facility and surrounding developments, no other notable utilities are present in the vicinity of the Project. There are no railroads on or adjacent to the lands to be reclaimed.

Project Components

The Project's primary purpose is a change (expansion) to the geographic area allowed for mining and reclamation at the Project site. More specifically, the proposed Project includes: (1) a modification to existing UCUP No. 915 to include a new extraction area that lies west of Los Gatos Creek on APN 070-060-86S in the County of Fresno; (2) a new CUP from the City of Coalinga for extraction on the portion of APN 070-060-89S that lies within the City of Coalinga jurisdictional city limits, and (3) a modification to existing Reclamation Plan 915 to include the Project areas on APN 070-060-86S and APN 070-060-89S.

The Project would not modify the current productions levels, materials to be mined, or mining methods, and the overall production and processing activities would be consistent with existing conditions.

Summary of Project Mining and Reclamation Activities

A description of mining and reclamation activities that would occur under the proposed Project is included within the Project Applicant's submitted materials, including the Operational Statement and Reclamation Plan. The information provided by the Applicant was used to prepare the descriptions of proposed mining activities presented below unless otherwise noted.

Mining Methods

Mining operations will be performed in a manner consistent with current practices at the existing Coalinga Facility, and will be initiated by the removal of vegetation, topsoil/growth media, and overburden materials which lie above marketable sand and gravel deposits. The overlying materials will be removed using scrapers aided by a motor grader and a bulldozer, as needed. After overlying materials are removed, marketable sand and gravel will be excavated using a combination of scrapers, front-end loaders, hydraulic excavators, bulldozers, and other support equipment.

The maximum anticipated depth of excavation is two hundred (200) feet below ground surface (bgs) to elevation 484 above mean sea level (AMSL). The Project does not involve in-stream mining and includes setbacks from the 100-year floodplain to the mining boundary. No mining is proposed within fifty (50) feet of a property boundary or below the water table. Final reclaimed slopes will not exceed 1.5H:1V. Following excavation, sand and gravel will be transported via conveyor and/or internal haul roads to the existing Coalinga Facility where it will be processed and/or sold for use in construction materials. An elevated crossing will be utilized to facilitate the transport of materials from the mining area west of Los Gatos Creek to the existing processing plant.

Phasing

Mining is anticipated to progress in a phased manner to allow for concurrent reclamation (to the extent practicable). Mining will produce an anticipated 82 million tons of sand and gravel over the life of the Project. Total life of the Project is proposed by the Applicant at fifty-five (55) years for mining operations, with an additional five (5) years to complete reclamation activities, for a total Project life of sixty (60) years. Based on current mine planning, the Applicant anticipates depleting its reserves at the existing Coalinga Facility prior to moving into the Project area. Until that time, ancillary surface mining activities will take place in the Project area (e.g., stockpile management, fence installation, property maintenance, etc.). The Project does not propose concurrent mining (aggregate extraction) at the existing Coalinga Facility and Project area. An estimated time schedule for reclamation of the areas disturbed by mining activities is provided in Table 1, below.

**TABLE 1
ESTIMATED PROJECT PHASING**

Phase	Est. Acres	Est. Tons (millions)	Est. Years to Completion
Phase 1	78	19	13
Phase 2	79	22	15
Phase 3	74	20	13
Phase 4	46	6	4
Phase 5	69	9	6
Phase 6	22	6	4
Total	368	82	55

Notes:

1. *The estimated Project phasing is provided only as a guideline. Actual phasing depths, boundaries, quantities, and timelines may be affected by unforeseen changes in geology and market conditions.*
2. *Estimated years to completion calculated using a historical average production rate (baseline) of 1.5 million tons/year.*

Reclamation Measures

- Prior to the stripping of overburden, approximately six-to-twelve inches of topsoil/growth media will be excavated in a separate lift and stockpiled/segregated (with signage as needed) for use in reclamation.
- Final reclamation slope angles have been designed with adequate factors of safety for the open space end use.
- During reclamation, stockpiled topsoil/growth media will be redistributed in preparation for revegetation.
- Revegetation areas will be ripped, disced and/or scarified as needed to establish a suitable root zone in preparation for plantings.
- Any incidental refuse or garbage will be hauled off-site and disposed of in accordance with state and local standards.
- Facilities, structures, and equipment associated with mining and processing will be removed from the site following final reclamation except for property line fencing, perimeter berms, and perimeter access roads.
- Except for the cut slopes, screening berms, and perimeter access roads, disturbed surfaces will be revegetated with a native seed mix recommended for the site.

Revegetation of Disturbed Areas

Existing vegetation cover at the Project site ranges from very sparse and almost nonexistent to small, dense patches of ruderal (weedy) species. As part of reclamation, the Project site will be returned to open space through revegetation with the native seed mix shown in Table 2.

**TABLE 2
REVEGETATION SEED MIX**

Common Name	Plant Species	Application Rate (lbs. (PLS)/acre)
Cattle spinach	<i>Atriplex polycarpa</i>	4
California buckwheat	<i>Eriogonum fasciculatum</i> var. <i>polifolium</i>	3
Small fescue	<i>Festuca microstachys</i>	6
Desert plantain	<i>Plantago ovata</i>	4

Note:

Modifications to this seed mix may be appropriate based on availability from suppliers, cost, and species determined most suitable at the time planting occurs. Ideally, revegetation will occur in the summer to early fall.

The following success criteria is proposed for the areas to be revegetated:

- Cover: 25% cover per 1-meter x 1-meter plot
- Species richness: 3 species from the seed mix per 1-meter x 1-meter plot, or 60% species richness in the event a new seed mix is chosen

Annual monitoring will be performed until the revegetation meets the success criteria,

Proposed End Use Following Mining

The proposed end use for the site following reclamation will be open space, consistent with the current condition of the property and existing reclamation plan for the adjacent Coalinga Facility.

I. AESTHETICS

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

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project area has been disturbed with evidence of historical surface mining activity, oil exploration, and off-road vehicle use. Vegetation cover ranges from very sparse and almost nonexistent to small, dense patches of ruderal (weedy) species. A portion of the Project area includes existing permitted mining pits, and the entire Project area is designated by the City of Coalinga for resource extraction (mining). Los Gatos Creek bisects the project site from the northwest to the southeast, with seasonal water flow. A portion of the project area includes existing permitted Granite Construction Company mining pits. The Coalinga General Plan Land Use Element designates the site for

Manufacturing and Business with a Resource Extraction Overlay. The County-adopted Coalinga Community Plan designates the area as Agriculture.

Surrounding land uses include Granite Construction Company's existing surface mining facility to the north, undeveloped land, oil fields, and industrial uses to the west, and commercial, recreational, educational, and residential uses to the east and south, within the City of Coalinga. The closest residences are greater than 1,000 feet to the south and east of the project area and are separated from the mining activity by Route 198/33 and Cambridge Avenue.

The site does not have any historic buildings, rock outcroppings or trees designated for removal. In addition, the Project site is not within view of a scenic vista, or state or locally designated scenic highway. Therefore, the proposed Project would have a less than significant impact on scenic vistas or scenic resources.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project site is directly north of single-family residential neighborhoods and schools and west of single-family residential neighborhoods and agricultural operations. Los Gatos Creek transverses the site, in a southeasterly flow. The Project does not involve in-stream mining and includes setbacks from the 100-year floodplain to the mining boundary. In each phase, overburden material will be used to build earthen screening berms around most of the Project boundary. Once the proposed berm is built in each phase, the below-grade excavation will not be visible at eye-level from the surrounding areas. Therefore, a less than significant impact to the existing visual character or quality of the site and surrounding area would occur.

- 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:

Consistent with existing practices, portable light towers and permanent light fixtures will be utilized to provide for a safe operating environment. Lighting will be shielded and arranged/controlled so as not to illuminate public rights-of-way or adjacent properties. In addition, the nearest residences are located greater than 1,000 feet from the project area and are separated by Route 198/33 and Cambridge Avenue. Therefore, the proposed Project would have a less than significant impact with the following Mitigation Measure.

* **Mitigation Measure(s)**

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

II. AGRICULTURAL AND FORESTRY RESOURCES

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

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project site has land classifications of Grazing Land, Farmland of Local Importance, and Vacant or Disturbed Land (Fresno County Important Farmland Map 2016) and does not have Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. The site is not under a Williamson Act contract.

Although the site is designated Agriculture in the County-adopted Coalinga Community Plan, the area has been historically used for oil extraction and a small airport but is currently open space. The site has been used for surface mining operations under CUP 915 for more than forty (40) years. The rest of the Project area has been historically used for oil extraction and an air landing strip but is currently open space. Because the project would not convert actively farmed land to non-agricultural uses, a less than significant impact would occur.

- B. Conflict with existing zoning for agricultural use, or a Williamson Act Contract?

FINDING: LESS THAN SIGNIFICANT IMPACT:

A portion of the project site is zoned Exclusive Agriculture (AE) by the County of Fresno. Surface mining is an allowed use in the AE Zone District with an Unclassified Conditional Use Permit per the County's surface mining ordinance, and mineral production has occurred on a part of the Project area under an approved use permit for more than forty (40) years. The Project site does not have prime or unique farmlands, is not under a Williamson Act contract, and is not currently used or intended to be used for agricultural purposes.

The portion of the Project within the City of Coalinga is zoned for Light Manufacturing/Business and Recreation. The project site does not have prime or unique farmlands, is not under a Williamson Act contract, and is not currently used for agricultural purposes. The Project would not conflict with existing zoning for agricultural use or a Williamson Act contract.

- 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 identified as forest land (as defined in Public Resources Code section 12220[g]) or timberland (as defined by Public Resources Code section 4526) and is not zoned Timberland Production (as defined by Government Code section 51104[g]). Therefore, the proposed Project would not result in the conversion of forest land and would not conflict with forest land, timberland, or Timberland Production zoning, and no impact would occur.

- 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:

Approximately half of the project site is designated Agriculture in the County-adopted Coalinga Community Plan and the portion of the project site within the City of Coalinga is designated Manufacturing/Business with a Resource Extraction Overlay. Neither area has prime farmland, unique farmland, or farmland of statewide importance, and is not under a Williamson Act contract. The Project area has been historically used for oil extraction and a small airport and is not currently improved or farmed. As such, no currently farmed agricultural land would be converted to non-agricultural uses because of the proposed Project.

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. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The Air Quality Analysis and Health Risk Assessment prepared for this Project was reviewed by the San Joaquin Valley Air Pollution Control District, who had recommendations for further analysis, which was completed by the Applicant to the satisfaction of the District.

The proposed Project would not modify the current production levels, hours of operation, materials to be mined, equipment types, or mining methods. Further, the Project will continue to comply with the San Joaquin Valley Air Pollution Control District (“SJVAPCD”) regulations related to fugitive dust, and will incorporate applicable control measures outlined within SJVAPCD’s Rules related to control of fugitive dust during excavation and earthmoving activities (Regulation VIII); thus, any potential fugitive emissions would be reduced to less than significant levels in accordance with SJVAPCD CEQA guidance.

Given that the Project will not result in aggregate production above the existing production level at the adjacent site, the Project will not result in any new or increased air emissions. Accordingly, the Project would not conflict with or obstruct implementation of an applicable air quality plan, violate any air quality standard, contribute substantially to an existing or projected air quality violation, or result in a cumulatively considerable net increase of any criteria pollutant, and there would be a less than significant impact in these areas.

C. Expose sensitive receptors to substantial pollutant concentrations?

FINDING: LESS THAN SIGNIFICANT IMPACT:

As discussed above, the proposed Project would not modify the current production levels, hours of operation, materials to be mined, equipment types, or mining methods used at the adjacent facility. However, the geographic area of mining and reclamation activities would be expanded, and activities would shift closer to receptors located to the south and east of the Project area.

Some land uses are considered more sensitive to air pollution than others, due to the types of population groups or activities involved. Heightened sensitivity may be caused by health problems, proximity to the emissions source, and/or duration of exposure to air pollutants. Children, pregnant women, the elderly, and those with existing health problems are especially vulnerable to the effects of air pollution. Sensitive receptors are facilities where sensitive receptor population groups (i.e., children, the elderly, the ill, etc.) are likely to be found. Accordingly, land uses that are typically considered to be sensitive receptors include residences, schools, playgrounds, childcare centers, retirement homes, convalescent homes, hospitals, and medical clinics.

The proposed Project would not introduce new sensitive receptors to the area. Accordingly, the proposed Project would not be considered a sensitive receptor. The nearest sensitive receptors to the Project site are the Coalinga Middle School, which is located greater than 1,000 feet from the Project area, and is separated by Cambridge

Avenue, and an existing residence, which is located on the opposite side of State Route 33 and over 1,000 feet from the Project area. The Project will involve diesel-fueled mobile equipment such as scrapers, bulldozers, and other off-road equipment. The combustion of diesel and the resulting diesel exhaust has been identified by the State of California as a known carcinogen (Cal/EPA 2008). Diesel exhaust is a complex mixture of hundreds of compounds, which under regulatory guidelines (Cal/EPA 2005) can be characterized by a single toxic air contaminant referred to as diesel particulate matter (“DPM”). In addition, the Project will involve the generation of fugitive dust from mining, handling and transport activities.

During application development, the Applicant retained a third-party air quality consultant (Air Permitting Specialists) to determine if toxic air contaminants from the Project are likely to cause a significant public health risk as defined by State and local criteria.

The results of the July 2015, January 2016, and June 2017 (revised) Health Risk Analysis reveal that the cancer risk associated with the Project would be 12.9 in a million, which is below the SJVAPCD significance threshold of 20 in a million, and below the chronic and acute hazard indices of 1.0, for all nearby receptors (including sensitive receptors). Therefore, exposure of sensitive receptors to substantial pollutant concentrations would not occur and a less than significant impact would result. According to the Fresno County Public Health Department, Coccidioidmycosis, also known as Valley Fever, is disease caused by a fungus called *Coccidioides immitis* and *Coccidioides posadasii* carried in the environment. When the fungi are carried in the wind as spores, they can become inhaled, causing Valley Fever. Fresno County’s geographical area is known to contain *Coccidioides immitis* in its soil, and the area around Coalinga is identified as an area of elevated Valley Fever activity.

Proposed Project activities could increase potential exposure to Coccidioidmycosis for onsite workers, nearby residents and visitors. No significance threshold has been adopted for Coccidioidmycosis. The project will comply with local and State regulations that will minimize the potential for impacts from Coccidioidmycosis by reducing fugitive dust emissions and providing training and personal protection for onsite workers to reduce potential exposure to Coccidioides spores.

More specifically, the Project will comply with regulations related to fugitive dust and will incorporate applicable control measures outlined within SJVAPCD’s Rules related to control of fugitive dust during excavation and earthmoving activities (Regulation VIII). Regulation VIII contains a series of prescriptive requirements to ensure that fugitive dust is controlled and minimized. These measures include:

Table 8021-1 – CONTROL MEASURE OPTIONS FOR CONSTRUCTION, EXCAVATION, EXTRACTION, AND OTHER EARTHMOVING ACTIVITIES	
A.	PRE-ACTIVITY: A1 Pre-water site sufficient to limit VDE to 20% opacity; and A2 Phase work to reduce the amount of disturbed surface area at any one time.
B.	DURING ACTIVE OPERATIONS: B1 Apply water or chemical/organic stabilizers/suppressants sufficient to limit VDE to 20% opacity; or B2 Construct and maintain wind barriers sufficient to limit VDE to 20% opacity. If utilizing wind barriers, control measure B1 above shall also be implemented. B3 Apply water or chemical/organic stabilizers/suppressants to unpaved haul/access roads and unpaved vehicle/equipment traffic areas sufficient to limit VDE to 20% opacity and meet the conditions of a stabilized unpaved road surface.
C.	TEMPORARY STABILIZATION DURING PERIODS OF INACTIVITY: C1 Restrict vehicular access to the area; and C2 Apply water or chemical/organic stabilizers/suppressants, sufficient to comply with the conditions of a stabilized surface. If an area having 0.5 acres or more of disturbed surface area remains unused for seven or more days, the area must comply with the conditions for a stabilized surface area as defined in section 3.58 of Rule 8011.

In addition to the dust control measures prescribed by the SJVAPCD, the Project will comply with AB 203, which modified Section 6709 of the Labor Code to require construction employers in counties where Valley Fever is highly endemic to provide effective awareness training on Valley Fever to all employees annually and before an employee begins work. Per AB 203 requirements, the training must include the following topics:

- (1) What Valley Fever is and how it is contracted.
- (2) High risk areas and types of work and environmental conditions during which the risk of contracting Valley Fever is highest.
- (3) Personal risk factors that may create a higher risk for some individuals, including pregnancy, diabetes, having a compromised immune system due to causes including, but not limited to, human immunodeficiency virus (HIV) or acquired immunodeficiency syndrome (AIDS), having received an organ transplant, or taking immunosuppressant drugs such as corticosteroids or tumor necrosis factor inhibitors.
- (4) Personal and environmental exposure prevention methods that may include, but are not limited to, water-based dust suppression, good hygiene when skin and clothing is soiled by dust, limiting contamination of drinks and food, working upwind from dusty areas when feasible, wet cleaning dusty equipment when feasible, and wearing a respirator when exposure to dust cannot be avoided.
- (5) The importance of early detection, diagnosis, and treatment to help prevent the disease from progressing. Early diagnosis and treatment are important because the effectiveness of medication is greatest in early stages of the disease.
- (6) Recognizing common signs and symptoms of Valley Fever, which include fatigue, cough, fever, shortness of breath, headache, muscle aches or joint pain, rash on upper body or legs, and symptoms similar to influenza that linger longer than usual.
- (7) The importance of reporting symptoms to the employer and seeking medical attention from a physician and surgeon for appropriate diagnosis and treatment.
- (8) Common treatment and prognosis for Valley Fever.

Given that the nearest sensitive receptors to the Project site are located greater than 1,000 feet from the Project area, and with implementation of the SJVAPCD dust control

measures and AB 203 requirements, the Project's potential impacts from Coccidioidmycosis will be less than significant.

- D. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Due to the subjective nature of odor impacts, the number of variables that can influence the potential for an odor impact, and the variety of odor sources, quantitative methodologies to determine the presence of a significant odor impact do not exist. According to the California Air Resources Board Handbook, some of the most common sources of odor complaints received by local air districts are sewage treatment plants, landfills, recycling facilities, waste transfer stations, petroleum refineries, biomass operations, autobody shops, coating operations, fiberglass manufacturing, foundries, rendering plants, and livestock operations. The proposed Project does not involve any of the these uses.

The proposed Project would not change the current production levels, hours of operation, materials to be mined, equipment types, or mining methods occurring at the adjacent permitted facility. In addition, odors dissipate with distance and the nearest sensitive receptor is located greater than 1,000 feet from the Project area. Further, the nearest receptor to the site will be separated from the proposed Project area by perimeter berms, fencing, and either State Route 33 or Cambridge Avenue.

SJVAPCD regulates objectionable odors on a complaint basis. If complaints are received, the SJVAPCD investigates the complaint and determines a solution for the source of the complaint, which could include operational modifications. Although not anticipated, if odor complaints are made, the operator and/or the SJVAPCD would ensure that such odors are addressed, and any potential odor effects reduced to less than significant. Overall, the proposed Project would not create objectionable odors, nor would the Project site be affected by any existing sources of substantial objectionable odors, and there will be a less-than-significant impact related to objectionable odors.

IV. BIOLOGICAL RESOURCES

Would the project:

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

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

The Project area is disturbed with evidence of historical industrial activity and off-road vehicle use. Vegetation cover ranges from very sparse and almost nonexistent to small, dense patches of ruderal (weedy) species such as Russian thistle (*Salsola tragus*),

wormwood (*Artemisia sp.*) bromes (*Bromus spp.*) and oats (*Avena sp.*). Aside from Los Gatos Creek, no evidence of wetlands or other aquatic features exist within the Project area.

The portions of the Project site not previously disturbed by mining activities are made up of primarily ruderal vegetation. Due to the disturbed nature of the area and lack of essential habitat, the likelihood for any special-status species to currently exist on-site is low. Similarly, due to the disturbed nature of the Project site, any potential resident or migratory wildlife corridors, or wildlife nursery sites on the Project site are limited to Los Gatos Creek. The entire Creek and most of its floodplain area would be avoided by the proposed Project activities with a fifty (50)-foot setback for new mining areas. Additionally, the use of heavy equipment and mining activities on the Project site could discourage most wildlife species from living on the Project site

The Applicant retained a third-party biological consultant (TRC) to conduct a preliminary assessment of the potential occurrence of special-status species and sensitive habitats for the Project area in late 2014. TRC conducted a record search of the California Natural Diversity Database (CNDDDB) to list all documented sightings of special-status species within the vicinity of the site. In addition, TRC performed a reconnaissance-level biological resources survey on the Project site. The biological assessment concluded that due to the disturbed nature of the Project area and lack of suitable habitats, most of the species with CNDDDB occurrence records within 3 miles of the Project area are unlikely to occur on the property. Further, no special-status species were observed during the field survey.

Although the likelihood for any candidate, sensitive, or special status species to exist on-site is low, and none were observed on the Project site during the survey, it is recommended that prior to construction pre-construction surveys be completed to determine whether nesting birds (e.g., burrowing owl and Swainson's hawk), kit fox, and blunt-nosed leopard lizard may be present within the vicinity of the Project. The following Mitigation Measures are recommended to reduce potentially significant impacts to less than significant.

* **Mitigation Measure(s)**

2. *Nesting Bird Preconstruction Surveys*

If construction or ground disturbance activities are initiated during the nesting season (typically February 1st to August 31st), a qualified biologist shall conduct a pre-construction survey of the construction areas and the immediate vicinity (0.25 mile radius for Swainson's hawk) for active nests/burrows within 30 days of initiation of Project activities.

3. *Nesting Bird Avoidance*

If active nests/burrows are observed during pre-construction surveys conducted pursuant to Mitigation Measure No. 1 above, impacts to nests/burrows shall be avoided by establishing a 300-foot construction-free buffer around the nest/burrow

until the nest/burrow becomes inactive as determined by a qualified biologist. If an active Swainson's hawk nest is identified, a 750-foot buffer shall be established. With prior approval of the California Department of Fish & Wildlife, work may occur within the buffer zone(s).

4. Kit Fox Preconstruction Surveys

Preconstruction/pre-activity surveys for kit fox dens shall be conducted by a qualified biologist no less than 14 days and no more than 30 days prior to the beginning of construction or ground disturbance activities within a new phase boundary.

5. Kit Fox Avoidance

If a kit fox den is identified in the Project area, exclusion zones shall be placed in accordance with USFWS recommendations, as follows:

- Potential Den: 50-foot radius*
- Known Den: 100-foot radius*
- Natal/Pupping Den: (Occupied and Unoccupied) Contact USFWS for guidance*
- Atypical Den: 50-foot radius*

Work shall not occur within the exclusion zone(s) until approved by USFWS. If a natal/pupping den is discovered within the Project area, the USFWS shall be immediately notified and under no circumstances should the den be disturbed or destroyed without prior authorization.

6. Blunt-Nosed Leopard Lizard Preconstruction Surveys

The blunt-nosed leopard lizard (BNLL) is listed as federally and state endangered and is a state fully-protected species. Since CDFW is not able to issue any form of "take" permit for the blunt-nosed leopard lizard due to its status as a fully-protected animal under the California Fish and Game Code §5050, detection of species presence on a Project site is crucial.

Protocol surveys for blunt-nose leopard lizard shall be conducted by a qualified biologist in the Project area no more than one (1) year prior to the initiation of ground disturbance activities. The biologist(s) shall identify and clearly mark the location of areas where any BNLL were observed. A 50 ft. buffer will be established around all sightings with highly visible markers.

BNLL protocol surveys will be used to help determine the presence/absence of San Joaquin kit fox and burrowing owl, and the suitability of the site to support these species well before project-related disturbance activities.

7. Blunt-Nosed Leopard Lizard Avoidance

If the presence of a blunt-nosed leopard lizard is detected, 50-ft buffer zones shall be established from any observed blunt-nosed leopard lizard location. The buffer

zones shall be demarcated by construction fencing (or similar) to ensure that construction crews do not enter the avoidance zone. CDFW and USFWS shall be notified immediately in the event of a detection of the species, and work shall not occur within the buffer zone until approved by both agencies and any other Mitigation Measures recommended by the agencies have been fully implemented.

- 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: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

The 46.08-acre Riverine habitat (Los Gatos Creek) running through the project site is classified as a R4SBA. System Riverine (R): The Riverine system includes all wetlands and deep-water habitats contained within a channel, with two exceptions: (1) wetlands dominated by trees, shrubs, persistent emergents, emergent mosses, or lichens, and (2) habitats with water containing ocean-derived salts of 0.5 ppt or greater. A channel is an open conduit either naturally or artificially created which periodically or continuously has moving water, or which forms a connecting link between two bodies of standing water. Subsystem Intermittent (4): This Subsystem includes channels that have flowing water only part of the year. When the water is not flowing, it may remain in isolated pools or surface water may be absent. Class Streambed (SB): Includes all wetlands contained within the Intermittent Subsystem of the Riverine System and all channels of the Estuarine System or of the Tidal Subsystem of the Riverine System that are completely dewatered at low tide. Water Regime Temporary Flooded (A): Surface water is present for brief periods (from a few days to a few weeks) during the growing season, but the water table usually lies well below the ground surface for most of the season.

The Project does not involve in-stream mining and includes setbacks from the 100-year floodplain to the mining boundary. Transport of sand and gravel from the west side of Los Gatos Creek (Phase 4 and Phase 5) to the east side of Los Gatos Creek will occur via an elevated electrical-powered conveyor system. The elevated conveyor system will consist of a belt conveyor on a steel truss frame supported by two 4-foot diameter columns in the floodplain (but outside of the Creek channel) and two 4-foot diameter columns outside of the floodplain. The conveyor system will be situated above the 100-year flood elevation, which is 710.17 feet ASL. The belt conveyor will be equipped with water spray nozzles to minimize dust. Conveyor wiper blades will be used to prevent material build-up on the belt and the steel truss frame will be equipped with a spill pan, which will catch any water drips or side-cast sand and gravel and prevent sedimentation in Los Gatos Creek.

The elevated conveyor crossing will be installed in the non-rainy season and will not involve removal of riparian species, or removal, filling, or hydrological interruption of Los

Gatos Creek. Proper permits will be obtained, as necessary, prior to installation of the crossing.

* **Mitigation Measure(s)**

8. *Prior to installation of the crossing over Los Gatos Creek, all necessary permits shall be obtained for conducting work in and adjacent to jurisdictional waters, and may include an Army Corps of Engineers Section 404 permit, Regional Water Quality Control Board Section 401 Water Quality Certification, and California Department of Fish and Wildlife (CDFW) (Section 1602 Streambed Alteration Agreement).*
9. *If an elevated conveyor system is utilized spanning Los Gatos Creek, a containment system shall be designed and installed to catch and collect side-cast sands and gravels to prevent inadvertent fill of the jurisdictional waters. The containment system shall be regularly maintained as part of normal operations during the life of the Project.*
10. *Installation of the elevated conveyor system and associated infrastructure in the floodplain shall occur between April 1 – October 31 when flowing water is absent from the stream or at a minimum flow.*

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

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

Due to the disturbed nature of the Project site, potential native resident or migratory fish or wildlife species, native resident or migratory wildlife corridors, or native wildlife nursery sites on the Project site are limited to the area Los Gatos Creek. The entire creek and most of its floodplain area would be avoided by the proposed Project activities with a fifty (50)-foot setback for new mining areas. With adherence to the mitigation measures identified in Section IV. A. and C., the impact to native resident or migratory fish or wildlife species and native resident or migratory wildlife corridors or native wildlife nursery sites will be less than significant.

See discussion and Mitigation Measures 2-10 in Section IV. A. and C.

- 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:

The project site does not fall within the jurisdiction of any adopted habitat conservation plans or natural community conservation plans, nor would it affect the implementation of any such plans that may be in effect beyond the boundaries of the project site. Therefore, no impact will result to an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state habitat conservation plan.

V. CULTURAL RESOURCES

Would the project:

- A. Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

During application development, the Applicant retained a third-party cultural resources consultant (Tom Origer & Associates) to assess the likelihood of the proposed Project to impact cultural resources at the site. Tom Origer & Associates completed a search of the archaeological base maps, site records, and survey reports on file at the Southern San Joaquin Valley Information Center (SSJVIC), California State University, Bakersfield.

In addition, Origer reviewed documents and maps pertinent to the Project and attempted contact with the Native American Heritage Commission and local tribal organizations. This record search included review and analysis of various environmental and cultural factors, including soil surveys, geological data, and the locations of known archaeological sites. Previous studies of the project area have revealed multiple historical resources on the surface. Origer concluded the soils and geology of the project area, being recent alluvium, suggest the possibility of buried archeological resources is moderate to high and that there is a 5% to 20% potential for discovering such resources on areas of the site not previously mined. Origer recommended that if archaeological materials are discovered, work should halt at the place of discovery until a professional archeologist can evaluate the find.

No historic properties (i.e., cultural resources eligible for inclusion on the CRHR) were identified within the area of disturbance on the project site. If buried archaeological deposits are encountered during Project-related activities, work in the immediate vicinity of the discovery must cease until the finds can be evaluated by a professional archaeologist. With implementation of the following mitigation measure, the project will have a less than significant impact on cultural resources.

* **Mitigation Measure(s)**

11. If cultural resources are unearthed during ground-disturbing activities, all work shall be halted in the area of the find. A professional 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 shall be followed by photos, reports, video, and etc. If such remains are determined to be Native American, the Sheriff-Coroner must notify the Native American Commission within 24 hours.

- B. Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

The survey did not reveal any recorded cultural resources on or within a one-mile radius of the project site. No archaeological deposits or isolated finds were identified during the cultural resources survey. Nonetheless, because buried cultural resources that may be unique or otherwise significant may be uncovered during the mining process, the following Mitigation Measure shall be followed.

* **Mitigation Measure(s)**

12. In the event archaeological materials are encountered during grading or construction, the operator shall cease all ground-disturbing activities within 50 feet of the find. A professional archaeologist shall evaluate the significance of the resources and recommend appropriate treatment measures. Per CEQA Guidelines §15126.4(b)(3)(A). Consistent with CEQA Guidelines §15126.4(b)(3)(C), if it is demonstrated that resources cannot be avoided, the professional archaeologist shall develop additional treatment measures in consultation with the County, which may include data recovery or other appropriate measures.

- C. Disturb any human remains, including those interred outside of formal cemeteries?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

Although no human remains were identified in the records search for the project site, the possibility that remains could be found nonetheless exists. Accordingly, the following Mitigation Measure shall be followed.

* **Mitigation Measure(s)**

See Mitigation Measure 11, Section V. A.

VI. ENERGY

Would the project:

- A. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources during project construction or operation; or

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The Project involves mining with mobile off-road equipment and the transport of materials via an electric conveyor to an existing permitted processing plant. Energy use will consist of fuel consumption in mobile equipment and electrical power for the conveyor system. The intensity of operations (mining and transport) and associated energy use will be consistent with existing conditions, as no production increase is being requested. In addition, the Project implements energy reduction measures through company policy related to equipment management. This includes: limiting idling of on-highway and off-highway equipment to no more than five (5) minutes, except under certain safety-related conditions; properly servicing and maintaining equipment in accordance with manufacturer's recommendations; and compliance with the California Air Resources Board In-Use Off-Road Diesel-Fueled Fleets Regulation, which includes compliance with progressive fleet emission reduction and efficiency requirements.

The EPA regulates non-road diesel engines. EPA has no formal fuel economy standards for non-road (e.g., construction) diesel engines but does regulate diesel emissions, which indirectly affect fuel economy. In 2004, EPA issued the Clean Air Non-Road Diesel Rule. This rule, which took effect in 2008 and was fully phased in by 2014, will cut emissions from non-road diesel engines by more than 90 percent. These emission standards are intended to promote advanced clean technologies for non-road diesel engines that improve fuel combustion, but they also result in slight decreases in fuel economy.

The Project's Operational Statement limits idling of equipment and vehicles on-site, further, the project's compliance with SJVAPCD's Rule 9510 Indirect Source Review would reduce fuel usage through the implementation of cleaner off-road construction equipment to meet the required emission reductions pursuant to regulatory requirements. The Project will also utilize Tier 4 final engines or better.

Operational activities associated with the proposed project would result in the consumption of petroleum-based fuels. There are no unusual project characteristics that would necessitate the use of construction equipment that would be less energy efficient than at comparable construction sites in other parts of the state. Therefore, it is expected that construction fuel consumption associated with the proposed project would not be any more inefficient, wasteful, or unnecessary than at other construction sites in the region.

VII. GEOLOGY AND SOILS

Would the project:

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

1. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?
2. Strong seismic ground shaking?
3. Seismic-related ground failure, including liquefaction?
4. Landslides?

FINDING: LESS THAN SIGNIFICANT IMPACT:

According to the California Department of Conservation, the project site is not located in an Alquist-Priolo earthquake fault zone. However, the facility is in an area with a moderate to high seismic hazard potential, with the Alcalde Hills fault zone 4.75 miles to the northwest. Earthquake hazard maps provided by the California Geologic Society indicate that the design peak horizontal ground acceleration in bedrock is between 0.30g and 0.40g for an earthquake event associated with a 10 percent probability of exceedance in a 50-year period. This design earthquake event has a mean return period of 475 years.

Within the project area, the applicant will continue to use existing structures. No other buildings are anticipated, but the operator may utilize Conex boxes (or similar) for miscellaneous on-site storage (e.g., parts, materials). Any new structures will be required to conform to the latest Building Code for structural standards regarding earthquake hazards. As such, the proposed Project would result in a less than significant exposure of people or structures to potential substantial adverse effects from seismic activity beyond what is currently existing on the project site.

Liquefaction is a process in which strong ground shaking causes saturated soils to lose their strength and behave as a fluid. Ground failure associated with liquefaction can result in lateral spreading and slope failure. Three geologic conditions must be simultaneously present for liquefaction to occur: shallow groundwater (less than fifty feet deep), unconsolidated sandy soils, and strong ground shaking.

At the project site, groundwater occurs at depths of at least 300 feet or greater below the ground surface and within soils that are dominated by gravel and coarse sands. Based on the site-specific soil and groundwater conditions, the potential for liquefaction in the native soils at the Project Site is low.

The risk of landslide for flatlands, valley bottoms, and areas of minimal topographic relief is defined in the Five County Seismic Safety Element, as low risk. Further, ground acceleration was considered in the site-specific slope stability evaluation, which concluded that the factors of safety for the proposed slopes are acceptable. As such, there will be a less than significant risk of loss, injury, or death due to area geology and project operations.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

Surface runoff is not anticipated as the Project involves mining below grade with perimeter control berms surrounding most of the excavation area. During initial surface disturbance activities, direct precipitation and drainage will be controlled through a combination of berms, silt fences, revegetation, hay bales and other erosion control measures, as needed, to ensure that land and water resources are protected from erosion, gullying, sedimentation, and potential contamination. Slopes will be vegetated with specified seed mixes once final reclamation grades are achieved. Upon completion of mining operations, the site will be graded to minimize erosion, revegetated, and left in an open space condition. Direct precipitation may temporarily collect in the pit-bottom before it evaporates, infiltrates, or is used on-site.

Soils will only be removed as necessary to access new mining areas and will be used for reclamation as soon as it can be accommodated by the mining schedule. Where possible, soils being removed will be directly placed for reclamation. Where salvaged topsoil/growth media cannot be used immediately, and where distinct soil horizons are present, topsoil and other growth media will be stockpiled separately and will not be disturbed until needed for reclamation. Stockpiles will be seeded with an appropriate seed mixture as needed to prevent water and wind erosion and to discourage weed growth. During reclamation, stockpiled topsoil/growth media will be redistributed on disturbed surfaces and revegetated with a native seed mix. Due to the site conditions and erosion control measures, and because topsoil would be stored on site for future use in accordance with the Surface Mining and Reclamation Plan, there will be a less than significant impact.

- 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: LESS THAN SIGNIFICANT IMPACT:

The Project will involve excavation of mine pits of up to 200 feet below ground surface. Final reclaimed slopes will not exceed 1.5H:1V. The overall final reclaimed slope angle of 1.5H:1V (or flatter) may be achieved through one of the following configurations:

- 1.5H:1V cut slope with no backfill;
- 0.5H:1V cut slope with backfill at 2H:1V to full slope height; or,
- 0.5H:1V cut slope with backfill at 2H:1V to a distance of 50 vertical feet or less from the top of slope.

The Applicant retained a third-party engineering consultant (Golder Associates) to conduct a site-specific geologic and slope stability evaluation for the Project consistent with State of California Surface and Mining Reclamation Act ("SMARA") requirements for the proposed reclamation configuration of the mined area. The slope stability evaluation indicates that, consistent with SMARA requirements, the reclamation design of the Project provides adequate factors of safety for slope stability for the intended end

use under both static and earthquake (pseudostatic) conditions. The slope stability analysis indicates a static factor of safety greater than 1.4, and a pseudo-static factor of safety greater than 1.0 for the final reclaimed slopes. Accordingly, the impact will be less than significant.

- 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; or

FINDING: NO IMPACT:

Expansive soils are those that greatly increase in volume when they absorb water and shrink when they dry out. Expansion is measured by shrink-swell potential, which is the relative volume change in soil with a gain in moisture. If the shrink-swell potential is rated moderate to high, damage to buildings, roads, and other structures can occur. According to the Fresno County General Plan, soils exhibiting a high to moderately high shrink-swell potential generally occur in a northwest-trending belt approximately parallel to the Friant-Kern Canal foothills in Kings Canyon National Park in the Sierra Nevada, and along Fresno Slough from Madera County to Kings County. The majority of the Project site (east of Los Gatos Creek) are located on soils that are not considered expansive by the United States Department of Agriculture, National Resources Conservation Service. Soils west of Lost Gatos Creek are considered at least moderately expansive. However, no structures that require soil analysis per Uniform Building Code Section 18 (e.g., building foundation footings, roadways, and sidewalks) are proposed in the Project area; therefore, there will be no impact from expansive soils.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The Project will not involve new septic tanks or alternative wastewater disposal systems. Sewage systems at the adjacent (existing) surface mining site will be utilized and should be supplemented with serviced portable toilets within the project area. Therefore, there will be a less than significant impact related to the use of septic tanks or alternative wastewater disposal systems.

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

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

Although no paleontological resources were identified in the course of the archaeological and historical resources assessment of the Project Site, the possibility that such resources could be found nonetheless exists. The following Mitigation Measures shall be followed.

* **Mitigation Measure(s)**

See Mitigation Measure 11, Section V. A.

See Mitigation Measure 12, Section V. B.

14. If paleontological resources are discovered during Project-related activities, all work shall be stopped in the area of the find and a qualified paleontologist shall be called to assess the find. The paleontologist shall make any necessary recommendations, including any procedures to further investigate or mitigate impacts to the find as required by law.

VIII. GREENHOUSE GAS EMISSIONS

Would the project:

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The San Joaquin Valley Air Pollution Control District (SJVAPCD) has adopted guidance to assist lead Agencies, project proponents, and interested parties in assessing and reducing the impacts of project specific greenhouse gas emissions (GHG) on global climate change.

The SJVAPCD determined that GHG emissions from development projects (i.e., proposed residential, commercial, industrial, or governmental operations) primarily occur indirectly through energy consumption and vehicle miles traveled and these effects would need to be reduced for a project to have a less than significant cumulative effect on the environment. This direction is contained within the District's Guidance for Valley Land-use Agencies in Addressing GHG Emission Impacts for New Projects under CEQA (December 2009). The guidance relies on the use of performance-based standards, otherwise known as Best Performance Standards (BPS), to assess significance of project specific greenhouse gas emissions on global climate change during the environmental review process, as required by CEQA.

Use of BPS is a method of streamlining the CEQA process of determining significance and is not a required emission reduction measure. Projects implementing BPS would be determined to have a less than cumulatively significant impact. Otherwise, demonstration of a 29 percent reduction in GHG emissions from business-as-usual is required to determine that a project would have a less than cumulatively significant impact. The guidance does not limit a lead agency's authority in establishing its own process and guidance for determining significance of project related impacts on global climate change.

For purposes of this analysis, if a comparison of project emissions to baseline emissions results in no net increase in emissions, then the project would have no CEQA impact in terms of greenhouse gas emissions and BPS or percentage reductions would not be required.

The Applicant retained a third-party consultant (Compass Land Group) to conduct a site-specific greenhouse gas emissions study (2019) consistent with the SJVAPCD Guidance for Valley Land-use Agencies in Addressing GHG Emission Impacts for New Projects under CEQA. The Greenhouse Gas Analysis evaluated the potential greenhouse gas emissions from existing mining operations at the project site (i.e., baseline) and from the proposed Project. These emissions were compared to determine the net changes in emissions anticipated from the Project. Net emission changes from the Project were then compared against significance criteria guidance issued by the SJVAPCD. The CEQA baseline used for purposes of the study were determined by averaging the annual aggregate production totals between 2003 and 2014, which resulted in an average annual production of approximately 1.5 million tons per year.

To establish the baseline emissions levels for Project evaluation, Compass first estimated greenhouse gas emissions from existing mining, conveyor, and off-site transportation activities. To evaluate these sources, Compass primarily relied upon the California Emissions Estimator Model (“CalEEMod”) for mining-related emissions and the California Air Resources Board’s 2017 EMFAC1 model for off-site transportation (mobile source) emissions. For conveyor emissions estimates, Compass used emission factors developed by Pacific Gas & Electric Company and energy consumption data provided by Granite to manually calculate emissions.

For proposed Project activities, mining activities are assumed to continue for the life of the Project at current production levels since the Project proposes no change to any fundamental element of the existing operation. Compass modeled mining-related emissions assuming mining operations in the expansion area begin in the year 2020, which is a conservative assumption given that mining in the expansion areas will occur after reserves are exhausted in the existing mining pits. Future emissions are expected to improve as newer mobile equipment replaces older mobile equipment over time.

For land use projects that result in GHG emissions increases, the SJVAPCD guidance recommends that Lead Agencies require appropriate GHG emission reduction measures sufficient to reduce GHG emissions by 29%, when compared to business as usual. Project emissions are similar to baseline emissions given the continuation of mining at the same intensity as under existing conditions. The modeling results demonstrate a small reduction in Project emissions due to the improvement of equipment fleet emission factors over time. Based on the analysis, the Project would have a less than significant impact related to greenhouse gas emissions.

IX. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

- A. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials; or
- B. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment; or
- 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: LESS THAN SIGNIFICANT IMPACT:

The proposed Project site is directly north of the Coalinga Middle School, Miles W. Culwell Community Day School (commonly known as the Cambridge Continuation School), Bishop School, Sunset School, Nell Dawson Elementary School, Coalinga High School, and West Hills College. Additionally, the proposed Project is adjacent to the Applicant’s existing mining operation to the north. As mining operations conclude at the existing site, new excavation would begin at the project sited.

The proposed Project would not change the current production levels, hours of operation, materials to be mined, equipment types, or mining methods. Because the proposed Project would not increase the routine transport, use, or disposal of hazardous materials from existing conditions, the proposed Project would not result in any increase in the associated potential to create a significant hazard to the public or the environment. Public health and safety precautions are currently in place at the Project site in accordance with local, State and federal standards, and would continue to be with implementation of the proposed Project through updated Hazardous Materials Business Plan submittals to Fresno County. In addition, Mine Safety and Health Administration (MSHA) and California Occupational Health and Safety (Cal-OSHA) rules, regulations and standards are presently employed to protect both the public and on-site employees, and would continue to be employed under the proposed Project. Although the proposed Project site is within one-quarter mile of an existing school at its southern extent, because the Project would not involve any increase in hazardous materials handling at the Project site and would comply with all applicable regulations regarding hazardous materials, there will be a less than significant impact from hazards and hazardous materials.

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

FINDING: NO IMPACT:

The Project site is not included on the list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. Therefore, no impact would result from implementation of the proposed Project.

- E. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, result in a safety hazard or excessive noise for people residing or working in the project area; or

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project site is adjacent to, but not within the Coalinga Municipal Airport Influence Area. The Coalinga Municipal Airport is approximately three miles east of the site. Therefore, the proposed Project would not result in a safety hazard for people residing or working in the Project area and is not expected to have a significant impact on people working in the project area.

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

FINDING: NO IMPACT:

The Project would not modify the access roadways or the existing street system. Therefore, interference with any adopted emergency response plan or emergency evacuation plan would not occur, and no impact would occur. The Fresno County Sheriff's Department and the Fresno County Fire Protection District review the project and did not identify any significant concerns. The project will not impact an adopted emergency response plan or emergency evacuation plan.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project site is un-farmed agricultural land and a portion has been used for oil exploration and surface mining. Areas of the project site not disturbed by existing mining activities are made up of primarily ruderal vegetation. The site is within the Local Responsibility Area with a Hazard Class of Non-wildland/Non-urban. A State Responsibility Area with a Hazard Class of Moderate begins one mile to the west of the project site.

Considering the proposed Project consists of surface mining operations, it would not increase the potential for people or structures to be exposed to risks involving wildland fires from existing conditions, and a less than significant impact would occur.

X. HYDROLOGY AND WATER QUALITY

Would the project:

- A. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Mining will not occur within the 100-year floodplain of Los Gatos Creek, and setbacks have been incorporated in the engineering design to help ensure that mining will remain outside of the floodplain in the event of future physical changes. Mining activities will also not intercept or impact the groundwater table. While the Project does not propose mining in surface waters or groundwater, the site would be exposed to rainfall events.

The existing shop and Coalinga Facility are covered under a Spill Prevention, Control, and Countermeasure Plan (“SPCC Plan”) and Hazardous Materials Business Plan prepared and implemented pursuant to 40 CFR Part 112 and 19 CCR Section 2729, respectively. The Project will comply with the National Pollutant Discharge Elimination System General Permit (“NPDES General Permit”) requirements, which involve preparation and implementation of a Stormwater Pollution Prevention Plan (SWPPP), including Best Management Practices (BMPs) to control erosion, sedimentation, and pollution.

Surface runoff is not expected as the Project involves mining below grade with perimeter control berms surrounding most of the excavation area. During initial surface disturbance activities, direct precipitation and drainage will be controlled through a combination of berms, silt fences, fiber rolls, revegetation and other erosion control measures, as needed, to ensure that land and water resources are protected from erosion, gullying, sedimentation, and potential contamination. Slopes will be vegetated with specified seed mixes once final reclamation grades are achieved. Upon completion of mining operations, the site will be graded to minimize erosion, revegetated, and left in an open space condition. Direct precipitation may temporarily collect in the pit-bottom before it evaporates, infiltrates, or is used on-site. The floor of each pit will slope to the south to allow positive drainage and to confine the runoff to desired locations in a controlled manner.

Due to the Project design elements and site-specific conditions, it is not anticipated that the Project would violate any water quality standards or waste discharge requirements or otherwise degrade water quality, or conflict with or obstruct the implementation of a Water Quality Control Plan or Sustainable Groundwater Management Plan. The Project’s Reclamation Plan is consistent with the Central Valley Regional Water Quality Control Board’s Water Quality Control Plan guidance for mining operations.

A mitigation measure related to timing of work for installation of the elevated conveyor crossing and associate infrastructure is recommended to minimize potential water quality impacts to surface waters. Impacts related to water quality standards and surface and groundwater quality would be less than significant with implementation of the following Mitigation Measure.

* **Mitigation Measure(s)**

See Mitigation Measure 10, Section IV. C.

- 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:

Groundwater depths at the project site are greater than 300 feet below ground surface (groundwater varies from just over elevation 300 to just over elevation 400 feet) and will not be impacted by mining activities. In addition, the proposed Project would not increase the percentage of impervious surfaces on the site and direct precipitation within the mining pits is retained on-site. Accordingly, the proposed Project would not deplete groundwater supplies or interfere substantially with groundwater recharge, and a less than significant impact is anticipated.

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

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

Mining will not occur within the 100-year floodplain of Los Gatos Creek, and setbacks have been incorporated in the engineering design to help ensure that mining will remain outside of the floodplain in case of future physical changes. The Project primarily involves a geographic expansion of the mining area and will not add impervious surfaces of any significance. Surface runoff is not expected as the Project involves mining below grade with perimeter control berms surrounding most of the excavation area. As a result, the mining pits will result in on-site retention of storm water and will not create adverse flood or sediment transport impacts or increase storm water runoff on adjacent properties or Los Gatos Creek.

During initial surface disturbance activities, direct precipitation and drainage will be controlled through a combination of berms, silt fences, fiber rolls, revegetation and other erosion control measures, as needed, to ensure that land and water resources are protected from erosion, gullyng, sedimentation, and potential contamination. Slopes will be vegetated with specified seed mixes once final reclamation grades are achieved.

Upon completion of mining operations, the site will be graded to minimize erosion, revegetated, and left in an open space condition. Direct precipitation may temporarily collect in the pit-bottom before it evaporates, infiltrates, or is used on-site. The floor of each pit will slope to the south to allow positive drainage and to confine the runoff to desired locations in a controlled manner. Because the proposed Project would not substantially alter the existing drainage pattern of the site or area, create or contribute runoff that would exceed the capacity of existing stormwater drainage systems, or increase sources of polluted runoff, the proposed Project would have a less-than-significant impact related to erosion or siltation on or off-site

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

FEMA has developed Flood Insurance Rate Maps (FIRMs) (Map Numbers 06019C3211H and 06019C3213H dated February 18, 2009) for Los Gatos Creek along the Project site. The 100-year floodplain has been delineated on the FIRMs, but a regulatory floodway has not been delineated. The regulatory floodway is the area within the floodplain that must be reserved to convey the 100-year flow without cumulatively increasing the 100-year water surface elevations by more than one (1) foot. The 100-year floodplain is the area subject to inundation by the 100-year flow conveyed along the creek.

The Fresno County Ordinance Code, City of Coalinga Municipal Code, and Title 44 of the Code of Federal Regulations outline requirements for projects within a floodway or floodplain. The regulations prohibit floodway encroachments. Since a regulatory floodway has not been defined for Los Gatos Creek, the floodway regulations do not apply. Floodplain regulations prohibit encroachments that “increase the water surface elevation of the base flood elevation (i.e., 100-year water surface elevation) more than one foot at any point...” (Fresno County Code Section 14.48.080.F.1).

The proposed mining pits are being setback from the existing floodplain to avoid encroaching in the floodplain. The setbacks will prevent the Project from being subject to floodplain regulations. The setbacks are also being used to prevent hydraulic and sediment transport impacts from the Project. The Creek is a natural channel so it can be subject to erosion or deposition during flow events (i.e., a creek can experience physical changes due to sediment transported by its flows). The setbacks are incorporated in the engineering design to help ensure that the new pit areas will remain outside the floodplain in case of future physical changes. The setback distances were established along the new pit areas at 50-foot minimum based on the Los Gatos Creek hydraulic results from the site-specific HEC-RAS analysis. Where the hydraulic analysis reveals a greater potential for physical changes, the setback has been increased.

While the mining areas will be setback from and avoid the existing floodplain, the Project will involve a creek crossing to facilitate the transport of materials from the mining area west of Los Gatos Creek to the existing processing plant. The crossing will

consist of an elevated conveyor supported by two 4-foot diameter columns. Other than the elevated conveyor, the Project proposes to avoid encroaching into the floodplain.

The Applicant retained a third-party hydrology consultant (Chang Consultants) to conduct a proposed condition hydraulic analysis to assess the impacts from a potential conveyor crossing of Los Gatos Creek. The conveyor will be elevated above the 100-year water surface elevation, so it will not impact the floodplain; however, the 4-foot diameter conveyor support columns would be constructed within the floodplain. Comparing the existing and proposed condition results indicates that the impacts from the conveyor support columns will be minimal (water surface elevation increases at the two affected cross-sections of 0.05 feet and 0.13 feet, respectively). There are no impacts at any of the other cross-sections. Therefore, the results show that a potential crossing will meet the Fresno County floodplain regulation that restricts a rise to no more than a foot. In addition, the small rise is completely within the Project site, and has no off-site impacts. As a result, the proposed Project would not result in an increased risk of pollutant release due to project inundation from flooding and a less than significant impact would occur.

Tsunamis are defined as sea waves created by undersea fault movement. A tsunami poses little danger away from shorelines. When tsunamis reach the shoreline, high swells of water break and wash inland with great force. The Project site is located approximately 75 miles inland and would not be expected to be substantially affected by flooding risks from tsunamis. A seiche is a long-wavelength, large-scale wave action set up in a closed body of water such as a lake or reservoir, with destructive capacity that is not as great as that of a tsunami. The Project site is not located near a closed body of water large enough for a seiche to occur. Therefore, the Project site is not expected to be impacted by seiches. Therefore, the proposed Project would not be threatened by a seiche, tsunami

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

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

See discussion in Section X. A. above.

* **Mitigation Measure(s)**

See Mitigation Measure 10, Section IV. C.

XI. LAND USE AND PLANNING

Would the project:

- A. Physically divide an established community?

FINDING: NO IMPACT:

The Project site is a large, contiguous grouping of parcels bordered to the north by the Applicant's existing Coalinga mining and processing facility, to the east by State Route 198/33, to the west by Monterey Avenue, and to the south by the City of Coalinga's recreational park and Cambridge Avenue farther south. There are no public roadways traversing the project site, nor would the proposed Project block any designated roads or pathways. The Project would not divide any established communities and no impact would occur.

- B. Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

FINDING: NO IMPACT:

The proposed Project does not require a General Plan amendment or change of zoning for the Project site. The Project site has a County zoning designation of Exclusive Agriculture (AE). The AE zoning designation does not specifically address the allowance (or disallowance) of mining; however, the County's General Plan and development policies (e.g., Policy LU-A.4) specifically allow mining within agricultural districts, subject to the approval of a conditional use permit and the mining restrictions as set forth in Section 858, "Regulations for Surface Mining and Reclamation in All Districts." A portion of the Project area includes existing permitted mining pits, and the entire Project area is designated by the City of Coalinga for resource extraction (mining).

The proposed Project would be consistent with the zoning of the Project site applied by both the County of Fresno and City of Coalinga, as well as the existing and currently permitted mining uses that occur on a part of the site. The Reclamation Plan would ensure that the mined lands are suitable for the proposed end use, which is open space. Therefore, the proposed Project would not conflict with any applicable land use plans, policies, or regulations of an agency with jurisdiction over the Project (including, but not limited to, the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating environmental effects, and no impacts would occur.

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:

Implementation of the Project would not result in the loss of availability of a known mineral resource. Rather, the Project proposes to develop a known sand and gravel mineral resource. The proposed Project will increase the aggregate supply in the local market area, resulting in a beneficial impact. Therefore, no impact to mineral resources would occur because of the proposed Project.

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?

The current land uses surrounding the Project area include the existing Coalinga Facility to the north, Route 198/33 to the east and mostly vacant land with a facility associated with oil production to the west. Land immediately adjacent to the south of the Project area is either vacant or part of the City of Coalinga recreational facility. Southeast of the Project area are the Elks Lodge, Cambridge Inn Motor Lodge, and Key Energy Services. The nearest residences and schools are across Cambridge Avenue to the south and across Route 198/33 to the east, both greater than 1,000 feet from the Project area.

City of Coalinga Noise Element of the General Plan

The Noise Element of the City of Coalinga General Plan 2025, Ref. (a), utilizes the Day-Night Level (DNL) descriptor to define acceptable noise exposures for various land uses. The DNL is a 24-hour time-weighted average descriptor commonly used to describe community noise environments. The Noise Element does not specifically address noise exposure impacts from industrial or commercial uses impacting noise sensitive uses. However, in Table 5-6 of the Noise Element, the Normally Acceptable noise exposure limits for residential, transient lodging and school land uses is 55 dB DNL. For commercial uses, such as the nearby Elks Lodge, the Noise Element indicates a Normally Acceptable limit of 60 dB DNL.

City of Coalinga Municipal Code

The City of Coalinga Municipal Code does not have standards that limit the noise levels at noise sensitive land uses from noise generated by an industrial facility or commercial facility, including mining operations.

Fresno County Noise Element of the General Plan

The Noise Element of the Fresno County General Plan 2000, Ref. (b), adopted in December of 1975, establishes maximum acceptable noise levels for various land use categories. The Noise Element uses both the DNL and L50 and specifies exterior noise limits for urban residential and noise sensitive receivers (including transient lodging) of 60 dB DNL, 55 dBA L50 daytime and 50 dBA L50 nighttime. Note that the urban residential noise standards are used in this study, as the residential areas near the Project site are mostly tract homes and closely spaced, characterizing a more urban/suburban environment rather than a rural environment.

Fresno County Noise Ordinance

The Fresno County Noise Element of the General Plan includes the noise standards outlined in the Fresno County Noise Ordinance. The Noise Ordinance standards are designed to be consistent with the noise standards of the General Plan's L50 guidelines. For urban residential areas with the baseline noise level of 55 dBA L50, Table 10-10a of the Noise Ordinance limits the short-term (dBA) noise levels to various levels depending upon the time of day and the duration of the noise, as shown below:

**TABLE 4
FRESNO COUNTY NOISE ORDINANCE STANDARDS**

Duration of Noise Event	Noise Level Limit, dBA	
	Daytime (7:00 AM – 10:00 PM)	Nighttime (10:00 PM – 7:00 AM)
30 min/hr (L50)	55	50
15 min/hr (L25)	60	55
5 min/hr (L8)	65	60
1 min/hr (L2)	70	65
Maximum (Lmax)	75	70

During the course of application development, Granite retained a third-party noise consultant (Edward L. Pack Associates) to analyze and evaluate the Project's potential noise effects on the closest receptors to the Project site, which include residences to the east and south of the Project area as well as an Elks Lodge and schools to the south.

For the purposes of evaluation, the measured noise levels and noise exposures were compared to the City of Coalinga Noise Element of the General Plan, the County of Fresno Noise Element of the General Plan, and the County of Fresno Noise Ordinance.

The results of the noise study reveal that the stripping of the surface overburden materials will generate the highest noise levels as the noise generating equipment will be working at the surface. The noise analysis shows that, absent noise mitigation, the Project has the potential to result in exceedances of the applicable City/County noise standards. These exceedances would occur once stripping operations are within 2,200 ft. of a residential or school receptor location or within 2,300 ft. of the Elks Lodge property line.

To reduce Project noise levels and noise exposures for compliance with the standards of the City of Coalinga Noise Element, the Fresno County Noise Element and Fresno County Noise Ordinance, mitigation measures, which address noise control berms on the perimeter of the property have been incorporated into the Project design. The construction of the noise control berms will reduce the Project noise levels below the applicable noise standards of the City of Coalinga and County of Fresno. See Tables 5 and 6, below, for the Project's expected short-term noise levels and noise exposures.

Timing and construction of berms are based on distance from identified receptors. Given these distances, it is anticipated berm construction will occur within the first couple of years of mining in each respective phase. With the installation of the noise control berms,

the Project-generated noise levels and noise exposures will comply with the standards of the City of Coalinga Noise Element and the Fresno County Noise Element and Noise Ordinance. No further noise mitigation measures are required.

**TABLE 5
MITIGATED SHORT-TERM NOISE LEVEL ANALYSIS**

		Lmax	L2	L8	L25	L50
Limits =	Fresno	75	70	65	60	55
	Coalinga					55
	Dist.					
Reference Data	275	91	80	79	76	75
Residences to East	1,200	70	59	58	55	54
Excess		-5	-11	-7	-5	-1
Elks Lodge	1,100	N/A	N/A	N/A	N/A	55
Excess						0
Residences to South	1,400	68	56	56	53	52
Excess		-7	-14	-9	-7	-3

Source: Noise Assessment Study Granite Construction Company Coalinga Mine Expansion Project, Edward L. Pack Associates Inc., July 2015

**TABLE 6
MITIGATED PROJECT-GENERATED NOISE EXPOSURES, dB DNL**

Location	Distance	DNL	Noise Evaluation	
			Coalinga Limit (55-60 dB DNL)	Fresno Co. Limit (60 dB DNL)
Residence to East, North of El Rancho	1,400 ft.	51	-4	-9
Residence to East, South of El Rancho	1,200 ft.	52	-3	-8
Elks Lodge	800 ft.	58	-2	-2
Schools	1,500 ft.	51	-4	-9
Residences South of Cambridge Ave.	1,400 ft.	51	-4	-9

Source: Noise Assessment Study Granite Construction Company Coalinga Mine Expansion Project, Edward L. Pack Associates Inc., July 2015

* **Mitigation Measure(s)**

15. *Prior to mining within 2,300 ft. of the Elks Lodge property line, 6 ft. high earthen berms shall be constructed along the Project mine boundary in the eastern pit. (See July 23, 2015 Noise Assessment Study Prepared by Edward L. Pack and Associates, Inc., Figure 4, for the approximate locations of the noise control berms).*

15. *Prior to mining within 2,200 ft. of the school/residential property lines on the south side of Cambridge Avenue, 6 ft. high earthen berms shall be constructed along the expansion boundary to the south parallel with Cambridge Avenue. The berms will extend from the west boundary and turn along the flood plain/mining boundary to the west of Los Gatos Creek to terminate at a distance of 2,200 ft. from the school/residential property lines on the south side of Cambridge Avenue (See July 23, 2015 Noise Assessment Study Prepared by Edward L. Pack and Associates, Inc., Figure 4, for the approximate locations of the noise control berms) .*

B. Generation of excessive ground-borne vibration or ground-borne noise levels?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Pile driving or blasting activities are not included in the operations plan for the proposed Project. Additionally, most surface mining activities will occur below below-grade once mining commences. The nearest sensitive receiver would be located over 1,000 feet from any construction activities. For these reasons, the proposed Project would not generate significant levels of groundborne vibration or groundborne noise at any nearby receivers, and a less than significant impact would occur.

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?

FINDING: NO IMPACT:

The proposed Project is not within two miles of a public airport and is not within an airport land use plan or the vicinity of a private airstrip. Therefore, the proposed Project would not expose people residing or working in the Project area to excessive noise, and no impact would occur.

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 proposed Project involves a geographic expansion to the area of mining and reclamation associated with a site that has experienced mining activities for decades. The proposed Project would not include the direct creation of new housing nor displace any existing housing or people. The number of employees working at the site would be expected to generally remain the same. Because the proposed Project would not result in population growth in the area, does not involve the creation of, or necessity for, new housing, and would not displace existing housing or people, no impact related to population and housing would occur.

XV. PUBLIC SERVICES

Would the project:

- A. Result in substantial adverse physical impacts associated with the provision of new or physically-altered governmental facilities, or the need for new or physically-altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the following public services:
 - 1. Fire protection;
 - 2. Police protection;
 - 3. Schools;
 - 4. Parks; or
 - 5. Other public facilities?

FINDING: NO IMPACT:

The proposed Project would not modify the current production levels, hours of operation, materials to be mined, equipment types, or mining methods. The number of on-site employees would be expected to generally remain the same. As such, the demand for fire and police protection services at the Project site would remain the same upon implementation of the proposed Project. The Coalinga Facility maintains fire extinguishers and an on-site water truck supplied by on-site wells that can be easily mobilized for use in fire suppression.

The proposed Project does not involve the creation of new housing and would not result in population growth in the area. Existing electricity infrastructure and electricity supply at the site is enough to meet the demand for the Project activities. Therefore, existing

services would be adequate to serve the proposed Project, and no impact related to fire, police protection, schools, parks, other public facilities would occur.

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 does not involve the creation of new housing and would not result in population growth in the area. Similarly, new recreational facilities are not proposed as part of the Project and the demand for such facilities would not increase with implementation of the Project. Therefore, because the Project would not result in any increase in the use of, or demand for, parks or recreation facilities, no impact related to recreation would occur.

XVII. TRANSPORTATION

Would the project:

- A. Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

The Project's primary purpose is a change (expansion) to the geographic area allowed for mining and reclamation at the Project site. The proposed Project would not change the current production levels, hours of operation, materials to be mined, equipment types, or mining methods. Sand and gravel mined within the Project area will be transported via conveyor and/or internal haul roads to the existing processing plants where it will be processed and/or sold for use in construction materials. All existing operations and mining would continue as currently approved and permitted and an increase in mining production is not proposed. Primary access to the Project area will occur via internal access roads from the existing Coalinga Facility, which itself is accessed via an existing encroachment off of the State Route 198/33 transit corridor. Modifications to the existing roadway network would not occur as a result of the Project.

During the course of application development, The Applicant retained a third-party traffic consultant (VRPA Technologies), who coordinated closely with the County Public Works Department to prepare a Traffic Impact Study (TIS). The TIS included a roadway segment capacity analysis, intersection capacity analysis, and traffic index analysis.

The roadway segment analysis analyzed roadway segment volumes and levels of service with Project traffic. The analysis showed that the roadway segments used by Project traffic will meet acceptable levels of service and no mitigation is required.

The intersection capacity analysis analyzed the number of trips generated by the Project at selected Caltrans' intersections: I-5 NB Off Ramp and Jayne Avenue, SR-33 and Jayne Avenue, SR-33 and Juniper Ridge Boulevard, SR-33 and 5th Street, and SR-33 and 3rd Street. Caltrans identified that these intersections require improvements in order to accommodate future traffic and specified fair-share cost for those improvements.

The Traffic Index (TI) analysis revealed that Project traffic on Phelps Avenue between SR-33 and Calaveras Avenue, Calaveras Avenue between Phelps Avenue and SR-33, and Jayne Avenue between SR-33 and I-5 result in a TI increase of 0.5, which requires a fair-share maintenance contribution per County standards.

Potential impacts associated with transportation would be less than significant with implementation of Mitigation Measures 1 through 3.

* **Mitigation Measure(s)**

17. *Within one year of project approval, the Applicant shall pay Caltrans the following fair-share cost:*

Fair-Share Cost to Caltrans Facilities

INTERSECTION	ESTIMATED COST	COST / TRIP	PROJECT TRUCK TRIPS	FAIR SHARE COST
I-5 NB Off Ramp at Jayne Avenue	\$1,200,00	\$925	5	\$4,625
SR 33 at Jayne Avenue	\$173,000	\$90	34	\$3,060
SR 33 at Juniper Ridge Boulevard	\$173,000	\$90	17	\$1,530
SR 33 at 5 th Street	\$470,000	\$162	19	\$3,078
SR 33 at 3 rd Street	\$470,000	\$218	19	\$4,142

18. *Prior to any production mining in the project area, the Applicant shall be responsible for completing upgrades to the impacted segments on Phelps Avenue between SR-33 and Calaveras Avenue, Calaveras Avenue between Phelps Avenue and SR-33, and Jayne Avenue between SR-33 and I-5 to their required Traffic Index as detailed in the Traffic Impact Study completed by VRPA dated November of 2019. No less than one (1) year prior to production mining in the project area, the Applicant shall provide plans for review and approval by the County of Fresno Department of Public Works and Planning. Upon receipt of approval of the plans, the Applicant shall immediately obtain all necessary permits and construct the necessary upgrades. The Applicant is responsible for all permits and fees including staff time.*

19. *Within five years of the projected time of initiating mining in the project area, the Applicant shall provide annual written updates to the County regarding the projected timeline of initiation mining in the project area. The annual written updates are due by January 31st of every year.*

B. Be in conflict or be inconsistent with the California Environmental Quality Act (CEQA) Guidelines Section 15064.3, subdivision (b)?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The Project will not result in an increase in vehicle miles traveled. The Project estimates no increase in the number of employees as compared to existing baseline conditions. Except for occasional service and delivery vehicles (e.g., electrical, maintenance, industrial deliveries), the Project does not anticipate customers and/or visitors within the Project area. Most customers and visitors will continue to access defined areas of the

Coalinga Facility, consistent with existing practices. Thus, no increase in employee or vendor trips will result from the Project.

- 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: LESS THAN SIGNIFICANT IMPACT:

Primary access to the Project area will occur via internal access roads from the existing Coalinga Facility (which itself is accessed via an existing encroachment from State Route 198/33). Therefore, the proposed Project would not increase hazards due to a design feature, such as a sharp curve or dangerous intersection, incompatible uses, such as farming equipment, or inadequate emergency access. Thus, the proposed Project would have a less than impact related to emergency access and hazardous design features.

XVIII. TRIBAL CULTURAL RESOURCES

Would the project:

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

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

During application development, Granite retained a third-party cultural resources consultant (Tom Origer & Associates) to assess the likelihood of the proposed Project to impact cultural resources at the site. Origer's assessment included contact with the Native American Heritage Commission and local tribal organizations. Origer concluded that the possibility of finding surface evidence of cultural resources within the study area is very low. However, Origer determined that a moderate potential exists for finding buried archaeological resources within the study area.

No historic properties (i.e., tribal cultural resources eligible for inclusion on the CRHR) were identified within the area of disturbance in the Project Site; thus, it is unlikely that development of the Proposed Project will have an effect on significant or important archaeological or other tribal cultural resources. Therefore, no further tribal cultural resource investigation is recommended at this time. In the unlikely event that unanticipated buried tribal cultural resources are encountered during Project-related activities, work in the immediate vicinity of the discovery must cease until the finds can be evaluated by a qualified professional.

Potential impacts associated with the tribal cultural resources that may be encountered during Project activities would be less than significant with implementation of Mitigation Measures 1, 2, and 3.

FINDING LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

* **Mitigation Measure(s)**

20. If tribal cultural materials (i.e., flaked stone artifacts, ground stone, historical glass, bone, etc.) or features (e.g., hearths, structural foundations, privies, etc.) are discovered during Project related activities, all work will stop in the area of the find and a professional archeologist shall assess and make any necessary recommendations, including any procedures to further investigate or mitigate impacts to the find as required by law. If the cultural resource is associated with the past lifeways of California Native Americans, evaluation, recommendations for further investigation, and/or mitigation shall be determined in consultation with the most likely descendent.

21. If unanticipated human remains are discovered:

- a. Work will immediately stop at the discovery location and any nearby area reasonably suspected to overlie adjacent human remains. The Fresno County Coroner shall immediately be contacted to determine if the cause of death must be investigated. If the coroner has reason to believe that the remains are of Native American origin, he or she will contact the NAHC by telephone within 24 hours (PRC § 7050.5).*
- b. The NAHC and landowner will follow prescribed steps in PRC Section 5097.98, which include but are not limited to the following: The NAHC will notify those persons it believes to be the most likely descended from the deceased Native American. The most likely descendant may recommend to the landowner the means of treating and disposing of, with appropriate dignity, the human remains and any associated grave goods. The landowner shall ensure the immediate vicinity of the Native American human remains is not damaged or disturbed by further development activity until the landowner has discussed and conferred with the most likely descendants regarding their recommendations. The Applicant shall work with the NAHC to develop and execute an agreement between*

themselves and the most likely descendant(s) of Native Americans who may be buried in the vicinity by which the human remains and associated burial items will be treated or disposed, with appropriate dignity.

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:

All utilities and service systems are within the Fresno County jurisdiction. The sewage systems at the adjacent Coalinga surface mine will be utilized and should be supplemented with serviced portable toilets within the project area. No new or additional wastewater above existing generation levels are anticipated from the proposed Project.

Water usage associated with mining and reclamation activities in the project area will be limited to that needed for dust control and will be supplied by on-site wells, located adjacent to the freshwater pond west of the asphalt plant at the adjacent mining facility. Estimated daily water use is 100,000 gallons/day; this amount will vary depending on the weather.

Because no increase in water demand is associated with the proposed Project, the Project would not require or result in the construction of new or expansion of existing water facilities. Therefore, no impact would occur because of implementation of the Project and the construction of new storm water drainage facilities or expansion of existing facilities would not be required as a result of the proposed Project, resulting in a less than significant impact.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

Water usage associated with mining and reclamation activities in the project area will be limited to that needed for dust control and will be supplied by on-site wells, located adjacent to the freshwater pond west of the asphalt plant at the adjacent surface mining operation. Estimated daily water use is 100,000 gallons/day; this amount will vary depending on the weather. No change is expected from baseline conditions.

- 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 sewage systems at the existing Coalinga Facility will be used and may be supplemented with serviced portable toilets within the Project area. The existing sewage systems consist of a city sewer connection at the office building, as well as septic systems at the processing facility, and portable toilets in other locations of the Facility. No new or added wastewater above existing generation levels are expected from the proposed Project. Therefore, the proposed Project would have no impact on wastewater treatment capacity or wastewater treatment requirements.

- 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:

No change to existing solid waste generation quantities or collection procedures is anticipated. The Project would be served by permitted Class I, II and/or III solid waste landfills that have sufficient capacity to meet the Project's needs, and activities at the site would comply with Federal, State, and local solid waste statutes and regulations. Therefore, implementation of the proposed Project would not result in significant changes to solid waste generation or disposal from existing conditions, and a less than significant impact related to solid waste services would result.

XX. WILDFIRE

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

- A. Substantially impair an adopted emergency response plan or emergency evacuation plan, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?

FINDING: NO IMPACT:

The proposed Project would not modify the access roadways or the existing street system. Therefore, interference with any adopted emergency response plan or emergency evacuation plan would not occur, and no impact would occur.

- B. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?

FINDING: NO IMPACT:

The Project site is disturbed with widespread evidence of historical industrial activity and off-road vehicle use. Vegetation cover ranges from very sparse to almost nonexistent. The proposed mining pits will be setback from the existing floodplain to avoid encroaching in the floodplain. The mining surface will be below grade and surface drainage is designed to be contained internal to the mining area. The proposed Project would not expose project occupants, people, or structures to fire-related pollutants or flooding. Therefore, no impact would occur.

- 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?

The Project site is disturbed with widespread evidence of historical industrial activity and off-road vehicle use. Vegetation cover ranges from very sparse to almost nonexistent. Project access roads will be dirt or gravel roads, there are no structures proposed (buildings), and the electric conveyor will be maintained according to Mine Safety and Health Administration (MSHA) and California Occupational Health and Safety (Cal-OSHA) rules, regulations, and standards. The Coalinga Facility has fire extinguishers and an on-site water truck supplied by on-site wells that can be easily mobilized for use in fire suppression. Therefore, a less than significant impact would occur related to wildfire risk resulting from installation and maintenance of Project infrastructure.

- 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:

The project site is un-farmed agricultural land and a portion has been used for oil exploration and surface mined. Areas of the project site not disturbed by existing mining activities are made up of primarily ruderal vegetation. The site is within the Local Responsibility Area with a Hazard Class of Non-wildland/Non-urban. A State Responsibility Area with a Hazard Class of Moderate begins one mile to the west of the project site. Considering that the proposed Project consists of surface mining operations, it should not increase the potential for people or structures to be exposed to risks involving wildland fires from existing conditions resulting in no impact.

XXI. MANDATORY FINDINGS OF SIGNIFICANCE

Would the project:

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

animal or eliminate important examples of the major periods of California history or prehistory?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

The Applicant does not anticipate beginning extraction in the project area until their reserves at their adjacent mining operation to the north are depleted, and Project should not modify the current productions levels, materials to be mined, or mining methods. The overall production and processing activities would be consistent with existing conditions.

The Project site is disturbed with widespread evidence of historical industrial activity and off-road vehicle use. Vegetation cover ranges from very sparse to almost nonexistent. Aside from Los Gatos Creek, no evidence of wetlands or other aquatic features exist within the Project site. Further, no special-status species were observed during the reconnaissance level surveys of the Project site.

Mitigation Measures have been incorporated that would reduce potential biological resources impacts to less-than-significant levels. Similarly, although no historic properties were identified within the Project's area of disturbance, Mitigation Measures have been included to ensure the site is adequately preserved if unanticipated buried archaeological deposits are encountered during project-related work. With Mitigation Measures incorporated, the proposed Project would have less-than-significant impacts to the quality of the environment.

- 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); or

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

The proposed Project would not modify the existing production levels, hours of operation, materials to be mined, equipment types, number of employees, or mining methods. Further, the applicant does not anticipate beginning mineral extraction at the Project site until reserves are depleted at their existing surface mine to the north.

As such, the Project would not cause an increase in the cumulative impacts in the area. With implementation of the Mitigation Measures required in this IS/MND, Project-level impacts would not be cumulatively considerable and the Project's incremental contribution to cumulative impacts would be less-than-significant with Mitigation Measures incorporated.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The proposed Project is for the expansion of an existing surface mining operation. Mining operations will be performed in a manner consistent with current practices at the Applicant's existing surface mining operation to the north of the project site. The Applicant does not anticipate beginning mineral extraction at the Project site until reserves are depleted at the existing Coalinga Facility. Given that the Project will not result in any aggregate production above the existing baseline, the Project would not be expected to result in any new environmental effects, such as significant increases in air pollutant or GHG emissions, risk related to geological hazards, exposure to hazards or hazardous materials, or exposure to excessive noise levels, that would cause adverse effects on human beings. Because adverse effects on human beings, either directly or indirectly, would not occur because of the implementation of the proposed Project, a less-than-significant impact would result.

CONCLUSION/SUMMARY

Based upon the Initial Study prepared for Unclassified Conditional Use Permit Application No. 3512, 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 Mineral Resources, Population and Housing, Land Use and Planning, Public Services, Recreation, and Wildfire.

Potential impacts related to Agriculture, Air Quality, Geology and Soils, Greenhouse Gas Emissions, Energy, Hazards and Hazardous Materials, Hydrology and Water Quality, and Utilities and Service Systems have been determined to be less than significant. Potential impacts relating to Biological Resources, Cultural Resources, Noise, Transportation, and Tribal Cultural Resources have determined to be less than significant with compliance with recommended mitigation measures

A Mitigated Negative Declaration/Negative Declaration is recommended and is subject to approval by the decision-making body. IS Application No. 7029 and the draft MND may be viewed at www.co.fresno.ca.us/initialstudies . An electronic copy of the draft MND for the Proposed Project may be obtained from the County of Fresno using contact information provided in the posted Notice of Intent.

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