



# County of Fresno

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

## EVALUATION OF ENVIRONMENTAL IMPACTS

- APPLICANT: Christopher and Theresa Smith
- APPLICATION NOS.: Initial Study Application No. 7651, Variance Application No. 4072, Director Review and Approval Application No. 4587, and Classified Conditional Use Permit Application No. 3654
- DESCRIPTION: Reduce the minimum parcel size requirements in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District to allow creation of two (2) approximately 7.16-acre parcels and an approximately 3.61-acre parcel from an existing 17.93-acre parcel, allow a truck and trailer storage and maintenance facility when such vehicles are devoted exclusively to the transportation of agricultural products, supplies, and equipment, and allow a feed and farm supply store.
- LOCATION: The project site is located at the northeast corner of South Academy Avenue and East Butler Avenue. The subject parcel is located within the Sphere of Influence (SOI) of the City of Sanger and is approximately 2,680 feet north of the city limits of the City of Sanger (APN 314-070-34) (354 S. Academy Avenue, Sanger, CA)

### I. AESTHETICS

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

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

**FINDING: LESS THAN SIGNIFICANT IMPACT:**

The agricultural trucking facility and the feed and farm supply store propose new development of the project sites. The agricultural trucking facility will be located on the northern proposed parcel and the feed and farm supply store will be located on the southern proposed parcel. There are no identified scenic resources on or near the project site. The Kings River and the foothills leading up to the Sierra Nevada Mountain Range are located to the east of the project site. The Kings River is not seen from the project site, while the foothills can be seen. Although proposed development of the agricultural trucking facility and the feed and farm supply store can hinder views of the foothills, it is seen as a less than significant impact as the impact is contained to the project site looking eastward. Venturing outside the vicinity of the project, the scenic views of the foothills are unhindered as the surrounding area is mostly flat and utilized for agricultural purposes.

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

**FINDING: LESS THAN SIGNIFICANT IMPACT:**

The subject parcel is currently utilized as an agricultural operation and is improved with a single-family residence. Based on the Applicant's site plan, the agricultural trucking operation will be placed on the northern proposed parcel, the single-family residence will stay in its current location on the proposed middle parcel, and the feed and farm supply store will be located on the southern proposed parcel. Proposed improvements on the northern and southern parcel and associated operational characteristics of the proposed use will degrade the existing visual character of public views of the site. Impacts to the public views will be lessened as the Applicant has proposed landscaping and architectural elements that will better compliment the existing visual character of the area. Although the visual character and quality of public views of the site will change, the proposed design elements of the proposed agricultural trucking facility and the feed and farm supply store will have a less than significant impact on the visual character and quality of public views.

- 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:**

Based on the Applicant's provided operational statement, both commercial uses will utilize outdoor lighting to provide security for their property. A Mitigation Measure will be incorporated in that all outdoor lights shall be hooded and directed downwards so as not to shine on adjacent properties or public right-of-way to reduce impacts from proposed outdoor lighting. Light and glare produced by vehicle traffic will not have a significant impact as there are minimal sensitive receptors in the area that could potentially be

affected by the project proposals. Mature landscaping, proposed and existing structures, and agricultural buffers will provide additional buffering to reduce light and glare produced by vehicular traffic.

\* **Mitigation Measure(s)**

1. *All outdoor lighting shall be hooded and directed downward so as not to shine on adjacent properties or public right-of-way.*

## II. AGRICULTURAL AND FORESTRY RESOURCES

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

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

According to the 2016 Fresno County Important Farmlands Map, portions of the subject property are designated as Prime Farmland, Farmland of Statewide Importance, Unique Farmland, and Rural Residential. Based on the configuration of the proposed parcels, the proposed northern parcel will be utilized towards the agricultural truck and trailer storage and maintenance facility, the proposed middle parcel will be utilized as a residential parcel with the existing single-family residence to remain, and the proposed southern parcel will be improved with the feed and farm supply store. Based on the 2016 Farmland Map, the northern proposed parcel will contain land designated as Prime Farmland and Unique Farmland, which will convert a portion of those designated lands from being actively farmed to a truck and trailer storage and maintenance facility devoted exclusively to the transportation of agricultural supplies, products, and equipment. The proposed central parcel will contain land designated as Rural Residential, Prime Farmland, and Unique Farmland. The central parcel will be mainly utilized for residential purposes. The proposed southern parcel contains land designated as Unique Farmland and Farmland of Statewide Importance and is proposed to be improved with the feed and farm supply store. The existing parcel does not have a Williamson Act Contract and is consistent with the agricultural zoning as both commercial uses are allowed in agricultural zoned areas subject to a land-use permit.

Although the project will be converting Prime Farmland, Unique Farmland, and Farmland of Statewide Importance, the impact is seen as less than significant as the project does not conflict with the existing agricultural zoning, and that although conversion will occur, the proposed uses are considered agriculturally supportive uses and will be beneficial to the surrounding agricultural uses. It should also be noted that the subject project site is located within the Sphere of Influence (SOI) of the City of Sanger, and is designated for commercial use under the City of Sanger General Plan. Therefore, conversion of this land from agriculture to nonagricultural would eventually occur.

- 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 subject parcel is not zoned for forest land, timberland, or timberland zoned Timberland Production and the project will not result in the loss of forest land or conversion of forest land to non-forest use.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project site is not located on or near forest land. As stated the project site is located on farmland, with the proposed commercial operations converting land to agriculturally supportive uses. The truck and trailer maintenance and storage facility will support the transportation of agricultural products, supplies, and equipment as all vehicles will be devoted exclusively to agricultural transportation and the proposed feed and farm supply store will provide supplies and equipment for the surrounding agricultural operations. A less than significant impact is seen as the proposed uses are agriculturally supportive and will not involve additional conversion of land outside of the project site from farmland to non-agricultural use.

### III. AIR QUALITY

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

- A. Conflict with or obstruct implementation of the applicable Air Quality Plan; and
- B. Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under a Federal or State ambient air quality standard?

**FINDING: LESS THAN SIGNIFICANT IMPACT:**

The San Joaquin Valley Air Pollution Control District (SJVAPCD) has reviewed the project proposal and determined that specific annual emissions of criteria pollutants are not expected to exceed any of the Districts' significance thresholds of 100 tons per year of Carbon Monoxide (CO), 10 tons per year of Oxides of Nitrogen (NOx), 10 tons per year of reactive organic gases (ROG), 27 tons per year of Oxides of Sulfur (SOx), 15 tons per year of particulate matter of 10 micros or less in size (PM10) or 15 tons per year of particulate matter of 2.5 micros or less in size (PM2.5). Therefore the District concluded that the project would have a less than significant impact on air quality when compared to the annual criteria pollutant emissions significance thresholds. The SJVAPCD also requires that the Applicant submit an Air Impact Assessment (AIA) application for review and approval. The requirement of the AIA will be included with the project to ensure that standards from the SJVAPCD are implemented. Therefore, based on the conclusions made by the SJVAPCD and no other reviewing Department or Agency expressing concerns, the project is seen as not conflicting with the applicable Air Quality Plan and will produce criteria pollutants under the thresholds of significance established by the Air District.

- C. Expose sensitive receptors to substantial pollutant concentrations; or
- D. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

**FINDING: LESS THAN SIGNIFICANT IMPACT:**

To the north of the project site is the Fresno County Fire Protection District Headquarters, to the west there is a single-family residence, to the south there is a single-family residence, and to the east there is a single-family residence. The nearest sensitive receptor to the proposed agricultural truck and trailer maintenance and storage facility is the Fresno County Fire Protection District Headquarters to the north and the nearest sensitive receptor to the proposed feed and farm supply store would be the single-family residence south of the project site. Based on the conclusions from the SJVAPCD, the subject applications are not expected to exceed District thresholds for criteria pollutants. Therefore the subject projects will not expose sensitive receptors to substantial criteria pollutant concentrations. The majority of emissions of the agricultural truck and trailer storage and maintenance facility and the feed and farm supply store are expected to come from mobile sources. As those mobile sources will be temporarily on site or will not be in use for prolonged amounts of time on site, the emissions will not adversely affect a substantial number of people.

**IV. BIOLOGICAL RESOURCES**

Would the project:

- A. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or

regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

FINDING: NO IMPACT:

The current use of the project site has been for agricultural crops and a single-family residence and would have experienced daily human disturbance associated with the agricultural use. Surrounding development of the site also indicate that the majority of the uses in the vicinity of the project site are for agricultural and residential uses. Additionally, the Fresno County Fire Protection District Headquarters is directly north of the project site. According to the California Natural Diversity Database, there are no reported occurrences of a special status species on or near the project site. It should also be noted that Academy Avenue is a major thoroughfare for the area and connects the City of Sanger to State Route 180. Considering the site conditions and current use of the project site, the project will convert agricultural land, but will not substantially effect special status species as there is no indication that special status species are located on or near the project site. The California Department of Fish and Wildlife (CDFW) and the U.S. Fish and Wildlife Service (USFWS) were notified of the application and given the opportunity to provide comment on the project. Both the CDFW and the USFWS did not express concerns to indicate that the project would have an adverse effect on special status species.

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

FINDING: NO IMPACT:

According to the National Wetlands Inventory, provided by the United States Fish and Wildlife Service, there are no wetlands or riparian habitat on or near the project site. Therefore, no impact is seen on wetlands or riparian habitats as a result of the project. There were no other sensitive natural communities identified on or near the project site.

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

FINDING: NO IMPACT:

There are no identified migratory wildlife corridors or native wildlife nursery sites located on or near the project site. The project will not interfere with the movement of any native resident, migratory fish, or wildlife species.

- 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:

There are no identified local policies or ordinances protecting biological resources that would conflict with the project proposal. There are no identified Habitat Conservation Plans, Natural Community Conservation Plans, or other approved local, regional, or state Habitat Conservation Plan that would conflict with the project.

## V. CULTURAL RESOURCES

Would the project:

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

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

The project site is not located within an archeological sensitive area per County records. Continuous ground-disturbance resulting from the agricultural use and previous development of the site would indicate that there are no cultural resources in the project site. Although there is no indication of cultural resources being present on the project site, a Mitigation Measure will be implemented with the project in the event that cultural resources are unearthed during ground-disturbing activities related to project development.

\* **Mitigation Measure(s)**

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

## VI. ENERGY

Would the project:

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

FINDING: NO IMPACT:

Proposed buildings will be subject to the current building code standards which take into account state energy efficiency standards. The subject projects will not result in wasteful or inefficient consumption of energy resources and will not conflict with a state or local plan for renewable energy or energy efficiency.

## VII. GEOLOGY AND SOILS

Would the project:

- A. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:
  - 1. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?

FINDING: NO IMPACT:

According to the California Earthquake Hazards Zone Application (EQ Zapp) provided by the California Department of Conservation and Figure 9-2 and 9-3 of the Fresno County General Plan Background Report (FCGPBR), the project site is not located within an Earthquake Hazard Zone.

- 2. Strong seismic ground shaking?
- 3. Seismic-related ground failure, including liquefaction?

FINDING: NO IMPACT:

Per Figure 9-5 of the FCGPBR, the project site is not located in areas identified as being in a probabilistic seismic hazard areas with peak horizontal ground acceleration. As the project site is not likely to be subject to strong ground acceleration during seismic activity, the project will not likely be subject to seismic-related ground failure including liquefaction.

- 4. Landslides?

FINDING: NO IMPACT:

According to Figure 9-6 of the FCGPBR, the project site is not located on or near identified Landslide Hazard areas.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project proposes to split an existing 17.93-acre parcel into three parcels. The proposed parcel to the north will be developed with an agricultural truck and trailer storage and maintenance facility, the middle parcel will remain as a homesite without any further development, and the south proposed parcel will be developed with a feed and farm supply store. The agricultural truck and trailer facility and the feed and farm supply store will be developed on their respective parcels which will result in the loss of topsoil. The development will be constructed to current building standards and will be subject to grading and drainage plans. Based on current code and County requirements, the project not result in substantial soil erosion, nor adversely impact the environment due to the loss of topsoil.

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

FINDING: NO IMPACT:

No geologic unit or soil was identified on the project site that would as a result of the project become unstable and potentially lead to an on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse. The Applicant will be required to submit an Engineered Grading and Drainage Plan. The submitted plan will be reviewed to verify the project will meet building code standards for proposed development. Past development of the site and the surrounding development indicate that the area is not subject to a geologic unit or unstable soil to suggest there are risks in further development of the project site. Therefore, no impact is seen resulting from the proposed development of the project site.

- D. Be located on expansive soil as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?

FINDING: NO IMPACT:

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

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

Per the Applicant, septic systems will be installed until city services are made available. Any new septic system is subject to building permits and must meet County standard prior to construction. Reviewing Agencies and Departments did not express concerns to indicate that the proposed projects will result in any proposed parcel having soils incapable of adequately supporting the use of a septic tank or alternative waste water disposal system.

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

FINDING: NO IMPACT:

No unique paleontological resource or unique geologic feature were identified on or near the project site.

VIII. GREENHOUSE GAS EMISSIONS

Would the project:

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

A Greenhouse Gas Impact Assessment completed in March 2020, prepared by VRPA Technologies, Inc. assessed greenhouse gas emissions generated by the project proposals and analyzed the impacts of the proposal and how they relate to federal, state and local standards. Temporary increases in greenhouse gas emission generation will occur during project construction. Permanent greenhouse gas emission generation from operation of the project proposals will amount to 410.28 Metric Tons per year (MT/yr) for CO<sub>2</sub> emissions. The San Joaquin Valley Air Pollution Control District (SJVAPCD) prepared the "Guidance for Assessing and Mitigating Air Quality Impacts" and was adopted in March 2015. The SJVAPCD acknowledges the current absence of numerical thresholds and recommends a tiered approach to establish the significance of greenhouse gas impacts on the environment: if a project complies with an approved GHG emission reduction plan or GHG mitigation program which avoids or substantially reduces GHG emissions within the geographic area in which the project is located, then the project would be determined to have a less than significant individual and cumulative impact for GHG emissions; if a project does not comply with an approved GHG emission reduction plan or mitigation program, then it would be required to implement Best Performance Standards (BPS); and if a project is not implementing BPS, then it should demonstrate that its GHG emissions would be reduced or mitigated

by at least 29 percent compared to Business as Usual (BAU). The GHG Impact Assessment calculated through CalEEMod that the proposed project would generate 443.25 MT/yr of Carbon Dioxide under Business as Usual from the operational year of 2005 and 410.28 MT/yr under the 2020 operational level. This represents a 7% GHG emission reduction compared to BAU. Although the project does not meet SJVAPCD threshold of significance of 29%, the proposed project's GHG emissions represent 0.00001% of the total emissions for the State of California when compared to 2017 emissions data, which totaled 424.1 Million Metric Tons of Carbon Dioxide (MMTCO<sub>2</sub>eq). The assessment concluded that although the project does not meet SJVAPCD criteria for a less than significant impact, the project will not generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.

## VIII. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The Department of Public Health, Environmental Health Division (EHD) has reviewed the project and offered comments regarding the handling of hazardous materials. Facilities proposing to use and/or store hazardous materials and/or hazardous wastes shall meet the requirements set forth in the California Health and Safety Code (HSC), Division 20, Chapter 6.95, and the California Code of Regulations (CCR), Title 22, Division 4.5. Any business that handles a hazardous materials or hazardous waste may be required to submit a Hazardous Materials Business Plan pursuant to the HSC, Division 20, Chapter 6.95. All hazardous waste shall be handled in accordance with requirements set forth in the California Code of Regulations (CCR), Title 22, Division 4.5. The owner/operator may be required to obtain a permit from the California Department of Resources Recycling and Recovery per State of California Public Resources Code, Division 30; Waste Management, Chapter 16; Waste Tire Facilities and Chapter 19; Waste Tire Haulers. No other comments were received to indicate that the proposed projects will create a significant hazard to the public or environment through transport, use, or disposal of hazardous materials. With the projects compliance with the above requirements, which are to be addressed as Regulatory Project Notes for the application, a less than significant impact is seen as there is the very limited potential for handling hazardous materials and waste, but the handling of hazardous materials and waste with compliance of discussed regulations will result in a safer environment.

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

FINDING: NO IMPACT:

The project site is not located within a one-quarter mile of an existing or proposed school.

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

FINDING: NO IMPACT:

The project site is not located on or near any listed hazardous materials site per the NEPAAssist web application. The project will not create a significant hazard to the public or the environment.

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

FINDING: NO IMPACT:

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

- F. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan; or
- 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 Fresno County Fire Protection District and did not express concerns to indicate that the project proposal would impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. According to the 2007 Fresno County Fire Hazard Severity Zones in LRA Map, the project site is not located in a fire hazard zone. The project will not expose people or structures, either directly or indirectly to a significant risk of loss, injury or death involving wildland fires.

## X. HYDROLOGY AND WATER QUALITY

Would the project:

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

- B. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The Water and Natural Resources Division did not express concerns to indicate that the proposed projects will violate any water quality standards, waste discharge requirements, or otherwise substantially degrade surface or ground water quality. The Water and Natural Resources Division did note that the project site is located within the North Kings Groundwater Sustainability Agency's (NKGSA) jurisdiction. NKGSA commented that given the potential impact on groundwater storage availability, they request that a water budget study be completed for the existing land use and for the proposed development to understand the net impact on available storage. Although the NKGSA requested a water budget study, the County Water and Natural Resources Division determined that based on the proposed water usage estimates provided by the Applicant, a less than significant impact on groundwater supplies would occur. Therefore, a water budget study was not produced for this project. The State Water Resources Control Board (SWRCB) will require that the project obtain a drinking water supply permit as the project meets the definition of a transient noncommunity public water system. Under the requirements of the SWRCB, the project will be reviewed under state standards for drinking water provisions. It should be noted that the Applicant has indicated that a City of Sanger water connection could be available. Although a connection to City of Sanger services is possible, connection to the city is not currently proposed with the application and potential impacts are based on the utilization of private domestic wells for water service to the proposed uses.

- C. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would result in substantial erosion or siltation on or off site?
  1. Result in substantial erosion or siltation on- or off-site;
  2. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite?
  3. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Per Figure 7-3 of the Fresno County General Plan Background Report, the project site is not located on or near identified erosion hazard areas. Proposed development will increase the amount of surface runoff. The Development Engineering Section has reviewed the subject application and will require that an Engineered Grading and Drainage Plan be submitted for review prior to development of the project sites so that

erosion and surface runoff is addressed to avoid adverse impacts to the property and surrounding area. The agricultural truck and trailer storage and maintenance facility also plans to provide a basin as the project site is proposed to have substantial ground cover. The proposed basin will be reviewed for compliance with County standards. The building footprint of the feed and farm supply store is located towards the southwest corner of the proposed parcel. Grading permits for the proposed structures related to the feed and farm supply store will address any drainage, and per County standards, drainage must remain on the subject parcel and not cross property lines.

4. Impede or redirect flood flows?

FINDING: NO IMPACT:

According to FEMA FIRM Panel C2160H, the subject parcel is not subject to flooding from the 100 year storm. There are no flood hazard areas on or near the project to indicate that the project would impede or redirect flood flows.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

According to Figure 9-8 of the FCGPBR, the project site is subject to inundation resulting from a dam failure. As stated, the project site is not located within a flood hazard area, but based on Figure 9-8 of the FCGPBR, the project would be subject to flooding in the event that the Pineflat Dam were to fail. The projects would be subject to state and local standards for handling of any hazardous material, therefore although the project site is located in an area identified as being at risk in the event of a dam failure, the risk of pollutant release during flood hazard event is low. The project site is not located near a body of water that would indicate a tsunami or seiche hazard area that would put the project site at risk of pollutant release due to project site inundation.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The North Kings Groundwater Sustainability Agency (NKGSA) was notified of the subject application and did not express concerns to indicate that the project would conflict with or obstruct a water quality control plan or specific provisions of any sustainable groundwater management plan. The State Water Resources Control Board will require that the Applicant apply for and obtain a drinking water supply permit. The Water and Natural Resources Division did not express concern to indicate that the project would conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.

XI. LAND USE AND PLANNING

Would the project:

A. Physically divide an established community?

FINDING: NO IMPACT:

The project will not physically divide an established community. The project site is located at the northeast corner of Academy Avenue and Butler Avenue and will not block access of the public roads to any of the surrounding parcels.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The subject parcel has a land use designation of Agricultural per the Fresno County General Plan and is not enrolled in the Williamson Act Program. The project site is located within the City of Sanger's Sphere of Influence. Per the City of Sanger General Plan, the project site is designated General Commercial and if annexed, would be assigned C-4, General Commercial zone designation. The City of Sanger has stated that the proposed agricultural truck and trailer storage and maintenance facility is not a permitted use in the City of Sanger C-4, General Commercial zone district.

General Plan Policy LU-G.14 states that the County shall not approve any discretionary permit for new urban development within a city's sphere of influence unless the development proposal has first been referred to the city for consideration of possible annexation pursuant to the policies of this section and provisions of any applicable city/county memorandum of understanding.

In regard to Policy LU-G.14, the project proposal was not sent to the City of Sanger for annexation referral as the project proposal was not considered urban development. The truck and trailer maintenance and storage facility will have the vehicles used exclusively towards the transportation of agricultural products, supplies, and equipment, which is considered supportive of agricultural uses and the feed and farm supply store is also seen as being supportive of agricultural uses. The City of Sanger was included on the project routing and involved with discussions of any environmental impacts the project may have on city facilities.

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

Criteria "a" states that the use shall provide a needed service to the surrounding agricultural area which cannot be provided more efficiently within urban areas or which

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

- The proposed agricultural truck and trailer maintenance and storage facility will allow trucks and trailers that are devoted to the transportation of agricultural products, supplies, and equipment to be located closer to agricultural operations for delivery and/or transportation. Additionally, the proposed project site is located near State Route 180 which will allow vehicles to travel more efficiently. The Feed and Farm Supply Store is proposed to relocate from their current location which is directly across Butler Avenue. The intent of the relocation, per the Applicant, is to allow expansion of their operations to better serve their community. The Feed and Farm Supply Store is usually intended to provide supplies and equipment to agricultural operations. Locating this type of use closer to the intended clientele, which would mainly be made up of farmers and people living in a rural setting with agriculturally related needs, would be more efficient compared to an urban setting.

Criteria “b” states that the use should not be sited on productive agricultural lands if less productive land is available in the vicinity.

- Past use of the parcel indicates that the project site was utilized for cultivation of field crops. The project site is currently located within the sphere of influence for the City of Sanger and is designated as General Commercial per the City of Sanger General Plan. Although there is no annexation request to indicate that the project site would be annexed into the City of Sanger, the project site is planned for conversion of agricultural land to commercial use. Based on the eventual annexation and conversion, the project site meets Criteria “b” as this land has the least potential of productive agricultural land due to its eventual commercial use.

Criteria “c” states that the operational or physical characteristics of the use shall not have a detrimental impact on water resources or the use or management of surrounding properties within at least a one-quarter mile radius.

- The State Water Resources Control Board will require that the project meet state requirements for providing drinking water. The Water and Natural Resources Division did not express concerns regarding the project proposal and impacts to water resources.

Criteria “d” states that the probable workforce should be located nearby or be readily available.

- The project site is located 2,680 feet north of the City of Sanger. The City of Sanger is an urban center that has a readily available workforce to support the proposed uses. Additionally, the project site is located within close proximity of State Route 180, which allows efficient access to the use from other urban centers.

Criteria “e” states for proposed agricultural commercial center uses the following additional criteria shall apply:

e.1 states that commercial uses should be clustered in centers instead of single uses.

e.2 states to minimize proliferation of commercial centers and overlapping of trade areas, commercial centers should be located a minimum of four (4) miles from any existing or approved agricultural or rural residential commercial center or designated commercial area of any city or unincorporated community.

e.4 states that sites should be located on a major road serving the surrounding area.

e.5” states that commercial centers should not encompass more than one-quarter (1/4) mile of road frontage, or one-eighth (1/8) mile if both sides of the road are involved, and should not provide potential for developments exceeding ten (10) separate business activities, exclusive of caretaker’s residence.

With regard to Criteria “e”, the project proposal is not specifically proposing an agricultural commercial center and is proposing two separate agriculturally supportive uses, with the agricultural truck and trailer storage and maintenance facility providing a service to the agricultural community and the feed and farm supply store providing agricultural specific commercial services to the surrounding area. The proposed use is located in proximity of other agricultural commercial centers, which are located on the southwest and southeast corners of State Route 180 and Academy Avenue. The project site is located along Academy Avenue, which is classified as an arterial road that serves as a connection between the City of Sanger and State Route 180. Therefore, the project is not believed to be in conflict with Criteria “e”.

General Plan Policy LU-A.6 states that the County shall maintain twenty (20) acres as the minimum permitted parcel size in areas designated Agriculture, excepted as provided in Policies LU-A.9, LU-A.10, and LU-A.11. The County may require parcel sizes larger than twenty (20) acres based on zoning, local agricultural conditions, and to help ensure the viability of agricultural operations.

General Plan Policy LU-A.7 states that the County shall generally deny requests to create parcels less than the minimum size specified in Policy LU-A.6 based on concerns that the parcels are less viable economic farming units, and that the resultant increases in residential density increases the potential for conflict with normal agricultural practices on adjacent parcels. Evidence that the affected parcel may be an uneconomic farming unit due to its current size, soil conditions, or other factors shall not alone be considered a sufficient basis to grant an exception. The decision-making body shall consider the negative incremental and cumulative effects such land divisions have on the agricultural community.

In regard to Policy LU-A.6 and 7, the project proposal would be in conflict with the identified policies. The subject parcel is 17.93 acres and is currently nonconforming with the underlying zone district, which requires a 20-acre minimum. The subject parcel does not qualify for any exemptions under Policy LU-A.9, LU-A.10, or LU-A.11. In considering Policy LU-A.7, the project would not have a significant impact on the environment once split as there are standards in place that will prevent conflict with

normal agricultural practices on adjacent parcels. Although the potential for additional residential development can occur on the newly formed parcel, per the Fresno County Zoning Ordinance, the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District allows one residence by right and an additional residence subject to a land-use permit. Large scale residential development that would conflict with normal agricultural practices is not an allowed use under the current zone district thereby restricting impacts to adjacent properties. Although there is a conflict, the proposal will not have a significant impact on the environment.

## XII. MINERAL RESOURCES

Would the project:

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

FINDING: NO IMPACT:

According to Figure 7-7 of the Fresno County General Plan Background Report, the project site is not located on or near identified mineral resources locations. The project will not result in the loss of availability of a known mineral resource or of a locally-important mineral resource recovery site.

## XIII. NOISE

Would the project result in:

- A. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies; or
- B. Generation of excessive ground-borne vibration or ground-borne noise levels?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The Department of Public Health, Environmental Health Division has reviewed the subject application and state that the proposed construction project has the potential to expose nearby residence to elevated noise levels, and that consideration should be given to the Fresno County Noise Ordinance. Project operation could increase noise generation compared to existing conditions, but it not likely to generate noise in excess of the Fresno County Noise Ordinance. There were not expressed concerns received regarding the generation of excessive ground-borne vibration or ground-borne noise levels. A less than significant impact is seen as the project construction will generate a temporary increase in noise and project operation will increase noise levels to a certain

extent, but is not expected to be in excess of standards established by the Fresno County Noise Ordinance.

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

FINDING: NO IMPACT:

The project site is not located within two miles of a public airport or public use airport and will not expose people residing or working in the project area to excessive noise levels.

#### XIV. POPULATION AND HOUSING

Would the project:

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

FINDING: NO IMPACT:

The project will no induce substantial unplanned population growth in the area. Two of the proposed parcels will be developed with a commercial use that is supportive of the surrounding agricultural area and the remaining parcel will be utilized as a homesite. The proposed commercial uses will not induce substantial population growth as the uses are small in scale and provide services to the agricultural community. The project will not displace people or housing necessitating the construction of replacement housing elsewhere.

#### XV. PUBLIC SERVICES

Would the project:

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

3. Schools;
4. Parks; or
5. Other public facilities?

FINDING: NO IMPACT:

There were no concerns expressed from reviewing agencies and departments to indicate that the project proposal will require that new or altered governmental facilities are required to maintain acceptable service ratios, response times or other performance objectives for the listed public services.

#### XVI. RECREATION

Would the project:

- A. Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated; or
- B. Include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?

FINDING: NO IMPACT:

The project proposal will not increase the use of existing neighborhood and/or regional parks or other recreational facilities that would accelerate substantial physical deterioration of the facility. The project will not include or require the construction or expansion of recreational facilities.

#### XVI. TRANSPORTATION

Would the project:

- A. Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities; or
- B. Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?

FINDING: LESS THAN SIGNIFICANT IMPACT:

A Traffic Impact Study (TIS) completed by VRPA Technologies, Inc. was prepared for the subject applications and studies the intersection of Academy Avenue and Butler Avenue, and roadway segments on Academy Avenue between State Route 180 (SR 180) and the project driveway for the agricultural truck and trailer storage and

maintenance facility, project driveway (agricultural truck and trailer maintenance and storage facility) and Butler Avenue, and Butler Avenue and California Avenue. The TIS was reviewed by the County of Fresno Design Division, the County of Fresno Road Maintenance and Operations Division, the California Department of Transportation (Caltrans), and the City of Sanger. No reviewing agency or department expressed concerns with the analysis and conclusions of the subject TIS. Therefore, the project does not conflict with a program, plan, ordinance or policy addressing the circulation system. The subject TIS was not reviewed under Vehicle Miles Traveled (VMT) and was analyzed through Average Daily Trips (ADT) and Level of Service (LOS). In considering the projects effects on VMTs, the feed and farm supply store will not have a significant impact as the project is considered a relocation and will be relocating from its original location to across Butler Avenue to the property directly north. The agricultural truck and trailer maintenance and storage facility is located along Academy Avenue, which acts as a major thoroughfare for the City of Sanger and connects the city to State Route 180. The location of the subject operation was planned for this area to provide an efficient location for trucks to be located near agricultural operations which would utilize the proposed service, but also be located near thoroughfares for efficient travel. Therefore, the project is not seen as having a significant impacts on VMTs and is seen as being consistent with CEQA Guidelines Section 15064.3 subdivision (b).

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

FINDING: NO IMPACT:

Reviewing agencies and departments did not express concerns that the project design would increase hazards on the site or along roadways. No reviewing agencies or departments expressed concerns to indicate that the project design would result in inadequate emergency access.

## XVIII. TRIBAL CULTURAL RESOURCES

Would the project:

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

(c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

Participating California Native American Tribes per Assembly Bill 52 (AB 52) were notified of the subject application and given the opportunity to enter consultation with the County. There were no concerns expressed by participating California Native American Tribes to indicate that the project would have an adverse impact on Tribal Cultural Resources. A Mitigation Measure will be implemented to address Tribal Cultural Resources in the event that resources are unearthed during ground-disturbing activities.

\* **Mitigation Measure(s)**

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

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:

Both commercial operations are proposed to utilize onsite wells for water usage and if required, to connect to existing City of Sanger facilities. The State Water Resources Control Board is requiring that the project be required to be permitted by the SWRCB as a public water system. The project proposals are not expected to require or result in the relocation or construction of new utility facilities that would cause significant environmental effects.

- 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:

The State Water Resources Control Board has reviewed the application and requires that the project obtain a drinking water supply permit for use of the onsite well for the proposed commercial operations. The Water and Natural Resources Division did not express concerns regarding sufficient water supplies. The North Kings Groundwater Sustainability Agency was notified of the subject application and requests that a water budget study be submitted to assess impacts the project may have on availability of groundwater. The Water and Natural Resources Division reviewed the request from the

North Kings Groundwater Sustainability Agency and determined that a water budget study was not necessary due to the low estimated water usage from the proposed uses. A less than significant impact is seen as review of the estimated water usages concluded that the area is able to sustain water usage resulting from the project proposal.

- 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: LESS THAN SIGNIFICANT IMPACT:

The proposed parcels will be serviced by their own septic system until City of Sanger connections are available. Any proposed septic system would require a building permit. With the requirement of a building permit, the proposed septic systems would be subject to County requirements including setbacks and capacity based on the use. Therefore, under the project proposal, adequate capacity for proposed septic systems is ensured through the building permit process.

- 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:

An increase in solid waste generation is expected after the proposed uses are established and operating. However, there were no reviewing agencies and departments that expressed concerns regarding the solid waste generation of the proposed uses that would be in excess of federal, state or local standards. Therefore, the increase in solid waste generation will have a less than significant impact.

## XX. WILDFIRE

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

- A. Substantially impair an adopted emergency response plan or emergency evacuation plan, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects; or
- B. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire; or

- C. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment; or
- D. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

FINDING: NO IMPACT:

According to the 2007 Fire Hazard Severity Zones in LRA Map by the California Department of Forestry and Fire Protection (CalFire), the project site is not located in a State Responsibility Area and is not located in very high fire hazard severity zones.

## 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:

The subject applications propose to split an existing parcel into three separate properties where the parcel to the north will be developed with an agricultural truck and trailer storage and maintenance facility, the middle proposed parcel will remain as a homesite, and the southern parcel will be improved with a feed and farm supply store. The proposed development will not substantially degrade the quality of the environment. Aerial images of the project site indicate that the existing parcel was actively farmed and was subject to daily human disturbance, indicating that the site had reduced probability of supporting habitat for wildlife species. The project will not cause a fish or wildlife population to drop below self-sustaining levels, or threaten to eliminate a plant or animal community. There were no identified historical or cultural resources on the project site that could be impacted by the proposed project.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

Cumulative impacts identified in the analysis were related to Aesthetics, Cultural Resources, and Tribal Cultural Resources. These impacts will be reduced to a less

than significant impact with incorporated mitigation measures discussed in Section I.D, Section V.A., B., and C., and Section XVIII.A.1 and 2.

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

FINDING: NO IMPACT:

No substantial adverse effects on human beings, either directly or indirectly were identified in the project analysis.

## **CONCLUSION/SUMMARY**

Based upon the Initial Study prepared for Classified Conditional Use Permit Application No. 3654, Variance Application No. 4072, and Director Review and Approval Application No. 4587, staff has concluded that the project will not have a significant effect on the environment. It has been determined that there would be no impacts to Biological Resources, Energy, Mineral Resources, Population and Housing, Public Services, Recreation, and Wildfire.

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

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

TK

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