



County of Fresno

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

EVALUATION OF ENVIRONMENTAL IMPACTS

- APPLICANT: Mehtab Turna
- APPLICATION NOS.: Initial Study Application No. 7578 and Classified Conditional Use Permit Application No. 3636
- DESCRIPTION: Allow the addition of a gas station (Rural Residential Commercial Center) to an existing minimarket on a 38,520 square-foot (0.8-acre) parcel in the RCC (Rural Commercial Center) Zone District.
- LOCATION: The project site is located on the southeast corner of W. Olive and N. Valentine Avenues, approximately 1,756 feet west of the nearest city limits of the City of Fresno (3375 W. Olive Ave., Fresno) (SUP. DIST. 1) (APN 449-090-26).

I. AESTHETICS

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

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

FINDING: NO IMPACT:

The project site is developed with an approximately 5,300 square-foot minimarket and related improvements. The site is located along Olive and Valentine Avenues which are not identified as scenic drives in the County General Plan. There are no scenic vistas or scenic resources, rock outcroppings, or historic buildings on or near the site that could potentially be impacted by the project. No impact on scenic resources would occur.

- 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 area is rural residential, consisting of single-family homes on one half-acre to 10 acre parcels. There are no farming activities in the area.

The subject proposal would allow addition of a gas station to an existing minimarket on the property. This addition includes four gasoline pumps (eight fueling positions), fuel island canopy and underground fuel storage tanks. The proposal also involves redesigning of the existing onsite parking to accommodate the proposed improvements. No changes are proposed to the current ingress and egress to the property off Olive and Valentine Avenues. Besides the four above-ground gasoline pumps, the proposed 19-foot-tall, 1,976 square feet fuel island canopy supported by four pillars would be the only visible structure from adjacent roadways and properties. Because the canopy will be small in size, will maintain low height, and be consistent of design and material typical of such structures, the project will have a less than significant visual impact on the surrounding area.

- D. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION
INCORPORATED:

The project will require lighting underneath the proposed fuel island canopy. Additional lighting may be provided in parking area. To minimize any potential impacts resulting from new sources of lighting, the project will adhere to the following Mitigation Measure.

* **Mitigation Measure**

1. *All outdoor lighting shall be hooded and directed downward so as to not shine toward 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; or

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

FINDING: NO IMPACT:

The project site is not farmland. The Fresno County 2016 Important Farmland Map classifies the site as Urban and Built-Up Land suited for commercial uses and is not enrolled in a Williamson Act Program. The subject proposal is not in conflict with Rural Commercial Center zoning on the property and is an allowed use with discretionary land use approval and adherence to the applicable General Plan Policies.

- 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; or
- 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 forestland to non-forest use?

FINDING: NO IMPACT:

The project site is not farmland or forest land. The project is appropriately allowed for RCC zone district with the approval of subject conditional use permit and will not bring any significant physical changes to the area.

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?

FINDING: LESS THAN SIGNIFICANT IMPACT:

An Air Quality and Greenhouse Gas Analysis Report, was prepared for the project by Mitchell Air Quality Consulting, dated August 2, 2019. The Report was reviewed by the San Joaquin Valley Air Pollution Control District (SJVAPCD) with no concerns expressed.

Construction and operation of the project would contribute the following criteria pollutant emissions: reactive organic gases (ROG), carbon monoxide (CO), nitrogen dioxide (NO₂), sulfur dioxide (SO₂), and particulate matter (PM₁₀ and PM_{2.5}).

As discussed in III. B below, emissions of ROG, NO_x, PM₁₀, and PM_{2.5} associated with the construction and operation of the project would not exceed the District's

significance thresholds and would not result in inconsistency with the AQP (Air Quality Plan) for this criterion. The project will comply with all applicable rules and regulations (e.g. Regulation VIII Fugitive PM10 Prohibitions; Rule 2201- New and Modified Stationary Source Review Rule; Rule 4621-Gasoline Transfer into Stationary Storage Containers; Rule 4622-Gasoline Transfer into Motor Vehicle Fuel Tanks) from the applicable air quality plans. Additionally, as discussed in III. C below, the project would not result in CO hotspot that would violate CO standards.

- 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 primary pollutants of concern during project construction and operation are ROG, NO_x, CO, PM₁₀, and PM_{2.5}. The San Joaquin Valley Air Pollution Control District (SJVAPCD) Guidance for Assessing and Monitoring Air Quality Impacts (GAMAQI) adopted in 2015 contains threshold for CO, NO_x, ROG, SO_x PM₁₀ and PM_{2.5}. The SJVAPCD's annual emission significance thresholds used for the project define the substantial contribution for both operational and construction emissions are 10 tons per year ROG, 10 tons per year NO_x 100 tons per year CO, 27 tons per year SO_x, 15 tons per year PM₁₀ and 15 tons per year PM_{2.5}. The project does not contain sources that would produce substantial quantities of SO₂ emissions during construction and operation.

Per the Air Quality and Greenhouse Gas Analysis Report, the 2020 construction emissions (ton per year) associated with the project would be 0.03 for ROG, 0.19 for NO_x, 0.15 for CO, and 0.01 for PM₁₀ and PM_{2.5} which are less than the threshold of significance. Likewise, the operational emission over the life of the project, primarily from mobile sources, would be 0.35 for ROG, 0.66 for NO_x, 2.00 for CO, 0.26 for PM₁₀ and 0.07 for PM_{2.5} which are also less than the threshold of significance.

As discussed above, the regional analysis of the construction and operational emissions indicates that the project would not exceed the District's significance thresholds and is consistent with the applicable Air Quality Attainment Plan. Therefore, the project would not result in significant cumulative health impacts.

- C. Expose sensitive receptors to substantial pollutant concentrations?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Sensitive receptors are defined as hospitals, residences, convalescent facilities, and schools. The closest sensitive receptor, a single-family residence, is located approximately 96 feet north of the project site.

Per the Air Quality and Greenhouse Gas Analysis Report, an analysis of maximum daily emissions during construction and operation of the project was conducted to determine if emissions would exceed 100 pounds per day for any pollutant of concern

which include NO_x, CO, PM₁₀ or PM_{2.5}. The maximum daily construction emissions (pound per day) would be 23.42 for NO_x, 8.56 for CO, 1.62 for PM₁₀ and 0.74 for PM_{2.5} and would not exceed SJVAPCD screening thresholds for any pollutant.

Operational emissions are generated on-site by area sources such as consumer products, landscape maintenance, energy use, and onsite motor vehicle operation at the project site. Most motor vehicle emissions would occur distant from the site and would not contribute to a violation of ambient air quality standards, making the analysis highly conservative. Maximum daily air pollutant Emissions (pound per day) during operations (2020) would be 3.73 for NO_x, 12.26 for CO, 1.47 for PM₁₀ and 0.41 for PM_{2.5} and would not exceed SJVAPCD screening thresholds for any pollutant.

Localized high levels of CO are associated with traffic congestion and idling or slow-moving vehicles. Given the average daily project related trips generated, modeling to demonstrate that a CO hotspot is possible was not required for the project.

Project construction would involve the use of diesel-fueled vehicles and equipment that emit DPM (diesel particulate matter), which is considered a Toxic Air Contaminants (TAC). The SJVAPCD's latest threshold of significance for TAC emissions is an increase in cancer risk for the maximally exposed individual of 20 in a million.

The California Air Resources Board (ARB) recommends a 50-foot separation for typical gas dispensing facilities. The proposed fueling station (gas pumps) is located more than 96 feet from the nearest sensitive receptor (a residence). An analysis prepared using the SJVAPCD Health Risk Prioritization Screening Tool to determine if a health risk assessment would be required showed that the project cancer risk score result was 0.11 compared to the threshold of 10 and chronic and acute risk scores were 0.0055 and 0.033 respectively compared to the screening threshold of 1. Health risk would be further minimized by the implementation of SJVAPCD Rule 4622 which limit emissions of gasoline vapors from storage tanks and from the transfer of gasoline into motor vehicle fuel tanks primarily through the installation of vapor recovery systems.

In conclusion, localized impacts from criteria pollutant emissions would not exceed SJVAPCD screening thresholds and that the project does not include substantial amounts of diesel equipment and truck trips that would result in a significant increase in cancer risk, chronic risk, and acute risk due to TAC emissions. The impacts would be less than significant.

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

FINDING: NO IMPACT:

Odor impacts on residential areas and other sensitive receptors, such as hospitals, day-care centers, and schools. The project is located near residences in an agricultural/rural residential area where similar odors are common.

Per the SJVAPCD, gasoline fueling station is not a common land use type that is known to produce odors in the Air Basin. The common odor producing land uses are landfills, transfer stations, sewage treatment plants, wastewater pump stations, composting facilities, feed lots, coffee roasters, asphalt batch plants, and rendering plants. The project would not engage in any of these activities. Therefore, the project would not be considered a generator of objectionable odors during operations.

During construction, the various diesel-powered vehicles and equipment in use on-site would create localized odors. These odors would be temporary and would not likely be noticeable for extended periods of time beyond the project's site boundaries. The potential for diesel odor impacts would therefore be less than significant.

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

FINDING: NO IMPACT:

The project site is developed with a minimarket and paved parking. The project will allow addition of gas pumps, a fuel island canopy and underground storage tanks to the minimarket.

The project site, or the neighboring rural residential zoned parcels developed with single family residences do not provide habitat for state or federally listed species. Also, the site contains no riparian features, wetlands or waters under the jurisdiction of the United States.

The project was routed to the California Department of Fish and Wildlife and the U.S. Fish and Wildlife Service comments. Neither agency expressed any concerns with the project.

- 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:

No wildlife or fish movement features (e.g., waterways, arroyos, ridgelines) or any wildlife nursery sites are present on the property. No impact to these resources would occur.

- E. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

FINDING: NO IMPACT:

The project will not conflict with any local policies or ordinances protecting biological resources.

- 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 is within an area covered by the PG&E San Joaquin Valley Operation and Maintenance Habitat Conservation Plan (HCP) which applies only to PG&E's activities and not the subject proposal.

V. CULTURAL RESOURCES

Would the project:

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

FINDING: NO IMPACT:

The project site is not in an area determined to be highly or moderately sensitive to archeological finds. A Sacred Lands Search requested from the Native American Heritage Commission (attached) reported negative results in its search for any sacred sites. The project will have no impact on archeological resources.

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 WITH MITIGATION
 INCORPORATED:

The project is unlikely to result in potentially significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resources. To minimize the potential for wasteful or inefficient consumption of energy resources, the project will require adherence to the following Mitigation Measure.

* **Mitigation Measure**

- 1. *The idling of on-site vehicles and equipment will be avoided to the most extent possible to avoid wasteful or inefficient energy consumption during project construction.*

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?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Per Figure 9-5 of the Fresno County General Plan Background Report relating to probabilistic seismic hazards, the project site is within an area of peak horizontal ground acceleration of 0 to 20 percent. Any impact resulting from seismic activity would be less than significant.

- 4. Landslides?

FINDING: NO IMPACT:

Per Figure 9-6 of the Fresno County General Plan Background Report, the project site is not in any identified landslide hazard area.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The area of the proposed development is currently asphalt concrete paved. As such, no soil erosion or loss of topsoil would occur from this proposal.

- 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:

Per Figure 9-6 of Fresno County General Plan Background Report, the project site is not in an area at risk of landslides. Also, the project involves no underground materials movement and therefore poses no risks related to subsidence.

- 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:

Per Figure 7-1 of the Fresno County General Plan Background Report, the project site is not located in an area where the soils exhibit moderately high to high expansion potential. However, the project development will implement all applicable requirements of the most recent California Building Standards Code and will consider any potential hazards associated with shrinking and swelling of 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: NO IMPACT:

The subject proposal involves no changes to the existing sewage disposal system currently serving a minimarket on the property.

Per the City of Fresno, Department of Public Utilities, the nearest City sanitary sewer main is approximately 2,425 feet (0.4 mile) east of the project site at the intersection of Marks and Olive Avenues. The project is subject to County sewer ordinance and given the significant distance between the project site and the nearest sewer line is not required to connect to the City sanitary system at this time.

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

FINDING: NO IMPACT:

See discussion in Section V. CULTURAL RESOURCES above.

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?

FINDING: LESS THAN SIGNIFICANT IMPACT:

An Air Quality and Greenhouse Gas Analysis Report (GHG Analysis) completed by Mitchell Air Quality Consulting, dated August 2, 2019, estimated project GHG emissions for construction and operation using the California Emissions Estimator Model (CalEEMod) version 2016.3.2 [California Air Pollution Control Officers Association (CAPCOA) 2017], which is the most current version of the model approved for use by SJVAPCD.

The total GHG emission generated during all phases of construction for 2020 is 26.24 metric tons of CO₂ per year. However, in order to account for the construction emissions, amortization of the total emission generated during construction based on 30-year life of the development amounts to 0.87 metric tons of CO₂ per year which is less than significant.

The total GHG emission generated during operation of the project would be approximately 373.94 metric tons of CO_{2e} under Business as Usual (BAU) and 274.86 metric tons of CO₂ for year 2020. The project would achieve a reduction of 26.5 percent from BAU which is 4.8 percent beyond the 21.7 percent average reduction required by Assembly Bill (AB) 32 targets (AB 32 requires GHGs emitted in California be reduced to 1990 levels by the year 2020). Likewise, the total GHG emission generated during operation of the project would be approximately 373.94 metric tons of CO_{2e} under Business as Usual (BAU) and 199.04 metric tons of CO₂ for year 2030. The project would achieve a reduction of 48.6 percent from BAU which is 21.5 percent beyond the 21.7 percent average reduction required by AB 32 targets. The project is consistent with the 2017 Scoping Plan and will contribute a reasonable fair-share contribution (through compliance of Title 24 and CALGreen; regulations on energy production, fuels, and voluntary actions to improve energy efficiency in existing development) to achieving 2030 target.

- 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:

Adopted in 2006, Assembly Bill (AB) 32 focuses on reducing Greenhouse Gases to 1990 levels by the year 2020. Pursuant to the requirements in AB 32, the Air Resources Board (ARB) adopted the Climate Change Scoping Plan in 2008, which outlines actions recommended to obtain that goal. The Scoping Plan calls for reduction in California's

GHG emissions, cutting approximately 30 percent (currently 21.7 percent) from BAU emission levels projected for 2020 to achieve AB 32 targets. The Scoping Plan contains a variety of strategies to reduce the State's emissions. The project is consistent with most of the strategies contained in the Scoping Plan while others are not applicable to the project.

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 Fresno County Department of Public Health, Environmental Health Division reviewed the proposal and requires the following to be included as Project Notes: 1) 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.; 3) any business that handles a hazardous material or hazardous waste may be required to submit a Hazardous Materials Business Plan pursuant to the HSC, Division 20, Chapter 6.95; and 4) All hazardous waste shall be handled in accordance with requirements set forth in the California Code of Regulations, Title 22, Division 4.5.

The nearest school (McKinley Elementary School) is located approximately 1.1 miles northwest of the project site. Given the distance and with adherence to the above-noted requirements, the project will have no impact on the school facilities.

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

FINDING: NO IMPACT:

According to the search results of the U.S. EPA's NEPAAssist Tool, the project site is not listed as a hazardous materials site. The project will not create hazards 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, result in a safety hazard or excessive noise for people residing or working in the project area?

FINDING: NO IMPACT:

Per the Fresno County *Airport Land Use Compatibility* Plan Update adopted by the Airport Land Use Commission (ALUC) on December 3, 2018, the nearest public airport, New Coalinga Municipal Airport, is approximately 6.6 miles east of the project site. At that distance, the airport will not result in a safety hazard or excessive noise for people visiting the project site.

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

FINDING: NO IMPACT:

The project site is in an area where existing emergency response times for fire protection, emergency medical services, and sheriff protection meet adopted standards. The project does not include any characteristics (e.g., permanent road closures) that would physically impair or otherwise interfere with emergency response or evacuation in the project vicinity. These conditions preclude the possibility of the proposed project conflicting with an emergency response or evacuation plan. No impacts would occur.

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

FINDING: NO IMPACT:

Per Figure 9-9 of the Fresno County General Plan Background Report, the project site is outside of the State Responsibility area for wildland fire protection. No persons or structures will be exposed to wildland fire hazards.

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:

See discussion in Section VII. E. GEOLOGY AND SOILS concerning waste discharge requirements.

The Fresno County Department of Public Health, Environmental Health Division reviewed the proposal and requires the following to be included as Project Notes: 1) in an effort to protect groundwater, all abandoned water wells on the parcel shall be properly destroyed by an appropriately-licensed contractor; 2) prior to destruction of

agricultural wells, a sample of the uppermost fluid in the well column shall be checked for lubricating oil; 3) should lubricating oil be found in the well, the oil shall be removed from the well prior to placement of fill material for destruction; and 4) the “oily water” removed from the well must be handled in accordance with federal, state and local government requirements.

The Regional Water Quality Control Board, Central Valley Region also reviewed the proposal and expressed no concerns with the project.

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

FINDING: NO IMPACT:

The subject proposal requires no use of water. The onsite water well will continue to supply water to the existing minimarket on the property.

Comments provided by the City of Fresno Department of Public Utilities indicate that the subject property is located within City’s Growth Area 2. In accordance with Ground Water Sustainability Act of 2014, the City of Fresno is prohibited from serving the project area until the General Plan Year of 2035.

The Water and Natural Resources Division of the Fresno County Department of Public Works and Planning, and the North Kings Groundwater Sustainability Agency (GSA) expressed no adverse impacts on groundwater resulting from this proposal.

- 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:

The United States Geological Survey Quad Map shows no natural drainage channels running adjacent to or through the project site. The Fresno Irrigation District (FID) noted that the agency does not own, operate or maintain any facilities within the subject property.

Comments from the Development Engineering Section of the Fresno County Department of Public Works and Planning indicate that a Grading and Drainage Plan may be required to show how additional storm water runoff generated by the proposed development will be handled without adversely impacting adjacent properties. This will be included as a Project Note.

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

FINDING: NO IMPACT:

Per Figure 9-7 of the Fresno County General Plan Background Report, the project site is not located in a 100-Year Flood Inundation Area

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

FINDING: NO IMPACT:

The subject proposal would not conflict with a Water Quality Control Plan as Fresno County has none. For Groundwater Management Plan, see discussion in Section X. B. above.

XI. LAND USE AND PLANNING

Would the project:

- A. Physically divide an established community?

FINDING: NO IMPACT:

The project will not physically divide a community. The nearest city, City of Fresno, is approximately 1,756 feet east of the project site.

- 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 project site is designated Rural Residential in the County-adopted Fresno High-Roeding Community Plan and is within the City of Fresno Sphere of Influence (SOI). The project will not conflict with any land use plan, policy, or regulation of the City of Fresno and was referred to the City for annexation. The City elected not to pursue annexation due to the property being located within Growth Area 2 and within a Disadvantaged Unincorporated Community.

The County General Plan allows the proposed non-agricultural use on the land zoned Rural Commercial Center (RCC) provided applicable General Plan policies are met. Concerning General Plan Policy LU-E.1 Criteria a. b. c. d. f. g. h., the subject proposal is not a new commercial use; rather, it is the expansion of an existing commercial use on the property located approximately 0.42 mile from another similar use; will provide needed gasoline service to the surrounding rural residential area.

Concerning General Plan Policy LU-E.2 the current Rural Commercial Center (RCC) zoning on the property was enacted prior to September 20, 1990. The subject parcel was zoned RCC on April 7, 1980 and building permits for the existing convenient store were issued on June 22, 1965.

Concerning General Plan Policy PF-C.17, the subject proposal requires no use of groundwater. The water demand for the existing minimarket on the property will remain unchanged and will not be affected by this proposal.

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 7-8 of the Fresno County General Plan Background Report the project site is not located within a principal mineral-producing area of the County.

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; or
- 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 Fresno County Department of Public Health, Environmental Health Division reviewed the proposal and expressed no concerns related to noise. The proposed development will be subject to the requirements of the County Noise Ordinance, Fresno County Ordinance Code Section 8.40.

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 involves no housing. As such, no increase in population 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?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project will comply with the California Code of Regulations Title 24 – Fire Code and California Code of Regulations Title 19 – Public Safety. A Project Note would require that upon County approval of the project and prior to the issuance of the building permits, the applicant shall submit approved plans for the NCFPD approval.

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

FINDING: NO IMPACT:

The project development will not result in additional police protection, or need schools, parks or other any public facilities.

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 involves no residential development which may increase demand for neighborhood and regional parks or other recreational facilities in the area.

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 Design Division of the Fresno County Department of Public Works and Planning reviewed the subject proposal and required that a Traffic Impact Study (TIS) be prepared for the project to assess the project's potential impacts to County roadways and intersections

Peters Engineering Group prepared a Traffic Impact Study (TIS), dated May 19, 2020 and was reviewed by the Design and Road Maintenance and Operations Divisions of the Fresno County Department of Public Works and Planning, and the California Department of Transportation.

Per the TIS, adding retail opportunities into the urban fabric and thereby improving retail destination proximity, local-serving retail development tends to shorten trips and reduce VMT. The proposed project (gas station added to an existing minimarket) is a local-serving retail use may be presumed to create a less-than-significant transportation impact. TIS found that the study intersections (Olive Avenue/Brawley Avenue, Olive Avenue / Marks Avenue, and Olive Avenue/Hughes intersections Avenue) are currently operating at levels of service below the target LOS during the a.m. peak hour. The LOS during the p.m. peak hour is C or better. The other study intersections, including the

site access driveways, are operating at acceptable LOS. The TIS found that the intersections will operate with similar conditions in the existing-plus-Project scenario, the near-term no-Project scenario, and the near-term with Project scenario. In order to operate at acceptable LOS, the study intersections listed above would require signalization, including road widening as necessary to accommodate left-turn lanes for eight-phase traffic signal operations. Considering that the Project creates a less-than-significant transportation impact, the Project is not required to construct the traffic signals but pay for fair share cost of signalization in lieu of physical impact. In the year 2040 scenario, all the study intersections, except for the site access driveways, are expected to operate below the target LOS and will require signalization to operate at acceptable LOS. TIS recommends that payment of a fair share cost of the improvements be considered as acceptable mitigation of the Project's share of the cumulative effects at the study intersections.

The County Design Division has identified the following Mitigation Measures, pro-rata share percentages, and estimated costs to ensure that potential traffic impacts are mitigated to less than significant levels:

* **Mitigation Measures:**

1. *Prior to the issuance of building permits for the proposed use, the applicant shall enter into an agreement with the County of Fresno agreeing to participate on a pro-rata basis per acreage developed in the funding of future off-site traffic improvements defined in items a, b, c, d, e, and f below. The traffic improvements and the project's maximum pro-rata share costs are as follows:*
 - a. *The project's percent fair share for Olive Avenue signalization at Brawley Avenue for 2040 scenario is 1.27% construction cost, or \$14,308.00; 15% preliminary engineering, or \$ 2,146; and 15% construction engineering, or \$2,146, totaling \$18,601.00.*
 - b. *The project's percent fair share for right-of-way acquisition for Olive Avenue at Brawley Avenue is 1.27 % construction cost, or \$1,041.00.*
 - c. *The project's percent fair share for Olive Avenue signalization at Marks Avenue for 2040 scenario is 1.43% construction cost, or \$15,997.00; 15% preliminary engineering, or \$ 2,400; and 15% construction engineering, or \$2,400, totaling \$20,796.00.*
 - d. *The project's percent fair share for right -of-way acquisition for Olive Avenue at Marks Avenue is 1.43 % construction cost, or \$644.00.*
 - e. *The project's percent fair share for Olive Avenue signalization at Hughes Avenue for 2040 scenario is 1.26% construction cost, or \$13,150.00; 15% preliminary engineering, or \$1,972.00; and 15% construction engineering, or \$1,972.00, totaling \$17,095.00.*
 - f. *The project's percent fair share for right -of-way acquisition for Olive Avenue*

at Hughes Avenue is 1.26% construction cost, or \$567.00.

The County shall update cost estimates for the above specified improvements prior to execution of the agreement. The Board of Supervisors pursuant to Ordinance Code Section 17.88 shall adopt a Public Facilities Fee addressing the updated pro-rata costs. The Public Facilities Fee shall be related to off-site road improvements, plus costs required for inflation based on the Engineering New Record (ENR) 20 Cities Construction Cost Index.

The subject proposal is within City of Fresno Sphere of Influence. The City also commented on the TIS regarding the project's impact on City roadways/intersections. Per the City's comments, the project shall be paying Traffic Signal Mitigation Impact (TSMI) Fee per the City's Master Plan Schedule, Fresno Major Street Impact (FMSI) Fee and Regional Transportation Mitigation Fee (RTMF) prior to issuance of building permits.

The California Department of Transportation expressed no concerns related to traffic and the Road Maintenance and Operations Division of the Fresno County Department of Public Works and Planning offered no comments on the TIS.

- 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:

As noted above, the subject property is approximately 1,756 feet west of the City of Fresno. The project will add gas pumps and a fuel island canopy to an existing minimarket.

The proposed facility will primarily provide gasoline services to those residing in the area which will help reduce vehicle miles travelled (VMT) outside the area by the residents. Considering this scenario, staff believes the proposed development would not conflict or be inconsistent with above-noted CEQA Guidelines.

- C. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project design would result in no change to the existing roadway designs within the project area, which were designed in accordance with Fresno County roadway standards to avoid roadway hazards and other traffic-related hazardous features.

A Condition of Approval would require additional road right-of-way for Valentine and Olive Avenues and a Project Note would require an encroachment permit from the Fresno County Road Maintenance and Operations Division prior to any work done in the road right-of-way.

D. Result in inadequate emergency access?

FINDING: NO IMPACT:

The project site gains access off Valentine and Olive Avenues. These accesses require no change to accommodate the proposal. The site will continue to have adequate number of points of scape during emergencies.

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: NO IMPACT:

The project is not located in an area of moderate or high sensitivity to archaeological finds. Pursuant to Assembly Bill (AB) 52, project information was routed to the Picayune Rancheria of the Chukchansi Indians, Dumna Wo Wah Tribal Government, Table Mountain Rancheria and Santa Rosa Rancheria Tachi Yokut Tribe offering them an opportunity to consult under Public Resources Code (PRC) Section 21080.3(b) with a 30-day window to formally respond to the County letter. Staff receiving no response resulted in no further action on the part of the County.

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: NO IMPACT:

See discussion in Section VII. E. GEOLOGY AND SOILS above. The project will not result in the relocation or construction of new electric power, natural gas, or telecommunications facilities.

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

FINDING: NO IMPACT:

See discussion in Section X. B. HYDROLOGY AND WATER QUALITY above.

- 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:

See discussion in Section VII. E. GEOLOGY AND SOILS above.

- 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: NO IMPACT:

The project will not produce solid wastes. The solid waste currently produced by minimarket will continue to be removed by regular trash collection service.

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:

The project site is not located in or near a State Responsibility Area for wildfire. See discussion above in Section XV. A. 1. PUBLIC SERVICES.

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: NO IMPACT:

The project would not degrade the quality of the environment; 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; or reduce the number or restrict the range of an endangered, rare, or threatened species. No impacts on biological or cultural resources were identified in the project analysis.

- 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:

Each of the projects located within Fresno County has been or would be analyzed for potential impacts, and appropriate project-specific Mitigation Measures are developed to reduce that project’s impacts to less than significant levels. Projects are required to comply with applicable County policies and ordinances. The incremental contribution by the proposed project to overall development in the area is less than significant.

The project will adhere to the permitting requirements and rules and regulations set forth by the Fresno County Grading and Drainage Ordinance, San Joaquin Air Pollution Control District, and California Code of Regulations Fire Code. No cumulatively considerable impacts relating to Agricultural and Forestry Resources or Air quality were

identified in the project analysis. Impacts identified for Aesthetics, Energy and Transportation will be mitigated by compliance with the Mitigation Measure listed in Sections I, Section VI and Section XVII of this report.

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

FINDING: NO IMPACT:

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

CONCLUSION/SUMMARY

Based upon Initial Study No. 7578 prepared for Conditional Use Permit Application No. 3636, 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 agriculture and forestry resources, biological resources, cultural resources, mineral resources, noise, population and housing, recreation, tribal cultural resources, utilities and service systems or wildlife.

Potential impacts related to air quality, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, and public services have been determined to be less than significant.

Potential impacts to aesthetics, energy and transportation have been determined to be less than significant with the identified Mitigation Measures.

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

EA:im

G:\4360Devs&PIn\PROJSEC\PROJDOCS\CUP\3600-3699\3636\IS-CEQA\CUP 3636 IS wu.doc