

City of Mendota

Application No. 21-01 – Left Mendota II Commercial Cannabis Project

Admin Draft Initial Study / Mitigated Negative Declaration

July 2021

City of Mendota
643 Quince Street
Mendota, CA 93640



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Acronyms and Abbreviations

AB	Assembly Bill
AFY	acre-feet/year
ALUCP	Airport Land Use Compatibility Plan
BPS	Best Performance Standards
CAL FIRE	California Department of Forestry and Fire Protection
CalEEMod	California Emissions Estimator Model (software)
CAP	Climate Action Plan
CCAP	Climate Change Action Plan
CDFW	California Department of Fish and Wildlife
City	City of Mendota
County	County of Fresno
CUP	Conditional use permit
CVRWQCB	Central Valley Regional Water Quality Control Board
DA	Development agreement
DOGGR	Division of Oil, Gas and Geothermal Resources
DTSC	Department of Toxic Substances Control
EIR	Environmental Impact Report
EPA	Environmental Protection Agency
FEMA	Federal Emergency Management Agency
GHG	Greenhouse gas
GSP	Groundwater Sustainability Plan
HUC	Hydrologic Unit Code
IS	Initial Study
IS/MND	Initial Study/Mitigated Negative Declaration
km	kilometers
M-1	Light Industrial
mgd	million gallons per day
MMRP	Mitigation Monitoring and Reporting Program
MND	Mitigated Negative Declaration
MRZ	Mineral Resource Zone
NAAQS	National Ambient Air Quality Standards
ND	Negative Declaration

Acronyms and Abbreviations

Application No. 21-01 – Left Mendota II Commercial Cannabis Project

NEPA	National Environmental Policy Act
NO _x	nitrogen oxides
O ₃	ozone
Pb	lead
PG&E	Pacific Gas and Electric Company
PM ₁₀	particulate matter 10 microns in size
PM _{2.5}	particulate matter 2.5 microns in size
ppb	parts per billion
ppm	parts per million
Reclamation	U.S. Bureau of Reclamation
SB	Senate Bill
SJVAB	San Joaquin Valley Air Basin
SJVAPCD	San Joaquin Valley Air Pollution Control District
SMARA	Surface Mining and Reclamation Act
SO ₂	sulfur dioxide
SR	State Route
SWRCB	State Water Resources Control Board
TAC	Toxic Air Contaminants
TPY	Tons Per Year
USFWS	U.S. Fish and Wildlife Service
µg/m ³	micrograms per cubic meter

Chapter 1 Introduction

The City of Mendota (City) has prepared this Initial Study/Mitigated Negative Declaration (IS/MND) to address the environmental effects of the Application No. 21-01, the Left Mendota II Commercial Cannabis Project (Project). This document has been prepared in accordance with the California Environmental Quality Act (CEQA; Public Resources Code Section 21000, *et seq.*) and the State CEQA Guidelines (CEQA Guidelines; California Code of Regulations Title 14, Chapter 3, Section 15000, *et seq.*). The City is the CEQA lead agency for this Project.

The site and the proposed Project are described in detail in the **Chapter 2 Project Description**.

1.1 Regulatory Information

An Initial Study (IS) is a document prepared by a lead agency to determine whether a project may have a significant effect on the environment. In accordance with CEQA Guidelines Section 15064(a)(1), an environmental impact report (EIR) must be prepared if there is substantial evidence in light of the whole record that the proposed Project under review may have a significant effect on the environment and should be further analyzed to determine mitigation measures or project alternatives that might avoid or reduce project impacts to less than significant levels. A negative declaration (ND) may be prepared instead if the lead agency finds that there is *no* substantial evidence in light of the whole record that the project may have a significant effect on the environment. An ND is a written statement describing the reasons why a proposed Project, not otherwise exempt from CEQA, would not have a significant effect on the environment and, therefore, why it would not require the preparation of an EIR (CEQA Guidelines Section 15371). According to CEQA Guidelines Section 15070, a ND or *mitigated* ND shall be prepared for a project subject to CEQA when either:

- a. The IS shows there is no substantial evidence, in light of the whole record before the agency, that the proposed Project may have a significant effect on the environment, or
- b. The IS identified potentially significant effects, but:
 1. Revisions in the project plans or proposals made by or agreed to by the applicant before the proposed MND and IS is released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur is prepared, and
 2. There is no substantial evidence, in light of the whole record before the agency, that the proposed Project *as revised* may have a significant effect on the environment.

1.2 Document Format

This IS/MND contains four chapters. **Chapter 1 Introduction**, provides an overview of the proposed Project and the CEQA process. **Chapter 2 Project Description**, provides a detailed description of proposed Project components and objectives. **Chapter 3 Impact Analysis**, presents the CEQA checklist and environmental analysis for all impact areas, mandatory findings of significance, and feasible mitigation measures. If the proposed Project does not have the potential to significantly impact a given issue area, the relevant section provides a brief discussion of the reasons why no impacts are expected. If the proposed Project could have a potentially significant impact on a resource, the issue area discussion provides a description of potential impacts, and appropriate mitigation measures and/or permit requirements that would reduce those impacts to a less than significant level. **Chapter 3** concludes with the Lead Agency's determination based upon this initial evaluation. **Chapter 4 Mitigation Monitoring and Reporting Program** (MMRP), provides the proposed mitigation measures, implementation timelines, and the entity/agency responsible for ensuring implementation.

Chapter 2 Project Description

2.1 Project Background and Objectives

2.1.1 Project Title

Application No. 21-01 – Left Mendota II Commercial Cannabis Project

2.1.2 Lead Agency Name and Address

City of Mendota
643 Quince Street
Mendota, CA 93640

2.1.3 Contact Person and Phone Number

Lead Agency Contact
Jeffrey O’Neal, AICP
City Planner
559.655.3291

Project Applicant
Left Mendota II, LLC
Chris Lefkovitz, Managing Partner
866.500.3838

2.1.4 Project Location

The Project is located in southeastern Mendota, approximately 162 miles southeast of Sacramento and 137.1 miles northwest of Bakersfield (see **Figure 2-1**). The Project site consists primarily of Fresno County Assessor’s Parcel Number 013-280-29 (see **Figure 2-2**); abutting parcels are also affected in a limited fashion as described below. State Route 180/Oller Street runs northwest to southeast and is approximately 850 feet southwest of the Project site. State Route 33/Derrick Avenue runs north-south and is approximately 4,000 feet west of the Project site. The Project site is situated in Section 31, Township 13 South, Range 15 East, Mount Diablo Base & Meridian.

2.1.5 Latitude and Longitude

The approximate centroid of the Project area is 36° 45' 10.39" North, -120° 22' 17.91" West.

2.1.6 General Plan Designation

The Project site is designated Light Industrial.

2.1.7 Zoning

The Project site is zoned M-1/CO, Light Manufacturing with Commercial Cannabis Overlay District.

2.1.8 Description of Project

2.1.8.1 Project Background and Purpose

Since 2017, the City has adopted two cannabis control ordinances and processed various amendments to those ordinances in order to attract and accommodate commercial cannabis activities, which it views as a mechanism to increase employment and provide direct revenue to the City via cannabis regulatory fees. In 2018, the City of Mendota Planning Commission and City Council took actions, respectively, to approve a conditional use permit (CUP) and a development agreement (DA) authorizing the then-applicant to renovate and convert existing structures and facilities at 1269 Marie Street (APNs 013-162-14S and 013-280-15, 19, 21S, and 22S) for commercial cannabis activities, including indoor cultivation, processing, distribution/delivery, and other uses allowed under the Medicinal and Adult Use Cannabis Regulatory and Safety Act and the City's ordinances. In December 2020 and January 2021, the CUP and DA were amended at the request of the current applicant to authorize the construction of approximately 2.0 acres of mixed-light greenhouses on APN 013-280-15.

2.1.8.2 Project Description

Application No. 21-01 proposes to expand the existing commercial cannabis use at 1269 Marie Street via the entitlement of approximately 15 acres (1111 Marie Street; APN 013-280-29) to allow outdoor cannabis cultivation. Cannabis plants would be planted above ground in five- to seven-gallon plastic pots oriented in rows spaced at five-foot intervals. Drip irrigation lines would also be above ground. The Project site is located immediately to the northwest of the existing operation; harvested product from the Project would be processed at the existing indoor facility next door. The Project would connect to the City's municipal water system and is expected to use approximately 9 million gallons or 27 acre-feet of water per year. The site will be graded such that all irrigation water will remain onsite and irrigation timing and duration will be closely monitored to prevent ponding or wastage. Since the irrigation season is opposite of the region's precipitation season and there will not be any impervious surface, there is not anticipated to be any runoff into the City's storm drainage system. The Project does not propose any onsite buildings, including restrooms, so it is not anticipated that any wastewater will be generated and, accordingly, there would be no connection to the City's wastewater system.

Access to the site would be via existing circulation areas on APN 013-280-15; i.e., the Project site would not have direct access to Marie Street. Onsite circulation would consist of a 20-foot-wide, all-weather surface at the site perimeter. The Project site would be enclosed by a six- to eight-foot-high chain link fence with privacy slats or similar obscuring material(s). The fence would be topped with three-strand barbed wire and/or razor wire. As a secondary barrier, electrified fencing with remote monitoring may be installed. Security lighting hooded and oriented toward the center of the property, along with video equipment monitored offsite, would be installed on the top of the fencing.

As currently proposed, an approximately 2.20-acre area at the southeastern corner of the Project site would remain vacant. That area lies within the Runway Protection Zone of the William Robert Johnston Municipal Airport as identified in the 2018 Fresno County Airport Land Use Compatibility Plan. See [Section 3.10](#), Hazards and Hazardous Materials for further discussion. This document accounts for the possibility of future use of the 2.20-acre area should regulations change or the land otherwise be permitted to develop. The application includes amendments to the previously-approved CUP and DA to incorporate the proposed activities.

2.1.8.3 Operation and Maintenance

The Project site would be fully operational 24 hours a day, seven days a week, although only security would be present outside of normal business hours (approximately 9:00 am to 6:00 pm). The facility will be closed to the public, so persons entering and exiting the facility will be employees. The primary duties performed by the employees will be to plant, maintain, and harvest the crops. The applicant proposes to hire local residents to operate and maintain the facility. This will provide economic benefits to the City and its residents.

2.1.9 Site and Surrounding Land Uses and Setting

William Robert Johnston Municipal Airport abuts the site to the northeast. To the immediate northwest and southeast are industrial developments. The Southern Pacific Railroad is across and parallel to Marie Street to the southwest. Various residential uses are located across the rail corridor and to the northwest of the abutting industrial uses.

See [Figure 2-5](#) and [Figure 2-6](#) for the zoning and general plan designations, respectively.

2.1.10 Other Public Agencies Whose Approval May Be Required

The Project may require the following discretionary actions and approvals by regional and/or State agencies:

- Department of Food and Agriculture (CDFA)
- Bureau of Cannabis Control (BCC)
- Department of Public Health (CDPH)
- State Water Resources Control Board (SWRCB)
- Central Valley Regional Water Quality Control Board (CVRWQCB)
- Department of Fish and Wildlife (CDFW)
- Fresno County Department of Environmental Health
- San Joaquin Valley Air Pollution Control District (SJVAPCD)
- Central Valley Flood Protection Board

2.1.11 Consultation with California Native American Tribes

Public Resources Code Section 21080.3.1, *et seq.* (codification of AB 52, 2013-14) requires that a lead agency, within 14 days of determining that it will deem a project application complete, must notify in writing any California Native American Tribe traditionally and culturally affiliated with the geographic area of the project if that Tribe has previously requested notification about projects in that geographic area. The notice must briefly describe the project and inquire whether the Tribe wishes to initiate request formal consultation. Tribes have 30 days from receipt of notification to request formal consultation. The lead agency then has 30 days to initiate the consultation, which then continues until the parties come to an agreement regarding necessary mitigation or agree that no mitigation is needed, or one or both parties determine that negotiation occurred in good faith, but no agreement will be made.

The City has received written correspondence from the Santa Rosa Rancheria Tachi Yokut Tribe pursuant to Public Resources Code Section 21080.3.1 requesting notification of proposed projects. The City notified the Tribe about the Project on March 24, 2021. The results of the correspondence are detailed in [Section 3.19](#), Tribal Cultural Resources.



Figure 2-1. Regional Vicinity Map



Figure 2-2. Area of Potential Effect Map

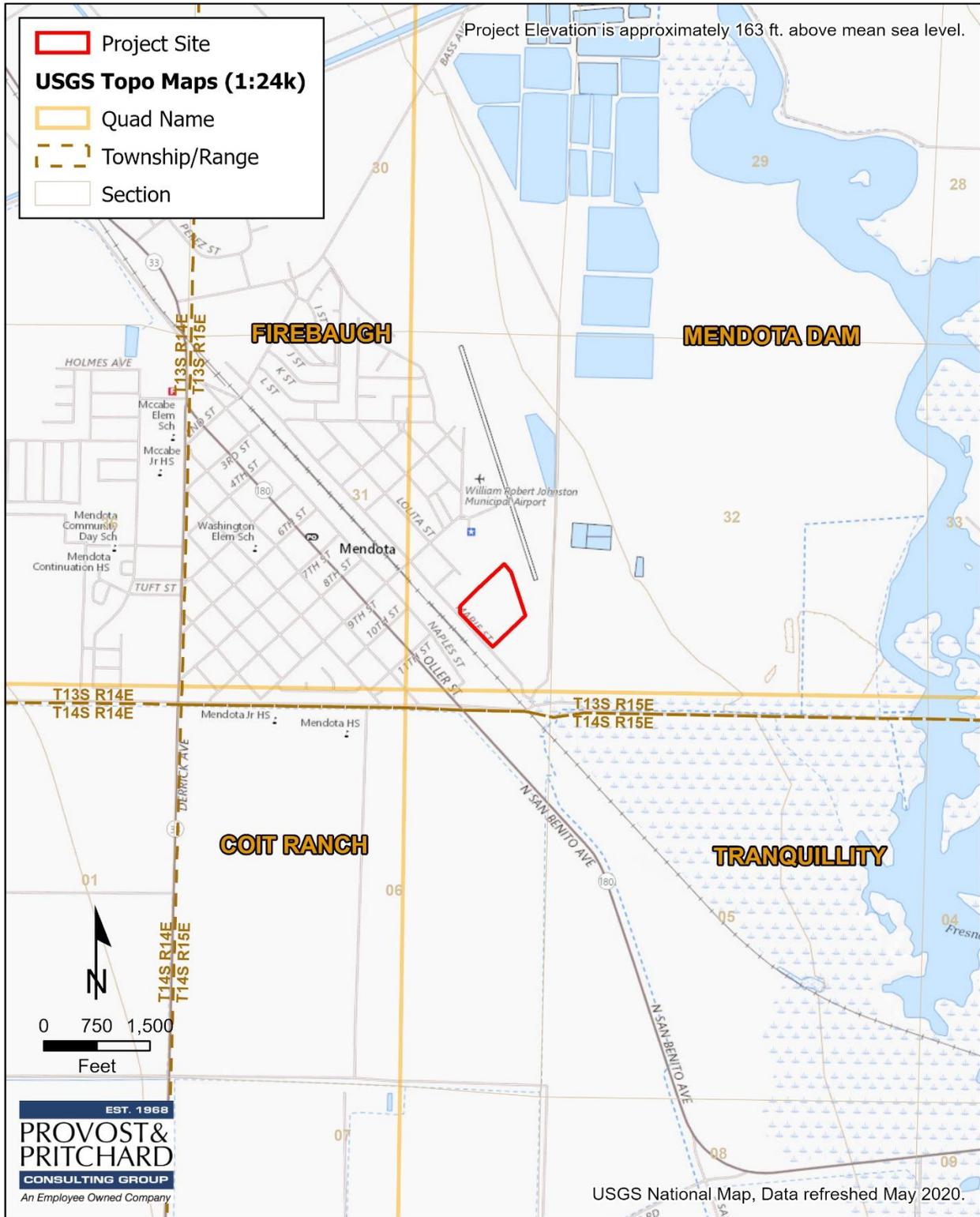


Figure 2-3. Topographic Quadrangle Map

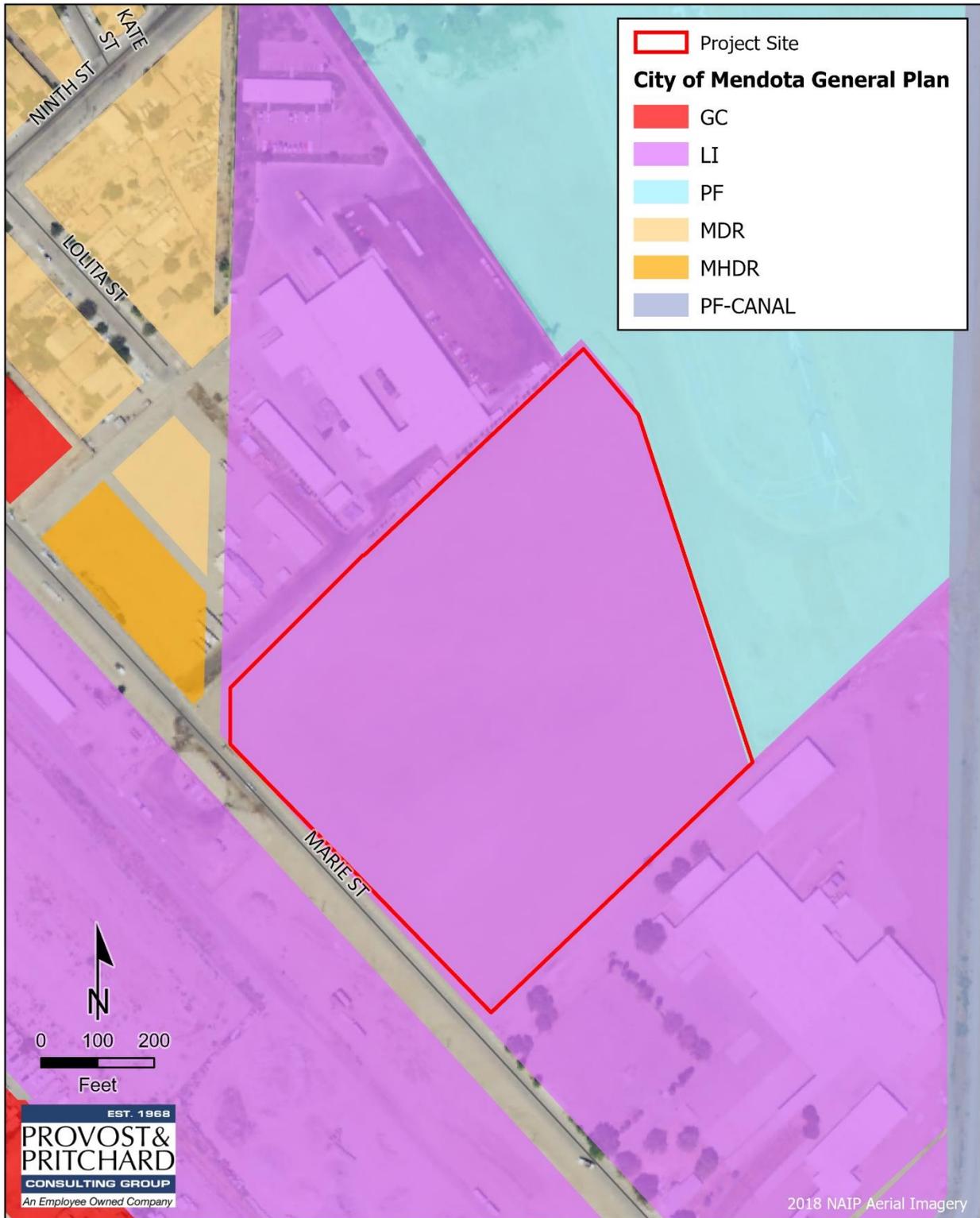


Figure 2-5. General Plan Land Use Designation Map

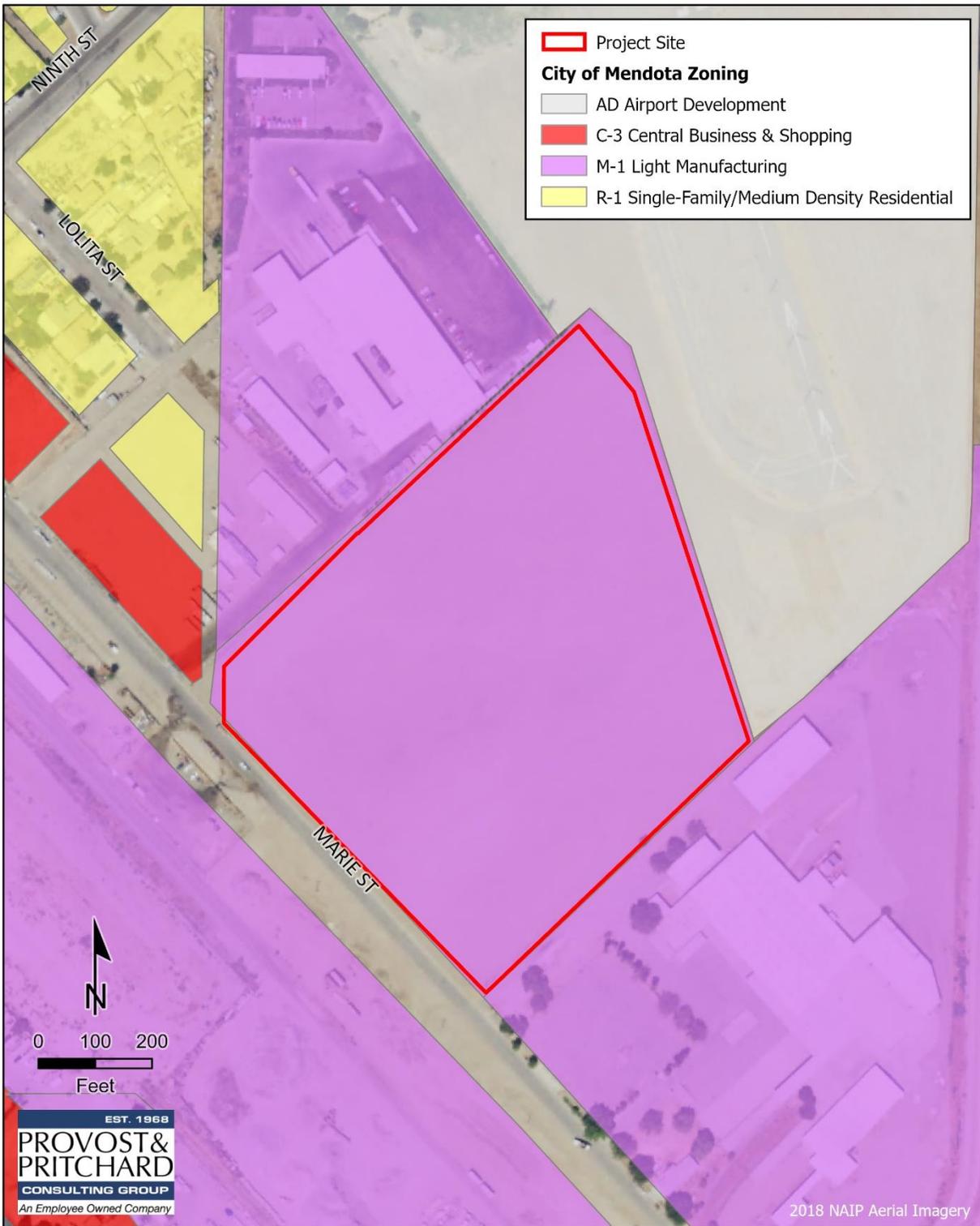


Figure 2-6. Zone District Map

Chapter 3 Impact Analysis

3.1 Environmental Factors Potentially Affected

As indicated by the discussions of existing and baseline conditions, and impact analyses that follow in this Chapter, environmental factors not checked below would have no impacts or less than significant impacts resulting from the project. Environmental factors that are checked below would have potentially significant impacts resulting from the project. Mitigation measures are recommended for each of the potentially significant impacts that would reduce the impact to less than significant.

- | | | |
|---|---|--|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture & Forestry Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Energy |
| <input type="checkbox"/> Geology/Soils | <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards & Hazardous Materials |
| <input checked="" type="checkbox"/> Hydrology/Water Quality | <input type="checkbox"/> Land Use/Planning | <input type="checkbox"/> Mineral Resources |
| <input type="checkbox"/> Noise | <input type="checkbox"/> Population/Housing | <input type="checkbox"/> Public Services |
| <input type="checkbox"/> Recreation | <input type="checkbox"/> Transportation | <input checked="" type="checkbox"/> Tribal Cultural Resources |
| <input type="checkbox"/> Utilities/Service Systems | <input type="checkbox"/> Wildfire | <input checked="" type="checkbox"/> Mandatory Findings of Significance |

The analyses of environmental impacts here in **Chapter 3 Impact Analysis** are separated into the following categories:

Potentially Significant Impact. This category is applicable if there is substantial evidence that an effect may be significant, and no feasible mitigation measures can be identified to reduce impacts to a less than significant level. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.

Less than Significant with Mitigation Incorporated. This category applies where the incorporation of mitigation measures would reduce an effect from a “Potentially Significant Impact” to a “Less than Significant Impact.” The lead agency must describe the mitigation measure(s), and briefly explain how they would reduce the effect to a less than significant level (mitigation measures from earlier analyses may be cross-referenced).

Less than Significant Impact. This category is identified when the proposed Project would result in impacts below the threshold of significance, and no mitigation measures are required.

No Impact. This category applies when a project would not create an impact in the specific environmental issue area. “No Impact” answers do not require a detailed explanation if they are adequately supported by the information sources cited by the lead agency, which show that the impact does not apply to the specific project (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis)

3.2 Aesthetics

Table 3-1. Aesthetics Impacts

Aesthetics Impacts				
Except as provided in Public Resources Code Section 21099, would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

3.2.1 Environmental Setting and Baseline Conditions

The Project site is a vacant lot. To the northeast is the William Robert Johnston Municipal Airport, and industrial developments to the immediate northwest and southeast. To the southwest, across the Southern Pacific Railroad, are various residential land uses.

3.2.2 Impact Assessment

a) Would the project have a substantial adverse effect on a scenic vista?

No Impact. The Project would place a six- to eight-foot-tall chain link fence with privacy medium at the property line adjacent to Marie Street. Potted plants, approximately 7 feet in height, would be placed behind the fence.

b) Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

No Impact. The Scenic Highway Program was created to preserve and protect scenic highway corridors from change which would diminish the aesthetic value of lands adjacent to highways. A highway may be officially designated “scenic” depending upon how much of the natural landscape can be seen by travelers, the scenic quality of the landscape, and the extent to which development intrudes upon the traveler’s enjoyment of the view. As the closest segment of state scenic highway is located approximately 38 miles to the east of the Project, there would be no impact.

c) In non-urbanized areas, would the project substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public view 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?

No Impact. The City of Mendota is mostly flat and level with no significant hills or topographical features. The Coast Ranges are occasionally visible to the west and the Sierra Nevada Mountains can be seen to the east on

Chapter 3 Impact Analysis – Aesthetics Resources

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clear days. According to the City of Mendota General Plan Update,¹ the City currently has no designated scenic corridors, protected vistas, or policies regulating development in scenic areas.

d) Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

Less than Significant Impact. Security lighting would be installed on the Project site; however, these lights are required to be hooded to prevent glare onto adjacent properties. Impacts would be less than significant.

¹ City of Mendota General Plan Update 2005-2025.

3.3 Agriculture and Forestry Resources

Table 3-2. Agriculture and Forest Impacts

Agriculture and Forest Impacts				
Would the project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

3.3.1 Environmental Setting and Baseline Conditions

The Project site consists of vacant industrial land surrounded by industrial and other urban land uses. The Project site is designated Urban and Built-Up Land by the Farmland Mapping and Monitoring Program.

3.3.2 Impact Assessment

a) Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

No Impact. Pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, the subject property is not considered Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, therefore the project would not convert said Farmland to non-agricultural use.

b) Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?

No Impact. The subject property is zoned M-1 (Light Manufacturing) in the City of Mendota’s Zoning Ordinance. According to the M-1 zone district in the City of Mendota Zoning Ordinance, agricultural uses are a permitted use. There would be no conflict with a Williamson Act contract because the Project site is not subject to such a contract.

Chapter 3 Impact Analysis – Agriculture and Forestry

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c) Would the project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?

d) Would the project result in the loss of forest land or conversion of forest land to non-forest use?

c) and d) No Impact. The Project is not within the vicinity of a forest as defined in Public Resources Code section 12220(g), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g)). Therefore, the Project will not conflict with existing zoning for, or cause rezoning of, forest land nor will it result in the loss of forest land or conversion of forest land to non-forest use.

e) Would the project 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?

No Impact. The Project is located in an urbanized area on a vacant lot surrounded by industrial and residential development. The Project proposes to create an urban agricultural land use, where no agricultural land use recently existed. There will be no impact.

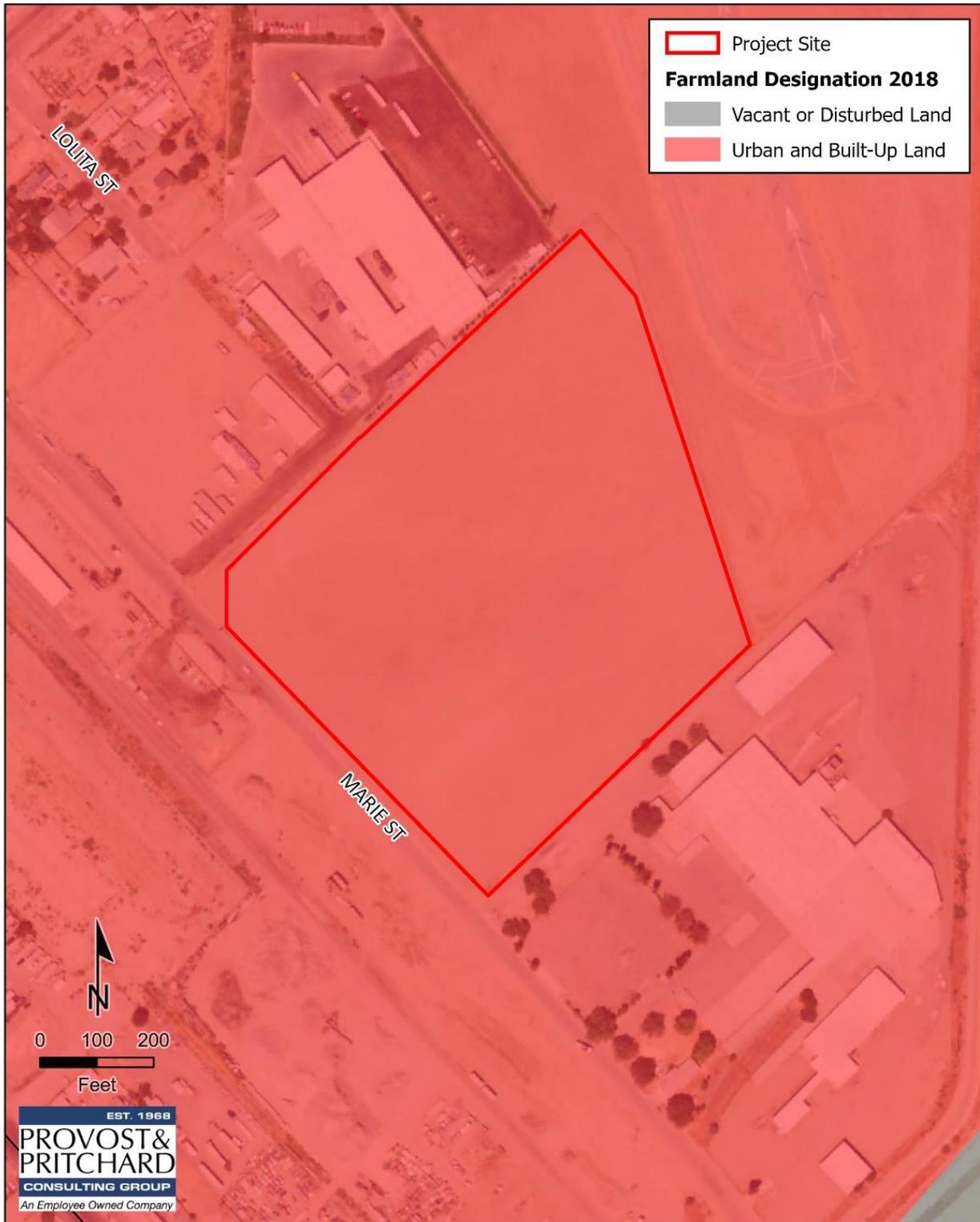


Figure 3-1. Farmland Designation Map

3.4 Air Quality

Table 3-3. Air Quality Impacts

Air Quality Impacts				
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:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

3.4.1 Environmental Setting and Baseline Conditions

3.4.1.1 Regulatory Attainment Designations

Under the CCAA, the CARB is required to designate areas of the State as attainment, nonattainment, or unclassified with respect to applicable standards. An “attainment” designation for an area signifies that pollutant concentrations did not violate the applicable standard in that area. A “nonattainment” designation indicates that a pollutant concentration violated the applicable standard at least once, excluding those occasions when a violation was caused by an exceptional event, as defined in the criteria. Depending on the frequency and severity of pollutants exceeding applicable standards, the nonattainment designation can be further classified as serious nonattainment, severe nonattainment, or extreme nonattainment, with extreme nonattainment being the most severe of the classifications. An “unclassified” designation signifies that the data does not support either an attainment or nonattainment designation. The CCAA divides districts into moderate, serious, and severe air pollution categories, with increasingly stringent control requirements mandated for each category.

The EPA designates areas for ozone, CO, and NO₂ as “does not meet the primary standards,” “cannot be classified,” or “better than national standards.” For SO₂, areas are designated as “does not meet the primary standards,” “does not meet the secondary standards,” “cannot be classified,” or “better than national standards.” However, the CARB terminology of attainment, nonattainment, and unclassified is more frequently used. The EPA uses the same sub-categories for nonattainment status: serious, severe, and extreme. In 1991, EPA assigned new nonattainment designations to areas that had previously been classified as Group I, II, or III for PM₁₀ based on the likelihood that they would violate national PM₁₀ standards. All other areas are designated “unclassified.”

The State and national attainment status designations pertaining to the SJVAB are summarized in [Error! Reference source not found.](#) The SJVAB is currently designated as a nonattainment area with respect to the State PM₁₀ standard, ozone, and PM_{2.5} standards. The SJVAB is designated nonattainment for the NAAQS 8-hour ozone and PM_{2.5} standards. On September 25, 2008, the EPA re-designated the San Joaquin Valley to attainment status for the PM₁₀ NAAQS and approved the PM₁₀ Maintenance Plan.

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Table 3-4. Summary of Ambient Air Quality Standards and Attainment Designation

Pollutant	Averaging Time	California Standards*		National Standards*	
		Concentration*	Attainment Status	Primary	Attainment Status
Ozone (O ₃)	1-hour	0.09 ppm	Nonattainment/ Severe	–	No Federal Standard
	8-hour	0.070 ppm	Nonattainment	0.075 ppm	Nonattainment (Extreme)**
Particulate Matter (PM ₁₀)	AAM	20 µg/m ³	Nonattainment	–	Attainment
	24-hour	50 µg/m ³		150 µg/m ³	
Fine Particulate Matter (PM _{2.5})	AAM	12 µg/m ³	Nonattainment	12 µg/m ³	Nonattainment
	24-hour	No Standard		35 µg/m ³	
Carbon Monoxide (CO)	1-hour	20 ppm	Attainment/ Unclassified	35 ppm	Attainment/ Unclassified
	8-hour	9 ppm		9 ppm	
	8-hour (Lake Tahoe)	6 ppm		–	
Nitrogen Dioxide (NO ₂)	AAM	0.030 ppm	Attainment	53 ppb	Attainment/ Unclassified
	1-hour	0.18 ppm		100 ppb	
Sulfur Dioxide (SO ₂)	AAM	–	Attainment	--	Attainment/ Unclassified
	24-hour	0.04 ppm		--	
	3-hour	–		0.5 ppm	
	1-hour	0.25 ppm		75 ppb	
Lead (Pb)	30-day Average	1.5 µg/m ³	Attainment	–	No Designation/ Classification
	Calendar Quarter	–		–	
	Rolling 3-Month Average	–		0.15 µg/m ³	
Sulfates (SO ₄)	24-hour	25 µg/m ³	Attainment	No Federal Standards	
Hydrogen Sulfide (H ₂ S)	1-hour	0.03 ppm (42 µg/m ³)	Unclassified		
Vinyl Chloride (C ₂ H ₃ Cl)	24-hour	0.01 ppm (26 µg/m ³)	Attainment		
Visibility-Reducing Particle Matter	8-hour	Extinction coefficient: 0.23/km-visibility of 10 miles or more due to particles when the relative humidity is less than 70%.	Unclassified		

* For more information on standards visit: <https://ww3.arb.ca.gov/research/aqs/aqs2.pdf>

** No Federal 1-hour standard. Reclassified extreme nonattainment for the Federal 8-hour standard.

***Secondary Standard

Source: CARB 2015; SJV-APCD 2015

3.4.2 Impact Assessment

3.4.2.1 Thresholds of Significance

To assist local jurisdictions in the evaluation of air quality impacts, the SJVAPCD has published the *Guide for Assessing and Mitigating Air Quality Impacts*. This guidance document includes recommended thresholds of significance to be used for the evaluation of short-term construction, long-term operational, odor, toxic air contaminant, and cumulative air quality impacts. Accordingly, the SJVAPCD-recommended thresholds of significance are used to determine whether implementation of the proposed Project would result in a significant air quality impact. Projects that exceed these recommended thresholds would be considered to have a potentially significant impact to human health and welfare. The thresholds of significance are summarized, as follows:

Short-Term Emissions of Particulate Matter (PM₁₀): Construction impacts associated with the proposed Project would be considered significant if the feasible control measures for construction in compliance with Regulation VIII as listed in the SJVAPCD guidelines are not incorporated or implemented, or if project-generated emissions would exceed 15 tons per year (TPY).

Short-Term Emissions of Ozone Precursors (ROG and NO_x): Construction impacts associated with the proposed Project would be considered significant if the project generates emissions of Reactive Organic Gases (ROG) or NO_x that exceeds 10 TPY.

Long-Term Emissions of Particulate Matter (PM₁₀): Operational impacts associated with the proposed Project would be considered significant if the project generates emissions of PM₁₀ that exceed 15 TPY.

Long-Term Emissions of Ozone Precursors (ROG and NO_x): Operational impacts associated with the proposed Project would be considered significant if the project generates emissions of ROG or NO_x that exceeds 10 TPY.

Conflict with or Obstruct Implementation of Applicable Air Quality Plan: Due to the region's nonattainment status for ozone, PM_{2.5}, and PM₁₀, if the project-generated emissions of either of the ozone precursor pollutants (i.e., ROG and NO_x) or PM₁₀ would exceed the SJVAPCD's significance thresholds, then the project would be considered to conflict with the attainment plans. In addition, if the project would result in a change in land use and corresponding increases in vehicle miles traveled, the project may result in an increase in vehicle miles traveled that is unaccounted for in regional emissions inventories contained in regional air quality control plans.

Local Mobile-Source CO Concentrations: Local mobile source impacts associated with the proposed Project would be considered significant if the project contributes to CO concentrations at receptor locations in excess of the CAAQS (i.e., 9.0 ppm for 8 hours or 20 ppm for 1 hour).

Toxic Air Contaminants (TACs): Exposure to toxic air contaminants (TAC) would be considered significant if the probability of contracting cancer for the Maximally Exposed Individual (i.e., maximum individual risk) would exceed 10 in 1 million or would result in a Hazard Index greater than 1.

Odors: Odor impacts associated with the proposed Project would be considered significant if the project has the potential to frequently expose a substantial number of sensitive receptors to objectionable odors.

a) Would the project conflict with or obstruct implementation of the applicable air quality plan?

Less than Significant Impact. Due to the region’s nonattainment status for ozone, PM_{2.5}, and PM₁₀, if the project-generated emissions of either of the ozone precursor pollutants (i.e., ROG and NO_x) or PM₁₀ would exceed the SJVAPCD’s significance thresholds, then the project would be considered to conflict with the attainment plans. In addition, if the project would result in a change in land use and corresponding increases in vehicle miles traveled, the project may result in an increase in vehicle miles traveled that is unaccounted for in regional emissions inventories contained in regional air quality control plans. However, as the Project’s operational impacts are not anticipated to exceed two (2) tons per year, as described below, impacts would be less than significant.

b) Would the project 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?

Less than Significant Impact.

Short-Term Construction-Generated Emissions

Given the lack of substantial construction generated by the Project, construction-related air quality impacts are expected to be minute and therefore have not been analyzed.

Long-Term Operational Emissions

Operational emissions generated from Project operations would consist of electricity for water pumps and additional electricity and natural gas consumption for processing. Impacts resulting from natural gas consumption are not likely to be substantial enough to exceed criteria pollutant thresholds. Operational emissions are estimated to be less than two (2) tons per year. Impacts would be less than significant.

c) Would the project expose sensitive receptors to substantial pollutant concentrations?

Less than Significant Impact. Pollutants generated by the Project would consist of diesel particulate matter generated from heavy duty truck trips delivering finished products to and/or from the Project site. The amounts would not be significant given that the Project site is estimated to produce approximately 2,000 kilograms, or 2.2 tons, per acre per year. The Project would generate the equivalent of two (2) heavy duty truck trips annually. Impacts would be less than significant.

d) Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

Less than Significant Impact. The cultivation of cannabis is known to generate odorous and airborne constituents. CDFG acknowledges odor as a potential concern, although determination of what constitutes nuisance odor is highly subjective. CDFG cites in its 2017 *Medical Cannabis Cultivation Program Literature Review* findings from the Oregon judicial system that odor from cannabis is offensive to some people and enjoyable to others. Further, the perception of whether an odor is offensive is “linked to the intensity, duration, and frequency of the odor and the location at which the odor occurred.”² In the instant case, it is anticipated that peak odor would coincide with harvesting, which amounts to an approximately two- to three-week period each year. Harvested crop would not be stored on the site but would immediately be moved indoors to the nearby manufacturing facility. Generation of odor at this facility would not be unlike similar situations involving viticulture/enology, brewing, or dairy/livestock activities that result in offsite odor that some may find offensive.

Further CDFG, BCC, and local agencies’ examination of odor, whether in the context of cannabis or otherwise, is limited to “sensitive receptors;” (i.e., schools, churches, residences, apartments, hospitals, licensed daycare facilities, and elderly care facilities) and doesn’t apply to commercial, industrial, or most other public or institutional uses. The issue was also examined pursuant to CEQA in the BCC’s 2017 Initial Study/Negative

² California Department of Food and Agriculture 2017 *Medical Cannabis Cultivation Program Literature Review*, citing a 2015 article from the *Los Angeles Time* discussing *State of Oregon v. Jared William Lang*, CM1320460; A154498, August 19, 2015

Declaration for its Commercial Cannabis Business Licensing Program and CDFA’s 2017 Final Environmental Impact Report for the CalCannabis Cultivation Licensing Program, with the same conclusions being reached. The San Joaquin Valley Air Pollution Control District (SJVAPCD) requires permits for certain cannabis-related activities, although it considers cultivation to be an agricultural activity that is exempt from its nuisance odor regulations (Rule 4102). SJVAPCD recommends that local agencies implement odor-reduction policies.

The proposed use is considered an agricultural use, and therefore is not subject to SJVAPCD Rule 4102, Nuisance. Furthermore, the City has not adopted a threshold of significance related to odors. The Project site is approximately 0.35 miles away from Mendota High School, 0.49 miles away from Washington Elementary School, and 0.58 miles away from Mendota Junior High School. The nearest residences are approximately 450 feet to the northwest and 600 feet to the southwest. However, prevailing winds in Mendota are from the northwest, indicating that, for most of the year, wind will carry any potential odors away from sensitive receptors. Although the project is not anticipated to result in adverse effects to a substantial number of people, the applicant has proposed to implement an escalating series of odor-mitigation actions that have had success at other similar facilities:

1. Cultivation of strains or varieties that are known and/or specifically hybridized to produce less odor.
2. Co-planting of fragrant herbs such as mint, lavender, rosemary, or other plants intended to mask the odor of cannabis.
3. Installation of chemical fog machines.

Although Action 1 would be implemented at the start of operation, subsequent actions would be implemented as needed based on observations of odor effects through successive harvests.

Related to odor are alleged potential health concerns for persons subjected to the odor. CDFA does not provide guidance on this subject other than to note that symptoms “have been reported to include headaches, eye and throat irritation, nausea, discomfort being outside (exercising, gardening, socializing), mental stress, and lack of desire to entertain due to strong odors,”³ also noting that these symptoms can result from exposure to common pollen. According to CDFA, most onsite and offsite health issues correlated with cannabis cultivation are related to mold (indoor grows only) and illegal use of rodenticides, fungicides, herbicides, and insecticides,⁴ along with substandard storage of pesticides, diesel, gasoline, and butane.⁵ Importantly, these violations are related to *illegal* cannabis cultivation sites; the use of chemicals under CalCannabis is highly regulated.

Therefore, impacts due to odor would be less than significant.

³ California Department of Food and Agriculture 2017 *Medical Cannabis Cultivation Program Literature Review*, citing a 2016 study by Denver Environmental Health.

⁴ *Ibid*, citing violations recorded by the State Water Resources Control Board, the North Coast Regional Water Quality Control Board, and the Central Valley Regional Water Quality Control Board.

⁵ *Ibid*, citing publications from the Department of Fish and Wildlife.

3.5 Biological Resources

Table 3-5. Biological Resources Impacts

Biological Resources Impacts				
Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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 Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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 Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

3.5.1 Environmental Setting and Baseline Conditions

The Project site is located in The City of Mendota within Fresno County, within the lower San Joaquin Valley, part of the Great Valley of California. The Valley is bordered by the Sierra Nevada Mountain Ranges to the east, the Coast Ranges to the west, the Klamath Mountains and Cascade Range to the north, and the Transverse Ranges and Mojave Desert to the south.

Like most of California, the San Joaquin Valley experiences a Mediterranean climate. Warm, dry summers are followed by cool, moist winters. Summer temperatures often reach above 90 degrees Fahrenheit, and the humidity is generally low. Winter temperatures are often below 60 degrees Fahrenheit during the day and rarely exceed 70 degrees. On average, the Central Valley receives approximately 12 inches of precipitation in the form of rainfall yearly, most of which occurs between October and March.

The Project is located within the Mowry Lake-Fresno Slough watershed; Hydrologic Unit Code (HUC): 180300091003⁶, approximately two miles south of the Mendota Pool at the confluence of the San Joaquin River and the Fresno Slough, and seven miles east of Panoche Creek. The San Joaquin River, Fresno Slough, and Mendota Pool have been levied and much of the surrounding land is now intensively cultivated for agricultural production. Historically, the Mendota area supported large areas of riparian wetlands and important waterfowl habitat. Due to alteration of the aquatic features in the vicinity and the conversion of natural habitat to agricultural lands, the riparian habitat is now limited to the margins of these waterways and to undisturbed areas within ecological reserves, managed wildlife areas, and national wildlife refuges.

There are several managed reserves and wildlife areas in the vicinity of Mendota, most of which are dedicated to the preservation of native habitat for waterfowl and special status species. The CDFW-managed Mendota Wildlife Area lies approximately 2.5 miles southeast of the Project and encompasses 11,825 acres of wetland and upland habitats including a portion of the Fresno Slough. The Alkali Sink Ecological Reserve and the Kerman Ecological Reserve are located east-southeast of the Project, at an approximate distance of 5.5 miles and 10 miles, respectively. Little Panoche Reservoir Wildlife Area and the Panoche Hills Ecological Reserve are located west of Interstate 5, approximately 20 miles west of the Project. The southern portion of the San Luis National Wildlife Refuge complex, which encompasses over 26,800 acres of wetlands, riparian forests, native grasslands, and vernal pools lies approximately 20 miles northwest of the Project.

Table 3-6. List of Special Status Animals with Potential to Occur Onsite and/or in the Vicinity

giant garter snake <i>(Thamnophis gigas)</i>	FT, CT	Occurs in marshes, sloughs, drainage canals, irrigation ditches, rice fields, and adjacent uplands. Prefers locations with emergent vegetation for cover and open areas for basking. This species uses small mammal burrows adjacent to aquatic habitats for hibernation in the winter and to escape from excessive heat in the summer.
western yellow-billed cuckoo <i>(Coccyzus americanus occidentalis)</i>	FT, CE	Suitable nesting habitat in California includes dense riparian willow-cottonwood and mesquite habitats along a perennial river. Once a common breeding species in riparian habitats of lowland California, this species currently breeds consistently in only two locations in the State: along the Sacramento and South Fork Kern Rivers.
burrowing owl (<i>Athene cunicularia</i>)	CSC	Resides in open, dry annual or perennial grasslands, deserts, and scrublands with low growing vegetation. Nests underground in existing burrows created by burrowing mammals, most often ground squirrels.
western pond turtle (<i>Emys marmorata</i>)	CSC	An aquatic turtle of ponds, marshes, slow-moving rivers, streams, and irrigation ditches with riparian vegetation. Requires adequate basking sites and sandy banks or grassy open fields to deposit eggs.
San Joaquin kit fox (<i>Vulpes macrotis mutica</i>)	FE, CT	Underground dens with multiple entrances in alkali sink, valley grassland, and woodland in valleys and adjacent foothills.
western mastiff bat (<i>Eumops perotis californicus</i>)	CSC	Found in open, arid to semi-arid habitats, including dry desert washes, flood plains, chaparral, oak woodland, open ponderosa pine forest, grassland, and agricultural areas, where it feeds on insects in flight. Roosts most commonly in crevices in cliff faces, but may also use high buildings and tunnels.
blunt-nosed leopard lizard <i>(Gambelia sila)</i>	FE, CE, CFP	Inhabits semi-arid grasslands, alkali flats, low foothills, canyon floors, large washes, and arroyos, usually on sandy, gravelly, or loamy substrate, sometimes on hardpan. Often found where there are abundant rodent burrows in dense vegetation or tall grass. Cannot survive on lands under cultivation. Known to bask on kangaroo rat

⁶ (United States Environmental Protection Agency, n.d.) Accessed May 2021.

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		mounds and often seeks shelter at the base of shrubs, in small mammal burrows, or in rock piles. Adults may excavate shallow burrows, but rely on deeper pre-existing rodent burrows for hibernation and reproduction.
longhorn fairy shrimp <i>(Branchinecta longiantenna)</i>	FE	Inhabits clear to turbid vernal pools or seasonally ponded areas.
western spadefoot <i>(Spea hammondi)</i>	CSC	Prefers open areas with sandy or gravelly soils, in a variety of habitats including mixed woodlands, grasslands, coastal sage scrub, chaparral, sandy washes, lowlands, river floodplains, alluvial fans, playas, alkali flats, foothills, and mountains. Vernal pools or temporary wetlands, lasting a minimum of three weeks, which do not contain bullfrogs, fish, or crayfish are necessary for breeding.

Table 3-7. List of Special Status Plants with Potential to Occur Onsite and/or in the Vicinity

Species	Status	Habitat
Sanford's arrowhead <i>(Sagittaria sanfordii)</i>	CNPS 1B	Found in the San Joaquin Valley and other parts of California in freshwater-marsh, primarily ponds and ditches, at elevations below 1000 feet. Blooms May – October.
Lost Hills crownscale <i>(Atriplex coronata var. vallicola)</i>	CNPS 1B	Found in the San Joaquin Valley in chenopod scrub, valley and foothill grassland, and vernal pools at elevations below 1400 feet. Typically found in dried ponds on alkaline soils. Blooms April – September.
recurved larkspur <i>(Delphinium recurvatum)</i>	CNPS 1B	Found in the San Joaquin Valley and other parts of California. Occurs in poorly drained, fine, alkaline soils in grassland at elevations between 100 feet and 1965 feet. Most often found in non-wetlands, but occasionally found in wetlands. Blooms March – June.

EXPLANATION OF STATUS CODES

STATUS CODES

FE	Federally Endangered	CE	California Endangered
FT	Federally Threatened	CT	California Threatened
FPE	Federally Endangered (Proposed)	CCT	California Threatened (Candidate)
FPT	Federally Threatened (Proposed)	CFP	California Fully Protected
FC	Federal Candidate	CSC	California Species of Special Concern
		CWL	California Watch List
		CCE	California Endangered (Candidate)
		CR	California Rare

CNPS LISTING

1A	Plants Presumed Extinct in California	2	Plants Rare, Threatened, or Endangered in California, but more common elsewhere
1B	Plants Rare, Threatened, or Endangered in California and elsewhere		

3.5.2 Impact Assessment

a) Would the project 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 Game or U.S. Fish and Wildlife Service?

Less than Significant Impact. According to a Project site search using the California Department of Fish and Wildlife's California Natural Diversity Database, there may be special status animal and plant species near the Project site. However, the site is surrounded by urban uses, including an airport, cold storage and warehousing, and the rail corridor. Further, aside from installation of chain-link fencing along the Marie Street frontage, the only activities occurring on the site will consist of potted agriculture; i.e., there will be no construction. The potential to adversely affect candidate, sensitive, or special status species is less than significant.

b) Would the project 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?

c) Would the project 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?

b and c) No Impact. The Project area is located in an urbanized area surrounded by residential uses, industrial uses, and an airport. The Project is not located on or near 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. Also, the Project is not located on or near any State or federally protected wetlands. Therefore, there will be no impact.

d) Would the project 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?

Less than Significant Impact. The Project area does not contain features that would be likely to function as a wildlife movement corridor. Furthermore, the Project is located in a region often disturbed by intensive agricultural cultivation practices and human disturbance which would discourage dispersal and migration. Therefore, implementation of the Project will have no impact on wildlife movement corridors, and mitigation is not warranted.

e) Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

No Impact. The Project description is in compliance with the goals and policies set forth in the City of Mendota General Plan. There will be no impact.

f) Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

No Impact. The Project site is not within a designated Habitat Conservation Plan, Natural Conservation Plan, or any other State or local habitat conservation plan. There would be no impact.



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Figure 3-2. Wetlands Map

3.6 Cultural Resources

Table 3-8. Cultural Resources Impacts

Cultural Resources Impacts				
Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource pursuant to in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Disturb any human remains, including those interred outside of dedicated cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

3.6.1 Environmental Setting

The Project site is located in Fresno County within the San Joaquin Valley, which is an archaeologically and historically rich area.

3.6.2 Impact Assessment

a) Would the project cause a substantial adverse change in the significance of a historical resource pursuant to in §15064.5?

Less than Significant Impact. The Project’s ground disturbance will be minimal in nature, the Project’s potential to cause a substantial adverse change in the significance of a historical resource would be less than significant. Additionally, please see **Section 3.19**, Tribal Cultural Resources.

b) Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?

Less than Significant Impact. The Project proposes up to 15 acres of cannabis planted in pots on the ground. Given there are no existing structures on the site, and the Project’s potential minimal ground disturbance beneath the existing ground, impacts to cultural resources would be less than significant.

c) Would the project disturb any human remains, including those interred outside of dedicated cemeteries?

Less than Significant Impact. As discussed above in subsection b), The Project proposes up to 15 acres of cannabis planted in pots on the ground. Given there are no existing structures on the site, and the Project’s potential minimal ground disturbance beneath the existing ground, impacts to cultural resources would be less than significant.

3.7 Energy

Table 3-9. Energy Impacts

Energy Impacts				
Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

3.7.1 Environmental Setting

Pacific Gas and Electric (PG&E) supplies electricity and natural gas to the Project area. PG&E obtains its power through hydroelectric, thermal (natural gas), wind, and solar generation or via purchase. PG&E continually produces new electric generation and natural gas sources and implements improvements to gas lines throughout its service areas to ensure the provision of services to customers. New construction would be subject to Titles 20 and 24 of the California Code of Regulations (CCR) which each serve to reduce demand for electrical energy by implementing energy-efficient standards for residential, as well as non-residential buildings.

3.7.2 Local

City of Mendota General Plan: The Mendota General Plan sets forth the following goals and policies that pertain to energy of the City and which may be relevant to the Project’s CEQA review:

- *Policy OSC-10.10 The City shall encourage new development projects to reduce air quality impacts from area sources and from energy consumption, such as the use of “EPA Energy Star” appliances.*
- *Policy OSC-11.2 The City shall require that new buildings and additions be in compliance with the energy efficiency standards of the California Building Standards Code.*

3.7.3 Impact Assessment

a) Would the project result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

Less than Significant Impact. The Project proposes to operate up to 15 acres of outdoor cannabis cultivation using natural light and ventilation. Water production-related energy consumption is anticipated to be approximately 31,500 kilowatt-hours annually. The project would not result in potentially significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resources. Impacts will be less than significant.

b) Would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

Less than Significant Impact. The Project proposes the outdoor cultivation of up to 15 acres of cannabis. While indoor cultivation requires artificial lighting and mechanical ventilation, the Project will utilize natural light and ventilation. Impacts will be less than significant.

3.8 Geology and Soils

Table 3-10. Geology and Soils Impacts

Geology and Soils Impacts				
Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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 wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Directly or indirectly destroy a unique paleontological resource or site or unique geological feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

3.8.1 Environmental Setting and Baseline Conditions

3.8.1.1 Geology and Soils

The Project is located in northwestern Fresno County, in the central section of California’s Great Valley Geomorphic Province, or Central Valley. The Sacramento Valley makes up the northern third and the San Joaquin Valley makes up the southern two-thirds of the geomorphic province. Both valleys are watered by large rivers flowing west from the Sierra Nevada Range, with smaller tributaries flowing east from the Coast Ranges. Most of the surface of the Great Valley is covered by Quaternary (present day to 1.6 million years ago) alluvium. The sedimentary formations are steeply upturned along the western margin due to the uplifted Sierra Nevada

Range.⁷ From the time the Valley first began to form, sediments derived from erosion of igneous and metamorphic rocks and consolidated marine sediments in the surrounding mountains have been transported into the Valley by streams.

3.8.1.2 Faults and Seismicity

The Project site is not located within an Alquist-Priolo Earthquake Fault Zone and no known faults cut through the local soil at the site. The nearest named fault is the O’Neill fault located approximately 20 miles away.

3.8.1.3 Liquefaction

The potential for liquefaction, which is the loss of soil strength due to seismic forces, is dependent on soil types and density, depth to groundwater, and the duration and intensity of ground shaking. Although no specific liquefaction hazard areas have been identified in the county, this potential is recognized throughout the San Joaquin Valley where unconsolidated sediments and a high-water table coincide. According to the United States Department of Agriculture - Natural Resources Conservation Service soil survey in Fresno County, liquefaction risk in the Project area is low.

3.8.1.4 Soil Subsidence

Subsidence occurs when a large land area settles due to over-saturation or extensive withdrawal of ground water, oil, or natural gas. These areas are typically composed of open-textured soils that become saturated. These areas are high in silt or clay content. The Project site is mostly comprised of calfax clay loam (0–1% slopes). It is moderately well drained with a low risk of subsidence (Soil Survey).

3.8.1.5 Dam and Levee Failure

The Mendota Diversion Dam is located approximately 2.3 miles north of the Project.

3.8.2 Impact Assessment

a) Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:

a-i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

a-ii) Strong seismic ground shaking?

Less than Significant Impact. There are no known faults near the Project area. The Project site is subject to relatively low seismic hazards compared to many other parts of California. Potential ground shaking produced by earthquakes generated on regional faults lying outside the immediate vicinity in the Project area may occur. Due to the distance of the known faults in the region, no significant ground shaking is anticipated on this site.

a-iii) Seismic-related ground failure, including liquefaction?

Less than Significant Impact. As discussed above in Section 3.8.1.3, no subsidence-prone soils, oil or gas production or overdraft exists at the Project site. Furthermore, soil conditions on the site are not prone to soil instability due to its low shrink-swell behavior. The impact would be less than significant.

a-iv) Landslides?

No Impact. As the Project is located on the San Joaquin Valley floor, no major geologic landforms exist on or near the site that could result in a landslide. The potential landslide impact at this location is minimal as the site

⁷ Harden, D.R. 1998, California Geology, Prentice Hall, 479 pages

⁴ Soil Web: An Online Soil Survey Boundary SoilWeb: An Online Soil Survey Browser | California Soil Resource Lab (ucdavis.edu)

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is approximately 20 miles from the foothills and the local topography is essentially flat and featureless. There will be no impact.

b) Would the project result in substantial soil erosion or the loss of topsoil?

No Impact. The Project proposes up to 15 acres of cannabis planted in pots on the ground. Ground disturbance would be minimal; therefore, the Project will not result in substantial soil erosion or the loss of topsoil.

c) Would the project 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?

d) Would the project 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?

c and d) No Impact. Soils onsite consist of calfax clay loam (0–1% slopes). The Project site and surrounding areas do not contain substantial grade changes. Risk of landslides, lateral spreading, subsidence, liquefaction, and collapse are minimal. The Project does not propose any modification or alteration of the topography of the site and is not located on expansive soil. There will be no impact.

e) Would the project 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?

No Impact. No septic system is proposed. Since the Project does not involve contrition of any buildings, neither will the site be connected to the City’s wastewater conveyance system. There will be no impact.

f) Would the project directly or indirectly destroy a unique paleontological resource or site or unique geological feature?

No Impact. The Project proposes up to 15 acres of cannabis planted in pots on the ground. Ground disturbance would be minimal. The placement of these planters will not cause adverse effects as a result of earthquakes, strong seismic ground shaking, landslides, liquefaction, the loss of topsoil or substantial soil erosion. The Project would not disturb existing septic tanks or alternative wastewater disposal systems, nor unique paleontological or geological resources. There would be no impact.

3.9 Greenhouse Gas Emissions

Table 3-11. Greenhouse Gas Emissions Impacts

Greenhouse Gas Emissions Impacts				
Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

3.9.1 Environmental Setting and Baseline Conditions

Commonly identified GHG emissions and sources include the following:

Carbon dioxide (CO₂) is an odorless, colorless natural greenhouse gas. CO₂ is emitted from natural and anthropogenic sources. Natural sources include the following: decomposition of dead organic matter; respiration of bacteria, plants, animals, and fungus; evaporation from oceans; and volcanic out gassing. Anthropogenic sources include the burning of coal, oil, natural gas, and wood.

Methane (CH₄) is a flammable greenhouse gas. A natural source of methane is the anaerobic decay of organic matter. Geological deposits, known as natural gas fields, also contain methane, which is extracted for fuel. Other sources are from landfills, fermentation of manure, and ruminants such as cattle.

Nitrous oxide (N₂O), also known as laughing gas, is a colorless greenhouse gas. Nitrous oxide is produced by microbial processes in soil and water, including those reactions that occur in fertilizer containing nitrogen. In addition to agricultural sources, some industrial processes (fossil fuel-fired power plants, nylon production, nitric acid production, and vehicle emissions) also contribute to its atmospheric load.

Water vapor is the most abundant, and variable greenhouse gas. It is not considered a pollutant; in the atmosphere, it maintains a climate necessary for life.

Ozone (O₃) is known as a photochemical pollutant and is a greenhouse gas; however, unlike other greenhouse gases, ozone in the troposphere is relatively short-lived and, therefore, is not global in nature. Ozone is not emitted directly into the atmosphere but is formed by a complex series of chemical reactions between volatile organic compounds, nitrogen oxides, and sunlight.

Aerosols are suspensions of particulate matter in a gas emitted into the air through burning biomass (plant material) and fossil fuels. Aerosols can warm the atmosphere by absorbing and emitting heat and can cool the atmosphere by reflecting light.

Chlorofluorocarbons (CFCs) are nontoxic, nonflammable, insoluble, and chemically unreactive in the troposphere (the level of air at the earth’s surface). CFCs were first synthesized in 1928 for use as refrigerants, aerosol propellants, and cleaning solvents. CFCs destroy stratospheric ozone; therefore, their production was stopped as required by the Montreal Protocol in 1987.

Hydrofluorocarbons (HFCs) are synthetic chemicals that are used as a substitute for CFCs. Of all the greenhouse gases, HFCs are one of three groups (the other two are perfluorocarbons and sulfur

hexafluoride) with the highest global warming potential. HFCs are human-made for applications such as air conditioners and refrigerants.

Perfluorocarbons (PFCs) have stable molecular structures and do not break down through the chemical processes in the lower atmosphere; therefore, PFCs have long atmospheric lifetimes, between 10,000 and 50,000 years. The two main sources of PFCs are primary aluminum production and semiconductor manufacture.

Sulfur hexafluoride (SF₆) is an inorganic, odorless, colorless, nontoxic, nonflammable gas. It has the highest global warming potential of any gas evaluated. Sulfur hexafluoride is used for insulation in electric power transmission and distribution equipment, in the magnesium industry, in semiconductor manufacturing, and as a tracer gas for leak detection.

There are uncertainties as to exactly what the climate changes will be in various local areas of the earth, and what the effects of clouds will be in determining the rate at which the mean temperature will increase. There are also uncertainties associated with the magnitude and timing of other consequences of a warmer planet: sea level rise, spread of certain diseases out of their usual geographic range, the effect on agricultural production, water supply, sustainability of ecosystems, increased strength and frequency of storms, extreme heat events, air pollution episodes, and the consequence of these effects on the economy.

Emissions of GHGs contributing to global climate change are largely attributable to human activities associated with the industrial/manufacturing, utility, transportation, residential, and agricultural sectors. About three-quarters of human emissions of CO₂ to the global atmosphere during the past 20 years are due to fossil fuel burning. Atmospheric concentrations of CO₂, CH₄, and N₂O have increased 31 percent, 151 percent, and 17 percent respectively since the year 1750 (CEC 2008). GHG emissions are typically expressed in carbon dioxide-equivalents (CO₂e), based on the GHG's Global Warming Potential (GWP). The GWP is dependent on the lifetime, or persistence, of the gas molecule in the atmosphere. For example, one ton of CH₄ has the same contribution to the greenhouse effect as approximately 21 tons of CO₂. Therefore, CH₄ is a much more potent GHG than CO₂.

3.9.1.1 Short-Term Construction-Generated Emissions

Due to the nature of the Project, construction equipment is not anticipated. Construction-related emissions are therefore not discussed further.

3.9.1.2 Long-Term Operational Emissions

Operational emissions would consist of additional heavy duty truck deliveries occurring from processing, as well as additional electricity usage related to the additional water pumping.

3.9.1.3 Effects of Climate Change

The sections below detail the methodology of the report and its conclusions.

3.9.2 Impact Assessment

3.9.2.1 Thresholds of Significance

CEQA Guidelines Amendments for GHG became effective March 18, 2010. Included in the Amendments are revisions to the Appendix G Initial Study Checklist. In accordance with these Amendments, a project would be considered to have a significant impact to climate change if it would:

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

In accordance with SJVAPCD’s *CEQA Greenhouse Gas Guidance for Valley Land-use Agencies in Addressing GHG Emission Impacts for New Projects*⁸, proposed projects complying with Best Performance Standards (BPS) would be determined to have a less-than-significant impact. Projects not complying with BPS would be considered less than significant if operational GHG emissions would be reduced or mitigated by a minimum of 29 percent, in comparison to business-as-usual (year 2004) conditions. In addition, project-generated emissions complying with an approved plan or mitigation program would also be determined to have a less-than-significant impact.

a) Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

Less than Significant Impact.

Long-Term Operational Emissions

Estimated long-term operational emissions are summarized in **Table 3-12**.

Table 3-12. Long-Term Operational GHG Emissions

	Emissions (MT CO ₂ e) ⁽¹⁾
<i>Delivery Emissions</i>	26.57
<i>Water Pumping</i>	2.94
<i>Total</i>	29.51
<i>AB 32 Consistency Threshold for Land-Use Development Projects*</i>	1,100

* As published in the Bay Area Air Quality Management District’s CEQA Air Quality Guidelines. Available online at http://www.baaqmd.gov/~media/files/planning-and-research/ceqa/ceqa_guidelines_may2017-pdf.pdf?la=en

b) Would the project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

Less than Significant Impact. The Project will cause the emission of approximately 30 metric tons of CO₂e annually, an amount less than established thresholds. Impacts would be less than significant.

⁸ Guidance for Valley Land-use Agencies in Addressing GHG Emission Impacts for New Projects under CEQA. <http://www.valleyair.org/Programs/CCAP/12-17-09/3%20CCAP%20-%20FINAL%20LU%20Guidance%20-%20Dec%2017%202009.pdf>

3.10 Hazards and Hazardous Materials

Table 3-13. Hazards and Hazardous Materials Impacts

Hazards and Hazardous Materials Impacts				
Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Expose people or structures, either directly or indirectly to a significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

3.10.1 Environmental Setting and Baseline Conditions

3.10.1.1 Hazardous Materials

The Hazardous Waste and Substances Sites (Cortese) List is a planning document used by the State, local agencies, and developers to comply with CEQA requirements in providing information about the location of hazardous materials release sites. Government Code Section 65962.5 requires the California Environmental Protection Agency (CalEPA) to develop at least annually an updated Cortese List. The Department of Toxic Substances Control (DTSC) is responsible for a portion of the information contained in the Cortese List. Other State and local government agencies are required to provide additional hazardous material release information for the Cortese List. DTSC's EnviroStor database provides DTSC's component of Cortese List data (DTSC, 2010). In addition to the EnviroStor database, the State Water Resources Control Board (SWRCB) Geotracker database provides information on regulated hazardous waste facilities in California, including underground storage tank (UST) cases and non-UST cleanup programs, including Spills-Leaks-Investigations-Cleanups (SLIC) sites, Department of Defense (DOD) sites, and Land Disposal program. A search of the DTSC

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EnviroStor database and the SWRCB Geotracker performed on May 14, 2021 determined that there are no known active hazardous waste generators or hazardous material spill sites within the Project site or immediate surrounding vicinity.

3.10.1.2 Airports

The William Robert Johnston Municipal Airport is approximately one mile northeast of the Project.

3.10.1.3 Emergency Response Plan

The City of Mendota prepared an Emergency Operations Plan (EOP) in 2006. The objective of the EOP is to incorporate and coordinate all the facilities and personnel of the City into an efficient organization capable of responding to any emergency.⁹

3.10.1.4 Sensitive Receptors

Approximately 600 feet southeast of the Project site is mobile home/RV residential area.

3.10.1.5 Local

City of Mendota General Plan:¹⁰ The Mendota General Plan sets forth the following goals and policies that pertain to hazards and hazardous materials of the City and which may be relevant to the Project's CEQA review:

- *S-5.3 Hazardous materials procedures should be consistent the Fresno County Hazardous Waste Management Plan (HWMP).*
- *S-5.5 The City should storage handling, transport and disposal issues.*

3.10.2 Impact Assessment

a) Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

Less than Significant Impact. Truck deliveries will be made to and from the Project site, utilizing diesel fuel. However, truck deliveries currently exist in the City of Mendota, and therefore impacts would be less than significant.

b) Would the project 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?

No Impact. The Project is not expected to generate excessive traffic to the Project site and the Project will not produce or utilize and hazardous substances. The Project will not 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.

c) Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

No Impact. The Project site is not within one-quarter mile of an existing or proposed school. There is no impact.

⁹ (City of Mendota General Plan, n.d.) Accessed May 2021.

¹⁰ (City of Mendota General Plan, n.d.) Accessed May 2021.

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- d) Would the project 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?**

No Impact. The Project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. There will be no impact.

- 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?**

Less than Significant Impact. The Project Site is located within the planning area of the Fresno County Airport Land Use Compatibility Plan (ALUCP). Three Airport Safety Zones overlie the Project site: Runway Protection Zone, Inner Approach Zone, and Traffic Pattern Zone. At a special meeting on March 8, 2021, the Fresno County Airport Land Use Commission made a conditional finding of compatibility with the ALUCP 1) provided that no part of the operation would occur within the 2.20 acres of Runway Protection Zone and 2) pending consultation with the Federal Aviation Administration regarding perimeter fence height. Impacts will be less than significant.

- f) Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?**

No Impact. The City of Mendota's adopted Emergency Operations Plan (EOP) would not be significantly affected by the Project. Disturbances to traffic patterns are not to be expected. Therefore, Project-related impacts to emergency evacuation routes or emergency response routes on local roadways would have no impact.

- g) Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?**

No Impact. The nearest State Responsibility Area is located approximately 15 miles southwest of the Project site. The Project is located in an urbanized area. To the northeast is the William Robert Johnston Municipal Airport, industrial developments to the immediate northwest and southeast, and the southwest, across the Southern Pacific Railroad, is residential land uses of differing types.

3.11 Hydrology and Water Quality

Table 3-14. Hydrology and Water Quality Impacts

Hydrology and Water Quality Impacts				
Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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:				
i) result in substantial erosion or siltation on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

3.11.1 Environmental Setting and Baseline Conditions

The Project site is located in the Delta-Mendota Subbasin. The City of Mendota's three water supply wells are located northeast of the city limits on land leased from a private agricultural interest. These wells have a production capacity of approximately 3,500 to 3,600 gallons per minute (GPM) or 5.0 to 5.2 million gallons per day (MGD). Peak summer water usage is approximately 2.5 MGD for the City. Water from the well field is delivered to the City's water treatment plant prior to distribution throughout the City. The plant can treat approximately 3,000 GPM, or 4.3 MGD. The plant also contains two 1.0-million-gallon water storage tanks.

3.11.2 Impact Assessment

a) Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?

Less than Significant Impact. The Project proposes up to 15 acres of cannabis planted in pots on the ground. Ground disturbance would be minimal. The site will be graded such that all irrigation water will remain onsite and irrigation timing and duration will be closely monitored to prevent ponding or wastage. Since the irrigation season is opposite of the region's precipitation season and there will not be any impervious surface, there is not anticipated to be any runoff into the City's storm drainage system. The Project does not propose any onsite buildings, including restrooms, so it is not anticipated that any wastewater will be generated and, accordingly, there would be no connection to the City's wastewater system. Impacts will be less than significant.

b) Would the project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

Less than Significant Impact with Mitigation. The Applicant estimates approximately 9 million gallons per year, or roughly 3.66 acre-feet per acre per year. The City has sufficient water production capacity to serve the Project; however, if irrigation at the Project coincides with daily peak domestic water use, the City's water treatment plant may not be able to treat water at a rate sufficient to maintain City-wide pressure. Implementation of **HYD-1** below would ensure that the effects are reduced to a less than significant level.

c) Would the project 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:

c-i) result in substantial erosion or siltation on- or off-site;

c-ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;

c-iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or

c-iv) impede or redirect flood flows?

Less than Significant Impact. The Project proposes up to 15 acres of cannabis planted in pots on the ground. The area of impermeable surface would not increase. The site will be graded such that all irrigation water will remain onsite and irrigation timing and duration will be closely monitored to prevent ponding or wastage. Since the irrigation season is opposite of the region's precipitation season and there will not be any impervious surface, there is not anticipated to be any runoff into the City's storm drainage system. The Project does not propose any onsite buildings that could or impede or redirect flood flows. Impacts will be less than significant.

d) Would the project in flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundations?

No Impact. The Project is not located in a flood hazard, tsunami, or seiche zone. There will be no impact.

e) Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

Less than Significant Impact with Mitigation. The Project proposes up to 15 acres of cannabis planted in pots on the ground. The Applicant estimates that approximately 9 million gallons per year, or roughly 3.66 acre-feet per acre per year, or 1.83 acre-feet per gross acre, will be used to irrigate the plants. The SJREC GSP states that the City of Mendota has a sustainable yield of 800 AF per year, or roughly 0.3 acre-feet per acre.

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As stated in the SJREC GSP, the City is actively pursuing water conservation. In order to maintain sustainability, the City is committed to offsetting an increase in demand based on projected population growth, by developing certain projects. Each project will be analyzed jointly with the City and the SJREC to maximize the regional benefits. The City will develop projects including:

- 1) *storm water capture;*
- 2) *demand reduction through reduced watering;*
- 3) *surface water transfer;*
- 4) *purchasing groundwater credits;*
- 5) *participation in recharge projects;*
- 6) *reclaimed water for outdoor watering; and,*
- 7) *the city will continue to investigate other types of projects.*

Because there are no identified projects to improve groundwater sustainability, this constitutes a significant impact. Implementation of HYD-1 would reduce impacts to less than significant.

Mitigation Measure

HYD-1 (Off-Site Water Use Reduction). Prior to commencement of land use, the City shall identify a list and cost of water conservation and/or recharge projects that would reduce the net increase in water to 1.46 million gallons per year. The applicant shall pay its fair share towards the project(s). The City shall cause the completion of the identified projects prior to exceedance of the City's sustainable yield amount (800 AFY). Such water conservation projects may include:

- Funding dishwasher, clothes washer, toilet, or landscape replacement and/or rebate programs.
- Identification and elimination of public water system leaks.
- Stormwater capture
- Construction of recharge basins

Agriculture irrigation efficiency projects may be funded and implemented in perpetuity by the project proponent.



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Figure 3-3 FEMA Map

3.12 Land Use and Planning

Table 3-15. Land Use and Planning Impacts

Land Use and Planning Impacts				
Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

3.12.1 Environmental Setting and Baseline Conditions

The Project is located at the southeastern region of the City of Mendota in the northwestern portion of Fresno County. The Project site is located in an urbanized area, with the William Robert Johnston Municipal Airport to the northeast, industrial developments to the immediate northwest and southeast, and residential land uses across the Southern Pacific Railroad to the southwest.

The Project site consists of Assessor’s Parcel Number 013-280-29, an approximately 15-acre site. The site is planned as Light Industrial by the Mendota General Plan and is zoned M-1/CO (Light Manufacturing with Commercial Cannabis Overlay District). Surrounding zone designations and General Plan land use designations are detailed in **Figure 2-5** and **Figure 2-6**.

3.12.2 Impact Assessment

a) Would the project physically divide an established community?

No Impact. The existing site is an undeveloped vacant lot. The Project is not proposing a physical barrier or other physical division within an established community. There is no impact.

b) Would the project cause a significant environmental conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

No Impact. The Project is consistent with the designated land use and zone district; therefore, the Project will not cause a significant environmental conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.

3.13 Mineral Resources

Table 3-16. Mineral Resources Impacts

Mineral Resources Impacts				
Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

3.13.1 Environmental Setting and Baseline Conditions

The Project is located in the City of Mendota within the northwestern portion of Fresno County, in the southern section of California’s Great Valley Geomorphic Province, or Central Valley. Historically, Fresno County has been a leading producer of a variety of minerals including aggregate, fossil fuels, metals, and other materials used construction or in industrial processes. Currently, aggregate and petroleum are the County’s most significant mineral resources. The Coalinga area, in western Fresno County, has been a valuable region for mineral resources as a top producer of commercial asbestos and home to extensive oil recovery operations.

California Department of Conservation’s Division of Oil, Gas, and Geothermal Resources (DOGGR) maintains a database of oil wells in the Project area. According to the DOGGR Well Finder there are three plugged and abandoned wells within two miles of the Project site (Donco Co. #1, D.J. Pickrell #1, and Gamma Corp #1). There are no active wells within two miles of the Project site.

There are no known current or historic mineral resource extraction or recovery operations in the Project vicinity nor are there any known significant mineral resources onsite.

3.13.2 Impact Assessment

a) Would the project 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?

b) Would the project 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?

a and b) No Impact. The California Surface Mining and Reclamation Act of 1975 (SMARA) was intended to protect the State’s need for a continuing supply of mineral resources, while protecting public an environmental health. SMARA requires that all cities incorporate into their general plans mapped mineral resource designations approved by the State Mining and Geology Board. The State Geologist classifies land in California based on availability of mineral resources. Because available aggregate construction material is limited, five designations have been established for the classification of sand, gravel and crushed rock resources: Scientific Resource, Mineral Resource Zone 1, Mineral Resources Zone 2, and Mineral Resource Zone 3, and Mineral Resource Zone 4.

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According to the Department of Conservation Special Report 158, *Mineral Land Classification: Aggregate Materials in the Fresno Production-Consumption Region Sanger Plate*, the Project is in an undefined area of Fresno County. However, there are no known mineral resources locations near the Project. Mineral Resource Zone 3 (MRZ-3) is an area where the significance of mineral deposits cannot be determined from the available data. There are no known sources of mineral resources extraction or recovery operations in the Project vicinity nor any known significant mineral resources onsite.¹¹ Therefore, the Project could be classified in as MRZ-3. Implementation of the Project would not result in the loss of availability of a known mineral resource since no known mineral resources occur in this area. In addition, DOGGR has no record of active or inactive oil or gas wells or petroleum resources on the Project site or in the vicinity¹² and the Project area has not been designated as a locally important mineral resource recovery site by a general plan, specific plan, or land use plan. There would be no impact.

¹¹ (Fresno County General Plan Policy Document, 2000) Accessed May 2021.

¹² (California Department of Conservation Well Finder, 2020) Accessed May 2021.

3.14 Noise

Table 3-16. Noise Impacts

Noise Impacts				
Would the project result in:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Generation of excessive ground borne vibration or ground borne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

3.14.1 Environmental Setting and Baseline Conditions

There are a variety of sources that produce noise in Mendota including traffic, airport operations, and agricultural operations. Airport, traffic, and railroad noise are the dominant sources of ambient noise near the Project site. The William Robert Johnston Municipal Airport is the largest source of noise in the area due to the airport being immediately adjacent to the Project site. The Southern Pacific Railroad, which runs parallel to the southwest of the property, is a large source of noise as well.

3.14.1.1 Local

City of Mendota General Plan¹³: The Mendota General Plan sets forth the following goal pertaining to noise standards and may have relevance to the Project’s CEQA review:

- *N-1 Prevention of noise from interfering with human activities and protection of the community from the harmful effects of exposure to excessive noise, maintaining an amiable community in which to live for the residents of Mendota.*

3.14.2 Impact Assessment

a) Would the project result in 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?

No Impact. Due to the Project’s location in relation to the existing airport, which currently generates a significant amount of noise, the project would not result in 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

¹³ (City of Mendota General Plan, n.d.) Accessed 14 May 2021.

general plan or noise ordinance, or applicable standards of other agencies. The impact would be less than significant.

b) Would the project result in generation of excessive ground borne vibration or ground borne noise levels?

No Impact. The Project proposes to cultivate up to 15 acres of cannabis planted in pots placed on the ground. Ground disturbance would be minimal in nature, therefore the Project will not result in generation of excessive ground borne vibration or ground borne noise levels.

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?

No Impact. The Project proposes to cultivate up to 15 acres of cannabis planted in pots placed on the ground. Ground disturbance would be minimal in nature. It is assumed a negligible amount of noise will be generated from the Project. The Project will not expose people residing or working in the Project area to excessive noise levels.

3.15 Population and Housing

Table 3-17. Population and Housing Impacts

Population and Housing Impacts				
Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

3.15.1 Environmental Setting and Baseline Conditions

The City of Mendota’s population was 11,014 at the 2010 U.S. Census and is estimated to be at 11,511 as of July 2019. The U.S. Census also estimates approximately 4.06 persons per household in the City.¹⁴ The State Routes 180 and 33 traverse the agricultural city. Mendota is located approximately 8.5 miles south-southeast of Firebaugh, at an elevation of 174 feet.

3.15.2 Impact Assessment

a) Would the project 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)?

No Impact. The Project proposes the cultivation of up to 15 acres of cannabis planted in pots placed on the ground. No new homes will be proposed, but the Project will hire employees to plant, maintain, and harvest the crops. The need for employees will not affect population growth because the Project intends to hire local City residents. There will be no impact.

b) Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

No Impact. The Project will utilize vacant land that is located in an urbanized area. It will not result in the displacement of housing or any people. There will be no impact.

¹⁴ <https://www.census.gov/quickfacts/mendotacalifornia> U.S. Census, accessed May 2021.

3.16 Public Services

Table 3-18. Public Services Impacts

Public Services Impacts				
Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, 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:				
Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

3.16.1 Environmental Setting and Baseline Conditions

Fire Protection: The closest fire station is Fresno County Fire District/CAL FIRE Station 96 located approximately 0.95 miles northwest of the Project.

Police Protection: The closest law enforcement is the Mendota Police Department located approximately 0.15 miles east of the Project. The next closest law enforcement is the Fresno County Sheriff’s Office, San Joaquin Station, located approximately 17.1 miles southeast of the Project site.

Schools: The closest school to the Project is Mendota High School located approximately 0.35 miles west of the Project site.

Parks: The closest park is the Veteran’s Park located approximately 0.50 miles northwest of the Project site. There is also Rojas-Pierce Park approximately 0.76 miles west of the Project and the Lindgren-Lozano Park located approximately 1.08 miles northwest of the Project.

Landfills: The closest landfill to the Project site is the American Avenue Landfill located approximately 14 miles southeast.

3.16.2 Impact Assessment

a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the

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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:

Fire Protection: *Less than Significant Impact.* The City of Mendota is located in the Fresno County Fire Protection District (FCFPD). The Project site would be served by Station 96, located approximately 0.95 mile northwest at the intersection of McCabe Street and State Route 33/Derrick Avenue. The Project would be required to comply with the requirements of the FCFPD regarding access, water mains, fire flow, hydrants, and review of engineering plans. Standard fire suppression conditions are incorporated as part of the Project. Increased demands for fire service are funded almost entirely through property taxes. Therefore, impacts to fire protection services are considered less than significant.

Police Protection: *Less than Significant Impact.* The City of Mendota provides local policing. The Project proposal would be served by the City of Mendota Police Department and the cultivation of cannabis on the Project site is not anticipated to negatively impact police protection. Therefore, adverse impacts would be less than significant.

Schools: *No Impact.* The closest school to the Project site is Mendota High School at 0.35 miles away. The Project site and Mendota High School are physically divided by residential development and the Project is not expected to generate new students, therefore there will be no impacts to schools.

Parks: *No Impact.* The closest park is the Veteran’s Park located approximately 0.57 miles northwest of the Project site. The Project will have no impact on parks.

Landfills: *Less than Significant Impact.* Virtually all waste generated at the site would be in the form of green waste or recyclable materials (plastic or metal containers) that would be disposed of in compliance with CalRecycle requirements. Therefore, the Project will have a less than significant impact on landfills.

3.17 Recreation

Table 3-19. Recreation Impacts

Recreation Impacts				
Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

3.17.1 Environmental Setting and Baseline Conditions

The Mendota General Plan calculated the amount of park and recreational land based upon the combined total of developed park acreage plus 50 percent of the amount of school sites that have adjoining sports fields. The City currently has 23 acres of existing park and recreational land. Mendota’s three primary parks developed for recreational use are: Veteran’s Park, Lozano-Lindgren Park, and Rojas-Pierce Park. Veteran’s Park, the nearest park is approximately 0.57 miles northwest of the Project. Existing recreational opportunities in Mendota range from traditional active sports such as baseball and soccer to passive recreation such as nature observation and simply spending time outdoors. Between these two extremes falls a range of activities enjoyed by many residents, including picnicking in parks, walking and bicycling, and playground activities.

3.17.1.1 Local Regulations

City of Mendota General Plan:¹⁵ The Mendota General Plan sets forth the following goals and policies that pertain to recreational facilities of the City and which have potential relevance to the Project’s CEQA review:

- *OSC-2.1 The City shall maintain a standard of 5.0 acres of developed parkland per 1,000 residents.*
- *OSC-2.3 The City shall reserve and promote open space and recreational areas of varying scales and uses in Mendota. The provision of private and common open space shall be required for multi-family residential development projects.*

3.17.2 Impact Assessment

a) Would the project 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?

No Impact. The Project proposes the cultivation of up to 15 acres of cannabis planted in pots placed on the ground. The Project would not 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.

¹⁵ (City of Mendota General Plan, n.d.) Accessed May 2021.

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b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

No Impact. The Project proposes the cultivation of up to 15 acres of cannabis planted in pots placed on the ground. The Project does not include recreational facilities or require the construction or expansion of recreational facilities therefore there would be no impact.

3.18 Transportation

Table 3-20. Transportation Impacts

Transportation Impacts				
Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)??	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

3.18.1 Environmental Settings and Baseline Conditions

The City of Mendota is a small rural community in western Fresno County. The City is located west of Fresno and east of Interstate 5. SR 180/Oller Street runs northwest to southeast and is approximately 850 feet southwest of the Project site. SR 33/Derrick Avenue runs north-south and is approximately 4,000 feet east of the Project site. Both routes provide a transportation corridor for residents of Mendota, farmers, and others in the region.

3.18.2 Impact Assessment

a) Would the project conflict with a plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

No Impact. There will be no work done in the existing right-of-way. The Project will not require any off-site improvements that would conflict with a plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities.

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

Less than Significant Impact. The project is located within the city limits in an urbanized environment. The Project will not increase vehicles miles traveled. The Project will be consistent with CEQA Guidelines section 15064.3 subdivision (b).

c) Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

No Impact. The Project site does not propose any sharp curves or dangerous intersections, nor does it propose any incompatible uses. The Project site is fronting Marie Street at a location that does not have an intersection. The closest intersection is approximately 900 feet northwest of the Project site at 9th Street. There will be no impact.

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d) Would the project result in inadequate emergency access?

No Impact. This Project will not result in a modification to any roads that would impact emergency access; therefore, the Project will not result in inadequate emergency access.

3.19 Tribal Cultural Resources

Table 3-21. Tribal Cultural Resources Impacts

Tribal Cultural Resources Impacts				
Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
i. Listed or eligible for listing in the California Register of Historical Resources, or in the local register of historical resources as defined in Public Resources Code section 5020.1(k), or	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ii. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

3.19.1 Environmental Setting and Baseline Conditions

Penutian-speaking Yokuts tribal groups occupied the southern San Joaquin Valley region and much of the nearby Sierra Nevada. For a variety of historical reasons, existing research information emphasizes the central Yokuts tribes who occupied both the valley and particularly the foothills of the Sierra Nevada mountains.

Although population estimates vary and population size was greatly affected by the introduction of Euro-American diseases and social disruption, the Yokuts were one of the largest, most successful groups in Native California. Cook estimates that the Yokuts region contained 27 percent of the aboriginal population in the state at the time of contact; other estimates are even higher. Many Yokut descendants continue to live in Fresno County, either on tribal reservations, or in local towns and communities.

3.19.1.1 Local

- *Goal OSC-6 Preservation and enhancement of archaeological, historic and other cultural resources within Mendota.*
- *Policy OSC-6.1 Establish and promote programs that identify, maintain and protect buildings, sites, or other features of the landscape possessing historic or cultural significance.*
- *Policy OSC-6.10 If human remains are discovered, all work shall be halted immediately within 50 feet of the discovery, the City of Mendota Planning Department shall be notified, and the County Coroner must be notified, according to Section 5097.98 of the State Public Resources Code and Section 7050.5 of California’s Health and Safety Code. If the*

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remains are determined to be Native American, the coroner will notify the Native American Heritage Commission, and the procedures outlined in CEQA Section 15064.5(d) and (e) shall be followed.

- *Policy OSC-6.11 Prior to the commencement of project ground disturbing activities, all construction personnel shall be informed of the type(s) of cultural resources that might be inadvertently uncovered in the area and protocols to be implemented to protect Native American human remains and any subsurface cultural resources.*

3.19.2 Impact Assessment

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:

a-i) Listed or eligible for listing in the California Register of Historical Resources, or in the local register of historical resources as defined in Public Resources Code section 5020.1(k), or

a-ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

Less Than Significant With Mitigation. As noted in **Section 2.1.11**, the City notified the Santa Rosa Rancheria Tachi Yokut Tribe about the Project on March 24, 2021. On June 7, 2021, the tribe responded via email with requests for an archaeological survey and archaeological records search, and to be notified of any discoveries made on the Project site. Following discussions with the applicant, during which it was made evident that there would be little ground disturbance, the Tribe modified its request to include only cultural sensitivity training for onsite Project personnel. The applicant has agreed to execute a contract with the Tribe for said training. With incorporation of **Mitigation Measure TCR-1**, the Project's potential to cause a substantial adverse change in the significance of a tribal cultural resource would be less than significant.

Mitigation Measure

TCR-1 (Cultural Sensitivity Training) Prior to commencement of construction, the Tribe shall make a presentation at the Project site to all onsite workers. The presentation will show typical artifacts from the area and will explain the laws affecting cultural and tribal resources and the responsibilities of the parties regarding discovery of cultural resources or human remains. To facilitate this training, the applicant shall execute the Tribe's Native American Monitoring Contract.

3.20 Utilities and Service Systems

Table 3-22. Utilities and Service Systems Impacts

Utilities and Service Systems Impacts				
Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

3.20.1 Environmental Setting and Baseline Conditions

The Project is located within the Mowry Lake-Fresno Slough watershed; HUC: 180300091003 (EPA, 2019), approximately 2.5 miles southwest of the Mendota Pool at the confluence of the San Joaquin River and the Fresno Slough, and 7 miles east of Panoche Creek. The San Joaquin River, Fresno Slough, and Mendota Pool have been levied and much of the surrounding land is now intensively cultivated for agricultural production. Historically, the Mendota area supported large areas of riparian wetlands and important waterfowl habitat. Due to alteration of the aquatic features in the vicinity and the conversion of natural habitat to agricultural lands, the riparian habitat is now limited to the margins of these waterways and to undisturbed areas within ecological reserves, managed wildlife areas, and national wildlife refuges.

The City of Mendota's Public Utilities Department's mission is to deliver potable water to the residents of Mendota and provide sewer services for the disposal of wastewater. See [Section 3.11.1](#) for a discussion of the City's water production capabilities.

The City's wastewater treatment plant (WWTP) has been in operation since 1974 and is located northeast of the city. The Project will not connect to the WWTP.

3.20.1.1 Water Supply

The proposed Project will connect to the City of Mendota's existing water supply system. 10-inch water mains exist in Marie Street as well as along the southeastern and northeastern property lines.

3.20.1.2 Wastewater Collection and Treatment

The proposed Project is not anticipated to generate any wastewater, and thus will not be connected to the City of Mendota's sewer system.

3.20.1.3 Landfills

The City of Mendota is served by the American Avenue Landfill which is located approximately 14 miles southwest of the Project site. Most waste generated at the site is anticipated to be green waste and other plastic and metal recyclables.

3.20.2 Impact Assessment

a) Would the project 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?

b) Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

a) and b) Less than Significant Impact With Mitigation. The Project is anticipated to use approximately 8,000 gallons of water per day. Peak-hour usage could adversely affect the City's water supply system as described in **Section 3.11.2**. Implementation of Mitigation Measure **HYD-1** would reduce impacts to a less than significant level.

c) Would the project 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?

No Impact. The project will not generate any wastewater. There is no impact.

d) Would the project 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?

Less than Significant Impact. It is undetermined at this time how much waste the Project will generate, but the Project site will be served by the American Avenue landfill, operated by the County of Fresno, approximately 14 miles southwest, which has sufficient capacity to operate through 2031.

e) Would the project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

No Impact. The Project will comply with all regulations related to the generation, storage, and disposal of solid waste.

3.21 Wildfire

Table 3-23. Wildfire Impacts

Wildfire Impacts				
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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 uncontrollable spread of wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

3.21.1 Environmental Setting and Baseline Conditions

The Project is located in Fresno County in the City of Mendota. The Project site is in a flat urbanized area of the Central San Joaquin Valley. The Project is not located in or near State Responsibility Areas (SRA) or lands classified as very high fire hazard severity zones.

3.21.2 Impact Assessment

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?**
- 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?**
- 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?**
- 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?**

No Impact (a)(b)(c)(d). The Project is not located in or near an SRA or lands classified as very high fire hazard severity zones. The nearest SRA is approximately 15 miles southwest of the Project site. Additionally, the site is approximately 20 miles from the nearest Very High classification of Fire Hazard Severity Zone (FHSZ). The

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Project will not impair an emergency response plan or exacerbate fire risks. Therefore, further analysis of the Projects potential impacts to wildfire are not warranted. There would be no impacts.

3.22 CEQA Mandatory Findings of Significance

Table 3-24. Mandatory Findings of Significance Impacts

Mandatory Findings of Significance Impacts				
Does the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

3.22.1 Environmental Settings and Baseline Conditions

The Project site is a vacant lot covered with weeds. To the northeast is the William Robert Johnston Municipal Airport, and industrial developments to the immediate northwest and southeast. To the southwest, across the Southern Pacific Railroad, are residential land uses of differing types.

3.22.2 Impact Assessment

a) Does the project 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?

Less than Significant Impact with Mitigation Incorporated. The analysis conducted in this Initial Study/Mitigated Negative Declaration results in a determination that the Project, with incorporation of mitigation measures, will have a less than significant effect on the environment. The potential for impacts to hydrological resources and Tribal resources from the implementation of the Project will be less than significant with the incorporation of the mitigation measures discussed in this analysis. Accordingly, the Project will involve no potential for significant impacts through the degradation of the quality of the environment, the reduction in the habitat or population of fish or wildlife, including endangered plants or animals, the elimination of a plant or animal community or example of a major period of California history or prehistory.

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b) Does the project 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)?

Less than Significant Impact. CEQA Guidelines Section 15064(i) states that a Lead Agency shall consider whether the cumulative impact of a project is significant and whether the effects of the project are cumulatively considerable. The assessment of the significance of the cumulative effects of a project must, therefore, be conducted in connection with the effects of past projects, other current projects, and probable future projects. Several other outdoor cannabis projects have been proposed that would likely cause some impacts due to water consumption, however these impacts have been reduced to a less than significant level.

c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

Less than Significant Impact. The analysis conducted in this Initial Study results in a determination that the Project would have a less than a substantial adverse effect on human beings, either directly or indirectly.

3.23 Determination: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.



Signature

July 7, 2021

Date

Jeffrey O’Neal, AICP, City Planner

Printed Name/Position

Chapter 4 Mitigation Monitoring and Reporting Program

This Mitigation Monitoring and Reporting Program (MMRP) has been formulated based upon the findings of the IS/MND for the Project in the City of Mendota. The MMRP lists mitigation measures recommended in the IS/MND and identifies monitoring and reporting requirements.

Table 4-1 presents the mitigation measures identified for the proposed Project. Each mitigation measure is numbered with a symbol indicating the topical section to which it pertains, a hyphen, and the impact number. For example, AIR-2 would be the second mitigation measure identified in the Air Quality analysis of the IS/MND.

The first column of **Table 4-1** identifies the mitigation measure. The second column, entitled “When Monitoring is to Occur,” identifies the time the mitigation measure should be initiated. The third column, “Frequency of Monitoring,” identifies the frequency of the monitoring of the mitigation measure. The fourth column, “Agency Responsible for Monitoring,” names the party ultimately responsible for ensuring that the mitigation measure is implemented. The last two columns will be used respectively by the City of Mendota to verify the method utilized to confirm or implement compliance with mitigation measures and identify the individual(s) responsible to confirm mitigation measures have been complied with and monitored.

Table 4-1 Mitigation Monitoring and Reporting Program

Mitigation Measure/Condition of Approval	When Monitoring is to Occur	Frequency of Monitoring	Agency Responsible for Monitoring	Method to Verify Compliance	Verification of Compliance
Hydrology					
HYD-1 (Off-Site Water Use Reduction)					
<p>Prior to commencement of land use, the City shall identify a list and cost of water conservation and/or recharge projects that would reduce the net increase in water to 1.46 million gallons per year. The applicant shall pay its fair share towards the project(s). Such water conservation projects may include:</p> <ul style="list-style-type: none"> • <i>Funding dishwasher, clothes washer, toilet, or landscape replacement and/or rebate programs.</i> • <i>Identification and elimination of public water system leaks.</i> • <i>Stormwater capture</i> • <i>Construction of recharge basins</i> <p>Agriculture irrigation efficiency projects may be funded and implemented in perpetuity by the project proponent.</p>	Prior to commencement of land use	Once	City of Mendota	Permit condition; Receipt of funding for project(s)	
Tribal Cultural Resources					
TCR-1 (Cultural Sensitivity Training)					
<p>The Tribe shall make a presentation at the Project site to all onsite workers. The presentation will show typical artifacts from the area and will explain the laws affecting cultural and tribal resources and the responsibilities of the parties regarding discovery of cultural resources or human remains. To facilitate this training, the applicant shall execute the Tribe's Native American Monitoring Contract.</p>	Prior to commencement of construction	Once	City of Mendota	Permit condition; receipt of sign-in sheet	