



County of Fresno

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

EVALUATION OF ENVIRONMENTAL IMPACTS

- APPLICANT: Chenguang Biotech America
- APPLICATION NOS.: Initial Study No. 7938 and Classified Conditional Use Permit Application No. 3690
- DESCRIPTION: Allow a value-added agricultural facility that will consist of a processing facility for raw agricultural materials including tomato pumice, grape seed, and industrial hemp for extraction of lycopene and CBD oil, and distribution of produced products on a 20-acre portion of an existing 38.33-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District (APN: 512-120-19S) (3025 N. Chateau Fresno, Fresno, CA).
- LOCATION: The project site is located at the northwest corner of N. Chateau Fresno Avenue and W. Shields Avenue, approximately 0.53 miles west of the city limits of the City of Fresno.

I. AESTHETICS

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

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

FINDING: NO IMPACT:

The project site is located in an area utilized mainly for agricultural purposes with single-family residential uses present to support agricultural operations. There is no scenic vista or identified scenic resources within vicinity of the project. According to Figure OS-2 of the Fresno County General Plan, there are no scenic roadways in proximity of the project site. Therefore, no scenic vista or resource is expected to be affected by the project proposal.

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

area, would the project conflict with applicable zoning and other regulations governing scenic quality?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project site is already improved with structures. Per the Applicant, along with the addition of new structures, the existing structures will be utilized towards their proposed operation. With the addition of new structures, there is a potential for the degrading of the existing visual character or quality of public views of the site and its surroundings, but in this case the new structures will be built in similar aesthetic to the existing character of the site. Based on the provided elevations of the proposed buildings and considering the existing nature of the site, a less than significant impact is seen from the project in regard to the existing visual character of the site.

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

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

Per the Applicant's Operational Statement, on-site lighting from the existing buildings and designed onto the new structures is anticipated. Therefore, to reduce the potential of glare from the project proposal, a mitigation measure shall be implemented so that outdoor lighting be hooded and directed downward so as not to shine on public right-of-way or adjacent properties.

* **Mitigation Measure(s)**

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

II. AGRICULTURAL AND FORESTRY RESOURCES

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

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

Per the 2016 Fresno County Important Farmlands Map, the subject property consists of land designated Urban and Built-Up Land, Farmland of Statewide Importance and Unique Farmland. Review of the proposal indicates that the project will utilize existing buildings and construct additional buildings to accommodate the proposal. The proposed improvements will encroach into land designated Farmland of Statewide Importance and Unique Farmland, thereby converting this land to an agriculturally-related use. Although the proposed use is not specifically towards the cultivation of agricultural produce, the use is a agricultural material processing facility. Full buildout of the parcel will occupy approximately 20 acres and the remaining land, per the Applicant's Operational Statement will be utilized for irrigated agricultural use. Therefore, although a conversion of land designated Farmland of Statewide Importance and Unique Farmland will occur, the conversion will still support the agricultural industry and the remaining land will still be in active agricultural use.

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

FINDING: NO IMPACT:

Per the submitted Operational Statement, the proposed use is compliant with the underlying AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District and is subject to approval of a Classified Conditional Use Permit. The proposed use under the Fresno County Zoning Ordinance does not conflict with the existing zoning for agricultural use. The subject site is not contracted under the Williamson Act Program.

C. Conflict with existing zoning for forest land, timberland or timberland zoned Timberland Production; or

D. Result in the loss of forest land or conversion of forest land to non-forest use?

FINDING: NO IMPACT:

The project site is not located on land zoned for or contains forest land, timberland or timberland zoned Timberland Production. The project will not result in the loss of forest land or conversion of forest land to non-forest use.

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

FINDING: NO IMPACT:

The project proposes to allow a value-added agricultural use to the subject site. The project would not result in changes to the existing environment that could convert farmland or forestland to non-agricultural or forestland use.

III. AIR QUALITY

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

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

An Air Quality and Greenhouse Gas Analysis Report conducted by Mitchell Air Quality Consulting and prepared on January 12, 2021 for the subject application. The analysis indicated that project construction and operation would be subject to rules and regulations established by the San Joaquin Valley Air Pollution Control District (Air District) and would be consistent with the applicable Air Quality Plan. Thresholds for criteria pollutants established by the Air District for both operational and construction emissions are as follows: 100 tons per year of CO, 10 tons per year of NOx, 10 tons per year of ROG, 27 tons per year of SOx, 15 tons per year of PM10, and 15 tons per year of PM2.5. Per the Air Quality Analysis, the estimated annual construction and operational emissions of the project would not exceed the Air Pollution Control District's significance threshold. The analysis also concluded that the project would be consistent with the applicable Air Quality Attainment Plan and would not result in significant cumulative health impacts. The San Joaquin Valley Air Pollution Control District has reviewed the subject analysis and did not express concern with the estimates and conclusions made in the analysis.

- C. Expose sensitive receptors to substantial pollutant concentrations?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The Air Quality and Greenhouse Gas Analysis Report prepared by Mitchell Air Quality Consulting estimated maximum daily air pollutant emissions during construction and operation and concluded that the project would not exceed significance thresholds established by the San Joaquin Valley Air Pollution Control District. A Health Risk Assessment, identifying impacts of Toxic Air Contaminants and screening the results against significance thresholds established by the Air District determined that their screening score did not exceed significance thresholds. The San Joaquin Valley Air Pollution Control District has reviewed the data and conclusions and did not express concern.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project site is located in a mainly agricultural area and with rural residences pocketed throughout the region. Odors potentially originating from the project site would be similar in odors generated by the former fruit packing plant and surrounding agricultural area. Processes of the proposed operation would occur mainly indoors within a controlled environment where odors from organic matter decomposition will be avoided. The Air Quality and Greenhouse Gas Analysis Report concluded that the project is not expected to produce significant odor impacts with the nearest off-site sensitive receptor located approximately 276 feet south of the project site. The area is sparsely populated and would not expose substantial numbers of people to objectionable odor.

IV. BIOLOGICAL RESOURCES

Would the project:

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project proposes to utilize existing structures and construct additional structures for their operation. There is a total of 14 existing structures and 6 proposed structures to be utilized for the proposed operation. Ground-disturbance related to the construction of the proposed structures is situated on land previously utilized for agricultural production. Per the California Natural Diversity Database (CNDD), there are no reported occurrences of a special-status species on or in close proximity of the project site. Both the California Department of Fish and Wildlife and the U.S. Fish and Wildlife Service were notified of the subject application and did not express concern with the project. Therefore, in considering the current built state of the subject parcel, the past utilization of the project site, and no expressed concerns from responsible agencies and departments, the project is expected to have a less than significant impact due to the construction of new structures.

- B. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

FINDING: NO IMPACT:

There were no sensitive natural communities or riparian habitat identified on the project site.

- C. Have a substantial adverse effect on state or federally-protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

FINDING: NO IMPACT:

According to the National Wetlands Inventory, the project site does not contain or effect an identified wetland. Therefore, the project will have no impact on wetlands.

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

FINDING: NO IMPACT:

As noted, the subject parcel is already improved with existing structures and was in agricultural production in the past. The project will include the development of additional structures, but in considering the disturbance of the site, the project area is not essential for the movement of native residents or wildlife species. The site did not have any identified wildlife corridor or wildlife nursery site present.

- E. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance; or
- F. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state Habitat Conservation Plan?

FINDING: NO IMPACT:

The project will be expected to be in compliance with local, state, and federal regulations for protecting biological resources. There was no specific policy, ordinance, adopted Habitat Conservation Plan, Natural Community Conservation Plan or other Habitat Conservation Plan identified as being in conflict with the project proposal.

V. CULTURAL RESOURCES

Would the project:

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

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

The subject property was utilized in the past as an agricultural production and packing operation. A portion of the site was improved with structures with the remaining land being utilized for agricultural production. In considering the past ground-disturbing activities related to the existing improvements and the disturbance associated with the agricultural operation, there is a high unlikelyhood that a historical or archaeological resource would be identified on the subject site. Although highly unlikely, a mitigation measure shall be implemented to ensure that cultural resources are properly handled and addressed in the event they are uncovered during ground-disturbing activities related to the proposal.

* **Mitigation Measure(s)**

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

VI. ENERGY

Would the project:

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

FINDING: NO IMPACT:

The project proposal would be built and subject to the most current building and energy code when constructing new structures and renovating existing structures for their operational needs. Reviewing agencies and departments did not express concern with the subject application to indicate that the project would result in significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources or conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

VII. GEOLOGY AND SOILS

Would the project:

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

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

FINDING: NO IMPACT:

According to Figure 9-3 of the Fresno County General Plan Background Report (FCGPBR) and the Earthquake Hazard Zone Application (EQ Zapp), maintained by the California Department of Conservation, the project site is not located on or near a known earthquake fault or rupture of a known earthquake fault.

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

FINDING: NO IMPACT:

Per Figure 9-5 of the Fresno County General Plan Background Report (FCGPBR), in the event of a seismic hazard occurring, the project site is located on land identified as having a 0% to 20% peak horizontal ground acceleration assuming a 10% probability in 50 years. The FCGPBR indicates that the potential of ground shaking is minimal in Fresno County. Due to the minimal peak horizontal ground acceleration risk and minimal ground shaking risk, the project is not subject to adverse risk from ground shaking or seismic-related ground failure.

4. Landslides?

FINDING: NO IMPACT:

The subject parcel is situated in a relatively flat agricultural area. Per Figure 9-6 of the FCGPBR, the project is not located on land identified as being subject to moderate or high landslide hazard.

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

FINDING: NO IMPACT:

The project will result in the loss of topsoil due to the construction of new structures and support equipment. The loss of topsoil would not result in adverse impacts or risk. Soil erosion patterns would be altered through the addition of impervious surfaces. The subject parcel is located on flat agricultural land and would not result in substantial soil erosion. Therefore, in considering the scope of the project and existing conditions of the environment, the project would not result in substantial soil erosion or loss of topsoil.

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

FINDING: NO IMPACT:

There was no geologic unit or unstable soil identified on the project site. The project will be subject to the most current building code. Implementation of current building codes will ensure that the project is constructed taking into consideration existing site conditions.

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

FINDING: NO IMPACT:

Per Figure 7-1 of the FCGPBR, the project is not located on land identified as having soil exhibiting moderately high to high soil expansion potential.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

Further review of the proposed septic system would occur during the building permit review and be subject to standards and regulations addressed under the Fresno County Local Area Management Plan (LAMP). Reviewing agencies and departments did not express concern with the project to indicate that the existing soil conditions would be incapable of adequately supporting the use of a septic system. A less than significant impact is seen as there will be additional review and requirements associated with the proposed septic system.

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

FINDING: NO IMPACT:

There were no unique paleontological resources or unique geologic features identified on the project site.

VIII. GREENHOUSE GAS EMISSIONS

Would the project:

- A. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment; or

- B. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

FINDING: LESS THAN SIGNIFICANT IMPACT:

A Greenhouse Gas Emissions Analysis prepared by Mitchel Air Quality Consulting for the subject application indicated that based on estimated emissions resulting from the project would result in a less than significant impact. The analysis utilized the California Emissions Estimator Model (CalEEMod) to quantify operational greenhouse gas emissions resulting from the project proposal. The estimates concluded that the project would result in 1,868.82 metric tons of CO₂e (MTCO₂e) per year. This estimate takes into consideration current state and local regulations for GHG emission reductions and compares the estimated GHG generation to a 2002-2004 baseline scenario of business as usual (BAU) to represent conditions if regulations were not adopted. Under the BAU scenario, the project is estimated to produce 2,419.79 MTCO₂e per year. When comparing BAU estimates to project estimates of the project, there would be a 22.8% reduction of emissions. In consideration of goals of Assembly Bill 32, thresholds of the San Joaquin Valley Air Pollution Control District identified a 29 percent reduction when compared to BAU to meet 2020 goals established under AB 32. In considering 2030 target goals under AB 32 for GHG emission reductions, the state goals of a 21.7 percent average reduction from all sources of GHG emissions is now required to achieve AB 32, year 2030 targets. With implementation of adopted regulations and on-site reductions from efficiency measures, the results of the estimated generation indicate that the project would have a 35.2% reduction in emissions by the year 2030 and meet percent reduction threshold of over 21.7%. Therefore, with consideration of the analysis, the project would have a less than significant impact on greenhouse gas emission generation and would not conflict with any plan, policy or regulation of reducing greenhouse gas emissions.

VIII. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project intends to process agricultural materials and produce lycopene, grape extract and CBG oil for domestic and international wholesale markets. The Department of Public Health, Environmental Health Division (EHD) has reviewed the subject application and indicated that the project would be subject to State and local standards and regulations for the storage and handling of hazardous materials and waste. These regulations can include submittal of a Hazardous Materials Business Plan and

compliance with California Code of Regulations, Title 22, Division 4.5. With compliance of State and local regulations for the handling and storage of hazardous materials/waste, the project would not create a significant hazard to the public through the routine, transport, use, or disposal of hazardous materials, or create a significant hazard to the public or environment through upset and accident conditions involving the release of hazardous materials into the environment.

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

FINDING: NO IMPACT:

The project site is not likely to emit hazardous emissions and is not located within one-quarter mile of an existing or proposed school. As a note, the closest school-site is located approximately a half-miles southwest of the project site.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

Per the NEPAssist database, the subject address is a listed hazardous materials/waste facility. In reviewing facility records provided by the Enforcement and Compliance History Online website provided by the U.S. Environmental Protection Agency, the subject facility is classified as “All Other Waste Management Services” and “Other Noncitrus Fruit Farming”. There is no violation history associated with the past use of the subject site. The subject proposal will be subject to reporting requirements with the EHD and further compliance with State and local regulations for the handling of hazardous materials and waste. The project, although located on this hazardous materials site, would have a less than significant impact due to the considerations above and would not result in the creation of a significant hazard to the public or the environment.

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

FINDING: NO IMPACT:

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

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

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

FINDING: NO IMPACT:

Reviewing agencies and departments did not express concern with the project proposal to indicate that the project would result in the impairment of implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. Additionally, there were no concerns with the project in terms of exposing people or structures to adverse risk involving wildland fires.

X. HYDROLOGY AND WATER QUALITY

Would the project:

- A. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality; or
- B. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The State Water Resources Control Board, the Water and Natural Resources Division and the Regional Water Quality Control Board were included on the review of the subject application.

The Water and Natural Resources Division concluded that the project site is not located within an area of the County defined as being a water short area and determined that the water supply of the area would be adequate to support the project.

The State Water Resources Control Board indicated that the project would meet the definition of a public water system and would be subject to the requirements of Senate Bill 1263 (SB 1263). Under the provisions of Senate Bill 1263, a preliminary technical report is required to be submitted to the State Water Resources Control Board at least 6 months prior to initiating construction of any water-related improvements. The preliminary technical report prepared by Quad Knopf Engineering was submitted to the SWRCB for review and approval. The SWRCB has reviewed the report and determined the report to be complete with the applicant able to move forward to submit full permit application materials for permitting of the public water system.

The Regional Water Quality Control Board has reviewed the project and indicated that the project under the proposal would be subject to additional review and permit with the Regional Water Quality Control Board for protecting the quality of surface and ground waters of the State. The project will be subject to regulation under Waste Discharge Requirements for the discharge of wastewater associated with the processing aspect of the operation. As the project proponent proposes to discharge process wastewater to

land, the project proponent is required to submit a Report of Waste Discharge. Further regulation under the RWQCB will include Salt and Nitrate Control Program and Domestic Wastewater discharge requirements. The requirements of the RWQCB are regulatory requirements and will be implemented with the project through Project Notes.

Through the acceptance of the preliminary technical report by the State Water Resources Control Board and compliance with regulatory requirements set by the Regional Water Quality Control Board, the project would have a less than significant impact on existing water supplies, and would not violate any water quality or waste discharge standards.

- C. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would result in substantial erosion or siltation on or off site?

1. Result in substantial erosion or siltation on- or off-site;

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project site is located in a flat agricultural area. Through the construction of new structures, the project will result in the addition of impervious surfaces. Drainage patterns are likely to change, but County regulatory standards will require that a grading and drainage plan be required to verify new drainage patterns and ensure that improvements do not result in significant impact on drainage patterns. Due to the existing conditions of the project site and implementation of County regulatory standards the addition of impervious surfaces will not result in substantial erosion or siltation on- of off-site.

2. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite?
3. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Aerial images of the site suggest that a ponding basin is located on the project site. In comparing aerial images to the site plan of the proposed operation, the existing ponding basin will be removed. The Development Engineering Section will require that an engineered grading and drainage plan be submitted to verify new drainage patterns and adequacy of on-site drainage conditions. This requirement will ensure that the project would not result in flooding on- or offsite and ensure that the project proposal will comply with County standards in terms of stormwater drainage systems.

4. Impede or redirect flood flows?

FINDING: NO IMPACT:

Per FEMA FIRM Panels 1540H and 1545H, the subject parcel is not subject to flooding from the 100-year storm. The project will not impede or redirect flood flows, as the site is not located in a flood zone.

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

FINDING: NO IMPACT:

As noted, the subject parcel is not located within a flood zone. Additionally, the project site is not located near a body of water to indicate adverse risk to tsunami or seiche events.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The subject operation will be subject to all State and local requirements for water quality control and sustainable groundwater management. Review by the Water and Natural Resources Division, the State Water Resources Control Board and the Regional Water Quality Control Board indicate that the project will, with compliance of regulatory requirements, not result in adverse impacts on water resources.

XI. LAND USE AND PLANNING

Would the project:

- A. Physically divide an established community?

FINDING: NO IMPACT:

The project would not result in the physical divide of an established community.

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

FINDING: NO IMPACT:

Development in Fresno County is required to be consistent with the Fresno County General Plan. Goal LU-A of the Fresno County General Plan intends to promote the long-term conservation of productive and potentially-productive agricultural lands and to accommodate agricultural-support services and agriculturally-related activities that support the viability of agricultural and further the County's economic development goals.

Under General Plan Policy LU-A.3, the County may allow be discretionary permit in areas designated Agriculture, special agricultural uses and agriculturally-related activities, including value-added processing facilities and certain non-agricultural uses. Approval of these and similar uses in areas designated Agriculture shall be subject additional criteria. The listed criteria includes the use providing a needed service, preservation of productive agricultural land, and availability of resources.

Review of the project when considered with the applicable General Plan Goal and Policies did not produce conflicts or concerns. Therefore, the project will not cause a significant environmental impact due to a conflict with the Fresno County General Plan.

XII. MINERAL RESOURCES

Would the project:

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

FINDING: NO IMPACT:

According to Figure 7-7 and 7-8 of the Fresno County General Plan Background Report, the project site is not located on land identified with mineral resources or located on a principal mineral production location.

XIII. NOISE

Would the project result in:

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

An Environmental Noise Assessment was produced for the project proposal and was reviewed by the Environmental Health Division for compliance with the Fresno County Noise Ordinance. The study lists the type of equipment utilized by the operation and noise levels at 4 meters from the source. Three sensitive receptors were identified in close proximity of the project site and utilized to identify potential noise impacts resulting from project operation. Based on the calculations and consideration of acoustical shielded provided by intervening buildings, project-related noise levels at off-site sensitive receptors would be below both daytime and night-time maximum noise level

thresholds established by the Fresno County Noise Ordinance. It was also noted in the assessment that the original proposed equipment layout could potentially exceed noise level standards at the nearest sensitive receptor. A revised equipment layout plan relocated the original blower location within Shed J at a greater setback and resulted in a reduction of expected noise levels and will be in compliance with Fresno County Standards.

The Environmental Health Division has reviewed the subject Environmental Noise Assessment and concurred with the findings of the provided study. Therefore, the provided Environmental Noise Assessment indicates that the project would result in a permanent increase in noise levels, but would not generate vibration or noise levels in excess of the Fresno County Noise Ordinance. A less than significant impact is seen.

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

FINDING: NO IMPACT:

The project site is not located in the vicinity of a private airstrip or airport land use plan or within two miles of a public airport or public use airport.

XIV. POPULATION AND HOUSING

Would the project:

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

FINDING: NO IMPACT:

The project intends to utilize an existing agricultural-supportive facility and construct additional structures in a mainly agricultural area. The project would not induce substantial unplanned population growth or displace a substantial number of people or housing.

XV. PUBLIC SERVICES

Would the project:

- A. Result in substantial adverse physical impacts associated with the provision of new or physically-altered governmental facilities, or the need for new or physically-altered governmental facilities, the construction of which could cause significant environmental

impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services?

1. Fire protection;

FINDING: NO IMPACT:

The North Central Fire Protection District has reviewed the subject application and indicated that the project shall comply with California Code of Regulations Title 24 – Fire Code and California Code of Regulations Title 19 – Public Safety. There was no expressed concern with the project to indicate that the North Central Fire Protection District would be adversely impacted by the project proposal.

2. Police protection;

3. Schools;

4. Parks; or

5. Other public facilities?

FINDING: NO IMPACT:

Reviewing agencies and departments did not express concern with the project proposal to indicate that the project would require the need of new or physically-altered governmental facilities in order to maintain acceptable service ratios, response times, or other performance objectives.

XVI. RECREATION

Would the project:

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

FINDING: NO IMPACT:

The project does not result in a population increase that would result in the increased use of neighborhood and regional parks or other recreational facilities such that deterioration of the facility would occur or require additional recreational facilities.

XVI. TRANSPORTATION

Would the project:

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

A Trip Generation and Distribution Study was prepared for the subject application and reviewed by the Design Division, Road Maintenance and Operations Division, and the California Department of Transportation (Caltrans). Review of the study indicated that transportation impacts associated with the project proposal does not need further study through a Traffic Impact Study. The study indicated that the fourteen existing buildings will result in no net increase in traffic as these buildings are existing and are to be either demolished or utilized in same fashion to the existing use when operation of the proposed use is to occur. Based on the calculations and review by responsible departments, the project does not conflict with a program, plan, ordinance, or policy addressing the circulation system and is not inconsistent with CEQA Guidelines Section 15064.3 subdivision (b), for Vehicle miles traveled.

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

FINDING: NO IMPACT:

Review of the project site circulation design did not provide comments to indicate that there is any hazardous design features or result in inadequate emergency access.

XVIII. TRIBAL CULTURAL RESOURCES

Would the project:

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

subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

Under the provisions of Assembly Bill 52, participating California Native American Tribes were notified of the subject application and given the opportunity to enter into consultation with the County on identifying and addressing potential tribal cultural resources. Participating California Native American Tribes did not express concern with the project to indicate presence of tribal cultural resources. There were no identified historical sites on the project site. A Mitigation Measure will be implemented to address a tribal cultural resource in the event that a resource is unearthed during ground-disturbing activities related to project construction.

* **Mitigation Measure(s)**

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

XIX. UTILITIES AND SERVICE SYSTEMS

Would the project:

- A. Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects; or
- B. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Under Section X Hydrology and Water Quality, the State Water Resources Control Board will require that the project be permitted as a public water system. This required preparation of a technical report for review and approval by the State Water Resources Control Board and further permitting will ensure that less than significant impact occurs for construction of water facilities that will service the proposed operation. The Water and Natural Resources Division reviewed the application and indicated that water supplies for this region are adequate in servicing the operation.

- C. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Review of existing permit records indicate the presence of a wastewater treatment system. Per the Applicant's prepared Site Plan, it appears that an additional

wastewater treatment system will be developed. Wastewater treatment systems will be subject to the provisions of the Fresno County Local Area Management Plan (LAMP) and will be subject to further review when submitting for a building permit. Will implementation of regulations and standards administered through the Fresno County LAMP, the project would have a less than significant impact in terms of wastewater treatment capacity.

- D. Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals; or
- E. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Reviewing agencies and departments did not express concern with the project proposal to indicate that a conflict with federal, state, or local management and reduction statutes for solid waste, or generate solid waste in excess of state or local standards.

XX. WILDFIRE

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

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

FINDING: NO IMPACT:

Per the 2007 Fresno County Fire Hazard Severity in LRA Map, produced by the California Department of Forestry and Fire Protection, the project site is not located within a State Responsibility Area or on land designated as very high fire hazard severity.

XXI. MANDATORY FINDINGS OF SIGNIFICANCE

Would the project:

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

As discussed in Section IV. Biological Resources, the project scope will result in the utilization of the existing built environment and also addition of new structures. The project will have a less than significant impact on wildlife species when considering the existing environment of the subject parcel and records indicating no occurrence of a special status species. The project will not result in the substantial degradation of the quality of the environment.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

Project impacts related to Aesthetics, Cultural Resources, and Tribal Cultural Resources have been determined to have a less than significant impact with the implementation of recommended mitigation measures. These impacts were determined to not be cumulatively considerable.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

Environmental effects that potentially could have adverse effect on human beings were determined to have a less than significant impact through the review of prepared technical studies. Responsible agencies and departments concurred with the findings and conclusions of the prepared technical studies and determined that no substantial adverse effect on human beings would occur.

CONCLUSION/SUMMARY

Based upon the Initial Study prepared for Classified Conditional Use Permit Application No. 3690, staff has concluded that the project will not have a significant effect on the environment.

It has been determined that there would be no impacts to Energy, Land Use Planning, Mineral Resources, Population and Housing, Public Services, Recreation, and Wildfire.

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

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

TK

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