



County of Fresno

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

EVALUATION OF ENVIRONMENTAL IMPACTS

- APPLICANT: Sar 1, LLC
- APPLICATION NOS.: Initial Study No. 7998 and Unclassified Conditional Use Permit Application No. 3696
- DESCRIPTION: Allow an anaerobic digester and biomethane facility to produce pipeline compliant biomethane gas for delivery to a utility owner pipeline point of connection on a 98.14-acre parcel and 48.48-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District. The proposed pipeline will run approximately 3.2 miles southwest to a point of connection with an approved biogas facility.
- LOCATION: The subject parcel is located on the northeast corner of the W. Nebraska Avenue and S. Bishop Avenue alignment approximately 0.76 miles west of S. Jameson Avenue and is located approximately 9 miles west of the city limits of the City of Caruthers (11511 W. Floral Avenue) (041-030-47S and 48S) (Sup. Dist. 4).

I. AESTHETICS

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

- A. Have a substantial adverse effect on a scenic vista;
- 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 subject project site is located in a mainly agricultural area. A dairy operation is sited on the parcel northerly adjacent to the project site. There are no scenic vistas or other scenic resources in the vicinity of the project site that would be negatively impacted as a result of the project.

- 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: NO IMPACT:

The subject property is located in a mainly agricultural setting. As noted, an existing dairy operation is located on the northern adjacent parcel with the proposal designed to operate closely with the dairy. The subject site is located approximately 0.76 miles east of S. Jameson Avenue which is the nearest public right-of-way. In between the subject property and S. Jameson Avenue are orchards that would screen the use from public views. In considering the location of the proposed use and its proximity to public right-of-way, the proposed development of the site would not substantially degrade the existing agricultural visual character or quality of public views of the site and its surroundings.

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

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

The Applicant does not specify the utilization of outdoor lighting or other sources of substantial light or glare. In considering the proposed development, if outdoor site lighting is proposed on the site, a mitigation measure will be implemented to ensure that outdoor lighting is positioned downward and hooded so as to ensure that any outdoor lighting reduces its impact on adjacent properties or public right-of-way.

* **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 Farmland Map from the Department of Conservation, the subject site is comprised of land designated Prime Farmland, Land of Statewide Importance, and Confined Animal Agriculture. The proposed development will be located in the northern portions of the subject parcels where the land is designated for Confined Animal Agriculture. Conversion of Prime Farmland and Farmland of Statewide Importance will be minimal as a majority of the facility will be located on Confined Animal Agriculture designated land. The subject project will process manure produced from the northerly adjacent dairy to become a source of renewable natural gas. The majority of the land of the subject parcels will still be utilized for agricultural purposes and therefore have a less than significant impact in terms of the minimal conversion of farmland associated with this project.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The proposal is an allowable use in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District, subject to an Unclassified Conditional Use Permit and therefore the request is consistent with the underlying zone district. Both subject properties are Williamson Act Contracted and subject to additional provisions and requirements to be compliant with the Williamson Act. The Policy Planning Section requires under the provisions of the Williamson Act that the portions of the subject parcel proposed to be improved be removed from the Williamson Act through the Nonrenewal process. Land proposed to be utilized for the pipeline require review and clearance from the Policy Planning Section for compliance with the provisions of the Williamson Act prior to construction. A Statement of Intended Use for the pipeline has been cleared by the Policy Planning Section for consistency with the Williamson Act. The Nonrenewal process has been started by the Applicant and will be concluded if the project proposal is approved.

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

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The subject application is for an anaerobic digester and biogas upgrading facility located adjacent to an existing dairy operation. The proposed facility will utilize refuse produced from the dairy operation to produce biogas. Future expansion of the operation would require further review. In considering the existing agricultural environmental, the proposal would not propagate further conversion of the surrounding farmland to non-agricultural uses as this specific use is in conjunction with the existing dairy operation.

III. AIR QUALITY

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

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The San Joaquin Valley Air Pollution Control District (SJVAPCD) has reviewed the project and determined that construction and operation emissions resulting from the project would not exceed thresholds established by the SJVAPCD and would have a less than significant impact. As indicated by the results of the project review by the SJVAPCD, additional rules and regulations established by the SJVAPCD would apply. These rules and regulations include further review and permitting by the SJVAPCD. In considering the determinations by the responsible agency and further compliance with rules and regulations of the SJVAPCD, the project is expected to have a less than significant impact on criteria pollutant generation and does not conflict with or obstruct implementation of an applicable Air Quality Plan.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

Calculations for a Health Risk Assessment were provided by the Applicant with assistance from the San Joaquin Valley Air Pollution Control District (SJVAPCD). Further review of the calculations indicate that project emissions would not result in substantial pollutant concentrations or other emissions that would adversely affect sensitive receptors in the vicinity of the project site.

IV. BIOLOGICAL RESOURCES

Would the project:

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

FINDING: NO IMPACT:

The project is located on land used for agricultural purposes. Aerial images of the project site suggest that the site is used in conjunction with the northerly adjacent dairy and would experience human disturbance on a daily basis. Although the project site is clear of any structural improvements, the sites utilization in combination with the existing dairy would likely deter special-status species from occupying the subject site. There is no riparian habitat or other sensitive natural community identified on the project site. Additionally, the California Department of Fish and Wildlife and the U.S. Fish and Wildlife Service did not express concerns with the project to indicate adverse impacts on special status species.

- 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:

Per the National Wetlands Inventory, there are no identified wetlands located on the project site. Therefore, the project would not affect any state or federally-protected 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 site is utilized in conjunction with an existing dairy. The project will not interfere substantially with the movement of any native resident or wildlife species. There are no identified wildlife corridor or wildlife nursery site identified in close proximity of the project site.

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

- F. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state Habitat Conservation Plan?

FINDING: NO IMPACT:

There were no identified local policies or ordinance, or adopted Habitat Conservation Plan, Natural Community Conservation Plan or other approved local, regional, or state Habitat Conservation Plan that would be in conflict with the project.

V. CULTURAL RESOURCES

Would the project:

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

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

The subject application requests to construct an anaerobic digester and biogas upgrading facility, and a pipeline to deliver the upgraded biogas for ultimate delivery into the gas grid system. Notified tribal governments under the provisions of Assembly Bill 52 did not express concern with the subject application to indicate the presence of cultural resources. There was no indication that a historical or archaeological resource is located on the subject parcel. A Mitigation Measure will be implemented to address cultural resources in the unlikely event they are unearthed during project construction.

* **Mitigation Measure(s)**

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

VI. ENERGY

Would the project:

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

FINDING: NO IMPACT:

The project proposes to develop a renewable natural gas facility utilizing dairy refuse from the nearby dairy operation. The facility will convert the resource to biogas and will be delivered via pipeline ultimately into the PG&E statewide gas grid. The facility will have a beneficial impact on energy resources by providing renewable natural gas into the state grid for utilization. The project will not result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources and will not 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:

Per the Earthquake Hazards Zone Application from the California Department of Conservation, there are no known earthquake faults or other evidence to indicate the presence of a fault in vicinity of the project site.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

Per the Fresno County General Plan Background report, Fresno County is situated in an area of relatively low seismic activity. Faults and fault systems along the eastern and western boundaries of Fresno County as well as other regional faults have the potential to produce intense ground shaking. The project site is not located in close proximity of a known fault that would subject the site to strong seismic shaking or seismic-related ground failure. Although identified faults and fault systems do have the potential of producing intense ground shaking, the ground shaking caused by the faults

in the eastern or western boundaries of Fresno County would likely be experienced County-wide. Per Figure 9-5, assuming a seismic hazard with a 10% probability in 50 years, the project would experience the minimum peak horizontal ground acceleration of 0% to 20%. Therefore, the project would result in a less than significant impact.

4. Landslides?

FINDING: NO IMPACT:

The project site is located in a region that is flat and mainly utilized for agricultural purposes. There is no landform in the vicinity that would suggest risk of being impacted by landslide. Per Figure 9-6 of the FCGPBR, the project site is not located near land identified as having potential landslide hazards.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project site is situated on flat agricultural land. The proposed development will result in the loss of topsoil, but will not have a substantial effect in terms of the stability of land after development. Therefore, a loss of topsoil will occur and have a less than significant impact. Additionally, the project will not result in substantial soil erosion.

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; or

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

FINDING: NO IMPACT:

Per Figure 7-1 of the Fresno County General Plan Background Report (FCGPBR) the subject site is not located near an identified area exhibiting moderately high to high expansion potential. There were no geologic unit or unstable soil identified on the subject site.

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: NO IMPACT:

Review of the project proposal and submitted site plan indicates that the project does not propose construction and utilization of a septic tank or alternative wastewater disposal system.

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

FINDING: NO IMPACT:

No paleontological resource or unique geologic feature was identified on the subject parcel.

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: NO IMPACT:

The project intends to utilize refuse produced by the adjacent dairy to produce renewable natural gas. A Benefits Calculator produced by the California Air Resources Board (CARB) and utilized for by the Applicant indicates that the project would have a beneficial impact by reducing total greenhouse gas emissions of CO2 emission by 205,838 metric tons. In considering the potential reduction of GHG emissions resulting from the project, it can be seen that the project would have a beneficial impact on greenhouse gas emissions and would not conflict with applicable plans, policies, or regulations adopted for the purpose of reducing greenhouse gas emission.

VIII. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The Department of Public Health, Environmental Health Division has reviewed and provided comments addressing the reporting and handling of potential hazardous materials. As these requirements are regulatory and mandatory in nature, the project is not expected to create a significant hazard through the routing use and/or disposal of hazardous materials and would not create a significant hazard to the public or environment through upset and accident conditions.

- 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 subject parcel is not located within one-quarter mile of an existing or proposed school.

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

FINDING: NO IMPACT:

Per the NEPAssist database, the subject site is not a listed hazardous materials/waste facility.

- 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:

Agency and Department review of the project did not generate any concerns that the project would impact implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. The project site is located in a large agricultural area and would not be subject to increased risk related to 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?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The Department of Public Health, Environmental Health Division has commented that the land application rates of liquid and solid waste from the digester shall be applied in accordance with the approval and water quality standards enforced by the Central Valley Regional Water Quality Control Board (RWQCB). The RWQCB were included on the project routing and given the opportunity to provide comment on the proposal. As the RWQCB is a state regulatory agency, their requirements for permitting/updating their permit for the proposed change in operational characteristics of the adjacent dairy is mandatory and would be pursued by the RWQCB.

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

FINDING: NO IMPACT:

The State Water Resources Control Board and the Water and Natural Resources Division reviewed the subject application and did not express concern with the project to indicate substantial decreases in groundwater supplies or recharge would result from operation of the proposed project.

- 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:

Review of the proposal indicates the addition of impervious surface on the project site that will change the existing drainage flow of the site. The subject site is located on flat agricultural land with no changes in slope or streams/rivers in the vicinity that would be affected by the project. Therefore, although the project would change existing drainage patterns that may result in erosion, the project would not result in substantial erosion or siltation on- or off-site.

- 2. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project will result in the addition of impervious surface where existing surface runoff patterns would be affected. Per Fresno County Ordinance, surface runoff is to be kept onsite and not cross property lines. Construction of the project site will be subject to review and permit from the Development Engineering Section of Fresno County which would ensure proper development of the site in accordance with State and local rules

and regulations. Therefore, although addition of impervious surface will occur, the project is not expected to increase the rate or amount of surface runoff where onsite or offsite flooding would occur.

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: NO IMPACT:

The project site is located in a mainly agricultural area. Ponds utilized for the existing dairy operation located northerly adjacent to the project site would potentially be utilized by the proposed operation as both are under common ownership in addition to the proposed project being run in conjunction with the existing dairy site. Review of the project indicates that runoff water resulting from the addition of impervious surface related to the project would not exceed existing capacity, therefore no impact is seen.

4. Impede or redirect flood flows?

FINDING: NO IMPACT:

Per FEMA FIRM Panel C2575H, the project site is not located in a flood hazard zone and would not impact flood flows.

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

FINDING: NO IMPACT:

Per FEMA FIRM Panel C2575H, the project site is not located in a flood hazard zone. Additionally, the project site is not located near a body of water to indicate increased risk of release of pollutants due to project inundation from tsunami or seiche hazards.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The Water and Natural Resources Division and the State Water Resources Control Board did not express concern with the project to indicate possible conflicts or obstruction of implementation of a water quality control plan or sustainable groundwater management plan.

With the project's compliance with the Regional Water Quality Control Board's regulations, the project will not adversely affect a water quality control plan or sustainable groundwater management plan.

XI. LAND USE AND PLANNING

Would the project:

- A. Physically divide an established community?

FINDING: NO IMPACT:

The project is located in a mainly agricultural area. The project site is proposed to be located along the southern property line of an existing dairy operation. The project will not physically divide 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: LESS THAN SIGNIFICANT IMPACT:

Development in Fresno County is required to be consistent with the Fresno County General Plan. Goal LU-A reads "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 agriculture and further the County's economic development goals." This goal relates to the environmental impacts of the loss of farmland. The subject parcels are enrolled in the Williamson Act Program. Review of the proposed use by the Policy Planning Section resulted in the determination that the anaerobic digester facility is not considered a compatible use on land enrolled in the Program,. Therefore, the areas proposed for the anaerobic digester and biogas upgrading facility within the subject parcel must be removed from the program through the Nonrenewal Process. It was determined by review of the Statement of Intended Uses for parcels affected by the pipeline project that the pipelines are allowed without any further Williamson Act requirements.

As the proposed use has been determined to be incompatible with the Williamson Act Program, the nonrenewal process for the contract establishes a 10-year wind-down period during which time the applicant is still subject to the terms of the agreement. The Applicant has already filed the non-renewal. The loss of land associated with the development of the proposed facility is not a significant loss of agricultural resources and will have a less than significant impact based on the identified goal of conservation of productive agricultural land.

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 (FCGPBR), the project site is not located in any designated resource area and not located in a mineral resource recovery site.

XIII. NOISE

Would the project result in:

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

Noise levels will increase as a result of the project. The majority of equipment utilized for the project would be within the proposed structures. The Department of Public Health, Environmental Health Division indicated in their review of the project, is that the operation is expected to comply with the Fresno County Noise Ordinance. Review of aerial images also indicate that there are no sensitive receptors in the immediate vicinity of the project site. Therefore, in considering the projects compliance with the Fresno County Noise Ordinance and the projects distance from sensitive receptors, the noise generation is expected to be less than significant.

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

FINDING: NO IMPACT:

The project site is not located within the vicinity of a private airstrip or an 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 site is located on an undeveloped agricultural utilized parcel. The project proposes to construct an anaerobic digester and biomethane facility and would not induce substantial unplanned population growth in the area. There is no displacement of people or housing occurring with the proposed construction of the project.

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 Fresno County Fire Protection District has reviewed the subject application and did not express concern with the project to indicate that impacts to service ratios, response times, or other performance objectives would occur as a result of the project.

2. Police protection;

3. Schools;

4. Parks; or

5. Other public facilities?

FINDING: NO IMPACT:

Reviewing agencies and departments did not provide comments to indicate that impacts to service ratios, response times, or other performance objectives would occur as a result of the project.

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 would not result in the increased use of existing neighborhood and regional parks, or other recreational facilities. The project does not include or require construction of expansion of recreational facility.

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: NO IMPACT:

The Transportation Design Division and the Road Maintenance and Operations Division has reviewed the project and determined through their review that the project will not result in conflict with the County’s circulation system and would not result in additional trip generation during operation of the use.

- 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’s design did not identify any hazards or incompatible use. The project is expected to comply with local and State regulations for emergency access. The Fresno County Fire Protection District to not identify any deficiencies as a result of their review.

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 (AB 52), participating California Native American Tribes were notified of the project proposal and given the opportunity to enter into consultation with the County of Fresno on addressing potential cultural resources. No requests for consultation were received and no concerns were expressed by reviewing tribal governments. As no evidence was supplied to verify presence of tribal cultural resources and in considering the subject sites past use as agricultural production and supportive of the adjacent dairy, there is minimal likelihood that a cultural resource is present on the subject site. A mitigation measure shall be implemented to properly address a cultural resource in the unlikely event that such a resource is unearthed during ground-disturbing activities associated with the project.

* **Mitigation Measure(s)**

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

XIX. UTILITIES AND SERVICE SYSTEMS

Would the project:

- A. Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project will result in the construction of an anaerobic digester facility, a biomethane upgrading facility, and pipeline that would deliver compliant gas for ultimate delivery to the public utility gas grid. The construction of the proposed facility does not appear to result in significant environmental effects. The pipeline intends to connect with an existing pipeline that would ultimately hook into the public utility gas grid. Outside of the pipelines needed to connect with the existing pipeline, no addition construction or

relocation of the existing pipeline is needed. Additional utilities and service systems would not be required.

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

FINDING: NO IMPACT:

The Water and Natural Resources Division has reviewed the project proposal and determined that the water supply for the area is adequate to support the project.

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

FINDING: NO IMPACT:

Review of the site plan and proposed improvements, the project would not include construction of a wastewater treatment system. If a system were to be constructed, the system would be subject to review and permit under the provision of the Fresno County Local Area Management Program (LAMP) which include design standards and regulations for permitting of private septic systems. Therefore, as no wastewater treatment system is proposed, and in considering local regulations for the permitting of septic systems, the project would have no impact.

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

FINDING: NO IMPACT:

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

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 Fire Hazard Severity Zones in LRA 2007 Map, the project site is not located within a State Responsibility Area nor located within a very high fire hazard severity zone.

XXI. MANDATORY FINDINGS OF SIGNIFICANCE

Would the project:

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

FINDING: NO IMPACT:

As noted in Section IV. *Biological Resources*, the project site is located adjacent to a dairy operation and has historically been utilized for agricultural purposes. Although the subject site is clear of any structural improvements, the sites utilization with the existing dairy would likely deter wildlife species from occupying the site. Therefore, the project is not likely to substantially degrade the quality of the environment or substantially reduce the habitat of a wildlife species.

- 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:

As a result of this analysis, it was determined that impacts associated with Aesthetics, Cultural Resources, Hydrology and Water Quality, and Tribal Cultural Resources were determined to be less than significant with implementation of mitigation measures. With

implementation of identified mitigation measures, the project would not have a cumulatively considerable impact.

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

FINDING: NO IMPACT:

Based on the completed analysis, no substantial adverse effects on human beings were identified.

CONCLUSION/SUMMARY

Based upon the Initial Study prepared for Unclassified Conditional Use Permit Application No. 3696, staff has concluded that the project will not have a significant effect on the environment. It has been determined that there would be no impacts to Biological Resources, Energy, Greenhouse Gas Emissions, Mineral Resources, Population and Housing, Public Services, Recreation, Transportation, Wildfire.

Potential impacts related to Agricultural and Forestry Resources, Air Quality, Geology and Soils, Hydrology and Water Quality, Hazards and Hazardous Materials, Land Use Planning, Noise, 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 with implementation 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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