



# County of Fresno

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

## EVALUATION OF ENVIRONMENTAL IMPACTS

- APPLICANT: Frank J. Rodriguez
- APPLICATION NOS.: Initial Study No. 8142 and Classified Conditional Use Permit Application No. 3722
- DESCRIPTION: Amend Classified Conditional Use Permit Application No. 3404 to allow expansion of a commercial nut processing operation on a 19.72-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.
- LOCATION: The project site is located on the east side of N. Siskiyou Avenue approximately 870 feet north of its intersection with W. Olive Avenue and is located approximately 1.4 miles north of the city limits of the City of Kerman (1750 N. Siskiyou Avenue) (APN 015-315-25S) (Sup. Dist. 1).

### I. AESTHETICS

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

- A. Have a substantial adverse effect on a scenic vista?

FINDING: NO IMPACT:

The subject property is located in a mainly agricultural area. The subject site is currently improved with an existing nut processing facility. There are no scenic vistas in vicinity of the project site that would be impacted by the project proposal.

- B. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

FINDING: NO IMPACT:

Figure OS-2 of the Fresno County General Plan indicates that there are no designated scenic roads or highways fronting the project site. No other scenic resources were identified on the project site.

- 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 project proposal intends to expand an existing commercial nut processing facility. Expansion of the facility is proposed to be constructed towards the rear of the property and would not result in a substantial degradation of the existing visual character or quality of public views 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:

Outdoor lighting could potentially be utilized for the proposed buildings. As there is a potential for new sources of light and glare, a mitigation measure will be implemented to ensure that new sources of light and glare resulting from the project does not adversely impact surrounding properties and 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 Farmlands Map, the subject parcel contains land designated as Urban and Built-Up Land and Prime Farmland. The proposed expansion would further convert land designated for Prime Farmland towards the existing nut processing operation. Per the prepared Operational Statement, the proposed buildings

would be utilized mainly for storage of processed almonds. Conversion of Prime Farmland will occur as a result of the project, however, in considering the existing agricultural processing facility, the expansion of the facility can be seen as less than significant as encroachment of the use on Prime Farmland is confined to a parcel already approved for the processing operation with no further encroachment happening on other designated Prime Farmland parcels.

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

FINDING: NO IMPACT:

The existing nut processing facility was previously approved under the provisions of a Classified Conditional Use Permit. The Fresno County Zoning Ordinance allows agricultural value-added processing facilities under the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District subject to a Classified Conditional Use Permit. The subject parcel is not under Williamson Act Contract.

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 size not zoned for forest land, timberland, or timberland zoned Timberland Production and would not result in the loss of forest land or timberland.

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 expand an existing commercial nut processing facility. The additional conversion of Farmland within the subject parcel is not expected to exceed the parcel boundaries and would not result in further conversion.

### 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:

Based on comments received from the San Joaquin Valley Air Pollution Control District (SJVAPCD), construction and operation emissions of criteria pollutants are not expected to exceed significance thresholds established by the SJVAPCD. District Rules and Regulations including District Rule 2010 and 2201 – Air Quality Permitting for Stationary Sources, District Rule 9510 – Indirect Source Review, District Regulation VIII – Fugitive PM10 Prohibitions may be applicable to the project. If any of the identified rules and regulations are applicable to the project, further review and permit with the SJVAPCD would occur. Based on the review conducted by the SJVAPCD for the project, the project would not obstruct implementation of the applicable Air Quality Plan and would result in less than significant criteria pollutant generation resulting from construction and operation of the project.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The nearest sensitive receptor is located approximately 330 feet north of the project site. As noted, comments from the SJVAPCD indicated that criteria pollutant generation resulting from the project would be less than significant. Per the Applicant's Operational Statement, storage capacity is anticipated to be increased, but processing capacity is to remain unchanged. Based on this information, once construction is completed, pollutant and emission generation is unlikely to substantially increase where a significant impact is to occur.

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:

Per the California Natural Diversity Database, there are no reported occurrences of a special-status species on the project site. Aerial photographs of the project site indicate that the existing commercial nut processing facility is present with the remainder of the

subject parcel utilized for agricultural production. Surrounding parcels depict a mix of rural residential and agricultural uses. In consideration of the existing operation and uses established on the subject parcel and surrounding properties, special-status species are not likely to occur on the project site. No riparian habitat or other sensitive natural habitat was 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; or
- 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 site?

FINDING: NO IMPACT:

Per the National Wetlands Inventory, a manmade canal traverses the subject parcel, however, the proposed expansion is located east of where the canal is located and would not be impacted by site development. The project would not substantially interfere with the movement of any native resident. There were not established native resident, wildlife corridor, or wildlife nursery site identified on 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:

Reviewing Departments and Agencies did not express concern to indicate that the project conflicts with any local policies or ordinances protecting biological resources, and no conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approval local, regional, or State Habitat Conservation Plan was identified by reviewing agencies and departments.

## 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 parcel is currently improved with a commercial nut processing facility and orchards. Due to the existing ground-disturbance related to the built environmental and disturbance resulting from the farming operation, it is unlikely that cultural resources are present on the project site. However, mitigation measures are proposed to be implemented to ensure proper procedure is in place should a cultural or tribal cultural resource be unearthed during ground-disturbing activities resulting from the project 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 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:

Development of the proposed structures are expected to meet current building code standards which will take into account state and local energy efficiency standards. The construction and operation are not expected to result in wasteful, inefficient, or unnecessary consumption of energy resources where a significant environmental impact could occur.

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 Hazard Zone Application maintained by the California Department of Conservation, the project site is not located within an Earthquake Hazard Zone.

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

FINDING: NO IMPACT:

Per Figure 9-5 of the Fresno County General Plan Background Report (FCGPBR), the project site is located on land designated as having a 0%-20% chance of reaching peak horizontal ground acceleration assuming a 10% probability of a seismic hazard in 50 years. In considering the lower chance of reaching peak horizontal ground acceleration and mandatory compliance of the development with the California Building Code, there are no adverse risks associated with the project related to strong seismic ground shaking or seismic-related ground failure.

4. Landslides?

FINDING: NO IMPACT:

The project site is located in a largely flat, agricultural area where no changes in elevation would indicate landslide hazard. Per Figure 9-6 of the FCGPBR, the project site is not located in any identified landslide hazard areas.

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

FINDING: NO IMPACT:

The project will result in the addition of impervious surface throughout the project site. The addition of impervious surface will result in the loss of topsoil. However, this loss in topsoil is not expected to result in any adverse impacts. The subject parcel is located in flat agricultural land when no changes in elevation or waterways would be occur where soil erosion could occur and result in significant impact.

- 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.

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

FINDING: NO IMPACT:

According to Figure 7-1 of the Fresno County General Plan Background Report (FCGPBR), the project site is not located on areas with soils exhibiting moderately high to high expansion potential.

- D. 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:

Proposal of additional wastewater disposal systems are included with this expansion. The permitting of a wastewater disposal system will be subject to Fresno County Local Area Management Program (LAMP) standards. LAMP standards will account for existing conditions of the project site. Therefore, with proper permitting of the proposed wastewater disposal system, the project would not result in a significant impact.

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

FINDING: NO IMPACT:

No unique paleontological resource or unique geologic feature was 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:

Greenhouse gas emissions related to construction of the project are expected. As noted in the Operational Statement, the project intends to increase indoor storage space for processed products with the processing capacity of the existing facility not changing. The proposed number of employees will remain unchanged where 8 year round employees and 20 seasonal employees will be present during operational hours. No substantial generation of greenhouse gas emissions are expected from the

operation and construction of the project, and therefore would not have a significant impact on the environment. No applicable plan, policy or regulation for the purpose of reducing greenhouse gas emissions was identified that would be in conflict with the project.

## 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 the project and provided comment. Comments indicate that the project would need to meet requirements set forth in the California Health and Safety Code (HSC), Division 20, Chapter 6.95, and the California Code of Regulations (CCR), Title 22, Division 4.5. Those requirements include preparation and submittal of a Hazardous Materials Business Plan be submitted to the Environmental Health Division. With the project's compliance of State and local handling and reporting requirements, the project would not create a significant hazard to the public or environment through the routine transport, use or disposal of hazardous materials, or foreseeable upset and accident conditions involving hazardous materials.

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

FINDING: NO IMPACT:

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

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

FINDING: NO IMPACT:

Per the NEPAassist database, the project site is not located on a listed hazardous materials site and would not create a significant hazard to the public or the environment.

- E. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project

result in a safety hazard or excessive noise for people residing or working in the project area?

FINDING: NO IMPACT:

The project site is not located within an airport land use plan area and not 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?

FINDING: NO IMPACT:

Reviewing agencies and departments did not express concern with the project to indicate that the project proposal impair or physically interfere with an adopted emergency response plan or emergency evacuation plan.

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

FINDING: NO IMPACT:

The project site is located in a mainly agricultural area and would not be susceptible 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; 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 (SWRCB) and the Water and Natural Resources Division have reviewed the project. The SWRCB indicated that the project meets their definition of a transient non-community water system and would require a permit from their agency. There were no expressed concerns made by the SWRCB to specify that the project would violate any water quality standard or waste discharge requirement that would substantially degrade surface or ground water quality. In addition, there were no comments expressed by the SWRCB to indicate that the project would result in substantial water usage where decreased groundwater supplies would occur or the impedance of groundwater recharge would occur.

The Water and Natural Resources Division in their comments stated that the proposed expansion would not have a significant impact on existing water levels in the area. Additionally, the subject parcel is not located in an area of the County defined as being water short.

With the project's mandatory compliance with regulatory requirements (permit from the SWRCB) and the above review by responsible agencies and departments, the project is not expected to result in a violation of water quality and waste discharge requirements, or substantially decrease groundwater supplies and would not impede groundwater recharge.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

As identified in Section IV. *Biological Resources*, per the National Wetlands Inventory, a manmade canal traverses the subject parcel. There are no streams or rivers that would be affected by the proposed development. Drainage patterns of the project site would be altered due to the inclusion of additional impervious surfaces. Review of the site plan indicates that additional surface runoff resulting from the project would be siphoned to the existing ponding basin towards the western portion of the subject site or the proposed ponding basin located on the eastern end of the parcel. The proposed ponding basin would be subject to review and permit from the Development Engineering Section. Reviewing agencies and departments did not express concern with the project to indicate that a significant impact related to erosion or siltation of the site could occur. Surface runoff would be directed to either the existing or proposed ponding basin and would not result flooding on- or offsite and would not exceed capacity of the drainage system where an additional source of polluted runoff would be created.

4. Impede or redirect flood flows?

FINDING: NO IMPACT:

Per FEMA FIRM Panel C1525H, the subject property is not located in a flood hazard area, therefore the project would not impede or redirect flood flows.

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

FINDING: NO IMPACT:

The subject property is not located in a flood hazard area and is not located near a body of water where a tsunami or seiche risk would be prevalent.

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

FINDING: NO IMPACT:

Reviewing agencies and departments did not express concern with the project to indicate a conflict or obstruction of a water quality control plan or sustainable management plan.

## XI. LAND USE AND PLANNING

Would the project:

- A. Physically divide an established community?

FINDING: NO IMPACT:

The project proposed is expand an existing commercial agricultural processing facility. The subject parcel is located within a mainly agricultural area on the east side of N. Siskiyou Avenue. The project would 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:

General Plan LU-A.14 states that the County shall ensure that the review of discretionary permits includes an assessment of the conversion of productive agricultural land and that mitigation be required where appropriate. This identified policy relates to the preservation of farmland. The proposed expansion of the existing commercial agricultural processing facility would convert additional farmland. Per the site plan, unused land would still be utilized for agricultural production. In addition, the use is considered supportive of the agricultural industry by providing a processing facility located in proximity of its customers. Therefore, the conversion of productive agricultural land with regard to the project is considered less than significant.

General Plan Policy PF-C.17 states that the County shall, prior to consideration of any discretionary project related to land use, undertake a water supply evaluation. This policy is adopted for the purpose of ensuring proper analysis and if necessary,

mitigation so that water supplies throughout Fresno County can service existing and future uses. The Water and Natural Resources Division has reviewed the proposal and indicated that the project would not substantially impact water resources in the area and that the subject site is not located in an area of the County defined as water short and did not require preparation of a water supply evaluation.

General Plan Policy HS-G.1 states that the County shall require that all proposed development incorporate design elements necessary to minimize adverse noise impacts on surrounding land uses. General Plan Policy HS-G.8 states that the County shall evaluate the compatibility of proposed projects with existing and future noise levels through a comparison to Chart HS-1 “Land Use Compatibility for Community Noise Environments”. Both of the identified policies have been adopted to ensure noise levels for Fresno County residents do not exceed certain thresholds. The Fresno County Noise Ordinance provides thresholds for noise levels and is enforced by the Fresno County Department of Public Health, Environmental Health Division. Mandatory compliance with the Noise Ordinance is expected from this project. Therefore, noise levels are not expected to exceed established thresholds and no conflict with the above policies is seen.

## 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:

Per Figure 7-7 of the Fresno County General Plan Background Report (FCGPBR), the project site is not located in an identified mineral resource location.

Per Figure 7-8 of the FCGPBR, the project site is not located on a principal mineral producing 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:

Review of the project by the Fresno County Department of Public Health, Environmental Health Division, the project is expected to comply with the provisions of the Fresno County Noise Ordinance. Further comments by the Department of Public Health indicate that noise generated from the processing facility should be confined to daytime hours. Review of the Applicant's Operational Statement indicates that hours of processing from August through October will occur Monday through Friday from 8:00 AM to 4:00 PM. Temporary noise generation resulting from the project is expected. The resulting expansion would result in increased developed area and storage capacity. As the processing capacity does not change where a substantial increase in noise activity could occur, the project is expected to result in a less than significant impact.

- 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 is not located within vicinity of a private airstrip or airport land use plan. Further, the project site is not located 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 expand an existing commercial agricultural processing facility. The project would not induce unplanned population growth in the area. There are no residents or housing that would be displaced due to 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:

Comments received from the North Central Fire Protection District did not indicate that any adverse impacts would occur to their service ratios, response times, or other performance objectives.

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 subject application to indicate any 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 increase the use of existing neighborhood and regional parks where substantial physical deterioration would occur and not include or require the construction or expansion of recreational facilities.

## XVI. TRANSPORTATION

Would the project:

- A. Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities; or

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

FINDING: NO IMPACT:

Per the Applicant's Operational Statement and with comparison to the existing operation, the number of employees for the operation will not change. The Road Maintenance and Operations Division and the Design Division did not express concern with the project to indicate a conflict with a program, plan, ordinance, or policy addressing the circulation system exists as a result of the project. As the project intends to expand and existing facility and there is no change in employee numbers, no impacts in terms of Vehicle Miles Traveled (VMT) was identified.

- 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:

There were no expressed concerns made by reviewing agencies and departments regarding hazardous design features or emergency access.

## XVIII. TRIBAL CULTURAL RESOURCES

Would the project:

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

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

Participating California Native American Tribes were notified of the project and given the opportunity to enter into consultation with the County on addressing potential tribal

cultural resources under the provisions of Assembly Bill 52 (AB52). No concerns were expressed by reviewing tribal governments. No tribal cultural resource was identified on the project or during past ground disturbance. Therefore, it is highly unlikely that a tribal cultural resource occurs on the project site. A mitigation measure shall be implemented to address cultural resources, should they be identified during ground-disturbing activities related to the project.

\* **Mitigation Measure(s)**

1. See Section V, Cultural Resources A., B., 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:

Indicated on the submitted site plan, an additional ponding basin is proposed to account for additional surface runoff produced from proposed expansion activities. All construction and grading activities related to development of the ponding basin would be reviewed and permitted by the County and would ensure safe and standardized development would occur. Development of surface runoff facilities would not cause significant environmental effects.

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

FINDING: NO IMPACT:

The State Water Resources Control Board and the Water and Natural Resources Division have reviewed the subject application and did not express concern with the project to indicate that there are insufficient water supplies for the project area.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project will result in the construction of an additional private septic system and will be subject to review and permit by the County of Fresno under their Local Area

Management Program (LAMP). This ensures that adequate capacity is established and safe development of the system is done.

- 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 have reviewed the proposed expansion and did not express concern with the project to indicate that a generation of solid waste in excess of State or local standards would occur, and no conflict with federal, state, and local management and reduction statutes and regulations would result from the project.

## 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, the project site is not located within a State Responsibility Area (SRA) and not located on land classified 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: NO IMPACT:

The subject parcel is currently improved with an existing commercial agricultural processing facility. The remainder portion of the parcel is utilized for agricultural production. The project intends to expand the agricultural processing facility. Due to the existing processing facility and agricultural operation, the project is not expected to be occupied by wildlife species and would not result in a drop of a wildlife species below self-sustaining levels.

- 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:

Aesthetics, Cultural Resources, and Tribal Cultural Resources were determined to have a less than significant impact with Mitigation Measures incorporated. Discussion of the project's impacts on their respective resources could be considered cumulative, but as noted, with the implementation of mitigation measures, would reduce the project's impact to a less than significant level.

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

FINDING: NO IMPACT:

Analysis of the project has determined that environmental effects resulting from the project would not cause substantial adverse effects on human beings.

## **CONCLUSION/SUMMARY**

Based upon the Initial Study prepared for Classified Conditional Use Permit Application No. 3722, staff has concluded that the project will not have a significant effect on the environment. It has been determined that there would be no impacts to Biological Resources, Energy, Mineral Resources, Population and Housing, Public Services, Recreation, Transportation, and Wildfire.

Potential impacts related to Agricultural and Forestry Resources, Air Quality, Geology and Soils, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use Planning, Noise, 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 with recommended Mitigation Measures.

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

TK

G:\4360Devs&Pln\PROJSEC\PROJDOCS\CUP\3700-3799\3722\CEQA-IS\CUP 3722 IS Writeup.docx