



# County of Fresno

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

## EVALUATION OF ENVIRONMENTAL IMPACTS

- APPLICANT: GMA Engineering (Sean Odom)
- APPLICATION NOS.: Initial Study No. 8186 and Classified Conditional Use Permit No. 3733
- DESCRIPTION: The project proposes proposing to allow the expansion of an existing fruit packing and cold storage facility. The project will consist of constructing, two packing buildings 'A & B', a cold storage building, two canopies 'A & B', a 355 sq. ft. addition to existing restrooms (within exist. Building), fire pump house, and a fire water storage tank, a 27,763 sq. ft. solar facility. The subject parcel size is 59.85-acres in size within the AE-20 (Exclusive Agricultural, 20-acre minimum acre parcel size) Zone District.
- LOCATION: The project site is located on the west side of Hill Ave., 0.25-miles south of E American Ave. approximately 1.74-miles west of the City of Orange Cove. (APN: 373-032-07) (5555 Hill Ave.) (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; or
- B. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway; or

FINDING: NO IMPACT:

Per Figure OS-2 of the Fresno County General Plan, the project site is not located along any identified scenic roadways. The proposed expansion will include construction and placement of new tanks and a containment unit. There are no identified scenic resources or vistas that would be damaged from 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 points.) If the project is in an urbanized

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

D.

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project will include the construction and placement of additional storage facility and a containment unit. The proposed tanks and containment unit could potentially be seen from public right-of-way degrading the visual character or quality of public views of the site and its surrounding. The proposed improvements, however, will not have a significant impact on the existing visual character as the existing site is already improved.

E. 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, the operation utilizes outdoor lighting for normal operations and will extend to the proposed containment unit and tanks for safety and security purposes. With the utilization of outdoor lighting, a mitigation measure will be implemented to reduce impacts outdoor lighting may have on adjacent properties and public right-of-way. *The proposed use is characteristic of the existing use and structures, and therefore, will not degrade the existing visual character or quality of site and surroundings.*

\* **Mitigation Measure(s)**

1. *All outdoor lighting shall be hooded and directed so as not to shine toward adjacent properties and public streets.*

II. AGRICULTURAL AND FORESTRY RESOURCES

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

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

FINDING: NO IMPACT:

According to the 2016 Fresno County Important Farmland Map produced by the California Department of Conservation, the project site is designated as Built-Up Land. The project site is an existing fruit packing and cold storage facility operation and proposes to expand the operation through the construction of new agricultural buildings inside the containment unit. The project will not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance as the site will be used for agricultural purposes. The project does not conflict with existing zoning for agricultural use as the use is allowed per Section 816.3-I of the Fresno County Zoning Ordinance, subject to a Conditional Use Permit.

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

FINDING: NO IMPACT:

The subject parcel is zoned AE-20 (Exclusive Agricultural, 20-acre minimum parcel size). The subject parcel is not subject to a Williamson Act Contract. The project will not conflict with the existing zoning for agricultural use and would not conflict with the 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; or

FINDING: NO IMPACT:

The project site is not zoned or located in forest land, timberland, or timberland zoned Timberland Production. The project proposal will not result in the loss of forest land or convert 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 forestland to non-forest use?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The parcel on which the proposed project will be located is not located forest land, timberland, or land zoned Timberland Production. It is zoned AE-20 (Exclusive Agricultural, 20-acre minimum acre parcel size) Zone District and is designated Agricultural in the Fresno County General Plan. The proposed project is a use that is allowed on land zoned AE-20 with approval of a Conditional Use Permit.

### 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; or

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project has been routed to the San Joaquin Valley Air Pollution Control District (SJVAPCD) for review and comment. The SJVAPCD did not express concern with the project to indicate that the project would result in a conflict with an applicable Air Quality Plan or result in cumulatively considerable net increase of any criteria pollutant. Project construction is anticipated to result in minor temporary increases in criteria pollutants, however, the minor increases resulting from construction are not anticipated to result in a significant impact. Several advisory statements, regarding best practices were provided and will be incorporated as recommendations reflected in the project notes.

- 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:

The San Joaquin Valley Air Pollution Control District reviewed the proposed project and expressed no concerns with the proposal. The plan does not conflict with the Air Quality Plan, does not violate any air quality standard, will not result in a cumulative net increase of any criteria pollutant, nor does it expose sensitive receptors to substantial pollutant concentrations or create objectionable odors.

### 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

FINDING: LESS THAN SIGNIFICANT IMPACT:

According to the California Natural Diversity Database (CNDDDB) there are no identifiable species within close proximity of the subject parcel.

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

FINDING: NO IMPACT:

According to the National Wetlands Inventory, there are no wetlands or riparian habitats located on or near the project site. The project site is improved with an existing fruit packaging operation and will not have an impact on wetlands or riparian habitats.

- 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

FINDING: NO IMPACT:

The project site is improved and fenced, with an established cold storage operation. This implies that the site experiences human disturbance daily that would deter wildlife species from occupying or moving through the site. There are no migratory wildlife corridors or nursery sites identified on the project site. Therefore, the proposed expansion will not have an impact on movement of wildlife species or with any wildlife corridors or nursery sites.

- 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; or
- 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 proposed project was referred to the US Fish and Wildlife Service and the California Department of Fish and Wildlife for review and comments. No concerns were expressed by either agency. According to the California Natural Diversity Database, the project site is not located in any reported occurrence areas of a special status species. Therefore, this analysis identified no impacts regarding: 1.) any candidate, sensitive, or special-status species; 2.) any riparian habitat or other sensitive natural community; 3.)*

any federally protected wetlands; nor 4.) any native resident or migratory fish or wildlife species, migratory wildlife corridors, or wildlife nursery sites.

*The proposed project will neither conflict with any local policies or ordinances protecting biological resources, nor will it conflict with the provisions of any conservation plan.*

## 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 parcel on which the proposed project will be sited is located within proximity area designated to be moderately or highly sensitive for archeological resources. A mitigation measure will be implemented to address cultural resources in the event that they are unearthed during ground-disturbing activities related to the project.*

### \* **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 shall be followed by photos, reports, video, and 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: LESS THAN SIGNIFICANT IMPACT:

The project site will utilize existing buildings which are subject to local and state standards for building and energy efficiency. The project is expected to have a less than significant impact on energy resources. The project 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?
2. Strong seismic ground shaking?
3. Seismic-related ground failure, including liquefaction?
4. Landslides?

FINDING: LESS THAN SIGNIFICANT IMPACT:

*According to Figure 8-3 of the Fresno County General Plan Background Report (FCGPBR) and the California Department of Conservation, Earthquake Hazard Zone Application (EQ Zapp), the project site is not located on or near identified earthquake hazard zone areas. The area of the proposed project is not identified as an area which by nature is subject to these types of seismic effects. No agencies expressed any concerns related to ground shaking, ground failure, liquefaction, or landslides. Construction of the proposed project will be subject to seismic design standards.*

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

*No geologic unit or unstable soil was identified on the project site. The site comprises of existing buildings, with most of the area paved area which lies within a paved parking lot. Therefore, the project will 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; or

FINDING: LESS THAN SIGNIFICANT IMPACT:

*Landslides and other forms of slope failure form in response to long-term uplift, mass wasting, and disturbance of slopes. The project site contains naturally flat relief (slopes of no more than three percent), which precludes the possibility of land sliding on-site.*

*The potential for seismic-related ground failure (lateral spreading and liquefaction) occurring on the project site is minimal because of the absence of high groundwater levels and saturated loose granular soil. The project site is not in an area identified by Fresno County as being susceptible to liquefaction. In addition, the intensity of ground shaking from a large, distant earthquake is expected to be relatively low on the project site and, therefore, would not be severe enough to induce liquefaction on-site.*

*The San Joaquin Valley in which Fresno County is located is known to experience subsidence. However, the Water, Geology, and Natural Resources Section of the Fresno County Department of Public Works and Planning reviewed the project and expressed no concerns to the proposed project.*

- 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; or

FINDING: NO IMPACT:

*Per Figure 7-1 of the FCGPBR, Fresno County General Plan Background Report, the project site is not located within an area of known risk of expansive soils.*

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

FINDING: NO IMPACT:

*The project will utilize an on-site sewage disposal system. No concerns related to soil capabilities and the septic systems were expressed by the Fresno County Department of Public Health, Environmental Health Division.*

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

FINDING: NO IMPACT:

*The parcel on which the proposed project will be sited is not located within proximity of any area designated to be moderately or highly sensitive for archeological resources. No historical or paleontological resources, unique geological features, or evidence of possible human remains were identified in this analysis. As such, no impact on historical, archeological, or paleontological resources would result from this proposal. A mitigation measure will be implemented to address cultural resources in the unlikely event that they are unearthed during ground-disturbing activities related to the project.*



## 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:

*The subject application is proposing to expand its operation through the construction of additional storage capacity for an existing cold storage facility. The increase in capacity may generate an increase in greenhouse gas emissions through operation of the facility and increased mobile sources, but the increase will not have a significant impact on the environment. According to the Greenhouse Gas report conducted by Johnson, Johnson and Miller Air Quality Consulting Services stated "taking into account the proposed project's design features and the progress being made by the State towards reducing emissions in key sectors such as transportation, industry, and electricity, the proposed project would be consistent with State GHG Plans and would further the State's goals of reducing GHG emissions 40 percent below 1990 levels by 2030, and 80 percent below 1990 levels by 2050, and does not obstruct their attainment. The proposed project's GHG impacts would be less than significant. The San Joaquin Valley Air Pollution Control District was notified of the subject application and did not express concerns that GHG emission increases would have a significant impact on the environment and did not indicate that the project would conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases.*

## IX. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The Fresno County Department of Public Health, Environmental Health Division (EHD) has reviewed the subject application. EHD states that the facility is listed as a Large Hazardous Materials Handler. Mitigation recommended by EHD will be implemented to address the proposed expansion which includes the update of a Hazardous Materials Business Plan and the handling of hazardous waste in accordance with State regulations.

- C. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school; or
- 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; or  
 FINDING: NO IMPACT:

*The subject parcel is not located within one-quarter mile of a school. The closest school (MC Cord Elementary) is located 2.20- miles southeast of the subject parcel. The proposed project site is not listed on the Hazardous Waste and Substances Site List (Cortese List) which is maintained by the California Department of Toxic Substances Control. There are no listed sites located within a half-mile radius of the proposed project site.*

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

*The Fresno County Department of Public Health, Environmental Health Division review of the proposal states: The potential adverse impacts caused by this project could include (but are not limited to) water quality degradation, odors, noise, and vectors however there are not health issues significant enough to warrant the preparation of an EIR.*

- F. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan; or  
 FINDING: NO IMPACT:

*Per the Fresno County General Plan, Hill Avenue is a County maintained road classified as a local road with an existing 60' of road right-of-way and an ultimate right-of-way of 60' per the Fresno County General Plan. In addition, the Fresno County Department of Public Health, Environmental Health Division which administers the Office of Emergency Services to coordinate planning and preparedness, response and recovery efforts for disasters did not express any concerns regarding emergency response or evacuation plans.*

- 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 in an area zoned AE-20 (Exclusive Agricultural, 20-acre minimum acre parcel size) located approximately 1.74-miles west of the City of Orange Cove.,*

*which is not in a wildland fire area, precluding the site from impacts caused by 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 groundwater 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; or
- FINDING: LESS THAN SIGNIFICANT IMPACT:

*The Water and Natural Resources Division has reviewed the attached project and believes the proposed expansion will result in a minimal increase in water usage. Although the subject property is located within a low water area, staff believes the impact to water levels will be less than significant.*

- C. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:
  - 1. Result in substantial erosion or siltation on or off site?
  - 2. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off site?
  - 3. Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff; or
  - 4. Impede or redirect flood flows?
- D. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation; or
- E. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

FINDING: LESS THAN SIGNIFICANT IMPACT:

*The subject parcel will not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. No departments expressed any concern that would substantially alter the existing drainage pattern of the site or area that would result in flooding on and offsite. In addition, FEMA'S National Flood Hazard Database FIRM Panel No 2214H and 2225H, the southeast portion of the area*

*of the subject property is found to be under Flood Zone A subject to flooding from the 100-year storm. Any development within the Special Flood Hazard Area shall conform to provisions established in Fresno County Ordinance Code Title 15, CHAPTER 15.48 Flood hazards Area.*

#### XI. LAND USE AND PLANNING

Would the project:

- A. Physically divide an established community; or
- 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:

The proposed project will not physically divide an established community nor cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation. The project proposes proposing to allow the expansion of an (E) fruit packing and cold storage facility which is allowed within the agricultural zone district.

#### 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:

*No mineral resource impacts were identified in the analysis. The site is not located in a mineral resource area identified in Policy OS-C.2 of the General Plan.*

#### XIII. NOISE

Would the project result in:

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

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

*Per Fresno County Noise Ordinance and the City of Fresno Municipal code, the proposed project has the potential to expose nearby residents to elevated noise levels.*

*"Ambient noise" is the all-encompassing noise associated with a given environment, being usually a composite of sounds from many sources near and far. Ambient noise level is the level obtained when the noise level is averaged over a period of fifteen minutes, without inclusion of the offending noise, at the location and time of day at which a comparison with the offending noise is to be made. Where the ambient noise level is less than that designated in this section, however, the noise level specified herein shall be deemed to be the ambient noise level for that location (Chapter 10-Regulations Regarding Public Nuisances and Real Property Conduct and Use. Article 1-Noise Regulations. Section 10-102 (b)).*

#### 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 proposed project will not induce population growth, nor will it displace housing or people. The project consists of utilizing an existing location for the purpose of processing solid waste. It will not induce substantial unplanned population growth in an area directly nor indirectly.*

#### XV. PUBLIC SERVICES

Would the project:

- A. Result in substantial adverse physical impacts associated with the provision of new or physically-altered governmental facilities, or the need for new or physically-altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the following public services:

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

*The subject parcel is zoned agricultural according to the Fresno County Zoning Ordinance. The proposal will not have substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities. In addition, the Fresno County General Plan.*

#### 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 is not located near any neighborhood or regional parks or recreational centers and does not propose any new recreational facilities or require the construction of such facilities.*

#### XVII. TRANSPORTATION

Would the project:

- A. Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities; or
- B. Be in conflict or be inconsistent with the California Environmental Quality Act (CEQA) Guidelines Section 15064.3, subdivision (b); or

FINDING: NO IMPACT:

*The aforementioned CEQA Guideline subdivision determines projects within one-half mile of an existing major transit stop to cause less than significant transportation impact” The subject parcel meets the criteria specified.*

- 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:

*The Fresno County Design Division and the Fresno County Road Maintenance and Operations Division expressed no concerns as the proposed project meets all set back requirements and does not have any major construction that would affect emergency access.*

## XVIII. TRIBAL CULTURAL RESOURCES

Would the project:

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

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION  
INCORPORATED:

*The subject site has been previously developed and surrounds areas zoned for agricultural use, suggesting minimal chance of a cultural resources occurring on the project site. Under the provisions of Assembly Bill 52 (AB 52), Participating California Native American Tribes did not enter into consultation with the County on the project however expressing interest regarding the project and requested a cultural resource report given April 25th 2022. Based upon the known archaeological sensitivity of the*

*region, prehistoric or historic cultural resources may be present within the project site. A new archaeological survey\* should be done by a professional archaeologist prior to approval of project plans. In addition, professional archaeologist should be retained to monitor any ground disturbance activities (to be placed as a Mitigation Measure).*

### **Mitigation Measure(s)**

*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 shall be followed by photos, reports, video, and etc. If such remains are determined to be Native American, the Sheriff-Coroner must notify the Native American Commission within 24 hours.*

*Forty-eight (48) hours prior to any ground-disturbing activities within the Area of Potential Effect (APE), such as digging, trenching, or grading, the Applicant shall notify all tribes that participated in consultation of the opportunity to have a certified Native American Monitor inspect the site prior to and be present during all ground-disturbing activities both during construction and decommissioning. The certified Native American Monitor may provide pre-construction briefings to supervisory personnel and any excavation contractor, which will include information on potential cultural material finds and, on the procedures, to be enacted if resources are found. The notification shall be by email to the following person: Robert Pennell, Tribal Cultural Resources Director, at [rpennell@tmr.org](mailto:rpennell@tmr.org). The tribal monitors shall be independently insured to enter the construction zone.*

*See the Archeological Analysis (if completed) and correspondence with the Tribes (AB 52). Taylor the discussion in this section to specifically mention impacts to Tribes.*

## **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; or
- 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; or



- 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:

*The project proposal was routed to the Fresno County Department of Public Health, Environmental Health Division which expressed no concerns with wastewater treatment. No concerns were expressed from expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities.*

## 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: LESS THAN SIGNIFICANT IMPACT:

*The subject site is already improved with structures that are proposed to be utilized with the subject operation and fall outside a wildfire zoned area. The project will not substantially degrade the quality of the environment or substantially reduce the habitat of a fish or wildlife species.*

## 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; or

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

FINDING: NO IMPACT:

*The subject site is not within an area of fish or wildlife species area that would cause a decrease in the wildlife population. The project will not substantially degrade the quality of the environment nor substantially reduce the habitat of a fish or wildlife species. Responsible agencies and departments concurred with the findings and conclusions of the prepared technical studies and determined that no substantial adverse impacts on human beings would occur.*

## **CONCLUSION/SUMMARY**

Based upon the Initial Study prepared for Classified Conditional Use Permit No. 3733, 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, 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, Greenhouse Gas Emissions, 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.

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