



# County of Fresno

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

## EVALUATION OF ENVIRONMENTAL IMPACTS

- APPLICANT:** Apache Energy Storage 1, LLC
- APPLICATION NOS.:** Initial Study No. 8116 and Unclassified Conditional Use Permit Application No. 3718
- DESCRIPTION:** Allow the construction, operation, and ultimate decommissioning of a battery energy storage system consisting of lithium-ion based battery modules housed in purpose-built metal enclosures with integrated power conversion equipment, fire suppression system, transformer and 115kV transmission poles for the overhead wires crossing McCall Avenue for interconnection to nearby PG&E Sanger substation. The project will be located on an approximately 11.3-acre portion of a 37.56-acre parcel in the AE-20 (Exclusive Agriculture; 20-acre minimum parcel size) Zone District.
- LOCATION:** The project site is located on the northeast corner of S. McCall and E. Jensen Avenues approximately 1.26 miles west of the city limits of City of Sanger (APN 314-080-36) (10018 E. Jensen Avenue) (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?

**FINDING:** NO IMPACT:

The 37.56 acres project site borders with McCall and Jensen Avenues. McCall Avenue is not designated as a scenic drive/highway, but Jensen Avenue is in the Open Space and Conservation element of County General Plan (Scenic Roadways, Figure OS-2).

Under General Plan Policy OS-L.3, development on a Scenic Roadway shall adhere to a 200-foot setback of natural open space. In the case of subject proposal, the 11.3-acre portion of the 37.56-acre project site to be developed with the proposed battery energy storage system is located within the northerly most portion of the property more than 500 feet from Jensen Avenue and therefore is not interfering with the scenic setback. There are no scenic vistas or scenic resources, including trees, rock outcroppings, or historic buildings on or near the site that will be impacted by the subject proposal. The project will have no impact on scenic resources.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project would allow battery modules housed in metal enclosures with integrated power conversion equipment, and 115kV transmission poles for the overhead wires crossing McCall Avenue for interconnection to PG&E Sanger substation located at the northwest corner of McCall and Jensen Avenues. The energy storage enclosures would be at a maximum of 12 feet in height enclosed by 7-foot-high perimeter fencing. The transmission poles will be 55 feet in height.

The project site has been farmed on and off since 1937. The area consists of agricultural fields with sparse single-family homes. Given the landscape of the area, low height modules secured by perimeter fencing, and the proposed electric pole being comparable in height to poles in the area would not significantly change the visual characteristics of the project area. The visual impact would be less than significant.

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

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

Per the Applicant's Operational Statement, outdoor light will be used during construction, but not during the project operation. Should any outdoor lighting be installed, potential of generating glare in the area increases. To minimize any light and glare impact, the project will adhere to the following Mitigation Measure.

\* **Mitigation Measure:**

1. *All outdoor lighting shall be hooded and directed downward so as not to shine on 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 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 WITH MITIGATION  
INCORPORATED:

The project is not in conflict with agricultural zoning and is allowed on agriculture land with discretionary approval and by adherence to the applicable General Plan Policies. The project site is classified as Prime Farmland on 2016 Fresno County Important Farmland Map and is not encumbered by Williamson Act Land Conservation Contract.

The Applicant, Borrego Solar Systems, Inc., has provided a response to a 14-point *Solar Facility Guidelines* (Guidelines) approved by the Fresno County Board of Supervisors on December 12, 2017. The applicant's response addresses all 14-points Guidelines information required of the project and has been provided to various agencies/departments for review and comments.

As noted in Item 1 and Item 2 of the Guidelines related to Agricultural History and Water Supply, the project site has been farmed on and off since 1937 and is located within the boundary of Consolidated Irrigation District. Per the applicant's Operational Statement, there is no onsite well, and the water needed for construction will come from offsite water resources. No water usage is anticipated during operation of the project.

As noted in Item 4 of the Guidelines related to the Soil Type, the soil of the subject parcel is Ramona Sandy Loam. This soils type is defined as ideal for growing crops because of its ability to release nutrients freely to plants, retain water to feed plants and allow excess water to flow away quickly and easily.

The agricultural nature of the project site will be impacted due to the loss of Prime Farmland while the site is being utilized for the proposed battery energy storage system. However, this loss is expected to be temporary and less than significant in that the project will occupy the site for a maximum of 20 years after which time all onsite improvements will be dismantled and removed from the site, and the site will be restored to its pre-project conditions for farming operations.

As noted in Item 6 of the Guidelines related to Reclamation Plan and corresponding information contained in the specifics of the Reclamation Plan, at the termination of the project operations, the system will be disconnected and transported offsite, and the site will be re-graded to the existing conditions. As part of the Reclamation Plan, an engineering cost estimate of reclaiming the site to its previous agricultural condition was required and has been provided by the Applicant.

The site restoration requirements will be included as a Mitigation Measure and be stipulated in a covenant between the applicant/property owner and the County of Fresno. Another Mitigation Measure which pertains to Item 8 of the Reclamation Plan would require that prior to issuance of building permits, financial assurances equal to the cost of reclaiming the land to its previous condition as nearly as possible based on an engineering cost estimate prepared for the project by Borrego Solar Systems, Inc., shall be submitted to ensure that the reclamation is performed according to the approved Plan.

Although, Fresno County Agricultural Commissioner's Office (Ag Commissioner) reviewed and expressed no concerns with the project, mitigation measures would require that the applicant shall keep the site free of weeds and rodents during the life of the project.

\* **Mitigation Measures:**

1. *A covenant shall be signed between the Applicant/property owner and the County of Fresno and shall run with the land requiring the site to be restored to agricultural uses at the cessation of 20 years of battery energy storage system.*
2. *Prior to the County of Fresno's issuance of the grading or any development permit, the project developer must enter into a reclamation agreement with the County of Fresno on terms and conditions acceptable to the County of Fresno, which reclamation agreement will require the project owner to (1) decommission, dismantle, and remove the project and reclaim the site to its pre-project condition in accordance with the approved Reclamation Plan, and (2) maintain a financial assurance to the County of Fresno, to secure the project owner's obligations under the reclamation agreement, in an amount sufficient to cover the costs of performing such obligations, as provided herein. Such financial assurance shall be in the form of cash and maintained through an escrow arrangement or other form of security acceptable at the discretion of the Board of Supervisors. The amount of the financial assurance under the reclamation agreement shall (1) initially cover the project owner's cost of performing its obligations under the reclamation agreement, as stated above, based on the final County of Fresno-approved design of the project, which cost estimate shall be provided by the project owner to the County of Fresno, and be subject to approval by the County of Fresno, and (2) be automatically increased annually, due to increases in costs, using the Engineering News-Record construction cost index. This initial cost estimate will consider any project components, other than Improvements, that are expected to be left in place at the request of and for the benefit of the subsequent landowner as long as the improvements are directly supportive*

*restoring the site to a viable agricultural use. (e.g., access roads, electrical lines, O&M building).*

- 3. The project shall substantially adhere to the provisions in the Draft Reclamation Plan as submitted to the Planning Commission and prepared for the decommissioning of the facility when operation ceases. Reasonable modifications may be made to the Plan to address changes of scope and configuration of the final Site Plan and improvements. The draft Reclamation Plan shall be reviewed and approved as final by the County of Fresno, Department of Public Works and Planning prior to the issuance of any development permits.*
- 4. The Reclamation Plan shall be revised to provide for an annual increase in costs at three percent (3%) or tied to the Engineering News-Record construction cost index, or other mechanism acceptable to the Fresno County Department of Public Works and Planning.*
- 5. The project operator, throughout the life of the project operation, shall keep the project site free of rodent's infestation in accordance with the Pest Management Plan prepared for the project by New Leaf Energy dated February 23, 2023.*
- 6. The project operator, throughout the life of the project operation, shall keep the project site free of weeds and other vegetation that could harbor pests or become a fire hazard in accordance with the Pest Management Plan prepared for the project by New Leaf Energy dated February 23, 2023.*

As noted above, the project site is not under a Williamson Act Land Conservation Contract. Review of the project by Fresno County Agricultural Commissioners' Office (Ag Commissioner) and other departments/agencies did not require Conservation Easement for the project as a method to protect agricultural land of equal or greater value as the land being converted to the proposed use. The proposed development is temporary in nature and the farmland it would occupy will be restored back to farming operations upon cessation of the use.

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

FINDING: NO IMPACT:

The project is not in conflict with current zoning and is an allowed use on land designated for AE (Exclusive Agricultural 20-acre minimum parcel size) with discretionary approval and adherence to the applicable General Plan Policies. The project site is not in Williamson Act Land Conservation 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

- 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 project site is not in an area designated for timberland or zoned for timberland production. No forests occur in the vicinity; therefore, no impacts to forests, conversion of forestland, or timberland zoning would occur because of the subject proposal.

According to the County Zoning Ordinance, the project site is zoned AE (Exclusive Agricultural 20-acre minimum parcel size) for farming and related uses. The project will temporarily convert a 11.3-acre portion of a 37.56-acre site (farmland) to a non-agricultural use (battery energy storage facility) for 20 years. At the end of 20 years of operation, all improvements on the property will be decommissioned, and the site will be brought back to its original condition for agriculture.

### 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?

FINDING: LESS THAN SIGNIFICANT IMPACT:

*An Air Quality and Greenhouse Gas Impact Analysis (AQ/GHG Analysis)* was prepared for the project by Jacobs Engineering Inc, dated December 9, 2022, to analyze air quality, greenhouse gas emissions and potential health risk impacts related to the proposed battery energy storage system. The San Joaquin Valley Air Pollution Control District (SJVAPCD) reviewed the AQ/GHG Analysis and stated that the project specific annual criteria pollutant emissions from construction and operation are not expected to exceed any of the significance thresholds as identified in the District's Guidance for Assessing and Mitigating Air Quality Impacts. The project, however, will be subject to the following regulatory requirements: District Rules 2010 and 2201 (Air Quality Permitting for Stationary Sources); District Rule 9510 (Indirect Source Review); District Rule 4002 (National Emissions Standards for Hazardous Air Pollutants); District Rule 4601 (Architectural Coatings); District Regulation VIII (Fugitive PM<sub>10</sub> Prohibitions); District Rule 4102 (Nuisance) and District Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations).

The primary pollutants of concern during project construction and operation are ROG, NO<sub>x</sub>, CO, NO<sub>x</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub>. The San Joaquin Valley Air Pollution Control District (SJVAPCD) Guidance for Assessing and Monitoring Air Quality Impacts (GAMAQI) adopted in 2015 contains threshold for CO, NO<sub>x</sub>, ROG, SO<sub>x</sub>, PM<sub>10</sub> and PM<sub>2.5</sub>. The SJVAPCD's annual emission significance thresholds used for the project define

the substantial contribution for both operational and construction emissions are 10 tons per year ROG, 10 tons per year NO<sub>x</sub>, 100 tons per year CO, 27 tons per year SO<sub>x</sub>, 15 tons per year PM<sub>10</sub> and 15 tons per year PM<sub>2.5</sub>.

Per the *Air Quality and Greenhouse Gas Impact Analysis (AQ/GHG Analysis)*, the total 2024-25 project construction emissions (ton per year) would be 0.64 for ROG, 3.85 for NO<sub>x</sub>, 9.74 for CO, 0.02 for SO<sub>2</sub>, 1.7 for PM<sub>10</sub> and 0.57 for PM<sub>2.5</sub> which are less than the SJVAPCD CEQA thresholds for all pollutants analyzed.

Equipment to be used for project construction would meet applicable emission standards. The project will comply with applicable requirements of SJVAPCD Regulation VIII for prevention, reduction, and mitigation of fugitive dust emissions. The area disturbed during project construction would be greater than 5 acres; therefore, a dust control plan will be prepared for the project construction to identify fugitive dust sources at the construction site and describe the dust-control measures to be implemented before, during, and after any dust-generating activity for the duration of the project construction.

Estimated construction emissions from the Project would exceed 2 tons per year for NO<sub>x</sub> and PM<sub>10</sub>. Therefore, the project will comply with Rule 9150 requirements to reduce the NO<sub>x</sub> and PM<sub>10</sub> construction emissions through onsite emission reductions, offsite emission offsets, or a combination of the two. Because the project would comply with applicable SJVAPCD rules and the construction emissions would be below the CEQA emission thresholds, the project would not conflict with or obstruct implementation of the applicable Air Quality Plan; thus, it would have less than significant impacts during construction.

During the operational phase, the facility would be unstaffed. Vehicle trips associated with the routine inspection and maintenance activities would be infrequent (one to two trips per quarter) and the emissions would be negligible. Therefore, the project operation is not expected to cause emissions that would exceed any significance threshold or violate any SJVAPCD rule or regulation.

In summary, the project's construction and operation emissions would be lower than the SJVAPCD air emissions significance thresholds and would comply with applicable federal, state, and local rules and regulations. Therefore, the project would not conflict with or obstruct implementation of the applicable Air Quality Plan and would result in a less than significant impact.

- 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 determined that any project that would individually have a significant air quality impact would also be considered to have a significant cumulative air quality impact (SJVAPCD 2015a). As noted in III. A.

above, construction of the project will cause temporary emissions of criteria air pollutants; however, these short-term construction emissions will not exceed the applicable significance thresholds for any criteria pollutant for which the region is nonattainment.

Emissions occurring at or near the project area have the potential to create a localized impact also referred to as an air pollutant hotspot. Localized emissions are considered significant if when combined with background emissions, they would result in exceedance of air quality standard. In the Guidance for Assessing and Mitigating Air Quality Impacts (GAMAQI), the SJVAPCD has provided guidance for screening localized impacts that establishes a threshold of 100 pounds per day of any criteria pollutant. If a project exceeds this screening threshold, ambient air quality modeling would be necessary. If the Project does not exceed 100 pounds per day of any criteria pollutant, it can be assumed that it would not cause a violation of an ambient air quality standard.

Per the *Air Quality and Greenhouse Gas Impact Analysis (AQ/GHG Analysis)*, onsite daily emissions from project construction were calculated by combining the emissions from construction activities that would potentially overlap during the same day. Onsite emissions include only those from the off-road construction equipment that would be operating at the construction site; emissions from worker commute, pickup trucks, and haul trucks are not included.

Per the *AQ/GHG Analysis*, the worst-case onsite daily emissions (pounds per day) would be 5.73 for ROG, 32.52 for NO<sub>x</sub>, 93.44 for CO, 0.17 for SO<sub>2</sub>, 13.71 for PM<sub>10</sub> and 8.03 for PM<sub>2.5</sub> which are less than less than the 100 pounds per day screening level for each criteria pollutant.

Localized construction impacts would be short term in nature and would last only for the duration of construction. The onsite construction emissions would be less than 100 pounds per day for each of the criteria pollutants from the construction site. Therefore, further analysis of localized air quality impacts using air dispersion modeling is not required. The project would not result in a cumulatively considerable net increase of any pollutant for which the region is in nonattainment under the National Ambient Air Quality Standards (NAAQS) and California Ambient Air Quality Standards (CAAQS), and therefore would result in a less than significant impact.

Per AQ/GHG Analysis, the project will not result in emissions exceeding the SJVAPCD significance threshold, the project will not be subject to the implementation of Voluntary Emission Reduction Agreement (VIRA).

C. Expose sensitive receptors to substantial pollutant concentrations?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Sensitive receptors for air quality include facilities or land uses that serve or house members of the population that are particularly sensitive to the effects of air pollutants, such as children, the elderly, and people with illnesses. Examples of sensitive receptors include schools, hospitals, and residential areas.

The project site is surrounded by open agricultural fields with sparse single-family homes. No schools or hospitals as sensitive receptors are located within 1.25 miles of the project site. The closest single-family residence is approximately 276 feet northwest of the project construction site.

As noted in III. B. above, the worst-case onsite daily emissions (pounds per day) for the project will be less than the SJVAPCD Air Quality Screening Thresholds of 100 for all pollutants analyzed. Therefore, the Project emissions of criteria pollutants would not cause localized impacts or expose sensitive receptors to substantial pollutant concentrations.

Exhaust emissions from construction equipment would contain Toxic Air Contaminants (TAC), such as Diesel Particulate Matter (DPM), with potential to cause cancer and noncancer chronic health effects in exposed populations. However, health risks from DPM are associated with long-term exposure and are typically evaluated based on lifetime exposure. As noted above, a single-family home is located approximately 276 feet northwest of the project construction site. The construction activities would be short term and would be limited to a relatively small area where only a few pieces of construction equipment would be operating at any time. Therefore, the project's construction emissions are not expected to result in long-term exposure of the nearby sensitive receptors to substantial DPM concentrations.

As described, exposure to TAC emissions from construction activities would be short term in nature, with minimal effects on the nearby sensitive receptors; long-term exposure to DPM from construction would not occur. In addition, the project would implement Best Management Practices (BMPs) during construction, including limits on idling times and maintaining equipment to minimize emissions and exposure of nearby sensitive receptors to construction-related pollutants. Emissions from the project construction would not cause substantial exposure of sensitive receptors. The associated health risks would be well below the SJVAPCD health risk thresholds.

The project operation would be unmanned, with negligible emissions from operational activities resulting in minimal emissions of air pollutants including TACs and would not expose sensitive receptors to substantial pollutant concentrations.

The project is not expected to result in significant Valley Fever-related impacts because fugitive dust-control measures, such as watering of exposed surfaces and disturbed areas, would reduce dust and minimize potential for exposure of workers and other receptors to *Coccidioides* spores. Further, employers in California are required to equip workers who may be exposed to dust with National Institute for Occupational Safety and Health-approved respiratory protection with particulate filters rated as N95, N99, N100, P100, or high-efficiency particulate air. Therefore, project-related impacts related to Valley Fever exposure would be less than significant.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

Per the *Air Quality and Greenhouse Gas Impact Analysis (AQ/GHG Analysis)*, construction could potentially result in odorous exhaust emissions from use of gasoline- and diesel-fueled vehicles and equipment. However, these emissions would be intermittent and temporary and would dissipate with an increase in distance from the construction location. Given the temporary and intermittent nature of odor-generating construction activities, and the dispersion of emissions compared to the limited proximity and low number of potential receptors, construction of the project would not expose people to objectionable odors for an extended period or lead to odorous emissions that would adversely affect substantial numbers of people. Impacts associated with odors during construction would be less than significant.

The project would be a battery energy storage system, which is not expected to result in objectionable odors during operation. Therefore, the project operation would not result in emissions leading to odors that would adversely affect substantial numbers of people, and the impact would be less than significant.

#### 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?
- 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 proposes construction and operation of a battery energy storage system on an 11.3-acre portion of a 37.56-acre parcel.

The project site has been disturbed by farming operation and contains no river or stream to hold riparian features that could potentially be impacted by the project. The immediate surrounding area is comprised of cultivated and uncultivated land with sparse single-family residences, including the PG&E Sanger substation to the west of the site.

The project will not have substantial adverse impact, directly or indirectly, on any special status species or their habitat, nor any plans, policies or regulations related to the protection of such resources.

The project was routed to the U.S. Fish and Wildlife Service and the California Department of Fish and Wildlife for review and comments. Neither agency offered any comments concerning the impact on biological resources.

- 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:

A query of the National Wetlands Inventory (NWI) Map shows no drainage pattern, aquatic feature, wetlands, waters of the United States or waters of the State of California present on or near the project site. The project will have no impact on wetland.

- 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 above, the project site and surrounding area is agricultural in nature and is located approximately 1.26 miles west of the City of Sanger's existing urban development. The area is not designated as a migratory wildlife corridor and the project site contains no water feature to provide for the migration of resident or migratory fish.

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

FINDING: NO IMPACT:

The project site contains no trees that would require removal due to the proposed development. There were no policies or ordinances for protecting biological resources identified as conflicting with the project.

- 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:

No adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state Habitat Conservation Plan were identified 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 project site is not in an area designated as highly or moderately sensitive for archeological resources. However, per the discussion in Section XVIII TRIBAL CULTURAL RESOURCES below, in the unlikely event that cultural resources are unearthed during future construction activities on the property, the following actions shall be required to ensure that impacts to such cultural resources remain less than significant.

\* **Mitigation Measure:**

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 it 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 will have a beneficial impact for energy resources and is not in conflict with state and local plans for renewable energy or energy efficiency.

The project, consisting of a battery energy storage system, will add reliability to the California grid system to help meet the June 2021 California Public Utility Commission’s decision requiring 11,500 megawatts of new capacity additions to the California Independent System Operator system.

VII. GEOLOGY AND SOILS

Would the project:

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

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

FINDING: NO IMPACT:

According to Figure 9-3 of the Fresno County General Plan Background Report and the Earthquake Hazard Zone web application (EQZapp) maintained by the California Department of Conservation, the project site is not located near a known earthquake fault or rupture of a known earthquake fault. The project development will be subject to the applicable seismic standards of the California Building Standards Code.

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

FINDING: NO IMPACT:

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

4. Landslides?

FINDING: NO IMPACT:

Per Figure 9-6 of the Fresno County General Plan Background Report, the project site is not located in areas identified as having a landslide hazard. Review of the project site and surrounding area indicate that there are no steep slope areas in the vicinity.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project development will increase the amount of impervious surface on the site. This increase would result in the loss of topsoil. However, the effects of the project on soil erosion and loss of topsoil would not be substantial as the project site is relatively flat with planned drainage facilities reducing effects of erosion and topsoil loss. The impact would be less than significant.

- 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: LESS THAN SIGNIFICANT IMPACT:

No geologic unit or unstable soil was identified on the project site. The proposed development is subject to the most current building code which will ensure safe development of the site taking into consideration existing site conditions.

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

FINDING: NO IMPACT:

Per Figure 7-1 of the FCGPBR, the project site is not located in areas of Fresno County identified as having expansive soils.

- 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:

The project does not require construction of a wastewater disposal system.

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

FINDING: NO IMPACT:

No paleontological or unique geologic feature was identified on the project site. As such, the project will not destroy a unique paleontological or unique geologic feature.

## 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?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Per the *Air Quality and Greenhouse Gas Impact Analysis (AQ/GHG Analysis)*, prepared for the project, a Greenhouse Gas Emissions Analysis was conducted to estimate project emissions of CO<sub>2</sub>e (Carbon Dioxide Emissions) for construction and operation of the project. Estimated construction emissions over a two-year schedule would total 2190.78 metric tons per year of CO<sub>2</sub>. As the project would last for 20 years, the

amortized construction emission over 20 years would be 109.54 metric tons per year of CO<sub>2</sub>. As construction emissions are short-term impacts, the increase in GHG emissions is considered less than significant.

Direct emissions of GHG from the operation of vehicles or equipment would be negligible. The proposed facility would be unstaffed and would require minimal maintenance vehicle trips to the project site. GHG emissions during operation would result primarily from energy consumption. The indirect GHG emissions associated with long-term operation of the project were estimated shows that the indirect GHG emissions from the Project operation would be 582.73 MT per year.

The anticipated total GHG emissions of the amortized project construction emissions and operation emissions would be 692.27 MT per year, which is less than the California Air Pollution Control Officers Association (CAPCOA) interim GHG emission threshold of 900 MT per year.

- 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:

According to the *Air Quality and Greenhouse Gas Impact Analysis (AQ/GHG Analysis)* the San Joaquin Valley Air Pollution Control District's CEQA guidance for GHGs states that a project would not have a significant GHG impact if it is consistent with an applicable plan to reduce GHG emissions. The project involves the construction, operation, and maintenance of a battery energy storage system that would add reliability to the California's electric grid.

Per the *AQ/GHG Analysis*, the project would be consistent with the provisions of Assembly Bill (AB) 32, Senate Bill (SB) 32, 2022 Scoping Plan (CARB 2022) and the Fresno Council of Governments (FCOG) Sustainable Communities Strategy (SCS). The project would also be consistent with SB 375 which requires metropolitan planning organizations to prepare an SCS in the RTP (Regional Transportation Plan). The FCOG's 2022 RTP/SCS links transportation funding decisions to land use to decrease GHG emissions from cars and light-duty trucks. The project would be unstaffed, and operational control would be from an offsite control room. Operational staff would perform periodic inspections and maintenance as necessary; therefore, the project would not affect the transportation and land use patterns analyzed or assumed in long-range planning in the FCOG's RTP/SCS.

No reviewing agencies and departments expressed concern with the project to indicate a significant impact from GHG generation or a conflict with applicable plans, policies, or regulations adopted for the purpose of reducing GHG emissions. The project would therefore not contribute substantially to cumulative greenhouse gas emissions.

## VIII. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

Per the Department of Public Health, Environmental Health Division review of the project, the following shall be required as Project Notes: 1) Facilities that use and/or store hazardous materials and/or hazardous wastes shall meet the 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; and 2) the project will handle hazardous materials and/or hazardous waste and will require submittal of a Hazardous Materials Business Plan pursuant to the HSC, Division 20, Chapter 6.95.

In considering the project scope and required compliance of Local and State requirements for hazardous materials as noted above, the project would have a less than significant impact.

- 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:

There are no existing or proposed schools within a quarter mile of the project site. The nearest school, Reagan Elementary School, is located approximately 1.27 miles east of the project site. The project will have no impact on the area schools.

- 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 U.S. EPA's NEPAassist, the project site is not listed as a hazardous materials site. No impact would occur.

- 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 and not within two miles of a public airport or public use airport. The nearest airport, Fresno-Yosemite International Airport, is approximately 6.45 miles northwest of the project site.

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

FINDING: NO IMPACT:

The project site is in an area where existing emergency response times for fire protection, emergency medical services, and sheriff protection meet adopted standards. The project does not include any characteristics (e.g., permanent road closures) that would physically impair or otherwise interfere with emergency response or evacuation in the project vicinity. These conditions preclude the possibility of the proposed project conflicting with an emergency response or evacuation plan. No impacts would occur.

- 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 will not expose persons or structures to wildland fire hazards. Per Figure 9-9 of the Fresno County General Plan Background Report, the project site is outside of the State Responsibility area for wildland fire protection.

## 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:

Per the Department of Public Health, Environmental Health Division (Health Department) review of the project the following shall be included as Project Notes: 1) If any underground storage tank(s) are found during construction, an Underground Storage Tank Removal Permit shall be applied for and secured from the Health Department; and 2) all water wells and/or septic systems that exist or have been abandoned within the project area shall be properly destroyed by a licensed contractor.

- 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:

As the project will not utilize groundwater, no impact on groundwater supplies would occur.

The Water and Natural Resources Division of the Department of Public Works and Planning and the State Water Resources Control Board, Division of Drinking water expressed no concerns with the project regarding water usage. During construction water will be brought in by trucks for dust control and miscellaneous construction activities. No water usage is anticipated during operations.

- 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; or
  2. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite; or
  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?
  4. Impede or redirect flood flows?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project development will cause no significant changes in the absorption rates, drainage patterns, or the rate and amount of surface run-off with adherence to the mandatory construction practices contained in the Grading and Drainage Sections of the County Ordinance Code. As per the Development Engineering Section, the project shall require approval of an Engineered Grading and Drainage Plan and shall obtain a grading permit or voucher prior to any onsite grading work.

No natural drainage channels run through the project site. The project is located within Consolidated Irrigation District (CID). No comments were received from CID.

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

FINDING: NO IMPACT:

According to the Federal Emergency Management Agency (FEMA) FIRM Panel 2155H, the project site is not subject to flooding from the 100-year storm. The project will not be subject to flood hazard.

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

FINDING: NO IMPACT:

Per the Applicant's Operational Statement, no water usage is required during the project operation. The project is not in conflict with any Water Quality Control Plan for Fresno County. Regarding sustainable groundwater management plan, the project site is in the Central Kings Groundwater Sustainability Area (CKGSA) which is administered by Consolidated Irrigation District (CID). The CID provided no comments on the project.

## XI. LAND USE AND PLANNING

Would the project:

- A. Physically divide an established community?

FINDING: NO IMPACT:

The project will not divide an established community. The project site is in an agricultural area outside of any city or unincorporated community. The nearest city, City of Sanger, is approximately 1.26 miles east of the site.

- 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:

The project site is designated Agriculture in the Fresno County General Plan which allows certain non-agricultural uses such as the proposed use by discretionary approval. The project would allow a battery energy storage system with related facilities on a 11.3-acre portion of a 37.56-acre AE- Zoned parcel. The project is consistent with the following General Plan policies:

Regarding consistency with General Plan Policy LU-A.1, the project will temporarily occupy a Prime Farmland for 20 years and then it will be decommissioned, and the property will be put back into agricultural use. The project does not require public facilities such as sewer, water, and storm drainage from a city or an unincorporated community.

Regarding consistency with Policy LU-A.12, Policy LU-A.13, Policy LU-A.14, the project is allowed on farmland and meets General Plan Policy LU-A.1 as discussed above; will be fenced off by a 7-foot-high perimeter fencing for separation from the surrounding farmland; and will adhere to all mitigation measures in this report, including the implementation of a Restoration Plan to restore the site to farming operations after the facility operations cease.

## 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 7-8 of the Fresno County General Plan Background Report, the project site is outside of a mineral-producing area of the County.

### 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:

The project will generate temporary construction-related noise and virtually no long-term operation-related noise.

According to the Department of Public Health, Environmental Health Division, the project can potentially expose nearby residents (The closest is approximately 276 feet northwest of the construction site) to elevated noise level, and therefore, shall adhere to the Noise Elements of the County Ordinance Code. No Noise Study was required for the project.

- 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?

FINDING: NO IMPACT:

Per the discussion in Section IX. E. above, the project will not be impacted by airport noise.

### 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 involves no housing. As such, no increase in population would occur.

## 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: LESS THAN SIGNIFICANT IMPACT:

According to the Fresno County Fire Protection District (FCFPD) the project shall comply with California Code of Regulations Title 24 – Fire Code; construction plans shall be submitted to the County prior to receiving FCFPD conditions of approval for the project; and shall annex into Community Facilities District No. 2010-01 of FCFPD.

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

FINDING: NO IMPACT:

Reviewing Agencies and Departments did not express concern with the project to indicate that it would result in adverse impacts to service ratios, response times, or other performance objectives of the listed services.

## 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 will not induce population growth which may require new or expanded recreational facilities in the area.

## 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?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project will not conflict with any policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities. The project area is rural in nature and is not planned for any transit, bikeways, or pedestrian facilities per the Transportation and Circulation Element of the Fresno County General Plan.

According to the Transportation Planning Unit (TPU) of the Department of Public Works and Planning, the daily traffic generated by the project is expected to be minimal and does not warrant the need for a Traffic Impact Study (TIS). However, in lieu of TIS, a Traffic Management Plan (TMP) shall be prepared for the project to address potential impacts during the construction phase of the project. The TMP shall be provided prior to the issuance of building permits and required as a Condition of approval, implementation of TMP will reduce traffic impacts to less than significant.

According to the Road Maintenance and Operations (RMO) Division, McCall Avenue is a County maintained road classified as an Arterial with an existing 60-foot of prescriptive road right-of-way. McCall Avenue requires 106 feet of ultimate right-of-way per the Fresno County General Plan. A Condition of Approval would require that 23 feet of the property frontage along McCall Avenue shall be dedicated in additional right-of-way for McCall Avenue.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The State of California Governor's Office of Planning and Research document entitled

*Technical Advisory on Evaluating Transportation Impacts in CEQA* dated December 2018 (OPR Technical Advisory) indicates that projects that generate or attract fewer than 110 trips per day generally may be presumed to cause a less-than-significant transportation impact.

Per the project review by Transportation Planning Unit of the Department of Public Works and Planning, the project operation will be monitored remotely and requires no regular staff on site. Regular site visit for operations and maintenance will occur four times in a year by service personnel generating traffic trips of up to two vehicles per quarter. As the project will generate fewer than 110 trips per day, no VMT analysis was required for the project. The impact on transportation would be less than significant.

- C. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Review of project design with the proposed access from McCall Avenue is not expected to create traffic hazards due to the current roadway configuration and additional right-of-way to be provided for McCall Avenue.

- D. Result in inadequate emergency access?

FINDING: NO IMPACT:

The project review by Traffic Planning Unit and Road Maintenance and Operations Division of the Fresno County Department of Public Works and Planning including the Fresno County Fire Protection District did not identify any concerns regarding emergency access. The project development will be subject to all local and state requirements for site access for emergency vehicles.

## 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:

The project site is not located in an area sensitive to archeological resources. Pursuant to Assembly Bill (AB) 52, the project was routed to participating California Native American Tribes namely Santa Rosa Rancheria Tachi Yokut Tribe, Picayune Rancheria of the Chukchansi Indians, Dumna Wo Wah Tribal Government, and Table Mountain Rancheria offering them an opportunity to consult under Public Resources Code (PRC) Section 21080.3(b) with a 30-day window to formally respond to the County letter. No tribe expressed concerns with the project or requested for consultation. The Table Mountain Rancheria indicated that in the unlikely event cultural resources are identified, the tribe should be notified. With the implementation of Mitigation Measure included in Section V CULTURAL ANALYSIS of this report, any potential impact to tribal cultural resources would be reduced to a less than significant.

#### 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: NO IMPACT:

See discussion in Section VII. E. GEOLOGY AND SOILS above. The project will temporarily occupy farmland with less than significant environmental effect. No relocation or construction of new electric power, natural gas, or telecommunications facilities is expected from the project.

- 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:

See discussion in Section X. B. HYDROLOGY AND WATER QUALITY above.

- 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:

The project does not require construction of any wastewater disposal system.

- 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:

The project is not expected to generate significant amount of solid waste during construction. Once built, the project will not produce any waste.

Reviewing agencies and departments did not express concern with the project to indicate conflict with State or local standards for solid waste management, reduction, or capacity goals.

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:

The project site is not within or near State Responsibility Area or lands classified as very high fire hazard severity zones. No impacts would occur.

XXI. MANDATORY FINDINGS OF SIGNIFICANCE

Would the project:

- A. Have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop

below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project would establish a battery energy storage system with a 20 years of life span on agricultural land. No reviewing agency expressed any concern with the project having an adverse impact on fish or wildlife species, or on any potential suitable habitat for special status species.

No impact is expected on biological resources and the impact on cultural resources have been reduced to a less than significant level with the incorporation of a Mitigation Measure included in Section V. CULTURAL RESOURCES of this report.

- 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:

Each of the projects located within Fresno County has been or would be analyzed for potential impacts, and appropriate project-specific Mitigation Measures are developed to reduce that project’s impacts to less than significant levels. Projects are required to comply with applicable County policies and ordinances. The incremental contribution by the subject proposal to overall development in the area is less than significant.

The project will adhere to the permitting requirements and rules and regulations set forth by the Fresno County Grading and Drainage Ordinance, San Joaquin Air Pollution Control District, and California Code of Regulations Fire Code at the time development occurs on the property. No cumulatively considerable impacts relating to Agriculture and Forestry Resources, Air Quality, or Transportation were identified in the project analysis. Impacts identified for Aesthetics, Agriculture and Forestry Resources, Cultural Resources, and Transportation will be addressed with the Mitigation Measures discussed above in Section I, Section II, Section V, and Section XVI.

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

FINDING: LESS THAN SIGNIFICANT IMPACT

Based on comments received from reviewing agencies and County Departments, the project will not cause substantial adverse effects on human beings, either directly or indirectly

## **CONCLUSION/SUMMARY**

Based upon the Initial Study No. 8116 prepared for Unclassified Conditional Use Permit Application No. 3718, 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, recreation, utilities and service systems, and wildfire.

Potential impacts related to air quality, geology and soils, greenhouse gas emission, hazards and hazardous materials, hydrology and water quality, land use and planning, mineral resources, public resources, transportation, and tribal cultural resources have been determined to be less than significant.

Potential impacts to aesthetics, agricultural and forestry resource, and cultural resources have been determined to be less than significant with the identified Mitigation Measure.

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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