



# County of Fresno

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

## EVALUATION OF ENVIRONMENTAL IMPACTS

APPLICANT: Alan Mok on behalf of Singh Harpreet and Harmeet K. Mend

APPLICATION NOS.: Initial Study No. 8168, Classified Conditional Use Permit  
Application No. 3729.

DESCRIPTION: Allow a carwash with related uses (automobile service station with convenience store, retail building/commercial business suite) on an approximately 2.5-acre portion of a 4.44-acre parcel in the C-6 (General Commercial) Zone District.

LOCATION: The subject parcel is located on the south side of Auberry Road (State Route 168) approximately 750 feet north of Lockwood Lane and 11.2 miles northwest of the City of Clovis. (APN: 118-422-69) (29650 Auberry Road, Prather) (Sup. Dist. 5).

### 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
- 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?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project site is located within the unincorporated community of Prather and is undeveloped. The project area contains some scenic qualities, but no known designated scenic vista or scenic resources exist on or within the immediate vicinity of the site that may be impacted by the project.

The existing development within immediate vicinity include a ranger station, church, food store, gas station and other retail establishments. There is no active farmland in the vicinity of the project site. The proposed improvements include a 2,125 square-foot fuel canopy (auto service station), a 4,500 square-foot convenience store, a 4,550 square-foot carwash building and 4,500 square-foot retail building/commercial business suites.

The project site fronts State Route (SR) 168 (Auberry Road) which is identified as Scenic Drive in the Open Space and Conservation Element of Fresno County General Plan. Under General Plan Policy OS-L.3, development on a Scenic Roadway shall adhere to a 200-foot setback of natural open space parallel to the road right-of-way. The policy also provides for flexibility in meeting this requirement.

Although the strict application of this policy requires a 200-foot setback along SR 168, flexibility to setback could be provided based on topographic or vegetative characteristics of the site to provide for screening of the proposed buildings and parking from road right-of-way.

The proposed development will set back approximately 65.5 feet from SR 168. This is consistent with building setbacks maintained by the existing developments along SR 168 range from 58 feet to 100 feet, excluding SR 168 right-of-way. Considering the flexibility identified in General Plan in reference to the prevailing setback in the area, the site's topography, and existing vegetation (trees) along SR 168 to provide for screening of proposed buildings and parking from the highway, the proposed 65.5-foot scenic setback (verses the 200-foot required) is consistent with General Plan Policy OS.L.3.

Additionally, to maintain scenic quality of SR 168, a Condition of Approval would require that all dirt resulting from the site grading work cannot be spread into 65.5 feet scenic setback and all current vegetation and trees within this set back shall remain in their natural state, uncut and unmoved.

Furthermore, to minimize the project's visual impact on the surrounding area, Conditions of Approval would require that; 1) color scheme for the proposed buildings and structure shall be compatible with the color scheme of buildings/structures in the area; and 2) the size, height, and method of illumination of the proposed business sign shall be compatible with signs for similar establishments in the area.

- 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:**

Any outdoor lighting that might have the potential of generating glare in the area is limited by Zoning Ordinance section 820.3.020 which requires it to be "directed downward and shielded so that all direct light and glare is confined within the boundaries of the subject parcel, thereby minimizing off-site glare" and that "light sources shall be shielded to direct light rays onto the subject parcel only. The light

source, whether bulb or tube, shall not be directly visible from an abutting property or public street rights-of-way.”

## II. AGRICULTURAL AND FORESTRY RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California 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?

FINDING: NO IMPACT:

The project site is designated as Mountain Urban in the County-adopted Sierra North Regional Plan and Urban and Built-up Land in 2016 Fresno County Important Farmlands Map, suitable for residential, industrial, commercial, and institutional uses. The project will have no impact on Prime Farmland, Unique Farmland, or Farmland of Statewide Importance.

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

FINDING: NO IMPACT:

The project site is not zoned for agricultural use or is subject to 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
- 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: NO IMPACT:

The project site is not farmland, forest land, timberland, or land zoned Timberland Production. The site is zoned C-6 (General Commercial) in the County Zoning Ordinance and is designated Mountain Urban in the County-adopted Sierra North

Regional Plan. The proposed commercial development is an allowed use on land zoned C-6 with the 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?

FINDING: LESS THAN SIGNIFICANT IMPACT:

An *Air Quality and Greenhouse Gas Assessment* (Report) was prepared for the project by *Salem Engineering Group, Inc.* dated July 29, 2022, and provided to the San Joaquin Valley air Pollution Control District (SJVAPCD) which did not comment on the Report.

According to the SJVAPCD comments on the project: 1) 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; 2) a Health Risk Screening/Assessment and Ambient air Quality Analysis shall be conducted for the project; and 3) the project shall adhere to the District Rules and Regulations.

A project is considered consistent with the Air Quality Plan (AQP) if it does not result in an increase in the frequency or severity of existing air quality violations or cause or contribute to new violations or delay timely attainment of air quality standards or the interim emission reductions specified in the Air Quality Plan. Because of the region's nonattainment status for ozone, PM<sub>2.5</sub>, and PM<sub>10</sub>, if project-generated emissions of either of the ozone precursor pollutants (ROG and NO<sub>x</sub>), PM<sub>10</sub>, or PM<sub>2.5</sub> would exceed the SJVAPCD's significance thresholds, then the project would be considered to conflict with the attainment plans.

Construction and operation of the project would contribute the following criteria pollutant emissions: reactive organic gases (ROG), carbon monoxide (CO), nitrogen dioxide (NO<sub>x</sub>), sulfur dioxide (SO<sub>x</sub>), and particulate matters (PM<sub>10</sub> and PM<sub>2.5</sub>).

As discussed in III. B. below, emissions of ROG, CO, NO<sub>x</sub>, SO<sub>x</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub> associated with construction and operation of the project would not exceed the SJVAPCD's significance thresholds. Additionally, as discussed in III. C. below, the project would not result in carbon monoxide (CO) hotspot that would violate CO standard. No contribution to air quality violations is expected from this proposal. The project is consistent with AQP which contains several control measures, which are enforceable requirements through the adoption of rules and regulations. The project would comply with all applicable SJVAPCD rules and regulations including District Rule 2010 (Permit Required); District Rule 2201 (New and Modified Stationary Source Review); District Rule 9510 (Indirect Source Review); District Rule 4002 (National emissions Standards for Hazardous Air Pollutants); District Rule VIII (Fugitive

Prohibition); District Rule 4102 (Nuisance); District Rule 4601 (Architectural Coatings) and District Rule 4641 (Cutback, Slow Cure and Emulsified Asphalt Paving and Maintenance Operations) and would not conflict with or obstruct implementation of AQP.

- 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 primary pollutants of concern during project construction and operation are ROG, 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)* contains threshold for ROG, CO, NO<sub>x</sub>, 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 construction and operational emissions per year are 10 tons for ROG, 100 tons for CO, 10 tons for NO<sub>x</sub>, 27 tons for SO<sub>x</sub>, 15 tons for PM<sub>10</sub> and 15 tons for PM<sub>2.5</sub>.

Per the *Air Quality and Greenhouse Gas Assessment* (Report), the short-term project construction emissions (tons per year) are 6.14 for ROG, 9.24 for CO, 1.86 for NO<sub>x</sub>, 0.01 for SO<sub>x</sub>, 1.16 for PM<sub>10</sub> and 0.54 for PM<sub>2.5</sub>. Likewise, the long-term project operational emissions (tons per year) associated with area source, energy, and mobile sources are 6.14 for ROG, 10.68 for CO, 1.89 for NO<sub>x</sub>, 0.01 for SO<sub>x</sub>, 1.16 for PM<sub>10</sub> and 0.51 for PM<sub>2.5</sub>. These emissions are below SJVAPCD's thresholds of significance.

As discussed above, the regional analysis of the construction and operational emissions indicates that the project would not exceed the District's significance thresholds and is consistent with the applicable Air Quality Attainment Plan. Therefore, the project would not result in significant cumulative health impacts.

- C. Expose sensitive receptors to substantial pollutant concentrations?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Sensitive receptors include residences, convalescent facilities, schools, and hospitals. The nearest sensitive receptor is a single-family residence located across Auberry Road, approximately 730 feet north of the project site. The closest building that would represent a worker receptor is located approximately 284 feet north of the project site.

According to the *Screening Health Risk Assessment* prepared for the project by LSA Associates and dated March 8, 2023, the California Air Resources Board's (CARB) *Air Quality and Land Use Handbook* recommends that siting new sensitive land uses within 300 feet of a large gas station (defined as a facility with a throughput of 3.6 million gallons per year or greater) shall be avoided. A 50-foot separation is recommended for typical gas dispensing facilities which is what the subject proposal entails.

The pollutants of concern for localized impact in the San Joaquin Valley Air Basin (SJVAB) are NO<sub>x</sub> and CO. Per the San Joaquin Valley Air Pollution Control District (SJVAPCD) if a project does not exceed 100 pounds per day of any criteria pollutant, then it can be assumed that it would not cause a violation of an Ambient Air Quality (AAQ) standard. As noted in II. B. above, emissions of ROG, CO, NO<sub>x</sub>, SO<sub>x</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub> from construction and operation of the project would not exceed the SJVAPCD's thresholds of significance. As such, a cumulatively increase in the surrounding emissions associated with the area would not result in a significant impact on Ambient Air Quality (AAQ). No AAQ Analysis was required for the project. Also, because emissions are less than the significance levels, they do not expose sensitive receptors to substantial pollutant concentrations.

Projects that involve traffic impacts may result in the formation of locally high concentrations of carbon monoxide (CO), known as CO "hot spots." Per the *Traffic Impact Analysis* prepared for the project, under cumulative Year 2042 plus Traffic Conditions, increase in LOS during peak periods will be minimized with improvements made to the intersection of Auberry Road at private commercial driveways. With the improvements, intersections in the project area would operate at an acceptable Level of Service (LOS) and would not experience CO "hot spots" because traffic congestion would not result.

According to *Screening Health Risk Assessment*, the *California Air Pollution Control Officers Association's (CAPCOA) Gasoline Service Station Industrywide Risk Assessment Look-up Tool (TOOL)* were utilized to screen elevated cancer risks or noncancer health impacts. The 'Tool' only accounts for the five routine sources of emissions from gas station infrastructure. These emission sources are loading, breathing, fueling, spillage, and hose permeation. The proposed automobile service station (gas station) would have other emission sources from delivery truck idling, and diesel fueling operations, which would add to the risk levels. However, given that sensitive residential receptors are located more than 500 feet from the project site, these additional sources would not be significant.

The construction Health Risk Assessment (HRA) evaluated Diesel Particulate Matter (represented as exhaust PM<sub>10</sub>) emissions generated during construction of the project and the related health risk impacts for sensitive receptors near the project boundary. A project would result in a significant impact if it would individually expose sensitive receptors to Toxic Air Contaminant (TAC) resulting in a maximum cancer risk greater than 20 in one (1) million, or maximum non-cancer risk greater than 1.0 for chronic HI (hazard index), and Acute HI.

According to the *Screening Health Risk Assessment*, carcinogenic health risk level for residential MEI (maximally exposed individual) would be 0.22 in one million (for the residence north from project site) or less which is less than the threshold of 20 in one million. For MEI worker receptor, the maximum cancer risk would be 0.12 in one million which is less than the threshold of 20 in one million. For maximum non-cancer risk, Chronic HI for the residential MEI would be 0.01 and the Acute HI (hazard Index) for worker MEI would be 0.26 which is less than 1.0 on HI.

Neither child nor adult residents living near the project nor workers at workplaces near the proposed project would be exposed to carcinogenic, Chronic HI, or Acute HI risks that exceed applicable significance thresholds.

The above analysis indicates that the project operation would not result in a significant health risk. Additionally, as the fuel dispensers and pumps on the site will be located more than 50 feet from any residential receptor, the impact 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:

According to the *Air Quality and Greenhouse Gas Assessment*, during construction of the project, diesel equipment operating at the site may generate some nuisance odors; however, since no sensitive receptors are identified to be located within 500 feet near the project site and the temporary nature of construction, odors associated with project construction would be less than significant.

The proposed project would not include any activities or operations that would generate objectionable odors and, once operational, the project would not be a source of odors. Therefore, the proposed project would not result in other emissions (such as those leading to odors) adversely affecting a substantial number 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; or
- B. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

The project application was routed to the U.S. Fish and Wildlife Service (USFWS) and the California Department of Fish and Wildlife (CDFW) for review and comments along with a biological report prepared for the project titled as *Biological Resources Evaluation (BRE)* by *Colibri Ecological Consulting, LLC* and dated August 2023. Neither agency commented on the project or BRE.

According to *BRE*, the project could adversely affect one special-status plant species and four other special-status species that could occur on or near the project site. Construction activities such as excavating, trenching, or using other heavy equipment that disturbs or harms a special status species could constitute a significant impact. Therefore, the project requires inclusion of mitigation measures to bring the impact to special-status species to a less-than-significant level.

To protect special-status plants, including Madera leptosiphon, the project shall adhere to the following mitigation measures:

\* **Mitigation Measures:**

1. *A qualified biologist shall conduct surveys for special-status plant species at the Project site following the California Department of Fish and Wildlife (CDFW) 2018 Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities. The surveys shall be timed to coincide with the blooming periods of the potentially occurring special-status species: April–May for Madera leptosiphon.*
2. *If a special-status plant species is detected, the qualified biologist shall establish an exclusion zone of 50 feet between any population and the area of direct or indirect impacts. If a 50-foot exclusion zone cannot be established, a site-specific plan to minimize the potential for Project activities to affect individual plants shall be developed by the qualified biologist and implemented in consultation with the CDFW. Such a plan could involve conducting work after plant senescence and salvaging and relocating affected plants and associated topsoil.*

To protect special-status specie Crotch Humble Bee, the project shall adhere to the following mitigation measures:

\* **Mitigation Measures:**

1. *A qualified biologist shall survey the work area within one year prior to ground disturbing activities. Surveys should be conducted during the flying season (1 March to 1 September) when the species is most likely to be detected above ground (Thorp et al. 1983).*
2. *If an individual is observed, Project activities shall not occur until the specie has left the work area of its own volition. If a nest is observed, no project activities shall occur until a plan to protect Crotch bumble bee, including over-wintering queens, has been submitted to CDFW and approved in writing by CDFW.*
3. *Survey results, including negative findings, shall be submitted to CDFW prior to implementing Project-related ground-disturbing activities. At minimum, a survey report should provide the following:*



- a. *A description and map of the survey area, focusing on areas that could provide habitat for Crotch bumble bee. The map shall show surveyor(s) track lines to document that the entire site was covered during field surveys.*
- b. *Field survey conditions that should include name(s) of qualified biologists(s) and brief qualifications; date and time of survey; survey duration; general weather conditions; survey goals, and species searched.*
- c. *Map(s) showing the location of nests/colonies.*
- d. *A description of physical (e.g., soil, moisture, slope) and biological (e.g., plant composition) conditions where each nest/colony is found. A sufficient description of biological conditions, primarily impacted habitat, should include native plant composition (e.g., density, cover, and abundance) within impacted habitat (e.g., species list separated by vegetation class; density, cover, and abundance of each species).*

To protect American Badger, the project shall adhere to the following mitigation measures:

\* **Mitigation Measure:**

1. *Within 30 days prior to the start of construction or ground disturbing activities, a qualified biologist shall survey the project site for American badger. If American badger is detected, the biologist shall passively relocate any individual out of the work area prior to construction if feasible. Potential and active dens that would be directly impacted by construction activities will be monitored for at least three consecutive nights using a wildlife-monitoring camera at the entrance. If no photos of badgers are captured after three nights, the den will be excavated and backfilled by hand. If passive relocation fails, the qualified biologist will consult with the California Department of Fish and Wildlife to explore other relocation options, which may include trapping.*

To protect roosting special-status bats (*pallid bats or western mastiff bats*), the project shall adhere to the following mitigation measure:

\* **Mitigation Measure:**

1. *A pre-construction clearance survey shall be conducted by a qualified biologist to ensure that no roosting pallid bats or western mastiff bats will be disturbed during the implementation of the project. A pre-construction clearance survey shall be conducted no more than 14 days prior to the initiation of construction activities. During this survey, the qualified biologist shall inspect all potential roosting habitat in and immediately adjacent to the impact areas. If an active roost is found close enough to the construction area to be disturbed by these activities, the qualified biologist shall determine the extent of a construction-free buffer to be established around the roost. If work cannot proceed without disturbing the*

*roosting bats, work may need to be halted or redirected to other areas until the roost is no longer in use.*

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

FINDING: NO IMPACT:

According to the *Biological Resources Evaluation (BRE)*, the project will not: 1) 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 Services as no riparian habitat or other sensitive natural community was present in the survey area; 2) 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 as no impacts to wetlands will occur.

- 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?

The project could impede the use of nursery sites for native birds protected under the Migratory Bird Treaty Act (MBTA) and California Fish and game Code (CFGC). Migratory birds are expected to nest on and near the Project site. Construction disturbance during the breeding season could result in the incidental loss of fertile eggs or nestlings or otherwise lead to nest abandonment. Disturbance that causes nest abandonment or loss of reproductive effort can be considered under the MBTA and CFGC. Loss of fertile eggs or nesting birds, or any activities resulting in nest abandonment, could constitute a significant effect if the species is particularly rare in the region. Construction activities such as excavating, trenching, and grading that disturb a nesting bird on the project site or immediately adjacent to the construction zone could constitute a significant impact.

To protect nesting birds, the project shall adhere to the following mitigation measure:

\* **Mitigation Measure:**

- 1. To the extent practicable, construction shall be scheduled to avoid the nesting season, which extends from February through August. 2. If it is not possible to schedule construction between September and January, preconstruction surveys for nesting birds shall be conducted by a qualified biologist to ensure that no active nests will be disturbed during the implementation of the Project. A preconstruction survey shall be conducted no more than 14 days prior to the initiation of construction activities. During this survey, the qualified biologist shall inspect all potential nest substrates in and immediately adjacent to the impact areas. If an active nest is found close enough to the construction area to be disturbed by these activities, the qualified biologist shall determine the extent of a*

*construction-free buffer to be established around the nest. If work cannot proceed without disturbing the nesting birds, work may need to be halted or redirected to other areas until nesting and fledging are completed or the nest has otherwise failed for non-construction related reasons.*

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

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION  
INCORPORATED:

The project site may contain scattered live oak trees. As some of the trees may require removal prior to site development, to minimize loss of oak trees, the project shall adhere to the Fresno County Oak Woodlands Management Guidelines (Policy OS-F.11) and the following Mitigation Measure.

\* **Mitigation Measure:**

1. *Prior to the issuance of any grading and/or building permits, an Oak Woodland Management Plan consistent with the policies of the Fresno County Oak Woodland Management Guidelines, shall be prepared by one of the following professionals: Biologist, Registered Forester, Arborist, Horticulturalist, or any other professionals experienced in the management of Oak tree habitat. The Plan shall contain provisions for preserving, maintaining, and replacing Oak trees currently existing on the project site at an acceptable ratio and maintenance of plantings for seven years. The plan shall be submitted to and approved by the Fresno County Department of Public Works and Planning in consultation with other agencies including the Sierra Resource Conservation District.*

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

F.

FINDING: NO IMPACT:

The project will not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Communities Conservation Plan, or other approved local, regional, or state habitat conservation plan as no such plan has been adopted. No impact would occur.

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:

According to the Southern San Joaquin Valley Information Center (SSJVIC), the project area is designated as highly sensitive to archeological resources. Given prehistoric or historic cultural resources may be present within the project site, SSJVIC required an archaeological survey of the site.

An *Archeological Survey Report* (Report) was prepared for the project by *Hi-Tech Developing Inc.*, dated January 11, 2023. The Report identified no cultural resources within the project area based on the records search, literature review, Native American outreach, and archaeological field survey. The project is not anticipated to have an adverse effect on historical resources.

Per the discussion above and in Section XVIII TRIBAL CULTURAL RESOURCES below, the following recommendations made by Report will be included as Mitigation Measures to ensure that cultural resources are not adversely affected by the project.

\* **Mitigation Measures:**

1. *If previously unidentified cultural resources are encountered during project implementation, altering the materials and their stratigraphic context shall be avoided and a qualified professional archaeologist shall be contacted to evaluate the situation. Project personnel should not collect cultural resources. Prehistoric resources include, but are not limited to, chert or obsidian flakes, projectile points, mortars, pestles, and dark friable soil containing shell and bone dietary debris, heat-affected rock, or human burials. Historic resources include stone or abode foundations or walls; structures and remains with square nails; and refuse deposits or bottle dumps, often located in old wells or privies.*
2. *If human remains are encountered, all work must be stopped in the immediate vicinity of the discovered remains and the County Coroner and a qualified archaeologist must be notified immediately so that an evaluation can be performed. If the remains are deemed to be Native American and prehistoric, the Native American Heritage Commission must be contacted by the Coroner so that a "Most Likely Descendant" can be designated and further recommendations regarding treatment of the remains is provided.*

A record search of the Native American Heritage Commission (NAHC) Sacred Lands File (SLF) was completed for the project. The results were negative.

## 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?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project development would not result in significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resources (gas, electricity, gasoline, and diesel) during construction or operation of the project. No qualitative analysis for energy impacts was required for the project. Since the project does not propose special designs, unusual project characteristics, or deviate from existing regulations, including development standards, CalGreen, Building Energy Efficient Standards, etc., it is anticipated that the project would not be consume more energy compared to the comparable construction activities.

- B. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

FINDING: NO IMPACT:

All construction activities will comply with the existing regulations, including those which apply to renewable energy or energy efficiency. With compliance to current green building standards, the project will not conflict 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 the California Department of Conservation, Earthquake Hazard Zone Application (EQ Zapp), the project site is not located on or near a fault line or an area of known landslides. The nearest earthquake fault is approximately 47 miles east of the project site. The project will not adversely affect any earthquake fault and will not cause seismic ground shaking, ground failure due to liquefaction, or landslides. The project development will be subject to seismic design standards of California Building Code Seismic Zone 3.

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

**FINDING: LESS THAN SIGNIFICANT IMPACT:**

Per Figure 7-3 of the Fresno County General Plan Background Report, the project site is within Generalized Erosion Hazard Area. Grading activities resulting from the project development may result in loss of some topsoil due to compaction and over covering of soil for construction of buildings and structures for the project. However, the impact would be less than significant due to the project requiring approval of an Engineered Grading Plan and a Grading Permit prior to any on-site grading work.

**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:**

Landslides and other forms of slope failure form in response to long-term uplift, mass wasting, and disturbance of slopes. The topographical features of the site are mild and do not provide the possibility of on or off-site land sliding on-site.

The potential for seismic-related ground failure (lateral spreading and liquefaction) occurring on the project site is minimal. 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.

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

**FINDING: NO IMPACT:**

Per Figure 7-1 of the Fresno County General Plan Background Report, the project site is not located within an area of known risk of expansive soils. However, the project development will implement all applicable requirements of the most recent California Building Standards Code and will consider any potential hazards associated with shrinking and swelling 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?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project development will be served by individual sewage disposal systems. According to Fresno County Health Department, Environmental Health Division, the project shall be subject to the following requirements included as Project Notes: 1) a test hole and an inspection shall be required which may result in a requirement for an engineered septic system for the project; and 2) such system shall be designed, and installation certified by a Professional Engineer or Registered Environmental Health Specialist.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

No paleontological resources were identified in the project analysis. See discussion in Section V. CULTURAL RESOURCES above.

## 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:

Construction and operational activities associated with the project would generate greenhouse gas (GHG) emissions. During construction, GHGs would be emitted through the operation of construction equipment and from worker and builder supply vendor vehicles, each of which typically uses fossil-based fuels to operate. The combustion of fossil-based fuels creates GHGs such as CO<sub>2</sub>, CH<sub>4</sub>, and N<sub>2</sub>O. Furthermore, CH<sub>4</sub> is emitted during the fueling of heavy equipment. In the *Air Quality and Greenhouse Gas Assessment* (Report) prepared for the project by *Salem Engineering Group, Inc. dated July 29, 2022*, GHG emissions were estimated using the California Emissions Estimator Model (CalEEMod) version 2020.4.0.

Per the Report, the San Joaquin Valley Air Pollution Control District does not have an adopted threshold of significance for construction related GHG emissions. In that event, a neighboring Air District's GHG threshold may be used to determine impacts. In December 2008, the South Coast Air Quality Management District (SCAQMD) Governing Board adopted an interim GHG significance threshold for projects where the SCAQMD is lead agency. The SCAQMD guidance identifies a threshold of 3,500 MTCO<sub>2</sub>eq./year for GHG for construction emissions amortized over a 30-year project

lifetime, plus annual operation emissions to occur over the life of the project generated by mobile sources (vehicle trips), area sources (maintenance activities and landscaping), indirect emissions from sources associated with energy consumption, and waste sources (land filling and waste disposal). The yearly GHG emission generated by the project as determined by using CalEEMod 2020.4.0 were estimated 1,297.94 MTCO<sub>2</sub>e which is less than the threshold determined by SCAQMD.

The project's GHG impact is determined by its consistency with applicable statewide and regional GHG reduction plans. The project would be consistent with the California Air Resources Board's (CARB) 2017 Scoping Plan, Fresno County Council of Government's (COG) Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS), and the County's General Plan goals that aim to reduce air quality and energy (which in turn reduce GHG emissions). As such, the project will comply with applicable reduction plans and GHG emissions and would not generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment. The impact would be less than significant.

- 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:

Per the *Air Quality and Greenhouse Gas Assessment*, the proposed commercial development will adhere to Title 24 and the latest California Building Standards. The development would not be in conflict with the goals and objectives of the San Joaquin Valley Air Pollution Control District's Center for Clean Air Policy. This includes suggested Best Performance Standards for commercial development, with California Air Resources Board's climate change 2017 Scoping Plan, or any other State or regional plan, policy, or regulation of an agency (Fresno County General Plan; Fresno County Council of Government Regional Transportation Plan/Sustainable Communities Strategy Goals) adopted for the purpose of reducing GHG emissions.

Based on the assessment above, the project will not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases. Therefore, any impacts would be less than significant.

#### 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?

FINDING: LESS THAN SIGNIFICANT IMPACT:



The project may involve transport, use, disposal, release, or handling of hazardous material.

According to the Fresno County Health Department, Environmental Health Division, the project shall be subject to the following requirements included 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 shall submit a Hazardous Materials Business Plan pursuant to the HSC, Division 20, Chapter 6.95.

- 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:

No school is located within one-quarter mile (1,320 feet) of the project site. The nearest school, Foothill Elementary School, is approximately 0.73 mile west of the project site.

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

FINDING: NO IMPACT:

The project site is not listed as a hazardous materials site in the California Department of Toxic Substances Control Site (Envirostor). The project would not create hazards to the public or the environment.

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

FINDING: NO IMPACT:

Per the Fresno County *Airport Land Use Compatibility Plan Update* adopted by the Airport Land Use Commission (ALUC) on December 3, 2018, the nearest public airport, Fresno-Yosemite International Airport is approximately 21 miles northeast of the project site. At that distance, the airport will not be a safety hazard, or a cause of excessive noise for people working in the project area.

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

FINDING: NO IMPACT:

The State Route (SR)168 (Auberry Road) is maintained by the California Department of Transportation. The agency did not identify any concerns regarding emergency response or evacuation plan for the project.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

Per Figure 9-9 of the Fresno County General Plan Background Report, the project site is within the State Responsibility Area (SRA) for wildland fire protection. The proposed commercial development will meet SRA standards contained in Chapter 15.60 of the County of Fresno Title 15 Building and Construction Ordinance. These standards pertain to setback for structures, road improvements, road width, driveways, gates, signage, street address, water supply and fire hydrants. With adherence to these requirements, fire risk would be less than significant.

#### 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?

FINDING: LESS THAN SIGNIFICANT IMPACT:

See discussion in Section VII. E. GEOLOGY AND SOILS above regarding waste discharge requirements.

The project will not violate any water quality standards or substantially degrade surface or groundwater quality.

According to the State Water Resources Control Board, Division of Drinking Water (SWRCB-DDW), the project will be served by an existing public water system (Prather Water District) which is permitted and regulated by SWRCB-DDW. No concerns related to the water quality were expressed by the Central Valley Regional Water Quality Control Board.

According to the Fresno County Department of Public Health, Environmental Health Division (Health Department), to protect ground water quality, 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, and any underground storage tank(s) found during construction, shall be removed with an Underground Storage Tank Removal Permit from the Health Department.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project is expected to use 3,500 gallons of water per day. The Prather Water District has issued a Will-Serve Letter to provide water to the proposed facility. The project's water consumption will not substantially decrease groundwater supply.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

No natural drainage channels run through the project site that could be impacted by the project. The project development will not cause 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 noted in Section VII. B. GEOLOGY AND SOILS above, to minimize the project impact on the existing drainage pattern of the site or the area, an Engineered Grading and Drainage Plan and a Grading Permit shall be approved prior to any onsite grading work.

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

FINDING: NO IMPACT:

Per Figure 9-7 of the Fresno County General Plan Background Report and the Federal Emergency Management Agency (FEMA) FIRM Panel 0675H, the project site is not subject to flooding from the 100-year storm.

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

FINDING: NO IMPACT:

The project site is not within the boundaries of any Groundwater Sustainability Agency. As such, the project is not in conflict with the implementation of such Plan.

## XI. LAND USE AND PLANNING

Would the project:

### A. Physically divide an established community?

FINDING: NO IMPACT:

Located within the unincorporated community of Prather, the project will not physically divide the community such by constructing highway, roadway, storm channels, or utility transmission lines.

### 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 as Mountain Urban in the County-adopted Sierra-North Regional Plan and zoned C-6 (General Commercial) in the County Zoning Ordinance. The project will not conflict with any land use plan, policy, or regulation of any agency with jurisdiction over the project and is consistent with the following Sierra-North Regional Plan and County General Plan policies.

Regarding consistency with Policy 402-01:12.03. b. of the Sierra-North Regional Plan, the project will connect to the Prather Water District community water system and will install new onsite sewage disposal systems due to unavailability of a community sewer system in the area.

Regarding consistency with Policy 402-01:12.03. c. of the Sierra-North Regional Plan, no residential uses exist adjacent to the project site that would require buffer from the project development.

Regarding consistency with Policy 402-01:12.03. e. of the Sierra-North Regional Plan, the project will be provided with adequate onsite parking and maintain a 65.5-foot setback from State Route (SR) 168 right-of-way.

Regarding consistency with General Plan Policy LU-F.23, the project will connect to Prather Water District's community water system and will utilize individual sewage disposal system. No community sewer system is currently available in the area.

Regarding consistency with General Plan Policy LU-F.24, the proposed development will benefit from the site's existing topography and vegetation within property frontage in minimizing the project's visual impact on motorists travelling on State Route (SR) 168 (Auberry Road).

Regarding consistency with General Plan Policy OS-L.3, the proposed 65.5-foot scenic highway setback of natural open space along State Route 168 verses 200-foot required setback is consistent with the setback exception granted by the Policy and discussed in Section I. AESTHETICS above.

Regarding consistency with General Plan Policy PF-C.17, the proposed development will connect to Prather Water District's community water system. The system is permitted and monitored by the State Water Resources Control District, Division of Drinking Water.

## 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:

The project site is not located in a mineral resources area identified in Policy OS-C.2 of the General Plan. No impact would occur.

## 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?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The Fresno County Department of Public Health, Environmental Health Division reviewed the project and stated that the proposed commercial development shall adhere to the provisions of the Fresno County Noise Ordinance.

The project development will produce short-term construction-related ambient noise from construction equipment. These activities would be temporary and would generally take place in daytime hours, as regulated in the Fresno County Code *Chapter 8.40 – Noise Control*, and not during evening or more noise-sensitive time periods. Ambient noise from construction activities would cease upon completion of project construction.

Operational noise includes stationary noise sources from the mechanical equipment, HVAC systems. Such noise sources can be expected to be intermittent and generally localized within the building(s). Further, the project would be subject to compliance

with the General Plan policies regarding noise and County's Noise Ordinance requirements, including noise from air conditioning or waste and garbage collection equipment, as well as interior and exterior noise standards, to ensure that the ambient noise level does not rise to a level of significance.

In summary, noise generated from either construction or operational activities of the project would be less than significant.

B. Generation of excessive ground-borne vibration or ground-borne noise levels?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Ground borne vibration may result from construction, depending on the use of equipment, distance to affected structures, and soil type. Equipment-generated vibrations could spread through the ground and affect nearby buildings. Given the type of improvements associated with the project, the project would not generate excessive ground borne vibration or ground borne noise levels. As discussed in XIII. A. above, the project-generated stationary noise sources including construction and operational activities are not expected to exceed standards of the County's Noise Ordinance.

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:

The project site is not located within an airport land use plan area, within two miles of a public use airport, or near a private airstrip.

#### 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)?

FINDING: NO IMPACT:

The construction jobs related to the proposed development are temporary and would cease to exist after the project construction ends. As such, the construction jobs related to this project will not contribute to unplanned population growth in the area.

B. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

FINDING: NO IMPACT:

The project site is undeveloped and zoned for commercial uses. The project will not displace people or housing.

XV. PUBLIC SERVICES

Would the project:

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

- 1. Fire protection?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project site is within a wildland area. The project development will: 1) be subject to the California Code of Regulations Title 24 – Fire Code; 2) require approval of County-approved site plans by the Fire District prior to issuance of building permits by the County; 3) require annexation to Community Facilities District (CFD) No. 2010-01 of the Fresno County Fire Protection District; and 4) comply with the California Code of Regulations Title 14 – Natural Resources 1272.00 Maintenance of Defensible Space Measures. These requirements will be addressed through mandatory Site Plan Review prior to site development.

- 2. Police protection?

FINDING: NO IMPACT:

According to the Fresno County Sheriff, the project will not impact law enforcement operations.

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

FINDING: NO IMPACT:

The project will not impact schools, parks, or other public facilities.

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 require construction or expansion of recreational facilities, or the use of existing neighborhood parks.

## 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?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION  
INCORPORATED:

*A Traffic Impact Analysis (TIA) Report was prepared for the project by JLB Traffic Engineering, Inc. and dated January 3, 2024, and was updated on March 21, 2024. The TIA Report analyzed the traffic impacts associated with the project and came up with the following conclusion.*

Access to and from the project site will be from one (1) access point. The access point, currently serving the High Sierra Ranger District Office, is located approximately 650 feet east of the State Route 168 roundabout.

According to TIA Report, under Cumulative Year 2042 plus Project Traffic Conditions scenario, the study intersections of Auberry Road at Private Commercial Driveway and Office Driveway at State Route 168 are projected to exceed their LOS (Level of Service) threshold during both peak periods. Since the intersection of Auberry Road at Private Commercial Driveway does not meet signal warrants, the delays that are projected for the northern private driveway would be considered adverse but not significant. TIA Report recommended that this intersection be monitored to determine the best solution(s) should the driveway experience extended delays in the future. As such, an Intersection Control Evaluation be completed through California Department of Transportation (Caltrans) at the point that the intersection control modification at the intersection of Office Driveway at State Route 168 is to be designed. Options shall include installing traffic signals at the intersection or constructing a single lane roundabout. To address this requirement, the project will adhere to the following mitigation measure which has been accepted by Caltrans and the Fresno County Transportation Planning Unit. Implementation of this mitigation measure will minimize the impact to less than significant.



\* Mitigation Measure:

1. *According to the Traffic Impact Analysis (TIA) Report conducted for the project by JLB Traffic Engineering, Inc., and dated March 21, 2024, it is anticipated that the intersection of Office Driveway (Private Driveway) at State Route 168 (Auberry Road) will surpass its Level of Service (LOS) threshold during AM peak periods. When warranted by the California Department of Transportation, the applicant shall prepare an Intersection Control Evaluation. This evaluation may involve options such as installing traffic signals at the intersection or constructing a single lane roundabout. The results of this evaluation, along with a TIA Report, shall be submitted to the California Department of Transportation for assessment and approval.*

The Fresno County Road Maintenance and Operations (RMO) Divisions offered no comments on TIA Report. Per RMO Divisions the State Route (SR) 168 is not a County maintained road. Therefore, the project impact on County maintained roads in the area would be less than significant.

- B. Be in conflict or be inconsistent with the California Environmental Quality Act (CEQA) Guidelines Section 15064.3, subdivision (b)?

FINDING: LESS THAN SIGNIFICANT IMPACT:

According to Vehicle Miles Traveled Analysis (VMT) prepared for the project by *JLB Traffic Engineering, Inc. dated August 3, 2023*, and revised on March 21, 2024, the project's trip generation and square footage was provided to Fresno Council of Government (COG) to conduct a project-specific VMT analysis using the Fresno COG Activity-based Model (ABM) for specific project components. Based on Fresno COG ABM VMT results, the region has a total VMT of 23,479,509 without the project and a total VMT of 23,229,002 with the project (net decrease 250,507) which is within the County's VMT threshold of a net zero increase for commercial retail land uses. The location of the project and its vicinity to other retail and residential areas are the main factors in this determination. The Fresno COG ABM is projecting that residents would on average travel further for this same service if not for this proposed project. Therefore, there are no impacts to VMT associated with this project.

- C. Substantially increase hazards due to a geometric design feature (e.g., sharp curves; or
- D. Result in inadequate emergency access?

FINDING: NO IMPACT:

The project site will gain access from State Route 168 (Auberry Road) via abutting property to the east. This existing access point creates no sharp curves or dangerous intersection with State Route 168. The California Department of Transportation and the Fresno County Fire Protection District did not identify any concerns with the use of this access points during business operation or during emergencies.

## 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:

The project site is in an area determined to be highly sensitive to archeological resources. Pursuant to Assembly Bill (AB) 52, project information was routed to the Picayune Rancheria of the Chukchansi Indians, Dumna Wo Wah Tribal Government, Table Mountain Rancheria and Santa Rosa Rancheria Tachi Yokut Tribe 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 requested consultation, except Table Mountain Rancheria. The tribe was provided with a letter from the Southern San Joaquin Valley Information Center (SSJVIC) requesting for an archeological survey and an *Archeological Survey Report* documenting that there are no cultural resources on the property and invite the tribe to meet with the staff pursuant to AB 52. However, due to lack of any communication from the tribe, staff was unable to come to a consensus on the presence of Tribal Cultural Resources (TCRs) on the property and provided a letter to the tribe to conclude consultation. Mitigation Measures included in Section V. CULTURAL RESOURCES of this report will safeguard Tribal Cultural Resources (TCRs) in case unexpected resources are discovered on the property.

## XIX. UTILITIES AND SERVICE SYSTEMS

Would the project:

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

See discussion in Section VII. E. GEOLOGY AND SOILS above. The project will not result in the relocation or construction of new electric power, natural gas, or telecommunications facilities.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

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: LESS THAN SIGNIFICANT IMPACT:

See discussion in Section VII. E. GEOLOGY AND SOILS above.

- 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:

All solid wastes produced by the proposed facility will be collected for the local landfill through regular trash collection service.

The operation of the project development will generate 150 pound of solid waste per day which will have a less than significant impact on the capacity of local landfill sites.

## 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?

FINDING: NO IMPACT:

The proposed development will not interfere with any adopted emergency response plan or emergency evacuation plan for the area.

- 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?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project site is within the State Responsibility Area (SRA). The project development will adhere to applicable SRA Fire Safe Regulations, as they apply to driveway construction and access.

- 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?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The installation and maintenance of infrastructure for the project such as roads, emergency water sources, power lines or other utilities would be minimal and less than significant.

- 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 topographical features of the project site are mild with little or no possibility of land slide. The project development will not expose people or structures to the risks of downstream flooding or landslides. An engineered grading and drainage plan would require showing how the additional storm water runoff generated by the proposed improvements will be handled without adversely impacting adjacent properties.

## 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 impacts on biological and cultural resources have been reduced to a less than significant level with the incorporation of Mitigation Measures discussed in Section IV BIOLOGICAL RESOURCES and Section V. CULTURAL RESOURCES above.

- 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 proposed project 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 Agricultural and Forestry Resources, Air quality or Transportation were identified in the project analysis. Impacts identified for Biological Resources, Cultural Resources, and Transportation will be mitigated by compliance with the Mitigation Measures listed in Sections IV., V., and XVII of this report.

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

FINDING: NO IMPACT:

No substantial impacts on human beings, either directly or indirectly, were identified in the analysis.

## **CONCLUSION/SUMMARY**

Based upon Initial Study No. 8168 prepared for Classified Conditional Use Permit Application No. 3729, 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 mineral resources, population and housing, recreation, or tribal cultural resources.

Potential impacts related to aesthetics, agriculture and forestry resources, air quality, energy, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, noise, public services, utilities and service systems or wildfire have been determined to be less than significant.

Potential impacts to biological resources, cultural resources, and transportation have been determined to be less than significant with the identified 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" Streets, Fresno, California.

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