



# County of Fresno

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

## EVALUATION OF ENVIRONMENTAL IMPACTS

- APPLICANT: Paolucci Angelo and Rosanna Dilallo
- APPLICATION NOS.: Initial Study No. 7879; Amendment Application No. 3842, Classified Conditional Use Permit Application No. 3682
- DESCRIPTION: Allow the rezone of a 3.46-acre, 0.5-acre parcel and a 19.65-acre parcel identified by APNs: 316-071-36, 38 & 75 respectively totaling 23.6 acres from the existing AL-20 (Limited Agricultural; 20-acre minimum parcel size) Zone District to the M-3 (c) (Heavy Industrial, Conditional) Zone District to allow limited industrial uses as requested by the applicant; allow the expansion of an existing inorganic fertilizer manufacturing facility on a 4.12-acre parcel identified by APN 316-071-37 onto the subject 3.46-acre parcel and a 0.5-acre parcel not including 19.65-acre parcel for rezone; and allow a caretaker residence on the parcels.
- LOCATION: The subject parcels are located on the northwest corner of S. Peach and E. North Avenues approximately 2,704 feet southeast of the nearest city limits of the City of Fresno (APNs: 316-071-36, 37,38, 75) (2976 S. Peach 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 project site borders with North and Peach Avenues, which are not designated as State Scenic Highway in the County General Plan. There are no scenic vistas or scenic resources, including trees, rock outcroppings, or historic buildings on or near the site

which may be impacted by the project. 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 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 subject proposal would allow rezone of three contiguous parcels totaling 23.61 acres from the existing AL-20 (Limited Agriculture) Zone District to the M-3 (c) (Heavy Industrial, Conditional) Zone District. The proposed Conditional Use Permit No 3682 would allow expansion of an existing fertilizer manufacturing facility located on a 4.21-acre M-3 Zoned parcel onto two parcels totaling 3.96 acres.

The 19.65-acre parcel (identified by Assessor's Parcel Number 316-071-75) and a 3.46-acre parcel (identified by Assessor's Parcel Number 316-071-36) are developed with single-family residences. However, the 0.49-acre parcel (identified by Assessor's Parcel Number 316-071-38) is undeveloped. All parcels are located within the City of Fresno Sphere of Influence boundary.

Adjacent parcels to the north, east and west are zoned AL-20 (Limited Agriculture) and contain orchards, single-family residences, and a Convalescent hospital. Parcels to the south are zoned M-3 (Heavy Industrial) and are developed with industrial uses.

The subject parcels are designated as Reserve (Limited Industrial) in the County-adopted Roosevelt Community Plan. According to the Roosevelt Community Plan Zoning Compatibility Matrix, the proposed conditional M-3 Zone District is a compatible Zone District for land designated as Limited Industrial in the Roosevelt Community Plan. The proposed rezone from the AL Zone District to conditional M-3 Zone District is consistent with the General Plan designation for the area and with the existing M-3 zoned parcels in the area.

Given the existing zoning and improvements in the area, the proposed rezone from Agricultural to Industrial will have a less than significant impact on the existing visual character of 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: LESS THAN SIGNIFICANT IMPACT:

The 23.61-acre project site is designed as Prime Farmland and Rural Residential Land in the 2016 Department of Conservation’s Important Farmland Map. The site is part of the City of Fresno urban boundary, which the County has identified on its Roosevelt Community Plan as existing urban and is located more than one half-mile southeast of the City of Fresno boundary. Per General Plan Policy LU-G.18, County shall administer those areas designated Reserve (limited agriculture) in the community plan following the procedures in Policy LU-G.17 d. which states that County can consider rezoning and discretionary permit proposals in planned industrial areas consistent with the community plan.

The project site is currently in a holding zone (AL-20; Limited Agriculture) and is designated as Reserve (Limited Industrial) in the County-adopted Roosevelt Community Plan for industrial development. The site is reserved for future industrial uses in the County General Plan and the proposed future conversion of the land from agricultural to industrial was accounted for in the Roosevelt Community Plan adopted in 1979. As such, the loss of a portion of 23.61 acres of agricultural land designed as Prime Farmland resulting from the proposed conditional rezone would be less than significant.

The Fresno County Department of Agriculture offered no comments on the parcels rezone from limited agriculture to heavy industrial.

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

FINDING: NO IMPACT:

The rezone of the subject parcels is not in conflict with the existing agricultural zoning (AL-20) on the parcels. Also, the parcels are not enrolled in the Williamson Act Program.

The AL-20 Zone District is intended to reserve certain land for future uses by allowing only limited agricultural development to ensure that the land can be ultimately developed for the use contemplated by the General Plan. The Fresno County Zoning Ordinance allows property owners to propose such amendments pursuant to Chapter 872.6 - Amendment and the proposed rezone is not in conflict with the current Reserved (Limited Industrial) designation for the parcel.

- C. Conflict with existing zoning for forest land, timberland, or timberland zoned Timberland Production; or
- D. Result in the loss of forest land or conversion of forest land to non-forest use?

FINDING: NO IMPACT:

The project site is not foresting land, timberland or land zoned for Timberland Production. The site is non-active farmland designated for future industrial uses in the County-adopted Roosevelt Community Plan. No forests occur in the vicinity of the site and therefore no impacts to forests, conversion of forestland, or timberland zoning would occur from the project.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The proposed conditional M-3 zoning is compatible zone district for land designated as reserved (Limited Industrial) in the County-adopted Roosevelt community Plan. It is the intent of the Roosevelt Community Plan those parcels designated as Reserve (Industrial) eventually be industrial in nature. As such, the conversion of subject parcels to that goal will not result in the conversion of farmland to non-agricultural uses.

### III. AIR QUALITY

Where available, the significant 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 Impact Assessment, by JK Consulting Group, LLC dated November 2024 was prepared for the project and provided to the San Joaquin Valley Air Pollution*

Control District (SJVAPCD) for comments. No comments/concerns were expressed with the report by SJVAPCD.

According to the *Air Quality Impact Assessment*, the primary way of determining consistency with the Air Quality Plan's (AQP's) assumptions is determining consistency with the applicable General Plan to ensure that the project's population density and land use are consistent with the growth assumptions used in the AQPs for the air basin.

As required by California law, city and county General Plans contain a Land Use Element that details the types and quantities of land uses that the city or county estimates will be needed for future growth, and that designate locations for land uses to regulate growth. The Fresno Council of Governments (FCOG) uses the growth projections and land use information in adopted general plans to estimate future average daily trips and VMT (Vehicle Miles Traveled), which are then provide to SJVAPCD to estimate future emissions in AQP. Existing and future pollutant emissions computed in the AQP are based on land uses from area general plans. AQPs detail the control measures and emission reductions required for reaching attainment of the air standards.

The applicable General Plan for the project is the Fresno County 2024 General Plan Update. The project is consistent with the definition of Chemical Products Manufacturing in the Fresno County Zoning Ordinance and would be consistent with the General Plan upon preparation and approval of a rezone in accordance with General Plan Policies. Therefore, the project would be consistent with the population growth and VMT applied in the Plan and growth assumptions used in the applicable AQPs. As a result, the project will not conflict with or obstruct implementation of any air quality plans. The impact would be less than significant.

- 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>, SO<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 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 operational and construction 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>, 27 tons for SO<sub>x</sub>, and 15 tons each for PM<sub>10</sub> and PM<sub>2.5</sub>.

According to the *Air Quality Impact Assessment*, the project will be developed in three phases. Phase I construction emissions (ton per year) would be 1.040 for ROG, 2.660 for CO, 2.090 for NO<sub>x</sub>, 0.005 for SO<sub>x</sub>, 0.460 for PM<sub>10</sub> and 0.220 for PM<sub>2.5</sub>. Phase II project construction emissions (ton per year) would be 0.110 for ROG, 0.840 for CO, 0.560 for NO<sub>x</sub>, 0.005 for SO<sub>x</sub>, 0.040 for PM<sub>10</sub> and 0.030 for PM<sub>2.5</sub>. Phase III project

construction emissions (ton per year) would be 0.810 for ROG, 2.060 for CO, 1.270 for NO<sub>x</sub>, 0.005 for SO<sub>x</sub>, 0.380 for PM<sub>10</sub> and 0.170 for PM<sub>2.5</sub>.

Likewise, Phase I operational emissions (tons per year) over the life of the project primarily from mobile source (vehicle), area source (lawn maintenance equipment) and energy would be 1.780 for ROG, 3.920 for CO, 0.920 for NO<sub>x</sub>, 0.010 for SO<sub>x</sub>, 0.760 for PM<sub>10</sub> and 0.230 for PM<sub>2.5</sub>. Phase II operational emissions (tons per year) would be 0.140 for ROG, 0.330 for CO, 0.070 for NO<sub>x</sub>, 0.005 for SO<sub>x</sub>, 0.060 for PM<sub>10</sub> and 0.020 for PM<sub>2.5</sub>. Phase III operational emissions (tons per year) would be 1.780 for ROG, 3.920 for CO, 0.090 for NO<sub>x</sub>, 0.010 for SO<sub>x</sub>, 0.760 for PM<sub>10</sub> and 0.230 for PM<sub>2.5</sub>.

Results of these analysis show that emissions generated from construction and operation of the project will be less than the applicable SJVAPCD emission thresholds for criteria pollutants. As a result, the project will not 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.

C. Expose sensitive receptors to substantial pollutant concentrations?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Sensitive receptors are defined as hospitals, residences, convalescent facilities, and schools. The closest sensitive receptors include a convalescent facility hospital located approximately 300 feet east of the project site including six single-family homes nearby.

The project proposes to expand its existing inorganic fertilizer manufacturing facility through the subject rezone and use permit. The principal sources or processes from the project have the potential to emit various Toxic Air Contaminants (TAC) include diesel emissions from Truck trips, Truck Idling, and fertilizer transfer.

According to the *Air Quality Impact Assessment*, the San Joaquin Valley Air Pollution Control District's (SJVAPCD) current thresholds of significance for TAC emissions from the operations of both permitted and non-permitted sources are as follows:

- Carcinogens: Maximally Exposed Individual risk equals or exceeds 20 in one million.
- Chronic: Hazard Index equals or exceeds 1 for the Maximally Exposed Individual.
- Acute: Hazard Index equals or exceeds 1 for the Maximally Exposed Individual.

Construction-related activities would result in emissions of DPM (Diesel Particulate Matter) from the exhaust of off-road, heavy-duty diesel equipment for site preparation (e.g., demolition, clearing, grading); paving; application of architectural coatings; on-road truck travel; and other miscellaneous activities. TAC emissions impact associated with the project construction on adjacent sensitive receptors is as follows: Phase I, Phase II and Phase III inhalation risks from project construction for convalescent hospital would be 0.00031 to 0.00173 for Carcinogens inhalation, 0.18362 to 0.98752 for chronic inhalations and 0.00000 for acute inhalation. Likewise, inhalation risks from project construction for six nearby single-family homes would be 0.00017 to 0.00149 for

Carcinogens inhalation, 0.18400 to 0.86141 for chronic inhalations and 0.00000 for acute inhalation.

Results of the analysis show that construction of the project would not exceed SJVAPCD thresholds for carcinogens, chronic and acute inhalations and would not expose nearby sensitive receptors to substantial pollutant concentrations.

As noted above, the principal sources/processes from the project that have the potential to emit various TAC's include diesel emissions from Truck Traffic, Truck Idling, and emissions from the fertilizer manufacturing/transfer process.

Per *Air Quality Impact Assessment*, use of SJVAPCD prioritization calculator determined the "Total Max Score" of project specific toxic emissions for diesel operated vehicles (Onsite On road Mobile Source Emissions and Onsite On road Mobile Source Idling Emissions), and for manufacturing of fertilizer. Projects with a Prioritization score of 10 or higher require a Health Risk Assessment. Results indicate that toxic emissions associated with the project will generate a max score no greater than 2.25 for sensitive receptors (two single-family homes) adjacent to the project development. The project emissions associated with the project will not trigger dispersion modeling since the Total Max Score is less than 10. As such, TAC emissions generated during the project operations would not expose sensitive receptors to substantial pollutant concentrations.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

Odor impacts on residential areas and other sensitive receptors, such as hospitals, day-care centers, and schools. The project site is located within 237 feet and 323 feet of single-family homes and a convalescent facility hospital.

According to the San Joaquin Valley Air Pollution Control District (SJVAPCD), the type of facilities that are known to produce odors are landfills, transfer stations, wastewater treatment plants, composting facilities, feed lot/dairy, asphalt batch plants, painting/coating operations and rendering plants. If located within one to two miles of a sensitive receptor, the degree of odors out of these facilities could be significant. The SJVAPCD has no rules or standards related to odor emissions besides Rule 4102 (Nuisance). The allowed uses under this conditional zoning are jewelry, leather, textile, chemical, and small handcraft products manufacturing, laboratories, monument and tombstone works, and advertising structures which are not listed by SJVAPCD as odor emission uses.

Per *Air Quality Impact Assessment*, the project operations are not comparable to the types of the facilities noted by SJVAPCD. The current fertilizer manufacturing operation is conducted within the buildings onsite, the proposed expansion of the current operations will also be within new buildings, and no odor complaints has been reported for the existing site operations for the previous three years. Considering these factors, the project would not expose sensitive receptors to objectionable odors.

#### IV. BIOLOGICAL RESOURCES

Would the project:

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

*A Biological Resources Assessment (Bio-Assessment) by LSA and dated August 8, 2023, was prepared for the project and provided to the U.S. Fish and Wildlife Service and the California Department of Fish and Wildlife for comments. Neither agency offered any comments on the Bio-Assessment.*

Per *Bio-Assessment*, the project area has historically been disturbed in agricultural, residential, and light industrial uses. The habitat value of the area is limited, and the only wildlife, or signs of wildlife, was a few birds and ground squirrels.

A query of the California Natural Diversity Database (CNDDDB) and the USFWS IPaC was performed to determine any special status species presence within the study area. The suitability of the area for Burrowing owl was found to be low, given the lack of vegetative cover; however, occupation in near future cannot be ruled out, especially within areas with some vegetative cover. There are a few suitable nesting trees for tree-nesting raptors within the area, but no evidence of Swainson's hawk nests was found. There are no known records of San Joaquin kit fox was found within a 10-mile radius of the Study Area. The habitat within the area is unsuitable for Swainson's hawk.

The project area does not support any aquatic habitat. Therefore, species that depend on aquatic habitats for any part of their life cycle are absent within the area.

Special status plant species are the species associated with wetlands or aquatic habitats. There is no suitable habitat for any of these species within or immediately adjacent to the project area, which is in row crop production and, prior to 2015, was planted with orchards.

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

FINDING: NO IMPACT:



Per the *Biological Resource Assessment*, the National Wetland Inventory Map shows that there are no mapped Waters (streams, drainages, wetlands) within or immediately adjacent to the study area.

The project area was walked to look for any evidence of potential wetlands/waters habitat, and wetland, Waters, or any other aquatic habitat (either perennial or seasonal). There are no seasonal wetlands within the project area or other Waters of the U.S./Waters of the State.

- 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:

The project area is near the City of Fresno and is not designated as a migratory wildlife corridor. Also, 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?
- F. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state Habitat Conservation Plan?

FINDING: NO IMPACT:

The project is expected to have a less than significant impact on any sensitive biological resources or special-status species and would not conflict with any local policies or ordinances protecting biological resources.

## 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 designated as highly or moderately sensitive for archeological resources. However, in the unlikely event that cultural resources are unearthed during future construction activities on the property, the following action 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 is to occur until the Fresno County Sheriff-Coroner has made the necessary findings as to origin and disposition. All normal evidence procedures should be followed by photos, reports, video, etc. If such remains are determined to be Native American, the Sheriff-Coroner must notify the Native American Commission within 24 hours.*

## VI. ENERGY

Would the project:

- A. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources during project construction or operation?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Development of the industrial uses on the property would result in less than significant consumption of energy (gas, electricity, gasoline, and diesel) during construction or operation of the facility. Construction activities and corresponding fuel energy consumption would be temporary and localized. There are no unusual project characteristics that would cause the use of construction equipment to be less energy efficient compared with other similar construction sites in the County. Therefore, construction-related fuel consumption by the project would not result in inefficient, wasteful, or unnecessary energy use compared with other construction sites in the area.

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

FINDING: NO IMPACT:

The project will not conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

All construction activities would comply with the 2019 Building Energy Efficiency Standards. Pursuant to the California Building Standards Code and the Energy Efficiency Standards, the County would review the design components of the project's energy conservation measures when the project's building plans for building/structures are submitted.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

Per Figure 9-5 of the Fresno County General Plan Background Report, the project area has 10 percent probability of seismic hazard in 50 years. Development of allowed uses on the property would be subject to building standards at the time of development, which include specific regulations to protect against damage caused by earthquake and/or ground acceleration.

4. Landslides?

FINDING: NO IMPACT:

Per Figure 9-6 of the Fresno County General Plan Background Report, the project site is not located in an area of landslide hazards. The site is flat with no topographical variations, which precludes the possibility of landslides.

- 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 not located in an erosion hazard area. Grading activities resulting from future development proposals 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 with a Project Note requiring an approved Engineered Grading Plans to show how additional storm water runoff generated by the proposed development will be handled without adversely impacting adjacent properties, and requiring a Grading Permit prior to any on-site grading activities.

- C. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?

FINDING: NO IMPACT:

As noted above, the project site is flat with no topographical variations. As a standard practice, a soil compaction report may be required to ensure the weight-bearing capacity of the soils for any proposed structure/building. The project site bears no potential for lateral spreading, subsidence, liquefaction, or collapse due to the site development.

- 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: LESS THAN SIGNIFICANT IMPACT:

Per Figure 7-1 of the Fresno County General Plan Background Report, the project site is not in an area of expansive soils. However, development of allowed uses on the property 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 site is within the City of Fresno Sphere of Influence (SOI). Per the City of Fresno Department of Public Utilities, sanitary sewer facilities located in North Avenue are available to service the project site, provided sewer connection requirements are met, and the applicable fees are paid. A Condition of Approval would require that the property shall connect to the City of Fresno sanitary sewer facilities.

The Fresno County Department of Public Health, Environmental Health Division (Health Department), also requires the project to connect with a community sewer system.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

See Section V above, CULTURAL RESOURCES.

## 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:

*An Air Quality Impact Assessment by JK Consulting Group, LLC, and dated November 2024* estimated project greenhouse gas (GHG) emissions for construction and operation using the California Emissions Estimator Model (CalEEMod).

The estimated total GHG emissions during the construction phase of the Project would be 536 MT CO<sub>2</sub>e (Phase 1), 148 MT CO<sub>2</sub>e (Phase 2), and 445 MT CO<sub>2</sub>e (Phase 3). *Per Air Quality Impact Assessment*, construction emissions amortized over a 30-year project lifetime (estimated) yield would be approximately 9.9 MT CO<sub>2</sub>e per year (Phase 1), 4.93 MT CO<sub>2</sub>e per year (Phase 2), and 14.83 MT CO<sub>2</sub>e per year (Phase 3). The total operational emissions combined with amortized construction emissions would be 391.31 MT CO<sub>2</sub>e per year (Phase 1), 150.91 MT CO<sub>2</sub>e per year (Phase 2), and 1,922.57 MT CO<sub>2</sub>e per year (Phase 3). At the completion of Phase 3, the project will generate a combined 2,464.79 MT CO<sub>2</sub>e per year.

The California Air Resources Board (CARB) 2022 Scoping Plan allows for lead agencies to analyze GHG impacts of a project by utilizing thresholds of significance recommended by the SJVAPCD or other lead agencies. The SJVAPCD has not established specific thresholds of significance for GHG emissions.

The existing GHG emission thresholds developed by other lead agencies based on consistency with meeting AB 32 goals, provide some perspective on the GHG emissions generated by the project. The Sacramento Metropolitan Air Quality Management District, and South Coast Air Quality Management District established GHG thresholds for their respective regions. The yearly GHG emissions generated by the project considering all phases, reflect between 24% (percent) and 35% (percent) of the various thresholds identified by other lead agencies. As a result, the project will not generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.

- 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 Air Quality Impact Assessment*, the California Air Resources Board's 2022 Scoping Plan lays forth a plan for achieving carbon neutrality goals and reducing anthropogenic GHG emissions by 85% (percent) below 1990 levels by 2045 as required by AB (Assembly Bill) 1279. By implementing clean technologies and fuels, the Plan's actions and results will result in significant decreases in the combustion of fossil fuels, further decreases in short-lived climate pollutants, support for sustainable development, increased action on working and natural lands to reduce emissions and sequester carbon, and the capture and storage of carbon.

As noted in VIII.A. above, the projected GHG emissions generated by the project reflect between 24% (percent) and 35% (percent) of the various thresholds identified by other lead agencies. The project is also consistent with the following reduction measures: Achieve 100 percent Zero-Emission Vehicle (ZEV) sales of light-duty vehicles by 2035

and medium heavy-duty vehicles by 2040 and Accelerate the reduction and replacement of fossil fuel production and consumption in California.

The project would be consistent with the General Plan upon preparation and approval of a rezone in accordance with General Plan Policy. Therefore, the project is consistent with the growth assumptions used in the applicable AQP and yearly GHG emissions generated by the project are less than the threshold identified by other lead agencies. The project will not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

The project is subject to Rule 9510 which encourage developers to incorporate clean air measures and reduce emissions of NOx and PM10 from new development projects. The project's total cost for emission reductions will be determined during the formal ISR review process and will be based upon the SJVAPCD's ISR Fee Estimator calculator.

## 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

FINDING: LESS THAN SIGNIFICANT IMPACT

Expansion of the existing fertilizer manufacturing facility would involve handling of potentially hazardous materials.

According to the Fresno County Health Department, Environmental Health Division within 30 days of the occurrence of any of the following events the applicant/operators shall update their online Hazardous Materials Business Plan and site map: a) there is a 100% (percent) or more increase in the quantities of a previously disclosed material; b) the facility begins handling a previously undisclosed material at or above the HMBP threshold amounts; or c) changes to building structures and/or hazardous materials/wastes storage areas. The business shall certify that a review of the business plan has been conducted once a year, any necessary changes were made, and were submitted to the local agency.

- 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?
- 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: LESS THAN SIGNIFICANT IMPACT

The Fresno County Health Department, Environmental Health Division requires that 1) should an structure(s) have an active rodent or insect infestation, the infestation should be abated prior to demolition of the structure(s) in order to prevent the spread

of vectors to adjacent properties; and 2). In the process of remodeling the existing structure(s), if asbestos containing materials are encountered, the San Joaquin Valley Air Pollution Control District be contacted. Furthermore, if the structure(s) was constructed prior to 1979 or if lead-based paint is suspected to have been used in the structure(s), then prior to remodel/demolishing work the contractor shall contact the California Department of Public Health, Childhood Lead Poisoning Prevention Branch, United States Environmental Protection Agency, Region 9 and State of California, Industrial Relations Department, Division of Occupational Safety and Health, Consultation Services for current regulations and requirements.

There is no school within one-quarter mile of the project site. The nearest school, Aynsworth Elementary School, is approximately 1.34 miles northwest 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:

Per the California Department of Toxic Substances Control Site (Envirostor), the project site is not listed as a hazardous materials site. The project will 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: LESS THAN SIGNIFICANT IMPACT:

The project site is not located within two miles of a private airstrip, public airport, or public use airport. The nearest public airport, Fresno-Yosemite International Airport, is approximately 5.5 miles northwest of the project site. Given the distance, any aircraft noise is expected to have a less than significant impacts on people in the area.

- 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 future development proposals do 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. 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:

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. No human or structures will be exposed to wildland fire hazards.

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 wastewater disposal. The project will use potable water from an existing well on the property.

The Fresno County Department of Public Health, Environmental Health Division, requires that to protect ground water, all abandoned water wells on the project site shall be properly destroyed by a licensed contractor.

The Regional Water Quality Control Board, Central Valley Region the project will have no impact on groundwater quality and the State Water Resources Control Board, Division of Drinking Water (SWRCB-DDW) offered “no comments” on the project.

- 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 site is within the City of Fresno Sphere of Influence (SOI) in an area authorized for service by the Malaga County Water District (MCWD) per the 2016 Memorandum of Understanding (MOU) among MCWD, Local Area Formation Agency (LAFCo), and City of Fresno.

The proposed expansion of fertilizer manufacturing on subject parcels will utilize the existing well for potable water.

The Fresno County Department of Public Health, Environmental Health Division requires that the project shall connect to City of Fresno water system, and the Fresno County Water and Natural Resources Division stated the Malaga County Water District is an adequate source of water provider for the project.

The Malaga County Water District (MCWD) stated that per the MOU there is potential for the MCWD to provide water service to properties on the north side of North Avenue between Maple Avenue and Minnewawa Avenue if circumstances warrant.



The MCWD also stated, the agency presently provides a fire service line to the property. The project proponent shall consult with the City of Fresno to determine if the existing fire service line would remain in service and if so what the new fire line demands for expanded facilities may be (potential improvements to fire service line may include a tank and fire pump to provide sufficient fire flow for the expanded facilities). The MCWD requires that the project proponent shall submit a request to MCWD to setup limits/restrictions relative to fire service capacity. This requirement will be included as a Condition of Approval for the project.

- C. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:
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:

The project will not significantly alter the existing drainage pattern of the site or the area. Development of industrial uses on the property will cause a less than 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.

The Fresno Irrigation District (FID), Wilder Canal No. 289 runs westerly and crosses Peach Avenue and FID's active Washington Colony No. 15 runs southerly and crosses North Avenue approximately 536 feet east of the project site. A Project Note would require that any plans for street and/or utility improvements along Peach Avenue, North Avenue, and/or in the vicinity of the canal shall require FID's review and approval.

The project site is within the Fresno Metropolitan Flood Control District (FMFCD) drainage area "CU". Project Notes would require that the project shall: 1) pay drainage fees and service charge at the time of development; 2) provide a temporary water storage facility onsite until permanent FMFCD facilities becomes available, and drainage can be directed to the street; and 3) not interfere with FMFCD ability to operate and maintain the Wilder ditch that runs along the property line on the north side of the property. Furthermore: 1) drainage and grading plans shall be approved by FMFCD prior to approval by the County; 2) storm drainage patterns for the development shall conform to the District Master Plan and Master Plan facilities shall be constructed unless street improvements in North Avenue are deferred by County; and 3)

construction activity shall secure a State National Pollutant Discharge Elimination System (NPDES) general permit for storm water discharge.

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

FINDING: NO IMPACT:

According to FEMA FIRM Panel 2130H, the project site (subject parcels) 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:

There is no Water Quality Control Plan for Fresno County. As such, the subject proposal would not conflict with any water quality control plan. The project is located within the boundary of North Kings Groundwater Sustainability Area (NKGSA) and the agency did not comment on the project.

## XI. LAND USE AND PLANNING

Would the project:

- A. Physically divide an established community?

FINDING: NO IMPACT:

The project site will not physically divide an established community. The site is outside the City of Fresno boundary and the community of Malaga boundary.

- 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 subject parcels are designated as Reserve (Limited Industrial) in the County-adopted Roosevelt Community Plan and are within the City of Fresno Sphere of Influence. According to the Roosevelt Community Plan Zoning Compatibility Matrix, the proposed M-3 Zone district is a compatible Zone District for land designated as Limited Industrial in the Roosevelt Community Plan. The City of Fresno's General Plan designates the site for Light Industrial and Business Park planned land uses. The corresponding consistent zoning with City is M-1 (Light Manufacturing) and B-P (Business Park). The proposed project is consistent with the following Fresno County General Plan policies.

Regarding consistency with General Plan Policy LU-G.1, the project was routed to the City of Fresno and the City's comments has been incorporated in this study.

Regarding consistency with General Plan Policy LU-G.14, the City of Fresno decided not to annex the property at this time and allowed County to process the subject application.

Regarding consistency with General Plan Policy LU-F.30. the proposed industrial uses on the property will adhere to the San Joaquin Valley Air Pollution Control District rules and regulations, Fresno County Noise Ordinance, and M-3 Zone District development standards and will be analyzed against these rules and regulation/standards during mandatory Site Plan Review.

Regarding consistency with General Plan Policy LU-F. 31, Policy PF-A.3 and Policy PF-C.16, the project will connect to the City of Fresno community sewer system and will utilize the Malaga County Water District's community water system for fire protection and onsite well for potable water. No community stormwater system is currently available in the area.

Regarding consistency with General Plan Policy OS-G.2, the air quality impacts identified in this analysis would be less than significant resulting in no mitigation measures for the project.

Regarding consistency with Roosevelt Community plan Policy 760-01:6.02f, the project will be provided with permanent onsite parking to serve developments on the property.

## 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?

FINDING: LESS THAN SIGNIFICANT IMPACT:

*A Noise Study Report (Noise Study) by JK Consulting Group, LLC and dated October 2024 was prepared for the project.*

According to the *Noise Study*, the project construction would temporarily increase ambient noise levels in the vicinity due to the use of construction equipment. The noise analysis shows that noise generated from project construction activities would not exceed the exterior noise levels of the respective land use categories as outlined in Fresno County General Plan. The project construction operations will comply with Fresno County General Plan policies and guidelines with respect to acceptable hours of construction. Therefore, short-term construction-related impacts associated with the project would result in a less than significant impact on noise-sensitive receptors adjacent to the project site.

The project related traffic noise is primarily generated from traffic on Peach Avenue, North Avenue, and State Route (SR) 99 given their connectivity to areas throughout Fresno County. Approximately 85 percent (%) of new trips generated by the project will primarily use Peach Avenue, North Avenue, and SR 99.

According to Caltrans' *Traffic Noise Analysis Protocol*, the Community Noise Equivalent Level (CNEL) is estimated to be within plus or minus 2 dB's (decibel) of the peak hour Leq under normal traffic conditions. Horizon Year Plus Project noise levels at sensitive receptors are within Fresno County's Land Use Compatibility for Community Noise Environments. Sensitive receptors in the study area are less than the applicable CNEL level as identified by the 'Normally' and 'Conditionally' acceptable categories. Therefore, operation related noise impacts associated with project traffic would result in a less than significant impact on noise-sensitive receptors adjacent to the project site.

Stationary point-source noise impacts were evaluated considering potential noise sources from project operations. Noise from project operations would be consistent with other industrial type developments in Fresno County. Potential impacts from project on-site operational noise sources at sensitive receptors are within Fresno County's Land Use Compatibility for Community Noise Environments as defined in the Fresno County General Plan. Therefore, operational related noise impacts associated with project on-site noise sources would result in a less than significant impact on noise-sensitive receptors adjacent to the project site.

The Fresno County Department of Public Health, Environmental Health Division concurred with the findings of the Noise Study.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

Per the *Noise Study Report*, ground-borne vibration impacts were evaluated by identifying potential vibration sources and measuring the distance between vibration sources and surrounding structure locations. The level of vibration generated by the

project's construction phase would be less than significant based on the vibration velocity levels indicated at 25 feet to 100 feet distance. Additionally, the project would adhere to Fresno County General Plan Policy HS-H.10 which requires projects to avoid the use of vibratory rollers within 50 feet of historic buildings or residential buildings with plastered walls that are susceptible to damage from vibration.

- 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 who reside or work in the project area to excessive noise levels?

FINDING: LESS THAN SIGNIFICANT IMPACT:

See discussion in Section IX. E., above. The airport noise impacts in the project area would be less than significant.

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

FINDING: NO IMPACT:

The project will allow development of specific industrial uses on the property. As these uses involve no housing, no increase in population would occur from this proposal.

#### 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:

According to the Fresno County Fire Protection District (CalFire) the project development shall be subject to the requirements of the current California Code of

Regulations Title 24 – Fire Code and California Code of Regulations Title 14-Natural Resources and shall obtain CalFire conditions of approval for the project. This requirement will be included as a Project Note.

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

FINDING: NO IMPACT:

The project will not impact existing public services, nor will it result in the need for additional public services related to schools, parks, or police protection by the Fresno County Sheriff's Office.

#### 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.

#### 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 Transportation Impact Study (TIS) by VRPA Technologies, Inc., dated, May 10, 2022, was prepared to analyze the impact of subject parcels rezoning and expansion of the fertilizer manufacturing operations.*

TIS determined that the project shall pay its fair share for improvements to the intersection of Peach Avenue and Jensen Avenue and a fair share payment analysis was prepared by *VRPA Technologies, Inc.* However, due to the revision to the Site Plan prepared for the subject rezone, *VRPA Technologies, Inc* prepared a supplemental document titled as *TIS Update-Scoping document, and dated, July 25, 2024*, to reflect a revised Site Plan. The original Site Plan prepared for TIS included an area that was proposed for rezoning without providing a specific development plan. The revised site plan provided for the development of the entire project site.

Per the revised site plan, the project will be developed in three phases. Phase 1 development includes a 44,550 sq. ft. manufacturing/warehouse building, a 4,900 sq. ft. quality control laboratory incidental to the manufacturing/warehouse building, and a 7,500 sq. ft. administrative office. Phase 2 development includes a 11,199 sq. ft. canopy, a 10,535 sq. ft. warehouse building; and demolition/removal of an existing A. Phase 3 (future phase) development includes construction of four 75,000 sq. ft. manufacturing/warehousing buildings. Prior to construction of Phase 3, a new TIS will be required.

*Per TIS Update – Scoping document*, Phases 1 and Phase 2 development would generate 460 fewer daily trips, 110 fewer AM peak hour trips, and 100 fewer PM peak hour trips than was assumed in *Transportation Impact Study (TIS)*. Phase 3 development (planned for future in consideration of the rezoning of the project site to M-3 zoning), would generate 355 fewer daily trips, 89 fewer AM peak hour trips, and 19 fewer PM peak hour trips than was assumed in TIS.

The trip generation for all three phases would be lower than was assumed in the *TIS*. The traffic impacts identified at the intersection of Peach Avenue and Jensen Avenue will be less than those described in the *TIS* resulting in lower fair share payment to provide for improvements to the intersection.

The Fresno County Transportation Planning Unit and Fresno County Road Maintenance & Operations Division concur with the *TIS Update – Scoping document* and identified no concerns with the document. To mitigate traffic impacts at the intersection of Peach and Jensen Avenues, *TIS Update – Scoping document* has identified the following pro-rata share for the project:

\* **Mitigation Measure:**

1. *Prior to the issuance of building permits for the uses allowed on M-3 zoned property or the expansion of an existing inorganic fertilizer manufacturing facility onto the 23.6-acre parcel, the applicant shall enter into an agreement with the County of Fresno agreeing to participate on a pro-rata basis per acreage developed in the funding of future off-site traffic improvement defined in items a., as noted below:*
  - a. *Peach Avenue and Jensen Avenue intersection shall be improved. The project's percent fair share for intersection improvement cost is 0.65 percent or \$27,404.01 of the total construction cost of \$4,243,707.00.*

*The County shall update cost estimates for the above specified improvements prior to execution of the agreement. The Board of Supervisors pursuant to Ordinance Code Section 17.88 shall annually adopt a Public Facilities Fee addressing the updated pro-rata costs. The Public Facilities Fee shall be related to off-site road improvements, plus costs required for inflation based on the Engineering New Record (ENR) 20 Cities Construction Cost Index.*

Per the City of Fresno Traffic Operations and Planning Division's review of TIS, all twelve study intersections operate at an acceptable Level of Service D or better and would continue to operate at an acceptable LOS D standard with the addition of the project. Therefore, a Condition of Approval shall require the project to pay Traffic Signal Mitigation Impact (TSMI) Fee per the City's Master Plan Schedule, Fresno Major Street Impact (FMSI) Fee and Regional Transportation Mitigation Fee (RTMF) prior to issuance of building permits.

The California Department of Transportation (Caltrans) offered no comments on TIS.

The Fresno County Road Maintenance & Operations Division stated that North Avenue and Peach Avenue are classified as arterial roads in the General Plan requiring an ultimate right-of-way of 106 feet. Both roads have been the subject of realignment studies, and right-of-way has been obtained from the subject parcels for the ultimate width.

- 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 the *TIS Update – Scoping document by VRPA Technologies, Inc., dated, July 25, 2024*, Fresno County has not adopted thresholds of significance for VMT (Vehicle Miles Traveled) analysis, but recent approvals by the Board of Supervisors have utilized VMT significance thresholds provided by the Fresno Council of Governments (FCOG). The FCOG recommends that projects generating less than 500 daily trips will have a less than significant VMT impact. As truck trips are not included in determining the VMT impacts of projects, the total daily auto trips expected to be generated by the project (sum of Phases 1 and 2 and Phase 3) is 403 daily trips. Since this is less than the threshold of 500 daily trips, the project will have a less than significant VMT impact. The Fresno County Transportation Planning Unit concurred with this analysis.

- 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:

The project site is located on the northwest corner of Peach and North Avenues. Design of the proposed expansion of the existing fertilizer manufacturing facility will not



increase hazards due to the road intersection. No concerns in that regard were raised by any project reviewing agency.

Per Fresno County Road Maintenance and Operations Division, no more than one proposed driveway access to the site off Peach Avenue is allowed. With this restriction, any potential traffic hazard due to site access would be reduced to less than significant.

D. Result in inadequate emergency access?

FINDING: NO IMPACT:

The existing fertilizer manufacturing facility on a 4.21-acre parcel takes access from Peach Avenue which is classification as Arterial in the County General Plan. No more than one new driveway access is allowed to the project site off Peach Avenue by County Road Maintenance and Operations Division.

No agencies express any concerns regarding emergency access (ingress and egress) to the project site off Peach Avenue and/or North Avenue based on the design of the proposed expansion of the existing facility. The initial review of the project by Fresno County Fire Protection District (District) did not identify any concerns relating to emergency access.

XVIII. TRIBAL CULTURAL RESOURCES

Would the project:

A. Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

1. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k); or
2. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1? (In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe)?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The subject property is not in an area designated as archeologically sensitive. Pursuant to Assembly Bill (AB) 52, the subject proposal was routed to the 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. Although, no tribe requested consultation, resulting in no further action on the part of the County, in the unlikely event that cultural resources are unearthed during ground disturbance, the Mitigation Measure included in the CULTURAL ANALYSIS section of this report will reduce impact to tribal cultural resources to 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: 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. A. 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:

Development proposals including the proposed expansion of the existing fertilizer manufacturing facility in the conditional M-3 Zone District would not generate solid

waste more than capacity of local landfill sites. All solid waste disposal will comply with federal, state, and local management and reduction statutes and regulations related to solid waste. The waste disposal will be through regular trash collection service.

## 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 areas or lands classified as very high fire hazard severity zones.

## 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 will have less than significant impact on biological resources and the impacts on cultural resources have been reduced to less than significant with the incorporation of a Mitigation Measure included in 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 subject proposal to overall development in the area is less than significant.

The subject proposal 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 Cultural Resources, and Transportation will be addressed with the Mitigation Measures discussed in Section V. CULTURAL RESOURCES and Section XVII TRANSPORTATION above.

- 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 the Initial Study No. 7879 prepared for Amendment Application No. 3842 and Classified Conditional Use Permit Application No. 3682, 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, and wildfire.

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

Potential impacts to 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” Street, Fresno, California.

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