



County of Fresno

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

EVALUATION OF ENVIRONMENTAL IMPACTS

- APPLICANT: Daniel Barnes
- APPLICATION NOS.: Unclassified Conditional Use Permit Application No. 3761 & Initial Study No. 8367
- DESCRIPTION: Allow the construction and operation of an Interstate Freeway Interchange Commercial development, to be located on three parcels totaling approximately 26.74 acres, in the following configuration: Parcel 1 (APN 065-271-08/2.26-acres) will be developed with a 10 MPD fueling station, and an approximately 9,700 square-foot building containing a convenience store, and a quick serve (QSR) drive through restaurant; Parcel 2 (APN 065-271-10/1.84-acres) will be developed with a 10,230 square-foot building containing a commercial truck stop, with a convenience store, quick serve restaurant (QSR), and appurtenant facilities, including restrooms, showers, lounge areas, storage and laundry facilities; Parcel 3 (APN 065-271--09/22.64-acres) will be developed with an 11-position commercial truck fueling canopy, truck scale, and TA Petro three bay truck service station with retail sales, in an 11,000 square-foot building, located in the southwest quadrant of the Dorris Avenue and Interstate 5 interchange, Major Commercial Center, within the AE-40 (Exclusive Agricultural, 40-acre minimum parcel size) Zone District.
- LOCATION: The project site is located on south side of State Route 198 (Dorris Avenue) westerly adjacent to Interstate 5 (APNs 065-271-08, 09,10) (SUP. DIST. 4).

I. AESTHETICS

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

- A. Have a substantial adverse effect on a scenic vista; or
- B. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway; or

- 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 proposes a freeway interchange commercial development which will involve the renovation of an existing building and modification of an existing parking area to include an automobile fueling station. The project is consistent with the intent of the freeway interchange commercial development regulations contained in Section 860 of the Fresno County Zoning Ordinance, which designates specific Interstate 5 freeway interchanges as either major or minor commercial centers and includes development standards which regulate such things as landscaping, signage, and building height.

Policy LU-D.6 of the Fresno County General Plan requires that a commercial interchange development be designed to achieve aesthetic excellence and incorporate considerations for noise contours abutting traffic ways, architectural cohesiveness, and signing restraints. Section 860.E.2 of the Fresno County Zoning Ordinance addresses development standards for Freeway Interchange Development, and requires that landscaping be provided and maintained, and that plants and related materials be arranged in a manner consistent with and complementary to the building design and materials.

The project proposal would be aesthetically consistent and cohesive with the surrounding development and given that the proposed buildings are similar in design to the adjacent commercial development, there would be no impact to the visual character of the area or the quality of public views resulting from this project.

No scenic vistas were identified however, Interstate 5 is designated as a Scenic Highway in the Fresno County General Plan as per Figure OS-2. General Plan Policy OS-L.3.d. requires that land uses adjacent to a scenic drive or scenic highway, provide for maintenance of a natural open space area that is 200 feet in depth parallel to the right-of-way of the scenic drive or roadway. The subject parcel nearest to interstate 5 has an eastern boundary located approximately 600 west of the nearest right of way of the southbound Interstate 5 ramp which creates a natural Open Space Area adjacent to the subject parcel providing a buffer between the proposed development and the southbound I-5 exit ramp. The existing open space buffer is consistent with General Plan Goal OS-I and General Plan Policy OS-L.3.d. Therefore, impacts to public views and the scenic quality of the landscape adjacent to Interstate 5, would be less than significant.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

A lighting impact analysis was prepared for the project by Base Camp Environmental, Inc. dated September 20, 2023. The analysis evaluated the potential for off site impacts created by development and operation of the proposed project.

The project proposes to utilize pole mounted light fixtures in the parking areas and new lighting attached to the fuel canopies and building mounted lighting, therefore the proposed new lighting would add to existing light sources on adjacent development, and therefore have the potential to increase glare, and light pollution in the vicinity. The impact analysis considered the existing conditions at the site which is vacant, and absent any lighting, and the existing commercial development adjacent to the project site, and that there a limited number of noncommercial, light sensitive uses in the area. One of note is a single-family dwelling located approximately 900 feet to the west. The project would result in a change in the view shed from the perspective of the receptor location. New lighting would extend over a broader range than currently exists. The lighting impact analysis asserts that the although the project would generate a substantial increase in on-sight lighting levels, the change would not represent a significant increase over the baseline lighting levels associated the adjacent commercial development along the north and south sides of Dorris Avenue. Light spill over beyond the boundaries of the site would be minimized because of the distance to the nearest receptors, which are a cluster of residences located approximately 1,200 feet to the west, which appear to have some screening provided by surrounding trees.

County General Plan Policy requires that new sources of light be evaluated for their potential to impact adjacent property and the public right of way. In this case, there aren't a substantial number of off-site receptors on adjacent properties, however, new outdoor lighting associated with the project does have the potential impact motorists on the adjacent highway, as the project site is adjacent to State Route 198 (Dorris Avenue). Chapter 820.3.080 of the Fresno County Zoning Ordinance requires in part that all exterior lighting be directed downward and shielded so that all direct light and glare is confined within the boundaries of the subject parcel, which will minimize off-site glare. Additionally, exterior lights must be installed so that lights do not blink, flash or be of unusually high intensity or brightness, and must be of appropriate height, intensity and scale to the structures and uses they are serving.

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:

According to the California Natural Resources Agency 2016 Fresno County Important Farmlands Map, the subject parcels are designated as Farmland of Local Importance, which is defined as all farmable lands with Fresno County that do not meet the definitions of Prime, Statewide, or Unique Farmland, which includes land that is or has been used for irrigated pasture, dryland farming, confined livestock and dairy, poultry facilities, aquaculture and grazing land. Therefore, the project will not result in the conversion of any Prime, Unique or Farmland of Statewide Importance.

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

FINDING: NO IMPACT:

The subject parcels are zoned Exclusive Agricultural; however, they are not involved in agricultural operations, and are located within a designated freeway commercial interchange, adjacent to the Interstate highway, designated for such commercial development, pursuant to County General Plan Policy and the Zoning Ordinance Section 860. Additionally, none of the subject parcels are 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?

FINDING: NO IMPACT:

The subject parcels do not contain any land designated as forest or timberland.

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

FINDING: NO IMPACT:

The parcels on which the proposed project are zoned for agriculture, and designated as Westside Freeway Commercial Interchange, in the Coalinga Regional Plan. The project is located in an area designated for commercial development, and limited agricultural uses, not the more intensive use typically associated with the Exclusive Agricultural Zoning. The project will not convert any Farmland as defined in subsection A above.

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:

The San Joaquin Valley Air Pollution Control District (Air District) reviewed the project and did not note any conflicts with an applicable air quality plan resulting from construction of the project, however, the Air Quality and GHG analysis modeling prepared for the project by BaseCamp Environmental (discussed further in Subsection B. below, determined that project operation would exceed significance thresholds for NO_x (oxides of nitrogen) which is a component of Ozone, therefore project operational emissions could potentially conflict with attainment of ozone reduction plan objectives. The project is subject to Air District Rule 9510 which requires construction and operation emissions reductions of NO_x and PM₁₀. Application of Rule 9510 would reduce project operational emissions of NO_x to a less than significant level, therefore with implementation of Rule 9510, a regulatory requirement, project operational emissions of NO_x would be below the Air District significance threshold and would not conflict with the applicable air quality plan.

- 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 Air District commented that project emissions resulting from construction and/or operation may exceed Air District established thresholds for certain criterial pollutants, and should provide an analysis of anticipated mobile and stationary source emissions that would result from construction and operation of the project; and that a health risk screening assessment should be conducted to evaluate risk to surrounding sensitive receptors associated with implementation of the project.

In accordance with the Air District recommendations, an Air Quality and GHG report was prepared for the project by BaseCamp Environmental, dated September 2023. Project construction and operational emissions estimates relied upon the use of the California Emissions Estimator Model (CalEEMod) software application. Construction emissions were based upon a construction period of 120 working days within one phase. Operational emissions were assumed to occur 365 days per year, consistent with the project description. The Air Quality and GHG report found that neither construction emissions nor operational emissions would exceed any established thresholds of significance for criteria pollutants, such as reactive organic gases, carbon monoxide, sulfur oxides, PM₁₀, (particulate matter 10 microns in diameter and PM_{2.5} (particulate matter 2.5 microns in diameter). However, the modeling did estimate that

project operational emissions of oxides of nitrogen (NO_x) would exceed Air District established significance threshold as discussed in subsection 'A' above; however, implementation of Air District Rule 9510 (Indirect Source Review) would reduce project operational NO_x below the Air District established threshold.

Accordingly, the air quality and greenhouse gas report concluded that the project would not have a significant impact on air quality.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The San Joaquin Valley Air Pollution Control District reviewed the proposed project and commented that the project should reduce impacts from construction related diesel exhaust emissions by utilizing the cleanest available off-road construction equipment, including the latest tier equipment, and that ongoing emissions from mobile and stationary sources should be analyzed.

The project site is located in an area of commercial development, and the number of receptors outside of the surrounding commercial development is relatively low. The nearest sensitive receptors to the project site are a cluster of residences located approximately 1,200 feet west of the project site.

A traffic impact analysis for the project concluded that the two proposed project driveways would operate at a Level of Service F, creating the potential for elevated carbon monoxide at these driveways. However, a traffic study prepared for the project recommended that stop controls be placed on the east and westbound approaches to these two intersections, so that both intersections would have all-way stop control; and with the implementation of these measures, LOS levels would remain above acceptable levels, consistent with the Air District Carbon Monoxide standards. The installation of all way stop controls at the two project drive approaches to SR 198 has been included as a mitigation measure under Section XVII (Transportation). Therefore, the project would not expose sensitive receptors to substantial pollutant concentrations, or result in other emissions, or odors, that would affect a substantial number of people.

The Air Quality Impact Analysis included a screening level Health Risk Assessment (HRA), which evaluated annual and daily emission estimates during construction and operation of the project, utilizing the California Emissions Estimator Model (CalEEMod). The results of the HRA were presented in terms of risk scores at various distances from the project site, a cancer risk score above ten (10) and a non-cancer risk score above one (1), consistent with Air District significance thresholds, would indicate a potential for significant health risks, requiring a more refined health risk assessment. The analysis was also based in part on the projected trip generation rates included in the traffic analysis. The main source of pollutant associated with the daily truck traffic was identified as Diesel Particulate Matter (DPM) which is considered a toxic air contaminant

(TAC). The evaluation considered the estimated number of truck trips of 1,160 projected by the traffic analysis, and additional emissions from operations from the storage and dispensing of fuel, on-site and off-site truck emissions, and vehicle emissions from the drive through restaurant. For the construction phase of the project, the maximum cancer risk score and the nearest residence was 3.7, and for the operational phase, the maximum cancer score was 5.62 at the nearest residence, both of which are below the significance threshold of 10. The results of the Screening Health Risk Assessment (HRSA) indicated that a refined HRA was not necessary for the project.

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?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION
INCORPORATED:

A biological assessment (BA) was prepared for the project by Moore Biological Consultants, dated September 26, 2023. The BA concluded that, the project site consists of highly disturbed ruderal grassland, and bare dirt and would not provide suitable habitat for any special status species identified as being likely to occur in the vicinity of the project site. However, the BA determined that, three special status species, the Swainson's Hawk, the Burrowing Owl, and the San Joaquin Kit Fox could potentially occur on the site, and as such the following mitigation measures are required to be implemented by a qualified biologist:

* **Mitigation Measure(s)**

1. *Pre-construction surveys for nesting Swainson's hawks within one quarter-mile mile of the project site shall be required if construction commences between March 1 and September 15. If active nests are found, a qualified biologist should determine the need(if any) for temporal restrictions on construction using criteria set forth in the Swainson's Hawk Technical Advisory Committee (SWHTAC, 2000).*
2. *Pre-construction surveys for burrowing owls within 250 feet of the site shall be required if construction commences between February 1 and August 31. If occupied burrows are found, a qualified biologist shall, determine the need (if any) for temporal restrictions on construction. The determination should be pursuant to criteria set forth by the California Department of Fish and Wildlife. (CDFG, 2012).*

3. *Pre-construction “walking transect” surveys for San Joaquin Kit Fox dens shall be required within 14 days prior to the commencement of construction as described in the San Joaquin Kit Fox Survey Protocol for the Northern Range (USFWS, 1999). In the unlikely event a kit fox den is found, consultation with USFWS and CDFW shall be required, to develop an appropriate course of action.*
 4. *Shrubs, and grasslands in the site could be used by other birds, protected by the MBTA and FGCC. If shrub or grassland removal is scheduled during the nesting season of raptors (January 1 through July 31), a preconstruction survey for nesting raptors by a qualified biologist shall be required. If other vegetation removal or construction commences during the general avian nesting season (March 1 through July 31), a pre-construction survey for all species of nesting birds shall be required. If active nests are found, work in the vicinity of the nests shall be delayed until the young fledge.*
- B. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service; or
 - C. Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means; or
 - D. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

FINDING: NO IMPACT:

The Biological Assessment concluded that there are no riparian habitats, or sensitive natural communities, wildlife corridors, or native wildlife nursery sites on the project site. Additionally, no jurisdictional waters of the U.S. or waters of the state, or sites that meet the technical criteria for wetlands such as presence of hydrophytic vegetation, hydric soils, and wetland hydrology. Therefore, no impacts to such resources will occur as a result of development of the project. The project site is not in area with an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved habitat conservation plan, and the site is not in designated critical habitat of any federally listed species.

- E. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance; or
- F. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state Habitat Conservation Plan?

FINDING: NO IMPACT:

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

V. CULTURAL RESOURCES

Would the project:

- A. Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5; or
- B. Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5; or
- C. Disturb any human remains, including those interred outside of formal cemeteries?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION
INCORPORATED:

According to a review of the County Geographic Information System, the proposed project site is located within an area designated to be moderately sensitive for archeological resources. Based on this indication, the project materials were routed to the Southern San Joaquin Valley Information Center (SSJVIC) for review and a historic records search. The SSJVIC commented that the archaeological sensitivity of the project site was low, but that a new archaeological survey should be done. A cultural resources analysis was prepared for the project by Solano Archaeological Services, dated August 25, 2023. The cultural resources memo provided analysis based on a cultural and historical records search, outreach to local tribal governments, and a field survey of the site.

The project was also routed for comment to local Tribal governments who have requested such notification under the provisions of AB 52. The Tribe requested review of the Archaeological inventory, and that a Tribal representative be present on the project site for monitoring purposes during ground disturbing activities.

The results of the Cultural Resources Memorandum were that no historical or cultural resources, unique geological features, or evidence of possible human remains were identified on the site. However, the potential still exists for previously unknown subsurface cultural or tribal cultural resources to exist. As such a mitigation measure will be implemented to address cultural resources in the unlikely event that they are unearthed during ground-disturbing activities related to the project.

* **Mitigation Measure(s)**

1. *In the event that cultural resources are unearthed during ground-disturbing activities, all work shall be halted in the area of the find. An Archeologist shall be called to evaluate the findings and make any necessary mitigation*

recommendations. If human remains are unearthed during ground disturbing activities, no further disturbance is to occur until the Fresno County Sheriff-Coroner has made the necessary findings as to origin and disposition. All normal evidence procedures shall be followed by photos, reports, video, and etc. If such remains are determined to be Native American, the Sheriff-Coroner must notify the Native American Heritage Commission within 24 hours.

VI. ENERGY

Would the project:

- A. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources during project construction or operation; or
- B. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project proposes the construction of new buildings which are subject to local and state standards for building and energy efficiency. The project is expected to have a less than significant impact on energy resources. The project will not conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

VII. GEOLOGY AND SOILS

Would the project:

- A. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:
 - 1. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?
 - 2. Strong seismic ground shaking?
 - 3. Seismic-related ground failure, including liquefaction?
 - 4. Landslides?

FINDING: LESS THAN SIGNIFICANT IMPACT:

According to Figure 9-5 (Probabilistic Seismic Hazards (10% Probability in 50 Years) of the Fresno County General Plan Background Report (FCGPBR); and the California Department of Conservation, Earthquake Hazard Zone Application (EQ Zapp), the project site is located near identified earthquake hazard zone area with a moderate probability of reaching 40-60% peak horizontal ground acceleration in a uniform soft-

rock site condition, during a seismic event. The area of the proposed project is not identified as an area which by nature is subject to these types of seismic effects. No agencies expressed any concerns related to ground shaking, ground failure, liquefaction, or landslides. Construction of the proposed project will be subject to seismic design standards.

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

FINDING: NO IMPACT:

No geologic unit or unstable soil was identified on the project site. The site comprises of existing buildings, with most of the area paved area which lies within a paved parking lot. Therefore, the project will not result in substantial soil erosion or loss of topsoil.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

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

The potential for seismic-related ground failure (lateral spreading and liquefaction) occurring on the project site is minimal because of the absence of high groundwater levels and saturated loose granular soil. The project site is not in an area identified by the Fresno County Background Report (FCGPBR) Figure 9-6 (Landslide Hazards and Areas of Subsidence, as being susceptible to liquefaction or subsidence. 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; or

FINDING: LESS THAN SIGNIFICANT IMPACT:

As per Figure 7-1 (Expansive Soils) of the FCGPBR, Fresno County General Plan Background Report, the project site is not located within an area of known risk of expansive soils.

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

FINDING: NO IMPACT:

The project will utilize an existing community wastewater treatment facility. The project estimates that it would contribute approximately 6,000 gallons per day of wastewater to the existing offsite wastewater treatment facility which also serves surrounding commercial development. The project would not require the construction of new or the expansion of existing wastewater treatment facilities.

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

FINDING: NO IMPACT:

A cultural resources analysis was prepared for the project by Solano Archaeological Services, dated August 25, 2023. No historical or paleontological resources, unique geological features, or evidence of possible human remains were identified in this analysis.

VIII. GREENHOUSE GAS EMISSIONS

Would the project:

- A. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment; or
- B. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The Air Q and GHG Analysis prepared for the proposed project by determined that project construction emissions would generate an approximate total of 232.5 metric tons of CO₂e, and that project operation would generate an annual total of approximately 10,285 metric tons of CO₂e.

GHG emissions modeling estimates from both construction and operation of the project would be consistent with the State's GHG reduction goals, and the Fresno COG adopted Regional Transportation Plan (RTP), Sustainable Communities Strategy (SCS) and thus result in a less than significant impact related to GHG emissions.

IX. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

- A. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials; or

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The Fresno County Department of Public Health, Environmental Health Division review of the proposal requires that prior to the issuance of building permits, the applicant shall comply with the following:

Facilities proposing to 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. Any business that handles a hazardous material or hazardous waste may be required to submit a Hazardous Materials Business Plan electronically pursuant to the HSC, Division 20, Chapter 6.95 (<http://cers.calepa.ca.gov/>). For more information, please contact the local Hazmat Compliance Program at (559) 600-3271. The default State reporting thresholds that apply are: >55 gallons (liquids), >500 pounds (solids), >200 cubic feet (gases), or at the threshold planning quantity for extremely hazardous substances.

All hazardous waste shall be handled in accordance with requirements set forth in the California Code of Regulations (CCR), Title 22, Division 4.5. This Division discusses proper labeling, storage, and handling of hazardous wastes.

- 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:

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

According to review of the US EPA's NEPAAssist web application, the subject parcel is not located within one-quarter mile of a school. The project site is located within one half mile of two identified hazardous waste sites regulated under the Resources Conservation and Recovery Act (RCRA). The sites are identified as gas stations located east and west of the project site.

The proposed project site is not listed on the Hazardous Waste and Substances Site List (Cortese List) which is maintained by the California Department of Toxic Substances Control. There are no listed sites located within a half-mile radius of the proposed project site.

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

FINDING: NO IMPACT:

The project site is located approximately 2,300 feet west of the of the Harris Ranch Airport a privately owned public use airport. The project site is located within traffic patten zone of the Fresno COG adopted Harris Ranch Airport Land Use Compatibility Plan. As such, the project was required to be reviewed by the Airport Land Use Commission, and at its regularly scheduled hearing of February 5, 2024, the ALUC made a finding of consistency with the Airport Land Use Compatibility. The project site is not located withing the identified CNEL noise contours of the airport runway, therefore, noise impacts from airport operations would not result in exposure of people working in the area to excessive noise. The nearest residences to the airport are located approximately, three quarters of one mile (4,000 feet) west of the airport.

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

FINDING: NO IMPACT:

The project site is located at the intersection of State Route 198 (Dorris Avenue) and Interstate 5. The project site will be accessible from State Route 198 via existing paved private internal roads. All ingress and egress and internal circulation will be required to comply with the applicable Fire Code as it pertains to emergency access and turnaround area.

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

FINDING: NO IMPACT:

The project site is not located in a wildland fire area, precluding the site from impacts caused by wildland fires.

X. HYDROLOGY AND WATER QUALITY

Would the project:

- A. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project will be required to file a Notice of Intent (NOI) and Storm Water Pollution Prevention Plan (SWPPP) with the State Water Resources Control Board (SWRCB) prior to commencement of construction activity disturbing one-acre or more. Copies of

the filed NOI and SWPPP are required to be provided to the Department of Public Works and Planning, Development Engineering Unit prior to occurrence of any project related grading.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project does not propose any on-site ground water use but rather will be supplied by a private water service. The project estimates that approximately 8,680 gallons per day would be utilized during project operation. The privately supplied water source may be a combination of both surface and groundwater conveyed from offsite; therefore, the project's water use would not anticipated to cause a substantial decrease in existing groundwater supplies, interfere with groundwater recharge, or impede groundwater management. The water service provider indicated that it would be willing to provide up to, but not in excess of fifteen (15) acre feet of water per year for the entire project (all parcels),

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project will be required to submit an engineered grading and drainage plan to the Department of Public Works and Planning for review and approval, to show how additional storm water runoff generated by the proposal will be handled without adversely impacting adjacent property. The grading and drainage plan shall provide calculations of the proposed retention basin storage capacity and design storage capacity.

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

FINDING: NO IMPACT:

The project site is not located in an area at risk for tsunami, or seiche. Additionally, the project site is not in a flood hazard zone.

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

FINDING: NO IMPACT:

The project is not anticipated to conflict with or obstruct implementation of a water quality control plan, or sustainable groundwater management plan. The project will receive water from I-5 Property services, consistent with other commercial properties in the Dorris Avenue Interstate Freeway major commercial interchange area.

XI. LAND USE AND PLANNING

Would the project:

- A. Physically divide an established community; or
- B. Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

FINDING: NO IMPACT:

The proposed project will not physically divide an established community nor cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation. The proposed project is located in a designated freeway commercial area, and is consistent with intent and purpose of the Interstate Freeway Interchange Commercial development standards.

XII. MINERAL RESOURCES

Would the project:

- A. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state; or
- B. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local General Plan, Specific Plan or other land use plan?

FINDING: NO IMPACT:

No mineral resource impacts were identified in the analysis. The site is not located in a mineral resource area identified in Policy OS-C.2 of the General Plan, or by Figures 7-7,

7-8, and 7-9 of the General Plan Background Report (FCGPBR), therefore there would be no impacts to mineral resources.

XIII. NOISE

Would the project result in:

- A. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies; or
- B. Generation of excessive ground-borne vibration or ground-borne noise levels; or
- C. For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels; or

FINDING: LESS THAN SIGNIFICANT IMPACT:

Project construction has the potential to expose nearby receptors to temporary increases in groundborne vibrations and ambient noise levels. Additionally, the project is located approximately one-third mile (1,800 feet) west of a small public use airport, however, the project itself would not be nearer to the airport than the existing commercial development. Project construction would be exempt from the daytime noise restrictions, of the Fresno County Ordinance Code, Noise Control Ordinance Chapter 8.40.060, provided no construction activities take place before 6:00 a.m. or after 9:00 p.m. on any day except Saturday or Sunday, or between the hours of 7:00 a.m. and 9:00 p.m. on Saturday or Sunday. Project operation is not anticipated to violate any County noise standards; however, the project is subject to the provisions of the County Noise Ordinance where applicable.

XIV. POPULATION AND HOUSING

Would the project:

- A. Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?; or
- B. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

FINDING: NO IMPACT:

The proposed project is not anticipated to induce population growth, nor will it displace any existing housing or people. The project entails a commercial development in a designated commercial area, adjacent to other existing commercial development.

XV. PUBLIC SERVICES

Would the project:

- A. Result in substantial adverse physical impacts associated with the provision of new or physically-altered governmental facilities, or the need for new or physically-altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the following public services:
 - 1. Fire protection;
 - 2. Police protection;
 - 3. Schools;
 - 4. Parks; or
 - 5. Other public facilities?

FINDING: NO IMPACT:

The proposal will not have substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities. In addition, the Fresno County General Plan.

XVI. RECREATION

Would the project:

- A. Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated; or
- B. Include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?

FINDING: NO IMPACT:

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

XVII. TRANSPORTATION

Would the project:

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

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION
INCORPORATED:

The project site is located at the intersection of a state highway and an interstate highway. A traffic impact analysis (TIA) was prepared for the project by TJW Engineering, Inc dated July 22, 2022 which was reviewed by the California Department of Transportation (Caltrans). The TIA evaluated the east and west access drives providing access to the project sites from SR 198 as well as the Interstate 5 southbound off-ramp and northbound off-ramp at SR 198. The TIA determined that the project would create unacceptable levels of service (LOS) at two intersections, the west access and east access driveways connecting to State Route 198 during all peak hours. Caltrans prefers to maintain an LOS between LOS C and D on State highway facilities where feasible. By the year 2042, both the west and east access driveways are expected to operate at a less than acceptable level. The TIA recommended that the project be responsible for installing stop controls for the eastbound and westbound approaches at the West Access driveway to implement an all-way stop-controlled intersection; and the East Access driveway should also have stop controls for the eastbound and westbound approaches to implement all-way stop control. Based on Caltrans review, a revision to the TIA was prepared dated February 29, 2024 required that an intersection control evaluation (ICE) be completed for the project. An ICE was prepared by TJW Engineering dated March 1, 2024. The ICE evaluated four intersections in the vicinity of the project site; the project west access driveway at SR 198, the project east access driveway at SR 198, the I-5 southbound and northbound off-ramps at SR 198. The TIA determined that the project would generate approximately 14,307 new daily trips. The Intersection Control Evaluation determined that, based on the existing plus project traffic volumes warranted the installation of all way stop controls at the two project driveways.

* **Mitigation Measure(s)**

Prior to certification of occupancy:

- 1. The project owner shall install all way stop controls at the intersection of the west access driveway and State Route 198 (Dorris Avenue) as recommended by the Intersection Control Evaluation prepared by the Applicant, and approved in concept by Caltrans; and*
- 2. The project owner shall install all way stop controls at the intersection of the east access driveway and State Route 198 (Dorris Avenue) as recommended by the Intersection Control Evaluation prepared by the Applicant, and approved in concept by Caltrans.*

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The Traffic Impact Analysis prepared for the project included a Vehicle Miles Travelled evaluation. The evaluation asserted that the type of development proposed, effectively screened the project from having to quantify VMT, based on the methodology in the Office of Planning and Research (OPR) 2018 Technical Advisory on Evaluating Transportation Impacts in CEQA.

- 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 at the intersection of a state highway and an interstate highway. A traffic impact analysis (TIA) was prepared for the project by TJW Engineering, Inc dated July 22, 2022 (Revised February 29, 2024, which was reviewed by the California Department of Transportation (Caltrans). The TIA evaluated the east and west access drives providing access to the project sites from SR 198 as well as the Interstate 5 southbound off-ramp and northbound off-ramp at SR 198. The TIA determined that the project would create unacceptable levels of service at two intersections, the west access and east access driveways on the south side of State Route 198 during all peak hours and recommended that all way stop control be installed at both intersections, as discussed under Section XVII.A above. The TIA did not identify any existing or proposed geometric design features or conclude that either of the study intersections were dangerous or would result in increased hazards as a result of the project.

- D. Result in inadequate emergency access?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The Fresno County Fire Protection District, the California Highway Patrol and the Fresno County Sheriff's Office reviewed the proposed project and expressed no concerns related to the adequacy of existing or planned emergency access. The project does not have any major construction, or design features that would impair 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: NO IMPACT:

The archaeological inventory prepared for the project did not identify any cultural, historical or tribal cultural resources.

Under the provisions of Assembly Bill 52 (AB 52), participating California Native American Tribes were notified of the project proposal and given the opportunity to enter into consultation with the County on addressing potential tribal cultural resources.

No concerns were expressed by notified California Native American Tribes and no consultation request was received. Therefore, mitigation will be implemented to address tribal cultural resources in the unlikely event they are unearthed during ground-disturbing activities related to the project.

* **Mitigation Measure(s)**

1. *In the event that cultural resources are unearthed during ground-disturbing activities, all work shall be halted in the area of the find. A qualified archeologist shall be called to evaluate the findings and make any necessary mitigation recommendations. If human remains are unearthed during ground disturbing activities, no further disturbance is to occur until the Fresno County Sheriff-Coroner has made the necessary findings as to origin and disposition. All normal evidence procedures shall be followed by photos, reports, video, and etc. If such remains are determined to be Native American, the Sheriff-Coroner must notify the Native American Heritage Commission within 24 hours.*

XIX. UTILITIES AND SERVICE SYSTEMS

Would the project:

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

FINDING: NO IMPACT:

The project will receive potable water and wastewater service from a local provider. The provider indicated a willingness to serve the project subject to conditions and limitations by agreement with the project owner.

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

FINDING: NO IMPACT:

No water supply concerns were raised by any reviewing agencies or the water supplier for the project.

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

FINDING: NO IMPACT:

The wastewater treatment provider for this project determined that the existing wastewater treatment facility has adequate capacity to serve the project.

- D. Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals; or
- E. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

FINDING: NO IMPACT:

The project will be subject all applicable state and local standards pertaining to solid waste disposal and all applicable state solid waste reduction goals.

XX. WILDFIRE

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

- A. Substantially impair an adopted emergency response plan or emergency evacuation plan, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects; or
- B. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire; or

- C. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment; or
- D. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

FINDING: NO IMPACT:

The project site is not located within a State Responsibility Area or, in a designated fire hazard severity zone according to the Fresno County State Responsibility Area Fire Hazard Severity Zone Map, dated June 15, 2023, published by the State of California Department of Forestry and Fire Protection.

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 WITH MITIGATION INCORPORATED:

The project will not substantially degrade the quality of the environment nor substantially reduce the habitat of a fish or wildlife species. Based on the analysis, the project would have less than significant impact on biological resources, with adherence to the recommended Mitigation Measures.

* **Mitigation Measure(s)**

1. *See Mitigation Measures under Section IV Biological Resources.*

- 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: NO IMPACT:

No cumulatively considerable impacts were identified. A cumulative impacts analysis was prepared for the project, by RMK Design, Inc. dated September 20, 2023. The cumulative impacts analysis identified other similar projects which have been approved,

at other freeway commercial interchange areas. The cumulative impacts analysis determined that the proposed project would not significantly contribute to any adverse environmental impacts, because development of this type, in designated commercial interchange areas is consistent with General Plan Policy, and such impacts have been considered in this context. The individual impacts of this project were identified under the appropriate resource section, and either determined to have no impact, a less than significant impact or be able to be avoided or minimized through the implementation of specific mitigation measures.

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

FINDING: NO IMPACT:

Responsible agencies and departments concurred with the findings and conclusions of the prepared technical studies and determined that no substantial adverse impacts on human beings would occur.

CONCLUSION/SUMMARY

Based upon the Initial Study prepared for Unclassified Conditional Use Permit Application No. 3761, 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 Agriculture and Forestry Resources, Energy, Geology and Soils, Mineral Resources, Noise, Land Use and Planning, Public Services, Recreation, Utilities and Service Systems, and Wildfire.

Potential impacts related to Aesthetics, Air Quality, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Hydrology and Water Quality, and have been determined to be less than significant.

Potential impacts relating to Aesthetics, Biological Resources, Cultural and Tribal Cultural Resources, and Transportation have determined to be less than significant with compliance with the included 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.

JS

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