



County of Fresno

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

EVALUATION OF ENVIRONMENTAL IMPACTS

APPLICANT: Eriksson, LLC

APPLICATION NOS.: Initial Study Application No. 7749 and Classified Conditional Use Permit Application No. 3661

DESCRIPTION: Allow expansion to an existing pistachio processing facility on a 40.20-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.

LOCATION: The project site is located on the east side of S. Westlawn Avenue approximately 1,321 feet south of its intersection with W. Cerini Avenue and 3,550 feet northwest of the unincorporated community of Lanare (19210 S. Westlawn, Riverdale, CA) (SUP. DIST. 4) (APN 053-420-02S)

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 is inactive farmland surrounded by land cultivated in field crops and orchards with single-family residences. The subject property fronts on Westlawn Avenue which is not identified as a scenic drive in the County General Plan. No scenic vistas or scenic resources including trees, rock outcroppings, or historic buildings exist on or near the site. 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 project area consists of agricultural fields with sparse residential dwellings. The nearest single-family residence is located approximately 1,300 feet south and an animal shelter is located approximately 2,445 feet east of the project site.

The subject proposal would allow construction of two buildings with related improvements to facilitate the current pistachio processing operation on the property. Phase 1 of the project includes all the existing improvements on the property. The proposed Phase 2 includes a 34,270 square-foot processing building, a fire protection water tank with pumps, and the proposed Phase 3 includes a 54,050 square-foot warehouse building, a roaster to dry roast pistachios and a loading dock.

The proposed 35-foot tall buildings will match in height, design and construction to the existing buildings/structures on the property. The visual impact resulting from this proposal on the surrounding area would be less than significant.

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

**FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION
INCORPORATED:**

Per the applicant's Operational Statement, the project will add additional outdoor lighting on the property. To minimize any light and glare impact resulting from this proposal, the project will adhere to the following Mitigation Measure.

*** Mitigation Measure**

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

II. AGRICULTURAL AND FORESTRY RESOURCES

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

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The subject parcel is classified as Prime Farmland on the 2016 Fresno County Important Farmland Map. However, it currently is fallow and improved with a pistachio processing facility authorized by Conditional Use Permit No. 3505.

The subject proposal will occupy an approximately 2.3-acre portion of a 40.20-acre parcel pre-disturbed by the existing facility operations. Given the scope of the project and the state of the project area, the loss of Prime Farmland resulting from this proposal, either individual or cumulative, would be less than significant.

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

FINDING: NO IMPACT:

The subject proposal is an allowed use on the property zoned for agriculture with a discretionary land use approval. Also, the property is not enrolled in Williamson Act Program.

C. Conflict with existing zoning for forest land, timberland or timberland zoned Timberland Production?

D. Result in the loss of forest land or conversion of forest land to non-forest use; or

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project site is not forest land or timberland. It is an agricultural land improved with a pistachio processing facility. The project is considered an appropriate use in agricultural zone district. The proposed improvements will bring a less than significant physical change to the current landscape of the area consisting of large agricultural fields with sparse residential uses.

The Fresno County Agricultural Commissioners' Office reviewed the proposal and requires that the Fresno County Right-to-Farm Ordinance regarding the inconveniences and discomfort associated with normal farm activities surrounding the proposed development shall be acknowledged. This requirement has been fulfilled by Conditional Use Permit No. 3505 which authorized the current pistachio processing facility on the property.

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 Air Quality Plan (AQP) contains several control measures that are enforceable requirements through the adoption of rules and regulations. The following rules and regulations apply to the project: Authority to Construct (ATC); District Regulation VIII (Fugitive PM₁₀ Prohibitions), Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt Paving and Maintenance Operations) and Rule 4002 (National Emission Standards for Hazardous Air Pollutants).

The project would comply with all applicable Air Resources Board (ARB) and the San Joaquin Valley Air Pollution Control District (SJVAPCD) rules and regulations noted above and will not be in conflict with or obstruct implementation of the applicable air quality attainment plan. The project's emissions would be less than significant for all criteria pollutants as discussed in Section III. B below. The project complies with all applicable rules and regulations from the applicable air quality plans, and therefore is not considered inconsistent with the 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:

An Air Quality and Greenhouse Gas Impact Analysis was prepared for the project by Insight Environmental/Trinity Consultants, dated March 2020 and provided to the San Joaquin Valley Air Pollution Control District's (SJVAPCD) for comments. No concerns were expressed by SJVAPCD.

The construction and operations of the project involving a 34,270 square feet processing building, a 54,050 square feet warehouse building with a dry roaster and other improvements would contribute the following criteria pollutant emissions: reactive organic gases (ROG), carbon monoxide (CO), nitrogen dioxide (NO₂), sulfur dioxide (SO₂), and particulate matter (PM₁₀ and PM_{2.5}).

Per the Air Quality and Greenhouse Gas Impact Analysis, the project construction emissions during year 2020 and 2021 were estimated using CalEEMod version 2016.3.2 [California Air Pollution Control Officers Association (CAPCOA) 2017] which is the most current version of the model approved for use by SJVAPCD. The construction related assumptions that applied to the project included project area, construction schedule, equipment, daily schedule and trips/vehicle miles travelled.

The Air District's annual emission significance thresholds for both construction and operational emissions are 100 tons per year of carbon monoxide (CO), 10 tons per year of oxides of nitrogen (NO_x), 10 tons per year of reactive organic gas (ROG), 27 tons per year of oxides of Sulphur (SO_x), 15 tons per year of particulate matters of 10 microns or

less in size (PM₁₀), and 15 tons per year of particulate matters of 2.5 microns or less in size (PM_{2.5}).

Per the Air Quality and Greenhouse Gas Impact Analysis, the short-term construction-related criteria pollutant emissions for year 2020 associated with the project would be 1.0108 tons per year of CO, 1.1713 tons per year of NO_x, 0.3953 tons per year of ROG, 0.0019 tons per year of SO_x, 0.0874 tons per year of PM₁₀, and 0.0686 tons per year of PM_{2.5}. Likewise, the year 2021 short-term construction-related criteria pollutant emissions associated with the project would be 1.0800 tons per year of CO, 1.1621 tons per year of NO_x, 0.5286 tons per year of ROG, 0.0021 tons per year of SO_x, 0.0738 tons per year of PM₁₀, and 0.0579 tons per year of PM_{2.5}. The long-term stationary sources Operations Criteria Pollutant Emissions associated with the project resulting from the installation of a new natural gas fired dry roaster would be 0.29 ton per year of CO, 1.16 ton per year of NO_x; 0.05 ton per year of ROG; 0.04 ton per year of SO_x; and 0.04 ton per year of PM₁₀ and PM_{2.5}.

Based on the above-noted analysis of construction and operational emissions the project would not exceed the San Joaquin Valley Air Pollution Control District significance thresholds. Therefore, the project is consistent with the applicable Air Quality Attainment Plan and would not result in significant cumulative health impacts.

C. Expose sensitive receptors to substantial pollutant concentrations?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The San Joaquin Valley Air Pollution Control District (SJVAPCD) identifies a sensitive receptor as a location where human populations (especially children, senior citizens, and sick persons) are present. Additionally, a sensitive receptor location occurs where there is a reasonable expectation of continuous human exposure to pollutants, according to the averaging period for ambient air quality standards, such as 24 hours, eight hours, or one hour.

There are a very few sensitive receptors within the vicinity of the project site. The nearest sensitive receptor, a single-family residence, is located approximately 0.35 miles away and the community of Lanare is located approximately 1.3 miles from the project site.

Per the Air Quality and Greenhouse Gas Impact Analysis, emissions from the proposed dry roaster would not trigger any significant impacts with SJVAPCD. Installation of roaster would require a permit from SJVAPCD and operational conditions from SJVAPCD to minimize potential health risks. A Health Risk Assessment (HRA) analysis was included in the Focused Air Quality Analysis, dated November 2015 prepared for Phase 1 of the project relating to the existing pistachio processing facility on the property. In that Analysis, the project health risks were predicated to be substantially less than the significance levels of twenty in one million (20×10^{-6}). Therefore, installation of the roster in Phase 3 of the project is not expected to result in any substantial contribution to operational emissions of Toxic Air Contaminants (TAC) and

no new assessment of the potential health risk to nearby sensitive receptors attributable to emissions of TACs from the project is warranted at this time.

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

FINDING: NO IMPACT:

The San Joaquin Valley Air Pollution Control District (District) addresses odor criteria within the GAMAQI (Guidance for Assessing and Mitigating Air Quality Impacts). The District has not established a rule or standard regarding odor emissions; rather, the District has a nuisance rule which states that any project with the potential to frequently expose members of the public to objectionable odors should be deemed to have a significant impact.

Per the Air Quality and Greenhouse Gas Impact Analysis, the proposed project would not involve any substantial modifications to the existing pistachio processing operations authorized by CUP 3505. A dry roaster is not on the list of potential sources of adverse odors and therefore assessment of odor impacts resulting from its operation on nearby sensitive receptors (SFR) was not conducted. The project will also not result in other emissions that may lead to odors adversely affecting people in the area.

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; 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?

FINDING: NO IMPACT:

The project site is developed with a pistachio processing facility. The site was previously farmed and contains no riparian features, or wetlands, or waters under the jurisdiction of the United States. The surrounding farmland has also been disturbed with farming operations and do not provide habitat for state or federally listed species.

The project was referred to the California Department of Fish and Wildlife and the U.S. Fish and Wildlife Service for review and comments. Neither agency expressed any concerns with the project.

- 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 site is not located within any designated wildlife movement corridor and contains no wildlife nursery sites, or fisheries resources.

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

FINDING: NO IMPACT:

The 2.3-acre project area contains no trees and is not subject to the County of Fresno 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 will not conflict with the provision of any Habitat Conservation Plan or Natural Community Conservation Plan for the area.

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 subject parcel is in an area of moderate sensitivity to archaeological finds. As required by the Southern San Joaquin Valley Information Center (SSJVIC) review of the

project, a Phase 1 Cultural Resources Survey (Study) was prepared for the project by ASM Affiliates, Inc., dated March 2020, and a copy provided that agency.

According to the Study, a field survey conducted by an archeologist on March 8, 2020 found no cultural resources within the project area. Although no resources were found, the possibility of finding them remains. Therefore, the project will be subject to the following Mitigation Measure. Its implementation will reduce the impacts on cultural resources to 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 shall be followed by photos, reports, video, and etc. If such remains are determined to be Native American, the Sheriff-Coroner must notify the Native American Commission within 24 hours.*

VI. ENERGY

Would the project:

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project construction or operation will not result in inefficient, wasteful, or unnecessary energy to impact environment. The project involves construction of a processing and warehouse buildings, fire protection water tank, and a loading dock. 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 other parts of the State. 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.

The project will be subject to meeting California Green Building Standards Code (CCR, Title 24, Part 11-CALGreen) to achieve the goals of Assembly Bill (AB) 32, which has established a comprehensive program of cost-effective reductions of greenhouse gases (GHG) to 1990 levels by 2020.

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

FINDING: NO IMPACT:

The project development would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. The construction activities resulting from this proposal 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 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?
2. Strong seismic ground shaking?
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 site is in an area which has 10 percent probability of seismic hazard in 50 years with peak horizontal ground acceleration of 0 to 20 percent. The project development would be subject to building standards, which include specific regulations to protect improvements 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 in any identified landslide hazard area. The project 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 in an area of erosion hazards. Grading activities resulting from this proposal may result in loss of some topsoil due to compaction and overcovering of soil for construction of building/structure for the project. However, the impact would be less than significant with the project requiring Engineered Grading Plans and obtaining a Grading Permit

prior to onsite grading activities from the Development Engineering Section of the Development Services and Capital Projects Division.

- 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. The site bears no potential for on or offsite landslide, lateral spreading, subsidence, liquefaction, or collapse due to the project-related improvements. As a standard requirement, a soil compaction report may be required to ensure the weight-bearing capacity of the soils for a building prior to construction permits being issued.

- 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 2000 Fresno County General Plan Background Report, the project site appears to be located within an area of moderately to highly expansive soils. However, the risk to life or property would be less than significant in that the project construction would require implementation of all applicable requirements of the most recent California Building Standards Code and considering 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:

No community sanitary sewer is currently available to the project site. The proposed expansion does not include any restroom facility.

Per the Fresno County Department of Public Health, Environmental Health Division (Health Department) comments on the project, a Project Note would require that the location of the onsite sewage disposal area should be identified and cordoned off to prevent truck trailer traffic from driving over, causing damage and possible failure of the septic system.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

See discussion in Section V. CULTURAL RESOURCES above.

VIII. GREENHOUSE GAS EMISSIONS

Would the project:

- A. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Human activities, including fossil fuel combustion and land-use changes, release carbon dioxide (CO₂) and other compounds cumulatively termed greenhouse gases (GHGs). GHGs are effective at trapping radiation that would otherwise escape the atmosphere. The San Joaquin Valley Air Pollution Control District (SJVAPCD), a California Environmental Quality Act (CEQA) Trustee Agency for this project, has developed thresholds to determine significance of a proposed project – either implement Best Performance Standards or achieve a 29 percent reduction from Business as Usual (BAU) (a specific numerical threshold). On December 17, 2009, SJVAPCD adopted *Guidance for Valley Land-Use Agencies in Addressing GHG Emission Impacts for New Projects under CEQA* (SJVAPCD 2009), which outlined SJVAPCD's methodology for assessing a project's significance for GHGs under CEQA.

Construction and operational activities associated with the proposed project would generate greenhouse gas (GHG) emissions. In the Air Quality and Greenhouse Gas Analysis Report, completed by Insight Environmental/Trinity Consultants, dated March 2020, GHG emissions were estimated using the California Emissions Estimator Model (CalEEMod) version 2016.3.2 [California Air Pollution Control Officers Association (CAPCOA) 2017], which is the most current version of the model approved for use by SJVAPCD.

Per the Air Quality and Greenhouse Gas Impact Analysis, the construction-related GHG emissions are 155.95 tons of CO₂ during four-months of construction for the processing building in 2020 and 174.90 tons of CO₂ during ten months of construction for warehousing building in 2021. These emissions are less than 333 MT during the construction period, an emission level which is not substantial. Due to the proposed project short-term construction activities, GHG emissions would have a less than significant impact on the San Joaquin Valley Air Basin.

The proposed project would install a dry roaster in Phase 3 of the project. Per the Air Quality and Greenhouse Gas Impact Analysis, the GHG stationary source emissions associated with the dry roaster would be less than 3.5 pounds per year which is considered not substantial and would have a less than significant impact on the San Joaquin Valley Air Basin.

- 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 project will be subject to regulations developed under AB (Assembly Bill) 32 and SB (Senate Bill) 32 as determined by CARB (California Air Resources Board). SB 32 focuses on reducing GHGs at least 40 percent below 1990 levels by 2030. Pursuant to the requirements in AB 32, CARB adopted the Climate Change Scoping Plan (Scoping Plan) in 2008, which outlines actions recommended to obtain that goal. Per the analysis contained in the Air Quality and Greenhouse Gas Impact Analysis prepared for the project by Insight Environmental/Trinity Consultants, dated March 2020, the project is consistent with the strategies contained in the Scoping Plan.

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
- 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 Department of Public Health, Environmental Health Division (Health Department) reviewed the proposal and the following requirements will be included as Project Notes. The facilities proposing to use and/or storage of 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. Handling of hazardous material or hazardous waste may require submittal of a Hazardous Materials Business Plan pursuant to the HSC, Division 20, Chapter 6.95 and all hazardous waste be handled in accordance with requirements set forth in the California Code of Regulations (CCR), Title 22, Division 4.5. Finding any underground storage tank(s) during construction shall require an Underground Storage Tank Removal Permit.

The project is not located within one-quarter mile of a school. The nearest school, Burrell Elementary School, is approximately 2.7 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 U.S. EPA's NEPAassist, 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: NO IMPACT:

Per the Fresno County *Airport Land Use Compatibility* Plan Update adopted by the Airport Land Use Commission (ALUC) on December 3, 2018, the nearest public airport, Selma Airport, is approximately 18.3 miles northeast of the project site. Because of the distance, the airport will not be a safety hazard or source of excessive noise for the project.

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

FINDING: NO IMPACT:

The project site is in an area where existing emergency response times for fire protection, emergency medical services, and sheriff protection meet adopted standards. The project does not include any characteristics (e.g., permanent road closures) that would physically impair or otherwise interfere with emergency response or evacuation in the project vicinity.

- 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. The project will not expose persons or structures 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 SIGNIFICATION IMPACT:

See discussion in Section VII. E. GEOLOGY AND SOILS regarding wastewater discharge.

No use of water is anticipated by the subject proposal. Also the current discharge of processed wastewater from hulling operation and it spray onto agricultural fields will remain unchanged.

In 2017, a Report of Waste Discharge was provided to the Regional Water Quality Control Board, Central Valley Region (Water Board) to allow for the discharge of wastewater from the pistachio processing facility onto farmland. According to the Water Board, should there be any changes in the character and/or location of discharge, the Applicant shall submit a new Report of Waste Discharge to the Waterboard. This requirement will be included as a Condition of Approval.

Per the Fresno County Department of Public Health, Environmental Health Division (Health Department) review of the proposal, a Project Note would require that all abandoned water wells on the property shall be properly destroyed under permits and inspections from the Health Department.

Per the State Water Resources Control Board (SWRCB), Division of Drinking Water (DDW) the subject proposal does not meet the definition of a public water system, and therefore requires no permit from SWRCB-DDW.

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

FINDING: NO IMPACT:

The project site is not in a low water area of Fresno County. The Water and Natural Resources Division of the Fresno County Department of Public Works and Planning and North Fork King GSA reviewed the proposal and expressed no concern regarding availability/sustainability of water 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?
 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 United States Geological Survey Quad Maps shows no natural drainage channel crossing the project site. The Riverdale Irrigation District's (RID) North Turner Ditch at an approximately 630 feet north of the project site will not be impacted by this proposal.

The project will not cause significant changes in the absorption rates, drainage patterns, or the rate and amount of surface runoff with adherence to the mandatory construction practices contained in the Grading and Drainage Sections of the County Ordinance Code. As noted by the Development Engineering Section, an Engineered Grading and Drainage Plan may be required to show how additional storm water runoff generated by the proposed development will be handled without adversely impacting adjacent properties. This requirement will be included as a Project Note.

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

FINDING: NO IMPACT:

Per Figure 9-7 of the Fresno County General Plan Background Report, the project is not located in a 100-Year Flood Inundation Area and will be subject to flooding from the one-percent chance rain per the Federal Emergency Management Agency FIRM Panel 2875J.

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

FINDING: NO IMPACT:

The project is not in conflict with any water quality control plan or sustainable groundwater management plan. The Fresno County has no Water Quality Control Plan and the North Fork King GSA (Groundwater Sustainability Area) expressed no concerns related to water availability/sustainability for the project.

XI. LAND USE AND PLANNING

Would the project:

- A. Physically divide an established community?

FINDING: NO IMPACT:

The project will not divide the established communities of Lanare or Burrell located approximately 1.3 miles and 2.4 miles respectively from the subject proposal.

- 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 property is designated as Agriculture in the Fresno County General Plan and is not located within the Sphere of Influence (SOI) of a city. As such, the subject proposal will not conflict with any land use plan, policy, or regulation of a city.

The County General Plan allows the proposed facility in an agricultural area by discretionary land use approval, provided applicable General Plan policies are met.

Concerning Policy LU-A.3, criteria a-d & f. the subject proposal is not a new use, rather it entails expansion of an existing use (pistachio processing facility) authorized by Conditional Use Permit No. 3505; will utilize approximately 2.3-acre portion of a 40.2-acre inactive farmland classified as Prime Farmland on the 2016 Fresno County Important Farmland Map; is not located in a water-short area and anticipates no use of water; can be provided with adequate work force from the nearby communities of Lanare and Riverdale; and will rely on groundwater and individual septic system due to unavailability of community sewer and water in the area.

Concerning Policy LU-A.12, Policy LU-A.13 and Policy LU-A.14., the project is an allowed use on land designated for agriculture, will maintain adequate distances from the surrounding farmlands, and will have a less than significant impact on the conversion of farmland to a non-agriculture use.

Concerning Policy PF-C.17 and Policy HS-G.1. the project is in a low water area of Fresno County, expects no water consumption, and will adhere to the Fresno County Noise Ordinance related to construction noise.

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 any mineral-producing area of the County.

XIII. NOISE

Would the project result in:

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project has the potential to expose nearby residents to short-term elevated noise levels resulting from construction activities. A Project Note would require that all construction noise shall adhere to the Fresno County Noise Ordinance.

XIV. POPULATION AND HOUSING

Would the project:

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

FINDING: NO IMPACT:

The project will not result in an increase of housing, nor will it otherwise induce population growth.

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 shall comply with the California Code of Regulations Title 24 - Fire Code and upon County approval of the project and prior to issuance of the project building permits, the applicant shall submit approved plans for District's approval. Also, the project shall annex into Community Facilities District No. 2010-01 of CalFire. These requirements will be included as Project Notes.

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

FINDING: NO IMPACT:

The project will not impact the existing public services, including police, schools or parks.

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 involves no residential development which may increase demand for neighborhood and regional parks, or other 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; or
- 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:

The project site fronts on Westlawn Avenue which is designated as a Local road in the County General Plan. The project area is rural in nature and is comprised of farmland with sparse residential dwellings. The area is not planned for any transit, bicycle, or pedestrian facilities per the Transportation and Circulation Element of the Fresno County General Plan.

The subject proposal would add a new processing building and a warehouse building with related improvements on the property. These improvements will not result in or contribute to the increase of overall processing volumes of the hulling facility. Rather, as the Applicant's Operational Statement indicates, their function is to add efficiencies to the handling of products from the existing facility operations. The project will not change the current number of employees working at the facility or result in new traffic trips to the facility. As the number of workers or the distance travelled by the workers to the facility for work will not change, no transportation impact would result from vehicle miles travelled (VMT) by workers. The project is consistent with the above-noted section of CEQA Guidelines.

The Design Division of the Fresno County Department of Public Works and Planning reviewed the subject proposal and concurred with the information provided in the operational statement, expressed no concerns related to traffic, and required no Traffic Impact Study for the project.

The California Department of Transportation also reviewed the project and expressed no concerns related to traffic.

- 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: NO IMPACT:

The project will not create hazardous conditions to the current ingress and egress to the project site off Westlawn Avenue.

- D. Result in inadequate emergency access?

FINDING: NO IMPACT:

The project development will not impact the existing access to the project site off Westlawn Avenue which can be used during an emergency.

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 parcel is in an area of moderate sensitivity to archaeological finds. Pursuant to AB (Assembly Bill) 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. Table Mountain Rancheria and Santa Rosa Tribe which requested consultation were provided with the Phase 1 Cultural Resources Survey (Study) prepared for the project and requested a meeting between the tribes and staff. Staff received no response and ultimately concluded the consultation process. The Mitigation Measure included in Section V. CULTURAL ANALYSIS above will reduce impact on tribal cultural resources if discovered during ground disturbance.

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 may result in a less than significant expansion of electric power and/or natural gas to the proposed improvements

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

FINDING: NO IMPACT:

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

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

FINDING: 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:

The project will generate small amounts of solid waste (mostly recyclable items) stream which will be sent to local land fill site through regular trash collection service. The impact would be less than significant.

Organic waste stream such as twigs, leaves and chaff generated during nut processing will continue to be composted and used as mulch to be disked into farmland or for biomass conversion.

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 in or near a State Responsibility Area for wildfire.

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 no impact on biological resources. It would not degrade the quality of the environment; 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; or reduce the number or restrict the range of an endangered, rare, or threatened species. Impacts on cultural resources have been reduced to a less than significant level with a Mitigation Measure incorporated 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 proposed project to overall development in the area is less than significant. The project will adhere to the permitting requirements and rules and regulations set forth by the Fresno County Grading and Drainage Ordinance, San Joaquin Air Pollution Control District, and California Code of Regulations Fire Code at the time development occurs on the property. No cumulatively considerable impacts relating to Agricultural and Forestry Resources or Air quality were identified in the project analysis. Impacts identified for Aesthetics, and Cultural Resources will be mitigated by compliance with the Mitigation Measures listed in Sections I and Section V of this report.

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

FINDING: NO IMPACT:

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

CONCLUSION/SUMMARY

Based upon Initial Study No. 7749 prepared for Conditional Use Permit Application No. 3661, staff has concluded that the project will not have a significant effect on the environment. It has been determined that there would be no impacts to biological resources, mineral resources, population and housing, recreation or wildlife.

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

Potential impacts to aesthetics and cultural resources have been determined to be less than significant with the identified Mitigation Measures.

A Mitigated Negative Declaration is recommended and is subject to approval by the decision-making body. The Initial Study is available for review at 2220 Tulare Street, Suite A, street level, located on the southwest corner of Tulare and "M" Streets, Fresno, California.

EA:

G:\4360Devs&Pin\PROJSEC\PROJDOCS\CUP\3600-3699\3661\IS-CEQA\CUP 3661 IS wu.doc