County of Fresno

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

EVALUATION OF ENVIRONMENTAL IMPACTS

APPLICANT: Cold Spring Granite Company

APPLICATION NOS.: Unclassified Conditional Use Permit Application No. 3681 and Initial Study Application No. 7878

DESCRIPTION: Allow continued surface mining operation (granite quarry) with incidental facilities approved under CUP No. 2928 beyond the current expiration date of January 2021 on two contiguous parcels totaling 142 acres in the AL-40 (Limited Agricultural, 40-acre minimum parcel size) Zone District.

LOCATION: The project site is located on the south side of Tollhouse Road (State Route 168) between Newmark Road and Sample Road approximately 10 miles northeast of the City of Clovis (14147 Tollhouse Road, Clovis) (SUP. DIST.: 1) (APN: 150-141-33 & 35).

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: LESS THAN SIGNIFICANT IMPACT:

Approximately 48.4-acre of the 142-acre project site is occupied by an existing surface mining operation which include rock quarry, quarry wastewater runoff basin, paved and dirt access roads, quarry buildings, rock-processing infrastructure. The remainder of the site consists of grassland and scattered clusters of trees but no rock cropping or historical buildings. The surrounding area is made up of grazing land with residential homes. The site is located on the south side of the State Route 168 (Tollhouse Road) which is identified as a Scenic highway in the Open Space Element of the Fresno County General Plan.

Under General Plan Policy OS-L.3, development on a Scenic Roadway shall adhere to a 200-foot setback of natural open space. In this case, the existing mining operation is approximately 336 feet south of SR 168 and maintains the required distance. Most of the operation is not visible to the traffic using Tollhouse Road mainly due to gentle

rolling hills and vegetations that surrounds the quarry area. The project will not change the current visual character of the area as established by the current mining operation. As such, there will be 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 proposed project would extend life of the current mining operation (granite quarry) and reclamation activities on the property. The mining activities were approved by Unclassified Conditional Use Permit (CUP) No. 2928 on January 18, 2001 which allowed mining for 20 years until January 18, 2021. This proposal, if granted approval, will allow mining operation to be continued for an additional 25 years (until 2046) within the same project boundaries and the same operational characteristics as approved for CUP No. 2928. No changes in intensity, hours of operation, volume, site extraction boundaries, including excavation depth (linear or vertical), will occur from this proposal. The subject proposal will not substantially change the visual character of the project area as established by the current operation. Most of the mining area particularly quarry is obscured from view from State Route 168 due to area landscape and existing vegetations.

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:

According to the Applicant's Operational Statement, the shop area on the property has outdoor lighting. To minimize light and glare impacts resulting from mining activities, a mitigation measure would require that all lighting be hooded and directed as to not shine toward adjacent properties and public streets.

* ***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?

FINDING: NO IMPACT:

The project site has land classifications of Grazing Land (Fresno County Important Farmland Map 2016) and does not have Prime Farmland, Unique Farmland, or Farmland of Statewide Importance.

Although designated as Specific Plan Reserve in the Sierra-North Regional Plan, historical use of the project site has been surface mining. The site has been used for rock quarry prior to 1964 and the quarry operation was first recognized/approved by the County in 1991 with the approval of CUP No. 2477. Because the project would not convert actively farmed land to non-agricultural uses, it's approval will allow the current mining operation to be extended for 25 years within the parameters of the approved Use Permits (CUP No. 2477 and CUP No. 2928), no impact would occur.

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

FINDING: NO IMPACT:

The proposed project is not in conflict with the current agricultural zoning on the property. Surface mining is an allowed use on land designated for agriculture with Unclassified Conditional Use Permit per the County's surface mining ordinance (Section 858, Regulations for Surface Mining and Reclamation in All Districts). The site has been mined for a minimum of 56 years, does not have prime or unique farmlands, is not under a Williamson Act contract, and is not currently used or intended to be used for agricultural purposes.

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

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

FINDING: NO IMPACT:

The project site is not identified as forest land (as defined in Public Resources Code section 12220[g]) or timberland (as defined by Public Resources Code section 4526) and is not zoned Timberland Production (as defined by Government Code section 51104[g]). Therefore, the proposed Project would not result in the conversion of forest

land and would not conflict with forest land, timberland, or Timberland Production zoning, and no impact would occur.

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 proposed project is to allow an existing mining operation to be continued beyond current cessation date of January 2021. There are no changes proposed to the operation which was authorized by Use Permits and is consistent with the County General Plan and with the approval of a Use Permit. See discussion in Section XI LAND USE PLANNING below.

The project would not include activities that could, because of their location or nature, result in conversion of land farmland to non-agricultural use. Contrarily, the reclaimed site would be converted to a condition that will be readily acceptable and compatible for limited agricultural use. Therefore, no impact would occur.

The Fresno County Agricultural Commissioners' Office reviewed the proposal and offered no comments.

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:

Air Quality and Greenhouse Gas Analysis, dated November 10, 2020 was prepared for the project by LSA Associates.

According to the *Analysis*, the California Environmental Quality Act requires that projects be analyzed for consistency with the applicable air quality plan. For a project to be consistent with San Joaquin Valley Air Pollution Control District (SJVAPCD) air quality plans, the pollutants emitted from a project should not exceed the SJVAPCD emission thresholds or cause a significant impact on air quality. In addition, emission reductions achieved through implementation of offset requirements are a major component of the SJVAPCD air quality plans.

As discussed in III. B. below, the proposed project would allow an existing mining operation to be continued beyond year 2021. As no changes to the current mining operation would occur, the project would not result in any new emissions. The project would continue existing use of the site, which is consistent with the County General

Plan designation for the site. As such, the proposed project would not conflict with or obstruct implementation of SJVAPCD air quality plans.

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:

In developing thresholds of significance for air pollutants, the SJVAPCD considered the emission levels for which a project's individual emissions would be cumulatively considerable. If a project exceeds the identified significance thresholds, its emissions would be cumulatively considerable, resulting in significant adverse air quality impacts to the region's existing air quality conditions. Per the *Air Quality and Greenhouse Gas Analysis,* the following analysis assesses the potential project-level construction-and operation-related air quality impacts.

Construction-related effects on air quality are associated with the release of particulate matter emissions (i.e., fugitive dust) generated by demolition, grading, hauling, and other activities. Emissions from construction equipment are also anticipated and would include CO, NOx, ROG, directly emitted particulate matter (PM2.5 and PM10), and toxic air contaminants (TACs), such as diesel exhaust particulate matter. The proposed project would extend life of an existing mining operation (granite quarry) approved by CUP No. 2928 beyond January 2021 and would not result in any physical changes to the existing site (e.g., demolition, construction, modification of site access). Therefore, the proposed project would not generate any construction emissions and would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in nonattainment under an applicable federal or State Ambient Air Quality Standards.

Long term operational emissions on air quality are associates with mobile sources (e.g., vehicle trips), energy sources (e.g., electricity and natural gas), and area sources (e.g., architectural coatings and the use of landscape maintenance equipment). As discussed above, the proposed project would allow an existing mining operation to be continued beyond its expiration date of January 2021 with no changes. The proposed project would not result in any physical changes to the existing site (e.g., demolition, construction, modification of site access). As the subject proposal would continue the current operations with no changes to current production levels, hours of operations or materials to be mined, the project would not result in new air pollutant emissions. Therefore, the proposed project would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in nonattainment under an applicable federal or State Ambient Air Quality Standards.

C. Expose sensitive receptors to substantial pollutant concentrations?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Sensitive receptors are defined as people that have an increased sensitivity to air pollution or environmental contaminants. Sensitive receptor locations include schools, parks and playgrounds, day care centers, nursing homes, hospitals, and residential dwelling units. The closest sensitive receptors include the single-family residences located adjacent to the southern border of the project site along Tollhouse Road, Academy Oaks Lane, and Oak Ridge Lane. The proposed project would not result in any physical changes to the existing site (e.g., demolition, construction, modification of site access). As the proposed project would allow continued mining operation at the project site with no changes to the use, the project would not expose sensitive receptors to new substantial pollutant concentrations.

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

FINDING: NO IMPACT:

As noted earlier, the proposed project would not result in any physical changes to the existing site (e.g., demolition, construction, modification of site access) and would not change current production levels, hours of operations or materials to be mined. The proposed project would not be a source of new odors and odors are not considered an issue when it comes to the quarrying process. Therefore, the proposed project would not result in other emissions (such as those leading to odors) adversely affecting a substantial number of people.

IV. BIOLOGICAL RESOURCES

Would the project:

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

B. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project site is pre-disturbed with the current mining operation (granite quarry).

As the proposed project would not change the current production levels, hours of operation, materials to be mined, equipment types, or mining methods occurring at the site, the mitigation measures relating to wetlands and raptor nestling habitat approved for CUP No. 2928 would remain applicable.

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

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 Army Corps of Engineers (ACOE) reviewed the proposed project and required that a Wetland Delineation Report be prepared to ascertain the extent of the waters of the United States on the property. An *Aquatic Resource Delineation Report, dated July 2020*, was prepared by Colibri Ecological Consulting, LLC and provided to ACOE for comments.

Per the *Report*, Aquatic resources in the survey area consisted of an artificially created quarry wastewater runoff basin with two contiguous tiers, one about 5 vertical feet below the other. The basin collects quarry wastewater runoff from active quarry operations and serves as a settling basin for water produced from cutting granite slabs. An additional feature classified as R45BC, meaning riverine, intermittent, streambed, seasonally flooded was mapped on the National Wetlands Inventory (NWI) near the southern property boundary. However, this feature lacked a defined bed and bank, channel, riparian vegetation, an ordinary high-water mark, scouring, or other signs of hydrology aside from topographical sloping, and therefore, was not considered an aquatic resource.

No new impacts to the basin are anticipated. Activities consistent with past use are expected with the subject proposal. The basin as mapped consisted of a wetland feature with two elevation tiers. The west side of the basin, or upper tier, was covered in white granite dust (sediments washed down from the quarry) up to at least 18 inches deep and supported dense stands of hydrophytic vegetation including mule fat and Gooding's willow as well as Fremont cottonwood. The east side of the basin had a concave bottom with deep soil cracks. It also showed accumulations of dried granite dust, but those were isolated to the deepest parts of the basin. It was also densely vegetated, and supported primarily Gooding's willow, common spikerush, and Fremont cottonwood

The ACOE reviewed the *Delineation Report*, concurred with its finding, and expressed no 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 disturbed by an existing surface mining operation (granite quarry). There are no wildlife or fish movement features (*e.g.*, waterways, arroyos, ridgelines) or any wildlife nursery sites present on the property. The project will not impact these resources.

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

FINDING: NO IMPACT:

The project is not subject to any local policies or ordinances protecting biological resources.

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 site is within an area defined as PG&E San Joaquin Valley Operation and Maintenance Habitat Conservation Plan (HCP) which applies to PG&E's activities and not the subject proposal. Therefore, the project will not be against HCP, Natural Conservation Community Plan, or other approved local, regional, or state habitat 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:

The project site is in an area that has a moderate degree of archeological sensitivity. The site was surveyed by Donald G. Wren Consulting Archeologist in May 1991 to identify any onsite cultural resources. The survey was conducted for Conditional Use Permit (CUP) No. 2477 and found no resources. During the review of CUP No. 2928 in 2001, the Southern San Joaquin Valley Information Center (SSJVIC) stated that although no cultural resources were discovered in 1991, it is recommended that if cultural resources are unearthed during project activities, all work must halt in the area of find and a qualified, professional archeologist should be called out to assess the

findings and make the appropriate mitigation recommendations. During the review of the subject proposal (CUP No. 3681), SSJVIC made the same recommendation. The SSJVIC recommendation has been included as a mitigation measure and upon its implementation, impact to cultural resources will be reduced to a 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 should be called to evaluate the findings and make any necessary mitigation recommendations. If human remains are unearthed during ground-disturbing activities, no further disturbance is to occur until the Fresno County Sheriff-Coroner has made the necessary findings as to origin and disposition. All normal evidence procedures should be followed by photos, reports, video, etc. If such remains are determined to be Native American, the Sheriff-Coroner must notify the Native American Commission within 24 hours.*

VI. ENERGY

Would the project:

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

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The proposed project would allow the continuation of an existing mining operation (granite quarry) beyond year 2021. As such, the intensity of operations (mining and transport) and associated energy use will be consistent with existing conditions, as no production increase is being requested.

The project will not result in inefficient, wasteful, or unnecessary energy to impact environment. There are no unusual project characteristics that would cause the use of mining equipment to be less energy efficient compared with other similar mining sites in other parts of the State. Therefore, it is expected that fuel consumption associated with the mining would not be any more inefficient, wasteful, or unnecessary than at other similar sites in the region.

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:

According to the California Department of Conservation, the project site is not in an Alquist-Priolo earthquake fault zone. The site is several miles southwest of the nearest fault zone.

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 zero to 20 percent.

Within the project area, the mining operation will continue to use existing structures and no other buildings are anticipated. Any new structures will be required to conform to the latest Building Code for structural standards regarding earthquake hazards. As such, the proposed project would result in a less than significant exposure of people or structures to potential substantial adverse effects from seismic activity.

4. Landslides?

FINDING: NO IMPACT:

Per Figure 9-6 of the Fresno County General Plan Background Report, the project site is not in an area of landslide hazards.

B. 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?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Per Figure 7-3 of the Fresno County General Plan Background Report, the project site appears to be near or within a generalized area of erosion hazards. The project is an existing mining operation which complies with all necessary erosion control measures which are part of the current mining operation.

Any topsoil removal will only be necessary to access new mining areas and will be used for reclamation. For the current mining operations, topsoil stockpiles for reclamation are located around the quarry and will continue to grow when good soil is found. The existing soils and the soils to be removed during future phase of the project will be used for reclamation. During reclamation, stockpiled topsoil will be redistributed on disturbed

surfaces and revegetated pursuant to a re-vegetation plan. Due to the site conditions and erosion control measures, and because topsoil would be stored on site for future use in accordance with the Surface Mining and Reclamation Plan, there will be a less than significant impact.

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

FINDING: NO IMPACT:

Expansive soils are those that greatly increase in volume when they absorb water and shrink when they dry out. Expansion is measured by shrink-swell potential, which is the relative volume change in soil with a gain in moisture. If the shrink-swell potential is rated moderate to high, damage to buildings, roads, and other structures can occur.

Per Figure 7-1 of the Fresno County General Plan Background Report, the project site is not in an area of expansive soils. No structures that require soil analysis per Uniform Building Code Section 18 (e.g., building foundation footings, roadways, and sidewalks) are proposed in the project area; therefore, there will be no impact from expansive soils.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The proposed project requires no new septic tanks or alternative wastewater disposal systems on the property.

Per the Fresno County Department of Public Health, Environmental Health Division review of the project, a Project Note would require that the applicant consider having the existing septic tank systems pumped and have the tanks and leech fields evaluated by an appropriately licensed contractor if it has not been serviced and/or maintained within the last five years and install any new sewage disposal system under permit and inspection from the Department of Public Works and Planning Building and Safety Section.

F. 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:

Per the *Air Quality and Greenhouse Gas Analysis* prepared for the project, greenhouse gases (GHG) are emitted through the operation of construction equipment and from worker and supply vendor vehicles, each of which typically use fossil-based fuels to operate. Long-term operational GHG emissions are typically generated from mobile sources (e.g., cars, trucks and buses), area sources (e.g., maintenance activities and landscaping), indirect emissions from sources associated with energy consumption, waste sources (land filling and waste disposal), and water sources (water supply and conveyance, treatment, and distribution). Mobile-source GHG emissions associated with the project would include project-generated vehicle trips to and from the project site. Area-source emissions would be associated with activities such as any landscaping or maintenance on the project site. Energy source emissions would be generated at off-site utility providers as a result of electricity demand generated by the project. Waste source emissions generated by the proposed project include energy generated by land filling and other methods of disposal related to transporting and managing project generated waste. In addition, water source emissions associated with the proposed project are generated by water supply and conveyance, water treatment, water distribution, and wastewater treatment.

As discussed above, the proposed project would allow the current mining operation (granite quarry) to be extended for 25 years beyond year 2021. As the project would allow for the mining operation to continue within current operational characteristics, there will be no additional GHG emissions. Therefore, the project would not generate significant GHG emissions that would have a significant effect on the environment.

B. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Per the *Air Quality and Greenhouse Gas Analysis* prepared for the project, the San Joaquin Valley Air Pollution Control District adopted Climate Change Action Plan (CCAP) contains Greenhouse Gas reduction measures which are intended for commercial, residential, and mixed-use projects and wouldn't be applicable to the proposed project. As the proposed project would allow continuation of an existing operations within current operational characteristics, the project would not conflict with any applicable plans, policies or regulations adopted for the purpose of reduction the emissions of GHGs.

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 proposed project would not change the current production levels, hours of operation, materials to be mined, equipment types, or mining methods. Because the proposed project would not increase the routine transport, use, or disposal of hazardous materials from existing mining operation which include lubricant and fuel (diesel and gasoline) and waste material and dirt, the project would not result in any increase in the associated potential to create a significant hazard to the public or the environment. Public health and safety precautions are currently in place at the project site in accordance with State of California, Health and Safety Code and State of California, Code of Regulations. In addition, Mine Safety and Health Administration (MSHA) and California Occupational Health and Safety (Cal-OSHA) rules, regulations and standards are presently employed to protect both the public and on-site employees and would continue to be employed under the project.

Per the Fresno County Department of Public Health, Environmental Health Division review of the project within 30 days of the occurrence of any of the following events the applicant/operators shall update their online Hazardous Materials Business Plan (HMBP) and site map: 1) there is a 100 percent or more increase in the quantities of a previously-disclosed material; 2) the facility begins handling a previously-undisclosed material at or above the HMBP threshold amounts; and 3) changes to building structures and/or hazardous materials/wastes storage areas. Additionally, all hazardous waste shall be handled in accordance with requirements set forth in the California Code of Regulations (CCR), Title 22, Division 4.5, and an Underground Storage Tank Removal Permit be obtained to remove any underground storage tank, if found during construction.

The nearest school, Bud Rank Elementary School, is approximately 6.4 miles west of the project site.

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

FINDING: NO IMPACT:

The project site is not included on the list of hazardous materials sites complied pursuant to Government Code Section 65962.5.

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 not within an airport land use plan, two miles of a public use airport, or in the vicinity of a private airstrip. The nearest airport, Kindsvater Ranch Airport, is approximately 2.8 miles south of the site.

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

FINDING: NO IMPACT:

The proposed project would not modify the current access to the project site, or the existing street system in the area. Therefore, interference with any adopted emergency response plan or emergency evacuation plan would not occur. The Fresno County Sheriff's Department and the Fresno County Fire Protection District identified no concerns related to emergency access. The project will not impact an adopted emergency response plan or emergency evacuation plan.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project site is outside of an established wildland fire area. The native vegetation of the area is not of the density that typically supports wildfire. Further, the project would not add vegetation that would support wildfires. As such, the project will not expose persons or structures to wildfire.

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:

Mining and reclamation activities under the proposed project would be like those currently ongoing at the project site and were previously analyzed and approved for the existing operations. Per the applicant Operational Statement, all liquid waste from current mining operation is recycled on site and is used for diamond wired saws.

Likewise, saw mud from the recycle tanks is drained and goes to a sediment settling pond and remains there to settle out.

Due to the project design elements and site-specific conditions, it is not anticipated that continuation of the existing mining operation as proposed by the subject application, would violate any water quality standards or waste discharge requirements or otherwise degrade water quality, or conflict with or obstruct the implementation of a Sustainable Groundwater Management Plan.

Per the Fresno County Department of Public Health, Environmental Health Division (Health Department) review of the project a Project Note would require that: 1) to protect ground water, any water wells or septic systems that exist or that have been abandoned within the project area, not intended for future use and/or use by the project, shall be properly destroyed; 2) permits shall be obtained to destroy water well(s) from Health Department, prior to commencement of work; and 3) if any underground storage tank(s) are found during mining activities, an Underground Storage Tank Removal Permit shall be obtained from Health Department.

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

FINDING: NO IMPACT:

The project site is located within the North Kings Groundwater Sustainability Area (NKGSA). The NKGSA reviewed the proposed project and offered no comments.

The project site is in a low water area of Fresno County. Water used during the current quarry operations comes from an onsite well. Average water usage is 8,017 gallons per working day. The proposed project will not increase the current water consumption.

The Water and Natural Resources Division of the Fresno County Department of Public Works and Planning reviewed the proposal and offered no comments regarding water availability/sustainability for the project.

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

1. Result in substantial erosion or siltation on or off site; or

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

3. Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff; or

4. Impede or redirect flood flows?

FINDING: LESS THAN SIGNIFICANT IMPACT:

No natural drainage channels run through the project site. Dog Creek runs northwesterly along the northern tip of the project boundaries. The project site is not affected by the Creek.

No storm water runoff leaves the site. Runoff water from the site run naturally down the driveway from the quarry area and saw area. The water flows down the south side of the entrance road and then passes through a culvert under the roadway and goes down to the settling pond which is large enough to handle most storm events. Surface water run-off is also diverted from the quarry to the settling pond.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project site is in Flood Zone A per FIRM Panel 1500B which requires that any development within the areas identified as flood prone be in accordance with Fresno County Flood Hazard Ordinance.

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

FINDING: NO IMPACT:

Fresno County has no Water Quality Control Plan. As such, not conflict with any water quality control plan would occur. The project is located within the North Kings Groundwater Sustainability Area. See discussion in Section X. B. above.

XI. LAND USE AND PLANNING

Would the project:

A. Physically divide an established community?

FINDING: NO IMPACT:

The project site is located approximately 10 miles northeast of the City of Clovis in a rural area comprised of grazing land with sparse single-family residences. No public road traverses the project site nor does it block any designated roads or pathways. The project would not divide any established communities and no impact would occur.

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 proposed project does not require General Plan amendment or zone change for the project site and is outside of the Sphere of Influence (SOI) of any incorporated community.

The project site is designated as Specific Plan Reserve in the Sierra-North Regional Plan and is zoned AL-40 (Limited Agriculture). The proposed project (time extension for an existing mining operation) is subject to approval of a conditional use permit (Ordinance Section 853.B-5) and the mining restrictions as set forth in the Ordinance Section 858 - Regulations for Surface Mining and Reclamation in All Districts.

The project complies with the Mineral Resources Section of the Open Space and Conservation Element of the General Plan adopted in 1969 and allowed non-conforming mineral extraction operations to continue. The existing mining operation (granite quarry) was recognized as a non-conforming use by CUP No. 2477 in 1991 and expanded in 2001 by CUP 2928 and is shown as an established location for decomposed granite in Figure 7-8 in Fresno County General Plan Background Report.

Policies of the Mineral Resources Section of the Open Space and Conservation Element encourage the development of mineral resources when conflict with surrounding uses and natural environment can be minimized. The project involves no changes to the existing mining operation which will continue to operate for an additional 25 years beyond year 2021 within the framework authorized by prior Use Permits.

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?

FINDING: NO IMPACT:

No geothermal or other leasable mineral resources occur at or near the project site. The project entails continued excavation of an existing surface mining operation (granite quarry) and would result in no impact related to the loss of availability of a known mineral resource of value to the region and residents of the state.

B. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local General Plan, Specific Plan or other land use plan?

FINDING: NO IMPACT:

The proposed project would not result in adverse impact related to the loss of availability of a locally important mineral resource recovery site delineated on the County General Plan. Approval of the project would facilitate the development of the balance of the mine site as previously authorized by Use Permits and would more fully utilize existing mineral resources that would not be tapped into otherwise. This would

allow the mine to continue to be an important contribution to the County's overall economy. Thus, the project would result in recovery of additional resources (granite) that would no longer be available if mining ceased at the site after January 2021. The value and benefits derived from the mining, processing, and selling of the granite would outweigh the loss of these 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?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project site is in a rural are comprised of grazing land with sparse single-family residences. There are inhabited structures within one quarter-mile radius, five (5) homes within one half-mile radius and over 20 homes within a one-mile radius of the project site.

Per the Applicant's Operational Statement, the existing mining operation (granite quarry) on the project site is year-round and takes place in outdoor. Operational hours are from 7 AM to 3:30 PM Monday through Friday for 40 hours per week.

The Fresno County Department of Public Health, Environmental Health Division reviewed the proposal and required that an acoustical analysis be prepared for the project to analyze the potential noise impacts resulting from mining onto nearby sensitive receptors.

A *Noise Analysis Memorandum, dated November 10, 2020*, was prepared for the project by LSA Associates and provided to Health Department for comments. Per the *Memorandum*, short term construction-related noise occurs as a result of construction crew commutes and the transport of construction equipment and materials to the site, which would incrementally increase noise levels on roads leading to the site. The second type of construction noise impact is related to noise generated during excavation and trenching activities. The proposed project would allow current operations to continue and would not result in any physical changes to the existing site (e.g., demolition, construction, modification of site access). Therefore, the proposed project would not generate construction-related noise impacts and would not result in the generation of a substantial temporary increase in ambient noise levels in the vicinity of the project in excess of standards established in the local noise ordinance.

Long term noise-generating uses associated with the proposed project occur as a result of vehicle traffic and equipment and operations.

Regarding traffic noise impact, the proposed project would allow the current operation to continue and would not result in any physical changes to the existing site. The project

assumes a maximum of 78 trips per day whereas the adjacent Tollhouse Road (State Route 168) carries approximately 5,700 average daily trips. As such, project trips represent a small increase in noise levels and would not result in a perceptible noise increase along any roadway segment in the project vicinity. Regarding operational noise, during mining operation, all factory installed and custom-made sound suppression attachments to the equipment are kept in proper maintenance in an effort to keep noise levels as low as possible and several practices are maintained to minimize the amount of noise generated by blasting.

Per the *Memorandum*, the closest sensitive receptors include single-family residences located adjacent to the southern border of the project site along Tollhouse Road, Academy Oaks Lane, and Oak Ridge Lane. However, the closest operations would be located approximately 1,800 feet from the closest residence. The project would meet the County's noise ordinance requirements of 50 dBA Leq or less for more than 30 minutes in any hour. Compliance with the noise ordinance would reduce operational noise impacts to a less-than-significant level. Therefore, the project would not result in the generation of a substantial permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local noise ordinance.

The *Memorandum* concludes that the proposed project would not result in construction noise impacts on nearby residential uses and long-term operation of the project would not create a significant increase in operational noise, including noise associated with vehicle traffic and equipment and operations.

The Fresno County Department of Public Health, Environmental Health Division reviewed the *Noise Analysis Memorandum,* concurred with its findings, and stated that the mining activities should conform with the Fresno County Noise Ordinance. This requirement will be included as a Project Note.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

Per the *Noise Analysis Memorandum,* typical sources of ground borne vibration are construction activities (e.g., pavement breaking and operating heavy-duty earthmoving equipment), and occasional traffic on rough roads. In general, ground borne vibration from standard construction practices is only a potential issue when within 25 feet of sensitive uses. As the proposed project would not result in any physical changes to the existing site (e.g., demolition, construction, modification of site access), potential structural damage from heavy construction activities would not occur. The project would not generate significant ground borne vibration.

C. For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

FINDING: NO IMPACT:

See discussion in Section IX, HAZARD AND HAZARDOUS MTERIALS above.

XIV. POPULATION AND HOUSING

Would the project:

A. Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

FINDING: NO IMPACT:

Mining is unrelated to population growth. The project would not induce population growth, displace housing, or displace a substantial number of people, necessitating the construction of replacement housing elsewhere.

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

FINDING: NO IMPACT:

The project site contains no residential dwelling, and none is proposed by this application. Accordingly, the proposed project would not displace housing or a substantial number of people necessitating the construction of replacement housing elsewhere.

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: NO IMPACT:

The Fresno County Fire Protection District reviewed the proposed project and expressed no concerns related to fire.

2. Police protection?

3. Schools; or

4. Parks; or

5. Other public facilities?

FINDING: NO IMPACT:

The project will have no impact on police, park, school or other public facilities.

XVI. RECREATION

Would the project:

A. Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated; or

B. Include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?

FINDING: NO IMPACT:

The proposed project would not increase the use of existing neighborhood and regional parks or other recreational facilities. No impact on such facilities would occur.

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: NO IMPACT:

The proposed project would allow continuation of an existing mining operation (granite quarry) with no changes to the current operation. The operation does not conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system or any applicable congestion management program, for designated roads or highways that directly or indirectly serve the project site.

According to the Applicant's Operational Statement, the existing mining operation generate 14 one-way daily trips (7 round trips) by employees; maximum 10 one-way daily trips (5 round trips) by customers/visitors; and 50 one-way daily site trips (25 round trips) by service or delivery trucks.

The Design and Road Maintenance & Operations Division of the Fresno County Department of Public Works and Planning and California Department of Transportation (Caltrans) reviewed the proposal and expressed no concerns related to traffic. No impact would occur.

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

D. Result in inadequate emergency access?

FINDING: NO IMPACT:

The project site gains access off State Route 168 (Tollhouse Road) via an existing private access road. This access point was approved by previous Use Permits which allowed the subject mining on the property.

As there will be no change to the existing access point, the proposed project would not increase hazards due to a design feature, such as a sharp curve or dangerous intersection, or inadequate emergency access.

The California Department of Transportation (Caltrans) stated that the project site is an existing mining site with existing access connection to State Route 168 and expressed no concerns with the project.

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:

Pursuant to Assembly Bill (AB) 52, the project information was routed to the Picayune Rancheria of the Chukchansi Indians, Dumna Wo Wah Tribal Government, Table Mountain Rancheria and Santa Rosa Rancheria Tachi Yokut Tribe offering them an opportunity to consult under Public Resources Code (PRC) Section 21080.3(b) with a 30-day window to formally respond to the County letter. No tribe requested for consultation within the comment period. However, in the unlikely event, potential impacts associated with the tribal cultural resources that may be encountered during Project activities will be reduced to less than significant with implementation of Mitigation Measure included in Section V. CULTURAL RESOURCES above.

XIX. UTILITIES AND SERVICE SYSTEMS

Would the project:

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

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

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

FINDING: 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?

E. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Due to no change to the existing solid waste generation quantities or collection procedures is anticipated from the subject proposal less than significant impact related to solid waste services would result. The project site is served by permitted solid waste landfills that have enough capacity to meet the project's need. Also, all activities at the site would comply with Federal, State, and local solid waste statutes and regulations.

XX. WILDFIRE

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

A. Substantially impair an adopted emergency response plan or emergency evacuation plan, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?

FINDING: NO IMPACT:

The proposed project would not modify the current access to the project site off State Route 168, or the existing street system in the area. As such, there will be no interference with any adopted emergency response plan or emergency evacuation plan. No impact would occur.

B. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?

FINDING: NO IMPACT:

The project site is disturbed with the existing mining operation since 1964. Vegetation cover includes sparse cluster of trees at the outskirt of the existing mining area which is below grade. Since the proposed project entails continuation and not expansion of an existing mining operation, the project does not pose added risk of wildfire hazard to project occupants, people, or structures to wildfire hazard. Therefore, no impact would occur.

C. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?

FINDING: NO IMPACT:

The existing access road to the project site is asphalt concrete paved. All existing structure on the mining site are subjected to Mine Safety and Health Administration (MSHA) and California Occupational Health and Safety (Cal-OSHA) rules, regulations, and standards. Therefore, a less than significant impact would occur related to wildfire

risk resulting from maintenance of project infrastructure related to the existing mining operation on the property.

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 a non-agricultural land that has been utilized for surface mining (granite quarry) for decades. Areas of the project site not disturbed by existing mining activities are made up of ruderal vegetation. The proposed project would only increase time extension for the mining and therefore, would not increase the potential for people or structures to be exposed to risks involving flooding, landslides or drainage change from existing conditions resulting in no impact.

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:

Impacts to quality of the environment would be minimal because the proposed project would only allow continuation of an existing mining operation for an additional 25 years beyond 2021. The current operation was allowed/recognized by CUP No. 2477 and later expand by CUP No. 2928. The project would not degrade the quality of the environment, substantially reduce habitats or species, or eliminate important examples of the major cultural periods of the state. Impacts to biological resources would be less than significant and impacts to cultural resources as identified in Section V, CULTURAL RESOURCES will be mitigated to a less than significant level.

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 WITH MITIGATION INCORPORATED:

The proposed project would not modify the existing production levels, hours of operation, materials to be mined, equipment types, number of employees, or mining methods for an existing mining operation on the property.

As such, the project would not cause an increase in the cumulative impacts in the area. With implementation of the Mitigation Measures required in this analysis (Initial Study), the project-level impacts would not be cumulatively considerable and the Project's incremental contribution to cumulative impacts would be less than significant.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The proposed project entails continuation of an existing surface mining operation. consistent with current practices at the Applicant's existing surface mining operation at the project site. Given the project will remain within the existing baseline approved by previous use permits, the project is not expected to result in any new environmental effects, such as significant increases in air pollutant or GHG emissions, risk related to geological hazards, exposure to hazards or hazardous materials, or exposure to excessive noise levels, that would cause adverse effects on human beings. Because adverse effects on human beings, either directly or indirectly, would not occur because of the implementation of the proposed project, a less-than-significant impact would result.

CONCLUSION/SUMMARY

Based upon Initial Study No. 7878 prepared for Unclassified Conditional Use Permit Application No. 3681, staff has concluded that the proposed 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, mineral resources, population and housing, recreation, transportation, or wildfire.

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

Potential impacts to 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.

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