



County of Fresno

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

March 8, 2024

OPA PISTACHIO
POB 904 S. Lyons
Mendota, CA 93640

Dear Applicant:

Subject: Resolution No. 13023 – Unclassified Conditional Use Permit Application No. 3709,
Variance Application No. 4112, and Environmental Impact Report No. 8077.

On January 25, 2024 the Fresno County Planning Commission approved your above-referenced project. A copy of the Planning Commission Resolution is enclosed.

If you have any questions regarding the information in this letter please contact Ejaz Ahmad at eahmad@fresnocountyca.gov or 559-600-4204.

Sincerely,

Ejaz Ahmad, Planner
Development Services and Capital Projects Division

EA:jp
G:\4360Devs&Pln\PROJSEC\PROJDOCS\Environmental\EIR - EIS\ 8077 Stamoules Pistachio CUP 3709\CUP 3709 - S.
Stamoules, Inc\RESOLUTION\Reso Letter.doc

Enclosure



Inter Office Memo

ATTENTION: FOR FINAL ACTION OR MODIFICATION TO OR ADDITION OF CONDITIONS, SEE FINAL BOARD OF SUPERVISORS' ACTION SUMMARY MINUTES

DATE: January 25, 2024

TO: Board of Supervisors

FROM: Planning Commission

SUBJECT: Resolution No. 13023 – Unclassified Conditional Use Permit Application No. 3709, Variance Application No. 4112, and Environmental Impact Report No. 8077.

OWNER: Stamolues Produce Company

APPLICANT: OPA Pistachio

REQUEST: An Unclassified Conditional Use Permit to allow a pistachio processing facility comprised of a four-phase project consisting of two drive-over dumping pits, two pre-cleaning areas, two huller buildings with a height of 42.5 feet, 40 dryers, 48 silos with a height of 50 feet and a processing building permit processed water from the proposed facility to be conveyed via existing subsurface piping to irrigate approximately 3,740 acres of agricultural land owned by the owner in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District; and

A Variance to allow the 48 proposed silos to be 50-feet in height and the two proposed huller buildings to be 42.5-feet in height (maximum 35-foot allowed) in the AE-20 Zone District, and

LOCATION: The project site is proposed to be located on a 98-acre portion of a 316.22-acre parcel located at the northwest corner of W. Muscat Avenue and S. Newcomb Avenues approximately 9.7 miles south of the City of Firebaugh (APN: 019-150-64S), and

The 3,760 acres of agricultural land is located approximately two miles to the northeast of the project site's nearest point.

PLANNING COMMISSION ACTION:

At its hearing of January 25, 2024, the Commission considered the Staff Report and testimony (summarized in Exhibit A).

A motion was made by Commissioner Arabian and seconded by Commissioner Zante to:

1. Approve the California Environmental Quality Act (CEQA) Findings of Fact attached as Exhibit B (certifying Environmental Impact Report No. 8077 for the S. Stamoules Pistachio Processing Facility Project); and
2. Approve the Mitigation Monitoring and Reporting Program and Conditions of Compliance Reporting Matrix attached as Exhibit C prepared for Unclassified Conditional Use Permit (CUP) No. 3709 based on the Findings above; and
3. Determine that the required Findings discussed in the Staff Report can be made for the project; and
4. Approve Unclassified Conditional Use Permit Application No. 3709 with Mitigation Measures, Conditions of approval and Project Notes.

The motion passed on the following vote:

VOTING: Yes: Commissioners Arabian, Zante, Carver, Chatha, Hill, and Quist
 No: Commissioner Abrahamian and Woolf
 Absent: None
 Abstain: None

STEVEN E. WHITE, DIRECTOR
Department of Public Works and Planning
Secretary-Fresno County Planning Commission

By: 
Chris W. Motta, Manager
Development Services and Capital Projects Division

RESOLUTION NO. 13023

NOTE: The approval of this project will expire two years from the date of approval unless a determination is made that substantial development has occurred. When circumstances beyond the control of the Applicant do not permit compliance with this time limit, the Commission may grant an extension not to exceed one additional year. Application for such extension must be filed with the Department of Public Works and Planning before the expiration of the Conditional Use Permit.

Attachments

EXHIBIT A

Environmental Impact Report No. 8077
Unclassified Conditional Use Permit Application No. 3709
Variance Application No. 4112

- Staff: The Fresno County Planning Commission considered the Staff Report dated January 25, 2024, and heard a summary presentation by staff.
- Applicant: The property owner and the Applicant's representative concurred with the Staff Report and the recommended Conditions of Approval. They described the project and offered the following information to clarify the intended use:
- The applicant grows 13,000 acres of pistachio within seven-mile area; the project has significant economic advantages for the applicant.
 - County General Plan policies requires protection of agricultural land; the project will add value to the pistachios.
 - Pistachios from the applicant's farm are currently being processed at a facility in Firebaugh 25.3 miles (50 miles round trip) away from the applicant's farms.
 - The proposed facility will eliminate need for pistachios to be transported to the Firebaugh facility; the applicant intends to process his own pistachios at the facility for a variety of business reasons.
 - The project will eliminate 2,000 truck trips going to Firebaugh facility resulting in less wear and tear to county roads, less impact on air quality and less traffic-related road accidents.
 - The Traffic Impact Study prepared for the project adequately addresses traffic impact and was accepted as being adequate by California Department of Transportation.
 - The project meets Health Risk Assessment requirement relating to air quality. The project is consistent with CARB air quality land use handbook guidelines for new project except for not meeting net zero requirement; there are no feasible electrical drying equipment available for pistachios.
 - We have been issued a Waste Discharge Permit by Water Board and an Authority to Construct permit by San Joaquin Valley Air Pollution Control District.
 - A Noise Study was conducted for the project. To minimize noise impacts, building walls will be 8 inch thick and insulated; machineries will be placed west and north as far away as possible.
 - The project-related ambient noise level will be less than significant compared to the existing daily noise on panoche Road.
 - Waste from the facility will be recycled for food or landscaping.

RESOLUTION NO. 13023

- The project site provides for staging of truck and required parking.
- Due to the required non-renewal of Williamson Act Contract on the property, we are restricted to process our own pistachios only.

Others:

Two (2) individual presented information in support of the application citing that the project would increase the pistachio processing capacity in Fresno County, allowing for the growth of the local pistachio industry and increasing the project Applicant's industry competitiveness. Additionally, the project will provide jobs and will contribute positively to the economy of Fresno County.

Three (3) individuals from surrounding area presented information in opposition to the project citing that:

- The project traffic would cause hazardous traffic conditions in the area and impact air quality affecting the neighboring Pilibos Ranch's agricultural operations.
- The project trucks circulating through the project access driveway, located near the intersection of West Panoche Road and South Newcomb Avenue, 160 feet from an existing entrance to a Pilibos Ranch-owned agricultural fields, would interfere with operations and encroach into Pilibos Ranch-owned property due to the narrow width between both properties' access points.
- The project will interfere with traffic safety along the West Panoche Road and South Newcomb Avenue intersection due to existing conditions in the area, including narrow road widths, high traffic volumes, and poor turning visibility.
- The project will expose residential units within Pilibos Ranch to excessive amounts of pollutants that exceed the San Joaquin Valley Air Pollution Control District's (SJVAPCD) thresholds; air quality analysis prepared for the project should be updated to include more thorough analysis.
- The project site entrance should be moved towards the South Newcomb and West North Avenues intersection.

Correspondence:

No letters were presented to the Planning Commission in support of the application. However, representatives in favor of the proposal distributed a news article containing information regarding the positive economic impact of the California pistachio industry on the State's economy was presented to the Commission.

One document (e-mail) containing comments and related attachments previously submitted as part of the EIR scoping meeting was presented to the Commission. The document stated opposition to the application and cited inadequacy of the project site entrance and the impact to adjacent property owner's farming operations.