



County of Fresno

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

Planning Commission Staff Report Agenda Item No. 3 January 11, 2018

SUBJECT: Initial Study Application No. 7349 and Classified Conditional Use Permit Application No. 3589

Allow a commercial coach for office use and a tank farm for the storage and sale of agricultural chemicals and fertilizers together with the existing improvements on two contiguous parcels totaling 11.08 acres in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.

LOCATION: The project site is located on the southwest corner of W. Shaw Avenue and Dos Palos Avenue (State Route 33) approximately 2.1 miles south of the City of Firebaugh (35035 W. Shaw Avenue, Mendota, CA) (SUP. DIST. 1) (APN 012-091-46S & 47S).

OWNER: Delerio Family Farms, LLC
APPLICANT: Randy Delerio, High Desert Ag. Inc.

STAFF CONTACT: Ejaz Ahmad, Planner
(559) 600-4204

Marianne Mollring, Senior Planner
(559) 600-4569

RECOMMENDATION:

- Adopt the Mitigated Negative Declaration prepared for Initial Study (IS) Application No. 7349; and
- Approve Classified Conditional Use Permit (CUP) No. 3589 with recommended Findings and Conditions; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

EXHIBITS:

1. Mitigation Monitoring, Conditions of Approval and Project Notes
2. Location Map
3. Existing Zoning Map
4. Existing Land Use Map
5. Site Plan/Elevation
6. Project Description and Operational Statement
7. Summary of Initial Study Application No. 7349
8. Draft Mitigated Negative Declaration

SITE DEVELOPMENT AND OPERATIONAL INFORMATION:

Criteria	Existing	Proposed
General Plan Designation	Agriculture	No change
Zoning	AE-20 (Exclusive Agricultural, 20-acre minimum parcel size)	No change
Parcel Size	11.08 acres (total)	No change
Project Site	<ul style="list-style-type: none"> • 10,158 square-foot vacant building • 12,474 square-foot vacant building 	A commercial coach for office use and a tank farm for the storage and sale of agricultural chemicals and fertilizers together with the existing improvements on a 11.08-acre property
Structural Improvements	<ul style="list-style-type: none"> • 10,158 square-foot vacant building • 12,474 square-foot vacant building 	<ul style="list-style-type: none"> • 2,394 square-foot office • 8,664 square-foot tank farm • 1,000-gallon fuel storage tank • 500-gallon propane tank • Scale
Nearest Residence	None	No change
Surrounding Development	Agriculture-related businesses, field crops, vineyard, orchards, single-family residences	No change
Operational Features	N/A	<ul style="list-style-type: none"> • The proposed facility will receive pre-manufactured, prepacked dry

Criteria	Existing	Proposed
		<p>and liquid fertilizers in bulk via truck deliveries.</p> <ul style="list-style-type: none"> • The products will be stored inside the existing buildings and within new storage tanks and sold to customer farms or ranches per the order received. • No mixing or blending of chemicals and fertilizer will occur on the property. • The facility will use the proposed office, tank farm, and the existing on-site improvements. • The future improvements proposed: 1,000-gallon fuel storage tank, 500-gallon propane tank, and a scale
Employees	N/A	8 employees
Customers	N/A	None
Traffic Trips	N/A	<ul style="list-style-type: none"> • 16 one-way employee trips (8 round trips) daily • Up to 12 one-way truck trips (6 round trips) daily • Up to 4 one-way miscellaneous truck trips (2 round trips) per month
Lighting	Outdoor lighting	No change
Hours of Operation	N/A	8 a.m. to 4 p.m.; Monday - Friday

EXISTING VIOLATION (Y/N) AND NATURE OF VIOLATION: N

ENVIRONMENTAL ANALYSIS:

An Initial Study (IS) was prepared for the project by County staff in conformance with the provisions of the California Environmental Quality Act (CEQA). Based on the IS, staff has determined that a Mitigated Negative Declaration is appropriate. A summary of the Initial Study is below and included as Exhibit 7.

Notice of Intent to Adopt a Mitigated Negative Declaration publication date: December 6, 2017

PUBLIC NOTICE:

Notices were sent to nine (9) property owners within 1,320 feet of the subject parcel, exceeding the minimum notification requirements prescribed by the California Government Code and County Zoning Ordinance.

PROCEDURAL CONSIDERATIONS:

An Classified Conditional Use Permit (CUP) may be approved only if four Findings specified in the Fresno County Zoning Ordinance, Section 873-F are made by the Planning Commission.

The decision of the Planning Commission on a Classified CUP Application is final, unless appealed to the Board of Supervisors within 15 days of the Commission’s action.

BACKGROUND INFORMATION:

A produce packing facility was previously located on the project site. According to deed records, the Applicant purchased the property in August of 2015 to establish a commercial operation for storage and sale of agricultural chemicals and fertilizers to local farmers and ranchers.

As part of the subject proposal, the facility will receive pre-manufactured, prepacked dry and liquid fertilizers in bulk via truck deliveries. The incoming products will be stored on site within the existing buildings and new storage tanks and delivered to the customer farms and ranches per the order received. No mixing or blending of chemicals and fertilizer will occur on the property.

The project will use the existing 10,158 square-foot and 12,474 square-foot buildings for storage of dry fertilizers and construct storage tanks for the storage of liquid fertilizers (200,000 total gallons). The project will also install a 2,394 square-foot commercial coach for office use. Future improvements proposed by this application include a 1,000-gallon fuel storage tank, 500-gallon propane tank, and a scale. The project proposes no changes to the current site access. The site will continue to gain access from Shaw Avenue off State Route 33 (Dos Palos Avenue).

Finding 1: That the site of the proposed use is adequate in size and shape to accommodate said use and all yards, spaces, walls and fences, parking, loading, landscaping, and other features required by this Division, to adjust said use with land and uses in the neighborhood

	Current Standard:	Proposed Operation:	Is Standard Met (y/n)
Setbacks	Front: 35 feet Street Side: 35 feet Side: 20 feet Rear 20 feet	Front (north property line): 330 feet Side (east property line): 20 feet Side (west property line): 30 feet Rear (south property line): 880 feet	Yes

	Current Standard:	Proposed Operation:	Is Standard Met (y/n)
Parking	One parking space for every two permanent employees and one parking space for each company-owned vehicle	7 parking spaces (7 required)	Yes
Lot Coverage	No requirement	N/A	N/A
Separation Between Buildings	Separation between animal shelter and building for human occupancy: 40 feet	N/A	N/A
Wall Requirements	Per section 855-H.2 of the County Ordinance Code	No requirement	Yes
Septic Replacement Area	100 percent of the existing system	100 percent of the existing system	Yes
Water Well Separation	Septic tank: 50 feet; Disposal field: 100 feet; Seepage pit: 150 feet	<ul style="list-style-type: none"> • Community water provided by Las Deltas Mutual Water Company • Individual on-site sewage disposal system 	Yes

Reviewing Agency/Department Comments Regarding Site Adequacy:

Zoning Section of the Fresno County Department of Public Works and Planning: No concerns with the proposal except that a Site Plan Review should be required to ensure compliance with development standards. This requirement has been included as a Condition of Approval.

No other comments specific to the adequacy of the site were expressed by reviewing Agencies or Departments.

Analysis:

Staff review of the Site Plan demonstrates that the existing and the proposed improvements meet the minimum building setback requirements of the AE-20 Zone District. Additionally, the project site is provided with adequate on-site parking for the facility employees and visitors.

Based on the above information and with adherence to the Condition of Approval, staff believes the project site is adequate in size and shape to accommodate the proposed use.

Recommended Conditions of Approval:

None.

Conclusion:

Finding 1 can be made.

Finding 2: *That the site for the proposed use relates to streets and highways adequate in width and pavement type to carry the quantity and kind of traffic generated by the proposed use*

		Existing Conditions	Proposed Operation
Private Road	No	N/A	N/A
Public Road Frontage	Yes	Shaw Avenue; Poor condition	No change
Direct Access to Public Road	Yes	Shaw Avenue	No change
Road ADT (Average Daily Traffic)		600	No change
Road Classification		Local	No change
Road Width		30 feet south of section line with 23.1 feet pavement	No change
Road Surface		Asphalt-concrete paved	No change
Traffic Trips		None	<ul style="list-style-type: none"> • 16 one-way employee trips (8 round trips) daily • Up to 12 one-way truck trips (6 round trips) daily • Up to 4 one-way miscellaneous truck trip (2 round trips) per month
Traffic Impact Study (TIS) Prepared		None	No TIS required by Design Division of the Fresno County Department of Public Works and Planning or by the California Department of Transportation
Road Improvements Required		Poor	Not required

Reviewing Agency/Department Comments:

Road Maintenance and Operations (RMO) Division of the Fresno County Department of Public Works and Planning: Access to the site off Shaw Avenue is currently unrestricted across the entire parcel frontage. Access to the site shall be defined into one or two drive approaches off Shaw Avenue. Any work within the road right-of-way that is associated with the delineation of drive approaches shall require a permit from the RMO. This has been included as a Condition of Approval.

Development Engineering Section of the Fresno County Department of Public Works and Planning: No concerns with the proposal.

California Department of Transportation (Caltrans): No concerns with the proposal.

Design Division of the Fresno County Department of Public Works and Planning: No concerns with the proposal.

Analysis:

The project site gains access from Shaw Avenue off State Route 33 (Dos Palos Avenue). Shaw Avenue is a County-maintained road with an Average Daily Traffic (ADT) of 600 with pavement width of 23.1 feet. The project proposes no changes to the current site access.

Based on the above discussion, and with adherence to the Condition of Approval, staff believes Shaw Avenue will remain adequate in width and condition to accommodate the traffic generated by the proposed facility.

Recommended Conditions of Approval:

See Conditions of Approval attached as Exhibit 1.

Conclusion:

Finding 2 can be made.

Finding 3: That the proposed use will have no adverse effect on abutting property and surrounding neighborhood or the permitted use thereof

Surrounding Parcels				
	Size:	Use:	Zoning:	Nearest Residence:
North	28.1 acres	Cold storage facility	AE-20	None
South	124.8 acres	Field Crops	AE-20	None
East	36.3 acres	Orchard	AE-20	None
West	9.39 acres	Cold storage facility	AE-20	None

Reviewing Agency/Department Comments:

Fresno County Department of Public Health, Environmental Health Division: Facilities proposing to use and/or store hazardous materials and/or hazardous wastes shall meet the requirements set forth in the California Health and Safety Code (HSC), Division 20, Chapter 6.95, and the California Code of Regulations (CCR), Title 22, Division 4.5. All hazardous waste shall be handled in accordance with requirements set forth in the California Code of Regulations (CCR), Title 22, Division 4.5. In an effort to protect groundwater, all abandoned water wells (not intended for use or future use) within the 1.37-acre project area shall be properly destroyed by an appropriately-licensed contractor (permits required). Prior to destruction of agricultural wells, a sample of the upper most fluid in the well column shall be checked for lubricating oil. Should lubricating oil be found in the well, the oil should be removed from the well prior to placement of fill material for destruction.

Development Engineering Section of the Fresno County Department of Public Works and Planning: A Grading Permit or Voucher shall be required for any site grading proposed by this application. Any additional runoff generated by the proposed development shall be retained or disposed of per County Standards

Fresno County Fire Protection District: The project shall comply with California Code of Regulations Title 24 – Fire Code and County-approved site plans will require approval by the Fire District prior to issuance of building permits by the County. The project shall also require annexation to Community Facilities District No. 2010-01.

San Joaquin Valley Air Pollution Control District (Air District): The project shall be subject to District Rule 2010 (Permits Required) and Rule 2201 (New and Modified Stationary Source Review). The Applicant shall contact the District's Small Business Assistance office regarding the requirements for an Authority to Construct (ATC) application and identify other District rules and regulations that apply to the project. The project shall also be subject to 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) in the event an existing building will be renovated, partially demolished or removed.

Building and Safety Section of the Fresno County Department of Public Works and Planning: Plans, permits and inspections shall be required for all on-site improvements.

Site Plan Review Section of the Fresno County Department of Public Works and Planning: ADA stalls shall be provided for the physically disabled and shall be served by an access aisle 96 inches wide, minimum, and shall be designated van accessible. ADA stalls shall be concrete or asphalt concrete paved and shall be located on the shortest possible route to the main entrance so the disabled person does not cross the driveway into the parking lot. All proposed signs shall be submitted to the Department of Public Works and Planning permits counter to verify compliance with the Zoning Ordinance. Note: Off-site signs are not allowed for commercial uses in the AE-20 Zone District.

The aforementioned requirements have been included as Project Notes.

Dumna Wo Wah Tribal Government: The Tribe was offered the opportunity to consult under Public Resources Code (PRC) Section 21080.3 (b) with a 30-day window to formally respond to the County letter. However, the Tribe refused the certified letter and did not request consultation (see the following Analysis).

Las Deltas Mutual Water Company; California Department of Transportation; Central Valley Regional Water Quality Control Board; State Water Resources Control Board, Division of Drinking Water; Fresno County Department of Agriculture; Design Division, and Water and Natural Resources Division of the Fresno County Department of Public Works and Planning; Table Mountain Rancheria, Tribal Government Office; Picayune Rancheria of the Chukchansi Indians; Dumna Wo Wah Tribal Government: No concerns with the proposal.

Analysis:

The subject proposal would allow a 2,130 square-foot commercial coach for office use and 200,000-gallon storage tanks (total) for the storage and sale of agricultural chemicals and fertilizers together with the existing improvements (10,158 square-foot and 12,474 square-foot buildings) on an 11.08-acre property. Future on-site improvements related to this proposal include a 1,000-gallon fuel storage tank, 500-gallon propane tank, and a scale.

The Initial Study prepared for this project identified potential impacts related to aesthetics and cultural resources. Regarding aesthetics, all outdoor lighting would be required to be hooded and directed downward so as not to shine upon adjacent roads and properties. Regarding Cultural Resources, any cultural resources or human remains discovered during ground-disturbance activities will require all work stopped and findings evaluated by an archeologist. These requirements have been included as Mitigation Measures.

Potential Impacts related to air quality, geology and soils, hazards and hazardous materials, hydrology and water quality, and public services have been determined to be less than significant. The project will comply with the Air District permitting requirements, retain storm water on site and obtain a Grading Permit/Voucher; handle hazardous materials and wastes according to State law; receive community water from Las Deltas Mutual Water Company (LDMWC); and obtain Fresno County Fire Protection District's approval prior to issuance of building permits and occupancy.

The project is not in an archeologically-sensitive area. The Southern San Joaquin Valley Information Center did not have any history of archeological or cultural resources being found at or near the site and the Native American Heritage Commission Sacred Land File records search was negative. Pursuant to Assembly Bill (AB) 52, a letter was sent to the Dumna Wo Wah Tribal Government offering the opportunity to consult under Public Resources Code (PRC) Section 21080.3 (b) with a 30-day window to formally respond, in writing, to request a Cultural Resources Consultation. The letter was not accepted by the Tribe and returned to the County undelivered. No future action was necessary on the part of the County.

Based on the above information and with the adherence to Mitigation Measures, recommended Conditions of Approval, and Project Notes for mandatory requirements, staff believes the project will not have an adverse effect upon the surrounding neighborhood.

Recommended Conditions of Approval:

See Mitigation Measure and recommended Conditions of Approval attached as Exhibit 1

Conclusion:

Finding 3 can be made.

Finding 4: That the proposed development is consistent with the General Plan

Relevant Policies:	Consistency/Considerations:
<p>General Plan Policy LU-A.3 (Agriculture and Land Use): allows agriculturally-related uses by discretionary permit, provided that they meet the following criteria.</p> <ul style="list-style-type: none"> a. Criteria LU-A.3.a. states that the use shall provide a needed service to the surrounding area which cannot be provided more effectively within urban areas or which requires location in a non-urban area because of unusual site requirements or operational characteristics. b. Criteria LU-A.3.b. states that the use shall not be sited on productive agricultural land if less productive land is available in the vicinity. c. Criteria LU-A.3.c. states that the use shall not have a detrimental impact on water resources or the use or management of surrounding properties within a ¼-mile radius. d. Criteria LU-A.3.d. states that a probable workforce should be located nearby or readily available. 	<p>The project meets Policy LU-A.3. With regard to Criteria “a”, the project location within an agricultural area is ideal in providing agricultural chemicals and fertilizers to the surrounding agricultural land.</p> <p>With regard to Criteria “b”, the project is located on non-agriculture land (Urban & Built-Up Land and Confined Animal Agriculture).</p> <p>With regard to Criteria “c”, the Las Deltas Mutual Water Company will continue providing community water to the project site. As such, the project will have no detrimental impact on water resources.</p> <p>With regard to Criteria “d”, the project site is near the Cities of Firebaugh and Mendota, which can provide adequate workforce for the project.</p>
<p>General Plan Policy LU-A.12: In adopting land use policies, the County shall seek to protect agricultural activities from encroachment of incompatible land uses.</p> <p>General Plan Policy LU-A.13: The County shall protect agricultural operations from conflicts with non-agricultural uses by requiring buffers between proposed non-agricultural uses and adjacent agricultural operations.</p> <p>General Plan Policy LU-A.14: The County shall ensure that the review of discretionary permits includes an assessment of the conversion of productive agriculture land and that mitigation be required where appropriate.</p>	<p>These policies are met in that the project is located on non-agriculture land developed with buildings/structures with parking and circulation areas for a plant nursery and single-family homes. Additionally, the perimeter fencing separates the site from the adjacent cultivated lands.</p>

Relevant Policies:	Consistency/Considerations:
General Plan Policy PF-C.17: County shall undertake a water supply evaluation, including determinations of water supply adequacy, impact on other water users in the County, and water sustainability.	Las Deltas Mutual Water Company (LDMWC) currently provides potable community water to the property. No concerns related to water sustainability for the project were expressed by the Water and Natural Resources Division of the Fresno County Department of Public Works and Planning. The project meets this policy.
Policy PF-D.6: County shall permit individual on-site sewage disposal systems on such parcels that have the area, soils, and other characteristics that permit installation of such disposal facilities without threatening surface or groundwater quality or posing any other health hazards and where community sewer service is not available and cannot be provided.	Due to the inaccessibility of a community sewer system, the proposed commercial coach for the office will require an individual sewage disposal system. Proper installation and maintenance of the system would result in no impacts on groundwater quality. The project meets this policy.

Reviewing Agency Comments:

Policy Planning Section of the Fresno County Department of Public Works and Planning: The property is designated Agriculture in the General Plan. Policy LU-A.3, a. b. c. d. allows the proposed use in areas designated Agriculture with discretionary land use. Policy LU-A.12 requires that agricultural activities be protected from encroachment of incompatible land uses. Policy LU-A.13 requires a buffer between non-agricultural uses and agricultural uses, and Policy LU-A.14 requires an assessment of the conversion of productive agricultural land and implementation of mitigations where appropriate. Policy PF-C.17 requires evaluation of adequacy and sustainability of water supply for the project. Policy PF-D.6 requires individual on-site sewage disposal systems to not threaten surface or groundwater quality.

Analysis:

The project entails establishment of a commercial use involving storage and sale of agricultural chemicals and fertilizers on a 11.08-acre property.

The project meets the intent of Policy LU-A.3 as discussed above in General Plan Consistency/Consideration. Concerning consistency with Policy LU-A.12, Policy LU-A.13, and Policy LU-A.14, the project site is non-agriculture land developed with improvements related to a commercial and residential use. Further, the project is an allowed use with discretionary approval and will be separated from the adjacent cultivated lands by a perimeter fencing. Concerning consistency with Policy PF-C.17, the project will utilize community water with no impact on groundwater supply. Concerning consistency with Policy PF-D.6, the project will utilize an individual sewage disposal system with no impact on groundwater quality.

Based on the above information, staff believes the proposal is consistent with the Fresno County General Plan.

Recommended Conditions of Approval:

None.

Conclusion:

Finding 4 can be made.

PUBLIC COMMENT:

None.

CONCLUSION:

Based on the factors cited in the analysis, staff believes the required Findings for granting the Classified Conditional Use Permit can be made. Staff therefore recommends adoption of the Mitigated Negative Declaration prepared for the project and approval of Classified Conditional Use Permit No. 3589, subject to the recommended Conditions.

PLANNING COMMISSION MOTIONS:

Recommended Motion (Approval Action)

- Move to adopt the Mitigated Negative Declaration prepared for Initial Study Application No. 7349; and
- Move to determine the required Findings can be made and move to approve Classified Conditional Use Permit No. 3589, subject to the Mitigation Measures, Conditions of Approval and Project Notes listed in Exhibit 1; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

Alternative Motion (Denial Action)

- Move to determine that the required Findings cannot be made (state basis for not making the Findings) and move to deny Classified Conditional Use Permit No. 3589; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

Mitigation Measures, recommended Conditions of Approval and Project Notes:

See attached Exhibit 1.

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**Mitigation Monitoring and Reporting Program
Initial Study Application No. 7349
Classified Conditional Use Permit Application No. 3589**

Mitigation Measures					
Mitigation Measure No.*	Impact	Mitigation Measure Language	Implementation Responsibility	Monitoring Responsibility	Time Span
*1.	Aesthetics	All outdoor lighting shall be hooded and directed downward so as to not shine toward adjacent properties and public streets.	Applicant	Applicant/Fresno County Department of Public Works and Planning (PWP)	Ongoing; for duration of the project
*2.	Cultural Resources	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.	Applicant	Applicant/PWP	As noted

Conditions of Approval	
1.	Development of the property shall be in accordance with the Site Plan, Floor Plan, Elevation and Operational Statement approved by the Commission.
2.	Prior to occupancy, a Site Plan Review shall be submitted to and approved by the Department of Public Works and Planning in accordance with Section 874 of the Fresno County Zoning Ordinance. Conditions of the Site Plan Review may include: design of parking and circulation areas, access, on-site grading and drainage, fire protection, landscaping, signage and lighting.
3.	Access to the site off Shaw Avenue is currently unrestricted across the entire parcel frontage. Prior to occupancy, access to the site shall be defined into one or two drive approaches off Shaw Avenue by installing a fence across the property frontage or by any other mechanism approved by the Road Maintenance and Operations (RMO) Division of the Fresno County Department of Public Works

EXHIBIT 1

	and Planning. Any work within the road right-of-way that is associated with the delineation of drive approaches will require an encroachment permit from the RMO Division.
4.	All unpaved or gravel surfaced parking and circulation areas shall be treated with dust palliative to minimize the dust creation by vehicles.

*MITIGATION MEASURE – Measure specifically applied to the project to mitigate potential adverse environmental effects identified in the environmental document.
Conditions of Approval reference recommended Conditions for the project.

Project Notes	
The following Notes reference mandatory requirements of Fresno County or other Agencies and are provided as information to the project Applicant.	
1.	This Use Permit will become void unless there has been substantial development within two years of the effective date of approval.
2.	Plans, permits and inspections are required for all on-site construction improvements. Contact the Building and Safety Section of the Fresno County Department of Public Works and Planning at (559) 600-4540 for permits and inspections.
3.	All proposed signs shall be submitted to the Department of Public Works and Planning permits counter to verify compliance with the Zoning Ordinance. Off-site signs are not allowed for commercial uses in the AE-20 Zone District.
4.	ADA stall(s) shall be provided for the physically disabled and shall be served by an access aisle 96 inches wide, minimum, and shall be designated van accessible. ADA stalls shall be concrete or asphalt concrete paved and must be located on the shortest possible route to the main entrance so the disabled person does not cross the driveway into the parking lot.
5.	<p>To address any hazardous materials and/or hazardous wastes impacts resulting from the project, the Fresno County Department of Public Health, Environmental Health Division requires the following:</p> <ul style="list-style-type: none"> • Facilities proposing to use and/or store hazardous materials and/or hazardous wastes shall meet the requirements set forth in the California Health and Safety Code (HSC), Division 20, Chapter 6.95, and the California Code of Regulations (CCR), Title 22, Division 4.5. Any business that handles a hazardous material or hazardous waste may be required to submit a hazardous Materials Business Plan pursuant to the HSC, Division 20, Chapter 6.95. • All hazardous waste shall be handled in accordance with requirements set forth in the California Code of Regulations (CCR), Title 22, Division 4.5. • In an effort to protect groundwater, all abandoned water wells (not intended for use or future use) within the 11.08-acre project area shall be properly destroyed by an appropriately licensed contractor (permits required). Prior to destruction of agricultural wells, a sample of the upper most fluid in the well column shall be checked for lubricating oil. The presence of oil staining around the well may indicate the use of lubricating oil to maintain the well pump. Should lubricating oil be found in the well, the oil should be removed from the well prior to placement of fill material for destruction. The “oily water” removed from the well must be handled in accordance with federal, state and local government requirements.
6.	<p>To address grading and drainage impacts resulting from the project, the Development Engineering Section of the Fresno County Department of Public Works and Planning requires the following:</p> <ul style="list-style-type: none"> • Any additional run-off generated by the proposed development of the site shall be retained or disposed of per County Standards. • A Grading Permit or Voucher shall be obtained for any site grading proposed with this application.

Project Notes

7.	To address air quality impacts resulting from the project, the San Joaquin Valley Air Pollution Control District (Air District) requires the following:
	<ul style="list-style-type: none">• District Rule 2010 (Permits Required) and Rule 2201 (New and Modified Stationary Source Review)• Submit an Authority to Construct (ATC) application prior to construction• 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) in the event an existing building will be renovated, partially demolished or removed
8.	The proposal shall comply with California Code of Regulations Title 24 - Fire Code after County approval of the project and prior to issuance of any Building Permits. The Applicant shall submit three Site Plans stamped "reviewed" or "approved" from the Fresno County Department of Public Works and Planning to the Fresno County Fire Protection District for review and approval. The Applicant shall submit evidence that their Plans were approved by the Fresno County Fire Protection District, and all fire protection improvements shall be installed prior to occupancy being granted for the use. The project development shall also annex to Community Facilities District (CFD) No. 2010-01 of the Fresno County Fire Protection District.

EA:ksn

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LOCATION MAP

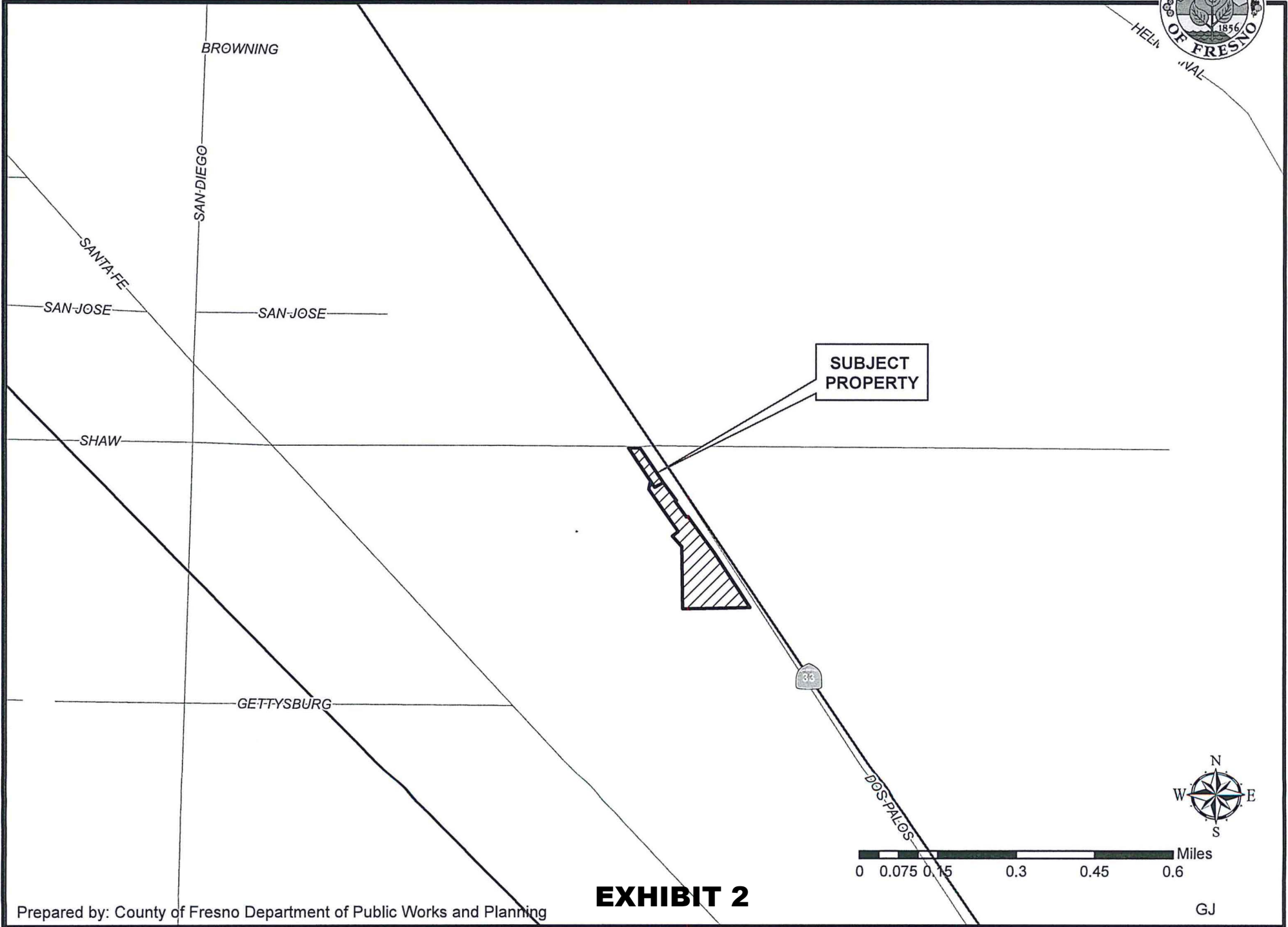


EXHIBIT 2

EXISTING ZONING MAP

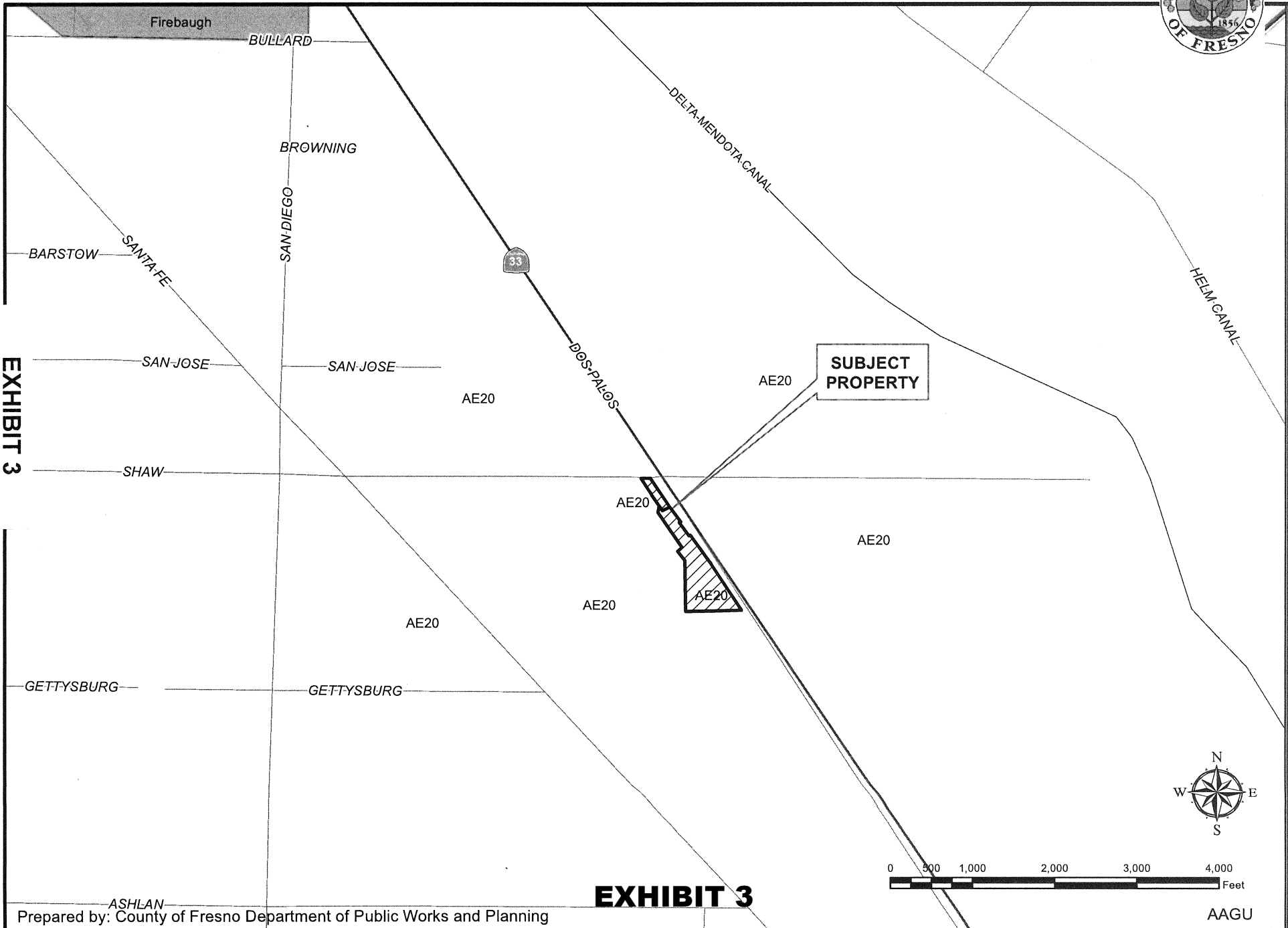


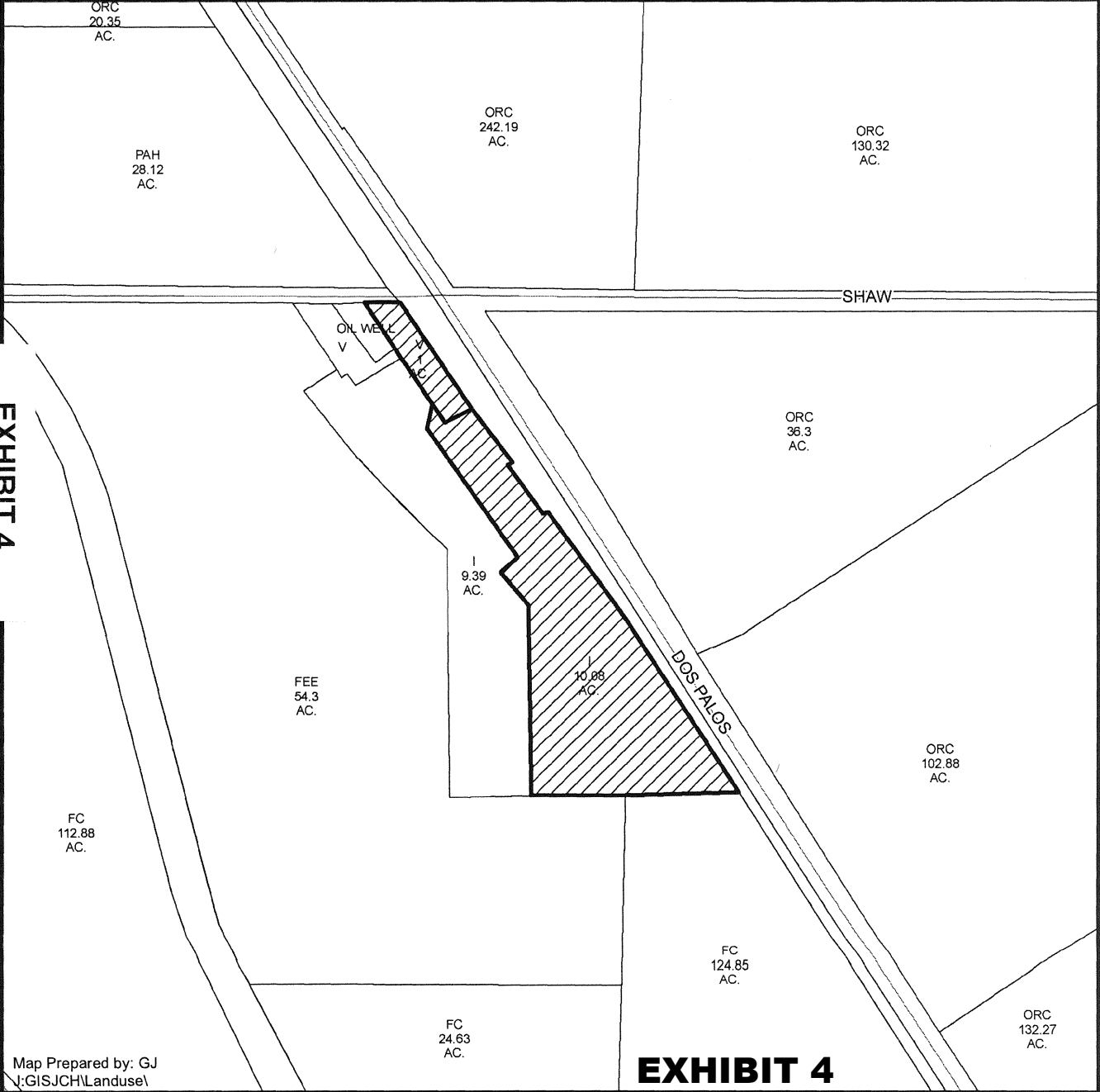
EXHIBIT 3

EXHIBIT 3



EXISTING LAND USE MAP

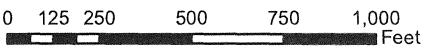


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LEGEND
 V - VACANT
 PAH - PACKING HOUSE
 ORC - ORCHARD
 I - INDUSTRIAL
 FEE - FEED LOT
 FC - FIELD CROP

LEGEND:
 Subject Property
 Ag Contract Land



Department of Public Works and Planning
 Development Services Division

EXHIBIT 4

EXHIBIT 4

Map Prepared by: GJ
 J:GISJCH\Landuse\

SEISMIC DESIGN CRITERIA :

SEISMIC ITEM	SYMBOL	VALUE	LAT. LON.
SITE COORDINATES (DATUM = NAD 83)		36.807 120.425	
SOIL BEARING PRESSURE		1500 PSF FOR CONTINUOUS FOOTINGS 1500 PSF FOR SPREAD FOOTINGS	
CONCRETE DESIGN STRENGTH		2500 PSI	
ALLOWABLE PASSIVE PRESSURE		100 PCF	
ALLOWABLE ACTIVE PRESSURE		40 PCF	
ALLOWABLE SOIL FRICTION FACTOR		0.25	
SOIL SITE CLASS		D	
SEISMIC IMPORTANCE FACTOR	I _e	1.0	
RESPONSE SPECTRAL ACCELERATION (SHORT PERIOD - 0.2 SEC)	S _s	0.873 G	
RESPONSE SPECTRAL ACCELERATION (1.0 SEC PERIOD)	S ₁	0.317 G	
SITE COEFFICIENT AT SHORT PERIOD	F _s	1.194	
SITE COEFFICIENT AT 1-5 PERIOD	F _v	1.984	
MAX. CONSIDERED EARTHQUAKE ACCELERATIONS (SHORT PERIOD - 0.2 SEC)	S _{1s} = F _s * S _s	1.047 G	
MAX. CONSIDERED EARTHQUAKE ACCELERATIONS (1.0 SEC PERIOD)	S _{1a} = F _v * S ₁	0.624 G	
AT 5% DAMPED DESIGN			
S _{DS} = 2/3 (S _{1s}) (SHORT PERIOD - 0.2 SEC)	S _{DS}	0.698 G	
DESIGN SPECTRAL RESPONSE ACCELERATION	S _{DS}	0.419 G	

BEARING AND DISTANCES

LINE	BEARING	DISTANCE
L1	N 35°29'00" W	260.00
L2	N 54°23'00" E	102.25
L3	S 35°31'00" E	62.75
L4	N 54°23'00" E	20.00
L5	S 35°31'00" E	42.21
L6	N 54°23'00" E	150.00
L7	N 88°46' E	118.75
L8	N 61°20'53" W	25.40
L9	N 65°02'00" W	50.00
L10	N 61°54'00" W	300.00
L11	N 66°26'00" W	50.00
L12	N 64°12'00" W	50.00
L13	N 61°24'00" W	50.00
L14	N 51°02'30" W	50.00
L15	N 56°44'00" W	50.00
L16	N 53°54'00" W	50.00
L17	N 51°40'00" W	50.00
L18	N 44°14'00" W	50.00
L19	N 46°19'00" W	50.00
L20	N 43°54'00" W	50.00
L21	N 41°31'00" W	50.00
L22	N 34°04'00" W	50.00
L23	N 36°44'00" W	50.00
L24	S 28°46'00" W	206.00
L25	S 35°31' E	36.35
L26	S 54°23'00" W	30.00
L27	S 35°31'00" E	260.32
L28	S 36°44'00" E	50.40
L29	S 34°04'00" E	51.23
L30	S 41°31'00" E	51.24
L31	S 43°50'00" E	51.26
L32	S 46°19'00" E	51.37
L33	S 44°14'00" E	51.40
L34	S 51°40'00" E	51.22
L35	S 53°54'00" E	51.33
L36	S 56°44'00" E	51.35
L37	S 54°02'30" E	3.31

GOVERNING CODES :

- 2013 CALIFORNIA BUILDING CODE
- 2013 CALIFORNIA RESIDENTIAL CODE
- 2013 CALIFORNIA PLUMBING CODE
- 2013 CALIFORNIA MECHANICAL CODE
- 2013 CALIFORNIA ELECTRICAL CODE
- 2013 CALIFORNIA ADMINISTRATIVE CODE
- 2013 CALIFORNIA FIRE CODE & STATE FIRE MARSHAL 2013
- 2013 CALIFORNIA ENERGY CODE & TITLE 24 AND 25, CALIFORNIA CODE OF REGULATIONS
- CALIFORNIA ENERGY EFFICIENCY STANDARDS (CEEC) 2013
- SAFETY ORDERS OF THE STATE DIVISION OF INDUSTRIAL SAFETY
- CITY ORDINANCES
- COUNTY ORDINANCES
- APPLICABLE SEC. OF THE C.A. ENERGY CONSERVATION STANDARDS
- 2012 INTERNATIONAL BUILDING CODE

REVISIONS :

- REV 12/08/15
- REV 02-21-17

EGEN DESIGNS

DRAWN BY : M.HENSHAW
JOB NUMBER : 16-030C
DATE : 10/21/16

SHEET INDEX :

- A-1 SITE PLAN
- A-2 FLOOR PLAN
- AC-1 SITE ACCESSIBILITY DETAILS
- AC-2 RESTROOM ACCESSIBILITY DETAILS
- E-1 ELECTRICAL PLAN
- FI MOD SPACE PLAN

OWNER :

HIGH DESERT AG
RANDY DELERIO
35035 W. SHAW AVE.
MENDOTA, CALIFORNIA 93640

SITE ADDRESS :

HWY 33 AND WEST SHAW AVE.
FIREBAUGH, CALIFORNIA
COUNTY OF FRESNO

LEGAL :

A.P.N. 012-090-475

BUILDING DATA :

BUILDING USE :	OFFICE
OCCUPANCY :	B
CONSTRUCTION TYPE :	V - B
ZONING / CLASSIFICATION :	AG
NUMBER OF STORIES :	1
ALLOWABLE BLD'G HEIGHT :	35'-0"

OCCUPANT LOAD

OFFICE AREA :	2,130 SQ. FT.
OFFICE :	2,130 / 100 SF. = 21.3
OCCUPANT LOAD :	21
TOTAL NO. OF EXITS REQ. :	1
TOTAL PROVIDED :	2

AREA:

PLAN CHECK NUMBER	16-0452
PER TABLE 1004.1.2	

ENGINEER OF RECORD

LEHMAN'S ENGINEERING
DAVID J. LEHMAN, P.E.
7448 NORTH MAPLE, SUITE 118
GLOVIS, CA 95720
PHONE: (534) 325-8410

SITE PLAN

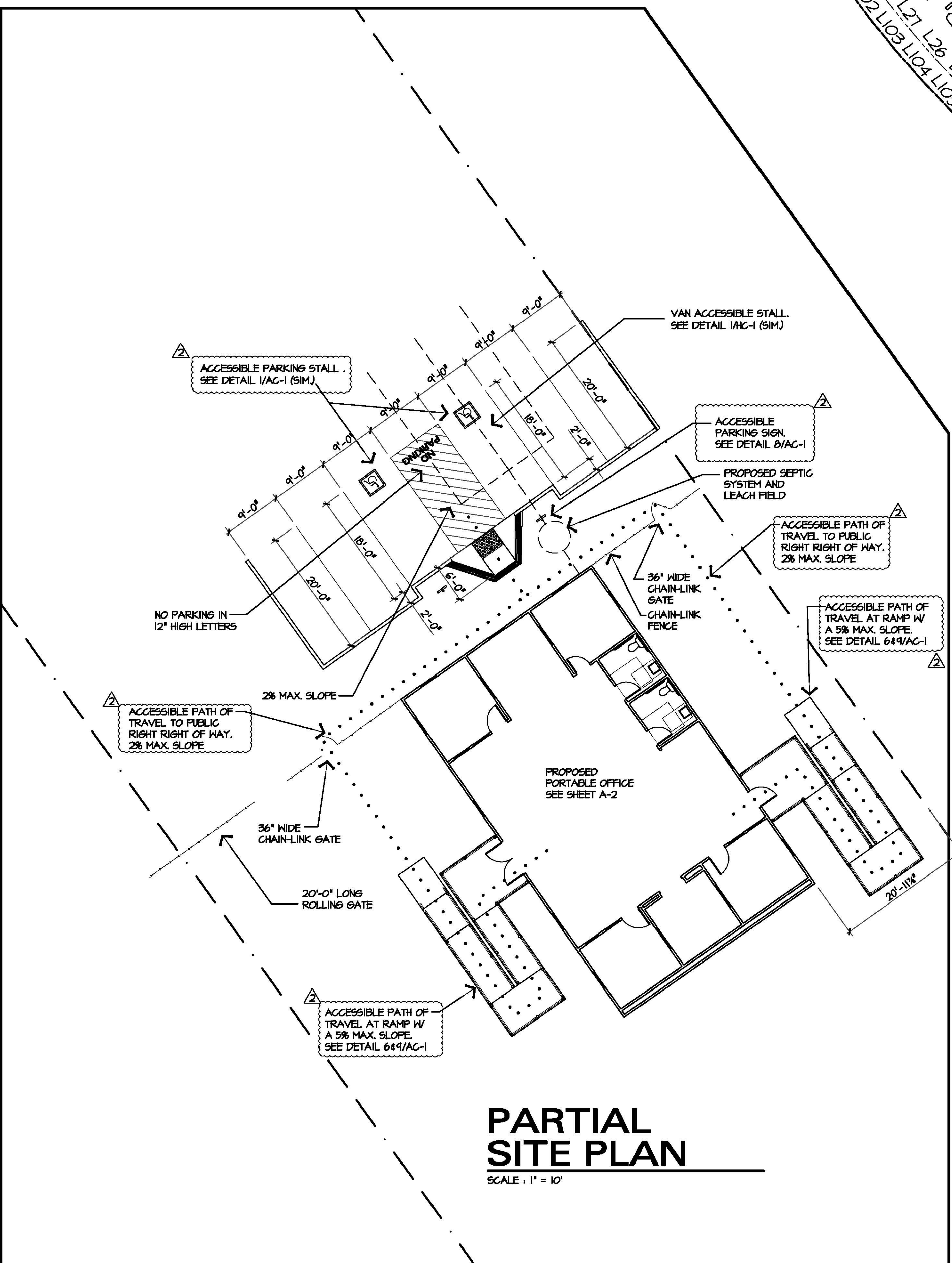
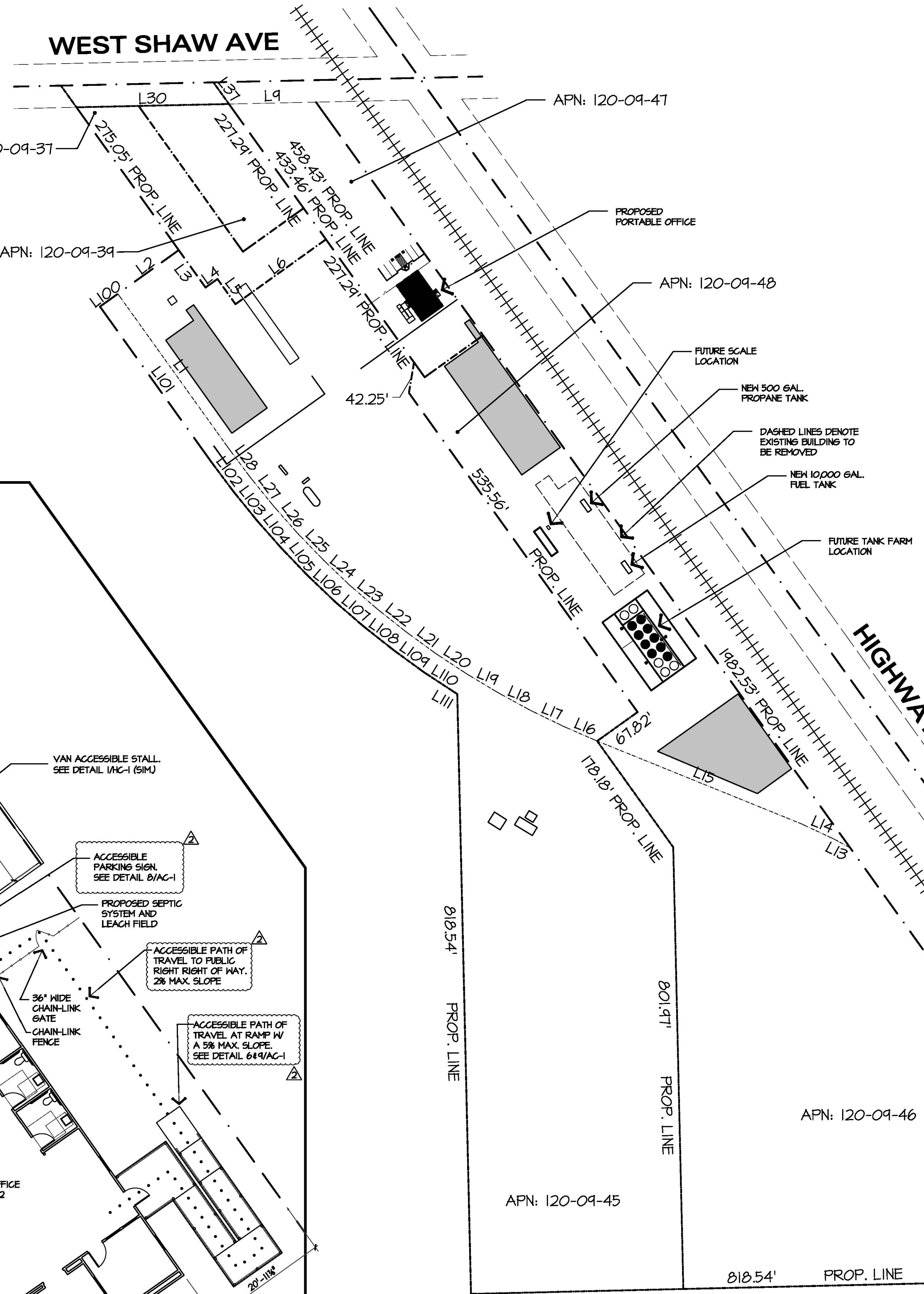
SCALE : 1" = 80'



DELERIO PORTABLE OFFICE
HWY 33 & WEST SHAW AVE.
FIREBAUGH, CALIFORNIA
COUNTY OF FRESNO

DELERIO PORTABLE OFFICE
FIREBAUGH, CALIFORNIA
EGEN DESIGNS COMMERCIAL / RESIDENTIAL DESIGN

SHEET NO.
A-1
OF



PLUMBING FIXTURES :

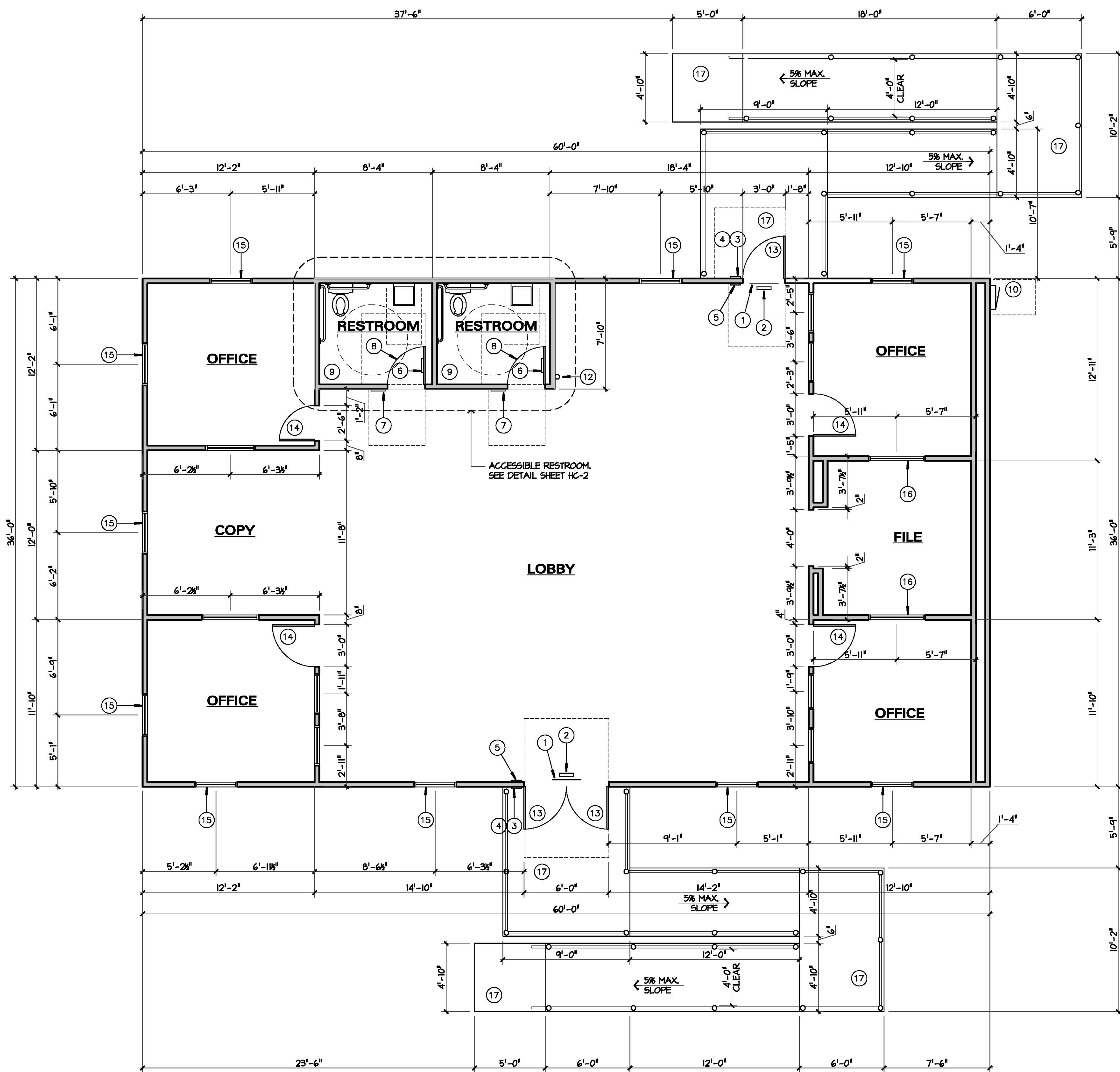
PER CPC TABLE 422.1, TABLE A

OCCUPANCY :	B
OFFICE	2130 SF / 200 = 10.65
11 PEOPLE	

PER CPC TABLE 422.1

WATER CLOSET	LAVATORIES
MALE :	1
FEMALE :	1

EXHIBIT 5



TYP. RAILING & GUARD
SEE DETAIL SHEET AC-1 FOR MIN. RAILING AND GUARD REQUIREMENTS.

GENERAL NOTES

- CONTRACTOR TO VERIFY ALL DIMENSIONS IN FIELD AND REPORT ANY DISCREPANCIES TO THE DESIGNER PRIOR TO ANY CONSTRUCTION.
- CONTRACTOR TO VERIFY ALL CONDITIONS AT WHERE EXISTING MATERIALS MEET NEW FINISH MATERIALS.
- CONTRACTOR TO VERIFY THAT NEW WALLS SHALL BE FLUSH TO THE EXISTING WALL SO THAT FINISHES SHALL BE FLUSH.
- SEE PLUMBING PLAN FOR FURTHER NOTES, DETAILS, AND SCH.
- SEE ELECTRICAL PLAN FOR FURTHER NOTES, DETAILS, AND SCH.
- SEE ACCESSIBILITY SHEET HC-2 FOR ACCESSIBLE MOUNTING HEIGHTS AND NOTES.
- PROVIDE A 10" HIGH SOLID PANEL AT THE BOTTOM OF DOOR. CBC 113B2.6.
- SAFETY GLAZING SHALL BE WITHIN 24" OF ANY DOOR. CBC 2406.
- SAFETY GLAZING SHALL BE WITHIN 18" INCHES OF ANY WALKING SURFACE. CBC 2406.4.
- PROVIDE A 60 INCH CLEAR LANDING ON PULL SIDE OF RESTROOM DOOR. CBC 113B5.
- ADDRESS AND TENANT SIGNAGE TO BE PROVIDED IN BRAILLE. CBC 111B5.
- FAUCETS SHALL BE OPERABLE WITH ONE HAND AND SHALL NOT REQUIRE TIGHT GRASPING, PINCHING OR TWISTING OF THE WRIST AND SHALL NOT REQUIRE A FORCE GREATER THAN 5 LBS TO ACTIVATE THE CONTROLS. CBC 111B9.1, CBC 111B9.2 AND CPC 1504.1.2

KEY NOTES LEGEND :

- ILLUMINATED EXIT SIGNS WITH BATTERY BACK-UP
- PROVIDE SIGNAGE : "THIS DOOR TO REMAIN UNLOCKED WHEN BUILDING IS OCCUPIED"
- PROVIDE SIGNAGE : "NO SMOKING"
- PROVIDE A 5'x5" HANDICAP ACCESS SIGN.
- TACTILE EXIT SIGN TO READ "EXIT" MOUNTED AT +60" ABOVE FINISH FLOOR. ON LATCH SIDE OF DOOR.
- RESTROOM DOOR SIGNS / SEE DETAIL 8/HC-2.
- PROVIDE BRAILLE RESTROOM SYMBOLS / SEE DTL. 8/HC-2.
- 3'-0"x1'-0" SOLID CORE WOOD DOOR.
- ACCESSIBLE RESTROOM, SEE RESTROOM PLAN, SHEET A-3.
- MAIN ELECTRICAL PANEL LOCATION. SEE ELECTRICAL PLAN.
- OMITTED.
- PROVIDE A 4A-10-BC FIRE EXTINGUISHER. MOUNT AT +48" A.F.F.
- 3'-0" x 6'-8" HOLLOW CORE METAL DOOR.
- 3'-0" x 6'-8" WOOD DOOR.
- 3030 XO WINDOW
- 4040 FXD WINDOW
- LEVELED LANDING

BUILDING DATA :

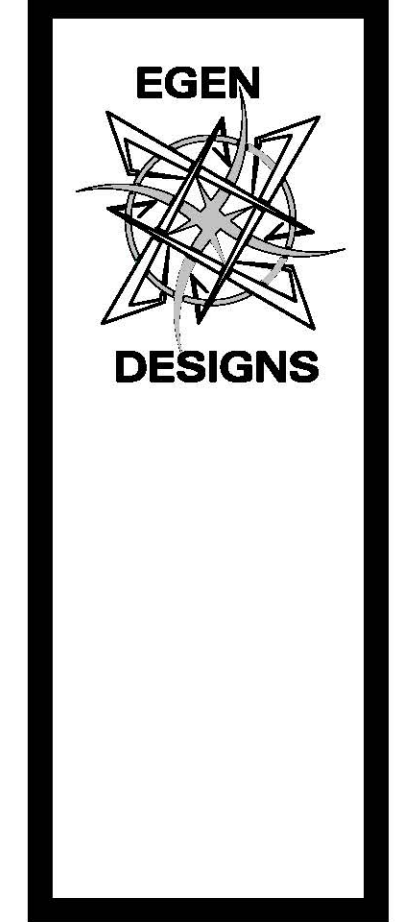
BUILDING USE :	OFFICE
OCCUPANCY :	B
CONSTRUCTION TYPE :	V - B
ZONING / CLASSIFICATION :	A6
NUMBER OF STORIES :	1
ALLOWABLE BLD'G HEIGHT :	35'-0"
OFFICE AREA :	2,130 SQ. FT.
AREA :	1.0 ACRES
PLAN CHECK NUMBER :	16-0352
PER TABLE 1004.1.2 :	
OCCUPANT LOAD :	21

WALL LEGEND :

NEW 2x STUD WALL (HT. +10'-0")
2x4 DFR2 WOOD STUDS @ 16" O.C. W/ 1/2" GYP.
BD. ON THE INTERIOR SIDE AND (3)- COAT
STUCCO FINISH ON THE EXTERIOR.
SEE DETAIL 10 & 11D-1 FOR ANCHORAGE.

REVISIONS :

REV 12/08/15
REV 02-21-17



DRAWN BY :
M.HENSHAW
JOB NUMBER :
16-030C
DATE :
10/21/16

DELERIO PORTABLE OFFICE
FIREBAUGH, CALIFORNIA
COUNTY OF FRESNO

618 VILLA AVE, SUITE #2
GLOVER, CA 95618
TEL: 530.855.7788
EGENDESIGNS@YAHOO.COM

DELERIO PORTABLE OFFICE
FIREBAUGH, CALIFORNIA
EGEN DESIGNS COMMERCIAL / RESIDENTIAL DESIGN



FLOOR PLAN

SCALE : 1/4" = 1'-0"

2,130 S.F.



SHEET NO.
A-2
OF







High Desert Ag., Inc.
36197 W. North Ave
Mendota CA 93640
Office: 559-655-6800
Fax: 559-655-6808

Operational Statement

35035 W. Shaw Ave., Mendota CA

High Desert Ag., Inc. (HDA) is an agricultural retailer, dealing in agricultural chemicals and fertilizer sales to local farmers and ranchers. HDA is a California corporation operated by President, Randy Delerio, who has been in business for 30 years and would like to move to a new location, closer to the city of Firebaugh, CA.

HDA plans on operating year around. Normal operating hours are from 8:00 a.m. to 4:00 p.m. Monday through Friday.

HDA plans on having approximately 8 employees. Some employees will be working off-site, but all will be based out of the proposed site. Adequate on-site parking exists for employees. Adequate on-site visitor parking exists. Goods sold on-site are limited and are primarily delivered to the customers farms or ranch. It is anticipated that there will be an average of 0 to 3 visitors to the site daily.

HDA has 4 delivery vehicles. There are three 1-ton trucks and one GMC 6500 truck. Approximately 3 to 6 outgoing deliveries will occur on a daily basis. Incoming deliveries occur 1 to 2 times per month. Pre-packaged and bulk products will arrive by truck. All products other than bulk products delivered are prepackaged. All goods are manufactured or produced off-site by outside vendors.

The only new construction proposed at this time will be a 200,000 gallon tank farm for liquid agricultural fertilizers as indicated on the site plan and the installation of a commercial coach for office use. The tanks within the tank farm will have an elevation of approximately 35 feet tall. The tank farm will provide adequate containment should any spill event occur. In the future there are plans for a 10,000 gallon fuel tank, 500 gallon propane tank and future scale.

Equipment to be utilized on-site are liquid storage tanks within the proposed tank farm and typical warehousing equipment such as forklifts and other loading equipment. HDA will maintain and store a number of mobile tanks and equipment which are used for the off-site application of fertilizer. The site plan indicates the proposed equipment storage area.

On-site operations will not cause any noise, glare, dust or odor other than what is customary for agriculture which is consistent with the zoning and use for the surrounding area. Outdoor lighting is sufficient for operation and existing fixtures are located throughout the facility as indicated on the site

plan provided. No new landscaping is proposed at this time. A new sign will be needed. The size and location have not yet been determined, but signage will meet property development standards.

Human waste or sewage is disposed of in individual on-site septic systems. No waste water other than domestic sewage will be produced. Water is provided by the city of Firebaugh, CA. Bottled water will be used by employees for human consumption. The only other waste generated is typical solid waste of an office use which is picked up by a private hauler.

The site is developed and in need of a tenant. The location is ideal for a farm related business. High Desert Ag, Inc. will be a compatible neighbor and will utilize the facility in a manner that will make it a vibrant and useful asset to the area, the local economy and the community.



County of Fresno

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

EVALUATION OF ENVIRONMENTAL IMPACTS

- APPLICANT: Randy Delerio, High Desert Ag. Inc.
- APPLICATION NOS.: Initial Study Application No. 7349 and Classified Conditional Use Permit Application No. 3589
- DESCRIPTION: Allow a commercial coach for office use and a tank farm for the storage and sale of agricultural chemicals and fertilizers together with the existing improvements on two contiguous parcels totaling 11.08 acres in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.
- LOCATION: The project site is located on the southwest corner of W. Shaw Avenue and Dos Palos Avenue (State Route 33) approximately 2.1 miles south of the City of Firebaugh (35035 W. Shaw Avenue, Mendota, CA) (SUP. DIST. 1) (APN 012-091-46S & 47S).

I. AESTHETICS

- A. Would the project have a substantial adverse effect on a scenic vista; or
- B. Would the project 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 located in an agricultural area and developed with improvements related to a former produce packing facility. Surrounding land uses include agriculture-related businesses, field crops, vineyard, and orchards with sparse single-family residences. The property is not located along a designated scenic highway (State Route 33) and no scenic vistas or scenic resources were identified on or near the property.

- C. Would the project substantially degrade the existing visual character or quality of the site and its surroundings?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The subject proposal would allow a 2,130 square-foot commercial coach for office use and 200,000-gallon of storage tanks (total) for the storage of liquid fertilizers. The

office, the tank farm, and the existing improvements on the property will be used in conjunction with a commercial operation involving the storage and sale of agricultural chemicals and fertilizers to local farmers and ranchers. The existing improvements include a 10,158 square-foot building to be used for storage of products and a 12,474 square-foot vacant building. The future improvements proposed by this application include a 1,000-gallon fuel storage tank, 500-gallon propane tank, and a scale.

The proposed storage tanks are 35 feet in height. The tanks and the commercial coach (office) match in height and look to the existing improvements on the property and those on adjacent parcels. The proposed improvements will have a less than significant impact on the visual character or quality of the site and its surroundings.

- D. Would the project 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 existing outdoor lighting is sufficient for the subject proposal. However, to minimize any lighting impacts in the area resulting from this proposal, a mitigation measure would require that all lighting shall be hooded and directed downward so as to not shine toward adjacent property 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

- A. Would the project convert prime or unique farmlands or farmland of state-wide importance to non-agricultural use; or
- B. Would the project conflict with existing agricultural zoning or Williamson Act Contracts; or
- C. Would the project conflict with existing zoning for or cause rezoning of forest land, timberland, or timberland zoned Timberland Production; or
- D. Would the project result in the loss of forest land or conversion of forest land to non-forest use; or
- E. Would the project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural uses or conversion of forest land to non-forest use?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project site is not an active farmland, forestland, or timberland. The project is not in conflict with Agriculture zoning on the property and is an allowed use on land designated for agriculture with discretionary approval and adherence to the applicable General Plan Policies. The site is classified as Urban and Built-Up Land and Confined Animal Agriculture on the 2010 Fresno County Important Farmland Map, is not subject to a Williamson Act Land Conservation Contract, and developed with improvements related to a former produce packing facility. The proposed improvements are complimentary to the existing improvements on and near the property.

The Fresno County Agricultural Commissioner's Office reviewed the proposal and expressed no concerns with the project.

III. AIR QUALITY

- A. Would the project conflict with or obstruct implementation of the applicable Air Quality Plan; or
- B. Would the project violate any air quality standard or contribute to an existing or projected air quality violation; or
- C. Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under a Federal or State ambient air quality standard; or
- D. Would the project expose sensitive receptors to substantial pollutant concentrations?

FINDING: LESS THAN SIGNIFICANT IMPACT:

According to the San Joaquin Valley Air Pollution Control District, the project specific annual emissions of criteria pollutants will not exceed District significance thresholds of 100 tons/year CO, 10 tons/year NOX, 10 tons/year ROG, 27 tons/year SOx, 15 tons/year PM10 or 15 tons/year PM2.5. As such, the project will have a less than significant impact on air quality and is also not subject to Air District Rule 9510.

The project will be subject to District Rule 2010 (Permits Required) and Rule 2201 (New and Modified Stationary Source Review), and would require the Applicant to contact the District's Small Business Assistance office regarding the requirements for an Authority to Construct (ATC) application and identify other District rules and regulations that apply to the project. These requirements will be included as Project Notes.

- E. Would the project create objectionable odors affecting a substantial number of people?

FINDING: NO IMPACT:

The San Joaquin Valley Air Pollution Control District review of the proposal identified no concerns related to odor. No impact would occur.

IV. BIOLOGICAL RESOURCES

- A. Would the project have a substantial adverse effect, either directly or through habitat modifications, on any candidate, sensitive, or special-status species; or
- B. Would the project 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 (CDFW) or U.S. Fish and Wildlife Service (USFWS); or
- C. Would the project have a substantial adverse effect on federally-protected wetlands as defined by Section 404 of the Clean Water Act through direct removal, filling, hydrological interruption or other means; or
- D. Would the project 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; or
- E. Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

FINDING: NO IMPACT:

As noted above, a produce packing facility previously operated on the subject property. The property has been disturbed with the existing improvements related to that use, contains no riparian features, and provides no suitable habitat for the state and federally-listed species.

The California Department of Fish and Wildlife (CDFW) and U.S. Department of Fish and Wildlife Service (USFWS) reviewed the proposal and expressed no concerns with the project. Therefore, no impacts were identified in regard to: 1) any candidate, sensitive, or special-status species; 2) any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by CDFW or USFWS; 3) federally-protected wetlands as defined by Section 404 of the Clean Water Act; or 4) the movement of any native resident or migratory fish or wildlife species or established native resident or migratory wildlife corridors, or impeding the use of native wildlife nursery sites.

- F. Would the project 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 any biological resources related to tree preservation policy or any adopted Conservation Plans.

V. CULTURAL RESOURCES

- A. Would the project cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5; or
- B. Would the project cause a substantial adverse change in the significance of an archeological resource pursuant to Section 15064.5; or
- C. Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature; or
- D. Would the project disturb any human remains, including those interred outside of formal cemeteries?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

The project site is not within or near an area sensitive to historical, archeological or paleontological resources. Although, the project is not expected to impact these resources, a mitigation measure would require that in case archeological resources are uncovered, all work must be stopped until a qualified archeologist evaluates the findings, and if human remains are discovered, the Fresno County Sheriff-Coroner shall be notified. Further, if the remains are of Native Americans, the Sheriff-Coroner shall also notify to the Native American Commission (NAHC) within 24 hours of discovery in accordance with California Health and Safety Code 7050.5 and Public Resource Code 5097.98.

* **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.*

- E. Would the project cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code Section 21074?

FINDING: LESS THAN SIGNIFICANT IMPACT:

With adherence to the above-noted mitigation measure, the project will have less than significant impact on tribal cultural resources as defined in Public Resources Code Section 21074. The project was routed to the Santa Rosa and Dumna Wo Wah Tribal Governments.

VI. GEOLOGY AND SOILS

- A. Would the project expose people or structures to potential substantial adverse effects, including risk of loss, injury or death involving:

1. Rupture of a known earthquake; or
2. Strong seismic ground shaking; or
3. Seismic-related ground failure, including liquefaction; or
4. Landslides?

FINDING: NO IMPACT:

The project is not located within a fault zone. As such, it will not create a substantial risk or expose people or structures to earthquake rupture, strong seismic ground shaking, seismic-related ground failure, liquefaction or landslides.

- B. Would the project result in substantial erosion or loss of topsoil?

FINDING: LESS THAN SIGNIFICANT IMPACT:

According to the Development Engineering Section of the Fresno County Department of Public Works and Planning: 1) any additional runoff generated by the proposed development shall be retained or disposed of per County Standards; and 2) a Grading Permit or Voucher shall be required for any grading proposed with this application. These requirements will be included as Project Notes.

- C. Would the project result in on-site or off-site landslide, lateral spreading, subsidence, liquefaction or collapse; or
- D. Would the project be located on expansive soils, creating substantial risks to life or property?

FINDING: NO IMPACT:

The project is not located within an area of known risk of landslides, lateral spreading, subsidence, liquefaction, or collapse, or within an area of known expansive soils.

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

FINDING: NO IMPACT:

The proposed commercial coach will require an individual sewage disposal system on the property.

The Fresno County Department of Public Health, Environmental Health Division reviewed the proposal and expressed no concerns related to sewage disposal.

VII. GREENHOUSE GAS EMISSIONS

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

Comments received from the San Joaquin Valley Air Pollution Control District expressed no specific project-related concerns, supporting the determination that the project will not generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment. The project will adhere to Air District Rules discussed above in Section III. A.B.C.D. Air Quality.

VIII. HAZARDS AND HAZARDOUS MATERIALS

- A. Would the project create a significant public hazard through routine transport, use or disposal of hazardous materials; or
- B. Would the project create a significant public hazard involving accidental release of hazardous materials into the environment; or
- C. Would the project create hazardous emissions or utilize hazardous materials, substances or waste within one quarter-mile of a school?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project entails agricultural chemical and fertilizer sales to local farmers and ranchers. The facility will receive pre-manufactured, prepacked, dry and liquid fertilizers in bulk. The products will be stored in the existing buildings and the storage tanks and sold to the customers per the order received. No mixing or blending of chemicals and fertilizer will occur on the property.

The Fresno County Department of Public Health, Environmental Health Division reviewed the project and requires that facilities proposing to use and/or store hazardous materials and/or hazardous wastes shall meet the requirements set forth in the California Health and Safety Code (HSC), Division 20, Chapter 6.95, and the California Code of Regulations (CCR), Title 22, Division 4.5. Further, all hazardous waste shall be handled in accordance with requirements set forth in the California Code of Regulations (CCR), Title 22, Division 4.5. These requirements will be included as Project Notes.

The nearest school, Firebaugh High School, in the City of Firebaugh, is approximately 2.7 miles north of the proposal.

D. Would the project be located on a hazardous materials site?

FINDING: NO IMPACT:

The project site has not been identified as a hazardous materials site. No concerns were expressed by the Fresno County Department of Public Health, Environmental Health Division.

E. Would a project located within an airport land use plan or, absent such a plan, within two miles of a public airport or public use airport, result in a safety hazard for people residing or working in the project area; or

F. Would a project located within the vicinity of a private airstrip result in a safety hazard for people residing or working in the project area?

FINDING: NO IMPACT:

The project site is not located within an Airport Land Use Plan area, two miles of a public use airport, or in the vicinity of a private airstrip. The nearest airport, William Robert Johnston Municipal Airport in City of Mendota, is approximately 3.8 miles south of the proposal.

G. Would the project impair implementation of or physically interfere with an adopted Emergency Response Plan or Emergency Evacuation Plan?

FINDING: NO IMPACT:

The project site is located 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. These conditions preclude the possibility of the proposed project conflicting with an emergency response or evacuation plan. No impacts would occur.

H. Would the project expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

FINDING: NO IMPACT:

The project site is not within or adjacent to a wildland fire area. The project will not expose persons or structures to wildland fire hazards.

IX. HYDROLOGY AND WATER QUALITY

A. Would the project violate any water quality standards or waste discharge requirements or otherwise degrade water quality?

FINDING: NO IMPACT:

See discussion in Section VI. E. Geology and Soils. The project will not violate any waste discharge requirements or impact groundwater quality. No concerns in that regard were expressed by the Central Valley Regional Water Quality Control Board.

Las Deltas Mutual Water Company (LDMWC) currently provides potable community water to the property. This water is treated and purchased from the City of Firebaugh, which does its own water testing. Water is also tested by LDMWC monthly.

- B. Would the project substantially deplete groundwater supplies or interfere substantially with groundwater recharge so that there would be a net deficit in aquifer volume or a lowering of the local groundwater table?

FINDING: NO IMPACT:

According to the Applicant, an estimated 250 gallons of water per day will be used during the operation of the facility. The project will not impact groundwater supplies, as Las Deltas Mutual Water Company currently provides potable water to the site.

The Water and Natural Resources Division of the Fresno County Department of Public Works and Planning reviewed the proposal and expressed no concerns with the project.

- C. Would the project substantially alter existing drainage patterns, including alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on or off site; or
- D. Would the project substantially alter existing drainage patterns, including alteration of the course of a stream or river, in a manner which would result in flooding on or off site; or
- E. Would the project create or contribute run-off which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted run-off?

FINDING: LESS THAN SIGNIFICANT IMPACT:

According to the United States Geological Survey (USGS) Quad Maps, there are no natural drainage channels adjacent or running through the project site.

As noted above in Section VI. B. Geology and Soils, any additional runoff generated by the proposal will be retained or disposed of, per County Standards and a Grading Permit or Voucher will be required for any grading proposed with this application.

- F. Would the project otherwise substantially degrade water quality?

FINDING: NO IMPACT:

See discussion in IX. A. above.

- G. Would the project place housing within a 100-year floodplain?

FINDING: NO IMPACT:

No housing is proposed with this project.

- H. Would the project place structures within a 100-year flood hazard area that would impede or redirect flood flows?

FINDING: NO IMPACT:

According to the Federal Emergency Management Agency (FEMA) Map, the project site is not subject to flooding from the 100-year storm.

- I. Would the project expose persons or structures to levee or dam failure; or

- J. Would the project cause inundation by seiche, tsunami or mudflow?

FINDING: NO IMPACT:

The project site is not prone to hazards such as seiche, tsunami or mudflow, nor is the project exposed to potential levee or dam failure.

X. LAND USE AND PLANNING

- A. Will the project physically divide an established community?

FINDING: NO IMPACT:

The project will not physically divide an established community. The nearest city, Firebaugh, is approximately 2.1 miles north of the project site.

- B. Will the project conflict with any Land Use Plan, policy or regulation of an agency with jurisdiction over the project?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project site is designated as Agriculture in the County General Plan, and is located outside of the Sphere of Influence (SOI) of any incorporated community. The project will not be subject to a land use plan, policy, or regulation of an agency other than the County. The project conforms to the following General Plan policies:

General Plan Policy LU-A.3., criteria a.b.c.d., is met in that the project location within an agricultural area is ideal to serve the farming needs of surrounding farming operations, is located on a non-agriculture land (Urban & Built-Up Land and Confined Animal Agriculture), is provided with community water, thereby not affecting groundwater

resources, and can be provided with an adequate workforce from the nearby communities of Firebaugh and Mendota. General Plan Policies LU-A.12 and LU-A.13 are met in that the project sits on a non-agricultural land, is improved with buildings/structures and paved surfaces related to a former produce packing facility, and the perimeter fencing separates the site from adjoining farming operations. General Plan Policies PF-C.17 and PF-D.6 are met in that the project site will continue to receive potable community water from a water company with no impact on groundwater resources, and utilize individual sewage disposal system(s) for the office, having no impact on groundwater quality. General Plan Policies HS-B.1 and HS-F.1 are met in that the project will comply with the California Code of Regulations Title 24 – Fire Code and handle all hazardous materials in accordance with applicable hazardous materials and waste management laws and regulations.

- C. Will the project conflict with any applicable Habitat Conservation Plan or Natural Community Conservation Plan?

FINDING: NO IMPACT:

The project will not conflict with any Habitat Conservation or Natural Community Conservation Plans.

XI. MINERAL RESOURCES

- A. Would the project result in the loss of availability of a known mineral resource; or
- B. Would the project result in the loss of availability of a locally-important mineral resource recovery site designated on a General Plan?

FINDING: NO IMPACT:

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

XII. NOISE

- A. Would the project result in exposure of people to severe noise levels; or
- B. Would the project result in exposure of people to or generate excessive ground-borne vibration or ground-borne noise levels; or
- C. Would the project cause a substantial permanent increase in ambient noise levels in the project vicinity; or
- D. Would the project result in a substantial temporary or periodic increase in ambient noise levels?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project operation will not expose people to severe noise levels or create substantial increases in ambient noise levels. Except for loading and unloading of materials for deliveries, most project related activities will take place within the existing and proposed buildings.

The Fresno County Department of Public Health, Environmental Health Division reviewed the proposal and expressed no concerns related to noise.

- E. Would the project expose people to excessive noise levels associated with a location near an airport or a private airstrip; or
- F. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

FINDING: NO IMPACT:

The project site is not located near an airport. The nearest, William Robert Johnston Municipal Airport in the City of Mendota, is approximately 3.8 miles south of the site.

XIII. POPULATION AND HOUSING

- A. Would the project induce substantial population growth either directly or indirectly; or
- B. Would the project displace substantial numbers of existing housing; or
- C. Would the project displace substantial numbers of people, necessitating the construction of housing elsewhere?

FINDING: NO IMPACT:

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

XIV. PUBLIC SERVICES

- A. Would the project result in substantial adverse physical impacts associated with the provision of new or physically-altered public facilities in the following areas:
 - 1. Fire protection?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Fresno County Fire Protection District (Cal Fire) reviewed the proposal and identified no concerns with the project. The project will comply with California Code of Regulations Title 24 – Fire Code and County-approved site plans will require approved by the Fire District prior to issuance of building permits by the County. The project will also require annexation to Community Facilities District No. 2010-01

of the Fresno County Fire Protection District. These requirements will be included as Project Notes.

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

FINDING: NO IMPACT:

The project will not have impacts on police services, schools, parks or any other public facilities.

XV. RECREATION

- A. Would the project increase the use of existing neighborhood and regional parks; or
- B. Would the project require the construction of or expansion of recreational facilities?

FINDING: NO IMPACT:

No impacts on recreational facilities were identified in the project analysis

XVI. TRANSPORTATION/TRAFFIC

- A. Would the project conflict with any applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation; or
- B. Would the project conflict with an applicable congestion management program, including, but not limited to, level of service standards and travel demands measures?

FINDING: LESS THAN SIGNIFICANT IMPACT:

According to the Applicant's Operational Statement, the project will have eight (8) employees. In addition, the project involves three to six truck deliveries daily and up to three (3) visitors to the site. Other incoming deliveries will be one to two times per month.

The Design Division of the Fresno County Department of Public Works and Planning reviewed the proposal and expressed no concerns related to traffic nor required a Traffic Impact Study.

- C. Would the project result in a change in air traffic patterns?

FINDING: NO IMPACT:

The project will not result in a change in air traffic patterns. The tallest structure on the property (storage tanks) will be 35 feet in height and located approximately 3.8 miles north of the nearest airport (William Robert Johnston Municipal Airport). The tank height and the distance from the airport eliminate the possibility of altering air traffic patterns.

D. Would the project substantially increase traffic hazards due to design features?

FINDING: NO IMPACT:

The application proposed no changes to the current site access. The project site gains access from Shaw Avenue off State Route 33 (Dos Palos Avenue).

The Road Maintenance and Operations Division and Development Engineering Section of the Fresno County Department of Public Works and Planning reviewed the proposal and expressed no concerns related to traffic hazards.

E. Would the project result in inadequate emergency access?

FINDING: NO IMPACT:

The project would not result in on-site or off-site activities that would impair emergency vehicle movement or personnel. The existing site access off Shaw Avenue is of sufficient design and construction to accommodate emergency services response to the site.

F. Would the project conflict with adopted plans, policies or programs regarding public transit, bicycle or pedestrian facilities or otherwise decrease the performance or safety of such facilities?

FINDING: NO IMPACT:

The project would not conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities. This property is located in a rural area that does not have any provisions for alternative transportation. The project would not increase traffic volumes or otherwise affect the use of area roads that may be used by public transit, bicyclists, and pedestrians.

XVII. UTILITIES AND SERVICE SYSTEMS

A. Would the project exceed wastewater treatment requirements?

FINDING: NO IMPACT:

See discussion in Section VI. E. Geology and Soils.

- B. Would the project require construction of or the expansion of new water or wastewater treatment facilities?

FINDING: NO IMPACT:

See discussion in Section IX. A. Hydrology and Water Quality.

- C. Would the project require or result in the construction or expansion of new storm water drainage facilities?

FINDING: LESS THAN SIGNIFICATION IMPACT:

See discussion in Section IX.E Hydrology and Water Quality.

- D. Would the project have sufficient water supplies available from existing entitlements and resources, or are new or expanded entitlements needed?

FINDING: NO IMPACT:

See discussion in Section IX. B. Hydrology and Water Quality.

- E. Would the project result in a determination of inadequate wastewater treatment capacity to serve project demand?

FINDING: LESS THAN SIGNIFICANT IMPACT:

See discussion in Section VI.E Geology and Soils.

- F. Would the project be served by a landfill with sufficient permitted capacity; or

- G. Would the project comply with federal, state and local statutes and regulations related to solid waste?

FINDING: NO IMPACT:

Any solid waste generated by this proposal will be minimal and collected through regular trash collection service.

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE

- A. Does the project have the potential to 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, 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 prehistory or history?

File original and one copy with: Fresno County Clerk 2221 Kern Street Fresno, California 93721		Space Below For County Clerk Only. CLK-2046.00 E04-73 R00-00	
Agency File No: IS 7349	LOCAL AGENCY PROPOSED MITIGATED NEGATIVE DECLARATION		County Clerk File No: E-
Responsible Agency (Name): Fresno County	Address (Street and P.O. Box): 2220 Tulare St. Sixth Floor	City: Fresno	Zip Code: 93721
Agency Contact Person (Name and Title): Ejaz Ahmad, Planner	Area Code: 559	Telephone Number: 600-4204	Extension: N/A
Applicant (Name): Randy Delerio, High Desert Ag. Inc.	Project Title: Classified Conditional Use Permit Application No. 3589		
Project Description: Allow a commercial coach for office use and a tank farm for the storage and sale of agricultural chemicals and fertilizers together with the existing improvements on two contiguous parcels totaling 11.08 acres in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District. The project site is located on the southwest corner of W. Shaw Avenue and Dos Palos Avenue (State Route 33) approximately 2.1 miles south of the City of Firebaugh (35035 W. Shaw Avenue, Mendota, CA) (SUP. DIST. 1) (APN 012-091-46S & 47S).			
Justification for Mitigated Negative Declaration: Based upon the Initial Study (IS 7349) prepared for Classified Conditional Use Permit Application No. 3589, staff has concluded that the project will not have a significant effect on the environment. No impacts were identified related to biological resources, mineral resources, population and housing or recreation. Potential impacts related to agricultural and forestry resources, air quality, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, noise, public services, transportation/traffic, and utilities and service systems have been determined to be less than significant. Potential impact related to aesthetics and cultural resources has been determined to be less than significant with the identified mitigation measure. The Initial Study and MND is available for review at 2220 Tulare Street, Suite A, Street Level, located on the southeast corner of Tulare and "M" Street, Fresno, California.			
FINDING: The proposed project will not have a significant impact on the environment.			
Newspaper and Date of Publication: Fresno Business Journal – December 6 , 2017		Review Date Deadline: January 5, 2018	
Date: December 5, 2017	Type or Print Name: Marianne Mollring, Senior Planner	Submitted by (Signature):	

State 15083, 15085

County Clerk File No.: _____

**LOCAL AGENCY
MITIGATED NEGATIVE DECLARATION**

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EXHIBIT 8