



County of Fresno

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

Planning Commission Staff Report Agenda Item No. 2 April 12, 2018

SUBJECT: Initial Study Application No. 7325 and Classified Conditional Use Permit Application No. 3582

Allow the expansion of an existing dairy to include an increase in animal units, new structural improvements and a new anaerobic digester with related power generation facilities on an approximately 84.3-acre portion of a 346.79-acre parcel and an 11.3-acre portion of a 240-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.

LOCATION: The project site is located on southeast corner of W. Davis and S. Chateau-Fresno Avenues approximately 2.6 miles southeast of the unincorporated community of Burrel (7285 W. Davis Ave., Riverdale CA) (SUP. DIST. 4) (APN 053-050-52S; 053-180-07S).

**OWNER/
APPLICANT:** Patrick Maddox

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. 7325; and
- Approve Classified Conditional Use Permit (CUP) No. 3582 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 Plans/Floor Plans/Elevations
6. Project Description and Operational Statement
7. Summary of Initial Study Application No. 7325
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	518.45 acres	No change
Project Site	<ul style="list-style-type: none"> • Free stall barns • Milk barn • Hay barns • Open lot corrals • Wastewater retention pond • Silage storage pit/area • Single-family residences • Water wells 	Allow the expansion of an existing dairy to include an increase in animal units, new structural improvements and a new anaerobic digester with related power generation facilities on an approximately 84.3-acre portion of a 346.79-acre parcel and an 11.3-acre portion of a 240-acre parcel.
Structural Improvements	Same as above	<ul style="list-style-type: none"> • Shade over an existing milk barn • Milk barn • Free stall barns (two) • Corral shades (15) • Free stall barn exercise pen • Open lot corrals • Wastewater retention ponds (two) • Anaerobic digester • Digester building (containing generators, gas mixing blowers, sludge pit blowers, electrical panels)

Criteria	Existing	Proposed
Nearest Residence	None	None
Surrounding Development	Vineyard and field crops with sparse single-family residences	No change
Operational Features	A dairy with related improvements	<p>The project will:</p> <ul style="list-style-type: none"> • Improve efficiency of the existing dairy operation while increasing production. • Increase the number of milk cows from the existing 1,294 to 1,600, dry cows from 270 to 400, and support stock from 1,745 to 2,000. • Construct building and structures as noted above in the proposed “Structural Improvements.” • Allow the proposed anaerobic digester to produce electricity for export to a local utility grid. • Use an additional 12,240 gallons of water per day while continuing to utilize recycled water from the barn cooling.
Employees	15	Up to five (5) additional employees
Customers/Visitors	Six (6) per week	No change
Traffic Trips	<ul style="list-style-type: none"> • 30 one-way employee trips (15 round trips) daily • 12 one-way visitor trips (6 round trips) per weekday • 18 one-way service and delivery vehicle trips (9 round trips) daily 	<ul style="list-style-type: none"> • 10 additional one-way employee trips (5 round trips) daily • No change to visitor trips • No change to service and delivery vehicle trips
Lighting	Outdoor lighting	No change
Hours of Operation	24 hours per day, 7 days a week	No Change

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: March 9, 2018

PUBLIC NOTICE:

Notices were sent to 17 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:

A 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:

According to the County records, the existing dairy was established as a by-right use on the subject property. A change in the text of the Zoning Ordinance in October of 2007 required that any dairy expansion which exceeds a capacity of 500 head of cattle would be subject to the provisions of Section 873 (uses permitted subject to Conditional Use Permit). The subject proposal will add a total of 690 cows and support stock to the existing dairy, requiring this land use application, and will be subject to the standards outlined in Section 869 of the Zoning Ordinance. The proposal also entails new construction which includes a shade over the existing milk barn, a milk barn, free stall barns, corral shades, wastewater retention ponds, an anaerobic digester and a digester building. All existing improvements on the property will remain intact and continue to be used in the operation of the dairy.

The project site is enrolled in the Williamson Act program (Farmland Security Zone Contract No. FSZ04-00042). Due to the non-compatibility of the subject proposal with contracted land, Policy Planning required that the Applicant file a Notice of Nonrenewal for an approximately 0.38-acre portion of a 240-acre parcel (APN 053-180-07S) that will accommodate the digester and power generation facilities to be removed from the Williamson Act Program through a Notice of Nonrenewal. The Non-Renewal has been filed and will require recordation with the County Recorder’s Office prior to issuance of building permits for the use.

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	Front: 60 feet (min.)	Yes

	Current Standard:	Proposed Operation:	Is Standard Met (y/n)
	Side: 20 feet Rear 20 feet	Street Side: More than 35 feet Side: More than 20 feet Rear: More than 20 feet	
Parking	One parking space for every two permanent employees and one parking space for each company-owned vehicle	13 parking spaces	Yes
Lot Coverage	No requirement	N/A	N/A
Separation Between Buildings	Separation between animal shelter and building for human occupancy: 40 feet	The nearest corral shade is approximately 95 feet east of an onsite single-family residence	Yes
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	No change to the current water well and septic system(s) on the property	N/A

Reviewing Agency/Department Comments Regarding Site Adequacy:

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

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 proposed improvements meet minimum building setback requirements of the AE-20 Zone District. Additionally, the project site is adequate in size and shape to accommodate the required number of parking spaces with circulation area for the project, ingress and egress, and building/structures related to the use.

All existing improvements for the dairy meet the minimum building setback requirements of the AE-20 Zone District and are provided with adequate on-site parking.

Based on the above information, 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	Davis Avenue; Good condition	No change
Direct Access to Public Road	Yes	Davis Avenue; Good condition	No change
Road ADT (Average Daily Traffic)		200	No change
Road Classification		Local (existing total road right-of-way: 60 feet)	No change
Road Width		30 feet south of section line with 17.2 feet pavement	No change
Road Surface		Asphalt concrete paved	No change
Traffic Trips		<ul style="list-style-type: none"> • 30 one-way employee trips (15 round trips) daily • 12 one-way visitor trips (6 round trips) per weekday • 18 one-way service and delivery vehicle trips (9 round trips) daily 	<ul style="list-style-type: none"> • 10 additional one-way employee trips (5 round trips) daily • No change to visitor trips • No change to service and delivery vehicle trips
Traffic Impact Study (TIS) Prepared		N/A. The existing dairy was established as a by-right use	No TIS required by Design Division of the Fresno County Department of Public Works and Planning

	Existing Conditions	Proposed Operation
Road Improvements Required	Good	Not required

Reviewing Agency/Department Comments:

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

Road Maintenance and Operations (RMO) Division of the Fresno County Department of Public Works and Planning: 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 Davis Avenue. Davis Avenue is a County-maintained road with an Average Daily Traffic (ADT) of 200 and pavement width of 17.2 feet. The project proposes no changes to the current site access.

Development Engineering Section, Road Maintenance and Operations (RMO) Division, and Design Division of the Fresno County Department of Public Works and Planning: No concerns related to adequacy of Davis Avenue in width and pavement type to carry the additional traffic generated by the subject dairy expansion.

Based on the above discussion, staff believes Davis Avenue will remain adequate to accommodate the proposal.

Recommended Conditions of Approval:

None.

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	14.7 acres to 143.4 acres	Field crops	AE-20	None
South	19.7 acres to 54.9 acres	Orchard; uncultivated farmland	AE-20	None
East	191.6 acres	Single-family residences; free stall barn; vineyard	AE-20	542 feet

Surrounding Parcels				
West	194.7 acres 240 acres	Orchard	AE-20	None

Reviewing Agency/Department Comments:

California Department of Fish and Wildlife: To avoid impact on nesting Swainson 's hawk, tricolored blackbird, and other nesting bird species, qualified biologists shall conduct focused biological surveys during appropriate survey period(s) in advance of any ground disturbance and prior to project implementation. This requirement has been included as Mitigation Measure in Exhibit 1 of this report.

Development Engineering Section of the Fresno County Department of Public Works and Planning: For unpaved or gravel surface access roads, the first 100 feet off the edge of the road right-of-way shall be graded and asphalt concrete paved or treated with dust palliative. This requirement has been included as a Condition of Approval.

An Engineered Grading and Drainage Plan shall be required when moving more than 1,000 cubic yards of material and relocating Reid Irrigation Ditch. A Grading Permit or Voucher shall be required for any grading proposed with this application. Any additional runoff generated by the proposed development shall be retained on site per County Standards.

San Joaquin Valley Air Pollution Control District: The project will be subject to District Rule 2010 (Permits Required); Rule 2201 (New and Modified Stationary Source Review); filing of an Authority to Construct (ATC) application; District Regulation VIII (Fugitive PM10 Prohibitions); 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. The project may also be subject to the following rules specific to animal operations: Rule 4102 (Nuisance) applies to any source operation that emits or may emit air contaminants or other materials; Rule 4550 (Conservation Management Practices) limits fugitive dust emissions from agricultural operation sites; and Rule 4570 (Confined Animal Facilities) applies to dairies with greater than or equal to 500 milk cows and requires filing of an application with the Air District.

Fresno County Department of Public Health, Environmental Health Division: Prior to the production of compost from operations of the digester, the facility shall apply for and obtain a permit to operate a Solid Waste Facility from the County of Fresno, Environmental Health Division acting as the Local Enforcement Agency. All hazardous waste shall be handled in accordance with requirements set forth in the California Code of Regulations (CCR), Title 22, Division 4.5.

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

The aforementioned requirements have been included as Project Notes.

Dumna Wo Wah Tribal Government: The Tribe was offered 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. However, the Tribe did not respond to the offer for consultation (see the following Analysis).

State Water Resources Control Board (SWRCB), Division of Drinking Water (DDW); Central Valley Regional Water Quality Control Board; Road Maintenance and Operations Division, Building and Safety Section, Zoning Section, Design Division, and Water and Natural Resources Division of the Fresno County Department of Public Works and Planning; California Department of Transportation; Fresno County Department of Agriculture; Santa Rosa Rancheria Tachi Yokut Tribe; and Dumna Wo Wah Tribal Government: No concerns with the proposal.

Analysis:

The subject proposal would increase the number of milk cows at an existing dairy from 1,294 to 1,600, dry cows from 270 to 400, and support stock from 1,745 to 2,000. The proposal would also allow new construction which includes a shade over the existing milk barn, a milk barn, free stall barns, corral shades, wastewater retention ponds, an anaerobic digester and a digester building to house generators, gas mixing blowers, sludge pit blowers, and electrical panels. The electricity produced by the anaerobic digester system will be fully exported to the local utility grid.

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 to be stopped and findings evaluated by an archeologist. These requirements have been included as Mitigation Measures. Additional mitigation measures required by the California Department of Fish and Wildlife to reduce impact on biological resources have been included in Exhibit 1 of this report.

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; require a grading and drainage plan and grading voucher; obtain a permit to operate a Solid Waste Facility; handle all hazardous waste in accordance with state laws; file a report of waste discharge prior to discharge associated with the dairy; require new construction to be subject to Fire and Building Codes; and require the property to annex to Community Facilities District No. 2010-01 of the Fresno County Fire Protection District. Additionally, pursuant to Section 869 of the County Ordinance, an Emergency Response Plan, Vector Control Program, Mortality Program and Nutrient Management Plan were prepared for the project and reviewed by the responsible agencies.

The project site is within an area moderately sensitive to historical, archeological or paleontological resources. 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 Tribe did not respond to the offer for consultation, resulting in no further action on the part of the County. Given the project site is located in an area of moderate archeological sensitivity, a mitigation measure has been included in the Initial Study (Exhibit 7, Section V. Cultural Resources) for the project that will help reduce any impact on Tribal Cultural Resources to less than significant.

Based on the above information and with the adherence to the 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>With regard to Criteria “a”, the project entails expansion of an existing dairy which was authorized as a by-right use on the subject parcels and has been serving the dairy needs of the surrounding communities.</p> <p>With regard to Criteria “b”, the project is not located on a prime farmland. The project site is classified as Confined Animal Agriculture and Unique Farmland on the 2014 Fresno County Important Farmland Map</p> <p>With regard to Criteria “c”, the project will not deplete groundwater resources and will have a less than significant impact on water resources due to limited increase in water usage (12,240 gallons per day) by the dairy operation.</p> <p>With regard to Criteria “d”, the project site is located near the unincorporated communities of Burrel and Lanare which can provide adequate workforce.</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>These policies are met in that the project involves expansion of an existing dairy located on non-prime farmland land and developed with buildings/structures and parking and circulation areas. The proposed new construction will: 1) replace the existing improvements and/or be located within pre-disturbed portions of the property; 2) maintain adequate distance from the</p>

Relevant Policies:	Consistency/Considerations:
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.	adjacent farming operations; and 3) adhere to the mitigation measures and conditions of approval noted in Exhibit 1 of this report.
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.	As noted above, a limited increase in water usage by this proposal will have a less than significant impact on groundwater supply. 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.	The project does not involve installation of on-site sewage disposal systems. As such, no impacts on groundwater would result from this proposal. 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 a discretionary land use permit. 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 mitigation where appropriate. Policy PF-C.17 requires evaluation of adequacy and sustainability of water supply for the project. Policy PF-D.6 requires no impact on surface or groundwater quality resulting from individual on-site sewage disposal systems.

Analysis:

The project entails expansion of an existing dairy to increase animal units, and add new structural improvements and an anaerobic digester with related power generation facilities on portions of two contiguous parcels. The electricity produced by the digester will be sold to the local power grid.

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-prime farmland and has been developed with improvements related to a dairy which maintains significant distance from surrounding farming

operations including those proposed by this application. Concerning consistency with Policy PF-C.17 and Policy PF-D.6, insignificant increase in water usage by the project will have a less than significant impact on groundwater resources and no new on-site sewage disposal system is proposed by this proposal.

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. 3582, 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. 7325; and
- Move to determine the required Findings can be made and move to approve Classified Conditional Use Permit No. 3582, 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. 3582; 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.

EA:ksn

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Mitigation Monitoring and Reporting Program
Initial Study Application No. 7325/Classified Conditional Use Permit Application No. 3582
(Including Conditions of Approval and Project Notes)

Mitigation Measure					
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 (PW&P)	As long as the project lasts
2*.	Biological Resources	A qualified wildlife biologist shall conduct surveys for nesting raptors following the survey methodology developed by the SWHA Technical Advisory Committee (SWHA TAC 2000) prior to project initiation. If project activities take place during the normal bird breeding season (February 1 through September 15), additional pre-construction surveys for active nests shall be conducted by a qualified biologist no more than 10 days prior to the start of construction.	Applicant	Applicant/California Department of Fish and Wildlife (CDFW)	As noted
3*.	Biological Resources	To avoid potential impacts to nesting Swainson's hawk (SWHA), project construction shall occur outside of the normal bird nesting season (February 1 through September 15). If construction must take place during the nesting season and an active SWHA nest is found during pre-construction surveys, a minimum one half-mile no-disturbance buffer shall be established around the nest until the breeding season has ended or until a qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or parental care for survival.	Applicant	Applicant/CDFW	As noted
4*.	Biological Resources	If the one half-mile no-disturbance nest buffer is not feasible, consultation with the California Department of Fish and Wildlife is warranted to determine if the project can avoid take. If take cannot be avoided, acquisition of an Incidental Take Permit (ITP) for Swainson's hawk is necessary to comply with the California Endangered Species Act (CESA).	Applicant	Applicant/CDFW	As noted
5*.	Biological Resources	To evaluate potential Project-related impacts planned for the normal bird breeding season (February 1 through September 15), a qualified wildlife biologist shall conduct surveys for	Applicant	Applicant/CDFW	As noted

EXHIBIT 1

		nesting tricolored blackbird (TRBL) no more than 10 days prior to the start of project implementation.			
6*.	Biological Resources	If an active tricolored blackbird (TRBL) nesting colony is found during preconstruction surveys, a minimum 300-foot no-disturbance buffer shall be established in accordance with the California Department of Fish and Wildlife (CDFW) <i>"Staff Guidance Regarding Avoidance of Impacts to Tricolored Blackbird Breeding Colonies on Agricultural Fields in 2015"</i> (CDFW 2015). This buffer shall remain in place until the breeding season has ended or until a qualified biologist has determined that nesting has ceased, the birds have fledged, and are no longer reliant upon the colony or parental care for survival. The TRBL colonies can expand over time and for this reason, the colony should be reassessed to determine the extent of the breeding colony before conducting construction activities.	Applicant	Applicant/CDFW	As noted
7*.	Biological Resources	If the 300-foot no-disturbance nest buffer is not feasible, consultation with California Department of Fish and Wildlife is warranted to determine if the Project can avoid take. If take cannot be avoided, acquisition of an Incidental Take Permit for tricolored blackbird is necessary to comply with the California Endangered Species Act.	Applicant	Applicant/CDFW	As noted
8*.	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 shall be called to evaluate the findings and make any necessary mitigation recommendations. If human remains are unearthed during ground-disturbing activities, no further disturbance is to occur until the Fresno County Sheriff-Coroner has made the necessary findings as to origin and disposition. All normal evidence procedures 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/PW&P	As noted
Conditions of Approval					
1.	Development of the property shall be in accordance with the Site Plan, Floor Plan and Operational Statement approved by the Planning 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.	A Notice of Non-Renewal for a 0.38-acre portion of a 240-acre parcel (APN 053-180-07S) restricted by Farmland Security Zone Contract No. FSZ04-00042 shall be recorded with the County Recorder's office. The Notice shall be recorded prior to the issuance of building permits for the use.
4.	For unpaved or gravel surface access roads, the first 100 feet off the edge of the road right-of-way shall be graded and asphalt concreted paved or treated with dust palliative.
5.	Any oil and gas well discovered during project development shall be abandoned in consultation with and per the requirements of the California Department of Conservation, Division of Oil, Gas and Geothermal Resources.

*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.

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 proposed improvements on the property. 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.	<p>To address air quality impacts resulting from the project, the San Joaquin Valley Air Pollution Control District (Air District) requires compliance to the following:</p> <ul style="list-style-type: none"> • District Regulation VIII (Fugitive PM10 Prohibitions) • Rule 4601 (Architectural Coatings) • Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt Paving and Maintenance Operations) • Rule 4002 (National Emission Standards for Hazardous Air Pollutants) in the event an existing building will be renovated, partially demolished or removed • Rule 4102 (Nuisance) applies to any source operation that emits or may emit air contaminants or other materials • Rule 4550 (Conservation Management Practices) limits fugitive dust emissions from agricultural operation sites • Rule 4570 (Confined Animal Facilities) applies to dairies with greater than or equal to 500 milk cows and requires filing of an application with the Air District • District Rule 2010 (Permits Required) and Rule 2201 (New and Modified Stationary Source Review) requiring filing of District permits • Filing of Authority to Construct (ATC) application
4.	<p>To address site development impacts, the Development Engineering Section of the Development Services and Capital Projects Division requires the following:</p> <ul style="list-style-type: none"> • An Engineered Grading and Drainage Plan when moving more than 1,000 cubic yards of material and relocating Reid Irrigation Ditch • A Grading Permit or Voucher for any grading proposed with this application • On-site retention of any additional runoff generated by the proposed development per County Standards

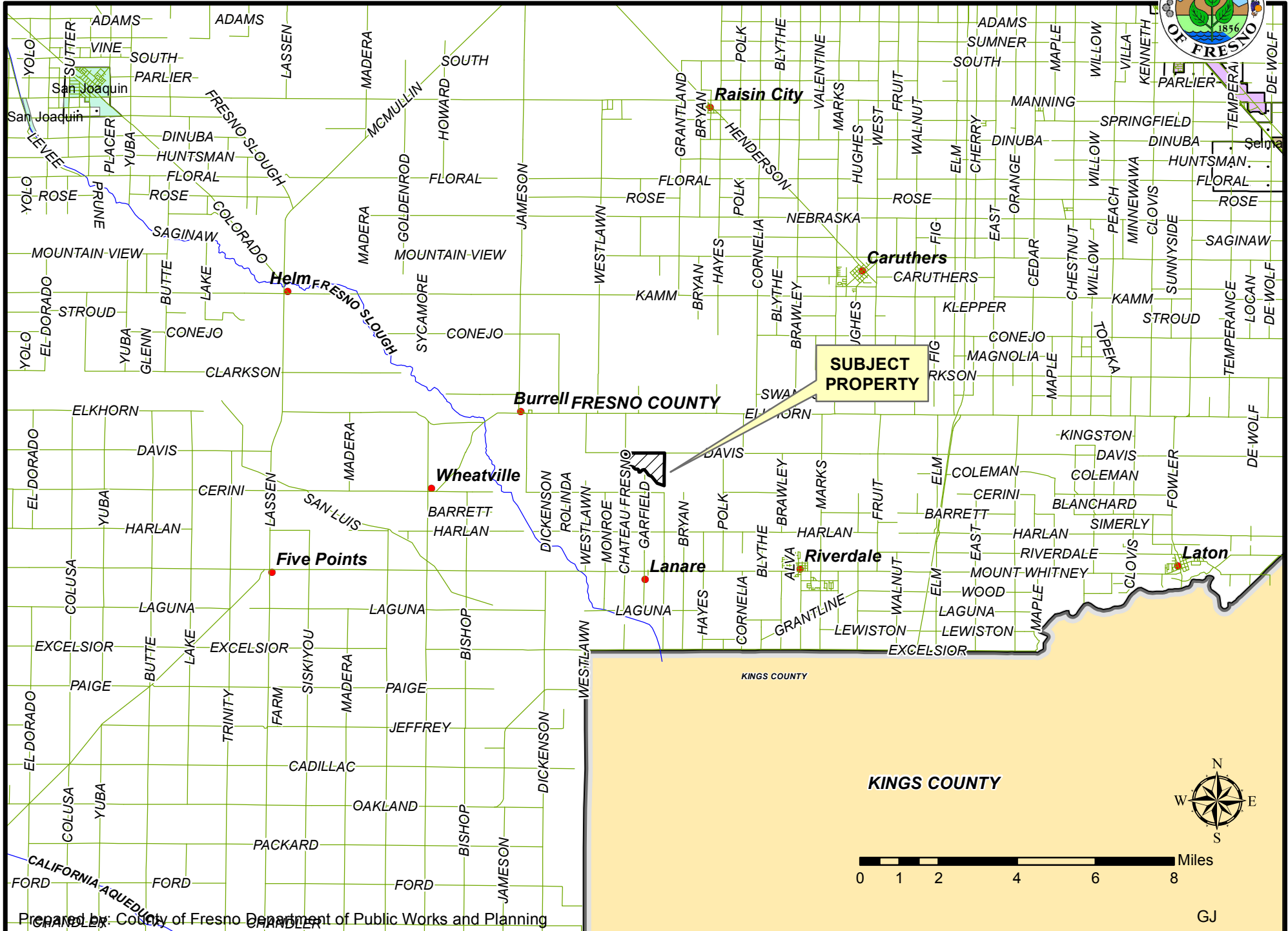
Notes

5.	<p>To address health 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">• Prior to the production of compost from operations of the digester, the facility shall apply for and obtain a permit to operate a Solid Waste Facility from the County of Fresno, Environmental Health Division acting as the Local Enforcement Agency (LEA).• All hazardous waste shall be handled in accordance with requirements set forth in the California Code of Regulations (CCR), Title 22, Division 4.5.
6.	<p>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.</p>

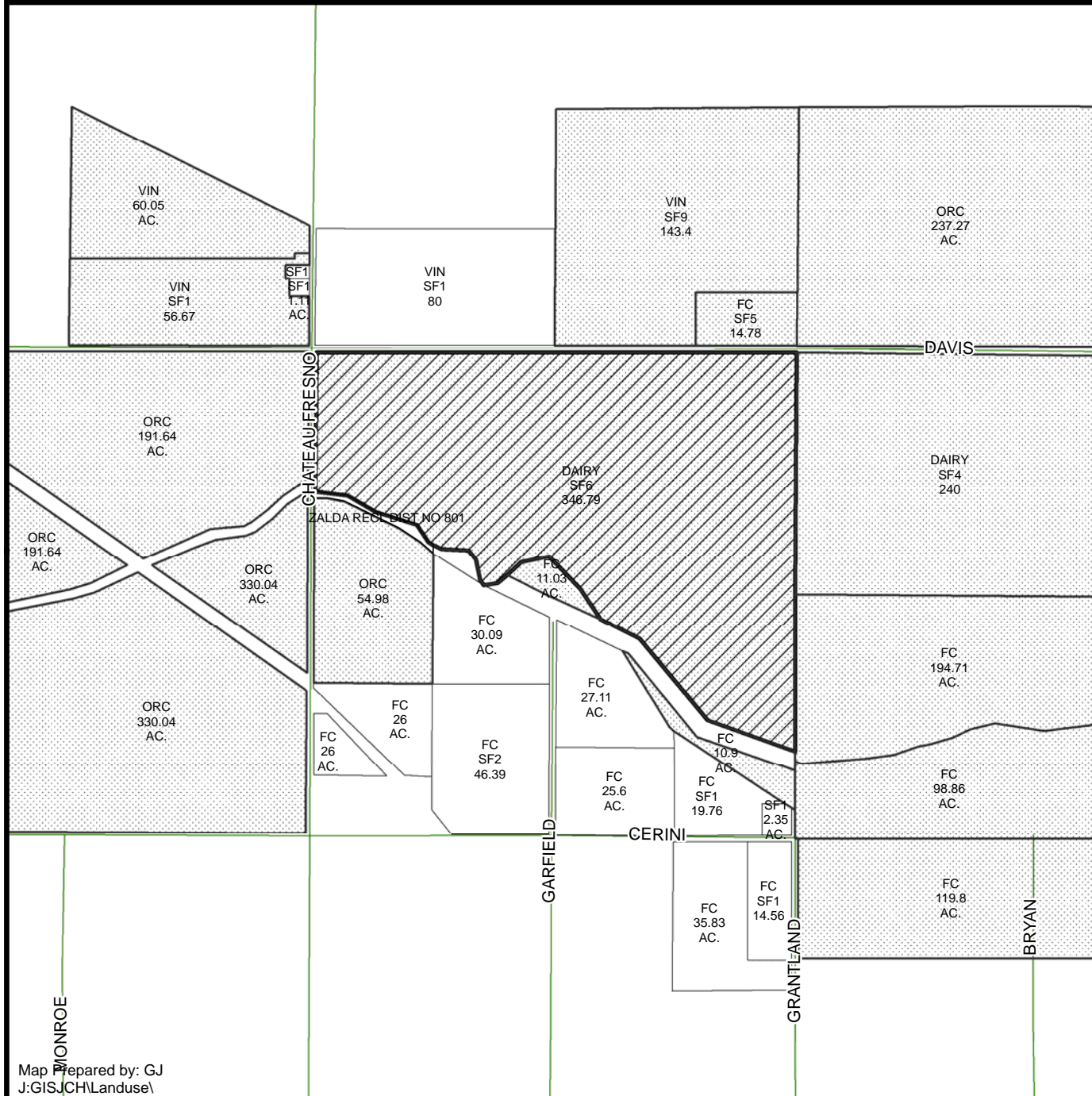
EA:ksn

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LOCATION MAP



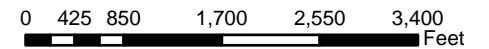
EXISTING LAND USE MAP



LEGEND	
V - VACANT	
DAIRY	
FC - FIELD CROP	
ORC - ORCHARD	
SF#- SINGLE FAMILY RESIDENCE	
VIN - VINEYARD	

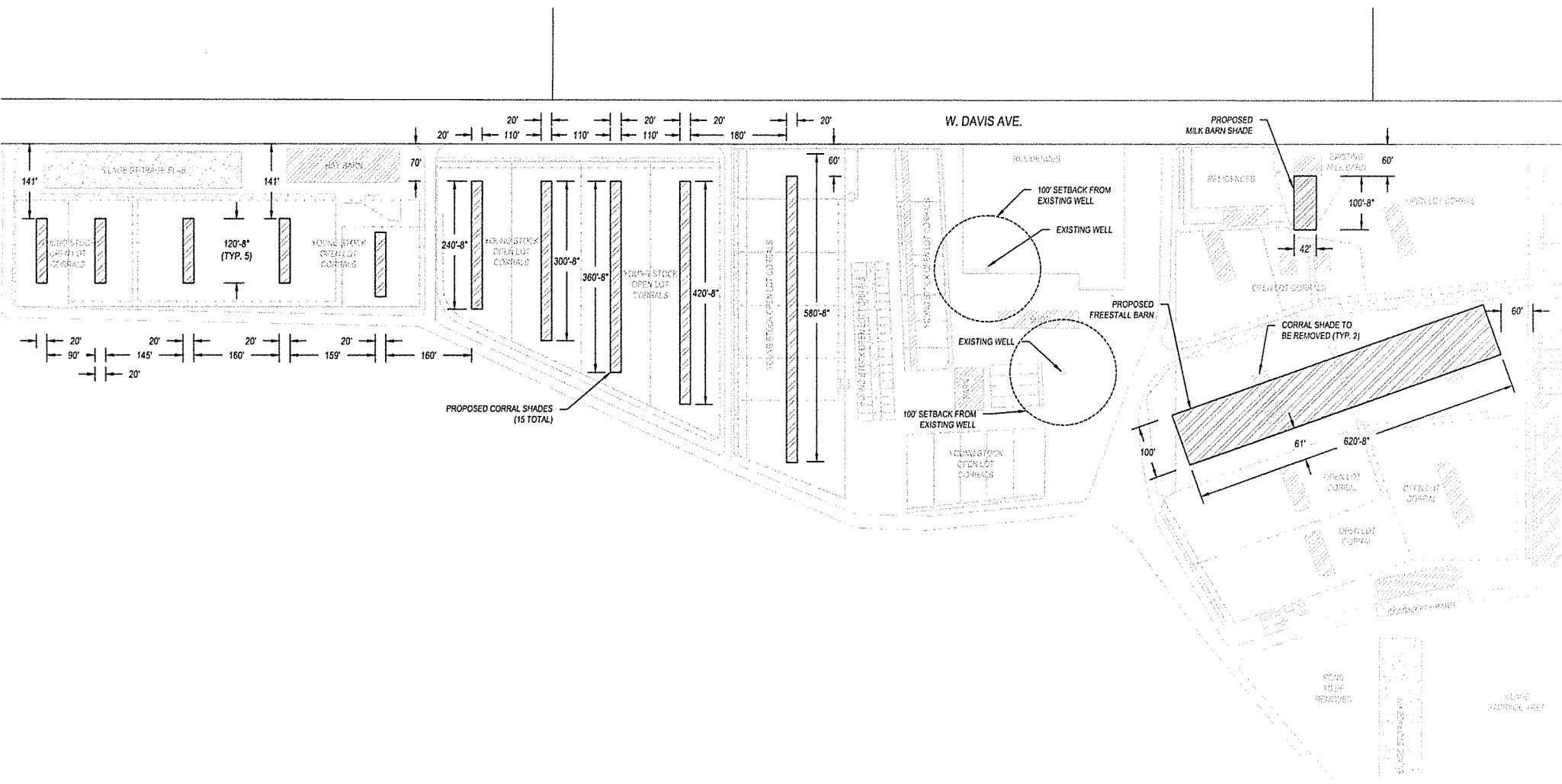
LEGEND:

- Subject Property
- Ag Contract Land

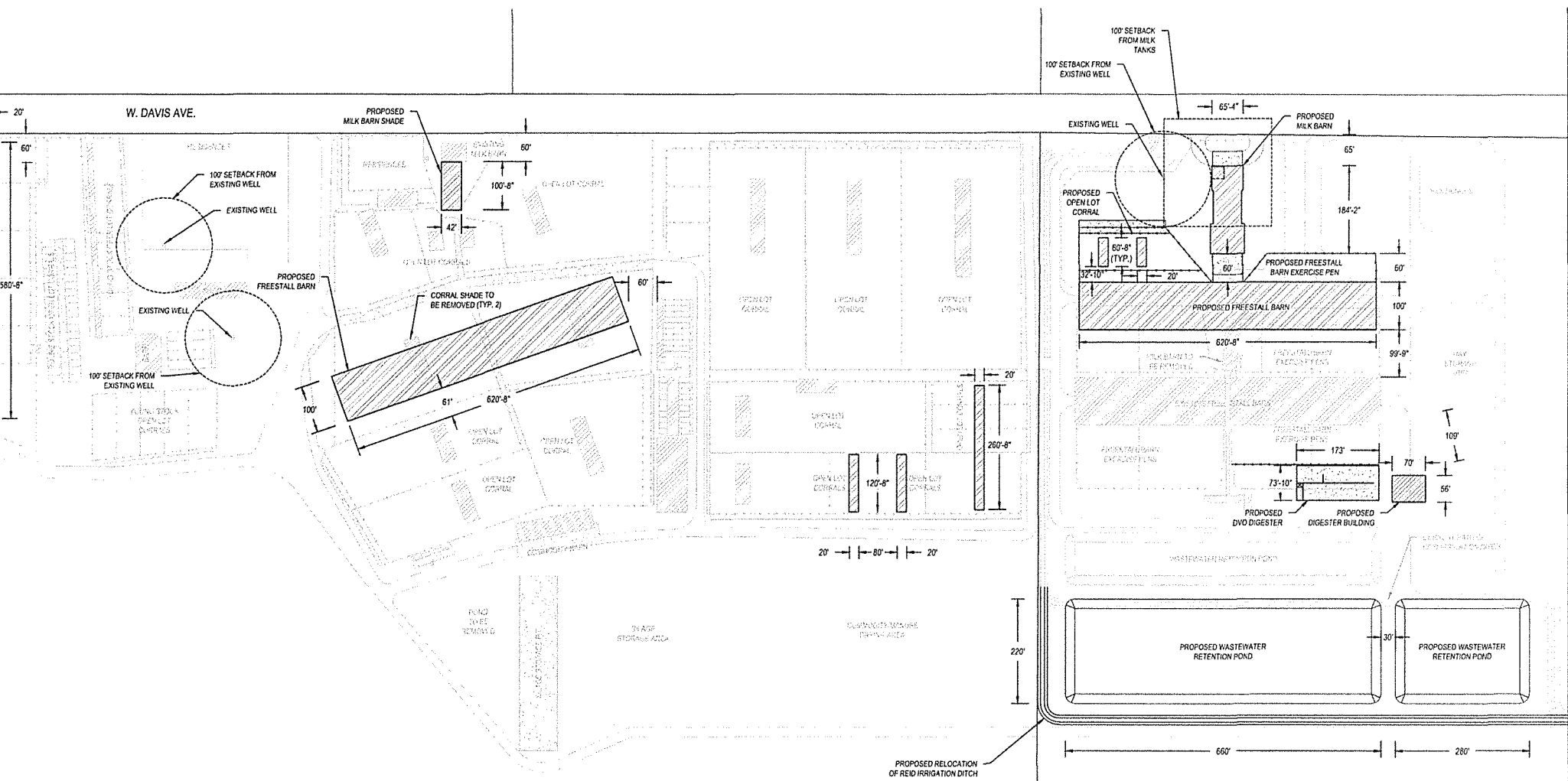


Department of Public Works and Planning
Development Services Division

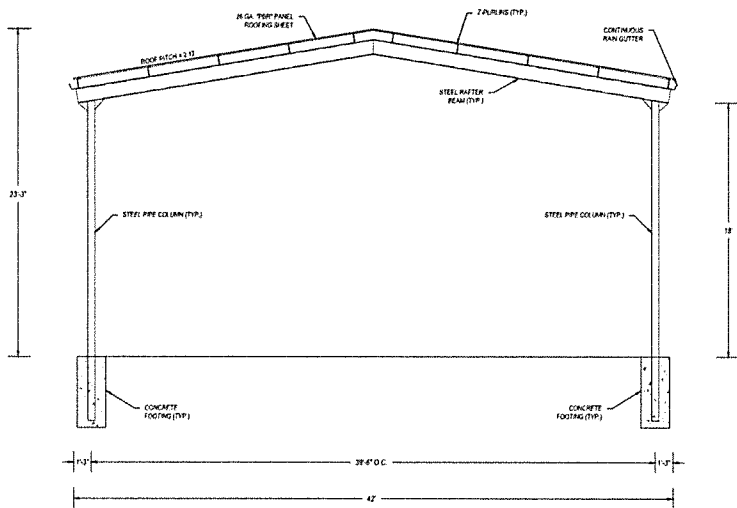
Map Prepared by: GJ
J:GIS\CH\Landuse\



SITE PLAN (ENLARGED)

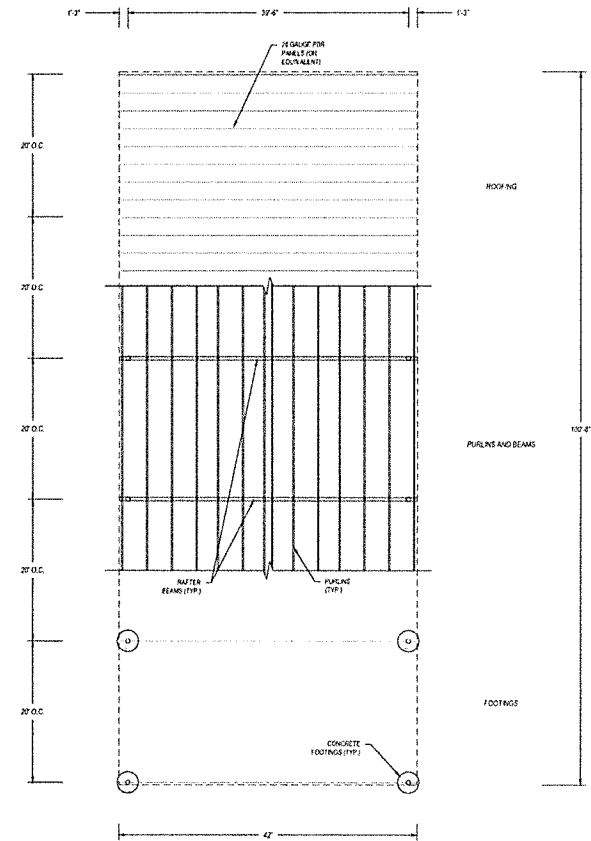


SITE PLAN (ENLARGED)



1 MILK BARN SHADE - ELEVATION

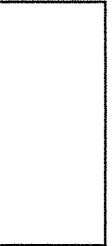
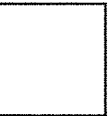
SCALE: 1" = 4'



2 MILK BARN SHADE - PLAN VIEW

SCALE: 1" = 8'

NO.	DATE	BY	DESCRIPTION

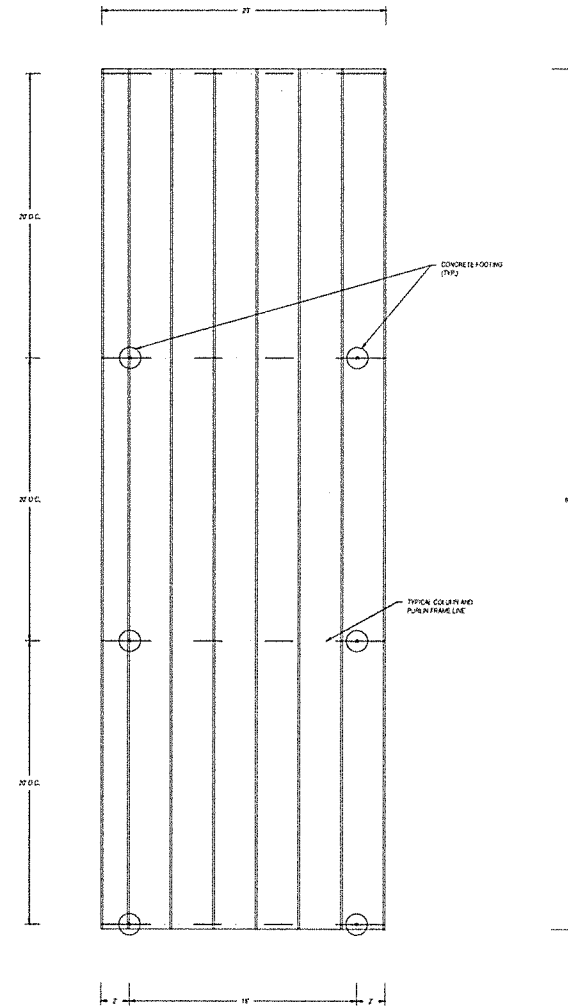
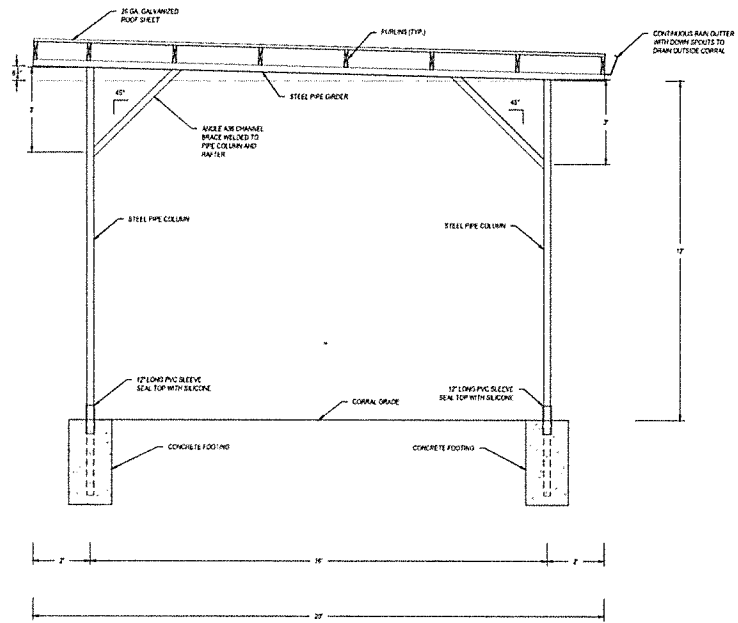


DESIGNED BY
 4CREEPS
 3001 W. 10TH ST.
 SUITE 100
 DENVER, CO 80202
 TEL: 303.733.1111
 FAX: 303.733.1112
 WWW.4CREEPS.COM

PROJECT NO. 15172415 SH-01
 PROJECT NAME 15172415 SH-01
 PROJECT LOCATION 15172415 SH-01
 PROJECT DATE 15172415 SH-01
 PROJECT DESCRIPTION MILK BARN SHADE PLAN & ELEVATION

PROJECT DATE: Apr 27, 2017
 JOB NO: 15172415 SH-01
 FILE NAME: 15172415 SH-01
 SCALE: SEE SHEET
 SHEET NO.: MB-S

MILK BARN SHADE



1 CORRAL SHADE - ELEVATION

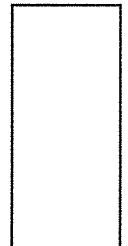
SCALE: 1" = 2'

2 CORRAL SHADE - PLAN VIEW

SCALE: 1" = 4'

CORRAL SHADE

REVISION	DATE	BY	DESCRIPTION



DESIGNED BY
 R. L. LANE ET AL.
 P.O. BOX 100
 4000 S. 1000 E.
 TULSA, OK 74112
 TEL: 918.438.1234
 FAX: 918.438.1235

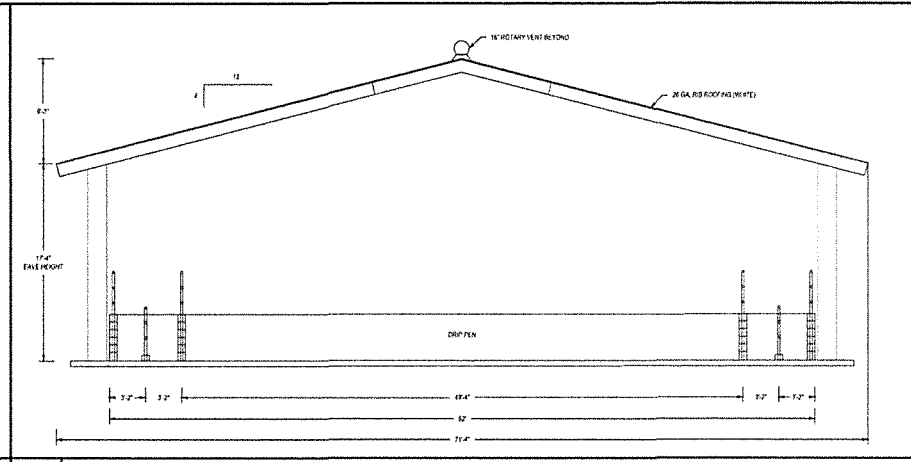
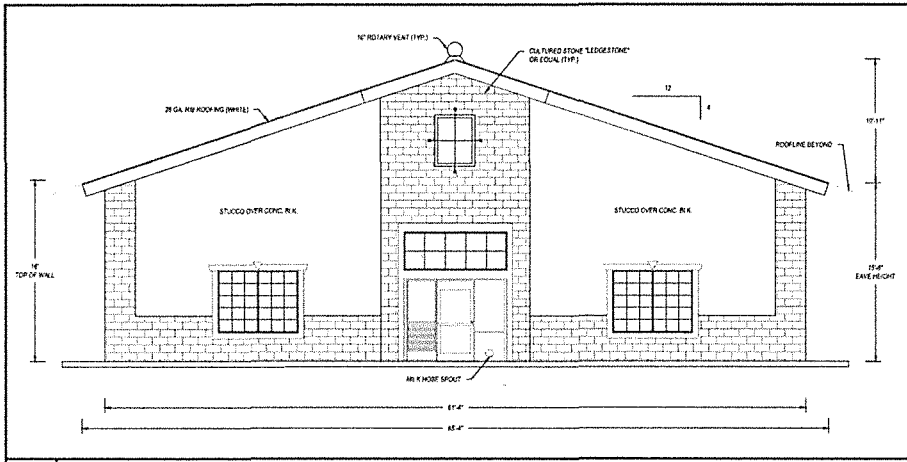
40CREKS

CONTRACTOR
 2001 E. 100 N.
 TULSA, OK 74112

CONTRACTOR IN CHARGE
 RYAN W. DAIRY
 200 WEST CHASE AVE
 SLEEDALE, OK 74069

DAIRY FACILITY MODIFICATIONS
 CORRAL SHADE PLAN & ELEVATION

PROJECT DATE	4/21/2017
DWG NO.	15172
TITLE NAME	15172 CORRAL SHD
SCALE	SEE SHEET
SHEET NO.	CS-1

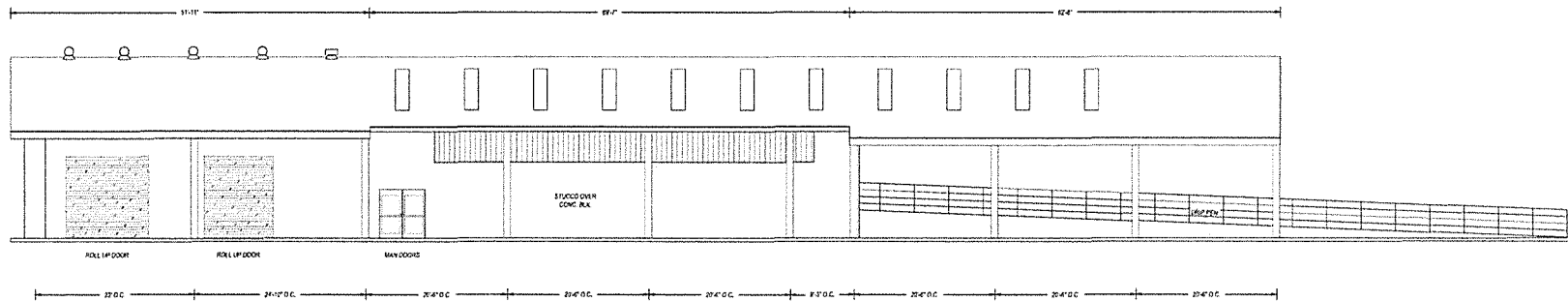


1 NORTH ELEVATION

SCALE: 1" = 5'

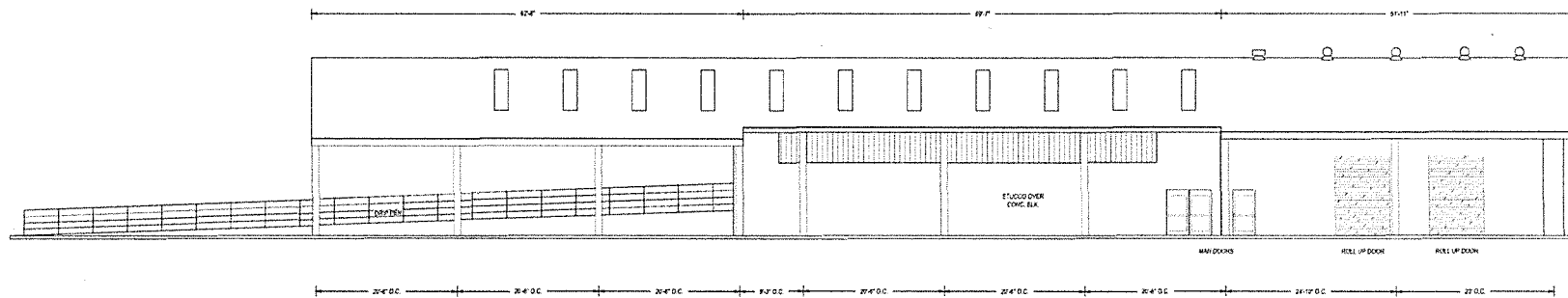
2 SOUTH ELEVATION

SCALE: 1" = 5'



3 WEST ELEVATION

SCALE: 1" = 8'



4 EAST ELEVATION

SCALE: 1" = 8'

NO.	DATE	BY	DESCRIPTION

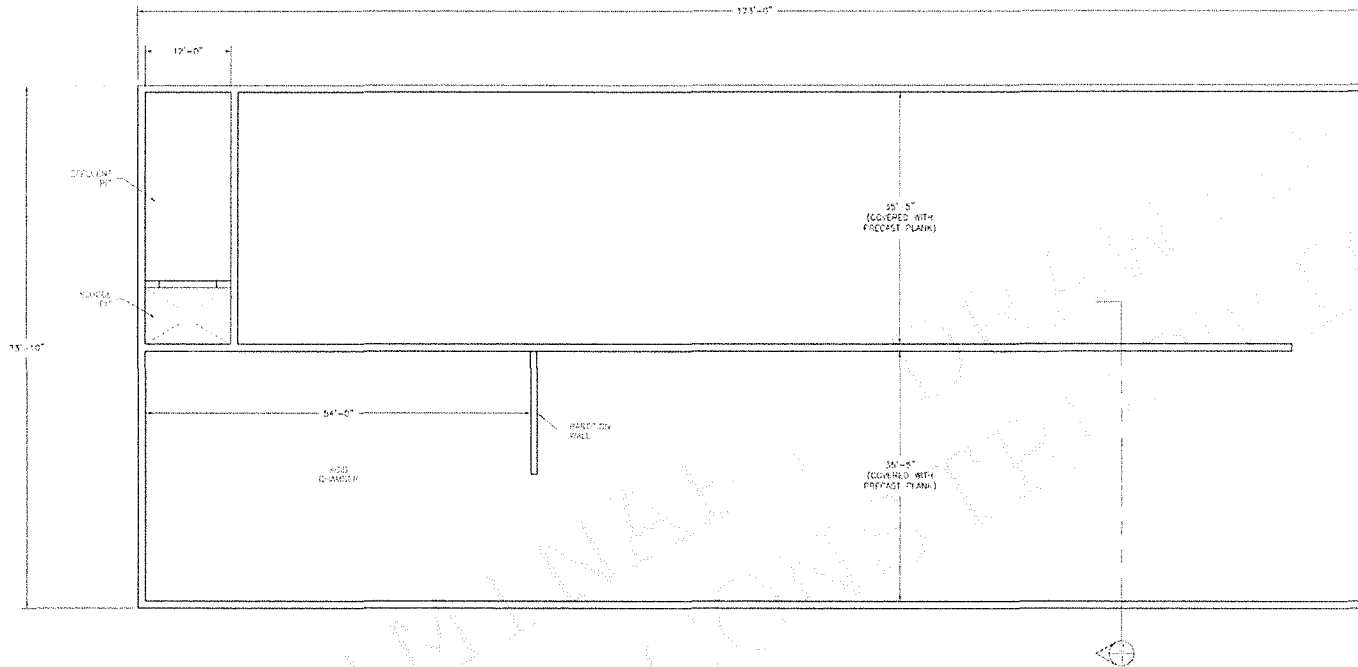


4CREEPS
 116 S. STATE ST. #100
 P.O. BOX 2000
 200 S. STATE ST. #100
 FAX 502.321.1215
 502.321.1215

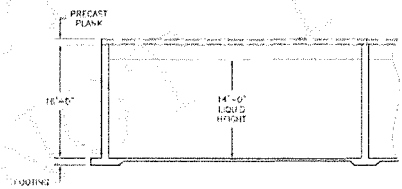
PROJECT
 4CREEPS
 200 S. STATE ST. #100
 P.O. BOX 2000
 200 S. STATE ST. #100
 FAX 502.321.1215
 502.321.1215

PROJECT
 4CREEPS
 200 S. STATE ST. #100
 P.O. BOX 2000
 200 S. STATE ST. #100
 FAX 502.321.1215
 502.321.1215

MILK BARN (ELEVATION)

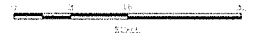


1 PLAN VIEW



2 SECTION VIEW

NOTE: FOUNDATION PLAN IS BASED ON STANDARD DVO, INC. DIGESTER. SITE SPECIFIC INFORMATION SUCH AS GEO-TECH REPORT AND SITE LOCATION WILL BE REQUIRED TO COMPLETE FINAL DESIGN.



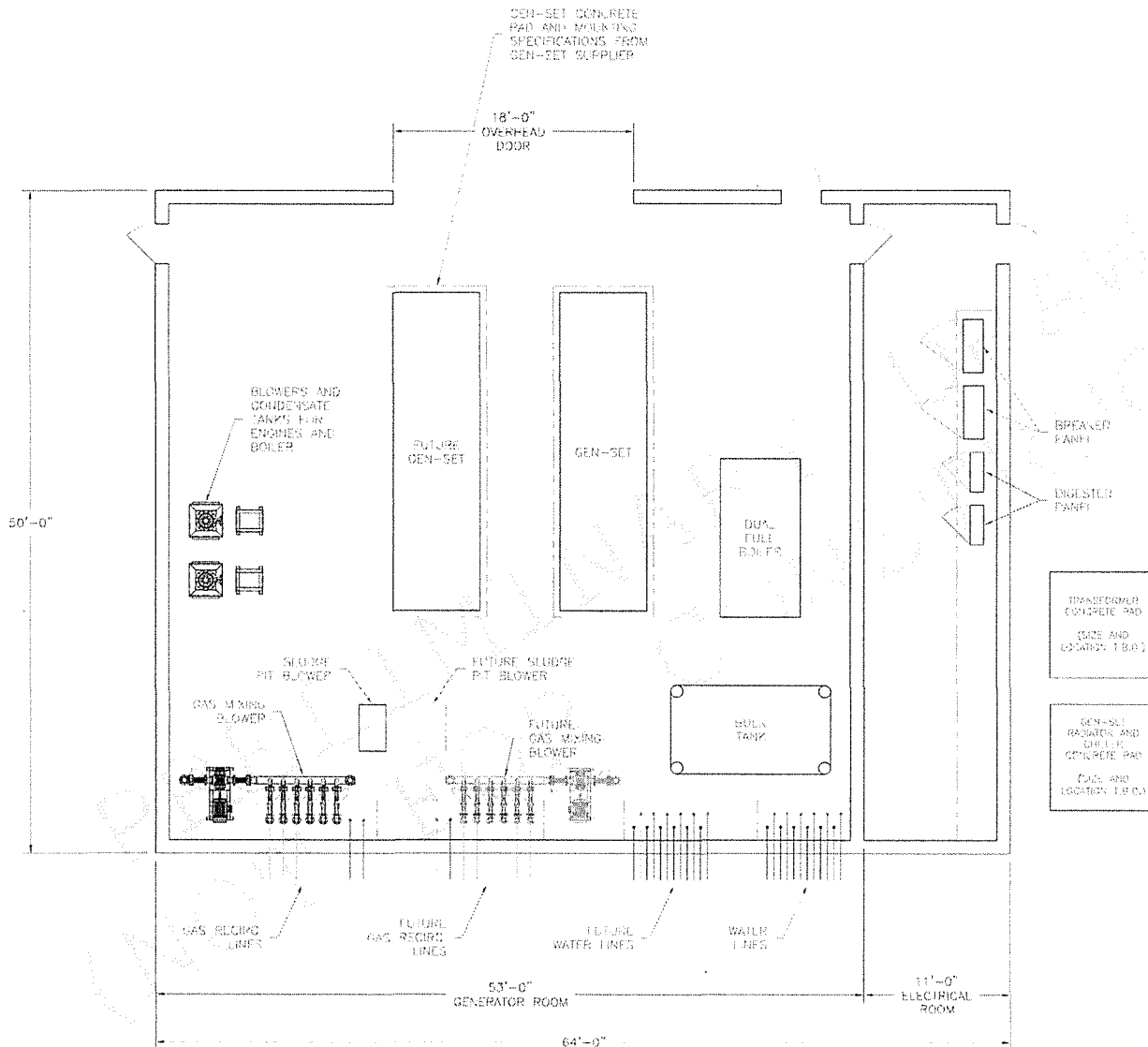
PROPRIETARY PROPERTY OF DVO, INC.

DVO ANAEROBIC DIGESTERS CHILTON, NY	
DIGESTER FOUNDATION PLAN ONE CELL DIGESTER x 173 FT	
DRAWN: M.S.L. / S.S. DATE: 06/02/11 SCALE: 1/8" = 1'-0"	DRAWING NO: 10" SIZE
PROJECT: 10" SIZE SHEET: 1 OF 1	SHEET: 1 OF 1

ANAEROBIC DIGESTER

REV	DESCRIPTION	DATE	BY





BUILDING NOTES

- 1) 6 FOOT HIGH SIDE WALLS
- 2) AIR TIGHTNESS/VENTILATING PER GEN-SET SPECIFICATIONS

DIGESTER BUILDING

PROPRIETARY PROPERTY OF **DVO**, INC.

<small>DESIGNED BY: J.C.S.</small> <small>DRAWN BY: J.C.S.</small> <small>DATE: 05/05/11</small> <small>SCALE: 1/8" = 1'-0"</small> <small>NO. REV'S</small>		DVO ANAEROBIC DIGESTERS <small>CHILTON, VT</small>	
DVO DIGESTER STANDARD BUILDING LAYOUT			
<small>REVISIONS</small> <small>1. Not Existing and the information contained herein are property of DVO, INC. and are not to be used for any other purpose without the written consent of DVO, INC. in any form or by any means, electronic or mechanical, including photocopying, recording, or by any information storage and retrieval system.</small>		<small>DATE</small> 05/05/11 <small>DRAWING NO.</small> <small>1 OF 1</small>	<small>DATE</small> <small>1 OF 1</small>
<small>REV</small>	<small>DESCRIPTION</small>	<small>DATE</small>	<small>BY</small>



**RUANN DAIRY
OPERATIONAL STATEMENT:**

1. Nature of operation—what do you propose to do? Describe in detail.

RuAnn Dairy (Facility) is an existing dairy facility located in Riverdale, California, consisting of 1,294 milk cows, 270 dry cows, and 1,745 support stock (heifers and calves). The owner of the Facility would like to propose an expansion of the Facility, including an increase in animal units, expansion of footprint, and additional structural improvements within the proposed footprint, including the construction and operation of a DVO anaerobic digester. The proposed herd increase would elevate to 1,600 milk cows, 400 dry cows, and 2,000 support stock. The footprint expansion would increase that of the Facility from 80.23 acres to 84.34 acres. The proposed facility improvements include a shade over the existing milk barn, a brand-new milk barn, two (2) freestall barns, two (2) corral shades, two (2) wastewater retention ponds, and the DVO anaerobic digestion system as mentioned above.

2. Operational time limits

The operation of the Facility remains consistent throughout the year. The Facility operates 24 hours per day, 7 days per week. The milk cows are milked twice per day, and this routine governs the milkers' schedule. There are two shifts for milkers, per 24 hours, each approximately 10 hours. Feeders, maintenance, and other employees work between the hours of 4:00AM and 6:00PM. A herdsman is on-call 24 hours per day. The proposed project will not affect the operational time limits.

3. Number of customers or visitors:

The number of visitors per day range depending on the day of week and the time of year. On average, about 6 visitors (which include family members of employees, consultants to the dairy, or salesman) visit per weekday, between the hours of 6:00AM and 5:00PM. The proposed project will not affect the number of customers or visitors on-site.

4. Number of employees:

The current total number of employees is fifteen (15) people. The proposed number of employees will increase up to twenty (20) people. The hours of these employees are explained above in Item 2.

5. Service and delivery vehicles:

On any given day, the maximum number of service and delivery trips is 18 trips (9 vehicles: 1 entering, 1 exiting). The average is six (6) trips per day, but occasionally feed deliveries, fuel deliveries, etc. (non-daily trips) occur on the same days. The proposed milk barn is to replace an existing milk barn, therefore not affecting the number of service and delivery trips to/from the site.

6. Access to the site:

The Facility is located south of Davis Avenue, adjacent to the paved County-maintained road, between Chateau-Fresno Avenue and Polk Avenue. All access paths within the Facility are unpaved, consisting of dirt / native material.

7. Number of parking spaces for employees, customers, and service/delivery vehicles.

There are no marked parking spaces on the Facility. However, there are designated areas for parking throughout the facility. Majority of parking occurs adjacent to each milk barn and adjacent to the shop.

8. Are there any goods to be sold on-site? If so, are these goods grown or produced on-site or at some other location?

Milk is produced on-site, and picked up by California Dairies, Inc. twice daily from each milk barn. The anaerobic digester system will produce electricity, which will be exported to the local utility grid. The owner plans to export up to 100% of the power generated. The only exception would be for

CUP 3582

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APR 02 2018

DEPARTMENT OF PUBLIC WORKS
AND PLANNING
DEVELOPMENT SERVICES DIVISION

(REVISED)

Visalia Office
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Visalia, California 93292
P: (559) 802.3052
F: (559) 802.3215

Porterville Office
881 W. Morton Ave., Suite D
Porterville, California 93257
P: (559) 781. 0102
F: (559) 781.6840

www.4-creeks.com



parasitic loads powered from the BioMAT switchgear, then the owner would be exporting 100%, less those loads.

9. What equipment is used?

Tractors and feed trucks are used on-site for feeding the animals. In the milk barn, vacuum pumps, plate coolers, and other milk handling equipment are used in compliance with the California Code of Regulations. The proposed digester project will include additional equipment including two (2) generators, gas mixing blowers, sludge pit blowers, and electrical panels, which will all be maintained inside the digester building (see site plan).

10. What supplies or materials are used and how are they stored?

Various supplies and materials are stored and used within the milk barns for milk tank sanitation. New and used oil is also be stored on site.

11. Does the use cause an unsightly appearance?

Slight dust or odor may disturb passers-by, but this is minimal. When the access paths on-site are too dry, they are watered by water truck for dust control.

12. List any solid or liquid wastes to be produced.

Solid manure is produced on-site, stored, and applied to contiguous farmland at agronomic rates. Liquid wastewater is also produced, stored, and applied similarly. According to the Facility's Waste Management Plan, an average of 85,020 gallons of liquid wastewater will be produced per day.

13. Estimated volume of water to be used (gallons per day).

The current water usage by the existing dairy is estimated to be 51,760 gallons per day. The water usage by the existing dairy after the proposed expansion is estimated to be 64,000 gallons per day. These values are estimated based upon the assumption that the facility uses 40 gallons per day per cow for barn cooling, which is typical for dairy facilities of similar size. All other water used on-site is recycled water from the barn cooling.

14. Describe any proposed advertising including size, appearance, and placement.

Not applicable to this operation.

15. Will existing buildings be used or will new buildings be constructed?

Both existing buildings and constructed new buildings will be used for the operation of the Facility. Some minor structures will be demolished as well. These structures can be found on the attached site plan. These structures are composed of steel support columns, steel beams, metal purlins, and metal roofing.

16. Explain which buildings or what portion of buildings will be used in the operation.

Please see the attached site plan for building location specifics.

17. Will any outdoor lighting or an outdoor sound amplification system be used?

Outdoor lighting will be used when necessary, but all outdoor lighting is hooded so that all light shines downward and does not disrupt nearby people or businesses.

18. Landscaping or fencing proposed?

Some fencing is proposed for animal confinement. Please see the attached site plan for specifics.

19. Any other information that will provide a clear understanding of the project or operation.

The operation is an existing dairy facility, and the expansion is proposed to improve the efficiency of the existing operations, while increasing production.

20. Identify all Owners, Officers and/or Board Members for each application submitted; this may be accomplished by submitting a cover letter in addition to the information provided on the signed application forms.

The owner and operator of the facility is Patrick Maddox, who is also the Applicant.

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DEPARTMENT OF PUBLIC WORKS
AND PLANNING
DEVELOPMENT SERVICES DIVISION

(REVISED)

Visalia Office

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www.4-creeks.com



County of Fresno

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

EVALUATION OF ENVIRONMENTAL IMPACTS

- APPLICANT: Patrick Maddox
- APPLICATION NOS.: Initial Study Application No. 7325 and Classified Conditional Use Permit Application No. 3582
- DESCRIPTION: Allow the expansion of an existing dairy to include an increase in animal units, new structural improvements and a new anaerobic digester with related power generation facilities on an approximately 84.3-acre portion of a 346.79-acre parcel and a 11.3-acre portion of a 240-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.
- LOCATION: The project site is located on southeast corner of W. Davis and S. Chateau-Fresno Avenues approximately 2.6 miles southeast of the unincorporated community of Burrel (7285 W. Davis Ave., Riverdale CA) (SUP. DIST. 4) (APN 053-050-52S).

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 subject property is located in an agricultural area and is currently developed with various buildings and structures related to an existing dairy. Surrounding land uses include vineyard and field crops with sparse single-family residences. The property fronts Davis and Fresno-Chateau Avenues, which are not designated as scenic drives in the County General Plan. No scenic vistas or scenic resources were identified on or near the property to be impacted by the subject proposal.

- 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 property (dairy site) contains 1,294 milk cows, 270 dry cows and 1,745 support stock (heifers and calves). The existing improvements include open lot corrals, hay barns, freestall barn, wastewater retention pond, silage storage pit/area, water well and single-family residences.

The subject proposal will increase milk cows from 1,294 to 1,600 (net increase 306 cows), dry cows from 270 to 400 (net increase 130 cows), support stock from 1,745 to 2,000 (net increase 255 support stock). The proposed improvements include a shade over the existing milk barn, a new milk barn, two (2) freestall barns, two (2) corral shades, two (2) wastewater retention ponds, an anaerobic digester and a digester building.

The proposed improvements are limited in number and match in height, design and construction with the existing improvements on the property. As such, the project will not bring any significant changes to the existing 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:

Exterior lighting will be installed on the proposed buildings/structures. To minimize any light and glare impacts resulting from a new source of light, a mitigation measure would require that all lighting shall be hooded and directed 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: NO 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 allowed as 'Special Agricultural Use' on land designated for agriculture with discretionary approval and adherence to the applicable General Plan Policies. The project site is classified as Confined Animal Agriculture and Unique Farmland on the 2014 Fresno County Important Farmland Map, is enrolled in the Williamson Act Program (Farmland Security Zone Contract No. FSZ04-00042), and is improved with buildings/structures and related facilities for an existing dairy.

According to the Policy Planning Section of the Fresno County Department of Public Works and Planning review of the proposal, the electrical power generation facilities that sell the generated electricity to the grid for profit are not permitted on land enrolled in the Williamson Act Program. Policy Planning required that the Applicant shall file a Notice of Nonrenewal for an approximately 0.38-acre portion of the property that will accommodate the digester and power generation facilities to remove it from the Williamson Act Program through a Notice of Nonrenewal. The Applicant has filed a Notice of Nonrenewal with Policy Planning and it is currently in process.

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 comments on the project, dated July 10, 2017, the project will have a significant impact on air quality, and required assessment for construction emissions, operational emissions, and nuisance odors. The Air District also required evaluation of the project-related health impacts to determine if emissions of toxic air contaminants (TAC) will pose a significant health risk

to nearby sensitive receptors. The Applicant addressed the Air District comments (point-by-point) in a letter dated February 16, 2018. The District reviewed the letter and indicated that based on their understanding of the additional information presented in the letter, the District finds the methodology adequately characterized the criteria pollutant emissions. With that, the District offered no additional comments on the project.

The project may be subject to the following District rules: District Regulation VIII (Fugitive PM10 Prohibitions), 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.

The project may also be subject to the following rules specific to animal operations: Rule 4102 (Nuisance) applies to any source operation that emits or may emit air contaminants or other materials; Rule 4550 (Conservation Management Practices) limits fugitive dust emissions from agricultural operation sites; and Rule 4570 (Confined Animal Facilities) applies to dairies with greater than or equal to 500 milk cows and requires filing of an application with the Air District. These requirements will be included as Project Notes.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project will be subject to Rule 4102 (Nuisance) as discussed above.

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?

FINDING: NO IMPACT:

The project site is located in an agricultural area and has been disturbed by improvements related to an existing dairy. The site and the neighboring parcels have also been pre-disturbed with farming operations and as such do not provide habitat for state or federally-listed species. Additionally, the site does not contain any riparian features, wetlands, or waters under the jurisdiction of the United States.

The project was routed to the California Department of Fish and Wildlife (CDFW) and the U.S. Fish and Wildlife Service (USFWS) for review and comments. No concerns were expressed by either agency.

- 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?

FINDING: NO IMPACT:

Being a developed site, no wildlife or fish movement features (e.g., waterways, arroyos, ridgelines) or any wildlife nursery sites are present on the property. The project will not impact these resources.

- 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:

The project is not subject to the County tree preservation policy or ordinance.

- 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 site is not within the boundaries of a Habitat Conservation Plan or Natural Community Conservation Plan. The project will not conflict with the provisions of such a Plan.

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 within an area moderately sensitive to historical, archeological or paleontological resources. As such, 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 the implementation of the aforementioned mitigation measure, the project will have a less than significant impact on tribal cultural resources as defined in Public Resources Code Section 21074. The project was routed to the Picayune Rancheria of the Chukchansi Indians, Santa Rosa Rancheria Tachi Yokut Tribe, and Dumna Wo Wah Tribal Government in compliance with Assembly Bill (AB) 52.

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?

FINDING: NO IMPACT:

The project site does not contain any active earthquake faults, nor is it located within a designated Alquist-Priolo Earthquake Fault Zone.

2. Strong seismic ground shaking; or

3. Seismic-related ground failure, including liquefaction?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project site is in an area of low probability for exposure to strong ground shaking. The potential for seismic-related ground failure (liquefaction, lateral spreading, and lurching) occurring on the project site is minimal due to the absence of high groundwater levels and saturated loose granular soil on the property. In addition, the intensity of ground shaking from a large, distant earthquake is expected to be relatively low on the project site and, therefore, would not be severe enough to induce liquefaction on site.

No agency expressed concerns or complaints related to ground shaking, ground failure, liquefaction or landslides.

4. Landslides?

FINDING: NO IMPACT:

The project site contains naturally flat relief which precludes the possibility of landslides on site.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The Development Engineering Section of the Development Services and Capital Projects Division reviewed the proposal and requires: 1) an Engineered Grading and Drainage Plan when moving more than 1,000 cubic yards of material; and 2) a Grading Permit or Voucher for any grading proposed with this application. These requirements will be included as Project Notes and addressed through Site Plan Review recommended as a Condition of Approval.

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: LESS THAN SIGNIFICANT IMPACT:

The development of the project would implement all applicable requirements of the most recent California Building Standards Code and as such would not expose persons to hazards associated with seismic design of buildings/structures and shrinking and swelling of 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:

No wastewater disposal impacts were identified in the project analysis. The project will not install 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 wastewater 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 Air District expressed no specific project-related concerns, supporting the determination that the project will not generate greenhouse gas emissions that may have a significant impact on the environment. The project will adhere to the Air District requirements as noted 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 Fresno County Department of Public Health, Environmental Health Division reviewed the project and requires that prior to the production of compost from operations of the digester, the facility shall apply for and obtain a permit to operate a Solid Waste Facility from the County of Fresno, Environmental Health Division acting as the Local Enforcement Agency (LEA). 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 project is not located within one quarter-mile of a school. The nearest school, Burrel Elementary School, is approximately 3.1 miles northwest of the project site.

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

FINDING: NO IMPACT:

The project is not located on 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, within two miles of a public use airport, or in the vicinity of a private airstrip. The nearest airport, Central Valley Aviation Incorporated Airport near the City of Selma, is approximately 14.4 miles east of the site.

- 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.

- 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: LESS THAN SIGNIFICANT IMPACT:

See discussion in Section VI.E. Geology and Soils regarding wastewater disposal.

The Central Valley Regional Water Quality Control Board (RWQCB) reviewed the project for impact on groundwater quality. According to the RWQCB, increase in the herd size from the existing 1,564 mature cows allowed by the current Waste Discharge Order (R5-2007-0035) to 2,000 mature cows and 2,000 immature support stock constitute an expansion of the existing dairy facility. As such, a Report of Waste Discharge (ROWD) would be required prior to starting discharge associated with the dairy expansion. Provision G.4 of the Reissued General Order (R5-2013-0122) for existing milk-cow dairies requires that “the Discharger shall submit a complete ROWD in accordance with the Water Code Section 13260 at least 140 days prior to any material change or proposed change in the character, location, or volume of the discharge, including any expansion of the facility or development of any treatment technology, or construction of an anaerobic digester. In compliance of G.4 of the order, the Applicant has provided a Report of Waste Discharge (ROWD), a Waste Management Plan and a Nutrient Management Plan to the RWQCB.

The State Water Resources Control Board (SWRCB), Division of Drinking Water (DDW) also reviewed the subject proposal for water quality standards and stated that the subject dairy does not meet the definition of a public water supply system. No concerns were expressed.

- 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?b

FINDING: LESS THAN SIGNIFICANT IMPACT:

An existing on-site private well provides water to the current dairy. The current water use at the dairy facility is estimated to be 51,760 gallons per day. The water usage by the existing dairy after the proposed expansion is estimated to be 64,000 gallons of water per day.

The project site is not within a designated low-water area of Fresno County. The Fresno County Water and Natural Resources Division of the Department of Public Works and Planning reviewed the proposal and expressed no concerns related to water supply to the project. The project will have a less than significant impact on groundwater supply.

- 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?

FINDING: NO IMPACT:

The project will not impact any existing on-site drainage patterns or change the course of Murphy slough that runs along the westerly boundary of the property and lies approximately 2,300 feet south of the nearest improvement on the property.

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:

As noted above in Section VI. B. Geology and Soils, any changes to the existing drainage pattern resulting from this proposal will be subject to review and approval of an Engineered Grading and Drainage Plan and a Grading Permit or Voucher from the Development Engineering Section of the Development Services and Capital Projects Division.

F. Would the project otherwise substantially degrade water quality?

FINDING: LESS THAN SIGNIFICANT 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 application.

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) FIRM Panel 2875J, the subject property is located in Zone X and 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 subject site is not prone to a seiche, tsunami or mudflow, nor is the project likely to expose persons or structures 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 unincorporated community of Burrel is approximately 2.6 miles northwest 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 subject property is designated Agriculture in the Fresno County General Plan and is located outside of any city's Sphere of Influence (SOI). As such, the subject proposal will not be in conflict with any land use plan, policy, or regulation of an agency with jurisdiction (other than County) over the project.

The County General Plan allows the proposed facility in an agriculturally-zoned area as a 'Special Agricultural Use' by discretionary land use approval provided it meets applicable General Plan policies. The project meets the following General Plan policies:

Regarding Policy LU-A.3, Criteria a. b. c. d., the subject proposal is an expansion of the existing dairy that was established as a by-right use on the property; is not located on a prime farmland; will not deplete groundwater resources due to increase in water usage; and, can be provided with adequate workforce from the nearest communities of Burrel and Lanare. Regarding Policy LU-A.12, Policy LU-A.13 and Policy LU-A.14, the project is a compatible use pursuant to Policy LU-A.3 and maintains adequate distance from the adjacent farming operations. Regarding Policy PF-C.17 and Policy PF-D.6, additional water usage by this proposal will have a less than significant impact on the groundwater table and the project does not involve installation of on-site sewage disposal systems. Regarding Policies HS-B.1 and HS-F.1, 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: NO IMPACT:

The project operation will not expose people to severe noise levels or create substantial increases in ambient noise levels. The Fresno County Department of Public Health, Environmental Health Division 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 approximately 14.4 miles from Central Valley Aviation Incorporated Airport, near the City of Selma. At that distance, the project will not expose people at or near the project site to excessive noise levels.

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:

The project 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 (CalFire) reviewed the proposal and requires that the project development comply with the California Code of Regulations Title 24 – Fire Code, requires approval of County-approved site plans by the Fire District prior to issuance of building permits by the County, and requires annexation to Community Facilities District (CFD) No. 2010-01 of the Fresno County Fire Protection District. These requirements will be included as Project Notes and addressed through Site Plan Review recommended as a Condition of Approval.

2. Police protection; or

3. Schools; or

4. Parks; or

5. Other public facilities?

FINDING: NO IMPACT:

The project will not impact 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 subject dairy expansion will result in an increase from the existing 15 employees to up to 20 employees. Additionally, the project will generate two additional milk truckloads per day to and from the site. The total number of visitors or customers visiting the site (6 per week) will remain the same.

The Design Division of the Fresno County Department of Public Works and Planning reviewed the proposal and required no traffic Impact study (TIS). According to the Design Division, the project's traffic impact resulting from the dairy expansion is less than significant based on the amount of new vehicle trips to be generated by the proposal.

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. No buildings/structures proposed by this application are of such height that could potentially affect air traffic.

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

FINDING: NO IMPACT:

The project will not increase traffic hazards due to design features. There is no change to the current access to the site or on-site improvements.

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 with the project.

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 current unpaved access to the site off Davis Avenue is of adequate width 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 will not conflict with any adopted transportation plans. As such, no impacts associated with public transit or pedestrian and bicycle hazards are expected from this proposal.

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: LESS THAN SIGNIFICANT IMPACT:

See discussion in Section IX. B. 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 SIGNIFICANT 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: LESS THAN SIGNIFICANT 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: NO IMPACT:

See discussion in Section VI. E Geology and Soils.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

Solid waste (trash) will continue to be collected, stored on site, and disposed of at the local landfill through a local trash hauler.

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

FINDING: NO IMPACT:

Solid waste (manure) produce on site will continue to be stored and applied to farmlands in compliance with federal, state and local statutes and regulations.

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?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project would not degrade the quality of the environment; reduce the habitat of a fish or wildlife species; cause a fish or wildlife population to drop below self-sustaining levels; threaten to eliminate a plant or animal community; or reduce the number or restrict the range of an endangered, rare, or threatened species. No impacts on biological resources were identified in the project analysis. Impacts to cultural resources as identified in Section V. A. B. C. D. will be mitigated to a less than significant level.

- B. Does the project have impacts that are individually limited, but cumulatively considerable?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project will adhere to the permitting requirements and rules and regulations set forth by the Fresno County Grading and Drainage Ordinance, San Joaquin Valley Air Pollution Control District, and California Code of Regulations Fire Code. No cumulatively considerable impacts were identified in the analysis other than aesthetics and cultural resources, which will be addressed with the Mitigation Measures discussed in Section I.D. and Section V. A. B. C. D.

- C. Does the project have environmental impacts, which will cause substantial adverse effects on human beings, either directly or indirectly?

FINDING: NO IMPACT:

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

CONCLUSION/SUMMARY

Based upon the Initial Study (No. 7325) prepared for Conditional Use Permit Application No. 3582, staff has concluded that the project will not have a significant effect on the environment. It has been determined that there would be no impacts to agricultural and forestry resources, biological resources, mineral resources, noise, population and housing or recreation.

Potential impacts related to air quality, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, public services, transportation/traffic, 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.

EA:

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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 7325	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): Patrick Maddox	Project Title: Classified Conditional Use Permit Application No. 3582		
Project Description: Allow the expansion of an existing dairy to include an increase in animal units, new structural improvements and a new anaerobic digester with related power generation facilities on an approximately 84.3-acre portion of a 346.79-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District. The project site is located on southeast corner of W. Davis and S. Chateau-Fresno Avenues approximately 2.6 miles southeast of the unincorporated community of Burrel (7285 W. Davis Ave., Riverdale CA) (SUP. DIST. 4) (APN 053-050-52S).			
Justification for Mitigated Negative Declaration: Based upon the Initial Study (IS 7325) prepared for Classified Conditional Use Permit Application No. 3582, staff has concluded that the project will not have a significant effect on the environment. No impacts were identified related to agricultural and forestry resources, biological resources, mineral resources, noise, population and housing or recreation. Potential impacts related to air quality, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, 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 – March 9 , 2018		Review Date Deadline: April 9, 2018	
Date: March 5, 2018	Type or Print Name: Marianne Mollring, Senior Planner	Submitted by (Signature):	

State 15083, 15085

County Clerk File No.: _____

**LOCAL AGENCY
MITIGATED NEGATIVE DECLARATION**