

Notice of Completion & Environmental Document Transmittal

Mail to: State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613
 For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

SCH #

Project Title: Initial Study Application No. 7556 and Unclassified Conditional Use Permit Application No. 3626

Lead Agency: County of Fresno, Department of Public Works and Planning Contact Person: Thomas Kobayashi

Mailing Address: 2220 Tulare Street, 6th Floor Phone: (559) 600-4224

City: Fresno Zip: 93721 County: Fresno

Project Location: County: Fresno City/Nearest Community: Sanger

Cross Streets: East Kings Canyon Road approximately 1,980 feet west of North Del Rey Avenue Zip Code: 93657

Longitude/Latitude (degrees, minutes and seconds): _____ ° _____ ' _____ " N / _____ ° _____ ' _____ " W Total Acres: 22.44

Assessor's Parcel No.: 314-120-35S Section: 5 Twp.: 14S Range: 22E Base: _____

Within 2 Miles: State Hwy #: SR 180

Waterways: _____

Airports: _____

Railways: _____

Schools: _____

Document Type:

- | | | | |
|---|--|------------------------------------|--|
| CEQA: <input type="checkbox"/> NOP | <input type="checkbox"/> Draft EIR | NEPA: <input type="checkbox"/> NOI | Other: <input type="checkbox"/> Joint Document |
| <input type="checkbox"/> Early Cons | <input type="checkbox"/> Supplement/Subsequent EIR | <input type="checkbox"/> EA | <input type="checkbox"/> Final Document |
| <input type="checkbox"/> Neg Dec | (Prior SCH No.) _____ | <input type="checkbox"/> Draft EIS | <input type="checkbox"/> Other: _____ |
| <input checked="" type="checkbox"/> Mit Neg Dec | Other: _____ | <input type="checkbox"/> FONSI | |

Local Action Type:

- | | | | |
|---|---|--|---|
| <input type="checkbox"/> General Plan Update | <input type="checkbox"/> Specific Plan | <input type="checkbox"/> Rezone | <input type="checkbox"/> Annexation |
| <input type="checkbox"/> General Plan Amendment | <input type="checkbox"/> Master Plan | <input type="checkbox"/> Prezone | <input type="checkbox"/> Redevelopment |
| <input type="checkbox"/> General Plan Element | <input type="checkbox"/> Planned Unit Development | <input checked="" type="checkbox"/> Use Permit | <input type="checkbox"/> Coastal Permit |
| <input type="checkbox"/> Community Plan | <input type="checkbox"/> Site Plan | <input type="checkbox"/> Land Division (Subdivision, etc.) | <input type="checkbox"/> Other: _____ |

Development Type:

- | | |
|---|---|
| <input type="checkbox"/> Residential: Units _____ Acres _____ | <input type="checkbox"/> Transportation: Type _____ |
| <input type="checkbox"/> Office: Sq.ft. _____ Acres _____ Employees _____ | <input type="checkbox"/> Mining: Mineral _____ |
| <input type="checkbox"/> Commercial: Sq.ft. _____ Acres _____ Employees _____ | <input type="checkbox"/> Power: Type _____ MW _____ |
| <input type="checkbox"/> Industrial: Sq.ft. _____ Acres _____ Employees _____ | <input type="checkbox"/> Waste Treatment: Type _____ MGD _____ |
| <input type="checkbox"/> Educational: _____ | <input type="checkbox"/> Hazardous Waste: Type _____ |
| <input type="checkbox"/> Recreational: _____ | <input checked="" type="checkbox"/> Other: <u>Solid Waste Processing Facility</u> |
| <input type="checkbox"/> Water Facilities: Type _____ MGD _____ | |

Project Issues Discussed in Document:

- | | | | |
|--|--|---|---|
| <input checked="" type="checkbox"/> Aesthetic/Visual | <input type="checkbox"/> Fiscal | <input checked="" type="checkbox"/> Recreation/Parks | <input type="checkbox"/> Vegetation |
| <input checked="" type="checkbox"/> Agricultural Land | <input checked="" type="checkbox"/> Flood Plain/Flooding | <input checked="" type="checkbox"/> Schools/Universities | <input checked="" type="checkbox"/> Water Quality |
| <input checked="" type="checkbox"/> Air Quality | <input checked="" type="checkbox"/> Forest Land/Fire Hazard | <input checked="" type="checkbox"/> Septic Systems | <input checked="" type="checkbox"/> Water Supply/Groundwater |
| <input checked="" type="checkbox"/> Archeological/Historical | <input checked="" type="checkbox"/> Geologic/Seismic | <input checked="" type="checkbox"/> Sewer Capacity | <input checked="" type="checkbox"/> Wetland/Riparian |
| <input checked="" type="checkbox"/> Biological Resources | <input checked="" type="checkbox"/> Minerals | <input checked="" type="checkbox"/> Soil Erosion/Compaction/Grading | <input type="checkbox"/> Growth Inducement |
| <input type="checkbox"/> Coastal Zone | <input checked="" type="checkbox"/> Noise | <input checked="" type="checkbox"/> Solid Waste | <input checked="" type="checkbox"/> Land Use |
| <input checked="" type="checkbox"/> Drainage/Absorption | <input checked="" type="checkbox"/> Population/Housing Balance | <input checked="" type="checkbox"/> Toxic/Hazardous | <input checked="" type="checkbox"/> Cumulative Effects |
| <input type="checkbox"/> Economic/Jobs | <input checked="" type="checkbox"/> Public Services/Facilities | <input checked="" type="checkbox"/> Traffic/Circulation | <input checked="" type="checkbox"/> Other: <u>Energy / Wildfire</u> |

Present Land Use/Zoning/General Plan Designation:

Orchard and Storage / AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) / Agricultural

Project Description: (please use a separate page if necessary)

Allow a solid waste processing facility consisting of an asphalt and concrete crushing operation that will produce recycled baserock, and have the subject materials stored onsite until it is delivered offsite on a 22.44-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District. The project site is located on the north side of East Kings Canyon Road approximately 1,980 feet west of its nearest intersection with North Del Rey Avenue and is approximately 1.57 miles northwest of the nearest city limits of the City of Sanger.

Note: The State Clearinghouse will assign identification numbers for all new projects. If a SCH number already exists for a project (e.g. Notice of Preparation or previous draft document) please fill in.

Reviewing Agencies Checklist

Lead Agencies may recommend State Clearinghouse distribution by marking agencies below with an "X". If you have already sent your document to the agency please denote that with an "S".

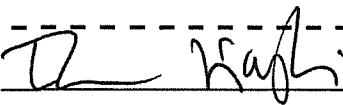
- | | |
|--|--|
| <input checked="" type="checkbox"/> Air Resources Board | <input type="checkbox"/> Office of Historic Preservation |
| <input type="checkbox"/> Boating & Waterways, Department of | <input type="checkbox"/> Office of Public School Construction |
| <input type="checkbox"/> California Emergency Management Agency | <input type="checkbox"/> Parks & Recreation, Department of |
| <input type="checkbox"/> California Highway Patrol | <input type="checkbox"/> Pesticide Regulation, Department of |
| <input checked="" type="checkbox"/> Caltrans District #6 | <input type="checkbox"/> Public Utilities Commission |
| <input type="checkbox"/> Caltrans Division of Aeronautics | <input checked="" type="checkbox"/> Regional WQCB # _____ |
| <input type="checkbox"/> Caltrans Planning | <input type="checkbox"/> Resources Agency |
| <input type="checkbox"/> Central Valley Flood Protection Board | <input type="checkbox"/> Resources Recycling and Recovery, Department of |
| <input type="checkbox"/> Coachella Valley Mtns. Conservancy | <input type="checkbox"/> S.F. Bay Conservation & Development Comm. |
| <input type="checkbox"/> Coastal Commission | <input type="checkbox"/> San Gabriel & Lower L.A. Rivers & Mtns. Conservancy |
| <input type="checkbox"/> Colorado River Board | <input type="checkbox"/> San Joaquin River Conservancy |
| <input type="checkbox"/> Conservation, Department of | <input type="checkbox"/> Santa Monica Mtns. Conservancy |
| <input type="checkbox"/> Corrections, Department of | <input type="checkbox"/> State Lands Commission |
| <input type="checkbox"/> Delta Protection Commission | <input type="checkbox"/> SWRCB: Clean Water Grants |
| <input type="checkbox"/> Education, Department of | <input checked="" type="checkbox"/> SWRCB: Water Quality |
| <input type="checkbox"/> Energy Commission | <input type="checkbox"/> SWRCB: Water Rights |
| <input checked="" type="checkbox"/> Fish & Game Region # Fresno | <input type="checkbox"/> Tahoe Regional Planning Agency |
| <input type="checkbox"/> Food & Agriculture, Department of | <input checked="" type="checkbox"/> Toxic Substances Control, Department of |
| <input type="checkbox"/> Forestry and Fire Protection, Department of | <input type="checkbox"/> Water Resources, Department of |
| <input type="checkbox"/> General Services, Department of | <input checked="" type="checkbox"/> Other: U.S. Fish and Wildlife Service |
| <input type="checkbox"/> Health Services, Department of | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Housing & Community Development | |
| <input type="checkbox"/> Native American Heritage Commission | |

Local Public Review Period (to be filled in by lead agency)

Starting Date September 18, 2020 Ending Date October 18, 2020

Lead Agency (Complete if applicable):

Consulting Firm: <u>County of Fresno</u>	Applicant: <u>John Emmett</u>
Address: <u>2220 Tulare Street, 6th Floor</u>	Address: <u>2216 N. Fowler Avenue</u>
City/State/Zip: <u>Fresno, CA 93721</u>	City/State/Zip: <u>Fresno, CA 93727</u>
Contact: <u>Thomas Kobayashi</u>	Phone: <u>(559) 299-1256</u>
Phone: <u>(559) 600-4224</u>	

Signature of Lead Agency Representative:  Date: 9/18/20

Authority cited: Section 21083, Public Resources Code. Reference: Section 21161, Public Resources Code.



County of Fresno

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

INITIAL STUDY ENVIRONMENTAL CHECKLIST FORM

1. Project title:

Initial Study Application No. 7556
Unclassified Conditional Use Permit Application No. 3626

2. Lead agency name and address:

County of Fresno, Department of Public Works and Planning
2220 Tulare Street, 6th Floor
Fresno, CA 93721

3. Contact person and phone number:

Thomas Kobayashi, Planner
(559) 600-4224

4. Project location:

The project site is located on the north side of East Kings Canyon Road approximately 1,980 feet west of its nearest intersection with North Del Rey Avenue and is approximately 1.57 miles northwest of the nearest city limits of the City of Sanger.

5. Project sponsor's name and address:

John Emmett
2216 N. Fowler Avenue
Fresno, CA 93727

6. General Plan designation:

Agricultural

7. Zoning:

AE-20 (Exclusive Agricultural, 20-acre minimum parcel size)

8. Description of project: (Describe the whole action involved, including, but not limited to, later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary.)

The project proposes to allow a solid waste processing facility consisting of an asphalt and concrete crushing operation that will produce recycled baserock and have the subject materials stored onsite until it is delivered offsite, on a 22.44-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.

9. Surrounding land uses and setting: Briefly describe the project's surroundings:

The project site is located in a mainly agricultural region with single-family residences pocketed throughout the area. The project is located southerly adjacent to State Route 180.

10. Other public agencies whose approval is required (g., permits, financing approval, or participation agreement.)

County of Fresno, Department of Public Works and Planning
San Joaquin Valley Air Pollution Control District

11. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?

Per Assembly Bill 52 (AB 52), participating California Native American Tribes were notified of the subject application and given the opportunity to enter into consultation with the County of Fresno on the project proposal. No participating California Native American Tribe expressed concern with the project proposal or declined to participate.

NOTE: Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See Public Resources Code section 21080.3.2.) Information may also be available from the California Native American Heritage Commission's Sacred Lands File per Public Resources Code section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code section 21082.3(c) contains provisions specific to confidentiality.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- | | |
|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture and Forestry Resources |
| <input type="checkbox"/> Air Quality | <input type="checkbox"/> Biological Resources |
| <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Energy |
| <input type="checkbox"/> Geology/Soils | <input type="checkbox"/> Greenhouse Gas Emissions |
| <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology/Water Quality |
| <input type="checkbox"/> Land Use/Planning | <input type="checkbox"/> Mineral Resources |
| <input type="checkbox"/> Noise | <input type="checkbox"/> Population/Housing |
| <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Transportation | <input type="checkbox"/> Tribal Cultural Resources |
| <input type="checkbox"/> Utilities/Service Systems | <input type="checkbox"/> Wildfire |
| <input type="checkbox"/> Mandatory Findings of Significance | |

DETERMINATION OF REQUIRED ENVIRONMENTAL DOCUMENT:

On the basis of this initial evaluation:

- I find that the proposed project **COULD NOT** have a significant effect on the environment. **A NEGATIVE DECLARATION WILL BE PREPARED.**
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the Mitigation Measures described on the attached sheet have been added to the project. **A MITIGATED NEGATIVE DECLARATION WILL BE PREPARED.**
- I find the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required
- I find that as a result of the proposed project, no new effects could occur, or new Mitigation Measures would be required that have not been addressed within the scope of a previous Environmental Impact Report.

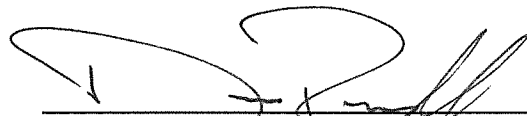
PERFORMED BY:

REVIEWED BY:



Thomas Kobayashi, Planner

Date: 9/18/20



David Randall, Senior Planner

Date: 9.17.20

**INITIAL STUDY
ENVIRONMENTAL CHECKLIST FORM
(Initial Study Application No. 7556 and
Unclassified Conditional Use Permit
Application No. 3626**

The following checklist is used to determine if the proposed project could potentially have a significant effect on the environment. Explanations and information regarding each question follow the checklist.

1 = No Impact

2 = Less Than Significant Impact

3 = Less Than Significant Impact with Mitigation Incorporated

4 = Potentially Significant Impact

I. AESTHETICS

Except as provided in Public Resources Code Section 21099, would the project:

- 1 a) Have a substantial adverse effect on a scenic vista?
- 1 b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?
- 3 c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?
- 3 d) Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?

II. AGRICULTURAL AND FORESTRY RESOURCES

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

- 2 a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?
- 2 b) Conflict with existing zoning for agricultural use, or a Williamson Act Contract?
- 1 c) Conflict with existing zoning for forest land, timberland or timberland zoned Timberland Production?
- 1 d) Result in the loss of forest land or conversion of forest land to non-forest use?
- 1 e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?

III. AIR QUALITY

Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:

- 2 a) Conflict with or obstruct implementation of the applicable Air Quality Plan?
- 2 b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?
- 3 c) Expose sensitive receptors to substantial pollutant concentrations?
- 3 d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

IV. BIOLOGICAL RESOURCES

Would the project:

- 1 a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?
- 1 b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?
- 1 c) Have a substantial adverse effect on state or federally-protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?
- 1 d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?
- 1 e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?
- 1 f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state Habitat Conservation Plan?

V. CULTURAL RESOURCES

Would the project:

- 3 a) Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?
- 3 b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?
- 3 c) Disturb any human remains, including those interred outside of formal cemeteries?

VI. ENERGY

Would the project:

- 3 a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?
- 3 b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

VII. GEOLOGY AND SOILS

Would the project:

- a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:
 - 1 i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?
 - 1 ii) Strong seismic ground shaking?
 - 1 iii) Seismic-related ground failure, including liquefaction?
 - 1 iv) Landslides?
- 2 b) Result in substantial soil erosion or loss of topsoil?
- 1 c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?
- 1 d) Be located on expansive soil as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?
- 2 e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?
- 1 f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

VIII. GREENHOUSE GAS EMISSIONS

Would the project:

- 2 a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?
- 2 b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

IX. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

- 1 a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?
- 1 b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?
- 1 c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?
- 1 d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?
- 1 e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?
- 1 f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?
- 1 g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

X. HYDROLOGY AND WATER QUALITY

Would the project:

- 2 a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?
- 2 b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?
- 2 c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would result in substantial erosion or siltation on or off site?
 - 2 i) Result in substantial erosion or siltation on- or off-site;
 - 2 ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;
 - 2 iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or
 - 1 iv) Impede or redirect flood flows?
- 2 d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?
- 1 e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

XI. LAND USE AND PLANNING

Would the project:

- 1 a) Physically divide an established community?
- 2 b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

XII. MINERAL RESOURCES

Would the project:

- 1 a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?
- 1 b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local General Plan, Specific Plan or other land use plan?

XIII. NOISE

Would the project result in:

- 3 a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?
- 3 b) Generation of excessive ground-borne vibration or ground-borne noise levels?
- 1 c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

XIV. POPULATION AND HOUSING

Would the project:

- 1 a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and

businesses) or indirectly (for example, through extension of roads or other infrastructure)?

- 1 b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?

XIX. UTILITIES AND SERVICE SYSTEMS

Would the project:

- 1 a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?
- 2 b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?
- 3 c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?
- 1 d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?
- 1 e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

XV. PUBLIC SERVICES

Would the project:

- 1 a) Result in substantial adverse physical impacts associated with the provision of new or physically-altered governmental facilities, or the need for new or physically-altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:
 - 1 i) Fire protection?
 - 1 ii) Police protection?
 - 1 iii) Schools?
 - 1 iv) Parks?
 - 1 v) Other public facilities?

XVI. RECREATION

Would the project:

- 1 a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?
- 1 b) Include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?

XX. WILDFIRE

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

- 1 a) Substantially impair an adopted emergency response plan or emergency evacuation plan?
- 1 b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?
- 1 c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?
- 1 d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

XVII. TRANSPORTATION

Would the project:

- 2 a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?
- 2 b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?
- 1 c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?
- 1 d) Result in inadequate emergency access?

XXI. MANDATORY FINDINGS OF SIGNIFICANCE

Would the project:

- 1 a) Have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?
- 3 b) Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)
- 3 c) Have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?

XVIII. TRIBAL CULTURAL RESOURCES

Would the project:

- 3 a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:
 - 3 i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or
 - 3 ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public

Documents Referenced:

This Initial Study is referenced by the documents listed below. These documents are available for public review at the County of Fresno, Department of Public Works and Planning, Development Services and Capital Projects Division, 2220 Tulare Street, Suite A, Fresno, California (corner of M & Tulare Streets).

Fresno County General Plan, Policy Document and Final EIR
Fresno County Zoning Ordinance
Important Farmland 2016 Map, State Department of Conservation
Fire Hazard Severity Zones in LRA 2007 Map, California Department of Forestry and Fire Protection
Acoustical Analysis, October 30, 2018 (Revised March 19, 2020), WJV Acoustics
Greenhouse Gas Analysis, December 4, 2019, LSA

TK

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County of Fresno

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

EVALUATION OF ENVIRONMENTAL IMPACTS

- APPLICANT: John Emmett
- APPLICATION NOS.: Initial Study Application No. 7556 and Unclassified
Conditional Use Permit Application No. 3626
- DESCRIPTION: Allow a solid waste processing facility consisting of an asphalt and concrete crushing operation that will produce recycled baserock, and have the subject materials stored onsite until it is delivered offsite on a 22.44-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.
- LOCATION: The project site is located on the north side of East Kings Canyon Road approximately 1,980 feet west of its nearest intersection with North Del Rey Avenue and is approximately 1.57 miles northwest of the nearest city limits of the City of Sanger (APN: 314-120-35S) (SUP. DIST. 5).

I. AESTHETICS

Except as provided in Public Resources Code Section 21099, would the project:

- A. Have a substantial adverse effect on a scenic vista; or
- B. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

FINDING: NO IMPACT:

The subject site is located in a mainly agricultural region with single-family residences located throughout area. According to Figure OS-2 of the Fresno County General Plan, the subject site is not located on or near a scenic roadway. There were no scenic resources or vistas were identified on the subject parcel, or being affected by the project proposal.

- C. In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

The main processing operation will be located in an approximately 3-acre portion located in the southeastern section of the parcel. The operation is proposed to have public road frontage along East Kings Canyon Road at the southeastern portion and will be visible from State Route 180. The applicant proposes 6-foot high chain link fence along the entire property boundary. Additionally, the residential parcel located in the middle of the subject parcel will have further screening with the installation of a 6-foot high chain link fence with privacy slats. The project proposal has the potential to substantially degrade the existing visual character or quality of public views of the site and its surroundings by not providing a visual buffer of the operation from State Route 180, the area with the most potential for public views of the site. Therefore, mitigation shall be implemented to further screen the site of the crushing operation from public view. Additional screening via privacy slats is not necessary as there appears to be agricultural and landscaping buffers located to the east and approximately 1,530 feet between the residence to the north and the processing area. Per the applicant's operational statement, the applicant will plant trees along the northern perimeter of the property to act as a buffer between the existing houses and the grinding operation. To further reduce the visual impact the proposed operation will have on the surrounding area, a height limit shall be established on processed and unprocessed material. This will allow reduction of public views of the operation.

* **Mitigation Measure(s)**

1. *Six-foot high fencing with privacy slats or dense vegetative screening shall be installed and maintained along the southern property line closest to the processing/crushing facility.*
2. *The stockpiles of processed and unprocessed materials shall be limited to 25 feet in height.*

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

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

Per the applicant's operational statement, there is no proposed outdoor lighting. A mitigation measure will be implemented in the case the outdoor lighting is utilized at a later date to reduce impacts on adjacent properties and public right-of-way.

* **Mitigation Measure(s)**

3. *All outdoor lighting shall be hooded and directed downward so as not to shine on public roads or surrounding property.*

II. AGRICULTURAL AND FORESTRY RESOURCES

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

- A. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use; or
- B. Conflict with existing zoning for agricultural use, or a Williamson Act Contract?

FINDING: LESS THAN SIGNIFICANT IMPACT:

According to the Fresno County Important Farmland 2016 Map. Portions of the project site appear to be designated Prime Farmland and Unique Farmland. Aerial photographs of the project site suggest that the site has been utilized for agricultural cultivation in the past. More recent aerial photographs of the site indicate that the parcel is not utilized towards agricultural cultivation. The subject parcel is zoned AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) and is not subject to a Williamson Act Contract. The proposed use is allowed subject to a discretionary land-use permit per the Fresno County Zoning Ordinance. Per the Applicant's Operational Statement, the northern portion of the parcel would be planted with fruit or nut trees. The majority of the subject site would be utilized towards the proposed operation. Although a loss of productive agricultural land may occur, the loss is not considered significant as recent aerial imagery of the site suggest that the site is not in agricultural production.

- C. Conflict with existing zoning for forest land, timberland or timberland zoned Timberland Production; or
- D. Result in the loss of forest land or conversion of forest land to non-forest use; or
- E. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?

FINDING: NO IMPACT:

The subject site is not zoned for forest land, timberland, or timberland zoned Timberland Production and will not result in the loss of forest land. The project will not result in the conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use as the surrounding uses and underlying zone district will not change.

III. AIR QUALITY

Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:

- A. Conflict with or obstruct implementation of the applicable Air Quality Plan; or
- B. 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?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The subject application was reviewed by the San Joaquin Valley Air Pollution Control District (SJVAPCD). SJVAPCD did not express concern with the subject application. Although concerns were not expressed by the Air District, it should be noted that the project proposal would be subject to all criteria pollutant thresholds and regulations established under the SJVAPCD. Therefore the project is not in conflict with the applicable Air Quality Plan. As the proposal is a relocation of an existing operation, the criteria pollutants for the air may increase, but would not exceed conditions from the existing operation. Therefore, the increase in the immediate vicinity is less than significant.

- C. Expose sensitive receptors to substantial pollutant concentrations; or
- D. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

The project proposal will involve the crushing and grinding of asphalt concrete, concrete and other inert materials, which has the potential to create dust. The use does have the ability to negatively impact surrounding properties and agricultural operations due to dust and could impact the public health and crop health/quality. A mitigation measure will be implemented to require the use of dust control measures to ensure limited dust creation from the proposed use.

* **Mitigation Measure(s)**

1. *The applicant shall apply water to the ground, raw materials, processing operation and processed materials to control dust. The operator of the use shall operate in such a manner as to reduce fugitive dust from the operation impacting adjacent properties. If regulations by the SJVAPCD and the use's operator's practices do not reduce the impact of dust on adjacent properties to a level less than other common farming activities in the area, the operator of the use may be required by the code enforcement section of the Fresno County Public Works and Planning Department and/or Department of Public Health to provide*

additional dust control measures so as to reduce the generation of dust and the potential drifting of dust on to neighboring parcels.

IV. BIOLOGICAL RESOURCES

Would the project:

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

FINDING: NO IMPACT:

According to the California Natural Diversity Database (CNDDDB), there are no reported occurrences of a special status species on or near the project site. Review of aerial images of the project site, the site has historically been utilized for agricultural cultivation and more recently has been cleared of vegetation and is utilized for equipment storage. Surrounding properties appear to be utilized for agricultural cultivation. Additionally, the project site is in close proximity of a State Route 180. In considering the project site's ground disturbance from its past and present use, surrounding ground disturbance from agricultural operations in the vicinity of the project site, the sites proximity to a major road in the form of State Route 180, and no reported occurrence of a special status species, the project appears to not have an adverse effect on any candidate or special status species.

- B. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service; or
- C. Have a substantial adverse effect on state or federally-protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

FINDING: NO IMPACT:

According to the National Wetlands Inventory, the project site is not located on or near any identified wetlands. There are no riparian habitat or identified sensitive natural community. The project will not have an adverse effect on riparian habitats or wetlands.

- D. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

FINDING: NO IMPACT:

There were no native resident or migratory wildlife corridor or native wildlife nursery site identified on or near the project site. The project will not interfere substantially with the movement of any native resident or migratory fish.

- E. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance; or
- F. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state Habitat Conservation Plan?

FINDING: NO IMPACT:

There are no local policies or ordinances, or an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state Habitat Conservation Plan that was identified from this analysis.

V. CULTURAL RESOURCES

Would the project:

- A. Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5; or
- B. Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5; or
- C. Disturb any human remains, including those interred outside of formal cemeteries?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

Per County records, the subject site is not located in area designated as being archeologically sensitive. Historically the project site has been utilized for agricultural cultivation and recently has been utilized for equipment storage. Existing improvements of the site include a building in the southwestern portion of the parcel. The Applicant is also proposing to construct a 10,125 square-foot office/shop building. In considering the past use of the site for agricultural purposes, the site has experienced ground disturbance and would have disturbed any historical, archaeological, or cultural resources. The site is not believed to contain any cultural resource, but a mitigation measure will be implemented in the event that cultural resources are unearthed during any ground disturbing activity related to project construction and operation.

* **Mitigation Measure(s)**

1. *In the event that cultural resources are unearthed during ground-disturbing activities, all work shall be halted in the area of the find. An Archeologist shall be called to evaluate the findings and make any necessary mitigation recommendations. If human remains are unearthed during ground-disturbing*

activities, no further disturbance is to occur until the Fresno County Sheriff-Coroner has made the necessary findings as to origin and disposition. All normal evidence procedures should be followed by photos, reports, video, etc. If such remains are determined to be Native American, the Sheriff-Coroner must notify the Native American Commission within 24 hours.

VI. ENERGY

Would the project:

- A. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation; or
- B. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

Per the Applicant's Operational Statement, the grinder and front loader would operate an average of four hours per operation day with other equipment related to the operation operating an average of two to three hours per operation day up to a maximum of ten days a month, with the proposed operation for processing to run between 7:00 AM and 5:00 PM. As the processing equipment is not anticipated to run during the entire hours of operation, significant environmental impacts related to energy consumption is not anticipated to occur as a result of the project. Due to the amount of running equipment and vehicles involved with the operation, a mitigation measure will be implemented to avoid idling of equipment related to the operation to the most possible extent to reduce wasteful, inefficient, or unnecessary consumption of energy resources.

There is a shop building existing on the property and a proposed office/shop building that will be utilized with the operation. The proposed office/shop building will be constructed to the most current building code which would take into account regulations and standards for energy efficiency.

Reviewing agencies and departments did not express concern with the proposal to indicate that the project would result in conflicts or obstruction of a state or local plan for renewable energy or energy efficiency.

* **Mitigation Measure(s)**

1. *The idling of running equipment and vehicles related to the operation shall be avoided to the most possible extent to reduce wasteful, inefficient, or unnecessary consumption of energy resources.*

VII. GEOLOGY AND SOILS

Would the project:

A. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:

1. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?

FINDING: NO IMPACT:

According to the California Earthquake Hazards Zone Application and Figure 9-3 of the Fresno County General Plan Background Report, the subject parcel is not located on or near any identified earthquake hazard zone.

2. Strong seismic ground shaking?
3. Seismic-related ground failure, including liquefaction?

FINDING: NO IMPACT:

According to Figure 9-5 of the Fresno County General Plan Background Report (FCGPBR), the subject site is not located in area designated as having a probabilistic seismic hazard. The project site is not expected to be subject to strong seismic ground shaking or seismic-related ground failure.

4. Landslides?

FINDING: NO IMPACT:

Per Figure 9-6 of the FCGPBR, the subject site is not subject to landslide hazards. Aerial images and photographs of the site suggest that the general terrain of the area is flat land utilized for agricultural purposes with little to no extreme changes in elevation to suggest the area would subject to landslides.

B. Result in substantial soil erosion or loss of topsoil?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Per the submitted site plan, the project site will be improved with a 10,125 square-foot office/shop building which will result in the loss of topsoil equal to the square-footage of the building. Also, to be noted, there will be two distinct areas that will experience change from the proposal. A 12-foot high earthen berm will be developed to dampen noise between the crushing operation and the single-family residence located west and a stockpile area for unprocessed material. These two highlighted areas can potentially change the drainage patterns of the project site and result in soil erosion and ground coverage. In considering these changes, per County standards, an Engineered Grading and Drainage Plan may be required to address the proposed changes in environment

thereby reducing impacts to soil erosion and loss of topsoil to a less than significant impact.

- C. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?

FINDING: NO IMPACT:

Reviewing agencies and departments did not identify any geologic unit or soil that would become unstable as a result of the project or potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse.

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

FINDING: NO IMPACT:

According to Figure 7-1 of the Fresno County General Plan Background Report, the project site is not located near areas where soils exhibit moderately high to high expansion potential.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The Department of Public Health, Environmental Health Division has reviewed the subject application, and determined that the subject parcel can accommodate the sewage disposal system and expansion area meeting the mandatory setbacks and policy requirements as established with the implementation of the Fresno County Tier 2 Local Area Management Plan (LAMP), onsite wastewater treatment system (OWTS) policy and California Plumbing Code. The onsite sewage disposal system shall be installed under permit and inspection by the Department of Public Works and Planning, Building and Safety Section. No other reviewing agency or department expressed concern with the application to indicate that soils of the subject parcel would be incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems.

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

FINDING: NO IMPACT:

There were no paleontological resource or unique geologic feature identified on the subject parcel.

VIII. GREENHOUSE GAS EMISSIONS

Would the project:

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

A Greenhouse Gas Emissions Analysis dated December 4, 2019 was prepared by LSA for the project proposal. Greenhouse Gas (GHG) emissions were estimated utilizing the California Emissions Estimator Model (CalEEMod). Estimated construction GHG emissions resulting from the project are 60.77 metric tons of CO₂e. Operational GHG emissions are estimated to be 451.6 CO₂e metric tons per year. The Study references suggested thresholds from the San Joaquin Valley Air Pollution Control District (SJVAPCD) *Guidance for Valley Land-Use Agencies in Addressing GHG Emission Impacts for New Projects Under CEQA* (Guide), a project would be considered less than significant if a project meets any of the following criteria: is exempt from CEQA requirements; complies with an approved GHG emissions reduction plan or GHG mitigation program or implements Best Performance Standards (BPS). Additionally, projects that demonstrate the GHG emissions would be reduced or mitigated by at least 29 percent compared to Business-as-Usual (BAU), including GHG emission reductions achieved since the 2002-2004 baseline period, would be considered less than significant. The study determined that the project proposal is not subject to the criteria established under SJVAPCD's Guide as the project is not exempt from CEQA, specific BPS from the Guide would not be applicable for the project, and based on project specifics would generate limited employee and vendor vehicle trips and would have a small building construction footprint where a BAU analysis would not be applicable. The analysis states that due to the absence of other local or regional Climate Action Plans, the proposed project was analyzed for consistency with the goals of Assembly Bill 32 (AB 32) and the AB 32 Scoping Plan. The study identifies additional regulations including Senate Bill 32 (SB 32) and Assembly Bill 197 (AB 197) which provides additional reduction standards and regulations. Additional identified State regulations and standards which require compliance for GHG reductions include California Model Water Efficient Landscape Ordinance and Pavley II (LEV III) Advanced Clean Cars Program. The study concludes that the proposed project would comply with existing State regulations adopted to achieve the overall GHG emissions reduction goals identified in AB 32 and would be consistent with applicable plans and programs designed to reduce GHG emissions. Therefore, based on the estimated emissions and conclusions drawn in the analysis, the project will have a less than significant impact on greenhouse gas emissions.

VIII. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

- A. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials; or
- B. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

FINDING: NO IMPACT:

Reviewing agencies and departments of the subject application and did not indicate that the project proposal would result in transportation, use, or disposal of hazardous materials or waste. No concerns were expressed to indicate that the project would create a significant hazard to the public or the environment through an upset or accidental condition involving the release of hazardous materials into the environment. Specifically, the Department of Public Health, Environmental Health Division and the San Joaquin Valley Air Pollution Control District reviewed the project and did not express concerns with the proposal to indicate that the project would be handling hazardous materials or waste that would negatively impact the surrounding area.

- C. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

FINDING: NO IMPACT:

The project proposal is not located within one-quarter mile of an existing or proposed school.

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

FINDING: NO IMPACT:

According to the NEPAssist Web Application, the project site is not located on or near any listed hazardous materials site and would not create a significant hazard to the public or environment.

- E. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?

FINDING: NO IMPACT:

The project site is not located within an airport land use plan and not within two miles of a public airport or public use airport.

- F. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan; or
- G. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

FINDING: NO IMPACT:

Reviewing agencies and departments did not express concern that the project proposal would result in impairing implementation of or physically interfering with an adopted emergency response plan or emergency evacuation plan.

According to the 2007 Fire Hazard Severity Zones in LRA Map for Fresno County, the project site is not located on or near any moderate to very high fire hazard severity zones. Therefore the project would not expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires.

X. HYDROLOGY AND WATER QUALITY

Would the project:

- A. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality; or
- B. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Per the Applicant's Operational Statement, an estimated 12,000 gallons per day of water is the anticipated maximum usage for the proposed operation. The Applicant has indicated that the site will utilize a water truck for dust control measures. Water will be supplied for the water truck from the existing onsite agricultural well. The Water and Natural Resources Division reviewed the project proposal and did not indicate that the project would violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality. The Water and Natural Resources Division also determined that based on the estimated water usage, the project would not substantially decrease groundwater supplies or interfere with groundwater recharge. Therefore, a less than significant impact is seen based on the determination that the proposed water usage will not have an adverse impact on groundwater supplies.

- C. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would result in substantial erosion or siltation on or off site?
 - 1. Result in substantial erosion or siltation on- or off-site;

2. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite?

FINDING: LESS THAN SIGNIFICANT IMPACT:

According to Figure 7-3 of the Fresno County General Plan Background Report (FCGPRBR), the subject site is not located on or near identified erosion hazard areas. According to the National Wetlands Inventory (NWI), the subject site is not located on any identified wetlands. The project proposal would result in changes to the terrain of the parcel, which could result in additional erosion of the site or increase the rate or amount of surface runoff. Although an increase in the instances could occur, the Development Engineering Section of the Fresno County Department of Public Works and Planning would require an Engineered Grading and Drainage Plan and grading permit to show how storm water runoff generated by the proposed development will be handled without adversely impacting adjacent properties or the environment. With compliance of County standards, a less than significant impact is seen on the possible erosion and increased rate or amount of surface runoff that could be generated by the proposed project.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project proposal has the potential to contribute additional runoff water that could become polluted from the processed materials. As there are no existing or planned stormwater drainage systems that service the parcel, the runoff per County standards should be confined to the subject parcel and not cross any adjacent property lines. Therefore, a less than significant impact is seen with compliance with County standards.

4. Impede or redirect flood flows?

FINDING: NO IMPACT:

According to FEMA FIRM Panel 2155H, the parcel is not subject to flooding from the 100-year storm. Therefore, the project would not impede or redirect flood flows.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

Per FEMA FIRM Panel 2155H, the project parcel is not subject to flooding from the 100-year storm, therefore the project would have little to no impact regarding the risk of release of pollutants due to project inundation from a flood hazard. However, according to Figure 9-8 of the Fresno County General Plan Background Report (FCGPBR), the

subject site could be subject to flood inundation from dam failure. Although there is the risk release of pollutants in the event that a dam failure were to occur, the event is unlikely to occur. The project site is not located on or near any body of water to indicate increased risk from a tsunami or seiche.

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

FINDING: NO IMPACT:

Reviewing agencies and departments did not express concern with the project proposal to indicate that the project would conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.

XI. LAND USE AND PLANNING

Would the project:

- A. Physically divide an established community?

FINDING: NO IMPACT:

The project site is located in a mainly agricultural area north of State Route 180. The project does not physically divide an established community.

- B. Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The subject parcel is designated as Agricultural in the Fresno County General Plan. The Policy Planning Section of the Department of Public Works and Planning has identified policies related to proposed uses in the Agricultural land use designation.

General Plan Policy LU-A.3 states that the County may allow by discretionary permit in areas designated as Agricultural, special agricultural uses and agriculturally-related activities, including value-added processing facilities, and certain non-agricultural uses listed in Table LU-3. Approval of these and similar uses in areas designated as Agricultural shall be subject to the following criteria:

Criteria "a" states that the use shall provide a needed service to the surrounding agricultural area which cannot be provided more efficiently within urban areas or which requires location in a non-urban area because of unusual site requirements or operational characteristics.

- The proposed use requires location in either non-urban areas or in industrial designated area due to the operational characteristics involved which could possible noise and air quality impacts that would negatively impact residential

uses that could be located in close proximity of the site if it were situated towards the more densely populated areas.

Criteria “b” states that the use should not be sited on productive agricultural lands if less productive land is available in the vicinity.

- Per the 2016 Important Farmlands Map, portions of the project site are designated for Prime Farmland or Unique Farmland. Recent aerial images of the project site indicate that the site is not utilized for agricultural cultivation. As the site has not been recently farmed, the land could be considered as being less productive agricultural land. Surrounding properties are mostly utilized for agricultural production, therefore there is likely no less productive land in the vicinity of the project site.

Criteria “c” states that the operational or physical characteristics of the use shall not have a detrimental impact on water resources or the use or management of surrounding properties within at least one-quarter (1/4) mile radius.

- Based on the Applicant’s Operational Statement, the project proposal will utilize a maximum usage of 12,000 gallons per day. Agency and departmental review of the proposed water usage did not return concerns about the estimated water usage to indicate that the project will have a detrimental impact on water resources.

Criteria “d” states that a probable workforce should be located nearby or be readily available.

- The project site is located in close proximity to State Route 180 and has access to the City of Fresno and the City of Sanger. Both are population centers that would provide a probable workforce for the proposed use.

Criteria “e” states that for proposed agricultural commercial center uses the following additional criteria shall apply:

1. Commercial uses should be clustered in centers instead of single uses.
2. To minimize proliferation of commercial centers and overlapping of trade areas, commercial centers should be located a minimum of four (4) miles from any existing or approved agricultural or rural residential commercial center of designated commercial area of any city or unincorporated community.
3. New commercial uses should be located within or adjacent to existing centers.
4. Sites should be located on a major road serving the surrounding area.
5. Commercial centers should not encompass more than one-quarter (1/4) mile of road frontage, or one eighth (1/8) mile if both sides of the road are involved, and should not provide potential for developments exceeding ten (10) separate business activities, exclusive of caretakers’ residences.

In regard to Criteria “e”, the project proposal is not being considered under an agricultural commercial center, therefore the additional criteria would not apply to the application.

Criteria “f” states for proposed value-added agricultural processing facilities, the evaluation under criteria “a”, shall consider the service requirements of the use and the

capability and capacity of cities and unincorporated communities to provide the required services.

- The project proposal is not for a value-added agricultural processing facility.

Criteria “h” states that when approving a discretionary permit for an existing commercial use, the criteria listed shall apply except for LU-A.3b, e2, e4, and e5.

General Plan Policy LU-A.12 states that in adopting land use policies, regulations and programs, the County shall seek to protect agricultural activities from encroachment of incompatible land uses.

- The proposal is not to approve an existing commercial use.

General Plan Policy LU-A.13 states that the County shall protect agricultural operations from conflicts with nonagricultural uses by requiring buffers between proposed non-agricultural uses and adjacent agricultural operations.

- Per the Applicant’s submitted site plan, the unprocessed material stockpile will be located approximately 60 feet west from the nearest property line that is utilized for agricultural production. The grinding equipment is proposed to be approximately 150 feet west of the property line. The Applicant also proposes to have a 6-foot high chain-link fence along the property line to further establish the boundary between the subject property and neighboring property. In considering the amount of space between the stockpile area and the neighboring property line, there appears to be enough buffer between the proposed use and adjacent agricultural operation.

General Plan Policy LU-A.14 states that the County shall ensure that the review of discretionary permits includes an assessment of the conversion of productive agricultural land and that mitigation be required where appropriate.

- The subject parcel is designated Agricultural in the Fresno County General Plan and is not enrolled in the Williamson Act Program. The Fresno County Department of Agriculture has reviewed the application and requires that the Applicant acknowledge the County’s “Right to Farm” Ordinance. No further assessment of the conversion of agricultural land was required from reviewing agencies and departments.

General Plan Policy PF-C.17 states that the County shall, prior to consideration of any discretionary project related to land use, undertake a water supply evaluation. The evaluation shall include the following:

- a. A determination that the water supply is adequate to meet the highest demand that could be permitted on the lands in questions. If surface water is proposed, it must come from a reliable source and the supply must be made “firm” by water banking or other suitable arrangement. If groundwater is proposed, a hydrogeologic investigation may be required to confirm the availability of water in amounts necessary to meet project demand. If the lands in question lie in an area of limited groundwater, a hydrogeologic investigation shall be required.
- b. A determination of the impact that use of the proposed water supply will have on other water users in Fresno County. If use of surface water is proposed, its use must not have a significant negative impact on agriculture or other water users within Fresno County. If use of groundwater is proposed, a hydrogeologic

investigation may be required. If the lands in question lie in an area of limited groundwater, a hydrogeologic investigation shall be required. Should the investigation determine that significant pumping-related physical impacts will extend beyond the boundary of the property in question, those impacts shall be mitigated.

In regard to General Plan Policy PF-C.17, reviewing agencies and departments did not require the need for a water supply evaluation. The Applicant, per their Operational Statement, estimates a maximum of 12,000 gallons of water per day supplied by an agricultural well to serve the proposed use. The Water and Natural Resources Division did not express concern with the estimated water usage, nor indicate that need for a water supply evaluation.

XII. MINERAL RESOURCES

Would the project:

- A. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state; or
- B. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local General Plan, Specific Plan or other land use plan?

FINDING: NO IMPACT:

Per Figure 7-7 and 7-8 of the Fresno County General Plan Background Report, the subject site is not located on or near any identified mineral resource locations or principal mineral producing locations. Therefore, the project will not result in the loss of availability of a known mineral resources or mineral resource recovery site.

XIII. NOISE

Would the project result in:

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

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

The proposed operation has the potential to increase noise levels in excess of Fresno County Noise Ordinance. An Acoustical Analysis dated October 30, 2018 (Revised March 19, 2020) was prepared by WJV Acoustics (WJVA) for the project proposal. The Fresno County Noise Ordinance establishes maximum permissible noise levels and was utilized by the Acoustical Analysis as a threshold for noise level measurements. The analysis measured noise levels produced from the grinder equipment and hammer

equipment as those uses would produce the majority of sound from the project proposal. Estimated noise levels of the grinder equipment from various distances were provided and the data revealed that the operation of the grinder equipment would not exceed County Noise Ordinance standards with the loudest estimated noise level being 69 dBA with the County standard being 70 dBA. The hammer equipment noise levels were measure 100 feet away from the operating equipment. Unmitigated noise levels of the hammer equipment at 100 feet away exceeded the noise thresholds of the Fresno County Noise Ordinance. The analysis then measured noise levels at 100 feet away with implementation of a ten-foot high berm which provided shielded noise levels. The presence of the ten-foot high berm reduced noise levels at an average of approximately 9 dB, which reduces the noise levels under the maximum thresholds of the Fresno County Noise Ordinance. The analysis identifies the closest noise-sensitive receptor as being approximately 300 feet away from the hammer equipment, therefore noise levels would be further reduced. The analysis recommends the installation of a twelve-foot high berm instead of a ten-foot high berm, therefore mitigation will be implemented based on recommendations from WJVA. Additional mitigation recommended by the consultant are listed below.

* **Mitigation Measure(s)**

1. *A twelve-foot high berm shall be established between the closest sensitive receptor and the proposed processing facility.*
2. *Grinder and hammer operations should not occur during the nighttime hours between 10:00 PM and 7:00 AM, when applicable noise standards are more restrictive. Operation of the grinder and hammer operations should only occur during the listed hours of operation as established under the Operational Statement between 7:00 AM and 5:00 PM.*

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

FINDING: NO IMPACT:

The project site is not located in the vicinity of a private airstrip or airport land use plan and not within two miles of a public airport or public use airport, which would expose people residing or working in the project area to excessive noise levels.

XIV. POPULATION AND HOUSING

Would the project:

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

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

FINDING: NO IMPACT:

The project proposal per the Applicant's Operational Statement is for a grinding operation that requires a low employee count to operate. The project is proposed to be situated in a mainly agricultural region with single-family residence pocketed throughout the area. The project is not expected to induce substantial unplanned population growth and will not displace people or housing.

XV. PUBLIC SERVICES

Would the project:

- A. Result in substantial adverse physical impacts associated with the provision of new or physically-altered governmental facilities, or the need for new or physically-altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services?
 1. Fire protection;
 2. Police protection;
 3. Schools;
 4. Parks; or
 5. Other public facilities?

FINDING: NO IMPACT:

Reviewing agencies and departments did not express concern with the project proposal to indicate that the proposed operation will require the provision of new or physically-altered governmental facilities or negatively impact service ratios, response times, or other performance objectives.

XVI. RECREATION

Would the project:

- A. Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated; or
- B. Include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?

FINDING: NO IMPACT:

The project proposal will not result in the increased use of existing neighborhood or regional parks, or other recreational facilities and will not require the construction or expansion of recreational facilities which could have an adverse physical effect on the environment.

XVI. TRANSPORTATION

Would the project:

- A. Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities; or
- B. Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)??

FINDING: LESS THAN SIGNIFICANT IMPACT:

Per the Applicant, the project proposal would generate approximately six (6) employee trips per day and twenty (20) truck trips per day during project operation. Based on the estimated trip generation, the project would not exceed County thresholds to require a Traffic Impact Study. Reviewing agencies and departments did not express concern with the subject application to indicate that the project would conflict with a program, plan, ordinance or policy addressing the circulation system.

Although the project was not considered under Vehicle Miles Traveled (VMT), the project site is located along State Route 180 between the City of Fresno and the City of Sanger. The previous site of the operation was located closer to the City of Fresno, approximately 5,540 feet north of State Route 180. Per the Applicant's Operational Statement, the use would receive deliveries from construction sites throughout the area. Possible construction projects that the proposed facility can service will likely originate from development in urban areas. The proposed site could reduce VMT from urban centers by being located in between urban centers than favoring one.

- C. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?; or
- D. Result in inadequate emergency access?

FINDING: NO IMPACT:

Reviewing agencies and departments did not identify any hazards or inadequate emergency access designs for vehicular traffic from the project proposal and submitted plans.

XVIII. TRIBAL CULTURAL RESOURCES

Would the project:

- A. Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:
1. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or
 2. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

Per Assembly Bill 52 (AB 52), participating California Native American Tribes were notified of the subject application given the opportunity to enter into consultation with the County of Fresno on the project proposal. No notified California Native American Tribe requested consultation. The project site is not listed on any local register or historical resource. Although historical use of the site suggests that resources would not exist on the parcel, a mitigation measure will be implemented to address cultural resources in the event that a resource is unearthed during ground disturbing activity.

* **Mitigation Measure(s)**

1. See Section V. Cultural Resources, Mitigation Measure #1

XIX. UTILITIES AND SERVICE SYSTEMS

Would the project:

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

FINDING: NO IMPACT:

The project will not require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural

gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental impacts.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

According to the Applicant, the proposed operation will utilize approximately a maximum of 12,000 gallons a day of water. The Water and Natural Resources Division reviewed the subject application and did not express concerns with the proposed water usage resulting from the project. County records indicate that the subject parcel is not located in low water designated areas. Therefore, the project will result in a less than significant impact on water supplies.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The Department of Public Health, Environmental Health Division has reviewed the subject application and determined that the subject parcel can accommodate the sewage disposal system and expansion area meeting the mandatory setbacks and policy requirements as established with the implementation of the Fresno County Tier 2 Local Area Management Plan (LAMP), onsite wastewater treatment system (OWTS) policy and California Plumbing Code. If a new septic system is proposed to be constructed on the subject parcel, the septic system is subject to permit and inspections by the County of Fresno Department of Public Works and Planning.

- D. Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals; or
- E. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

FINDING: NO IMPACT:

Per the Applicant's Operational Statement, the proposed operation will allow the County to further meet State and Federal standards and regulations for solid waste reduction goals. The project will not generate solid waste in excess of State and local standards and will divert solid waste to the proposed crushing facility for processing of materials for reuse.

XX. WILDFIRE

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

- A. Substantially impair an adopted emergency response plan or emergency evacuation plan, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects; or
- B. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire; or
- C. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment; or
- D. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

FINDING: NO IMPACT:

According to the 2007 County of Fresno Fire Hazard Severity Zones in LRA Map provided by the California Department of Forestry and Fire Protection, the project site is not located in a State Responsibility Area (SRA) and is not located in lands classified as very high fire hazard severity zones.

XXI. MANDATORY FINDINGS OF SIGNIFICANCE

Would the project:

- A. Have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

FINDING: NO IMPACT:

The project site has historically been farmed and has been disturbed with human activity to deter the occupation of wildlife species. The project will not cause wildlife population to drop below self-sustaining levels or threaten to eliminate a plant or animal community.

- B. Have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

Cumulative impacts identified in the analysis were associated with Aesthetics, Air Quality, Cultural Resources, Energy, Noise, and Tribal Cultural Resources. These impacts will be reduced to a less than significant impact with incorporation of recommended Mitigation Measures discussed in Section I.C and D, Section III.C and D, Section V.A, B, C, and D, Section VI.A and B, Section XIII.A and B, and Section XVIII.A.1 and 2.

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

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

Environmental effects that can cause substantial adverse effect on human beings identified in Aesthetics, Air Quality, and Noise has been reduced to a less than significant impact with implementation of recommended Mitigation Measures discussed in Section I.C and D, Section III.C and D, and Section XIII.A and B.

CONCLUSION/SUMMARY

Based upon the Initial Study prepared for Unclassified Conditional Use Permit Application No. 3626, staff has concluded that the project will not have a significant effect on the environment. It has been determined that there would be no impacts to Biological Resources, Hazards and Hazardous Materials, Mineral Resources, Population and Housing, Public Services, Recreation, and Wildfire.

Potential impacts related to Agricultural and Forestry Resources, Geology and Soils, Greenhouse Gas Emissions, Hydrology and Water Quality, Land Use Planning, Transportation, and Utilities and Service Systems have been determined to be less than significant. Potential impacts relating to Aesthetics, Air Quality, Cultural Resources, Energy, Noise and Tribal Cultural Resources have determined to be less than significant with compliance with recommended 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" Street, Fresno, California.

TK

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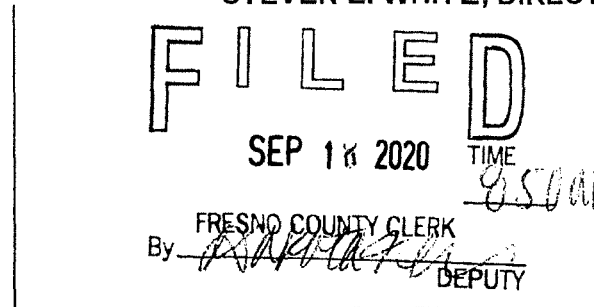


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County of Fresno

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

NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION



For County Clerk's Stamp

Notice is hereby given that the County of Fresno has prepared Initial Study Application (IS) No. 7556 pursuant to the requirements of the California Environmental Quality Act for the following proposed project:

INITIAL STUDY APPLICATION NO. 7556 and UNCLASSIFIED CONDITIONAL USE PERMIT APPLICATION NO. 3626 filed by **JOHN EMMETT**, proposing to Allow a solid waste processing facility consisting of an asphalt and concrete crushing operation that will produce recycled baserock, and have the subject materials stored onsite until it is delivered offsite on a 22.44-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District. The project site is located on the north side of East Kings Canyon Road approximately 1,980 feet west of its nearest intersection with North Del Rey Avenue and is approximately 1.57 miles northwest of the nearest city limits of the City of Sanger (APN: 314-120-35S) (SUP. DIST. 5). Adopt the Mitigated Negative Declaration prepared for Initial Study Application No. 7556 and take action on Unclassified Conditional Use Permit Application No. 3626 with Findings and Conditions.

(hereafter, the "Proposed Project")

The County of Fresno has determined that it is appropriate to adopt a Mitigated Negative Declaration for the Proposed Project. The purpose of this Notice is to (1) provide notice of the availability of IS Application No. 7556 and the draft Mitigated Negative Declaration, and request written comments thereon; and (2) provide notice of the public hearing regarding the Proposed Project.

Public Comment Period

The County of Fresno will receive written comments on the Proposed Project and Mitigated Negative Declaration from September 18, 2020 through October 18, 2020.

Email written comments to TKobayashi@FresnoCountyCA.gov, or mail comments to:

Fresno County Department of Public Works and Planning
Development Services and Capital Projects Division
Attn: Thomas Kobayashi
2220 Tulare Street, Suite A
Fresno, CA 93721

IS Application No. 7556 and the draft Mitigated Negative Declaration may be viewed at the above address Monday through Thursday, 9:00 a.m. to 5:00 p.m., and Friday, 8:30 a.m. to

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12:30 p.m. (except holidays), or at www.co.fresno.ca.us/initialstudies An electronic copy of the draft Mitigated Negative Declaration for the Proposed Project may be obtained from Thomas Kobayashi at the addresses above.

*** SPECIAL NOTICE REGARDING PUBLIC PARTICIPATION DUE TO COVID-19 ***

Due to the current Shelter-in-Place Order covering the State of California and Social Distance Guidelines issued by Federal, State, and Local Authorities, the County is implementing the following changes for attendance and public comment at all Planning Commission meetings until notified otherwise. The Board chambers will be open to the public. Any member of the Planning Commission may participate from a remote location by teleconference pursuant to Governor Gavin Newsom's executive Order N-25-20. Instructions about how to participate in the meeting will be posted to: <https://www.co.fresno.ca.us/planningcommission> 72 hours prior to the meeting date.

- *The meeting will be broadcast. You are strongly encouraged to listen to the Planning Commission meeting at: <http://www.co.fresno.ca.us/PlanningCommission>.*
- *If you attend the Planning Commission meeting in person, you will be required to maintain appropriate social distancing, i.e., maintain a 6-foot distance between yourself and other individuals. Due to Shelter-in-Place requirements, the number of people in the Board chambers will be limited. Members of the public who wish to make public comments will be allowed in on a rotating basis.*
- *If you choose not to attend the Planning Commission meeting but desire to make general public comment on a specific item on the agenda, you may do so as follows:*

Written Comments

- *Members of the public are encouraged to submit written comments to: Planningcommissioncomments@fresnocountyca.gov. Comments should be submitted as soon as possible, but not later than 8:30am (15 minutes before the start of the meeting). You will need to provide the following information:*
 - *Planning Commission Date*
 - *Item Number*
 - *Comments*
- *Please submit a separate email for each item you are commenting on.*
- *Please be aware that public comments received that do not specify a particular agenda item will be made part of the record of proceedings as a general public comment.*
- *If a written comment is received after the start of the meeting, it will be made part of the record of proceedings, provided that such comments are received prior to the end of the Planning Commission meeting.*
- *Written comments will be provided to the Planning Commission. Comments received during the meeting may not be distributed to the Planning Commission until after the meeting has concluded.*

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- *If the agenda item involves a quasi-judicial matter or other matter that includes members of the public as parties to a hearing, those parties should make arrangements with the Planning Commission Clerk to provide any written materials or presentation in advance of the meeting date so that the materials may be presented to the Planning Commission for consideration. Arrangements should be made by contacting the Planning Commission Clerk at (559) 600-4230.*

PROGRAM ACCESSIBILITY AND ACCOMMODATIONS: The Americans with Disabilities Act (ADA) Title II covers the programs, services, activities and facilities owned or operated by state and local governments like the County of Fresno ("County"). Further, the County promotes equality of opportunity and full participation by all persons, including persons with disabilities. Towards this end, the County works to ensure that it provides meaningful access to people with disabilities to every program, service, benefit, and activity, when viewed in its entirety. Similarly, the County also works to ensure that its operated or owned facilities that are open to the public provide meaningful access to people with disabilities.

To help ensure this meaningful access, the County will reasonably modify policies/ procedures and provide auxiliary aids/services to persons with disabilities. If, as an attendee or participant at the meeting, you need additional accommodations such as an American Sign Language (ASL) interpreter, an assistive listening device, large print material, electronic materials, Braille materials, or taped materials, please contact the Current Planning staff as soon as possible during office hours at (559) 600-4497 or at knovak@fresnocountyca.gov. Reasonable requests made at least 48 hours in advance of the meeting will help to ensure accessibility to this meeting. Later requests will be accommodated to the extent reasonably feasible.

Public Hearing

The Planning Commission will hold a public hearing to consider approving the Proposed Project and the Mitigated Negative Declaration on October 22, 2020, at 8:45 a.m., or as soon thereafter as possible, in Room 301, Hall of Records, 2281 Tulare Street, Fresno, California 93721. Interested persons are invited to appear at the hearing and comment on the Proposed Project and draft Mitigated Negative Declaration.

For questions please call PLANNER (559) 600-4224

Published: September 18, 2020

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 7556	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): Thomas Kobayashi Planner	Area Code: 559	Telephone Number: 600-4224	Extension: N/A
Project Applicant/Sponsor (Name): John Emmett	Project Title: Unclassified Conditional Use Permit Application No. 3626		
Project Description: Allow a solid waste processing facility consisting of an asphalt and concrete crushing operation that will produce recycled baserock and have the subject materials stored onsite until it is delivered offsite on a 22.44-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.			
Justification for Negative Declaration: Based upon the Initial Study prepared for Unclassified Conditional Use Permit Application No. 3626, staff has concluded that the project will not have a significant effect on the environment. It has been determined that there would be no impacts to Biological Resources, Hazards and Hazardous Materials, Mineral Resources, Population and Housing, Public Services, Recreation, and Wildfire. Potential impacts related to Agricultural and Forestry Resources, Geology and Soils, Greenhouse Gas Emissions, Hydrology and Water Quality, Land Use Planning, Transportation, and Utilities and Service Systems have been determined to be less than significant. Potential impacts relating to Aesthetics, Air Quality, Cultural Resources, Energy, Noise and Tribal Cultural Resources have determined to be less than significant with compliance with recommended 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" Street, Fresno, California.			
FINDING: The proposed project will not have a significant impact on the environment.			
Newspaper and Date of Publication: Fresno Business Journal – September 18, 2020		Review Date Deadline: Planning Commission – October 22, 2020	
Date:	Type or Print Signature: David Randall Senior Planner	Submitted by (Signature): Thomas Kobayashi Planner	

State 15083, 15085

County Clerk File No.: _____

**LOCAL AGENCY
MITIGATED NEGATIVE DECLARATION**



County of Fresno

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

NOTICE OF DETERMINATION

To: Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

County Clerk, County of Fresno
2221 Kern Street
Fresno, CA 93721

From: Fresno County Department of Public Works and Planning, Development Services and Capital Projects
2220 Tulare Street (corner of Tulare and "M") Suite "A", Fresno, CA 93721

Subject: Filing of Notice of Determination in compliance with Section 21152 of the Public Resource Code

Project: Initial Study Application No. 7556, Unclassified Conditional Use Permit Application No. 3626.

Location: The project site is located on the north side of East Kings Canyon Road approximately 1,980 feet west of its nearest intersection with North Del Rey Avenue and is approximately 1.57 miles northwest of the nearest city limits of the City of Sanger (APN: 314-120-35S) (SUP. DIST. 5).

Sponsor: John Emmett

Description: Allow a solid waste processing facility consisting of an asphalt and concrete crushing operation that will produce recycled baserock, and have the subject materials stored onsite until it is delivered offsite on a 22.44-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.

This is to advise that the County of Fresno (Lead Agency Responsible Agency) has approved the above described project on October 22, 2020, and has made the following determination:

1. The project **will** **will not** have a significant effect on the environment.
2. An Environmental Impact Report (EIR) **was not** prepared for this project pursuant to the provisions of CEQA. / A Mitigated Negative Declaration **was** prepared for this project pursuant to the provisions of CEQA.
3. Mitigation Measures **were** **were not** made a condition of approval for the project.
4. A statement of Overriding Consideration **was** **was not** adopted for this project.

This is to certify that the Initial Study with comments and responses and record of project approval is available to the General Public at Fresno County Department of Public Works and Planning, 2220 Tulare Street, Suite A, Corner of Tulare and "M" Streets, Fresno, California.

Thomas Kobayashi, Planner
(559) 600-4224 / TKobayashi@FresnoCountyCA.gov

Date

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DRAFT



County of Fresno

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

DATE: January 2, 2019

TO: Department of Public Works and Planning, Attn: Bernard Jimenez, Assistant Director
Department of Public Works and Planning, Attn: John R. Thompson, Deputy Director
Development Services and Capital Projects, Attn: William M. Kettler, Division
Manager
Development Services and Capital Projects, Attn: Chris Motta, Principal Planner
Development Services and Capital Projects, Current Planning, Attn: Marianne
Mollring, Senior Planner
Development Services and Capital Projects, Policy Planning, ALCC,
Attn: Mohammad Khorsand
Development Services and Capital Projects, Zoning & Permit Review, Attn: Tawanda
Mtunga
Development Services and Capital Projects, Site Plan Review, Attn: Hector Luna
Development Services and Capital Projects, Building & Safety/Plan Check,
Attn: Chuck Jonas
Development Services and Capital Projects, Building & Safety/Plan Check, CASp,
Attn: Dan Mather
Development Engineering, Attn: Kevin Nehring, Senior Engineer
Development Engineering, Attn: Laurie Kennedy, Grading/Mapping
Road Maintenance and Operations, Attn: Frank Daniele/Nadia Lopez
Design Division, Attn: Mohammad Alimi/Dale Siemer
Community Development Division, Attn: Kristi Johnson
Water and Natural Resources Division, Attn: Glenn Allen, Division Manager
Fresno County Health Officer, Dept. of Public Health, Attn: Ken Bird, M.D.
Department of Public Health, Environmental Health Division, Attn: Kevin Tsuda/Deep
Sidhu/Steven Rhodes
Agricultural Commissioner, Attn: Les Wright
Sheriff's Office, Attn: Captain John Zaroni, Lt. John Reynolds, Lt. Louie Hernandez,
Lt. Kathy Curtice, Lt. Ryan Hushaw
U.S. Fish and Wildlife Service, San Joaquin Valley Division, Attn: Sarah Yates
CA Department of Fish and Wildlife
Fresno County Fire Protection District, Attn: Chris Christopherson, Battalion Chief
West Fresno County Red Scale Protective District, Attn: Josh Marshall
CA Regional Water Quality Control Board
CALTRANS, Attn: Dave Padilla
San Joaquin Valley Unified Air Pollution Control District (PIC-CEQA Division)
Fresno Irrigation District
Kings River Conservation District, Attn: Rick Hoelzel
Sierra Resource Conservation District, Attn: Steve Haze, District Manager

FROM: Danielle Crider, Planner
Development Services Division

SUBJECT: Unclassified Conditional Use Permit (CUP) Application No. 3626, Initial Study
Application No. 7556

APPLICANT: John Emmett

DUE DATE: January 17, 2019

The Department of Public Works and Planning, Development Services and Capital Projects Division, is reviewing the subject applications proposing to allow an operation that would crush asphalt and concrete into recycled baserock, and store these materials onsite. Crushing/grinding would occur 2 to 26 days per year, there would be two employees, and a 10-foot by 10-foot sign. There would be a maximum of 40 total two-way truck trips per day, which could be delivering discarded asphalt/concrete materials or picking up crushed materials (maximum truck weight of 25 tons). This is proposed on a 22.44-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District. (APN: 314-120-35S) (Sup. Dist. 5).

The Department is also reviewing for environmental effects as mandated by the California Environmental Quality Act (CEQA) and for conformity with plans and policies of the County.

Based upon this review, a determination will be made regarding conditions to be imposed on the project, including necessary on-site and off-site improvements.

Please return your comments by **January 17, 2019**. If your agency or department has no comments, please return a "no comments" response. If you need extra time to review the proposed project, please let me know before the comment deadline.

If you have any questions, contact Danielle Crider, Planner, Fresno County Department of Public Works and Planning at (559) 600-9669 or at dacrider@co.fresno.ca.us.

DTC:
G:\4360Devs&PIn\PROJSEC\PROJDOCS\CUP\3600-3699\3626\ROUTING\CUP 3626 Routing Ltr.doc

Activity Code (Internal Review): 2384

Enclosures



Fresno County Department of Public Works and Planning

Date Received: 11/19/18 CUP 3026 157556 (Application No.)

MAILING ADDRESS:

Department of Public Works and Planning Development Services Division 2220 Tulare St., 6th Floor Fresno, Ca. 93721

LOCATION:

Southwest corner of Tulare & "M" Streets, Suite A Street Level Fresno Phone: (559) 600-4497 Toll Free: 1-800-742-1011 Ext. 0-4497

APPLICATION FOR:

- Pre-Application (Type)
Amendment Application
Amendment to Text
Conditional Use Permit - Unclassified
Variance (Class)/Minor Variance
Site Plan Review/Occupancy Permit
No Shoot/Dog Leash Law Boundary
General Plan Amendment/Specific Plan/SP Amendment
Time Extension for
Director Review and Approval
for 2nd Residence
Determination of Merger
Agreements
ALCC/RLCC
Other

DESCRIPTION OF PROPOSED USE OR REQUEST:

Move existing yard at 2216 N. Fowler to 10452 E. Kings Canyon. Yard will be used to store and maintain construction equipment as well as asphalt and concrete crushing for use as recycled base rock. Unclassified CUP.

CEQA DOCUMENTATION: Initial Study (X) PER N/A

PLEASE USE FILL-IN FORM OR PRINT IN BLACK INK. Answer all questions completely. Attach required site plans, forms, statements, and deeds as specified on the Pre-Application Review. Attach Copy of Deed, including Legal Description.

LOCATION OF PROPERTY: North side of East Kings Canyon between McCall and Del Rey Street address: 10452 E. Kings Canyon

APN: 314-120-35S Parcel size: 22.44 acres Section(s)-Twp/Rg: S 5 - T 14 S/R 22 E

ADDITIONAL APN(s): N/A

John Emmett (signature), declare that I am the owner, or authorized representative of the owner, of the above described property and that the application and attached documents are in all respects true and correct to the best of my knowledge. The foregoing declaration is made under penalty of perjury.

Table with 5 columns: Name, Address, City, Zip, Phone. Rows for John Emmett (Owner), John Emmett (Applicant), and Robin Tani (Representative).

CONTACT EMAIL: emmetts2003@sbcglobal.net / Robintani@comcast.net

OFFICE USE ONLY (PRINT FORM ON GREEN PAPER)

Application Type / No.: CUP (Unclassified) Fee: \$ 9,123.00
Application Type / No.: Fee: \$
Application Type / No.: Fee: \$
Application Type / No.: Fee: \$
PER/Initial Study No.: Pre-app -247.00 Fee: \$ 5,151.00
Ag Department Review: Fee: \$ 93.00
Health Department Review: Fee: \$ 997.00
Received By: Danielle C. Invoice No.: TOTAL: \$ 15,112.00

UTILITIES AVAILABLE:

WATER: Yes [] / No [X] Agency: 1 private well existing
SEWER: Yes [] / No [X] Agency: 1 septic system existing

STAFF DETERMINATION: This permit is sought under Ordinance Section:

453-B.20

Related Application(s):
Zone District: AE-20
Parcel Size: 22.44 acres

Sect-Twp/Rg: 5 - T 14 S/R 22 E
APN # 314 - 120 - 35S
APN #
APN #



Development Services
and
Capital Projects Division

Pre-Application Review

Department of Public Works and Planning

NUMBER: 39535
APPLICANT: Robin Tani
PHONE: (559) 916-6243

PROPERTY LOCATION: 10452 E Kings Canyon Rd
APN: 314 - 120 - 35S ALCC: No Yes # VIOLATION NO.
CNEL: No Yes (level) LOW WATER: No Yes WITHIN 1/2 MILE OF CITY: No Yes
ZONE DISTRICT: AE-20; SRA: No Yes HOMESITE DECLARATION REQ'D.: No Yes
LOT STATUS:

Zoning: Conforms; () Legal Non-Conforming lot; () Deed Review Req'd (see Form #236)
Merger: May be subject to merger: No Yes ZM# Initiated In process
Map Act: () Lot of Rec. Map; () On '72 rolls; Other TPMW 91-30; () Deeds Req'd (see Form #236)

SCHOOL FEES: No Yes DISTRICT: Sanger Unified PERMIT JACKET: No Yes
FMFCD FEE AREA: Outside () District No.: FLOOD PRONE: No Yes
PROPOSAL Unclassified CUP to allow solid waste processing facility (construction/demolition waste)

COMMENTS: Previous land use: CUP 3077 and SPR 7379, possible unpermitted additions to warehouse
ORD. SECTION(S): 853-B.20 BY: James Anders DATE: Rev. 09/12/18

GENERAL PLAN POLICIES:

LAND USE DESIGNATION: Agricultural
COMMUNITY PLAN:
REGIONAL PLAN:
SPECIFIC PLAN:
SPECIAL POLICIES:
SPHERE OF INFLUENCE:
ANNEX REFERRAL (LU-G17/MOU):

PROCEDURES AND FEES:

() GPA: () MINOR VA:
() JAA: (X) HD: \$992.00
(X) CUP: 9,123.00 (X) JAG COMM: \$93.00
() JRA: () ALCC:
() VA: (X) IS/PER*: \$5,151.00
() AT: () Viol. (35%):
() JT: () Other:

COMMENTS:

Filing Fee: \$ \$16,359.00
Pre-Application Fee: \$247.00
Total County Filing Fee: \$15,112.00

FILING REQUIREMENTS:

- Land Use Applications and Fees
- This Pre-Application Review form
- Copy of Deed / Legal Description
- Photographs
- Letter Verifying Deed Review
- IS Application and Fees* * Upon review of project materials, an Initial Study (IS) with fees may be required.
- Site Plans - 4 copies (folded to 8.5"x11") + 1 - 8.5"x11" reduction
- Floor Plan & Elevations - 4 copies (folded to 8.5"x11") + 1 - 8.5"x11" reduction
- Project Description / Operational Statement (Typed)
- Statement of Variance Findings
- Statement of Intended Use (ALCC)
- Dependency Relationship Statement
- Resolution/Letter of Release from City of

OTHER FILING FEES:

- Archaeological Inventory Fee: \$75 at time of filing
(Separate check to Southern San Joaquin Valley Info. Center)
- CA Dept. of Fish & Wildlife (CDFW): (\$50) (\$50+\$2,280.75)
(Separate check to Fresno County Clerk for pass-thru to CDFW.
Must be paid prior to IS closure and prior to setting hearing date.)

Referral Letter #

BY: Danielle Corder DATE: 9/13/18
PHONE NUMBER: (559) 600-91669

NOTE: THE FOLLOWING REQUIREMENTS MAY ALSO APPLY:

- COVENANT
- MAP CERTIFICATE
- PARCEL MAP
- FINAL MAP
- FMFCD FEES
- ALUC or ALCC
- SITE PLAN REVIEW
- BUILDING PLANS
- BUILDING PERMITS
- WASTE FACILITIES PERMIT
- SCHOOL FEES
- OTHER (see reverse side)

PLU # 113 Fee: \$247.00

Note: This fee will apply to the application fee if the application is submitted within six (6) months of the date on this receipt.

OVER.....

**REVISED OPERATIONAL STATEMENT
PROPOSED ASPHALT AND CONCRETE RECYCLING
10452 E. KINGS CANYON
APN 314-120-35S
McCALL/DEL REY/HIGHWAY 180
FRESNO COUNTY, CALIFORNIA**

Introduction

This Project is the relocation of an existing asphalt and concrete recycling facility within the boundaries of Fresno County. The facility is moving from its current location to 10452 Kings Canyon Road near the intersection of McCall and Del Rey near Highway 180. The Project is located on a remote 21.3-acre parcel that is currently zoned AE-20. This project will further the goals of California's Integrated Waste Management Act of 1989 and amended in 2017, that requires counties to reduce the amount of waste disposed in landfills by at least 65% and Fresno County's related construction and demolition debris disposal ban (Fresno County Code 8.25.010), and California Green Building Standards Code (CAL Green, Section 4.408.1-50). The benefits of the Project include the ability to recycle and reuse asphalt and concrete construction debris that otherwise is banned from disposal in landfills and will assist the county in avoiding fines if this material is not diverted from a landfill.

As mentioned above, Fresno County, as with other counties and municipalities, is under a mandate to reduce the deposition of waste into landfills. In 2017, the State of California amended the California code to require that a minimum of 65% of waste be diverted from landfills. Furthermore, in 2011 the State of California set a recycling goal of 75% of commercial waste with AB 341, to be achieved by 2020. Because of the reuse of existing materials, the Project is a more efficient use of energy, and does not require the use of natural resources that a typical sand and gravel operation requires. The comparison to the impacts at a standard facility for the creation of the same volume of materials would indicate this project has a significantly lesser impact. The use of recycled materials also provides less of a burden on the dwindling supply of rock and sand in the Central Valley. The location of this product within Fresno County will also eliminate the need for materials to be trucked in from out of county suppliers, reducing air emissions and the wear and tear on roadway resources.

All equipment operated on the site is in compliance with the requirements of, and permitted by, the San Joaquin Valley Air Pollution Control District and the California Air Resources Control Board. All of the engines on site will be "Tier 4," the highest off-road emissions standard compliance. The design of the project is such that any impacts of the operations on the neighboring properties are minimal. Structures and vegetation will be designed to minimize any potential noise impacts. All equipment to be stored on the site is used in the collection, transportation and processing of the recycled materials.

Operations

The facility will receive asphalt and concrete from various local construction projects, including some of those at which applicant is the contractor. Arriving asphalt and concrete will be stored on the southeastern-most 3 acres of the 21.3 acre parcel. The asphalt and concrete will then be processed on-site by equipment that is designed to minimize noise and will reduce the materials to various sizes suitable for use as base rock or select structural fill. Various conveyors and loaders would be used to move the materials on the site.

The project will have three employees running the processing operation, which would generate approximately 6 vehicle trips per day. The project will generate approximately an average of 20 truck trips per day associated with the grinding operation. The proposed project will require the operation of the following equipment associated with the processing operation: grinder (average 4 hours per day operation); front loader (average 4 hours per day operation); water truck (average of 2 miles per day on-site travel); 5-cubic yard front loader (average 2 hours per day operation); excavator with thumb (average 3 hours per day); excavator with hammer (average 2 hours per day); truck (average 2 hours per day); and loader (average 2 hours per day). It is anticipated that the operation will use a total of six (7) vehicles in addition to the grinder.

The incoming asphalt and concrete will be deposited on the ground and moved into the stockpile by front end loaders. Any material other than asphalt or concrete will be removed by hand and placed in a 30-yard roll-off bin. The roll-off bin material will be transported by the local trash hauler to the county landfill. The roll-off bin will have a moveable roof cover to prevent material from escaping during transportation. The 30-cubic yard roll-off bin will be taken to a landfill about once every two weeks.

The incoming asphalt and concrete stockpile is sized to store incoming material for a maximum of two (2) months before processing. Normally, the asphalt and concrete is processed within days of arrival.

The stockpiled asphalt and concrete is expected to be 10-15 feet high. The maximum volume of the incoming stockpile would be 22,000 cubic yards (approximately 78,000 tons).

After processing, the material stockpile will be transferred by conveyors and periodically shaped by front end loaders to a square mound with a maximum dimension of 290 square feet. The pile is expected to be no more than a maximum of 25 feet high.

The processing equipment is only run when necessary and it is anticipated no more than ten (10) days per month. The timing of the processing is determined by market demand for the sale of processed material. The total annual output is expected to be approximately 78,000 tons per year. No asphalt and concrete will be kept unprocessed on the site for more than two months.

Trucks will enter from the Highway 180 north access road and proceed northerly along the paved access road to be built by the applicant for both the incoming asphalt and concrete stockpile or processed material stockpile, depending on whether they are delivering or picking up. The trucks will then turn around and exit on the access road where they came in. The current access width is sufficient for trucks entering and exiting simultaneously.

Proposed hours of operation for processing are 7:00 a.m. to 5:00 p.m., Monday-Friday. All of the work would be performed outdoors. It is expected that two workers would run the grinding operation. The third worker would be an office employee. Parking for employees will be available on-site. The parking is paved. Four cars and one handicapped space would be provided.

Noise

An acoustical study was done of the site by WJV Acoustics dated October 30, 2018 and additional testing on March 4, 2020. The study, revised on March 19, 2020 concluded that the project will comply with applicable Fresno County noise level requirements when properly mitigated. The nearest residence is approximately 250-300 feet away from the location of the grinding and hammer operation.¹ In order to minimize noise impacts on any nearby residences, the applicant proposes to provide at least 15 feet of sound shielding by locating soil or base rock material piles between the grinder and hammer operation and residences, to build a permanent 12-foot concrete wall or earthen berm, also between the equipment and the residences and not to operate the grinding and hammer equipment at night from 5:00 p.m. to 7:00 a.m.

The applicant currently utilizes a Pegson Model 428 grinder, Rockrammer RBH778 and a Hyundai HL960 loader. The equipment currently used is newer technology which produces lower noise levels than the equipment measured for project reference.

Structures

The applicant will utilize the existing equipment maintenance and office structure (7300 sq.ft.) for their operations. The southeastern 3 acres of the existing parcel would remain free of structures for processing operations. One 10' x 10' facility identification sign for the processing operation is proposed on the southeast corner. No outdoor lighting will be used. No outdoor sound amplification is proposed. No pedestrian access or walkways are proposed.

A six-foot high chain link fence will be installed along the entire boundary. A sold concrete wall or earthen berm will be constructed to a minimum height of 12-feet above project site grade on western project boundary. No other new fencing or

¹ The applicant has been in discussions with the nearest residents and they are currently supportive of the project. The applicant expects to provide a letter of support from these homeowners.

landscaping is proposed at this time. Some of the current vegetation will be left and applicant will plant trees along the northern perimeter of the property to act as a buffer between existing houses and the grinding operation.

The applicant will utilize gravel for the entire area site plan as required in the CUP. There is an existing gravel driveway running along the south side of the parcel, which connects to the grinding area. That gravel surface will then be maintained as part of this project with addition of more base rock as necessary. Water will be applied to the site as necessary to control dust. There is a fully functional agricultural well on the parcel. The water truck will use water from the agricultural well. A maximum water usage of 12,000 gallons per day is anticipated.

Fruit or nut trees will be planted on the northern portion of the property. Farm equipment associated with the cultivation of those trees may also be on the property.

Materials

Much of the incoming asphalt and concrete will come from the applicant's own construction projects and much of the processed material will be used on the applicant's own construction projects. However, asphalt and concrete will be accepted from and processed material will be sold to other contractors. Material could be delivered to the site or purchased from the site by employees of the applicant or other contractors. This sales operation is included in the previously estimated average of 20 truck trips per day. No material would be accepted from or delivered to the general public. The operation would use the existing north access road alongside Highway 180. No additional street improvements or dedications are proposed.

APN 314-120-65S
USE: AGRICULTURAL

APN 314-120-03
USE: AGRICULTURAL

SITE INFORMATION

APN: 314-120-35S
ADDRESS: 10452 E. KINGS CANYON ROAD, FRESNO, CA
SITE AREA: 21.3 ACRES
ZONING: AE-20

LEGAL DESCRIPTION

THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER AND THE WEST HALF OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 14 SOUTH, RANGE 22 EAST, MOUNT DIABLO BASE AND MERIDIAN, ACCORDING TO THE OFFICIAL PLAT THEREOF.

EXCEPTING THE EAST 326.19 FEET OF THE WEST 341.19 FEET OF THE NORTH 667.70 FEET OF THE SOUTH 697.70 FEET OF THE WEST HALF OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 5.

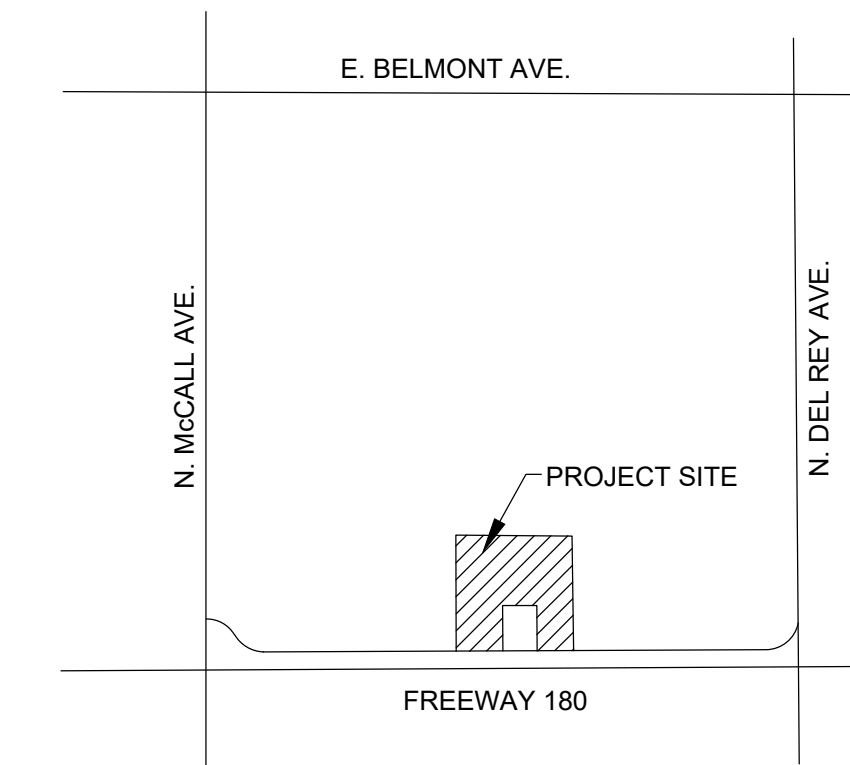
ALSO EXCEPTING THEREFROM THE WEST 936.96 FEET OF THE SOUTH HALF OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 14 SOUTH, RANGE 22 EAST, MOUNT DIABLO BASE AND MERIDIAN, FRESNO COUNTY CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF.

AND ALSO EXCEPTING THEREFROM THAT PORTION GRANTED TO THE COUNTY OF FRESNO BY DEED RECORDED FEBRUARY 14, 2003, AS DOCUMENT NO. 2003-0037582, OFFICIAL RECORDS.

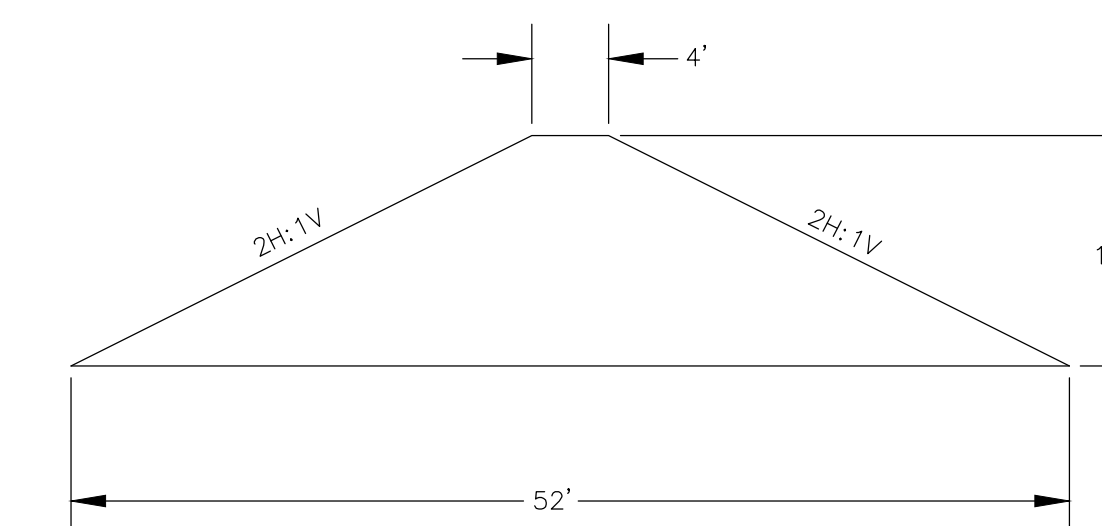
ALSO EXCEPTING AN UNDIVIDED ONE-FOURTH INTEREST IN AND TO ALL OIL, GAS AND MINERAL RIGHTS, TOGETHER WITH ALL EASEMENTS AND RIGHTS OF INGRESS AND EGRESS REASONABLY NECESSARY OR CONVENIENT FOR THE FULL EXERCISE OF SUCH RESERVED RIGHTS, AS RESERVED IN THE DEED FROM LEONARD P. LEBLANC, H.E. LEONARD AND MARIO PAGLIASSO, THE DULY APPOINTED, QUALIFIED AND ACTING EXECUTORS AND EXECUTRIX, RESPECTIVELY, OF THE ESTATE OF H.B. LEONARD, ALSO KNOWN AS HUBERT B. LEONARD, ALSO KNOWN AS HUBERT BENJAMIN LEONARD, DECEASED, TO CHESLIE D. SAROYAN, ET AL, DATED APRIL 27, 1954, IN BOOK 3444, PAGE 640, OFFICIAL RECORDS.

ALSO EXCEPTING THEREFROM AN UNDIVIDED ONE-FOURTH INTEREST IN AND TO ALL OIL, GAS AND MINERAL RIGHTS, TOGETHER WITH ALL EASEMENTS AND RIGHTS OF INGRESS AND EGRESS REASONABLY NECESSARY OR CONVENIENT FOR THE FULL EXERCISE OF SUCH RESERVED RIGHTS, AS RESERVED IN THE DEED FROM ENA DEYO LEONARD TO CHESLIE D. SAROYAN AND ANNIE SAROYAN, HUSBAND AND WIFE, AS TO AN UNDIVIDED ONE-HALF INTEREST, AND NICKLOS ALLEN DRAKLICH AND BETTY DRAKLICH, HUSBAND AND WIFE, AS TO AN UNDIVIDED ONE-HALF INTEREST, DATED APRIL 26, 1954, RECORDED MAY 12, 1954, IN BOOK 3444, PAGE 644, OFFICIAL RECORDS.

VICINITY MAP



DETAIL A-SOIL BERM CROSS SECTION



SITE PLAN

SITE ADDRESS: 10452 E. KINGS CANYON ROAD
FRESNO, CA
APN: 314-120-35S

REVISIONS

SITE PLAN
EMMETT'S EXCAVATION
10452 E. KINGS CANYON ROAD
FRESNO, CA

JOHN MINNEY ENGINEERING
17137 ROAD 37
MADERA, CA 93636
(559) 275-5937

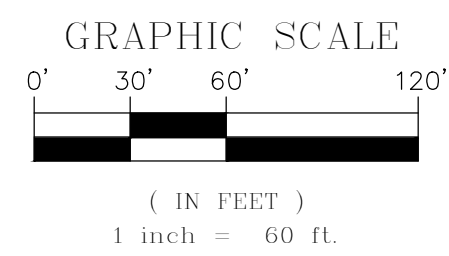
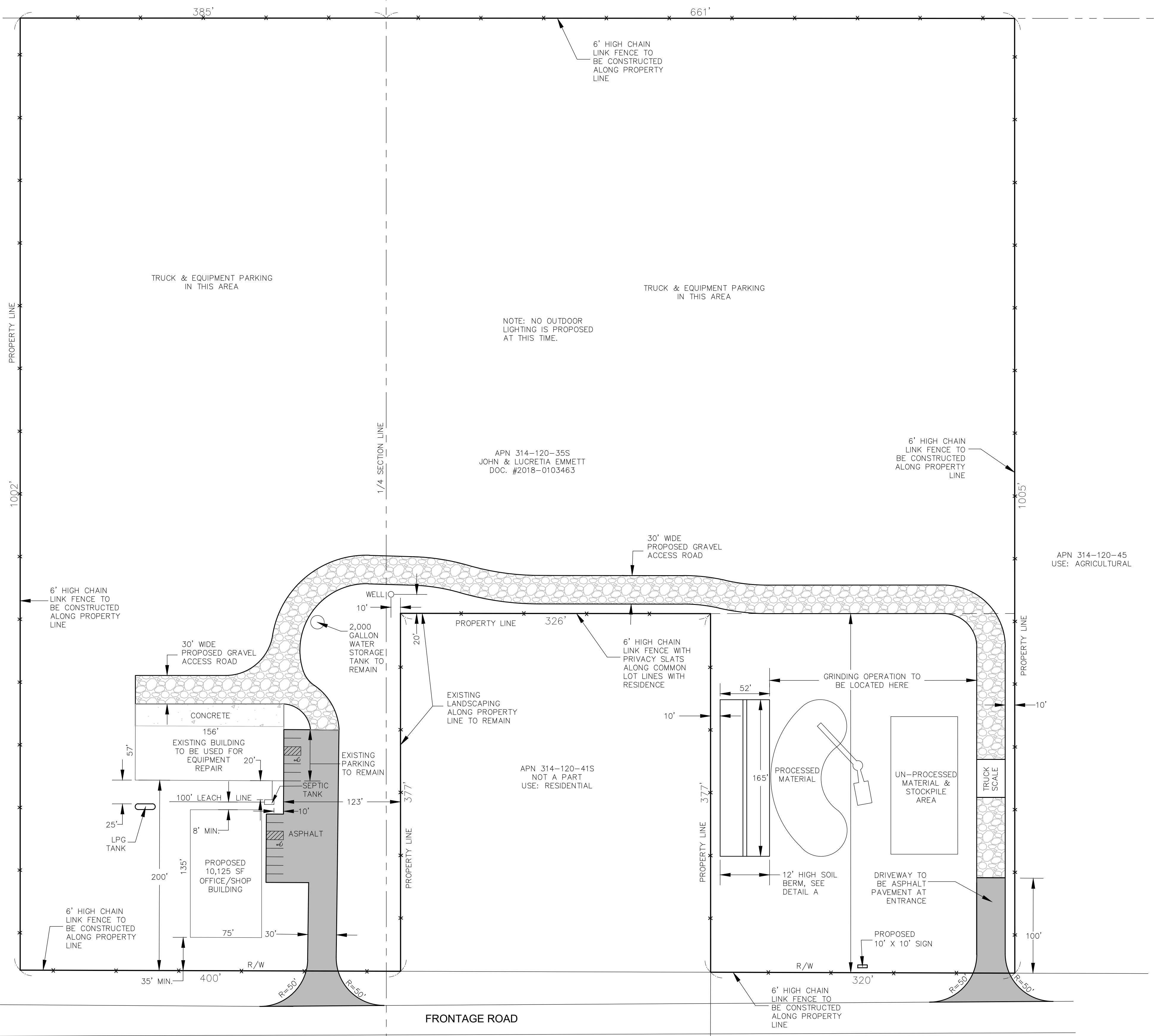
JOB NO.
18-0007

DATE:
2-1-19

DRAWN BY:
A. SMOKE

SHEET

SP





County of Fresno

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

INITIAL STUDY APPLICATION

INSTRUCTIONS

Answer all questions completely. An incomplete form may delay processing of your application. Use additional paper if necessary and attach any supplemental information to this form. Attach an operational statement if appropriate. This application will be distributed to several agencies and persons to determine the potential environmental effects of your proposal. Please complete the form in a legible and reproducible manner (i.e., USE BLACK INK OR TYPE).

OFFICE USE ONLY	
IS No.	<u>7556</u>
Project No(s).	<u>CUP 3620</u>
Application Rec'd.:	<u>11/19/18</u>

GENERAL INFORMATION

- Property Owner: JOHN EMMETT Phone/Fax: 299-1256
Mailing Address: 2216 N. FOWLER FRESNO CA 93727
Street City State/Zip
- Applicant: JOHN EMMETT Phone/Fax: 299-1256
Mailing Address: 2216 N. FOWLER FRESNO CA 93727
Street City State/Zip
- Representative: JOHN MINNEY Phone/Fax: 275 5937
Mailing Address: 17137 ROAD 37 MADERA CA 93636
Street City State/Zip
- Proposed Project: MOVE EXISTING YARD AT 2216 N. FOWLER TO 10452 E. KINGS CANYON. YARD WILL BE USED TO STORE AND MAINTAIN CONSTRUCTION EQUIPMENT AND ALSO ASPHALT AND CONCRETE CRUSHING FOR BASE ROCK.
- Project Location: NORTH SIDE OF KINGS CANYON BETWEEN MCCALL AND DEL REY.
- Project Address: 10452 E. KINGS CANYON, SANGER CA
- Section/Township/Range: S 17 T 43 R 22 E 8. Parcel Size: 22.44 ACRES
- Assessor's Parcel No. 314-120-355

10. Land Conservation Contract No. (If applicable): N/A

11. What other agencies will you need to get permits or authorization from:

<input type="checkbox"/> LAFCo (annexation or extension of services)	<input type="checkbox"/> SJVUAPCD (Air Pollution Control District)
<input type="checkbox"/> CALTRANS	<input type="checkbox"/> Reclamation Board
<input type="checkbox"/> Division of Aeronautics	<input type="checkbox"/> Department of Energy
<input type="checkbox"/> Water Quality Control Board	<input type="checkbox"/> Airport Land Use Commission
<input type="checkbox"/> Other _____	

12. Will the project utilize Federal funds or require other Federal authorization subject to the provisions of the National Environmental Policy Act (NEPA) of 1969? Yes No

If so, please provide a copy of all related grant and/or funding documents, related information and environmental review requirements.

13. Existing Zone District: AE-20

14. Existing General Plan Land Use Designation: AGRICULTURAL

ENVIRONMENTAL INFORMATION

15. Present land use: MUSHROOM FARM
Describe existing physical improvements including buildings, water (wells) and sewage facilities, roads, and lighting. Include a site plan or map showing these improvements:

SEE SITE PLAN

Describe the major vegetative cover: MUSHROOMS

Any perennial or intermittent water courses? If so, show on map: NO

Is property in a flood-prone area? Describe:

No

16. Describe surrounding land uses (e.g., commercial, agricultural, residential, school, etc.):

North: AGRICULTURE

South: AGRICULTURE

East: AGRICULTURE

West: AGRICULTURE

17. What land use(s) in the area may be impacted by your Project?: NONE

18. What land use(s) in the area may impact your project?: NONE

19. Transportation:

NOTE: The information below will be used in determining traffic impacts from this project. The data may also show the need for a Traffic Impact Study (TIS) for the project.

A. Will additional driveways from the proposed project site be necessary to access public roads?
 Yes X No

B. Daily traffic generation:

I. Residential - Number of Units 0
Lot Size _____
Single Family _____
Apartments _____

II. Commercial - Number of Employees < 25 ON-SITE
Number of Salesmen 0
Number of Delivery Trucks < 40/DAY
Total Square Footage of Building 10,000

III. Describe and quantify other traffic generation activities: NONE

20. Describe any source(s) of noise from your project that may affect the surrounding area: GRINDING WILL BE LIMITED TO 7AM TO 5PM M-F

 AND NO MORE THAN 10 TIMES A MONTH. MINIMUM 12'

21. Describe any source(s) of noise in the area that may affect your project: NONE

22. Describe the probable source(s) of air pollution from your project: DUST WILL
 BE CONTROLLED BY THE APPLICATION OF WATER.

23. Proposed source of water:
 private well
 community system³--name: _____

- 24. Anticipated volume of water to be used (gallons per day)²: 15,000
- 25. Proposed method of liquid waste disposal:
 septic system/individual
 community system³-name _____
- 26. Estimated volume of liquid waste (gallons per day)²: 5000
- 27. Anticipated type(s) of liquid waste: NONE
- 28. Anticipated type(s) of hazardous wastes²: NONE
- 29. Anticipated volume of hazardous wastes²: NONE
- 30. Proposed method of hazardous waste disposal²: OUTSIDE HAULER
- 31. Anticipated type(s) of solid waste: OFFICE AND TRASH
- 32. Anticipated amount of solid waste (tons or cubic yards per day): 25
- 33. Anticipated amount of waste that will be recycled (tons or cubic yards per day): 10,000
- 34. Proposed method of solid waste disposal: OUTSIDE HAULER
- 35. Fire protection district(s) serving this area: _____
- 36. Has a previous application been processed on this site? If so, list title and date: NOT THIS SITE BUT HAS OPERATED SAME AT 2216 N. FOWLER
- 37. Do you have any underground storage tanks (except septic tanks)? Yes _____ No X
- 38. If yes, are they currently in use? Yes _____ No X

TO THE BEST OF MY KNOWLEDGE, THE FOREGOING INFORMATION IS TRUE.

Scott D. Emmitt
SIGNATURE

11/19/18
DATE

¹Refer to Development Services Conference Checklist
²For assistance, contact Environmental Health System, (559) 600-3357
³For County Service Areas or Waterworks Districts, contact the Resources Division, (559) 600-4259

NOTICE AND ACKNOWLEDGMENT

INDEMNIFICATION AND DEFENSE

The Board of Supervisors has adopted a policy that applicants should be made aware that they may be responsible for participating in the defense of the County in the event a lawsuit is filed resulting from the County's action on your project. You may be required to enter into an agreement to indemnify and defend the County if it appears likely that litigation could result from the County's action. The agreement would require that you deposit an appropriate security upon notice that a lawsuit has been filed. In the event that you fail to comply with the provisions of the agreement, the County may rescind its approval of the project.

STATE FISH AND WILDLIFE FEE


State law requires that specified fees (effective January 1, 2017: \$3,078.25 for an EIR; \$2,216.25 for a Mitigated/Negative Declaration) be paid to the California Department of Fish and Wildlife (CDFW) for projects which must be reviewed for potential adverse effect on wildlife resources. The County is required to collect the fees on behalf of CDFW. A \$50.00 handling fee will also be charged, as provided for in the legislation, to defray a portion of the County's costs for collecting the fees.

The following projects are exempt from the fees:

- 1. All projects statutorily exempt from the provisions of CEQA (California Environmental Quality Act).*
- 2. All projects categorically exempt by regulations of the Secretary of Resources (State of California) from the requirement to prepare environmental documents.*

A fee exemption may be issued by CDFW for eligible projects determined by that agency to have "no effect on wildlife." That determination must be provided in advance from CDFW to the County at the request of the applicant. You may wish to call the local office of CDFW at (559) 222-3761 if you need more information.

Upon completion of the Initial Study you will be notified of the applicable fee. Payment of the fee will be required before your project will be forwarded to the project analyst for scheduling of any required hearings and final processing. The fee will be refunded if the project should be denied by the County.



Applicant's Signature



Date

RECEIVED
COUNTY OF FRESNO

NOV 19 2018

DEPARTMENT OF PUBLIC WORKS
AND PLANNING
DEVELOPMENT SERVICES DIVISION

ACOUSTICAL ANALYSIS

**EMMETT'S EXCAVATION
10425 EAST KINGS CANYON ROAD
FRESNO COUNTY, CALIFORNIA**

WJVA Project No. 17-025

PREPARED FOR

**EMMETT'S EXCAVATION, INC.
6207 EAST CLINTON AVENUE
FRESNO, CA 93727**

PREPARED BY

**WJV ACOUSTICS, INC.
VISALIA, CALIFORNIA**



wjv acoustics

OCTOBER 30, 2018

INTRODUCTION

The project is an asphalt and concrete recycler (grinder) to be located at 10452 East Kings Canyon Road, northwest of the City of Sanger, in Fresno County. It is the purpose of this analysis to quantify the noise levels produced by the grinder as they may affect the closest existing residences, and to compare such levels to applicable Fresno County noise level standards. This report is based upon the findings of on-site noise level measurements, project details provided by the applicant and noise level measurements obtained at the applicant's current location. Revisions or changes to the analyzed project details could affect the findings and recommendations of this report.

Appendix A provides definitions of the acoustical terminology used in this report. Unless otherwise stated, all sound levels reported in this analysis are A-weighted sound pressure levels in decibels (dB). A-weighting de-emphasizes the very low and very high frequencies of sound in a manner similar to the human ear. Most community noise standards utilize A-weighted sound levels, as they correlate well with public reaction to noise. Appendix B provides typical A-weighted sound levels for common noise sources.

CRITERIA FOR ACCEPTABLE NOISE EXPOSURE

Chapter 8.40 of the Fresno County Ordinance Code (noise ordinance) applies to noise sources that are not pre-empted from local control by existing state or federal regulations. Pre-empted noise sources include traffic on public roadways, railroad operations and aircraft in flight.

The noise ordinance addresses the statistical distribution of noise over time and allows for progressively shorter periods of exposure to levels of increasing loudness. Table I summarizes the exterior noise level standards of the ordinance. The ordinance is to be applied during any one-hour time period of the day or night and the standards are 5 dB more restrictive during the nighttime hours of 10:00 p.m. to 7:00 a.m. The standards of the noise ordinance may be adjusted upward (made less restrictive) if existing ambient noise levels without the source of concern already exceed the noise ordinance standards.

TABLE I EXTERIOR NOISE LEVEL STANDARDS, DBA FRESNO COUNTY NOISE ORDINANCE			
Category	Cumulative # Min/Hr. (L_n) ¹	Daytime (7 am-10 pm)	Nighttime (10 pm-7 am)
1	30 (L_{50})	50	45
2	15 (L_{25})	55	50
3	5 ($L_{8.3}$)	60	55
4	1 ($L_{1.7}$)	65	60
5	0 (L_{max})	70	65

¹In layman's terms, the noise level standards shown may not be exceeded for more than the specified number of minutes within any one-hour time period. The L_n value shown in parenthesis indicates the percent of the time during an hour that a particular noise level may not be exceeded. For example, the L_{50} represents 50% of the hour, or 30 minutes.

Source: Fresno County Ordinance Code

EXISTING NOISE ENVIRONMENT

The project site is located at 10452 Kings Canyon Road (State Route 180), near the City of Sanger, in Fresno County. The area surrounding the project site is predominately agricultural and rural residential land uses. There are existing residential land uses located to the west and east of the proposed grinding operations area. The dominant source of existing noise in the project vicinity is traffic on Kings Canyon Road (SR 180). Additional sources of noise observed by WJVA during a site visit was aircraft noise associated with commercial and military aircraft arrivals at Fresno Yosemite International Airport. The project site plan is provided as Figure 1. The project vicinity is provided as Figure 2.

WJVA staff conducted background (ambient) noise level measurements at the project site on October 10, 2018. Two of the noise measurement sites (ST1 and ST2) were intended to document existing (without project) noise levels at the two closest residential land uses. A third measurement site (ST3) was located in close proximity to Kings Canyon Road and was intended to document existing noise levels in the area of the project site closest to the roadway. The noise measurement sites are indicated on Figure 2.

Noise monitoring equipment utilized for the measurements consisted of a Larson-Davis Laboratories Model LDL-820 sound level analyzer equipped with a B&K Type 4176 1/2" microphone. The equipment complies with the specifications of the American National Standards Institute (ANSI) for Type I (Precision) sound level meters. The meter was calibrated in the field prior to use with a B&K Type 4230 acoustic calibrator to ensure the accuracy of the measurements. The microphone was located on a tripod at 5 feet above the ground. Ambient noise levels were measured over a fifteen-minute interval at the three (3) locations.

Table II summarizes the ambient noise measurement results. Noise levels are described in terms of the applicable Fresno County noise level standard metrics. The noise level data summarized by Table II are representative of mid-morning conditions (between 9:45 a.m. and 10:45 a.m.) in the project area.

TABLE II						
SUMMARY OF AMBIENT NOISE LEVEL MEASUREMENTS						
10452 E. KINGS CANYON ROAD, FRESNO COUNTY						
OCTOBER 10, 2018						
Location	A-weighted Decibels, dBA					
	L _{eq}	L _{max}	L _{1,7}	L _{5,5}	L _{2,5}	L _{5,0}
ST1	58.2	67.3	63.5	61.6	59.4	57.4
ST2	58.0	66.3	64.0	62.1	59.4	56.2
ST3	63.5	69.7	68.7	67.3	65.5	61.9

Source: WJV Acoustics, Inc.

PROJECT-RELATED NOISE LEVELS

The applicant currently operates at an existing location within the City of Fresno. According to the project applicant, the equipment currently used at the existing location will be the same equipment used at the proposed location on Kings Canyon Road. WJVA (then operating as Brown Buntin Associates) conducted noise level measurements of the grinding operations at the existing facility as part of a noise study prepared for the existing location.

Noise levels from the grinder were documented by conducting noise measurements during a pre-arranged test on August 27, 2008. During the test, the grinder operated continuously and the material being processed was representative of materials that would typically be processed by the plant.

The reference grinder equipment previously measured was a Pegson Model 4242 with a capacity of 100 tons per hour. The plant consisted of a crusher, a series of sorting screens and conveyor belts. Raw material was fed into the plant by a front loader. The loader used during the tests was a John Deere Model 744E. Proposed hours of operation for the grinder are 7:00 a.m. to 5:00 p.m., Monday-Friday. The grinder is expected to operate up to 10 days per month.

The applicant currently utilizes a Pegson Model 428 grinder and a Hyundai HL960 loader. According to the project applicant, the equipment currently used is newer technology which produces lower noise levels than the equipment measured for project reference. The noise levels previously measured of the comparable equipment will be used to demonstrate project compliance at the proposed Kings Canyon Road location and should be considered a worst-case assessment of project-related noise levels.

Noise monitoring equipment used during the tests was the same as previously described for ambient noise level measurements. Noise level measurements were conducted at the three locations. Table III summarizes noise measurement results.

TABLE III						
SUMMARY OF GRINDER NOISE LEVEL MEASUREMENTS						
AUGUST 27, 2008						
Site	Distance & Direction ¹	A-weighted Decibels, dBA				
		L ₅₀	L ₂₅	L ₁₀	L ₁₇	L _{max}
1	625 ft. north	50.6	52.0	53.9	55.9	59.0
2	468 ft. southeast	49.9	50.9	51.1	52.0	52.5
3	833 ft. southwest	50.5	51.6	53.4	55.0	58.9

¹ Distance from center of plant during test as shown on Figure 1.

Source: WJV Acoustics, Inc. (Brown-Buntin Associates, Inc.)

In order to assess potential grinder plant operations noise levels at the closest residential land uses, WJVA applied the loudest measurements (Site 2/L₅₀ and Site 3/L_{max}) obtained during the 2008 grinder noise measurements, to determine project compliance and appropriate mitigation measures. Using the noise level data from Site 2 and Site 3 provided above in Table III, WJVA calculated the (unmitigated) noise levels that could be expected at various distances from the grinder. Calculated noise levels are summarized in Table IV in terms of the County's noise standards for stationary noise sources.

The applicant proposes to operate the grinder at one location within the southeast portion of the project site. The grinder would be located approximately 300 feet from the closest residence to the west and approximately 500 feet from the closest residence to the east. Table IV shows that the proposed grinder could exceed the County's 50 dBA daytime (7:00 a.m.-10:00 p.m.) hourly L₅₀ standard at the closest home to the west by 4-5 dB. However, noise levels provided in Figure IV assume no acoustic shielding. Figure 3 provides a drawing provided by the project applicant illustrating the location of the grinder plant in relation to the residence to the west.

TABLE IV SUMMARY OF ESTIMATED GRINDER NOISE LEVELS AT CLOSEST HOMES				
Distance	L ₅₀ , dBA		L _{max} , dBA	
	Estimated	County Standard	Estimated	County Standard
250	55	50	69	70
300	54	50	68	70
350	52	50	66	70
400	51	50	65	70
500	49	50	63	70

Source: WJV Acoustics, Inc.

NOISE MITIGATION

From Table IV and the above discussion, it may be determined that average hourly noise levels, as defined by the L_{50} , could exceed the 50 dBA standard of the County's Noise Ordinance by up to 4-5 dB at the closest home to the west. However, the noise levels described in Table IV assume no acoustical shielding between the noise source and the receptor. There is an existing barn structure located between the proposed grinder location and the residence to the west. The barn would provide significant acoustic shielding of grinder noise levels at the residence. Additionally, the project applicant has stated a stockpile of both processed and processed materials (concrete and asphalt) will be maintained between the grinder plant and both the residence to the west and to the east. The stockpile of processed materials west of the grinder plant will be maintained to a height of 15-25 feet, and will be approximately 350 feet in length and 60 feet wide. Such a stockpile would provide approximately 10-15 dB of noise level reduction at the residence.

With the above-described acoustic shielding provided by the existing barn as well as the stockpiles of materials the applicant will maintain between the grinder plant and the residences to the west and to the east, project-related noise levels will be below the County's applicable 50 dB L_{50} noise level standard. It should be noted, existing ambient noise levels at both the residence to the west (approximately 56 dB L_{50}) and the residence to the east (approximately 57 dB L_{50}) already exceed the County's 50 dB L_{50} daytime noise level for stationary noise sources. Therefore, the applicable noise level standard warrants an adjustment to reflect that of existing (without project) ambient noise levels. Project-related noise levels would not be expected to exceed existing ambient noise levels, as defined by the L_{50} noise level metric.

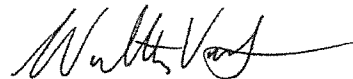
CONCLUSIONS AND RECOMMENDATIONS

The proposed grinder will comply with applicable Fresno County noise level requirements provided that the following noise mitigation measures are incorporated into the proposed grinder operation.

- Grinder operations should not occur during the nighttime hours between 10:00 p.m. and 7:00 a.m. when applicable noise standards are more restrictive.
- Noise barriers in the form of raw or processed materials stockpiles (or sound walls) should be located between the grinder equipment and the closest home to the west. Stockpiles or sound walls being used for noise mitigation should have a minimum height of 15 feet above the ground.

The conclusions and recommendations of this acoustical analysis are based upon the best information known to WJV Acoustics, Inc. (WJVA) at the time the analysis was prepared concerning the proposed site plan, grinder equipment noise levels and proposed hours of operation. Any significant changes in these factors will require a reevaluation of the findings of this report. Additionally, any significant future changes in grinder equipment technology, noise regulations or other factors beyond WJVA's control may result in long-term noise results different from those described by this analysis.

Respectfully submitted,



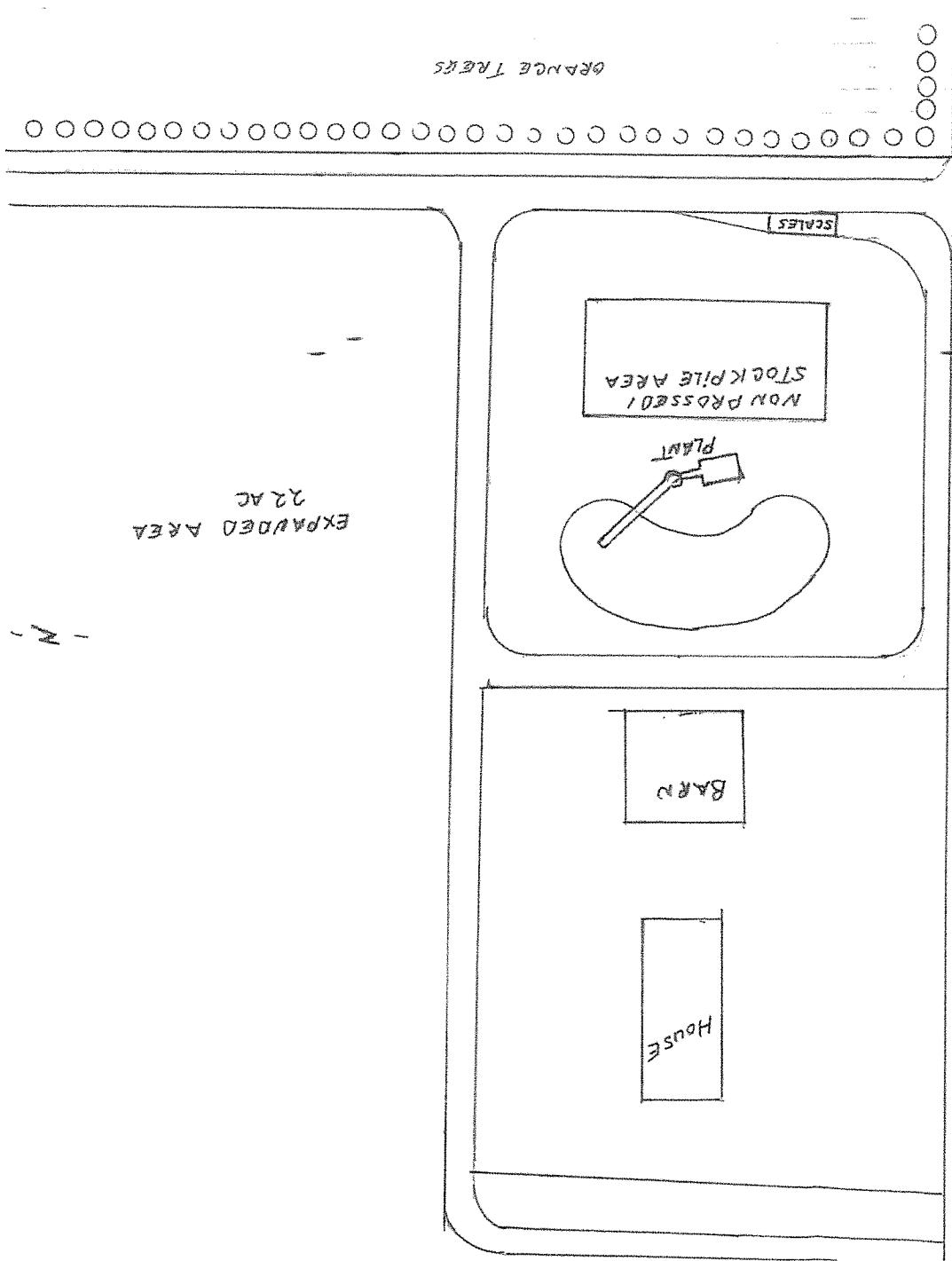
Walter J. Van Groningen
President

WJV:wjv

FIGURE 2: PROJECT VICINITY AND AMBIENT NOISE MONITORING SITES



FIGURE 3: PROPOSED LOCATION OF GRINDER PLANT AND MATERIALS STOCKPILES



APPENDIX A

ACOUSTICAL TERMINOLOGY

AMBIENT NOISE LEVEL: The composite of noise from all sources near and far. In this context, the ambient noise level constitutes the normal or existing level of environmental noise at a given location.

CNEL: Community Noise Equivalent Level. The average equivalent sound level during a 24-hour day, obtained after addition of approximately five decibels to sound levels in the evening from 7:00 p.m. to 10:00 p.m. and ten decibels to sound levels in the night before 7:00 a.m. and after 10:00 p.m.

DECIBEL, dB: A unit for describing the amplitude of sound, equal to 20 times the logarithm to the base 10 of the ratio of the pressure of the sound measured to the reference pressure, which is 20 micropascals (20 micronewtons per square meter).

DNL/L_{dn}: Day/Night Average Sound Level. The average equivalent sound level during a 24-hour day, obtained after addition of ten decibels to sound levels in the night after 10:00 p.m. and before 7:00 a.m.

L_{eq}: Equivalent Sound Level. The sound level containing the same total energy as a time varying signal over a given sample period. L_{eq} is typically computed over 1, 8 and 24-hour sample periods.

NOTE: The CNEL and DNL represent daily levels of noise exposure averaged on an annual basis, while L_{eq} represents the average noise exposure for a shorter time period, typically one hour.

L_{max}: The maximum noise level recorded during a noise event.

L_n: The sound level exceeded "n" percent of the time during a sample interval (L₉₀, L₅₀, L₁₀, etc.). For example, L₁₀ equals the level exceeded 10 percent of the time.

ACOUSTICAL TERMINOLOGY

NOISE EXPOSURE CONTOURS:

Lines drawn about a noise source indicating constant levels of noise exposure. CNEL and DNL contours are frequently utilized to describe community exposure to noise.

NOISE LEVEL REDUCTION (NLR):

The noise reduction between indoor and outdoor environments or between two rooms that is the numerical difference, in decibels, of the average sound pressure levels in those areas or rooms. A measurement of noise level reduction combines the effect of the transmission loss performance of the structure plus the effect of acoustic absorption present in the receiving room.

SEL or SENEL:

Sound Exposure Level or Single Event Noise Exposure Level. The level of noise accumulated during a single noise event, such as an aircraft overflight, with reference to a duration of one second. More specifically, it is the time-integrated A-weighted squared sound pressure for a stated time interval or event, based on a reference pressure of 20 micropascals and a reference duration of one second.

SOUND LEVEL:

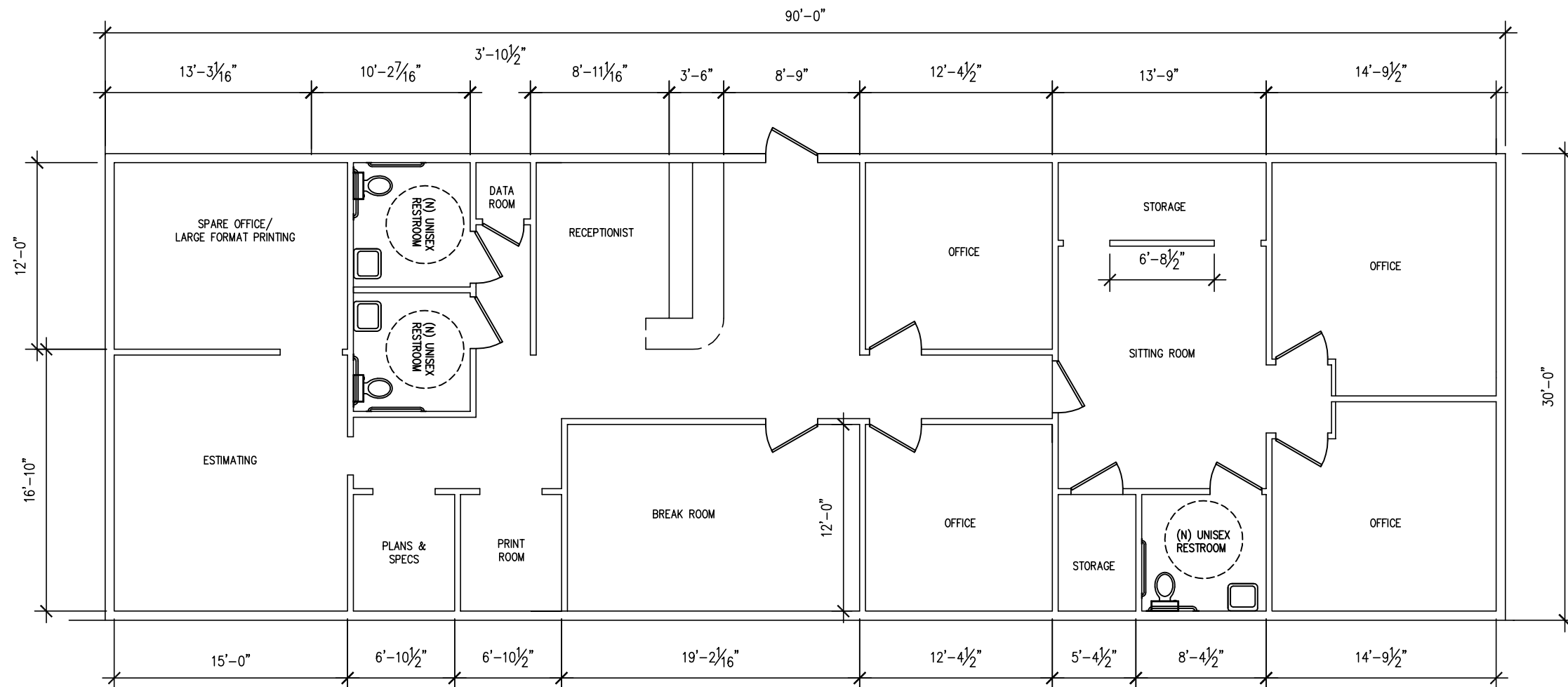
The sound pressure level in decibels as measured on a sound level meter using the A-weighting filter network. The A-weighting filter de-emphasizes the very low and very high frequency components of the sound in a manner similar to the response of the human ear and gives good correlation with subjective reactions to noise.

SOUND TRANSMISSION CLASS (STC):

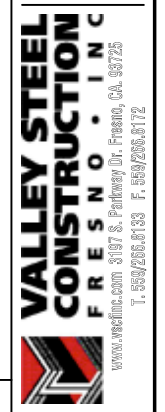
The single-number rating of sound transmission loss for a construction element (window, door, etc.) over a frequency range where speech intelligibility largely occurs.

APPENDIX B
EXAMPLES OF SOUND LEVELS

NOISE SOURCE	SOUND LEVEL	SUBJECTIVE DESCRIPTION
AMPLIFIED ROCK 'N ROLL ▶	120 dB	DEAFENING
JET TAKEOFF @ 200 FT ▶		
	100 dB	VERY LOUD
BUSY URBAN STREET ▶		
	80 dB	LOUD
FREEWAY TRAFFIC @ 50 FT ▶		
	60 dB	MODERATE
CONVERSATION @ 6 FT ▶		
TYPICAL OFFICE INTERIOR ▶		FAINT
SOFT RADIO MUSIC ▶	40 dB	
RESIDENTIAL INTERIOR ▶		VERY FAINT
WHISPER @ 6 FT ▶	20 dB	
HUMAN BREATHING ▶	0 dB	



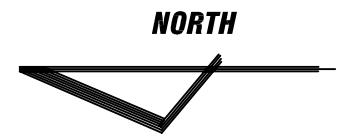
DATE	REVISION



project
Emmett's Excavation
New Office

client
Emmett Family

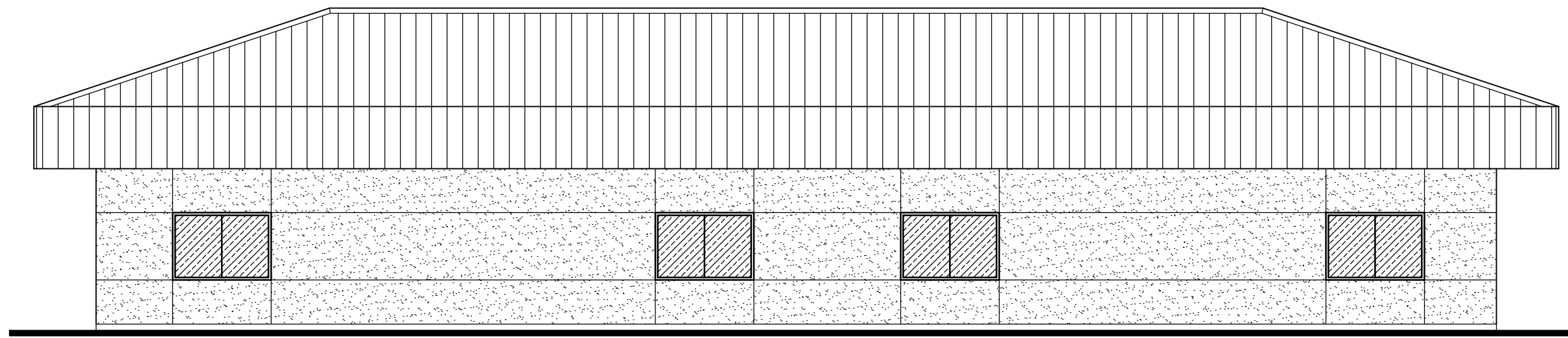
content
FLOOR PLAN



(E) FLOOR PLAN
 SCALE 1/4"=1'-0"

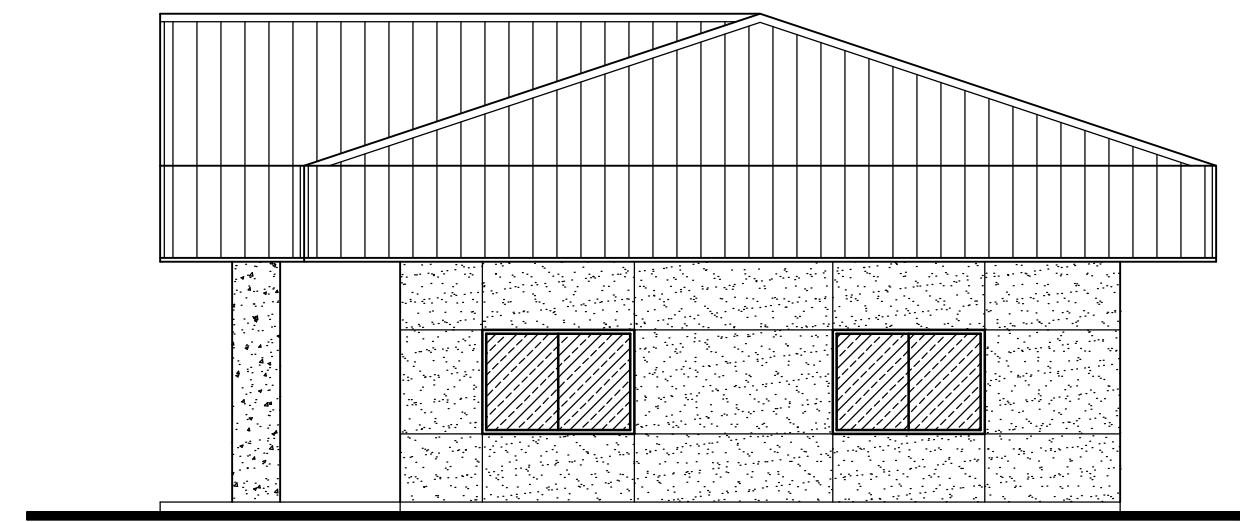
VALLEY STEEL CONSTRUCTION
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date: 9/25/2018
drawing no.
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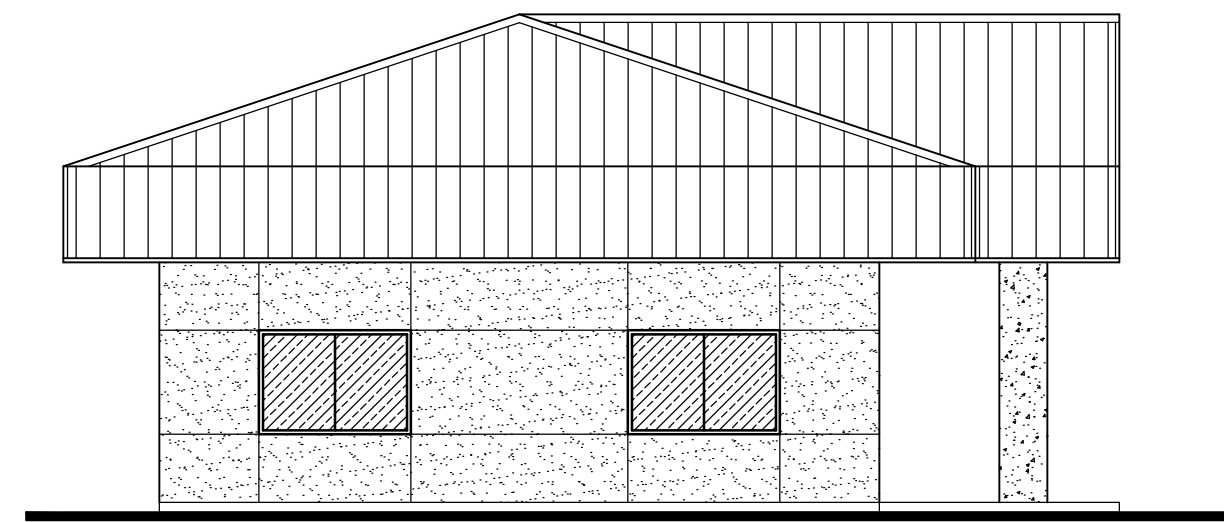
NORTH ELEVATION

SCALE: 1/8" = 1'-0"



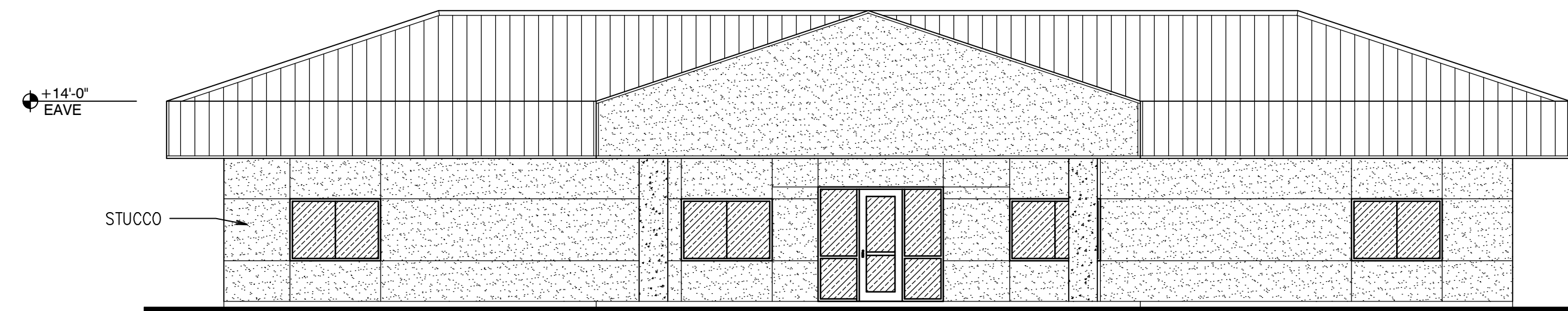
EAST ELEVATION

SCALE: 1/8" = 1'-0"



WEST ELEVATION

SCALE: 1/8" = 1'-0"



SOUTH ELEVATION

SCALE: 1/8" = 1'-0"

REV	REVISION	DATE



project
Emmett's Excavation
New Office

client
Emmett Family

content
ELEVATION PLAN



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drawn by; ASH

checked by;

date; 9/25/2018

drawing no.

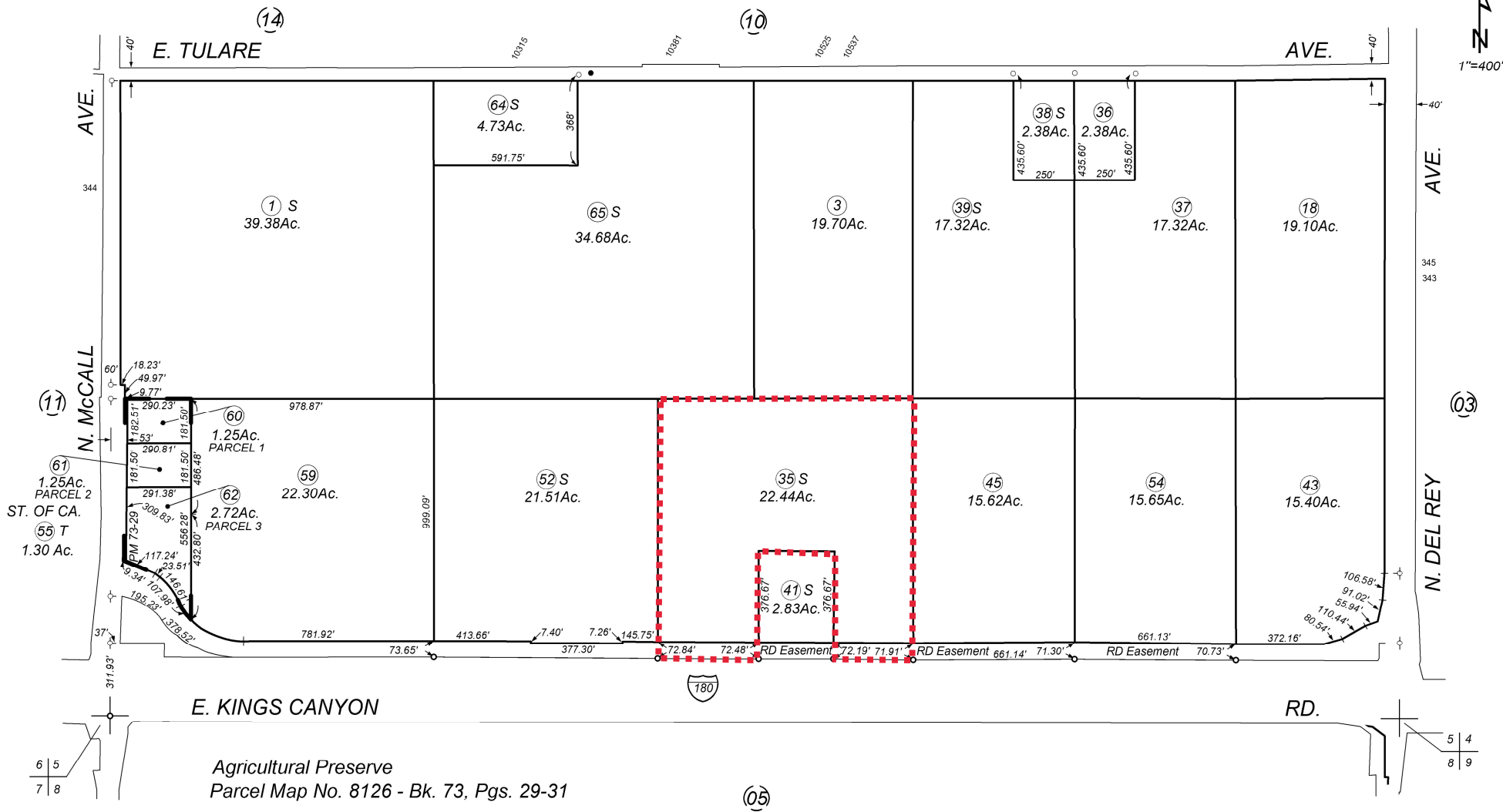
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ELEVATION PLAN

SCALE 1/8" = 1'-0"

-NOTE-

This map is for Assessment purposes only. It is not to be construed as portraying legal ownership or divisions of land for purposes of zoning or subdivision law.

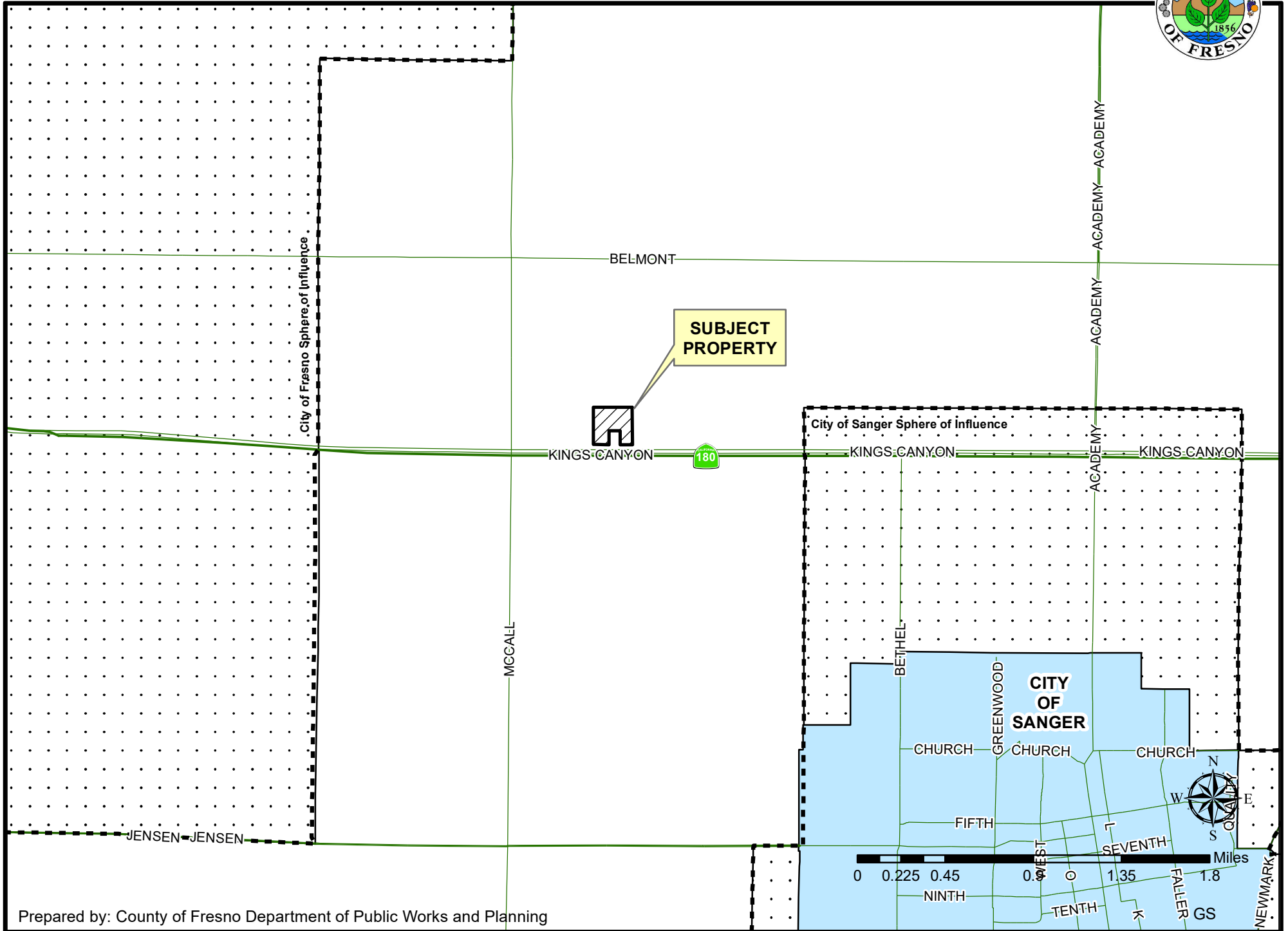


Agricultural Preserve Parcel Map No. 8126 - Bk. 73, Pgs. 29-31

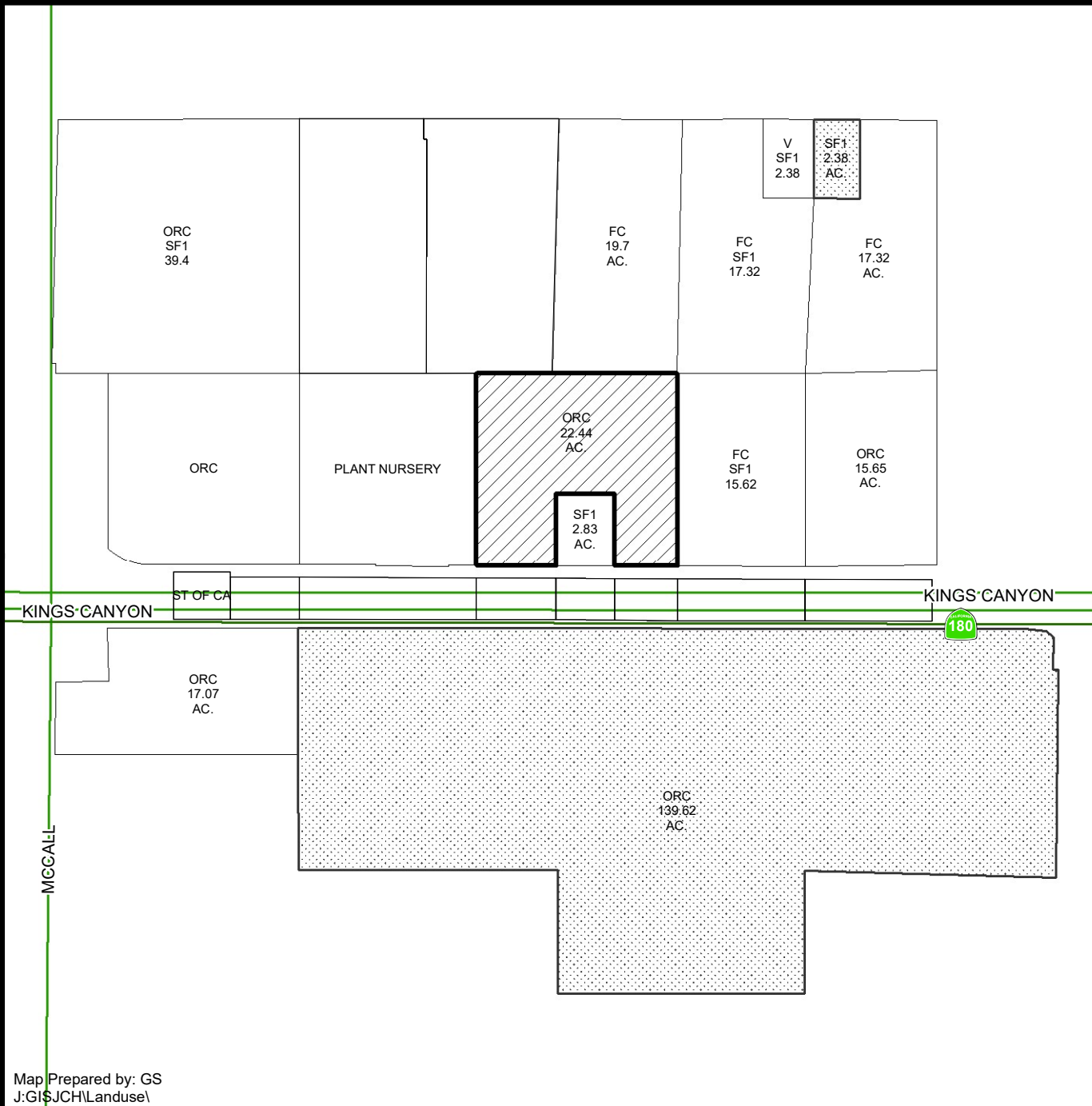
Assessor's Map Bk.314 - Pg.12 County of Fresno, Calif.

Note - Assessor's Block Numbers Shown in Ellipses Assessor's Parcel Numbers Shown in Circles

LOCATION MAP





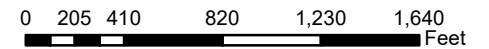
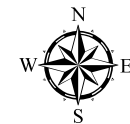
EXISTING LAND USE MAP



LEGEND	
FC	FIELD CROP
ORC	ORCHARD
SF#	SINGLE FAMILY RESIDENCE
V	VACANT

LEGEND:

-  Subject Property
-  Ag Contract Land



EXISTING ZONING MAP

