



**Attachments**

CUP 3656 Envir'l Checklist.pdf

CUP 3656 Initial Study.pdf

CUP 3656 Mitigation Monitoring.pdf

CUP 3656 MND (proposed).pdf

CUP 3656 NOC (signed).pdf

CUP 3656 NOI (recorded).pdf

CUP 3656 Rev'g Agency Cklist (signed).pdf

CUP 3656 Routing Pkg.pdf

CUP 3656 Summary Form.pdf

**Contacts**

Fresno County Department of Public Works and Planning - *Ejaz Ahmad*

2220 Tulare Street, 6th Floor  
Fresno, CA 93720  
Phone : (559) 600-4204  
eahmad@fresnocountyca.gov

**Regions**

(None)

**Counties**

Fresno

**Cities**

(None)

**Location Details**

**Cross Streets**

Southwest corner of W. Kamm Ave and Butte Ave alignment

**Total Acres - 135.35 | Parcel Number - 040-080-40S, 42S, 43S, 44S | State High...**

**Local Action Types**

Use Permit

**Development Types**

Commercial (Sq. Ft. 328,900, Acres 135.35, Employees 65 to 100)

**Project Issues**

Aesthetics | Agriculture and Forestry Resources | Air Quality | Biological Resources...

**Review Agencies**

Air Resources Board | Caltrans, District 6 - Fresno/Bakersfield | Central Valley Floo...

**Review Period**

**Review Started**

3/15/2021

**Review Ended**

4/13/2021

# Summary Form for Electronic Document Submittal

Form F

Lead agencies may include 15 hardcopies of this document when submitting electronic copies of Environmental Impact Reports, Negative Declarations, Mitigated Negative Declarations, or Notices of Preparation to the State Clearinghouse (SCH). The SCH also accepts other summaries, such as EIR Executive Summaries prepared pursuant to CEQA Guidelines Section 15123. Please include one copy of the Notice of Completion Form (NOC) with your submission and attach the summary to each electronic copy of the document.

SCH #: \_\_\_\_\_

Project Title: Initial Study Application No. 7681; Classified Conditional Use Permit Application No. 3656

Lead Agency: County of Fresno

Contact Name: Ejaz Ahmad

Email: eahmad@fresnocountyca.gov Phone Number: 559-600-4204

Project Location: Helm Fresno  
*City* *County*

Project Description (Proposed actions, location, and/or consequences).

Allow the expansion of an existing fertilizer manufacturing plant on a 68.67-acre site and onto three contiguous parcels totaling 66.68 acres in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District. The project site is located on the southwest corner of W. Kamm Avenue and the Butte Avenue alignment, approximately three miles west of the unincorporated community of Helm (20225 W. Kamm Avenue) (Sup. Dist.: 1) (APN: 040-080-40S, 42S, 43S, 44S).

Identify the project's significant or potentially significant effects and briefly describe any proposed mitigation measures that would reduce or avoid that effect.

The project will adhere to the following mitigation measures:

**AESTHETICS:** All lighting will be hooded and directed away from adjacent properties and public right-of-ways

**CULTURAL RESOURCES:** In the event that cultural resources are unearthed during ground disturbance, all work shall be halted in the area of the find and an archaeologist shall be called to evaluate the findings and make any necessary mitigation recommendations

If applicable, describe any of the project's areas of controversy known to the Lead Agency, including issues raised by agencies and the public.

No known controversies

Provide a list of the responsible or trustee agencies for the project.

None other than the lead agency (Fresno County)

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 No. 7681 (Jacob and Kimberly Evans)

Lead Agency: County of Fresno Contact Person: Ejaz Ahmad
Mailing Address: 2220 Tulare Street, Sixth Floor Phone: (559) 600-4204
City: Fresno Zip: 93721 County: Fresno

Project Location: County: Fresno City/Nearest Community: Helm
Cross Streets: Southwest corner of W. Kamm and Butte Avenues alignment, three miles west of Helm Zip Code:
Longitude/Latitude (degrees, minutes and seconds): Total Acres: 135
Assessor's Parcel No.: 040-080-40S, 42S, 43S, 44S Section: 19 Twp.: 16S Range: 17E Base: Mt. Diablo
Within 2 Miles: State Hwy #: 145 Waterways:
Airports: Railways: Schools:

Document Type:

- CEQA: [ ] NOP [ ] Draft EIR NEPA: [ ] NOI Other: [ ] Joint Document
[ ] Early Cons [ ] Supplement/Subsequent EIR [ ] EA [ ] Final Document
[ ] Neg Dec (Prior SCH No.) [ ] Draft EIS [ ] Other:
[X] Mit Neg Dec Other: [ ] FONSI

Local Action Type:

- [ ] General Plan Update [ ] Specific Plan [ ] Rezone [ ] Annexation
[ ] General Plan Amendment [ ] Master Plan [ ] Prezone [ ] Redevelopment
[ ] General Plan Element [ ] Planned Unit Development [X] Use Permit [ ] Coastal Permit
[ ] Community Plan [ ] Site Plan [ ] Land Division (Subdivision, etc.) [ ] Other:

Development Type:

- [ ] Residential: Units Acres
[ ] Office: Sq.ft. Acres Employees Transportation: Type
[X] Commercial: Sq.ft. Acres 135 Employees Mining: Mineral
[ ] Industrial: Sq.ft. Acres Employees Power: Type MW
[ ] Educational: Waste Treatment: Type MGD
[ ] Recreational: Hazardous Waste: Type
[ ] Water Facilities: Type MGD Other:

Project Issues Discussed in Document:

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

Present Land Use/Zoning/General Plan Designation:

Fertilizer Processing Facility/AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District/Agriculture

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

Allow the expansion of an existing fertilizer manufacturing plant on a 68.67-acre site and onto three contiguous parcels totaling 66.68 acres in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District. The project site is located on the southwest corner of W. Kamm Avenue and the Butte Avenue alignment, approximately three miles west of the unincorporated community of Helm (20225 W. Kamm Avenue) (Sup. Dist.: 1) (APN: 040-080-40S, 42S, 43S, 44S).

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 # <u>6</u>                | <input type="checkbox"/> Public Utilities Commission  |
| <input type="checkbox"/> Caltrans Division of Aeronautics                       | <input checked="" type="checkbox"/> Regional WQCB # <u>5</u>  |
| <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 checked="" 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 # <u>4</u>               | <input type="checkbox"/> Tahoe Regional Planning Agency   |
| <input checked="" type="checkbox"/> Food & Agriculture, Department of           | <input type="checkbox"/> Toxic Substances Control, Department of                                    |
| <input checked="" type="checkbox"/> Forestry and Fire Protection, Department of | <input checked="" type="checkbox"/> Water Resources, Department of                                  |
| <input type="checkbox"/> General Services, Department of                        |   |
| <input checked="" type="checkbox"/> Health Services, Department of              | <input checked="" type="checkbox"/> Other: <u>US Fish &amp; Wildlife</u>                            |
| <input type="checkbox"/> Housing & Community Development                        | <input checked="" type="checkbox"/> Other: <u>San Joaquin Valley Air Pollution Control District</u> |
| <input type="checkbox"/> Native American Heritage Commission                    |   |

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

Starting Date March 12, 2021 Ending Date April 12, 2021

### Lead Agency (Complete if applicable):

Consulting Firm: <u>County of Fresno</u>	Applicant: <u>Jacob and Kimberly Evans</u>
Address: <u>2220 Tulare Street, 6th Floor</u>	Address: <u>P. O. Box 7192</u>
City/State/Zip: <u>Fresno, CA 93721</u>	City/State/Zip: <u>Spreckels, CA 93962</u>
Contact: <u>Ejaz Ahmad, Project Planner</u>	Phone: <u>(559) 866-3001</u>
Phone: <u>(550)600-4204</u>	

Signature of Lead Agency Representative:  Date: 03-11-21

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

**REVIEWING AGENCIES CHECKLIST**

**KEY**  
 S = Document sent by lead agency  
 X = Document sent by SCH  
 ✓ = Suggested distribution

**Resources Agency**

- Boating & Waterways
- Coastal Commission
- Coastal Conservancy
- Colorado River Board
- Conservation
- Fish & Wildlife
- Forestry
- Office of Historic Preservation
- Parks & Recreation
- Reclamation
- S.F. Bay Conservation & Development Commission
- Water Resources (DWR)

**Business, Transportation & Housing**

- Aeronautics
- California Highway Patrol
- CALTRANS District # 6
- Department of Transportation Planning (headquarters)
- Housing & Community Development
- Food & Agriculture

**Health & Welfare**

- Health Services, Fresno County

**State & Consumer Services**

- General Services
- OLA (Schools)

**Environmental Protection Agency**

- Air Resources Board
- APCD/AQMD
- California Waste Management Board
- SWRCB: Clean Water Grants
- SWRCB: Delta Unit
- SWRCB: Water Quality
- SWRCB: Water Rights
- Regional WQCB # \_\_\_\_\_ (Fresno County)

**Youth & Adult Corrections**

- Corrections

**Independent Commissions & Offices**

- Energy Commission
- Native American Heritage Commission
- Public Utilities Commission
- Santa Monica Mountains Conservancy
- California Highway Patrol
- U.S. Fish & Wildlife Service
- S. J. Valley Air Pollution Control District

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

Starting Date: March 12, 2021

Ending Date: April 12, 2021

Signature \_\_\_\_\_



Date \_\_\_\_\_

03-11-21

**Lead Agency:** Fresno County  
 Address: 2220 Tulare Street, 6<sup>th</sup> Floor  
 City/State/Zip: Fresno, CA 93721  
 Contact: Ejaz Ahmad, Planner  
 Phone: (559) 600-4204

**Applicant:** Jacob and Kimberly Evans  
 Address: P. O. Box 7192  
 City/State/Zip Spreckels, CA 93962  
 Phone: (559) 866-3001

**For SCH Use Only:**

- Date Received at SCH: \_\_\_\_\_
- Date Review Starts: \_\_\_\_\_
- Date to Agencies: \_\_\_\_\_
- Date to SCH: \_\_\_\_\_
- Clearance Date: \_\_\_\_\_

Notes:



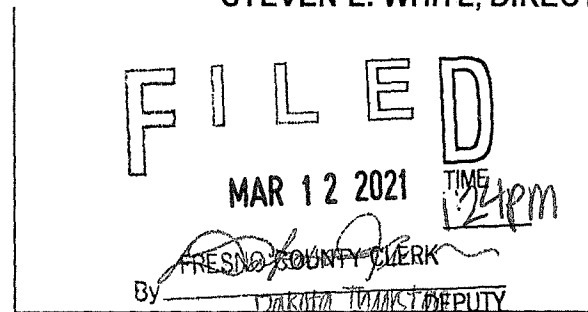


E202110000048

# 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. 7681 pursuant to the requirements of the California Environmental Quality Act for the following proposed project:

**INITIAL STUDY APPLICATION NO. 7681** and **CLASSIFIED CONDITIONAL USE PERMIT APPLICATION NO. 3656** filed by **JACOB AND KIMBERLY EVANS**, proposing to allow the expansion of an existing fertilizer manufacturing plant on a 68.67-acre site and onto three contiguous parcels totaling 66.68 acres in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District. The project site is located on the southwest corner of W. Kamm Avenue and the Butte Avenue alignment, approximately three miles west of the unincorporated community of Helm (20225 W. Kamm Avenue) (Sup. Dist.: 1) (APN: 040-080-40S, 42S, 43S, 44S). Adopt the Mitigated Negative Declaration prepared for Initial Study No. 7681 and take action on Classified Conditional Use Permit Application No. 3656 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. 7681 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 March 12, 2021 through April 12, 2021.

Email written comments to [eahmad@co.fresno.ca.us](mailto:eahmad@co.fresno.ca.us), or mail comments to:

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

E20211000004B

IS Application No. 7681 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 12:30 p.m. (except holidays). An electronic copy of the draft Mitigated Negative Declaration for the Proposed Project may be obtained from Ejaz Ahmad 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](mailto: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 [imoreno@fresnocountyca.gov](mailto:imoreno@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.

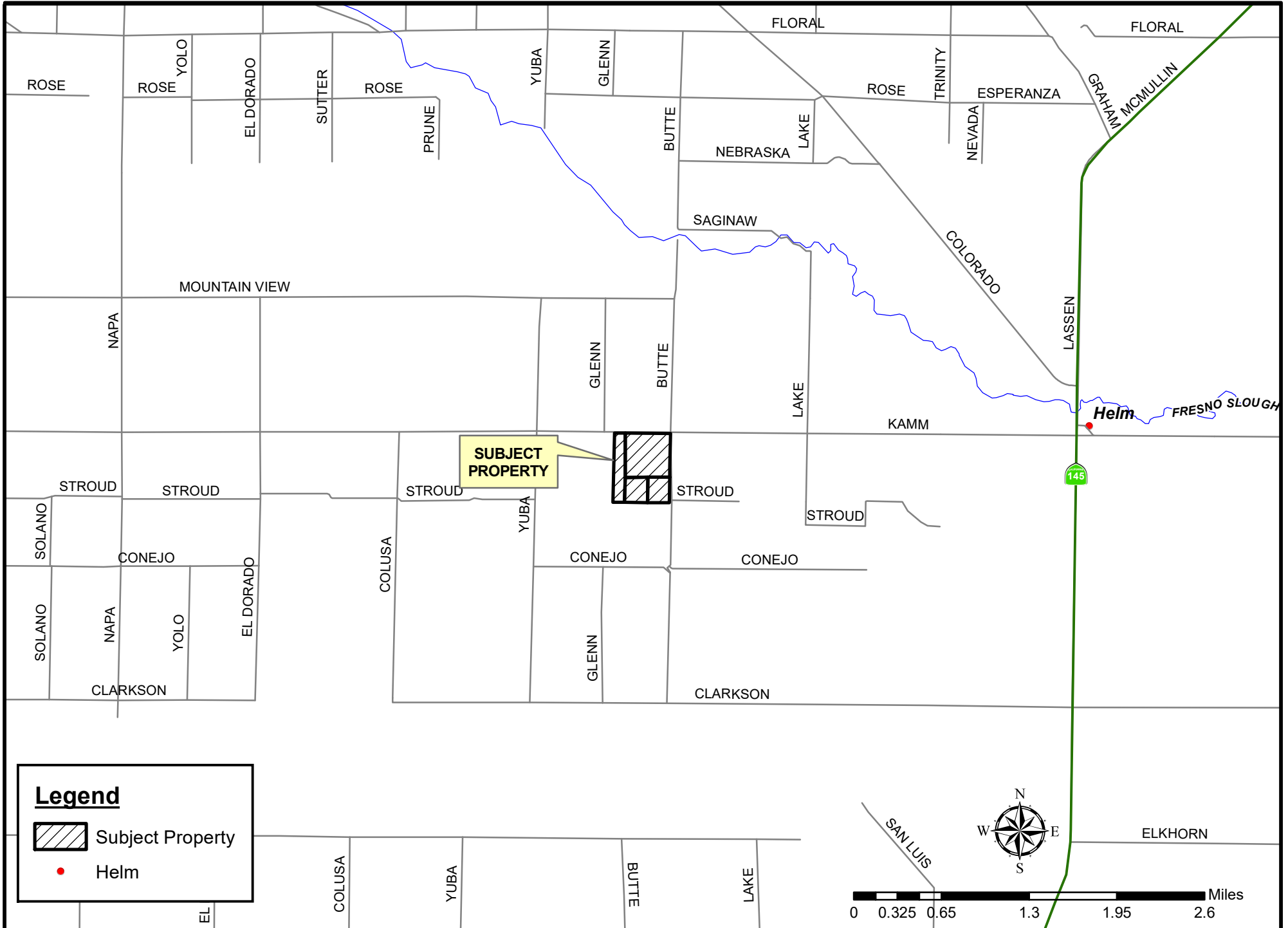
### **Public Hearing**

The Planning Commission will hold a public hearing to consider approving the Proposed Project and the Mitigated Negative Declaration on April 22, 2021, 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 Ejaz Ahmad at (559) 600-4204

Published: March 12, 2021

# LOCATION MAP





# County of Fresno

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

## INITIAL STUDY ENVIRONMENTAL CHECKLIST FORM

1. **Project title:**  
Conditional Use Permit Application No. 3656; Initial Study No. 7681
2. **Lead agency name and address:**  
Fresno County Department of Public Works and Planning  
Development Services and Capital Projects Division  
2220 Tulare Street, 6<sup>th</sup> Floor  
Fresno, CA 93721-2104
3. **Contact person and phone number:**  
David Randall or Ejaz Ahmad, Planner, (559) 600-4052
4. **Project location:**  
The project site is located on the southwest corner of W. Kamm Avenue and the Butte Avenue alignment, approximately three miles west of the unincorporated community of Helm (20225 W. Kamm Avenue) (Sup. Dist.: 1) (APN: 040-080-40S, 42S, 43S & 44S).
5. **Project sponsor's name and address:**  
Jacob and Kimberly Evans  
P. O. Box 7192  
Spreckels, CA 93962
6. **General Plan designation:**  
Agriculture
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.)**  
Allow the expansion of an existing fertilizer manufacturing plant on a 68.67 acres site and onto three contiguous parcels totaling 66.68 acres 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 area consists of uncultivated land with little or no improvements. The closest development consists of a photovoltaic facility and a single-family residence located approximately one-half mile to the east. The unincorporated community of Helm and State Route 145 is approximately three miles east of the project site.
10. **Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.)**  
None
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.?**

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.

The project site is in an area of moderate sensitivity to archaeological finds.

Pursuant to AB (Assembly Bill) 52, the subject proposal was routed to the Santa Rosa Rancheria Tachi Yokut Tribe, Picayune Rancheria of the Chukchansi Indians, Dumna Wo Wah Tribal Government, and Table Mountain Rancheria offering them an opportunity to consult under Public Resources Code (PRC) Section 21080.3(b) with a 30-day window to formally respond to the County letter. No tribe requested consultation, resulting in no further action on the part of the County. The Table Mountain Rancheria (TMR), however, requested to be informed in the unlikely event that cultural resources are identified on the property. With the Mitigation Measure included in the CULTURAL ANALYSIS section of this report any potential impact to tribal cultural resources will be reduced to less than significant.

**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.

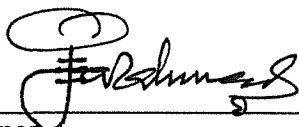
- |   |   |
|---|---|
| <input type="checkbox"/> Aesthetics                         | <input type="checkbox"/> Agriculture and Forestry Resources |
| <input type="checkbox"/> Air Quality                        | <input type="checkbox"/> Biological Resources               |
| <input type="checkbox"/> 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:

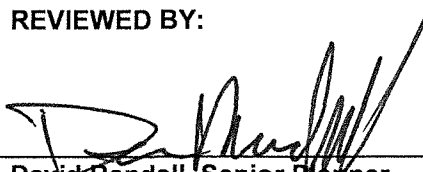
- I find that the proposed project **COULD NOT** have a significant effect on the environment. **A NEGATIVE DECLARATION WILL BE PREPARED.**
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the Mitigation 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:**



Ejaz Ahmad, Planner

**REVIEWED BY:**



David Randall, Senior Planner

Date: 03-15-2021

Date: 03-15-2021

EA:  
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**INITIAL STUDY  
ENVIRONMENTAL CHECKLIST FORM  
(Initial Study Application No. 7681 and  
Classified Conditional Use Permit  
Application No. 3656)**

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?
- 2 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 a 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?
- 1 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?
- 2 c) Expose sensitive receptors to substantial pollutant concentrations?
- 1 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:

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



## VII. GEOLOGY AND SOILS

Would the project:

- 2 a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:
  - 2 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?
  - 2 ii) Strong seismic ground shaking?
  - 2 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?
- 2 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?
- 2 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:

- 2 a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?
- 2 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?
- 2 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, 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, 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 groundwater quality?
- 1 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 off site;
  - 2 iii) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff; or
  - 2 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:

- 1 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?
- 1 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, exposing 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?

#### XV. PUBLIC SERVICES

Would the project:

- 2 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:
- 2 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?

#### 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?
- 1 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?

#### XVIII. TRIBAL CULTURAL RESOURCES

Would the project:

- 2 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:
- 2 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
- 2 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 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:

- 2 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?
- 1 b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?
- 2 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?
- 2 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?
- 2 e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

#### 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?

#### XXI. MANDATORY FINDINGS OF SIGNIFICANCE

Would the project:

- 2 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?
- 2 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.)
- 1 c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

**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 2010 Map, State Department of Conservation  
Air Quality and Greenhouse Gas Analysis by LSA, dated February 18, 2021  
Biological Habitat Assessment by Argonaut Ecological Consulting, Inc. dated January 5, 2020  
Cultural Resource Assessment by Argonaut Ecological Consulting, Inc. dated October 7, 2020  
Scope of Work (SOW) by Peters Engineering Group, dated March 11, 2020.  
Traffic Index Analysis by Peters Engineering Group, dated April 28, 2020

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# County of Fresno

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

## EVALUATION OF ENVIRONMENTAL IMPACTS

- APPLICANT: Jacob and Kimberly Evans
- APPLICATION NOS.: Classified Conditional Use Permit Application No. 3656 and Initial Study No. 7681
- DESCRIPTION: Allow the expansion of an existing fertilizer manufacturing plant on a 68.67-acre site and onto three contiguous parcels totaling 66.68 acres in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.
- LOCATION: The project site is located on the southwest corner of W. Kamm Avenue and the Butte Avenue alignment, approximately three miles west of the unincorporated community of Helm (20225 W. Kamm Avenue) (Sup. Dist.: 1) (APN: 040-080-40S, 42S, 43S, 44S).

### 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 project site is fallow and is surrounded by uncultivated, undeveloped land. The site fronts on Kamm Avenue which is not identified as a scenic drive in the County General Plan. No scenic vistas or scenic resources including trees, rock outcroppings, or historic buildings exist on or near the site. The project will have no impact on scenic resources.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The proposed project entails expansion of an existing fertilizer manufacturing plant on 66.67 acres to an additional 66.68 acres totaling 135.35 acres. The current facility which convert chicken manure and various byproducts to organic fertilizers consists of offices, outside raw product storage areas, outdoor processing areas, indoor processing areas, and indoor finished product storage areas. The current operation includes 38.40-acre original operation allowed under Conditional Use Permit (CUP) No. 2467 and modified under CUP No. 3265 to allow an additional 29.18 acres of storage and circulation area. CUP No. 3523 was approved to allow the expansion of liquid storage within buildings not greater than 50 feet.

Per the applicant's Operational Statement, the proposed expansion will not affect production capacity but will increase plant efficiency, improve storage conditions and the ability to comply with applicable regulations. There will be no buildings on 66.7 acres expansion area which will be used for raw product storage, a gravel service road and new but previously approved driveway ingress/egress onto W. Kamm Avenue. Within 66.67 acres of the existing facility, new buildings will be added, and some buildings will be removed over time to allow operational and energy efficiencies.

As noted above, the project area consists of uncultivated land with little or no improvements. The closest development is a photovoltaic facility and a single-family residence located approximately one half-mile to the east. Given the current landscape of the area and the fact that the proposed buildings/structures will be comparable in look, size, and height to the existing improvements on the property, the project's impact on the visual character or quality of the area would be less than significant.

- 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:

This proposal will utilize outdoor lighting for the proposed buildings/structures that has the potential of generating new sources of light and glare in the area. To minimize any light and glare impact resulting from this proposal, the project will adhere to the following Mitigation Measure:

\* **Mitigation Measure**

1. *All outdoor lighting shall be hooded and directed downward so as to not shine toward adjacent properties and public streets.*

II. AGRICULTURAL AND FORESTRY RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an

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

- A. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The subject proposal will not Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use. The proposed 66.68-acre expansion is classified as Farmland of Local Importance and Semi-Agricultural and Rural Commercial Land on 2016 Fresno County Important Farmland Map

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

FINDING: NO IMPACT:

The subject proposal is an allowed use on the property zoned for agriculture with a discretionary land use approval. All three parcels (66.68 acres) included in the subject proposal are enrolled in Williamson Act Program. The existing fertilizer processing facility is not qualified as a Conditionally Compatible Use; therefore, the subject parcels are required to be removed from the Program through contract Cancellation process. The applicant has filed a petition for Partial Cancellation of Williamson Act Contract No. 2093 with the Policy Planning Unit of the Development Services and Capital Projects Division. The petition will be considered by Agricultural Land Conservation Committee (ALCC) on April 7, 2021. With the petition granted approval, the project will not be in conflict with the Contract.

- 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 forestland to non-forest use?

FINDING: NO IMPACT:

The project site is not forest land or timberland. It is a non-active agricultural land fallowed over the years. The project is considered an appropriate use in agricultural zone district. The proposed improvements will bring a less than significant physical

change to the current landscape of the area which consist of large uncultivated parcels with little or no improvements.

The Fresno County Agricultural Commissioners' Office reviewed the proposal and offered no concerns on the project.

### III. AIR QUALITY

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

#### A. Conflict with or obstruct implementation of the applicable Air Quality Plan?

FINDING: LESS THAN SIGNIFICANT IMPACT:

An Air Quality and Greenhouse Gas Analysis, was prepared for the project by LSA Associates, dated February 18, 2021 and provided to the San Joaquin Valley Air Pollution Control District (SJVAPCD) for comments.

As discussed in III. B below, emissions of ROG, NO<sub>x</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub> associated with the construction and operation of the project would not exceed the District's significance thresholds and would not result in inconsistency with the AQP (Air Quality Plan) for this criterion. The project will comply with rules and regulations related to Regulation VIII Fugitive PM<sub>10</sub> Prohibitions and PM<sub>2.5</sub> standards and may also be subject to Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations) and Rule 4002 (National Emission Standards for Hazardous Air Pollutants).

#### B. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Per the Air Quality and Greenhouse Gas Analysis, the project construction and operations would contribute the following criteria pollutant emissions: reactive organic gases (ROG), carbon monoxide (CO), nitrogen dioxide (NO<sub>2</sub>), sulfur dioxide (SO<sub>2</sub>), and particulate matter (PM<sub>10</sub> and PM<sub>2.5</sub>). Project operations would generate air pollutant emissions from mobile sources (automobile activity from employees) and area sources (incidental activities related to facility maintenance). Criteria and Greenhouse Gas (GHG) emissions were estimated using the California Emissions Estimator Model (CalEEMod) version 2016.3.2 [California Air Pollution Control Officers Association (CAPCOA) 2017], which is the most current version of the model approved for use by SJVAPCD.

Per the Air Quality and Greenhouse Gas Analysis, the project construction emissions would be 0.3 tons per year for ROG, 2.5 tons per year for NO<sub>x</sub>, 2.1 tons per year for

CO, 0.1 ton per year for SO<sub>x</sub>, 0.2 ton per year for PM<sub>2.5</sub>, and 0.3 ton per year for PM<sub>10</sub> emissions. The emission is less than SJVAPCD thresholds of 10 tons per year for ROG and NO<sub>x</sub>, 100 tons per year for CO, 27 tons per year for SO<sub>x</sub>, and 15 tons per year for PM<sub>2.5</sub>, and PM<sub>10</sub> emissions. In addition to the construction period thresholds of significance, San Joaquin Valley Air Pollution Control District (SJVAPCD) has implemented Regulation VIII measures for dust control during construction. These control measures are intended to reduce the amount of PM<sub>10</sub> emissions during the construction period and their implementation would ensure that the proposed project further reduces the short-term construction period air quality impacts.

The Long-Term Operational Emissions are those associated with mobile sources (e.g., vehicle trips), energy sources (e.g., electricity and natural gas), and area sources (e.g., architectural coatings and the use of landscape maintenance equipment) related to the proposed project.

Per the Air Quality and Greenhouse Gas Analysis, the project total operation emissions would be 1.4 tons per year for ROG, less than one ton per year for NO<sub>x</sub>, CO, SO<sub>x</sub>, PM<sub>2.5</sub>, and PM<sub>10</sub> emissions. The emission is less than SJVAPCD thresholds of 10 tons per year for ROG and NO<sub>x</sub>, 100 tons per year for CO, 27 tons per year for SO<sub>x</sub>, and 15 tons per year for PM<sub>2.5</sub>, and PM<sub>10</sub> emissions. As such, operation of the project would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in nonattainment under an applicable federal or State Ambient Air Quality Standards (AAQS).

Per the San Joaquin Valley Air Pollution Control District review of the project, a Project Note would require that an Authority to Construct (ATC) application shall be submitted to the District subsequent to which the District will conduct the required Health Risk Assessment/Risk Management Review as a part of ATC application review process.

C. Expose sensitive receptors to substantial pollutant concentrations?

**FINDING: LESS THAN SIGNIFICANT IMPACT:**

Sensitive receptor locations include schools, parks and playgrounds, day care centers, nursing homes, hospitals, and residential dwelling units. The project area is primarily agricultural or undeveloped. The closest sensitive receptor to the project site is a single-family residence located to the east of the project site approximately 2,800 feet from the site boundary. Helm Elementary School is located approximately 2.9 miles to the east of the project site.

Per the Air Quality and Greenhouse Gas Analysis, a screening assessment of potential health risks to nearby receptors was conducted using the SJVAPCDs prioritization calculator. Scores of 10 or greater indicate that a refined HRA should be prepared because there is the potential for a significant health risk. Scores of at least 1 and less than 10 indicate that the project's TAC emissions are not of high risk. Scores of less than 1 are low risk and are not likely to have an adverse health risk.



Per the San Joaquin Valley Air Pollution Control District (SJVAPCD), a project would result in a significant impact if it would expose sensitive receptors to TACs (toxic air contaminants) resulting in an increased cancer risk greater than 20.0 in one million or an increased non-cancer risk of greater than 1.0 on the hazard index (chronic or acute). Based on the screening level prioritization score for the proposed project, the maximum prioritization score total at the nearest worksite and residence receptor would be 2.55e well below the SJVPCD's recommended high-risk screening threshold of 10 for conducting a refined Health Risk Assessment. As a result, the on-site operations would not be anticipated to result in a significant adverse health risk to nearby off-site receptors.

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

FINDING: NO IMPACT:

Per the Air Quality and Greenhouse Gas Analysis, the San Joaquin Valley Air Pollution Control District has not established a rule or standard regarding odor emissions; rather, the District nuisance rule requires that any project with the potential to frequently expose members of the public to objectionable odors should be deemed to have a significant impact.

During project construction, some odors may be present due to diesel exhaust. However, these odors would be temporary and limited to the construction period. Once operational, while there would be odors associated with the fertilizer materials stored onsite, the nearest sensitive receptor, a single-family residence is more than 2,800 feet away. Any odors would dissipate at this distance. Therefore, the project would not result in other emissions (such as those leading to odors) adversely affecting a substantial number of people. No impact would occur.

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

FINDING: NO IMPACT:

A Biological Habitat Assessment prepared for the project by Argonaut Ecological Consulting, Inc. and dated January 5, 2020 indicates there is no critical habitat for any listed species within or near the project area. No ground squirrel burrows, or other

potential burrows are present within the 66.68 acres project site. A portion of the site is an active industrial activity and the land is disturbed and maintained. The remainder of the site is in agricultural production and ruderal habitat (around the edges). No wildlife was observed except for small birds in flight. The site does not support suitable habitat for burrowing owls or any other species of concern. There is no nesting habitat for birds. Although, several plant species identified within the California Natural Diversity Database (CNDDDB) potentially occur within this region of Fresno County, the site does not support any species of concern.

- 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:

Per the Biological Habitat Assessment, a query of the National Wetland Inventory (NWI) Map shows two wetland types (riverine) near the 66.68 acres project site - the Crescent Ditch to the southwest and an agricultural ditch along the east side of the site. No other wetlands or ponds and no drainage pattern or aquatic feature are present within the site.

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

FINDING: NO IMPACT:

The project site is not located within any designated wildlife movement corridor and contains no wildlife nursery sites, or fisheries resources.

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

FINDING: NO IMPACT:

The project site contains no trees and is not subject to the County of Fresno tree preservation policy or ordinance.

- F. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state Habitat Conservation Plan?

FINDING: NO IMPACT:

The project site is within an area defined as PG&E San Joaquin Valley Operation and Maintenance Habitat Conservation Plan (HCP) which applies to PG&E's activities and not the subject proposal. The project will not conflict with HC.

## V. CULTURAL RESOURCES

Would the project:

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

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION  
INCORPORATED:

The project area is moderately sensitive to archaeological finds. Native Americans Heritage Commission (NAHC) conducted a Sacred Lands Search for the property and reported negative results in its search for any sacred sites. The project was also reviewed by the Southern San Joaquin Valley Information Center (SSJVIC) which recommended for an archeological survey of the site. A Cultural Resource Assessment (Report) dated October 7, 2020 was prepared for the project by Argonaut Ecological Consulting, Inc. and provided to SSJVIC.

Per the Report, an archeologist conducted field survey on October 1, 2020 and found no evidence of prehistoric period or pre-historic cultural resources within the project area. Although no resources were found, the Report recommended that if artifacts, exotic rock, or unusual amounts of shell or bone are uncovered during the construction, work should stop in that area immediately and a qualified archeologist should be contacted to evaluate the deposit. If the bone appears to be human, the Fresno County Coroner and Native American Heritage Commission must be contacted. Given the report's recommendation and per the discussion in Section XVIII TRIBAL CULTURAL RESOURCES below, the following mitigation measure would be required to ensure that impacts to cultural resources remain less than significant.

\* **Mitigation Measure**

1. *In the event that cultural resources are unearthed during ground-disturbing activities, all work shall be halted in the area of the find. An Archeologist 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 shall be followed by photos, reports, video, and 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?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The construction or operation of the project will not result in inefficient, wasteful, or unnecessary energy to impact environment. The project will add various buildings within the footprint of 68.67 acres of the existing fertilizer manufacturing plant. There are no unusual project characteristics that would cause the use of construction equipment to be less energy efficient compared with other similar construction sites in other parts of the State. Therefore, construction-related fuel consumption by the project would not result in inefficient, wasteful, or unnecessary energy use compared with other construction sites in the area.

The project will be subject to meeting California Green Building Standards Code (CCR, Title 24, Part 11-CALGreen) to achieve the goals of Assembly Bill (AB) 32, which has established a comprehensive program of cost-effective reductions of greenhouse gases (GHG) to 1990 levels by 2020.

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

FINDING: NO IMPACT:

The project development would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency and would comply with 2019 Building Energy Efficiency Standards. Pursuant to the California Building Standards Code and the Energy Efficiency Standards, the County would review the design components of the project's energy conservation measures when the project's building plans are submitted.

## VII. GEOLOGY AND SOILS

Would the project:

- A. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:
1. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?
  2. Strong seismic ground shaking?
  3. Seismic-related ground failure, including liquefaction?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Per Figure 9-5 of the Fresno County General Plan Background Report, the project site is in an area which has 10 percent probability of seismic hazard in 50 years with peak horizontal ground acceleration of 0 to 20 percent. The project development would be subject to building standards, which include specific regulations to protect improvements against damage caused by earthquake and/or ground acceleration.

4. Landslides?

FINDING: NO IMPACT:

Per Figure 9-6 of the Fresno County General Plan Background Report, the project site is not in any identified landslide hazard area. The project site is flat with no topographical variations, which precludes the possibility of landslides.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

Per Figure 7-3 of the Fresno County General Plan Background Report, the project site is not in an area of erosion hazards. Grading activities resulting from this proposal may result in loss of some topsoil due to compaction and overcovering of soil for construction of building/structure for the project. However, the impact would be less than significant due to the project requiring an Engineered Grading Plan and a Grading Permit prior to onsite grading activities.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

As noted above, the project site is flat with no topographical variations. The site bears no potential for on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse due to the project-related improvements. As a standard requirement, a soil compaction report may be required to ensure the weight-bearing capacity of the soils for a building prior to construction permits being issued.

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: LESS THAN SIGNIFICANT IMPACT:

Per Figure 7-1 of the 2000 Fresno County General Plan Background Report, the project site appears to be located within an area of moderately to highly expansive soils. However, the risk to life or property would be less than significant in that the project

construction would require implementation of all applicable requirements of the most recent California Building Standards Code and considering hazards associated with shrinking and swelling of expansive soils.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

New buildings to be located within 68.67 acres of the existing fertilizer manufacturing plant will require on-site sewage disposal systems.

The Fresno County Department of Public Health, Environmental Health Division reviewed the proposal and requires that :1) The onsite sewage disposal system shall be installed under permit and inspection by the Department of Public Works and Planning, Building and Safety Section; 2) the location of the onsite sewage disposal area shall be identified and cordoned off to prevent truck trailer traffic from driving over, causing damage and possible failure of the septic system; and 3) access to septic tanks shall be maintained; and disposal fields, trenches, and leaching beds shall not be paved over or covered by concrete or a material that is capable of reducing or inhibiting a possible evaporation of sewer effluent. These requirements will be included as Project Notes.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

See discussion in Section V. CULTURAL RESOURCES above.

## VIII. GREENHOUSE GAS EMISSIONS

Would the project:

- A. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Human activities, including fossil fuel combustion and land-use changes, release carbon dioxide (CO<sub>2</sub>) and other compounds cumulatively termed greenhouse gases (GHGs). GHGs are effective at trapping radiation that would otherwise escape the atmosphere. The San Joaquin Valley Air Pollution Control District (SJVAPCD), a California Environmental Quality Act (CEQA) Trustee Agency for this project, has developed thresholds to determine significance of a proposed project – either implement Best Performance Standards or achieve a 29 percent reduction from Business as Usual (BAU) (a specific numerical threshold). On December 17, 2009, SJVAPCD adopted *Guidance for Valley Land-Use Agencies in Addressing GHG Emission Impacts for New*

*Projects under CEQA* (SJVAPCD 2009), which outlined SJVAPCD's methodology for assessing a project's significance for GHGs under CEQA.

Construction and operational activities associated with the proposed project would generate greenhouse gas (GHG) emissions. Per the Air Quality and Greenhouse Gas Analysis, completed by LSA Associates and dated February 18, 2021, GHG emissions were estimated using the California Emissions Estimator Model (CalEEMod) version 2016.3.2 [California Air Pollution Control Officers Association (CAPCOA) 2017], which is the most current version of the model approved for use by SJVAPCD.

Per the Air Quality and Greenhouse Gas Analysis, the San Joaquin Valley Air Pollution Control District does not have an adopted threshold of significance for construction related GHG emissions. Construction of the proposed project would generate approximately 425 metric tons of CO<sub>2e</sub>. When considered over the 30- year life of the project, the total amortized construction emissions for the proposed project would be 14 MT CO<sub>2e</sub> per year which is less than significant.

Regarding operation related GHG Emissions, long-term GHG emissions are typically generated from mobile sources (vehicle trips), area sources (maintenance activities and landscaping), indirect emissions from sources associated with energy consumption, and waste sources (water supply and conveyance, treatment and distribution). Operation of the proposed project would generate approximately 388 metric tons of CO<sub>2e</sub> per year. As neither Fresno County nor SJVAPCD has developed or adopted numeric GHG significance thresholds. This analysis evaluates the GHG emissions based on the project's consistency with the SJVAPCD CCAP and other applicable State GHG reduction goals.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

Per the Air Quality and Greenhouse Gas Analysis, the project would expand and enhance an existing fertilizer manufacturing plant by making minor changes to the existing operations and would not conflict with any applicable plans, policies, or regulations adopted for the purpose of reduction the emissions of GHGs.

Assembly Bill (AB) 32 Scoping Plan contains GHG reduction measures that work towards reducing GHG emissions, consistent with the targets set by AB 32, Executive Order B-30-15 and codified by Senate Bill (SB) 32 and AB 197. The measures applicable to the proposed project include energy efficiency measures, water conservation and efficiency measures, and transportation and motor vehicle measures, as discussed below.

The project would not conflict with any of the water conservation and efficiency measures and would be required to comply with Title 24 standards of the California Code of Regulations, which includes a variety of different measures, including reduction of wastewater and water use. In addition, project would be required to comply with the

California Model Water Efficient Landscape Ordinance basins. Therefore, the proposed project would not conflict with any of the water conservation and efficiency measures. The proposed project would not conflict with the identified transportation and motor vehicle measures in that the vehicles traveling to the project site and would comply with the Pavley II (LEV III) Advanced Clean Cars Program which will reduce GHG emissions from new cars by 34 percent from 2016 levels by 2025, resulting in a 3 percent decrease in average vehicle emissions for all vehicles by 2020.

The project would comply with existing State regulations adopted to achieve the overall GHG emissions reduction goals identified in AB 32, the AB 32 Scoping Plan, Executive Order B-30-15, SB 32, and AB 197 and would be consistent with applicable State plans and programs designed to reduce GHG emissions.

## IX. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

- A. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials; or
- B. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment; or
- C. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

### FINDING: LESS THAN SIGNIFICANT IMPACT:

The existing fertilizer manufacturing plant receives solid and liquid chicken manure from poultry ranches. After unloading, the raw material is formed into piles outside or stored in bunkers inside buildings and is used to manufacture feed product, pelletized fertilizer, and liquid fertilizer.

To manufacture feed product, the raw product is mixed, milled, heat treated, and finished product is stored. To manufacture pelletized fertilizer, the raw product is mixed with additives, pelletized and heat treated, and finished product is stored in "bunkers". After passing through qualitative and regulatory tests, the material is either placed in 2,000 lb. totes which are pallets, bagged or sold in bulk. The palletized totes and bags are moved to an inside storage area and buildings. Liquid fertilizer is manufactured from molasses and other additives that are delivered to the site by tanker or bulk material trucks. The ingredients for the liquid fertilizer are blended, heat treated and filtered and stored in large tanks until they are sold and shipped offsite by trucks.

The Fresno County Department of Public Health, Environmental Health Division reviewed of the subject proposal and requires that within 30 days of the occurrence of any of the following events the applicant/operators shall update their online Hazardous Materials Business Plan (HMBP) and site map: 1) there is



a 100 percent or more increase in the quantities of a previously-disclosed material; 2) the facility begins handling a previously-undisclosed material at or above the HMBP threshold amounts; and 3) changes to building structures and/or hazardous materials/wastes storage areas. Additionally, all hazardous waste shall be handled in accordance with requirements set forth in the California Code of Regulations (CCR), Title 22, Division 4.5, and an Underground Storage Tank Removal Permit be obtained to remove any underground storage tank, if found during construction.

Should demolition of the existing structures find an active rodent or insect infestation, the infestation should be abated prior to demolition of the structures in order to prevent the spread of vectors to adjacent properties and the San Joaquin Valley Air Pollution Control District be contacted if asbestos containing materials are encountered in the process of demolishing the existing structures.

If the structures were constructed prior to 1979 or if lead-based paint is suspected to have been used in the existing structures, then, prior to demolition and/or remodel work, the contractor should contact the following agencies for current regulations and requirements: 1) California Department of Public Health, Childhood Lead Poisoning Prevention Branch; 2) United States Environmental Protection Agency, Region 9; and 3) State of California, Industrial Relations Department, Division of Occupational Safety and Health, Consultation Service (CAL-OSHA). Further, any construction materials deemed hazardous as identified in the demolition process must be characterized and disposed of in accordance with current federal, state, and local requirements.

The nearest school, Helm Elementary School, is approximately 2.8 miles east of the project site.

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

FINDING: NO IMPACT:

Per the U.S. EPA's NEPAassist, the project site is not listed as a hazardous materials site. The project will not create hazards to the public or the 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, result in a safety hazard or excessive noise for people residing or working in the project area?

FINDING: NO IMPACT:

Per the Fresno County *Airport Land Use Compatibility Plan Update* adopted by the Airport Land Use Commission (ALUC) on December 3, 2018, the nearest public airport, Harris River Ranch Airport, is approximately 12.7 miles south of the project site. Because of the distance, the airport will not be a safety hazard or source of excessive

noise for the project. Other nearby airport, San Joaquin Airport is approximately 5.8 miles northwest of the project site.

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

FINDING: NO IMPACT:

The project site is in an area where existing emergency response times for fire protection, emergency medical services, and sheriff protection meet adopted standards. The project does not include any characteristics (e.g., permanent road closures) that would physically impair or otherwise interfere with emergency response or evacuation in the project vicinity.

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

FINDING: NO IMPACT:

Per Figure 9-9 of the Fresno County General Plan Background Report, the project site is outside of the State Responsibility area for wildland fire protection. The project will not expose people or structures to wildland fire hazards.

## X. HYDROLOGY AND WATER QUALITY

Would the project:

- A. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?

FINDING: LESS THAN SIGNIFICATION IMPACT:

See discussion in Section VII. E. GEOLOGY AND SOILS regarding wastewater discharge.

Per the project Operational Statement, there will be no changes to the methods used to protect groundwater by the existing fertilizer manufacturing plant. The plant operates under various conditions and permits established in prior land use approval. Also, the applicant will comply with all related groundwater protection requirements. The project was referred to the California Regional Water Quality Control Board which expressed no concerns with the project relating to the handling of stormwater or the impacts on groundwater resources.

Per the Fresno County Department of Public Health, Environmental Health Division (Health Department) review of the proposal, a Project Note would require that: 1) to protect groundwater all abandoned water wells on the property shall be properly destroyed under permits and inspections from the Health Department; 2) prior to destruction of agricultural wells, a sample of the upper most fluid in the well column

should be sampled for lubricating oil; 3) should lubricating oil be found in the well, the oil should be removed from the well prior to placement of fill material for destruction; and 4) the "oily water" removed from the well must be handled in accordance with federal, state and local government requirements.

The State Water Resources Control Board, Division of Drinking Water offered no comments on the project by stating that the subject property is a regulated public water system.

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

FINDING: NO IMPACT:

The proposed project involves no changes to the volume of water consumed by the existing fertilizer processing plant. Water is supplied by an on-site well for restrooms, employee breakroom, spray on the piles of raw material, and control of dust. Typical water usage is approximately 35,000 gallons a day.

The project site is not in a low water area of Fresno County. The Water and Natural Resources Division of the Fresno County Department of Public Works and Planning and North King GSA reviewed offered no comments on the availability/ sustainability of water for the project.

- C. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:
  - 1. Result in substantial erosion or siltation on or off site?
  - 2. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?
  - 3. Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff; or
  - 4. Impede or redirect flood flows?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project will not cause significant changes in the absorption rates, drainage patterns, or the rate and amount of surface runoff with adherence to the mandatory construction practices contained in the Grading and Drainage Sections of the County Ordinance Code.

Per the Development Engineering Section of the Fresno County Department of Public Works and Planning, Project Notes shall require that: 1) any additional runoff generated by the proposed project shall not be drained across property lines and be retained onsite per County Standards; 2) an engineered grading and drainage plan shall be approved; and 3) grading permit shall be obtained for any grading that has been done without a permit and any grading proposed with this application.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

According to FEMA, FIRM Panel 2550H, portions of the parcel and proposed structures are within Flood Zone A and subject to flooding from the 100-year storm. Any proposed development within the Flood Zone will require compliance with Title 15.48 of Fresno County Flood Ordinance.

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

FINDING: NO IMPACT:

The project is not in conflict with any water quality control plan or sustainable groundwater management plan. Fresno County has no Water Quality Control Plan and the North King GSA (Groundwater Sustainability Area) expressed no concerns related to water availability/sustainability for the project.

## XI. LAND USE AND PLANNING

Would the project:

- A. Physically divide an established community?

FINDING: NO IMPACT:

The project will not divide any established community. The nearest community of Helm is located approximately 2.8 miles east of the project site.

- 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 project site is designated as Agriculture in the Fresno County General Plan and is not located within Sphere of Influence (SOI) of a city. As such, the project will not be in conflict with land use plan, policy, or regulation of any jurisdiction.

The County General Plan allows the proposed facility in an agricultural area by discretionary land use approval, provided applicable General Plan policies are met. The project is consistent with the following General Plan policies.

Regarding consistency with General Plan Policy LU-A.3, criteria a-d, the project entails expansion of an existing fertilizer processing plant which is in an agricultural area and supply agricultural products to farmlands in the area. Further, the project site: 1) is not prime farmland and is classified as Farmland of Local Importance and Semi-Agricultural and Rural Commercial Land in the 2016 Fresno County Important Farmland Map; 2) is not in a water short area and the project will not increase water consumption by the existing facility; and 3) is located near Helm and the City of San Joaquin which can provide adequate workforce.

Regarding consistency with General Plan Policy LU-A.12, Policy LU-A.13 and Policy LU-A.14, the existing fertilizer processing plant is an agriculture-related use and is located on non- prime farmland. The proposed improvements on 66.68 acres area will maintain adequate distance from an existing photovoltaic power generating facility and approved gen-tie line for the facility on adjacent parcels.

Regarding consistency with General Plan Policy PF-C.17, the project is not in a water-short area and will increase water consumption by the existing fertilizer processing plant.

Regarding consistency with General Plan Policy HS-B.1, the project will comply with the California Code of Regulations Title 24 – Fire Code and will obtain District's approval prior to the issuance of building permits.

Regarding consistency with General Plan Policy HS-F.1, the project will handle hazardous material and wastes in accordance with state and local laws as discussed in Section IX. A. of this report.

## 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:

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

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

FINDING: NO IMPACT:

The construction or operation of the project will not expose people to severe noise levels or create substantial increases in ambient noise levels. The Fresno County Department of Public Health, Environmental Health Division reviewed the project and expressed no concern related to noise.

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

#### XV. PUBLIC SERVICES

Would the project:

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The Fresno County Fire Protection District's (CalFire) identified no concerns with the project. The project will require compliance with the California Code of Regulations Title 24 – Fire Code and the District's approval of the site plan prior to the issuance of building permits. Additionally, required will be the project annexation into Communities Facilities District No. 2010-01 of the District.

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

FINDING: NO IMPACT:

The project will not impact existing public services, nor will it result in the need for additional public services related to schools, parks, or police protection by the Fresno County Sheriff's Office.

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 involves no residential development which may increase demand for neighborhood and regional parks, or other recreational facilities in the area.

XVII. TRANSPORTATION

Would the project:

- A. Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities; or

FINDING: LESS THAN SIGNIFICANT IMPACT:

The subject proposal entails expansion of an existing fertilizer manufacturing plant on a 68.6-acre site and onto three contiguous parcels totaling approximately 66.68 acres located at 20225 Kamm Avenue. The project applicant, True Organics, also owns a fertilizer packaging and storage facility located at 16782 W. Kamm Avenue, Helm approximately 3.2 east of the subject proposal (CUP 3656). The applicant has filed a Use Permit application with the County (CUP 3660) proposing to allow packaging, and storage of fertilizer products in Phase 1 and Phase 2 at that location. Per the information provided, that facility and the subject facility (fertilizer manufacturing plant) are linked in their operation and traffic trips between the two would occur on a consistent basis. Given that, the County Design Division required that a single Traffic Impact Study (TIS) be prepared for both projects to determine cumulative traffic impact on Kamm Avenue.

The Design Division also required that a single Scope of Work (SOW) shall be prepared for both projects in order to compare total truck trips identified in SOW with the total truck trips identified in the original use permits (CUP No. 2467 & CUP No. 3265) approved for the subject facility. Furthermore, the existing Traffic Index (TI) should be looked at to determine if the increased truck trips from both projects would likely have an impact.

Peters Engineering Group prepared a Scope of Work (SOW), dated March 11, 2020 and provided to the County Design Divisions, Road Maintenance & Operations Division and California Department of Transportation (Caltrans) for comments. Per the SOW, traffic counts performed in June 2009 revealed daily volumes of 300 to 400 vehicles per day (both directions combined) on Kamm Avenue near the subject facility. Daily traffic volumes on State Route 145 were on the order of 5,000 trips per day in 2009 and on the order of 5,800 to 6,400 in 2017, which is an annual growth rate of as little as 1.87 percent and as much as 3.13 percent. Applying a growth rate of 3.13 percent per year to the daily volumes counted on Kamm Avenue in 2009, the current traffic volumes on Kamm Avenue near subject facility would be less than 600 vehicles per day (both directions combined). Given no substantial development in the region since 2009, the existing traffic volumes are expected to be very low. The SOW further concluded that neither project will generate traffic volumes that exceed the thresholds described in Section 1.3 of the County Guidelines, and there are no known special circumstances with respect to traffic conditions near the project sites. As such, a TIS would not be required for either of the two projects based on the low volumes of project trips and very low traffic volumes on the adjacent streets.

Peters Engineering Group also prepared a Traffic Index (TI) analysis, dated April 28, 2020 for CUP 3660. The TI analysis focused on the anticipated effect of truck traffic resulting from the project on pavement in Kamm Avenue and included the following road segments: Kamm Avenue west of State Route (SR) 145, and Kamm Avenue east of SR 145. The Analysis found that project would not cause TI to increase on the study road segments. The existing TI and TI with Phase 1 and Phase 2 of the project west of SR 145 will remain the same as 8.5 and likewise the existing TI and TI with Phase 1 and Phase 2 east of SR 145 will remain the same as 9.5.



The Design Division and Road Maintenance and Operations Division of the Fresno County Department of Public Works and Planning concurred with the findings of SOW and the TI Analysis and determined that no further studies are required for either project and a less than significant impact related to traffic would occur from these projects.

The California Department of Transportation also reviewed SOW, agreed with its findings, and expressed no concerns with the project.

- B. Be in conflict or be inconsistent with the California Environmental Quality Act (CEQA) Guidelines Section 15064.3, subdivision (b)?

FINDING: NO IMPACT:

Per the Scope of Work (SOW) prepared for the projects by Peters Engineering Group, the State of California Governor's Office of Planning and Research document entitled Technical Advisory on Evaluating Transportation Impacts in CEQA dated December 2018 (OPR Guidelines) indicates that projects that generate or attract fewer than 110 trips per day generally may be presumed to cause a less-than-significant transportation impact. Furthermore, the OPR Guidelines indicates that for the purposes of this section, Vehicle Miles Traveled (VMT) refers to the amount and distance of automobile travel attributable to a project. As the term "automobile" refers to on-road passenger vehicles, specifically cars and light trucks, truck trips typical of those that will be generated by the proposed projects subject to CUP 3656 are excluded from the requirements of CEQA as they pertain to transportation impacts and VMT. As such, no VMT analyses are required for the project.

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

FINDING: NO IMPACT:

The project design will not create hazardous conditions relative to existing or proposed ingress and egress to the site off Kamm Avenue. No concerns were expressed by the Road Maintenance and Operations Division.

The project will require dedication of 13 feet in right-of-way for Kamm Avenue as a Condition of approval for the project.

- D. Result in inadequate emergency access?

FINDING: NO IMPACT:

The project development will not impact the existing access to the project site off Kamm Avenue which will continue to be used during emergencies.

## XVIII. TRIBAL CULTURAL RESOURCES

Would the project:

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project site is in an area of moderate sensitivity to archaeological finds. Pursuant to Assembly Bill (AB) 52, the subject proposal was routed to the Santa Rosa Rancheria Tachi Yokut Tribe, Picayune Rancheria of the Chukchansi Indians, Dumna Wo Wah Tribal Government, and Table Mountain Rancheria offering them an opportunity to consult under Public Resources Code (PRC) Section 21080.3(b) with a 30-day window to formally respond to the County letter. No tribe requested consultation, resulting in no further action on the part of the County. The Table Mountain Rancheria (TMR), however, requested to be informed in the unlikely event that cultural resources are identified on the site. With the Mitigation Measure included in the CULTURAL ANALYSIS section of this report any potential impact to tribal cultural resources will be reduced to less than significant.

## XIX. UTILITIES AND SERVICE SYSTEMS

Would the project:

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

See discussion in Section VII. E. GEOLOGY AND SOILS above. The project may result in a less than significant expansion of electric power and/or natural gas to the proposed improvements.

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

FINDING: NO IMPACT:

See discussion in Section X. B. HYDROLOGY AND WATER QUALITY above.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

See discussion in Section VII. E. GEOLOGY AND SOILS above.

- D. Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals:  
or

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

There will be no change to the volume or methods of handling solid and liquid waste. A minimal amount of daily solid waste generated by the office and employee break room is less than 0.1 cubic yard. The solid waste is placed in a dumpster that is serviced weekly by a private hauler. The impact of solid wastes on local land fill resulting from this proposal would be less than significant.

## 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:

The project site is not in or near state responsibility areas or land 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: LESS THAN SIGNIFICANT IMPACT:

The project will have no impact on biological resources. It would not degrade the quality of the environment; reduce the habitat of a fish or wildlife species; cause a fish or wildlife population to drop below self-sustaining levels; threaten to eliminate a plant or animal community; or reduce the number or restrict the range of an endangered, rare, or threatened species. Impacts on cultural resources have been reduced to a less than significant level with a Mitigation Measure incorporated in Section V. CULTURAL RESOURCES above.

- 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:

Each of the projects located within Fresno County has been or would be analyzed for potential impacts, and appropriate project-specific Mitigation Measures are developed to reduce that project’s impacts to less than significant levels. Projects are required to comply with applicable County policies and ordinances. The incremental contribution by the proposed project to overall development in the area is less than significant.

The project will adhere to the permitting requirements and rules and regulations set forth by the Fresno County Grading and Drainage Ordinance, San Joaquin Air Pollution Control District, and California Code of Regulations Fire Code at the time development occurs on the property. No cumulatively considerable impacts relating to Agricultural and Forestry Resources, Air quality, or Transportation were identified in the project

analysis. Impacts identified for Aesthetics, and Cultural Resources will be mitigated by compliance with the Mitigation Measures listed in Sections I and Section V of this report.

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

FINDING: NO IMPACT:

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

## **CONCLUSION/SUMMARY**

Based upon Initial Study No. 7681 prepared for Conditional Use Permit Application No. 3656, 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, mineral resources, noise, population and housing, recreation, or wildlife.

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

Potential impacts to aesthetics and cultural resources have been determined to be less than significant with the identified Mitigation Measures.

A Mitigated Negative Declaration is recommended and is subject to approval by the decision-making body. The Initial Study is available for review at 2220 Tulare Street, Suite A, street level, located on the southwest corner of Tulare and "M" Streets, Fresno, California.

EA:im

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File original and one copy with: <b>Fresno County Clerk 2221 Kern Street Fresno, California 93721</b>		Space Below for County Clerk Only.  CLK-2046.00 E04-73 R00-00	
Agency File No: IS 7681	<b>LOCAL AGENCY PROPOSED MITIGATED NEGATIVE DECLARATION</b>		County Clerk File No: <b>E-</b>
Responsible Agency (Name): Fresno County	Address (Street and P.O. Box): 2220 Tulare St. Sixth Floor	City: Fresno	Zip Code: 93721
Agency Contact Person (Name and Title): Ejaz Ahmad, Planner	Area Code: 559	Telephone Number: 600-4204	Extension: N/A
Applicant (Name): Jacob and Kimberly Evans.	Project Title: Classified Conditional Use Permit Application No. 3656		
Project Description: Allow the expansion of an existing fertilizer manufacturing plant on a 68.67-acre site and onto three contiguous parcels totaling 66.68 acres in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District. The project site is located on the southwest corner of W. Kamm Avenue and the Butte Avenue alignment, approximately three miles west of the unincorporated community of Helm (20225 W. Kamm Avenue) (Sup. Dist.: 1) (APN: 040-080-40S, 42S, 43S, 44S).			
Justification for Mitigated Negative Declaration: Based upon the Initial Study (IS 7681) prepared for Classified Conditional Use Permit Application No. 3656, staff has concluded that the project will not have a significant effect on the environment.  No impacts were identified related to biological resources, mineral resources, noise, population and housing, recreation, or wildlife.  Potential impacts related to agriculture and forestry resources, air quality, energy, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, public services, transportation, tribal cultural resources, utilities and service systems have been determined to be less than significant.  Potential impacts related to aesthetics and cultural resources have been determined to be less than significant with the included Mitigation Measure.  The Initial Study and Mitigated Negative Declaration (MND) is available for review at 2220 Tulare Street, Suite A, Street Level, located on the southeast corner of Tulare and "M" Street, Fresno, California.			
FINDING: The proposed project will not have a significant impact on the environment.			
Newspaper and Date of Publication: Fresno Business Journal – March 12, 2021		Review Date Deadline: Planning Commission – April 22, 2021	
Date: March 11, 2021	Type or Print Name: David Randall, Senior Planner	Submitted by (Signature):	

State 15083, 15085

County Clerk File No. \_\_\_\_\_

**LOCAL AGENCY  
MITIGATED NEGATIVE DECLARATION**

**Mitigation Monitoring and Reporting Program**  
**Initial Study Application No. 7681**  
**Classified Conditional Use Permit Application No. 3656**

<b>Mitigation Measures</b>					
<b>Mitigation Measure No.*</b>	<b>Impact</b>	<b>Mitigation Measure Language</b>	<b>Implementation Responsibility</b>	<b>Monitoring Responsibility</b>	<b>Time Span</b>
*1.	Aesthetics	All outdoor lighting shall be hooded and directed downward so as to not shine toward adjacent properties and public streets.	Applicant	Applicant/Fresno County Department of Public Works and Planning (PWP)	On-going; for duration of the project
*2.	Cultural Resources	In the event that cultural resources are unearthed during ground-disturbing activities, all work shall be halted in the area of the find. An Archeologist 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 shall be followed by photos, reports, video, and etc. If such remains are determined to be Native American, the Sheriff-Coroner must notify the Native American Commission within 24 hours.	Applicant	Applicant/PWP	During project construction

\*MITIGATION MEASURE – Measure specifically applied to the project to mitigate potential adverse environmental effects identified in the environmental document.




# County of Fresno

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

DATE: July 31, 2019

TO: 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, Senior Planner  
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 Engineering, Attn: Laurie Kennedy, Grading/Mapping  
Road Maintenance and Operations, Attn: John Thompson/Nadia Lopez  
Design Division, Transportation Planning, Attn: Brian Spauhurst  
Water and Natural Resources Division, Attn: Glenn Allen, Division Manager  
Department of Public Health, Environmental Health Division, Attn: Deep Sidhu/Steven Rhodes  
Agricultural Commissioner, Attn: Fred Rinder  
Southern San Joaquin Valley Information Center; Attn: ssjvic@csu.edu  
U.S. Fish and Wildlife Service, Attn: Sarah Yates  
CA Regional Water Quality Control Board, Attn: centralvalleyfresno@waterboards.ca.gov  
CA Department of Fish and Wildlife, Attn: R4CEQA@wildlife.ca.gov  
State Water Resources Control Board, Division of Drinking Water, Fresno District, Attn: Jose Robledo  
Dumna Wo Wah Tribal Government, Attn: Robert Ledger, Tribal Chairman/Eric Smith, Cultural Resources Manager/Chris Acree, Cultural Resources Analyst  
Picayune Rancheria of the Chuckchansi Indians, Attn: Tara C. Estes-Harter, THPO/Cultural Resources Director  
Santa Rosa Rancheria Tachi Yokut Tribe, Attn: Ruben Barrios, Tribal Chairman/Hector Franco, Director/Shana Powers, Cultural Specialist II  
Table Mountain Rancheria, Attn: Robert Pennell, Cultural Resources Director/Kim Taylor, Cultural Resources Department/Sara Barnett, Cultural Resources Department  
San Joaquin Valley Unified Air Pollution Control District (PIC-CEQA Division), Attn: PIC Supervisor  
Fresno County Fire Protection District, Attn: Jim McDougald, Division Chief

FROM: Ejaz Ahmad, Planner   
Development Services and Capital Projects Division



SUBJECT: Initial Study Application No. 7681 and Classified Conditional Use Permit Application No. 3656

APPLICANT: Jacob & Kimberly Evans

DUE DATE: August 14, 2019

The Department of Public Works and Planning, Development Services and Capital Projects Division is reviewing the subject applications proposing to allow the expansion of an existing agricultural fertilizer manufacturing plant onto three parcels totaling 66.68 acres in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.

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.

We must have your comments by **August 14, 2019**. Any comments received after this date may not be used.

**NOTE - THIS WILL BE OUR ONLY REQUEST FOR WRITTEN COMMENTS. If you do not have comments, please provide a "NO COMMENT" response to our office by the above deadline (e-mail is also acceptable; see email address below).**

Please address any correspondence or questions related to environmental and/or policy/design issues to me, Ejaz Ahmad, Planner, Development Services and Capital Projects Division, Fresno County Department of Public Works and Planning, 2220 Tulare Street, Sixth Floor, Fresno, CA 93721, or call (559) 600-4204, or email eahmad@fresnocountyca.gov.

EA:

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*Activity Code (Internal Review): 2381*

Enclosures



Fresno County Department of Public Works and Planning

Date Received: 07/22/19

CUP3656

(Application No.)

MAILING ADDRESS:

Department of Public Works and Planning
Development Services and Capital Projects 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

APPLICATION FOR:

- Pre-Application (Type)
Amendment Application
Amendment to Text
Conditional Use Permit
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:

Allow expansion of an existing agricultural fertilizer manufacturing plant

CEQA DOCUMENTATION: Initial Study 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: SW corner side of
between W. Kamm Ave. and S. Butte Alignment
Street address: 20225 W. Kamm Ave.

APN: 040-080-42S; 40S Parcel size: 66.68 +/- Section(s)-Twp/Rg: S - T S/R E

ADDITIONAL APN(s): 040-080-43S and 040-080-44S

I, Dan Pusurin (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.

Jacob & Kimberly Evans PO Box 7192 Spreckels 93962 (559) 806-3001
Owner (Print or Type) Address City Zip Phone

Same as owner
Applicant (Print or Type)

Dirk Poeschel 923 Van Ness Ave., Suite 200 Fresno 93721 (559) 445-0374
Representative (Print or Type) Address City Zip Phone

CONTACT EMAIL:

OFFICE USE ONLY (PRINT FORM ON GREEN PAPER)

Application Type / No.: CUP3656 Fee: \$ 4569.00
Application Type / No.: Pre-app credit Fee: \$ -247.00
Application Type / No.: Fee: \$
Application Type / No.: Fee: \$
PER/Initial Study No.: IS 7681 Fee: \$ 3,901.00
Ag Department Review: Fee: \$ 76.00
Health Department Review: Fee: \$ 992.00
Received By: EJA Invoice No.: TOTAL: \$ 9,291.00

UTILITIES AVAILABLE:

WATER: Yes [ ] / No [ ]
Agency:
SEWER: Yes [ ] / No [ ]
Agency:

STAFF DETERMINATION: This permit is sought under Ordinance Section:

Sect-Twp/Rg: - T S/R E

Related Application(s): CUP3265; CUP3523

APN # - - -

Zone District: AE-20

APN # - - -

Parcel Size: 66.68 acres.

APN # - - -

APN # - - -

over.....



Development Services  
and  
Capital Projects  
Division

Email To:  
Sandra@dplds.com

# Pre-Application Review

Department of Public Works and Planning

NUMBER: 19-103925  
APPLICANT: TRUE ORGANICS  
PHONE: (559) 445-0374

PROPERTY LOCATION: 20225 W. KAMM AVE., HELM, California, 93627, USA  
APN: 040-080-40S/42S/43S/44S ALCC: No Yes # AP-2093 VIOLATION NO. N/A  
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: (X) 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: (CPMW 14-08) Lot of Rec. Map; ( ) On '72 rolls; ( ) Other; ( ) Deeds Req'd (see Form #236)

SCHOOL FEES: No Yes  DISTRICT: Golden Plains Trustee Area 1, West Hills CC Trustee Area 6 PERMIT JACKET: No Yes 40S  
FMFCD FEE AREA: (X) Outside ( ) District No.: FLOOD PRONE: No Yes A, X AREA OF MINIMAL FLOOD HAZARD  
PROPOSAL CUP to allow the expansion of an (E) Agricultural Fertilizer Manufacturing Plant on Assessor Parcel  
Numbers 040-080-40S/42S/43S/44S [135.35 Ac Net] located within the AE-20 Zone District.

[Expand onto 66.7 +/- AC. for product storage.]

COMMENTS: Parcels 42S/43S/44S are subject to a Williamson Act Contract and Clearance from Policy Planning is Required.  
ORD. SECTION(S): 816.3-1 BY: O. Ramirez DATE: 06/06/2019

GENERAL PLAN POLICIES:

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

PROCEDURES AND FEES:

( ) MINOR VA:  
() HD: \$ 992.00  
() CUP: \$ 4,569.00 ( ) AG COMM: \$ 76.00  
( ) JRA:  
( ) JALCC:  
() JVA: \$ 3,901.00  
( ) JAT: ( ) Viol. (35%):  
( ) JT:  
Filing Fee: \$ 9,538.00  
Pre-Application Fee: - \$247.00  
Total County Filing Fee: \$ 9,291.00

COMMENTS: -

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+\$2,354.75)  
(Separate check to Fresno County Clerk for pass-thru to CDFW.  
Must be paid prior to IS closure and prior to setting hearing date.)

BY: EJAZ AHMAD Referral Letter # \_\_\_\_\_  
DATE: 06-20-19  
PHONE NUMBER: (559) 600 - 4204

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.

NOTE: THE FOLLOWING REQUIREMENTS MAY ALSO APPLY:  
( ) COVENANT ( ) SITE PLAN REVIEW  
( ) MAP CERTIFICATE ( ) BUILDING PLANS  
( ) PARCEL MAP ( ) BUILDING PERMITS  
( ) FINAL MAP ( ) WASTE FACILITIES PERMIT  
( ) FMFCD FEES ( ) SCHOOL FEES  
() ALUC or ALCC ( ) OTHER (see reverse side)

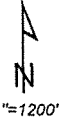


**-NOTE-**  
 This map is for Assessment purposes only.  
 It is not to be construed as portraying legal  
 ownership or divisions of land for purposes  
 of zoning or subdivision law.

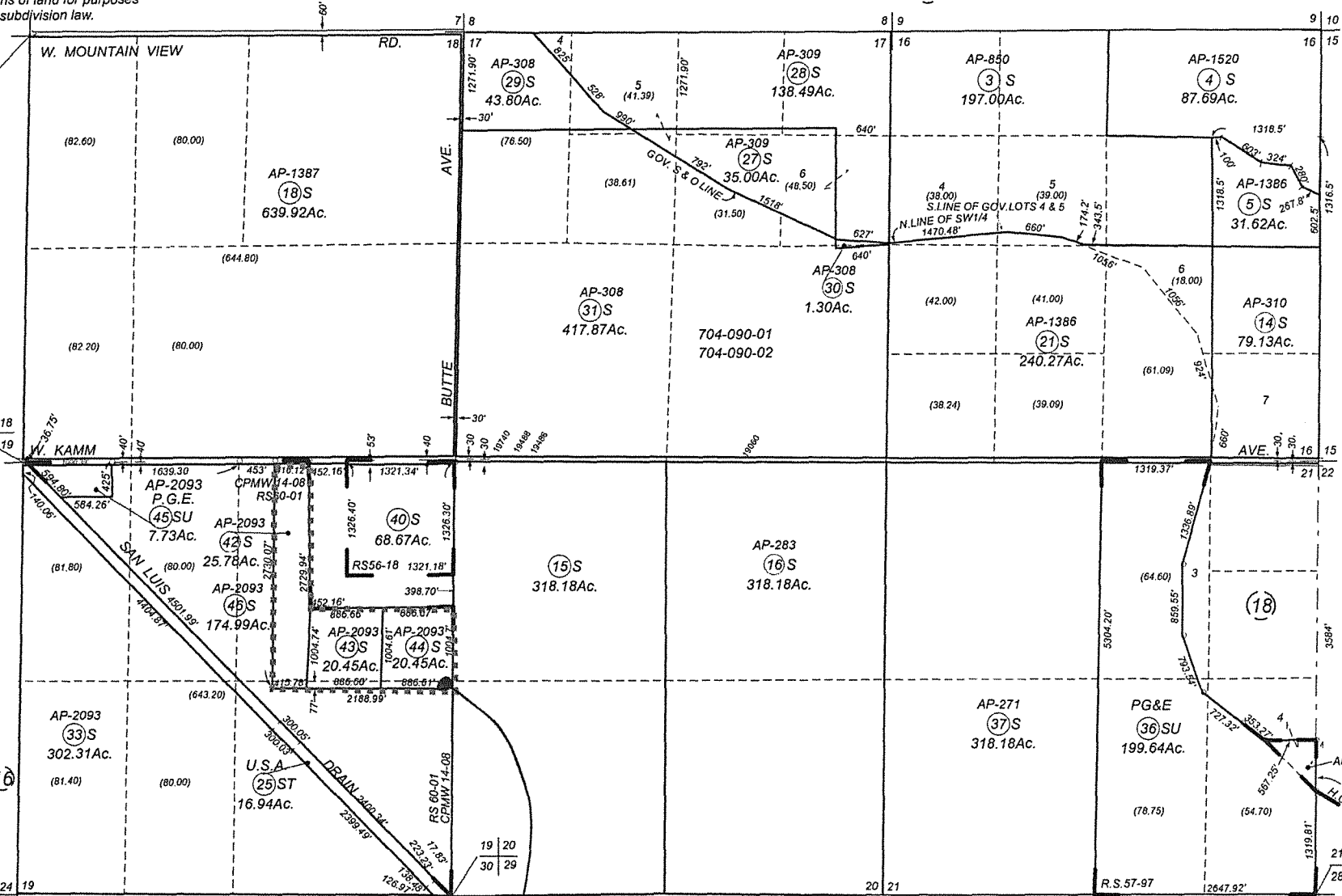
SEC'S. 16, 17, 18, 19, 20 & 21, T.16S., R.17E., M.D.B.&M.

Tax Rate Area  
 111-001 111-003  
 111-002 111-004

040-08



Record of Survey - Bk. 56, Pg. 18  
 Record of Survey - Bk. 57, Pg. 97  
 Record of Survey - Bk. 60, Pg. 01



Agricultural Preserve  
 Cert. of Parcel Map Waiver 11-15, Doc. 8055, 1-24-2012  
 Cert. of Parcel Map Waiver 14-08, Doc. 52121, 4-29-2015  
 Helm Co. Sub. Swamp & Overflow Lands - R.S. bk. 3, Pg. 34

Assessor's Map Bk.040 - Pg.08  
 County of Fresno, Calif.

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



**True Organic Products, LLC**  
**20225 W. Kamm Avenue**  
**Helm, CA**  
**Operational Statement**  
**July 17, 2019**

**Applicant/Owner:** True Organic Products, LLC  
P.O. Box 7192  
Spreckels, CA 93962  
Attn: Mr. Nick Pitman

**Representative:** Dirk Poeschel Land Development Services, Inc.  
923 Van Ness Ave., Suite 200  
Fresno, CA 93721  
(559) 445-0374

**APN:** 68.67+/- acres (040-080-40S) Current Site  
25.78+/- acres (040-080-42S) }  
20.45+/- acres (040-080-43S) } Proposed Expansion  
20.45+/- acres (040-080-44S) }

**Location:** 20225 W. Kamm Avenue  
The southwest corner of W. Kamm Ave. and S. Butte Ave. alignment.

**Request:**

1. Approval of a Conditional Use Permit (CUP) for a 66.7 +/- acre expansion of an existing agricultural fertilizer manufacturing plant operating under previously approved permits.
2. Allow the removal and addition of various site buildings over time to increase project efficiency.

**Background:**

The existing fertilizer manufacturing plant is located on a 68.67 +/- acre parcel located at the SWC of W. Kamm Ave. and the S. Butte Ave. alignment approximately 6 miles south of the City of San Joaquin. The property is designated as Agriculture in the Fresno County General Plan and is zoned AE-20.

Over time, the county has approved a variety of Conditional Use Permits to allow modifications to the agricultural fertilizer processing operation that was established by Britz Chemicals decades ago. Conditional Use Permit No. 3265 allowed for the expansion of the facility and increased related traffic trips to the levels the facility is currently operating. The last Conditional Use Permit was approved on January 28, 2016 when the Fresno County Planning Commission approved Classified Conditional Use Permit (CUP) 3523 for the True Organic Products, LLC expansion of liquid storage within building not greater than 50ft. The facility also operates under Site Plan Review No. 7725 and 7725R.

*CUP3656*  
**RECEIVED**  
COUNTY OF FRESNO  
**JUL 22 2019**  
DEPARTMENT OF PUBLIC WORKS  
AND PLANNING  
DEVELOPMENT SERVICES DIVISION

## **Project Purpose**

Please see the True Organic Products, LLC (True Organics) project site plan prepared by Provost & Pritchard Consulting that details the area of expansion and the location of the proposed site modifications.

To increase production efficiency the applicant desires to expand its current facility of 68.67 +/- acres by 66.7 +/- acres on land it owns for a total site area of 135.35 +/- acres. The proposed expansion will not affect production capacity but will increase plant efficiency, improve storage conditions and the ability to comply with applicable regulations.

There will be no buildings on the 66.6 +/- expansion area. The expansion area will be used for raw product storage, a gravel service road and new but previously approved driveway ingress/egress onto W. Kamm Avenue. Within the existing facility additional buildings will be added and some buildings removed over time to allow operational and energy efficiencies. Details of those building changes are provided below.

## **Justification:**

Fresno County General Plan Policy LU-A.3 and General Plan Table LU-3 provides the County with the authority to allow the development of organic and inorganic fertilizer manufacturing facilities through the approval of a discretionary permit in agricultural areas subject to various criteria. The criteria and the applicability of the project to those criteria are as follows:

- a. *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 facility accepts chicken manure and various byproducts and converts them to organic fertilizer. In order to operate successfully, the facility must be close to its supply of raw material (poultry manure). Large producers of poultry manure are not located in or near urban areas. They are in rural areas like the location of the True Organics. Transporting the poultry manure into an urban area would result in impacts from odor, etc. that would typically not be acceptable in an urban area. In addition, the added costs to transport the poultry manure to an urban processing facility would result in a product that would not be economically feasible for farmers to purchase.

Notwithstanding the use of best management practices (BMP), fertilizer manufacturing facilities are not perceived to be acceptable in most urban settings. When they are in urban settings, they are located typically in large industrial parks surrounded by heavy industrial uses. No such industrial parks exist in western Fresno County. Moreover, this is an existing approved facility. Allowing the expansion of this facility maximizes the beneficial use of the existing structures and improvements.

**Project Operations:**

The True Organic facility consists of offices, outside raw product storage areas, outdoor processing areas, indoor processing areas, and indoor finished product storage areas. The facility currently operates from five to six days a week or 312 days per year depending on the availability of raw materials and product demand occasionally the facility may operate 7 days a week to address peak demand. The hours of operation for the various aspects of the facility are summarized below.

**Hours of Operation**

<b>Activity</b>	<b>Current</b>	<b>Proposed</b>
Office	6:00am-6:00pm	No Change
Material Receiving	SAME	No Change
Material Shipping	SAME	No Change
Production	24 hrs./day	No Change
Maintenance	24 hrs.	No Change

True Organic receives solid and liquid chicken manure from a variety of poultry ranches. The material is typically hauled to the site in 25-ton-capacity trucks and is also hauled away from the site in 25-ton-capacity trucks. The trucks are owned by True Organics and private haulers. The material is covered with tarps when it is being transported to and from the facility.

Upon entering the facility, the trucks proceed to the truck scales (Site Plan Reference -14). The trucks are weighed and directed to the unloading area. The material is unloaded, and the trucks proceed back to the truck scales where they are weighed again and then leave the project site.

The incoming material is diverted to its appropriate processing equipment then processed. The site's *maximum permitted annual capacity* is approximately 378,000 tons of combined incoming liquid and solid material per year.

Currently the trucks entering and leaving the site utilize the same driveway and truck scales. It is proposed that a future driveway and scale area be developed on the eastern portion of the site (Site Plan Reference G). Construction of this driveway will allow the facility to operate more efficiently and reduce possible conflicts between trucks as the volume of the plant increases to its operational volume limits established with the approval of Conditional Use Permit No. 3265.

As stated in all previous permits, the amount of raw material that is accepted at the site will vary depending on the time of year, product availability and market demand. Currently, after unloading, the raw material is formed into piles outside or stored in bunkers inside buildings (Shown as Site plan Reference 4, B, D1. (Shown as Site plan Reference D2, F, and H.) The piles are either covered with plastic or are sprayed with water to create a crust on the surface of the pile.

Water usage is limited to the amount needed to create the crust with minimal runoff. In the future, the piles may be wrapped in plastic to minimize dust emissions and runoff erosions of the piles. The piles of raw material will be regularly monitored by True Organics staff to ensure that the internal temperatures are controlled, and that composting will not occur.



As necessary, the material in the piles will be turned or otherwise aerated to keep the temperature below 122 degrees Fahrenheit.

As described in Classified Conditional Use Permit (CUP) 3265 and Initial Study (IS) 6079, the raw material that will be stored on site will vary depending on market factors. Said storage is estimated to range from 50,000 to 250, 000 tons at any one time. Said stored material will comply with all applicable standards for such storage as defined in, among other things, Classified Conditional Use Permit (CUP) 3265 and Initial Study (IS) 6079. The raw product is used to manufacture three different products. The products and the process for each are summarized below.

### **Feed Product**

The raw product is moved from the pile outside storage area by skip loader or other equipment to a shaker which separates the material by size. The material is mixed and milled (Site Plan Reference IX) and heat treated. The finished product is stored (Site Plan Reference E).

The finished material is hauled offsite by trucks owned by True Organics or third-party trucking companies. The empty trucks enter the site and proceed to the scales where they are weighed. The trucks then go to the loading area where they are loaded by a skip loader. After loading, the trucks return to the scales, are weighed and leave the site. The material in all trucks is required to be covered with a tarp when it leaves the site. As noted above, the trucks currently enter and exit from the same driveway. In the future, a new set of scales and exit driveway is proposed.

### **Pelletized Fertilizer**

The raw product is moved from the piles in the outside storage area to a mixing area (Site Plan Reference 4). The raw material is mixed with additives, pelletized (Site Plan Reference 11) and heat treated (Site Plan Reference 5). The finished product is stored in “bunkers” (Site Plan Reference 6). Samples of the material are sent to an outside laboratory for testing. When the material passes various True Organics qualitative and regulatory tests, it is either placed in 2,000 lb. totes which are pallets, bagged or sold in bulk. The palletized totes and bags are moved to an inside storage area (Site Plan Reference 7, and future buildings L & M).

The trucks that ship the material from the site arrive empty and proceed to the scales. After being weighed, the trucks proceed to the pelletized fertilizer loading area. The pallets are loaded onto the trucks by forklift and the bulk material is loaded by front end loader. The loaded trucks return to the scales and exit the site. As noted above, the trucks currently enter and exit from the same driveway. In the future a new set of scales and exit driveway is proposed.

### **Liquid Fertilizer**

Liquid fertilizer is manufactured from molasses and other additives that are delivered to the site by tanker or bulk material trucks. The trucks enter the site and proceed to the scale where they are weighed. The tanker trucks then off load their materials in the bulk liquid storage area (Site Plan Reference II). After unloading, the trucks return to the scale to be weighed and exit the

property. As noted above, the trucks currently enter and exit from the same driveway. In the future a new set of scales and exit driveway is proposed.

The ingredients for the liquid fertilizer are blended, heat treated and filtered (Site Plan Reference 8) and stored in large tanks (Site Plan Reference 8) until they are sold and shipped offsite by trucks owned by True Organics or third-party trucking companies. Any material that is spilled is returned to the tanks for future use. Trucks that haul off the finished liquid fertilizer product enter the site and proceed to the scale where they are weighed. After being weighed, the trucks go to the truck loading area. After being loaded the trucks return to the scale, are weighed and exit the site.

The total annual facility production summary is shown below:

**Total Annual Facility Production Summary of All Products**

	<b>Current as Per CUP 3265</b>	<b>Proposed</b>
Feed Product	Per market demand	No change
Pellet Fertilizer	Per market demand	No change
Liquid Fertilizer	Per market demand	No change
Total	378,000 tons year <sup>(1)</sup>	No change

<sup>(1)</sup> The facility production is rounded to 378,000 tons per year.

**Employees/Site Operational Time Limits**

<b><u>Shift</u></b>	<b><u>Hours</u></b>	<b><u>Existing Employees</u></b>	<b><u>Future Employees</u></b>
Day Shift	7am to 5pm	40	75
Night (maintenance)	10pm to 6pm	5	25

**Number of Visitors**

Supplies and other similar deliveries average about 2 per day. The site is wholesale only so there are no visitors.

**Employees**

Currently, there are approximately 65 employees working on the site at any one time. In the future, the total number of total employees working on the site may be as high as 100. The facility operates at extended hours so not all the employees are on-site at the same time. The following schedule illustrates the site shifts and corresponding employees.

**Service and delivery Vehicles**

The company utilizes three light duty trucks to conduct general company business activities.

## Site Access

The site is currently served by a driveway from W. Kamm Avenue. W. Kamm Ave. is designated as an *Arterial* in the Circulation Element of the Fresno County General Plan. A second proposed driveway was approved by Conditional Use Permit No. 3265 but has not been constructed. The second driveway will be located on the eastern portion of the site and is shown on the project site plan. The proposed third driveway will be constructed off W. Kamm Ave. within the current acreage on the western portion of the site also as shown on the project site plan.

## Traffic

The average number of truck trips per day generated by the use is calculated as follows:

(378,000 tons of incoming material processed per year / 25 tons capacity per truck)  
/ 313 working days per year or approximately 48 trucks per workday hauling raw material to the site. The same 48 trucks exit the site empty meaning 96 one-way truck trip ends are generated by the facility per day.

The traffic impact study for the current Conditional Use Permit considered there would be 40 employees. The company has subsequently hired 25 more employees for a total of 65 and estimates that 100 employees will be hired over the next five years.

The Institute of Transportation Engineers (ITE) Trip Generation Manual 10<sup>th</sup> edition, Land Use Code 110 *Light Industrial* estimates .67 AM PEAK trips will be generated per employee or 67 TOTAL AM PEAK employee trips per day and that .68 PM PEAK trips will be generated per employee or 68 TOTAL PM PEAK employee trips per day.

According to the ITE, total weekday employee trips are estimated to be 3.05 trips per employee or 305 total daily employee related trips (3.05 trip generation factor X 100 employees=305 total daily employee trips). Therefore, the proposed 100 employees will generate 183 new employee related traffic trips (Proposed daily employee trips 305 - previously approved daily employee trips 122 = 183 per day employee trips).

After the raw material is processed, 48 empty trucks are loaded with finished product for delivery to wholesale buyers. As described in the traffic impact study for the current Conditional Use Permit, the total number of truck trips generated per day is 96 trips (48 trucks entering empty and 48 trucks exiting with raw material).

Some trucks that enter the site with raw product will also load with processed True Organics materials produced at the site for delivery to plant customers. The number of trucks that deliver to and from the site *on the same trip* was not calculated in traffic study. Therefore, the truck volumes provided in the Traffic Impact Study for the project prepared by Peters Engineering Group overstates total truck traffic.

Combined truck and employee daily trips are estimated to be as follows:

<b>Current Truck Trips</b>	<b>Proposed New Truck Trips</b>	<b>Current Employee Trips</b>	<b>Proposed Employee Trips</b>
96	N/A	122	305

**Number of parking spaces for employees, customers, and service/delivery vehicles.**  
**Type of surfacing on parking area.**

Current parking is provided for 65 employees and 14 trucks is shown on the project site plan with expansion for an additional 93 more parking spaces. The parking area will be either paved with asphalt or covered in compacted gravel.

**Goods sold on-site**

There will be no change to the conditions of previous permits. All goods are sold “wholesale” and in bulk. No direct retail sales will take place on the site.

**Equipment List**

There will be no change to the equipment identified in previous permits.

Hammer Mills	Pellet Mills
Mixers	Hoppers
Shakers	Conveyors
Fluid bed dryer	Bulk bag machine
Bob cats	Insulated auger
Mixing Tanks	Filters
Pumps	Storage Tanks
Hoses	50 lb. bag machine
Front end loaders	Forklifts

**What supplies or materials are used and how are they stored?**

See facility process description above.

**Does the use cause an unsightly appearance? Or cause noise, glare, dust or odor?**  
**If so, explain how this will be reduced or eliminated.**

The site is clean and free of debris and is located in an isolated area of Fresno County. A landscape berm exists along the W. Kamm Ave. site frontage to block direct views into the facility. Perimeter landscaping also exists. The proposed storage area will also have perimeter landscaping for security, to reduce fugitive dust from adversely affecting adjacent properties and for aesthetic purposes.

**Solid and liquid waste**

There will be no change to the volume or methods of handling *human* solid and liquid waste. A minimal amount of solid waste is generated by the office and employee break room. It is estimated that the daily solid waste is less than .1 cyd. The solid waste is placed in a dumpster that is serviced weekly by a private hauler.

Human liquid waste is limited to the restrooms and employee break room. All such waste flows to the existing on-site septic system.

**Water usage**

There will be no change to the volume of water consumption. Water is supplied by an on-site well. Water is used in the restrooms and employee break room. In addition, water may be used to spray the piles of raw material and to control dust on the site. Typical domestic water usage (restroom and employee break room) would be approximately 150 gallons a day. Water to spray the piles and for dust control cannot be accurately quantified but is not significant.

There will be no changes to the methods used to protect groundwater. The facility operates under various conditions and permits established in CUP 3265 and others. The applicant has consulted with the Regional Water Quality Control Board and will comply with that agency’s requirements. The applicant will comply with all related groundwater protection requirements.

**Signage**

No signage is proposed at the present time. However, a future sign (maximum size of 80 square feet) giving the facility name, address and 24-hr contact number may be installed on the E. Kamm Ave. main driveway.

**Will existing buildings be used or will new buildings be constructed? Describe type of construction materials, height, color, etc. Provide floor plan and elevations, if appropriate. Explain which buildings or what portion of buildings will be used in the operation.**

The applicant contemplates constructing the proposed structures in phases. Assuming current product demand, the following is an anticipated building construction schedule:

<b><u>Proposed Buildings</u></b>	<b><u>Size</u></b>	<b><u>Estimated Construction/Yr.</u></b>
Building “L”		2021
Building “H”		2023
Office “N”		2025
Building “F” & “M”		2027

All building construction will be based on demand for various products. Should product demand change, the building sequence could also change. Grading and drainage modifications to the site will correspond to the building sequence and schedule. All grading will be performed in

accordance with county standards and a master grading plan prepared by the project civil engineer.

### **Outdoor Lighting**

There will be no change to the conditions regarding outdoor lighting. All outdoor lighting will be located on the site for operational purposes. All lights will be shielded or otherwise directed to keep the lighting on-site and not impact adjacent properties.

### **Landscaping & Fencing**

There will be no change to the conditions of CUP 3265 relating to landscaping. There is an existing landscaped berm located on the W. Kamm Ave. property frontage. As shown on the project site plan, future landscaping is proposed on the western and northern property lines. All ingress and egress points will continue to be gated.

### **Project Owners**

Jacob and Kimberly Evans  
True Organic Products, LLC  
P.O. Box 7192  
Spreckels, CA 93962  
Attn: Mr. Jake Evans

c:\users\dirk\autotask workplace\current clients>true organics 2018 expansion 18-55\operational statement.doc



# 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. 7681

Project No(s). CUP3656

Application Rec'd.: 7/22/19

### GENERAL INFORMATION

- Property Owner: Jacob & Kimberly Evans Phone/Fax: (559) 866-3001  
Mailing Address: PO Box 7192 Spreckels CA 93962  
Street City State/Zip
- Applicant: Same as owner Phone/Fax: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
Street City State/Zip
- Representative: Dirk Poeschel Phone/Fax: (559) 445-0374  
Mailing Address: 923 Van Ness Ave. Suite 200 Fresno CA 93721  
Street City State/Zip
- Proposed Project: Expand an existing agricultural fertilizer manufacturing plant.
- Project Location: SW corner between W. Kamm Ave. and S. Butte alignment.
- Project Address: 20225 W. Kamm Ave., Helm, CA 93627
- Section/Township/Range: 1 1 1 8. Parcel Size: 66.68+/-
- Assessor's Parcel No. 040-080-42s OVER.....  
040-080-43s 040-080-44s

DEVELOPMENT SERVICES AND CAPITAL PROJECTS DIVISION

2220 Tulare Street, Sixth Floor / Fresno, California 93721 / Phone (559) 600-4497 / 600-4022 / 600-4540 / FAX 600-4200

The County of Fresno is an Equal Employment Opportunity Employer

10. Land Conservation Contract No. (If applicable): NO. 2093

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 checked="" 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<sup>1</sup>: AE-20

14. Existing General Plan Land Use Designation<sup>1</sup>: Agriculture

ENVIRONMENTAL INFORMATION

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

Describe the major vegetative cover: NATURAL GRASS

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: Agricultural

South: Agricultural

East: Agricultural

West: Agricultural



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, IF OPERATED LEGALLY

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  No

B. Daily traffic generation:

I. Residential - Number of Units \_\_\_\_\_  
Lot Size \_\_\_\_\_  
Single Family \_\_\_\_\_  
Apartments \_\_\_\_\_

II. Commercial - Number of Employees 65  
Number of Salesmen \_\_\_\_\_  
Number of Delivery Trucks 48  
Total Square Footage of Building \_\_\_\_\_

III. Describe and quantify other traffic generation activities: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

20. Describe any source(s) of noise from your project that may affect the surrounding area: PROCESSING & EQUIPMENT NOISE

21. Describe any source(s) of noise in the area that may affect your project: N/A

22. Describe the probable source(s) of air pollution from your project: AIR & GROUNDWATER

23. Proposed source of water:  
 private well  
 community system<sup>3</sup>--name: \_\_\_\_\_ OVER.....

24. Anticipated volume of water to be used (gallons per day)<sup>2</sup>: 35,000 gal/day
25. Proposed method of liquid waste disposal:  
 septic system/individual  
 community system<sup>3</sup>-name \_\_\_\_\_
26. Estimated volume of liquid waste (gallons per day)<sup>2</sup>: 500 gal
27. Anticipated type(s) of liquid waste: septic waste
28. Anticipated type(s) of hazardous wastes<sup>2</sup>: used oil
29. Anticipated volume of hazardous wastes<sup>2</sup>: 8.5 gal/day
30. Proposed method of hazardous waste disposal<sup>2</sup>: offsite disposal by 3rd party
31. Anticipated type(s) of solid waste: normal household trash, cardboard, polypropylene bag
32. Anticipated amount of solid waste (tons or cubic yards per day): 5.7 cu. yds/day
33. Anticipated amount of waste that will be recycled (tons or cubic yards per day): 4.3 cu yds/day
34. Proposed method of solid waste disposal: landfill, recycling
35. Fire protection district(s) serving this area: Cal Fire (Fresno County Fire Protection Dist.)
36. Has a previous application been processed on this site? If so, list title and date: CUP 3523 on JAN 28, 2016 and INITIAL Study No. 642 on Feb 23, 2012.
37. Do you have any underground storage tanks (except septic tanks)? Yes  No
38. If yes, are they currently in use? Yes  No

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

Don Palscha

SIGNATURE

July 18, 2019

DATE

<sup>1</sup>Refer to Development Services Conference Checklist

<sup>2</sup>For assistance, contact Environmental Health System, (559) 600-3357

<sup>3</sup>For 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

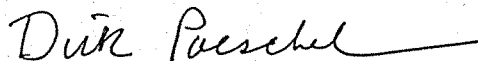
State law requires that specified fees (effective January 1, 2019: \$3,271.00 for an EIR; \$2,354.75 for a Mitigated/Negative Declaration) be paid to the California Department of Fish and Wildlife (CDFW) for projects which must be reviewed for potential adverse effect on wildlife resources. The County 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:

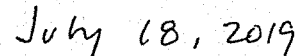
1. All projects statutorily exempt from the provisions of CEQA (California Environmental Quality Act).
2. All projects categorically exempt by regulations of the Secretary of Resources (State of California) from the requirement to prepare environmental documents.

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.



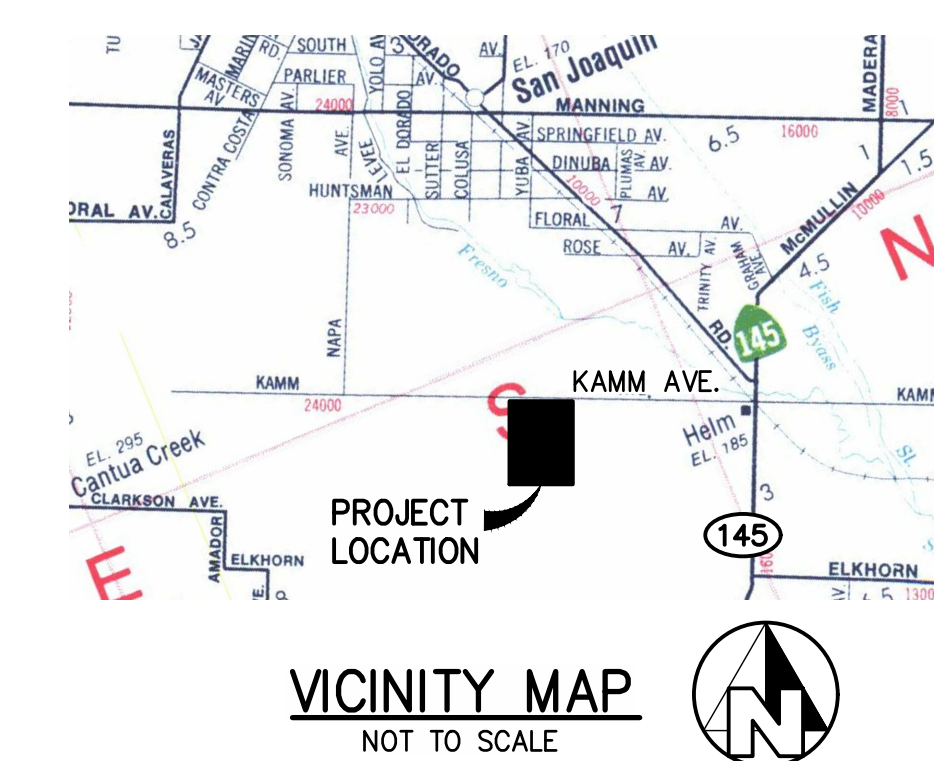
Applicant's Signature



Date

SITE LEGEND	
	GROUND FEATURE
	EXISTING / PROPOSED FENCE
	APPROX. PROPERTY LINE
	APPROX. CENTERLINE
	APPROX. RIGHT-OF-WAY
	PROPOSED STRUCTURE
	EXISTING STRUCTURE / PREVIOUSLY APPROVED
	GRAVEL ROAD/AREA
	A.C. PAVEMENT
	CONCRETE
	EXISTING DOMESTIC WELL
	EXISTING FIRE HYDRANT
	SAME OWNERSHIP

**BOUNDARY NOTE**  
 THE APPROXIMATE BOUNDARY INFORMATION SHOWN ON THIS PLAN IS BASED UPON PREVIOUS TOPOGRAPHIC SURVEY DATA, AND WAS REFERENCED UNDER THE DIRECTION OF TM 000M, PLS 8468.



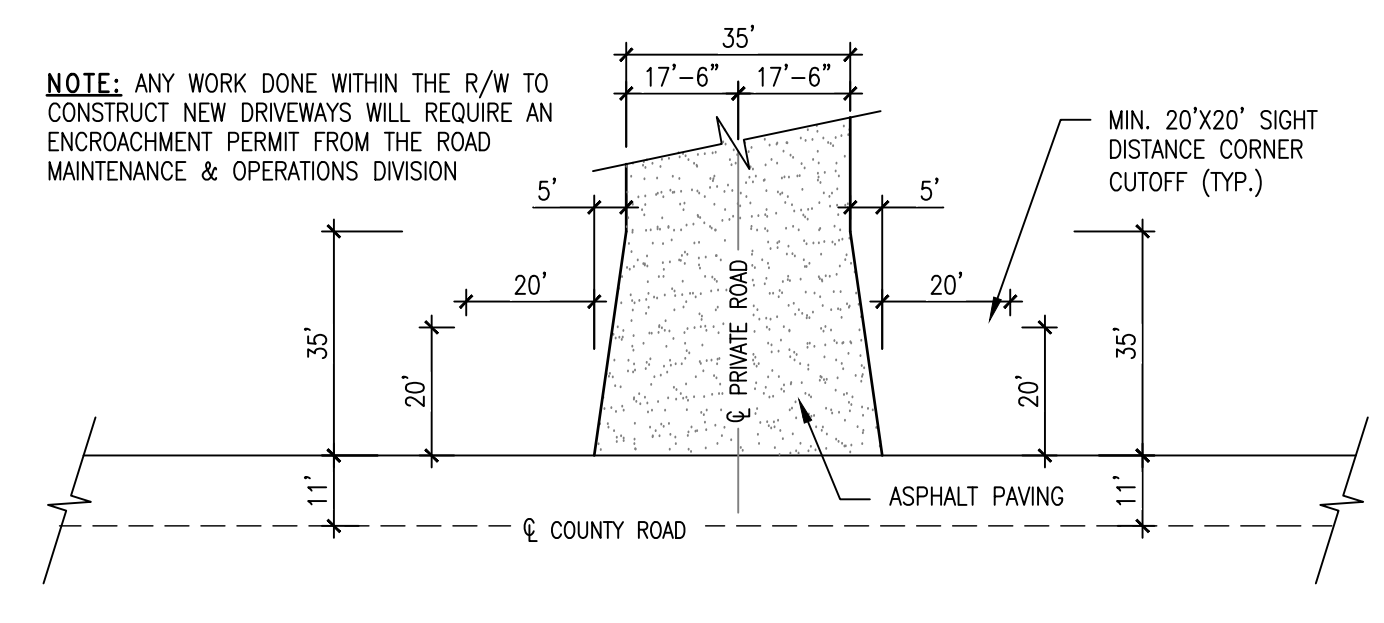
SITE DATA	
OWNER:	TRUE ORGANIC PRODUCTS, INC. 559-866-3001
PO BOX:	7152 SPECKELS, CA 93962
JURISDICTION:	FRESNO COUNTY
ZONE:	AE-20
SITE AREA:	135.35 ACRES
A.P.N.:	040-080-405, 425, 435, 445
SITE ADDRESS:	20225 W. KAMM AVENUE HELM, CA 93627
SEISMIC CAT.:	D
WATER:	DOMESTIC WELL
SEWER:	SEPTIC
GAS:	LPG
ELECTRIC:	PG&E

SHEET INDEX	
SHEET NO.	DESCRIPTION
1	SITE PLAN
F	FUTURE BUILDING F1-F2
L	FUTURE BUILDING L
M	FUTURE BUILDING M
N	FUTURE BUILDING N

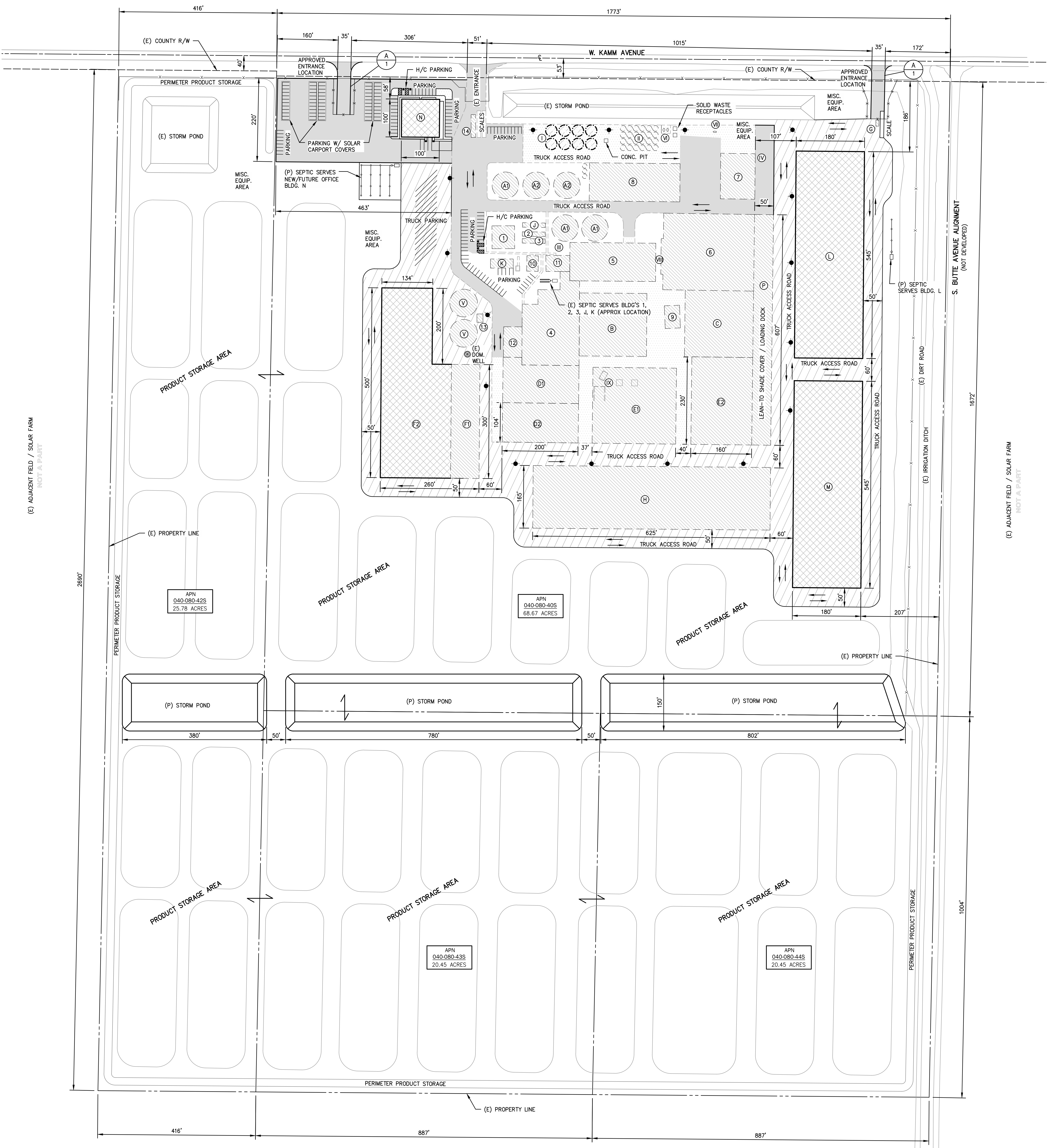
BUILDING / FEATURE:	BUILDING / FEATURE USE:	SQUARE FOOTAGE (APPROX.)	NOTES:
1	MAIN OFFICE, TRAILER	3600	EXISTING
2	BREAK ROOM, TRAILER	720	EXISTING
3	BREAK ROOM, TRAILER	720	EXISTING
4	MIXING / COMMODITY ROOM	30,230	EXISTING
5	PELLET ROOM 2	22,830	EXISTING
6	STORAGE ROOM	48,850	EXISTING
7	MECHANIC / UTILITY	10,900	EXISTING; 7,300± SQ.FT. TO BE REMOVED FOR DRIVE AISLES
8	LIQUID ROOM	24,000	EXISTING
9	MISC. UTILITY	2400	EXISTING
10	ELECTRICAL ROOM	1230	EXISTING
11	PELLET ROOM 1	2870	EXISTING
12	RAW MATERIAL STORAGE 1	3980	EXISTING
13	FIRE PUMP HOUSE	350	EXISTING
14	SCALE HOUSE	720	EXISTING
A1	LIQUID / FERTILIZER STORAGE TANKS	-	EXISTING
A2	LIQUID / FERTILIZER STORAGE TANKS	-	APPROVED PER PREVIOUS SITE PLAN(S)
B	PELLET MILL / PROCESSING ROOM	29,500	EXISTING
C	FINISHED PRODUCTS STORAGE & PACKAGING	31,500	EXISTING
D1	RAW MATERIAL STORAGE 2	20,980	EXISTING
D2	RAW MATERIAL STORAGE 3	20,750	APPROVED PER PREVIOUS SITE PLAN(S)
E1	FEED PROCESSING & STORAGE 1	44,000	EXISTING
E2	FEED PROCESSING & STORAGE 2	36,950	APPROVED PER PREVIOUS SITE PLAN(S)
F1	RAW MATERIAL STORAGE 4	22,500	APPROVED PER PREVIOUS SITE PLAN(S)
F2	RAW MATERIAL STORAGE 5	82,300	PROPOSED
G	SCALE HOUSE	150	APPROVED PER PREVIOUS SITE PLAN(S)
H	RAW MATERIAL STORAGE 6	103,130	APPROVED PER PREVIOUS SITE PLAN(S)
J	OFFICE & STORAGE, TRAILER	720	EXISTING
K	OFFICE & STORAGE, TRAILER	1440	EXISTING
L	PELLETIZED PRODUCT STORAGE 1	98,100	PROPOSED
M	PELLETIZED PRODUCT STORAGE 2	98,100	PROPOSED
N	TWO-STORY OFFICE	20,000	PROPOSED
P	LOADING DOCK / LEAN-TO COVER	30,400	APPROVED PER PREVIOUS SITE PLAN(S)
I	LIQUID / FERTILIZER STORAGE TANKS	-	APPROVED PER PREVIOUS SITE PLAN(S)
II	LIQUID / FERTILIZER STORAGE TANKS	-	EXISTING
III	OIL, ACETYLENE, OXYGEN STORAGE	-	EXISTING
IV	FUEL STORAGE	-	EXISTING / RELOCATED
V	FIRE STORAGE TANKS, 1 MILLION GAL. EACH	-	EXISTING
VI	FUEL STORAGE TANKS	-	EXISTING
VII	PROPANE TANK	-	EXISTING
VIII	CONVEYOR MACHINERY	-	EXISTING
IX	CONVEYOR MACHINERY / HAMMERMILL	-	EXISTING

**PLANNING NOTES**  
 MOST IMPROVEMENTS HAVE BEEN PERMITTED PER C.U.P. 3265 / S.P.R. 7725-7729 / C.U.P. 2467 / C.U.P. 3523, UNLESS NOTED OTHERWISE AS PROPOSED.

- GENERAL SITE NOTES**
- AN ASPHALT CONCRETE DRIVEWAY APPROACH 24 TO 35 FEET IN WIDTH SHALL BE PROVIDED AT ALL TWO-WAY ACCESS POINTS.
  - DRIVEWAYS SHALL BE CONCRETE OR ASPHALT CONCRETE, PAVED A MINIMUM WIDTH OF 24 FEET.
  - ALL PARKING AND CIRCULATION AREAS NOT CONCRETE OR ASPHALT CONCRETE PAVED SHALL BE TREATED WITH A DUST PALLIATIVE TO PREVENT THE CREATION OF DUST.
  - ONE PARKING SPACE SHALL BE PROVIDED FOR EVERY TWO EMPLOYEES, ONE FOR EACH SALESPERSON, AND ONE FOR EACH COMPANY VEHICLE.
  - HANDICAPPED PARKING SHALL ALSO BE PROVIDED AND SHALL INCORPORATE ACCESSIBLE WALKWAYS AND BUILDING ENTRANCES. THE MINIMUM AMOUNT OF HANDICAPPED PARKING SPACES SHALL BE PREMISED UPON THE FOLLOWING SCALE:  
 \*1 HANDICAPPED FOR 1-25 TOTAL SPACES  
 \*2 HANDICAPPED FOR 26-50 TOTAL SPACES  
 \*3 HANDICAPPED FOR 51-75 TOTAL SPACES  
 \*4 HANDICAPPED FOR 76-100 TOTAL SPACES  
 \*5 HANDICAPPED FOR 101-150 TOTAL SPACES  
 \*6 HANDICAPPED FOR 151-200 TOTAL SPACES
  - OUTDOOR LIGHTING SHALL BE HOODED AND DIRECTED AWAY FROM ADJOINING STREETS AND PROPERTIES.

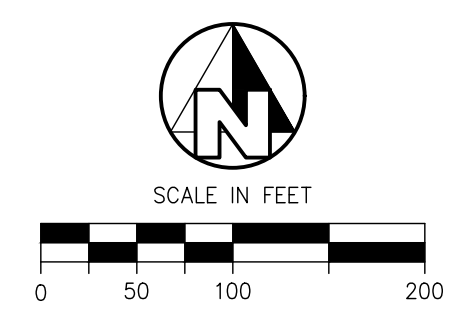


**DETAIL - DRIVE APPROACH**  
 SCALE: N. T. S.



**(E) ADJACENT FIELD / SOLAR FARM**  
 (NOT A PART)

**SITE PLAN**

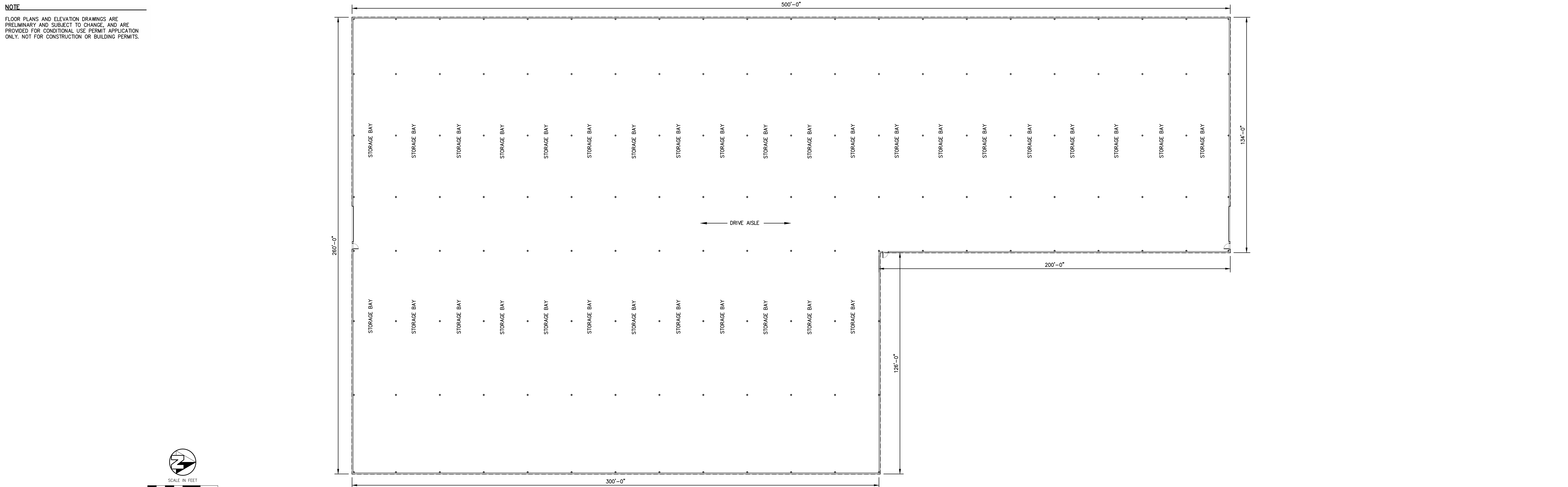


**PROVOST & PRITCHARD**  
 CONSULTING ENGINEERS  
 1015 N. MARKET STREET, SUITE 200  
 FRESNO, CALIFORNIA 93701-1015  
 TEL: 559-233-1100 FAX: 559-233-1101  
 WWW.PROVOSTPRITCHARD.COM

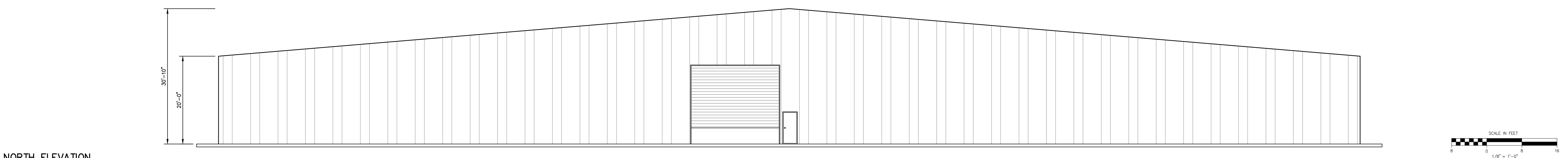
DESIGN ENGINEER: J. LOSTE  
 LICENSE NO.: SCS 77353  
 DRAFTED BY: P&P  
 CHECKED BY: JT  
 DATE: 3-1-2019  
 JOB NO: 3278  
 PROJECT NO: 3278  
 PHASE: DS3  
 ORIGINAL SCALE SHOWN IS ONE INCH ADJUST SCALE FOR REDUCED OR ENLARGED PLANS  
 SHEET 1 OF 5

SITE PLAN UPDATES  
 TRUE ORGANIC PRODUCTS  
 FRESNO COUNTY, CALIFORNIA  
 LAND USE PERMITTING  
 SITE PLAN  
 4/10/2019  
 NOT FOR CONSTRUCTION

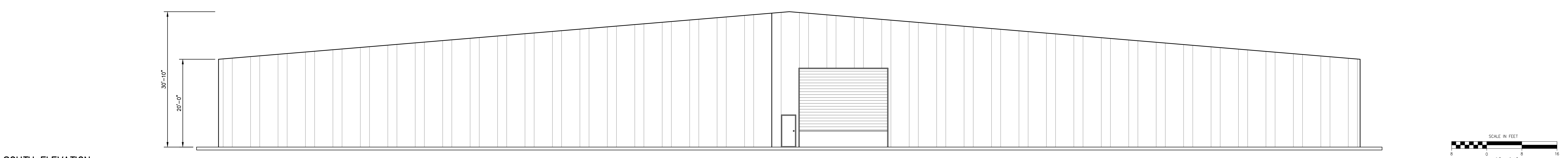
**NOTE**  
 FLOOR PLANS AND ELEVATION DRAWINGS ARE PRELIMINARY AND SUBJECT TO CHANGE, AND ARE PROVIDED FOR CONDITIONAL USE PERMIT APPLICATION ONLY. NOT FOR CONSTRUCTION OR BUILDING PERMITS.



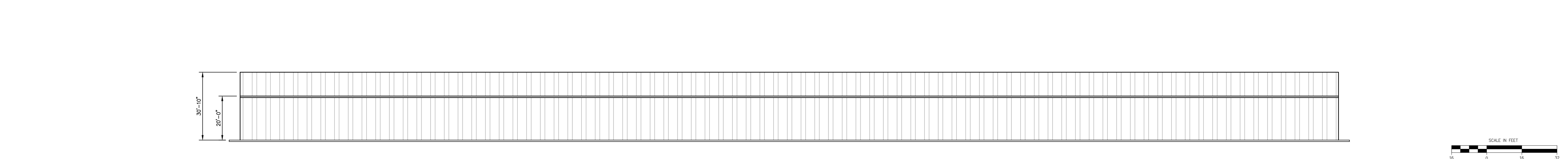
FLOOR PLAN



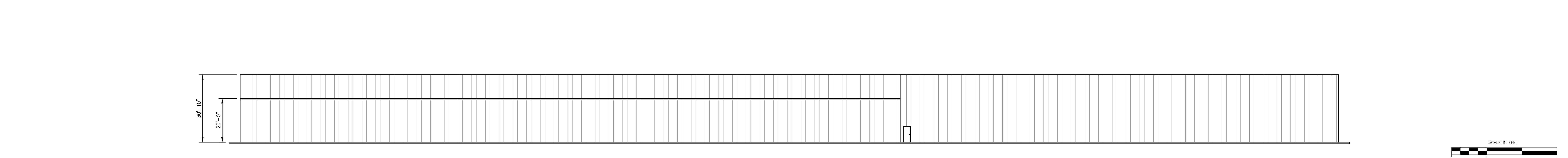
NORTH ELEVATION



SOUTH ELEVATION



WEST ELEVATION



EAST ELEVATION

**PROVOST & PRITCHARD**  
 CONSULTING GROUP  
 An EngageOne Company  
 1500 W. UNIVERSITY AVENUE, SUITE 200  
 FRESNO, CALIFORNIA 93711-4202  
 TEL: 559.241.4400 FAX: 559.241.4401  
 WWW.P&P.COM

**PLANNING DRAWINGS**  
 NOT FOR CONSTRUCTION  
 4/10/2019

**SITE PLAN UPDATES**  
 TRUE ORGANIC PRODUCTS  
 FRESNO COUNTY, CALIFORNIA  
 FLOOR PLANS & ELEVATIONS  
 FUTURE BUILDING F1-F2

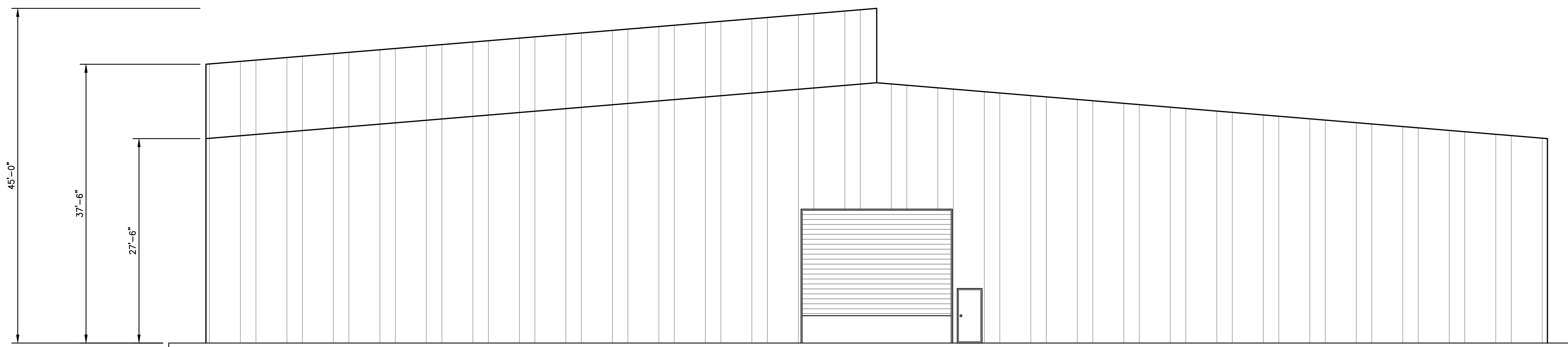
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 LICENSE NO.: 615 7735.3  
 DRAFTED BY: P&P  
 CHECKED BY: JT  
 DATE: 3-1-2019  
 JOB NO: 3278  
 PROJECT NO: 3278  
 PHASE: DS3  
 ORIGINAL SCALE SHOWN IS ONE INCH ADJUST SCALE FOR REDUCED OR ENLARGED PLANS  
 SHEET: F  
 2 OF 5

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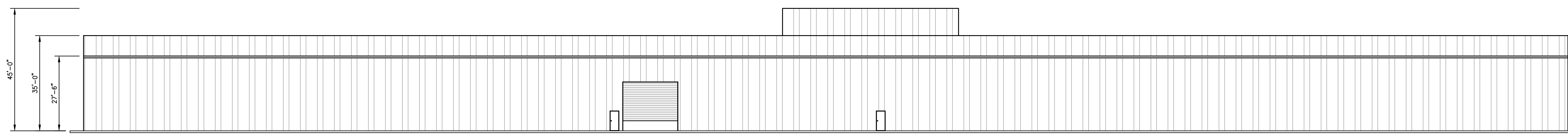
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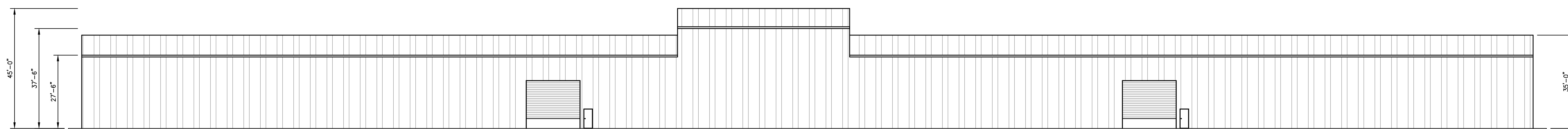
FLOOR PLAN



NORTH-SOUTH ELEVATIONS



WEST ELEVATION



EAST ELEVATION

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 TRUE ORGANIC PRODUCTS  
 FRESNO COUNTY, CALIFORNIA  
 FLOOR PLANS & ELEVATIONS  
 FUTURE BUILDING L**

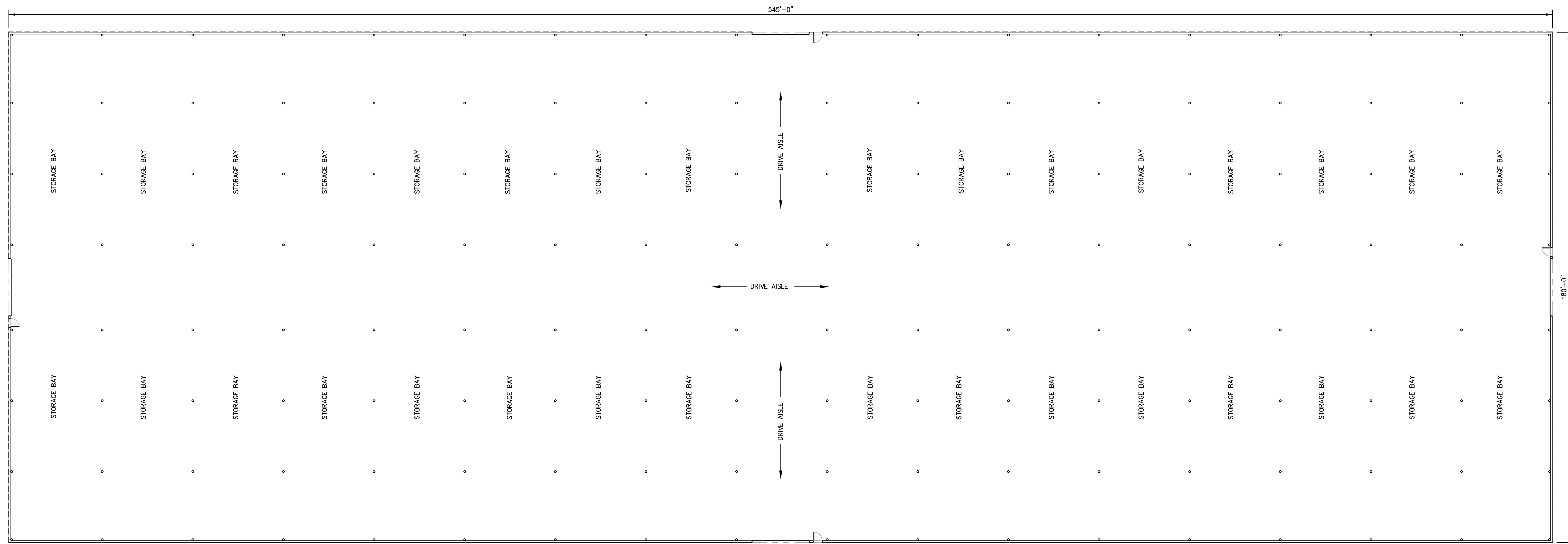
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DESIGN ENGINEER: LITOSTE  
 LICENSE NO.: 650273653  
 DRAFTED BY: P&P CHECKED BY: JT  
 DATE: 3-1-2019  
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 PROJECT NO: 3278  
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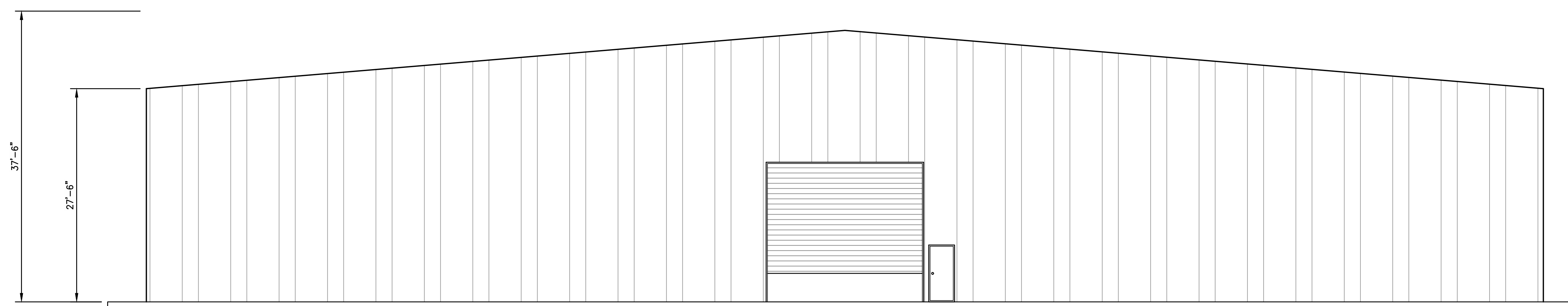
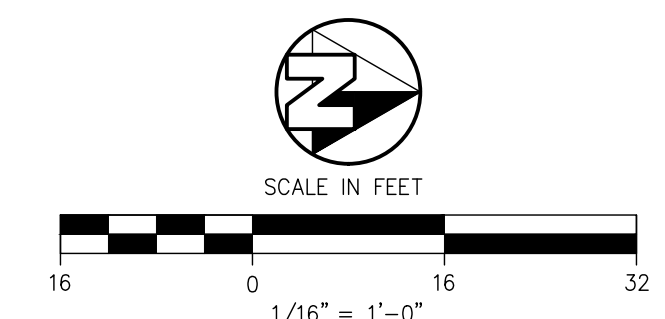
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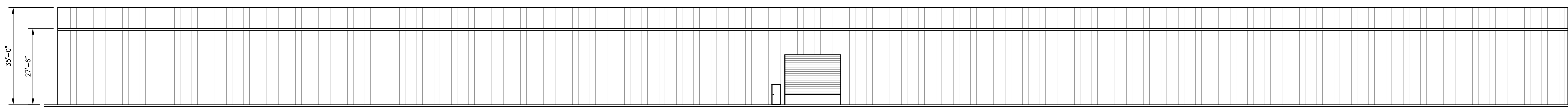
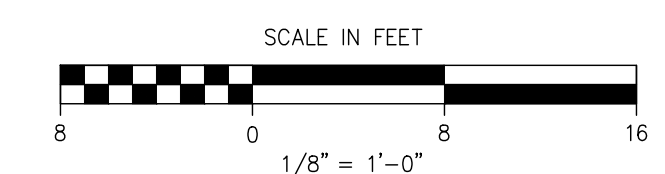
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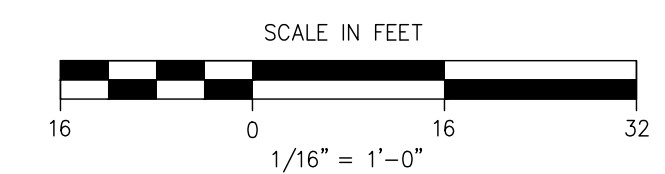
FLOOR PLAN



NORTH-SOUTH ELEVATIONS



WEST-EAST ELEVATION



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 No. BY DATE

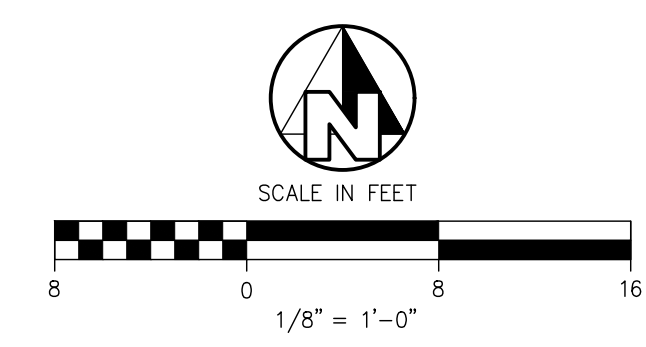
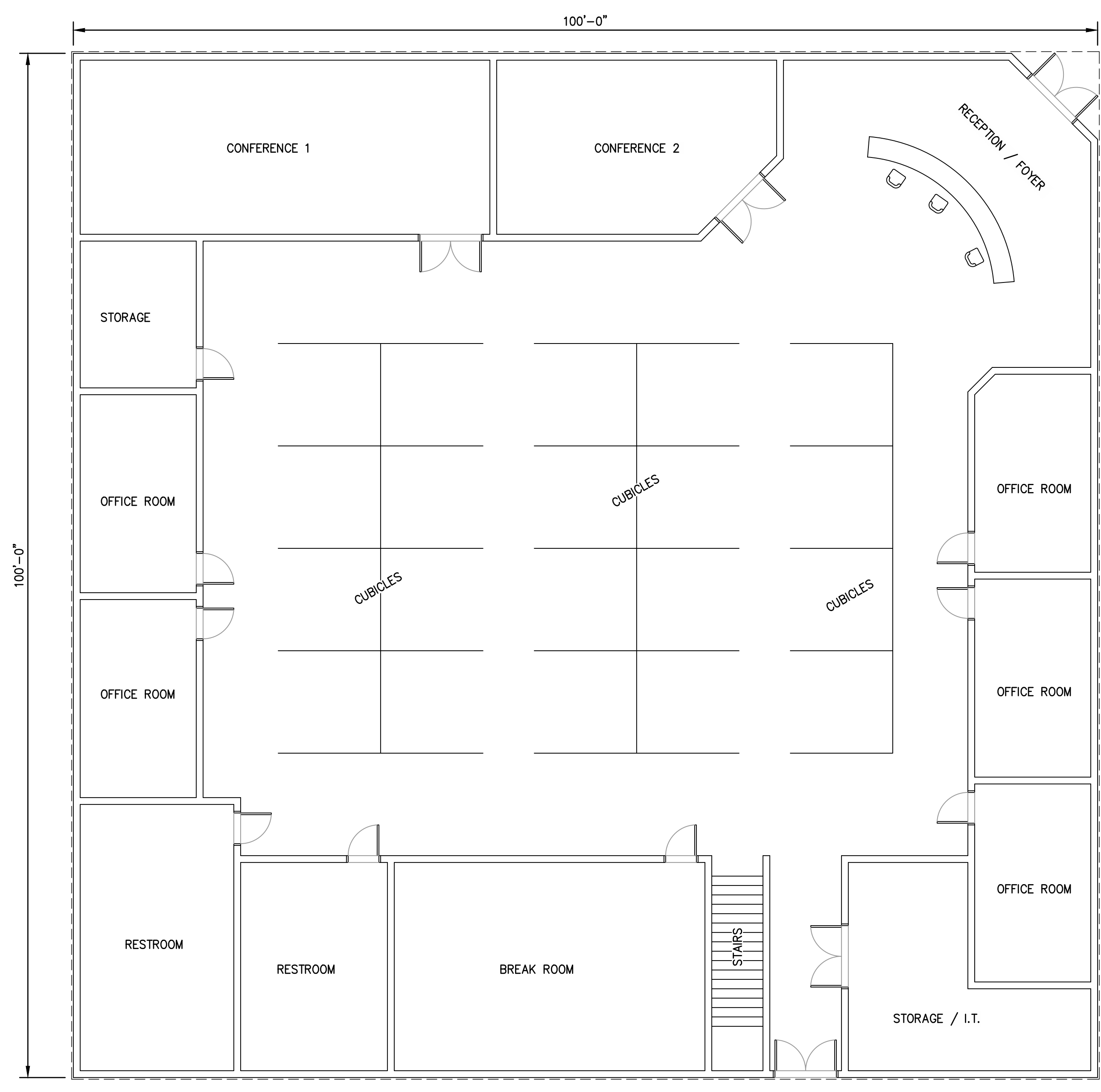
SITE PLAN UPDATES  
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 FLOOR PLANS & ELEVATIONS  
 FUTURE BUILDING M

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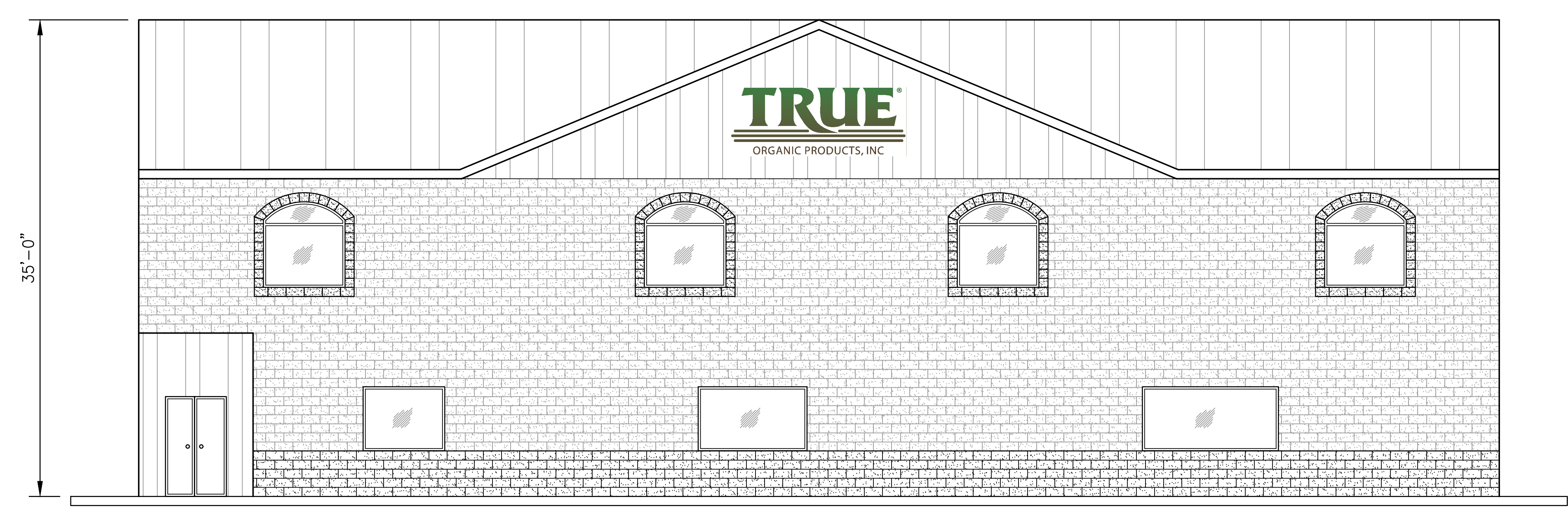
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 LICENSE NO.: EIC 7235.3  
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 DATE: 3-1-2019  
 JOB NO: 3278  
 PROJECT NO: 3278  
 PHASE: DS3  
 ORIGINAL SCALE SHOWN IS 1"  
 ONE INCH ADJUST SCALE FOR REDUCED OR ENLARGED PLANS  
 SHEET: M  
 4 OF 5

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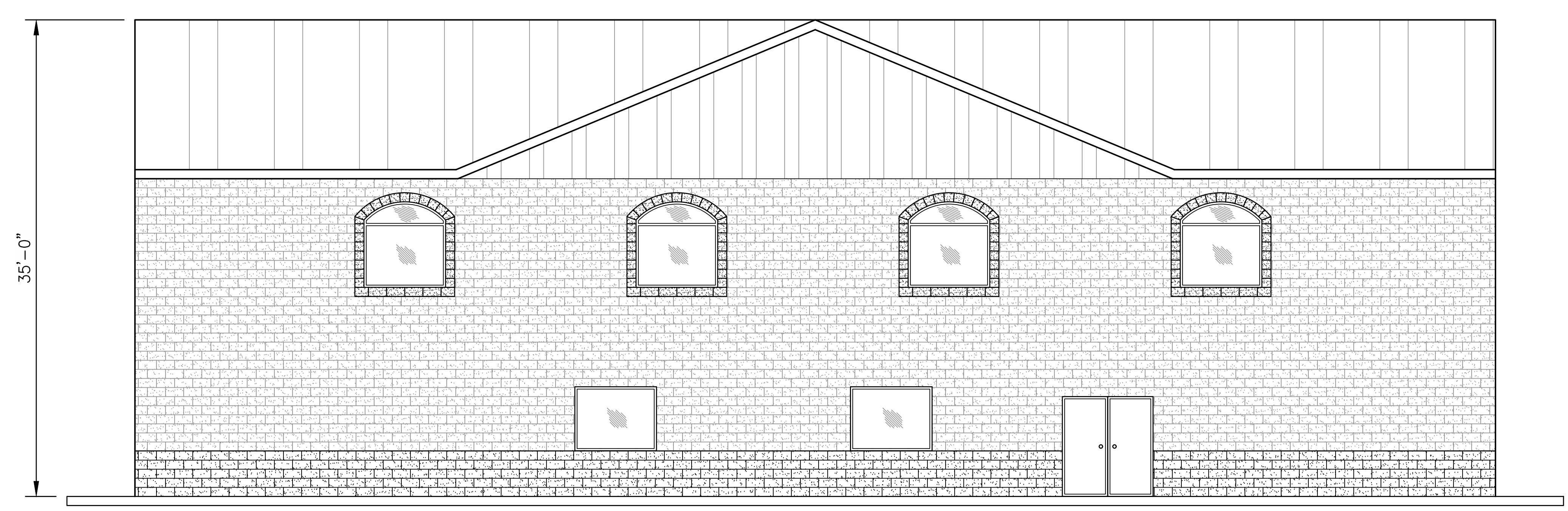
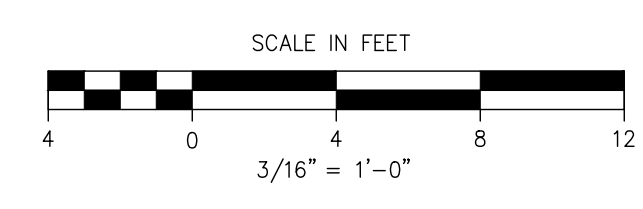
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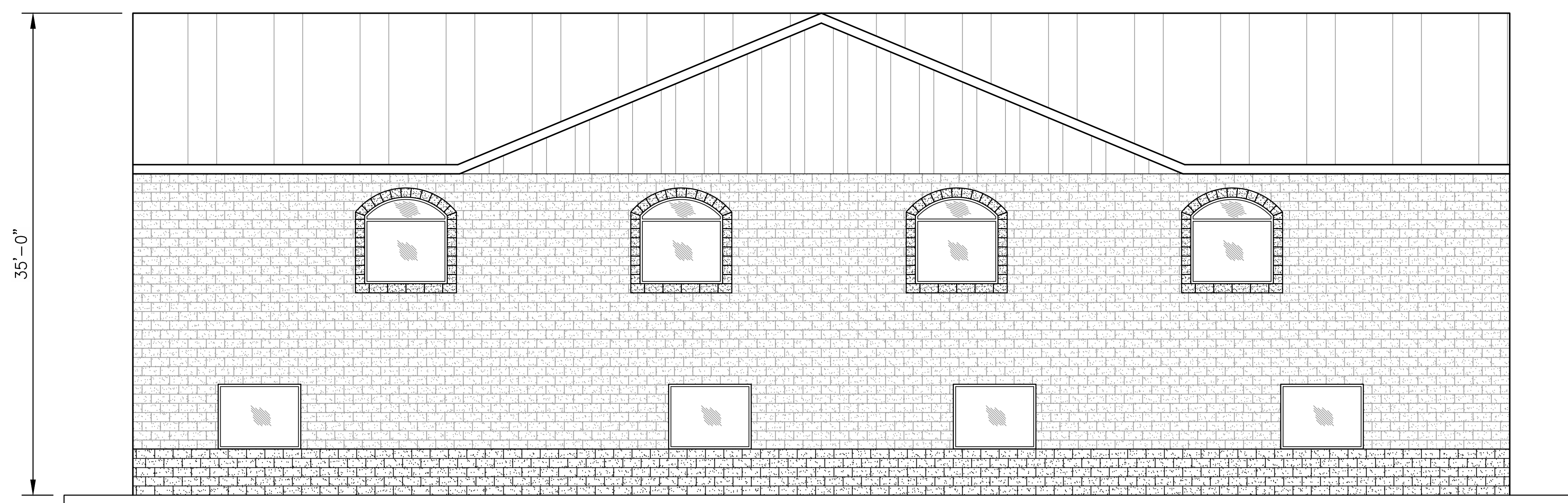
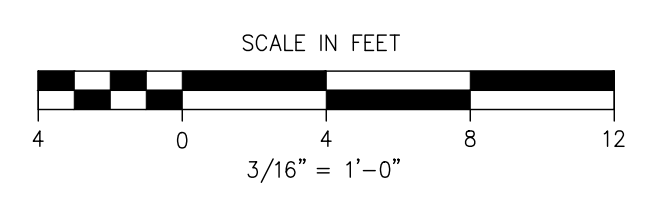
FLOOR PLAN



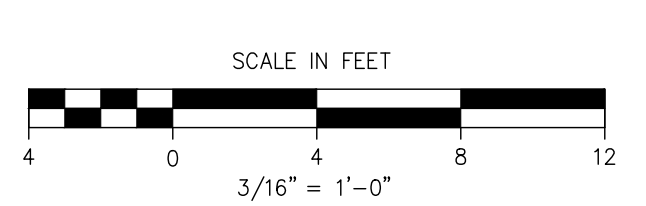
NORTH ELEVATION



SOUTH ELEVATION



WEST-EAST ELEVATION



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**SITE PLAN UPDATES**  
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 FLOOR PLANS & ELEVATIONS  
**FUTURE BUILDING N**

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DESIGN ENGINEER: J. LOSTE  
 LICENSE NO.: 655 7335.3  
 DRAFTED BY: P&P CHECKED BY: JT  
 DATE: 3-1-2019  
 JOB NO: 3278  
 PROJECT NO: 3278  
 PHASE: DS3  
 ORIGINAL SCALE SHOWN IS ONE INCH ADJUST SCALE FOR REDUCED OR ENLARGED PLANS  
 SHEET: 5 OF 5