



County of Fresno

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

INITIAL STUDY ENVIRONMENTAL CHECKLIST FORM

- 1. Project title:**
Initial Study No. 7744 and Classified Conditional Use Permit Application No. 3660
- 2. Lead agency name and address:**
County of Fresno Department of Public Works and Planning
2220 Tulare Street, 6th Floor
Fresno, CA 93721
- 3. Contact person and phone number:**
Thomas Kobayashi, Planner
(559) 600-4224
- 4. Project location:**
The project site is located on the north side of W. Kamm Avenue approximately 950 feet east of its nearest intersection with State Route 145 (S. Lassen Avenue) and is approximately 31,350 feet southeast of the city limits of the City of San Joaquin.
- 5. Project sponsor's name and address:**
True Organic Products
16782 W. Kamm Avenue
Helm, CA 93627
- 6. General Plan designation:**
Agricultural
- 7. Zoning:**
AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District
- 8. Description of project: (Describe the whole action involved, including, but not limited to, later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary.)**
The project proposes to allow the production, packaging, and storage of organic fertilizer products on a 8.04-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.
- 9. Surrounding land uses and setting: Briefly describe the project's surroundings:**
The subject site is located in a mainly agricultural area. Helm Elementary School is located approximately 1,000 feet to the west. Single-Family residential and commercial uses are located along the intersection of State Route 145 and W. Kamm Avenue.
- 10. Other public agencies whose approval is required (g., permits, financing approval, or participation agreement.)**
County of Fresno, Department of Public Works and Planning
County of Fresno Department of Public Health
State Water Resources Control Board

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

Per the provisions of Assembly Bill 52, participating California Native American Tribes were notified of the subject application and given the opportunity to enter into consultation with the County to identify potential cultural resources that could occur on the project site. The Table Mountain Rancheria expressed concern with the application. Further correspondence between the County and Table Mountain Rancheria did not identify or provide evidence of the possibility of cultural resources on the project site. As no correspondence was received, consultation was closed.

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

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

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

DETERMINATION OF REQUIRED ENVIRONMENTAL DOCUMENT:

On the basis of this initial evaluation:


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

PERFORMED BY:

REVIEWED BY:



Thomas Kobayashi, Planner

 6.3.21

David Randall, Senior Planner

Date: 6/3/21

Date: 6/3/21

**INITIAL STUDY
ENVIRONMENTAL CHECKLIST FORM
(Initial Study No. 7744 and
Classified Conditional Use Permit
Application No. 3660)**

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 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:

- 1 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 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?
- 2 d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

IV. BIOLOGICAL RESOURCES

Would the project:

- 2 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:

- 1 a) Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?
- 1 b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?
- 1 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?
- 2 b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

VII. GEOLOGY AND SOILS

Would the project:

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

VIII. GREENHOUSE GAS EMISSIONS

Would the project:

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

IX. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

- 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, would it create a significant hazard to the public or the environment?
- 1 e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?
- 1 f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?
- 1 g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

X. HYDROLOGY AND WATER QUALITY

Would the project:

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

XI. LAND USE AND PLANNING

Would the project:

- 1 a) Physically divide an established community?
- 1 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:

- 2 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?
- 2 b) Generation of excessive ground-borne vibration or ground-borne noise levels?
- 1 c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

XIV. POPULATION AND HOUSING

Would the project:

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

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

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

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

XIX. UTILITIES AND SERVICE SYSTEMS

Would the project:

- 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?
- 2 b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?
- 1 c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?
- 1 d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?
- 1 e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

XV. PUBLIC SERVICES

Would the project:

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

XVI. RECREATION

Would the project:

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

XVII. TRANSPORTATION

Would the project:

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

XVIII. TRIBAL CULTURAL RESOURCES

Would the project:

- 1 a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:
 - 1 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
 - 1 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

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:

- 1 a) Have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?
- 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
Fire Hazard Severity Zones in LRA 2007 Map, State Department of Forestry and Fire Protection
Traffic Impact Study April 28, 2020, Peters Engineering Group
Air Quality and Greenhouse Gas Analysis February 18, 2021, LSA

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County of Fresno

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

EVALUATION OF ENVIRONMENTAL IMPACTS

- APPLICANT: True Organics Products
- APPLICATION NOS.: Initial Study No. 7744 and Classified Conditional Use Permit Application No. 3660
- DESCRIPTION: Allow the production, packaging and storage of organic fertilizer products on a 8.04-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.
- LOCATION: The project site is located on the north side of W. Kamm Avenue, approximately 950 feet east of its nearest intersection with State Route 145 (S. Lassen Avenue), and is approximately 31,360 feet southeast of the City of San Joaquin.

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 Applicant proposes to utilize existing structures on the property and do not propose any new development. According to Figure OS-2 of the Fresno County General Plan, there area no Scenic Roadways fronting the subject parcel. No scenic resources have been identified on or near the project site and the proposal will bring the existing structures up to code. Therefore, no impact is seen on scenic vistas or 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 point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The Applicant will utilize existing structures towards the operation of the proposed production, packaging, and storage of organic fertilizer product facility. As the buildings are existing, the project will not substantially degrade the existing visual character or quality of public views of the site and its surroundings. The presence of equipment and employees will not have a significant impact on public views of the site.

- 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:

The Applicants proposes states that the existing structures will be brought up to current building and occupancy code. A Mitigation Measure will be incorporated with the project so that any proposed outdoor lighting shall be hooded and directed downward to avoid glare on adjacent properties or the public right-of-way. The subject parcel is located within an area that is predominately agricultural with a commercial property westerly adjacent. Light and glare produced by operation related vehicles will not have a significant impact as there are minimal to no sensitive receptors in the vicinity to be impacted by the proposed use.

* **Mitigation Measure(s)**

1. *All outdoor lighting shall be hooded and directed downward so as not to shine on adjacent properties or public right-of-way.*

II. AGRICULTURAL AND FORESTRY RESOURCES

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

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

FINDING: NO IMPACT:

According to the 2016 Fresno County Important Farmland Map, the subject parcel is located in area identified as Urban and Built-Up Land. The subject parcel is already improved with buildings that will be utilized towards the proposed use. The subject parcel is zoned AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) with the proposed use allowed subject to a Classified Conditional Use Permit. The project site is not subject to a Williamson Act Contract. Based on the project sites designation on the Important Farmland Map and the underlying zone district allowing the subject to the land-use permit, the project will not convert farmland and will not conflict with the existing zoning.

- 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?

FINDING: NO IMPACT:

The subject parcel is not located in land zoned for forest land, timberland or timberland zoned Timberland Production and will not result in the loss of forest land or conversion of forest land to non-forest use.

- E. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?

FINDING: NO IMPACT:

The proposed use will be housed in an already developed parcel. The project will not result in the conversion of farmland to non-agricultural use or conversion of forest land to non-forest use as development has already occurred and did not result in further development on adjacent parcels.

III. AIR QUALITY

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

- A. Conflict with or obstruct implementation of the applicable Air Quality Plan; or
- B. Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under a Federal or State ambient air quality standard?

FINDING: LESS THAN SIGNIFICANT IMPACT:

An Air Quality and Greenhouse Gas Analysis has been prepared by LSA for the project. Thresholds of significance established by the San Joaquin Valley Air Pollution Control

District were utilized in the Air Quality and Greenhouse Gas Analysis to determine if construction and operational criteria pollutants would exceed the threshold. Construction emissions associated with this project were determined to not result in quantifiable construction emissions due to the existing nature of the structures and no additional construction of buildings being proposed. Emissions related to operation of the proposed use were calculated using CalEEMod and determined that project operation emissions in tons per year would not exceed the SJVAPCD thresholds of significance for any criteria pollutants. The Air Quality and Greenhouse Gas Analysis was made available to the SJVAPCD with concerns received by staff. Therefore, a less than significant impact is seen when considering the minimal increase in criteria pollutants calculated in the analysis.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

An Air Quality and Greenhouse Gas Analysis identified two main sensitive receptors. One receptor is a single-family residence located approximately 375 feet west of the project site (the closest of any residence in the area) and Helm Elementary School approximately 1,000 feet west of the site. A Health Risk Assessment (HRA) was conducted to calculate possible impacts on nearby sensitive receptors. The HRA calculated that the project would have low risk on sensitive receptors. Review of the project proposal indicates the project would not expose sensitive receptors to substantial pollutant concentrations and would not result in significant other emissions affecting a substantial number or people.

IV. BIOLOGICAL RESOURCES

Would the project:

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

According to the California Natural Diversity Database (CNDDDB), there has been a reported occurrence of the Swainson's Hawk, encompassing the subject parcel. Per the CNDDDB, the occurrence was reported on April 30, 1913 and the species is presumed to still be in existence. The subject parcel has already been developed and the Applicant proposes to utilize the existing structures towards the proposed use. No additional structures are being proposed from this application. Based on no new structures being proposed with this application, the project will not have a substantial adverse effect on the reported species.

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

FINDING: NO IMPACT:

According to the National Wetlands Inventory, there is an identified wetland in the vicinity of the subject parcel. The identified wetland does not traverse through the subject parcel. Existing improvements include a drainage area located on the southern property line which is expected to handle water runoff from the buildings and not runoff to the identified wetlands. No additional structures are being proposed, therefore no impact on the identified wetlands are seen. No riparian habitat or other sensitive natural community has been identified on or near the project 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:

As the project will utilize existing improvements and does not propose any additional structures, the project will not interfere substantially with the movement of any native resident or migratory fish or with migratory wildlife corridors or impede the use of a native wildlife nursery site.

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

FINDING: NO IMPACT:

There are no identified local policies or ordinances protecting biological resources that would conflict with the subject project. The project also will not 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:

- 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: NO IMPACT:

The project proposes to utilize the existing buildings on the project site, and retrofitting the buildings to address their needs. There is no new development being proposed with the application, therefore no substantial adverse impact is on historical or archaeological resources are anticipated. As there is no ground-disturbance proposed, no disturbance to human remains would occur.

VI. ENERGY

Would the project:

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

Per the Applicant, the existing buildings will be retrofitted to accommodate the proposed operation. Those retrofits will be subject to the current building code, which takes into consideration energy efficiency. Therefore, the project will not result in significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resources, during construction or operation of the project. Reviewing agencies and departments did not express concerns to indicate that the project would conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

VII. GEOLOGY AND SOILS

Would the project:

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

FINDING: NO IMPACT:

According to Figure 9-3 of the Fresno County General Plan Background Report (FCGPBR) and the California Department of Conservation, Earthquake Hazard Zone Application (EQ Zapp), the project site is not located on or near identified earthquake hazard zone areas.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

According to Figure 9-5 of the FCGPBR, the project site is not located inside areas identified as having a probabilistic seismic hazard with a substantial peak horizontal ground acceleration. In the absence of substantial seismic hazards occurring on the project site, seismic-related ground failure is not anticipated.

4. Landslides?

FINDING: NO IMPACT:

According to Figure 9-6 of the FCGPBR, the project site is not located on or near any identified landslide hazard areas. The project site is located in a relatively flat area with no substantial slopes or grade differences to indicate a landslide hazard is present.

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

FINDING: NO IMPACT:

Per the Applicant's Operational Statement, the project site has already been improved with existing permitted building with no new additional development being planned. The only development involved with the subject application is the retrofitting of the existing building to meet the needs of the proposed operation. The project will not result in additional soil erosion or topsoil loss.

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

FINDING: NO IMPACT:

Reviewing Agencies and Departments did not identify any geologic unit or soil that would be considered unstable and increase risk to the project site or as a risk, result in on-site or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse.

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

FINDING: NO IMPACT:

According to Figure 7-1 of the FCGPBR, the subject site is not located in area identified as having soils exhibiting moderately high to high expansion potential.

- E. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water; or
- F. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

FINDING: NO IMPACT:

The project site is already improved with a septic system that services the existing buildings. The proposed use will utilize the existing buildings and retrofit buildings to current standards. Reviewing Agencies and Departments did not express concern with the soil conditions to indicate incompatibility with septic systems. There were no paleontological resources identified on the project site.

VIII. GREENHOUSE GAS EMISSIONS

Would the project:

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The prepared Air Quality and Greenhouse Gas Analysis prepared by LSA estimated that operational greenhouse gas emissions resulting from the project proposal. Based on their calculations, the project would result in 101 metric tons of carbon dioxide emissions a year. Other emissions including Methane and Nitrous Oxide will be produced in minimal volumes and is not likely to have a significant impact. The analysis states that as there is no significance threshold for GHG emissions adopted by the County of Fresno or the San Joaquin Valley Air Pollution Control District (SJVAPCD), the analysis evaluates the emissions based on the project's consistency with the SJVAPCD CCAP and other applicable State GHG reduction goals. Based on their analysis, greenhouse gas emissions related to operation would not be cumulatively considerable and would not conflict with the goals of the SJVAPCD CCAP or other state or regional plan, policy, or regulation for the purpose of reducing GHG emissions.

VIII. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The Department of Public Health, Environmental Health Division has reviewed the project proposal and indicated that the project will be required to comply with State and Local requirements for reporting and handling hazardous materials/waste. With compliance of these mandatory regulatory requirements, the project is not expected to create a significant hazard to the public or environment. These regulatory requirements also include the preparation of a Hazardous Materials Business Plan that is submitted to the Department of Public Health for compliance with the Health and Safety Code. Therefore, a less than significant impact is seen with compliance with mandatory State and Local requirements.

- 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:

An Air Quality and Greenhouse Gas Emission Analysis was prepared by LSA and submitted to address emissions resulting from the project proposal. Included in this analysis was a Health Risk Assessment using the San Joaquin Valley Air Pollution Control District's (SJVAPCD) Prioritization Calculator determined that the onsite operations of the proposed facility on the nearest resident would not exceed the SJVAPCD screening threshold for hazardous emissions. The closest receptor is located approximately 375 feet from the project site. The nearest school is approximately 1,000 feet east of the project site. Based on the analysis and health risk assessment, project operations are expected to have a less than significant impact in relation to hazardous emissions and the existing school 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 NEPAassist database, the subject site does not contain or is in proximity of a listed hazardous materials site.

- E. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project

result in a safety hazard or excessive noise for people residing or working in the project area?

FINDING: NO IMPACT:

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

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

FINDING: NO IMPACT:

Reviewing Agencies and Departments did not express concern with the project to indicate that the proposal would result in the impairment of implementation or physically interfere with an adopted emergency response plan or emergency evacuation plan. There were no indicate that the project proposal would expose people or structures to a significant risk of loss injury or death involving wildland fires.

X. HYDROLOGY AND WATER QUALITY

Would the project:

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project has been reviewed by the Water and Natural Resources Division, the Stinson Water District, the Regional Water Quality Control Board, and the State Water Resources Control Board. The State Water Resources Control Board states that the project will be subject to Senate Bill 1263 and will require an application for a permit for a new public water system. Comments provided by the State Water Resources Control Board are to be included with the project as a Project Note as this is a regulatory requirement for this project. As there was no additional concerns expressed by reviewing agencies and departments, requirements set forth by the State Water Resources Control Board are to be considered with the project and no indication that this project would violate water quality standards or waste discharge requirements, nor is there any evidence that a substantial decrease in groundwater supply would occur.

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

FINDING: NO IMPACT:

Review of the submitted site plan and operational statement indicates that there is no new development being proposed with this project. Aerial images indicate that there is a stream located in the northwestern portion of the project site. Although there is a stream located on the subject parcel, as noted, there is no new development involved with the project and the operation will utilize the existing structures. The existing structures will be retrofitted to meet current code standards and meet the operational needs of the project. The project will not result in substantial erosion or siltation, substantially increase the rate of surface runoff, would not contribute runoff that would exceed existing capacity of drainage systems, and will not impede or redirect flood flows.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

Per FEMA FIRM Panel C2575H, the subject parcel is located within special flood hazard Zone A. The Development Engineering Section of the Department of Public Works and Planning has reviewed the project proposal and indicates that due to the project site being located within an area subject to flooding from a 100-year storm event development shall comply with the County Flood Hazard Ordinance. There is a risk of pollutant release due to project inundation, but the project will be required to comply with the County Flood Hazard Ordinance and State and Local hazardous material handling requirements that will reduce the risk to a less than significant impact.

There are no bodies of water in proximity of the project site that would indicate risk of tsunami or seiche events.

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

FINDING: NO IMPACT:

Reviewing agencies and departments did not indicate that project implementation would conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. The State Water Resources Control Board will require that the project go through the permitting and analysis associated with a public water system under the provisions of SB 1263. As this is a mandatory regulatory requirement, compliance is expected, therefore no impact is seen.

XI. LAND USE AND PLANNING

Would the project:

A. Physically divide an established community?

FINDING: NO IMPACT:

The project site is already improved with structures that will be utilized for the proposed operation. The project will not physically divide an established community.

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

FINDING: NO IMPACT:

Identified policies of the Fresno County General Plan that are relevant to the project include Policy LU-A.3, Policy PF-C.17, and Policy PF-D.6.

- General Plan Policy LU-A.3 relates to allowing certain uses related to agriculture by discretionary permit and include certain criteria that should be considered.

There is no conflict with the project and General Plan Policy LU-A.3. Additional criteria cited in Policy LU-A.3 relate to consideration of alternative sites and available resources including water and employee resources.

- General Plan Policy PF-C.17 reference the undertaking of a water supply evaluation and includes information the evaluation should have.

Reviewing Agencies and Departments did not require preparation of a water supply evaluation. The project will be required by the State Water Resources Control Board (SWRCB) to permit their facility with a new public water system. Compliance with the SWRCB (a state regulatory agency) will not be a requirement under the identified General Plan Policy and as stated, no concerns were expressed to require preparation of the evaluation.

- General Plan Policy PF-D.6 provides information regarding permitting of individual on-site sewage disposal systems.

The project proposes to utilize the existing improvements which include an existing septic system. There is no proposal for additional on-site sewage disposal systems, but if a new system is proposed, would be subject to building permits. Therefore, the project is not in conflict with Policy PF-D.6.

XII. MINERAL RESOURCES

Would the project:

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

FINDING: NO IMPACT:

Per Figure 7-7 of the Fresno County General Plan Background Report (FCGPBR), the project site could potentially be located in an identified oilfield. However, due to the existing nature of the buildings and no new development proposed with this application, the project would not result in additional loss of availability of a known mineral resource. According to Figure 7-8 of the FCGPBR, there is no principal mineral producing location in the vicinity of the project site, therefore no impact is seen.

XIII. NOISE

Would the project result in:

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project will increase noise levels when compared to existing conditions. The nearest sensitive receptor is a single-family residence located approximately 330 feet west of the project site. Review of the proposed operation indicate usage of equipment including front-end loaders/forklifts, but would be in operation during normal operating hours (7:00 AM to 5:00 PM). The Department of Public Health, Environmental Health Division has noted an increase in noise levels, but expects the operation to be compliant with the Fresno County Noise Ordinance. No indication from reviewing agencies or departments relating to significant noise impacts were received, therefore a less than significant impact is seen with mandatory compliance with the Fresno County Noise Ordinance.

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

FINDING: NO IMPACT:

The project site is not located within two miles of a public airport or public use airport. There does not appear a private airstrip in vicinity of the subject site that would adversely impact people residing or working in the area.

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 proposes to utilize existing structures on the subject site for the operation. The project intends to be utilized as a storage warehouse for an existing fertilizer facility located east of the subject site. The project is not expected to induce substantial unplanned population growth and would not displace a substantial number of people or housing.

XV. PUBLIC SERVICES

Would the project:

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

- 1. Fire protection;

FINDING: NO IMPACT:

The Fresno County Fire Protection District has reviewed the subject application and did not express concern with the project to indicate the necessity for additional governmental facilities to maintain acceptable service ratios, response times, or other performance objectives.

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

FINDING: NO IMPACT:

Reviewing agencies and departments did not indicate that the project would result in requiring the provision of new or physically-altered governmental facilities in order to maintain acceptable service ratios, response times, or other performance objectives.

XVI. RECREATION

Would the project:

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

FINDING: NO IMPACT:

The project would not result in the increased use of existing neighborhood and regional parks or other recreational facilities and would not require the construction or expansion of recreational facilities.

XVI. TRANSPORTATION

Would the project:

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

A Traffic Impact Study (TIS) prepared by the Peters Engineering Group dated April 28, 2020 conducted a trip generation analysis, a traffic index analysis, and previously provided a Vehicle Miles Traveled (VMT) determination. The Traffic Impact Study concluded that the project would not cause the traffic index to increase on the studied

road segments of Kamm Avenue west of State Route 145 and Kamm Avenue east of State Route 145. Review of the calculations and analysis included with the TIS was completed by the Road Maintenance and Operations Division, the Design Division, and the California Department of Transportation. The reviewing agencies and departments concurred with the conclusions of the Traffic Impact Study. No additional mitigation was required.

In regard to Vehicle Miles Traveled, the scoping letter preceding the Traffic Impact Study noted that the project would generate or attract fewer than 110 trips per day and under the State of California Governor's Office of Planning and Research document entitled Technical Advisory on Evaluating Transportation Impacts in CEQA (OPR Guidelines) that fewer than 110 trips may be presumed to cause a less than significant impact. Additional information from OPR Guidelines also indicate that "vehicle miles traveled" refers to the amount and distance of automobile travel attributable to a project. Here the term automobile refers to on-road passenger vehicles, specifically cars and light trucks." Therefore, a VMT analysis was not required as trip generation associated with the project is fewer than 110 trips and is considered to have a less than significant impact.

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

FINDING: NO IMPACT:

Reviewing agencies and departments did not express concern with the project to indicate that there is inadequate emergency access or hazards due to a design feature of the site. The project is subject to requirements for emergency apparatus accessibility and would be reviewed further for compliance when building permits are issued for this project. The project site currently has site access on Kamm Avenue and is proposed to continue using this access point. No hazard has been identified.

XVIII. TRIBAL CULTURAL RESOURCES

Would the project:

- A. Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:
 - 1. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or

2. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?

FINDING: NO IMPACT:

As noted in Section V. Cultural Resources, the project proposes to utilize existing structures for their operation and do not propose additional development. The existing structures will be retrofitted for current code compliance and meet their needs. The subject site is not a listed historical resources.

The Table Mountain Rancheria responded to the County's request for consultation under the provisions of Assembly Bill 52 (AB 52) stating that they had concerns with the application. Staff reached out to representative of the Table Mountain Rancheria to clarify the project due to minimal ground disturbance proposed and confirm if the Rancheria would still like to pursue consultation. Staff contacted the representative on January 16, 2020 and again on April 1, 2020 and given a 15-day deadline from April 1, 2020 to confirm consultation. No response was submitted and therefore consultation under AB 52 was closed. No evidence was submitted or discovered to indicate the presence of a cultural resource.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

Per the State Water Resources Control Board, the project will be required to submit an application for a permit for a new public water system. Other reviewing agencies and departments including the Water and Natural Resources Division, the Regional Water Quality Control Board, and the Stinson Water District did not express concern with the project proposal to indicate inadequate water supplies to service the project proposal. As the project is already developed, the proposed use would not require additional construction of wastewater treatment, storm water drainage, electric power, natural gas, or telecommunications facilities as those improvements are existing and the proposed operation is expected to connect to the existing public utilities.

- 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: NO IMPACT:

The project site is proposed to be serviced by an existing septic system and no additional system is proposed. Reviewing agencies and departments did not express concern with the project to indicate that there is inadequate capacity to service the operation.

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

FINDING: NO IMPACT:

Reviewing agencies and departments did not express concern with the operation and proposed increase in waste generation. There were no comments received that indicate the project would result in solid waste generating in excess of the capacity of local infrastructure or impair solid waste reduction goals.

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:

Per the Fresno County Fire Hazard Severity in LRA 2007 Map, the subject property is not located in a state responsibility area or land classified as very high fire hazard severity zones. Therefore, the project will have no impact or risk associated with wildfire.

XXI. MANDATORY FINDINGS OF SIGNIFICANCE

Would the project:

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

FINDING: NO IMPACT:

The subject site is already improved with structures that are proposed to be utilized with the subject operation. There is no additional structure proposed with this project. The project will not substantially degrade the quality of the environment or substantially reduce the habitat of a fish or wildlife species.

- 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:

No cumulative considerable impact has been identified as a result of this analysis. Impacts related to Aesthetics have been determined to be less than significant with implementation of mitigation measures.

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

FINDING: NO IMPACT:

The project will not as a result of environmental effect have a substantial adverse effect on human beings.

CONCLUSION/SUMMARY

Based upon the Initial Study prepared for Classified Conditional Use Permit Application No. 3660, staff has concluded that the project will not have a significant effect on the environment. It has been determined that there would be no impacts to Agricultural and Forestry Resources,

Cultural Resources, Land Use Planning, Mineral Resources, Population and Housing, Public Services, Recreation, Tribal Cultural Resources, and Wildfire.

Potential impacts related to Air Quality, Biological Resources, Energy, Geology and Soils, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Hydrology and Water Quality, Noise, Transportation, and Utilities and Service Systems have been determined to be less than significant. Potential impacts relating to Aesthetics have determined to be less than significant with compliance with listed Mitigation Measures.

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

TK

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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. 7744 and Classified Conditional Use Permit Application No. 3660

Lead Agency: County of Fresno, Department of Public Works and Planning Contact Person: Thomas Kobayashi
Mailing Address: 2220 Tulare Street, 6th Floor Phone: (559) 600-4224
City: Fresno Zip: 93721 County: Fresno

Project Location: County: Fresno City/Nearest Community: San Joaquin
Cross Streets: W. Kamm Avenue approximately 950 feet east of State Route 145 Zip Code:
Longitude/Latitude (degrees, minutes and seconds): Total Acres: 8.04
Assessor's Parcel No.: 040-010-04 Section: 14 Twp.: 16S Range: 17E Base:
Within 2 Miles: State Hwy #: SR 145 Waterways:
Airports: Railways: Schools:

Document Type:

- CEQA: [] NOP [] Draft EIR [] Early Cons [] Supplement/Subsequent EIR [] Neg Dec [] Mit Neg Dec
NEPA: [] NOI [] EA [] Draft EIS [] FONSI
Other: [] Joint Document [] Final Document [] Other:

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
[] Commercial: Sq.ft. Acres Employees
[] Industrial: Sq.ft. Acres Employees
[] Educational:
[] Recreational:
[] Water Facilities: Type MGD
[] Transportation: Type
[] Mining: Mineral
[] Power: Type MW
[] Waste Treatment: Type MGD
[] Hazardous Waste: Type
[X] Other: Agricultural Fertilizer Operation in existing buildings

Project Issues Discussed in Document:

- [X] Aesthetic/Visual [] Fiscal [X] Recreation/Parks [] Vegetation
[X] Agricultural Land [X] Flood Plain/Flooding [X] Schools/Universities [X] Water Quality
[X] Air Quality [X] Forest Land/Fire Hazard [X] 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 [] 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 [X] Other: Energy/Wildfire

Present Land Use/Zoning/General Plan Designation:

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

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

Allow the production, packaging, and storage of organic fertilizer products on a 8.04-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.

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".

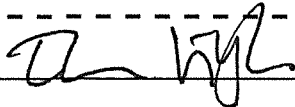
- | | |
|--|---|
| <input type="checkbox"/> Air Resources Board | <input type="checkbox"/> Office of Historic Preservation |
| <input type="checkbox"/> Boating & Waterways, Department of | <input type="checkbox"/> Office of Public School Construction |
| <input type="checkbox"/> California Emergency 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 # _____ | <input type="checkbox"/> Public Utilities Commission |
| <input type="checkbox"/> Caltrans Division of Aeronautics | <input checked="" type="checkbox"/> Regional WQCB # <u>Fresno</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 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 type="checkbox"/> SWRCB: Water Quality |
| <input type="checkbox"/> Energy Commission | <input checked="" type="checkbox"/> SWRCB: Water Rights |
| <input checked="" type="checkbox"/> Fish & Game Region # _____ | <input type="checkbox"/> Tahoe Regional Planning Agency |
| <input type="checkbox"/> Food & Agriculture, Department of | <input type="checkbox"/> Toxic Substances Control, Department of |
| <input type="checkbox"/> Forestry and Fire Protection, Department of | <input type="checkbox"/> Water Resources, Department of |
| <input type="checkbox"/> General Services, Department of | <input checked="" type="checkbox"/> Other: <u>U.S. Fish and Wildlife Services</u> |
| <input type="checkbox"/> Health Services, Department of | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Housing & Community Development | |
| <input type="checkbox"/> Native American Heritage Commission | |

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

Starting Date June 4, 2021 Ending Date July 5, 2021

Lead Agency (Complete if applicable):

Consulting Firm: <u>County of Fresno</u>	Applicant: <u>True Organics Products</u>
Address: <u>2220 Tulare Street, 6th Floor</u>	Address: <u>16782 W. Kamm Avenue</u>
City/State/Zip: <u>Fresno, CA 93721</u>	City/State/Zip: <u>Helm, CA 93627</u>
Contact: <u>Thomas Kobayashi</u>	Phone: <u>N/A</u>
Phone: <u>(559) 600-4224</u>	

Signature of Lead Agency Representative:  Date: 6/5/21

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

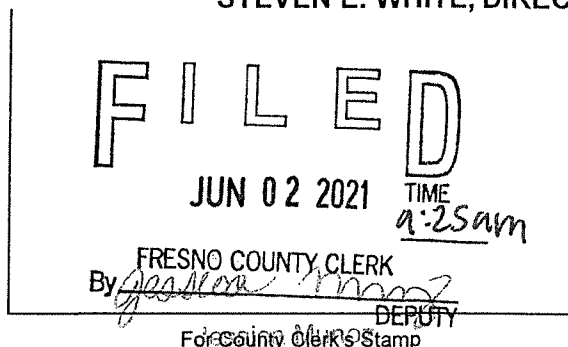


E202110000124

County of Fresno

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

NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION



Notice is hereby given that the County of Fresno has prepared Initial Study (IS) No. 7744 pursuant to the requirements of the California Environmental Quality Act for the following proposed project:

INITIAL STUDY NO. 7744 and CLASSIFIED CONDITIONAL USE PERMIT APPLICATION NO. 3660 filed by **TRUE ORGANICS PRODUCTS**, proposing to allow the production, packaging, and storage of organic fertilizer products on a 8.04-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District. The project site is located on the north side of W. Kamm Avenue, approximately 950 feet east of its nearest intersection with State Route 145 (S. Lassen Avenue), and is approximately 31,360 feet southeast of the City of San Joaquin (SUP. DIST. 1) (APN 040-010-04). Adopt the Mitigated Negative Declaration prepared for Initial Study No. 7744 and take action on Classified Conditional Use Permit Application No. 3660 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 No. 7744 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 June 4, 2021 through July 5, 2021.

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

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

IS No.7744 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), or at www.co.fresno.ca.us/initialstudies. An electronic copy of the draft Mitigated Negative Declaration for the Proposed Project may be obtained from Thomas Kobayashi at the addresses above.

E202110000124

Public Hearing

The Planning Commission will hold a public hearing to consider approving the Proposed Project and the Mitigated Negative Declaration on July 15, 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.

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

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

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

Written Comments

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

E202110000124

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.*

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. 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.

For questions please call Thomas Kobayashi (559) 600-4224.

Published: June 4, 2021



County of Fresno

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

NOTICE OF DETERMINATION

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

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

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

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

Project: Initial Study No. 7744, Classified Conditional Use Permit Application No.3660

Location: The project site is located on the north side of W. Kamm Avenue, approximately 950 feet east of its nearest intersection with State Route 145 (S. Lassen Avenue), and is approximately 31,360 feet southeast of the City of San Joaquin (SUP. DIST.: 1) (APN 040-010-04).

Sponsor: True Organics Products

Description: Allow the production, packaging, and storage of organic fertilizer products on a 8.04-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.

This is to advise that the County of Fresno (Lead Agency Responsible Agency) has approved the above described project on July 15, 2021, and has made the following determination:

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

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

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

Date

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DRAFT

File original and one copy with: Fresno County Clerk 2221 Kern Street Fresno, California 93721		Space Below For County Clerk Only. CLK-2046.00 E04-73 R00-00	
Agency File No: IS No. 7744	LOCAL AGENCY MITIGATED NEGATIVE DECLARATION		County Clerk File No: E-
Responsible Agency (Name): Fresno County	Address (Street and P.O. Box): 2220 Tulare St. Sixth Floor	City: Fresno	Zip Code: 93721
Agency Contact Person (Name and Title): Thomas Kobayashi Planner	Area Code: 559	Telephone Number: 600-4224	Extension: N/A
Project Applicant/Sponsor (Name): True Organics Products	Project Title: Classified Conditional Use Permit Application No. 3660		
Project Description: Allow the production, packaging and storage of organic fertilizer products on a 8.04-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District. The project site is located on the north side of W. Kamm Avenue, approximately 950 feet east of its nearest intersection with State Route 145 (S. Lassen Avenue), and is approximately 31,360 feet southeast of the City of San Joaquin.			
Justification for Negative Declaration: Based upon the Initial Study prepared for Classified Conditional Use Permit Application No. 3660, staff has concluded that the project will not have a significant effect on the environment. It has been determined that there would be no impacts to Agricultural and Forestry Resources, Cultural Resources, Land Use Planning, Mineral Resources, Population and Housing, Public Services, Recreation, Tribal Cultural Resources, and Wildfire. Potential impacts related to Air Quality, Biological Resources, Energy, Geology and Soils, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Hydrology and Water Quality, Noise, Transportation, and Utilities and Service Systems have been determined to be less than significant. Potential impacts relating to Aesthetics have determined to be less than significant with compliance with listed Mitigation Measures.			
FINDING: The proposed project will not have a significant impact on the environment.			
Newspaper and Date of Publication: Fresno Business Journal – June 4, 2021		Review Date Deadline: Planning Commission – July 15, 2021	
Date:	Type or Print Signature: David Randall Senior Planner	Submitted by (Signature): Thomas Kobayashi Planner	

State 15083, 15085

County Clerk File No.: _____

**LOCAL AGENCY
MITIGATED NEGATIVE DECLARATION**



County of Fresno

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

DATE: November 8, 2019

TO: Department of Public Works and Planning, Attn: Steven E. White, Director
Department of Public Works and Planning, Attn: Bernard Jimenez, Assistant Director
Department of Public Works and Planning, Attn: John R. Thompson, Assistant Director
Development Services and Capital Projects, Attn: William M. Kettler, Division Manager
Development Services and Capital Projects, Attn: Chris Motta, Principal Planner
Development Services and Capital Projects, Current Planning, Attn: Marianne Mollring, Senior Planner
Development Services and Capital Projects, Policy Planning, ALCC, Attn: Mohammad Khorsand, Senior Planner
Development Services and Capital Projects, Zoning & Permit Review, Attn: Daniel Gutierrez/James Anders
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: Mohammad Alimi/Dale Siemer/Brian Spaunhurst
Water and Natural Resources Division, Attn: Glenn Allen, Division Manager; Roy Jimenez
Department of Public Health, Environmental Health Division, Attn: Deep Sidhu/Steven Rhodes
Agricultural Commissioner, Attn: Melissa Cregan
U.S. Fish and Wildlife Service, San Joaquin Valley Division, Attn: Matthew Nelson, Biologist
CA Regional Water Quality Control Board, Attn: Dale Harvey
CALTRANS, Attn: Dave Padilla
CA Department of Fish and Wildlife, Attn: Craig Bailey, Environmental Scientist & R4CEQA@wildlife.ca.gov
State Water Resources Control Board, Division of Drinking Water, Fresno District, Attn: Jose Robledo, Caitlin Juarez
CA Department of Toxic Substance Control (CEQA unit), Attn: Dave Kerezis
Dumna Wo Wah Tribal Government, Attn: Robert Ledger, Tribal Chairman/Eric Smith, Cultural Resources Manager/Chris Acree, Cultural Resources Analyst
Picayune Rancheria of the Chukchansi Indians, Attn: Heather Airey/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
Stinson Canal & Irrigation Company, Attn: Herb Simmons, Engineer/Manager
Fresno County Fire Protection District, Attn: Jim McDougald, Division Chief
Excelsior Kings Resource Conservation District.

FROM: Thomas Kobayashi, Planner
Development Services and Capital Projects Division

SUBJECT: Initial Study Application No. 7744 and Classified Conditional Use Permit Application
No. 3660

APPLICANT: True Organics Products

DUE DATE: November 25, 2019

The Department of Public Works and Planning, Development Services and Capital Projects Division is reviewing the subject application proposing to allow the productions, packaging, and storage of organic fertilizer products on an 8.04-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District (16782 W. Kamm Avenue, Helm, CA) (040-010-04, previously 040-010-03U).

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 **November 25, 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, Thomas Kobayashi, 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) 600-4224, or email TKobayashi@FresnoCountyCA.gov.

TK
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Activity Code (Internal Review): 2381

Enclosures



Fresno County Department of Public Works and Planning

Date Received: 10/29/19 CUP 3660
IS 7744
(Application No.)

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

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

APPLICATION FOR:

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

DESCRIPTION OF PROPOSED USE OR REQUEST:

Conditional Use Permit to allow the production, packaging and storage of organic fertilizer products within an existing warehouse building within the AE-20 Zone District.

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: North _____ side of Kamm Avenue
between St. Rt. 145 _____ and S. Del Norte _____
Street address: 16782 W. Kamm Avenue

APN: 040-010-04 Parcel size: +/- 8.04 acres Section(s)-Twp/Rg: S 14 - T 16 S/R 17 E

ADDITIONAL APN(s): _____

I, Dirk Poeschel (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.

True Organics Products	16782 W. Kamm Ave	Helm	93627	
Owner (Print or Type)	Address	City	Zip	Phone
True Organics Products	16782 W. Kamm Ave	Helm	93627	
Applicant (Print or Type)	Address	City	Zip	Phone
Dirk Poeschel <u>LAND DEV. SVCS INC.</u>	923 Van Ness	Fresno	93721	
Representative (Print or Type)	Address	City	Zip	Phone

CONTACT EMAIL: dirk@dplds.com

OFFICE USE ONLY (PRINT FORM ON GREEN PAPER)

Application Type / No.: CUP 3660 Fee: \$4,564.00
 Application Type / No.: Re-App 19-106824 Fee: \$ -247.00
 Application Type / No.: _____ Fee: \$ _____
 Application Type / No.: _____ Fee: \$ _____
 PER/Initial Study No.: IS 7744 Fee: \$ 3,901.00
 Ag Department Review: _____ Fee: \$ 93.00
 Health Department Review: _____ Fee: \$ 992.00
 Received By: Thomas K. Invoice No.: 124317 TOTAL: \$ 9,308.00

UTILITIES AVAILABLE:

WATER: Yes / No
 Agency: Private Well

SEWER: Yes / No
 Agency: Private Septic

STAFF DETERMINATION: This permit is sought under Ordinance Section:

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

Related Application(s): _____

APN # _____ - _____ - _____

Zone District: AE-20

APN # _____ - _____ - _____

Parcel Size: 8.04 acres

APN # _____ - _____ - _____

APN # _____ - _____ - _____



Development Services
and
Capital Projects
Division

Pre-Application Review

Department of Public Works and Planning

NUMBER: 19-106824
APPLICANT: TRUE ORGANICS PRODUCTS
PHONE: (559) 230-0622

PROPERTY LOCATION: 16782 W. KAMM AVENUE
APN: 040 - 010 - 04 ALCC: No Yes # VIOLATION NO. NO
CNEL: No Yes (level) LOW WATER: No Yes WITHIN 1/2 MILE OF CITY: No Yes
ZONE DISTRICT: AE-20; SRA: No Yes HOMESITE DECLARATION REQ'D.: No Yes
LOT STATUS:

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

SCHOOL FEES: No Yes DISTRICT: GOLDEN PLAINS UNIFIED PERMIT JACKET: No Yes
FMFCD FEE AREA: () Outside () District No.: FLOOD PRONE: No Yes
PROPOSAL CONDITIONAL USE PERMIT TO ALLOW THE ORGANIC FERTILIZER PRODUCTS PACKAGING AND STORAGE FACILITY WITHIN EXISTING WAREHOUSE BUILDING WITHIN THE AE-20 ZONE DISTRICT

COMMENTS:
ORD. SECTION(S): 816.31 BY: ALBERT AGUILAR DATE: 8/7/19

GENERAL PLAN POLICIES:	PROCEDURES AND FEES:
LAND USE DESIGNATION: <u>Agriculture</u> () JGPA: <u> </u> () MINOR VA: <u> </u>	(<input checked="" type="checkbox"/>) HD: <u>\$ 992.00</u>
COMMUNITY PLAN: <u> </u> () JAA: <u> </u> (<input checked="" type="checkbox"/>) AG COMM: <u>\$ 93.00</u>	(<input checked="" type="checkbox"/>) JAG COMM: <u>\$ 93.00</u>
REGIONAL PLAN: <u> </u> (<input checked="" type="checkbox"/>) CUP: <u>\$ 4,519.00</u> () JALCC: <u> </u>	(<input checked="" type="checkbox"/>) IS PER: <u>\$ 3,901.00</u>
SPECIFIC PLAN: <u> </u> () JRA: <u> </u> () VIOL. (35%): <u> </u>	() VIOL. (35%): <u> </u>
SPECIAL POLICIES: <u> </u> () JVA: <u> </u> () Other: <u> </u>	() Other: <u> </u>
SPHERE OF INFLUENCE: <u> </u> () JAT: <u> </u>	
ANNEX REFERRAL (LU-G17/MOU): <u> </u> () JTT: <u> </u>	

COMMENTS:
Filing Fee: \$ 9,355.00
Pre-Application Fee: - \$247.00
Total County Filing Fee: \$ 9,308.00

FILING REQUIREMENTS:	OTHER FILING FEES:
(<input checked="" type="checkbox"/>) Land Use Applications and Fees	() Archaeological Inventory Fee: \$75 at time of filing
(<input checked="" type="checkbox"/>) This Pre-Application Review form	(Separate check to Southern San Joaquin Valley Info. Center)
(<input checked="" type="checkbox"/>) Copy of Deed / Legal Description	(<input checked="" type="checkbox"/>) CA Dept. of Fish & Wildlife (CDFW): (\$50) (\$50+\$2,354.75)
(<input checked="" type="checkbox"/>) Photographs	(Separate check to Fresno County Clerk for pass-thru to CDFW.
() Letter Verifying Deed Review	Must be paid prior to IS closure and prior to setting hearing date.)
(<input checked="" type="checkbox"/>) IS Application and Fees* * Upon review of project materials, an Initial Study (IS) with fees may be required.	
(<input checked="" type="checkbox"/>) Site Plans - 4 copies (folded to 8.5"x11") + 1 - 8.5"x11" reduction	
(<input checked="" type="checkbox"/>) Floor Plan & Elevations - 4 copies (folded to 8.5"x11") + 1 - 8.5"x11" reduction	
(<input checked="" type="checkbox"/>) Project Description / Operational Statement (Typed)	
() Statement of Variance Findings	
() Statement of Intended Use (ALCC)	
() Dependency Relationship Statement	
() Resolution/Letter of Release from City of <u> </u>	
Referral Letter # <u> </u>	

BY: Thomas Kobayashi DATE: 9/3/19
PHONE NUMBER: (559) (100) - 4224

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)

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.

RECEIVED
COUNTY OF FRESNO
OCT 29 2019
DEPARTMENT OF PUBLIC WORKS AND PLANNING
DEVELOPMENT SERVICES DIVISION

OVER.....



RECEIVED
COUNTY OF FRESNO

OCT 29 2019

DEPARTMENT OF PUBLIC WORKS
AND PLANNING
DEVELOPMENT SERVICES DIVISION

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. 7744

Project No(s). CUP 3660

Application Rec'd.:

GENERAL INFORMATION

1. **Property Owner :** True Organics Products, LLC. **Phone/Fax** (559) 866-3001

Mailing Address: P.O. Box 7192 Spreckels CA / 93962
Street City State/Zip

2. **Applicant :** True Organics Products, LLC **Phone/Fax:** (559) 866-3001

Mailing Address: P.O. Box 7192 Spreckels CA / 93962
Street City State/Zip

3. **Representative:** Dirk Poeschel Land Development Services Inc. **Phone/Fax:** (559)445-0374

Mailing Address: 923 Van Ness Ave Fresno CA / 93721
Street City State/Zip

4. **Proposed Project:** Allow the packaging of organic fertilizer products and establishment of a storage facility within an existing warehouse building.

5. **Project Location:** Southwest corner of W. Kamm Ave. and St. Rt. 145

6. **Project Address:** 20225 W Kamm Ave. Helm, CA 93627

7. **Section/Township/Range:** 14 / 16 S. / 17 E. 8. **Parcel Size:** +/- 7.7 acres

9. **Assessor's Parcel No.** 040-010-03S

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

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

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

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

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

13. Existing Zone District¹: AE-20

14. Existing General Plan Land Use Designation¹: Agricultural

ENVIRONMENTAL INFORMATION

15. Present land use: Agricultural
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: None

Any perennial or intermittent water courses? If so, show on map: N/A

Is property in a flood-prone area? Describe:
N/A

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

19. **Transportation:**

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

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

B. Daily traffic generation:

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

II. Commercial - Number of Employees _____
Number of Salesmen _____
Number of Delivery Trucks _____
Total Square Footage of Building _____

III. Describe and quantify other traffic generation activities: _____
See attached operational statement.

20. Describe any source(s) of noise from your project that may affect the surrounding area: _____
N/A

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: _____
employee vehicles, distribution trucks, and emissions from organic fertilizer.

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

24. Anticipated volume of water to be used (gallons per day)²: 500 gallons per day
25. Proposed method of liquid waste disposal:
 septic system/individual
 community system³-name _____
26. Estimated volume of liquid waste (gallons per day)²: 50 gallons per day
27. Anticipated type(s) of liquid waste: Sewage
28. Anticipated type(s) of hazardous wastes²: N/A
29. Anticipated volume of hazardous wastes²: N/A
30. Proposed method of hazardous waste disposal²: N/A
31. Anticipated type(s) of solid waste: Poly bags, broken pallets, cardboard
32. Anticipated amount of solid waste (tons or cubic yards per day): 1 cubic yard per day
33. Anticipated amount of waste that will be recycled (tons or cubic yards per day): 1 cubic yard per day
34. Proposed method of solid waste disposal: Landfill / Recycler
35. Fire protection district(s) serving this area: Cal Fire
36. Has a previous application been processed on this site? If so, list title and date: None
37. Do you have any underground storage tanks (except septic tanks)? Yes _____ No X
38. If yes, are they currently in use? Yes _____ No _____

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


 SIGNATURE

09.29.2019
 DATE

¹Refer to Development Services Conference Checklist

²For assistance, contact Environmental Health System, (559) 600-3357

³For County Service Areas or Waterworks Districts, contact the Resources Division, (559) 600-4259

NOTICE AND ACKNOWLEDGMENT

INDEMNIFICATION AND DEFENSE

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

STATE FISH AND WILDLIFE FEE

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

The following projects are exempt from the fees:

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

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

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

Dan Poemul

Applicant's Signature

OCT. 29. 2019

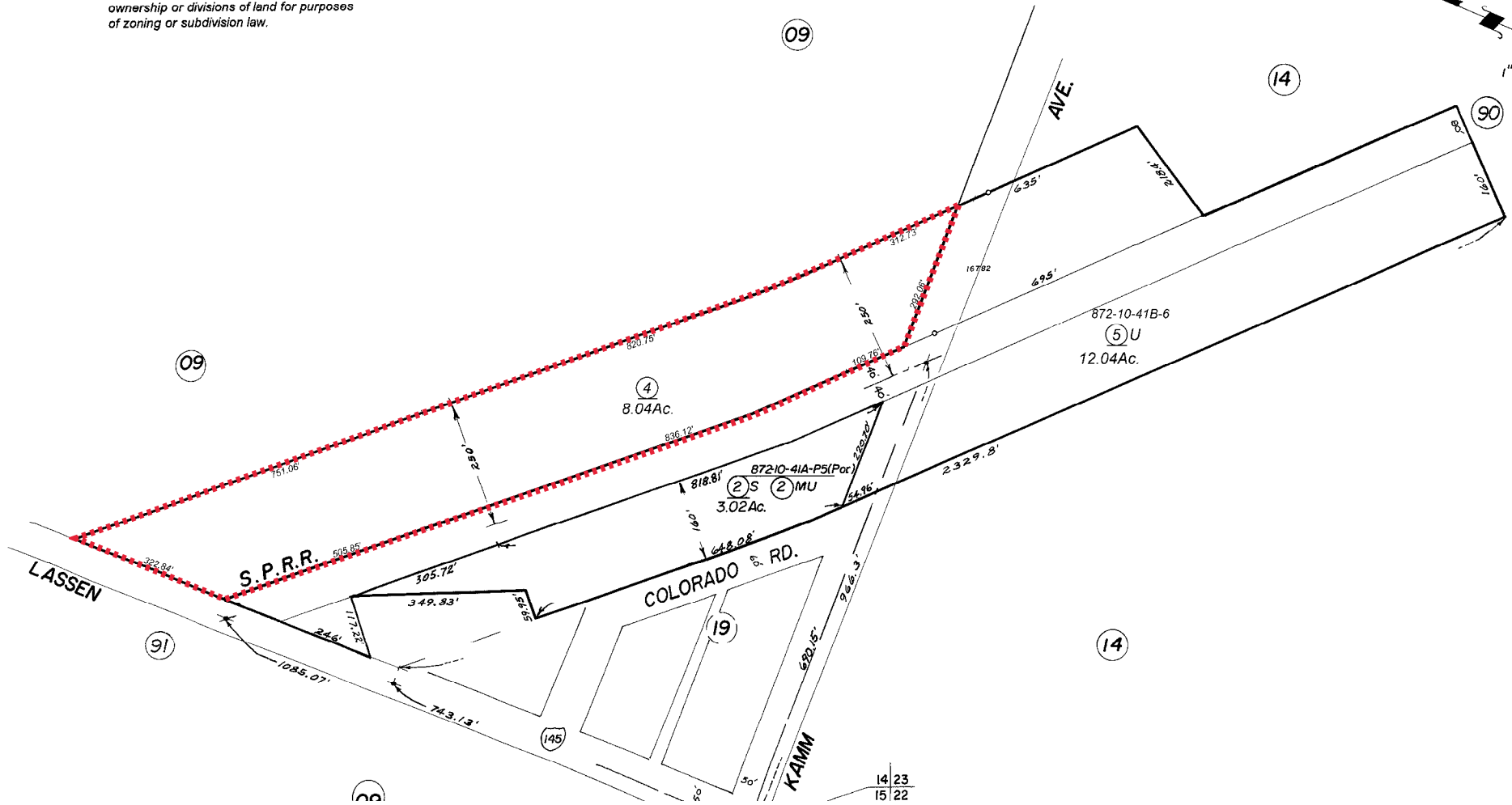
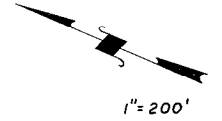
Date

— 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.

RAILROAD R./W. IN SEC'S. 14&23, T.16 S., R.17 E., M.D.B. & M.

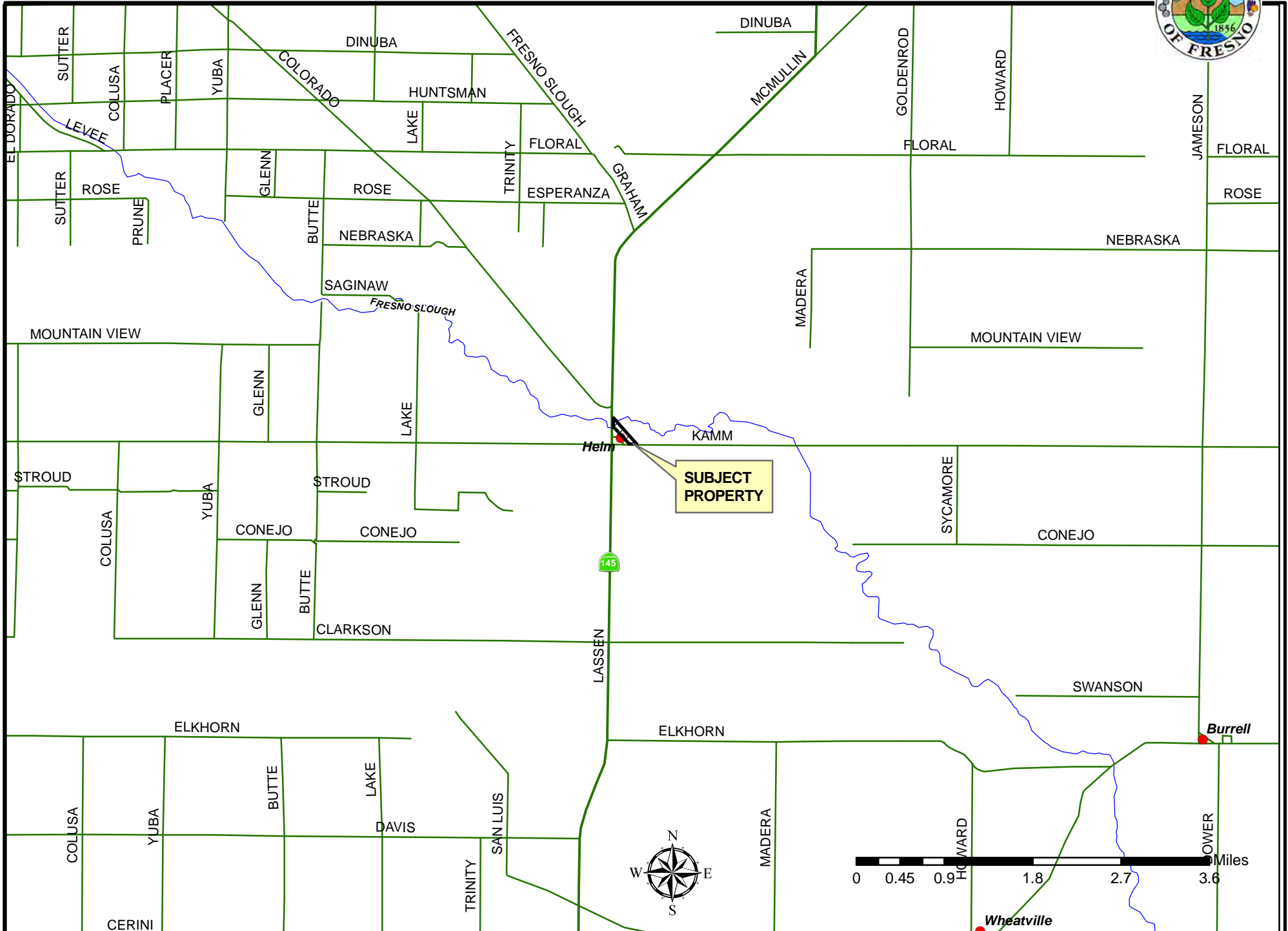
Tax Area
 III-003

40-01

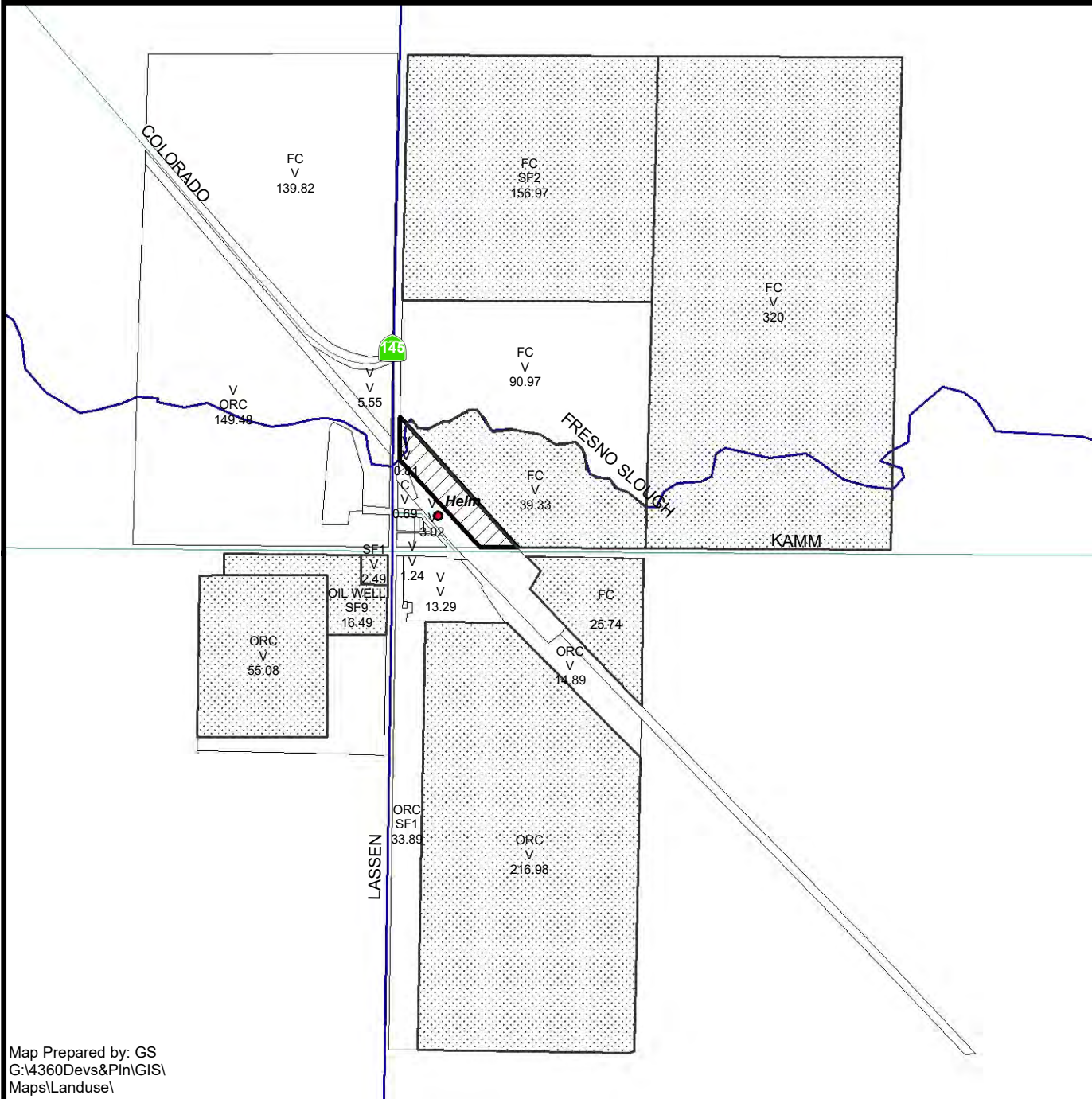


14	23
15	22

LOCATION MAP





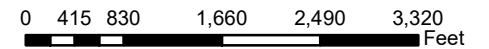
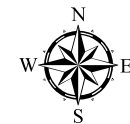
EXISTING LAND USE MAP



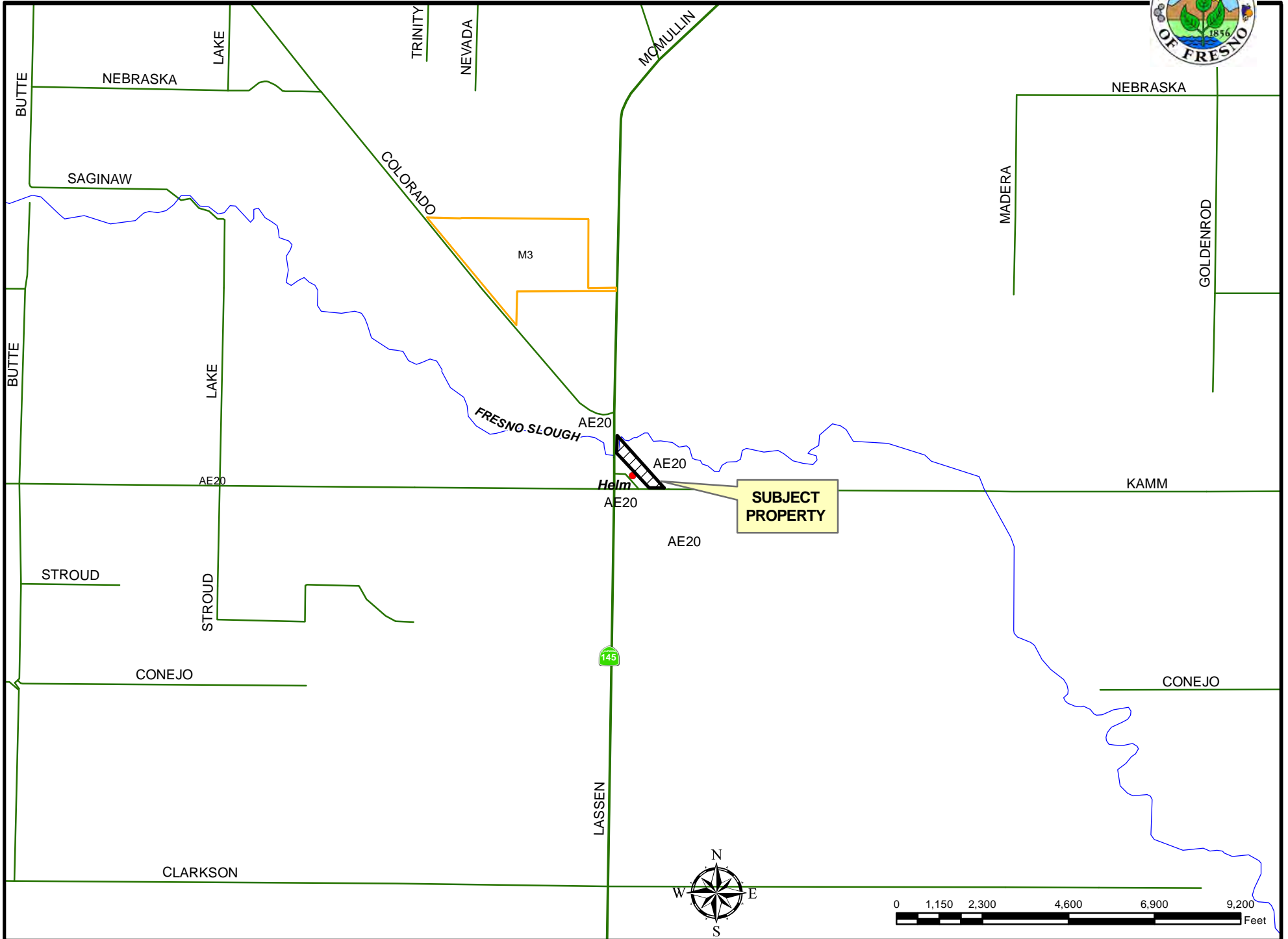
LEGEND
C - COMMERCIAL
FC - FIELD CROP
ORC - ORCHARD
SF# - SINGLE FAMILY RESIDENCE
V - VACANT

LEGEND:

-  Subject Property
-  Ag Contract Land



EXISTING ZONING MAP



FRESNO County Recorder
Paul Dictos, C.P.A.
DOC-
2017-0099197-00
Acct 3078-Chicago Title - Fresno
Wednesday, AUG 09, 2017 14:29:26
Ttl Pd \$469.00 Rcpt # 0004821431
ELP/R6/1-7

CHICAGO TITLE Co.
45000513-500
RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO:

True Organic Products, LLC
P.O. Box 7192
Spreckels, California 93962

MAIL TAX STATEMENTS TO:

True Organic Products, LLC
P.O. Box 7192
Spreckels, California 93962

RECEIVED
COUNTY OF FRESNO

OCT 29 2019

DEPARTMENT OF PUBLIC WORKS
AND PLANNING
DEVELOPMENT SERVICES DIVISION

(Space Above Line for Recorder's Use Only)

APN: PKA: 040-010-003 W

1900-29

DOCUMENTARY TRANSFER TAX \$ 440.00

- Computed on the full value of the property conveyed
- Computed on the full value less liens and encumbrances remaining at the time of sale
- Not a sale (Rev. & Tax. Code Section 11927(a))

Paul Dictos CHICAGO TITLE CO.
Signature of Declarant or Agent Determining Tax

QUITCLAIM DEED

UNION PACIFIC RAILROAD COMPANY, a Delaware corporation (formerly known as Southern Pacific Transportation Company, a Delaware corporation) ("Grantor"), in consideration of the sum of Ten Dollars (\$10.00), and other valuable consideration to it duly paid, the receipt whereof is hereby acknowledged, does hereby REMISE, RELEASE and forever QUITCLAIM unto TRUE ORGANIC PRODUCTS, LLC, a California limited liability company ("Grantee"), whose mailing address is P.O. Box 7192, Spreckels, California 93962, and unto its successors and assigns forever, all of Grantor's right, title, interest, estate, claim and demand, both at law and in equity, of, in, and to the real estate ("Property") situated in Fresno County, State of California, as more particularly described in Exhibit A, attached hereto and made a part hereof.

EXCEPTING FROM THIS QUITCLAIM AND RESERVING UNTO GRANTOR, its successors and assigns, forever, all minerals and all mineral rights of every kind and character now known to exist or hereafter discovered underlying the Property, including, without limiting the generality of the foregoing, oil and gas and rights thereto, together with the sole, exclusive and perpetual right to explore for, remove and dispose of said minerals by any means or methods suitable to Grantor, its successors and assigns, but without entering upon or using the surface of

CHICAGO TITLE CO.
45000513-526

**RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO:**

True Organic Products, LLC
P.O. Box 7192
Spreckels, California 93962

MAIL TAX STATEMENTS TO:

True Organic Products, LLC
P.O. Box 7192
Spreckels, California 93962

This Document Was
Recorded Electronically

(Space Above Line for Recorder's Use Only)

1900-29

APN: PN: 040-010-0034

DOCUMENTARY TRANSFER TAX \$ 440.00

Computed on the full value of the property conveyed

Computed on the full value less liens and
encumbrances remaining at the time of sale

Not a sale (Rev. & Tax. Code Section 11927(a))

[Signature] - CHICAGO TITLE CO.
Signature of Declarant or Agent Determining Tax

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the Property, and in such manner as not to damage the surface of the Property, or to interfere with the use thereof by Grantee, its successors or assigns.

The Property is quitclaimed by Grantor subject to the following covenants, conditions and restrictions which Grantee, by the acceptance of this Quitclaim Deed, covenants for itself, its successors and assigns, faithfully to keep, observe and perform:

(a) Restriction on Use. The Property must not be used for (i) residential, (ii) lodgings or accommodations (including, without limitation, hotels, motels, boarding houses, dormitories, hospitals, nursing homes, or retirement centers), or (iii) educational or child-care facilities (including, without limitation, schools, kindergartens or day-care centers).

(b) Environmental.

(i) "As Is" Sale. Grantee, for itself, its successors and assigns, including any successor owner of any interest in the Property, acknowledges and agrees that the Property has been sold and quitclaimed to and accepted by Grantee in an "AS IS" condition, with all faults, and Grantee acknowledges that the Property may have been used for railroad and/or industrial purposes, among other uses. Grantee acknowledges and agrees that any information Grantee may have received from Grantor or its agents concerning the Property (including, but not limited to, any lease or other document, engineering study or environmental assessment) was furnished on the condition that Grantee would make an independent verification of the accuracy of the information. Grantor does not make any representations or warranties of any kind whatsoever, either express or implied, with respect to the Property; in particular, without limitation, Grantor makes no representations or warranties with respect to the use, condition, title, occupation or management of the Property, or compliance with applicable statutes, laws, codes, ordinances, regulations, requirements (collectively, "Condition of the Property"). Grantee acknowledges and agrees that the Property has been sold and quitclaimed on the basis of Grantee's own independent investigation of the physical and environmental conditions of the Property. Grantee assumes the risk that adverse physical and environmental conditions may not have been revealed by its investigation.

(ii) Release and Indemnity. GRANTEE, FOR ITSELF, ITS SUCCESSORS AND ASSIGNS, INCLUDING ANY SUCCESSOR OWNER OF ANY INTEREST IN THE PROPERTY, HEREBY RELEASES GRANTOR, AND, TO THE MAXIMUM EXTENT PERMITTED BY LAW, INDEMNIFIES, DEFENDS AND SAVES HARMLESS GRANTOR, ITS AFFILIATES, THEIR EMPLOYEES, AGENTS, OFFICERS, SUCCESSORS AND ASSIGNS, FROM AND AGAINST ANY AND ALL SUITS, ACTIONS, CAUSES OF ACTION, LEGAL OR ADMINISTRATIVE PROCEEDINGS, CLAIMS, DEMANDS, FINES, PUNITIVE DAMAGES, LOSSES, COSTS, LIABILITIES AND EXPENSES, INCLUDING ATTORNEYS' FEES, IN ANY WAY ARISING

OUT OF OR CONNECTED WITH THE KNOWN OR UNKNOWN CONDITION OF THE PROPERTY (INCLUDING, WITHOUT LIMITATION, ANY CONTAMINATION IN, ON, UNDER OR ADJACENT TO THE PROPERTY BY ANY HAZARDOUS OR TOXIC SUBSTANCE OR MATERIAL), OR ANY FEDERAL, STATE OR LOCAL LAW, ORDINANCE, RULE OR REGULATION APPLICABLE THERETO, INCLUDING, WITHOUT LIMITATION, THE TOXIC SUBSTANCES CONTROL ACT, THE COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION AND LIABILITY ACT, AND THE RESOURCE CONSERVATION AND RECOVERY ACT. THE FOREGOING WILL APPLY REGARDLESS OF ANY NEGLIGENCE OR STRICT LIABILITY OF GRANTOR, ITS AFFILIATES, OR THEIR EMPLOYEES, AGENTS OR OFFICERS:

(c) Covenants to Run with Land. The foregoing covenants, conditions, and restrictions shall run with the Property, the burdens of which will be binding on the successors and assigns of Grantee and the benefits of which will inure to the successors and assigns of Grantor. A breach of the foregoing covenants, conditions, and restrictions, or the continuance thereof, may, at the option of Grantor, its successors or assigns, be enjoined, abated, or remedied by appropriate proceedings.

(Remainder of page intentionally left blank.)

IN WITNESS WHEREOF, Grantor has caused this Quitclaim Deed to be duly executed as of the 26th day of July, 2017.

Attest:

**UNION PACIFIC RAILROAD COMPANY,
a Delaware corporation**

BJ Kubat
Assistant Secretary

By: Tony K Love
Title: Assistant Vice President - Real Estate

(Seal)

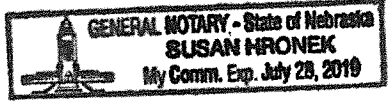
STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

On July 26, 2017, before me, Susan Hronek, Notary Public in and for said County and State, personally appeared Tony K Love and BJ Kubat, who are the Assistant Vice President - Real Estate and the Assistant Secretary, respectively, of UNION PACIFIC RAILROAD COMPANY, a Delaware corporation, and who are personally known to me (or proved to me on the basis of satisfactory evidence) to be the persons whose names are subscribed to in the within instrument, and acknowledged to me that they executed the same in their authorized capacities, and that by their signatures on the instrument the persons, or the entity upon behalf of which the persons acted, executed the instrument.

WITNESS my hand and official seal.

Susan Hronek
Notary Public

(Seal)



Grantee hereby accepts this Quitclaim Deed and agrees for itself, its successors and assigns, to be bound by the covenants set forth herein.

Dated this 8th day of August, 2017.

TRUE ORGANIC PRODUCTS, LLC,
a California limited liability company

By: _____
 Its: President Jacob Evans

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA)
) ss.
 COUNTY OF _____)

see loose sheet
 Attached. *[Signature]*

On _____, 2017, before me, _____, Notary Public, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

 Notary Public

(Seal)

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)

County of Monterey)

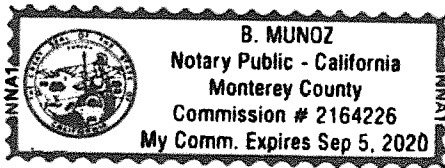
On 8 August 2017 before me, B. Muñoz, Notary Public
Date Here Insert Name and Title of the Officer

personally appeared Jacob Evans
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature [Handwritten Signature]
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: _____ Document Date: _____

Number of Pages: _____ Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

Corporate Officer — Title(s): _____

Partner — Limited General

Individual Attorney in Fact

Trustee Guardian or Conservator

Other: _____

Signer Is Representing: _____

Signer's Name: _____

Corporate Officer — Title(s): _____

Partner — Limited General

Individual Attorney in Fact

Trustee Guardian or Conservator

Other: _____

Signer Is Representing: _____

Union Pacific Railroad Company

Fresno County, California

Exhibit "A"

That certain real property situate in the Southwest quarter of Section 14, Township 16 South, Range 17 East, Mount Diablo Base and Meridian, in the County of Fresno, State of California, being more particularly described as follows:

Commencing at the Southwest corner of said Section 14; thence

South 89°38'02" East, along the South line of said Section 14, a distance of 1023.05 feet to a point lying 40.00 feet northeasterly from the centerline of the main track of the Union Pacific Railroad, measured at right angles thereto and the TRUE POINT OF BEGINNING; thence

North 43°39'34" West, parallel with said centerline, 109.76 feet, more or less, to the beginning of a tangent curve, concave northeasterly and having a radius of 11419.19 feet; thence

Northwesterly, along the arc of said curve and parallel to said centerline, through a central angle of 4°11'43", a distance of 836.12 feet; thence

North 39°27'51" West, parallel with said centerline, 505.85 feet, more or less, to the East right of way line of State Highway 145; thence

North 1°06'46" East, along said East right of way line, 322.84 feet, more or less, to a point lying 250.00 feet northeasterly of said centerline, measured at right angles thereto; thence

South 39°27'51" East, parallel with said centerline, 751.06 feet to the beginning of a tangent curve, concave northeasterly and having a radius of 11209.19 feet; thence

Southeasterly, along said curve and parallel with said centerline, through a central angle of 4°11'43", a distance of 820.75 feet; thence

South 43°39'34" East, parallel with said centerline, 312.73 feet, more or less, to the South line of said Section 14; thence

North 89°38'02" West, along said South line, 292.06 feet, more or less, to the TRUE POINT OF BEGINNING.

Containing an area of 8.04 acres, more or less.

Union Pacific Railroad Co.
Real Estate Department
Omaha, NE.

LD 0190029
June 7, 2017

October 29, 2019

RECEIVED
COUNTY OF FRESNO

OCT 29 2019

DEPARTMENT OF PUBLIC WORKS
AND PLANNING
DEVELOPMENT SERVICES DIVISION


Mr. Bernard Jimenez, Deputy Director
Fresno County Public Works and
Development Services Division
2220 Tulare Street
Fresno, CA 93721

SUBJECT: Letter of Authorization: True Organic Products Inc.
Fertilizer Manufacturing Plant at 20225 W Kamm Ave. and
Warehouse at 16782 W. Kamm Ave.

Dear Mr. Jimenez:

This letter authorizes *Dirk Poeschel Land Development Services, Inc.* to submit and process the land use and air quality permits to allow for the subject facilities to be operated by my company on the subject properties. If you have any questions regarding this matter, please feel free to contact me.

Sincerely,



True Organics Products Inc

**True Organic Products, LLC
16782 W. Kamm Avenue
Helm, CA
Operational Statement
October 7, 2019**

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

RECEIVED
COUNTY OF FRESNO
OCT 29 2019

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

DEPARTMENT OF PUBLIC WORKS
AND PLANNING
DEVELOPMENT SERVICES DIVISION

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

APN: 7.7 +/- acres (040-010-03S)

Location: 16782 W. Kamm Avenue
The southwest corner of W. Kamm Ave. and St. Rt. 145

Request: Approval of a Conditional Use Permit (CUP) for the wholesale packaging and storage of agricultural fertilizer.

Background:

The True Organic Products fertilizer manufacturing plant is located at 20225 W. Kamm Avenue. That facility will produce a fertilizer that will be transported to the site via truck for packaging and storage. The site is designated as Agriculture in the Fresno County General Plan and is zoned AE-20.

Project Purpose

To increase production efficiency. There will be no new buildings on the site. The existing buildings will be modified, for the proposed use and updated for energy efficiency, etc.

Justification:

Fresno County General Plan Policy LU-A.3 and General Plan Table LU-3 provides the County with the authority to allow the packaging and storage of fertilizer through the approval of a discretionary permit in agricultural areas subject to various criteria. The applicability of the proposed use of the project can be met under the following criteria:

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.

Project Operations:

The proposed True Organic facility will have a small office component, outside storage of bulk containerized product, and indoor processing and storage areas.

The facility will operate 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.

The product and associated packaging material will be hauled to and from the site in 25-ton-capacity trucks owned by True Organics, and occasionally by privately contracted haulers. The incoming material will be contained in bulk packaging and covered in tarps to be transported off-site.

The amount of material processed will vary depending on the time of year, product availability and market demand

At any one time, 50,000 to 250, 000 tons of material will be stored on site in accordance with all applicable standards, until market factors dictate its transportation to the end user

Employees/Site Operational Time Limits

<u>Shift</u>	<u>Hours</u>	<u>Employees</u>
Day Shift	7am to 5pm	15
Night (maintenance)	10pm to 6pm	2

Number of Visitors

Deliveries of will average about 2 per day. The site is wholesale only so there are no visitors.

Employees

It is estimated there will be 15 employees working on the site at any one time. In the future, the total number of employees working on the site may be as high as 20. The facility operates at extended hours so not all the employees are on-site at the same time.

Service and delivery Vehicles

Five True Organics trucks will be used for product transportation.

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.

Traffic

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

The Institute of Transportation Engineers (ITE) Trip Generation Manual 10th edition, Land Use Code 110 *Light Industrial* estimates .67 AM PEAK trips will be generated per employee or 15 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 45.75 total daily employee related trips (3.05 trip generation factor X 15 employees=45.75 total daily employee trips).

It is estimated 15 daily truck trips will be generated by the project or 30 truck trip ends. This traffic is somewhat seasonal but represents the project's highest volume, *worst case* truck generation scenario.

Proposed Weekday New Truck Trips	Proposed Weekday Employee Trips
30	45

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

Current parking is provided foremployees and ...as shown on the project site plan. The parking area will be either paved with asphalt or covered in compacted gravel.

Goods sold on-site

No sales will take place on the site.

Equipment List

Bag and boxing machines

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 will be clean and free of debris and is located in an isolated area of Fresno County. The proposed storage area will also have perimeter fencing for security and to reduce fugitive dust from adversely affecting adjacent properties.

Solid and liquid waste

A minimal amount of solid waste will be generated by the office and employees. It is estimated that the daily solid waste is less than .1 cyd. 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

Water will be supplied by an on-site well. Water is used in the restrooms and employee break room. In addition, water may occasionally be used for dust control. Typical domestic water usage (restroom and employee break room) would be approximately 150 gallons a day. The intermittent use of water for maintenance and dust control cannot be accurately quantified but is not significant.

Signage

Signage will comply with Fresno County standards.

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.

No new buildings will be constructed.

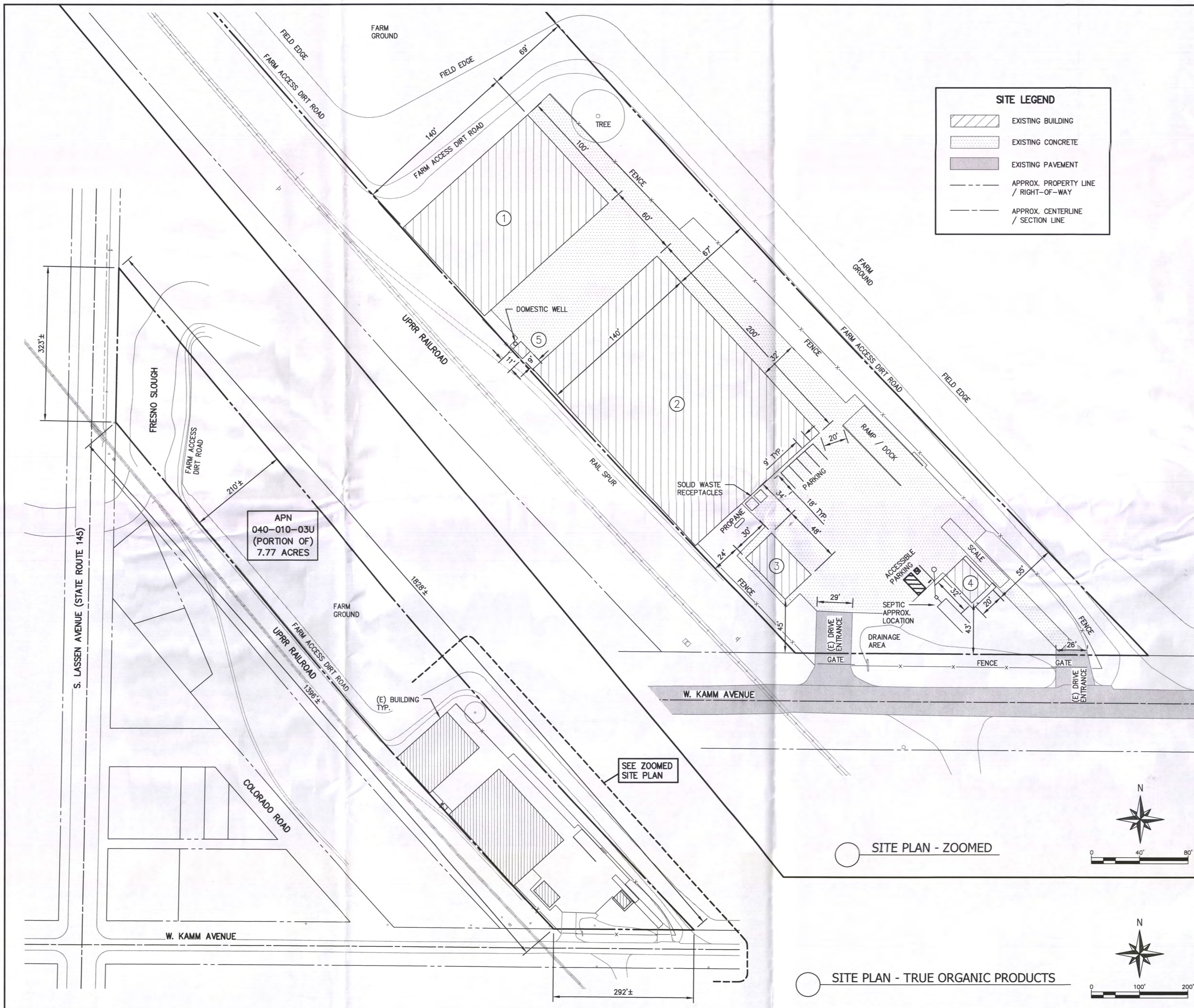
Outdoor Lighting

All outdoor lighting will be located on the site for operational purposes. All lights will be shielded or otherwise directed to keep on-site lighting from impacting adjacent properties.

Landscaping & Fencing

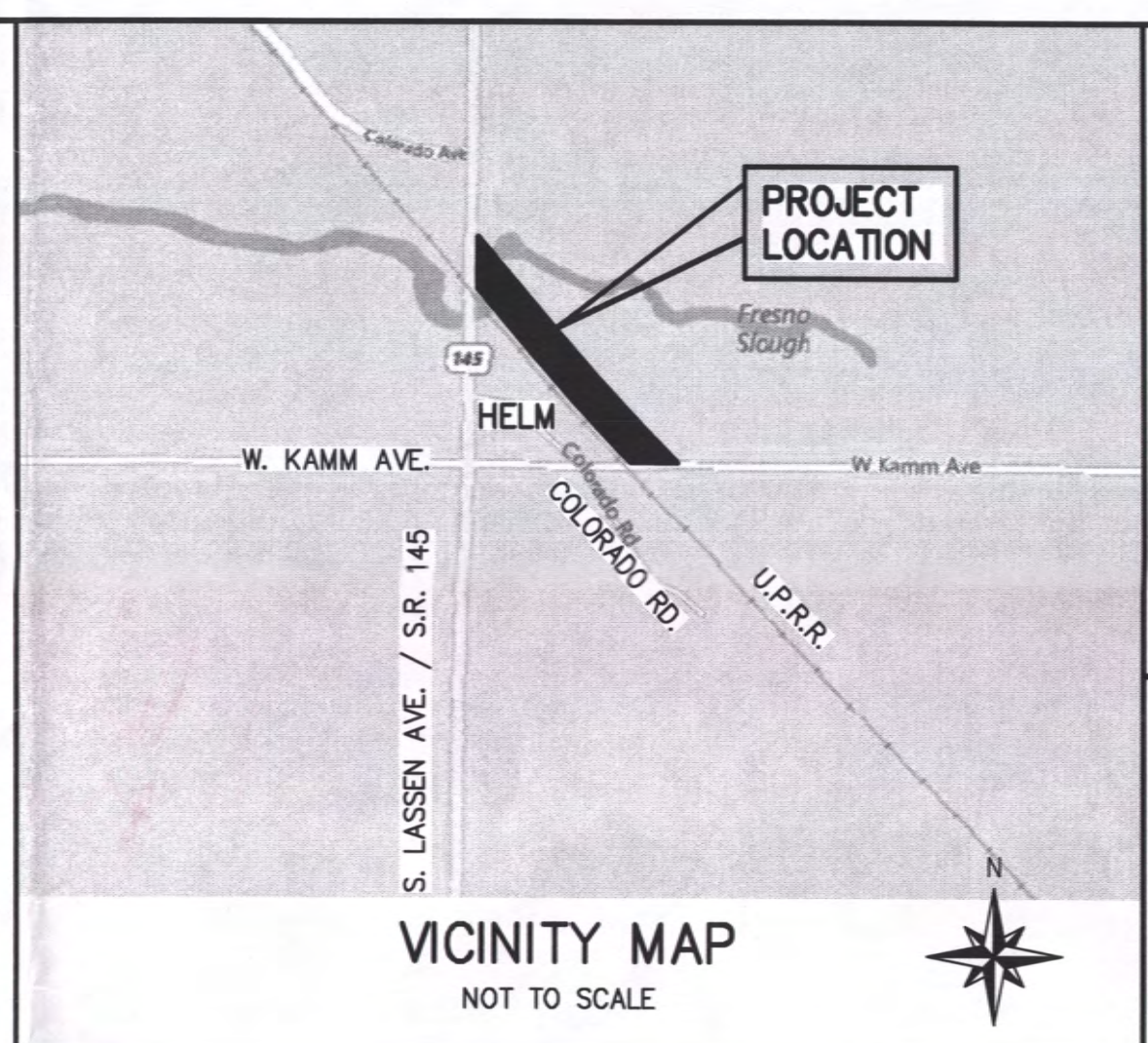
Future landscaping is proposed as illustrated on the project site plan.

c:\users\dirk\autotask workplace\current clients>true organics-warehouse 19-18\operational statement.doc



SITE LEGEND

	EXISTING BUILDING
	EXISTING CONCRETE
	EXISTING PAVEMENT
	APPROX. PROPERTY LINE / RIGHT-OF-WAY
	APPROX. CENTERLINE / SECTION LINE



SCALES
0 = 1" = 25mm
0 = 25mm
IF THIS BAR IS NOT AS SHOWN, ADJUST SCALES ACCORDINGLY

2019 COPYRIGHT BY JTOSTE ENGINEERING
THIS DRAWING AND/OR DOCUMENT SHALL NOT BE ALTERED, REPRODUCED, CHANGED, TRANSFERRED, OR COPIED WITHOUT WRITTEN CONSENT FROM JTOSTE ENGINEERING. UNAUTHORIZED USE OF THIS DRAWING AND/OR DOCUMENT BY A THIRD PARTY WILL HOLD JTOSTE ENGINEERING HARMLESS.



PROPERTY DATA

OWNER	TRUE ORGANIC PRODUCTS, INC. PO BOX 7192 SPRECKELS, CA 93962 559-866-3001
JURISDICTION	COUNTY OF FRESNO
ZONING	AE-20 EXCLUSIVE AGRICULTURAL
SITE AREA	7.77 ACRES
APN #	040-010-003u (PORTION)
SITE ADDRESS	16782 W. KAMM AVENUE HELM, CA 93627
WATER	DOMESTIC WELL (EXISTING)
SEWER	SEPTIC (EXISTING)
GAS	LPG (EXISTING)
ELECTRIC	PGE

SHEET: SITE PLAN
DATE: 10-11-2019
DRAWN: JT
CHECKED: JT
PROJECT NO: 0007-1902

BUILDING DATA

BLDG. ID #	DESCRIPTION	SQUARE FOOTAGE (APPROX.)
1	EXISTING AG STORAGE BUILDING	14,000
2	EXISTING AG STORAGE BUILDING	28,000
3	EXISTING GREENHOUSE	1,440
4	EXISTING OFFICE / SCALEHOUSE	640
5	EXISTING WELL PUMPHOUSE	100

PROJECT:
PLANNING DRAWINGS
TRUE ORGANIC PRODUCTS
16782 W. KAMM AVENUE
HELM, CA 93627
559-866-3001

SITE NOTES

NO SITE IMPROVEMENTS NOR BUILDINGS PROPOSED PER THIS PLAN. ALL IMPROVEMENTS SHOWN ON THIS PLAN ARE EXISTING UNLESS NOTED OTHERWISE.

THIS DRAWING DOES NOT REPRESENT ANY LEGAL SURVEYS AND IS FOR EXHIBIT PURPOSES ONLY.

APPROXIMATE LOCATIONS ARE REPRESENTED FOR UNDERGROUND AND ABOVE GROUND FACILITIES. ALL FEATURES ARE EXISTING UNLESS OTHERWISE NOTED AS PROPOSED.

BUILDING AND SITE DATA ARE APPROXIMATED FROM AERIAL PHOTOGRAPHY AND OTHER RECORD DATA.

ONE PARKING SPACE SHALL BE PROVIDED FOR EVERY TWO EMPLOYEES, ONE FOR EACH SALESPERSON, AND ONE FOR EACH COMPANY VEHICLE.

OUTDOOR LIGHTING SHALL BE HOODED AND DIRECTED AWAY FROM ADJACENT STREETS AND PROPERTIES.

PAVED DRIVE ENTRANCES SHALL BE 24-35 FEET WIDE.

ACCESSIBLE PARKING SHALL BE PROVIDED AND SHALL INCORPORATE ACCESSIBLE WALKWAYS AND BUILDING ENTRANCES.

MINIMUM NUMBER OF ACCESSIBLE PARKING SPACES:

- 1 ACCESSIBLE SPACE PER 1-25 TOTAL SPACES
- 2 ACCESSIBLE SPACE PER 26-50 TOTAL SPACES
- 3 ACCESSIBLE SPACE PER 51-75 TOTAL SPACES
- 4 ACCESSIBLE SPACE PER 76-100 TOTAL SPACES
- 5 ACCESSIBLE SPACE PER 101-150 TOTAL SPACES
- 6 ACCESSIBLE SPACE PER 151-200 TOTAL SPACES

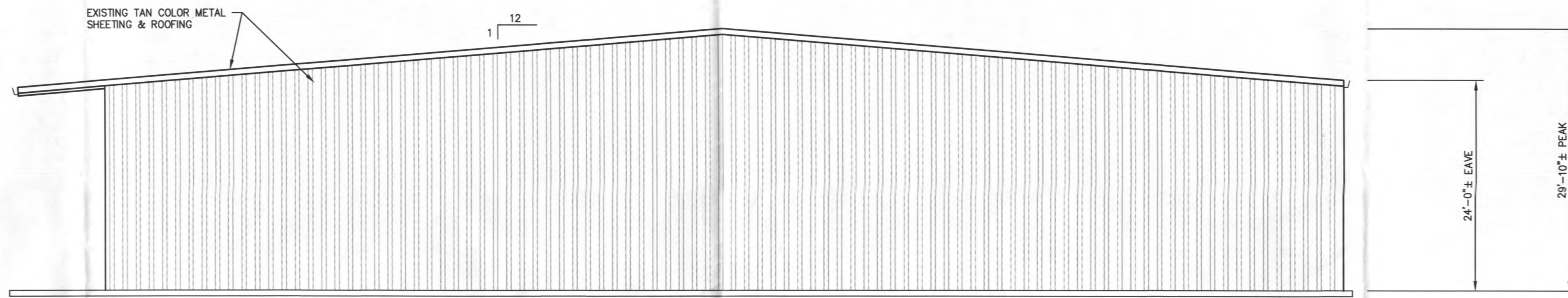
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JASON A. TOSTE, PE
RCE 77353
1750 MILESTONE WAY
TURLOCK, CA 95382
209-535-8027

PROJECT SHEET SET

SHEET #	DESCRIPTION
1	SITE PLAN
2	ELEVATIONS - EXISTING BUILDING 1
3	ELEVATIONS - EXISTING BUILDING 2
4	ELEVATIONS - EXISTING BUILDING 3
5	ELEVATIONS - EXISTING BUILDING 4

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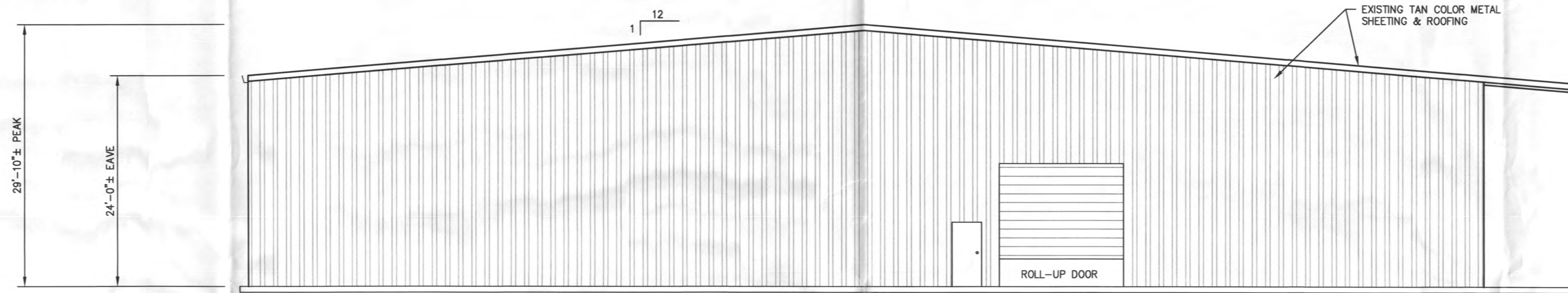
SHEET
1
OF 5



NORTH ELEVATION
Scale: 1/8" = 1'-0"

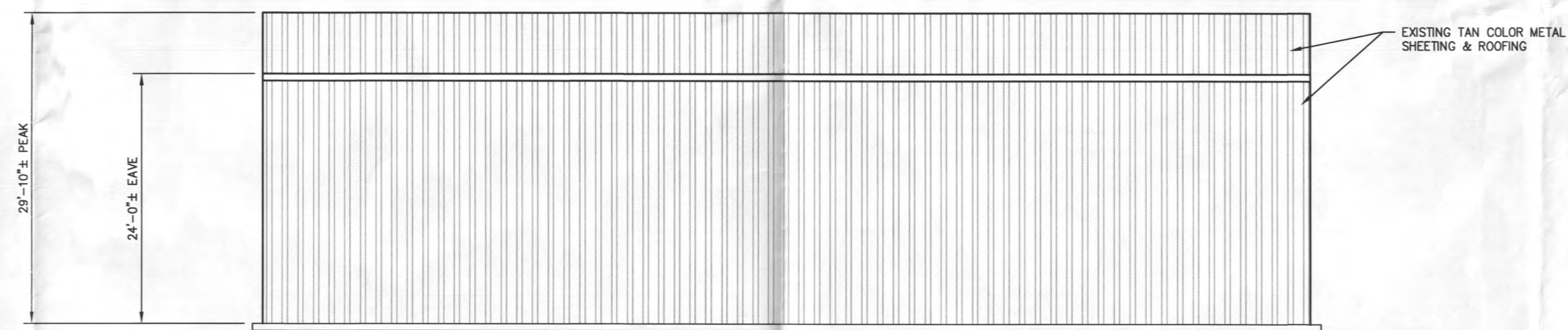
SCALES
 0 1"
 0 25mm
 IF THIS BAR IS NOT AS SHOWN, ADJUST SCALES ACCORDINGLY

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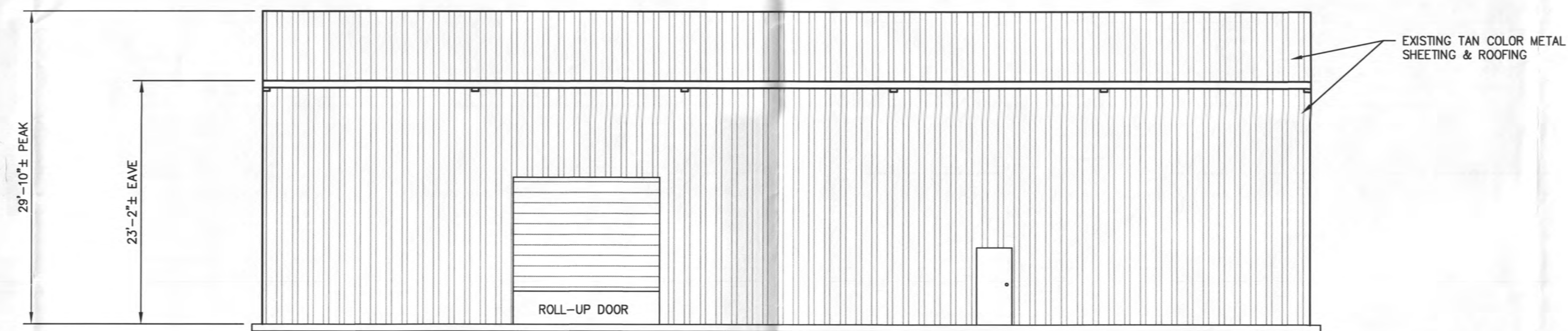
SOUTH ELEVATION
Scale: 1/8" = 1'-0"

SHEET: ELEVATIONS
 EXISTING BLDG. #1
 DATE: 10-11-2019
 DRAWN: JT
 CHECKED: JT
 PROJECT NO: 0007-1902



WEST ELEVATION
Scale: 1/8" = 1'-0"

PROJECT: PLANNING DRAWINGS
 TRUE ORGANIC PRODUCTS
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 559-866-3001

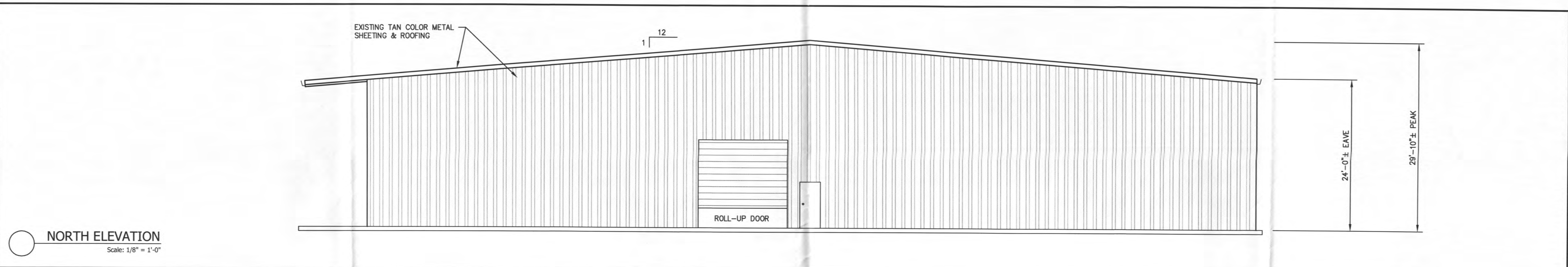


EAST ELEVATION
Scale: 1/8" = 1'-0"

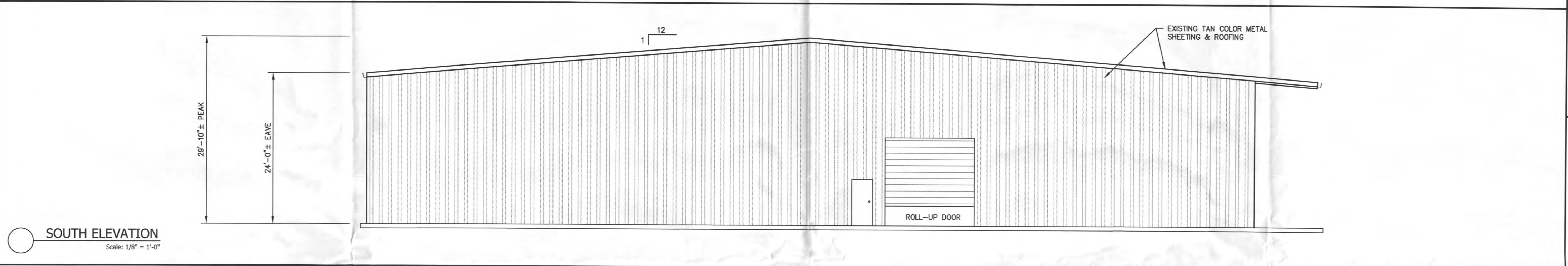
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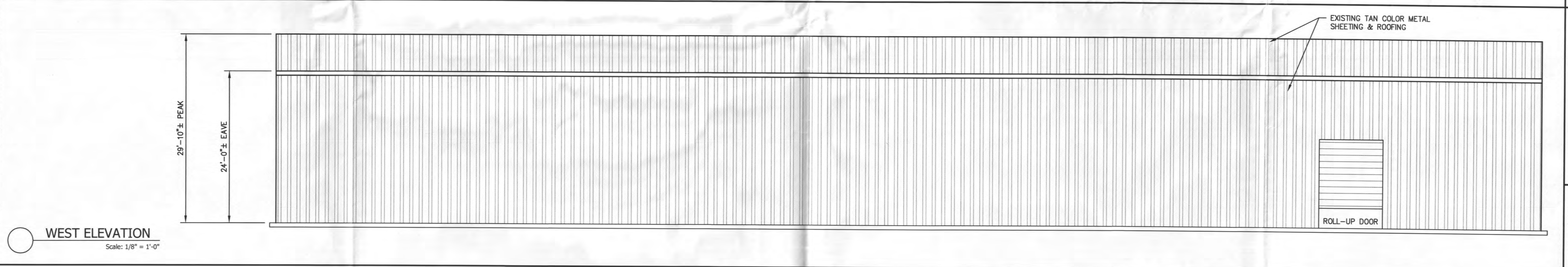
SHEET
 2
 OF 5



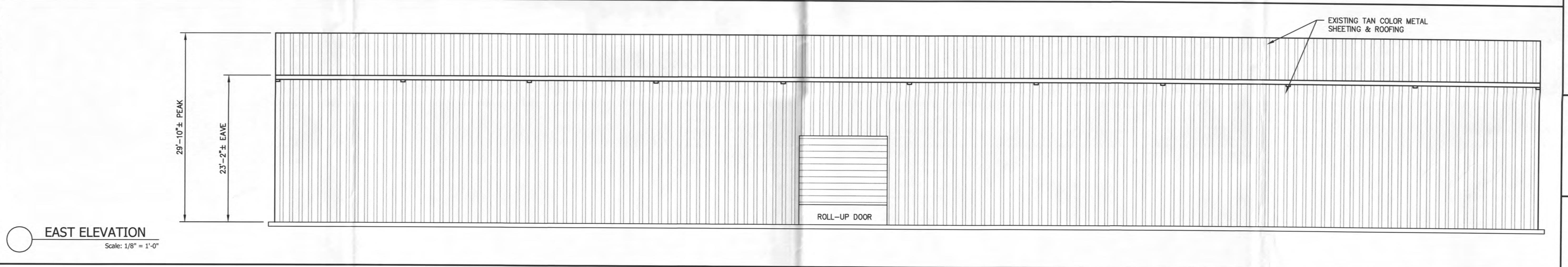
NORTH ELEVATION
Scale: 1/8" = 1'-0"



SOUTH ELEVATION
Scale: 1/8" = 1'-0"



WEST ELEVATION
Scale: 1/8" = 1'-0"



EAST ELEVATION
Scale: 1/8" = 1'-0"

SCALES
 0 1" = 1'0"
 0 25mm = 1'0"
 IF THIS BAR IS NOT AS SHOWN, ADJUST SCALES ACCORDINGLY

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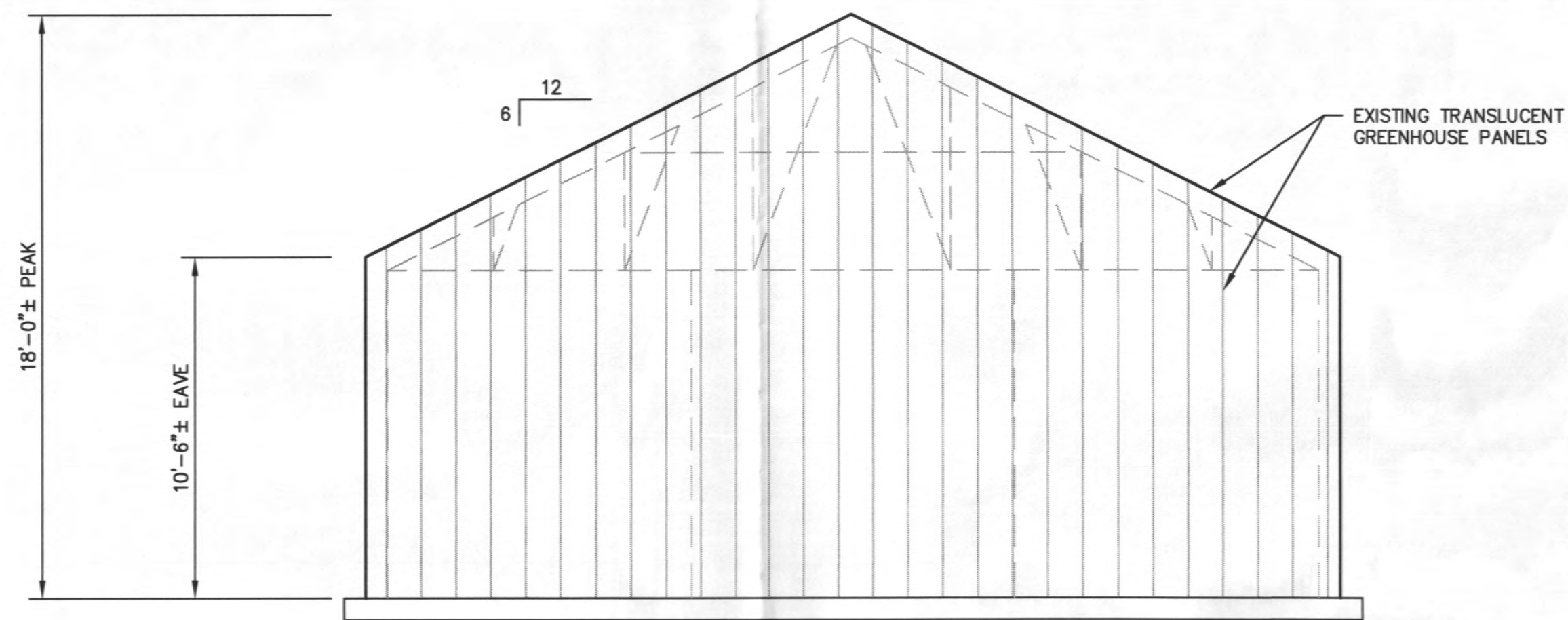
SHEET: ELEVATIONS
 EXISTING BLDG. #2
 DATE: 10-11-2019
 DRAWN: JT
 CHECKED: JT
 PROJECT NO: 0007-1902

PROJECT: PLANNING DRAWINGS
 TRUE ORGANIC PRODUCTS
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 HELM, CA 93627
 559-866-3001

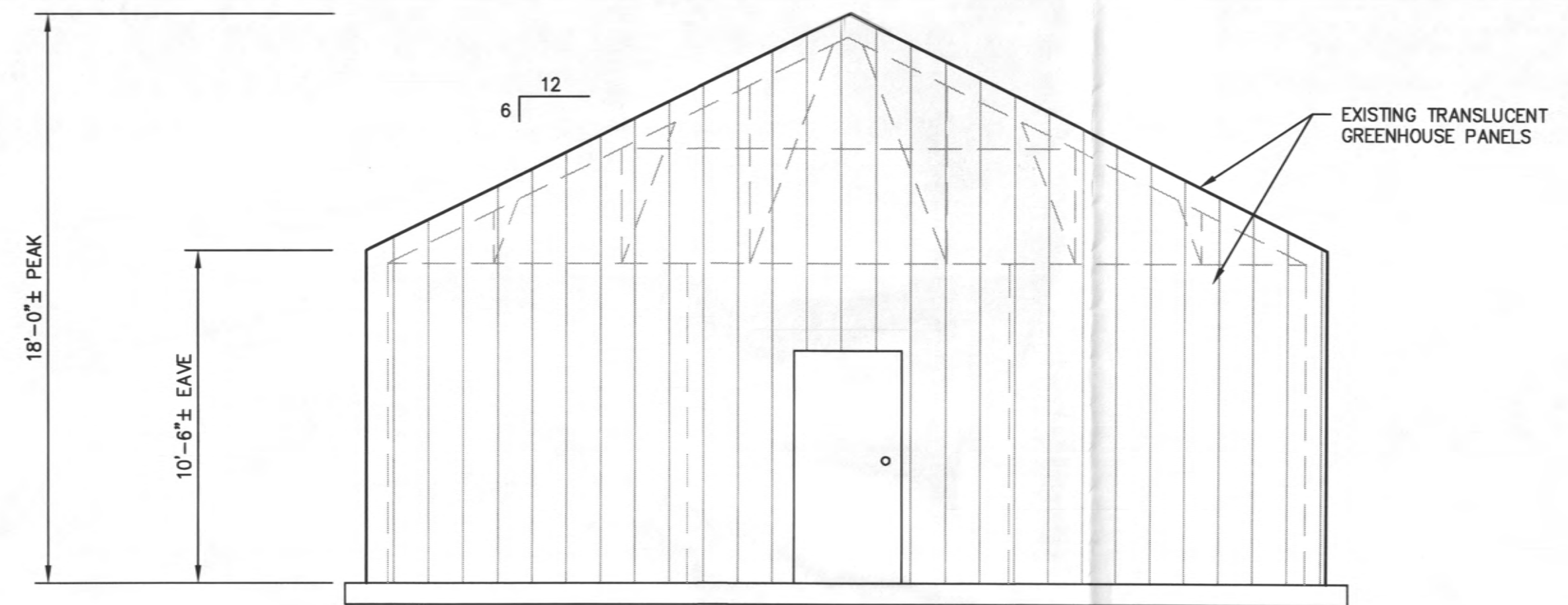
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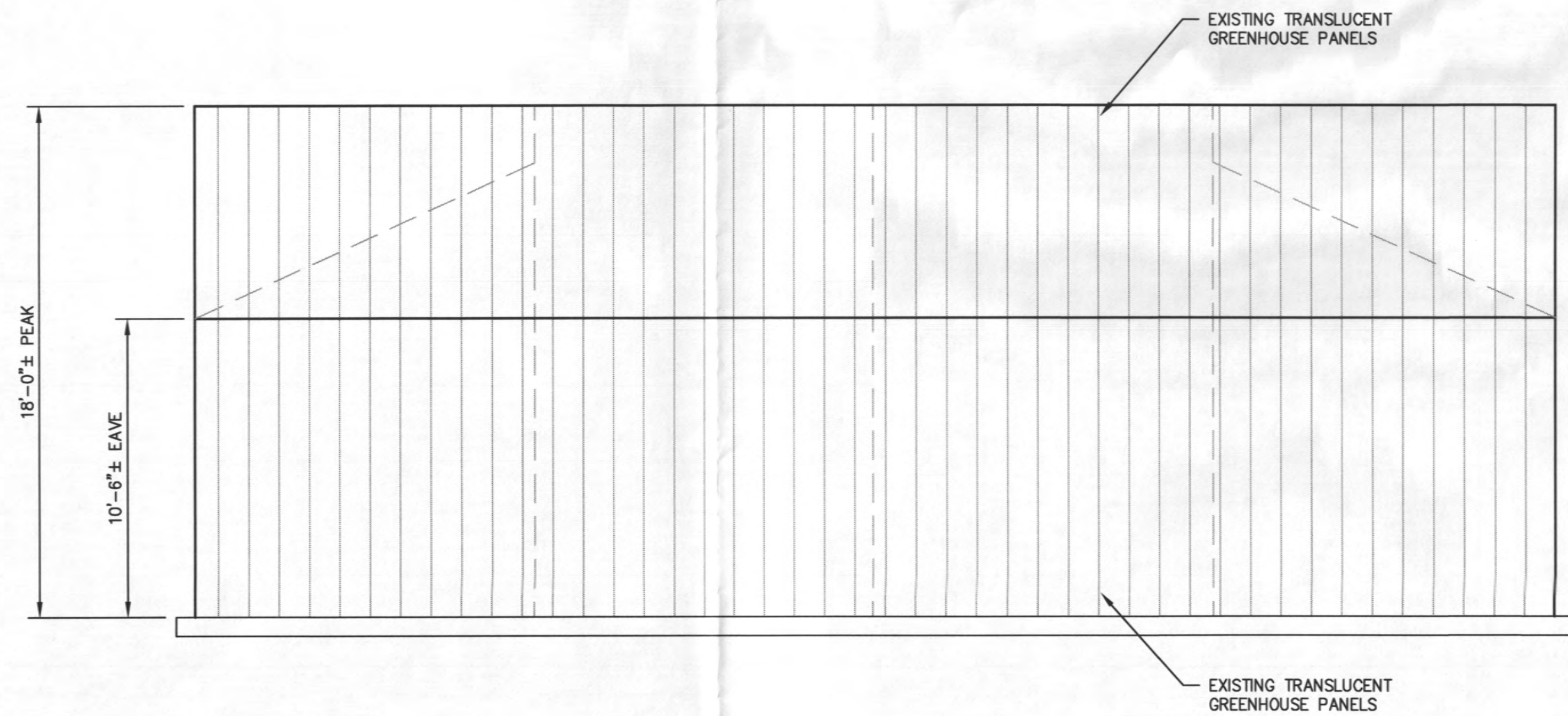
SHEET
 3
 OF
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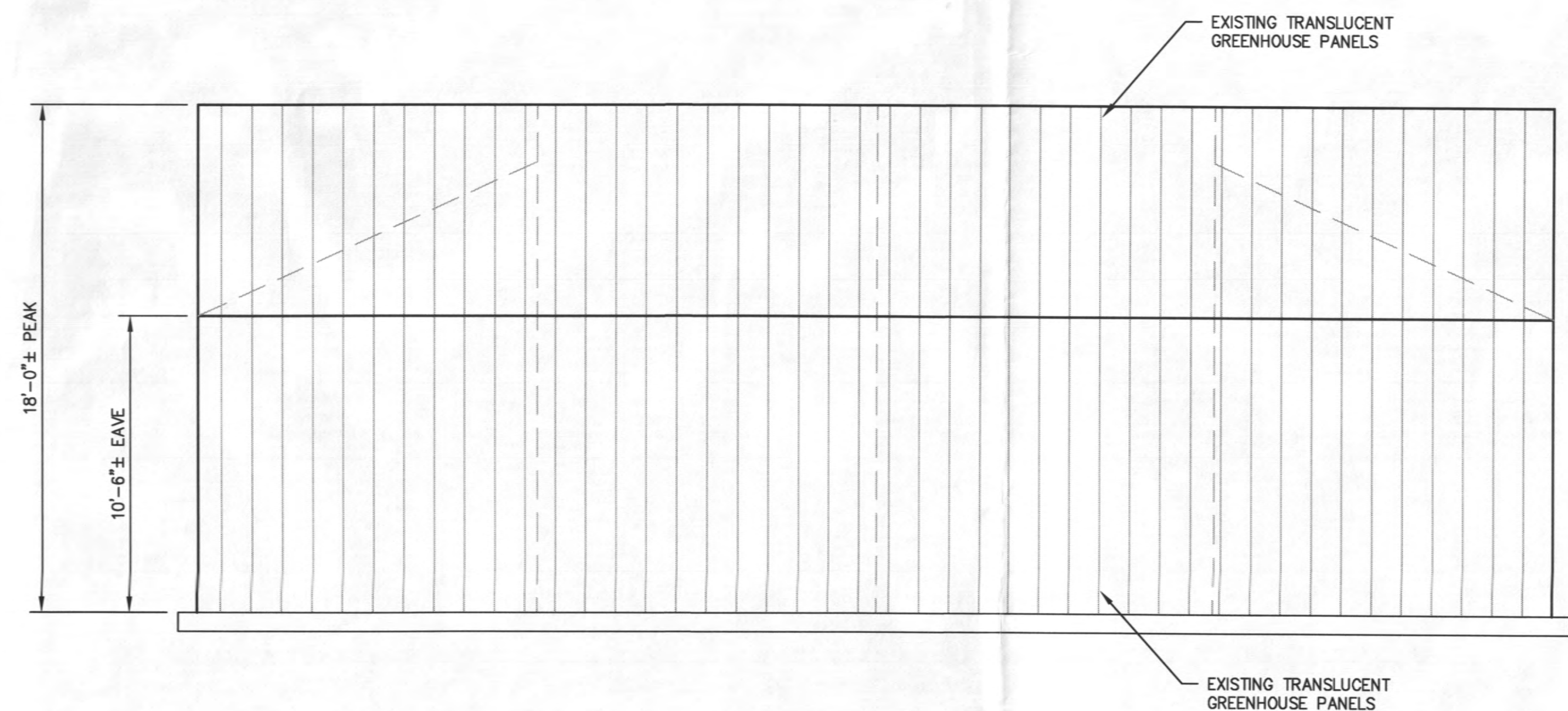
NORTH ELEVATION
Scale: 1/4" = 1'-0"



SOUTH ELEVATION
Scale: 1/4" = 1'-0"



WEST ELEVATION
Scale: 1/4" = 1'-0"



EAST ELEVATION
Scale: 1/4" = 1'-0"

SCALES
0 1"
0 25mm
IF THIS BAR IS NOT AS SHOWN, ADJUST SCALES ACCORDINGLY

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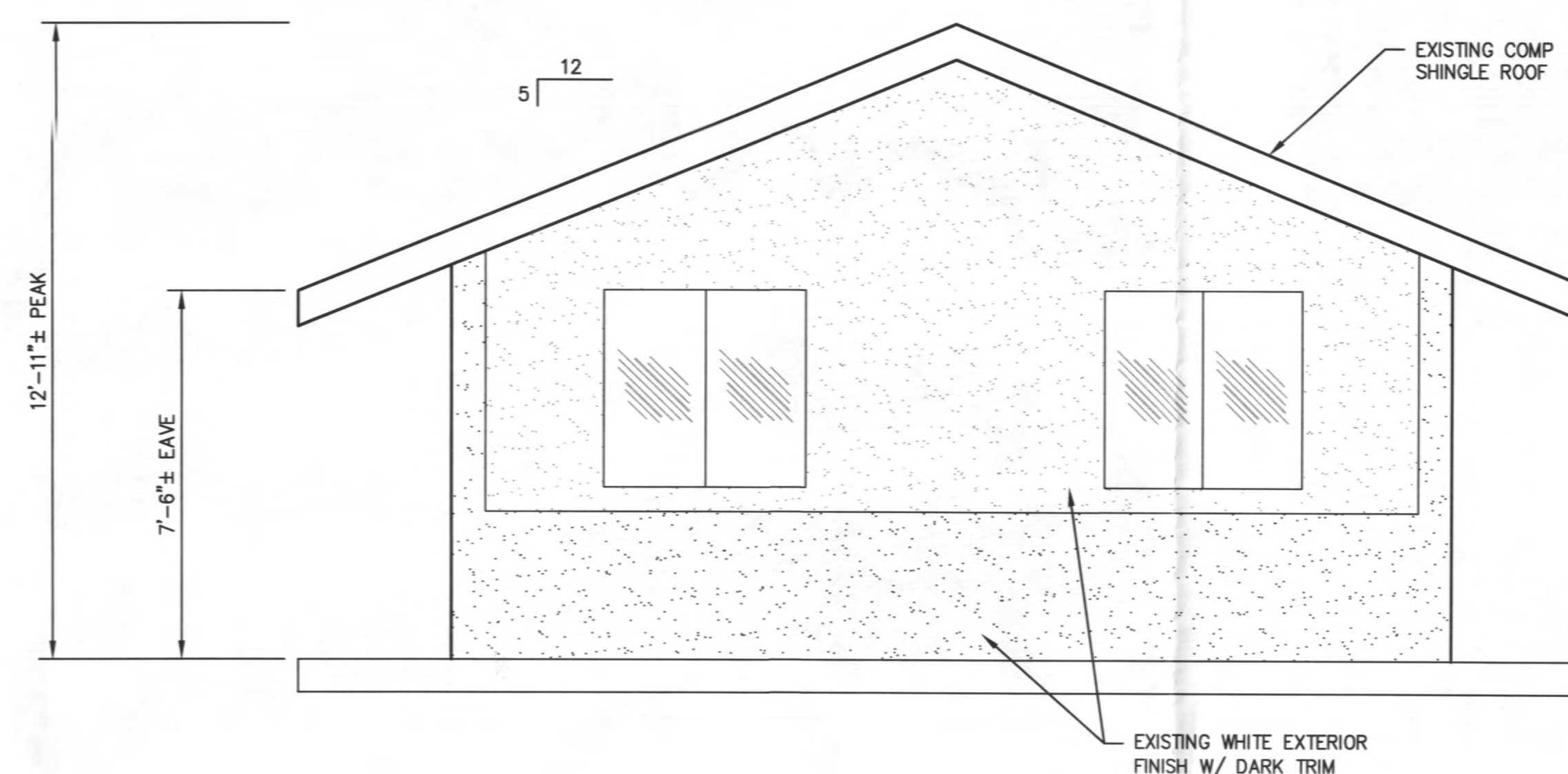
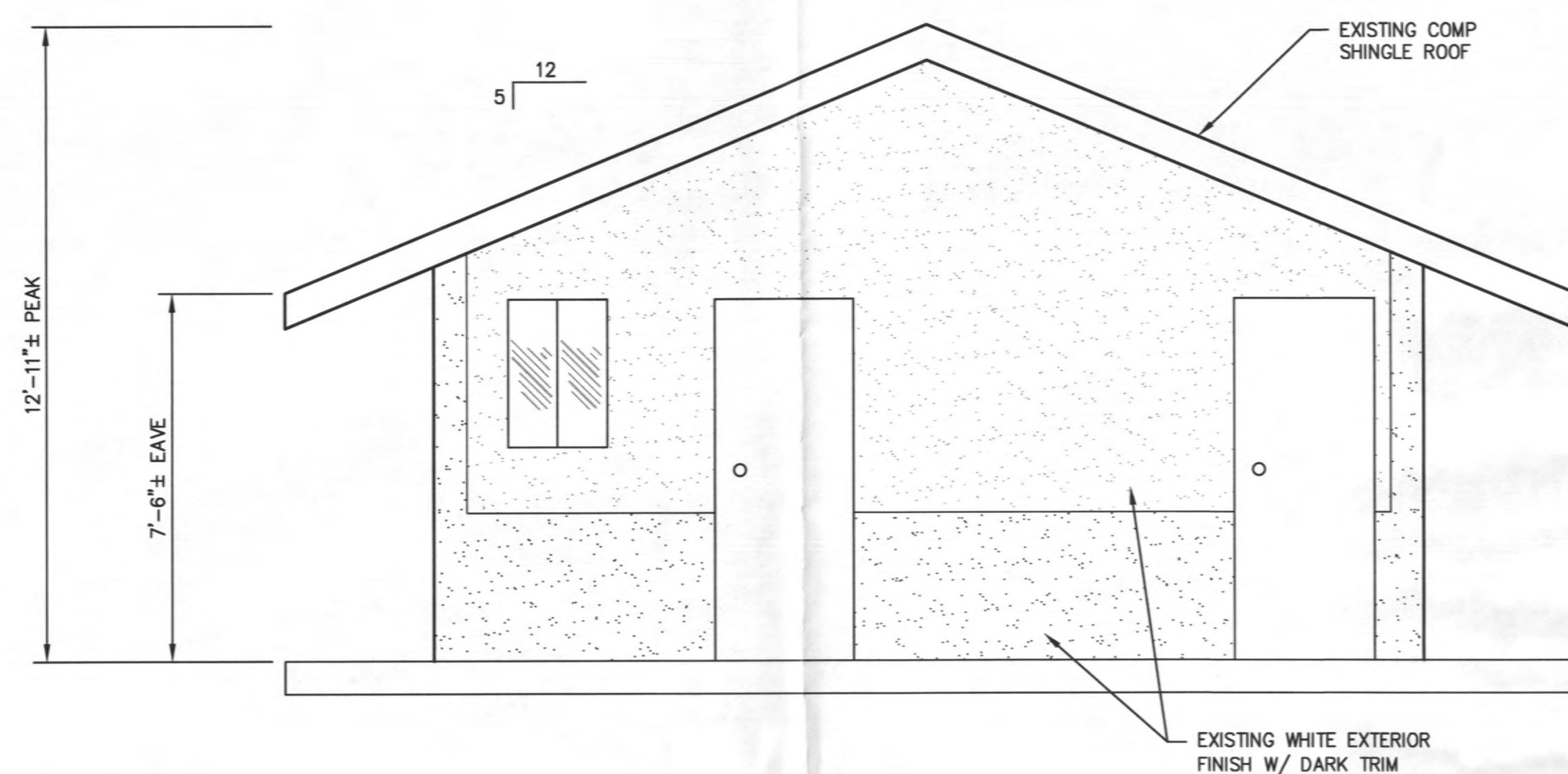
SHEET: ELEVATIONS
EXISTING BLDG. #3
DATE: 10-11-2019
DRAWN: JT
CHECKED: JT
PROJECT NO: 0007-1902

PROJECT:
PLANNING DRAWINGS
TRUE ORGANIC PRODUCTS
18782 W. KAMM AVENUE
HELM, CA 95627
559-866-3001

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JASON A. TOSTE, PE
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1750 MILESTONE WAY
TURLOCK, CA 95382
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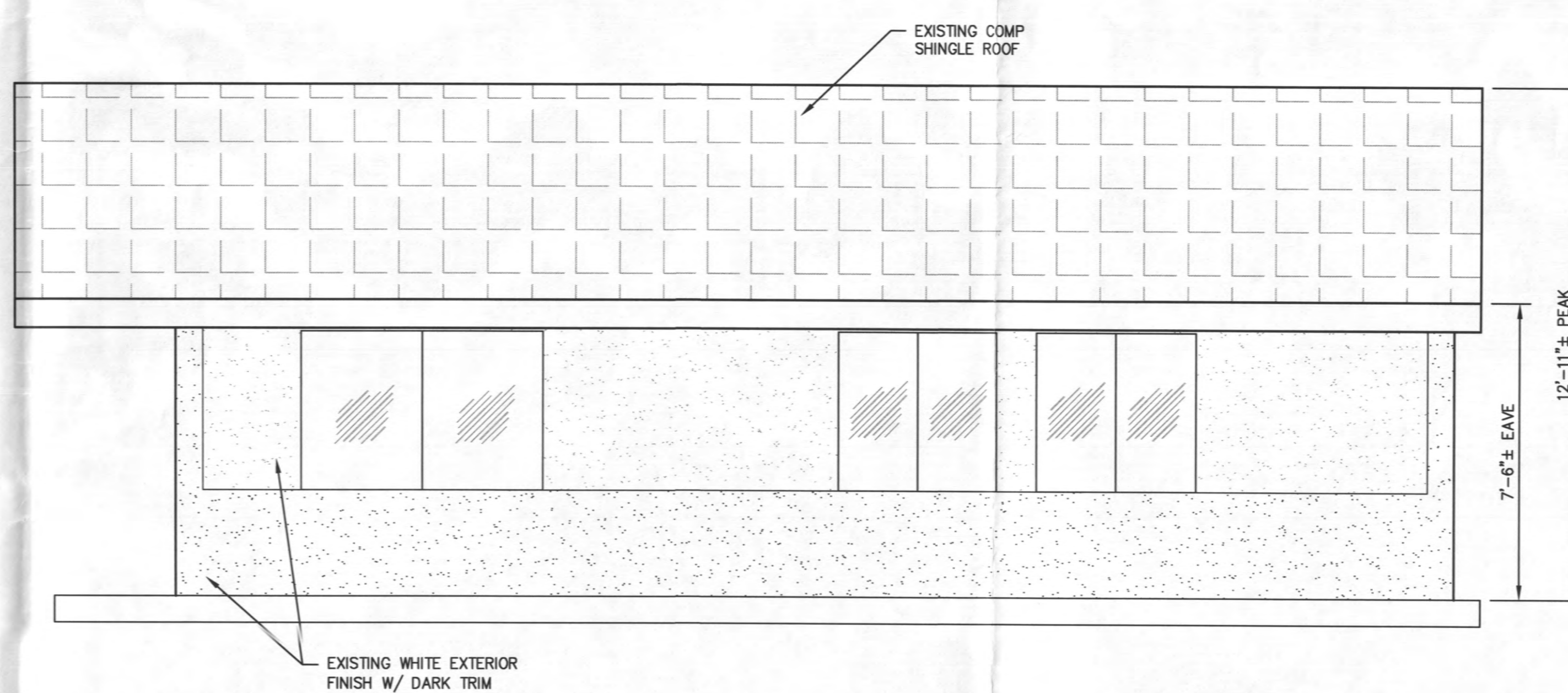
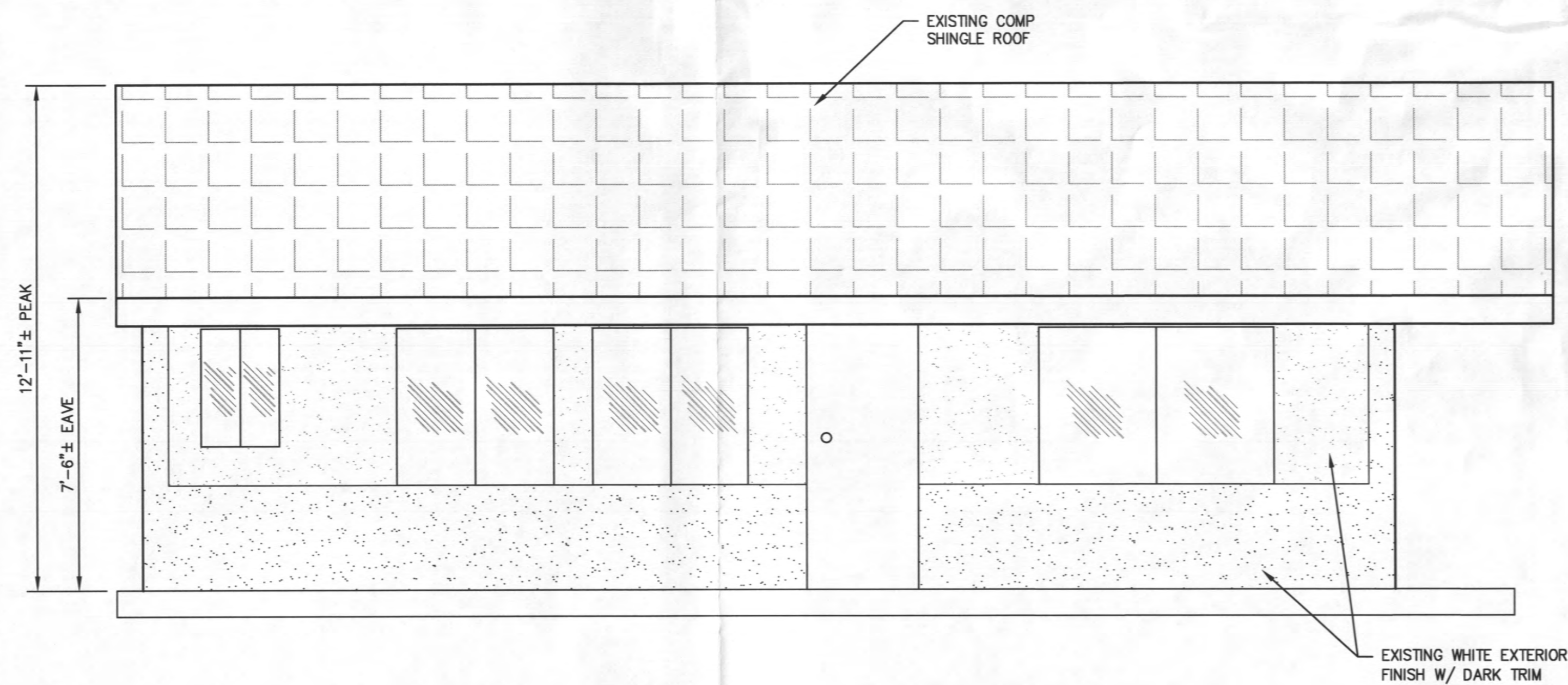
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SHEET
4
4 OF 5



NORTH ELEVATION
Scale: 3/8" = 1'-0"

SOUTH ELEVATION
Scale: 3/8" = 1'-0"



WEST ELEVATION
Scale: 3/8" = 1'-0"

EAST ELEVATION
Scale: 3/8" = 1'-0"

SCALES
 0" = 1"
 0 = 25mm
 IF THIS BAR IS NOT AS SHOWN, ADJUST SCALES ACCORDINGLY

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SHEET: ELEVATIONS #4
 EXISTING BLDG. #4
 DATE: 10-11-2019
 DRAWN: JT
 CHECKED: JT
 PROJECT NO: 0007-1902

PROJECT:
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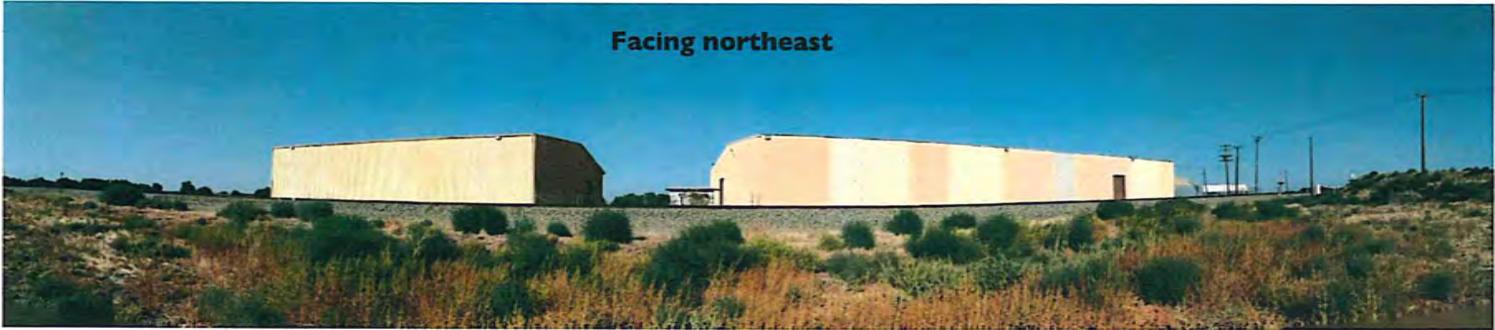
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Facing north from Kamm Ave.



Facing northwest



Facing southeast





Facing southwest